

**HANOVER COUNTY BOARD OF SUPERVISORS
FINAL MINUTES**

**Hanover County Public Schools Board Room
200 Berkley Street | Ashland, VA 23005**

January 22, 2025

VIRGINIA: A regular meeting of the Board of Supervisors for Hanover County was held in the Board Room in the Hanover County School Board Offices on the 22nd day of January 2025 at 6:00 p.m.

Present: Board of Supervisors
 Ms. Susan P. (Sue) Dibble, Chair
 Mr. F. Michael Herzberg, IV, Vice-Chair
 Mr. Sean M. Davis
 Ms. Danielle Grieshaber Floyd
 Mr. Ryan M. Hudson
 Ms. Faye O. Prichard
 Mr. Jeff S. Stoneman
 Staff
 Mr. John A. Budesky, County Administrator
 Mr. Dennis Walter, County Attorney
 Mr. Todd Kilduff, Deputy County Administrator
 Dr. Jay Brown, Deputy County Administrator
 Ms. Lisa McGee, Clerk to the Board
 Ms. Jo Ann Hunter, Senior Director of Community Development and Planning
 Mr. Andrew Pompei, Deputy Director of Planning

I. CALL TO ORDER – 6:00

- A. Mr. Stoneman gave the invocation.
- B. Ms. Prichard led the Pledge of Allegiance

II. CONSIDERATION OF AMENDMENTS TO THE AGENDA

 Mr. Davis made a motion to add item VI .A. 2 - Director of Real Estate Appointment, appointing Mr. Derek Green to that position under the terms and conditions of employment agreed to by the County Administrator and Mr. Green. Ms. Prichard seconded.

	Vote:
Mr. Herzberg – Chair	Aye
Mr. Davis – Vice-Chair	Aye
Ms. Dibble	Aye
Ms. Floyd	Aye
Mr. Hudson	Aye
Ms. Prichard	Aye
Mr. Stoneman	Aye
Motion carried.	

Mr. Davis then moved that the Board accept the request to defer case SE2024-00026 - Pamela Harris to March 26, 2025 as requested by the applicant. Ms. Floyd seconded the motion.

	Vote:
Mr. Herzberg – Chair	Aye
Mr. Davis – Vice-Chair	Aye
Ms. Dibble	Aye
Ms. Floyd	Aye
Mr. Hudson	Aye
Ms. Prichard	Aye
Mr. Stoneman	Aye
Motion carried.	

III. COMMENT PERIOD

A. Chairman and Board Member Comments

- Chairman Herzberg recognize Chief Anderson who was present.
- No other board member offered comments.

B. County Administrator Comments

- Mr. Budesky announced that applications are being accepted for the Spirit of Volunteerism Award and will continue to be accepted through February 10. The recognition ceremony will be held in April and is open to the public. Mr. Budesky encouraged everyone to attend.
- A community meeting was held on January 21, in the Town of Ashland, to take feedback from citizens regarding the future of the Henry Clay Elementary School building. Over 150 people attended. There will be an additional community meeting on February 5 from 5:00 to 7:00 p.m. He shared that the goal of these meetings is to obtain feedback on the long-term use of the facility before making recommendations to the Board. come out to provide feedback. He complimented the citizens who attended or otherwise provided feedback for showing a great deal of interest in the future of this facility.
- Mr. Budesky commented about the seriousness of the weather and concerns for the County residents. The County's Community Services Board, Community Resources, Fire-EMS Department, partners at Town of Ashland, and the faith community have stepped up to assist in providing sheltering needs. A number of individuals have come forward to get shelter from the cold. He thanked all of the partners and staff for their assistance and shared the non-emergency number (804-365-6140). He encouraged anyone that meets an individual without housing to call that number to help get services. He added that the needs across the region are large and all of the regional partners are helping each other provide safe shelter.
- Mr. Budesky shared thanks to the County residents for their patience and understanding as the County and region faced a water crisis earlier in the month. He noted that important work is continuing as the regional partners recognize what caused the issue, what could be done in the short-term, and also looking at long-term options. He added that planning for a self-sufficient water source is a long-term effort and the County has been working towards that for a number of years. Mr. Budesky shared that there is an independent, third-party consultant reviewing and preparing the after-action report.

- Budget season begins February 19 with the County Administrator’s Recommended Budget, followed by additional budget presentations over an approximate two-month period. The goal is for a mid-April adoption. Mr. Budesky shared that the budget is influenced every day from conversations with residents.

IV. PRESENTATION OF PROCLAMATION: RECOGNIZING DAVID LONG FOR 50 YEARS OF SERVICE WITH EASTERN HANOVER VOL. FIRE DEPARTMENT

Mr. Sean Davis, Supervisor, Henry Magisterial District, recognized David Long who has served 50 years with the Eastern Hanover Volunteer Fire Department. Mr. Long led the initiative to provide CPR and AED training to the Hanover Senior Softball League and led the installation of an AED at Pole Green Park. That AED was used on July 31, 2024, saving a life and demonstrating the direct impact of Mr. Long’s leadership and commitment to public safety. Mr. Davis presented Mr. Long with a proclamation of appreciation.

PROCLAMATION

WHEREAS, David Long has exemplified dedication and selflessness in his service to Hanover County for half a century; and

WHEREAS, in 1974, David Long officially joined the Eastern Hanover Volunteer Fire Department, following in the footsteps of his father, Will Long, one of the department's charter members; and

WHEREAS, David Long participated in the first certification programs for Firefighter I, II, and III in Hanover County; and

WHEREAS, David Long played a pivotal role in the establishment of the Eastern Hanover Vol. Fire Department Santa Runs, a cherished tradition, which he continues to lead today; and

WHEREAS, David Long has held numerous leadership roles within the department, including Secretary, Captain, and his current position as Vice President, continuously offering his wisdom and experience to guide the department forward; and

WHEREAS, for the past 15 years, David Long has led the department's annual fund drive, ensuring the continued operational success of the Eastern Hanover Fire Department; and

WHEREAS, David Long, along with his family, was recognized for their commitment to volunteering, being named the Hanover County Volunteer Family of the Year in 2007, and receiving recognition from the Governor of Virginia in 2008; and

WHEREAS, David Long led an initiative to provide CPR and AED training to the Hanover Senior Softball League, and successfully led the installation of an AED at Pole Green Park, which he utilized in an emergency on July 31, 2024, saving a life and demonstrating the direct impact of his leadership and commitment to public safety; and

WHEREAS, David Long’s service has been made possible by the support of his family, including his wife Dianne, daughters Tracey and Courtney, as well as his parents Will and Audrey

Long, and other members of the Long family who have been instrumental in shaping his values of community service; and

WHEREAS, David Long's legacy of service will continue to inspire future generations of firefighters and community leaders to serve with the same passion and dedication.

NOW, THEREFORE, BE IT RESOLVED that the Hanover County Board of Supervisors, on behalf of the citizens, wishes to express its appreciation and congratulations to David Long for his fifty (50) years of outstanding service and dedication to Hanover County, and thank him for his tireless service.

V. **CITIZENS' TIME**

There were no members of the public to speak at Citizens' Time.

VI. **CONSENT AGENDA**

A. Request for Administrative Approval

1. Request for Administrative Approval: Authorization to Advertise Public Hearings on an Ordinance Amendment (Ordinance 24-13): Creation of Historic Village (HV) Zoning District

Summary

There are three areas designated *Rural Village* in the Comprehensive Plan:

- Beaverdam
- Hanover Courthouse
- Montpelier

There is not a specific zoning district that accommodates existing or recommended development within these areas.

