

AT A MEETING OF THE MONTGOMERY COUNTY PLANNING COMMISSION ON MARCH 8, 2023 IN THE BOARD OF SUPERVISORS MEETING ROOM, SECOND FLOOR, COUNTY GOVERNMENT CENTER, CHRISTIANSBURG, VIRGINIA:

CALL TO ORDER

Chair Workman called the meeting to order at 7:00.

DETERMINATION OF A QUORUM

Secretary Foster called the roll to determine a quorum.

Present: Adam Workman, Chair
Bryan Rice, Vice-Chair
Bill Foster, Secretary
Scott Kroll
Lonnie Linkous
Robert Miller
Andrea Sharpe-Robinson
Pamela Simpkins
Trey Wolz

Absent: Sara Bohn, Board of Supervisors Liaison

Staff: Brea Hopkins, Planning Director
Justin D. Sanders, Senior Planner
Jude Cochran, Planning and Zoning Administrator
Destiny Taylor, Planning Coordinator
Kimberley Wright, Planner I

APPROVAL OF AGENDA

On a motion by Mr. Miller, and seconded by Mr. Foster, the Planning Commission unanimously approved the agenda, with the addition of Planning Director Update to New Business.

PUBLIC HEARING

RZ-2023-00647 - A request by Derek M. Lytton (Owner) to rezone property identified as Tax Map 07-A 72D (Parcel ID: 032267), totaling 1.228 acres in the Riner Magisterial District. The applicant requests a rezoning with proffered conditions of 1.228 acres from Residential (R1) to Agricultural (A-1) to place a manufactured home on the lot. The subject property is addressed as 3040 Spaulding Road, and is located approximately 0.15 miles off of Walton Road (State Route 663) and 0.47 miles west of Switchback Road (State Route 719). The

property lies in an area designated as Rural in the 2025 Montgomery County Comprehensive Plan.

Mr. Cochran presented the maps, aerial photos, proposed site plan for manufactured home, and the overall request. Staff received an application for a Zoning Permit for a manufactured home on the site, which is not allowed in a Residential (R-1) zone. The property had previously been rezoned from Agricultural to Residential (R-1) prior to the adoption of the new Zoning and Subdivision Ordinance in December of 1999.

The lot is not served by public water and sewer, a private well and septic system will be required. Impacts are minimal. Since the Comprehensive Plan shows the site as Rural, the proposed use and rezoning is compatible. Staff recommends approval of the request to rezone the property from Residential (R-1) to Agricultural.

All notification requirements were met in accordance with Code of Virginia.

No inquiries were received by staff requesting additional information.

Chair Workman opened the public hearing.

Mr. Lytton spoke in favor of his application.

There being no speakers, Chair Workman closed the public hearing.

A motion was made by Mr. Rice, seconded by Mr. Miller, and approved unanimously, recommending approval of the request to rezone property identified as Tax Map 07-A 72D (Parcel ID: 032267), totaling 1.228 acres in the Riner Magisterial District from Residential (R1) to Agricultural (A-1) to place a manufactured home on the lot.

PUBLIC ADDRESS

Chair Workman opened this portion of the meeting at 7:11 pm. Having no speakers, the public address portion of the meeting was closed.

OLD BUSINESS

None

NEW BUSINESS

a. Bylaws Discussion

Since the bylaws have not been reviewed in a few years, and new members have been appointed, staff conducted a review of the bylaws. Staff noted that the Commission might want to consider potential amendments to align the bylaws with current operating practice.

In response to the questions posed by a member of the Commission at the previous month's meeting, Ms. Hopkins provided an overview of the procedures surrounding staff presentations and citizen comments/feedback.

Ms. Hopkins noted that staff presentations are given to educate both citizens and Planning Commissioners regarding an application by identifying land use impacts, and compliance with the Comprehensive Plan.

Staff reviewed other localities' procedures related to staff presentations, which can range from very in-depth analysis and presentation (20+ pages) to very basic property information with little to no presentation. Montgomery County staff prefers to be thorough in analysis, but not overly excessive when presenting facts and information.

Mr. Hopkins also shared that applicant presentations usually add information that has not been addressed by staff, or call attention to the benefits of the project, or to address concerns that has been brought to them. There is no time limit on applicant presentations.

When a citizen calls staff, they are notified that they may speak at the public hearing, submit their concerns/questions in writing to staff to be presented to the Planning Commission.

Citizen participation is encouraged via public hearing, written correspondence, and emails. Staff surveyed 16 Virginia localities and found the following allowances for the Public Hearing comment period:

- 15 Localities - 3 Minutes per speaker
- 1 Locality- 4 minutes per speaker
- 2 Localities limited Public Hearing to 1 hour (3 minutes per person)
- 1 Locality allowed additional time if there were a minimal number of speakers
- 1 Locality allows 5 minutes for a group representative

Montgomery County allows 3 minutes for citizens to speak at a Public Hearing unless prior approval is obtained by the Chair.

If a revision of procedure is desired, staff offered several options.

Mr. Miller commended staff for concise and well-informed presentations, and stated that he had never been disappointed in any, and feels that a 3-minute time limit at Public Hearing is sufficient.

Ms. Hopkins stated that the limit has been 3-minutes since at least 1997, per the County Attorney.

