Department of Planning & Community Development

Franklin County
A Natural Setting for Opportunity

Franklin County Planning Commission
Agenda
June 9, 2020

I. Call to Order

II. Roll Call

III. Consent Agenda
   A) Approval of Minutes from May 12, 2020

IV. Public Hearings:

1) **AMENDMENT TO FRANKLIN COUNTY COMPREHENSIVE PLAN-** Application of Franklin County, requesting a comprehensive plan amendment of the Franklin County Facilities Map, identified as Map # 21, in the 2007 Franklin County 2025 Comprehensive Plan adopted by the Board of Supervisors in May 2007. The purpose of requesting the review is to update the existing Franklin County Facilities Map by adding existing and proposed public safety facilities, to add existing or proposed government office and facilities, and to update all existing elementary schools. The Franklin County Facilities Map is located in the Appendix 2 of the Comprehensive Plan.

   a. Staff Presentation (Lisa Cooper)
   b. Public Comment

2) **APPLICATION for SPECIAL USE PERMIT-** Application of Franklin County Public Safety, and County of Franklin, Owners, requesting a special use permit, with possible conditions, to allow for the construction of an emergency services facility for the Glade Hill Fire/EMS Station. The property is approximately 5.43 acres, currently zoned A-1, Agricultural, and located at 9825 Old Franklin Turnpike in the Union Hall District of Franklin County and further identified by Franklin County Real Estate Records as Tax Map/Parcel # 0660004201. The property has a future land use designation of Low Density Residential. Emergency service facilities are a permitted use by issuance of a special use permit in A-1 zoning districts.

   a. Staff Presentation (Terry Harrington)
   b. Applicant Presentation
   c. Public Comment

V. Citizen Comment

VI. Adjourn

**** The Planning Commission's next site visits are scheduled for July 8, 2020

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A meeting of the Franklin County Planning Commission was held on May 12, 2020 in the Board of Supervisors meeting room located in the Franklin County Government Center.

THOSE PRESENT:
Earl Webb- Blackwater District
Jim Colby- Gills Creek District (on phone)
Angie McGhee- Boone District (on phone)
Debbie Crawford- Union Hall District
David Clements- Rocky Mount District
C.W. Doss, Jr.- Blue Ridge District
THOSE ABSENT:
Sherrie Mitchell- Snow Creek District
OTHERS PRESENT:
Jim Guynn- County Attorney (on phone)
Steven Sandy- Director of Planning & Community Development
Terry Harrington- Senior Planner
Lisa Cooper- Principal Planner
Hannah Powell- Clerk

The meeting was called to order by Chairman Webb at 6:00 p.m. The first order of business was the roll call. The next order of business was the approval of the minutes from the April 12, 2020 meeting. Chairman Webb asked of the Planning Commission if there were any comments or corrections to the minutes as written; there were none. Chairman Webb announced the minutes would stand as written.

Chairman Webb introduced the first item on the agenda and asked for the staff report.

APPLICATION for SPECIAL USE PERMIT- Application of John Mathena, Applicant, and South Lake Motor Sports, LLC, Owners, requesting to amend condition #4 attached to an existing Special Use Permit that was granted by the Board of Supervisors on January 15, 2019. Specifically the applicant is requesting to (1) substitute a single welded wire fence for the approved split rail fence with wire mesh, and (2) to substitute Eastern Red Cedar trees with a height of two (2) feet to four (4) feet, for the previously approved six (6) foot tall Green Giant Arborvitae. The Eastern Red Cedar's would be planted in a single row twenty (20) feet on center along the property boundaries that already have existing mature vegetation. Eastern Red Cedars with a height of three (3) feet to five (5) feet would be planted in a staggered double row twenty (20) feet on center along the north/northwest property lines adjacent to Hampton Drive.

Mr. Harrington began by explaining that on February 19, 2019, the Board of Supervisors approved a special use permit request of Southlake Motorsports LLC to allow for a RV campground and tourist and resort facilities development on an approximate 14.25 acre parcel currently zoned A-1 Agriculture. The approval of the SUP was subject to the compliance with twelve (12) conditions contained in Resolution 04-02-2019.

Mr. Harrington went on to say that these conditions were attached by the Commission and Board of Supervisors to attempt to mitigate any negative impacts and address concerns raised by adjoining property owners during the public hearing process. The applicant has requested a modification of the SUP conditions as they relate to the required evergreen buffer and the required split rail fence with wire mesh. The reason for the requested change is cost and availability of the trees and the cost of the split rail fence.

Mr. Harrington commented that the main change resulting from the change in the SUP conditions is that the landscape buffer would be less effective for the first 3-4 years of the RV parks operation. As the buffer vegetation matured, the screening differences between the Arborvitae species and Eastern Red Cedar species would become less pronounced.

Mr. Harrington said that forty-two (42) residents of the surrounding neighborhood have submitted a petition opposing the modification of the approved SUP conditions.

Mr. Harrington concluded that the staff believes that the proposed modification is not in keeping with the concerns expressed by the community and the purpose and intent of the original conditions required by the Board of Supervisors and should be DENIED.

Mr. Harrington offered to answer any questions.

Chairman Webb asked if anyone had questions for staff; no one did. Chairman Webb then asked to hear from the applicant.

Mr. Mathena stated that he and his partners did not understand the cost involved with the original fence and trees required by the Board. He said that the arborvitae trees come at an average of $150 per tree and that they needed 450 of them. He went on to say that this came to around $67,000 that had not been budgeted for the project. He said the cost involved with the fence was similar in that it came to be much more expensive than they had counted on.\

Mr. Mathena asked if the arborvitae trees could be switched to the Eastern Redcedar tree. Mr. Mathena showed images and provided information on both types of trees to display their similarities. He mentioned that the Redcedar trees are much less expensive. Mr. Mathena continued by saying that if the type of tree could not be changed that the height requirement be changed. He remarked that finding 400+ six-foot trees in one location was difficult and most would have to be shipped in.

Mr. Mathena went on to say that the split rail fencing has no purpose other than esthetics. He suggested instead to use fence posts with a welded wire fence and provided images for clarity. He commented that they are trying to do a good job with this project and have tried to do the right thing but they have been forced to fight so much that they are ready to give up.

Mr. Mathena offered to answer any questions. Chairman Webb asked if anyone had questions for Mr. Mathena.

Chairman Webb then opened the public hearing and asked if there was anyone present that would like to speak or if any comments had been received online; there was not. Secretary Powell indicated there were no new comments from citizens besides information already given to the Planning Commission. Chairman Webb then closed the public hearing and the members had discussion among themselves.

Mrs. Crawford made a motion to approve, stating that she found that the modification of the perimeter evergreen buffer and fencing conditions adopted as condition #4 on Resolution 04-02-2019 to be consistent with the purpose and intent of the Comprehensive Plan and good zoning practice and will not be of substantial detriment to the community. I therefore recommend approval of the request with twelve (12) conditions and #4 amended as follows:

4. *A wire fence with wooden posts similar to that depicted in Attachment A shall be installed along the common property line with tax parcels 0520012408 and 0520010200. The fence shall be extended from the property corner with tax parcel 0520010200 to the boundary line along Hampton Drive and then extended for 100 linear feet along the boundary of Hampton Drive. The fencing and entire boundary line along Hampton Drive shall include signs stating "No Trespassing (or No Campers) Beyond This Point" and shall be placed along the fencing every fifty (50) linear feet. An existing vegetative buffer consisting of a minimum width of twenty (20) feet shall be maintained around the entire perimeter of the parcel (except for roads, utility easements, etc).*

   In addition to the existing vegetation, a new evergreen buffer shall be established along the perimeter of the campground area to provide a visual buffer from adjoining properties. The established buffer shall consist of Green Giant Arborvitae or Eastern Red Cedar trees with a minimum height of 3- 4 feet at the time of planting. This evergreen buffer shall consist of a single row of trees spaced 10 feet apart except along Hampton Drive. Along Hampton Drive, the evergreen buffer shall consist of a double row of trees to the drain field area, and then a single row shall go perpendicular to Hampton Drive behind the cabins. The

vegetative buffer shall be maintained by the property owner for the entire period that the use approved by this special use permit is conducted. This buffer and fencing shall be in place prior to the campground opening. A new site plan confirming the vegetative buffer and fencing, along with a photo of the proposed fencing, shall be provided.

Mr. Doss seconded the motion.

The motion to approve the amendment to condition #4 was approved. Voting on the motion was as follows:

AYES: Doss, Crawford, McGhee, Clements, Webb

NAYES: Colby

ABSENT: Mitchell

ABSTAIN: None

Chairman Webb introduced the next item on the agenda and asked for the staff report.

