

King George County Planning Commission
May 09, 2023

The King George County Planning Commission (KGPC) Meeting was called to order at 7:06 PM by Vice Chairman Kristofer Parker in the Board Room of the Revercomb Building, located at 10459 Courthouse Drive, King George County, Virginia 22485.¹²

Staff Present: Heather Hall, Director, Zoning Administrator
Louis Pancotti, Senior Planner
Chris Dines, IT Director

KGPC Members Present: Vice Chairman, Kristofer Parker
Joseph DaCorta
Ross Devries
Ian Fox
Kevin Myers

Members Not Present: Chairman Walter Moss
Gary Kendrick
Jason Williams

KGPC Attorney: Jessica Washington, Assistant Attorney

KGPC Administrator: Christopher Miller

Call to Order: Vice Chairman Parker called the KGPC meeting to order at 7:06 PM and noted there was a quorum. Following the pledge of allegiance, Vice Chairman Parker led an invocation.

Public Comment: Vice Chairman Parker opened the floor for public comment. He asked that anyone interested to please approach the podium, state your name and address, and limit comments to three minutes.

1. Brain Metz, King George Resident, stated he had two comments regarding the agenda items. On the first one, the amendment to the zoning ordinance, I'd like to say that I support this as written. I'm glad to see the Planning Commission is trying to be flexible in looking at uses under our by right within the zones planned, within the county, the zoning areas are very well set up by the comprehensive plan. Those areas that are retail, commercial, industrial. I think you have probably gotten a lot of feedback recently on things that have been trying to use the buy right provisions. It's important for businesses to be able to look at our zoning laws and understand when they acquire properties, what they can and can't do on those. And making them clear like you have here is always a good thing. So full support there. The other one on your short-term rentals discussion points. Our family does own a short-term rental, not in King George County, but in Rockingham County. I'd like to suggest that as the commission looks at options for short-term rentals, I think most owners

¹ May 09, 2023, KGPC Meeting Agenda and Documents can be reviewed via the Internet, on the King George County Government Webpage, retrieved at: <https://www.kinggeorgecountyva.gov/AgendaCenter/Planning-Commission-5> .

² May 09, 2023, KGPC Meeting can be viewed via the internet at: <https://www.youtube.com/live/kgBcdbrlg0w?feature=share>

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will understand, we support counties looking at their tax base and their tax revenue. Our only request is try to keep it simple. A lot of short-term owners are people like me. It's a one property vacation home, and if you make the tax law very difficult, it's prone to error and errors cost you money and they cost us money. But right now, like most short-term rentals, we pay a percentage fee tax. It's actually collected through Airbnb or VRBO and submitted automatically to the County of Rockingham. What gets difficult is that the owners are trying to submit paperwork to align all that with the county and their collections. So keep it simple. Kind of my recommendation for that. Thank you.

Vice Chairman Parker thanked Mr. Metz for his kind words and stated they do not get a lot of positive feedback.

Vice Chairman Parker inquired if there were any participants online for Public Comment. Mr. Chris Dines, IT Director, stated there were no participants online for Public Comment. Vice Chairman Parker closed the floor for Public Comment.

Approval of Minutes:

No approval of minutes from the April 11, 2023, KGCCPC meeting were made. Vice Chairman Parker stated the April 25, 2023, KGCCPC meeting was a joint session with the Board of Supervisors, and the minutes were not ready yet.

Report of the Community Planning Liaison Officer (CPLO), Naval Support Activity

South Potomac, Dahlgren: Mr. Thomas Hastings, CPLO, stated there was no report.

Plan Review: None

Public Hearings: None

Old Business:

Fiscal Year 2024-2028 Capital Improvement Program: The Capital Improvements Program is a five year program for capital expenditures in King George County. The King George County Planning Commission is responsible for forwarding a recommendation to the King George County Board of Supervisors.

Vice Chairman Parker asked Heather Hall, Director, Zoning Administrator of King George County Community Development (KGCCD) to explain the program.

Mrs. Hall stated as a reminder you sent in your individual points rankings, one to two being urgent, three to four being necessary, five to six needed but not required, seven to eight desirable and nine to 10 being future consideration. In front of you, we do have the average planning commission rankings in red. So, the first item is the law enforcement patrol boat for the Sheriff's office, which has a ranking of five. Mrs. Hall asked if there was a consensus. Vice Chairman Parker starts a discussion for the points ranking for law enforcement patrol boat. After discussion, the Planning Commission decided to keep the ranking for the KGC Sheriff's Department patrol boat at five.

