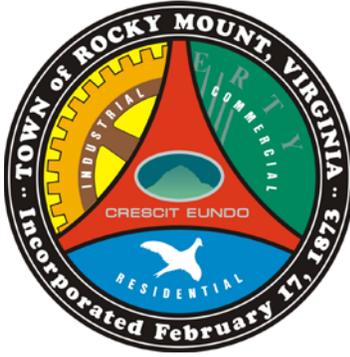


TOWN OF ROCKY MOUNT
345 DONALD AVE.
ROCKY MOUNT, VIRGINIA 24151

540.483.7660
FAX : 540.483.8830

E-MAIL: MHANKINS@ROCKYMOUNTVA.ORG
WWW.ROCKYMOUNTVA.ORG



PLANNING COMMISSION
JANET STOCKTON, *Chair*
JOHN SPEIDEL, *Vice Chair*

BUD BLANCHARD JERRY W. GREER, SR.
INA CLEMENTS DERWIN HALL
JOHN TIGGLE

C. JAMES ERVIN, *Town Manager*
MATTHEW C. HANKINS, *Assistant Town Manager*
& *Community Development Director*

PLANNING COMMISSION AGENDA Tuesday, March 4, 2014 • 6 p.m.

Call to Order and Welcome

Janet Stockton, Chair

1. Roll Call of Members Present
2. Approval of Agenda
3. Review and Consideration of Minutes
 - February 4, 2014 - regular meeting
4. Public Hearings - *none at this time*
5. Old Business - *none at this time*
6. New Business
 - a. Review of Variance Request for Grove Rocky Mount, LLC (public hearing to be held by the Board of Zoning Appeals on Thursday, March 6, 2014 at 6:00 p.m.)
 - b. Discussion regarding Planning Commission Bylaws
 - c. Prioritization of Upcoming Planning Projects identified in 2013 Annual Report
7. Commissioner Concerns & Staff Updates
 - a. Staff Update Regarding Harvester Performance Center
 - b. Open Discussion of Commissioner Concerns
8. Adjournment

**TOWN OF ROCKY MOUNT
PLANNING COMMISSION
DRAFT MINUTES
FEBRUARY 4, 2014
6:00 P.M.**

The Planning Commission of the Town of Rocky Mount, Virginia, met in the Council Chambers of the Rocky Mount Municipal Building, located at 345 Donald Avenue, Rocky Mount, at 6:00 p.m. on Tuesday, February 4, 2014, for its regular monthly meeting 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, Vice Chair John Speidel and Planning Commission Members Bud Blanchard, Ina Clements, Derwin Hall, and John Tiggel. Let the record show that Planning Commission Member Jerry Greer was absent.

The following staff members were present: Assistant Town Manager Matthew C. Hankins, Town Planner Patrick Rust, Town Attorney John Boitnott, and Deputy Town Clerk and Secretary to the Planning Commission Stacey B. Sink.

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 Vice Chairman Speidel to approve the agenda as presented, with motion on the floor being seconded by Planning Commission Member Tiggel. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

REVIEW AND CONSIDERATION OF MINUTES

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

- January 7, 2014 – regular meeting minutes

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

- Motion was made by Planning Commission Member Tiggie to approve the January 7 minutes as presented, with motion on the floor being seconded by Planning Commission Member Blanchard. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

NEW BUSINESS

(1) *Review and Consideration of Planning Commission's 2013 Annual Report*

Staff presented Planning Commission with a draft version of its 2013 Annual Report, which detailed all of Planning Commission's 2013 meetings as well as set future planning goals for the Commission.

Planning Commission expressed consensus that staff had done a good job in preparing the report on behalf of the Commission.

There being no further discussion, Madame Chair Stockton entertained a motion to accept the report and to present the finalized report to Town Council.

- Motion was made by Planning Commission Member Hall to approve the report as presented and to present the report to Town Council, with motion on the floor being seconded by Vice Chairman Speidel. There being no further discussion, let the record show that the motion on the floor passed unanimously by those present.

