

Department of Planning & Community Development



A meeting of the Franklin County Planning Commission was held on June 14, 2022, in the Board of Supervisors meeting room located at the Franklin County Government Center.

THOSE PRESENT:

Sherrie Mitchell- Chair, Snow Creek District

Debbie Crawford- Vice Chair, Union Hall District

David Clements- Rocky Mount District

C.W. Doss, Jr.- Blue Ridge District

David Pendleton- Blackwater District

Cheryl Ege- Gills Creek District

Angie McGhee- Boone District

OTHERS PRESENT:

Lisa Cooper- Director, Planning

Tim Mack – Senior Planner

Megan Fenner – Clerk

Chris Dadak - County Attorney

The meeting was called to order by Chairwoman Mitchell at 6:00 p.m. The next order of business was the approval of the minutes from the May 10, 2022, meeting. Chairwoman Mitchell asked the Planning Commission if there were any comments or corrections to the minutes as written; there were none.

Chairwoman Mitchell announced the minutes would stand as written.

Chairwoman Mitchell introduced the next item on the agenda and asked for the staff report.

Department of Planning & Community Development



APPLICATION for SPECIAL USE PERMIT – Application of George and Lannette Karnes II, Applicants and Owners, requesting a Special Use Permit, with possible conditions, on an approximate 65 acres of property zoned A-1, Agricultural. The property is located at 680 Old Salem School Road in the Union Hall district of Franklin County and further identified by real estate records as Tax Map/Parcel # 0660001501A. The purpose of this Special Use Permit request is to allow for the short-term tourist rental of a dwelling. This property has a future land use designation of Low Density Residential (Case # SPEC-04-22-17294).

Mr. Timothy Mack presented the staff report.

The applicant is requesting a special use permit to allow for the short-term tourist rental of a dwelling on a property that is approximately 65 acres and located at 680 Old Salem School Road in the Union Hall district. This is the only dwelling located on the parcel and where the short-term rentals would take place.

The dwelling is a one-story, single-family residence built in 2010, and consists of two (2) bedrooms, two (2) full baths, one (1) half-bath, one (1) fireplace, and has a total living area of 1800 square feet. The property also has an additional structure, a restored tabaco barn, refitted for leisure use, and will be available for guests to use. The applicant does not currently reside in the primary dwelling on the property full-time.

Nearby parcels are a mix of other single-family residences, wooded and/or vacant lots, and zoned A-1, Agricultural. The dwelling on the property sits on grade in an open field that has dense wooded areas to the north, west and south, and has a large open field to the east. As a complimentary use of the short-term rental, the applicant is proposing an agricultural tourism component, where guests would be able to participate in activities such as gathering eggs, picking vegetables, and assisting the owners in feeding cattle. The closest home to the proposed short-term rental dwelling is an approximate 530 feet away (to the west).

The application was advertised, site posted, and notifications sent to all adjacent property owners. The Development Review Team (DRT) has reviewed the application at its May 18th meeting. As of the date of the staff report, staff has received no inquiries about the petition. Additional comments and concerns may be raised as a result of the public hearings.

Ms. Debbie Crawford pointed out that the conditions in the staff presentation did not match the listed conditions in the packets the Planning Commission was provided. Mr. Timothy Mack advised that a condition was added to ensure that

Department of Planning & Community Development



there would be supervision during livestock interactions. Ms. Crawford questioned if the interactions have to be supervised. Mr. Mack stated the decision is up to the Planning Commission.

Ms. Cheryl Ege asked if the farm manager lived on site. Mr. Timothy Mack advised that he does not live on site, but several miles down the road. Mr. Mack stated the farm manager is on the farm on an almost daily basis.

Chairwoman Mitchell advised they would now hear from the applicant.

Mr. George Karnes expressed support for condition 6, stating the farm manager present during any farm animal interactions. Mr. Karnes stated that they currently run three vacation rentals, all of which are in compliance. Mr. Karnes stated his goal was to provide citizens an opportunity to stay on a working farm, and if they desire, to be involved in some of the farm activities. Mr. Karnes added if renters had small children who wished to help feed cattle they could assist the farm manager, or renters could gather eggs for their breakfast in the morning.

Ms. Debbie Crawford questioned the applicant if he was ok with needed the farm manager for all animal activities. Mr. George Karnes added that the farm manager would not be needed in all animal interactions, such as gathering eggs from chickens.

