

**AT A REGULAR MEETING OF THE ROCKBRIDGE COUNTY PLANNING  
COMMISSION HELD ELECTRONICALLY AND, IN THE COUNTY,  
ADMINISTRATIVE OFFICE BUILDING, 150 SOUTH MAIN STREET, LEXINGTON,  
VIRGINIA AUGUST 12, 2020 AT 7:00 PM.**

**PRESENT ELECTRONICALLY: LEE MCLAUGHLIN, JR., KIMBERLY  
HINESMELISSA HENNIS, DAVID WHITMORE, AND ROBERT LUCAS**

**ABSENT:**

**SECRETARY: CHRIS SLAYDON**

**STAFF: BRANDY FLINT**

**COUNTY ATTORNEY: VICKIE HUFFMAN**

**OTHERS PRESENT:**

**PRESENT ONLINE:**

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Mr. McLaughlin called the meeting at 7:01 pm with a verbal roll call of the Planning Commission members who were present on the webinar as follows:

Mr. Lucas – Present                      Ms. Hennis – Present                      Ms. Hines – Present  
Mr. Whitmore – Present                      Mr. McLaughlin – Present

Mr. McLaughlin then advised that this meeting is being held by electronic means pursuant to the Continuity of Government Ordinance adopted by the Board of Supervisors on May 26, 2020, due to the threats posed by the COVID-19 pandemic to the health, safety, and welfare of the public, and in accordance with the recommendations, guidelines, and requirements of federal, state and local authorities. Commission members will be participating remotely. Staff will be presenting as normal in the Board of Supervisors meeting room at 150 S. Main Street, Lexington and while the room will be open to the public, no more than 30 persons, including staff, will be allowed into the room at one time, as per the Board's COVID-19 meeting policy. Per the Governor of the Commonwealth of Virginia Executive order 63, all persons over the age of ten, that do not have a precluding medical condition are asked to wear a face covering. We will hold citizen comment near the beginning of the meeting. He indicated that we will do our best to take citizen comments remotely. There are two options for citizens to offer comments remotely. One is on the Zoom website/app or by telephone per agenda instructions. He noted the meeting will be available live on YouTube with a link on the County website.

Mr. McLaughlin stated that the meeting would proceed with Citizen Comments. He indicated that, in addition to participating by Zoom or telephone, written Citizens Comments had been solicited for receipt via email, U.S. Mail, and the drop box located at the County Administrative Building, and via email. Mr. McLaughlin then asked Mr. Slaydon if anyone physically present wanted to speak at 7:06 pm. Mr. Slaydon indicated that there was no one physically present to speak, no one on the Zoom meeting that wished to speak, and no comments were emailed or called in before the meeting. Mr. McLaughlin asked if there were any comments. With no additional comments, he closed the citizen comment period at 7:07 pm.

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The third agenda item was the review of the July 8, 2020 meeting minutes.

Upon a motion by Ms. Hennis, seconded by Ms. Hines, the Commission voted unanimously to approve the minutes with minor corrections.

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The fourth agenda item was the Board of Supervisors' Report.

Mr. Slaydon advised that the Board of Supervisors Report has been updated to include all boards and commissions. He noted that at the July 27, 2020 meeting the Board approved the application for Hevener's Cars and Trucks (Hevener/Lemon) per the Commission's recommendation. The Board also approved a request for vacating a portion of a paper alleyway in the Natural Bridge Station area (Block 63 -Lots 21 through 26) and approved a request for vacating a 10' drainage and utility easement in the Riverbend Subdivision (Lot 22). Mr. Slaydon advised that the TCO did not meet in August, and the BZA did not meet in July therefore he had nothing to report.

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Mr. McLaughlin advised that the same public hearing process used for citizen comments will be used for the public hearing process.

Before the fifth agenda item, Mr. Whitmore stated "I hereby abstain from all matters, discussions, or voting related to the Application for a Special Exception Permit by the Orrison Family, and my disclosure statement required under the Conflict of Interest Act is on file with the Secretary of the Planning Commission."

