

MONTGOMERY COUNTY PLANNING COMMISSION  
June 20, 2012 @ 7:00 P.M.  
Board Room, Government Center

A G E N D A

**CALL TO ORDER:**

**DETERMINATION OF A QUORUM:**

**APPROVAL OF AGENDA:**

**APPROVAL OF CONSENT AGENDA:**

**PUBLIC ADDRESS:**

**OLD BUSINESS:**

**NEW BUSINESS:**

- Nomination & Election of Vice-Chair
- Appoint of Parks & Recreation Committee Liaison

**WORKSESSION:**

- Zoning Ordinance Amendments (Dari Jenkins)  
    Parking Lot Surfacing Requirements

**LIAISON REPORTS:**

- Board of Supervisors- Chris Tuck
- Agriculture & Forestal District- Bob Miller
- Blacksburg Planning Commission – Frank Lau
- Christiansburg Planning Commission – Bryan Rice
- Economic Development Committee- John Tuttle
- Public Service Authority – Joel Donahue
- Parks & Recreation- VACANT
- Radford Planning Commission- Bob Miller
- School Board- Bill Seitz
- Planning Director's Report- Steven Sandy

**MEETING ADJOURNED:**

**UPCOMING MEETINGS:**

- July 11, 2011      Planning Commission Public Hearing
- July 18, 2011      Planning Commission Site Visits (To be determined)  
                            Planning Commission Regular Meeting (7:00 pm)

MONTGOMERY COUNTY PLANNING COMMISSION  
CONSENT AGENDA  
June 20, 2012

A. APPROVAL OF MINUTES

- May 9, 2012

**ISSUE/PURPOSE:**

The above listed minutes are before the Planning Commission for approval.

B. **SCHEDULE THE FOLLOWING ITEMS FOR PUBLIC HEARINGS BEFORE THE PLANNING COMMISSION ON JULY 11<sup>TH</sup>, 2012 AND BOARD OF SUPERVISORS ON JULY 23<sup>RD</sup>, 2012**

No public hearings to be scheduled

AT A MEETING OF THE MONTGOMERY COUNTY PLANNING COMMISSION ON MAY 9, 2012 IN THE BOARD ROOM, SECOND FLOOR, COUNTY GOVERNMENT CENTER, CHRISTIANSBURG, VIRGINIA:

**CALL TO ORDER:**

Mr. Lau, Interim Chair called the meeting to order.

**DETERMINATION OF A QUORUM:**

Mr. Tuttle established the presence of a quorum.

Present: Frank Lau, Interim Chair  
John Tuttle, Secretary  
Joel Donahue, Member  
Robert Miller, Member  
Bryan Rice, Member  
William Seitz, Member  
Chris Tuck, Board of Supervisors Liaison  
Dari Jenkins, Planning & Zoning Administrator  
Brea Hopkins, Planning & Zoning Technician  
Jamie MacLean, Development Planner

Absent: Ryan Thum, Vice-Chair  
Walt Haynes, Chair  
Steven Sandy, Planning Director

**APPROVAL OF AGENDA:**

On a motion by Mr. Rice, and seconded by Mr. Donahue, and unanimously carried the agenda was approved as amended by adding discussion regarding Giles Road Development and Mr. Thum's Vacancy.

**APPROVAL OF CONSENT AGENDA:**

On a motion by Mr. Donahue, and seconded by Mr. Rice, and unanimously carried the consent agenda was approved.

**PUBLIC ADDRESS:**

Mr. Lau opened the public address; however, there being no comments the session was closed.

**WORKSESSION:**

On a motion by Mr. Seitz, seconded by Mr. Tuttle and unanimously carried the Planning Commission entered into worksession.

Zoning Ordinance Amendments

Kennel definitions

Ms. Jenkins reviewed the propose definitions for commercial and private kennels. She discussed additional amendments to outline regulations and additional limitations for commercial kennels. Private kennels will be permitted by right in Agricultural (A-1), Conservation (C-1) districts and by special use permit in Residential zoning districts.

Mr. Lau noted concerns of not clearly defining dog day care centers.

Mr. Rice stated he felt the commercial kennel definition would include dog day care centers.

There was discussion regarding the conflict of definitions for kennels in the zoning ordinance and in the animal control section of the County Code. Ms. Jenkins stated little changes could be made and after consultation with the County Attorney it was determined that it was not possible to make the two definitions be identical.

It was the consensus of the commission to move forward with public hearings on the proposed amendments.

### Penned Animals

Ms. Jenkins reported that the Board of Supervisors had passed a resolution (R-FY-12-91) requesting that the Planning Commission to study the use of outdoor open air pens for the keeping of pets or other livestock and advise whether amendments to the zoning ordinance are warranted to regulate this use.

