



NELSON COUNTY PLANNING COMMISSION

Meeting Agenda

February 28th, 2024

General District Courtroom, 3rd Floor, Nelson County Courthouse, Lovingston

- **7:00 – Meeting Convenes / Call to Order**
- **Review of Meeting Minutes:**
 - **January 24th, 2024 – Planning Commission**
 - **January 31st, 2024 – Planning Commission Draft Comprehensive Plan 2042 Public Hearing**
- **Discussion and Recommendation of Draft Comprehensive Plan 2042**
- **Other Business**
- **Board of Supervisors Report**
- **Next Regularly Scheduled Meeting: March 27th, 2024**



Nelson County Planning Commission

Meeting Minutes

January 24, 2024

Present: Chair Mary Kathryn Allen and Commissioners Mike Harman, Phil Proulx, Chuck Amante, Robin Hauschner.

Staff Present: Dylan Bishop, Director - Emily Hjulstrom, Planner/Secretary - Pam Self, Administrative Assistant

Call to Order: Chair Allen called the meeting to order at 7:00 PM in the General District Courtroom, County Courthouse, Lovington.

Officer Elections

Chair:

Ms. Proulx nominated Ms. Allen to be Chair. Mr. Hauschner seconded the motion.

Yes:

Mary Kathryn Allen

Phil Proulx

Chuck Amante

Robin Hauschner

Mike Harman

Vice Chair:

Mr. Amante nominated Mr. Hauschner to be Vice Chair. Ms. Proulx seconded the motion.

Yes:

Mary Kathryn Allen

Phil Proulx

Chuck Amante

Robin Hauschner

Mike Harman

Secretary:

Ms. Proulx nominated Ms. Hjulstrom to be Secretary. Mr. Amante seconded the motion.

Yes:

Mary Kathryn Allen

Phil Proulx

Chuck Amante

Robin Hauschner

Mike Harman

Planning Commission Officers for 2024:

Chair: Mary Kathryn Allen

Vice Chair: Robin Hauschner

Secretary: Emily Hjulstrom

2024 schedule

2024 Schedule

JANUARY						
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BZA submittal deadline

BZA Meeting

PC application deadline

PC Meeting

BOS Meeting

H Holiday

PC Preapplication meeting with staff deadline

Mr. Harman made a motion to accept the 2024 Schedule. Mr. Hauschner seconded the motion.

Yes:

Mary Kathryn Allen

Phil Proulx

Chuck Amante

Robin Hauschner

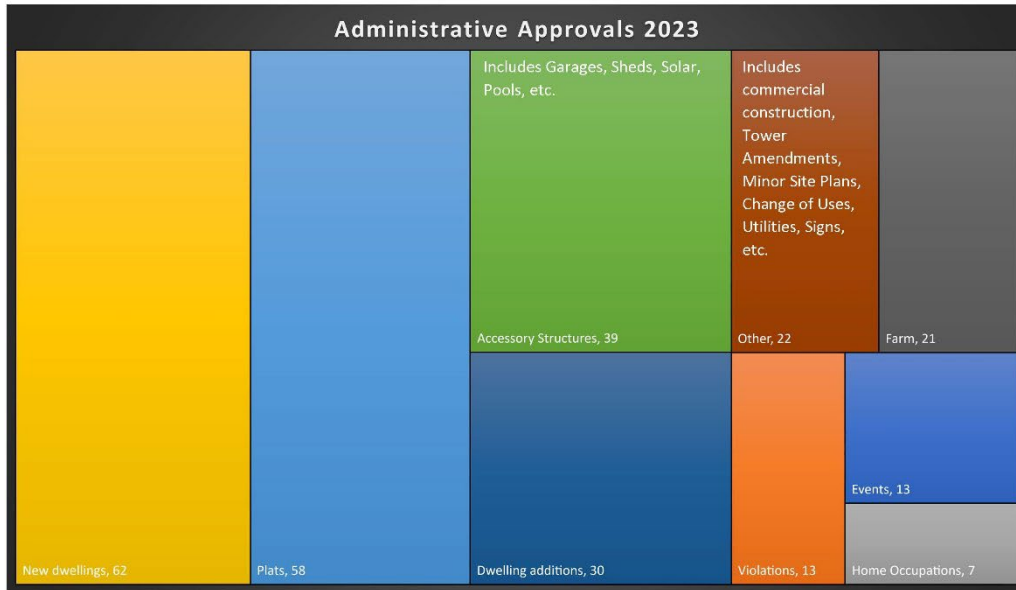
Mike Harman

Annual Report

Ms. Hjulstrom presented the following information:



In 2023 the Planning and Zoning department processed the following administrative permits:



Planning Commission 2023 activities

1. **Special Use Permit #830 – Campground – Bell – Withdrawn**
2. Special Use Permit #838 – Automobile Graveyard – Carpenter – PC for approval (6-0) – BOS approved (4-1)
3. Special Use Permit #849 – Multifamily Dwelling – Mannino - PC for approval (6-0) – BOS approved (5-0)
4. Special Use Permit #867 – Restaurant – Hodson - PC for approval (5-0) – BOS approved (4-0)
5. Special Use Permit #898 – Vacation House – Ealy – PC for approval (5-0) – BOS approved (4-0)
6. Special Use Permit #899 – Outdoor Entertainment Venue – Morse – PC for approval (5-0) – BOS approved (4-0)
7. Special Use Permit #927 – Single Family Dwelling – McFadden - PC for approval (5-0) – BOS approved (4-0)
8. Special Use Permit #928 – Brewery – Ebrahimi – PC for approval (5-0) – BOS approved (4-0)
9. Special Use Permit #934 – Vacation House – Boyer – PC for approval (4-0) – BOS approved (4-0)
10. Special Use Permit #986 – Outdoor Entertainment Venue – Groves – PC for approval (4-1) – BOS approved (4-0)
11. **Special Use Permit #998 – Vacation House – Rush – PC failed to make recommendation – BOS denied (4-0)**
12. Special Use Permit #1005 – Campground – Hoge – PC for approval (6-0) – BOS approved (4-0)
13. **Special Use Permit #1022 – Multifamily Dwelling – Byers – Withdrawn**
14. Special Use Permit #1044 – Campground – Fitzgerald – PC for approval (5-1) – BOS pending
15. **Special Use Permit #1050 – Campground – Bowman – PC for denial (6-0) – BOS denied (4-1)**
16. Special Use Permit #1085 – Campground – Kahle - Pending
17. Special Use Permit #1101 – Multifamily Dwelling – Teasley – Pending
18. Rezoning #837 – A-1 to M-2 – Esh – PC for approval (6-0) – BOS approved (5-0)
19. Rezoning #850 – Multifamily Dwelling – Mannino - PC for approval (6-0) – BOS approved (5-0)
20. **Rezoning #938 – A-1 to M-2 – Schultz – PC for denial (5-0) - Withdrawn**
21. **Rezoning #1021 – R-/A-1 to B-1 – Byers – Withdrawn**



Planning and Zoning Staff

Director: Dylan Bishop

434-263-7091 – dbishop@nelsoncounty.org

Planner: Emily Hjulstrom

434-263-7092 – ehjulstrom@nelsoncounty.org

In 2023 staff processed a total of 265 zoning approvals, site plans, violations, tower amendments, and plats. This includes all permits shown in the 2023 Administrative Approvals graphic.

In 2023, Nelson County continued and began finalizing the process of updating the Comprehensive Plan and subsequent Zoning and Subdivision Ordinances. The Comprehensive Plan is planned to be adopted soon and Zoning and Subdivision Ordinance changes will follow.

Mary Kathryn Allen (South District)
Chair of Planning Commission
434-933-4650

Robin Hauschner (Central District)
434-989-8899

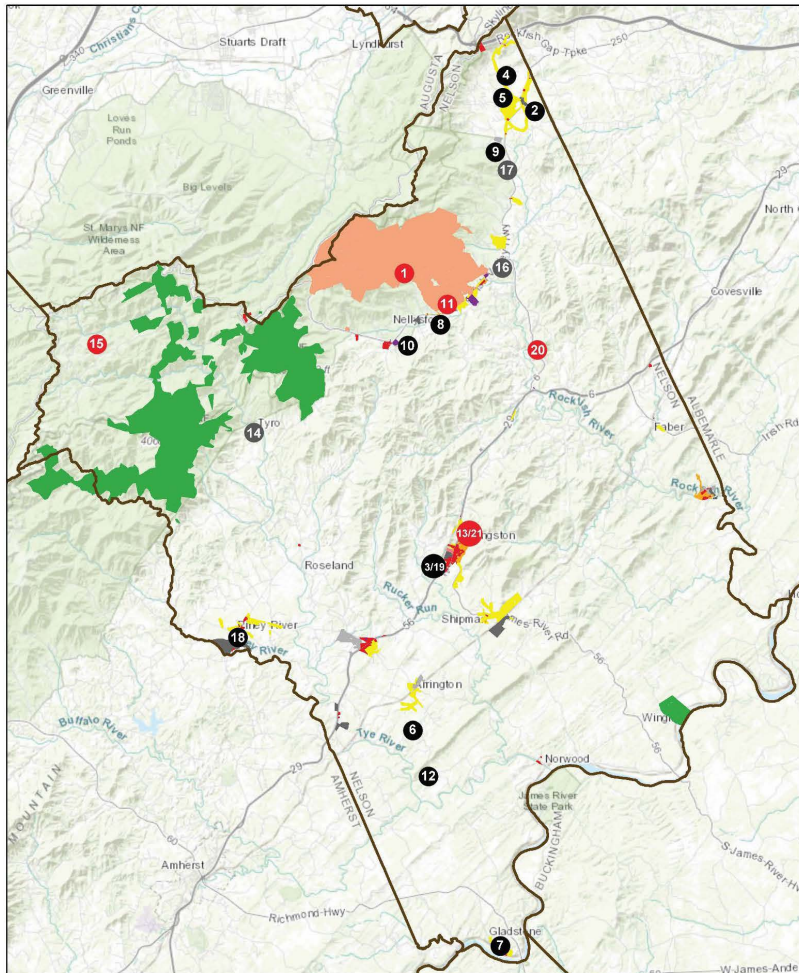
Michael Harman (West District)
434-277-5016

Philippa Proulx (North District)
540-456-6849

Charles Amante (East District)
703-269-8586

Ernie Reed (Central District)
Board of Supervisors Representative
434-249-8330





Review of Meeting Minutes

June 29th, 2023 Joint Work Session:

Ms. Proulx made a motion to approve the June 29th, 2023 Joint Work Session minutes. Mr. Hauschner seconded the motion.

Yes:

Mary Kathryn Allen

Phil Proulx

Chuck Amante

Robin Hauschner

Mike Harman

September 28th, 2023 Joint Work Session:

Ms. Proulx made a motion to approve the September 28th, 2023 Joint Work Session minutes. Mr. Amante seconded the motion.

Yes:

Mary Kathryn Allen

Phil Proulx

Chuck Amante

Robin Hauschner

Mike Harman

October 25th, 2023 Planning Commission:

Mr. Hauschner made a motion to approve the October 25th, 2023 Planning Commission minutes. Mr. Harman seconded the motion.

Yes:

Mary Kathryn Allen

Phil Proulx

Chuck Amante

Robin Hauschner

Mike Harman

Wild Rose Solar Project

Jeannine Johnson of 17 Pressley Ct in Asheville, NC and Lauren Devine of 303 Spruce St in Chapel Hill, NC are here to present the project. Mr. Amante stated that he did not accept this presentation and read

the disclaimer from the presentation “By accepting this presentation, the recipient agrees that neither the recipient nor the recipient’s agents or representatives will directly contact the Company, its affiliates or any of its or its affiliates’ respective directors, officers, employees, shareholders, customers, vendors, consultants, advisors, representatives, agents or related parties at any time with respect to the Transaction or the information contained herein.” He stated that he could not promise this. Ms. Johnson noted that it is part of the template provided by their department. She explained that they were here today to present the project to the Planning Commission and answer any questions that come up. Ms. Bishop noted that the intention seemed to be to direct inquiries to their marketing department. She added that this presentation had already been given to the Board of Supervisors. Mr. Hauschner added that this was being presented at a public hearing and nothing in the presentation wouldn’t be disclosed to the public. Ms. Johnson agreed that it was the intention for this presentation to be shared with the public.

Ms. Johnson explained that they had presented to the Board of Supervisors in November of 2023.

She noted that they had submitted their Special Use Permit application the previous week and hoped to provide information on the project and receive any questions before coming back for public hearings.

Ms. Johnson presented the following:

WILD ROSE
SOLAR PROJECT

November
2023

Wild Rose Solar Project



Agenda

WILD ROSE
SOLAR PROJECT



Savion Company
Overview



How Solar Works



Why Solar Power



Wild Rose Solar Project



Questions

About Us

WILD ROSE
SOLAR PROJECT



Founded in 2019, the Savion team is comprised of utility-scale solar and energy storage development experts.



U.S. based company headquartered in Kansas City, MO, with projects in various phases across 33 states.



Over 190 employees providing comprehensive services at each phase of renewable energy project development.

Q1-Q2 2023

Ms. Johnson noted that they were a utility scale solar company that developed utility scale projects and provided energy to utilities like AEP.

Projects Portfolio

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Solar and Energy Storage in
Operation/Under
Construction/Contracted

2,658 MW
33 Projects
13 States

Solar in Development

19,651 MW
89 Projects
27 States

Energy Storage in Development

14,544 MW
80 Projects
27 States

Q1-Q2 2023

How Solar Energy Works

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Photovoltaic Panels convert sunlight into electricity → The inverter converts the DC electricity to the AC → Electricity is distributed on the electrical grid → The grid provides clean energy to our homes and businesses



MARKET DRIVERS

Fossil Fuels

Price uncertainty, volatile pricing, retirement of coal facilities, cleaner emission standards, carbon tax

Declining Solar Costs

Quickly declining solar costs due to manufacturing efficiencies, increases in solar panel efficiencies, more experienced workforce

Demand

Large demand to buy solar from Utilities, Municipalities and Corporations

Consumer Demand

Local economic development, price certainty (30 years), lower emissions, clean energy, innovative technologies, renewable

Ms. Johnson showed the following photos of solar panel construction and operations:

Construction

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The left picture depicts pile drivers setting up the racking for the panels. The right picture depicts the tracking system.

Construction

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Operations

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SOLAR PROJECT



Operations

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SOLAR PROJECT



Why Solar Power?

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Cost-Effective

Solar power is not only cost-competitive with conventional electric generation—it hedges against fluctuating fuel and transportation cost risks.



Reliable

Solar photovoltaic systems demonstrate high availability levels and provide reliable power during peak electrical demand periods.



Sustainable

Solar photovoltaic systems produce sustainable, clean electricity, which significantly reduces atmospheric emissions.



Creates Grid Diversification

Solar power provides additional diversification to the nation's electric generation mix and increases stability and security of the electric grid.



Produces Positive Economic Impacts

Solar power electric generation contributes to the economic revitalization of local communities through increases to the local tax base, creating an influx of new funding to local schools, and dollars for the local community during the construction process.

Ms. Johnson added that a solar farm can be a silent revenue generator for a county.

Typical Development Process

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- Projects take 4-7 years from inception to construction
- **Early-Stage**
 - Sign agreements with landowners
 - Desktop Environmental Studies
 - File interconnection application
- **Mid-Stage**
 - Permitting – State and/or Local as required
 - Transmission System Impact Study
 - Field Environmental Studies –Threatened & Endangered Species, Wetlands
- **Late-Stage**
 - Signed Utility Sale Agreement (PPA or purchase)
 - Design and Engineering
 - Procurement
 - Transmission Facility Study and Interconnection Agreement
 - Construction

Ms. Johnson noted that AEP was the utility that they would be working with. She added that the project life was expected to be 35-40 years and then the project would be decommissioned. She noted that they would comply with Nelson County's decommissioning requirements. She added that as part of their application they are committing to panels that have been approved by EPA TCLP to not be hazardous. She noted that once the site is decommissioned the land would go back to the landowner who utilizes the land as silviculture.



Wild Rose Solar Project

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Solar



- Proposed 90 MW Solar Project
- Equivalent to powering ~14,000 VA Homes

Interconnection

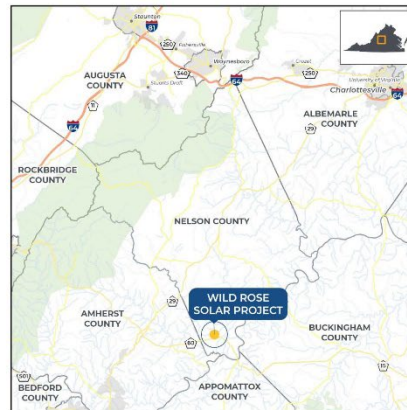


- POI: AEP Gladstone Substation

Site Control and Permitting



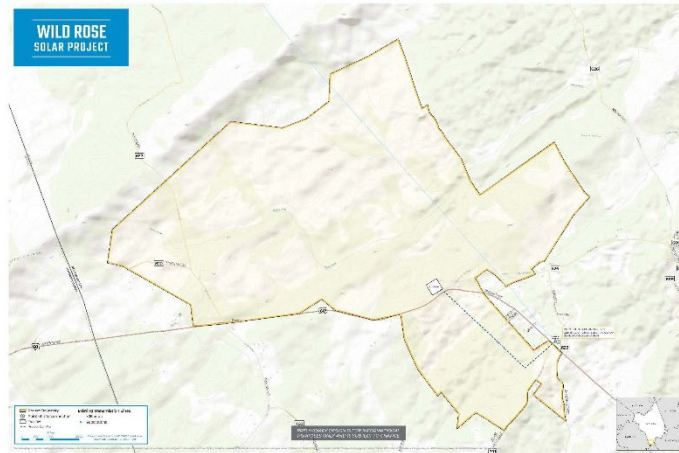
- Project Site 100% secured
- Large timber tract in rural area
- No significant environmental issues



STRICTLY CONFIDENTIAL

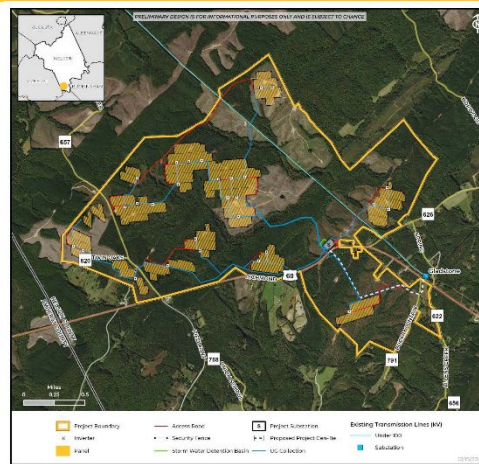
Project Boundary

WILD ROSE
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Project Boundary

WILD ROSE
SOLAR PROJECT



Ms. Devine noted that she was the permitting and environmental manager for the Wild Rose Solar Project. She explained that the project was about two miles North East of Gladstone and about ¼ mile from the Amherst County line.

Ms. Devine noted that there were three different acreages worked with in the project:

- Subject Parcel - the greatest extent of the parcels that the project would be on. Approximately 4600 acres.
- Project Limits – the area of the parcels that would be used for the project. Approximately 2500 acres.
- Project Footprint – the area that would be developed. Approximately 550 acres.

Ms. Devine explained that the panels would be dispersed around the site due to topography and environmental constraints. She noted that they would only have site control over the project area while the rest of the land would remain in silvicultural use through the property owner.

Ms. Devine displayed the project map and showed that the light green indicated where they would be required by the Zoning Ordinance to put in buffer. She noted that they would be going above and beyond what the ordinance required and implementing a 125' buffer of existing vegetation (blue on map). She added that they would plant supplemental buffering in the areas where the existing vegetation did not meet the requirement (orange on map). She explained that the visual impacts would be mitigated from the start of construction by utilizing the existing vegetation.

Ms. Devine noted that the Zoning Ordinance had required setbacks of 100 feet from property lines and 200 feet from residentially zoned property. She explained that there were no residentially zoned properties adjacent to the project limits. She noted that they utilized the county's GIS to identify parcels that appeared to have residential structures on them. She explained that they would be implementing the residential setback for these properties.

Ms. Devine noted that they are working closely with the landowner to ensure that their actions would not impact the current silvicultural operation surrounding the proposed project or the area of the proposed project after decommissioning. She explained that when the project is decommissioned the project area would return to the property owner and return to a silvicultural use.