Ms. Cheryl Ege asked the applicant if the farm manager would act as the property manager in case any problems arise. Mr. George Karnes confirmed the farm manager is also their property manager. The applicant added they own a property near by and will be in the area every week.

Chairwoman Mitchell stated she would open the floor to any citizen comments. Chairwoman Mitchell further added Franklin County does allow short term rentals in an area zoned A-1, Agricultural, with a Special Use Permit granted by the Board of Supervisors. There were no citizens signed up. Hearing none, and seeing none, the period for citizen comment was closed.

Chairwoman Mitchell advised the commissioners would now discuss the case.

Department of Planning & Community Development



Ms. Debbie Crawford spoke in support of the short-term rental, adding that it provides a unique opportunity for renters that they do not see in many other short-term rentals. Ms. Cheryl Ege confirmed, adding the importance of preserving Franklin County's agricultural history.

Ms. Debbie Crawford motioned that the use will not be of substantial detriment to adjacent properties, that the character of the zoning district will not be changed thereby, and that such use will be in harmony with the uses permitted by-right in the zoning district, and with the public health, safety, and general welfare to the community. Ms. Crawford moved to recommend approval of the applicant's request for a special use permit to allow for the short-term tourist rental of a dwelling with the seven (7) conditions recommended in the staff report, with one change to exclude chickens from condition six (6). Mr. David Pendleton seconded the motion.

The motion to approve was approved, 7-0; voting on the motion was as follows with the following conditions:

AYES: Ege, Doss, McGhee, Clements, Pendleton, Crawford, Mitchell
NAYES: None
ABSENT: None
ABSTAIN: None

Chairwoman Mitchell announced the next item on the agenda and asked for the staff report.

APPLICATION for SPECIAL USE PERMIT – Application of Hollie Hall, Applicant and Owner, requesting a Special Use Permit, with possible conditions, on an approximate 23.48 acres of property zoned A-1, Agricultural. The property is located at 780 Juniper Road in the Gills Creek district of Franklin County and further identified by real estate records as Tax Map/Parcel # 0130000800. The purpose of this Special Use Permit request is to allow for the short-term tourist rental of a dwelling. This property has a future land use designation of Low Density Residential (Case # SPEC-04-22-17313).

Mr. Timothy Mack presented the staff report.

The applicant is requesting a special use permit to allow for the short-term tourist rental of a dwelling on a property that is approximately 23.48 acres and located at 780 Juniper Road in the Gills Creek district. This is the only dwelling located on the parcel and where the short-term rentals would take place.

Department of Planning & Community Development



The dwelling is a two-story, single-family residence built in 1900, and consists of four (4) bedrooms, one (1) full-bathroom, and has a total living area of 1668 square feet. The applicant does not currently reside in the primary dwelling on the property full-time.

Nearby parcels are a mix of other single-family residences, wooded and/or vacant lots, and zoned A-1, Agricultural, and R-1, Residential Suburban Subdivision. The dwelling on the property sits on grade has dense wooded areas to the north, east and west. It sits along a private gravel drive and abuts Smith Mountain Lake to the rear, with access to a private dock. The closest home to the proposed short-term rental dwelling is an approximate 470 feet away (to the west).

The application was advertised, site posted, and notifications sent to all adjacent property owners. The Development Review Team (DRT) has reviewed the application at its May 18th meeting. As of the date of this hearing, staff has received several inquiries and letters, expressing concerns over use of the private drive, and the potential renters that would be in the area. Additional comments and concerns may be raised as a result of the public hearings.

Mr. Timothy Mack wanted to advise the commissioners that it was brought to their attention the day of the meeting that the applicant may have been renting out the property as a short-term rental prior to receiving a special use permit. Mr. Mack further explained the next step for the applicant if they were sited for this issue would be to apply for a special use permit.

Ms. Cheryl Ege requested clarification on the number of bedrooms and bathrooms in the residence. Mr. Timothy Mack was able to clarify.

Ms. Debbie Crawford requested to revisit the zoning map to look at the layout of the roads. Commissioners reviewed the layout of the roads and adjacent properties, referencing their previous site visits.