(2) *Review of Dollar Tree Site Plan Approval Process*

Assistant Town Manager Hankins and Town Planner Rust addressed Planning Commission regarding the difficulties surrounding the review and approval of the Dollar Tree site plans. Specifically:

- The approval process was difficult due to the number of revisions.
- Difficult to balance the vested rights of the property owner with the development rights of the company.
- Usually the site plan review period is 30 days with one revision. This plan had four formal revisions spanning three months of review time.
- The biggest issue was safety concerns due to ingress and egress from and onto Old Franklin Turnpike.
- Staff felt that the Dollar Tree would be a win for the community and that the

- business would not be a high density use (as compared to a fast food restaurant.)
- Staff finally reached a compromise with the property owner in an attempt to strike a good balance between public safety and the property rights of the owner, requiring a turn lane going into Dollar Tree, with the Town agreeing to pay a portion of the expense. The developer will put in the sidewalk in front of the Dollar Tree. In addition, the entrance closest to the stoplight will be right-in, right-out. The egress of delivery trucks was a major concern.
 - Staff clarified that the store will have 49 parking spaces, and the building will sit on the property at a slight angle to the road, which was necessary for fill and storm water purposes. The building will be 10,000 square feet.

(3) Discussion Regarding Franklin Street-Floyd Avenue and Main Street-Floyd Avenue Intersections

Assistant Town Manager Hankins addressed the Commission, advising this discussion is being brought up by both staff and Planning Commission Member Greer. Specifically, regarding the Main Street-Floyd Avenue intersection, there is speculation that big trucks would be able to make the turn from Main Street onto Floyd Avenue at the hospital if the turn lane going left from Floyd onto Main was shorter. He questioned if this is something Planning Commission wishes for staff to study. If so, staff can send the discussion on to the Streets/Sidewalks committee. If this is possible it may alleviate some of the truck traffic winding through downtown.

Assistant Manager Hankins also discussed the intersection at Floyd and Franklin and whether or not it would be feasible to look at realigning the intersection into a "T" rather than a "Y". Some members of Planning Commission suggested that a "roundabout" might be feasible in this location.

It was the consensus of Planning Commission that staff should hire a traffic engineer to study the traffic patterns and loads in both locations.

COMMISSIONER CONCERNS AND STAFF UPDATES

Assistant Town Manager Hankins and Town Planner Rust gave brief updates on the following:

20 Spring Street

The 20 Spring Street case went to court last week. Four people testified, including Assistant Town Manager Hankins, Jim Gray with L.M.W., P.C. who was the property inspector, Bob Dietrich who tested paint samples for lead, and Fire Chief Charlie Robertson. The judge gave the property owner 45 days to abate a long list of issues on the property, and if the issues are not addressed or the owner does not respond, then the judge may issue an order to allow the Town to raze the structures. The property owner did not attend the trial. The case will go back to court after a grace period of 45 days.

Oaks at Rakes Tavern Subdivision

Town Planner Rust gave a brief update on the status of the Oaks at Rakes Tavern development as it is now. Currently there are 13 houses built, and five are under construction. Three more will be built soon. This is out of a total of 29 lots for Phase 1. 13 houses have been sold and five are up for sale. The developer plans to complete Phase 1 and has possibly begun preliminary engineering work on Phase 2. The pace of development is picking up and the developer has met all of the conditions of its proffers.

Other Subdivisions

Town Planner Rust updated the Commission on Rocky Mountain Highlands where two spec houses have been built in the past couple of years. This development went into bankruptcy and the remaining properties and unsold houses were auctioned off, but now there is starting to be movement there.

Stormwater/Erosion and Sediment Control

Several months ago the State made new regulations for stormwater, requiring localities to have their own stormwater programs. The County of Franklin must have a program and the Town can opt to join the County's program. The Town is working with the County to work out the details for the program to start on July 1. The County will also be taking over the Town's Erosion and Sediment Control Program. This will require an amendment to the Town's Erosion and Sediment Ordinance.

Commissioner Concerns

- Planning Commission Member Blanchard questioned what is going on with the Perdue property on South Main Street where the trackhoe is located, with staff confirming that at this time no permits have been pulled for the property and currently the equipment is just parked there.
- Vice Chairman Speidel questioned if there is currently a time limit on parking near the courthouse, with staff confirming there is not a limit on Main Street parking.

ADJOURNMENT

At 6:50 p.m. and with no further business to discuss, Madame Chair Stockton entertained a motion to adjourn, with motion being made by Vice Chairman Speidel, seconded by Planning Commission Member Blanchard, and carried unanimously by those present.