Staff have collaborated with the Community Development Committee (CDC) to draft a new zoning district (HV, Historic Village) that could be applied to the villages of Beaverdam, Hanover Courthouse, and Montpelier. The proposed zoning district would accommodate small-scale commercial and residential development, with specific design standards helping ensure new development blends with the character of the surrounding area.

The CDC discussed the ordinance amendment at its meetings in August, October, and November. On November 19, 2024, the CDC recommended authorization for public hearings, with one revision to the draft ordinance (Vote: 3 – 0).

County Administrator's Recommended Motion

Motion to authorize the advertisement of Ordinance 24-13 for public hearings.

2. Request for Administrative Approval: Director of Real Estate Appointment

Summary

County Administration posted the Director of Real Estate Assessments position upon learning of the upcoming retirement of Richard Paul, the current Director of Real Estate Assessments. After a competitive recruitment and consultation with the Board of Supervisors, the County Administrator is recommending that Derek Green be appointed as the Director of Real Estate Assessments. This position is an appointee of the Board of Supervisors with day-to-day supervision provided by one of the Deputy County Administrators.

Mr. Green has over 20 years of experience in the real estate assessment and appraisal field – in both the public and private sectors. For the past 13 years he has

served as Chief Assessor for two localities in Virginia.

County Administrator’s Recommended Motion

Motion to appoint Derek Green as the Director of Real Estate Assessments, under the terms and conditions of employment agreed to by the County Administrator and Mr. Green.

B. Request for Adoption of Resolution

- 1. Request for Adoption of Resolution: Acceptance of Streets into the Secondary System of Highways – Dogwood Meadows Magisterial District: South Anna Summary

Request for Adoption of Resolution: Acceptance of Streets into the Secondary System of Highways – Dogwood Meadows Magisterial District: South Anna

County Administrator’s Recommended Motion

Motion to adopt the attached resolution requesting the Virginia Department of Transportation to accept Dogwood Meadows into the Secondary System of State Highways.

Mr. Davis made a motion to adopt the Consent Agenda as presented. Ms. Floyd seconded the motion.

	Vote:
Mr. Herzberg – Chair	Aye
Mr. Davis – Vice-Chair	Aye
Ms. Dibble	Aye
Ms. Floyd	Aye
Mr. Hudson	Aye
Ms. Prichard	Aye
Mr. Stoneman	Aye
Motion carried.	

VII. PUBLIC HEARING: ORDINANCE 24-11 TO COMBINE HANOVER COUNTY’S EROSION AND SEDIMENT CONTROL AND STORMWATER MANAGEMENT ORDINANCES INTO A SINGLE EROSION AND STORMWATER MANAGEMENT ORDINANCE BY (1) REPEALING CHAPTER 10, ARTICLE I, EROSION AND SEDIMENT CONTROL, CONSISTING OF SECTIONS 10-1 THROUGH 10-17, AND ARTICLE V, STORMWATER MANAGEMENT, CONSISTING OF SECTIONS 10-77 THROUGH 10-92, AND (2) REPLACING THEM WITH A NEW ARTICLE I, EROSION AND STORMWATER MANAGEMENT, CONSISTING OF SECTIONS 10-1 THROUGH 10-21; AND UPDATES TO THE HANOVER COUNTY DRAINAGE DESIGN HANDBOOK

Mr. John Saunders, Deputy Director, Department of Public Works, shared that State Legislators and the Department of Environmental Quality (DEQ) have been working together for over ten years to combine the erosion/sediment control and stormwater management programs. In 2014, current regulations became effective for stormwater management. Under newer leadership at the DEQ, efforts have been made to combine these regulations and update the stormwater management handbook. New regulations took effect on July 1, 2024.

Mr. Saunders discussed overall changes and noted that the technical criteria is not changing. This presentation introduced the new ordinance to establish a combined program. He further discussed benefits of the new handbook, noting that, with it being mobile-friendly, users can access it anywhere. He added that the review of standards and specifications has also opened the opportunity to provide flexibility in use of alternative construction materials for pipes.

Outreach activities have included direct distribution of the proposed ordinance to local developers, engineers, and industry professionals. Earlier in January, a formal meeting was held at Atlee Library with approximately 50 attendees.

In closing, Mr. Saunders noted that the handbook updates outdated references to state regulations and other handbooks, requires minimum separation of engineered level spreaders to downstream receiving channels, contains provisions and guidelines for alternative construction materials, and aligns natural receiving channel protection requirements with state regulations.

There were no questions or comments from Board members. No members of the public were present to speak. Ms. Dibble, as Chair of the Community Development Committee, thanked the Department of Public Works for their work on this ordinance. Mr. Herzberg opened the public hearing. There was no one present to speak in favor or opposition. He closed the public hearing.

Ms. Dibble made a motion to approve Ordinance 24-11 as presented. Mr. Stoneman seconded the motion.

	Vote:
Mr. Herzberg – Chair	Aye
Mr. Davis – Vice-Chair	Aye
Ms. Dibble	Aye
Ms. Floyd	Aye
Mr. Hudson	Aye
Ms. Prichard	Aye
Mr. Stoneman	Aye
Motion carried.	

VIII. PUBLIC HEARING: DISPOSITION AND SALE OF PUBLICLY-HELD REAL PROPERTY - GPIN 7788-52-6309 (PART)

Mr. Todd Kilduff, Deputy County Administrator, provided history to this request, sharing that the County was approached by Northern Lewistown Road Associates, L.L.C. (Lewistown) who owns adjacent to property owned by the County. Lewistown wished to develop their property and in performing due diligence activities, discovered that the County-owned property juts into their property in two locations. The property lies off of Lake Ridge Parkway, across from Bass Pro Shop. Lewistown wishes to purchase that property, totaling 0.127 acres, from the County. Mr. Kilduff clarified that an appraisal has not been requested yet for the county-owned property. The property owned by Northern Lewistown Associates is assessed at \$385,000. Based on that

assessment, the property owned by the County equates to approximately \$19,000. He added that would not necessarily be the asking price of the property.

Mr. Kilduff confirmed that the County has also performed due diligence by contacting the County Attorney's office, the Department of Public Works, and the Planning Department to confirm if there with any development plans for this property. He added that that property, if the sale is approved, would become subject to the Lewistown CDA tax.

No Board members had questions or comments. The Chair opened the public hearing. No one was present to speak in favor or opposition of this action. The Chair closed the public hearing.

Ms. Dibble made a motion to (1) approve the sale of GPIN 7788-52-6309 (part) to Northern Lewistown Road Associates, LLC for the appraised value of the property, and authorize the County Administrator and County Attorney to take all steps necessary to complete the sale. Ms. Prichard seconded the motion.

	Vote:
Mr. Herzberg – Chair	Aye
Mr. Davis – Vice-Chair	Aye
Ms. Dibble	Aye
Ms. Floyd	Aye
Mr. Hudson	Aye
Ms. Prichard	Aye
Mr. Stoneman	Aye
Motion carried.	