Mrs. Hall stated the Commissioner of Revenue CAMA program is ranked as one being

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urgent. Vice Chairman Parker stated that should pay for itself. KG CPC agreed on ranking.

Mrs. Hall stated the next item is King George County Schools. Mrs. Hall stated first is the preschool replacement, and for addition of fourth elementary school as a four, which is necessary. Mr. Devries stated he would like to see the ranking a little higher. He asked if we could get the ranking to a two or three? After discussion, Vice Chairman Parker stated the ranking should be a three. Mrs. Hall stated we will change the ranking to a three.

Mrs. Hall stated the next item is school bus replacement, and the ranking is a three. Vice Chairman Parker asked the rankings meanings and asked if we do the school bus replacement every year and what the ranking is. Mrs. Hall stated either a one or two. Mrs. Hall asked the KG CPC if they would like to change the ranking for school bus replacement to a two? Vice Chairman Parker stated he would like to change the ranking to a two.

Mrs. Hall stated next is the school turf replacement and that it is ranked as a seven which is desirable. Vice Chairman Parker agrees. Mrs. Hall stated the ranking will be left at seven.

Mrs. Hall stated the next item is the baseball softball scoreboard installation at a three, which is necessary. Vice Chairman Parker asked if this was the scoreboard we have but did not have anyone to install. Mrs. Hall said yes. Vice Chairman Parker stated that probably makes sense.

Mrs. Hall stated next, we have the elementary school gym floor as a three of necessary. KG CPC agreed.

Mrs. Hall stated next, we have parking lots and driveways also as a three of necessary. KG CPC agreed.

Mrs. Hall stated the next item is flooring replacement at Potomac, Sealston and King George Elementary schools at a three, necessary. KG CPC agreed.

Mrs. Hall stated next is Fire and Rescue, the ambulance program has been ranked as two. KG CPC agreed.

Mrs. Hall stated Fire and Rescue facilities also ranked as a two. KG CPC agreed.

Mrs. Hall stated aerial ladder apparatus as a four, necessary. Mr. Devries stated he has a five for the ranking. After discussion, the KG CPC decides to change the ranking from a four to a five. Mrs. Hall stated we will change it to a five.

Mrs. Hall stated next, we have solid waste and recycling for the convenience center concrete repair as a two. Vice Chairman Parker, Good on that.

Mrs. Hall stated the next item is General Properties, Ralph Bunche School shop roof is a five, which is needed but not required. Mr. DaCorta stated that the complex is one of our heritage sites that we'd just hate ourselves if it deteriorated like other properties are, it's a small amount of money. I would raise that priority because roofs don't give you time. After a brief discussion, Mr. DaCorta stated he would like to change the ranking to a four. Mrs.

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Mrs. Hall asked if there was a consensus. The KGCCPC agreed Mrs. Hall stated we will change to a four.

Mrs. Hall stated engineering costs associated with relocation of General Properties is ranked as a of three necessary. Vice Chairman Parker approved.

Mrs. Hall stated next, is engineering, old courthouse renovation and repurposing is ranked at a three of necessary. Mr. Myers asked when the new courthouse will be finished. Christopher Miller, County Administrator, stated, the plan is probably a little bit earlier than this time next year, so April is substantial completion is the plan, more likely they'll be getting in around this time. After discussion, Mr. Myers asked if the KGCCPC would like to move the ranking to a two. Vice Chairman Parker agreed. Mrs. Hall stated consensus at two.

Mrs. Hall stated middle school Turn Lane phase two has been ranked at a number two, which is urgent. Mr. Myers and Vice Chairman Parker agreed.

Mrs. Hall stated Parks and Recreation, trailways feasibility study implementation is ranked at a seven, which is desirable. Mr. Myers and Vice Chairman Parker agreed.

Mrs. Hall stated Sealston Sports Complex playground has been ranked as a four, which is necessary. Mr. Myers and Vice Chairman Parker agreed.

Mrs. Hall stated Barnesfield Park playground replacement is ranked as a two of urgent. Vice Chairman Parker stated the equipment would be a liability at this point. After brief discussion, KGCCPC decides to keep the ranking at a two.

Mrs. Hall stated next is Barnesfield Wayside Park master plan and construction at a three of necessary. KGCCPC agreed.

Mrs. Hall stated next is the Recreation Center is ranked as a six of needed but not required. Mr. Myers asked if that was getting rid of or finding a solution for the Quonset Hut. Christopher Clark, Director of Parks and Recreation stated, yes. That would take us out of everything we have at Old King George Elementary and expand our offerings, which is a FY28 slot. After discussion, the KGCCPC agreed to change the ranking to a five.