Janet Stockton, Chair

ATTEST:

Stacey B. Sink, Deputy Clerk

/sbs

TOWN OF ROCKY MOUNT
345 DONALD AVE.
ROCKY MOUNT, VIRGINIA 24151

540.483.0907
FAX : 540.483.8830

E-MAIL: PRUST@ROCKYMOUNTVA.ORG
WWW.ROCKYMOUNTVA.ORG



TOWN COUNCIL
STEVEN C. ANGLE, *MAYOR*
GREGORY B. WALKER, *VICE MAYOR*

BOBBY M. CUNDIFF P. ANN LOVE
JERRY W. GREER, SR. BOBBY L. MOYER
BILLIE W. STOCKTON

PATRICK N. RUST
Town Planner
Code Inspector/GIS Technician

MEMORANDUM

To: Janet Stockton, Chairman, Rocky Mount Planning Commission
Commission Members

From: Patrick Rust
Town Planner

Date: February 26, 2014

Re: Variance Request of Grove Rocky Mount, LLC
50 Floyd Ave, Tax Parcel ID 20700 50600

Members of the Commission:

As you know, variance applications are decided upon by the Town's Board of Zoning Appeals. However, Article 15.2-2310 of the Code of Virginia (1950), as amended, requires that the zoning administrator transmit a copy of any variance application to the local planning commission which may send a recommendation to the board or appear as a party at the hearing. Therefore, presented here is the variance application of Grove Rocky Mount, LLC, for which a public hearing will be held on Thursday, March 6, 2014 at 6:00 p.m. in council chambers.

The Town has received a variance request from Bryan Hochstein on behalf of Grove Rocky Mount LLC. The applicant requests a variance from Article 7-2-7 of the Zoning and Development Ordinance which requires all non-residential driveways and parking spaces to be paved with asphalt, concrete, plant mix or brick. The applicant wishes to construct a parking area at 50 Floyd Avenue, also known as Tax Map & Parcel Number 20700 50600, using natural materials, such as chipped wood, instead of asphalt or concrete.

The property is zoned Central Business District-CBD and will be used as a commercial bed-and-breakfast establishment.

The applicants chose to request a variance and properly completed the variance application based on a perceived hardship that an asphalt parking area would take away from the historic, pastoral setting and charm of the property. In addition, the applicant believes that a green or natural parking area would be more suitable in proximity to the creek on the property, and stormwater runoff would be minimal.

The applicant also believes this variance would enhance adjacent properties.

After due consideration and review, staff's recommendation to the Board of Zoning Appeals is to approve the variance request based on the following considerations:

1. A green or natural parking area will be in accord with the existing wooded conditions of the property.
2. The addition of a green or natural parking area to the property will not affect either the property's stormwater runoff or the creek located on the property.
3. Minimal land disturbance is projected by the applicant, which is in keeping within the property's historical character.

To approve this variance request, the Board of Zoning Appeals must find the following:

1. That the strict application of the ordinance would produce undue hardship relating to the property;
2. That the hardship is not shared generally by other properties in the same zoning district and the same vicinity; and
3. That the authorization of the variance will not be of substantial detriment to adjacent property and that the character of the district will not be changed by the granting of the variance.

Additionally, the Board may impose such conditions regarding the location, character and other features of the proposed structure or use as it may deem necessary in the public interest, and may require a guarantee or bond to ensure that the conditions imposed are being and will continue to be met.

Should the Planning Commission choose to make a recommendation to the Board of Zoning Appeals (a recommendation is not required), some potential motions are offered below:

Potential Motions

Staff Recommendation:

Approval

I move that Planning Commission recommends approval of the variance request for 50 Floyd Avenue, Tax Map & Parcel Number 20700 50600.

Other Recommendations:

Conditional Approval

I move that Planning Commission recommends approval of the variance request for 50 Floyd Avenue, Tax Map & Parcel Number, 20700 50600, with the following conditions:

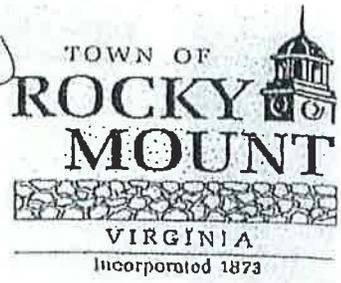
Denial

I move that Planning Commission recommends denial of the variance request for 50 Floyd Avenue, Tax Map & Parcel Number 20700 50600 (on the following grounds, if needed):

VARIANCE APPLICATION

APPLICANT INFORMATION

NAME: BRYAN HOCHSTEIN (GROVE ROCKY MOUNT LLC)
ADDRESS: 50 FLOYD AVE PO BOX 2153
ROCKY MOUNT VA 24151
PHONE: (540) 420 5300



