

AT A MEETING OF THE MONTGOMERY COUNTY PLANNING COMMISSION ON JULY 15, 2015 IN BOARD ROOM, COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

I. CALL TO ORDER:

Mr. Miller, Chair, called the meeting to order.

II. DETERMINATION OF A QUORUM:

Ms. Disney established the presence of a quorum.

Present: Bob Miller, Chair
 Scott Kroll, Vice-Chair
 Cindy W. Disney, Secretary
 Steve Howard, Member
 Bryan Rice, Member
 Trey Wolz, Member
 Coy Allen, Member
 Chris Tuck, Board of Supervisors Liaison
 Emily Gibson, Planning Director
 Candace Ross, Sr. Program Assistant

Absent: Brea Hopkins, Development Planner
 Dari Jenkins, Planning and Zoning Administrator
 Sonia Hirt, Member
 Bryan Katz, Member

III. APPROVAL OF AGENDA:

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

IV. APPROVAL OF CONSENT AGENDA:

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

V. PUBLIC HEARING:

- a.) An ordinance amending Chapter 10, entitled Zoning of the Code of the County of Montgomery, Virginia by amending Sections 10-25 and 10-26 respectively by allowing a minimum lot width of ninety feet (90') and a minimum lot width of seventy feet (70') when curb and gutter in accordance with VDOT standards is used for subdivisions utilizing the compact development option in Residential (R-2) and Residential (R-3) zoning districts.

Mrs. Gibson presented slides and discussed that the R-R and R-1 zoning districts lot widths were reduced when using the compact option, but in the R-2 and R-3 districts the widths were not reduced. The Planning Commission discussed allowing lot width reduction for compact development. Mrs. Gibson said the office has not received any negative comments from citizens.

Mr. Miller asked to look at language on page 3 of the text where it listed the word "ninety" and the number "80" after it in parenthesis. The Commission discussed the intent was for the R-3 district to be eighty (80).

Mr. Kroll stated an issue with the legal notice which listed ninety (90) and seventy (70). Ms. Gibson advised the Commission to continue to move forward with the hearing and prior to the text moving forward she would verify with the County Attorney that this was acceptable.

Mr. Neel, with Gay and Neel spoke in favor of the new language, stating one of his client's projects brought this to staff's attention. He said there has been a change to a previous

rezoning project, which the owner is looking to do all single family instead of town house and single family combination as previously approved.

A motion was made by Mr. Kroll, seconded by Mr. Howard and unanimously carried, to recommend approval of the request amending Chapter 10, Sections 10-25 and 10-26, with the modification discussed on page 3 of the text.

Ayes: Howard, Rice, Disney, Miller, Kroll, Allen, Wolz

Nays:

Abstain:

b.) An ordinance amending Chapter 10 entitled Zoning of the Code of the County of Montgomery, Virginia by amending Sections 10-21(3), 10-22(3), 10-23(3), 10-24(3), 10-25(3), 10-26(3), 10-27(3), 10-28(3), 10-29(3), 10-30(3), 10-31(3), 10-32(5)(i)(b)(3), 10-32.1(6)(3), 10-33(3), 10-34(3), 10-35(3), and 10-36(3) respectively by allowing public use, public facility as defined under section 10-61 as a by right use in all of the county zoning districts

Mrs. Gibson stated that public facilities are allowed by-right only is PUD-RES and RM-1. She read the definition that currently exists in the ordinance. Mrs. Gibson said this would mainly impact county uses, as state and federal uses are not controlled by local authority. The amendment would address public facilities that exist and also those being considered by the County at this time, making it clear for all districts.

Mr. Rice asked if pump stations are included.

Mrs. Gibson said those are classified associated with public utilities typically.

Mr. Kroll stated he has a problem having a "blank check" for a public facility with no provision for public input. He said he is concerned for the citizens who do not have an opportunity to voice their opinion that this may affect. He asked if it's possible to consider allowing public facilities under a SUP.

Mrs. Gibson said she had not considered that based on the discussion held with the Commission at the June meeting. She again referenced that this amendment will only impact Montgomery County facilities.

Mr. Rice said as a real estate agent, he believes the public has the right to know where these facilities will be located. He stated he is specifically concerned about residential districts.

There was a discussion about existing public uses allowed by right and by special use permit in the County.

