



**MINUTES
KING WILLIAM COUNTY
PLANNING COMMISSION
REGULAR MEETING OF OCTOBER 3, 2023**

A regular meeting of the Planning Commission of King William County, Virginia, was held on the 3rd day of October 2023, beginning at 7:00 p.m. in the King William County Board Room of the Administration Building and via Zoom.

Agenda Item 1. Call to Order

The meeting was called to order by Vice Chair Sluder at 7:00 p.m.

Agenda Item 2. Electronic Participation Approval

Commissioner Hite made a motion to approve electronic participation in the meeting for Chairman Greenwood who was unable to attend the meeting due to a personal matter. The motion was seconded by Commissioner Kellum.

The members were polled.

Darrell Kellum	Aye
Bonnie Hite	Aye
Otto Williams	Aye
Matthew Sluder	Aye

Agenda Item 3. Roll Call

The members were polled:

Bonnie Hite	Aye
Otto Williams	Aye
Matthew Sluder	Aye
Darrell Kellum	Aye
Chairman Stephen Greenwood	Aye

Also in Attendance:

Sherry Graham, Director of Planning
Christina Grover, Zoning Administrator
Barbara Trimmer, Planning Secretary

Agenda Item 4. Review And Adoption Of Meeting Agenda

Commissioner Hite moved for the adoption of the amended meeting agenda as presented; motion was seconded by Commissioner Kellum. Vice Chair Sluder called for any discussion.

The members were polled:

Otto Williams	Aye
Matthew Sluder	Aye
Darrell Kellum	Aye
Bonnie Hite	Aye
Chairman Stephen Greenwood	Aye

Agenda Item 5a. Approval of Minutes

Chairman Greenwood moved for the approval of the September 5, 2023 regular meeting minutes as presented; motion was seconded by Commission Hite. Vice Chair Sluder called for any discussion.

The members were polled:

Darrell Kellum	Aye
Bonnie Hite	Aye
Otto Williams	Aye
Matthew Sluder	Aye
Chairman Stephen Greenwood	Aye

Agenda Item 5. Citizen Comment Period

Vice Chair Sluder opened the Citizen Comment Period. There being no one in person or via zoom to speak, Vice Chair Sluder closed the citizen comment period.

Agenda Item 7a. Public Hearing – Amendments to the Zoning and Subdivision Ordinance

Ms. Graham presented a power point presentation of the Amendments to the Zoning and Subdivision Ordinance.

Section 86-110

1. The minimum lot area for a family subdivision shall be 3 acres. **There shall be no less than eight (8) acres in the A-C zoning district and the parent parcel shall be no less than five**

acres. There shall be no less than six (6) acres in the R-R zoning district and the parent parcel shall be no less than three acres.

Section 86-113

Yards and open space generally

(c) Terraces, steps, chimneys, open, unenclosed porches, platforms, or paved terraces, not covered by roof or canopy and which do not extend above the level of the first floor of the building, may extend or project into a required front, side, or rear yard setback not more than six feet; provided, that no such projection may be closer than thirty (30) feet to the front property line and ten (10) feet to any side or rear property line with approval of an administrative waiver from the Director of Planning or by a variance approval through the Board of Zoning Appeals.

Section 86-136

TCO transportation corridor overlay district.

(b) (1) Route 360. Properties with frontage on U.S. Highway 360 for its entire length through the county and extending ~~750~~ 700 feet on either side from the centerline of such highway or to the depth of the property, whichever is less; and

(b) (3) The Transportation Corridor Overlay boundaries shall be clearly depicted on the plat, concept plan, or site plan as appropriate and shall be determined by the Engineer or Surveyor.

(c) Applicability. Regulations in the TCO district shall apply to all commercial sites developed, redeveloped, or expanded after the establishment of the district. The district shall not apply to single residential sites, agricultural sites, or those sites developed prior to its establishment, unless there is an expansion of floor area in excess of a cumulative total of 50 percent or 5,000 square feet, whichever is less. A one-time expansion consisting of 1,200 square feet or less of additional floor area shall be exempt from the requirements of the TCO district.

(6) Building exteriors visible from U.S. Highway 30 shall be ~~approved by the Zoning Administrator.~~ Meet the criteria listed in 6(a) or be reviewed and approved by the Planning Commission.

(6)a. Stucco, drivit, galvalume, brick, stone, decorative block, split-face block, neutral colored cementitious siding or other materials with similar texture and appearance are considered appropriate to the county character and shall be provided on the main building facades. Nationally recognized and/or trademarked colors, logos, pictures, or similar type features may be permitted on the building facades, awnings, or other complimentary architectural features with the approval of the Director of Planning. Vinyl siding, T-111, and other materials not listed shall not be used for exterior siding material on any building except that vinyl siding may be used as trim material. The exterior covering material shall extend to the ground, except that when a solid brick or masonry perimeter foundation is used, exterior covering material need not extend below the top of the foundation.

