

**King & Queen County  
Planning Commission Minutes  
September 8, 2015**

The King & Queen County Planning Commission met on Tuesday, September 8, 2015, 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:**

Barbara Hudgins	James Guess
Milton Watkins	Shelia Morton
David Campbell	Freddie Byrd
Hunter Richardson	James Burns
James Dabney	

**Also in Attendance:**

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

**Call to Order**

Chairman, Mr. Richardson called the meeting to order.

**Roll Call/Determination of Quorum**

Mr. Campbell took roll call and determined that a quorum was present with 9 members in attendance.

**Approval of Minutes  
August 3, 2015**

After brief review of the minutes, a motion was made by Mr. Watkins to accept the minutes as prepared, seconded by Mr. Byrd.

Voting For: Watkins, Richardson, Campbell, Morton, Byrd, Guess

Voting Against: None

Abstain: Burns, Hudgins, Dabney

**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**

**Zoning Text Amendment – ZA15-03 – Table 4.1, Permitted Use Table – (Public Hearing)**

Mrs. Sprouse stated that public notice ran in the Tidewater Review and Rappahannock Times for two consecutive weeks for Zoning Text Amendment ZA15-03. She stated that this text amendment is to reinsert Mineral Resource Processing as a permitted use by approved CUP in the Industrial zoning district and clarify “processing necessary to facilitate the hauling of material”. Mr. Richardson

opened the public hearing and asked if anyone from the public would like to speak. Hearing no comments, the public hearing was closed. After some discussion among the Commission, a motion was made by Mr. Burns to accept the text amendment as presented, seconded by Mr. Watkins.

Voting For: Watkins, Richardson, Campbell, Morton, Byrd, Guess, Burns, Hudgins, Dabney

Voting Against: None

Abstain: None

**Zoning Text Amendment – ZA15-04 - Article 5, Section 3-101, Minimum lot sizes and related requirements – (Public Hearing)**

Mrs. Sprouse stated that public notice was posted in the Tidewater Review and Rappahannock Times for two consecutive weeks for Zoning Text Amendment ZA15-04. She noted that while it has always been policy to require 150' of water frontage for newly created or adjusted parcels on the water for properties zoned Agricultural, waterfrontage really needs to be addressed in the ordinance for this and all other zoning districts. Mrs. Sprouse suggested having a matching water frontage and road frontage requirement to help create more square buildable parcels for most districts. Mrs. Sprouse provided the Commission with a handout listing pros and cons for adopting a greater waterfrontage for Agricultural zoned parcels verses the current 150' waterfrontage. She noted that the sheet listed 200', however wanted to point out that the text amendment includes 300' of waterfrontage in some cases, depending on the location of the parcels.

The pros to adopting a larger waterfrontage are... (1) the creation of more square buildable lots, (2) reduces the total county-wide number of lots along the waterfront outside of a subdivision development, (3) creating a greater building envelop that allows for marine structures to be spaced further apart along the river, (4) reduced river front development helps with TMDL loads, stormwater and runoff into the river. The cons to adopting a larger waterfrontage includes... (1) The requirement has been consistently known to be 150' minimum water frontage among citizens and surveyors. It will be an unexpected change that surveyors and property owners may not expect or care for, especially if it causes someone to not be able to divide their existing waterfront parcel. (2) A 150' water frontage will allow for the development of more waterfront parcels, which increases the tax base. (3) Increasing the waterfrontage requirement will create a significant number of new "preexisting non-conforming" parcels along the water front, which will create confusion for lot owners.

Mr. Richardson opened the public hearing and asked if anyone from the public would like to speak. Hearing no comments, the public hearing was closed. Mr. Richardson asked the Commission if there were any comments. Mr. Watkins stated that he personally liked the larger waterfrontage requirement, than the existing 150' for Agricultural zoning. Mr. Dabney and Mr. Richardson agreed with Mr. Watkins. Mrs. Morton stated that she agrees with a 200' waterfrontage for all parcels within the Agricultural zoning district.

