

**King & Queen County  
Planning Commission Minutes  
March 1, 2010**

The King & Queen County Planning Commission met on Monday, March 1, 2010, at 6:00 p.m. in the King & Queen County Courts and Administrations Building in the Courtroom for their regular meeting.

**Planning Commission Members Present:**

Donna Thompson	John Roane
Hunter Richardson	Milton Watkins
James "Jimmy" Guess	Wallica Gaines
Robert "Bob" Taylor	

**Also in Attendance:**

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

**Call to Order**

Vice-Chairman, Robert Taylor called the meeting to order.

**Roll Call/Determination of Quorum**

In the absence of the Secretary, David Campbell, Donna Sprouse took the roll call and determined that a quorum was present.

**Introduction of Newly Appointed Planning Commission Members**

Mr. Taylor asked that everyone please give a brief introduction for the benefit of the new Planning Commission Members and so the Planning Commission could learn more about the newly appointed members.

**Election of Officers**

Mr. Taylor noted that because of the resignation of Mr. David Litchfield, the Planning Commission would need to select a new Chair & possibly Vice-Chair. Mr. Taylor then opened the floor for nominations for Chairman. A motion was made by Mr. Richardson to nominate Robert Taylor as Chairman for the 2010 year, seconded by Mr. Watkins.

Voting For: Gaines, Roane, Richardson, Thompson, Guess & Watkins

Voting Against: None

Abstain: Taylor

Mr. Taylor opened the floor for nominations for Vice-Chairman for the 2010 year. A motion was made by Mr. Watkins to nominate John Roane as Vice-Chairman, seconded by Mr. Taylor.

Voting For: Gaines, Thompson, Roane, Richardson, Taylor & Watkins

Voting Against: None

Abstain: Roane

Mr. Taylor also noted that because of the resignations of Mrs. Pollard and Mr. Litchfield, the Planning Commission also needed to reappoint someone to serve on the Dragon Run Steering Committee and Planning District Commission. After hearing no nominations, Mr. Taylor asked the Planning Commission to think about it and will attempt to fill those vacancies during the next meeting.

### **January 4, 2010 – Regular Meeting**

After brief review of the minutes, a motion was made by Mr. Watkins and seconded by Mr. Richardson to approve the minutes as written.

Voting For: Guess, Taylor, Watkins, Roane, Richardson

Voting Against: None

Abstain: Thompson and Gaines

### **Citizen Comment Period**

Mr. Taylor opened the floor for public comment; after hearing no comments, citizen comment period was closed.

### **New Business**

#### **A. Coastal Primary Sand Dunes Ordinance (Proposed Text Amendment at the request of the King & Queen Wetlands Board)**

Philip Thompson, King & Queen County Environmental Codes Compliance Officer gave a brief introduction and briefly explained the Wetlands Board's request to adopt the Coastal Primary Sand Dunes Ordinance. He explained that this ordinance will allow citizens to apply for permitted uses in these areas with one permit given by our county instead of having to currently apply and attend a meeting with VMRC in Newport News, Virginia and also one in King & Queen County. Mr. Thompson then asked Randy Owens with VMRC to address the Planning Commission questions or comments.

Mr. Randy Owens introduced himself and explained that currently if there is proposed work within the coastal primary sand dune, the citizen must be granted approval by the local Wetlands Board, then apply and attend a meeting before the VMRC Board in Newport News, Virginia. Mr. Owens explained that it would cost the citizen the expense of advertising and the time and mileage to attend the meeting in Newport News. After some discussion between the Planning Commission and Mr.

Owens, the Planning Commission agreed to ask the Board of Supervisors to review and determine if they would like for the Planning Commission to proceed at the Wetlands Board's request and hold a public hearing for the proposed text amendment. The vote was ratified by all present members saying "Aye".

