



CHESTERFIELD COUNTY PLANNING COMMISSION MEETING AGENDA TUESDAY, AUGUST 20, 2024

Public Meeting Room
10001 Iron Bridge Road, Chesterfield VA 23832

NOTE: Attachments are generally available the Wednesday prior to the Planning Commission meeting. Any subsequent changes to this agenda prior to the date of the meeting, and more detailed information regarding items on the agenda can be found at chesterfield.gov/plan, or by calling the Planning Department at 804-748-1050 during regular business hours, 8:30 a.m. to 5 p.m. Monday through Friday. Comments or recommendations regarding items on the agenda can be submitted to planning@chesterfield.gov. A map of each case can be found at chesterfield.gov/plancases.

12 p.m. Planning Commission Work Session - Public Meeting Room

- 1. Requests to Postpone Action, Emergency Additions, Changes in the Order of Presentation**
- 2. Items for Discussion**
 - A. Update of Zoning Ordinance Modernization (ZOMod) Project (20PJ0107) - Review of Articles: 5 (Procedures), 6 (Nonconformities), 7 (Enforcement), 8 (Administration), 10 (Legal Provisions), and 11 (Submittal Requirements).
 - B. By-Law Amendments
- 3. Review Day's Agenda** (Items to be considered at the 6 p.m. session)
- 4. Approval of the Planning Commission Minutes for:**
 - July 16, 2024
- 5. Approval of the Amendment of the Planning Commission Minutes for:**
 - February 20, 2024
- 6. Planning Commission Work Program Update**
- 7. Recess**

5 p.m. Dinner - Executive Meeting Room

6 p.m. Public Hearing - Public Meeting Room

- 8. Call to Order**
- 9. Invocation**
- 10. Pledge of Allegiance to the Flag of the United States of America**

11. **Requests to Postpone Action, Emergency Additions, or Change in the Order of Presentation**
12. **Review Meeting Procedures**
13. **Citizen Comment Period on Unscheduled Matters Involving the Services, Policies and Affairs of the County Government regarding Planning or Land Use Matters**

At this time, the Commission will hear citizen comments on unscheduled matters involving the services, policies and affairs of the county government regarding planning or land use matters. Such comments may not address any matter of business that was a subject on the Commission's work session earlier today or is a subject on the Commission's agenda this evening. The length of this item is limited to a maximum of fifteen (15) minutes total. Should additional time be necessary, an additional citizen input item is scheduled at the end of the agenda.

14. **Public Hearing, Consideration of the Following Proposals in this Order:** Requests for withdrawals/deferrals; cases where the applicant accepts the recommendation and there is no public opposition; cases where the applicant does not accept the recommendation and/or there is public opposition; and zoning ordinance amendments.

- A. **23SN0062:** In Midlothian Magisterial District, **Caliber Collision Boulders** is a request for conditional use to permit automobile repair (including body, major engine, or transmission) plus conditional use planned development to permit exceptions to ordinance requirements and amendment of zoning district map in General Business (C-5) District on 4.27 acres known as 7522 Midlothian Turnpike. Density will be controlled by zoning conditions or ordinance standards. The Comprehensive Plan suggests the property is appropriate for Community Business use. Tax ID 762-707-5631.
- B. **23SN0089:** In Bermuda Magisterial District, **TFC Old Stage Road Solid Waste Transfer Facility** is a request for conditional use to permit a solid waste transfer facility and amendment of zoning district map in a Heavy Industrial (I-3) District on 14.97 acres known as 12200 and 12300 Old Stage Road. The Comprehensive Plan suggests the property is appropriate for Industrial use. Tax IDs 802-657-9750 and 803-657-0311.
- C. **24SN1087:** In Bermuda Magisterial District, **Branders Bridge Rezoning** is a request to rezone from Residential (R-12) to Agricultural (A) plus conditional use to permit a second dwelling, and an exception to Section 18-60 of the Utility Ordinance for connection to the public wastewater system, and amendment of zoning district map on property known as 13609 Branders Bridge Rd. The 7.14 acre property is proposed for a maximum of two dwelling units. The Comprehensive Plan suggests the property is appropriate for Suburban Residential II use (2 to 4 dwellings per acre). Tax ID 785-646-8847.
- D. **24SN1096:** In Dale Magisterial District, **Boschen Woods Phase 2** is a request to rezone from Agricultural (A) and Residential (R-15) to Residential (R-15)