Ms. Sherrie Mitchell asked if there were any complaints regarding the short-term rental prior to the notification of the public hearing. Mr. Mack advised to his knowledge they have not received any reports or complaints regarding this property being used as a short-term rental prior to the application for a special use permit.

Ms. Heather Turner, real estate agent, advised that Ellis Road dead-ends into

Department of Planning & Community Development



Juniper. There has been an easement granted to allow residents of Maggie Lane to access their property. Ms. Turner advised that the previous owners of the parcel, the Saffords, and the adjacent property owners of 790 Juniper had an agreement between the parties of who would handle maintenance of the roads. Ms. Turner wanted to clarify Ms. Hollie Hall has had family in town using the property. Ms. Hall stated that her goal is to ultimately live at the residence full time, but currently works and resides in Harrisonburg. Ms. Hall stated having a short-term rental will assist her in paying for the residence while still living and working in Harrisonburg.

Ms. Debbie Crawford asked the applicant for clarification on how to get to the property from Juniper. Ms. Heather Turner was able to use the maps from the staff report to explain the road layouts further. Ms. Turner advised the portion of the roadway which is not state maintained is very small. Ms. Turner advised that the applicant would be willing to talk to the adjacent property owners to see how the applicant can assist with road maintenance when needed. Ms. Turner further explained Ms. Hollie Hall's expectations for rentals would be four renters a month, each a week at a time, only during the summer months. Ms. Hall stated if she lived there full time, she would be traveling Juniper Road just as often as the renters. Mr. David Pendleton requested clarification where the driveway to the property sits on the map. Mr. Timothy Mack was able to show Commissioners where the driveway was on the property.

Ms. Cheryl Ege asked if she owned any other rental properties in Franklin County. Ms. Hollie Hall stated she does not. Ms. Debbie Crawford asked who would be helping her manage the property. Ms. Hall stated that she doesn't know any of the adjacent property owners or anyone to hire as a local property manager, so she planned on having Ms. Heather Turner assist her. Ms. Turner stated she lives in the adjacent subdivision, so she is very close to the property. Ms. Ege asked if Maggie Lane provides access to the residential properties behind the property. Ms. Heather Turner explained Ms. Hall has granted an easement so they can access their properties. Ms. Turner advised it is their understanding the residents of Maggie Lane handle their own road maintenance, since any issues have never been brought to their attention. Ms. Crawford asked if the applicant had spoken to the residents at the end of Juniper. Ms. Hall stated her husband has spoken to the residents and they have not brought any issues to their attention.

Department of Planning & Community Development



Chairwoman Mitchell advised they would now open the floor to citizen comment.

Mr. Steven Karras stated he is a neighbor at 143 Maggie Lane. Mr. Karras stated he has submitted an email with his concerns prior to tonight's meeting. Mr. Karras stated he wanted to attend tonight's meeting to find out what the applicant's plans were. Mr. Karras stated that the property has not been used as agriculturally. Mr. Karras stated state maintenance ends on Juniper at Rankin Drive. Mr. Karras further explained the road system of the area. Mr. Karras expressed concern that transient people will cause issues for their road. Mr. Karras stated on Memorial Day he went over to the property to greet the people there and introduced himself as their new neighbor but was told by the people that they were just renting the property.

Mr. Jon Dabareiner stated he and his wife owns a horse farm right next to the property. Mr. Dabareiner stated that he and his wife own machinery to maintain the road for the last thirty years and that renters would add to their burden. Mr. Dabareiner stated the applicant has not reached out to him to offer any assistance. Mr. Dabareiner stated they are a working livestock farm. Mr. Dabareiner stated that renters bring their dogs to the property, and the dogs break loose and chase their horses. Mr. Dabareiner stated that their animals are their income, and they have almost lost animals due to being chased to exhaustion.

Mr. Michael Presz advised they live 110 Oakly Drive, on the north side of the maps shown. Mr. Presz state their property faces Bedford County. Mr. Presz states that he is very familiar to short-term renters and hear them every night. Mr. Presz states that parties happen every night that cause disturbances all night long. Mr. Presz stated they cannot have any additional structures added to the property in the application. Mr. Presz argued that the county has no way of monitoring the rental due to the private road. Mr. Presz states he walks his dogs every morning, and when other people have their dogs out it's a nightmare for them. Mr. Presz didn't agree that the applicant should be allowed to rent the property to help her pay the mortgage. Mr. Presz advised that as a community they would be willing to entertain the idea of renting the property as a long-term rental.

