



**Planning Commission
County of Louisa
Thursday, August 14, 2025
Louisa County Public Meeting
Room 7:00 PM**

CALL TO ORDER

Chairman Disosway called the August 14, 2025, regular meeting of the Louisa County Planning Commission to order at 7:00 p.m.

ROLL CALL

Attendee Name	Title	Status	Arrived
Tommy J. Barlow	Mountain Road District Supervisor	Present	7:00 PM
Gordon Brooks	Commissioner	Present	7:00 PM
Ellis Quarles	Commissioner	Remote	7:00 PM
George Goodwin	Commissioner	Present	7:00 PM
John Disosway	Chairman	Present	7:00 PM
Matthew Kersey, Jr.	Commissioner	Remote	7:00 PM
James Dickerson	Vice Chairman	Absent	
Troy Painting	Commissioner	Present	7:00 PM
John J Purcell	Town of Louisa Representative	Present	7:00 PM

Others Present: Chris Coon, Deputy County Administrator, Patricia Smith, County Attorney; Tom Egeland, Deputy Director of Community Development; and Deborah Johnson, Administrative Assistant.

INVOCATION

Mr. Goodwin led the invocation.

PLEDGE OF ALLEGIANCE

Mr. Painting led the Pledge of Allegiance.

APPROVAL OF AGENDA

On the motion of Mr. Brooks, seconded by Mr. Goodwin, which carried a vote of 6-0, the Planning Commission voted to approve the agenda of the August 14, 2025, meeting without changes.

APPROVAL OF PLANNING COMMISSION MINUTES

Planning Commission - Regular Meeting – July 10, 2025 7:00 PM

On the motion of Mr. Goodwin, seconded by Mr. Brooks, which carried a vote of 5-0-1, with Mr. Painting abstained, the Planning Commission voted to approve the minutes of the July 10, 2025, meeting with changes.

On the motion of Mr. Goodwin, seconded by Mr. Brooks, which carried by a vote of 6-0, the Planning Commission voted to enter Closed Session at 7:11 p.m. for the purpose of discussing the following: In accordance with §2.2-3711(A)(8), consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel.

The Planning Commission returned from Closed Session at 7:26 p.m. and voted 6-0, that the Louisa County Planning Commission does hereby certify that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting was heard, discussed or considered by the Louisa County Planning Commission.

CONSENT AGENDA

None.

PUBLIC ADDRESS

Chairman Disosway opened the public address period.

With no one wishing to speak, Chairman Disosway closed the public address period.

UNFINISHED BUSINESS

Chris Coon provided information on updates to the Comprehensive Plan.

PUBLIC HEARINGS

Proposed Amendments to Chapter 86. Land Development Regulations; Article I. General Provisions; Article II. Zoning Ordinance and Maps

Chris Coon presented the proposed amendments regarding a Conditional Use Permit (CUP) for humanitarian shelters. The amendment serves to replace the 2019 Emergency Shelter definition with a clearer and more functionally accurate definition of Humanitarian Shelter, establish uniform minimum CUP submission requirements that address operational, safety, and community compatibility issues, provide a transparent roadmap for applications and decision-makers to evaluate the suitability of proposed shelters, and ensure alignment with state and federal codes, without burdening County staff or services with ambiguous expectations.

Patricia Smith, County Attorney, added she reviewed the information and saw no legal issues with the proposed changes.

Chairman Disosway opened the public comment period.

Sue Frankel-Streit, Patrick Henry District, spoke in opposition to the proposed amendments.

Lin Kogle, Louisa District, spoke in opposition to the proposed amendments.

David McWilliams, Green Springs District, representing Zion United Church, spoke in opposition to the proposed amendments.

Alicia Ford, Green Springs District, spoke in opposition to the proposed amendments.

Erin Rose, Green Springs District, spoke in opposition to the proposed amendments.

Juanita Jo Watkins, Mountain Road District, spoke in opposition to the proposed amendments.

Eileen Smith, Louisa District, spoke in opposition to the proposed amendments.

Mary Kranz, Mountain Road District, spoke in opposition to the proposed amendments.

Duane Sergent, Mineral District, spoke in opposition to the proposed amendments.

James Amick, Louisa District, spoke in opposition to the proposed amendments.

Allen Smith, Non- Louisa Resident, representing Mechanicsville Baptist Church, spoke in opposition to the proposed amendments.