The fifth agenda item was the continued public hearing for James River Depot (Orrison Campground) to obtain a Special Exception Permit to operate a campground in the Agricultural and General Uses (A-2) District as follows:

*Notice is hereby given per Section 15.2-2204 of the Code of Virginia and Section 802.03, 04 and 05 of the County of Rockbridge Land Development Regulations public hearings will be held by the Rockbridge County Planning Commission on Wednesday, July 8, 2020, at or after 7:00 p.m. in the Meeting Room in the County Administrative Offices, 150 South Main Street, Lexington, Virginia 24450, followed by public hearings by the Board of Supervisors on Monday, July 27, 2020, at or after 6:00 p.m. at the same location to consider the following application: Wendy Orrison, 495 This Way, Natural Bridge Station, Virginia, applying for a special exception permit to develop a primitive campground in the Agricultural and General Uses District (A-2) per Section 603.03-15 of the Regulations. Properties owned by Russell and Laura Orrison, Charles and Karen Orrison, and Michael and Wendy Orrison are located off of Gilmers Mill Lane along the James River approximately .7 miles east of its intersection with Shafer Lane in the Natural Bridge Magisterial District and further identified as Tax Maps 113-11-1/2/3.*

Mr. Slaydon reviewed the zoning of the property and the surrounding properties. He also showed the location of the Orrison properties, and the flood zone determinations on the property. **INSERT PRESENTATION** He reviewed the following proposed conditions: 1) Substantial Compliance with concept plan prepared by Perkins and Orrison dated June 17, 2020. 2) Campground is limited to primitive tent camping only. No motor homes, tow-behind campers (such as pop-up campers, toy haulers, teardrop trailers, stand-up trailers, travel trailers, etc.) or R.V.'s permitted. 3) All users are required to be notified and acknowledge that the campground is within the 100-year special flood hazard area. Campground owner shall utilize the Alert Rockbridge notification system and will provide instructions upon check-in about accessing the Alert Rockbridge System. 4) Campground owners are responsible to ensure that the railroad crossing/stop signage is not obstructed. 5) Campground owners are responsible for installing and maintaining signage identifying eastern and western limits of the campground. 6) The campground will be addressed and install E911 signage. 7) Approval contingent on final VDOT and Health Department approvals, and any required CSX approvals.

Mr. Russ Orrison stated that the conditions that were read are acceptable. He stated they address most of the concerns that can be addressed. He noted the railroad crossing is a private and civil matter that will need to be addressed with other property owners, but is not part of this application. He noted that this is a primitive campground with tents in the field that is farmed. He noted that this is a great site on the river that has just been named part of the James River Water Trail. He noted that there will be no RVs or trailers/

Mr. McLaughlin opened the continued public hearing at 7:22 pm.

Caitlin Perkins, from Wyoming who is relocating back to Virginia. The parcel is owned by her father. She indicated this is a great spot that is safe to put in and out of the river and it is a great opportunity to enjoy this beautiful place.

Mr. Sammy Vest, Property adjoiner, stated his concerns are the trespassing issued, the gate is not monitored, his children have had to run people off their property. The gate was locked and now it is not. He indicated it has always been a pain to get people to stay off private land on the river but the gate helped with that. He noted the boundaries need to be marked clearly but still allow for it to be used as a hayfield. CSX and VDOT need to make sure that this added traffic will be allowed at the current entrance with low visibility. It is their property to use but the safety of his family, friends and property is a concern.

Mr. Slaydon advised that there was one participant via Zoom.

Ms. Audra Upchurch stated that she is a co-owner of the property to the west and reiterated Sammy's concerns about the gate being open and trespassing on their property.

There was not anyone via telephone who wanted to speak.

Mr. McLaughlin closed the public hearing at 7:27 pm

Mr. Slaydon stated that the railroad crossing is a civil issue with the landowners and CSX. The role of the Commission is not to address the civil issues but to address the safety concerns. He noted there is a lack of ability to see the other side of the tracks prior to crossing and there is only one lane. There is already a low volume commercial entrance that was approved by VDOT years ago.

Mr. Orrison noted that VDOT reissued the permit with some improvements that they were willing to make.