Not less than 16 percent of the total area of any façade visible from a public right-of-way (excluding work areas) shall consist of windows and doors.

Mechanical equipment, including duct work, air compressors and other fixed operating machinery shall be either screened from view with either a solid wall, solid fence, or

landscaping, or located so that such items are not visible from the public right-of-way. Utility meters, above-ground tanks, satellite dishes, antennas, etc., shall be similarly treated. Roof-mounted mechanical equipment shall be opaquely screened from view at grade by parapet walls or other similar structures that reflect the architecture of the building.

(12) Fencing along the public right-of-way is discouraged, but if used, such fencing shall be landscaped to minimize visibility from the public right-of-way or be of a style which is harmonious with the rural, agricultural, and historical character of the county. Chain link fences shall be prohibited.

(13) No small-scale, medium scale, or utility scale solar facilities shall be permitted in the Transportation Corridor Overlay District.

Exceptions to the Transportation Corridor Overlay District Requirements

Exceptions to the development requirements and standards specified in this article may be granted by the Board of Supervisors following a recommendation by the Planning Commission in accordance with the procedures set out in this section.

Section 86-140 – Use Matrix

Short-term Business Rental – ~~Require Conditional Use Permit Approval in the A-C District.~~
(Currently permitted by-right).

Religious Assembly – ~~Primary, secondary schools, and daycare facilities permitted in religious assemblies with approval of a Conditional Use Permit.~~ (Currently not permitted).

Section 86-210

Short-term business rental.

~~(b)(4) License may be revoked if more than three substantiated complaints are received within a one year period.~~ Revocation is for a minimum of one year but may be permanent at the discretion of the county. ~~An annual renewal application and fee of \$75.00 is required. If the Planning Department has received valid complaints within the year, the short-term rental permit may not be renewed, and the applicant must re-apply for a conditional use permit. The Commissioner of Revenue will not renew the business license until they receive their annual renewal permit.~~

Section 86-210 – Continued

~~(e)(4) The principal guest of a short-term business rental unit shall be at least 18~~ 25 years of age.

Section 86-454 – Minor Residential Subdivisions

(d)(1) Generally. There shall be only one access to an adjacent primary or secondary highway by a new street and no lot shall have direct access to an existing primary or secondary highway. There shall be only one access to an adjacent primary highway. ~~There shall be only one access to a secondary highway or a shared deeded driveway for every two lots that front a secondary highway. A shared access shall be provided on a 50-foot-wide easement extending from the~~

existing public road to cover all lots within the subdivision. There shall be a road maintenance agreement for each lot in the subdivision.

Articles II – Definitions

Religious assembly means a use providing regular organized religious worship and related incidental activities, except primary or secondary schools and day care facilities. **Primary, secondary schools, and daycare facilities shall be permitted with approval of a conditional use permit.**

Townhouse development means one or more single-family dwellings containing townhouses with accessory parking, open space, and recreational and management facilities. **This includes carriage homes and condominium structures that are single-family homes that shall walls with neighboring units.**

Article XVII – Site Plan Requirements and Conceptual and Preliminary Site Plan Requirements for CUP's and Rezoning

Vice Chair Sluder opened the Public Hearing for Amendments to the Zoning and Subdivision Ordinance.

Steven Hoy – 2nd District – Spoke in opposition to the proposed ordinance changes to require a CUP for a Short-Term Rental in the A-C district, the authority of the County to suspend/revoke a permit for one year or to cancel the permit permanently based on one complaint. He said it is restricted to the property owner; it is an obstacle for meeting the lodging need in County, and the ordinance already has a process for any issues that neighboring property could encounter.

Charles Snead – 2nd District – Spoke on the need for overnight lodging in the County and restricting short term rentals in the County by requiring a CUP. The changes are being based on complaints from a very few citizens.

Carolyn Wade – 2nd District – Spoke in favor of having a Conditional Use Process for Short Term Rentals. She lives in a small, private neighborhood that has covenants against operating a business out of the home. She would like the CUP process to be put in place so they can speak about their unique situation and hope the other side would considered and allow them to speak during the CUP process.

There being no one further to speak in person or by Zoom, Vice Chair Sluder closed the Public Hearing.

The Planning Commission voted 5-0 to recommend approval to the Board of Supervisors on the following sections:

Section 86-110 – Minimum Site Area and Dimensional Regulations for Primary Zoning Districts

Section 86-113 – Yards and Open Space Generally

Section 86-136 – TCO Transportation Corridor Overlay District

Section 86-210 – Short-Term Business Rentals
Section 86-403 – Site Plan Requirements
Article II – Definitions

Under Section 86-136 – Transportation Corridor Overlay District, it was the consensus of the Planning Commission to add under Article II – Definitions – Street Centerline in the Transportation Corridor Overlay District means the center of the four lanes along Route 360 or the center of the two lanes along Route 30.

