

**King & Queen County
Planning Commission Minutes
April 4, 2011**

The King & Queen County Planning Commission met on Monday, April 4, 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
Wallica Gaines
Robert "Bob" Taylor

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.

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After brief review of the minutes, a motion was made by Mr. Watkins to approve the minutes as written, second by Mr. Guess. The minutes were approved by all members present stating "Aye".

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

Mr. Taylor asked Mrs. Sprouse how the Planning Commission should review the proposed text amendments. Mrs. Sprouse stated that she was in hopes that the members of the Planning Commission is very familiar with the proposed changes and had the opportunity to review the text amendments for tonight's meeting. She suggested that each article be mentioned or briefly reviewed so that should anyone have any comments or questions about any of the proposed changes, we can discuss them in detail only should there be a question. Mr. Taylor asked Mrs. Sprouse to review those articles briefly.

A. Zoning Text Amendment ZA10-03 – Article 3, Establishment of Zoning Districts & Official Zoning District Map.

Mrs. Sprouse stated that no further changes were proposed for Article 3, other than what was provided. Mr. Taylor asked if anyone from the Commission had any questions or would like to discuss anything from Article 3. Hearing no comments, Mr. Taylor asked Mrs. Sprouse to move onto the next item.

B. Zoning Text Amendment ZA10-04 – Article 4, Permitted Uses

Mrs. Sprouse stated that during last month's meeting she informed the Planning Commission that she noticed that towing services were not listed within the proposed permitted use table. After some discussion among the Planning Commission, it was decided to have staff include towing services within the proposed ordinance for review during this month's meeting. Mrs. Sprouse stated that towing was included as a separate use as separate categories based on if the use had outside storage of any kind. If outside storage was proposed, it would be by conditional use permit. Otherwise, such use would be by right. After review and further discussion, it was agreed to include the draft as staff had presented as written. With no other comments or questions regarding the permitted use table or Article 4, Mr. Taylor asked Mrs. Sprouse to move onto the next item.

C. Zoning Text Amendment ZA10-05 – Article 5, Site Development Regulations

Mrs. Sprouse explained that during last month's meeting, no one had any questions pertaining to Article 5. Mr. Taylor asked if any of the Commission members had any questions pertaining to Article 5, hearing none Mr. Taylor asked Mrs. Sprouse to move to the next text amendment.

D. Zoning Text Amendment ZA10-06 – Article 6, Modifications to Yard and Bulk Regulations

Mrs. Sprouse explained that most of the minor amendments within Article 6 were for clarification purposes. She noted that during the review of Article 6 in the past, there had been no comments regarding Article 6. Hearing no further comments, Mrs. Sprouse moved on to Article 14.

E. Zoning Text Amendment ZA10-07 – Article 14, Site Plan Requirements

Mrs. Sprouse noted that amendments within Article 14 were done to include the proposed new uses. Mr. Taylor asked if anyone had any questions about Article 14. Having no comments, Mr. Taylor asked Mrs. Sprouse to move to the next item.

F. Zoning Text Amendment ZA10-08 – Article 15, Off Street Parking Requirements

Mrs. Sprouse stated that she hoped everyone had the chance to really look at Article 15 and see that all uses were addressed in Article 15. She briefly read the proposed changes aloud. Mr. Taylor asked if the Commission had any questions, hearing none Mrs. Sprouse moved on to the next item.

G. Zoning Text Amendment ZA10-09 – Article 16, Signs

Mrs. Sprouse explained that the sign requirements for adult establishments that was addressed in Article 3, has been moved within Article 16. Having no further discussion, Mrs. Sprouse moved on to Article 20.

H. Zoning Text Amendment ZA10-10 – Article 20, Appeals

Mrs. Sprouse noted that no other amendments had been made to Article 20 since the Planning Commission's last review of the proposed amendment. Mr. Taylor asked the Commission if they had any questions, hearing none, Mrs. Sprouse moved on to Article 23.

I. Zoning Text Amendment ZA10-11 – Article 23, 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. All other minor amendments to the ordinance were to remain. Hearing no further discussion, Mr. Taylor asked Mrs. Sprouse to continue to the next item.

