

BOARD OF SUPERVISORS  
 COUNTY OF MADISON  
 PROPOSED SUPPLEMENTAL APPROPRIATION  
 DATE: 6/12/24

**FY2024**

**PURPOSE:** Toppings Fund -Animal Shelter Fence Replacement

Type of Supplement
Interdepartmental transfer (same fund)
Interfund transfer
Revenue/Expense offset
Use of contingency
<input checked="" type="checkbox"/> Other use of fund balance not in original budget

Gl	Account Type	Fund Name	Department	Object Code/Source School Code/Source	Debit	Credit
1212-0000-00-00000-499999-0000-000000-0000	R	Toppings	Non-departmental	Accumulated Fund Balance		
1212-2360-03-35120-80000-0000-000000-0000	E	Toppings	Animal Shelter	Capital Outlay - Fencing	11,650.00	11,650.00
					<b><u>11,650.00</u></b>	<b><u>11,650.00</u></b>

**Amount for Board to vote on**

Note: A debit charged to a budgeted expense line increases the appropriated expense; a credit charged to a budgeted expense line item decreases the appropriated expense. A credit charged to a budgeted revenue line item increases the anticipated revenue available.

Upon approval by the Board of Supervisors, the County Administrator shall forward a signed copy of the proposed supplement appropriation to the County Finance Director.

*6/12/24*  
 Jonathon R. Wakley, County Administrator

*6/12/24*  
 Date

FY2024 Proposed Supplemental Appropriation#17\_06122024



**Agenda  
Joint Meeting  
Madison County Board of Supervisors  
Wednesday, June 5, 2024 at 7:00 PM  
Admin. Building Auditorium, 414 North Main  
Street, Madison, Virginia 22727**

**Call to Order**

**Determine Presence of a Quorum/Adoption of Agenda**

**Public Comment**

**Public Hearings**

**New Business**

1. Review proposed amendments to Appendix 1 (Zoning Ordinance), Article 14-9 (Minimum Off-Street Parking) – Planning & Zoning Administrator
2. Review proposed amendments to Appendix 2 (Subdivision Ordinance), Article 7-1 (Filing Requirements) – Planning & Zoning Administrator
3. Review proposed amendments to Appendix 1 (Zoning Ordinance), Article 20 (Definition-Automobile Graveyard) – Planning & Zoning Administrator
4. Review proposed amendments to Appendix 1 & 2 (Zoning & Subdivision Ordinances), Boundary Line Adjustment(s) – Planning & Zoning Administrator
5. Topping Committee Funding Request – County Administrator

**Information/Correspondence**

**Public Comment**

**Closed Session**

**Adjourn**

## **MADISON COUNTY BOARD OF SUPERVISORS MEETING**

Date: 7:00PM — Wednesday, June 5, 2024

Location: Admin. Building Auditorium, 414 N. Main Street

### **MEETING #23 — June 5th**

At a Joint Meeting between the Board of Supervisors and the Planning Commission on Wednesday, June 5th at 7:00PM in the Admin. Building Auditorium:

**PRESENT:**

R. Clay Jackson, Chair  
Carty Yowell, Vice-Chair  
Jud Buchanan, Member  
Dustin Dawson, Member  
James Jewett, Member  
Jonathon Weakley, County Administrator  
Brian Gordon, Deputy County Administrator  
Hannon Wright, County Attorney  
Tracy Clatterbuck, Planning & Zoning Administrator  
Janet Henshaw, Planning Commission Secretary  
Kimberly Turner, Deputy Clerk

**ABSENT:**

**Following the Planning Commission's adoption of their agenda, the Board of Supervisors came to order concurrent of the Planning Commission's portion of the meeting.**

### **CALL TO ORDER**

Chairman Jackson called the Board to order.

### **DETERMINE PRESENCE OF A QUORUM/ADOPTION OF AGENDA**

Chairman Jackson advised that a quorum was present.

Chairman Jackson stated the meeting will be a workshop between the Board of Supervisors and the Planning Commission in preparation for the public hearings. Chairman Jackson stated the fifth item is regarding a Topping Committee request.

Supervisor Dawson made a motion to approve the agenda as presented, seconded by Supervisor Jewett. ***Aye: Jackson, Yowell, Buchanan, Dawson, Jewett. Nay: (0) Abstain: (0) Absent: (0)***

*The Board did not suspend their meeting. The Planning Commission went through their agenda and the Board added feedback throughout the meeting.*

### **PUBLIC COMMENT**

Chairman Jackson opened the floor for public comment. With there being no public comment being brought forward, the public comment opportunity was closed.

### **PLANNING COMMISSION ITEMS**

The Planning Commission voted on their consent agenda, which is recorded in the Planning Commission minutes. (*New Business, item A. on the Planning Commission agenda*).

The Planning Commission discussed the upcoming Planning Commission dates for June 19, 2024, which is a holiday, and July 17<sup>th</sup>, 2024, which is the Madison County Fireman's Parade. (*New Business, item B. on the Planning Commission agenda*).

- During the discussion, Supervisor Yowell mentioned the Planning Commission Bylaws stated that if a meeting falls on a legal holiday, then the meeting would be the following business day.