Local Economic Impact

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High Local Economic Impact – Property Tax for a 90 MW project

- Increased revenue to Nelson County
- Estimated \$8.04 MM in tax revenue to Nelson County over the expected 40-year project life
 - Approximately \$140,000/ year

No cost impact to local school districts, public infrastructure, or emergency services.

- No Stress on local infrastructure or sewer (no heavy haul or general traffic increase caused by ongoing Project operation)
- Minimal water use
- Project will be a “silent revenue generator” for Nelson County (no noise or emissions)

Construction benefits

- ~250 direct and indirect construction jobs through construction; local labor used as available
- Local companies such as landscapers, printers used directly for project needs
- Approximately 1 year of increased revenues to local business such as equipment rentals, hotels, restaurants, gas stations etc.
- 2-5 permanent O&M jobs plus indirect services

Ms. Johnson presented the above slide and added that they have filed a notice of intent to locate a project which gives them the opportunity to work with Nelson County to determine what the tax revenue would be for the project. She added that there would be an increase in traffic during construction but once constructed there would be minimal traffic. She noted that she was hoping to work with the Gladstone Fire Department so that they are familiar with the project and how to access the site. She added that they were working on a job training program in hopes to train local residents to be able to work on the project.

Milestone Schedule

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PROJECT STUDIES AND PERMITS

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Studies & Reports

- Phase I Environmental Assessment
- Threatened & Endangered Species Review
- Traffic Study
- Decommissioning Plan
- Glint/Glare Analysis
- Landscape Screening Plan
- Biological Habitat Assessment
- Wetland Delineation
- Cultural Resource Studies
- Geotechnical Review & Hydrology Study

Permits

- Special Use Permit (Nelson County)
- 15.2-2232 Substantially in Accord Determination (Nelson County)
- Permit By Rule (VA DEQ)
- Jurisdictional Determination (US Army Corps of Engineers)
- Stormwater Pollution Prevention Plan (VA DEQ)



Ms. Devine added that they have gathered best practices from other solar projects in the state and added them as conditions to their Special Use Permit application. For example, proactively committing to a construction management plan, construction traffic management plan, road repair plan, etc.

PERMIT BY RULE

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SOLAR PROJECT

VA Department Of Environmental Quality

- DEQ enables the construction and operation of renewable energy projects of 150 megawatts and less. DEQ's regulations take the form of permits by rule (PBR). Facilities can obtain authorization from DEQ by agreeing to comply with all the construction and operating requirements of the specific PBR.

Analysis of beneficial and adverse impacts on natural resources

- Analysis to Wildlife (Wildlife report and map from Virginia Fish and Wildlife)
- Analysis of Historical resources (compilation of known historic resources, Architectural Survey & Archaeological Survey)
- Analysis of other Natural Resources

Public Input

- Notice in local newspaper
- 30-day comment period
- Public meeting (held after 30-day comment period)

Ms. Devine added that Permit By Rule was a pretty onerous state process that would ensure any impacts to environmental features are either avoided, minimized, or mitigated. She explained that this would take about a year but could not be started until the local permit is acquired.

Contact

WILD ROSE
SOLAR PROJECT

Jeannine Johnson
Development Manager
Savion, LLC
jjohnson@savionenergy.com

Lauren Devine
Senior Permitting & Environmental Manager
Savion, LLC
ldevine@savionenergy.com

Disclaimer

WILD ROSE
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All inquiries with respect to the presentation should be directed to: Savion Marketing

Q1-Q2 2023



Mr. Harman asked who currently owned the land. Ms. Johnson noted that it was owned by Weyerhaeuser Company. Mr. Harman asked what the current use of the land was. Ms. Johnson noted that it was silvicultural/timbering. Chair Allen noted that a lot of it had been cut already and that was why the project would require additional buffering on the Tye River Rd side.

Chair Allen asked who had received notices about the community meeting in Gladstone. She added that she lived within a mile of the substation and did not receive a notice. Ms. Johnson explained that the first meeting included everyone that abutted the project where the second included everyone within one mile. She noted that there may have been a loss in the mail or another issue that prevented her from getting a letter. Ms. Hjulstrom added that she would be working with them to create a new adjoining property owner list for the next community meeting. Chair Allen asked if there was another site on Route 60 that they were looking at. Ms. Johnson noted that there was not.

Mr. Hauschner asked if power customers in the area would get any subsidization of electric bills. Ms. Johnson noted there would not be and that the best they can do is provide cheaper electricity to the utility. Mr. Hauschner asked how Savion was different from the Shell Group. Ms. Johnson explained that Savion was founded in 2019 but was previously another company. She explained that they were acquired by Shell over the past two years. She explained that their mission was still to develop solar energy projects but now with the Shell backing. She added that Shell would ultimately take on some of the operations and maintenance with their existing infrastructure. Mr. Hauschner asked if Shell benefited from any green credits from their acquisition of Savion or anything that would come out of thousands of acres of solar production. Ms. Johnson noted to her knowledge it was no different than any developer constructing a solar project.

Ms. Proulx asked when they could expect this application to go to public hearing. Ms. Bishop noted that the applicants had submitted their application earlier that week. She added that they were planning on having the community meeting in Gladstone at the end of February. She noted that it would likely come to the Planning Commission for public hearing at their March meeting.

Public Hearings:

SUP 1085 – Campground:

Ms. Bishop presented the following information:

DRAFT

Nelson County Planning Commission

To: Planning Commission

From: Dylan M. Bishop, Director of Planning & Zoning *DMB*

Date: January 24, 2024

Re: SUP #1085 – Campground (2 sites) – 5032 Rockfish Valley Hwy (Faber)

BACKGROUND: This is a request for a special use permit on property zoned A-1 Agriculture for a campground use for two (2) sites on two (2) adjacent parcels.

Public Hearings Scheduled: P/C – January 24; Board – February 13 (tentative)

Location / Election District: Rockfish Valley Hwy, Faber / North Election District

Tax Map Number(s) / Total acreage: 22-A-59, 59D / 2.001, 2.00 acres +/-

Applicant/Owner Contact Information: Kelly A. Kahle, P.O. Box 448, Sherman, NY 14781, 434-262-2639, kellyakahle@gmail.com

Comments: These two adjacent properties are primarily wooded. A third adjacent parcel also owned by the applicant contains an existing cabin that the owner intends to secure a certificate of occupancy for and utilize as their primary dwelling.

The owner is proposing to establish two campsites – one on each lot. Lot 59D would contain a “yome” or “yurt home”, and a teepee style tent on Lot 59. These short term lodging options that are not offered within an approved dwelling are classified as a campground use and require a special use permit. According to the narrative and site plan, there is a shared parking area for both of the sites, and guests will access the individual sites by foot along the south property lines. The narrative indicates that they intend to hire out for property maintenance, lawn maintenance, and property management.

DISCUSSION:

Land Use / Floodplain: This area is agricultural and residential in nature, and is adjacent to Rockfish Presbyterian Church. These properties are located south of the Route 6 / Route 151 intersection, and north of the Wintergreen development on the east side of Route 151. There are no floodplains located on the property. This property is also located within the South Rockfish Valley Rural Historic District, although there are no County regulations or implications associated with this fact.

Access and Parking: The property is accessed by an existing commercial entrance on Route 151 that is shared with Rockfish Presbyterian Church. According to the application, guests will use the existing entrance to the property where a shared parking area would provide sufficient parking for the proposed use. An abandoned right-of-way along a utility easement along the southern property boundaries to access the sites is currently grass. VDOT indicated that they do not have any comments; that utilizing the existing commercial entrance will have no impact to Route 151.

Utilities: The narrative provided indicates that each site will have a camping toilet and self-contained sink station. Comments from the Health Department indicate that with two (2) sites, there is no VDH requirement for permanent sewage disposal or water supply. The applicant informed the Health Department that they plan to contract with a local company to provide and service a portable toilet and hand wash station, and to provide commercially available drinking water. The Zoning Ordinance definition for a campground use requires the provision of potable water and sanitary facilities.

Comprehensive Plan: In the 2002 Comprehensive Plan, this area is designated as Rural and Farming on the Future Land Use Map. This district would promote agricultural uses and compatible open space uses but discourage large scale residential development and commercial development that would conflict with agricultural uses. The Rural and Farming District would permit small scale industrial and service uses that complement agriculture. Protection of usable farmland should be encouraged.

RECOMMENDATION: The approval of special use permits should be based on the following factors:

1. The use shall not tend to change the character and established pattern of development of the area or community in which it proposed to locate.
2. The use shall be in harmony with the uses permitted by right in the zoning district and shall not affect adversely the use of neighboring property.
3. The proposed use shall be adequately served by essential public or private water and sewer facilities.
4. The proposed use shall not result in the destruction, loss or damage or any feature determined to be of significant ecological, scenic or historical importance.

Should the Planning Commission recommend approval of SUP #1085 for a campground, staff recommends consideration/discussion of the following conditions:

1. There shall be no more than two (2) sites, and the accommodations shall be provided by the property owner.
2. Any lighting shall be directional and glare shielded to prevent light pollution onto adjacent properties and roadways and to protect the dark night sky.
3. There shall be no more than six (6) guests on these two (2) properties at any one time.
4. Fencing shall be installed along the southern property boundaries (discuss height and material).

5. There shall be no fire of any kind (including but not limited to campfire rings, grills, etc.) permitted on these two (2) properties.
6. Campsites shall be setback a minimum of 50' from the southern property boundary.

Attachments:

Application
Narrative
Site Plan
Photos
Zoning Map
Historic District Map
Public Comments

Applicant Kelly Kahle of 116 Park St in Sherman, NY:

Ms. Kahle noted that her well and septic permits were in place and she was waiting for the weather to clear to get them installed. She added that her address would be 5032 Rockfish Valley Hwy when she moved to the county. She explained that 5032 Rockfish Valley Hwy was a part of the property that she had owned since 2004.

She noted that no one appreciated the beauty of the corridor between Route 6 and Nellysford more than she did. She explained that the woods made her fall in love with the property as well as the large pieces of crystal everywhere. She added that there were mature hardwoods that she made sure were cared for and allowed to mature to preserve the acorns.

She noted that there were a lot of concerns with a campsite meeting zoning requirements. She noted that forestry departments and state sites have campers all over the place. She explained that these were not transient campers or homeless people but fellow Virginians, celebrating anniversaries and birthdays. She added that they were also pastors and leadership within ministry which she had shared with the task force that visited her unannounced. She stated that she was not sure if that was not conveyed to the church body or was being disregarded.

She explained that the main focus of the camp was to support two non-profit ministries that had been founded by veterans. She noted that one of them would have been there tonight but her mother passed away that day. She hoped that they would be able to make it to the next meeting. She explained that this was a camp for veterans suffering from PTSD and ministry leadership, with an 80% burnout rate within the first five years of starting, to find respite as well as a place to stay while they receive training in Waynesboro. She added that this would not be for tourists who were coming to drink on Route 151 but a niche camp for those individuals.

She explained that she understood the fear being felt by her neighbors next door because a parsonage burned down years ago. She explained that she would not allow fires at the campsites and hoped this

would alleviate that concern. She noted that she could advertise on the campsite listing websites as not being child-friendly that no fires would be permitted.

She noted that the concern of there being no one on-site made it seem like fear and misinformation were being shared. She questioned if it was people not being receptive to change. She noted that if campers were to trespass on the neighboring property they would need to walk roundtrip .56 miles to the woodpile, .8 miles to go to the church, .33 miles to go to the garden, and .68 to go to the pavilion. She added that the pavilion was built after she purchased her land. She stated that the burden of building a fence should not be on her because they chose to put the pavilion there. She added that it would cause undue financial burden on someone with limited income. She explained that the campsites would not be visible from the church and would be 30-40 feet into the wood line. She noted that being 50 feet into the wood line would make the campsites more visible from Route 151. She added that doing this would also require her to remove hardwoods and native mountain laurel that preserved the wildlife.

She noted that on the backside where the power line was, there would be meadow-scaping installed with native plants encouraging pollination. She noted that this would only increase the yields of the church's garden. She added that she saw this as a win for the entire neighborhood and hoped that her explanation cleared the air.

Ms. Proulx asked about Ms. Kahle's plans for sanitary and potable water facilities. Ms. Kahle noted that she had been working with the VDH on having a handicap-accessible latrine facility that would be between the two sites. She explained that it had hand-washing capability and would get cleaned out once a week. She added that she would be providing potable water in bottles. Ms. Proulx questioned if this would fit the requirement of adequate water and sanitary facilities in the ordinance. Ms. Kahle noted that there was also a water pipe on site. Ms. Proulx asked where the water pipe was and if it was functioning. Ms. Kahle explained that it goes to a well and pointed out the location on her site plan. Ms. Proulx asked if it had potable water and if it would be available to the campers. Chair Allen noted that it was likely a spigot-style pump and Ms. Kahle confirmed. Ms. Kahle added that the water had been tested by VDH and would be available to the campers. Mr. Harman asked if she was going to have someone managing the property. Ms. Kahle stated that she would be living on the site full-time.

Chair Allen asked if the pictures provided depicted what the teepee would look like. Ms. Kahle confirmed that it would and added that it would be built by the same company that outfitted the set of Dances With Wolves.

Ms. Proulx noted at what point it was not possible to put a septic system for the building. Ms. Kahle noted that she had approved well and septic permits for the building. Ms. Proulx asked if they would be separate from the parcels with the proposed campsites. Ms. Kahle confirmed that they would be.

Ms. Allen asked how far apart the sites would be. Ms. Kahle noted that they would be approximately 70 feet apart.

Ms. Kahle noted that the church was classified as a public/semi-public building per zoning. She added that as far as people accessing any of the facilities it was not a private building. She explained that the benefit of this was that you have a 1.3 million dollar building that was not required to pay real estate

taxes. Chair Allen asked that Ms. Kahle focus on her application and not her relationship with the church.

Chair Allen opened the public hearing at 7:57

Mary Hopkins of 738 Chestnut Ridge Rd in Roseland:

DRAFT

Speaker #1 – Historical Church

I am Mary Hopkins, a property owner and resident of Nelson County. I am also a member of Rockfish Presbyterian Church, which abuts Ms. Kahle's property. If you visit us, you will see at our entrance an historic marker placed by the Virginia Department of Historic Resources in order to, according to the Department's own website, "identify Virginia's significant historical persons, events and places...providing a deeper understanding of the State's rich history and cultural heritage." As the marker reads, the roots of the church date back 287 years, to 1746, making it one of the oldest Presbyterian churches in the region. It is also identified as a "Heritage Site" in the South Rockfish Rural Historic District, recognized by both the Virginia Department of Resources AND ALSO BY the US government in the NATIONAL Register of Historic Places. The new draft Nelson County Comprehensive Plan also recognizes this historic district and places value in the importance of protecting its historic properties. Our congregation has worshipped in the same sanctuary for over 171 years and the church houses irreplaceable books, records, photographs and more reflecting our area's history. Our cemetery is also home to the remains of veterans from each of the major wars in which Americans have served, beginning with the Revolutionary War, where a commemorative service is held each Memorial Day.

We know of no comparable historic site in Nelson County.

This church also has a long history of service in Nelson County. If you read our members' letters in your packet, you saw a list of at least 20 missions which specifically serve our County, and in addition, we contribute financially and through volunteer work to dozens more. Just over a year ago, we started a Community Children's Chorus, now bringing together over 30 children from throughout the County, most of whom do not attend our church.

We know of no comparable source of ongoing services to the County.

Why does this matter? Because approving this application puts this important historic site, especially its main church building, and thus all its community activities, at seriously increased risk, particularly from fire but for other reasons my friends will explain. Our building is 171 years old and we have no fire suppression system or sprinklers - it is simply too expensive. Damage to or the loss of our building would cause irreparable harm and be a devastating blow not just to our congregation but to Nelson County, as literally hundreds benefit from our missions.

One of the four mandatory criteria you all must consider in assessing this application is that "THE USE **SHALL NOT** RESULT IN THE DESTRUCTION, LOSS OR DAMAGE OF ANY FEATURE DEEMED TO BE OF SIGNIFICANT HISTORIC IMPORTANCE." The current draft of the NEW Comprehensive Plan (Ch 6.22) specifically provides for working with the Nelson County Historical Society to **identify, protect and celebrate historic and culturally significant properties**. The Federal government, the State government and Nelson County have already found Rockfish Presbyterian Church to be

historically significant. The proposed use does not protect and, in fact, can adversely impact our historic church.

The applicant has not satisfied this criteria and conflicts with the goals & objectives of the new Comprehensive Plan. We therefore respectfully ask that you recommend denial of this application. I ask that those of you here who also oppose this application please stand.

Mary: Also add the following only in the event Kahle raises personal issues, *for example attacking the church as a bad neighbor during her statement :*

"Throughout this process, we have tried very hard to keep this from being personal, from being a battle between neighbors. Instead we have tried to focus solely on those issues of importance to you on the Planning Commission in making a sound decision regarding this application, only those issues both appropriate and relevant to the Nelson County planning process."

Peggy Toms of 279 Cedar Meadow Dr in Nellysford:

DRAFT

Speaker #2 – Fire Concerns

I am Peggy Toms, a property owner and long term resident of Nelson County. I am also an Elder of the Church. I want to raise one of the most serious risks of damage to our church if this application is approved.

FIRE!!

We're all aware of our recent severe drought and all the fires during that time. Our church is about 80% surrounded by woods and hayfields, not surprising since it is zoned A-1 primarily for farming and forestry. The applicant says that she will not permit campfires on her sites. But many of us have already experienced visitors to Nelson County who, feeling they are on a vacation they are paying for, are lax in following rules, respecting others or caring for the environment. Several of us have experienced fires and fireworks, among other problems, on adjacent properties occupied by short term renters, and have even found it necessary to call 911. The proposed sites would be more short term rentals without sufficient regulation.

Even if campers are told campfires are not permitted, it is unreasonable, even naive, to expect ALL campers will honor that restriction. This is very basic camping, especially with a tent, with no source of heat or provision for cooking. Campfires are a typical feature of camping, for warmth or simply ambiance, as well as for cooking - hot dogs and marshmallows on a stick at a campfire are camping staples. We can easily envision a family with children begging for s'mores - are ALL parents are going to say no, we're not allowed? Who will stop them?

A camper could easily build a fire which gets out of control due to drought or high winds, spreading across the field to our church. How is it going to be noticed, reported or extinguished with the minimal water supply provided to the campers? Or if a camper builds a fire, believes it has been extinguished, then goes out for the evening, or packs up and heads home, leaving live embers behind? And what about shooting off fireworks, another potential source of wildfire? There is no prohibition of fireworks in the application, and if there were, we're not convinced campers would honor it.

These scenarios all create a significantly increased risk to our historic church sanctuary, with no fire suppression system - it is simply far too expensive. In addition, between the campsites with a potential campfire and our church building are our wood ministry, filled with logs and firewood, our large garden area and equipment shed, large wooden outdoor pavilion and playground, all of which are also at risk from a fire.

In these situations, campers won't have enough water to put out a fire. Would they have cell service to call 911? Finally, the applicant doesn't have a proper road to accommodate fire trucks. There is presently only a narrow dirt road. In the event of fire, the firetrucks would likely need to access the campsite across our property - fire trucks simply need to get to a fire in the fastest way possible. Also, I'm also a volunteer with the Wintergreen Fire Auxiliary. I do not ever want to hear a call go out for Rockfish Presbyterian Church.

We believe the serious risk of damage or loss from fire to our important historic church, which is so very significant to the Nelson County community, requires the denial of this application.

DRAFT

Speaker #3 - Trespass and Attractive Nuisance

I am Leslie Buchanan, a property owner and 50 year resident of Nelson County, and an Elder of Rockfish Presbyterian Church. I want to speak with you about yet another issue which creates a substantial risk to our church.

That is the risk of trespass onto church property. Please understand that we are not concerned about the simple matter of trespass on church property. This is the country, where it is very difficult to identify property boundaries, even for residents. But we are very concerned about possible injury and don't want anyone to be injured, particularly on our property. So that you may better understand our concern, I want to talk about a legal concept called "attractive nuisance."

Briefly, under Virginia law, if a property owner has a feature that might be of interest to, or attract the attention of, a child - like an in-ground pool - and the child trespasses onto the property and is then injured or even dies on that property, the property owner could be found liable. Even if the property owner fences it off. Adults, like a parent, could even sue the property owner for injuries they might sustain in efforts to come to the aid of the child.

Why are we so concerned? Because we expect there may be children among the campers, that adults may not be watching them every minute as they are playing "out in the country," and that children may roam from the actual campsite. We are concerned that we have 'features' which could possibly be considered an 'attractive nuisance.' This has not previously been an issue as there has been no real concern about children wandering in from adjacent fields. But this use would change things.

