

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

The King & Queen County Planning Commission met on Monday, March 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
Milton Watkins
David Campbell
William Herrin

James "Jimmy" Guess
Hunter Richardson
Donna Thompson (**arrived 6 minutes late*)

Also in Attendance:

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

Call to Order

Vice-Chairman, Hunter Richardson, called the meeting to order.

Roll Call/Determination of Quorum

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

February 7, 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. Roane.

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

Voting Against: None

Abstain: None

Citizens Comment Period

Mr. Richardson 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 February 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 February meeting. Mrs. Sprouse also noted that those articles that needed

revisions during the February meeting were made and she would like to start by reviewing those amended articles. Mr. Richardson asked Mrs. Sprouse to review those articles briefly.

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

Mrs. Sprouse briefly went over the proposed changes/amendments. Mrs. Sprouse explained that definitions for public and private sewage and water supply were created within the proposed Chapter 6, Definitions. Mrs. Sprouse pointed out in various places within article 3 where “public” or “supply” was added so there was consistency among the terms within the articles and definitions section of the ordinance. Hearing no comments from the Planning Commission, Mr. Richardson asked Mrs. Sprouse to move onto the next item.

(Mrs. Thompson arrives)

B. Zoning Text Amendment ZA10-04 – Permitted Uses

Mrs. Sprouse stated that while she was reviewing the proposed permitted use table, she noticed that towing services were not listed within the proposed permitted use table. Mrs. Sprouse asked the Commission if they would like to include such a use with auto service repair uses or would they like towing services to have their own category. Mrs. Sprouse briefly explained that the Commission may want such uses allowed by approved Conditional Use Permit or set required conditions within a by-right use. This will allow the Commission to set requirements of screening, hours of operation, etc. After some discussion among the Commission, it was decided that staff would include towing services within the proposed ordinance with suggested conditions or by CUP and will review during their next meeting.

Mrs. Sprouse then stated that she would also like to list a few permitted and/or non-permitted uses as a home business or home occupation within the proposed ordinance. She explained presently the ordinance is very broad and wanted some direction from the Planning Commission as to what uses they feel do not fit the requirements as a home business or home occupation. After hearing little concern from the Commission, it was agreed that this would be something they would revisit at a later time, however would keep an eye on the impact of allowing a home business and/or a home occupation.

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

Mrs. Sprouse explained that per the January meeting, she allowed for a reduced setback requirement for existing county fire and rescue departments in a footnote within Table 5.1. She noted that there was a typo in the proposed ordinance, which was later corrected. Hearing no further comments, Mr. Richardson stated they would move on to the next item on the agenda.

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

Mrs. Sprouse stated that the proposed ordinance (Article 23) had been reverted back to its original state in regard to animal unit measurement. She asked if the Commission’s intentions were to also go back to the original acreage requirements or move forward with the proposed 100 acre lot size requirement. The Commission agreed to the original acreage requirements as long as the required setbacks and buffering were maintained. All other minor amendments to the ordinance were to remain.

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

Mr. Richardson asked Mrs. Sprouse to please give the history of how the Commission arrived at making the decision to possibly reducing the number of by right lots. Mrs. Sprouse explained that the original request from staff had nothing to do with the number of lots, however derived from an easement/access determination/request. Mrs. Sprouse explained that the question staff had for the Commission was in regard to the number of lots that may use a shared easement and how we can help eliminate so many easements or shared entrances that do not have a required surface condition or maintenance agreement. Mr. Swartzwelder added that it is in his opinion that this is not going to be a matter of an easement or access issue. He noted that this is a matter of reducing the number of by right divisions. He agreed that this would possibly eliminate or reduce the number of “fly by night developers” from creating a subdivision without having to meet the minor or major subdivision requirements. Mr. Swartzwelder also noted that this would also affect property owners who inherit property by way of a will; they too then would be limited to the by-right 1 and residual division, unless created by way of a family subdivision.

Mr. Richardson asked if the Commission members had the opportunity to speak with their Board member in regards to limiting the number of by right divisions from 2 and a residual lot to 1 and a residual lot. Mr. Watkins stated that he had the opportunity to speak with his Board member, however his Board member did not give him any indication one way or another if he would be in favor of the proposed ordinance change. Hearing no other comments, Mrs. Sprouse asked if it is the Planning Commission’s pleasure to move forward with the proposed text amendment reducing the number of by-right lots from 2 and a residual to 1 and a residual. It was the consensus of the Commission to move forward with the proposed ordinance amendment reducing the number of by-right divisions from 2 and a residual to 1 and a residual.

Mr. Richardson asked the Commission to really review all of the proposed text amendments and be ready to set the public hearing date in May during their next monthly meeting date. Mr. Richardson asked the Commission to check all proposed amended articles and chapters for error, including grammatical errors. Mrs. Sprouse informed the Commission that she would be mailing out all proposed text amendments for their final review during their next meeting so they may possibly set their public hearing during their April meeting for their May meeting date.

At this time Mr. Richardson stated that he would like to make a change in the agenda and ask that staff make their comments next and then they will hear Commissioner Comments.

Staff’s Comments

Mr. Swartzwelder stated that the Planning Commission is doing a fine job and should be commended for their hard work. He added that surrounding localities that are aware of King & Queen updating their zoning ordinance are amazed at the work being done and the fact that staff and the Commission are doing it all themselves.

Mr. Swartzwelder added that the Commission will soon be receiving a request from ITI to amend their site plan and Conditional Use Permit. He gave the Commission some history of the business and occurrences up to this point. He also noted that it is possible that ITI may reach out to them and request that they take a tour of the site to better understand their request.

Commissioner’s Comments

Mr. Roane stated that Mr. Richardson did a fine job chairing the meeting in Mr. Taylor's absence.

Mr. Richardson thanked Mr. Roane for his kind words. He then informed his fellow Commission members of the brush fires that took place a few weeks ago. Mr. Richardson stated that he was in hopes that King & Queen has some sort of an emergency preparedness plan not only for storms and such, but for large brush fires as well. He added that we as a county should also utilize the help of our fellow citizens and farmer's who may have available equipment such as water tanks, bull dozers, tractors and such.

Mr. Swartzwelder also informed the Commission that King & Queen County Board of Supervisors decided during their last meeting not to place a bounty on coyotes in the county, just as other surrounding counties have chosen not to do.

Mr. Richardson stated that the next Planning Commission meeting is scheduled for April 4, 2011 at 6 p.m. in the Court Room.

Adjournment

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

Mr. Hunter Richardson, Vice-Chairman