Mr. Charles Smith advised he and his wife are retired from military service. Mr. Smith stated that he agrees with the comments made by the previous citizen speakers. Mr. Smith is a part of the Water Safety Council of Smith Mountain Lake and writes

Department of Planning & Community Development



the water safety articles in *Discover Smith Mountain Lake*. Mr. Smith stated that the articles he writes reflect what he sees from his property. Mr. Smith stated that the development in the area has caused overcrowding in the water and has led to accidents and injuries. Mr. Smith stated most of the boating incidents that occur are caused by people not from the area and are unfamiliar with boating. Mr. Smith was concerned inexperienced boaters will be able to rent boats and use them in his area of the lake.

Ms. Lisa Dabareiner stated that they have lived on the lake since the 1970's, and that people move to this neighborhood for privacy. Ms. Dabareiner stated that they have a lot of equipment on their property that is very stealable. Ms. Dabareiner's concerned that whoever rents the property listed in the applicant can just hop a fence and steal their equipment. Ms. Dabareiner stated that the thought of a short-term rental scares her, and the people who will rent this property will have no respect for the area or her animals. Ms. Dabareiner stated if the short-term rental is approved, she will lose sleep.

Ms. Barbara Spodnick lives all the way at the end of Juniper Road. Ms. Spodnick advised that the road leading to the property is gravel and can barely fit two lanes of traffic. Ms. Spodnick questioned if the cemetery at the end of the road is a part of the property for short-term rental. Ms. Heather Turner stated that Ms. Hall owns two lots in Summerfield, one of which is the property listed on the special use application, and the other has the cemetery on it. Ms. Spodnick stated that she doesn't want a lot of traffic or noise in the area. Ms. Spodnick stated that she has a friend on the Bedford County side of the lake who lives next to short-term rental properties, and she has heard negative stories regarding the rentals. Ms. Spodnick was concerned that the renters of the property will not know how to travel their gravel road, and the boat use in the area will cause damage to their docks. Ms. Spodnick stated she would prefer a long-term rental.

Ms. Shirley Mitteldorfer stated she lives at 203 Maggie Lane. Ms. Mitteldorfer stated she is in agreement with all the previous comments made by citizens. Ms. Mitteldorfer stated the septic system, there only being one bathroom to the four bedrooms is outlandish. Ms. Mitteldorfer stated she has witnessed people riding jet skis on the lake, and they are riding with three people to a jet ski with no life jackets. Ms. Mitteldorfer stated she witnesses reckless driving on the lake frequently. Ms.

Department of Planning & Community Development



Mitteldorfer asked the commission not to allow the area to become busier or to allow people who don't know how to handle the waterways.

Mr. Jim Lovell stated he and his wife reside at 25 Lily Lane. Mr. Lovell referenced the county ordinance and stated that a short-term rental is not a permitted use of the land and that an approved special use permit is required. Mr. Lovell stated the surrounding property owners believe the short-term rental would change the character of the area, and the use is incompatible to the current area. Mr. Lovell showed pictures of the private road leading to the property. Mr. Lovell emphasized how narrow the road is. Mr. Lovell stated they believe the short-term rental would disturb the harmony of the area. Mr. Lovell stated short-term rentals are a business, and that there would be an absentee owner. Mr. Lovell acknowledged the need to support tourism, but stated there are other designated areas of the county for that.

Ms. Diane Lovell read from their letter sent to the Planning Commission. Ms. Lovell stated a short-term rental would change the character of the neighborhood and their land use. Ms. Lovell requested the special use application be denied on the grounds that the special use permit is not in line with the Franklin County Zoning Ordinance or the Comprehensive plan, and it would not be harmonious with surrounding area.

Chairwoman Mitchell advised the period for citizen comment would now close, and asked the applicant if she wanted to come forward to address and concerns brought up.