The Planning Commission voted to move the meetings to June 20, 2024, and July 18, 2024 at 6:30 pm, which is recorded in the Planning Commission minutes.

Mr. Jim Smith, Planning Commission member, presented the proposed amendments to the Planning Commission Bylaws (*Unfinished Business, item A. on the Planning Commission agenda*)

The Planning Commission had further discussion regarding the proposed amendments to the Planning Commission Bylaws.

### **PUBLIC HEARING**

None.

### **NEW BUSINESS (Planning Commission Listed Items as "Unfinished Business")**

1. Review proposed amendments to Appendix 1 (Zoning Ordinance), Article 14-9 (Minimum Off-Street Parking) – Planning & Zoning Administrator

The Planning & Zoning Administrator reviewed the proposed amendments and request the Planning Commission take this to a public hearing on July 3, 2024.

The Planning Commission had further discussion regarding the proposed amendments, which is recorded in the Planning Commission minutes.

The Board did not have any additional comments.

After discussion, it was decided that the following amendments will be considered at the public hearing on July 3, 2024:

Article 14-9-12 (Zoning Ordinance): For office buildings, offices, and **for professionals**, and personal service establishments, there shall be provided one **(1)** parking space for each **two hundred (200)** square feet of floor space.

Article 14-9-13 (Zoning Ordinance): For medical and dental clinics, ~~four~~ three (3) parking spaces per examination or treatment room, plus one parking space for each doctor and employee.

2. Review proposed amendments to Appendix 2 (Subdivision Ordinance), Article 7-1 (Filing Requirements) – Planning & Zoning Administrator

The Planning & Zoning Administrator stated there were very minor changes and requested the Planning Commission take this to a public hearing on July 3, 2024.

The Planning Commission had further discussion regarding the proposed amendments, which is recorded in the Planning Commission minutes.

The Board did not have any additional comments.

After discussion it was decided that the following amendments will be considered at the public hearing on July 3, 2024:

“An applicant shall file ~~a minimum of 17~~ five (5) prints of the final plat, prepared by a land surveyor or certified professional engineer licensed by the Commonwealth of Virginia to practice as such. ~~An applicant shall provide an electronic copy of the final plat.~~ Subdivisions approved administratively shall require one print of the final plat to be maintained and held in County records for a minimum of ten years from the date of approval. The said surveyor or professional engineer shall affix upon each plat a signed certificate and also indicate thereon the source of the title of the owner of the land subdivided. Any supporting data or plans shall also be filed with the Commission or its agent. A final plat is recommended to have all required plat details and approval signatures from the Virginia Department of Health and Virginia Department of Transportation. Lots/parcels recorded without such approval signatures shall not be issued a zoning or building permit until such approvals are obtained in writing from said departments.”

3. Review proposed amendments to Appendix 1 (Zoning Ordinance), Article 20 (Definition-Automobile Graveyard) – Planning & Zoning Administrator

The Planning & Zoning Administrator stated under the definition of Junk Yard it currently states, “Two hundred square feet” and then proposed changing it to say, “one hundred” to match the definition of “Dump Heap.”

The Planning Commission had further discussion regarding the proposed amendments, which is recorded in the Planning Commission minutes.

During the discussion, the Board made the following comments:

- Chairman Jackson clarified the new laws regarding Farm Use tags after hearing a concern from the Planning Commission.
- During discussion regarding enforcing the ordinance, Supervisor Jewett mentioned these amendments are for definitions and inquired where it specifically states that they cannot do it, what triggers violations, and possible remedies.

The County Attorney clarified that the only place a “Junk Yard” is allowed is in M2 by a special use permit.

Mike Snider, Planning Commission member, stated they do not state that junk is prohibited.

The Planning & Zoning Administrator stated in the Madison Code, there is a section that states, “if any use is not listed by right or special use permit, it is prohibited.”

- Supervisor Yowell advised changing it to “one hundred square feet.”
- Supervisor Buchanan mentioned “one hundred square feet” was very small.

After further discussion, the Board decided to change it to one hundred square feet, and it was decided that the following amended definitions will be considered at the public hearing on July 3, 2024:

*Article 20-13. Junkyard.* The use of any area of land of more than 100 square feet in any location for the buying or selling, storage, keeping or abandonment of junk including scrap metals or other scrap materials. The term "junkyard" shall include the terms "automobile graveyard, garbage dumps, and sanitary landfills. (Ref. Va Code § 33.2-804)

*Article 20-15. Automobile Graveyard.* Any lot or place that is exposed to the weather and upon which more than five inoperable motor vehicles of any kind that are incapable of being operated and which it would not be economically practical to make operative, are placed, located, or found.