What "features" do we potentially have? We have several outdoor ministries which are important to the operation of the church, our missions and our work in the community. They are all immediately adjacent to the campsites and could attract trespassers.

One is the wood ministry, with members cutting and splitting firewood for local folks who rely on wood for warmth and even cooking. This is in full view of the campsites. Campers could easily see this wood and come onto our property for ready fuel for campfires, despite the applicant saying it's not allowed. Climbing around a woodpile might look like lots of fun to a child, resulting in a fall and injuries.

Another is Goodness Grows, a large garden providing fresh produce to local folks, also in full view and possibly attractive to campers. The water standpipe there is also visible and could readily attract campers because they will have such limited water provided by the applicant - for example, to provide water for hygiene, washing dishes, cooking, or even extinguishing a fire they were not supposed to build. The church could be found responsible for injury from even just tripping on the standpipe.

Also adjacent to the campsites are our cemetery, with markers, plantings and flags, our pavilion with bench seating for outdoor services, and most worrisome, a playground. It is easy to envision a child seeing and running to the playground, then perhaps falling from the top of the slide, sustaining a serious injury. Or children could wander in the

Speaker #3 - Trespass and Attractive Nuisance

cemetery and fall climbing the headstones, or trip while running among the benches in the pavilion and fall onto the concrete.

Please understand that we are not just worried about legal liability — we don't want anyone to be injured. But each of these scenarios could cause injury to a trespassing child. It is unreasonable to expect the church to fence in each outdoor activity - especially because that does not necessarily protect us - or even worse, need to terminate these ministries.

We ask that you deny this application due to the very serious risks of liability and loss to our church.

Harris Luscomb of 780 Stoney Creek East in Nellysford:

Speaker #4 – Need for Onsite Supervision

I'm Harris Luscomb, resident and property owner in Nelson County, and a Trustee of the Church. Trustees are tasked with protecting the Church, and we believe approval of this application would put our church at serious risk due to the lack of on-site supervision.

Mr. Luscomb noted that this application was a moving target after hearing the applicant's presentation. He noted that the applicant had previously stated that a manager would be able to be at the campground in 30 minutes and had not said that she would be on-site managing the property. He noted that most of his comments were about the fire danger but that the applicant had just stated she would not be permitting campfires. He questioned who would want to go camping without a fire. He added that the ministry was at risk of abuse. He noted that they have Sunday morning services outside under the pavilion and noted how disruptive campers could be. He asked who would prevent disruptive campers without onsite supervision? He asked if limiting the campers to ministers and veterans would be added as a condition. He noted that the applicant recently sold the adjacent house for \$464,000 but has stated that she could not build a fence. He asked what supervision would look like when the applicant was not on the property. He noted that the applicant stated that the church was a public building. He stated that this was not true and did not reassure them about her attitude with the campers coming on to the church property. He added that they pay a lot of money for insurance.

Dave Lawson 1107 Bryant Mountain Rd in Roseland:

Speaker #5 – Special Use Permit Criteria

My name is Dave Lawson, and I am a resident and property owner in Nelson County. I am also an Elder of the Rockfish Presbyterian Church. We understand you must now decide whether the applicant has satisfied all four of the criteria for a special use permit in accordance with the County's own Zoning Ordinance requirements. I would like to summarize why I feel that this application fails to satisfy to do that.

With respect to Criterion #1: That the use SHALL NOT change the character of the area.

The "established character" of the property adjoining the proposed campground is basically 'quiet and peaceful "farmland and a 278 year old church site. Placement of tent campsites adjacent to our church would be a significant change to that character. This property is in an A-1 district zoned for farming, forestry and limited residential use. In fact, the statement of intent for this district is to "discourage the random scattering of residential, commercial, or industrial uses in this district." Therefore, the proposed use is not consistent with the stated intent of this district and is essentially spot-zoning for a commercial purpose.

With respect to Criterion # 2: That the use SHALL NOT adversely affect the use of neighboring property.

The Church conducts outdoor services and other outdoor functions during the seasons when the proposed campground would be in use, and these functions could be negatively impacted by activities associated with an active campground (e.g., increased vehicular traffic into and out of the campground and noise).

With respect to Criterion # 3. Others have already addressed the lack of services, most importantly, an adequate street access for fire-fighting or emergency equipment.

With respect to Criterion #4. The proposed use SHALL NOT result in the destruction, loss or damage of any feature determined to be of significant historic importance.

Our Church, on this site for 278 years, is within an historic district recognized by both the State and Federal governments, and has been specifically identified as an historic site. Potential damage to this historic site due to activities associated with trespass by campers or to accidental fire cannot be ruled out especially with the lack of continuous on site supervision. Criteria #4 is therefore NOT satisfied.

According to your requirements, the applicant must satisfy every one of these criteria. I do not believe she has done so. I therefore ask you to recommend denial of this application.

Phyllis Savides of 264 River Ridge Ln in Afton:

Speaker #6 – Comprehensive Plan and Wrap Up

My name is Phyllis Savides and I'm a property owner and resident of Nelson County, and an Elder of the Church. I want to explain from the perspective of the Comprehensive Plan why this application should be denied.

It would be premature to approve a special use permit before the new Comprehensive Plan is approved and implemented in the Zoning Ordinance. As the Commission is aware, the Comprehensive Plan is the guiding policy for the future of the County, the policy foundation for how Nelson will develop and grow. A special use permit is permission to use land in a NEW WAY and is a PERMANENT APPROVAL FOR AN ADDITIONAL USE. Review of this application now for new short term rentals would be based on an outdated Plan and Zoning Ordinance, while the new draft Plan specifically recommends addressing the many concerns about short term rentals on a county-wide basis.

So now let's look at the new proposed Comp Plan. It says that short term rentals can impact neighborhood character and quality of life – with issues such as parking, traffic and noise.

Quote: "The County should consider defining short-term rentals and specifying performance standards in the Zoning Ordinance to help mitigate negative impacts".

Folks here this evening have already had problems with short term rentals. Before allowing more of them, shouldn't the County finalize its new plan? Shouldn't there be "performance standards" or regulations, as recommended, to help prevent or minimize these problems? Drafters of the new Plan think so. Shouldn't that be done before allowing even more of them on a random, spot-zoning, yet PERMANENT, basis?

This application for more short term rentals should not be approved on the cusp of new regulations to address the 'negative impacts' many of us have experienced.

You've also heard that our church is recognized as historic by the State of Virginia and the US government. This is a key consideration of current Comp Plan policy, in the fourth criterion, as just discussed.

But again, let's look at new new draft Comp Plan, which includes several statements regarding the key importance of historic resources to Nelson County.

- First: Protecting natural and historic resources is a top priority for the community. There is language calling for working with partners, specifically naming the Historical Society, to **"Identify, PROTECT AND CELEBRATE historic properties."** The church has already been identified. It should now be protected. Approval of this special use permit would be the precise opposite.
- Second, and I quote: **"Sustainably protecting natural and historic resources for future generations"** The church houses many documents, books and photographs reflecting the history of this County. The proposed use does not

protect the historic resource, the church and its contents, for future generations
– in fact, it threatens it.

In a brief summary of our speakers tonight, we ask you to recommend denial for the following reasons:

To grant a permanent approval for a new and permanent change of use based on an outdated Plan is unwise and unfair to Nelson citizens, especially as the NEW Plan already recommends regulating such rentals differently.

Without onsite management, it will be difficult to protect our historic church from potential damage from fire, from trespass and the use of the church's amenities, creating potential liability, and to prevent noise and trespass and other activities from disrupting our morning outdoor service and other outdoor activities.

Finally, this application does not meet ANY, much less all, of the 4 required criteria for approval of a special use permit, most especially the 4th which is designed to protect and celebrate historic resources, including our church, for future generations.

I ASK THAT EVERYONE HERE WHO OPPOSES THE APPROVAL OF THIS APPLICATION TO STAND.

Ms. Lloyd stated that she did not go to the neighboring church and she went nuts when she saw the application. She explained that the sites would be on only two acres of land right on Route 151. She added that the owner lived in New York at the time and did not have everything set up to live on the property permanently. She noted that a fence would be a wonderful addition to separate the sites if the Planning Commission were to recommend approval. She noted that there was no driveway or way to get into the property. She added that the entrance would be near the roundabout planned to be installed at the intersection of Routes 151 and 6 where people are less likely to think about where they are going. She stated that it would be incomprehensible if this application were approved. She noted that the applicant stated that National Parks are wonderful for camping. She stated that the property was not a National Park. She asked that this application be denied.

Paul Davis of 2514 Rockfish Valley in Nellysford:

Mr. Davis stated that he did not go to the neighboring church either but that he was considering going now. He explained that he had been to several meetings in the past over other Special Use Permits and sometimes supported them. He noted that the argument that he heard that night and that he had heard in the past was that it was not against the applicant but that as far as he knew no one in the county did follow up on approved Special Use Permits. He noted that he chuckled at the idea of a campsite without a campfire. He added that once a Special Use Permit is granted it stays with the property forever. He also recommended that the county hire people to enforce Special Use Permits.

Chair Allen closed the public hearing at 8:22 PM

Mr. Hauschner asked the applicant about the area around the campsites and if there would be a platform or any changes to the surrounding area. Mr. Kahle noted that the two campsites would be on platforms with the rest of the area left natural.

Mr. Harman noted that he was not comfortable with the application and that he had a lot of concerns. He explained that he was concerned with fire and inadequate water, sewer, electricity, and supervision. Ms. Proulx noted that the character of the area was significant. She explained that she had concerns about sewer and water. She noted that the Health Department would not have to weigh in but that the Zoning Ordinance requires the provision of potable water and sanitary facilities. She added that she was not convinced they were adequately provided. She added that the Special Use Permit would stay with the land. She included that the house that was sold is now a short-term rental property.

Mr. Hauschner noted that each of the two sites would be on separate two-acre parcels. He noted that there would be a spigot and latrine available. He explained that it would not be taking housing away from the county in relation to short-term rentals. He added that they had recently recommended approval for campsites on small acreage. He explained that he did not consider space to be an issue. Mr. Amante noted that the acreage was plenty and that several of the complaints brought up could be brought against a single family dwelling on the same parcel. He added that a private residence could have a fire in their backyard, make noise, enter and exit, trespass, etc. He noted that a lot of the complaints heard in the public hearing are irrelevant. He noted that he did not like the location and that the Special Use Permit would stay with the property. Mr. Amante added that he was not comfortable until they could better address short-term rentals and update the Zoning Ordinance. Ms. Proulx noted

that they do need to operate on the existing Zoning Ordinance and Comprehensive Plan. Ms. Proulx noted that the character of the area is of significance as well as the Special Use Permit staying with the land. Ms. Proulx added that the applicant noted that the campsites would be seasonal and a porta potty being serviced once a week was not necessarily the most sanitary thing to have next to a busy parking area. She noted that she did not think the proposal was a good idea.

Mr. Hauschner noted that with short-term rentals the issue was taking housing away from residents and impacting the local housing market. Chair Allen added that short-term rental arguments are going to be based on location. She explained that no one was arguing about short-term rental issues in Gladstone but they were North of Lovington.

Ms. Proulx noted that she had visited the property and it would be right on the church line. She did not think that they could be responsible for what the campers do but that they would not need to hike far to reach the church facilities.

Ms. Allen asked how often the sites would be available for camping. Ms. Kahle explained that the season would be from April to October. She added that her properties are also nationally recognized as historical property. She added that it had the same designation as the church did. Ms. Allen asked if the historic designation had any bearing on what could be done on the property. Ms. Kahle noted that it did not. She added that the national designation makes it publicly accessible. Chair Allen asked how far Ms. Kahle's dwelling would be from the campsites. Ms. Kahle noted that it would be approximately 3000 feet. Chair Allen asked when Ms. Kahle planned to be living in the dwelling full-time. Ms. Kahle noted that she had spoken with Building Inspections the day before but that everyone was out for a training. She explained that her building permit would be ready as soon as it was approved. She added that she is repurposing an existing agricultural building into a residence. She explained that it would take her about a week to repurpose the building when she gets an approved building permit.

Ms. Kahle noted that she would be on the property but was disabled with things that she would not physically be able to address. She explained that she would hire out for the services she could not do. She noted that she would not tolerate fireworks or all-night parties. She asked if the Special Use Permit could only be applied to herself and not the property. Chair Allen explained that this was not possible.

Ms. Kahle noted that there is a 5-year review of the Comprehensive Plan to keep it relevant. Ms. Kahle noted that the housing shortage is not new business. Ms. Proulx noted that this did not relate to the discussion of the camp sites. Chair Allen explained that in Nelson County, when they are surrounded by localities with twice their population, people from areas like Richmond are able to buy housing and turn them into short-term rentals while people living in the county could not afford to buy a \$400,000 house. She added that it was relevant for discussion but not to their decision on Ms. Kahle's application. Ms. Kahle noted that this would provide alternative transient lodging options to people coming to the county for the experience. She noted that there was not a single teepee in Nelson County. She added that the garden at the church is fenced in and would require a concentrated effort to be stolen from.

Ms. Proulx noted the character of the area, water and sewer, and the Special Use Permit staying with the land were her main concerns. She also questioned how they could require on-site management with the dwelling and camp sites being on separate parcels as they could be sold separately.

Ms. Proulx made a motion to recommend the denial of SUP 1085 for a Campground. Mr. Amante seconded the motion.

Yes:

Phil Proulx

Mary Kathryn Allen

Chuck Amante

Mike Harman

No:

Robin Hauschner

SUP 1101 – Multifamily Dwelling:

Ms. Bishop presented the following:

Nelson County Planning Commission

To: Planning Commission

From: Dylan M. Bishop, Director of Planning & Zoning *DMB*

Date: January 24, 2024

Re: SUP #1101 – Proposed Amendment to Condition of Approved SUP #716 –
“The DeLander at Nelson” Multifamily Dwellings – 9485 Rockfish Valley
Hwy

BACKGROUND: This is a request for an amendment to a condition of a previously approved special use permit for a multifamily dwelling use on property zoned A-1 Agriculture.

Public Hearings Scheduled: P/C – January 24; Board – February 13 (tentative)

Location / Election District: 9485 Rockfish Valley Hwy / North District

Tax Map Number(s) / Total Acreage: 6-A-131 & 163D / 8.13 & 2.81 respectively, +/- total

Applicant Contact Information: Charles Meade & Quakeela Teasley (Owner), 4804 Craigs Mill Court, Glen Allen, VA 23060, 804-916-9545 / 804-564-4138, cmeade2261@gmail.com / quateasley3@yahoo.com

Comments: SUP #716 for multifamily dwellings was approved by the Board of Supervisors on October 11, 2022 with conditions (attached). The Major Site Plan has been submitted and is currently in the review phase with various agencies including Health Department, VDOT, Erosion & Sediment Control, and DEQ for stormwater management. The final site plan will come to the Planning Commission for administrative review when approvals are near finalization.

As more formal plans and details were developed, the applicants noted the scale of the required fencing, and are requesting an amendment to condition #6. The condition as approved states, “A fence 6’ (feet) in height lined with evergreen vegetation shall be installed along all property boundaries.” Instead of fencing the entire property along the boundaries (approximately 11 acres), the applicants are proposing to fence the area around the usable community only (approximately 3-4 acres). They are also requesting a reduction in the height requirement from 6 feet to 4 feet. The final amendment they are requesting is to require only evergreen vegetation along Route 151 (per condition #5) with no fencing. This is shown on the attached site plan dated December 8, 2023. Existing vegetation would be left in place where appropriate.

Conditions: Approved by the Board of Supervisors on October 11, 2022:

1. Dwelling units shall only be rented to those individuals 55+ years of age.
2. The maximum number of units shall not exceed 12 units, and each of the two buildings shall not exceed 5,000 square feet each.
3. All existing structures on the property shall be removed prior to the start of construction.
4. The existing boundary lines shall be reconfigured to comply with density requirements in Section 4-10, prior to the issuance of a building permit.
5. A landscape buffer along Route 151 is required, as shown on the site plan dated September 14, 2022.
6. **A fence 6' in height lined with evergreen vegetation shall be installed along all property boundaries.**
7. All lighting shall be directional and glare shielded to prevent light pollution onto adjoining properties, roadways, and the dark night sky.
8. The units shall not be utilized for short-term rental purposes.
9. Construction shall begin within 2 years of the approval date (October 11, 2022).

Should the Planning Commission recommend approval of an amendment to condition #6, staff would recommend the following language:

6. A fence 4' in height shall be installed along the boundary of the community as shown on the site plan dated December 8, 2023. Existing vegetation shall be left in place where feasible.

All applications for Special Use Permits shall be reviewed using the following criteria:

- a. The use shall not tend to change the character and established pattern of development of the area or community in which it proposes to locate;
- b. The use shall be in harmony with the uses permitted by right in the zoning district and shall not affect adversely the use of neighboring property;
- c. The proposed use shall be adequately served by essential public or private services such as streets, drainage facilities, fire protection and public or private water and sewer facilities; and
- d. The proposed use shall not result in the destruction, loss or damage of any feature determined to be of significant ecological, scenic or historic importance.

Attachments:

Application

Site Plan

Acknowledgement Letter dated 10/13/22

Applicants Quakeela Teasley and Charles Meade of 4804 Craig's Mill Ct in Glen Allen, VA: Ms. Teasley explained that they are asking for a small amendment to their Special Use Permit. She noted that after

meeting with their architects and engineers they felt it was better for the aesthetics as well as their budget to change the height and amount of the fencing.

Mr. Harman asked what the purpose of the fence requirement was. Mr. Meade explained that the community asked them to fence in the property. Ms. Teasley added that it was due to safety. Mr. Meade noted that it is an independent living facility.

Ms. Proulx asked about the area outside of the proposed line. Ms. Teasley explained that it was natural vegetation and would remain as such.

Mr. Amante noted that he was fine with the proposed changes. He questioned if the fencing shown on the plan was to scale.

Ms. Teasley explained that their new plan allows them to cut back on cost and the architect planned the fencing to preserve the meadow. Mr. Meade explained that all of the units would be facing the mountain view in the back. Ms. Proulx noted that the parking would be on the Route 151 side.

Chair Allen opened the public hearing at 8:51 PM

Tracy McGatha of 43 Rockfish Orchard Dr.:

Ms. McGatha explained that the purpose of the fence was that they had a 2.5-acre pond that abutted the property. She added that their concern was people having access to the pond. She asked what the fence would be constructed of.

Jeri Lloyd of 9322 Rockfish Valley Hwy:

Ms. Lloyd noted that she had a couple of concerns. She asked what the fence would be made of. She noted that a 4-foot fence would be shorter than her whereas a 6-foot fence would be taller than her. She questioned if it would be three-board, chain link, etc. She noted that she would like it to be aesthetic as it would border on her property. She noted that there was a creek in the back that was attractive. She added that a three-board fence would not keep anyone from going on to the McGatha property. She noted that she had no issue with the fence being 4-feet on her side but stressed that she wanted to know what kind of fence it would be. She noted her concern with the applicant coming back to ask for additional amendments to their Special Use Permit.

Chair Allen closed the public hearing at 8:54 PM

Chair Allen asked what kind of fence they would be constructing. Ms. Teasley noted that they did not have those details yet but that it would not be a chain link fence. She added that it would be wood or metal (not chain-link). She explained that they wanted it to blend in with the neighborhood and be aesthetic. Mr. Hauschner asked if the property outside of the fence line would be maintained. Mr. Meade noted that it would be grass, vegetation, and trees that would be maintained. Mr. Amante noted that there is a black mesh fencing that is hardly visible. Mr. Meade noted that it would be some kind of aesthetically rustic country fence.

Mr. Amante questioned how a 6-foot fence would be able to stop trespassers if a 4-foot fence could not. He questioned the need for a fence at all. Ms. Proulx noted that having fencing was fair to make it clear where the boundary is. Chair Allen asked if the property was wooded beyond the planned fence line. Ms. Teasley confirmed that it was.

Ms. Proulx asked what their front landscape buffer would be. Ms. Teasley explained that they have a Civil Engineer planning it. Mr. Harman noted that he was ok with amending the fence line but questioned whether they should leave the 6-foot height requirement. Mr. Meade explained that most businesses he saw in the area have split rail fencing in front and nothing in the back. He added that it was almost double the cost to comply to the original condition. He added that they were yet to see a 6-foot fence like that around a business in the area. Chair Allen noted that bringing the fence line in would possible prevent trespassing more than having it on the property line.