Ms. Jenkins discussed County Code Section 7-54 under nuisances. Based on the interpretation of that Code Section penned animals could be treated as a nuisance. The other option is to add language similar to private kennel limitations which states *"Exterior runs, pens and other confined areas designed to house five (5) or more animals shall be set back at least twenty-five (25) feet from any property line. For the purposes of this section, perimeter fencing of a yard shall not be considered a confined area."*

Mr. Donahue stated the nuisance section solves the issue and incorporating additional regulations in the zoning ordinance did not seem reasonable.

Mr. Seitz noted that nuisance is the better option because it would not apply to everyone. There could be conflicts with farming operations if the zoning ordinance had regulations.

Mr. Miller noted the Right to Farm Act regulations needed to be considered.

Mr. Tuck stated Mr. Creed was adamant about regulating the penned animals.

It was the consensus of the Planning Commission to allow penned animals to be regulated under Section 7-54 of the County Code and not with additional zoning regulations.

### Giles Road Development

Mr. Lau stated there was a current multi-use apartment expansion project on Giles Road between N. Main and Patrick Henry Dr. in Blacksburg, The construction will increase the amount of traffic entering Giles Rd. which feeds into Neal and Murphy Streets. It is likely that the neighboring community located in the county will be impacted. The development impacts were

not conveyed in relation to the county residential lots. He noted that the county should be aware of the potential issues associated with the project.

On a motion by Mr. Donahue, seconded by Mr. Miller the Planning Commission closed the worksession

On a motion by Mr. Donahue, seconded by Mr. Rice and unanimously carried the Planning Commission recommended reporting to the Board of Supervisors that amendments to the zoning ordinance relating to penned animals was not necessary. After much discussion and due consideration the Planning Commission found that nuisance laws under Section 7-54 of the County Code could adequately address issues as they arose.

**LIAISON REPORTS:**

Board of Supervisors- Chris Tuck reported that there is consideration being given to allowing non-profit organizations to have boxes at the collection sites to allow them to collect usable items. The Board has also discussed the budget that was passed and its impacts to education.

Agriculture & Forestal District- No report.

Blacksburg Planning Commission- Frank Lau stated the Blacksburg Planning Commission has received a proposal to increase amount of student housing in Blacksburg.

Christiansburg Planning Commission- No report.

Economic Development Committee- John Tuttle stated the committee toured the Lafayette school property. Part of the property is owned by VDOT. The CRC is going to have 5 new buildings this year, all with a major tenant. 310 apartments are being constructed behind Lowes starting in June.

Public Service Authority- Joel Donahue stated there was a continuation of budget talks. There is an agreement to join water authority in Jan. 2013.

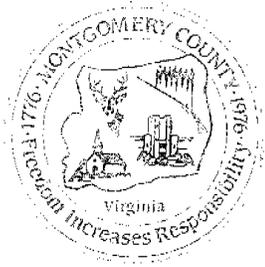
Parks & Recreation- No report.

Radford Planning Commission- No report.

School Board- No report.

Planning Director's Report- No report.

There being no further business the meeting was adjourned at 8:30 pm.



MONTGOMERY COUNTY DEPARTMENT  
OF PLANNING AND GIS SERVICES

PLANNING  
GIS & MAPPING

755 ROANOKE STREET, SUITE 2A, CHRISTIANSBURG, VIRGINIA 24073-3177

**MEMORANDUM**

TO: Montgomery County Planning Commission

FROM: Dari Jenkins, Zoning Administrator

DATE: June 13, 2012

SUBJ: ZONING ORDINANCE AMENDMENTS

A handwritten signature in black ink, appearing to be "DJ", written over the "FROM" line.

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**Parking Lot Surfacing Requirements:**

Upon review of the zoning ordinance text amendments for parking lot surfacing requirements previously approved by the Commission, Marty McMahon, County Attorney, has indicated concerns about the proposed amendments. The intent of the original language was to provide an administrative review process by the Zoning Administrator and County Engineer to allow alternative pavement options. Mr. McMahon indicates the administrative review must be black and white without discretion, basically a check list. His concern is that by allowing the staff to review the proposed considerations or criteria, there is discretion in determining whether the need for paving is actually there. He explained this type of discretion is legislative and can only be made by the Board of Supervisors of the Board of Zoning Appeals (BZA) through consideration and approval of a Special Use Permit (SUP) to allow the use of different materials.

The Planning Director and I will be meeting with Marty next week prior to the Planning Commission meeting for further discussion of the matter and hope to have more definitive information for your consideration at that time.