IX. PLANNING PUBLIC HEARINGS

Mr. Andrew Pompei, Deputy Director of Planning provided brief descriptions of the following cases:

- A. CUP2024-00015, Hanover County Board of Supervisors (Public Utilities Department)
Requests to amend CUP-15-97, AM. 1-10, in accordance with Section 26-20.11 of the Hanover County Zoning Ordinance, which permitted public facilities, on GPIN 8726-62-7679, consisting of approximately 128.4 acres, zoned A-1, Agricultural District, and located at the terminus of Pole Green Park Lane (State Route 827) approximately 0.65 miles north of its intersection with Pole Green Road (State Route 627). The property is designated on the General Land Use Map as Rural/Agricultural. The amendment would allow for the construction of a vehicle storage building, parking lot, and gravel yard for the Department of Public Utilities. (PUBLIC HEARING) **Magisterial District: Henry**

This request is to amend CUP-15-97, Am. 1-10, which permitted public facilities. The property lies at the terminus of Pole Green Park Lane north of its intersection with Pole Green Road and consists of 128.4 acres. The property is outside of the Suburban Services Area. The Department of Public Utilities is

requesting to amend the CUP associated with a public utility facility (Bruce Center) adjacent to Pole Green Park. This would allow for the expansion of the Bruce Center to include construction of a vehicle storage building, parking lot, and gravel yard to store vehicles and equipment.

The proposed improvements are an expansion of an existing facility; no new uses are proposed. The site is adjacent to Pole Green Park, Pole Green Elementary School, and rural residential uses. The land is designated as Rural/Agricultural. Conditions related to tree preservation and buffering will help ensure compatibility with the surrounding area.

Most of the conditions for this case carry forward from the previously-approved CUP and have been updated to include revised code sections and sketch plan references while others have been removed because conditions address what is otherwise required by ordinance. The following conditions have been added:

- Lighting – 20’ maximum with house side shields
- Bruce Center Garage – substantial conformity with elevations
- Tree Preservation – treeline shown on plan must remain

There were no questions or comments from the Board members. The Chair opened the public hearing. There was no one present to speak for or against this request. The Chair closed the public hearing.

Following a public hearing at which no member of the public spoke, the Planning Commission voted unanimously to recommend approval subject to the conditions and submitted sketch plan. Mr. Davis shared that he had attended a community meeting with Director Matt Longshore. A number of citizens were present and were all in support. Mr. Davis then made a motion to approve CUP2024-00015 – Hanover County Board of Supervisors (Public Utilities Department) as submitted. Ms. Floyd seconded the motion.

	Vote:
Mr. Herzberg – Chair	Aye
Mr. Davis – Vice-Chair	Aye
Ms. Dibble	Aye
Ms. Floyd	Aye
Mr. Hudson	Aye
Ms. Prichard	Aye
Mr. Stoneman	Aye
Motion carried.	

B. REZ2024-00016, Dovell and Williams, L.L.C.

Requests to rezone from B-3, General Business District, to M- 2(c), Light Industrial District with conditions, on GPINs 7787- 74-0991 and 7787-65-9088(part), consisting of approximately 3.99 acres, and located on the north line of Kings Acres Road (State Route 835) approximately 925 feet east of Interstate 95. The subject property is designated on the General Land Use Plan Map as Highway Commercial. The proposed zoning amendment would allow for heavy truck sales at an existing truck dealership. (PUBLIC HEARING) **Magisterial District: Chickahominy**

This request is to rezoning 3.99 acres on the north line of Kings Acres Road, east of Interstate 95 from the current B-3, General Business District, to M-2(c), Light Industrial with conditions. This request would allow an existing truck dealership to sell heavier trucks than allowed in the B-3 district. The property is designated Highway Commercial in the Comprehensive Plan and is within the Suburban Services Area.

The applicant submitted five proffers:

1. Limitations on Uses
2. Enhanced Thoroughfare Buffer
3. Limited to Vehicle Class 7 or lower (no large tractor trailers)
4. Conceptual Plan
5. Monument Signage

The Planning Commission reviewed this request at its last meeting and recommended approval with a vote of 7 to 0. No members of the public spoke during the public hearing.

There were no questions or comments from Board members. Mr. Herzberg opened the public hearing; there was no one to speak in favor or opposition to this request. Ms. Floyd made a motion to approve REZ2024-00016, Dovell and Williams, L.L.C. - Chickahominy District. Mr. Hudson second.

	Vote:
Mr. Herzberg – Chair	Aye
Mr. Davis – Vice-Chair	Aye
Ms. Dibble	Aye
Ms. Floyd	Aye
Mr. Hudson	Aye
Ms. Prichard	Aye
Mr. Stoneman	Aye
Motion carried.	

The following two cases were connected and heard concurrently; separate votes were taken.

C. CUP2024-00019, Virginia Electric and Power Company

Requests a Conditional Use Permit in accordance with Section 26-20.12 of the Hanover County Zoning Ordinance to permit a substation, on GPIN 7893-02-7643(part), consisting of approximately 10.88 acres, zoned A-1, Agricultural District, and located on the east line of Doswell Road (State Route 688) approximately 1,700 feet south of its intersection with Kings Dominion Boulevard (State Route 30). The subject property is designated on the General Land Use Plan Map as Rural/Agricultural. (PUBLIC HEARING) **Magisterial District: Beaverdam**

This request would allow a substation as well as a fence taller than permitted around the substation. The property is zoned A-1 and is located east of Kings Dominion off of Doswell Road. The property is outside of the Suburban Services Area.

The total property is 610 acres; the applicant is proposing subdividing 10 acres for the facility which would correspond with the CUP boundary. The substation is needed to serve a solar energy facility in King William County and will help improve reliability of Hanover County's electrical grid as well. The Special Exception is required because the maximum fence height in an A-1 zoned district is seven feet; the applicant would like the substation security fence to be 12 feet tall.

The location of this proposed substation helps accommodate a large solar facility in the Rappahannock Electric Cooperative transmission line which originates at the existing substation in Hanover County and terminates in King William County. This switching station will allow generation capacity from Sweet Sioux Solar to flow through the existing substation and onto Dominion Energy's transmission grid. This location was proposed by Dominion because of its proximity to the existing substation and Dominion's transmission network.

Surrounding properties are zoned A-1, B-3, and M-2. Most of the area is associated with Kings Dominion and other commercial which transitions to agricultural. Buffering will soften the view from the right-of-way and adjacent properties and traffic will be minimal. The Land Use Designation is Rural/Agricultural.

There are 10 conditions for the Conditional Use Permit request and three for the Special Exception:

Rezoning

1. **Use:** Use of site limited to an electrical substation and accessory uses
2. **Elevations:** Substation will be built in substantial conformity with the elevations
3. **Tree Preservation:** Trees in tree save area will remain
4. **Landscaping:** Buffers will be provided in accordance with the sketch plan
5. **Security Fencing:** 12' fence shown on the plan is only permitted with an SE
6. **Lighting:** Cannot exceed 15' + house side shields will be installed
7. **Planning Inspection:** Prior to operation, site will be inspected by Planning Dept.
8. **Decommissioning:** Should operations cease, owner must dismantle the facility, and the area must be stabilized
9. **Development Regulations:** Development will comply with all regulations
10. **Validity:** Substantial construction must be completed in 3 years or CUP expires

Special Exception

1. **Security Fence:** The fence will be constructed as shown on the Sketch Plan
2. **Validity:** Substantial construction must be completed in 3 years or SE expires
3. **Development Regulations:** Development will comply with all regulations

The Planning Commission reviewed this request at the December meeting and recommended approval with a vote of 7 to 0. No members of the public spoke during the public hearing.

Mr. Stoneman discussed his recent visit to the site and compared this requested 12' fence to another substation in close proximity. The Applicant's representative explained that they have begun using taller fences for security. With no further questions or comments from Board members, Mr. Herzberg opened the public hearing. No one was present to speak in favor or opposition of either the Conditional Use Permit request or the Special Exception. Mr. Herzberg closed the public hearing.