PROPERTY OWNER & PROPERTY INFORMATION

PROPERTY OWNER NAME: _____ (IF DIFFERENT FROM APPLICANT)
MAILING ADDRESS: 50 FLOYD AVE PO BOX 2153 ROCKY MOUNT VA 24151
EXACT LOCATION OF THE PROPERTY: 50 FLOYD AVE ROCKY MOUNT VA 24151
TAX MAP & PARCEL NUMBER: 2070050600
CURRENT ZONING: R-1 R-2 R-3 RA RB POS C-1 C-2 CBD GB
RPUD M-1 M-2
CURRENT LAND USE: VACANT AGRICULTURAL RESIDENTIAL COMMERCIAL INDUSTRIAL
SIZE OF PROPERTY (ACRES/SQ.FT.): 9.98 ACRES
SIZE OF PROPOSED VARIANCE REQUEST (ACRES/SQ.FT.): 2 ACRES
IS ANY PORTION OF LOT IN FLOOD PLAIN OR FLOODWAY? YES NO

NATURE OF VARIANCE REQUEST

PLEASE PROVIDE A BRIEF DESCRIPTION OF THE REQUESTED VARIANCE:
REQUEST TO CREATE PARKING AREA USING NATURAL
MATERIALS LIKE CHIPPED WOOD INSTEAD OF ASPHALT

THERE ARE SPECIFIC CONDITIONS WHICH MUST BE MET IN ORDER TO HAVE A VARIANCE GRANTED. IN THE SPACES FOLLOWING EACH OF THE CONDITIONS LISTED BELOW, PLEASE BRIEFLY DESCRIBE HOW THIS CONDITION APPLIES TO THE PROPERTY IN QUESTION.

1. DESCRIPTION OF "UNDUE HARDSHIP" (RELATING TO THE PHYSICAL CHARACTERISTICS OF THE PROPERTY): THIS HISTORIC PROPERTY HAS A PASTURE LIKE
SETTING WITH CREEK. AN ASPHALT PARKING AREA
WOULD TAKE AWAY FROM THE PROPERTY'S HISTORIC
SETTING AND CHARM.

NATURE OF VARIANCE REQUEST (CONTINUED)

2. HARDSHIP IS NOT SHARED GENERALLY BY OTHER PROPERTIES IN THE SAME ZONING DISTRICT OR NEIGHBORING PROPERTIES (UNIQUE SITUATION):

THERE IS A NATURAL CREEK ALONG THIS PART OF THE PROPERTY. WE BELIEVE ^{FROM} A PARKING AREA USING ASPHALT WOULD BE HARMFUL TO THE LOCAL ENVIRONMENT

3. VARIANCE WILL NOT BE A SUBSTANTIAL DETRIMENT TO ADJACENT PROPERTIES AND THE CHARACTER OF THE DISTRICT WILL NOT BE CHANGED:

WE BELIEVE THIS VARIANCE WOULD ENHANCE ADJACENT PROPERTIES.

APPLICANT CERTIFICATION

BY SIGNING BELOW, I/WE HEREBY APPLY FOR A VARIANCE AS DESCRIBED ON THIS APPLICATION AND I/WE CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS TRUE TO THE BEST OF MY/OUR KNOWLEDGE.

Bryan Hochstetler

13-FEB-14

APPLICANT SIGNATURE

DATE

OWNER CERTIFICATION

BY SIGNING BELOW, I CERTIFY THAT I AM AWARE OF THIS VARIANCE REQUEST AND I CONSENT TO THE REQUEST AS DESCRIBED ON THIS APPLICATION.

Bryan Hochstetler MEMBER GROVE ROCKY MOUNT LLC 13-FEB-14

OWNER SIGNATURE

DATE

ADDITIONAL INFORMATION/ATTACHMENTS

- Size and shape of land, size and shape of building/structure, parking space, right-of-way, adjacent and adjoining property owners.

FOR COMMUNITY DEVELOPMENT OFFICE USE ONLY

FEE AMOUNT: Waived - Enterprise Zone DATE RECEIVED:

CASH CHECK (CHECK No.)

DATE TO BE HEARD BY BOARD OF ZONING APPEALS: Thursday, March 6, 2014

APPLICATION No.:

I HEREBY APPROVE THIS APPLICATION AS PRESENTED, NOTING THAT ALL REQUIRED INFORMATION IS ATTACHED ACCORDING TO THE SPECIFICATIONS OF THIS APPLICATION FOR REZONING.