Ms. Wendy Orrison thanked all the Commissioners for coming out to the property. She

noted that she met with the Vest's and thought that they had come to an agreement on what would work to mitigate the trespassing. She noted that the private grade crossing is not dangerous because the gravel slows you down. She indicated it is not as dangerous as it has been made out to be. She noted that he has a statement with Rockbridge alert that is setup with Nathan Ramsey. She concluded that she had tired to address all the issues and would like their support of this outdoor recreation in Rockbridge county.

Ms. Hennis stated that there were only two Commission members last month and she would like to hear what the thoughts of the two members are.

Ms. Hines expressed her concerns about the trespassing. She suggested more signage, fencing or something to make it clear. She stated that you can see the railroad crossing clearly when entertaining. She suggested that maybe there be a locked gate to address trespassing concerns like there would be with an Airbnb. Ms. Hines stated that her biggest concern was the neighbors across the street.

Mr. McLaughlin stated that the plan is incomplete at this point and he would like to see the signage clearly indicating the property lines needs to happen first. He noted he was not able to visit the site but he is concerned that anyone can come onto the property now and that need to be address in the plan now as well. He stated that the VDOT and 911 issues have been addressed. He stated that there is a lot a positive going on with camping now and it does provide a service but eh plan is not complete at this time because the concerns of the neighbors need to address.

Mr. Lucas agreed with Mr. McLaughlin. He stated the landowner to the west and across the road will be impacted. He went down and looked at the crossing but there are safety issues with that railroad crossing. He noted that people who cross railroads all the times are used to it but someone who does not cross them might not now how to handle it. Someone with a camper can get hung up. Lack of control of the property could lead to that as well.

Mr. Hennis stated she was worried about the neighbors and the lack of control on the property. She noted a landowner had to call the police for an issue last week and that is her biggest concern.

Mr. I make a Motion that the Planning Commission recommend to the Board of Supervisors that the Special Exception Permit for operation of a primitive campground in the Agricultural and General Uses District (A-2) per LDR Section 603.03-15, on 3 parcels of land located along the James River off of Gilmores Mill Road, and identified as Tax Map #113-11-1 owned by Charles R. and Karen O. Orrison, Tax Map #113-11-2 owned by Russell H. & Laura K. Orrison, and Tax Map #113-11-3 owned by Michael C. and Wendy C. Orrison, in the Natural Bridge Magisterial District, be denied.

Ms. Hines asked if the applicant could come back with something more concrete at a later date if they address the issues.

Mr. Slaydon noted that the Planning Commission has recommended denial and the applicant has the right to move forward to the Board meeting or the applicant can withdrawal the application and work on some of these concerns and reapply.

Mr. Hines stated that she hopes the applicant will withdrawal their application and resubmit at a later date.

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The sixth agenda item was a discussion on zoning text amendments.

Mr. Slaydon advised that he would like to start talking about zoning text amendments from here on. He noted that tonight he would like to talk about additional dwellings on a single lot. He reviewed the language as is. Mr. Slaydon stated that there has been issues in the past when someone wants to have a guest house or in-law/parent suite. Staff would like to discuss provision to the text. He noted that Virginia Beach has clear definition on guest houses, garage apartment and/or accessor units. He noted garage apartments have been an issue because they are considered an accessory structure.

Mr. McLaughlin asked if any of these are in our current definitions and asked that Mr. Slaydon provide details on what Virginia Beach language states.

Mr. Slaydon noted we do not have any of those defined. He then reviewed the definition provided by Virginia Beach.

Mr. Orrison noted that the Golf Course has some incredible plans they are working on to upgrade the course and he urged that the regulations for the special exception. He asked that the language not be too restrictive.

Mr. Slaydon advised that the board has convened full meetings and he asked that the commission follow suit. He noted the safety features that have been put into place. He then discussed meeting by electronic means. He stated that there are rules and regulations regarding this that do not apply to the continuity of government. He noted that will be on the agenda next month as well.

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With no further business to discuss, Mr. McLaughlin adjourned the meeting at 8:12 p.m.

Respectfully Submitted,

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Christopher T. Slaydon  
Secretary