The movement or rearrangement of vehicles within an existing lot or facility does not render this definition inapplicable. See also "junkyard and inoperable vehicle." (Ref. Va Code § 33.2-804)

*20-102 Inoperable Vehicle.* An inoperable vehicle means (i) any motor vehicle and/or trailer which is not in operating condition; (ii) any motor vehicle which for a period of 60 days or longer has been partially or totally disassembled by the removal of tires and wheels, the engine, or other essential parts required for operation of the vehicle; or (iii) any motor vehicle on which there are displayed neither valid license plates nor a valid inspection decal. Farm vehicles and tractors as defined by Va Code § 46.2-100 and other farm machinery are exempt from this definition. (Ref. Va Code § 15.2-904)

20-102A *Junk*. Old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber, debris, or waste; junked, dismantled, or wrecked automobiles or parts thereof; and old or scrap iron, steel, or other ferrous or nonferrous material.

20-121A *Motor vehicle*. Any vehicle as defined by Virginia Code § 46.2-100, as amended, that is self-propelled or designed for self-propulsion. Any structure designed, used, or maintained primarily to be loaded on or affixed to a motor vehicle to provide a mobile dwelling, sleeping place, office, or commercial space shall be considered a part of a motor vehicle. Any device herein defined as a bicycle, electric personal assistive mobility device, electric power-assisted bicycle, motorized skateboard or scooter, moped, or personal delivery device shall be deemed not to be a motor vehicle. (Ref. Va Code § 46.2-100)

4. Review proposed amendments to Appendix 1 & 2 (Zoning & Subdivision Ordinances), Boundary Line Adjustment(s) – Planning & Zoning Administrator

The Planning Commission Chairman gave an overview of the edits leading up to present.

The Planning Commission had further discussion regarding the proposed amendments, which is recorded in the Planning Commission minutes.

The Planning Commission Chairman opened the floor for public comments.

**Jennifer Campbell**: Ms. Jennifer Campbell suggested separating the definition from the process with subsets for clarity.

With there being no further public comment, the public comment period closed.

During the discussion, the Board made the following comments:

- Chairman Jackson stated it should be one period of time and suggested 90 days.
- The Board agreed to 90 days.
- The Board agreed to having one year be the limit before someone can make changes again.
- Chairman Jackson recommended that the boundary line adjustments and vacation of boundary lines be approved administratively.
- Supervisor Yowell agreed.
- While discussing the zones that allow for boundary line adjustments, Supervisor Yowell stated that the size of R1 for a boundary line adjustment (BLA) would create a nonconforming lot for the most part.

- Chairman Jackson stated they could be buying multiple R1 lots and combine them to get one lot. Chairman Jackson stated they have worked diligently on this boundary line adjustment in A1 and C1 and the vacation of lots. Chairman Jackson suggested going to public hearing on July 3<sup>rd</sup> and having the Planning & Zoning Administrator identify things they need to work on like R1, R2, and R3. Chairman Jackson stated they do need to start working on it and modernizing it, which is what the Planning & Zoning Administrator is doing diligently.

There was discussion about making the word “lot” plural, and the Board agreed.

After further discussion, it was decided that the following amendments will be considered at the public hearing on July 3, 2024:

#### Subdivision Ordinance- New Proposed Definitions

*2-4A. Boundary Line Adjustment (BLA).* The relocation of a property line or lines between two or more existing and contiguous lots to allow a change in property size or configuration. (Ref. Va Code 15.2-2275) A BLA cannot result in the creation of a new lot(s) or a lot(s) which does not conform with the zoning ordinance, unless the original lot was already non-conforming and, in such case of modifying a non-conforming lot, such lot cannot be made smaller in area. A lot altered by this provision shall not be approved for another BLA within one year from last approval date. Any BLA shall not involve the relocation or alteration of streets, alleys, easements for public passage, or other public areas and no easements or utility right-of-way shall be relocated or altered without the express consent of all persons holding any interest therein. A BLA application must contain a survey plat by a Commonwealth of Virginia licensed surveyor showing current and proposed boundary lines, as well as deed restrictions, easements, rights of way and deed dedications. The plat must show all existing septic components, including but not limited to, drainfield(s), existing well(s), existing buildings and/or structures, public utility lines, and floodplains and/or floodways on the parcel(s). All applications must be reviewed by the Planning Commission before consideration for approval by the Board of Supervisors or its designee. All applications shall be reviewed for consideration of approval or denial by the Board of Supervisors or its designee. An approved BLA must be recorded by Boundary Line Adjustment deed and plat in the land records of the Clerk's Office of the Circuit Court of Madison County within 90 days of approval. Prior to recording, the deed shall be approved in writing, on its face, by the Board of Supervisors or its designee. A BLA cannot be recorded unless and until it has been approved in accordance with the provisions of this article. (Ref. Va Code Sections 15.2- 2255, 15.2-2258, and 15.2-2270 through 2275 as amended).

*2-40. Vacation of a boundary line.* The elimination or removal of a boundary line between two contiguous lots owned by the same owner, resulting in a single, combined lot. The ultimate consolidated lot must result in a conforming lot and use consistent with the County's ordinances. Any vacation of boundary line(s) cannot create a split-zoned parcel and must be only one zone. Lot line vacations require the subject properties be deeded in the same name as shown in the tax records of Madison County. All lot line

vacations require an executed deed, such as a deed of consolidation, affirming the lot line vacation. No easements or utility rights-of-way located along any lot lines to be vacated shall be extinguished or altered without the express consent of all persons holding any interest therein. Prior to recording, the deed shall be approved in writing, on its face, by the Board of Supervisors or its designee. The deed shall be recorded in the clerk's office by the applicant within 90 days of approval. (Ref. Va Code Sec. 15.2-2275).