Lura Kaval, Non-Louisa Resident, lead Chaplin for Louisa County Sheriff's Office, spoke in opposition to the proposed amendments.

Pam Bickley, Non-Louisa Resident, spoke in opposition to the proposed amendments.

Dana Racette, Louisa District, spoke in opposition to the proposed amendments.

With no one else wishing to speak, Chairman Disosway closed the public comment period and brought it back to the Planning Commission for discussion.

Mr. Goodwin made a statement as follows, “Mr. Chairman, since you appointed me to lead on this issue and it has generated interest, I would like to submit my final report and address some of the issues and iterations of the proposed ordinance that staff and I have gone through since it first appeared on our agenda and how we got to where we are tonight. From the beginning, this topic has been fraught with misunderstanding, misconception, and misinformation. If you will indulge me the time, I think it will be helpful to the Commission and constituents. I’ll speak to four of the issues tonight. But before I begin my report, I’d like to thank all the citizens who weighed in on this topic. They had a very important influence on the evolution of this ordinance and the final product. The first issue was the original request itself. When it was presented, there were whispers and outright positions from many corners of ‘no’. I admit, I was skeptical. But, when you assigned it to me, I took the position of ‘how can we say yes’. Second, the original request was generated by an outside party to modify the County’s ordinance on ‘emergency shelters’. Early on, research informed us that was not a viable approach. Emergency shelters are defined in the Code of Virginia and regulated by multiple state agencies, led by the Virginia Department of Emergency

Management. They are established and managed in a ‘state of emergency’ which is declared by the Governor of Virginia or a ‘local emergency’, as declared by local government. So, we shifted to a definition of ‘homeless shelter’, which was actually the subject of the original request. This term eventually evolved to ‘humanitarian shelter’ to include more opportunities to offer individuals basic humanitarian services, such as food services, extreme weather relief, homelessness, et cetera. Third is a misunderstanding of the difference between an ordinance and a conditional use permit. This misunderstanding has led to the misconception and misinformation that this is a ‘County versus churches matter’. Mr. Chairman, it is not. An ordinance is established to define land use county-wide and equally, based on zoning. An ordinance is not aimed at individuals or individual entities. It is not temporal; it applies to establishment for the foreseeable future and transfers the land. A conditional use permit, on the other hand, is directed to an individual or individual entity for a specific land use on a specific parcel or parcels and it can be temporal. A conditional use permit allows the county to apply compliance conditions to ensure public safety and community coherence. Most recently, one of the interested parties in this issue offered that they would agree to the proposed conditions, if they didn’t have to obtain a conditional use permit. Well, that is essentially a conditional use permit, but there is no way to get other future parties to agree to minimum terms, without the conditional use permit requirement. Finally, there is the issue of constitutionality. The Constitution of the United States, first amendment, ensures ‘freedom of religion’ There has been a lot of discussion on this and even the potential and threats of lawsuits. Some have suggested that we ‘carve out’ religious assemblies in the proposed ordinance. I am certainly not an attorney, but I have given this a lot of consideration. Just as government cannot deter religious activities, it also cannot offer favoritism in the form of exceptions or other special treatment. This has been ruled in cases such as prayer in schools, the Ten Commandments in courtrooms, and religious displays on government property. With this in mind, I am comfortable that the proposed ordinance treats religious assemblies equal to the treatment of any other applicant that desires to establish a humanitarian shelter. Mr. Chairman, members of the Commission, and citizens of Louisa County, I submit that to the best of our ability, we are offering the proper solution to the question at hand. It addresses the spectrum of human needs. It includes respect for public safety and community interests. It treats all citizens of Louisa equally. And most importantly, it offers a way to say ‘yes’. Again, I want to say a special thank you to staff for their expertise and support. I intend to support it”.

Mr. Brooks stated that the proposed ordinance is designed to treat everyone fairly, and he is in support of the proposed changes.

On the motion of Mr. Goodwin, seconded by Mr. Brooks, which carried a vote of 6-0, the Planning Commission voted to forward a recommendation of approval to the Louisa County Board of Supervisors on the proposed amendments to Chapter 86. Land Development Regulations; Article I. General Provisions; Article II. Zoning Ordinance and Maps as follows:

CHAPTER 86 - LAND DEVELOPMENT REGULATIONS (Humanitarian Shelter)

The purpose of the proposed amendment is to provide zoning and regulatory provisions that balance public health and safety, economic opportunity, and community well-being while ensuring compliance with state and federal laws. It is essential to evaluate zoning and regulatory tools to responsibly manage operation of shelters within the County. The draft amendment includes a proposed definition and zoning strategies for regulating “Humanitarian Shelters.”