Ms. Proulx asked if they could defer their vote until they know what the fence would be made of. Ms. Bishop noted that the material was not a concern in the original condition. Mr. Hauschner noted that as the condition is they would have to put in a worse fence due to the increased amount of fencing required.

Chair Allen asked what a 6-foot fence would achieve. Mr. Harman noted that there could be a liability issue with the pond. Ms. Teasley noted that this would be for individuals that are 55 years old or older with medical background checks and no cognitive issues. Chair Allen asked if people were allowed to leave the facility willingly. Ms. Teasley noted that it was independent living as if it were a home. Mr. Amante noted that he saw no difference between 4-feet and 6-feet.

Ms. Bishop wondered how it would feel for someone living there to have a 6-foot fence in the backyard. She added that they would still need to get through the rest of the property to trespass on someone else's land. Ms. Proulx asked if the walking path was within the proposed fence line. Ms. Teasley confirmed that it was.

Ms. Proulx questioned what the landscaping in the front of the property would be. Ms. Teasley added that the landscaping in front would be a variety of trees, bushes, and flowers. Chair Allen noted that this would be no different than someone building a house on Route 151 and they did not have buffering requirements for their parking. Ms. Proulx noted that this was an amendment to a previous requirement that the entire thing be fenced.

Ms. Bishop noted that they could amend the condition to include a specific kind of landscaping. Ms. Proulx noted that it would be too difficult to condition.

Mr. Amante made a motion to recommend approval of SUP #1101 for an amendment to Condition #6 of SUP #716 by changing the language to:

- **A fence 4' in height shall be installed along the boundary of the community as shown on the site plan dated December 8, 2023. Existing vegetation shall be left in place where feasible.**

Mr. Hauschner seconded the motion.

Yes:

Mary Kathryn Allen

Phil Proulx

Chuck Amante

Robin Hauschner

Mike Harman

Discussion of 2042 Draft Comprehensive Plan

Ms. Bishop noted that the Planning Commission public hearing for the Comprehensive Update would be at Nelson County High School at 7PM on January 31st, 2024. She noted that it would function like any other public hearing and the Planning Commission's discussion would not be until their regular February meeting. She explained that she added the discussion to the agenda that night to allow time for the Planning Commission to have any last-minute discussions before the public hearing. Chair Allen noted that she was ready for the public hearing and excited to go forward with the plan. Mr. Harman gave staff a public comment he had received for the Comprehensive Plan. Ms. Hjulstrom noted that all public comments should be sent directly to her.

Ms. Bishop introduced Pam Self, she is the new Administrative Assistant for both the Building Inspections and Planning and Zoning departments.

Ms. Proulx made a motion to adjourn at 9:16 PM. Mr. Amante seconded the motion.

Yes:

Mary Kathryn Allen

Phil Proulx

Chuck Amante

Robin Hauschner

Mike Harman

Respectfully submitted,



Emily Hjulstrom

DRAFT



Nelson County Planning Commission
Meeting Minutes
January 31, 2024

←—————→
Present: Chair Mary Kathryn Allen and Commissioners Mike Harman, Phil Proulx, Chuck Amante, Robin Hauschner. Board of Supervisors Representative Ernie Reed

Staff Present: Dylan Bishop, Director - Emily Hjulstrom, Planner/Secretary - Pam Self, Administrative Assistant

Berkley Group: Catherine Redfearn and Chris Musso

Call to Order: Chair Allen called the meeting to order at 7:00 PM in the General District Courtroom, County Courthouse, Lovingson.

2042 Comprehensive Plan Update:

Ms. Redfearn presented the following information:

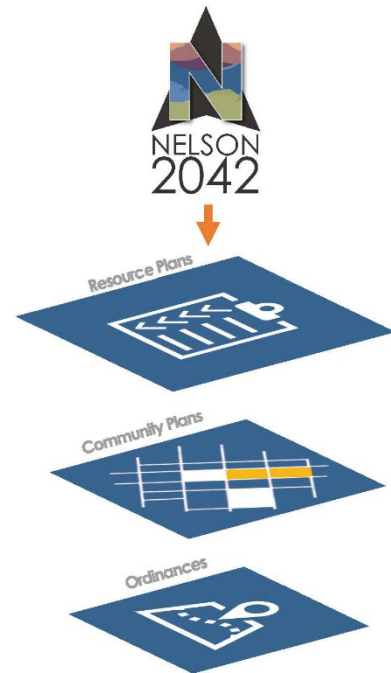
NELSON COUNTY, VA

Comprehensive Plan Update



What is Nelson 2042?

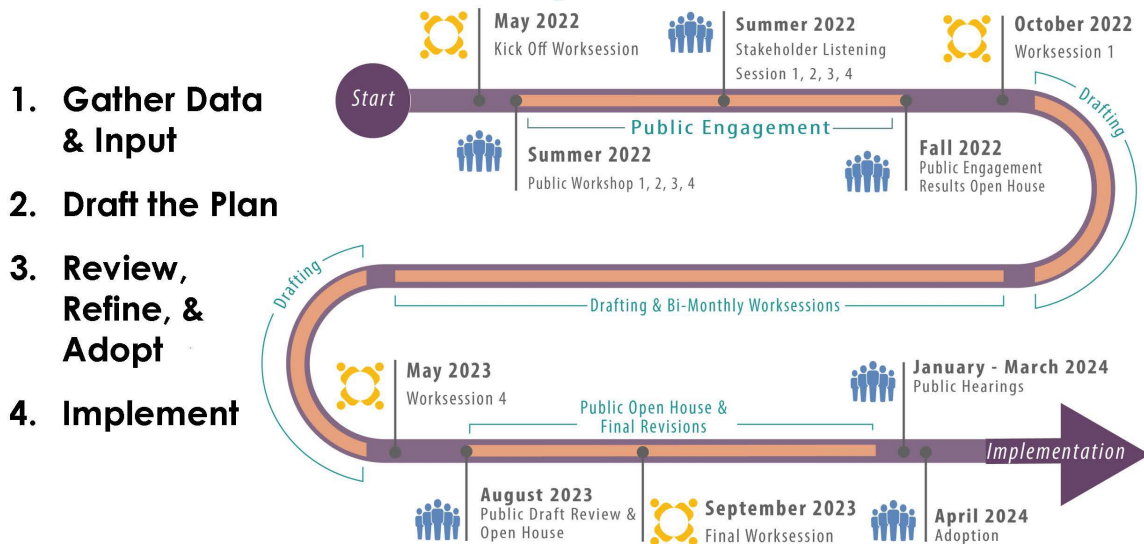
- ☐ A community-guided vision for the future of the County
- ☐ The guiding framework for the community's planning tools: Zoning Ordinance, Subdivision Ordinance, Capital Improvements Program, and other Plans & Studies
- ☐ A legally required document by Virginia State Code Section § 15.2-2223



Ms. Redfearn added that the Berkley Group has been working with Nelson County for the past two years to update the Comprehensive Plan. She explained that the 2042 Comprehensive Plan update was the culmination of bringing the community together and questioning what was valued, important to the community, and the future direction of the county. She noted that the Comprehensive Plan translated that input, data, and research in to a policy and decision making guide for public officials. She added that

the plan itself was not regulatory but provided the framework for updating and improving the county's regulatory tools.

How Was the Plan Updated?



She explained that implementation was the most important part of the process and the plan would only work if it was utilized. She explained that it was their charge as community members, staff, and officials to make sure that the vision and policies in the document come into reality.

How Was the Community Involved?

Educate & Inform		Listen & Consult				Receive Feedback		
Fliers & Guides <ul style="list-style-type: none"> • Fliers & Postcards • Social Media • CBS 19 News • Nelson County Times • Crozet Gazette 	Project Website <ul style="list-style-type: none"> nelson2042.com 	Interactive Engagement <ul style="list-style-type: none"> • Youth Art Challenge • Describe Nelson in 1 Word Idea Wall 	Public Survey <ul style="list-style-type: none"> • July - August 2022 • Online & Print • 885 Responses 	Public Workshop <ul style="list-style-type: none"> • 4 Community Workshops • Over 150 participants 1 Input Results Forum 	Focus Groups <ul style="list-style-type: none"> • 4 Focus Groups • 35 different groups or businesses participated 	Draft Review <ul style="list-style-type: none"> • Chapter drafts posted online • Comment form available for public feedback 	Public Open House <ul style="list-style-type: none"> • Draft Plan posted in July • Gather to review and get feedback • Comment form available for public feedback 	Public Hearing <ul style="list-style-type: none"> • Comments accepted from Public before adoption consideration
✓	✓	✓	✓	✓	✓			
✓	✓	✓				✓		
✓	✓					✓	✓	✓

She explained that this process was designed to be inclusive and robust. She noted that all comments from the community, staff, and officials were considered and incorporated into the draft plan.



Key Takeaways from the Community



Rural character & environment considered most valued asset



Any new development should be strategic and not impact rural character



Nelson has a strong **sense of community and identity**



Transportation safety improvements are a top priority



Improving **housing choice & quality** is a priority focus



Schools & educational opportunities are top priorities for the future



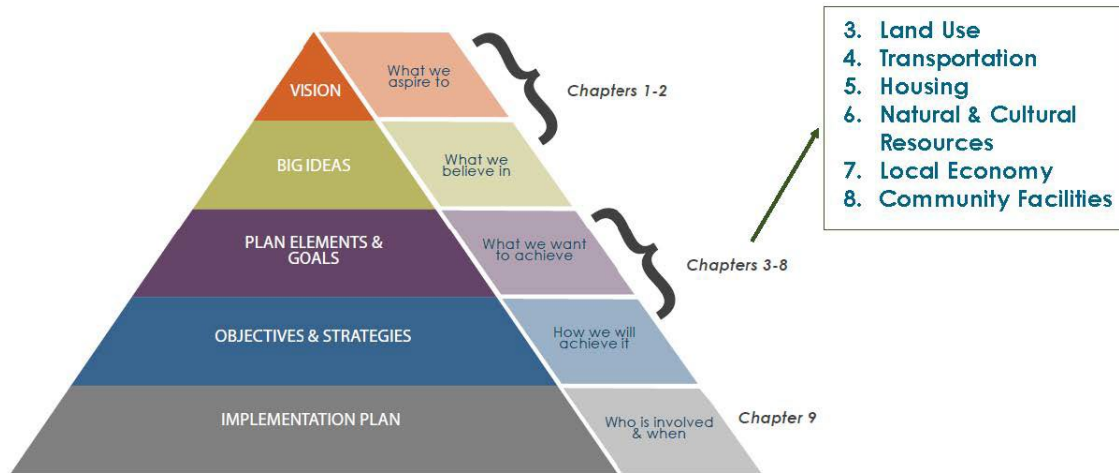
Target **commercial & economic** growth on the 29 corridor



Improve **recreation & alternative transportation**

6

What is in the Comprehensive Plan?





Ms. Redfearn explained that the four big ideas came directly from the community engagement process. She added that these big ideas form and inform the policy content of the plan.



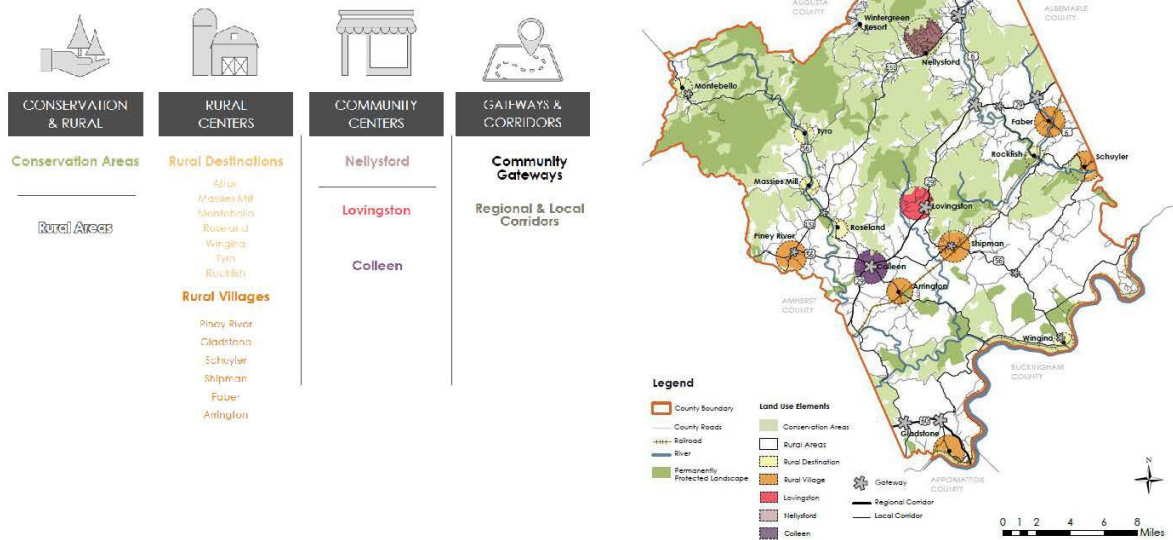
Chapter 3

Shaping Community Character

Our Goal for Shaping Community Character

Nelson County preserves and enhances its rural character and natural resources by creating opportunities for strategic growth to create a stronger, more vibrant, and prosperous community.

Future Land Use Framework



Ms. Redfearn explained that Chapter 3 addresses future land use and includes a policy framework for strategic investment in the county, a conceptual future land use map, land use pattern areas, design principals, and supporting strategies. She described the land use categories.

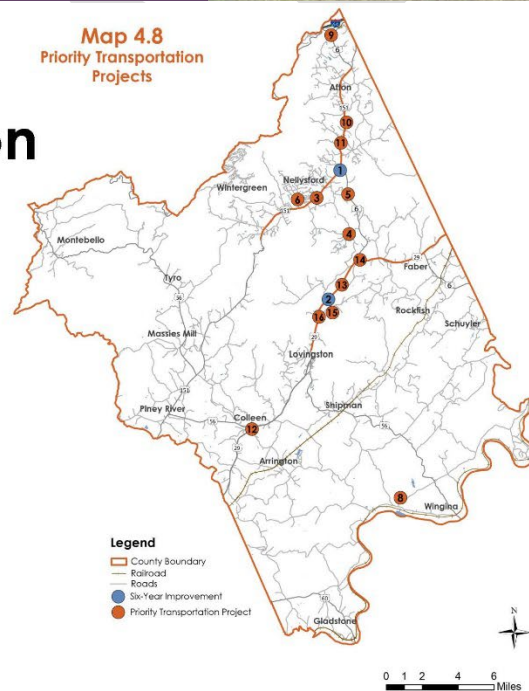
Chapter 4

-

Connecting People and Places

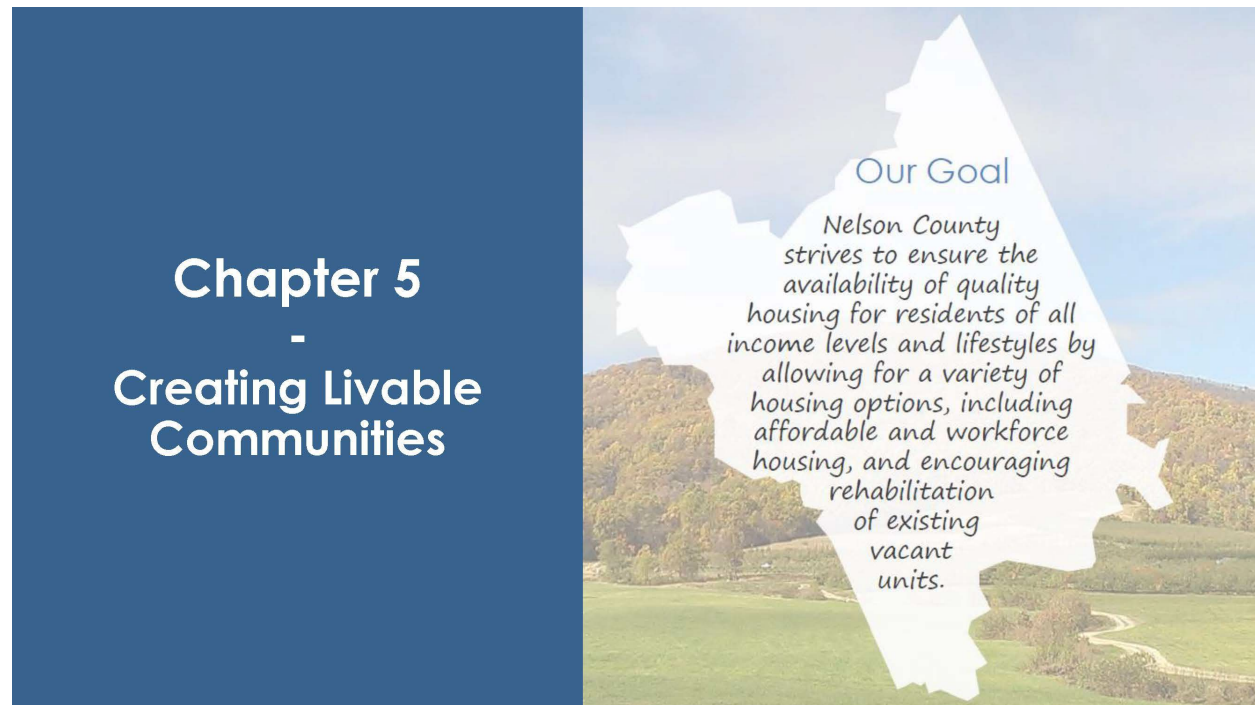
Our Goal
Nelson County maintains a transportation system that provides a safe and efficient multimodal network to connect residents and visitors to places they live, work, recreate, and access services throughout the County and region.

Priority Transportation Projects




Ms. Redfearn noted that this chapter described the transportation inventory, needs, planning assumptions, and recommended connectivity projects and strategies across the county. She added that focus areas included improving the existing transportation network with a key emphasis on vehicular safety improvements, investing in alternative transportation, and coordinating those projects with the conceptual land use map.

Ms. Redfearn showed the priority projects map and associated list from the plan. She noted that these projects had been identified in coordination with VDOT and approved by VDOT. She noted that these projects prioritized safety improvements, investments in trails and sidewalks, continued coordination with VDOT through further plans and studies. She explained that language in this section had been further refined and edited to clarify the dire need for transportation safety improvements along the Route 151 corridor.



Ms. Redfearn explained that this chapter addressed housing. She noted that the chapter described the existing housing conditions, ways to promote affordable housing, housing choice, and healthy livable neighborhoods. She added that key objectives included improving the quality of the existing housing stock, expanding allowable housing types, and supporting livable connected communities by locating amenities and services near villages or new residential areas.

Chapter 6 - Protecting Valuable Resources



Our Goal
Nelson County preserves its rural character and agricultural heritage by sustainably protecting and stewarding its natural and historic resources for future generations.

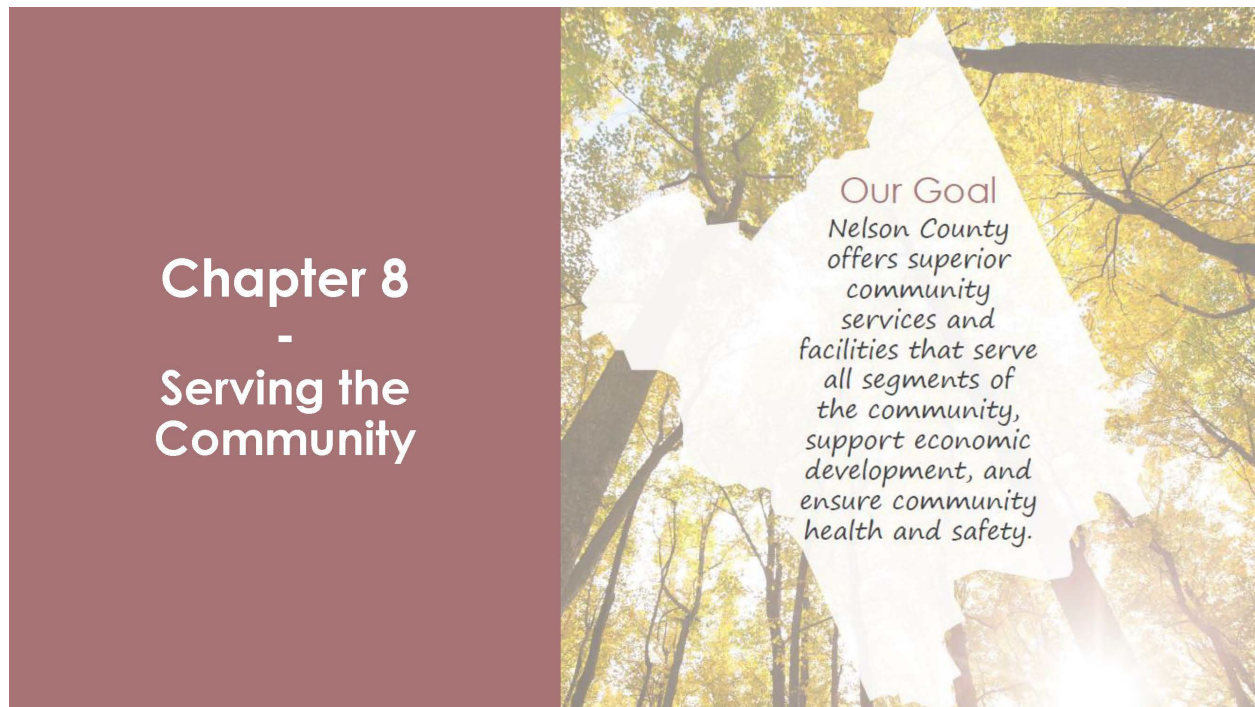
Ms. Redfearn explained that this chapter addressed natural and historical resources. She noted that the chapter described information on items such as topography, water resources, flood hazards, cultural/historical sites, and strategies for sustainable growth and development. She added that the key focus areas were planning for resiliency and climate change while protecting the sensitive resources and landscapes within the county.