APPLICATION for REZONE- Application of Bowman Excavating, Inc, Applicants, and Brent E. Bowman and Cora Mae Bowman, Owners, requesting to rezone a property from A-1, Agricultural, to B-2, General Business, for the purpose of having a contractor's office and shop from which their business would operate. The property is approximately 9.64 acres, currently zoned A-1, Agricultural, and located at 540 Ikenberry Road in the Blackwater District of Franklin County, and further identified by Franklin County Real Estate Records as Tax Map/Parcel # 0430002401D. The property has a future land use designation of Low Density Residential and Agriculture, Forestry/Rural Residential.

Mr. Harrington began by explaining that Bowman Excavating Inc. owns and operates an excavating company on property owned by the Bowman family on Ikenberry Road. The property is zoned A-1 Agriculture. The company has been operating from this location for many years and now has a need to expand and improve their facilities. Contractor's offices and facilities are not a permitted use in A-1 zoning districts but are permitted by right in B-2 districts.

Mr. Harrington stated this rezoning request has been submitted to rezone 9.65 acres to B-2. Initial (Phase 1) improvements to the property will be a new office structure and parking area. Phase II improvement will include an expanded shop facility and minor increases in the gravel parking areas.

Mr. Harrington continued by saying that Phase I improvements (office building for three existing employees and small parking lot) will not have any impacts on adjacent or surrounding properties. The location and size of the Phase II shop expansion similarly should not have an impact on the area.

Mr. Harrington said that the property owner has submitted proffered conditions to limit future use of the Business, B-2, zoned property. The request generally conforms to the policies contained in the County's adopted comprehensive plan and is compatible with the relatively small scale of the existing Bowman Excavating facilities.

Mr. Harrington concluded that the staff recommends APPROVAL of this A-1 to B-2 rezoning request with the profferred condition offered by the property owners.

Mr. Harrington offered to answer any questions; there were none. Chairman Webb then asked to hear from the applicant.

Mr. Bowman (on the phone) said that since moving his business to Franklin County his business has grown substantially. He said they are currently working out of a trailer but have outgrown it. He stated a larger office space would allow them to keep working in Franklin County. He offered to answer any questions.

Chairman Webb asked if anyone had questions; no one did.

Chairman Webb then opened the public hearing and asked if there was anyone present that would like to speak or if there were any comments received online; there were none. Chairman Webb then closed the public hearing and discussion among the members ensued.

Mrs. McGhee made a motion to approve, stating that she found that the proposed A-1 to B-2 rezoning of Franklin County tax parcel # 0430002401D located in the Blackwater District is consistent with the purpose and intent of the County's comprehensive plan and good zoning practice and will not be a substantial detriment to the community. I therefore recommend approval of this 9.65 acre rezoning with the following proffered condition as offered by the property owner as follows:

1) Use of Tax Parcel # 0430002401D, consisting of 9.65 acres, shall be limited to contractors' offices and facilities and continue to be used for agriculture in the production of hay or other crops and shall generally be developed as shown on the Concept Drawing for Bowman Excavating-New Office, drawn by Devin Bowman and dated 2/21/20. If this proffer is accepted, we expect no requirement from Franklin County that will affect the existing use or appearance of this property.

Mr. Clements seconded the motion.

The motion to approve the rezone request was approved. Voting on the motion was as follows:

AYES:	Doss, Clements, McGhee, Crawford, Colby, Webb
NAYES:	None
ABSENT:	Mitchell
ABSTAIN:	None

Chairman Webb announced the next item on the agenda and asked for the staff report.

APPLICATION for SPECIAL USE PERMIT – Application of Smith Mountain Lake Volunteer Fire & Rescue Department, Applicants and Owners, requesting to amend condition #1 of an existing Special Use Permit that was granted by the Board of Supervisors on June 1, 2017 to allow the proposed optional storage building to be increased in size from 2,500 square feet to a maximum of 5,000 square feet. The property is approximately 6.13 acres, currently zoned R-1, Residential Suburban Subdivision District, and located at the end of Oak Grove Drive in the Gills Creek District of Franklin County, and further identified by Franklin County Real Estate Records as Tax Map/Parcel # 0150007301. The property has a future land use designation of Low Density Residential.

Mr. Harrington explained that on May 16, 2017 the Board of Supervisors approved a special use permit request submitted on behalf of the SMLVFR. The approved permit authorized the development of an emergency services facility on a 6.134 acre parcel of land located off Oak Grove Drive in the Gills Creek district. The proposed buildings in the approved emergency services facility consist of a main building on the eastern portion of the property near the lake, and a smaller storage building on the western side of the property.Mr. Harrington said that five conditions were attached to the SUP approval granted in May of 2017. These five conditions are contained in the BOS resolution approving the SUP on May 17, 2017. Subsequent to the approval of the SUP, the staff and applicant discerned that there was an inconsistency between the approving resolution which limited the size of the smaller storage building to 2500 sq. ft. and the approved Exhibit A which limited the size of the smaller building to 4000 sq. ft.

Mr. Harrington went on to say that based upon the most current facility needs assessment, as undertaken by the SMLVFR, the applicant is requesting that the conditions attached to the SUP for this emergency facility be modified to allow this storage building to contain up to 5,000 sq. ft of storage. No other modifications of the previously approved conditions or master plan are requested. This change is not expected to generate any significant impacts except increase the allowable size of the storage building.

Mr. Harrington concluded that the recommends that the Planning Commission recommend approval of modifying Condition # 1 as contained in the resolution approving the SUP for the SMLVFR emergency services facility. Condition #1 shall be modified as follows:

1) Substantial Conformity. The SUP authorizes the use of the property for an Emergency Services Facility. The property shall be developed in substantial conformity with the conceptual plan entitled Smith Mountain Lake Volunteer Fire and Rescue, Proposed Master Plan, dated November 8, 2016, and schematic layout dated April 11, 2017 prepared by Craighead and Associates, Architects. However, the ~~size of the station structure and the storage building depicted on the conceptual plan shall not exceed 5,000 sq. ft. and 2,500 sq. ft. respectively in total area~~. maximum size of the proposed main building and the proposed storage building shall each not exceed 5,000 sq. ft.

Mr. Harrington offered to answer any questions.

Mr. Colby clarified that the building was on the lower left of the concept plan, 4000 square foot, rectangular building.

Mr. Harrington answered that he was correct.

Chairman Webb asked to hear from the applicant.

Andrew Lumsden (on phone) as representative for the applicant Neil Harrington, said he did not have anything to add but offered to answer any questions.

Chairman Webb asked if anyone had questions for the applicant; no one did.
Chairman Webb then opened the public hearing and asked if there was anyone present that would like to speak or if there were any comments received online; there was not. Chairman Webb closed the public hearing and the members had discussion among themselves.

Mr. Colby made a motion to approve, stating that he found that the proposed amendment to allow a proposed storage building of up to 5000 sq. ft. as shown on the Proposed Master Plan for Smith Mountain Lake Volunteer Fire and Rescue (County Tax Parcel # 0150007301) in the Gills Creek district consistent with the purpose and intent of the Comprehensive Plan and good zoning practice and will not be of substantial detriment to the community. I therefore recommend approval of the SUP request with the following conditions:

1. Substantial Conformity. The SUP authorizes the use of the property for an emergency services facility. The property shall be developed in substantial conformity with the Smith Mountain Lake Volunteer Fire and Rescue Proposed Master Plan, dated November 8, 2016, and schematic layout dated April 11, 2017 prepared by Craighead and Associates, Architects. However, the maximum size of the proposed main building and the proposed storage building shall each not exceed 5,000 sq. ft

2. Buffering. The use of Emergency Services Facility shall require the maintenance of an existing wooded buffer along the lake boundary as shown on the Master Plan referenced in Condition #1. In addition, two acres of the property are to remain undeveloped and maintained with existing vegetation.

3. Compliance with State Regulations

   a. The existing entrance on Oak Grove Drive (Rt 1230) shall be improved to meet VDOT standards and requirements prior to any use authorized by this SUP in accordance with VDOT's letter of December 22, 2016.

   b. No gasoline or oil products shall be stored on the subject property without the approval of Virginia DEQ, Fire Marshall or Franklin County Building Official.

   c. Each phase of development shall have an approved development plan detailing all land disturbing activities and storm water management

4. No RV or tent camping shall be allowed on the subject property.

5. The property shall contain no land-based fire suppression services provided by SMLVFR unless approved by the Franklin County Director of Public Safety.

