

**King & Queen County
Planning Commission Minutes
May 5, 2014**

The King & Queen County Planning Commission met on Monday, May 5, 2014, 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
James Dabney

Robert Coleman, Jr.
Shelia Morton
James Burns
Hunter Richardson

Also in Attendance:

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

Call to Order

Chairman, Mr. Richardson called the meeting to order.

Roll Call/Determination of Quorum

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

April 7, 2014 – Regular Meeting

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

Voting For: Watkins, Dabney, Richardson, Campbell, Morton, Burns, Roane
Voting Against: None
Abstain: Coleman

Citizens Comment Period

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

New Business

A. Zoning Text Amendment – ZA14-01 – Article 4, Table 4.1, Allow for livestock in the RS zoning district by approved CUP (*Public Hearing*)

Mr. Richardson noted that the Commission received a zoning text amendment application proposing to allow livestock in the residential single-family (RS) zoning district by approved CUP.

Mr. Richardson opened the public hearing. Mr. Richardson asked Mrs. Sprouse to provide some background information for the text amendment request.

Mrs. Sprouse stated for the record that proper advertisement was posted in the Tidewater Review and Rappahannock Times the weeks April 16th and April 23rd. She also noted that notice was mailed to the applicant via certified return receipt mail.

Mrs. Sprouse stated that the Planning & Zoning Department received an application from a citizen wishing to allow for livestock in the residential single-family (RS) zoning district by approved conditional use permit (CUP). She noted that the request as submitted, would require the same minimum acreage requirement (5 acres) and limit the number of livestock as is presently required in the agricultural zoning district. She noted that the difference here is that the Commission would hear such a request because instead of allowing livestock as a by-right use in the RS zoning district, it is only permitted by approved conditional use permit (CUP).

Mr. Richardson asked if there was anyone in the audience that would like to speak on behalf or against this request.

Mrs. Jennifer Powell, daughter of applicant, Joseph Old approached the Commission. She stated that it is their wish to request a rezoning of this parcel to RS in order to subdivide her father's parcel so that he may gift a lot to her and her family. It is the applicants' objective to request a rezone of his parcel to residential single-family (RS) in order to subdivide for his daughter. It is also their wish to have livestock at some point on the residual parcel if approved for rezoning and subdivision, should this proposed text amendment be approved. Mrs. Powell also noted that if the Commission felt that 5 acres was not sufficient, she and her father would agree to increase the minimum acreage to 10 acres, rather than 5 acres.

Mrs. Sprouse reminded the Commission that this text amendment request is not site specific or specific to the applicants' future division request but applies to the County as a whole.

Mr. Swartzwelder noted that each request would have to come to the Commission and Board of Supervisors if they meet the minimum acreage requirement and setbacks as provided in the text amendment request. He noted that the Commission would have the opportunity to require buffering, setbacks for pastures, etc. Mr. Swartzwelder also stated that the Commission could not be arbitrary and capricious and allow one applicant to do one thing because neighbors did not complain and another because neighbors did complain. There will need to be some sort of consistency when allowing someone to have livestock or not. Again what they can require that is site specific is setbacks for the barn, buffering, setbacks for fencing, manure storage, etc.

After little discussion among the Commission, Mr. Burns made a motion to approve the zoning text amendment as presented, however increasing the minimum acreage from 5 acres to 10 acres. Mr. Richardson asked if there was a second to the motion. Mrs. Morton second the motion of Mr. Burns. Mr. Richardson asked if there were any comments. Hearing none, Mr. Richardson asked Mr. Campbell to do a roll call vote.

Voting For: Coleman, Dabney, Campbell, Morton, Burns, Roane

Voting Against: Watkins, Richardson

Abstain: None

Motion carried with a 6 to 2 vote.

Unfinished Business

A. Comprehensive Plan Update

Mrs. Sprouse noted that she will be out of the office for a couple of months in the fall and wanted to really work on trying to complete the Comprehensive Plan. She noted that she has now completed the housing section of the Comprehensive Plan. She asked the Commission to please read the Comprehensive Plan, mark the pages with comments, corrections, notes, etc. to further discuss during their next meeting. She noted that the Comprehensive Plan is close to being finalized and really needs to get this moving and sent to the Board of Supervisors.

Mr. Richardson asked the Commission to please read the first few sections of the Comprehensive Plan and be prepared to discuss it during the next meeting. He asked if it would be a benefit to go through each section with the Commission during the next meeting. Mrs. Sprouse noted that she could go through each section, however the Commission would have to take some responsibility and read the Plan so they are familiar with it when reviewing the sections during the next and upcoming meetings. She stated it is not necessary for her to read each section line by line during a meeting, when they can do so before the meeting. Mr. Richardson agreed. Mr. Richardson asked if any of the Commissioner's did not have a draft Comprehensive Plan. Everyone present noted that they do have a draft.

Staff's Comments

Mr. Swartzwelder noted that the Governor has signed the Stormwater bill into law and the Board of Supervisors voted to "opt out" as the authority and continue to have DEQ to monitor the program.

Mrs. Sprouse noted that the deadline for citizen appeals to the new FEMA map update is July 2, 2014. Mr. Burns asked if citizens were made aware of this appeal period. Mrs. Sprouse informed the Commission that notice was provided in the Tidewater Review and Rappahannock Times. Mrs. Sprouse directed the Commission to the page in their handout so they could read the notice as it was printed in the local papers as provided by FEMA. She also noted that if anyone wishes to review the proposed maps, they are located in her office and she will be glad to go over the maps with anyone who wishes to review them.

Commissioner's Comments

Mr. Richardson asked that the Commissioners please make sure that they read the minutes not only for errors or corrections, but for content. He noted that so much detail is provided in the minutes to help remind us of our thought process when making decisions.

The next meeting will be Monday, June 2, 2014 at 6 p.m.

Adjournment

There being no further business, a motion was made by Mr. Watkins to adjourn the meeting, seconded by Mr. Burns. All those present ratified the motion by saying "Aye". The meeting was adjourned.

Hunter Richardson, Chairman