The Planning Commission voted 5-0 to recommend to the Board that the following changes be tabled:

Section 86-140 – Use Matrix

Adding that short-term business rentals require a conditional use permit in the A-C zoning district instead of being permitted by-right.

Adding that day care centers and secondary schools be permitted in churches with approval of a conditional use permit.

86-454 – Minor Residential Subdivisions

(d)(1) Generally. ~~There shall be only one access to an adjacent primary or secondary highway by a new street and no lot shall have direct access to an existing primary or secondary highway.~~
There shall be only one access to an adjacent primary highway. There shall be only one access to a secondary highway or a shared deeded driveway for every two lots that front a secondary highway. A shared access shall be provided on a 50-foot-wide easement extending from the existing public road to cover all lots within the subdivision. There shall be a road maintenance agreement for each lot in the subdivision.

It was the consensus of the Planning Commission to table the above section for 90 days in order to seek legal advice on the requirements of a road maintenance agreement.

Article II – Definitions

Religious assembly means a use providing regular organized religious worship and related incidental activities, ~~except primary or secondary schools and day care facilities.~~ Primary, secondary schools, and daycare facilities shall be permitted with approval of a conditional use permit.

Agenda Item 7b. Proposed Fee Changes

Ms. Graham presented the proposed fee changes.

	Existing	Proposed
Conditional Use Permit – Commercial	\$3,400 - \$50/acre	\$3,500
PUD – Preliminary	N/A	\$2,500
PUD - Final Plat	N/A	\$2,500
Cluster Division – Preliminary	N/A	\$2,500
Cluster Division - Final	N/A	\$500
Single Lot	\$500+\$25/acre	\$500
Minor	\$500+\$25/acre	\$500
Exempt Subdivision	N/A	\$300
Farmstead Subdivision	N/A	\$300

Vice Chair Sluder opened the Public Hearing. There being no one in person or via zoom to speak, Vice Chair Sluder closed the Public Hearing.

Commissioner Hite made a motion to approve. The motion was seconded by Commissioner Kellum. Vice Chair Sluder called for any discussion.

The members were polled:

Bonnie Hite	Aye
Otto Williams	Aye
Matthew Sluder	Aye
Darrell Kellum	Aye
Chairman Stephen Greenwood	Aye

Agenda Item 8. Unfinished Business

Central Apartments was tabled at the March 14, 2023 meeting. The case may be ready for the December meeting. Public Hearing Adjacent Property Owner letters will be mailed.

Kisner Sand and Gravel was tabled at the July 11, 2023 meeting. The case may be ready for the January 2024 meeting.

3 Rivers Land Management Inc was tabled in August. The applicant will be applying for a Conditional Use Permit.

Agenda Item 9. New Business

Ms. Graham said we should be thinking about a future review of the rezoning of 360 parcels, capping solar facilities at 3%, zoning code for tiny houses, and reviewing our comprehensive plan. In January, we will have our organizational meeting, election of officers, and adoption of by-laws.

Agenda Item 10. Staff and/or Special Committee Report

Planning and Zoning Edmonds reports, Property Maintenance, and Violation reports were presented to the Commissioners by Christina Grover, Zoning Administrator.

Agenda Item 11. Commissioner Comments

Commissioner Hite thanked Ms. Graham and Staff for the hard work put into reviewing the zoning and subdivision ordinances. Slightly disappointed that we had the Public Hearing and had to table some things. Thanked the Citizens who came with comments. It makes the decision easier when they hear from the Public.

Commissioner Williams thanked everyone for coming to the meeting and appreciated the effort from the Staff and the Commissioners.

Commissioner Kellum said we need to get this right; the ladies have to enforce it.

Commissioner Sluder thought we would not have as many items to table as we did after working on them for the last six months, the key is public input and as Mr. Kellum said we have to get this right. Items for the future – a joint meeting with the EDA and a review of the comprehensive plan.

Chairman Greenwood provided an update on the Broadband project, thanked Vice Chair Sluder for chairing the meeting and thanked everyone for coming to the meeting.

Agenda Item 12. Adjournment or Recess

Commission Williams made a motion to adjourn the meeting, seconded by Commissioner Kellum. Vice-Chair Sluder called for any discussion. The members were polled:

Darrell Kellum	Aye
Bonnie Hite	Aye
Don Wagner	Aye
Chairman Stephen Greenwood	Aye
Vice-Chair Matthew Sluder	Aye

There being no further business, the meeting was adjourned.

Stephen Greenwood, Chairman

Barbara Trimmer, Commission Secretary