Mr. Clements seconded the motion.

The motion to approve the request was approved. Voting on the motion was as follows:

AYES:	Doss, Crawford, McGhee, Clements, Colby, Webb
NAYES:	None
ABSENT:	Mitchell
ABSTAIN:	None

Chairman Webb introduced the next item on the agenda and asked for the staff report.

APPLICATION for SPECIAL USE PERMIT – Application of Mohammad Alkhawaja, Applicant, and Kawaja Corporation, Owners, requesting a Special Use Permit with possible conditions, to allow for rental of moving equipment, located on an approximate 1.68 acre property. The property, currently zoned B-1, Limited Business, is located at 445 Doe Run Road in the Snow Creek District of Franklin County and is further identified by Franklin County Real Estate Records as Tax Map/Parcel # 0720034301. The Zoning Administrator has determined that the rental of moving equipment is a permitted use by issuance of a Special Use Permit in B-1, Limited Business, zoning districts. The property has a future land use designation of Low Density Residential.

Mr. Harrington stated that the property is currently used as a convenience store with gas sales with an apartment on the lower level of the convenience store. The applicant is proposing to display all the rental trucks and trailers on the paved portion of the lot along the Tripple Creek Road side of the property. Land uses in the general area are primarily residential with several small commercial businesses located near this intersection.

Mr. Harrington went on to say that in December of 2019, this property was previously considered for a SUP that would allow the sale of used vehicles on the property. Several people spoke at the public hearing for this SUP request. Speakers opposed to the SUP request cited concerns of traffic, trash and noise. The Commission recommended approval of the request to the BOS. The Board denied the request for used vehicle sales at their meeting on December 17, 2019 by a vote of 7-0.

Mr. Harrington commented that no significant noise impacts are expected as a result of locating the truck and trailer rental business at this location. The 2025 Comprehensive Plan has a future land use designation of Low Density Residential for this property. Although low density residential is intended to allow primarily residential development, neighborhoods benefit from (and the comprehensive plan supports) small scale commercial uses that provide services used by neighborhood residents. No new lighting is proposed for this site. If lighting is proposed in the future, the lighting fixtures must be down cast with a shielded light source with a maximum intensity of .5 foot candles at any property line.

Mr. Harrington concluded that the staff recommends approval of this SUP request for a moving truck and trailer rental business with the following conditions:

1) Uses authorized by this SUP shall be limited to the rental of moving trucks and trailers.
2) No vehicle repairs shall be allowed on the property.
3) All vehicles on this property shall be in operable condition. No vehicles or equipment shall be stored within the grass area behind the convenience store.
4) All moving trucks and trailers shall be located along the Tripple Creek Road side of the building.
5) Any freestanding signage proposed shall comply with the county sign regulations, shall be of a monument design and shall not be more than eight (8) feet in height. A sign permit, approved by the county, shall be required.

6) A minor site plan shall be submitted within sixty (60) days of SUP approval and approved by the zoning administrator, showing all required parking areas for store customers and moving truck and trailer display areas, landscaping and other site features as required by the Franklin County zoning ordinance.

Mr. Harrington offered to answer any questions; there were none. Chairman Webb asked to hear from the applicant.

Mr. Khawaja (on the phone) said he had nothing to add but would answer any questions. There were none.

Chairman Webb opened the public hearing and asked if there was anyone that would like to speak or if there were any comments received online; there was not. Chairman Webb closed the public hearing and discussion amongst the members ensued.

Mrs. McGhee mentioned that Mrs. Mitchell, Snow Creek representative, had indicated in an email that she had no objection to the request.

Mr. Doss made a motion to approve, stating that he found that the proposed SUP for a moving truck and trailer rental business on Franklin County Tax Parcel # 0720034301 in the Snow Creek District is consistent with the purpose and intent of the Comprehensive Plan and good zoning practice and will not be of substantial detriment to adjacent properties or the community. I therefore recommend approval of the SUP request with the following conditions.

1) Uses authorized by this SUP shall be limited to the rental of moving trucks and trailers.

2) No vehicle repairs shall be allowed on the property.

3) All vehicles on this property shall be in operable condition.

4) All moving trucks and trailers for rent shall be located along the Tripple Creek Road side of the property as proposed on the submitted concept plan.

5) Any freestanding signage proposed shall comply with the county sign regulations, shall be of a monument design and shall not be more than eight (8) feet in height.

6) A minor site plan shall be submitted within sixty (60) days of SUP approval and approved by the zoning administrator, showing all required parking areas for store customers and moving truck and trailer display areas, landscaping and other site features as required by the Franklin County zoning ordinance.

Mrs. Crawford seconded the motion.

The motion to approve the request was approved. Voting on the motion was as follows:

AYES:	Doss, Clements, Crawford, McGhee, Colby, Webb
NAYES:	None
ABSENT:	Mitchell
ABSTAIN:	None

Chairman Webb announced the next item on the agenda and asked for the staff report.

APPLICATION for SPECIAL USE PERMIT- Application of Karen S. Saunders, Applicant and Owner, requesting a Special Use Permit with possible conditions to allow for the short term tourist rental of a dwelling on an approximate 6.71 acre property. The property, currently zoned A-1, Agricultural, is located at 345 Hermitage Road

in the Union Hall District of Franklin County and further identified by Franklin County Real Estate Records as Tax Map/Parcel # 0470007000. The short term rental of a tourist dwelling is a permitted use by issuance of a special use permit in A-1, Agricultural, zoning districts. The property has a future use designation of Low Density Residential.

Mr. Harrington explained that Ms. Saunders is the owner of a single family home on Hermitage Rd. in Wirtz, VA. Her career is requiring that she move out of state for the next ten years. She would like to retain ownership of her home so that it is available as a possible retirement location. Approval to use the house as a short term rental will be a source of income to offset maintenance costs and management fees and will allow her to periodically visit and stay at the home while she resides out of state.The Saunders property is zoned A-1 Agricultural. Per Section 25-179 of the County Code, short term rentals are permitted in A-1 zoning districts provided the Board of Supervisors issues a special use permit for the use.

Mr. Harrington stated that the Future Land Use designates the property located at 345 Hermitage Road as Low Density Residential according to the 2007 Franklin County Comprehensive Plan.The comprehensive plan would support the special use permit for this property to be used as a short term rental dwelling unit due to the fact the property would not adversely impact surrounding properties. The location of the dwelling is situated that it cannot be seen from other properties and the trees buffering between the two neighbors will help screen and reduce noise.

Mr. Harrington concluded that the staff recommends the Commission recommend approval of this SUP request to allow the short term rental of the Saunders residence with the following three conditions:

1) This SUP shall only apply to the existing house located at 345 Hermitage Rd. and shall not apply to any additional homes that may be constructed on tax parcel 0470007000.

2) The Franklin County Building Official and Fire Marshal shall inspect the structure proposed for short term rental use prior to the structure being used for short term rental to ensure all safety requirements are met.

3) The property owner shall complete the "Short Term Rental Certificate of Compliance Form" and submit the form to the zoning administrator prior to using the house as a short term rental. The property owner shall at all times comply with the supplementary regulations for short term rentals.

Mr. Harrington offered to answer any questions; there were none.

Mr. Sandy mentioned that AEP had contacted him late that afternoon requesting that the Planning Commission continue the public hearing in this matter in order to allow time for further documentation of existing conditions and comparison with archival information as to the condition, configuration, and use of the existing structure. He added that a copy of the email had been provided to the Planning Commissioners.

Chairman Webb asked to hear from the applicant.

Mr. Danny Dewitt (on the phone), representative for the applicant, said that they had clarified with the Commissioner of Revenue that it was a two bedroom structure. He said they would be in touch with AEP tomorrow.

Chairman Webb asked if anyone had questions for the applicant.

Mr. Colby asked how they would deal with the costs that could potentially be imposed by AEP.

Mr. Dewitt answered that it depended on what exactly they wanted and how extensive it was.

Chairman Webb then opened the public hearing and asked if there was anyone present that would like to speak or if any comments had been received online; there was not. Chairman Webb closed the public hearing and the members had discussion among themselves.

Mrs. Crawford made a motion to approve, stating that she found that the proposed special use permit to allow the single family structure located at 345 Hermitage Road to be used as a short term rental consistent with the

purposeand intent of the Comprehensive Plan and good zoning practice and will not be of substantial detriment to the community. I therefore recommend approval of the SUP request with the following conditions:

1. This SUP shall only apply to the existing house located at 345 Hermitage Rd. and shall not apply to any additional homes that may in the future be constructed on tax parcel 0470007000.