Chapter 7 - Creating a Resilient Economy



Our Goal
Nelson County creates and maintains a strong, resilient economy that promotes workforce development and diversifies business and tourism opportunities while supporting out agricultural heritage.

Ms. Redfearn explained that this chapter addressed the economy within the county. She noted that the chapter described economic data and drivers within the county, key industries (new and old), and strategies for economic growth. She added that the key focus areas included supporting today's work force through education and training opportunities, diversifying and enhancing the community's economy by supporting both traditional and emerging industries (many of which are based on the tourism and recreation economies).



Ms. Redfearn noted that Chapter 8 described anticipated needs and improvements to public facilities, recreational amenities, educational needs, and other public assets. She added that the key focus areas included enhancing the effectiveness and the efficiency of the county government, improving infrastructure, and providing quality of life services to all segments of the Nelson County population.

Chapter 9 - Implementation



Implementing the Plan



- Annual Budget
- Capital Improvement Plan
- Land Use Regulations
- Land Use Actions
- Intergovernmental Cooperation
- Annual Review

IMPLEMENTATION TYPE

- Regulation Updates and Enforcement
- Programs & Services
- Community Outreach and Education
- Partnerships
- Plans and Studies
- Capital Projects

RESPONSIBLE AGENCY

- Nelson County
- Nonprofit Organizations
- Regional and Institutional Partners
- State and Federal Agencies
- County Citizens

SCHEDULE

- Short-term (1-3 years)
- Mid-term (3-5 years)
- Long-term (5+ years)
- Ongoing

Ms. Redfearn noted that Chapter 9 categorized and prioritized all of the strategies from the previous chapters and provides a list of tools for their successful implementation. She noted that a plan is only successful if it is used. She explained that the implementation matrix is the tool to keep them on track and monitor progress towards the Nelson County of 2042. She added that the plan should be used daily or as they are making development decisions as well as reviewing the matrix annually and updating the document as necessary to keep them on track.

Thank you!



Chair Allen opened the public hearing at 7:19

Draft minutes of Public Hearing comments from 1/31/2024 Planning Commission

Jayne Hoffman of 16406 Crabtree Falls Hwy in Montebello: Ms. Hoffman explained that she was representing the newly formed Keep Montebello Rural Coalition. She explained that her group distributed a handout with more information (below) and presented from items 4-6.

Keep Montebello Rural Coalition Presentation

Prepared for the Nelson County Planning Commission

Jan 31, 2024, 7:00 pm, Nelson County High School

1. Background

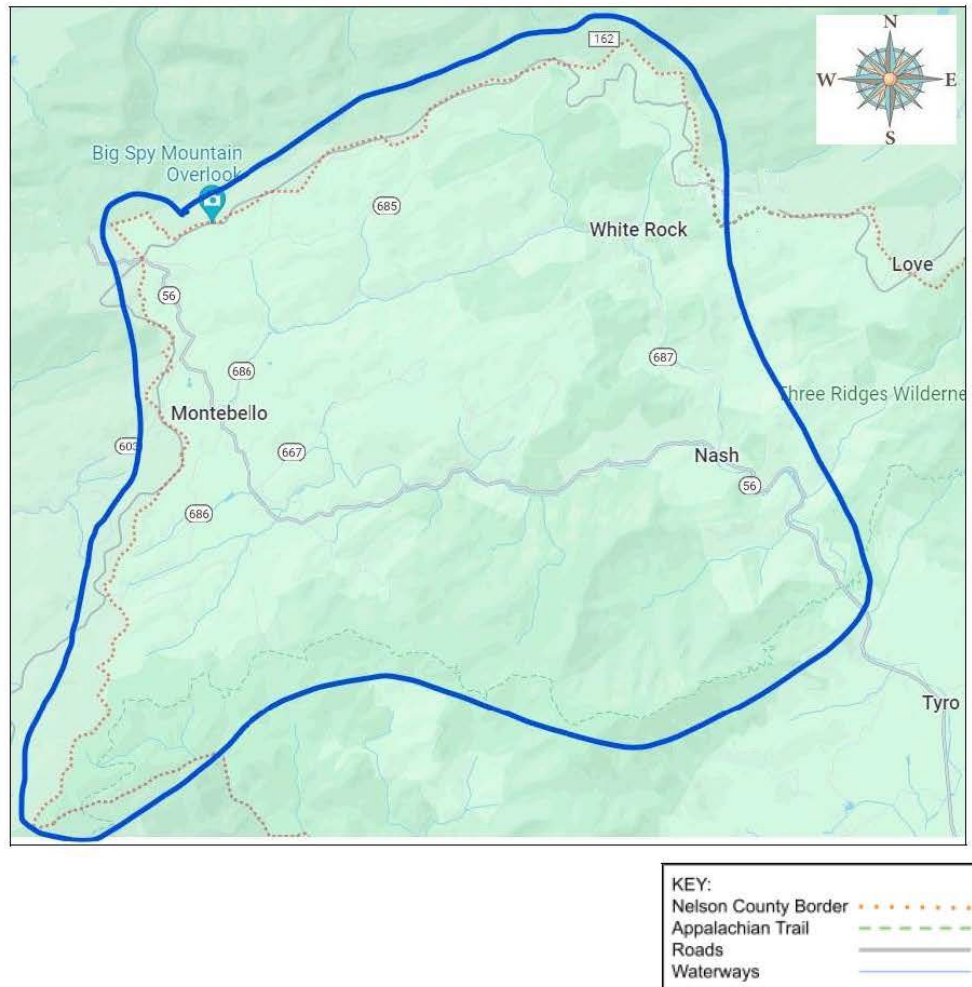
We are the **Keep Montebello Rural Coalition (KMRC)**, following in the footsteps of the Montebello Clean Mountain Coalition of the past!). We are committed to preserving our community's unspoiled nature, neighborly relationships, cultural heritage, authenticity, and rural character.

This coalition came together due to Lacy Montebello LLC (LMLLC) and its actions to pursue commercial development within Montebello. In late 2022, LMLLC submitted a Major Site Permit application request for 9 short-term rental cabins (requiring the clear-cutting of a large number of trees adjacent to the North Fork and Zinks Mill School Roads, as well as construction taking place directly on the floodplain of and immediately abutting our pristine north fork of the Tye River, a state-designated Scenic River). This MSP was approved by Nelson County (NC) in Apr 2023, resulting in 4 of the 9 cabins being completed that summer. Our community became aware of this commercial endeavor only as clear-cutting was completed and building began, as no neighbors were notified, in line with the current zoning ordinance for an MSP that does not require it. In Aug, the same party submitted a Special Use Permit application #1050 for 20 'glamping' sites to be constructed further up the steep grade of their mountainside property. Due to NC's communication requirements regarding a SUP, NC notified property owners adjacent to the site of the additional construction intention, and they, in turn, reached out to other neighbors. The neighbors formed a small group and attended the Planning Commission and Board of Supervisors public hearings in Oct and Dec 2023. Ultimately, the request for the SUP was denied by both entities. However, the threat of future commercial development within the Montebello Region sparked our community to unite as the **KMRC**, and we have made it part of our mission not to be caught unaware in the future. However, the threat of future commercial development within the Montebello Region sparked our community to unite as the **KMRC**, and we have made it part of our mission not to be caught unaware in the future.

2. Proposed Boundaries for the Montebello Region

Please refer to the map and key below:

- Western boundary: Nelson County border (north) to Nelson County border (south)
- Southern boundary: Nelson County border (west) to Appalachian Trail and Rt 56 (east)
- Eastern boundary: Appalachian Trail and Rt 56 (south) to Nash, north to White Rock, up White Rock Falls Trailhead, to Slacks Overlook, then along Nelson County border (north)
- Northern boundary: Nelson County border (east) to Nelson County border (west)



3. KMRC's mission vs. NC's 2042 Draft Comprehensive Plan

We were delighted to read of NC's commitment as stated within The Plan document, as it aligns closely with the goals of the **KMRC**:

Nelson County preserves its rural character and agricultural heritage by sustainably protecting and stewarding its natural and historic resources for future generations.

*Goals & Objectives, pg 23
Comprehensive Plan Draft
December 7, 2023*

We have studied the plan document and affiliated zoning ordinances, and are concerned that the Montebello Region may have been overlooked by NC in terms of its importance, likely due to a lack of representation by our community in the recent past. Now however, encouraged by the Board of Supervisors to become involved in finalizing the Comprehensive Plan, and although late to the game, we hope to assist in constructing this 'playbook' for our future.

4. Why we are here: We believe that Montebello is the 'crown jewel' of Nelson County!

Montebello brings resources and opportunities unmatched within the Region to residents and visitors alike:

- a. Surrounded by Federally-designated forest and wilderness area
- b. Includes sections of the BR Parkway and Appalachian Trail
- c. A pristine area with specific features, treasures, and topography, such as:
 - i. Spy Rock
 - ii. Crabtree Falls
 - iii. Montebello (State) Fish Hatchery
 - iv. Bird sanctuary designation
 - v. North and South forks of the Tye River (already a state-designated Scenic River)
 - vi. Unspoiled waterways and the critical headwater region of the Chesapeake Bay Watershed
 - vii. Unique biosystems, including rare flora and fauna
 - viii. Steep slopes
 - ix. Cultures preserved within close-knit legacy families and their ancestral lands
 - x. Permaculture farming
 - xi. Distinctive historical backgrounds (rural, agricultural, railroad)
 - xii. Multifaceted resources with the potential for conservation designation (environmental, rural, historical, visual)

An example of the genuinely rural nature of the Montebello area, the last likely subsistence farming homestead in NC lies within our Region. While no longer occupied, the Averill Campbell homestead is a visible testament to the beloved rural beauty of NC and Montebello's unique culture and history.

Due to this distinctive and rich environment, a wide variety of individuals and groups come specifically to Montebello for its hunting, fishing, camping, hiking, birding, photographic beauty and vistas, cultural history, environmental/conservation/geologic interests, clean air, stargazing, peace and quiet.

5. Concerns of the KMRC

- a. As an underlying concern reinforced by the additional concerns listed below, the KMRC suggests that "by-right" is not defined within either The Plan document or the zoning regulations of Nelson County, although we note it has been referenced and mentioned in multiple places. To operate this way is not professional.

To that end, the loose understanding of this term suggests that landowners can do nearly 'anything they want'. While we profoundly believe in and support a landowner's right to choose what they wish to implement on their property, we also believe in responsible growth when respecting the rural attributes, geography, infrastructure constraints, and lack of resources in our area.

The KMRC hereby requests that the County define this term and its use, or cease using it altogether. "By-right", when used in relation to Montebello, must be stringently defined and applied.

- b. Given that Montebello fits Nelson's criteria for a conservation district due to steep slopes, wildlife, waterways, etc., and after re-reading the intents of both the 'Conservation District C-1' and 'Agricultural District A-1' within the current zoning ordinances, a hybrid definition may be more in order, for example:

This district designation covers portions of the County that are occupied by various open spaces such as steep slopes, forests, parks, farms, marshlands, lakes, or stream valleys and is designed to accommodate farming, forestry, and limited residential use. This district designation is established to facilitate existing and future farming operations, conserve water and other natural resources, reduce soil erosion, protect watersheds, reduce hazards from flood and fire, and preserve wildlife areas of the County. While it is recognized that certain desirable rural areas may logically be expected to develop residentially, it is the intent to discourage the random scattering of residential, commercial, or industrial uses in this district.

The KMRC hereby requests that consideration be given to the unique nature of Montebello and its surrounding Region, and how to best designate the area for future protection and conservation.

Further, we are concerned that the current zoning allows commercial ventures in residential areas, which do not have the infrastructure or resources to support them, and request that more stringent attention be applied when considering future applications.

- c. We are concerned about the clustering of homes within a parcel of land. Noting that district definitions for cluster development density vary greatly, we suggest a hybrid ruling between A-1/C-1 be applied to Montebello or, at the very least, that the A-1 designation is precedent (over R-1).

We strongly request a directive to address that if a parcel of land has more than one designation, the precedent for density will be the conservative limitation (e.g., C-1 over A-1; A-1 over R-1).

Cluster allowances as defined in the current Zoning Code:

- i. **Conservation, C-1, District:** *The minimum area for a cluster development shall be two hundred (200) acres. The overall density of development shall not be greater than one dwelling unit per twenty (20) acres. A minimum of forty (40) percent of the land area shall be reserved for agricultural, forestry, recreation, or open space.*
- ii. **Agricultural, A-1, District:** *The minimum area for a cluster development shall be seventy-five (75) acres. The overall density of development shall not be greater than one dwelling unit per six and eight tenths (6.8) acres and one dwelling unit per twenty (20) acres for an area exceeding seventy-five (75) acres. A minimum of forty (40) percent of the land area shall be reserved for agricultural, forestry, recreation, or open space.*
- iii. **Residential, R-1, District:** *The minimum area for a cluster development shall be thirty (30) acres. The overall density of development shall not be greater than one dwelling unit per two (2) acres. A minimum of forty (40) percent of the land area shall be reserved for agriculture, forestry, recreation and/or open space.*

The KMRC hereby requests a directive to address that if a parcel of land has more than one designation, the precedent for density will be the conservative limitation (e.g., C-1 over A-1; A-1 over R-1).

- d. We are concerned that landowners nearby are not notified when a Major Site Plan for multiple dwellings is requested. Notification by NC of landowners adjacent to the property in question could have prevented - at least in part - the recent issue with Lacy Montebello LLC. As things transpired, that lack of communication by the county exacerbated an already-divisive situation, ending as a disservice to LM LLC, the developer, and their Montebello neighbors.

The KMRC hereby requests a notification policy be implemented for Major Site Plans, as is required for a Special Use Permit.

- e. Montebello is described/designated in various ways within The Plan document:
 - i. Rural Center
 - ii. Conservation Area
 - iii. Rural Area
 - iv. Rural Destination

The **KMRC** would like to better understand these zoning descriptions, and how each (or others) may provide protections and development restrictions for our unique area.

Due to changing climate trends and threats to our natural world, Nelson County faces a compounded danger to the beauty and resources we value and need. These threats include increased risk of fire, flooding, erosion, and contamination of our water and air, potentially impacting the entire biosphere. Our fragile mountain ecosystems are increasingly endangered without protection (zoning and otherwise). We ask NC to take these concerns seriously as you finalize this plan, and hope for guidance from you regarding the protections we feel are warranted in our Region.

The KMRC hereby requests that NC take these concerns seriously as you finalize this plan. Further, we would like to better understand and gain guidance from you regarding these zoning descriptions, and how each (or others) may provide the best and most closely applicable protections and development restrictions that our unique area warrants.

6. In conclusion

As members of the **KMRC**, we are looking to NC to assist in fulfilling our mission of protecting the resources within our Region. We do not consider Montebello a 'gateway' or 'basecamp' for other parts of the County. Instead, we feel that Montebello is **THE** destination to protect. Montebello **IS** a gem for the generations, and we intend to keep it that way.

KMRC respectfully requests the County's support, ensuring that future growth in our community respects the core rural values and attributes we've identified herein with reasonable and substantive changes to the current Comprehensive Plan.

Mark David Hogan of 1857 Findlay Mountain Rd of Findlay Mountain Farm in Shipman:

Mr. Hogan explained that he looked at the plan and thought it was a good plan. He stated that in spite of this, the plan was dead on arrival. He explained that when he moved to the county he was looking for an area dedicated to maintaining its rural characteristics and without car dumps, barking dogs, etc. He added that he was looking for a rural community where public services were effective, efficient, adequate, and responsive. He explained that he bought a farm a little north of Shipman where the route to Lovington had been idyllic three years ago. He explained that in three years they had found 14 car dumps in violation of the Zoning Ordinance. He added that there was one parcel with 22 cars across from the VDOT facility.

Mr. Hogan explained he looked at a house on Oakridge Rd that was a historically designated property. He stated that the buildings were falling apart and added that he learned that there is no maintenance code in Nelson County. He explained that he was told by a Board of Supervisors member that a maintenance code is not enforced to protect poor people. He noted that the buildings were owned by someone that did not live in Nelson County and owned them as an investment. He explained that if they enforced a maintenance code they could tear down the house or force it to be fixed. He noted that the property was on a water line. He added that there were water lines through the area with abandoned houses on them that could be taken advantage of to build houses for the community. He added that if they did not take the current Zoning Ordinances into effect they were not going to get anywhere.

Mr. Hogan noted that vehicles parked in Nelson County were taxed by the Commissioner of Revenue. He explained that his neighbor had a work vehicle parked on his property for the last year and a half untaxed. He added that the company his neighbor works for is based out of Pennsylvania and if they had to pay Nelson County taxes on it they would park it in Pennsylvania.

Janet Rollings of 615 Elk Mountain Rd in Afton:

Ms. Rollings noted that she applauded the efforts of those involved in the update process. She asked to call their attention to a discrepancy between the goals in the Comprehensive Plan and the current land use ordinances. She explained that she did not oppose solar power but rather advocated for proper siting of utility-scale solar on existing industrial-zoned land, marginal/contaminated land, along highways, and on commercial/residential rooftops. She stated that utility-scale solar farms do not belong on agricultural land. She added that solar farms are power plants and the industrialization of agricultural land was not green. She explained that solar companies made a lot of promises such as increased revenue, jobs, and little to no impact on the environment or property values. She explained that they were not in the business of generating power but of receiving tax credits. She suggested that the current Solar Ordinance be revised so that it is consistent with the language in the upcoming Comprehensive Plan update. She stated that in addition to the current Zoning Ordinance, a strong Solar Ordinance would clearly govern the siting of industrial-scale solar plants. She added that this entailed the avoidance of agricultural land, wetlands, and waterways. She stated that the current solar ordinance is in direct conflict with the 2042 Comprehensive Plan by permitting Solar Farms via Special Use Permit in Agricultural, Conservation, Business, and Industrial Zones while being by right in M-2 (Industrial). She added that a strong solar ordinance should clearly define the acceptable size of a power plan allowed in the county as well as specify total acreage, panel acreage, distance between projects, and the total

acreage permitted in the county. She added that it should also provide for the avoidance of historic sites. She asked the county to reach out to neighboring counties to find out what had and had not worked for them. She stated that as things stand, Nelson County is signaling to developers that they are open for business. She suggested that the Implementation Strategy listed on Page 183 under focus areas 3.1 and 3.2 should have the highest possible priority.

Elwood Waterfield:

Mr. Waterfield explained that he came to the county 25 years ago and that the county had destroyed its rural character in that time. He stated that he was homeless due to standing up to corruption in the county. He stated that the county never had Keep Nelson Beautiful until he started it in 1999. He explained that within 30 seconds of seeing the Nelson County sign, he would see trash. He added that the South and East districts were filthy. He added that no one knew how to condemn a house and a man named Edgar McNabb died in a house fire. He explained that the County Attorney sent him a letter stating he could not come to the courthouse anymore because of his complaints about the violation issue at 11 Farrar Ln. He added that he had his supervisor Mr. Barton standing in front of it "Somebody's going to die in this house, do something about it". He noted that there are about 20 death traps. He explained that he had to make the Department of Environmental Quality clean up two dumps in Nelson County creeks because the county refused to do it. He explained that they had much bigger problems than what they should be in 20 years. He added that the corruption in the county needs to be addressed. He explained that he had been a country boy his whole life and did not want city water and sewer but rural character and a good place to work.