Mr. Rice liked the idea that someone can ask the chair prior for extra time, but asked how that could be communicated to citizens. Ms. Hopkins stated that staff could place information in the Adjacent Property Owner notices, which could be an extra expense, as well as inform citizens when they call.

Ms. Simpkins asked if staff takes into account the impact if nothing was done at the site of a proposed project, so that it can be considered in the decision. Ms. Hopkins responded that staff does not in most cases, but do consider other uses allowed, and how the most intensive use would impact the site. Ms. Hopkins pointed out that it is the applicant's job to prove that their request is needed. Staff identifies impacts per their request.

She noted that when an applicant applies for a rezoning, what they are basically stating is that their property is not zoned correctly, so it is up to them to make the case for why it should be changed.

Ms. Simpkins asked if something was zoned wrong forty years ago, and should have never been rezoned the way it was, then they cannot be corrected. Ms. Hopkins responded that if something has been approved by the Board of Supervisors, then it is going to up to the Board to respond if it was not correct.

Ms. Sharpe-Robinson pointed out that that was up to the Board as to who was on the Board at a certain point in time.

Secretary Foster is concerned that if we ask staff to take this kind of role, we're dancing into the realm of Economic Development, and being pro-active on a staff level instead of a land owner level, which is not the proper role for the Planning Commission or staff.

Mr. Kroll advocated to make change to "may" in Public Hearing to bylaws regarding which meeting of the month. After further discussion, it was decided to remove the wording, as it is not even necessary to address it in the bylaws.

Mr. Foster recommended taking a longer view of the entire bylaws instead of working through a few items tonight. Ms. Hopkins recommended that the Commission address changes the following month in a Work Session.

Ms. Hopkins recommended putting Public Hearing guidelines online with each application. This should be considered in our new website upgrade.

Mr. Foster volunteered being on a development committee for bylaw discussion, as well as Ms. Sharpe-Robinson.

b. 2023 Work Program

Ms. Hopkins gave an update on the 2022 Work Program and outstanding projects, and went over the proposed 2023 Work Program. She discussed things to consider, such as: Comprehensive Plan Development and Zoning Ordinance Development Sub-Committees, joint meetings, and meeting structure. She proposed that one meeting a month be dedicated for Public Hearings, and one be dedicated for Comprehensive Plan and Zoning Ordinance Work Sessions.

c. Planning Director Update

A question was presented by a Planning Commissioner regarding the change to advertise in the News Messenger instead of The Roanoke Times. Ms. Hopkins explained the reason for the change, as well as approval from the County Attorney to make the change. Roanoke Times advertising costs increased an average of 278% with the discontinuation of the New River Valley Section.

Ms. Hopkins gave an overview on applications that were considered, and recommended for Board of Supervisors action in 2020. There were 37 applications considered in 2020.

- Staff recommended approval of 35
- The Planning Commission recommended approval of 34
- The Board of Supervisors approved 32 (3 remain pending)

The Board of Supervisors vote did not correspond to Planning Commission recommendation four times, two of those times the Planning Commission recommended denial.

The Planning Commission and staff are advisory, only considering land use. The Board of Supervisors has broader authority and consideration. Applications may have minor revisions prior to the Board vote, such as additional conditions, revised concept, to address concerns that have been brought forward.

LIAISON REPORTS

Board of Supervisors – In Supervisor Bohn’s absence, Ms. Hopkins shared that a work session was held last week for the FY 2024 Budget. A 73-cent tax rate has been proposed, 70 cent is revenue neutral, as recommended by Mr. Meadows. One of the largest factors for the increase is to fund School Resource Officers in schools located in the Town of Christiansburg. Mr. Meadows recommended five SROs, but the Board of Supervisors are recommending 2 more, to also include a Sergeant and administration staff. Montgomery County Fire & Rescue has started providing rescue service during the day in in eastern Montgomery, due to lack of volunteers. The need was recognized for coverage, since they only have two volunteers. \$1.4 million was requested for Fire and EMS, with 24 staff if approved. Loves Travel Center will be discussed at Monday’s Board meeting, as well as the rezoning on Prices Fork.

Public Service Authority – No report.

Blacksburg Planning Commission – Ms. Sharpe-Robinson reported that the Blacksburg Planning Commission had a public hearing for Glade Spring Crossing Subdivision, voting to recommend denial. The applicant had 14 proffers. The Blacksburg Planning Commission commended the drone footage which has been used for presentations, as provided by PIO.

Christiansburg Planning Commission – No report.

Radford Planning Commission – No report.

Tourism Council – No report.

Parks and Recreation – No report.

Planning Director’s Report – Ms. Hopkins introduced Destiny Taylor, the new Planning Coordinator. The Planning & GIS Department has been fully staffed for one month. April 20 will be Regional Commission training held at the Montgomery County Government Center, and will have topics on meeting procedures, solar information, will feature rotating sessions and dinner. The event will begin at 5, dinner will be at 6. The cost of the event will be covered. Staff will send information soon, and will need to know who will attend so we can RSVP. The next Planning Commission will be held April 12.

ADJOURNMENT

With no additional business, Chair Workman adjourned the meeting at 8:20 p.m.