

AT A MEETING OF THE MONTGOMERY COUNTY PLANNING COMMISSION ON MARCH 21, 2012
IN THE BOARD ROOM, SECOND FLOOR, COUNTY GOVERNMENT CENTER, CHRISTIANSBURG,
VIRGINIA:

CALL TO ORDER:

Mr. Thum, Chair called the meeting to order.

DETERMINATION OF A QUORUM:

Mr. Tuttle established the presence of a quorum.

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

Absent: Walt Haynes, Chair

APPROVAL OF AGENDA:

On a motion by Mr. Miller, and seconded by Mr. Donahue, and unanimously carried the agenda was approved as amended by adding the following items to the agenda; a resolution honoring Malvin Pug Wells and the Forest Hills Proffer request.

Mr. Thum stated the Planning Commission would like to honor the memory of Chief Malvin "Pug" Wells with the following:

RESOLUTION OF APPRECIATION

MALVIN "PUG" WELLS

WHEREAS, Malvin "Pug" Wells provided dedicated and distinguished service to the people of Montgomery County as a member of the Montgomery County Planning Commission from September 1981 to May 2005 and January 2006 to March 2012; and

WHEREAS, Mr. Wells has provided leadership while serving as elected Chair (1987, 1988, 1998, 1999), Vice-Chair (1986, 1994) and Secretary (1985) of the Planning Commission; and

WHEREAS, Mr. Wells commitment to better planning is evidenced by his participation in the development of three Comprehensive Plans (1983, 1990 and 2004) for Montgomery County;

the six (6) village plans, including the Elliston-Lafayette Village Plan in 2007, the Village Transportations Links Plan (VITL) 2007, the Lafayette Corridor Plan, by his service as liaison to the Transportation Safety Committee and the Public Service Authority; as well as his achievement of Certified Planning Commissioner; and

WHEREAS, Mr. Wells commitment to the citizens of Montgomery County is evidenced by his involvement as a founding member of the Elliston Volunteer Fire Department, his service on the Montgomery-Blacksburg Local Emergency Planning Committee (LEPC), Montgomery Fire & Rescue Association, Virginia Fire Service Council, and the Montgomery County Towing Advisory Board; and

WHEREAS, the wise council of Mr. Wells, which has always been for the betterment of the citizens of Montgomery County, will be missed by his fellow Planning Commissioners and Planning Staff.

NOW THEREFORE, BE IT RESOLVED, that the Montgomery County Planning Commission hereby expresses its appreciation for the outstanding, unselfish, and dedicated service that Malvin "Pug" Wells provided for thirty-one (31) years to the people of Montgomery County.

Mr. Thum asked the family to join the commission at the podium and presented Mrs. Wells with the framed resolution of appreciation.

APPROVAL OF CONSENT AGENDA:

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

PUBLIC ADDRESS:

Mr. Thum opened the public address; however, there being no speakers, the public address session was closed.

OLD BUSINESS:

Safe Route To Schools Projects

Ms. MacLean stated staff has spoken with the VA SRTS Coordinator and the submittal deadline for travel plans has been moved to late Spring. Non-infrastructure funds may also be funded. Due to these changes, staff is taking the extra time to revise the travel plan and incorporate supporting language that will enable non-infrastructure requests. Staff will provide the revised plans and a draft resolution in packets for the April 11th meeting. At that time, staff will request the Planning Commission endorse both plans with resolutions of support.

Forest Hills Proffer Request

Mr. Sandy stated a revised proffer statement was submitted by the owner. The proffer states once the crosswalk is constructed the owner will build the sidewalk connector at their cost.

Mr. Rice asked if there was a need for construction details?

Mr. Sandy noted the connector will have to meet the same requirement as the other sidewalks/trails. The proffer will run with the land so it can be enforced.

Mr. Rice, Mr. Donahue, and Mr. Miller noted the revised statement met the previously stated objections and concerns of the commission.

WORKSESSION:

On a motion by Mr. Tuttle, seconded by Mr. Miller and unanimously carried the Planning Commission entered into work session.

Ms. Jenkins stated staff had been researching information regarding some potential ordinance amendments for off-street parking & loading, kennels, and penned animals.

Off-Street Parking

Ms. Jenkins stated the ordinance requires a durable & dustless surface minimum to prime and double seal for all non-residential uses. Several issues have arisen with contractor's equipment and large trucks using this type of surface. Some options to address those issues include adding language to allow other types of surfaces, permit permeable surfaces under certain conditions, gravel parking for certain uses, etc. There will also need to be consideration given to if the allowances will be by-right, up to the zoning administrator, or by special use permit.

Mr. Miller stated he preferred permeable surfaces to allow water to return to the soil and help with groundwater recharge.