Mr. Kroll suggested instead of taking action, use this as opportunity to look at the uses throughout the ordinance. He believes the Commission needs to take time to review and get a better understanding of the ordinance. He said he is not in favor of approving the proposed text.

Mrs. Gibson said residential districts seem to be what the Commission is most concerned with. She suggested creating a matrix for each districts and decide whether what be allowed by right or SUP for districts.

Mr. Miller said the matrix would help and then the Planning Commission could reopen conversation for a future meeting.

Mrs. Gibson indicated that staff would prepared the additional data and inform the Board of the delay since the Public Hearing was scheduled for the Board of Supervisors on the evening of July 24th.

VI. PUBLIC ADDRESS:

Mr. Miller opened the public address.

Mr. James Hill, Vice President of NRV Beekeepers said he welcomed the improvements in the new draft. He said that he felt the 35 feet rear setback was more than necessary but better than the original 50 feet. He also asked the Planning Commission to reconsider requiring a Zoning Permit and what purpose it would serve. Mr. Hill said there is no purpose in obtaining a permit since the complainant will bring the violation to the county's attention.

Mr. Kroll asked about water requirement if Mr. Hill felt the location to the water source was appropriate?

Mr. Hill said the main idea behind water source, is to provide water nearby so bees do not go elsewhere, such as bird baths or pools.

There being no comments the public address was closed.

VII. OLD BUSINESS:

a. Beekeeping in Residential Districts- Draft Language Zoning Ordinance

Mrs. Gibson went over changes from previous meeting. She reminded the Planning Commission that approximately 95% of the county does not require permits for beekeeping, leaving the small amount of the county in Residential districts that would. Permits serves as a way for the applicant to know the regulations and for staff to know what is going on at the location without doing a site visit.

Mr. Kroll said he would consider making the setback less, 25 feet, for the advertised public hearing.

Mrs. Gibson indicated that staff would make the change and advertise a 25 feet setback, which the Commission could always increase if desired based on the Public Hearing.

b. Update and Discussion on State Code Language Related to Agriculture and Associated Uses

Mrs. Gibson said staff is still spending time researching other localities. She will keep the Commission informed and bring forward recommended changes at a future meeting.

VIII. NEW BUSINESS:

Mr. Kroll asked when the matrix is put together, if feasible, could staff take summary sheets and put together a small handout for each member with updated revisions.

Mrs. Gibson said that staff will work on providing new Summary Sheets for each district to be distributed to the board.

IX. LIAISON REPORTS:

Board of Supervisors: Mr. Tuck stated at Monday night's meeting, Gary Creed's rezoning request was approved. He also expressed his appreciation for the Planning Commission's guidance that helped him feel comfortable going forward and approving. Mr. Tuck said he attended an anti-pipeline meeting. The biggest concern is the compression station that can be very loud. He said the County Attorney will be looking into light and noise ordinances. It is anticipated for the pipeline to be completed within the two years once the submission moves forward in December.

Blacksburg Planning Commission: Mr. Allen attended the July 7 meeting where more discussions were held on the pipeline.

Christiansburg Planning Commission: No Report

Economic Development Committee: Mr. Kroll said Joe Fortier did a presentation for the plans to redevelop of the former Prices Fork Elementary School.

Public Service Authority: Mr. Howard stated a meeting was held on July 6. He said they talked about PSA employees and necessary certifications.

Parks & Recreation: No Report

Radford Planning Commission: Mr. Miller said the meeting consisted of looking of their Comprehensive Plan and revisions. There were also updates on the construction along East Main Street that will consist of retail on the first floor and multi-family housing above.

School Board: No Report

Tourism Council: No Report

Planning Director's Report: Mrs. Gibson reported that the former Prices Fork School site has been sold and the county is working with the new owner and a management team on a \$30,000 planning grant from the Virginia Department of Community Housing. They are currently working with food consultant, other uses for the site at the building, which will be preserved. There is an RFP out for transportation assistance for upcoming projects. It will close

on July 29th and she will keep the Planning Commission advised. There will be an upcoming Agricultural Conference at The Inn in Blacksburg, late September/early October. She will be sure to let the Commission know the date as soon as it is set. Finally, Mrs. Gibson let the PC know that Lisa Bleakley with Tourism will be present in the fall to talk to them about the many projects they have going on throughout the county.

X. ADJOURNMENT

There being no further business, the meeting was adjourned at 8:40 pm.

Chairman

Secretary