2. The Franklin County Building Official and Fire Marshal shall inspect the structure proposed for short term rental use prior to the structure being used for short term rental to ensure all safety requirements are met.

3. The property owner shall complete the "Short Term Rental Certificate of Compliance Form" and submit the form to the zoning administrator prior to using the house as a short term rental. The property owner shall at all times comply with the supplementary regulations for short term rentals.

Mr. Doss seconded the motion.

The motion to approve the request was approved. Voting on the motion was as follows:

AYES:	Doss, Crawford, McGhee, Clements, Webb
NAYES:	None
ABSENT:	Mitchell
ABSTAIN:	Colby

Chairman Webb introduced the next item on the agenda and asked for the staff report.

PETITION of the FRANKLIN COUNTY BOARD OF SUPERVISORS, request to amend Chapter 25 of the Franklin County Code, "Zoning", to modify penalties related to civil and criminal penalties and short term rentals. Section 25-138, Supplemental Regulations, to remove regulations and provide a cross-reference to Chapter 5.5 of the County Code. Section 25-800, Penalties, and 25-801, Civil Penalties, to remove fine amounts for criminal penalties and reference current Virginia Code fine allowances.

Mr. Sandy began by explaining that during discussions of short-term rentals, the Board requested that staff develop a method to have uniform regulations apply to short-term rentals countywide. Staff has proposed that these uniform regulations be established in Chapter 5.5 of the County Code along with a new registry requirement which will also apply countywide. It was proposed that Section 25-138 be amended to reference the regulations developed in Section 5.5-72. However, after further consideration it is now recommended to have identical regulations in 25-138 and 5.5-72.

Mr. Sandy added that the Board also requested that staff consider substantial fines for violations of the County's zoning ordinance. It is recommended that the ordinance pertaining to penalties be revised to be consistent with the allowable fines authorized by the Code of VA.

Mr. Sandy concluded that respectively requests that the Commission table the approval of the proposed zoning ordinance amendments to Chapter 25, Zoning, Section 5.5-72 of County Code pertaining to short-term rentals until June meeting or until such time as the Board of Supervisors adopts regulations in 5.5-72.

Mr. Sandy offered to answer any questions.

Mrs. Crawford asked that she would like the Board to consider changing item (g) relating to fire extinguishers. She said she would prefer it require fire extinguishers on every level of the house.

Mr. Sandy said that could be added to item (g).

Chairman Webb opened the public hearing and asked if there was anyone present that would like to speak or if any comments had been received online; there was not. Chairman Webb said that the public hearing would be continued to the next meeting and the members had discussion among themselves.

Mrs. Crawford made a motion to table action in order to re-advertise and reschedule this item for another public hearing until such time as the Board of Supervisors adopts regulations in 5.5-72.

Mr. Clements seconded the motion.

Voting on the motion to table action was approved. Voting on the motion was as follows:

AYES: Doss, Clements, Crawford, McGhee, Colby, Webb

NAYES: None

ABSENT: Mitchell

ABSTAIN: None

Chairman Webb announced the next item as citizen comment and asked if there was anyone present that would like to speak on any topic; there was not.

With no other business, the meeting was adjourned at 8:00 p.m.

_____, Clerk
Franklin County Planning Commission

_____
Date

DRAFT

MEMORANDUM
Case # A-5-20-002

Franklin County
A Natural Setting for Opportunity

To: Franklin County Planning Commission

From: Lisa Cooper, Principal Planner

Date: May 26, 2020

RE: Amendment to the Franklin County Comprehensive Plan

Requesting a comprehensive plan amendment of the Franklin County Facilities Map, identified as Map #21, in Appendix 2, of the 2007 Comprehensive Plan adopted by the Board of Supervisors in May 2007.

BACKGROUND AND DISCUSSION

Section 15.2-2232 of the Code of Virginia, as amended, outlines the scope and purpose of the County's Comprehensive Plan. Section 15.2-2232 (A) states "Whenever a local planning commission recommends a comprehensive plan or part thereof for the locality and such plan has been approved and adopted by the governing body, it shall control the general or approximate location, character and extent of each feature shown on the plan. Thereafter, unless a feature is already shown on the adopted master plan or part thereof or is deemed so under subsection D, no street or connection to an existing street, park or other public area, public building or public structure, public utility facility or public service corporation facility other than a railroad facility or an underground natural gas or underground electric distribution facility of a public utility as defined in subdivision (b) of § 56-265.1 within its certificated service territory, whether publicly or privately owned, shall be constructed, established or authorized, unless and until the general location or approximate location, character, and extent thereof has been submitted to and approved by the commission as being substantially in accord with the adopted comprehensive plan or part thereof."

Staff is requesting a comprehensive plan amendment of the Franklin County Facilities Map, identified as Map # 21, in the 2007 Franklin County 2025 Comprehensive Plan. The purpose is to update the existing Franklin County Facilities Map by adding existing and proposed public safety facilities, to add existing or proposed government office and facilities, and to update all existing elementary schools.

The following is a list of proposed additions to the Franklin County Facilities map:

Westlake Fire and EMS, Glade Hill Fire and EMS, Smith Mountain Lake Fire and EMS, and Callaway Fire
Windy Gap Elementary School
County Government Center office
Westlake Library
Animal Shelter
Landfill

Summit View Business Park with the addition of a proposed Public Safety Building and proposed park n ride
Remove Phoebe Needles Ed Center
Change County office from Town of Rocky Mount to County Agencies

The new amended Franklin County Facilities map dated May 26, 2020 is attached.

RECOMMENDATION:
Staff recommends that the Planning Commission consider and approve the following:

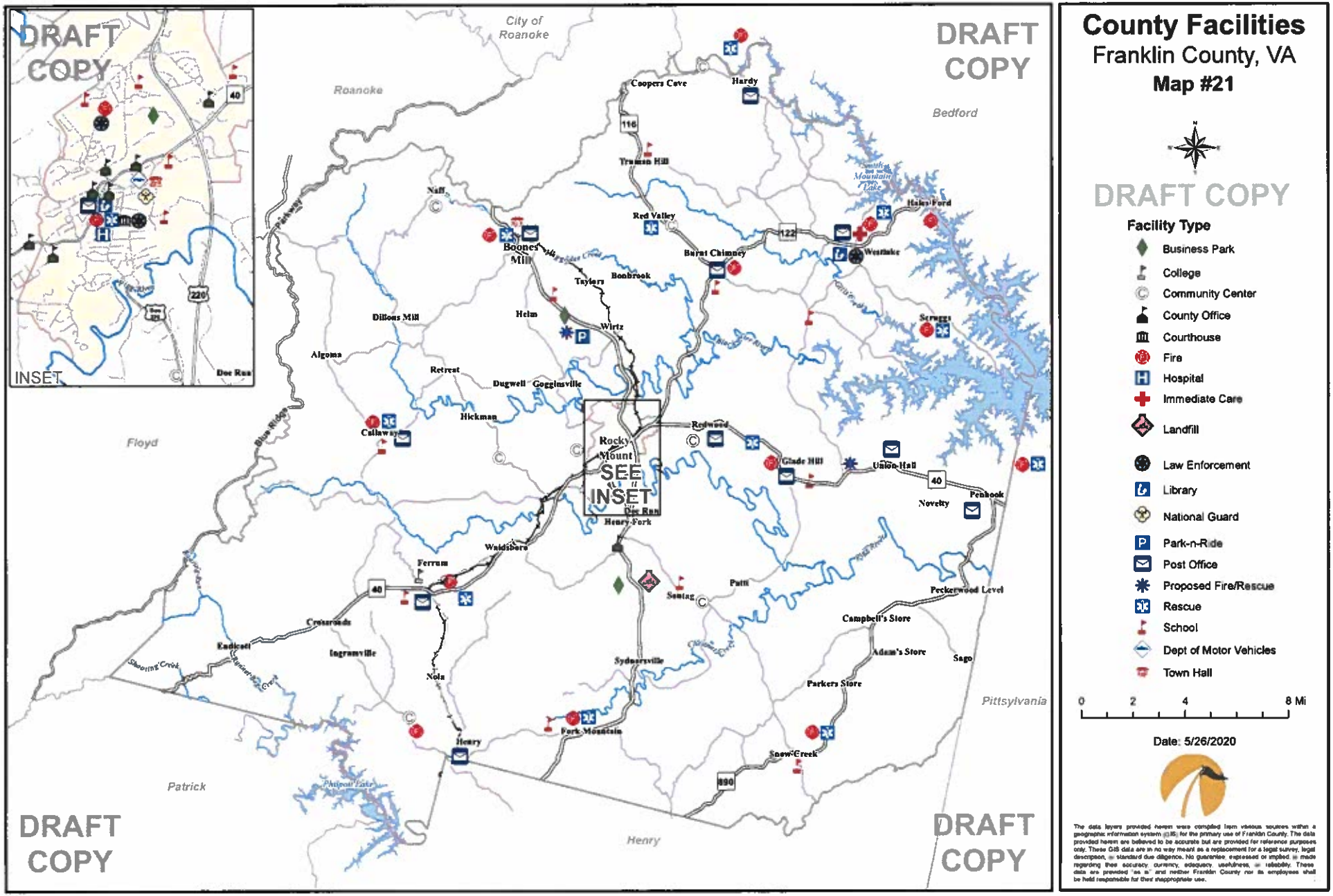
Staff recommends that the Planning Commission to adopt "Franklin County Facilities Map" dated May 26, 2020 and incorporate this new Facilities Map as part of the County's Comprehensive Plan as an amendment to the Plan.