Mr. Stoneman made a motion to approve CUP2024-00019, Virginia Electric and Power Company - Beaverdam District as submitted. Ms. Floyd seconded.

	Vote:
Mr. Herzberg – Chair	Aye
Mr. Davis – Vice-Chair	Aye
Ms. Dibble	Aye
Ms. Floyd	Aye
Mr. Hudson	Aye
Ms. Prichard	Aye
Mr. Stoneman	Aye
Motion carried.	

- D. SE2024-00022, Virginia Electric and Power Company
Requests a Special Exception in accordance with Section 26-336 of the Hanover County Zoning Ordinance to allow a fence taller than permitted on GPIN 7893-02-7643 (part), consisting of acres, zoned A-1, Agricultural District, and located on the east line of Doswell Road (State Route 688) approximately 1,700 feet south of its intersection with Kings Dominion Boulevard (State Route 30). (PUBLIC HEARING)
Magisterial District: Beaverdam

Mr. Stoneman made a motion to approve SE2024-00022, Virginia Electric and Power Company – Beaverdam District. Mr. Hudson seconded the motion.

	Vote:
Mr. Herzberg – Chair	Aye
Mr. Davis – Vice-Chair	Aye
Ms. Dibble	Aye
Ms. Floyd	Aye
Mr. Hudson	Aye
Ms. Prichard	Aye
Mr. Stoneman	Aye
Motion carried.	

The following two cases were connected and heard concurrently; separate votes were taken.

- E. REZ2024-00013, FRHP Lincolnshire, L.L.C.
Requests to rezone from M-2(c), Light Industrial District with conditions, and B-3(c), General Business District with conditions, to M-2(c), Light Industrial District with conditions, on GPIN 7788-68-1448, consisting of approximately 10.0 acres, and located at the terminus of Sunshade Lane (State Route 1328) approximately 675 feet east of its intersection with North Lakeridge Parkway (State Route 782). The subject property is designated on the General Land Use Plan Map as Destination Commerce. The proposed zoning amendment would allow for the development of the property for recreational vehicle sales and service uses. (PUBLIC HEARING) **Magisterial District: Ashland**

This request is to rezoning to M-2(c), Light Industrial District with conditions. A second request is for a Special Exception to permit a second entrance on Sunshade Lane at the terminus of Sunshade Lane, east of North Lakeridge Parkway within Northlake.

The proffers approved in 2012 (C-2-00(c), Am. 1-12) prohibited recreational vehicle sales, display, storage, or rental, new or used, in the portion of the development zoned B-3. The applicant is requesting to rezone the property in its entirety to M-2 to allow RV sales and service, a permitted use in M-2. The Special Exception would allow for more than one point of access on Sunshade Lane. One point of access is permitted for every 200' of frontage and this site has approximately 380' of frontage. In addition, two entrances will allow for improved circulation for RVs traveling to and from the site.

The properties along I-95 are mostly developed for RV or motorcycle sales and services; the adjacent parcel to the north is owned and operated by an associated Camping World dealership. Adding another vehicle sales and service site along I-95 would be compatible with the existing industrial park and the area in general. Landscaping is provided around the perimeter of the property, but additional landscaping may be appropriate adjacent to I-95. The Lane Use Designation is Destination Commerce with recommended zoning districts of B-1, B-2, and B-3. M-2 is not one of the recommended districts but it is the zoning district for most of the parcels in the Northlake Industrial Park.

The applicant proffered six conditions for the Conditional Use Permit:

1. Conceptual Plan
2. Conformity with the Elevations
3. Screening of All Exterior Mechanical Equipment
4. Monument Signage
5. Site Lighting (Maximum 20' w/ house side shields)
6. Stormwater Basins to be Landscaped and Aerated

There are three recommended conditions which are standard with this type of application:

1. **Access:** The two access drives must be constructed and designed as shown on the approved conceptual/sketch plan.
2. **Validity:** The Special Exception is valid for three (3) years from the date of Board of Supervisors approval and thereafter will become null and void unless construction or use is substantially underway. An extension may be granted by the Board of Supervisors prior to the three-year expiration date in accordance with procedures set forth in the Zoning Ordinance.

3. **Development Regulations:** All development and use of the property shall comply with all federal, state, and local statutes, ordinances, and regulations.

There is an outstanding issue regarding the views from I-95. Should the vegetation be cleared along Interstate 95, the view of the site from the interstate will consist of a stormwater detention basin, an RV display area, and a metal building with few architectural details

The Board of Supervisors may wish to consider the need for:

- Landscape screening at the rear of the site next to I-95
- Additional architectural features to the rear façade of the proposed structure

In closing, Mr. Pompei added that the basis for Staff's recommended considerations some of the basis came from the public engagement process for the Comprehensive Plan. This site would be comparable to other commercial uses in the vicinity. The Planning Commission heard this case and recommended approval. No members of the public were present to speak at the public hearing.

Mr. Stoneman questioned one item on the plan sheet that appeared to block one of the entrances. Mr. Pompei explained that those were markings for RV storage. There were no other questions or comments from Board members.

Ms. Prichard made a motion to approve REZ2024-00013, FRHP Lincolnshire, L.L.C. Ms. Floyd seconded the motion.

	Vote:
Mr. Herzberg – Chair	Aye
Mr. Davis – Vice-Chair	Aye
Ms. Dibble	Aye
Ms. Floyd	Aye
Mr. Hudson	Aye
Ms. Prichard	Aye
Mr. Stoneman	Aye
Motion carried.	

- F. SE2023-00019, FRHP Lincolnshire, L.L.C.
Requests a Special Exception in accordance with Section 26-337 of the Hanover County Zoning Ordinance to permit two entrances along the property's frontage on GPIN 7788-68-1448, consisting of approximately 10.0 acres, zoned M-2(c), Light Industrial District with conditions, and B-3(c), General Business District with conditions (pending request to rezone to M-2(c), Light Industrial District with conditions with REZ2024-00013), and located at the terminus of Sunshade Lane (State Route 1328) approximately 675 feet east of its intersection with North Lakeridge Parkway (State Route 782). (PUBLIC HEARING) **Magisterial District: Ashland**

Ms. Prichard made a motion to approve SE2023-00019, FRHP Lincolnshire, L.L.C. Ms. Floyd seconded the motion.

	Vote:
Mr. Herzberg – Chair	Aye
Mr. Davis – Vice-Chair	Aye
Ms. Dibble	Aye
Ms. Floyd	Aye
Mr. Hudson	Aye
Ms. Prichard	Aye
Mr. Stoneman	Aye
Motion carried.	

G. REZ2024-00020, Santee Farm, Inc.

Requests an amendment to the proffers and conceptual plan approved with rezoning request C-13-07(c), Am. 1-13, Santee Farm, Inc., on GPINs 8756-62-9173(part), 8756-63-5452(part), 8756-61-3583, 8756-60-0445, 8756-61-7220(part), and 8756-71-9930, consisting of approximately 168.79 acres, zoned RC(c), Rural Conservation District with conditions, and located on the north line of Old Church Road (State Route 606) approximately 1,200 feet east of its intersection with Old Coach Trail (private road). The property is designated on the General Land Use Plan Map as Rural/Agricultural. (PUBLIC HEARING) **Magisterial District: Cold Harbor**

This is a request to amend the proffers and conceptual plan on a previously-approved subdivision that is zoned RC, Rural Conservation with conditions and is located off of Old Church Road. The property, known as Santee Farm, was originally approved for RC zoning in 2008 which allowed the creation of 27 building lots on 28 acres. The remaining acreage was left in conservation as part of a preservation lot and common open space.