Stephen Bayne 620 Far Knob Climb in Nellysford:

Mr. Bayne noted that in the Land Use Section (Page 44 - Nellysford) the following terms and language did not have definitions and are cause for concern regarding the proliferation of high-density development:

- "Development should encourage a mix of use types in a traditional village development pattern"
- "focus on allowing for a mix of uses in a village setting"
- "ensure compatibility with traditional village development patterns"
- "allow the development of a variety of housing types"

He asked what a traditional village development pattern was and that each of these terms be defined. He asked how they did not incentivize high-density development.

In the Glossary (Appendix B); "small-scale multifamily residential" he asked that the definition be made more clear. He explained that new zoning laws in Charlottesville and other locations were allowing and incentivizing upzoning which would allow a single-family piece of land to then accommodate multiple housing units. He asked that they add "This shall not result in upzoning" to the definition. In the transportation section regarding Route 151; "work with VDOT to address priority vehicular safety issues"

he noted that this was not strong enough language considering such severe vehicular safety issues. He asked that they revise the language to clearly state that the Board of Supervisors would prioritize efforts to secure the Commonwealth's approval of vehicular safety improvements for Route 151. He stated that these definitions and language must be clear for citizens.

Heather Goodwin of 3434 Oakridge Rd in Arrington:

Ms. Goodwin explained that she applauded the efforts that had gone into the plan. She noted that she was somewhat involved in the last update process. She added that it was not easy to take a territory as large as Nelson County, with as many diverse interests, and come up with a common goal. She explained that the plan was just ideals of what they would like to see in their community. She noted that she was concerned with a pervasive theme of housing in the plan. She noted that the county did not need to spend taxpayer dollars on studies to learn that there was a housing issue when they could talk to someone 18-30 years old, living in their parents' basement because they could not get housing. She stated that these same 18-30 year-olds were commuting to Charlottesville, Waynesboro, and Lynchburg for jobs paying much better than she received at that age but still not a livable wage. She explained that they were facing increased gas costs and cost of living and still would not be able to survive if the county built them a house. She stated that Nelson County had always failed to focus on getting businesses and jobs in the county. She added that in the last 30+ years she had lived in the county tourism had taken off. She explained that did not happen due to actions of the government but of individuals such as Taylor Smack, Denver Riggleman, and Steve Crandall who had a business idea and ran with it. She noted that they now employ a tremendous amount of individuals and are a reason that people know Nelson County. She added that she could go to a conference in Richmond and someone would know Nelson County due to those things. She noted that she did not know of one business that employed individuals in the community that was enticed in through the county's economic efforts. She added that if they did not have jobs to go with the housing, individuals would not be able to live in the county and afford to pay taxes.

Anjana Radhakrishnan of 56 Pine Hill Ln in Norwood:

Ms. R. explained that she was a writer/researcher originally from the Northern Virginia/DC area. She noted that she was 29 years old and believed she was in the target audience whom the county wanted to attract. She noted that she was interested in the statistics regarding depopulation in this region. She explained that as populations were aging they were not able to retain younger folks. She explained that housing was a major component as well as workforce development. She noted that she would like to see community-building efforts (specifically for youth and young adults) included in the plan. She explained that the demographics in the county currently skewed these programs towards the Generation X and Boomer generations. She noted that to attract people they want to have an inviting community for people interested in investing in Nelson County long term. She added that providing services like child care, fun activities, and gathering spaces that were not breweries/wineries would attract the younger generations. She appreciated the focus on everything being interwoven and interconnected in the plan. She noted that she understood the fear of people coming into the county not having the same values. She explained that she fell in love with the area because of the

environment, animals, nature, quiet lifestyle, etc. She noted that there were people in her generation who were looking for this but that there were a couple of missing components in Nelson County. She added that she had a background in community building, as well as the economic workforce being her research background.

Bo Delk of 173 Roseland Rd in Roseland:

Mr. Delk explained that he thought he was just signing in. He noted that he did not have anything to say and thanked the Planning Commission.

Paul Davis of 2514 Rockfish Valley Highway in Nellysford:

Mr. Davis noted that he was also concerned with housing definitions on Page 44. He added that he had gone from across from Three Notch'd Brewery down to the entrance at Stoney Creek and talked to the residents on that side of the road. He explained that it was mostly retired people who were scared to death of their land being taken or housing being crowded up beside them. He explained that a lot of them could not physically come to the meetings and some were upset about not being notified by the county or their elected officials. He noted that at the moment it seemed like Nellysford was built up as far as it could for certain conditions. He noted that housing definitions are a big concern with the communities around them upzoning. He noted that he has several acres and asked if he could put massive housing units on it. He explained that he did not want to but that others would not be that way. He explained that Nelson County could not be like Charlottesville or other areas. He added that 2-5 acres should not be able to be developed to the property line. He explained that the people he talked to on that side of the road did not live in Stoney Creek but in old family homes that might need help with repairs. He added that they all stated they would die in those homes. He noted that by 2042 they would not have to worry about it because most of them would be gone. He asked that the Planning Commission consider this.

Susan McSwain of 3254 Dutch Creek Ln in Shipman:

Ms. McSwain thanked the Planning Commission, staff, and citizens who commented on the plan. She noted that the Comprehensive Plan is a guiding plan and did not have specific details like the Zoning Ordinance. She commended the Berkley Group for a well-written document. She explained that she submitted corrections to typos/mistakes and that each was corrected. She noted that everyone had a specific interest and hers was conservation and the environment. She explained that she was very pleased to see wildlife and habitat corridors mentioned and the section was enhanced. She added that The National Audubon Society had identified important birding areas for Virginia and these were included in the plan. She noted that there was a map of conserved areas vs areas of high conservation value that was confusing but had been corrected. She added that she was happy to see the DCR biodiversity corridor between Piedmont and Blue Ridge was included. She noted that the section on

outdoor lighting and the dark night sky was enhanced. She added that the list of organizations and resources at the end of the plan was a very useful addition for citizens to be able to look things up.

Jessica Ligon of 798 Keys Church Rd in Shipman:

Ms. Ligon thought that Ms. Goodwin's comments were eloquent and on point. She noted that if land was easy to develop in Lovington and Colleen it would have been done already. She noted that she had extreme concerns about the cost of developing land that was on bedrock. She explained that there have been surveyors and developers who have wanted to develop in Lovington and Colleen who did not. She hoped that there would be a conversation about that and alternative places for economic development. She asked at what price point they would expect the county to spend that on.

William Mays of 1322 Emblys Gap Rd in Roseland:

Mr. Mays explained that he was President of the Nelson County Farm Bureau. He commended the Planning Commission and Berkley Group for all the hours of work spent developing the plan. He added his appreciation for all of the public comments that had been submitted. He noted that he represented farmers of Nelson County and he was born and raised in the county. He explained that 70 years ago he remembered what Nelson County was like. He noted that his father was a public servant and he remembered a much different county at that time. He added that there was a low population and it was a culturally deprived area. He explained that from 7th grade on he was put in Project Opportunity to try to give culture to Nelson County. He wondered how many people in the room had been in Nelson County for 70 years and seen. He noted that agriculture and forestry are the backbone of the county and that it had always been that way and they wanted it to stay that way. He explained that they wanted to keep the land as open/rural green space that fits in with what the county was perfectly. He noted that they are there to support their membership in Farm Bureau on all levels to advocate for agriculture and forestry. He realized that things change and change was hard sometimes. He noted that housing was a definite problem in the county. He wondered if everyone had 5-10 acres, how much farmland would disappear. He noted that cluster housing might not be a beautiful sight, but it preserves a lot of open/rural green space and forest land that could be used to build revenue in the county with usable, tangible, and sustainable resources. He added that one size does not fit all and that there were a lot of different people in the community who needed a lot of different things. He explained that if anyone suffered they would all suffer. He added that they needed to work together and realize why they came to the county and why they were still there. He noted that they should make the county a wonderful place to grow up with resources where you can learn a living. He added that they need education that would support young people being able to stay in Nelson County. He explained that a trade school and vocational education should be big on the list so they could improve the incomes of the young people in the county.

Victor Monty of 426 Mosby Ln in Faber:

Mr. Monty explained that there were people in the county who were professionals (teachers/law enforcement) who could not afford to buy a home in the county. He explained that there was not a stock of housing for these professionals. He noted that it was addressed in the plan but he wanted to make it clear that the county has professionals who could not afford a home.

Mark David Hogan of 1857 Findlay Mountain Rd of Findlay Mountain Farm in Shipman:

Mr. Hogan returned to finish his time. He noted that people who have money were not going to invest in the county if the investment was unsafe. He noted that when he was looking at the African American Schools he was ready to buy and remodel them. He noted that across the street there were junkyards so he canceled the purchase. He explained that he was also considering canceling his conservation and historic easements due to his neighbors crapping up their property. He noted that this would make his property worthless. He added that the county was on an ill-advised but well-meaning trajectory.

Chair Allen closed the public hearing at 7:59 PM

Mr. Reed asked what the role of the Berkley Group would be going forward and if they require anything of the Planning Commission. Ms. Redfearn explained that their role would be to hear any edits that the Planning Commission would like to adopt before making their recommendation to the Board of Supervisors. She added that the edits would not need to be made yet but would need to be documented and included with the motion to recommend. Ms. Hjulstrom noted that all public hearing comments will be received through her email (ehjulstrom@nelsoncounty.org) at that point. Ms. Bishop noted that at the next meeting they would be reviewing all public comments received. She clarified that the next meeting would not be a public hearing. She noted that the next public hearing would be with the Board of Supervisors after the Planning Commission makes their recommendation.

Ms. Proulx made a motion to adjourn at 8:02 PM. Mr. Harman seconded the motion.

Yes:

Phil Proulx

Mary Kathryn Allen

Chuck Amante

Mike Harman

Robin Hauschner

Ernie Reed

Respectfully submitted,



Emily Hjultrom

Planner/Secretary, Planning & Zoning


DRAFT

Thank you!

jayne hoff <jaynehoff@gmail.com>

Thu 2/1/2024 8:53 AM

To: mkallen@vaems.org <mkallen@vaems.org>; koms@lynchburg.net <koms@lynchburg.net>; proulx@cfw.com <proulx@cfw.com>; Ernie Reed <ereed@nelsoncounty.org>; Charles Amante <camante@nelsoncounty.org>; robin.hauschner@gmail.com <robin.hauschner@gmail.com>; Dylan Bishop <dbishop@nelsoncounty.org>; Emily Hjulstrom <ehjulstrom@nelsoncounty.org>
Cc: WADE LANNING <wblanning@comcast.net>; Marie Firth <mfoxh292@gmail.com>; Alan Firth <otbass@gmail.com>; Karen Cowen <karenc24464@gmail.com>; Mary Hill <mhill6104@gmail.com>; Evans <foltsfolly@gmail.com>; Ray Queen <rayq@pcsda.org>; Sherri Smith <sherri@landercreative.com>

 1 attachments (196 KB)

KMRC Presentation 01.31.24.pdf;

A very good morning to you all, and happy February/leap year month!

Just a quick shout out for the enormous amount of time and effort you, along with the rest of those involved within Nelson County, put in with the Berkley Group in constructing the NC's Comprehensive Plan 2042. It is an incredibly impressive document, and certainly the Keep Montebello Rural Coalition (KMRC) hopes this will be a guide for a positive and product future within our county!

I've attached an electronic copy of our entire presentation from last evening, and we do hope that you will take the 10 min or so to read and digest the information contained therein. We feel it represents both our hopes and concerns well and succinctly.

We are very serious about hosting you all for a visit and tour of our beautiful locale, and invite you to join our entire community during one of our 'Firehouse Cafes'. We gather twice a month - the 2nd and 4th Tuesdays - starting at 10:00 am. The next 2 events are the 13th and 27th of Feb. You would have the opportunity to meet and speak with a large number of residents, and as promised...enjoy some of the best home cookin' in the state. That's a guarantee!

Again, we thank you for your efforts, and look forward to working with you in the future.

--

when i let go of what i am,

i become what i might be.


- Lao Tzu

Concerning Montebello

Stephanie Bryant <Steph.E.Bry@outlook.com>

Mon 1/29/2024 3:32 PM

To: Dylan Bishop <dbishop@nelsoncounty.org>; ehjulsteom@nelsoncounty.org <ehjulsteom@nelsoncounty.org>

 1 attachments (17 KB)

To Whom It May Concern.docx;

**IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender
Steph.E.Bry@outlook.com**

Good afternoon,

My name is Stephanie Bryant and I am a concerned resident of Montebello. I know you have been getting a stir from other residents in this area and while my interests are similar, I am apart from their group. I am a legacy resident of the county. Both of my parents' families have resided in Nelson for centuries. My father's family is from up here in Montebello. I attached a letter that I would like to be given to the zoning and planning commissions for the comprehensive plan for the county. I ask that you take my thoughts into consideration and share them with the committees.

Thank you for your time!

Stephanie Bryant

To Whom It May Concern,

My name is Stephanie Bryant. I live in Montebello at the very tip of the western side of Nelson, two miles from the Blue Ridge Parkway. I am a multi-generational resident of Montebello. I have never had a job off the mountain as I have been very fortunate, most must go off the mountain for employment. I am currently employed at the Montebello Camping and Fishing Resort, which has is a 5th business within the county. The store was founded in 1894 and the campground in 1974 and is still owned and run by the Grant family.

I want to start by saying that I have no issue with growth within Nelson County as a whole. I do have an issue with the continued growth in Montebello and how it's impacting us. Montebello is a tiny community that has become more of a retirement community in the last thirty years. We have a lot of older folks and very few children up here. I was lucky enough to grow up in Montebello on Fork Mountain Ln. I was born in 1994 and until the last five to six years, I knew everyone here. I could tell you who was coming by the sound of a vehicle turning off 56 onto Fork Mountain with ease. There was barely any traffic, and we could play in our yards without having to worry because everyone on that road knew who we were and to watch out for us.

With the uptick in traffic, I fear having to raise any children on that road. No one cares now. They fly up and down the road without any regard for if there could be someone in the way. Trucks, cars, SUVs, ATVs, and other recreational vehicles up and down the road from dawn until at least 10-11PM, sometimes the middle of the night. This extreme increase is partly due to Camp Blue Ridge offering horseback riding most of the year and their employees going back and forth. It also has to do with the two Airbnbs and the two camping spots at the end of Fork Mountain Ln. Of course, the Airbnbs have produced the most traffic, and these people get lost easily as there is no cell service or Wifi close to here.

There are some people who come up here to get away from the big cities and then start missing those conveniences. They want change and want it at the expense of our mountain. Or they just purchase large acreage to turn us into another Wintergreen. Our mountain and community cannot handle that much of an increase in development. We can't handle all these cabins and homes and timeshares and Airbnbs to keep opening. All the beauty, quiet, and peace that they fell in love with is going to be gone. It'll be wall-to-wall homes just like Wintergreen and we are not prepared for or desiring that volume of tourism. Our roads can't handle the traffic. The ones who are here as Legacy residents won't be able to afford the property taxes because we must pay for their decisions that increase the land value. Is it fair for us to have to be financially burdened for the rich moving in and taking away from the community that our ancestors put their blood, sweat, and tears into?

I have multiple generations buried on this mountain. Their work is what helped make it possible for the non-locals to move here and make a home or a profit. We don't mind newcomers but there must be some way for the county to help us make sure they don't destroy what my family and several others have built here. We don't want paved roads. We don't want to be run into a ditch because the new landowners or their short-term tenants can't drive the mountain. We don't want strangers coming onto our properties and acting as if they have right to be there. We want the home we've had for centuries to be preserved so our descendants will be able to love and enjoy this mountain as their home, just as we have.

I want it understood that while I work at the store and campground in Montebello, I do NOT wish for these short-term rentals or campground ideas to not be approved because of the business I work for. I am against them as a Legacy resident of Nelson County. Some competition is healthy, and we have our own special niches that keep us apart from the rest. We have healthy relationships with the business managers/owners of The Retreat at Crabtree Falls and the Crabtree Falls Campground. We have friendships with them and other companies within the county. We love our county and our community.

I am asking that as the Comprehensive Plan for Nelson County, Nelson 2042, is designed and implicated for the next twenty years that Montebello is thought in a positive light of preservation. We are small. Our roads are small. We love how undeveloped we are, despite having seen development in recent years. We ask that you look around and see that we don't need two Wintergreen Mountains in Nelson County. Keep development to a minimum. I understand by-rights but there must be some compromise the county can do to ensure that Montebello doesn't grow outside of what it is now to line the pockets of the people who keep moving in only for that reason.

Montebello means 'beautiful mountain'. Don't let these people keep moving in and destroying what we were named after. I am asking this as a 29-year-old Legacy Resident of Nelson County, whose paternal roots are in Montebello, and maternal roots expand down into Massies Mill, Piney River, and Lovington, and whose heart breaks every time I hear of another piece of our home being overtaken for greed.

Sincerely,

Stephanie Bryant

Legacy Resident of Nelson County

Concerned Resident of Montebello

Email: steph.e.bry@outlook.com

February 19, 2024

Dear Members of the Nelson County Planning Commission and Board of Supervisors,

Like many other members of the community, I have been closely following the process of updating the Nelson County Comprehensive Plan (Plan). Surveys, community work sessions, on-line feedback, public hearings, and significant effort on the part of the County and its consultants have resulted in a pretty solid document intended to capture the vision of Nelson County moving forward. Not an easy task, and I'm sure all of you look forward to having this planning stage behind you.

As the process winds down I wanted to take this opportunity to weigh in and share my remaining concerns with the current draft of the Plan, and how it gets reflected in the upcoming updates to the County Zoning and Subdivision Ordinances (Ordinances).

As a resident of Nellysford, I am particularly concerned about unchecked development along the 151 corridor, the impact of such development on infrastructure and the already busy roadway, and how the County intends to preserve additional housing for the needs of County residents vs. feeding the tourism/short term rental beast that is particularly prevalent in the Nellysford area. I have communicated on a number of occasions the need for more specificity in certain defined terms that would impact development in areas of the County deemed suitable for development.

Regarding housing development in general, in a recent communication to Dylan Bishop I indicated that in the last draft of the Plan there were (1) terms that were defined in Appendix B but not used consistently in the text of the Plan (all defined terms should be used with initial caps), (2) defined terms that were incorrect, and (3) key terms impacting development that were not defined at all.

- Inconsistent use of terms: "small-scale" should be "Small-Scale Multi-Family Residential" and "traditional Village development pattern" should be "Traditional Neighborhood Development"
- Incorrect or unclear definitions in Appendix B: "Fourplex": four families in a structure with two dwelling units should read "four dwelling units." "Triplex": three families in a structure with two dwelling units should read "three dwelling units."
- The "Cluster Development" definition references a suburban setting. There is nothing suburban about Nelson County, nor should that even be an implied objective. Perhaps rewording the Cluster Development definition consistent with the Small-Scale Commercial and Small-Scale Multi-Family Residential definitions would be more appropriate: "Cluster Development: A design concept that *achieves* balance between growth and preservation by grouping residential and/or commercial uses

together in a way that has a minimal impact on the character of the surrounding area."

With regards to undefined terms, I do not get a sense that the County, for reasons unknown to those of us who are concerned, is willing to provide more clarity in the Plan around terms such as "moderate small village," "Village," "small scale," or "small-scale apartments." If the County was hoping for more flexibility down the road in drafting Ordinance definitions by keeping certain terms vague in the Plan I would urge the County to reconsider.

Clearly-defined terms are critical for providing complete transparency in how the County intends to implement the community-supported Plan moving forward via the amended Ordinances. To avoid conflicts between the community vision/Plan and the governing Ordinances, the two should be using comparable, if not the same, well-defined terms. Future zoning decisions made unilaterally (without public hearing) by the County based on interpretations of ill-defined terms in the Plan, or in the Ordinances themselves, could very well have unintended consequences. If in the future the defined terms no longer reflect the County's vision they can be updated through an amendment process to the Plan and Ordinances which would be subject to public review and comment.

It is my understanding that there is, or will be, an exercise to correct certain issues as part of final editing. Please use well-defined terms in the Plan, specifically around development.