SUGGESTED MOTIONS:

(1) (RECOMMEND) Pursuant to the requirements of Section 15.2-2232 (A) of the Code of Virginia, I find that the Franklin County Facilities Map identified as Map #21 dated May 26, 2020 be amended, adopted and incorporated into the County's Comprehensive Plan as an amendment.

(2) (DENY) I find that the Franklin County Facilities Map identified as May #21 dated May 26, 2020 does not satisfy the requirements of Section 15.2-2232 (A). Therefore, I move to recommend denial of the amendment to the Franklin County Facilities Map identified as Map #21 dated May 26, 2020 as an amendment to the County's Comprehensive Plan.

(3) (DELAY ACTION) I find that the required information presented is incomplete. Therefore, I move to delay action until additional information can be provided to the Planning Commission.



County Facilities

Franklin County, VA

Map #21

DRAFT COPY

Facility Type

- Business Park
- College
- Community Center
- County Office
- Courthouse
- Fire
- Hospital
- Immediate Care
- Landfill
- Law Enforcement
- Library
- National Guard
- Park-n-Ride
- Post Office
- Proposed Fire/Rescue
- Rescue
- School
- Dept of Motor Vehicles
- Town Hall

0 2 4 8 Mi

Date: 5/26/2020

The data layers provided herein were compiled from various sources within a geographic information system (GIS) for the primary use of Franklin County. The data provided herein are believed to be accurate but are provided for reference purposes only. These GIS data are in no way meant as a replacement for a legal survey, legal description, or standard due diligence. No guarantee, expressed or implied, is made regarding their accuracy, currency, adequacy, usefulness, or reliability. These data are provided "as is" and neither Franklin County nor its employees shall be held responsible for their inappropriate use.

Department of Planning & Community Development

Franklin County
A Natural Setting for Opportunity

SPECIAL USE PERMIT STAFF REPORT

Date:	May 26, 2020
To:	Franklin County Planning Commission
From:	Terrance L. Harrington, AICP Senior Planner
Tax Parcel #	0660004201
District:	Union Hall
Petitioner/Owner:	Franklin County Public Safety (William Ferguson, Director) Franklin County Board of Supervisors
Case #:	SPEC -05-20-16597
Re:	Special Use Permit Application of Franklin County Public Safety, and County of Franklin, Owners, to allow the construction and operation of a new Glade Hill fire and EMS station

NATURE OF CURRENT REQUEST

Planned as a joint facility, Franklin County proposes to construct a 11,597 square foot combined fire station and EMS facility on a 5.43 acre parcel of land owned by the County, and located at 9825 Old Franklin Turnpike (Route 40) in the Union Hall District of Franklin County (Tax Parcel 0660004201) The County purchased this land in 2016. The property is zoned A-1, Agricultural, and is located at the intersection of Route 40 and Turtle Hill Road (SR 869). Emergency Services facilities are permitted by special use permit in A-1 zoning districts.

The proposed station will include areas devoted to fire and EMS vehicles, bunk rooms, training/community room, day room and kitchen and dining area. Office space will be devoted to career and volunteer personnel.

SURROUNDING ZONING AND LAND USES

All nearby properties are zoned A-1 Agriculture. Most properties in this area are undeveloped except for three single family homes located on Turtle Hill Road across from the proposed fire/EMS station. The closest parcel zoned other than Agriculture, is located on Route 40 approximately one-half mile east of the proposed fire/EMS facility. (See attached maps)

SITE AND TRAFFIC CHARACTERISTICS

Approximately sixty percent (60%) of the site is wooded, with the open portions of the site being closest to Turtle Hill Road. Elevations on the site range from 965 to 1005 feet above sea level with the highest elevations on the site adjacent to Turtle Hill Road. The proposed station is to be located near the center of the site in proximity to Turtle Hill Road. Two vehicle connections to Turtle Hill are proposed to facilitate a flow-thru traffic pattern for emergency vehicles. (See attached schematic site plan.) The proposed site design has been reviewed by VDOT and preliminary VDOT approval has been granted to the County for two entrances onto Turtle Hill with a possible third entrance on Rt 40 if a sight easement can be obtained from the property owner.

COMPREHENSIVE PLAN

The Future Land Use section of the Franklin County Comprehensive Plan, adopted by the Board of Supervisors in May of 2007, designates the proposed Fire/EMS property located at the corner of Turtle Hill/Route 40 as Low Density Residential. Virginia Code requires that when a public facility is proposed, the facility shall not be constructed, established, or authorized, unless and until the general location or approximate location, character, and extent has been submitted to and approved by the Planning Commission as being in substantially in compliance with the Comprehensive Plan. (Section 15.2-2232). The Planning Commission is holding a public hearing to amend the Franklin County Facilities map dated May 26, 2020 as part of the County's Comprehensive Plan prior to this public hearing on the special use permit for a new Fire/EMS building. The purpose is to update the existing Franklin County Facilities Map by adding existing and proposed public safety facilities, to add existing or proposed government office and facilities, and to update all existing elementary schools. The location of the proposed Fire/EMS facility is located on the new Franklin County Facilities map as one of the newly proposed features. If the Planning Commission adopts the new Franklin County Facilities map as an amendment to the County's Comprehensive Plan; the Planning Commission will be meeting the intent of Section 15.2-2232 of the Code of Virginia mention above. Therefore, the proposed Fire/EMS facility would be consistent with the County's Comprehensive Plan and Section 15.2-2232. If the Planning Commission does not adopt the new Franklin County Facilities map the proposed Fire/EMS facility would not be meeting the intent of Section 15.2-2232 of the Code of Virginia and would not be in compliance with the County's Comprehensive Plan.
As stated above, the property is in an area designated as low density residential by the 2007 Comprehensive Plan between the Villages of Glade Hill and Union Hall. In some cases, emergency facilities are located within the villages of the locality; however, other factors come into play when selecting a location for an emergency facility; such as, response time and accessibility to name a few. The Comprehensive Plan has a goal under Community Facilities that states: "Provide facilities for community services that respond to the basic human and social needs of County residents. Such facilities should be located strategically to support and complement the County's plans for public utilities, transportation, and future commercial, industrial, and residential development." In addition, one of the two main objectives under Public Safety is to "provide consistent county-wide emergency services response within service

response standards." Although this facility is not located in one of the villages, staff feels the location and proximity to residential and commercial make this site a prime location to serve the communities and businesses along the Route 40 corridor. Low Density Residential areas need services to serve the surrounding residential and commercial places along and off the corridor. Site design will be an important part of the process and should be considered when making a decision. The Comprehensive Plan supports this special use permit as being in compliance and not to be a substantial determent to the community, but an asset.

PUBLIC HEALTH AND SAFETY

This facility will serve the fire and rescue needs for the county from Glade Hill to Union Hall making this a central location on Route 40. The proposed facility will be served by well and septic. A well has been drilled and has been tested. A potential on-site drain field site has been identified, however permits for a septic system have not yet been applied for.

COMMUNITY IMPACTS

Section 25-638 of the County Code summarizes the findings the Board of Supervisors must make in granting a special use permit. These are:

- The fire and EMS facility will not be a determent to adjacent properties.
- The fire and EMS facility will not change the character of the zoning district..
- The use of the property as a fire and EMS facility will be in harmony with the purpose and intent of the zoning ordinance.