Ms. Hollie Hall advised she has only been the property owner since the first week of April, and shortly after her father was diagnosed with cancer. Ms. Hall has since been spending a lot of her time in New York with her father. Ms. Hall expressed surprise by the comments made by the surrounding property owners. Ms. Hall stated she eventually wanted to be a part of this community, but may be putting the for sale sign back in the yard. Ms. Sherrie Mitchell asked the applicant if she wanted to continue with the application process. Ms. Hall stated that she didn't think she wanted to proceed with the things going on in her life, and the comments made by citizens tonight. Ms. Mitchell stated she would allow staff to decide. Ms. Lisa Cooper gave several options for the Planning Commission and the applicant: the

Department of Planning & Community Development



Planning Commission could table the application until the next meeting, the applicant could withdraw in writing, or the Planning Commission could vote tonight. The applicant could withdraw her application prior to the Board of Supervisor's meeting. Ms. Hall stated the Planning Commission could vote on it tonight. Ms. Hall wanted to add that she grew up on a dairy farm and milked cows before school. Ms. Hall wished the surrounding property owners would have come to her with concerns. Ms. Heather Turner added that Ms. Hall can and would put parameters in place to protect the surrounding property owners.

Ms. Cheryl Ege asked Ms. Lisa Cooper what would happen if the commission voted to table the application. Ms. Cooper stated the public hearing would be over, and staff would need to know what additional information the commission needed to make a vote. The next planning commission meeting the commissioners would vote on the application, but there would not be another public hearing. Ms. Cooper stated if no additional information is needed it would be best to vote tonight. Mr. Ege thanked everyone who came to speak tonight, and the applicant. Mr. Ege stated due to the private road, the concerns expressed by the surrounding property owners, the nearby livestock, and the fact the owner would be absent, she wouldn't be able to vote to approve the application. Ms. Angie McGhee pointed out that the applicant does have a local realtor helping her, acting as a property manager.

Ms. Debbie Crawford thanked everyone for coming to speak tonight. Ms. Crawford stated sometimes it becomes difficult to determine what's a land use issue, and that is a personal issue. Ms. Crawford stated they can't consider personal issues. Ms. Crawford stated this application would meet the requirements and regulations for A-1 zoning. Ms. Crawford hoped that the applicant would get with the surrounding property owners to discuss a road agreement. Ms. Crawford mentioned that it doesn't sound like anyone has an official road agreement. Ms. Crawford continued to mention that issues like boating laws, noise, theft is handled by the authorities. Ms. Crawford stated there is theft in every community, on the lake and elsewhere. Ms. Crawford stated when she moved to the lake it was a very small and tight nit community, and now it's full of people. Ms. Crawford stated that she also had concerns during that time, but we cannot pick and choose who moves in and who moves out. Ms. Crawford expressed support for the applicant. Ms. Angie McGhee and Ms. Sherrie Crawford expressed support for Ms. Crawford's comments. Ms. Cheryl Ege disagreed, stating that the neighbor's comments show that the

Department of Planning & Community Development



character of the area would change if there was a short term rental operating all summer long. Ms. Ege stated the character and harmony of the area would be harmed. Mr. David Pendleton rebutted that the character of the lake was originally designed to be commercial and residential.

Ms. Cheryl Ege motioned that such use will be of substantial detriment to adjacent properties, that the character of the zoning district will be changed thereby, and that such use will not be in harmony with the purpose and intent of the uses permitted by right in the zoning district, and with the public health, safety, and general welfare to the community. Ms. Ege moved to recommend denial of applicant's request. Mr. David Clements seconded the motion.

The motion to deny failed, 3-4; voting on the motion was as follows with the following conditions:

AYES: Ege, Doss, Clements
NAYES: Pendleton, Crawford, McGhee, Mitchell
ABSENT: None
ABSTAIN: None

Ms. Debbie Crawford motioned that the use will not be of substantial detriment to adjacent properties, that the character of the zoning district will not be changed thereby, and that such use will be in harmony with the uses permitted by-right in the zoning district, and with the public health, safety, and general welfare to the community. Ms. Crawford moved to recommend approval of the applicant's request for a special use permit to allow for the short-term tourist rental of a dwelling with the six (6) conditions recommended in the staff report. Ms. Angie McGhee seconded the motion.

The motion to approve was approved, 4-3; voting on the motion was as follows with the following conditions:

AYES: Pendleton, Crawford, McGhee, Mitchell
NAYES: Ege, Doss, Clements
ABSENT: None
ABSTAIN: None

Chairwoman Mitchell stated they would take a 5-minute recess.

Chairwoman Mitchell called the hearing back in session, introduced the next item

Department of Planning & Community Development



on the agenda and asked for the staff report.