#### Subdivision Ordinance- Proposed Amendments to Definitions

2-38. *Subdivision*: The division..... the following shall not be defined as a subdivision:

(1) ~~The sale or exchange of a lot, tract or parcel of land between adjoining landowners to create by boundary adjustment a new lot, tract or parcel of land; provided that such sale or exchange does not create an additional building lot or does not create a nonconforming lot; and provided further that the new lot, tract or parcel of land created by boundary adjustment in the Conservation, C 1 or Agricultural, A 1 District shall not gain additional division rights until ten years from the date the plat or deed of boundary adjustment is recorded in the Clerk's Office of the Circuit Court of Madison County, Virginia. A Boundary Line Adjustment (BLA) to allow a change in property size or configuration.~~

(4) ~~Vacation of a boundary line(s) between two or more lots of record to produce a single lot.~~

The following articles would need to be modified to reconcile them with the proposed amendments in the Zoning Ordinance:

Article 3-11. *Limitations of Subdivisions in Conservation, C-1 District*. No lot, tract or parcel of land in the Conservation, C-1 District shall be subdivided into more than four smaller lots, tracts or parcels of land (including the residue if any) within any ten-year period. Except as provided above, no lot, tract or parcel of land in the Conservation, C-1 District created by subdivision in accordance herewith shall be further subdivided within ten years from the date the subdivision plat is recorded in the Clerk's Office of the Circuit Court of Madison County, Virginia. ~~A lot, tract or parcel of land created by boundary adjustment in the Conservation, C-1 District shall not gain additional division rights until ten years from the date the plat or deed of boundary adjustment is recorded in the Clerk's Office of the Circuit Court of Madison County, Virginia. A lot, tract or parcel of land altered by a boundary line adjustment in the Conservation, C1, District shall not be approved for another boundary line adjustment for one year from the date the plat and deed are recorded in the Clerk's Office of the Circuit Court of Madison County, Virginia.~~

Article 4-11. *Limitations of Subdivisions in Agricultural, A-1 Districts*. No lot, tract~~m~~ or parcel of land in the Agricultural, A-1 District shall be subdivided into more than four smaller lots, tracts or parcels of land (including the residue, if any) within any ten-year period. Except as provided above, no lot, tract or parcel of land in the Agricultural,

A-1 District created by subdivision in accordance herewith shall be further subdivided within ten years from the date the subdivision plat is recorded in the Clerk's Office of the Circuit Court of Madison County, Virginia. ~~A lot, tract or parcel of land created by boundary adjustment in the Agricultural, A-1 District shall not gain additional division rights until ten years from the date the plat or deed of boundary adjustment is recorded in the Clerk's Office of the Circuit Court of Madison County, Virginia. A lot, tract or parcel of land altered by a boundary line adjustment in the Agricultural, A1, District shall not be approved for another boundary line adjustment for one year from the date the plat and deed are recorded in the Clerk's Office of the Circuit Court of Madison County, Virginia.~~

The following articles would need to be modified to reconcile them with the proposed amendments in the Subdivision Ordinance:

Article 4-1-5. *Limitations of Subdivisions in Conservation, C-1, and Agricultural, A-1, Districts.* No lot, tract or parcel of land in the Conservation, C-1, District or Agricultural, A-1, District shall be subdivided into more than four smaller lots; tracts or parcels of land (including the residue, if any) within any ten-year period. Except as provided above, no lot, tract or parcel of land in the Conservation, C-1, or Agricultural, A-1, District created by subdivision in accordance herewith shall be further subdivided within ten years from the date the subdivision plat is recorded in the Clerk's Office of the Circuit Court of Madison County, Virginia. ~~A lot, tract or parcel of land created by boundary adjustment in the Conservation, C-1 or Agricultural, A-1 District shall not gain additional division rights until ten years from the date the plat or deed of boundary adjustment is recorded in the Clerk's Office of the Circuit Court of Madison County, Virginia. A lot, tract or parcel of land altered by a boundary line adjustment in the Conservation, C1 or Agricultural, A1 District shall not be approved for another boundary line adjustment for one year from the date the plat and deed are recorded in the Clerk's Office of the Circuit Court of Madison County, Virginia.~~

- Chairman Jackson inquired about the timeline for the Planning & Zoning Administrator to start working on R1, R2, and R3. Chairman Jackson recommended the Planning & Zoning Administrator have the Planning Commission to work on this as subcommittees.

The Planning & Zoning Administrator agreed.

The Planning Commission Chairman inquired if there were any public comments on the amended ordinances, which there were not.

The Planning Commission discussed upcoming items for future Planning Commission workshop meetings and subcommittee meetings, which is recorded in the Planning Commission minutes. *(Upcoming PC Workshop Items, item A, B, & C on the Planning Commission agenda)*

#### **PLANNING COMMISSION: ADJOURN**

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The Planning Commission adjourned their portion of the meeting, which is recorded in the Planning Commission minutes.