The location of a fire and EMS facility at this intersection will result in some minor impacts on the community. Traffic in the community will increase as a result of emergency response vehicles and fire and EMS personnel using the site as a base of operations. Noise associated with this increase in traffic will also increase, as will noise resulting from emergency vehicles responding to calls for service. Lighting will likely be installed on site. Intensity of installed lighting will be controlled by zoning standards and will not exceed .5 foot candles at any property line. These impacts will likely be minor yet be greatest on the three single family properties that are located on Turtle Hill across from the proposed facility.

STAFF RECOMMENDATION

The staff believes the proposal is in conformance with the amended community facilities map in the comprehensive plan and recommends approval of this special use permit request with the following condition:

1. The property shall be developed in general conformity with the schematic site plan entitled "Franklin County Fire/EMS Station at Turtle Hill; prepared by Thompson & Litton and dated June 2019.

SAMPLE MOTIONS

(Approve) I find that (1) the approval of the special use permit for the Glade Hill Fire/EMS Station will not result in substantial detriment to adjacent property (2) that the character of the zoning district will not be changed, and (3) that the proposed fire and EMS station will be in harmony with the purpose and intent of the Franklin County Zoning Ordinance consistent with the purpose and intent of the Comprehensive Plan and good zoning practice and will not be of substantial detriment to the community. I therefore recommend approval of the request with the following condition:

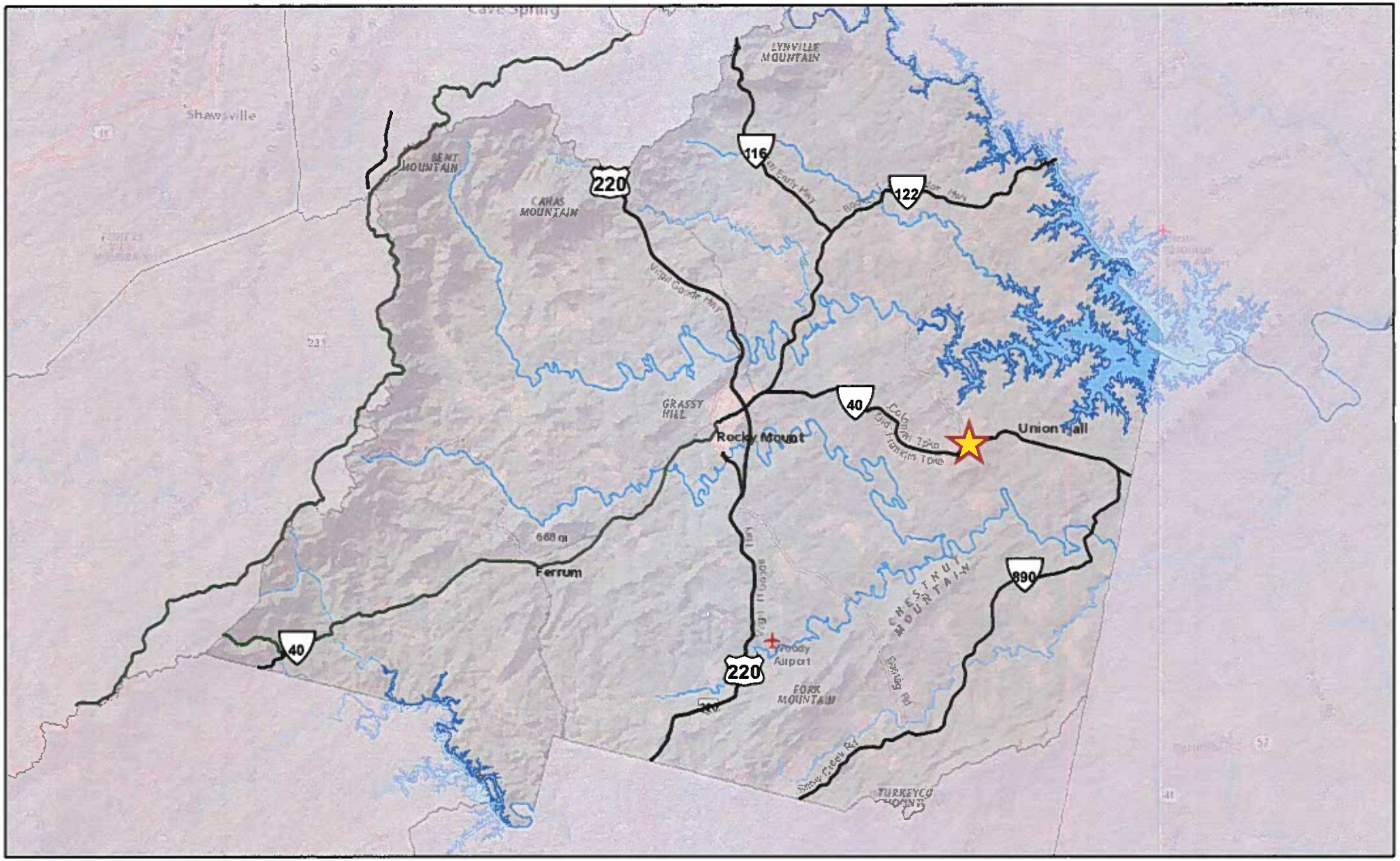
> The property shall be developed in general conformity with the schematic site plan entitled Franklin County Fire/EMS Station at Turtle Hill, prepared by Thompson & Litton and dated June 2019.

(Deny) I find that the proposal is of substantial detriment to adjacent property and that such use will not aid in the creation of a convenient, attractive, or harmonious community. I therefore move to deny the request for a special use permit.

(Delay) I find that the required information for the submitted petition is incomplete. I therefore move to delay action until all necessary materials are submitted to the Planning Commission.

(Deny) I find that the proposal is of substantial detriment to adjacent property and that such use will not aid in the creation of a convenient, attractive, or harmonious community. I therefore move to deny the request to modify SUP-02-20-16543.

(Delay) I find that the required information for the submitted petition is incomplete. I therefore move to delay action until all necessary materials are submitted to the Planning Commission.



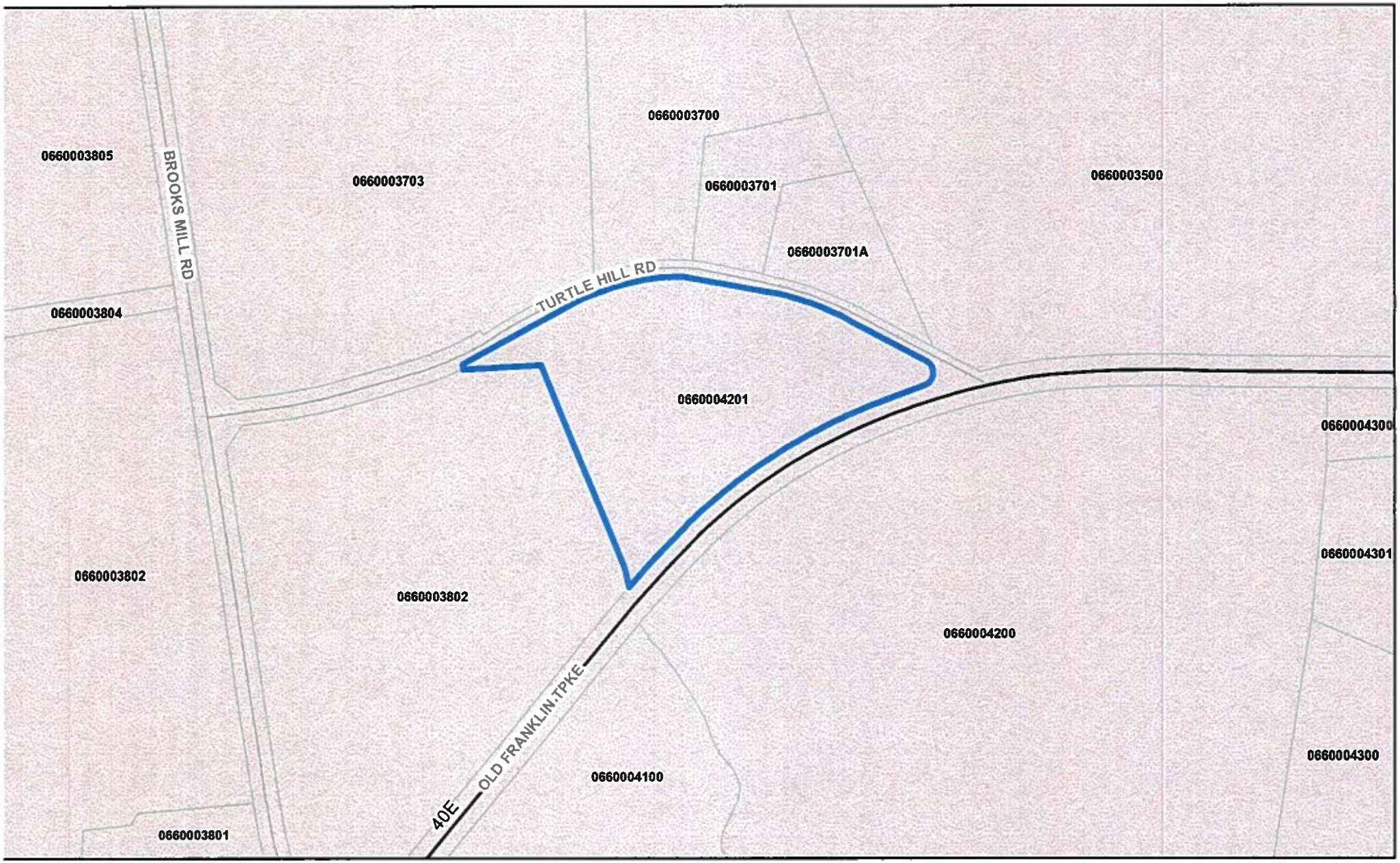
Tax Map # 0660004201
SPEC-05-20-16597
William Ferguson/ FC Public Safety