APPLICATION for SPECIAL USE PERMIT – Application of Daniel and Teresa Layman, Applicants and Owners, requesting a Special Use Permit, with possible conditions, on an approximate 1 acre of property zoned A-1, Agricultural. The property is located at 224 Sample Road in the Gills Creek district of Franklin County and further identified by real estate records as Tax Map/Parcel # 0280005701. The purpose of this Special Use Permit request is to allow for the short-term tourist rental of a dwelling. This property has a future land use designation of Agriculture Forestry/Rural Residential (Case # SPEC-05-22-17315).

Timothy Mack presented the staff report.

The applicant is requesting a special use permit to allow for the short-term tourist rental of a dwelling on a property that is approximately one (1) acre and located at 224 Sample Road in the Gills Creek district. This is the only dwelling located on the parcel and where the short-term rentals would take place.

The dwelling is a 1.5-story, single-family residence built in 1988, and consists of three (3) bedrooms, three (3) full-bathrooms, and has a total living area of 2045 square feet. The applicant does not currently reside in the primary dwelling on the property full-time.

Nearby parcels are a mix of other single-family residences, open fields and vacant lots, and zoned A-1, Agricultural. The dwelling on the property sits on grade and surrounding by open fields to south, east and west; there are two single-family residences facing the subject property across the road – both several hundred feet away. The has three entry points along Sample Road, including a wraparound driveway.

The application was advertised, site posted, and notifications sent to all adjacent property owners. The Development Review Team (DRT) has reviewed the application at its May 18th meeting. As of the date of this report, staff has received no inquiries about the petition. Additional comments and concerns may be raised as a result of the public hearings.

Ms. Sherrie Mitchell requested to view the aerial map again and requested Mr. Tim Mack to point out the structures. Mr. Mack explained the confusion of the addresses between two properties. The property is supposed to be marked 224, and the

Department of Planning & Community Development



applicant will be switching the property back. Mr. Mack advised the parcel number on the application and documents are correct.

Chairwoman Mitchell stated they would now hear from the applicant.

Mr. Daniel Layman advised they built the property in 1988, and he and his wife lived there for eight years. Mr. Layman explained the confusion of the address: his parents moved into the home and kept their original numeric of 222. Mr. Layman stated they have since changed the number back to 224. Mr. Layman had a question regarding agrotourism. Mr. Layman explained that their farm is on another piece of land and asked if it would be ok if he wanted to invite the renters to the farm. After some discussion, Ms. Lisa Cooper advised that since it is his farm and is located on a separate piece of property it is not considered part of the rental and he is free to invite whoever over.

Chairwoman Mitchell asked if any commissioners had any further questions. There were none.

Chairwoman Mitchell asked if there were any citizens signed up to speak. There were none. Ms. Mitchell asked if anyone in the audience wanted to speak. Hearing none and seeing none, the time for public comment was closed.

Ms. Cheryl Ege stated due to the location of the property, and the fact the owners will be close by at all times, she is in support of the application.

Ms. Cheryl Ege motioned to that the use will not be of substantial detriment to adjacent properties, that the character of the zoning district will not be changed thereby, and that such use will be in harmony with the uses permitted by-right in the zoning district, and with the public health, safety, and general welfare to the community. Ms. Ege moved to recommend approval of the applicant's request for a special use permit to allow for the short-term tourist rental of a dwelling with the five (5) conditions recommended in the staff report. Ms. Debbie Crawford seconded the motion.

The motion to approve was approved, 7-0; voting on the motion was as follows with the following conditions:

Department of Planning & Community Development



AYES: McGhee, Clements, Pendleton, Doss, Ege, Crawford, Mitchell
NAYES: None
ABSENT: None
ABSTAIN: None

Chairwoman Mitchell introduced the next item on the agenda.

Short-Term Rental Update - Discussion

Ms. Lisa Cooper introduced Mr. Bill Raney who is a Development Review Specialist II for the Planning Department. Ms. Cooper advised Mr. Raney goes to the short-term rentals to perform inspections upon approval from the Planning Commission and the Board of Supervisors and inspection for the short-term rentals that are permitted by right.