DJ

Enclosure(s)

Proposed Ordinance Amendments – May 31, 2012  
Deletions indicated by ~~strikethrough~~ and Additions indicated by *Italics and Underline*

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- (d) Access. Driveway openings through the curb shall be a maximum of two (2) per parking lot, excluding shopping center parking lots. There shall be not less than twenty-five (25) feet between driveway openings and there shall be not less than twelve and one-half (12½) feet from any driveway opening to any property line. No driveway opening shall be less than twelve (12) feet in width. Landscaping, curbing or approved barriers shall be provided along lot boundaries to control entrance and exit of vehicles or pedestrians. All driveway openings shall comply with all applicable state regulations including, but not limited to, those of the state department of transportation.
- (e) *Surfacing.* Any public off-street parking area shall be surfaced so as to provide a durable and dustless surface, shall be graded so as to dispose of all surface water accumulation within the area, unless such surface water accumulation is part of a designed stormwater runoff control measure, and shall be arranged and marked to provide safe and orderly loading, unloading, movement, parking and storage of vehicles. At a minimum, surface treatment shall be equal to a prime and double seal.
- Alternative surfaces may be used if approved by the Administrator in consultation with the County Engineer. Gravel or other material shall not be used, unless the appurtenant street is unpaved or as approved by the Administrator in consultation with the County Engineer. In reviewing options for parking surfaces other than asphalt or concrete, consideration shall be given to the intensity of use, frequency of use, size of parking bays, length of travel lanes and the interface of entrances and exits with the public right-of-way. Parking bays or travel lanes constructed of an approved pervious pavement material may be excluded from lot coverage calculations provided product information on performance is submitted that demonstrates the surface remains pervious in the long term and a maintenance plan is approved by the County. This information may be provided as part of a stormwater management and maintenance plan if such a plan is required. In parking areas containing over ten (10) spaces, additional landscaping standards (Section 10-43), as set out in this chapter, shall apply.*
- (f) *Additional requirements.* There shall be the following additional requirements for parking lots with ten (10) or more parking spaces:
1. *Marking.* Parking spaces in lots of ten (10) or more spaces shall be delineated by painted lines, curbs, bumper blocks, vertical lines on continuous curbing or other appropriate means of marking.
  2. *Lighting.* Any lights used to illuminate any parking area shall be so arranged and shielded as to confine all direct light entirely within the boundary lines of the parking area.
  3. *Parking in setback or yard.* No parking or visual barrier shall be less than eight (8) feet from an abutting lot or right-of-way.
  4. *Minimum size of all parking and maneuvering space.* All individual parking spaces shall be a minimum of nine (9) feet by eighteen (18) feet. The minimum aisle space for ninety-degree parking shall be twenty-four (24) feet in width. The minimum aisle space for sixty-degree parking shall be twenty-three (23) feet in width. The minimum aisle space for thirty-degree parking shall be seventeen (17) feet in width. For any parking area in which the degree of angular parking varies from the

## Possible Revised Text for Parking Lot Surfacing

June 14, 2012

- (a) *Surfacing.* Any public off-street parking area shall be surfaced so as to provide a durable and dustless surface, shall be graded so as to dispose of all surface water accumulation within the area, unless such surface water accumulation is part of a designed stormwater runoff control measure, and shall be arranged and marked to provide safe and orderly loading, unloading, movement, parking and storage of vehicles. At a minimum, surface treatment shall be equal to a prime and double seal. Alternative paving materials may also be used as described below.

An alternative paving material is one of the following: porous asphalt; porous concrete; permeable interlocking pavers; permeable pavers; hard surface elastomeric paving; decomposed granite; crushed rock; gravel; restrained systems (a plastic or concrete grid system confined on all sides to restrict lateral movement and filled with gravel or grass in the voids); or recycled rubber. Alternative paving materials are permitted for use in every parking area, automobile storage area, automobile, manufactured home or trailer sales area and driveways, subject to the following:

1. Any product installed within areas designated as a fire lane must be approved by the local fire department and County Emergency Services Coordinator.
2. Permeable interlocking concrete pavers and permeable pavers shall have a minimum thickness of 80mm (3.14 inches).
3. Products and underlying drainage material shall be installed per manufacturer's specifications. Sub-grade soils shall be compacted as required per the product installation specifications. Copies of specifications shall be provided to zoning administrator as part of site plan submittal.
4. Decomposed granite, crushed rock and gravel shall only be allowed for one or two family residential driveways and storage areas on commercial and industrial lots.
5. All projects shall be compliant with all other provisions of the Montgomery County Code and any applicable standards and guidelines. Any deviations from these requirements shall require approval of a special use permit from the board of supervisors.