## **NEW BUSINESS (Continued)**

### **5. Topping Committee Funding Request – County Administrator**

- Chairman Jackson stated there was a Topping Committee meeting last week and the Animal Shelter wants to build a fence. They received three bids, and the lowest bid was from A Quality Built Fence Company for \$11,650. The Toppings Fund was donated money to be used for the Animal Shelter.

The County Administrator gave a brief overview of the map and the location of the proposed fence.

Supervisor Dawson made a motion to approve the Topping Funds for the fence for \$11,650, seconded by Supervisor Jewett. *Aye: Jackson, Yowell, Buchanan, Dawson, Jewett. Nay: (0) Abstain: (0) Absent: (0)*

## **INFORMATION/CORRESPONDENCE**

None.

## **PUBLIC COMMENT**

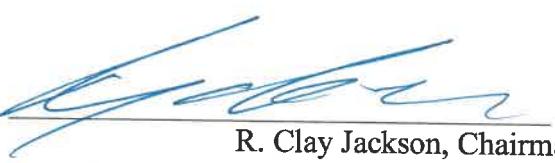
Chairman Jackson opened the floor for public comment. With there being no public comment being brought forward, the public comment opportunity was closed.

## **CLOSED SESSION**

None.

## **ADJOURN**

With there being no further business to conduct, Supervisor Jewett made a motion to adjourn, seconded by Supervisor Dawson. *Aye: Jackson, Yowell, Buchanan, Dawson, Jewett. Nay: (0) Abstain: (0) Absent: (0)*



R. Clay Jackson, Chairman  
Madison County Board of Supervisors



Jonathon Weakley, Clerk  
Adopted on: June 25, 2024.



Madison, Virginia 22727

## **Madison County Joint Planning Commission and Board of Supervisors Meeting Minutes June 05, 2024**

The Madison County Joint Planning Commission and Board of Supervisors meeting was held in the Madison County Administrative Auditorium at 414 N Main St in the Town of Madison, Virginia. It was called to order by Chairman Carpenter at 7:01 PM. Chairman Carpenter determined there was a quorum and the first order of business was to adopt the agenda and approve the minutes from the May 15<sup>th</sup> Planning Commission Workshop meeting.

As a quorum was established the following members were present; Chairman Stephen Carpenter, Vice-Chairman Pete Elliott, Commissioners: Michael Snider, Jim Smith, James Graves III, Zach Whitman and Nathan Cowan. Also, present were Hannon Wright; County Attorney, Jonathon Weakley; County Administrator, Brian Gordon; Deputy County Administrator, Deputy Clerk; Kimberly Turner, Tracy Clatterbuck; Zoning Administrator and Janet Henshaw; Secretary for the Planning Commission. For the BoS Chairman Clay Jackson, Vice-Chairman Carty Yowell. Supervisors: Jud Buchannan, Dustin Dawson, and James Jewett were present.

Chairman Carpenter suggested to amend the agenda to suspend the Planning Commission portion briefly to have the BoS come into session. Commissioner Mike Snider moved to amend, and Commissioner Nathan Cowana seconded. This motion was carried by all members saying "Aye".

The BoS came to order concurrent of the Planning Commission's portion of the meeting.

Chairman Clay Jackson advised that the two meetings between the two boards would be in session together in preparation for the upcoming public hearings.

The BoS did not suspend their portion of the meeting, the Planning Commission resumed session and the BoS added feedback as necessary.

**Chairman Jackson asked if there were any public comments, there were none.**

**1) Public Hearings: None**

**New Business**

**A. Adoption of Minutes- May 15, 2024**

Commissioner Nathan Cowan moved to adopt the minutes and James Graves III seconded. This motion was carried by all members saying "Aye".

**B. Upcoming PC Workshop Dates Discussion-  
June 19, 2024 (Holiday) & July 17, 2024 (Madison Co. Fireman's Parade)**

Zoning Administrator Tracy Clatterbuck advised the board that the workshop meeting on schedule for June 19<sup>th</sup> is a federal holiday, Juneteenth. She asked if the meeting should be kept or rescheduled.

Commissioner Zack Whitman questioned if staff will be off.

Chairman Steve Carpenter commented...yes.

During discussion Vice-Chairman Carty Yowell mentioned that in the bylaws if the meeting falls on a holiday, then the meeting should be rescheduled to the next business day.

Commissioner Nathan Cowan motioned to move the meeting to June 20<sup>th</sup>. Commissioner Zack Whitman seconded. This motion by all members saying "Aye", none opposed.

Commissioner Mike Snider mentioned changing the advertisement.

County Administrator Jonathon Weakley commented that the advertisement will be changed in the paper and on the website.

Zoning Administrator Tracy Clatterbuck also advised that the July 17<sup>th</sup> meeting falls on the Fireman's Parade, the road will be closed to access to admin building and suggests rescheduling that meeting as well to either July 16<sup>th</sup> or July 18<sup>th</sup>.

Chairman Steve Carpenter asked if there was any discussion?

There was none.