THESE PROPOSED AMENDMENTS APPLY THROUGHOUT ALL OF LOUISA COUNTY; and are proposed pursuant to Va. Code §§ 15.2-2285 and 15.2-2286.

ARTICLE I. – GENERAL PROVISIONS

86-13 Definitions.

~~Emergency shelter. A facility providing temporary housing for one or more individuals who are temporarily or permanently homeless.~~

Humanitarian Shelter: a facility that provides temporary shelter and basic services to individuals or families, without requiring leases or occupancy agreements.

86-44. Reserved Conditional Use Permits for Humanitarian Shelters

In order to protect the health, safety, and general welfare of both shelter occupants and the surrounding community, the following minimum standards shall be required as part of any Conditional Use Permit (CUP) application for a Humanitarian Shelter. These items must be submitted with the application prior to consideration by the Planning Commission or Board of Supervisors to demonstrate responsible operations, minimize impacts on adjacent properties, and avoid undue burdens on County services.

a) **Ancillary Use Requirement** - Humanitarian shelters are generally expected to operate and only be permitted as an ancillary or accessory use to an otherwise approved principal use. Stand-alone shelters may raise additional considerations and should be discussed with staff during the application process.

b) **Continuous Supervision** - An identified authorized representative must be physically present and responsible for onsite supervision during all hours of shelter operation.

c) **Intake and Screening Requirements** - Provide written documents for policy and procedures to include, but are not limited to:

1. Defined intake hours and protocol
2. Identification Verification Methods for all clients
3. Screening Practices used to assess client suitability and ensure safe housing assignments, including any criteria that may limit entry;

These documents must be submitted with the CUP application and updated upon any change in procedure. Updated policies and/or procedures must be provided to the County for review prior to implementation. The Zoning Administrator will respond with a written determination within ninety (90) days of receipt of the request.

d) **On-Site Services and Partnership** - Provide information on any partnerships with a qualified provider of supportive services (e.g., mental health, substance abuse, housing navigation). A brief written plan for service delivery and client referral assisting to demonstrate a supportive framework for clients.

e) **Community Impact and Service Burden Statement** - The CUP application shall include a narrative explaining how the shelter will:

1. Avoid adverse impacts to surrounding properties and uses;
2. Minimize or offset reliance on County or public services;
3. Provide a responsible framework for managing shelter operations and resident behavior.

f) **Good Neighbor Policy** - The operator shall maintain a publicly available Good Neighbor Policy, including:

1. A primary contact for community inquiries or complaints;
2. Procedures for responding to concerns;
3. Community outreach and education efforts.

g) **Regulatory Compliance - All Humanitarian Shelters should demonstrate awareness of and intent to comply with applicable federal, state, and local laws, including but not limited to the Virginia Uniform Statewide Building Code (USBC), the Virginia State Fire Marshal, the Virginia Department of Health, the Americans with Disabilities Act (ADA), and any other relevant accessibility, life safety, or public health regulations.**

ARTICLE II. ZONING ORDINANCE AND MAPS

86-109 Matrix table.

Proposed Amendments to <u>Section 86-109 Use Matrix</u> to coordinate code sections based on the zoning district classification and whether the use is proposed as a permitted use, generally; or a permitted use with the issuance of a conditional use permit.																				
Defined Use	A-1	A-1 GAOD	A-2	A-2 GAOD	R-1	R-1 GAOD	R-2	R-2 GAOD	C-1	C-1 GAOD	C-2	C-2 GAOD	IND	IND GAOD	I-1	I-1 GAOD	I-2	I-2 GAOD	RD	PUD
COMMERCIAL																				
<u>Emergency Shelter</u>	X	X	C	C	X	X	X	X	C	C	C	B	C	B	C	B	X	X	-	
<u>Humanitarian Shelter</u>	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		
The proposed amendments affect only those uses listed above to be amended; and makes no changes to any other listed uses in Section 86-109																				
B = Allowable by-right																				
B(R) = Allowable by-right (with restrictions)																				
C = Conditional use permit																				
X = Not allowable																				

Sec. 86-136. - Permitted uses with a conditional use permit. (A-1)

COMMERCIAL

Humanitarian shelter (Subject to the requirements of Section 86-44.)