Mr. Seitz stated he also would prefer gravel to handle runoff. The only other option for heavy equipment or trucks is to use a heavy grade concrete which is also cost prohibitive.

Mr. Tuck noted the Board of Supervisors was looking at paving estimates for the Shelor Park and the cost will be approximately \$150,000. The park is not a high use park so the Board would like to consider other options; however, must comply with the ordinance.

Mr. Donahue discussed other options such as recycled rubber tires.

Mr. Lau stated other options needed consideration due to heavy equipment. The best option is gravel because it can be smoothed out as needed.

Mr. Thum noted the need to consider the use and location.

The consensus of commission was to research permeable surfaces, draft ordinance amendments to give staff the ability to approve those surfaces based on the proposed use.

Kennel Definitions:

Ms. Jenkins discussed the need to consider a revision of the definition for kennel. The current definition is inconsistent with the County Code. The zoning ordinance does not limit the number of dogs before being considered a kennel. She reviewed current standards.

Mr. Lau noted the need for some additional language for doggie day care facilities because those dogs are not boarded.

Mr. Donahue stated a doggie day care should be less restrictive.

Mr. Thum stated he felt there was a need to maintain the focus on kennels since there has not been any issues with the dog day care facilities. He expressed his concerns with the impacts to private owners.

Mr. Seitz and Mr. Thum concurred that limiting the number to five (5) was not reasonable since you cannot run a commercial business with that low of a number.

Mr. Sandy noted they could require that the dogs be owned by the owner of the property. The confusion occurs because the Treasurer issues a kennel tag to those who own more than five (5) dogs, which allows citizens to believe they have complete approval.

Penned Animals

Ms. Jenkins stated Supervisor Creed had requested the planning commission's consideration regarding an amendment to the zoning ordinance regarding issues with penned animals. A complaint was filed regarding pigs which were penned within ten (10) ft. of a property line. The property was zoned Agricultural (A-1) and all setbacks were being met, so staff could not issue a violation notice. Possible options are to limit confinement areas, size, location, setbacks, etc. It will probably be necessary to define "confinement area". There is an ordinance section to address intensive livestock; however, it only deals with large numbers of animals.

Mr. Donahue stated he felt it was not necessary to amend the ordinance in order to resolve a neighbor dispute. The issues of smell or runoff could be considered a nuisance.

Mr. Miller noted the need to consider fencing installed by farmers and the "Right To Farm Act".

Mr. Rice noted that ordinance amendment cannot be created just to solve one individual's problem.

Mr. Thum noted that the commission needs to protect the rural nature of the county. The complainant needs to explore other options such as nuisance, and noise ordinances.

Mr. Tuck stated his concerns with a possible amendment.

Mr. Sandy stated staff could bring a copy of nuisance laws, etc. to the next meeting. At that time, the commission can review the current regulations and make a recommendation to board if it feels amendments are un-necessary.

On a motion by Mr. Miller, seconded by Mr. Rice and unanimously carried the Planning Commission closed the worksession.

NEW BUSINESS

Liaison Appointments

Mr. Sandy, stated there were a couple of open committees. Consideration will also need to be given to electing a chair, and vice-chair with the absence of Mr. Haynes.

Mr. Thum requested advice be obtained from the County Attorney as to the proper procedure for an election.

Mr. Thum appointed Mr. Donahue as liaison to the PSA.

Liaison Reports

Board of Supervisors: Mr. Tuck stated the Board was discussing the upcoming budget. The county advertised a \$0.12 increase. No budget has been received from the state yet and it is not anticipated anytime soon.

Agriculture & Forestal District- No report.

Blacksburg Planning Commission- No report.

Christiansburg Planning Commission- No report.

Economic Development Committee- Mr. Tuttle reported that Mr. Obiso, Attimo Winery made a presentation to the committee. The winery is currently producing 4 or 5 wines for different wineries in the area. They are considering facility expansions. It was a great project for the County.

Public Service Authority- No report.

Parks & Recreation Commission- No report.

Radford Planning Commission- No report.

School Board- Mr. Seitz stated the school board discussed redistricting and facilities. The old Blacksburg High School is about to be turned over to the Board of Supervisors. Roof repairs on 13 buildings have been completed. The design construction for the new schools is currently on schedule.

Planning Director's Report- Mr. Sandy stated the Planning Commissioners Training Event will be held on May 23rd. The topic will be related to historic structures and districts. The Board of Supervisors asked staff to look at regulations regarding the installation of signs at county entrances. There is a desire to use an LED sign to provide special information. On April 12th at 4:00 pm the Planning Commission will participate in a tour of the Smart Road.

There being no further business the meeting was adjourned at 8:25 pm.