Finally, I want to go on record as opposing Multi-Family Dwellings, Small-Scale Multi-Family Residential dwellings, and similar housing development along 151/Nellysford until the County implements and enforces Ordinances that would limit use of those dwellings for short-term rentals. An expectation that affordable housing along 151/ Nellysford will be available for existing County residents, or those who wish to live and work in Nelson County, is sadly misplaced. Absent short term rental restrictions, developed housing along 151 will by and large be scooped up for investment purposes to take advantage of the tourist trade. We are seeing it take hold within Stoney Creek itself, much to the dismay of its residents who are very concerned about the changing character of the community. I appreciate the economics of a flourishing tourist trade, and the County certainly understands a need to balance the tourist revenue with the housing needs of the County residents. This is a problem in many jurisdictions, and I hope that the County takes aggressive steps to strike a balance between affordable housing and short term rentals in Nelson when it drafts updated Ordinances.

Respectfully,

Jessie Dean

Executive Summary



The Nelson 2042 Comprehensive Plan took shape over more than 20 months and is the result of considerable input from the community and thorough assessment of data and market trends. The year and a half of collaboration and community engagement resulted in six goals with targeted strategies which will guide policy in Nelson County for the next decade. The Plan is grounded in fiscal and physical reality and is meant to be an actionable guide that the community can use to measure progress towards its goals. At its core, the Comprehensive Plan is a vision for what Nelson can be in the future in all aspects ranging from transportation to housing choices and from recreational amenities to employment options. The Plan does not directly regulate these issues, rather it provides the framework for updating regulatory tools, policies, programs, and partnerships ensuring that all tools and programs of the County are efficiently working together to achieve the community's vision for the Nelson of 2042.

The Community's Vision for the Future

Nelson is a welcoming community that values its natural resources, encourages economic growth, and provides excellent quality of life for all community members.

Nelson County today is a great place to work, live, and visit. Residents place high value on the rural character of the County and the strong sense of community, but they are concerned about unbalanced growth and protection of the natural environment; lack of job opportunities and economic diversity; limited housing choices for different types of individuals and families; and the condition of community services and infrastructure, including transportation networks.

The Nelson 2042 plan sets a vision for the future of the County that addresses concerns and builds on assets through a framework of goals, objectives, and strategies. The Plan is based on the results of a robust community

engagement process that included:

- Community Survey - available both online and in print
- 4 Public Workshops
- 4 Stakeholder Interviews
- Project Website & Online Engagement
- Draft Review & Online Comment Form
- 1 Public Open House

The community is integral to shaping the Plan and are key players in tracking progress to achieving the Plan vision. In partnership with County staff, public officials, and regional groups, the community must work together to reach the Nelson of 2042.



Plan & Provide Equitably
for Everyone



Improve & Expand Vital
Services



Diversify & Bolster the
Economy



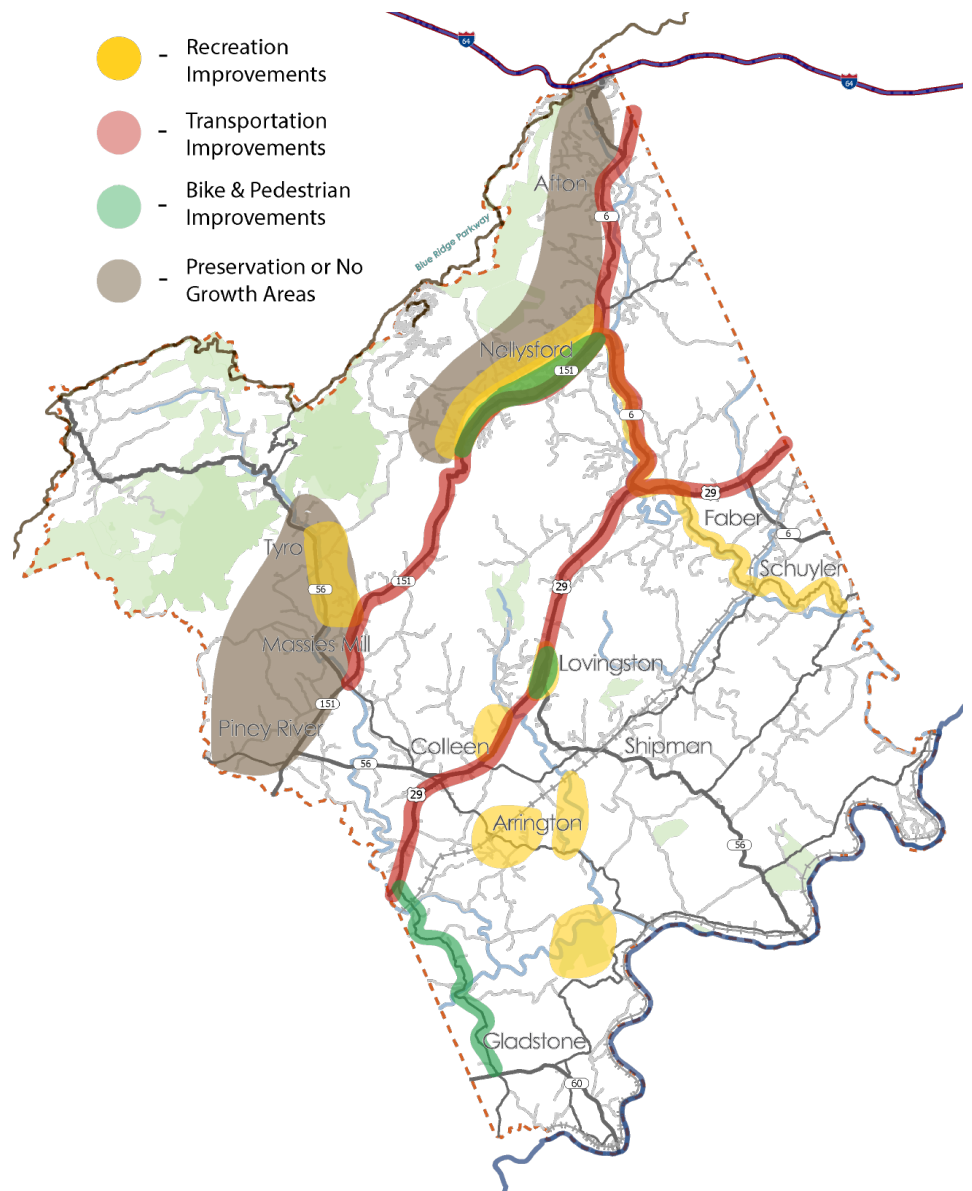
Protect & Connect to
our Rural Environment

Plan Priorities

“Move forward mindfully with consideration of the environment and future generations”
- Nelson2042.com Idea Wall Comment

The Nelson 2042 Plan addresses the physical and social elements that go into making our community - Land Use, Transportation Networks, Housing, Economy and Businesses, Natural and Cultural Resources, and Community Facilities and Infrastructure. Within the Plan, each of these elements contains a unique goal, objectives, and strategies, but they are connected by four “Big Ideas” or plan priorities. The Big Ideas were derived directly from community engagement and include the following key ideas: The community prioritizes economic diversification and advancement of the County in ways that protect the environment. There are key infrastructure concerns including water availability and vehicular network safety that the County must address before all else. Protecting the rural character of the County and connection to the natural world through enhanced recreational amenities is a strong desire of residents. There are communities in Nelson whose voices are often not heard or needs unmet. All planning for the future of Nelson must

aim for transparency and accessibility to engage and authentically plan for all segments of the community. The Big Ideas pervade the Comprehensive Plan elements and directly informed strategies, priority transportation projects, and the conceptual land use framework.



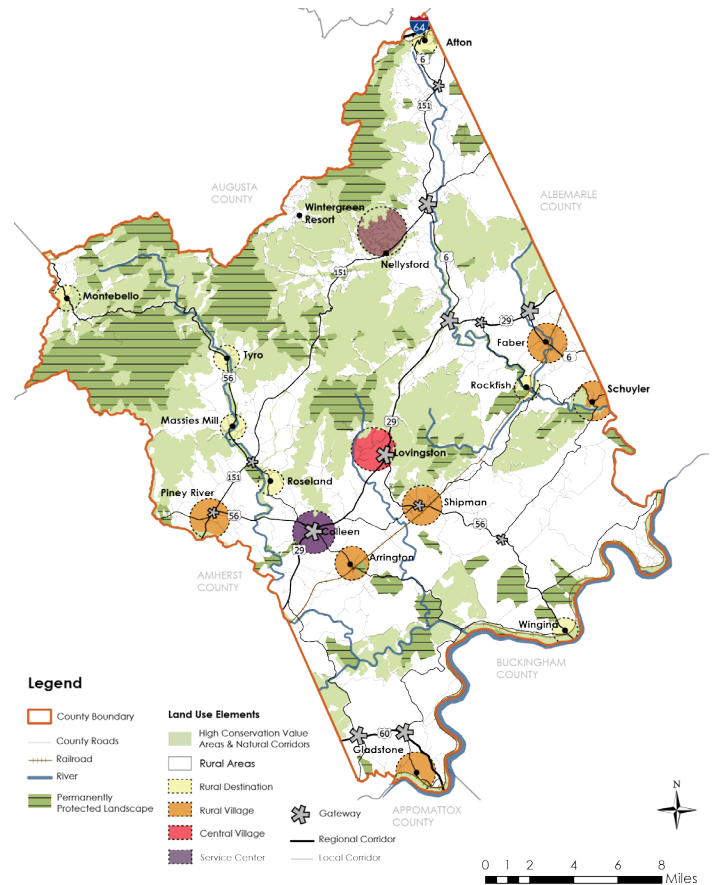
Composite diagrammatic results of public workshop map exercises.

Land Use

Nelson County preserves and enhances its rural character and natural resources by creating opportunities for strategic growth to create a stronger, more vibrant, and prosperous community.

The Nelson 2042 conceptual land use framework prioritizes enhancement of rural character and protection of natural resources. The framework includes 7 land use designations and 2 corridor overlay designations. None of these designations directly regulate or promote development, rather they provide a decision-making framework based on data analysis and community consensus. Each land use type contains a description with key planning guidelines and primary land use types. The land use types are meant to be a guide and do not replace allowable uses as defined in the zoning ordinance. Use types take into account existing uses, the potential to repurpose existing buildings, as well the capacity for new development. The following summarizes the key purpose behind each land use designation.

- **Conservation Areas** comprise the majority of land within Nelson County. These are highly sensitive environmental lands that should be protected from all development.
- **Rural Areas** comprise the majority of agricultural lands in the County and should be maintained.
- **Rural Destinations** are those areas in the County that have a distinct identity - such as Massie's Mill or Afton - where additional development cannot be supported but redevelopment of existing structures and targeted investment in community amenities or services can improve resident quality of life.
- **Rural Villages**, like Destinations, have a unique identity but these places have a higher concentration of buildings and an existing mix of uses. The intent is to maintain the traditional character of these places while allowing for investment in amenities, services, small scale development, and redevelopment to serve the needs of residents. This could include the rehabilitation of a community center as a store or mixed use space; the conversion of a single family or commercial building to two single family units; or the construction of a new two family unit.
- Lovington, Colleen, and Nellysford are the County's **Community Hubs**. Each has an existing concentration of development and services for residents and visitors alike. While Lovington and Colleen have the capacity to absorb new growth, provide regional services, and provide for housing needs within the County, Nellysford is at capacity and planning should focus on targeted investment in services, amenities, rehabilitation, and redevelopment. Each of these areas should prioritize quality design and development standards; signage, landscaping, and lighting; and pedestrian connectivity to enhance their village character.



"... create a real streetscape in Nellysford and Lovington - the 2 main business areas. Nellysford would greatly benefit from sidewalks, landscaping and attractive lighting ... Make it a walkable area to attract and keep better small businesses ... Same for Lovington. What a gem of a small town! It could be SO much more, with some planning and investment."

- Nelson2042.com Idea Wall Comment

Key Strategies

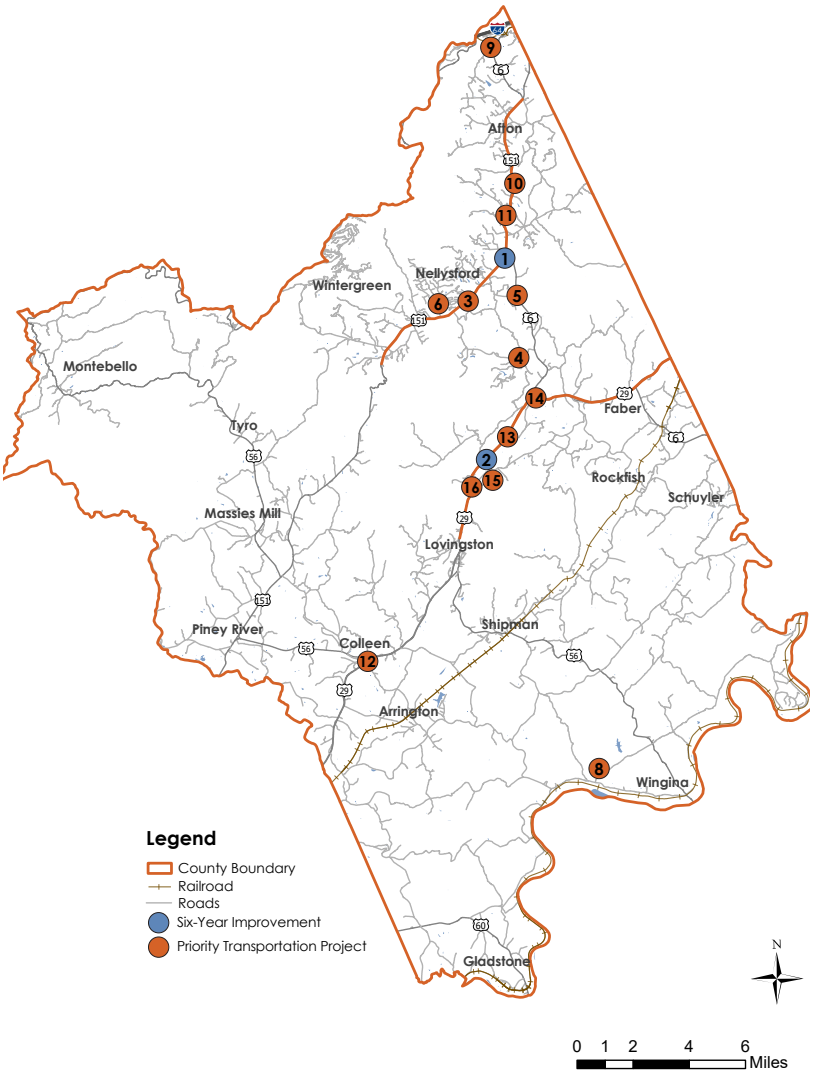
- ✓ Connect neighborhoods and development through sidewalks, shared use paths, and trails and require such connections in new development or redevelopment proposals.
- ✓ Encourage any new development to locate in designated growth areas so that existing infrastructure can be more efficiently used, and rural lands protected.
- ✓ Review the zoning ordinance, and amend it as necessary, to allow for a wider mix of use types, including accessory dwellings and mixed-use buildings.
- ✓ Continue to administer cluster subdivision regulations and incentivize their use to preserve open space and reduce the impact of development.

Transportation

Nelson County maintains a transportation system that provides a safe and efficient multimodal network to connect residents and visitors to places they live, work, recreate, and access services throughout the County and region.

The Nelson 2042 priority transportation projects prioritize safety, efficiency, reduction of traffic volumes, and enhanced connectivity. Throughout public engagement, the safety of the 151 and route 6 corridors was a prime concern. Many safety enhancements or additional plans are already accounted for through VDOT's Six-Year Improvement and VTrans project lists. By including them on the Comprehensive Plan's priority projects list, the County is reiterating the community's desire to see these projects completed.

Another key priority of community residents was the enhancement of alternative transportation networks (bikes, sidewalks, trails) both within villages as well as connecting between villages and community recreation assets. These projects do not take priority over safety improvements and in no case would they be constructed to create additional safety issues. In some cases the investment in alternative connections can alleviate vehicular demand and increase safety on Nelson's roads. Additionally, including projects on the priority transportation projects list is a requirement to qualify for additional VDOT funding or assistance.



“If there was a safe and visible path for bikes and pedestrians to use along the 151 corridor, it would alleviate conflicts with vehicles, and perhaps even reduce the number of sight-seeing vehicles on the road.”
- Nelson2042.com Idea Wall Comment

Key Strategies

- ✓ Work with VDOT to address priority traffic safety issues such as reduction of speed limits, safety improvements at high crash intersections, adequate turn lanes and reduced tractor-trailor “cut through” traffic.
- ✓ Identify areas to construct or expand natural trails and sidewalks for pedestrian traffic.

Map ID #	Project Name
1	Route 6 Roundabout
2	Route 29 Safety Improvements
3	Route 151 Safety Study
4	Adial Road Safety Study
5	Route 6 Truck Reduction
6	Route 151 Parallel Trail
7	Greenway Connectivity
8	James River Multi-Use Trail
9	Blue Ridge Trail Connectivity

Map ID #	Project Name
10	Route 151 Speed Study
11	Route 151 Road Widening
12	Colleen Park and Ride
13	Route 29 Safety Study
14	Route 29 Roundabout
15	Lovington Streetscapes
16	Route 29 Pedestrian Study



Local Economy

Nelson County creates and maintains a strong, resilient economy that promotes workforce development and diversifies business and tourism opportunities while supporting agriculture.

Key Strategies

- ✓ Prepare for the needs of the next generation of workers by supporting both traditional higher education and vocational education opportunities.
- ✓ Support multiple revenue streams for farmers by reviewing and amending ordinances to better allow farmers to host complementary agritourism uses on agricultural properties.



Natural & Cultural Resources

Nelson County preserves its rural character and agricultural heritage by sustainably protecting and stewarding its natural and historic resources for future generations.

Key Strategies

- ✓ Continue improving flood resiliency by updating the Floodplain District Ordinance as needed to reflect new flood maps and best practices, and participating in FEMA's Community Rating System.
- ✓ Limit development on steep slopes to maintain balance between slope, soils, geology, and vegetation. Where disturbance is unavoidable, enforce erosion and sediment control measures to prevent unnecessary degradation.



Housing

Nelson County strives to ensure the availability of quality housing for residents of all income levels and lifestyles by allowing for a variety of housing options, including affordable and workforce housing, and encouraging rehabilitation of existing vacant units.

Key Strategies

- ✓ Consider allowing accessory dwelling units by right through zoning changes that can allow affordable rental options that benefit renters and homeowners.
- ✓ Expand the types of allowable housing in appropriate areas to accommodate multi-family housing units, such as townhouses, condominiums, and duplexes.



Infrastructure, Facilities & Services

Nelson County offers superior community services and facilities that serve all segments of the community, support economic development, and ensure community health and safety.

Key Strategies

- ✓ Continue to work with the regional authority to create a water and sewer master plan to identify current system needs and target long-term strategies to maintain and expand service areas.
- ✓ Create a County-wide fire and emergency medical services (EMS) strategic plan that can be regularly updated and maintained to address response time, facility, and staffing needs.



Nelson 2042

Comprehensive Plan

Memo

Subject: Summary of Public Comments, Post Final Worksession

Date: December 7, 2023

The following summarizes key themes from comments received on the draft Nelson 2042 Comprehensive Plan as of October 26, 2023, following the final Joint Worksession with the Nelson County Planning Commission and Board of Supervisors. Nineteen (19) total comments were received. Comments and responses are included in the attached matrix.

A. Summary of Comments

1. Nellysford Land Use Framework and Definition of Terms

Several comments pertained to the discussion that took place during the final joint worksession regarding the Nellysford land use framework on page 44 of the plan. Several comments were submitted asking that additional definitions, including the small-scale residential and commercial development discussed during the final worksession. These comments were addressed through changes to page 44 and the inclusion of definitions in the glossary of the plan.

2. Route 151 Transportation Safety

Residents repeated concerns regarding the safety of the 151 corridor and the prioritization of vehicular safety improvements in this area. Clarifying language discussed during the September worksession was added to address these concerns.