Mr. Bill Raney presented a PowerPoint on the history of short-term rentals in Franklin County and what is required during inspections. Mr. Raney compared where the inspection requirements were when he started and how that has changed over the years. Mr. Raney stated the 2020 ordinance didn't have standards for the sleeping areas of short-term rentals. The same ordinance only required the property to have a single smoke detector, and a single fire extinguisher. Mr. Raney listed changes they have made to better define the requirements of sleeping areas, and safety requirements.

Mr. Bill Raney also covered the use of Host Compliance by Franklin County's Planning Department and the current compliance rating of short-term rentals. Mr. Raney stated since starting the program in 2020 they have been able to better track short-term rentals. Mr. Raney also acknowledged some difficulties they have with Host Compliance and ways they are working to overcome its shortcomings. Mr. Raney reported there are 215 registered short-term rentals. Of these 215 properties, 97 properties are fully registered and have passed their inspection, and 118 properties still need to be inspected or have failed their inspection.

Mr. Bill Raney presented several ideas that could improve the short-term rental program: increased penalties, additional verbiage in the ordinance to improve enforcement, requiring carbon monoxide detectors, and requiring proof that a

Department of Planning & Community Development



\$1,000,000 liability policy is in place. Mr. Raney also suggested some long-term considerations to the Planning Commission.

Ms. Lisa Cooper stated prior to Mr. Bill Raney joining the Franklin County Planning Department, there was at a 20% compliance rate of short-term rentals. Since Mr. Raney has joined the department, this has now increased to 45% and is a substantial increase.

Ms. Debbie Crawford requested clarification that the information presented represented the entire county, or just the zoned areas. Mr. Bill Raney stated that the presentation represented Franklin County as a whole.

Ms. Cheryl Ege asked if the owners upload a copy of their septic permit. Mr. Bill Raney explained the owners upload their septic permit as part of the registration process. However, some people have attempted to skip this step by uploading a blank document. Mr. Ege asked how the Virginia Department of Health (VDH) is involved. Mr. Raney advised that VDH only supplies the owners with the septic permit, which the owners then upload to Host Compliance.

Ms. Sherrie Mitchell asked if the septic permit states how many occupants the septic tank can support. Mr. Bill Raney stated that the permit lists bedrooms, rather than occupants. The statewide building code determines that each bedroom can occupy two adults. Franklin County defines this at persons three years of age or older. Ms. Mitchell asked what the definition of a bedroom is. Mr. Raney explained the definition of a bedroom according to the state-wide building code.

Ms. Debbie Crawford asked what the current penalty is for those who violate the short-term rental agreement. Mr. Bill Raney stated it's \$100 per day. Mr. Chris Dadak stated that the property can be assessed every six days, so you would have to wait six days to violate and charge another \$100. There was discussion on the language of violation procedure. There was lengthy discussion on people who fail their inspections not getting re-inspected, and those who rent out their property anyway.

Ms. Cheryl Ege presented a handout that she had prepared. The handout compared the short-term rental policies of Albemarle County, VA and Nashville, TN.

Department of Planning & Community Development



Chairwoman Mitchell introduced the next item on the agenda.

Union Hall Village Plan Update – Discussion

Ms. Lisa Cooper presented the draft Union Hall Village plan composed by EPR Inc, Michael Baker International and the Office of Intermodal Planning and Investment (OIPI). Ms. Cooper stated there is no information the commission hasn't already seen through previous presentations. Ms. Cooper stated this plan is different from those the commission has received in the past, such as there is no background study, and some transportation information is excluded. Ms. Cooper requested the opinions of the Planning Commission.

Ms. Debbie Crawford asked if this was something that the board needed to approve. Ms. Lisa Cooper stated that there will need to be a public hearing on the Union Hall Village plan where the commission will vote prior to the Board of Supervisors hearing on the matter.

Ms. Sherrie Mitchell reminded the staff that Planning Commission Chair elections are coming up in July

It was decided that commission members will send Ms. Lisa Cooper their questions and/or comments. Ms. Cooper will compile all questions/answers into a document to give back to the commission members. There was discussion on plan details, and suggested information to add to the packet. Ms. Cooper also elaborated what a designated growth area is.

Chairwoman Mitchell then opened the floor to any citizens who wanted to come before the board with any concern or comments for the Planning Commission. Hearing none and seeing none, the period for citizen comment is closed

Meeting adjourned at 8:44 pm