To avoid confusion, Mr. Swartzwelder stated that they should vote on the text amendment per zoning district.

A motion was made by Mr. Dabney to accept the proposed text amendment as presented for the Agricultural zoning district, second by Mr. Guess.

Voting For: Watkins, Richardson, Campbell, Morton, Byrd, Guess, Burns, Hudgins, Dabney

Voting Against: None

Abstain: None

A motion was made by Mr. Dabney to accept the proposed text amendment as presented for the Rural Residential zoning district, second by Mr. Byrd.

Voting For: Watkins, Richardson, Campbell, Morton, Byrd, Guess, Burns, Hudgins, Dabney  
Voting Against: None  
Abstain: None

A motion was made by Mr. Dabney to accept the proposed text amendment as presented for the Single-Family Residential zoning district, second by Mr. Guess.

Voting For: Watkins, Richardson, Campbell, Morton, Byrd, Guess, Burns, Hudgins, Dabney  
Voting Against: None  
Abstain: None

A motion was made by Mr. Dabney to accept the proposed text amendment as presented for the General Residential zoning district, second by Mr. Guess.

Voting For: Watkins, Richardson, Campbell, Morton, Byrd, Guess, Burns, Hudgins, Dabney  
Voting Against: None  
Abstain: None

A motion was made by Mr. Dabney to accept the proposed text amendment as presented for the Limited Business zoning district, second by Mr. Guess.

Voting For: Watkins, Richardson, Campbell, Morton, Byrd, Guess, Burns, Hudgins, Dabney  
Voting Against: None  
Abstain: None

Mr. Dabney stated that he would like to make a motion to accept the text amendment for all commercial and industrial zoning districts as presented, including the definition of waterfrontage, second by Mr. Byrd.

Voting For: Watkins, Richardson, Campbell, Morton, Byrd, Guess, Burns, Hudgins, Dabney  
Voting Against: None  
Abstain: None

### **Zoning Text Amendment – ZA15-05 Definitions – (Public Hearing)**

Mrs. Sprouse stated that public notice was posted in the Tidewater Review and Rappahannock Times for two consecutive weeks for Zoning Text Amendment ZA15-05. She added that this text amendment is to insert a definition of Mineral Resource Processing and what “processing to facilitate hauling of material” means. Mr. Richardson opened the public hearing. Hearing no comments from the public, Mr. Richardson closed the public hearing.

A motion was made by Mr. Dabney to approve the definition as presented, second by Mr. Byrd.

Voting For: Watkins, Richardson, Campbell, Morton, Byrd, Guess, Burns, Hudgins, Dabney  
Voting Against: None  
Abstain: None

### **Unfinished Business**

None

### **Staff's Comments**

Mr. Swartzwelder stated that the EDA will be closing soon on properties located on the Rt. 33 and Route 360 Economic Development Corridors very soon. He noted that rezoning may be forth coming thereafter to rezone the parcel on Route 33. Mr. Swartzwelder added that the Commission may want to consider looking at the permitted use table and think about pyramid zoning. He stated that it is hard to determine what property should be zoned to draw in potential business uses when you are not certain of the business use for a particular parcel. Having pyramid zoning will be beneficial to the EDA and for commercial/industrial development.

He noted that the construction is underway on the archives building across the street. He added that the building was constructed of 4 layers of clay brick and the contractors had to replace one entire side, as the bricks were collapsing.

Mr. Swartzwelder said that the Mattaponi Pier construction has started and that the decking will take place within a day or two.

### **Commissioner's Comments**

Mr. Campbell stated that King George has set limitations on fracking in their locality so that only 4% of the basin in their county could be fracked. He asked if the Commission should consider adopting conditions or a fracking ordinance. Mr. Swartzwelder stated that if the Commission would like to take on a fracking ordinance, there are many drafts that we could utilize if the Commission so chooses.

### **Adjournment**

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

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Hunter Richardson, Chairman