#	Date	Reviewer	Topic	Comment	Response
1	27-Oct	Community	Definitions	Certain Berkeley Group responses to community comments included in the Agenda for the upcoming joint work session are helpful in defining intent but if those clarifications are not included in the final Comp Plan then you are asking for trouble as the Comp Plan is implemented and there is lack of clarity. For instance, development is supposedly not meant to be "large multi-family" or "cluster subdivisions" or "high density housing." The Plan should say this, as well as provide definitions for these terms.	Additional definitions and language to clarify the intent of the Plan have been included in the December 7 draft of the Comprehensive Plan.
2	27-Oct	Community	Definitions	Having just read the Agenda for the Sept 28th joint work session, which included a matrix of community comments, it is clear that much of the community angst is from a lack of understanding of what the Comp Plan is intended to accomplish. Clarity is critical. For instance, not all terminology is defined (what is meant by duplexes, triplexes, fourplexes, higher intensity development, Village, etc.) and when a defined term is used it should have initial caps. Also include a glossary of abbreviations, in addition to use of the long form term with its abbreviation in parentheses when first used in a Chapter.	Additional definitions and language to clarify the intent of the Plan have been included in the December 7 draft of the Comprehensive Plan.
3	27-Oct	Community	Demographics	Did the Berkley Group determine Nelson County's population growth rate based on the next-to-latest to latest decennial census year, based on population reported by the United States Bureau of the Census?	Population projections come from the Weldon Cooper Center, which is charged with generating the official estimates for the State of Virginia. Their data is based on Census data.
4	27-Oct	Community	Engagement	Why have minutes not been published for the June and September joint workshops?	
5	27-Oct	Community	Engagement	Will the Berkley Group publish on this website the additional comments submitted subsequent to those published in the materials for the last joint workshop?	Comments are published as part of the meeting packets for the Planning Commission and Board of Supervisors.
6	27-Oct	Community	Engagement	When are comments for the Comprehensive Plan Update due, please? And how may they be submitted?	
7	27-Oct	Community	Housing	The county must have a plan, strategic and tactical, with respect to affordable housing. TJPDC regional studies are not a plan. The plan for Nelson County must fit exclusively Nelson County, not the region.	A strategy to address the need for a targeted housing study/plan has been added to the draft.
8	27-Oct	Community	Nellysford/ LU Plan	For Nellysford to have additional development especially such things as Hotels and lodging and apartment complexes, that will only increase the traffic on 151 not to mention very little sense of a village	The Land Use plan language has been edited to clarify intent and align land use types with current land uses while allowing for flexibility in how current properties can be used to best meet the needs of the community.
9	27-Oct	Community	Nellysford/ LU Plan	With the community's concerns about unchecked housing development in Nellysford, it seems gratuitous for the County to remove references to Urban Development Area from the Comprehensive Plan when the County can unilaterally approve cluster housing development without any public input, pursuant to Nelson County Code, Appendix A, Section 21. The County needs to commit to obtain public buy-in to how the County proposes to manage development, including, without limitation, use of precise definitions of the land use types in the Comprehensive Plan.	Additional definitions and language to clarify the intent of the Plan have been included in the December 7 draft of the Comprehensive Plan. The next step in the Plan update process is to review the County's zoning ordinance to ensure the code supports the goals of the Plan.
10	27-Oct	Community	Nellysford/ LU Plan	On page 44, Nellysford, under Primary Land Use Types, please remove "duplexes, triplexes, fourplexes, apartments, live-work units, hotels & lodging." That is inconsistent with Nellysford and its character. This need not be included in the comprehensive plan for Nellysford and it is highly inflammatory for citizens, particularly in juxtaposition with maintaining rural character.	The Land Use plan language has been edited to clarify intent and align land use types with current land uses while allowing for flexibility in how current properties can be used to best meet the needs of the community.
11	27-Oct	Community	Nellysford/ LU Plan	Page 44. Exclude Nellysford as a UDA designation. Mitigate future over development and prioritize reuse and modification of existing structures and properties. Protect rural landscape. Limit added traffic burden on Rt 151. Exclude duplexes, triplexes, fourplexes, apartments, live/work units, hotels/lodging. Primary land use type: agricultural, professional, senior living.	The Land Use plan language has been edited to clarify intent and align land use types with current land uses while allowing for flexibility in how current properties can be used to best meet the needs of the community.
12	27-Oct	Community	Nellysford/ LU Plan	In creating the Citizens Revision, we analyzed every section and every sentence from the current page 44, Nellysford. This revision needs to looked at an utilized for Nellysford. The entire list has been distributed in the past . Bike lanes are not needed in Nellysford nor future duplexes, triplexes , or large scale apartment development. They take away the rural character of Nellysford. Plus several low income families will become displaced if developers are allowed to build these type of buildings. Water and sewer are ever present issues already and more development will bring more traffic to Rt.151. Again Chapter 3 , page 44 needs to be revised as citizens have been asking for months.	The Land Use plan language has been edited to clarify intent and align land use types with current land uses while allowing for flexibility in how current properties can be used to best meet the needs of the community including affordable housing for all income levels.
13	27-Oct	Community	Nellysford/ LU Plan	Ernie Reed's proposed language for p. 44 to allow for "small scale" development in Nellysford is inadequate absent a definition for small scale. Leaving it undefined to allow for flexibility in the future is counter to having the plan reflect the desires of the community. It is actually insulting. If the County's direction changes that should be subject to an amendment to the Plan with appropriate opportunities for the community to weigh in. Please define small scale.	Additional definitions and language to clarify the intent of the Plan have been included in the December 7 draft of the Comprehensive Plan.
14	27-Oct	Community	Nellysford/ LU Plan	The proposed Executive Summary and p. 44 re: Nellysford, need to expressly acknowledge the significant public opposition to further development along 151 from Afton to Nellysford.	Chapter 1 of the Comprehensive Plan summarizes community input and clearly shows the Nellysford area and 151 corridor as areas for protection. The Land Use plan language has been edited to clarify this fact and to align land use types with current land uses while allowing for flexibility in how current properties can be used to best meet the needs of the community.
15	27-Oct	Community	Nellysford/ LU Plan	The majority of survey respondents, who also represent a majority of the overall county population, do not want additional development in Nellysford. This should be clearly stated on p. 44 of the plan with the Core Concept, Primary Land Use Types, and Planning Guidelines sections for Nellysford reflecting this since future actions by the BOS must take these desires into account. If not expressly documented in the plan one can expect a free-for-all.	Chapter 1 of the Comprehensive Plan summarizes community input and clearly shows the Nellysford area and 151 corridor as areas for protection. The Land Use plan language has been edited to clarify this fact and to align land use types with current land uses while allowing for flexibility in how current properties can be used to best meet the needs of the community.
16	27-Oct	Community	Route 151/ Transportation	Please ensure that the sense of urgency for and prioritization of vehicular safety improvement for Rte. 151 is very clear from reading the comprehensive plan, chapter 4 and the implementation plan. The fact that such sense of urgency and prioritization are not clear is very frustrating for citizens.	Safety improvements along 151 is a key strategy of the Transportation Chapter (page 54). Safety improvements and/or studies for the County's key vehicular routes comprise half of the identified priority transportation projects, with 4 specific to Route 151.
17	27-Oct	Community	Route 151/ Transportation	Contemplating bike lanes parallel to 151 or biking on widened shoulders with buffers from 151 traffic is irresponsible. Increased traffic that we have experienced from increased tourism, not to mention truck traffic, makes 151 a dangerous corridor and unfit for biking. I am a biking enthusiast.	
18	27-Oct	Community	Transportation	It is the County's responsibility to take the LEAD on pressing VDOT to implement changes to ensure safe travel along the County's roadways, especially Rte 6 and 151.	
19	27-Oct	Community	UDA	Please remove any/all occurrences of the term "Urban Development Area" from the comprehensive plan. That term is incendiary among citizens and need not be included in the plan, particularly at this time.	

Redlined Summary of Policy Changes to Text of Nelson 2042 Comprehensive Plan

Chapter	Page No.	Text from August 29, 2023 Public Open House Draft	Revised Text for December 7, 2023 Public Review Draft
3	109	<p>Land Cover</p> <p>Nelson County's land cover reflects its mountainous, rural qualities. Forested lands dominate the landscape, covering 76.4% of the County's terrain. Much of the County's forestland is part of state and federal forests and parks. The 422-acre Lesesne State Forest is located on the lower slopes of Three Ridges Mountain adjacent to the George Washington-Jefferson National Forest, which comprises a large section of Nelson County's northwestern area. Two U.S. wilderness areas lie in Nelson County's section of national forest: Three Ridges Wilderness (4,607 acres) and Priest Wilderness (5,994 acres). James River State Park and James River Wildlife Management Area are along the southern border of the County.</p>	<p>Land Cover</p> <p>Nelson County's land cover reflects its mountainous, rural qualities. Forested lands dominate the landscape, covering 76.4% of the County's terrain. Much of the County's forestland is part of state and federal forests and parks. The 422-acre Lesesne State Forest is located on the lower slopes of Three Ridges Mountain adjacent to the George Washington-Jefferson National Forest, which comprises a large section of Nelson County's northwestern area. Two U.S. wilderness areas lie in Nelson County's section of national forest: Three Ridges Wilderness (4,607 acres) and Priest Wilderness (5,994 acres). The James River Wildlife Management Area is located in Nelson County along the southern border of the County, and directly across the river in Buckingham County lies the James River State Park.</p>
3	44	<p>Nellysford is one of Nelson's largest Villages and the largest center along the 151 corridor. Serving as basecamp for many of the county's tourists, Nellysford has a high concentration of commercial and recreation development including grocery and supplies, restaurants and breweries, and a golf course. Limited private water and sewer service has supported the development of several large scale residential developments, some associated with Wintergreen Resort. Alternative transportation along and across 151 is a challenge and increased traffic volumes in recent years has compounded safety and connectivity issues. Nellysford has the potential for designation as an Urban Development Area (UDA) to support transportation improvements, though further study is needed to determine eligibility. Future investment and development of Nellysford should focus on creating a sense of place by focusing on increased connectivity and alternative modes of transportation, expanding uses and services, such as water and sewer, to both serve the community and grow the County tax base. The character of development should take cues from rural character of the County and encourage a mix of use types in a traditional Village development pattern.</p>	<p>Nellysford is one of Nelson's largest Villages and the largest center along the 151 corridor. While Nellysford is not a designated growth area in the County, it has served as basecamp for many of the county's tourists, which has created a concentration of commercial and recreation development including grocery and supplies, restaurants and breweries, and a golf course. Limited private water and sewer service has supported the development of several large scale residential developments, some associated with Wintergreen Resort. Alternative transportation along and across 151 is a challenge and increased traffic volumes in recent years has compounded safety and connectivity issues. Future investment and development of Nellysford should focus on creating a sense of place by focusing on increased connectivity and alternative modes of transportation, expanding uses and services, such as water and sewer, to both serve the community and grow the County tax base. The character of development should take cues from rural character of the County and encourage a mix of use types in a traditional Village development pattern.</p>
3	44	<p>Prioritize redevelopment, infill, and connectivity enhancement projects within Nellysford to protect the rural landscape, ensure more efficient and effective provision of community services, bolster economic development, and improve quality of life.</p>	<p>Prioritize protection of rural landscape and moderate small village residential and commercial development, restoration and connectivity, efficient and effective provision of community services, and improved quality of life.</p>
3	44	<p>Primary Land Use Types:</p> <ul style="list-style-type: none"> Single-family detached residential Single-family attached residential Accessory dwelling units Duplexes, triplexes, fourplexes Apartment- Live-work units Hotels & Lodging Agritourism Businesses Commercial (Retail, shopping, dining) Professional & Offices Business & Employment Institutional uses Parks, recreation, and trails 	<p>Primary Land Use Types:</p> <ul style="list-style-type: none"> Conservation & preservation Single-family detached residential Single-family attached residential Small-scale duplexes, triplexes, fourplexes Small-scale apartments Community & senior services Agritourism Businesses Small-scale Commercial (Retail, shopping, dining) Professional & Offices Business & Employment Institutional uses Parks, recreation, and trails

Redlined Summary of Policy Changes to Text of Nelson 2042 Comprehensive Plan

Chapter	Page No.	Text from August 29, 2023 Public Open House Draft	Revised Text for December 7, 2023 Public Review Draft
3	36	The Primary Future Land Use Types identifies uses that help achieve the Land Use Element's Core Concept. Secondary or other uses not identified here may be appropriate. Along with the Planning Guidelines, the Primary Future Use Types are meant to guide development in accordance with the goals of this Plan. To that end, Supporting Strategies from the Plan are keyed to each Future Land Use Element. The Comprehensive Plan works as a unit to ensure the Vision for Nelson 2042 is met.	The Primary Future Land Use Types identifies uses that help achieve the Land Use Element's Core Concept. Secondary or other uses not identified here may be appropriate. Primary Future Land Use Types are defined in the Glossary of this document, but should not be confused with Use Types as defined within the County's Zoning Ordinance. Along with the Planning Guidelines, the Primary Future Use Types are meant to guide development in accordance with the goals of this Plan. To that end, Supporting Strategies from the Plan are keyed to each Future Land Use Element. The Comprehensive Plan works as a unit to ensure the Vision for Nelson 2042 is met.
4	77	Strategy 3: Target safety improvements at high-crash intersections and roadway corridors.	Work with VDOT to address priority traffic safety issues such as reduction of speed limits, safety improvements at high crash intersections, adequate turn lanes and reduced tractor-trailer "cut through" traffic.
4	73	This section lists priority transportation projects for the future of Nelson County. These projects have been identified by examining the County's existing and future transportation needs while taking into consideration community input and existing information from the plans and programs included in this Chapter. Table 4.1 provides a list of these transportation projects that Nelson County can undertake to better connect the community to important destinations and services within and outside the County. Where possible, cost estimates have been provided along with the source of the project.	This section lists priority transportation projects for the future of Nelson County. These projects have been identified by examining the County's existing and future transportation needs while taking into consideration community input and existing information from the plans and programs included in this Chapter. Vehicular and safety improvements along Routes 151, 6, and 29 are of particular concern and represent half of the identified priority projects. Table 4.1 provides a list of these transportation projects that Nelson County can undertake to better connect the community to important destinations and services within and outside the County. Where possible, cost estimates have been provided along with the source of the project.
4	73	Priority Project 6: Construct sidewalks and trails parallel to Route 151 to connect from Wintergreen to Afton and the Blue Ridge Tunnel Trailhead.	Priority Project 6: Construct separate pedestrian connections and trails parallel to Route 151 to connect from Wintergreen to Afton and the Blue Ridge Tunnel Trailhead.
4	74	Priority Project 11: Widen the shoulders along Route 151 and add bicycle lanes where applicable.	Priority Project 11: Widen the shoulders along Route 151 and add buffered, separate bicycle lanes where applicable.
5	91	Affordable Housing The lack of affordable housing options, especially for vulnerable populations, was identified as a major challenge facing the County. 42% of renters and 27% of homeowners are considered cost burdened. Maps 5.9 and 5.10 show the distribution of cost burdened households across the County. Cost-burdened households often face challenges to meet other basic needs such as food, transportation, and healthcare.	Affordable Housing The lack of affordable housing options, especially for vulnerable populations, was identified as a major challenge facing the County. 42% of renters and 27% of homeowners are considered cost burdened. Maps 5.9 and 5.10 show the distribution of cost burdened households across the County. Cost-burdened households often face challenges to meet other basic needs such as food, transportation, and healthcare. Any household paying more than 30% of household income on housing, including rent, mortgage, and the associated utilities and maintenance, are considered cost-burdened.
5	89	Short-Term Rentals A major factor contributing to the housing shortage is short-term rentals, which are a relatively new component of the housing market. The US Census bureau considers short-term rental units as vacant units for the sake of occupied housing status. Of the 3,821 vacant units of housing in the County, in 2020, 2,328 of them were considered for seasonal, recreational, or occasional use, which includes short-term rental units. The majority of Nelson's short-term rental housing stock is found in the vicinity of Wintergreen and Stoney Creek, according to a 2022 Wintergreen Property Owner's Association survey with a 40% response rate. Of 2,140 homeowners polled, 91% indicated that their property exclusively serves as a short-term rental. This brings the total number of short-term rentals in Wintergreen and Stoney Creek to 1,948 and leaves only 380 short-term rentals across the rest of the County.	Short-Term Rentals A major factor contributing to the housing shortage is short-term rentals, which are a relatively new component of the housing market. The US Census bureau considers short-term rental units as vacant units for the sake of occupied housing status. Of the 3,821 vacant units of housing in the County, in 2020, 2,328 of them were considered for seasonal, recreational, or occasional use, which includes short-term rental units. The majority of these units are found within the Wintergreen resort area and Stoney Creek which is primarily a seasonal or second home community. Of the 2,328 housing units considered for seasonal, recreational, or occasional use, it is estimated that about 2,000 of them are located within the Wintergreen resort area and according to a 2022 Wintergreen Property Owner's Association survey, with a 40% response rate, approximately 600 of those units are being used as short-term rentals. Without taking into consideration the Wintergreen resort, there are approximately 300 short-term rentals located throughout the rest of Nelson County.
7	136	Nelson County has been anchored by traditional agriculture for generations.	Nelson County has been anchored by traditional agriculture for generations and agricultural enterprises of all scales continue to play a key role in the local economy.

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Chapter	Page No.	Text from August 29, 2023 Public Open House Draft	Revised Text for December 7, 2023 Public Review Draft
7	154	Strategy 13: Support multiple revenue streams for farmers by reviewing and amending ordinances to better allow farmers to host complementary agritourism uses on agricultural properties.	Strategy 13: Support different types of agriculture and multiple revenue streams for farmers by reviewing and amending ordinances to better allow farmers to host complementary agritourism uses on agricultural properties.
8	164	Nelson County Service Authority provides the County's water and wastewater services. Four water treatment and wastewater treatment plants serve the County, located in Lovington, Schuyler, Wintergreen, and Gladstone. The Lovington facilities also provide water and sewer access for Lovington, Shipman, Colleen, and Piney River. While smaller than the other facilities, the Gladstone facility serves a significantly smaller number of customers.	Nelson County Service Authority (NCSA) provides the County's water and wastewater services. Six water treatment and four wastewater treatment plants serve the County, all of which are owned by the NCSA except for the Tye River Water Treatment Plant and the Piney River Consecutive System which are owned by Nelson County. The Wintergreen area is served by the largest water and wastewater treatment plants in the County. The Black Creek Water Treatment facility and the Nelson County Regional Sewer Treatment Plant provide water and sewer access for Lovington, Shipman, and Colleen. Schuyler is served by a water and wastewater treatment facility. Piney River gets some water service from the Piney River Consecutive System and some sewer access from the Nelson County Regional Sewer Treatment Plant. In addition, the Arrington area has some water access provided by the Tye River Water Treatment Plant and the Gladstone Water Treatment Plant serves a significantly smaller number of customers in the Gladstone area.
8	165	The plan recommends increasing the Black Creek reservoir yield with withdrawals from Tye River during high water events. The plan also identifies alternative reservoir sites for short-term and long-term storage capacity based on the Rockfish Valley/Wintergreen Resort Water Source and Capacity Study (2007) and notes that future interconnection with Amherst County may also be explored. The County should work proactively with the service authority to identify its preferred solution, undertake additional environmental and feasibility studies, pursue easement or property acquisition, and develop necessary infrastructure to protect the water supply. An updated water supply plan or local comprehensive water and sewer master plan is also advisable to address current and future needs.	The regional plan includes recommendations such as increasing the Black Creek reservoir yield with withdrawals from Tye River during high water events. The regional plan also identifies alternative reservoir sites for short-term and long-term storage capacity based on the Rockfish Valley/Wintergreen Resort Water Source and Capacity Study (2007) and notes that future interconnection with Amherst County may also be explored. In addition, the Rockfish Valley Corridor Water and Sewer Study was prepared in 2002 for the northern communities of the County such as Nellysford, Beech Grove, Avon, and Afton. This study recognizes the potential growth of the area which could prove problematic if homeowners were reliant upon private water and sewer systems. Instead, it provides a number of potential options to provide public water and sewer to these communities and should be referred to in the future to help address the needs of the Rockfish Valley. While these recommended strategies may be appropriate, it will be important for Nelson County to work proactively with the service authority to identify preferred solutions, undertake additional environmental and feasibility studies, pursue easement or property acquisition, and develop necessary infrastructure to protect the water supply. Moving forward, an updated water supply plan or local comprehensive water and sewer master plan will likely be necessary to address the current and future needs of the County.
4	68	While there are currently no designated UDAs in Nelson County, Lovington and Nellysford may qualify for designation. Nelson County should continue to monitor these areas and identify opportunities for UDAs in the future.	While there are currently no designated UDAs in Nelson County, Lovington and Nellysford may qualify for designation. This process is a community led effort that would involve extensive public engagement and amendments to this plan. This designation does not imply intense urban development, but rather responds to local needs and conditions. Any designations in Lovington and Nellysford would promote growth management through redevelopment and improved connectivity, and any new development should be supported through small-scale development practices that do not impact the rural village character.