

AT A MEETING OF THE MONTGOMERY COUNTY PLANNING COMMISSION ON FEBRUARY 17, 2010 IN THE BOARD ROOM, SECOND FLOOR, COUNTY GOVERNMENT CENTER, CHRISTIANSBURG, VIRGINIA:

CALL TO ORDER:

Mr. Rice, Chair called the meeting to order and Mr. Thum established the presence of a quorum.

Present: Bryan Rice, Chair
William Seitz, Vice Chair
Ryan Thum, Secretary
David Moore, Member
Frank Lau, Member
Robert Miller, Member
John Tuttle, Member
Walt Haynes, Member
Malvin Wells, Member
John Muffo, Board of Supervisors Liaison
Steve Sandy, Planning Director
Dari Jenkins, Planning & Zoning Administrator
Jamie MacLean, Development Planner

Absent: Brea Hopkins, Zoning Technician

PUBLIC ADDRESS:

Mr. Rice opened the public address session; however, since no members of the public were present to speak the session was closed.

APPROVAL OF AGENDA:

On a motion by Mr. Haynes, seconded by Mr. Wells, and unanimously carried the agenda was approved as amended.

APPROVAL OF CONSENT AGENDA:

On a motion by Mr. Miller, seconded by Mr. Haynes and unanimously carried the consent agenda was approved.

OLD BUSINESS:

Zoning Ordinance Amendment Update

Mr. Sandy reviewed the developments regarding the zoning ordinance amendments previously discussed. He stated the agricultural accessory uses and school of special instruction were presented to the board of supervisors for discussion prior to advertising the proposed amendments for public hearing. There was a lengthy discussion with the board regarding whether or not storage trailers would be regulated by the proposed amendments to the zoning ordinance.

Mr. Muffo reviewed the differences of opinion between board members regarding the use of storage trailers.

Mr. Sandy stated the agricultural accessory use amendment will not be advertised until the board reaches a consensus on how to proceed.

Mr. Sandy stated that the board did approve of advertising the ordinance amendment regarding the school of special instruction for a public hearing to be held on March 10, 2010.

Mr. Rice asked for clarification as to whether or not the planning commission was to wait for guidance from the board before any more discussion should take place.

Mr. Sandy stated the number of travel trailers is the main issue of contention rather than the definition of premise.

Mr. Lau stated he would like more information on the future of farm storage such as if mobile trailers would provide more storage area than a barn.

Mr. Sandy stated the storage trailers definitely provide more space and mobility than a barn. It is also more cost effective to use trailers than to build a barn.

Mr. Moore noted that the staff may consider a different definition in the ordinance for trailer storage, regardless of the agricultural use. That use could be restricted through the requirement of a special use permit.

Mr. Muffo noted that the situation is not unique and will likely occur again. A policy needs to be established to not only deal with the current complaint, but to deal with future issues as well. The storage of a large number of these trailers negatively impacts the adjoining property owners who cannot sell their property for a price that is comparable to the price of the property without the trailers.

Mr. Moore discussed changing the definition of truck terminal to encompass this problem and require a special use permit to address the issue. This could possibly mitigate the negative impacts associated with using these trailers for storage.

Mr. Haynes commented that the real issue is the appearance and aesthetics rather than the agricultural use.

Mr. Muffo stated the use could take a huge amount of value from a home owner who wishes to sell.

Ms. Jenkins stated that there is currently a gentleman whose home is not selling because of the visual obtrusiveness of the trailers.

Mr. Sandy noted the Right to Farm Act would also need to be considered. There is new legislation proposed to create a rural enterprise task force to promote economic opportunities in the Commonwealth. The number one issue is local ordinances that seek to be unreasonably restrictive.

Mr. Sandy stated the other possible amendment was to allow a "birthing center" as a use in the ordinance. The Planning Commission had requested additional information and research. The options at this point are to 1) do nothing or 2) determine where it fits and what restrictions need to be included in the ordinance.

