

**King & Queen County
Planning Commission Minutes
December 2, 2013**

The King & Queen County Planning Commission met on Monday, December 2, 2013, 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:

William Herrin
James Dabney
David Campbell
James Guess

Milton Watkins
Shelia Morton

Also in Attendance:

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

Call to Order

In the absence of Chairman, Mr. Richardson, Vice Chair, Mr. Herrin called the meeting to order.

Roll Call/Determination of Quorum

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

Welcome Newly Appointed Planning Commissioner (James Dabney – Newtown)

Mr. Herrin informed the Commission that Mr. James Dabney of Newtown has been appointed to fulfill the unexpired term of Joy Harvey. Mr. Herrin welcomed Mr. Dabney to the Commission.

October 7, 2013 – Regular Meeting

After brief review of the minutes, a motion was made by Mrs. Morton to approve the minutes as written, second by Mr. Guess.

Voting For: Campbell, Herrin, Morton, Guess
Voting Against: None
Abstain: Watkins, Burns, Dabney

Citizens Comment Period

Mr. Herrin opened the floor for public comment period.

Mary Daug & Michael Daug of Shacklefords asked the Commission to consider revising the zoning ordinance to allow them to sell food from their food service truck on their General Business property on Route 33. Mr. Swartzwelder reminded the Commission that this would be the 3rd or 4th time they have had this request before them, two of which have been from the Daug. Mr. Swartzwelder stated that the Board agreed with the previous decision of the Commission in not including food trucks in the permitted use table as a permitted use. The Daug further claim that they feel that the sale of food items at the Farmers Market is inconsistent with their not being allowed to operate their foodservice truck on their own property on Rt. 33.

Pamela Ashley of Shanghai asked the Commission to consider creating village community overlay districts for the Walkerton area and other small town areas of the county within the Comprehensive Plan. Mrs. Ashley is a member of the EDA and BZA for King & Queen County.

New Business

A. Approve 2014 Planning Commission Meeting Schedule

- January 6, 2014
- February 3, 2014
- March 3, 2014
- April 7, 2014
- May 5, 2014
- June 2, 2014
- July 7, 2014
- August 4, 2014
- September 2, 2014 (*This is a Tuesday Meeting due to the Labor Day Holiday*)
- October 6, 2014
- November 3, 2014
- December 1, 2014

A motion was made by Mr. Burns to approve the 2014 Planning Commission meeting schedule for 2014, seconded by Mr. Watkins. Meetings are to be held in the General District Court Room of the Administrative Building at 6:00 p.m.

Voting For: Campbell, Herrin, Morton, Guess, Watkins, Burns, Dabney

Voting Against: None

Abstain: None

B. Rezoning, RZ13-03, John Dewey Fogg, Jr. – (Set Public Hearing)

Mr. Herrin stated that RZ13-03, John Dewey Fogg, Jr. is requesting the rezoning of a 45 acre parcel from Limited Business (LB) to Agricultural (A), further described as County Tax Map

Parcel No. 1632-9L-727. The property is located at the intersection of Newtown Road & Sorghum Road in the Newtown Magisterial District.

Mr. Herrin asked if the Commission had any questions or comments. Hearing no comments or questions, Mr. Herrin stated that he would entertain a motion to set the public hearing for RZ13-03 for January 6, 2014. A motion was made by Mr. Burns, seconded by Mr. Watkins.

Voting For: Campbell, Herrin, Morton, Guess, Watkins, Burns, Dabney

Voting Against: None

Abstain: None

Unfinished Business

A. Proposed Text Amendment – Article 4, Table 4.1 Permitted Uses, Poultry/Fowl

Mrs. Sprouse asked the Commission to consider taking poultry and fowl out from the livestock category in the permitted uses table of the zoning ordinance. There was some discussion among Commissioners regarding acreage requirements, permitted zoning classifications, the inclusion or exclusion of roosters, etc. Hearing no further comments, the item will be further discussed during their next meeting.

B. Proposed Text Amendment – Article 4, Table 4.1 Permitted Uses, Aquaculture

Mrs. Sprouse explained that there is a correction needed in Article 4, Table 4.1, Permitted Uses regarding Aquaculture. She explained that by error, the current ordinance has seafood processing in General Business 1 and no processing in Light Industrial and Industrial. Mrs. Sprouse stated that processing is more intense and should be changed from General Business 1 to Light Industrial and Industrial. Operations with no processing on site may be permitted in General Business 2, as well as the Light Industrial and Industrial districts. She noted that no proposed changes are suggested for the Agricultural zoning district. Mr. Dabney agreed with Mrs. Sprouse and suggested those amendments be made.

Mr. Herrin noted that Mrs. Sprouse will present them to the Commission as text amendments for a public hearing in the future when there are other text amendments to be made or ordinances to adopt (i.e. stormwater and floodplain ordinances).

Staff's Comments

Mrs. Sprouse informed the Commission of the new Stormwater Regulations and briefed the Commission on the status of the model ordinance. Mrs. Sprouse added that DEQ has extended the deadline for draft submissions because they are still making changes to the model ordinance requirements during their December 17th meeting.

Mrs. Sprouse informed the Commission that she, Mr. Swartzwelder, Mr. Reamy and Mr. Hunter will be meeting with FEMA next week regarding the new updated flood maps. She explained that with new maps, there will be changes to the flood areas and that some properties will be included or now excluded from a flood zone. She noted that a series of public meetings will be required and property notification of such amendments. With the map adoption, a zoning text

amendment is also required. Mrs. Sprouse stated that she would have more information after their meeting next week with FEMA.

Mrs. Sprouse noted that with two upcoming updated or new ordinances, this may delay further work on the Comprehensive Plan until staff is made aware of the expected changes passed down from DEQ regarding stormwater. She noted that the FEMA flood map updates will also affect the process of the Comprehensive Plan update.

Mrs. Sprouse informed the Commission that Mr. Claude Taylor, who had requested a Chesapeake Bay Exception for his after the fact deck in the RPA, has decided to withdraw his application request. Mrs. Sprouse noted that he has agreed to remove the deck. She noted that this is now in enforcement mode with the Planning & Zoning Department. No public hearing is requested or needed at this time.

Commissioner's Comments

Mr. Burns welcomes Mr. Dabney to the Commission and informed Mr. Dabney that he too is new to the Commission.

Mr. Campbell welcomed Mr. Dabney and thanked Mr. Herrin for his service on the Commission.

Mr. Watkins welcomed Mr. Dabney and thanked Mr. Herrin for his service on the Commission.

Mr. Guess said ditto to what Mr. Campbell said.

Mr. Herrin thanked the Commission and stated that he has not yet moved and may be in attendance during the next meeting. He wished everyone a Merry Christmas.

Mr. Herrin noted that the next meeting will be held January 6, 2014 at 6:00 p.m.

Adjournment

A motion was made by Mr. Watkins to adjourn the meeting, second by Mr. Guess. The motion was ratified by those present stating "Aye". There being no further business the meeting was adjourned.

William Herrin, Vice Chairman