

Northumberland County Planning Commission
September 8, 2022
Minutes

The special meeting of the Northumberland County Planning Commission was held on September 8, 2022 at 6:00 p.m. in person at the Northumberland Sheriffs Office and using Zoom (telephonic meeting) with the following attendance:

Chris Cralle	Present	Garfield Parker	Present
Vivian Diggs	Present	Roger McKinley	Present
Alfred Fisher	Present	Heidi Wilkins-Corey	Present
Ed King	Present	Charles Williams	Present
Richard Haynie	Absent	Patrick O'Brien	Present

Others in attendance:

Stuart McKenzie (County Planner)

Philip Marston (County Zoning Administrator)

RE: WORK SESSION ITEMS

Mr. Fisher stated that we are here to work on the zoning ordinance regarding tent camping and solar energy facilities. Mr. McKenzie stated that the language staff has proposed were to be added to the travel trailer section of the zoning ordinance.

Mr. McKenzie detailed the proposed changes:

§ 148-153. Travel trailers and camping.

Travel trailers and tent campers shall meet the following requirements:

A. Travel trailer units shall be tied into an approved Health Department sewerage system unless they are located in an area (campground or subdivision) which has a dumping station approved by the Health Department or are located on the same property and adjacent to the main residence and no compensation is involved.

~~B. A conditional use permit is required for any exception to Subsection A above.~~
Camping in subdivisions is permitted by owners, residents, and tenants on property owned, leased, or otherwise legally occupied by them and they may allow guests to camp thereon without compensation.

~~C. No full time occupancy is allowed. Commercial camping and full-time travel trailer or camping occupancy are prohibited in residential subdivisions.~~

D. A conditional use permit is required for any exception to these provisions.

Mr. Johnson stated that he understands that VDH cannot require sanitation facilities unless three tents or more. Mr. Johnson stated that he does not think the proposed

language is restrictive enough. Mr. Johnson stated he did not want commercial camping allowed in R-2 (Waterfront Residential). Mr. Marston stated that commercial camping is currently allowed as a conditional use in R-2. Mr. Johnson also wanted to limit recreational campers (those camping without compensation) number of tents, number of people, and a time limit for camping stays. Mr. McKinley asked Mr. Johnson how long have they been dealing with the commercial tent camping near their house, and Mr. Johnson replied since Memorial Day, 2022. Mr. McKinley asked if there was any other structure on the property, and Mr. Marston stated that there was a house. Mr. McKinley asked Mr. Johnson how many people tent camp at a time, and Mr. Johnson replied three to six. Mr. Johnson stated that in addition to the main tent (on a 20' x 20" wooden platform), tentrr.com allows them to erect a pup tent adjacent to the main tent. Mr. Cralle asked if we passed a revised zoning ordinance with more strict rules, is the existing commercial tent camping site we are discussing, grandfathered? Mr. Marston replied in the affirmative. Mr. Johnson asked what he and his neighbors alternatives were. Mr. Fisher stated that if the renters are breaking the law, e.g. trespassing, call the Sheriffs Office. Robert Pugh, of 469 Judith Sound Rd, stated he has lived in Lewisetta for many years, and it is a shame to see people spending the weekend in a waterfront community with no septic, no running water, although they have a bucket, he didn't think you are supposed to put human waste in the trash. Mr. Williams asked if a portable toilet would remedy the situation? Mr. Pugh said that would be help. Mrs. Wilkins-Corey stated that the property owner of the tent is receiving compensation, as they are charging \$125.00 a night per tent, according to the website. Mr. O'Brien made a motion to amend the zoning ordinance to prohibit commercial tent camping in all districts. Mr. McKenzie stated we cannot do that as the county zoning ordinance allows recreational camps and campgrounds in R-2 and A-1, by conditional use, and therefore that would conflict with the current zoning regulations. Mr. Marston stated we do have existing campgrounds in the county, and he recommended we should not prohibit campgrounds in R-2. Mr. McKinley asked how about any commercial tent camping requires a conditional use permit? Staff indicated that that would be a way to have some control over these individual tent rental sites. Mr. McKinley made a motion that commercial tent camping in any zones would require a conditional use permit. Mr. King seconded the motion. Mr. O'Brien made a motion to amend the motion to misdemeanor class #3 violation, and after some discussion, rescinded his amendment. The members voted on the motion and it was unanimously passed. Mr. O'Brien made a motion to limit recreation camping (camping without compensation) to seven days. Mr. McKinley seconded the motion. The members voted on the motion and it was unanimously passed.

Mr. Fisher stated the commission needs to discuss the solar energy facility zoning ordinance revisions. Mr. McKenzie mentioned the Board wanted the commission to look at restricting solar energy facilities from R-2 Residential Waterfront, and R-1 Residential General. The lawyer from SGC Power group was in attendance and complained to the commission that his client cannot apply for a solar energy facility, because of the work being done to the county solar ordinance. Furthermore, he stated that his client has a site that is in R-1, and that delays may make their company lose their place in line for the permission to connect to the electric grid and force them to start at the back of the line, with many solar projects currently waiting. The Planning Commission members were in agreement with keeping solar out of R-2, but not necessarily R-1. No action was taken.

Mr. McKenzie then began to discuss decommissioning, and how long a period until a solar energy facility is inoperative to be deemed inactive. The current zoning ordinance says 12 months, and the commission members were fine with that. When staff pointed out that the current ordinance only allows the project owner 6 months to decommission a solar energy facility at its end of line, staff recommended increasing the time to decommission to 12 months, to be more accommodating for delays from weather and other unforeseen factors. The commission members agreed, but no action was taken.

Mr. Fisher and Mr. O'Brien stated that they heard from the Board of Supervisors that they wanted a 1 mile setback from tidal water restriction for solar energy farms. The Planning Commission members asked if staff could generate a map that showed the zoning districts and the 1 mile buffer around tidal waters, so they could see how much of the county would be off limits to solar. Mr. McKenzie indicated he would try to get that map completed before the regularly scheduled planning commission meeting this Thursday.

RE: BOARD OF SUPERVISORS REPORT

No report was given.

RE: PUBLIC COMMENTS

There were included in the discussion section.

RE: ADJOURNMENT

Mr. King made a motion to adjourn that was seconded by Mr. Cralle and the meeting was adjourned at 8:33 pm. The adjournment vote was as follows:

Chris Cralle	Aye	Garfield Parker	Aye
Vivian Diggs	Aye	Roger McKinley	Aye
Alfred Fisher	Aye	Heidi Wilkins-Corey	Aye
Ed King	Aye	Charles Williams	Aye
Richard Haynie	n/a	Patrick O'Brien	Aye