with conditional use planned development to permit exceptions to ordinance requirements and amendment of zoning district map on property known as 8410 Beach Road. The 5.53 acre property is proposed for a maximum development of 4 dwelling units. The Comprehensive Plan suggests the property is appropriate for Residential Agricultural use Tax ID 763-661-8201.

- E. **24SN1097:** In Matoaca Magisterial District, **Hickory Road Solar Farm** is a request for conditional use to permit a large scale solar energy facility plus conditional use planned development to permit exceptions to ordinance requirements and amendment of zoning district map in an Agricultural (A) District on 22.67 acres known as 8010 Hickory Road. The Comprehensive Plan suggests the property is appropriate for Residential Agricultural use. Tax ID 770-624-Part of 0068.
- F. **24SN1106:** In Midlothian Magisterial District, **Midlothian Restaurant and Cigar Bar** is a request for conditional use to permit a cigar lounge accessory to a restaurant (Recreational Substances, Retail, On-Site Use), and amendment of zoning district map in the General Business (C-5) District on 0.45 acre known as 8700 Midlothian Turnpike. The Comprehensive Plan suggests the property is appropriate for Community Business use. Tax ID 756-705-6558.
- G. **24SN1107:** In Dale Magisterial District, **A1 Door Company Exception to Parking Setback** is a request for conditional use planned development to permit exceptions to ordinance requirements and amendment of zoning district map in Light Industrial (I-1) District on 1.81 acres known as 7901 Reycan Road and 7741 Whitepine Road. The Comprehensive Plan suggests the property is appropriate for Industrial use. Tax IDs 765-671-1576 and 2886.
- H. **24SN1128:** In Clover Hill Magisterial District, **McDonald Commercial Kennel** is a request for conditional use to permit a commercial kennel and amendment of zoning district map in an Agricultural (A) District on 4.87 acres known as 11707 Genito Road. The Comprehensive Plan suggests the property is appropriate for Suburban Residential II use (2 to 4 dwellings per acre). Tax ID 741-685-0617.
- I. **24SN1135:** In Matoaca Magisterial District, **Love Commercial Kennel** is a request for conditional use to operate a commercial kennel and amendment of zoning district map in an Agricultural (A) District on 10.09 acres known as 13551 Cedar Creek Road. The Comprehensive Plan suggests the property is appropriate for Rural Residential/Agricultural use. Tax ID 701-638-5538.
- J. **24SN1151:** In Bermuda Magisterial District, **Royal Farms at Rivers Bend Setback Exception** is a request for conditional use planned development to permit exceptions to ordinance requirements and amendment of zoning district map in a Community Business (C-3) District on 3.76 acres known as 210, 220, 230 East Hundred Road and 13200 Rivers Bend Blvd. The Comprehensive Plan suggests the property is appropriate for Community Business use. Tax IDs 814-652-9588; 815-652-0686, 1474, and 1995.

