

**TOWN OF ROCKY MOUNT
PLANNING COMMISSION
MINUTES
JULY 2, 2012
6:00 P.M.**

The Planning Commission of the Town of Rocky Mount, Virginia, met at the Rocky Mount Municipal Building on Monday, July 2, 2012 at 6:00 p.m., with Madame Chair Janet Stockton presiding.

The following members of Planning Commission were present when the meeting was called to order: Madame Chair Janet Stockton and Vice Chair John Speidel; and Planning Commission Members Ina Clements, Jerry Greer, Derwin Hall, and John Tiggle. Let the record show that Planning Commission Member Bud Blanchard was not present.

The following staff members were present: Town Planner Patrick Rust, Deputy Clerk Stacey B. Sink, and Town Attorney John Boitnott.

APPROVAL OF AGENDA

Madame Chair Stockton asked if there were any additions or corrections to the presented agenda, and being none, entertained a motion.

- Motion was made by Planning Commission Member Tiggle to approve the agenda as presented, with motion on the floor being seconded by Vice Chair Speidel. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

APPROVAL OF MINUTES

Prior to the meeting, the Planning Commission received the following minutes for review and consideration of approval:

- March 6, 2012 – Regular Meeting Minutes
- April 3, 2012 – Regular Meeting Minutes
- May 8, 2012 – Regular Meeting Minutes
- June 5, 2012 – Regular Meeting Minutes

Madame Chair Stockton asked if there were any additions or corrections to the draft minutes, and being none, entertained a motion.

- Motion was made by Planning Commission Member Clements to approve the draft minutes as presented, with motion on the floor being seconded by Planning Commission Member Greer. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

PUBLIC HEARING

Let the record show there were no public hearings held at this time.

NEW BUSINESS

Let the record show that there was no new business to discuss at this time.

OLD BUSINESS

(1) Work Session regarding Zoning Ordinance update

Let the record show that for the past several months and at Planning Commission's direction, staff has been working to update the Town's Zoning and Development Ordinance to correct grammar and punctuation errors, to insure that contained references are correct, and to look for other substantive issues which may require Planning Commission's attention. Prior to the meeting, Planning Commission received documentation regarding the proposed changes, many of which were discussed in last month's work session. The purpose of this work session is to discuss the remaining items. Discussion regarding the proposed updates was as follows:

- Added a cross-reference definition for *accessory structure*.
- Defined *accessory use* and *accessory structure* separately (had previously been combined into one definition.)
- Deleted *adult care facilities* definition and added *adult day care center* definition, which was based on state code and other local ordinances.
- Right now Town Code allows home day cares in residential districts, but state code defines a *family day home*, and requires that certified letters be sent to adjoining property owners giving neighbors 30 days to respond before a zoning permit is approved for a family day home. Right now the town does not

do this notification because we allow home day cares as a use by right. Therefore, to comply with state law, *home day cares* have been removed and *family day homes* added as a use by special exception in residential zoning districts.

- Child care for 5 or less children in the home is considered a home occupation which is allowed in all residential zoning districts. From 6 to 12 children, is considered a family day home and requires special exception. More than 12 is considered a child day center, which is a commercial use and only allowed in commercial zoning districts.
- Family day homes are, by definition, single family residences, therefore an apartment or a duplex would not qualify.
- Amended the definition of *accessory building* and added an exception clause regarding housekeeping purposes and temporary family healthcare structures. Went over 2010 legislation which made *temporary family healthcare structures* a use by right in all single family zoning districts.
- Amended Article 6 – Supplementary District Regulations to include *temporary family healthcare structures*.
- Amended the definition of *hospital*.
- Fees were previously published as part of the Zoning Ordinance. Fees should be updated annually as part of the budget process, so with fees included in the ordinance, any fee change would also require an amendment to the ordinance along with a public hearing. It is recommended that the ordinance reference fees being published on a fee schedule, but not contain the actual fee amounts.
- The new definition of *sawmill* will read: a facility where logs or partially processed cants are sawn, split, shaved, stripped, or chipped, or otherwise processed to produce wood products. This use includes lumber mills and planing mills.
- Corrected 6-3-2.8 to read “abuts an area intended for the common use of townhouse occupants.”
- Assisted living facilities were added as a use by right in General Business. They were already included in the Central Business District.
- Article 39 was amended to account for “Act of God” legislation in state code.
 - The Planning Commission and the Town Attorney appreciated the work that the Deputy Clerk did in reviewing the Zoning and Development Ordinance.

COMMISSIONER CONCERNS

Discussed the following:

- Perdue's lot on South Main needs to be mowed. The Town Planner advised that per Town Code, because the lot is greater than one acre, only a 5 foot buffer must be mowed.
- The BZA has an upcoming variance request.
- Pigg River Bridge Replacement is going to bid this month.

ADJOURNMENT

At 7:19 p.m., and with no further business to discuss, Madame Chair Stockton entertained a motion to adjourn, with motion being made by Planning Commission Member Greer, seconded by Vice Chair Speidel, and carried unanimously by those present.

Janet Stockton, Chairman

ATTEST:

Stacey B. Sink, Deputy Clerk

/sbs