There have been amendments to the proffers since the 2008 rezoning including a reduction in the cash proffer amount that goes towards roads and transportation. The current request includes:

- Reduction the length of pedestrian paths on the conceptual plan
- Dividing the subdivision into two phases with changes to the open space
- Elimination the cash proffer for road improvements

The applicant submitted a revised conceptual plan, dated January 21, proposing two gazebos – one in each section at the entrance near the trail network. The revised conceptual plan does not specify the pedestrian trail width or material but the applicant has indicated that it would be a 6-foot mulch trail. Staff recommends that any motion include the noted trail.

When this case was originally improved in 2008, a cash proffer in excess of \$14,000 was accepted. In 2013 the cash proffer was amended to \$2,306. In accordance with the current policy, the applicant is proposing to eliminate the cash proffer. The County no longer requires an analysis of potential financial contributions for residential cases with 40 or more lots. This development includes 27 building lots, falling outside of the County's current cash proffer policy.

The applicant proffered the following:

1. Tree Preservation
2. Deep Wells
3. Right-of-way Dedication (**Increased from 30' to 63.5' along Old Church Road**)
4. Minimum Dwelling Size of 2,600 Square Feet

Following staff's presentation, Mr. Herzberg spoke regarding the addition of the gazebos which he had suggested and the applicant agreed to pay for them. He added that the original plan for the trail included placement along the back property lines of the building lots. The submitted conceptual plan reflects the trail being relocated. Mr. Herzberg confirmed with Mr. Pompei that the roadways will be built to Virginia Department of Transportation standards.

With no further questions or comments from Board members, Mr. Herzberg opened the public hearing. There was no one to speak in favor or opposition to the request and he closed the public hearing.

Mr. Herzberg explained that this request is not a rezoning; it is an amendment to the plan that was approved in 2008. He made a motion to approve REZ2024-00020, subject to the conceptual plan dated January 21, 2025, and proffers dated December 19, 2024. Mr. Davis seconded the motion.

	Vote:
Mr. Herzberg – Chair	Aye
Mr. Davis – Vice-Chair	Aye
Ms. Dibble	Aye
Ms. Floyd	Aye
Mr. Hudson	Aye
Ms. Prichard	Aye
Mr. Stoneman	Aye
Motion carried.	

H. REZ2024-00014, Belinda and Charles Flournoy

Request to rezone from A-1, Agricultural District, to RM(c), Multi-Family Residential District with conditions, on GPIN 7788-97-6309, consisting of approximately 7.02 acres, and located on the southwest corner of the intersection of Virginia Crane Drive (State Route 821) and Ashcake Road (State Route 657). The subject property is designated on the General Land Use Plan Map as Suburban Neighborhood Residential (1.5 to 3.0 dwelling units per acre). The proposed zoning amendment would permit the creation of forty-one (41) attached and detached homes. (PUBLIC HEARING) **Magisterial District: Ashland**

This proposed development in the Brown Grove community is within the Suburban Services Area. The Land Use Designation is Suburban Neighborhood (1.5 to 3.0 dwelling units/acre) with a mix of zonings and is not consistent with the Comprehensive Plan.

The proposal addresses the Plan's recommendations for the Brown Grove Rural Historic District including:

- Landscape buffers are provided
- Single-family homes are oriented towards Ashcake Road
- Proposed homes are comparable in scale and include features similar to existing homes
- A mix of housing options, including single-family attached and detached
- Pedestrian trails are provided along Ashcake Road and Virginia Crane Drive

The site is adjacent to industrial and single-family residential uses. Site design and proffers address this transitional location. The development would include:

- *Homes:* 36 one and two-story townhomes, 4 detached homes, and existing home to remain
- *Landscaped Buffers:* 50' along Ashcake Road and 25' along Virginia Crane Drive
- *Open Space:* 2.91 acres (1.4 acres required)
- *Trails:* 5' wide asphalt pedestrian trails within open space and buffers
- *Recreation:* Exercise stations and a multi-purpose ball field

The applicant completed a turn lane warrant analysis which found that turn lanes were not warranted. The Historical Commission reviewed this request at their October 2004 meeting and determined, based on the National Park Service report, that there would be no negative impacts to the community.

The proffers include:

- A. Brick or Stone Foundations
- B. Front Facades on Detached Units Oriented Toward Ashcake Road
- C. Disclosure of Proximity to Hanover County Airport and Industrial Operations

- D. Recreational Amenities Bonded with Section 1
- E. Enhanced Thoroughfare Buffer
- F. Consistency in Fence Type for Lots Along Virginia Crane Drive
- G. Right-of-Way Dedication Along Ashcake Road and Virginia Crane Drive
- H. Lighting (on the rear of units 22 – 41) must include house side shields or glare shields, whichever is most effective

The proposed project density of 5.84 dwelling units per acre is not consistent with the Comprehensive Plan, which shows this area for Suburban Neighborhood Residential (1.5 – 3.0 dwelling units per acre). However, the proposed density allows the developer to provide homes comparable in size to those in the surrounding area of this project as well as limits future industrial development in the Brown Grove community, which has been identified as a historically sensitive community in the Comprehensive Plan. In addition, the proposed use could also provide a transition from industrial uses to adjacent residential areas.

There is a mix of housing options as a comprehensive plan recommends for this area. This is one of the County's targeted pedestrian bicycle focus areas where we encourage pedestrian bicycle infrastructure and not only their sidewalks within the development. There are pedestrian trails along Ash Cake Road and Virginia Crane Drive.

The Planning Commission reviewed this request. There were two people speaking in favor and one speaking in opposition at the public hearing. The Planning Commission voted 6:1 to recommend approval of this application.

Mr. Herzberg opened the floor for comment from the applicant.

- Ms. Natina Hodges, Development Coordinator with Rogers Chenault, described the project. She added that there is residential use along Ash Cake Road and industrial use located on the southeast side of Virginia Crane Drive. Ms. Hodges recognized and shared appreciation to the Brown Grove community to meet and provide feedback on the project which impacts their community, adding that the feedback they received helped them design a plan that respects the residential character of the Brown Grove community and the compatibility of the area and options for reasonable priced housing. She added that this development includes 41 lots - 36 townhome units and 5 detached houses. One of the five detached houses is the existing home on the property. The applicant plans to resell that as part of the subdivision. Continuing, Ms. Hodges discussed attributes to the development.

Mr. Davis questioned Ms. Hodges regarding the previous opposition by the Brown Grove community to a landfill in close proximity and questioned the

progression from that opposition to the favor of the community for this project. Ms. Hodges replied that they were approached by the property owner originally and they were very informed of the issue with what was planned originally. She added that they discovered the community itself really wanted something residential. With no further comments or questions from Board members, Mr. Herzberg opened the public hearing.