Mrs. Hall stated next is the dog park, which has been ranked at five, which is needed but not required. KGCCPC agreed.

Mrs. Hall moved on to the next item, Barnesfield softball lighting is ranked at a five of needed but not required. KGCCPC agreed.

Mrs. Hall stated Sealston Sports Complex baseball lighting is ranked at a seven of a desirable. KGCCPC agreed.

Mrs. Hall stated Cedell Brooks Jr Park, parking lot repaving is ranked at a five of needed but not required. KGCCPC agreed.

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Mrs. Hall stated Sealston Sports Complex access road repaving and ranked at two for urgent. Vice Chairman Parker stated it seems like a liability, KGPC agreed to keep the ranking.

Mrs. Hall stated and last but not least is the information technology computer replacement program is ranked number one of urgent. KGPC agreed.

Mrs. Hall stated Courthouse network equipment number three of necessary. KGPC agreed.

Mrs. Hall stated county administration, Parks and Rec building re-cabling project is ranked as three of necessary. Mr. Myers asked about the re-cabling project originally being urgent and if there was something not working. Mr. Dines stated at one time it was urgent. There was a leak in the roof and so the water was coming through that closet back there, which is the DEMARC. For all the internet service here, we wanted to move it upstairs away from the possible leak, but our General Properties Director, Mike Muncie, fixed the leak so it does not leak anymore. We still want to re-cable because there's old cabling and that needs to be taken out. And also, in the Parks and Rec building. They have a little closet that we want to move to a different location because there is no air flow. Mr. Myers stated we are good with three for right now then. Vice Chairman Parker agreed.

Mrs. Hall stated staff will update with the finalized rankings and if a motion would like to be made to forward it to the Board of Supervisors. Vice Chairman Parker asked for a motion. Mrs. Hall stops the motion to inform the KGPC that King George owns the Rappahannock and not Westmoreland. Mrs. Hall stated the law enforcement patrol boat is ranked at a five and if KGPC wants to keep the same ranking or change. Vice Chairman Parker stated we have a grant for it. Mr. Fox asked can we link the ranking to receiving that grant. Mrs. Hall stated we can put a note in the memo stating that the ranking is based on grant funding.

After discussion, the KGPC agreed to change the ranking for the law enforcement boat patrol to a three. Vice Chairman Parker asked for a motion to forward the amended CIP rankings to the Board of Supervisors (KGBOS) as approved by the Planning Commission (KGPC) this evening. Mr. Devries stated so moved. Mr. Myers seconded the motion. Vice Chairman Parker stated the motion has been made and seconded. All in favor? Vice Chairman Parker, aye; Mr. DaCorta, aye; Mr. Devries, aye; Mr. Fox, aye; Mr. Myers, aye. Vice Chairman Parker stated Motion passes unanimously.

Case number 23-02-Z01 : Amendment to the King George County Zoning Ordinance to allow microbreweries, cideries, distilleries, or wineries in the Retail Commercial District C1 and General Trade District C2, amendment to sections 1.9 and 2.9.2.

Louis Pancotti, Senior Planner, introduced himself and stated he will be presenting Case Number, 23-02-Z01. Mr. Pancotti stated, as you may remember, this is a text amendment that adds micro-cidery, distillery and winery to the definition of microbrewery. They will now essentially be considered one use, defined as a small-scale establishment, primarily engaged in the production of alcoholic beverages, including beer, wine, cider, and other spirits, onsite for wholesale or retail sale. Beer production capacity shall not exceed 15,000

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barrels per year. Production of distilled spirits, wine, or alcoholic cider shall not exceed 5,000 barrels per year. Micro-brewery, cidery, distillery or winery may include a restaurant or a public tasting room as an accessory use. Establishments must be licensed by the Virginia Department of Alcoholic Beverage Control and shall operate in accordance with any requirements by the Code of Virginia or other applicable laws. This use will be permitted by right in the C1 and C2 zoning districts. The Planning Commission did hold a public hearing for this Text Amendment on April 11th. A motion for recommendation of approval passed by one vote, however, it was later determined by the county attorney to be a tie vote arising from the voting action of a commissioner with an expired term. Therefore, the commission should provide a new recommendation to the Board of Supervisors. So, nothing with the text amendment has changed since you last saw it. Staff continues to recommend that the King George County Planning Commission forward Case Number 23-02-Z01 to the Board of Supervisors with a recommendation of approval. I would be happy to provide any more information.