- K. **23SN0041 (Deferred from 06/18/2024):** In Midlothian Magisterial District, **North Hallsley** is a request to rezone from Residential Townhouse (R-TH) to Residential (R-15) and amendment of zoning district map fronting approximately 450 feet on the west side of Old Hundred Road, 2,350 feet north of Scottwood Road, also fronting approximately 650 feet on the east and west sides of Scottwood Road, 2,250 feet west of Old Hundred Road, as well as fronting the eastern terminus of Allsdell Road, Brightwalton Road, Dunleer Way, Saville Chase Road, and Saville Chase Trail. The 301.96 acre property is proposed for a maximum development of 340 dwelling units. The Comprehensive Plan suggests the property is appropriate for Suburban Residential I use (Maximum of 2 dwellings per acre). Tax IDs 709-700-8908; 709-701-7328; 710-700-7596; 710-703-3345; 711-699-Part of 3470; 711-700-1144; 711-701-5180; and 712-699-7663.
- L. **23SN0095 (Deferred from 07/16/2024):** In Matoaca Magisterial District, **Woodpecker Road Solar Facilities** is a request for conditional use to permit a large scale solar energy facility plus conditional use planned development to permit exceptions to ordinance requirements and amendment of zoning district map in Agricultural (A) and Residential (R-9) Districts on 124.52 acres fronting approximately 50 feet on the west line of Woodpecker Road, 425 feet south of Ettrick Landing Drive. The Comprehensive Plan suggests the property is appropriate for Suburban Residential II use (2 to 4 dwellings per acre). Tax IDs 789-619-4223; 790-616-Part of 9556; 790-618-0133 and 9437; 791-617-Part of 8164 and 792-616-8597.

15. Consideration of the Following Code Amendments

- A. **Code Amendment Relative to Chesapeake Bay Preservation Areas (Mature Trees and Climate Resilience) (24PJ0104)**
Ordinance to amend the Code of the County of Chesterfield, 1997, as amended, by amending and reenacting the following sections of the zoning ordinance: 19.1-247 Tree Preservation; 19.1-520 through 19.1-529 Chesapeake Bay Preservation Areas; and 19.1-570, Definitions

Among other things, the amendment would do the following: add a requirement that mature trees shall be protected during development; change the location of the publicly available Chesapeake Bay Preservation Areas map from a physical map available in the County offices to a digital map accessed online; require a resiliency assessment to be completed for any proposed development within the RPA; require the planting of trees (preferably native) to be incorporated into the reestablishment of the 100 foot buffer; require the preservation of mature trees where tree removal within the 100 foot buffer is proposed; require that the removal of mature trees associated with a shoreline erosion control project is only permitted as necessary and consistent with best available technical advice; require that adaptive measures proposed within the RPA shall meet all applicable criteria and requirements found in the Virginia Administrative Code;

add definitions for the following: adaptation measure, canopy tree, mature tree, storm surge, and understory tree.

This change conforms to recent amendments to the requirements related to Chesapeake Bay Preservation Areas found in the Code of Virginia and Virginia Administrative Code.

B. Code Amendment Relative to Public Notice (24PJ0108)

Ordinance to amend the Code of the County of Chesterfield, 1997, as amended, by amending and reenacting the following sections of the zoning ordinance: 19.1-42, Notices and Posting.

The amendment would change the public notice requirements for the following actions: rezoning, conditional use, conditional use planned development, appeal, variance, interpretation of a zoning district map, designation of a historic district or site, comprehensive plan amendment, and ordinance amendment. The proposed amendment changes the required newspaper advertisement date. This change conforms to notice requirements found in the Code of Virginia.

C. Code Amendment Relative to Vested Rights and Nonconforming Uses (24PJ0109)

Ordinance to amend the Code of the County of Chesterfield, 1997, as amended, by amending and reenacting the following sections of the zoning ordinance: 19.1-3, Nonconforming Uses, Buildings and Structures--Excluding Signs.

This amendment would change the criteria used to determine the conforming and nonconforming status of a building or structure when a property owner incurs substantial obligations or expenses in good faith reliance on the issuance of a building permit so that those criteria align with the recently amended criteria in the Code of Virginia.

16. Citizen Comment Period on Unscheduled Matters Involving the Services, Policies and Affairs of the County Government regarding Planning or Land Use Matters

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17. Other Business

18. Adjournment

August 20, 2024
CPC Agenda Overview

Legend

- Bermuda
- Clover Hill
- Dale
- Matoaca
- Midlothian