Subject Property Location

0 2.5 5 10 15 20 Miles

Date: 5/27/2020

Franklin Co GIS



Legend

- Subject Parcel
- Parcels
- Special Use Permit
- Smith Mtn Lake

Zoning Classifications

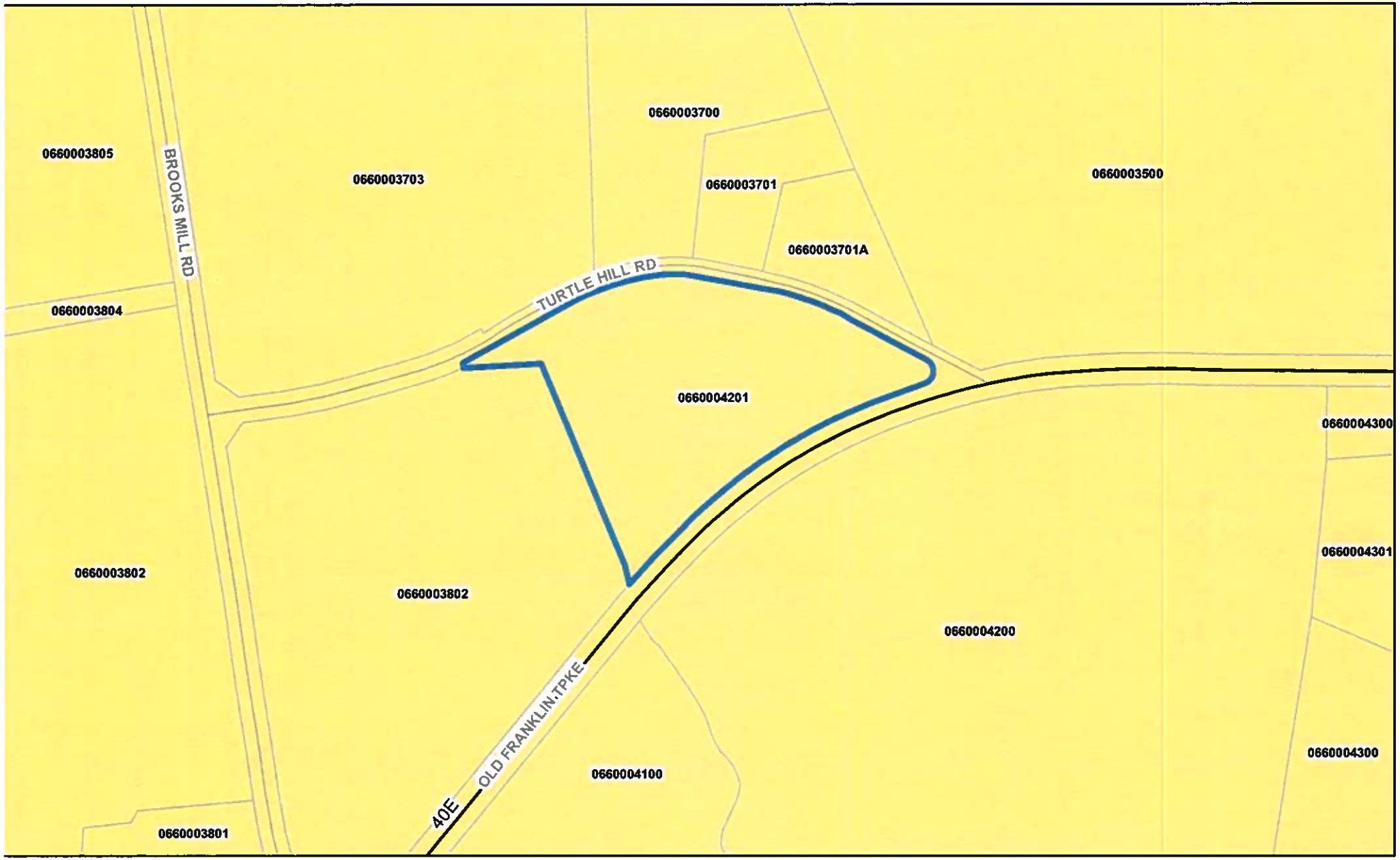
- A1 - Agricultural

Tax Map # 0660004201
SPEC-05-20-16597
William Ferguson/ FC Public Safety

0 125 250 500 Ft

Date: 5/27/2020

Franklin Co GIS



Legend

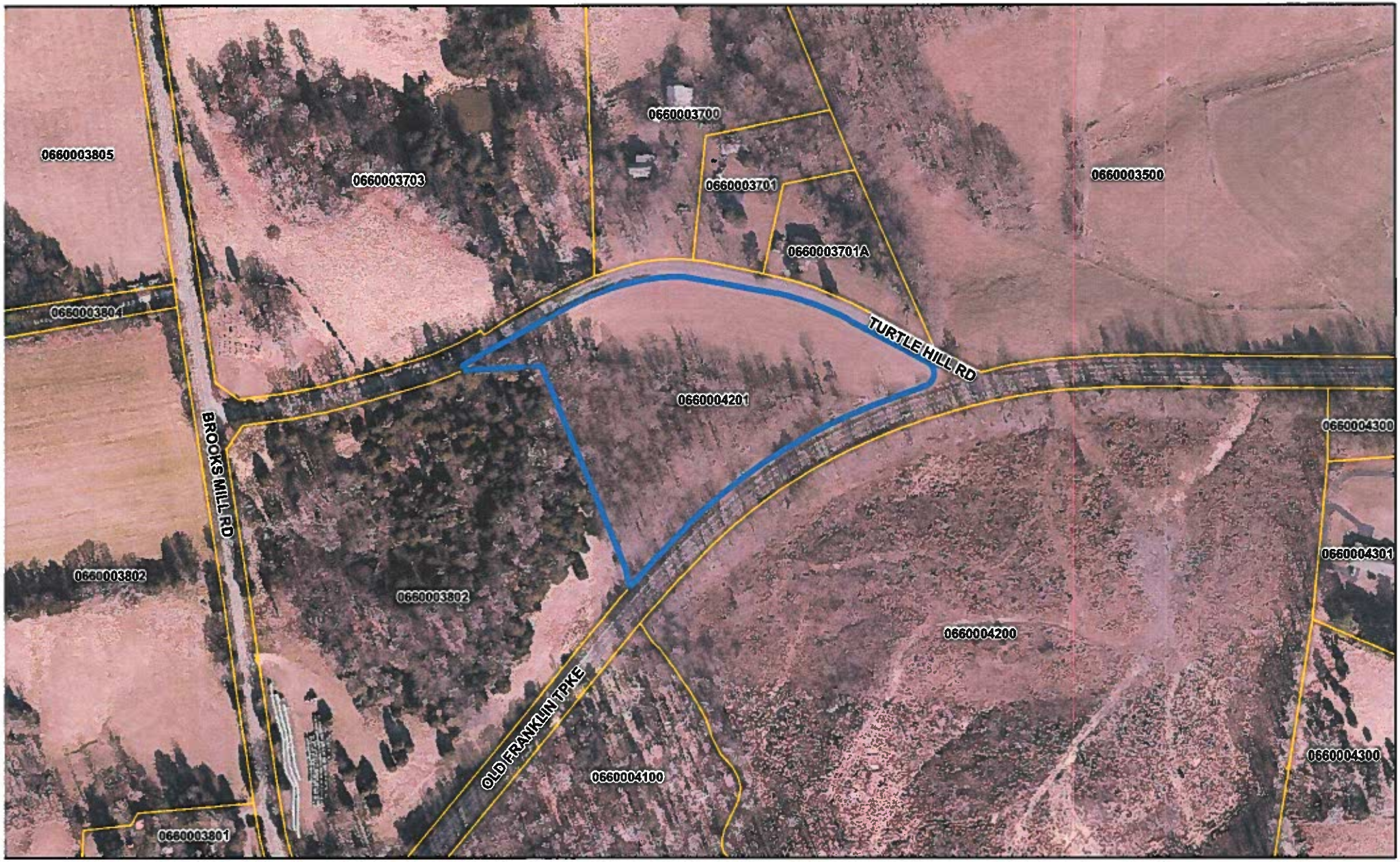
- Subject Property
- Tax Parcels
- Low Density Residential