Jessica Washington, Assistant County Attorney, asked Mr. Fox to read his statement. She informs him that she emailed it to him.

Mr. Fox reads the following statement, Although I believe my prior disclosure of a prospective business opportunity, the existence of three or more similarly situated members of a group, would allow me to participate in tonight's discussion of microbreweries, cideries, distilleries, and wineries. I am mindful of the potential appearance of impropriety in my obligations as a planning commissioner set forth in the bylaws. Therefore, while I reserve the right to make public comments in my citizen capacity, during the public hearing in the same manner as any other citizen, I will voluntarily abstain from further discussions and voting on the matter of Case Number 23-02-Z01. The County Attorney's office has confirmed that my abstention is consistent with the objectives of the Conflict of Interest Act. The Clerk shall include this written statement in the record.

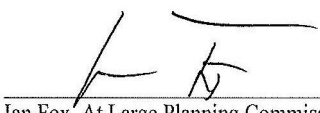
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DISCLOSURE STATEMENT

Although I believe my prior disclosure of a prospective business opportunity and the existence of three or more similarly situated members of a group would allow me to participate in tonight's discussion of microbreweries, cideries, distilleries, and wineries, I am mindful of the potential appearance of impropriety and my obligations as a Planning Commissioner set forth in the bylaws. Therefore, while I reserve the right to make public comment in my citizen capacity during the public hearing in the same manner as any other citizen, I will voluntarily abstain from further discussions and voting on the matter of Case Number 23-02-Z01. The County Attorney's Office has confirmed that my abstention is consistent with the objectives of the Conflict of Interests Act.

The Clerk shall include this written statement in the record.

GIVEN UNDER MY HAND this 9 day of May, 2023.



Ian Fox, At Large Planning Commissioner

Figure 1 Disclosure Statement

Vice Chairman Parker started a discussion on Case Number 23-02-Z01. After discussion, Vice Chairman Parker asked for a motion to forward to the Board of Supervisors with a recommendation for approval. Mr. DaCorta stated I make a motion to forward case number 23-2-Z01 regarding Microbreweries, cideries and wineries to the King George County Board of Supervisors with a recommendation of approval, seconded by Mr. Myers with a vote of 3-1-1. Vice Chairman Parker, aye; Mr. DaCorta, aye; Mr. Myers, aye; Mr. Devries, opposed; Mr. Fox, abstention.

Short Term Rentals- Discussion

Vice Chairman Parker asked if the discussion should be moved to another meeting with all of the KGPC board members present. Mrs. Hall stated that would be his decision. After discussion, Vice Chairman Parker and KGPC decided to discuss Short Term Rentals at another meeting. Vice Chairman Parker asked Mr. Pancotti to send the presentation for Short Term Rental to the KGPC. Mr. Pancotti stated Staff can send the full presentation.

New Business: None

Director's Report:

Mrs. Hall stated that in July the Board Room is unavailable for the second Tuesday of the month, July 11, 2023. The options are to move the meeting to the following Tuesday, July 18 2023, move locations, or the meeting can be the July meeting can be canceled. After discussion it was the consensus of the KGPC, that the meeting will be held July 18, 2023 if there is a case. The meeting will be canceled if there are no cases.

Mrs. Hall stated the KGPC are down two board members. Joseph Gabarow and Donald Watkins Jr are either waiting to be reappointed or replaced.

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Mrs. Hall also stated Jaci Fish has stepped down as our recording secretary. Mrs. Hall stated our plan is we are going to do the meeting minutes, the same as the board through a company that we upload our YouTube and then staff will polish it, which is the same practices that the Board of Supervisors uses.

Mrs. Hall stated last month we did 18 new single family dwellings and 124 total permits and a total monthly revenue of \$68,329. Vice Chairman Parker asked what the buildout is now at Hopyard. Mrs. Hall stated they are almost done and just turned in their last section.

Mrs. Hall stated that was the end of her Director's Report.

Other Business: None

KGPC Adjournment:

Vice Chairman Parker asked for a motion to adjourn. Mr. Devries made the motion for adjournment, seconded by Mr. Myers, and carried by a unanimous vote of 5-0-0. Each Member voted as follows: Vice Chairman Parker, aye; Mr. Fox aye; Mr. Devries, aye; Mr. Myers, aye; Mr. DaCorta, aye. Vice Chairman Parker stated motion passed and adjourned the meeting at 7:45 pm.

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