Commissioner Nathan Cowan made a motion for the July 17<sup>th</sup> meeting to be moved to July 18<sup>th</sup>. Commissioner Jim Smith seconded. This motion was carried by all members saying "Aye", none opposed.

**Unfinished Business**

**A. Review proposed amendments to the Planning Commission By-laws  
Commissioner Smith presented.**

Chairman Steve Carpenter mentioned that this should be ready to go to the next WS meeting to be voted

on.

Commissioner Nathan Cowan questioned 2-2 if Commissioner Jim Smith had been to the class?

Commissioner Jim Smith stated...yes both in person and zoom meetings.

Zoning Administrator Tracy Clatterbuck commented that VCU is the only facility that certifies.

Chairman Steve Carpenter commented should be ready for the next meeting to vote on. Not an agenda item.

County Attorney Hannon Wright replied...yes because it would be an official meeting of the body.

There were no other comments from the board or the public.

**B. Review proposed amendments to Appendix 1 (Zoning Ordinance), Article 14-9 (Minimum Off-Street Parking).**

Zoning Administrator Tracy Clatterbuck commented that she had nothing further to add and requested to take to the next Joint Meeting scheduled for July 3<sup>rd</sup>.

Vice-Chairman Pete Elliott questioned...does this work for the person that asked for the change?

County Administrator Jonathon Weakley commented...yes it should.

After discussion the following amendments will be presented at the Joint meeting July 3<sup>rd</sup>.

- 1.) Article 14-9-12 (Zoning Ordinance): For office buildings, offices, and for professionals, and personal service establishments, there shall be provided one (1) parking space for each two hundred (200) square feet of floor space.
- 2.) Article 14-9-13 (Zoning Ordinance): For medical and dental clinics, four three (3) parking spaces per examination or treatment room, plus one parking space for each doctor and employee.

There were no other comments from the board or the public.

**C. Review proposed amendments to Appendix 2 (Subdivision Ordinance), Article 7-1 (Filing Requirements)**

Zoning Administrator Tracy Clatterbuck requests for the July 3<sup>rd</sup> public hearing.

Commissioner Mike Snider questioned if electronic copies have also been submitted?

County Administrator Jonathon Weakley replied...yes but also paper copies.

Chairman Steve Carpenter commented...we are making the ordinance match to what we have already been doing.

Zoning Administrator Tracy Clatterbuck replied...surveyors typically send electronically with their

electronic signatures.

After discussion the following amendments will be presented at the July 3<sup>rd</sup> public hearing.

“An applicant shall file a minimum of 17 five (5) prints of the final plat, prepared by a land surveyor or certified professional engineer licensed by the Commonwealth of Virginia to practice as such. An applicant shall provide an electronic copy of the final plat. Subdivisions approved administratively shall require one print of the final plat to be maintained and held in County records for a minimum of ten years from the date of approval. The said surveyor or professional engineer shall affix upon each plat a signed certificate and also indicate thereon the source of the title of the owner of the land subdivided. Any supporting data or plans shall also be filed with the Commission or its agent. A final plat is recommended to have all required plat details and approval signatures from the Virginia Department of Health and Virginia Department of Transportation. Lots/parcels recorded without such approval signatures shall not be issued a zoning or building permit until such approvals are obtained in writing from said departments.”

There were no other comments from the board or the public.

**D. Review proposed amendments to Appendix 1 (Zoning Ordinance),**

**Article 20 (Definitions- Automobile Grave yard)**

Zoning Administrator Tracy Clatterbuck stated that per the definition of Junk Yard it currently states, 200 square feet, however, she is proposing to change it to 100 square feet to match the definition of trash heap for consistency.

Vice-Chairman Pete Elliott questioned auto graveyards for farm equipment?

Commissioner Mike Snider questioned...who makes the determination of a farm vehicle?

County Attorney Hannon Wright commented...DMV.

Chairman Clay Jackson clarified the new DMV farm use tag laws that will take effect July 01, 2024, after hearing concerns from the Planning Commission.

When discussed regarding enforcing the ordinance, Board Member Jim Jewett commented that these amendments are for definitions and it specifically states that they cannot do that and what triggers violations and possible remedies.

County Attorney Hannon Wright mentioned that a Junk Yard is only allowed in M2 by and SUP, otherwise it is prohibited.

Commissioner Mike Snider stated that it is not stated that junk is prohibited.

Zoning Administrator Tracy Clatterbuck commented that in the Madison Code, there is a section that states that if a use isn't listed by right or a SUP then it is prohibited.

Vice-Chairman Carty Yowell requested changing it to 100 square feet.

Board Member Jud Buchanan replied that 100 square feet is a bit small.

Zoning Administrator Tracy Clatterbuck commented...the state code does not mention square feet.

After discussion it was decided to change it to 100 square feet and it was decided the following amendments will be presented at the July 3rd public hearing.

*Article 20-13. Junkyard.* The use of any area of land of more than 100 square feet in any location for the buying or selling, storage, keeping or abandonment of junk including scrap metals or other scrap materials. The term "junkyard" shall include the terms "automobile graveyard, garbage dumps, and sanitary landfills. (Ref. Va Code § 33.2-804)

*Article 20-15. Automobile Graveyard.* Any lot or place that is exposed to the weather and upon which more than five inoperable motor vehicles of any kind that are incapable of being operated and which it would not be economically practical to make operative, are placed, located, or found.