Tax Map # 0660004201
SPEC-05-20-16597
William Ferguson/ FC Public Safety

0 250 500 Ft

Date: 5/27/2020

Franklin Co GIS



Legend

Subject Parcel

Tax Parcels

2017 Pictometry Imagery

Tax Map # 0660004201
SPEC-05-20-16597
William Ferguson/ FC Public Safety

0 250 500 Ft

Date: 5/27/2020

Franklin Co GIS

FRANKLIN COUNTY
SPECIAL USE PERMIT APPLICATION

(Type or Print)

I/We, County of Franklin, as Owner(s), Contract Purchasers, or Owner's Authorized Agent of the property described below, hereby apply to the Franklin County Board of Supervisors for a special use permit on the property as described below:

Petitioner's Name: Franklin County Public Safety - William Ferguson

Petitioner's Address: 1488 Franklin St. Rocky Mount VA 24151

Petitioner's Phone Number: 483-3091

Petitioner's E-mail: william.ferguson@franklincountyva.gov

Property Owner's Name: County of Franklin

Property Owner's Address: 1255 Franklin St Suite 112 Rocky Mount VA. 2415

Property Owner's Phone Number: 540 483 3030

Property Owner's E-mail:

Directions to Property from Rocky Mount: Travel East down Rte 40 - On the corner of 40 & Turtle Hill Rd Rte 869

Tax Map and Parcel Number: 0660004201

Magisterial District: Union Hall

Property Information:

A. Size 5.43 acres of Property:

B. Existing Zoning: A-1

C. Existing Land Use: Vacant

D. Is property located within any of the following overlay zoning districts:

___Corridor District ___Westlake Overlay District ___Smith Mountain Lake Surface District

E. Is any land submerged under water or part of a lake? Yes (No) If yes, explain.

Proposed Special Use Permit Information:

A. Proposed Land Use: Emergency Services facilities - Fire, rescue

B. Size of Proposed Use: 5.43 acres

C. Other Details of Proposed Use: _____

Checklist for completed items:

X Application Form

____ Letter of Application

X Concept Plan

____ Application Fee

****I certify that this application for a special use permit and the information submitted herein is correct and accurate.**

Petitioner's Name (Print): Franklin County Public Safety

Signature of Petitioner: W. B. Ferguson

Date: 5/19/2020

Mailing Address: 1488 Franklin Street
Rocky Mount, Va 24151

Telephone: (540) 483-3091

Email Address: william.ferguson@franklincountyva.gov

Owner's consent, if petitioner is not property owner:

Owner's Name (Print): Christopher L. Whitlow

Signature of Owner: Christopher L. Whitlow, County Administrator

Date: 5/19/20

Date Received by Planning Staff _____

Clerk's Initials: _____

CHECK #: _____
RECPT. #: _____
AMOUNT: _____

C100

THOMPSON & LITTON

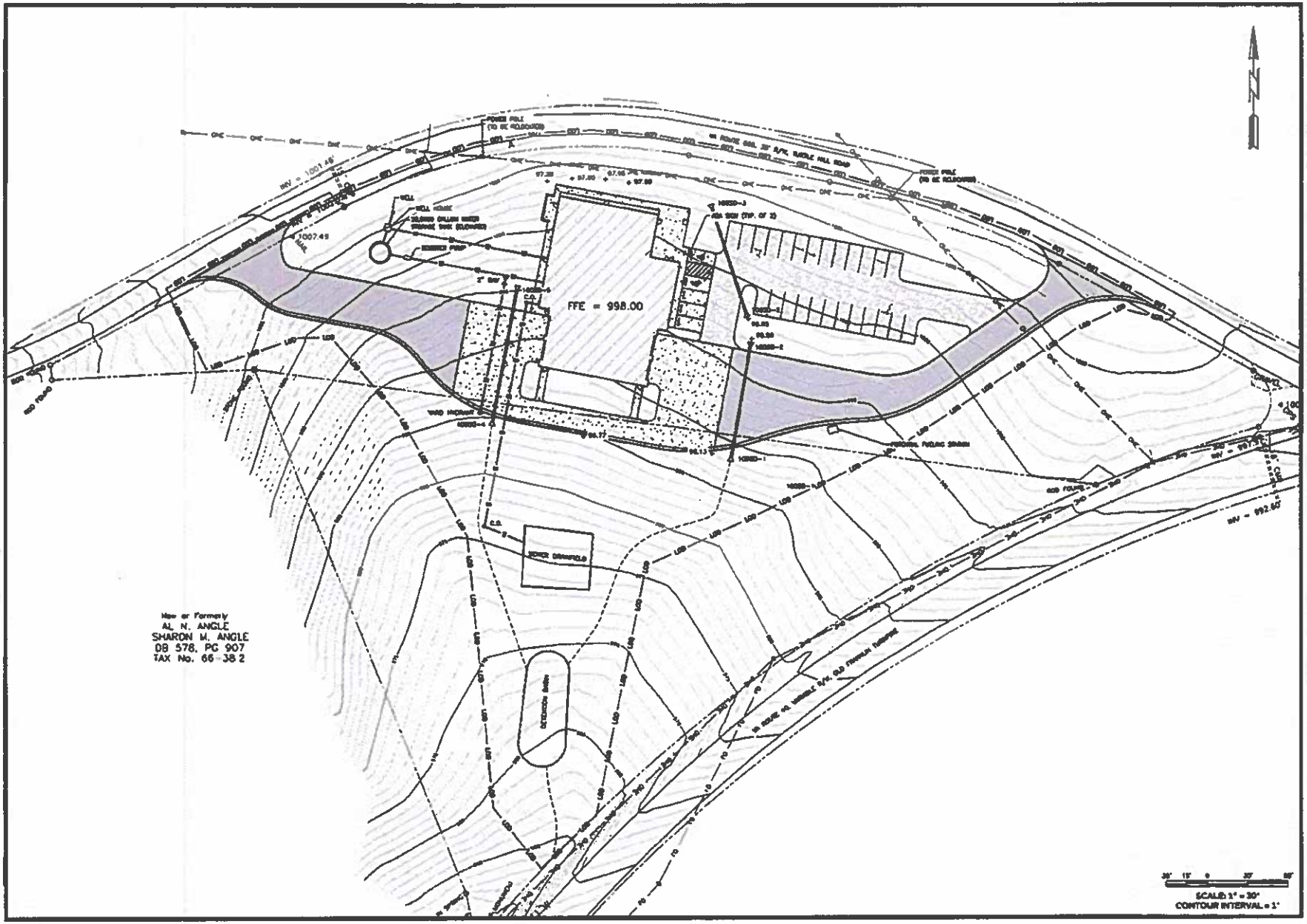
44447

No.	Date	Purpose of Document Issue

GLADE HILL FIRE STATION
FRANKLIN COUNTY, VIRGINIA

EXISTING SITE PLAN

Preliminary



Preliminary

FRANKLIN COUNTY FIRE/EMS STATION
AT TURTLE HILL
FRANKLIN COUNTY, VIRGINIA

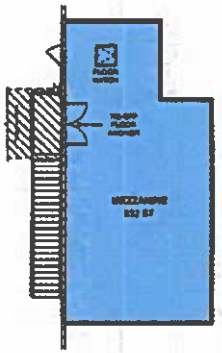
SCHEMATIC SITE PLAN

13999

THOMPSON & LITTON

C100

1 FLOOR PLAN



2 MEZZANINE PLAN

OCCUPANCY LEGEND:

PUBLIC

PRIVATE

APPARATUS AND SUPPORT

TOTAL SF 11,597

FRANKLIN COUNTY FIRE / EMS STATION AT TURTLE HILL 05/24/19	**FLOOR PLAN** SCALE: 1/8" = 1'-0"	Stewart Cooper Newell Architects