- Mr. Alonzo Dendy – Ashland Magisterial District – spoke in favor of the development, adding that community members would welcome new families.
- Ms. Renata Harris – Ashland Magisterial District – spoke on behalf of the Brown Grove Preservation Group to advocate for the rezoning and the development of the Brown Grove Villas. She added that the project is about more than building houses; it is about unlocking the potential of the Brown Grove community, and how it can be a vibrant place to be. She added that this rezoning would offer the community well-constructed homes with modern amenities which would improve the overall aesthetic of the community. The new housing options would attract young families and professionals. It would create a sense of community pride and belonging, and the development of the Brown Grove Villas would necessitate the upgrades to local infrastructure, such as the roads, the utilities, and it would benefit the entire community.
- Ms. DeShonda Artis – Beaverdam Magisterial District – spoke on behalf of the Hanover County NAACP in support of the development.
- Ms. Renata Harris – Beaverdam Magisterial District – spoke in support of the rezoning and added that it will be a positive addition to the community.
- Mr. Bob Nelson – Ashland Magisterial District – spoke in opposition, citing the conflict with the Comprehensive Plan.

Ms. Hodges offered no comments in rebuttal. Mr. Herzberg closed the public hearing.

Ms. Prichard shared her support for the development and commented. She added that she has spoken with several people in the Brown Grove community about this proposal. She noted that one of the issues identified by staff is that the requested density of this project exceeds what is called for in the Comprehensive Plan. She added that, following her review of the case and hearing from affected residents, the proposal seems appropriate even with a higher density. Ms. Prichard acknowledged that the Comprehensive Plan is an important part of the County's land use planning and decisions. I can say I enthusiastically, a thousand percent support a development. Continuing, she added that one of the ways that the Board ensures that the County can do this is to establish density guidelines. The number of people in an area, and how the population is dispersed throughout

the county is essential for the Board to be able to plan for and provide those services. The Board takes those density guidelines very seriously. She added that the Board denied a request approximately one year ago in the Mechanicsville Magisterial District for an age-restricted apartment complex that exceeded the maximum density range. The Board decided that the extra dwelling units there would impact the community and put a strain on public service. She shared that density guidelines are not a hard and fast inflexible rule they are meant to guide development. But the comprehensive plan is not a zoning ordinance. In contrast, there have been situations in which properties fit within a recommended density range, but was found to not be appropriate. This proposal is for a density of 5.8 dwelling units per acre and she indicated that she has determined that there are good reasons not to strictly follow the density guideline. She shared that she is committed to this project and to the Brown Grove community. Continuing, she shared that, with Brown Grove's location, it is important to look at what has already developed in that area and how the remaining properties are likely to develop. Most of the properties are owned by descendants and family members of the founders of Brown Grove with deep, long-term ties to this area, and have largely built out their properties. She added that this development will not overwhelm the transportation network, the schools, public safety, or any other public services that are provided in the area. Further, she added that staff has not indicated that this proposal would impact the design or functionality of the roundabouts that are proposed in the area on both sides of the property along Ash Cake Road.

Ms. Dibble spoke regarding school bus pick up for children. She added that this matter needs to be included in the site plan. Mr. Stoneman concurred with Ms. Dibble's comments. Board members discussed the importance of the Comprehensive Plan and the possibility of having a Comprehensive Plan Amendment to be associated with this case.

Ms. Prichard made a motion to defer REZ2024-00014, Belinda and Charles Flournoy for two months. Ms. Floyd seconded the motion. Ms. Prichard added that she would like to direct staff to develop a Comprehensive Plan Amendment.

	Vote:
Mr. Herzberg – Chair	Aye
Mr. Davis – Vice-Chair	Aye
Ms. Dibble	Aye
Ms. Floyd	Aye
Mr. Hudson	Aye
Ms. Prichard	Aye
Mr. Stoneman	Aye
Motion carried.	

- I. SE2024-00018, Jacki Noel Melton and Dennis Wayne Melton, Jr.
Request a Special Exception in accordance with Section 26-21.3 of the Hanover County Zoning Ordinance to permit a commercial dog kennel on GPIN 8737-10-9119, consisting of approximately 5.1 acres, zoned A-1, Agricultural District, and located at the terminus of Studley Farms Lane (State Route 1625) approximately 1,000 feet west of its intersection with Studley Farms Drive (State Route 700).
(PUBLIC HEARING) Magisterial District: Henry

This request is to allow a commercial dog kennel on Studley Farms Lane. The kennel, offering day and overnight boarding, has been operating since 2017 without a license. The property lies outside of the Suburban Services Area in an area designated as Rural Agricultural.

A community meeting was held in December and several concerns were raised by those in attendance. Some concerns raised include the appropriateness for the residential character of the area, traffic, escaped dogs, possible attacks on neighbors, and property values. In addition, there was a petition with 30 signatures of nearby residents. Mr. Pompei added that there were also emails received in support of this request.

Staff recommends eight conditions:

1. **Number of Dogs:** Cannot exceed 20
2. **Pick Up/ Drop Off Times:** Not permitted between 8 p.m. and 7 a.m.
3. **Outside Hours:** Dogs are not permitted outside between 10 p.m. and 7 a.m.
4. **Tree Preservation:** Treeline shown on the plan must remain
5. **Fence:** The 6 ft. privacy fence must be constructed as shown on the plan
6. **Parking Area:** Employee parking space must be marked
7. **Final Inspection:** Planning Dept. must inspect the property within 90 days of approval to ensure site is in conformance with approved sketch plan
8. **Compliance with All Regulations:** All development must comply with regulations

Mr. Davis read the following statement:

The State and local government Conflict of Interest Acts provides for when elected officials are disqualified from participating in matters for the record. The attorney for this case is Mr. Jim Driggs, attorney at law here in Hanover County, and Mr. Driggs is also my attorney and one of my business interests.

With that I do not have any financial interest in or connection with the applicant in this zoning case, nor do I have any financial interest with the attorney's firm. I merely hire him to do work for me as any person can. I have verified with the county attorney that this work relationship is not a conflict under State law.

I have also considered what impact that working relationship has on my review of this case, and I have determined that it does not impact my ability to be involved in this case, and I can consider this request fairly, objectively and in the public interest, while there is no conflict and a public declaration of my working relationship with Mr. Drakes is not required. I think it is in the public interest that I disclose it, so that my work and, more importantly, the work of the Board is not put into question. With that, said I will be participating in discussion, consideration and vote on this matter.

The Chair requested that the applicant come forward and deliver their presentation.

Ms. Jackie Melton and her husband, Dennis Walton Melton, Jr. came forward to discuss their application. She noted that it was brought to their attention over the summer of 2024 that a permit was required. Until that time, they were unaware of any complaints. She added that as soon as they learned of the necessity, they started the application process. Ms. Melton shared the history of their business. She shared photos of the property and existing facilities. Ms. Melton added that they have no plans to remove any of the existing trees.

Mr. Herzberg announced that, due to the number of guests wishing to speak regarding this case, time would be limited to 3 minutes. He then opened the public hearing.

Speaking in favor:

- Mr. Bill Todd – Cold Harbor Magisterial District
- Ms. Linda Atkinson - Henry Magisterial District
- Mr. John van Neymen – Henry Magisterial District
- Unnamed – resident of King William County
- Mr. Jeff Waters – Ashland Magisterial District
- Mr. Travis Abert – Beaverdam Magisterial District
- Mr. Douglas Malpin – Henry Magisterial District
- Mr. Jim Defor – Beaverdam Magisterial District

- Ms. Lauren Palino – Henry Magisterial District
- Mr. Michael Allen – Henry Magisterial District
- Ms. Sarah Ashworth – Mechanicsville Magisterial District
- Ms. Lauren Connolly – Chickahominy Magisterial District
- Ms. Dawn Parent – Cold Harbor Magisterial District
- Mr. John Paolino – Henry Magisterial District
- Ms. Samantha Hudgens – Henry Magisterial District
- Mr. Rob Willhoy – Chickahominy Magisterial District
- Ms. Linda Malpin - Henry Magisterial District

Speaking in opposition:

- Mr. Andy Foxwell – Magisterial District not identified
- Ms. Carol Longest – Magisterial District not identified
- Ms. Marla Coleman – Magisterial District not identified
- Mr. Joe Bowles – Magisterial District not identified
- Mr. John Headley – Henry Magisterial District
- Mr. Ned Coleman – Henry Magisterial District
- Ms. Ellen Headley – Henry Magisterial District
- Mr. Kevin Headley – Magisterial District not identified; son of property owners adjacent to kennel

With no further members of the public wishing to speak, Mr. Herzberg closed the public hearing and turned the floor over to Vice-Chair Davis. The Meltons offered no rebuttal.