The movement or rearrangement of vehicles within an existing lot or facility does not render this definition inapplicable. See also "junkyard and inoperable vehicle." (Ref. Va Code § 33.2-804)

*20-102 Inoperable Vehicle.* An inoperable vehicle means (i) any motor vehicle and/or trailer which is not in operating condition; (ii) any motor vehicle which for a period of 60 days or longer has been partially or totally disassembled by the removal of tires and wheels, the engine, or other essential parts required for operation of the vehicle; or (iii) any motor vehicle on which there are displayed neither valid license plates nor a valid inspection decal. Farm vehicles and tractors as defined by Va Code § 46.2-100 and other farm machinery are exempt from this definition. (Ref. Va Code § 15.2-904)

*20-102A Junk.* Old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber, debris, or waste; junked, dismantled, or wrecked automobiles or parts thereof; and old or scrap iron, steel, or other ferrous or nonferrous material.

*20-121A Motor vehicle.* Any vehicle as defined by Virginia Code § 46.2-100, as amended, that is self-propelled or designed for self-propulsion. Any structure designed, used, or maintained primarily to be loaded on or affixed to a motor vehicle to provide a mobile dwelling, sleeping place, office, or commercial space shall be considered a part of a motor vehicle. Any device herein defined as a bicycle, electric personal assistive mobility device, electric power-assisted bicycle, motorized skateboard or scooter, moped, or personal delivery device shall be deemed not to be a motor vehicle. (Ref. Va Code § 46.2-100)

There were no other comments from the board or the public.

E. Review proposed amendments to Appendix 1 & 2, (Zoning & Subdivision Ordinances) Boundary Line Adjustment(s)

Chairman Steve Carpenter provided an overview of the edits leading up until the present time.

Town Member Jennifer Campbell recommended putting in points, because it was so long, may be difficult to understand.

Zoning Administrator Tracy Clatterbuck mentioned that she could have it ready by the July 3<sup>rd</sup> Public Hearing.

Commissioner Mike Snider recommended changing it to 90 days and to be approved administratively.

Continued discussions...the BoS made the following comments:

**Chairman Clay Jackson mentioned that it should be one period of time.**

**It was decided to do 90 days after discussion and agreed to having one year be the limit before another change can be made.**

**Chairman Clay Jackson agreed and recommended that the BLA's and vacation of lot lines be approved administratively.**

**After discussion the following amendments will be presented at the July 3<sup>rd</sup> Joint public hearing.**

**Subdivision Ordinance- New Proposed Definitions**

**2-4A. *Boundary Line Adjustment (BLA).*** The relocation of a property line or lines between two or more existing and contiguous lots to allow a change in property size or configuration. (Ref. Va Code 15.2-2275) A BLA cannot result in the creation of a new lot(s) or a lot(s) which does not conform with the zoning ordinance, unless the original lot was already non-conforming and, in such case of modifying a non-conforming lot, such lot cannot be made smaller in area. A lot altered by this provision shall not be approved for another BLA within one year from last approval date. Any BLA shall not involve the relocation or alteration of streets, alleys, easements for public passage, or other public areas and no easements or utility right-of-way shall be relocated or altered without the express consent of all persons holding any interest therein. A BLA application must contain a survey plat by a Commonwealth of Virginia licensed surveyor showing current and proposed boundary lines, as well as deed restrictions, easements, rights of way and deed dedications. The plat must show all existing septic components, including but not limited to, drainfield(s), existing well(s), existing buildings and/or structures, public utility lines, and floodplains and/or floodways on the parcel(s). ~~All applications must be reviewed by the Planning Commission before consideration for approval by the Board of Supervisors or its designee. All applications shall be reviewed for consideration of approval or denial by the Board of Supervisors or its designee.~~ An approved BLA must be recorded by Boundary Line Adjustment deed and plat in the land records of the Clerk's Office of the Circuit Court of Madison County within 90 days of approval. Prior to recording, the deed shall be approved in writing, on its face, by the Board of Supervisors or its designee. A BLA cannot be recorded unless and until it has been approved in accordance with the provisions of this article. (Ref. Va Code Sections 15.2- 2255, 15.2-2258, and 15.2-2270 through 2275 as amended).

**2-40. *Vacation of a boundary line.*** The elimination or removal of a boundary line between two contiguous lots owned by the same owner, resulting in a single, combined lot. The ultimate consolidated lot must result in a conforming lot and use consistent with the County's ordinances. Any vacation of boundary line(s) cannot create a split-zoned parcel and must be only one zone. Lot line vacations require the subject properties be deeded in the same name as shown in the tax records of Madison County. All lot line vacations require an executed deed, such as a deed of consolidation, affirming the lot line vacation. No easements or utility rights-of-way located along any lot lines to be vacated shall be extinguished or altered without the express consent of all persons holding any interest therein. Prior to recording, the deed shall be approved in writing,

on its face, by the Board of Supervisors or its designee. The deed shall be recorded in the clerk's office by the applicant within 90 days of approval. (Ref. Va Code Sec. 15.2-2275).

