

**King & Queen County
Planning Commission Minutes
November 4, 2024**

The King & Queen County Planning Commission met on Monday, November 4, 2024, at 6:00 p.m. in the King & Queen County Courts and Administrations Building in the General District Courtroom for their regular monthly meeting.

Planning Commission Members Present:

Barry Allen	Edmond Wilson, Jr.
Mac Bradley	Commer Jackson
Robert Coleman, Jr.	David Campbell
Hunter Richardson	

Also in Attendance:

Vivan Seay, County Administrator/County Attorney
Donna Elliott Sprouse, Director of Community Development
Kelly Evko, Economic Development Director

Call to Order

Chairman, Mr. Richardson, called the meeting to order.

Roll Call/Determination of Quorum

Mr. Campbell took roll call and determined that a quorum was present.

**Approval of Minutes
October 7, 2024**

After review of the October 7, 2024 minutes, a motion was made by Mr. Jackson to accept the minutes as presented, seconded by Mr. Campbell.

Voting For: Wilson, Coleman, Bradley, Jackson, Allen, Campbell
Voting Against: None
Abstain: Richardson

New Business

A. Rezoning RZ24-02 – Gary Sange, 2888 Walkerton Landing Road (*set public hearing*)

Mr. Richardson asked Mrs. Sprouse to please review the first item for new business.

Mrs. Sprouse noted that this is a request to rezone an existing parcel, identified as tax map parcel 1632-52X-134 from Limited Business (LB) to Residential Single-Family (RS). She noted that the property is addressed as 2888 Walkerton Landing Road and is located in the Newtown magisterial district.

Mr. Richardson asked if this was a rezoning request submitted by the property owner. Mrs. Sprouse confirmed that it was submitted by the current property owner.

Mr. Richardson asked if the property owner was present tonight. Mrs. Sprouse noted that they were not, however they would have someone present at the public hearing.

Hearing no further comments or questions, a motion was made by Mr. Coleman to set the public hearing for RZ24-02 during their December 2, 2024 meeting. Mr. Bradley second Mr. Coleman's motion.

Voting For: Wilson, Coleman, Bradley, Jackson, Allen, Campbell, Richardson

Voting Against: None

Abstain: None

B. Zoning Text Amendment ZA24-01 – Article 4, Table 4.1 *(set public hearing)*

Mr. Richardson asked Mrs. Sprouse to please review the next item on the agenda for new business.

Mrs. Sprouse noted that this was a zoning text amendment request that was submitted by a citizen of the County. The request would amend Article 4, Table 4.1 as it relates to aquaculture without processing on site. Mrs. Sprouse noted that the owner was present in the audience tonight, should they have a question regarding the request. She reminded the Commission that this is not a public hearing tonight and to remember we must not hold a hearing without first meeting the advertisement requirements as provided by state law.

Mr. Richardson asked if the applicant wished to speak to his application request. He would like to hear more about the request.

Mr. David Fox of 17565 New Hope Road, the applicant, approached the Commission. Mr. Fox noted that this request is to amend the current ordinance to allow for a smaller scale aquaculture operation with no building setback restrictions. Currently, the code requires 150' setback off of all property lines. It is his hope to allow for a smaller scale aquaculture operation with no setbacks.

Mr. Campbell asked what was the acreage of his property. Mr. Fox noted that he has just over 5 acres.

Mr. Fox noted that, according to his research, surrounding localities do not have setbacks or restrictions on aquaculture operations.

Mr. Richardson stated that it was good that he had done his research, however to please wait for the public hearing.

Hearing no further comments, a motion was made by Mr. Jackson to set the public hearing for ZA24-01 during their December 2, 2024 meeting. Mr. Jackson's motion was properly seconded by Mr. Allen.

Voting For: Wilson, Coleman, Bradley, Jackson, Allen, Campbell, Richardson

Voting Against: None

Abstain: None

Citizens Comment Period

Mr. Richardson noted that he had realized that he had skipped over citizens comment period. Mr. Richardson noted that he was going to do that now. Mr. Richardson opened the floor for citizens comment period.

Hearing none, citizens comment period was closed.

Old Business

A. Comprehensive Plan Update *(public hearing moved to December 2nd 2024)*

Mr. Richardson noted that though he was not present at last month's meeting, the minutes from the October meeting and the agenda do not appear to state the same thing and he asked Mrs. Sprouse for clarification.