Ms. Jenkins stated Ms. King has not been in contact with staff since the previous meeting.

Mr. Rice stated the parameters of what a zoning ordinance, what it should regulate, etc. needed to be considered.

Mr. Thum stated the issues should be addressed in a timely manner, such as within 6 months, so if an application is submitted it can be dealt with efficiently and effectively. Perhaps it would be possible to find a national accreditation to lean on.

Mr. Moore noted it is an outpatient medical use and should be treated as such.

Mr. Seitz stated he did not have objection to the use; however, it should be required to comply with other medical community regulations. It is not a use that the planning commission should be regulating.

Mr. Thum stated that it is a for profit business and there are certain facets of the use that the planning commission would need to address. Perhaps if allowed in the ordinance a requirement for a special use permit should be included to allow the planning commission and staff to deal with each request individually.

Mr. Rice asked if it is currently an allowed use in the zoning ordinance.

Ms. Jenkins stated it is not a permitted use in the zoning ordinance. Ms. King's letter requested a change in the ordinance to allow the use. There is not an existing definition in the ordinance that would fit the proposed use.

Mr. Muffo asked if a center for kidney dialysis would be permitted in the ordinance.

Mr. Sandy stated that use may be covered under the definition for a medical care facility. The "medical care facility" definition does not include over night stays and may include emergency medical services.

Mr. Sandy stated other definitions could be changed to allow the use; however it would not be allowed in the Agricultural zoning district.

Mr. Moore stated land use and public safety are the primary considerations for the commission not regulating the health care industry.

Mr. Sandy stated staff would continue to research birthing center as a potential use in the ordinance.

NEW BUSINESS:

None

WORKSESSION:

On a motion by Mr. Seitz, seconded by Mr. Thum and unanimously carried the planning commission entered into work session.

Green Infrastructure Plan Update

Mrs. MacLean provided an update on the NRV Green Infrastructure Initiative.

On a motion by Mr. Seitz, seconded by Mr. Thum and unanimously carried the work session was closed.

LIAISON REPORTS:

Board of Supervisors

Mr. Muffo stated that Comcast 190 now carries the entire board meeting. If you are not a Comcast customer you can go to the website and download the meetings.

Agriculture & Forestal District

No report.

Blacksburg Planning Commission

No report.

Christiansburg Planning Commission

Mr. Rice stated that the Christiansburg Planning Commission approved a cell tower on Palmer Street and a subdivision on Melody Drive. They continue discussions regarding historic districts.

Economic Development Committee

Mr. Moore reported that economic development is looking to utilize excess space at the Radford arsenal.

Public Service Authority

Mr. Wells stated the arsenal is not able to provide water to Prices Fork area. This has been a continuing problem.

Parks & Recreation

Mr. Haynes stated the bridges on the Huckleberry Trail are in need of repair; however, there is not any funding to complete the necessary work. The Texas Hollow Park may be closed because of extreme vandalism.

Mr. Sandy noted the county is working with the Town Of Christiansburg to expand the Huckleberry Trail behind the mall. A grant was received last year and there have been additional applications submitted to obtain more funding to construct a bridge over Route 114.

Radford Planning Commission

No report.

School Board

Mr. Seitz stated the Blacksburg high school gym collapse and possible student schedules were discussed. Currently the school board is considering using the middle school in the evenings for the high school students.

Transportation Safety Committee

No report.

Planning Director's Report

Mr. Sandy stated a Planning Commission certification program will be held in Blacksburg in June and August.

The regional planning commission training event is scheduled at the Planning District Commission on April 28, 2010.

The board of supervisors approved \$78k funding for conservation acquisition fund. There was a fund set up to be used as a match for federal funds to preserve and conserve areas. The Federal funds have been applied for; however, if they are not received the board will not apply the funds to that account.

There being no further business, the meeting was adjourned at 7:59 pm.