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

Mrs. Sprouse explained that no further changes were made to the Subdivision ordinance since their last review; however she had a recommendation for one minor change. Mrs. Sprouse explained that in the Subdivision ordinance, Article 2, Section 4-3A-4(a&b) it states, "The division or re-division of a parcel of land to create no more than 1 or 2 additional lots or parcels for the purpose of transfer of ownership or building development, shall meet all requirements..." She asked the Planning Commission to consider striking the words "for the purpose of transfer of ownership or building development". Mrs. Sprouse noted that some citizens or developer would argue that their division request is not created or proposed to transfer ownership or building, but simply as an undeveloped division or estate planning purposes. The Commission agreed and such section was removed from the draft. Hearing no further comments, Mr. Taylor asked Mrs. Sprouse to move to the next agenda item.

K. Zoning Text Amendment ZA10-13 – Definitions, Chapter 6

Mrs. Sprouse asked Mr. Taylor if it was necessary to review all definitions. Mr. Taylor stated it was not in his opinion. He asked the Commission if they had any questions about any of the proposed definitions. Hearing no comments, Mr. Taylor asked Mrs. Sprouse to move on to the next agenda item.

L. Zoning Text Amendment ZA10-14 – Article 1, General Framework of the Zoning Ordinance

Mrs. Sprouse noted that this amendment was to correct a state code reference that had changed. There was no other discussion, Mrs. Sprouse moved on to Article 8.1.

M. Zoning Text Amendment ZA10-15 – Article 8.1 – Amateur Radio Antennas

Mrs. Sprouse briefly noted that one item was changed in Article 8.1. She noted that approvals are by approved conditional use permits and not by approved special exceptions. There were no further comments from the Commission or staff.

Mr. Taylor noted that he would entertain a motion to move forward with a public hearing for all of the proposed text amendments. A motion was made by Mr. Herrin, seconded by Mr. Watkins to set a public hearing for the following text amendments: ZA10-03, ZA10-04, ZA10-05, ZA10-06, ZA10-07, ZA10-08, ZA10-09, ZA10-10, ZA10-11, ZA10-12, ZA10-13, ZA10-14 and ZA10-15. The vote was ratified by all present members saying "Aye".

Commissioner's Comments

Mrs. Gaines stated she had both a comment and question. She asked where we are with the Comprehensive Plan and if this would come up during the public hearing.

Mrs. Sprouse stated that the Comprehensive Plan is the Planning Commissions next project. She stated that once the zoning ordinance text amendments have been approved, the Commission will use that ordinance as a guidance to help revise and redraft the Comprehensive Plan so that it is a great growth tool and is actually something staff and the county can use.

Mrs. Gaines stated that she was appointed to the Middle Peninsula Planning District Commission and she wanted to share that Dan Kavanagh had retired and Lewie Lawrence is serving as acting Director. She stated that the Commission went through a strategic planning session about a week ago and that there are some budget challenges facing the PDC as well as other organizations. She stated that if the Planning Commission had any questions, she wasn't sure she could answer them though she would look into finding an answer.

Mr. Taylor thanked the Commission for their efforts in reviewing the amendments in his absence last month and getting them in order for a final review tonight.

Staff's Comments

Mrs. Sprouse told the Commission that they all did great work with the text amendments and she is happy to see that we have finally reached a public hearing date. She also noted that as staff uses the new ordinances, don't be surprised or disappointed should there need to be any other changes or tweaking to the ordinances. This is the only way to catch the "loop holes" within the ordinance.

Mr. Taylor stated that the next meeting will be May 2, 2011 at 6:00 p.m.

Mrs. Sprouse also noted that attendance is very important when holding a public hearing so we can be sure there is a quorum present. She noted that a lot of money will be spent on advertising the long list of text amendments and to be mindful of that. Mr. Taylor agreed with Mrs. Sprouse and thanked her for mentioning it.

Adjournment

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

Mr. Robert Taylor, Chairman