## **Old Business**

### **A. Zoning Text Amendment – Article 3 (Zoning Districts & Maps) General Business & Industrial/Light Industrial (Review current working draft completed by the Sub-Committee)**

Mrs. Sprouse went over Article 3 as prepared by the Sub-Committee and explained that this is not new to the Commission as this was something they had previously reviewed. She stated that if the Planning Commission is happy with this article as presented, the Sub-Committee will not spend any more time with this article until the actual public hearing. Mr. Swartzwelder stated that the last sentence should be amended or taken out pertaining to the Industrial Developments in the Economic Corridor because it could be misconstrued that the county would only permit such uses in those Corridors. Mr. Taylor recommended that it be removed completely. The Planning Commission agreed and deleted the last sentence under Industrial.

### **B. Zoning Text Amendment – Article 5 (Site Development Regulations) – Update all Business and Industrial District requirements (Review current working draft completed by the Sub-Committee)**

Mrs. Sprouse explained that within Article 5, the Sub-Committee made recommendations pertaining to the acreage of lots within the RG, LB, GB1, GB, LI and I zoning districts. Mr. Swartzwelder noted that he would like to add "federal and local" to the following statement in Article 5, Section 3-101-D(3) ... "For the purposes of this section, open space shall be defined as the total land or water within the boundaries of the parcel designed and intended for use and enjoyment as open areas, and not improved with a building, structure, street, road, parking area, or any type of required BMP or other landscaping feature pursuant to the Chesapeake Bay Act, Erosion and Sediment Control Ordinance and any other state agency..." . The Planning Commission agreed that the required minimum frontage for General Business 1 (GB1) should be increased from 75 to 100 feet and Industrial should be increased from 100 to 150 feet. With no further discussion, the Commission moved on to the next agenda item.

### **C. Zoning Text Amendment – Article 6 (Modifications to Yard & Bulk Regulations) – Amend Section 3-114C as it pertains to the footnote in Table 5.1 for accessory buildings. (Review current working draft completed by the Sub-Committee)**

Mrs. Sprouse explained that the only item changed in Article 6 is the footnote number because of the proposed changes within Article 5, Table 5.1 footnotes. There were no additional comments related to Article 6.

**D. Zoning Text Amendment – Article 14 (Site Plan Requirements) – Update section as it relates to the revision of the Permitted Use Table in Article 4. (Review Current Working Draft completed by the Sub-Committee)**

Mrs. Sprouse noted that Article 14 had some minor changes. She stated for clarification purposes that the sub-committee added “Minor and Major Subdivision Projects” as a separate use under Section 3-311 so there is no confusion with Multi-Family Residential Projects. Mrs. Sprouse also noted that “Manufactured Home Parks” was proposed to be taken out of Section 3-312C because “Manufactured Home Parks” are not permitted and was left in the ordinance and, as part of our “cleanup”, it needed to be removed. There were no additional comments related to Article 14.

**Commissioner’s Comments**

Mrs. Sprouse stated that she would like to give the Planning Commission an update on the Middle Peninsula Regional Airports request for the FAA communications tower. She noted that though the Planning Commission had requested the Board of Supervisors to hold a joint public hearing, ITT had to place their request on hold until they received FAA approvals and Environmental approval from DEQ. Mr. Swartzwelder stated that the Board of Supervisors are about to hold their public hearings for the budget and it is possible the joint public hearing could still be held, but could not guarantee it.

Mrs. Thompson stated she will save her comments and questions until the next meeting.

Mrs. Gaines stated that she will be attending the CPEAV training next week. She also asked if the heat is cut off at a certain time, because it was chilly in the courtroom. Mr. Swartzwelder stated that his predecessor thought, to save money, he would have the heat programmed to turn off at a certain time each day and now it will cost the county about \$1,200 to change it back.

Mr. Taylor added that he would like to welcome the new members once more and hope they enjoy it as much as the majority does. He appreciates them volunteering to serve and stated the class they will be attending is a good class and they will learn a lot from it.

Mr. Taylor stated that the next Planning Commission meeting is scheduled for April 5, 2010 at 6 p.m. in the Courtroom.

**Adjournment**

There being no further business a motion was made by Mr. Watkins to adjourn the meeting, second by Mr. Guess. Adjournment was ratified by all saying “Aye”.

---

Robert Taylor, Chairman