Sec. 86-154. - Permitted uses with a conditional use permit. (A-2)

CIVIC

Emergency shelter

COMMERCIAL

Humanitarian shelter (Subject to the requirements of Section 86-44.)

Sec. 86-171. - Permitted uses—With a conditional use permit. (R-1)

COMMERCIAL

Humanitarian shelter (Subject to the requirements of Section 86-44.)

Sec. 86-189. - Permitted uses with a conditional use permit. (R-2)

COMMERCIAL

Humanitarian shelter (Subject to the requirements of Section 86-44.)

86-206 Permitted uses with a conditional use permit (C-1)

CIVIC

Emergency shelter

COMMERCIAL

Humanitarian shelter (Subject to the requirements of Section 86-44.)

86-224. Permitted uses with a conditional use permit (C-2)

CIVIC

Emergency shelter

COMMERCIAL

Humanitarian shelter (Subject to the requirements of Section 86-44.)

Sec. 86-242. - Permitted uses with a conditional use permit. (IND)

CIVIC

Emergency shelter

COMMERCIAL

Humanitarian shelter (Subject to the requirements of Section 86-44.)

Sec. 86-261. - Permitted uses with a conditional use permit. (I-1)

CIVIC

Emergency shelter

COMMERCIAL

Humanitarian shelter (Subject to the requirements of Section 86-44.)

Sec. 86-279. - Permitted uses with a conditional use permit. (I-2)

COMMERCIAL

Humanitarian shelter (Subject to the requirements of Section 86-44.)

86-296 Permitted uses with a conditional use permit (RD)

COMMERCIAL

Humanitarian shelter (Subject to the requirements of Section 86-44.)

86-312 Permitted uses with a conditional use permit (PUD)

COMMERCIAL

Humanitarian shelter (Subject to the requirements of Section 86-44.)

Sec. 86-339. - Permitted uses with a conditional use permit. (A-1 GAOD)

COMMERCIAL

Humanitarian shelter (Subject to the requirements of Section 86-44.)

Sec. 86-359. - Permitted uses with a conditional use permit. (A-2 GAOD)

CIVIC

Emergency shelter

COMMERCIAL

Humanitarian shelter (Subject to the requirements of Section 86-44.)

Sec. 86-378. - Permitted uses with a conditional use permit. (R-1 GAOD)

COMMERCIAL

Humanitarian shelter (Subject to the requirements of Section 86-44.)

Sec. 86-394. - Permitted uses with a conditional use permit. (R-2 GAOD)

COMMERCIAL

Humanitarian shelter (Subject to the requirements of Section 86-44.)

86-412 Permitted uses with a conditional use permit (C-1 GAOD)

CIVIC

Emergency shelter

COMMERCIAL

Humanitarian shelter (Subject to the requirements of Section 86-44.)

Sec. 86-429. - Permitted uses—Generally. (C-2 GAOD)

CIVIC

Emergency shelter

86-431 Permitted uses with a conditional use permit (C-2 GAOD)

COMMERCIAL

Humanitarian shelter (Subject to the requirements of Section 86-44.)

Sec. 86-447. - Permitted uses—Generally. (IND GAOD)

CIVIC

Emergency shelter

Sec. 86-449. - Permitted uses with a conditional use permit. (IND GAOD)

COMMERCIAL

Humanitarian shelter (Subject to the requirements of Section 86-44.)

Sec. 86-465. - Permitted uses—Generally. (I-1 GAOD)

CIVIC

Emergency shelter

Sec. 86-467. - Permitted uses with a conditional use permit. (I-1 GAOD)

COMMERCIAL

Humanitarian shelter (Subject to the requirements of Section 86-44.)

Sec. 86-484. - Permitted uses with a conditional use permit. (I-2 GAOD)

COMMERCIAL

Humanitarian shelter (Subject to the requirements of Section 86-44.)

TEXT LEGEND

Bolded Text = To Be Added

Regular Text = To Remain

~~Strikethrough~~ = To Be Removed

NEW BUSINESS

None.

DISCUSSION

None.

REPORTS

None.

ANNOUNCEMENTS AND ADJOURNMENT

On the motion of Mr. Goodwin, seconded by Mr. Brooks, which carried a vote of 6-0, the Planning Commission voted to adjourn the August 14, 2025, meeting at 8:50 PM.

BY ORDER OF:

JOHN DISOSWAY, CHAIRMAN
PLANNING COMMISSION
LOUISA COUNTY, VIRGINIA