Mr. Davis thanked everyone who spoke in favor or opposition of this request. He shared that he had attended a community meeting. Continuing, Mr. Davis shared that there is no question that this is a “great” business. He added that Hanover County does want this business. The question before the Board is one of land use. There are certain criteria. Mr. Davis continued, noting that it is evident that these people who use the business like the business. He shared that the question before the Board was whether the business was an appropriate use and whether the Board will grant an exception to operate a kennel in a residential setting.

He addressed the restrictive covenants which were brought up at the community meeting and have expired. He added that even if the covenants were current, the Board is not bound by them. He noted that he had reviewed the covenants that were in place at the time the business began operation. Mr. Davis referenced the covenants as a historical document that showed the desire of the founding developers and homeowners. He added that the Board has to act on the fact that this business operation falls under a lack of compliance with zoning

regulations.

Mr. Davis made a motion to deny SE2024-00018, Jacki Noel Melton and Dennis Wayne Melton, Jr. Ms. Dibble seconded the motion. Mr. Stoneman spoke regarding his business and noting the he would abstain from voting due to a perceived conflict of interest. The Chair called for the vote:

	Vote:
Mr. Herzberg – Chair	Aye
Mr. Davis – Vice-Chair	Aye
Ms. Dibble	Aye
Ms. Floyd	Aye
Mr. Hudson	Aye
Ms. Prichard	Aye
Mr. Stoneman	Abstain
Motion carried.	

J. ~~SE2024-00026, Pamela Harris~~

Deferred to March 26, 2025 during Agenda Item II - Amendments to Agenda

Requests a Special Exception in accordance with Section 26-21.18 of the Hanover County Zoning Ordinance to permit a contractor's equipment storage yard on GPIN 7748-99-3670, consisting of approximately 3.92 acres, zoned A-1, Agricultural District, and located on a private drive, approximately 1,400 feet west of its intersection with Greenwood Road (State Route 625), which is approximately 0.4 miles south of its intersection with Ashland Road (State Route 623). (PUBLIC HEARING) **Magisterial District: South Anna**

K. ORDINANCE 24-09, Short Term Rentals

An ordinance to amend the Hanover County Code, Chapter 26, Zoning Ordinance, Section 26-6, to add definitions of "short-term rental," "short-term rental, owner-occupied," and "short-term rental, non-owner-occupied" and to amend Sections 26-19, 26-21, 26-34, 26-36, 26-44, 26-46, 26-58, and 26-60 to allow *short-term rental, owner-occupied* as a permitted accessory use and to allow *short-term rental, non-owner-occupied* with approval of a special exception in the A-1 Agricultural District, the AR-6 Agricultural Residential District, the RC Rural Conservation District, and the RS Single-Family Residential District and, by reference, in the R-1, R-2, R-3, R-4, AR-1, and AR-2 zoning districts, subject to use-specific standards established in proposed new Section 26-300.1. (PUBLIC HEARING)

Ms. Jo Ann Hunter, Senior Director of Community Development and Planning, introduced the short-term rental ordinance amendment. She shared that there has been some confusion among the citizens that the County is proposing legislation to provide additional restrictions. Currently short-term rentals are not allowed anywhere in the County. This ordinance amendment would give additional rights if someone, if approved, to operate a short term rental.

Ms. Hunter explained that a short-term rental is the provision of a room or

space for sleeping or lodging purposes. Most importantly, this is for periods of 30 days or less in exchange for a charge for occupancy. This would not impact people who want to rent out their home, or a room for 12 months or on a month-to-month basis. She added that this may include the entire home, an accessory structure, a garage, or barn facility.

Continuing, Ms. Hunter shared that there have been 11 property owners in the county identified who were operating short-term rentals that we were notified through a complaint basis process and they were cited with violations. They have corrected the violation. Hanover is one of the few localities in the region that does not have a short term rental ordinance.

During the time Hanover County has been reviewing and rafting this ordinance, legislation at the state level has changed. The legislation now indicates that any locality may establish a short-term registry and require operators to register annually. It is not a requirement. The biggest change was that if any locality adopts a short-term rental after December 31, 2023, the County cannot require a special exception or a conditional use permit for a property. In addition, the Attorney General made an opinion regarding agritourism. Agritourism is very widely defined primarily as any activity carried out on a farm or ranch for recreational entertainment or educational purposes. Short-term rentals are permitted by right as an agritourism activity.

There are three provisions of the ordinance under review:

1. Add definitions
2. Identify where different types of short-term rentals are permitted (either by-right or with approval of a special exception)
3. Establish use standards

The short-term rental definition has been established by the State. There are two subsections to that definition:

- Short-term rental owner occupied
- Short term rental non owner occupied

No Ordinance Amendment: All Short-Term Rentals Prohibited (Except Agritourism)
 If an ordinance amendment is initiated, options below align with State Code provisions:

Type of Short-Term Rental	Options	Use Standards
Owner-Occupied Property	1. Allow by right 2. Allow by right in specific locations of the County 3. Prohibit Countywide	Can be with or without standards
Non-Owner-Occupied Property (Investor owned)	1. Allow by right 2. Allow by right in specific locations of the County 3. Prohibit Countywide	Can be with or without standards
Special Exception Recommended	4. Allow based on a case-by-case review through CUP or SE process	

The Planning Commission and Community Development Committee reviewed options that could be considered regarding location of short-term rentals.

Options Considered by CDC + Planning Commission

- Allow within the Suburban Service Area
- Allow outside the Suburban Service Area
- Allow on A-1, Agriculture properties only
- Prohibit in Repealed Residential Districts (R-1, R-2, R-3, etc.)
- Prohibit in RS
- Prohibit in approved subdivisions
- Allow only on properties over 5 acres or greater
- No location criteria needed if a CUP or SE

The Planning Commission recommended the following:

- Add *short-term rental, owner-occupied* with standards as a permitted accessory use in all agricultural and single-family residential districts
- Add *short-term rental, non-owner-occupied* with standards as a special exception in all agricultural and single-family residential districts

Short-term rental standards were established as follows:

Short-term rental, owner-occupied

- a. Must certify occupancy at least 185 days per year and provide proof of principal residence
- b. Parking space requirements – one space per bedroom and must be parking in driveway or areas designated for parking
- c. Respond to issues and complaints within 60 minutes required
- d. Limits number of occupants to twice the number of bedrooms (max. occupancy of 10 or max. of septic system whichever is less)
- e. No other commercial uses permitted on site
- f. Prohibition against renting to minors
- g. Check-in/check-out are not permitted between 11:00 p.m. and 7:00 a.m.
- h. Smoke detectors, fire extinguishers, and other safety equipment required
- i. Posting of pertinent information – contact information, trash, noise ordinance
- j. Number of pets must be in compliance with the County Animal Code
- k. Owner must keep records of rentals for 2-year period
- l. Limitation to one short-term rental per GPIN or parcel
- m. Prohibition against renting to undocumented immigrants

Short-term rental, non-owner-occupied

Same standards as short-term rental, primary residence with the following changes:

- No requirement to certify proof of principal residence
- Annual Registry required
 - Some questions/concerns regarding the Code language that those that are already licensed don't need to register which includes those licensed by the Real Estate Board, Registered to the Virginia Real Estate Time-Share Act, Department of Health of registered through the locality through another method
 - Purpose of registry is to be able to obtain contact information
 - Would still need to meet all requirements of short-term rental ordinance except for registry

Staff opened a 30-day window for public feedback. In summary, the feedback showed support and opposition:

Why Support?