Mrs. Sprouse noted that in order to hold the public hearing, the notice must be posted no less than 7 days before the hearing date. With our newspapers of general circulation (Tidewater Review and Rappahannock Times) coming out on Wednesdays, and the Commission meeting the following Monday, it would not meet the statutory requirements. The notice would need to run for two consecutive weeks, and no less than 7 days from the hearing date, which is another week.

Mr. Richardson asked if a motion and vote was needed. Mrs. Sprouse confirmed that they did not need to take a vote.

Mr. Richardson asked Mrs. Sprouse when will the Commission receive the Economic Development Authority's comments on the comprehensive plan. Mrs. Sprouse noted that Mrs. Evko is present tonight and perhaps could answer that question. Mrs. Evko noted that the EDA will meet this Thursday and after that meeting, she hopes to have those recommendations to move to the Commission. Mr. Richardson spoke of the Commission's concerns regarding traffic and development, especially along our corridors. He asked what were the thoughts of the EDA members. Mrs. Evko noted that those concerns sound more like concerns of VDOT and not the EDA. She added that the text that the EDA is looking at is only that of which is in the development chapter, not the entire document. Mrs. Evko said that reference to data centers is one of the additions that they are considering.

Mr. Richardson stated that he would come back to her later in staff comments for more on the EDA.

Mrs. Sprouse reminded the Commission that the items discussed, related to transportation, were included in the draft text before them. She noted that the interest in traffic lights and straightening of Rt. 14 are all in the document before them. She also added that once she receives the recommendations of the EDA, she will provide that information as a slip sheet to the Commission. She will not reprint the full document, unless they are in need of one.

Staff's Comments

Mrs. Sprouse provided the Commission with copies of an application for a variance that is going before the Board of Zoning Appeals during their November 18th meeting. Mrs. Sprouse informed the Commission that per state statute 15.2-2310, the zoning administrator shall provide a copy of the variance application to the local planning commission, should they wish to send a recommendation to the board or appear as a party at the hearing. Mrs. Sprouse noted that Mr. Coleman is the planning commission representative on the BZA. If Mr. Coleman plans to attend the BZA hearing, he could take your comments to the BZA members, should the Commission have any.

Mrs. Sprouse informed the Commission that she has been in communications with two different solar developers who are proposing solar facilities in King & Queen. She noted that the Commission may want to consider if they still want solar facilities by approved conditional use permit in the Industrial zoning district or revert back to conditional use permit in the Agricultural zoning district. She noted that the text amendment is forth coming for consideration. If the Commission and ultimately the Board of Supervisors, decide to not change the current code, along with those applications will be requests for rezoning to Industrial from Agricultural.

Ms. Seay noted that since the Commission was hearing a text amendment next month, they could include solar facilities and data centers next month as well. She noted that this would reduce the cost of advertising.

Mr. Coleman stated that he was okay with setting the hearing but want to be sure that they voted on each use separately.

After some discussion among the Commission members, it was the consensus of the Commission to not include solar facilities and data centers for public hearing next month. A motion was made by Mr. Jackson to set a public hearing for text amendment regarding energy generating facilities and data centers for their January 6th meeting. Mr. Jackson's motion was seconded by Mr. Allen. Mr. Richardson asked if there was any discussion. All of those in favor ratified the vote by stating "Aye".

Mr. Richardson asked if Mrs. Evko had any comments or updates to provide to the Commission from the EDA. Mrs. Evko stated that she had none at this time.

Mr. Richardson asked Mrs. Seay and Mrs. Carolyn Billups if either had comments, they both stated that they had none at this time.

Commissioner's Comments

Mr. Coleman stated that that he is looking forward to learning more about the aquaculture text amendment.

Mr. Richardson thanked Mr. Fox for participating in the process with his proposed text amendment. There was text in the current ordinance that did not work for him and he is going through the process in an attempt to possibly correct that. He also reminded everyone to be sure to vote tomorrow and let their voices be heard.

Adjournment

Mr. Richardson noted that the next meeting is set for Monday, December 2, 2024, at 6 p.m. There will be multiple public hearings and attendance is very important.

There being no further business, motion was made by Mr. Coleman to adjourn. The motion was ratified by all present members stating "Aye".

Hunter Richardson, Chairman