### Subdivision Ordinance- Proposed Amendments to Definitions

2-38. *Subdivision*: The division..... the following shall not be defined as a subdivision:

(1) ~~The sale or exchange of a lot, tract or parcel of land between adjoining landowners to create by boundary adjustment a new lot, tract or parcel of land; provided that such sale or exchange does not create an additional building lot or does not create a nonconforming lot; and provided further that the new lot, tract or parcel of land created by boundary adjustment in the Conservation, C-1 or Agricultural, A-1 District shall not gain additional division rights until ten years from the date the plat or deed of boundary adjustment is recorded in the Clerk's Office of the Circuit Court of Madison County, Virginia. A Boundary Line Adjustment (BLA) to allow a change in property size or configuration.~~

(4) ~~Vacation of a boundary line(s) between two or more lots of record to produce a single lot.~~

The following articles would need to be modified to reconcile them with the proposed amendments in the Zoning Ordinance:

Article 3-11. *Limitations of Subdivisions in Conservation, C-1 District*. No lot, tract or parcel of land in the Conservation, C-1 District shall be subdivided into more than four smaller lots, tracts or parcels of land (including the residue if any) within any ten-year period. Except as provided above, no lot, tract or parcel of land in the Conservation, C-1 District created by subdivision in accordance herewith shall be further subdivided within ten years from the date the subdivision plat is recorded in the Clerk's Office of the Circuit Court of Madison County, Virginia. ~~A lot, tract or parcel of land created by boundary adjustment in the Conservation, C-1 District shall not gain additional division rights until ten years from the date the plat or deed of boundary adjustment is recorded in the Clerk's Office of the Circuit Court of Madison County, Virginia. A lot, tract or parcel of land altered by a boundary line adjustment in the Conservation, C1, District shall not be approved for another boundary line adjustment for one year from the date the plat and deed are recorded in the Clerk's Office of the Circuit Court of Madison County, Virginia.~~

Article 4-11. *Limitations of Subdivisions in Agricultural, A-1 Districts*. No lot, tract or parcel of land in the Agricultural, A-1 District shall be subdivided into more than four smaller lots, tracts or parcels of land (including the residue, if any) within any ten-year period. Except as provided above, no lot, tract or parcel of land in the Agricultural, A-1 District created by subdivision in accordance herewith shall be further subdivided within ten years from the date the

subdivision plat is recorded in the Clerk's Office of the Circuit Court of Madison County, Virginia. ~~A lot, tract or parcel of land created by boundary adjustment in the Agricultural, A-1 District shall not gain additional division rights until ten years from the date the plat or deed of boundary adjustment is recorded in the Clerk's Office of the Circuit Court of Madison County, Virginia.~~ A lot, tract or parcel of land altered by a boundary line adjustment in the Agricultural, A1, District shall not be approved for another boundary line adjustment for one year from the date the plat and deed are recorded in the Clerk's Office of the Circuit Court of Madison County, Virginia.

The following articles would need to be modified to reconcile them with the proposed amendments in the Subdivision Ordinance:

**Article 4-1-5. Limitations of Subdivisions in Conservation, C-1, and Agricultural, A-1, Districts.** No lot, tract or parcel of land in the Conservation, C-1, District or Agricultural, A-1, District shall be subdivided into more than four smaller lots: tracts or parcels of land (including the residue, if any) within any ten-year period. Except as provided above, no lot, tract or parcel of land in the Conservation, C-1, or Agricultural, A-1, District created by subdivision in accordance herewith shall be further subdivided within ten years from the date the subdivision plat is recorded in the Clerk's Office of the Circuit Court of Madison County, Virginia. ~~A lot, tract or parcel of land created by boundary adjustment in the Conservation, C-1 or Agricultural, A-1 District shall not gain additional division rights until ten years from the date the plat or deed of boundary adjustment is recorded in the Clerk's Office of the Circuit Court of Madison County, Virginia.~~ A lot, tract or parcel of land altered by a boundary line adjustment in the Conservation, C1 or Agricultural, A1 District shall not be approved for another boundary line adjustment for one year from the date the plat and deed are recorded in the Clerk's Office of the Circuit Court of Madison County, Virginia.

There were no other comments from the board or the public.

Other Items from the Planning Commission, Staff, or Public

Upcoming PC Workshop Items

- A. Yates Properties of Madison LC- Site Plan Application (Review)
- B. Kevin and Sarah Smith- Special Use Permit Application (Introduction)
- C. Comprehensive Plan Final Draft Review (Introduction)

There being no other business, Commissioner Jim Smith made a motion to adjourn, and this was seconded by Commissioner Nathan Cowan. This motion was carried by all members saying "Aye". The meeting ended at 8:45 PM.

4) Adjournment

End of Minutes:

Attest:

  
\_\_\_\_\_  
Stephen Carpenter, Chairman of Planning Commission

6/20/24  
Date

  
\_\_\_\_\_  
Janet Henshaw, Secretary of Planning Commission

06/20/24  
Date