

**King & Queen County  
Planning Commission Minutes  
February 7, 2011**

The King & Queen County Planning Commission met on Monday, February 7, 2011, at 6:00 p.m. in the King & Queen County Courts and Administrations Building in the Court Room for their regular monthly meeting.

**Planning Commission Members Present:**

John Roane	James "Jimmy" Guess
Milton Watkins	Hunter Richardson
David Campbell	Donna Thompson
Robert "Bob" Taylor	William Herrin

**Also in Attendance:**

Thomas J. Swartzwelder, County Attorney  
Donna E. Sprouse, Assistant Zoning Administrator

**Call to Order**

Chairman, Robert Taylor, called the meeting to order.

**Roll Call/Determination of Quorum**

Mr. Campbell took roll call and determined that a quorum was present.

**January 3, 2011 – Regular Meeting Minutes**

After brief review of the minutes, a motion was made by Mr. Watkins to approve the minutes as written, second by Mr. Guess.

Voting For: Watkins, Roane, Thompson, Guess, Taylor, Campbell, Richardson, Herrin

Voting Against: None

Abstain: None

**Citizens Comment Period**

Mr. Taylor opened the floor for public comment period, hearing no comments from the public, citizens comment period was closed.

**Unfinished Business**

Mrs. Sprouse explained that during the January meeting, the Planning Commission did not have the opportunity to review the entire packet; therefore they were going to pick back up from where they left off from their January meeting. Mrs. Sprouse noted that they had gone through Article 4 and

various others but felt as a refresher she would start the review with Article 3, Establishment of Zoning Districts & Official Zoning District Map.

**A. Zoning Text Amendment ZA10-03 – Establishment of Zoning Districts & Official Zoning District Map.**

Mrs. Sprouse briefly went over the proposed changes/amendments. Mr. Swartzwelder had a few comments about the definitions for public and private sewage and water supply. Mr. Swartzwelder and Mrs. Sprouse also discussed the purpose of the Residential General zoning district. Mr. Swartzwelder stated that he would like to review Article 3 one more time with Mrs. Sprouse before having the Planning Commission to complete review of Zoning Text Amendment ZA10-03, Article 3, Establishment of Zoning Districts and Official Zoning District Map.

**B. Zoning Text Amendment ZA10-04 – Permitted Uses**

Mr. Taylor asked the Planning Commission if they had any specific item they would like to review again in Article 4, Permitted Uses. Hearing no comments, Mr. Taylor suggested that we move on to the next Article and should anyone wish to revisit this Article, they may do so then.

**C. Zoning Text Amendment ZA10-05 – Site Development Regulations**

Mrs. Sprouse went over the proposed changes/amendments. Mrs. Sprouse noted that some of the proposed changes included increasing the minimum acreage requirements for commercial and industrial properties, as well as residential single family zoning classifications. She added that this proposed acreage increase does not include the Agricultural zoning district. Mrs. Sprouse also noted that frontage requirements and number of lots will depend on if the Planning Commission wishes to reduce the number of by right divisions from 2 and residual to 1 lot and residual. Mr. Swartzwelder noted that this may be an article that will be revisited again. He also asked that each Planning Commission member please speak with their Board member and find out how they feel about the proposal. It does the Planning Commission no good to spend a lot of time on something that they wouldn't even consider. Mr. Taylor and Mr. Richardson both stated that they had the opportunity to speak with their Board member and hopes that the other Planning Commission members will do the same by the next meeting.

Mrs. Sprouse explained that the proposed amendment also allows for setbacks to be more consistent in commercial/business classifications and industrial classifications. She also explained that per the last meeting, she allowed for a reduced setback requirement for existing county fire and rescue departments in a footnote within Table 5.1. Hearing no further comments, Mr. Taylor stated they would move on to the next item on the agenda.

**D. Zoning Text Amendment ZA10-06 – Modifications to Yard and Bulk Regulations**

Mrs. Sprouse explained that there were 2 small changes in the article, it was basically a “clean up” where something is repetitive and the foot note number changed in section 3-114C. Hearing no further comments, Mr. Taylor asked Mrs. Sprouse to move on to the next amendment.

**E. Zoning Text Amendment ZA10-07 – Site Plan Requirements**

Mrs. Sprouse stated that there had been no other proposed changes to Article 14 since the last review completed by the Planning Commission. After reviewing the changes with the Commission and hearing no comments, Mr. Taylor asked Mrs. Sprouse to move on to the next amendment.

**F. Zoning Text Amendment ZA10-08 – Off Street Parking Requirements**

Mrs. Sprouse noted that there had been no other proposed changes to Article 15 since the last review completed by the Planning Commission. She went over the proposed changes with the Planning Commission. Hearing no comments, Mr. Taylor asked Mrs. Sprouse to move on.

*(\*The Commission took a 5 minute break)*

**G. Zoning Text Amendment ZA10-09 – Signs**

Mrs. Sprouse noted that though Article 16 was just amended, she noticed that Article 5, Section 3-101G(4) relates to signs for adult establishments and really should be in Article 16, Signs.

**H. Zoning Text Amendment ZA10-10 – Appeals**

Mrs. Sprouse noted that the only proposed change for Article 20 is to remove the option to allow the BZA to approve reduction in parking spaces. Mrs. Sprouse stated that the number of parking spaces are set out in Article 15 and stated during the last meeting reviewing this article; it was determined to not allow reductions in parking space requirements. After hearing no comments, Mr. Taylor asked Mrs. Sprouse to move on to the next item.

**I. Zoning Text Amendment ZA10-11 – Intensive Livestock, Dairy, Poultry Facilities**

Mrs. Sprouse handed out copies of surrounding localities zoning ordinance as it related to intensive livestock. Mrs. Sprouse stated that during the last meeting when the Planning Commission reviewed Article 23; there were some concerns that are proposed amendment is now not in line with surrounding localities ordinances. After some discussion, it was decided to toss out the changes and go back to the original ordinance.

**J. Zoning Text Amendment ZA10-12 – Subdivision Ordinance, Chapter 4**

Mrs. Sprouse asked if the Commission would agree to review this section at a later meeting date, at least until the Commission members have had the opportunity to speak with their Board members. Mr. Taylor agreed, hearing no other comments from the Commission, Mr. Taylor stated that the Commission will review the remainder of the articles/amendments during their next meeting.

**Commissioner’s Comments**

Hearing no comments, Mr. Taylor asked if staff had any comments.

**Staff’s Comments**

Mr. Swartzwelder noted that the Planning Commission will soon be receiving a Chesapeake Bay Exception request along with a major WQIA for work done “after the fact” in the RPA. Mr. Swartzwelder stated that this property owner installed a concrete block patio and retaining walls within the RPA. He noted that this violation was found when the property owner requested to go before the wetlands board for a rip rap project. Mr. Swartzwelder wanted to inform the Planning Commission of what was coming and also wanted them to think about this and be mindful that this could open some doors for other property owners in the future. Mr. Taylor asked if it was in the landward or seaward 50’ of the RPA. Mr. Swartzwelder stated that he believes they may be in both but isn’t sure until a site plan is submitted.

Mr. Taylor stated that the next Planning Commission meeting is scheduled for March 7, 2011 at 6 p.m. in the Court Room. He also noted that he would not be present during the March meeting; therefore, Mr. Richardson would be filling in as vice-chairman. Mrs. Sprouse stated that she will send out new packets for the March meeting.

### **Adjournment**

There being no further business, a motion was made to adjourn. Adjournment was ratified by all saying "Aye".

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Robert "Bob" Taylor, Chairman