- Provides temporary housing
- Generates income for residents/owners (including farmers/large rural landowners)
- Promotes investment in neighborhoods
- Supports tourism
- Expressed general support for the use (no specific rationale)
- Expressed general support for the use with limitations to minimize negative impacts
- Expressed general support as a neighbor to an existing short-term rental (experienced no negative impacts)

Why Opposed?

- Impacts/reduces housing affordability
- Creates noise
- Creates safety concerns (transient visitors)
- Creates traffic concerns on rural roadways
- Expressed general opposition for the use (no specific rationale)

The Community Development Committee discussed the ordinance amendment at meetings from August 2023 through May 2024. The recommendation from the CDC (May 21, 2024) was "All types of short-term rentals be permitted by-right in all residential zoning districts, with no registry requirements and no specific use standards." This recommendation carried with a vote of 2:1.

Public comment was received by the Planning Commission at three separate meetings:

Planning Commission Public Hearing #1 (July 18, 2024)

- 7 Speakers
 - Support: 6 speakers
 - Oppose: 1 speaker

Planning Commission Public Hearing #2 (September 19, 2024)

- 2 Speakers
 - Support: 2 speakers
 - Oppose: None

Planning Commission Public Hearing #3 (November 21, 2024)

- 3 Speakers
 - Support: 2 speakers
 - Oppose: 1 speaker

The Chair opened the floor for comments and questions from Board members. Mr. Hudson questioned what would prevent someone from doing a 30-day lease repeatedly. Ms. Harris was unaware of any restriction on that from private renters. She added that renters using a platform (example: AirBnB) would most likely pay additional fees. Ms. Floyd shared that she is in agreement with Mr. Hudson's concerns and sharing that she is not pleased with the recommended restrictions. Mr. Hudson questioned if the Fire and EMS Department and the Sheriff's Department were consulted to see if they have identified any correlation in calls for service at short-term rental locations. Ms. Harris explained that she does not know how staff in those departments would know other than the ones that were cited if there is a short-term rental or not when they respond to a call. She shared that the Sheriff's Department recommended that Hanover County model its ordinance after Henrico counties. Ms. Dibble questioned the definition of family as it is used in the ordinance. Mr. Davis noted that, generally speaking, the County uses a state code definition of family familial status. Ms. Harris shared that the ordinance does define family as an individual or 2 or more persons who are related by blood, marriage, adoption, or legal guardianship.

The Chair opened the public hearing:

- Mr. Harry Sadler – Beaverdam Magisterial District – spoke in support of this ordinance on short-term rentals. Mr. Sadler shared that if the County is going to regulate short-term rental, it should regulate long-term rentals as well. He added that short-term rentals are places that people and their family can bring their families and stay and enjoy. It brings in revenue through sales and taxes.
- Ms. Deshonda Artis – Beaverdam Magisterial District – spoke in favor of short-term rentals. She added that it would be an asset to the county. She shared that the County has the big companies coming in and benefiting from

Hanover County and should have small companies as well. She added that she stays in short-term rentals.

- Ms. Diana Sadler – Beaverdam Magisterial District – Ms. Sadler identified as an short-term rental provider. She noted they rent through AirBnB and are required to maintain fire extinguishers, smoke detectors, and carbon monoxide detectors. If you are reported for not having those you are taken out of the platform. There are certain standards that have to be maintained for cleanliness.

There was no one to speak in opposition. Mr. Herzberg closed the public hearing.

Due to the time, Mr. Davis made a motion to extend the Board of Supervisors meeting to no later than 11:30 p.m., unless another additional motion is required. Ms. Prichard seconded the motion.

	Vote:
Mr. Herzberg – Chair	No
Mr. Davis – Vice-Chair	Aye
Ms. Dibble	Aye
Ms. Floyd	Aye
Mr. Hudson	Aye
Ms. Prichard	Aye
Mr. Stoneman	Aye
Motion carried.	

Mr. Davis clarified that the ordinance before the Board is for the purposes of reviewing and approving short-term rentals. A vote for the ordinance would allow short-term rentals; a vote against it would be to prohibit short-term rentals. Board members continued discussion of the ordinance. Ms. Dibble added that she recognizes that short-term rentals have a place in the community but does not feel that they should be allowed in residential subdivisions without a special exception. In addition, any existing covenants would need to be submitted at the time of the application. Ms. Prichard shared her concern regarding protecting existing residents. She added that she supports owner-occupied by right and agricultural by right. She added that if it is non agriculture, non-owner occupied, a special exception should be required. Mr. Herzberg described correspondence and phone calls he has received regarding their experiences with a short-term rental operating in their neighborhoods.

Ms. Dibble made a motion as the chair of the Community Development Committee to adopt Ordinance 24-09 – Short-Term Rentals as presented with the following amendments:

- any short-term rental proposed in a residential subdivision will

require a special exception notwithstanding state code

Within the special exception process, any restrictive covenants will be submitted with that application. Ms. Prichard seconded the motion.

	Vote:
Mr. Herzberg – Chair	Aye
Mr. Davis – Vice-Chair	Aye
Ms. Dibble	Aye
Ms. Floyd	Aye
Mr. Hudson	No
Ms. Prichard	Aye
Mr. Stoneman	Aye
Motion carried.	

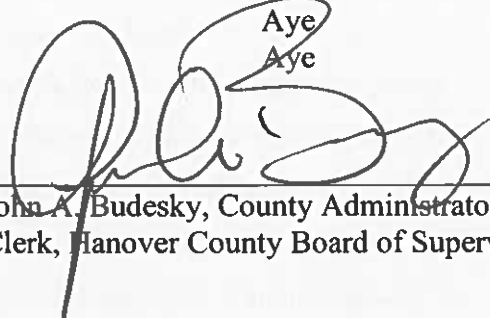
X. ANNOUNCEMENTS

XI. ADJOURNMENT TO 2:00 P.M. WEDNESDAY, FEBRUARY 12, 2025 IN THE BOARD ROOM OF THE HANOVER COUNTY ADMINISTRATION BUILDING, 7516 COUNTY COMPLEX ROAD, HANOVER, VIRGINIA.

On motion of Mr. Sean Davis, seconded by Ms. Faye Prichard, the members of the Board of Supervisors voted to approve these Minutes as follows:

	Vote:
Mr. Herzberg – Chair	Aye
Mr. Davis – Vice-Chair	Aye
Ms. Dibble	Aye
Ms. Floyd	Aye
Mr. Hudson	Aye
Ms. Prichard	Aye
Mr. Stoneman	Aye

Dated: February 26, 2025



 John A. Budesky, County Administrator
 Clerk, Hanover County Board of Supervisors