[Signature]

2/25/2014

ZONING ADMINISTRATOR SIGNATURE

DATE

50 Floyd Adjacent and Adjoining Property Owners

2/28/2014

ADDRES LN 1	ADDRESS LN 2	ADDRESS LN 3	ADDRESS LN 4	TMPN	CERTIFIED MAIL VARIANCE 3-
Ms. Taliaferro Greer Alexander	P.O. Box 313	Rocky Mount, VA 24151		2070050500	7008 1830 0002 2412 9748
Mr. James Lee Spitzer	Ms. Sarah Paige Arrington	160 Taliaferro Street	Rocky Mount, VA 24151	2070051600	7008 1830 0002 2412 9755
Mr. J. Clark Arrington	Mrs. Jerene R. Arrington	560 South Main Street	Rocky Mount, VA 24151	2070051500	7008 1830 0002 2412 9762
Ms. Valeria C. Powell	110 Taliaferro Street	Rocky Mount, VA 24151		2070051400	7008 1830 0002 2412 9779
Mr. John Wesley Hall	Mrs. Madeline C. Hall	90 Taliaferro Street	Rocky Mount, VA 24151	2070051300	7008 1830 0002 2412 9816
Mr. George Hutcherson, Jr.	Mrs. Reva Hutcherson	70 Taliaferro Street	Rocky Mount, VA 24151	2070051200	7008 1830 0002 2412 9823
Ms. Dixie Hurt Shearer	60 Taliaferro Street	Rocky Mount, VA 24151		2070051100	7008 1830 0002 2412 9830
Mr. Allen Richard Jones	Mrs. Mary L. Jones	777 McNeil Mill Road	Rocky Mount, VA 24151	2070050700	7008 1830 0002 2412 9847
Ms. Brenda B. Turner	P.O. Box 86	Rocky Mount, VA 24151		2070054900	7008 1830 0002 2412 9854
Mount Vesuvius LLC	P.O. Box 889	Moneta, VA 24121		2070054900	7008 1830 0002 2412 9861
Mr. John L. Clements	Mrs. Diana L. Clements	110 Windward Drive	Rocky Mount, VA 24151	2070055000	7008 1830 0002 2413 0829
Mr. Robert L. Jones	Mrs. Arlene A. Jones	4449 Waidboro Road	Ferrum, VA 24088	2070049300	7008 1830 0002 2413 0836
Mr. Jerry Thompson	And Others	2140 Rakes Road	Rocky Mount, VA 24151	2070049400	7008 1830 0002 2413 0843
Cleive L. Adams	25 Willow Avenue	Rocky Mount, VA 24151		2070049500, 2070049600	7008 1830 0002 2413 0850
Mrs. Christine S. Angle		P.O. Box 1191	Rocky Mount, VA 24151	2070049700	7008 1830 0002 2413 0867

50 Floyd Adjacent and Adjoining Property Owners

2/28/2014

ADDRES LN 1	ADDRESS LN 2	ADDRESS LN 3	ADDRESS LN 4	TMPN	CERTIFIED MAIL VARIANCE 3-
Mr. Clyde C. Hardy	Mrs. Nancy M. Hardy	P.O. Box 401	Boones Mill, VA 24065	2070049800	7008 1830 0002 2413 0874
Mr. Robert K. Mills, Trustee	P.O. Box 368	Rocky Mount, VA 24151		2070049900	7008 1830 0002 2413 0881
Mr. Joseph W. Newbill	Mrs. Carolyn J. Newbill	10805 Booker T. Washington Hwy.	Wirtz, VA 24184	2070050000	7008 1830 0002 2413 0898
Mr. Shaun A. Fralin	105 Walnut Street	Rocky Mount, VA 24151		2070050100	7008 1830 0002 2413 0904

**TOWN OF ROCKY MOUNT
PUBLIC HEARING NOTICE**

Pursuant to the Town Code of Rocky Mount and the Code of Virginia, the Rocky Mount Board of Zoning Appeals will hold a **public hearing at 6 p.m., Thursday, March 6, 2014**, in the Council Chambers at the Rocky Mount Municipal Building, 345 Donald Avenue, Rocky Mount, Virginia, to which the public and all interested parties are invited to hear the following:

Grove Rocky Mount, LLC requests a variance from Article 7-2-7 of the Zoning and Development Ordinance which requires all non-residential driveways and parking spaces to be paved with asphalt, concrete, plant mix or brick. The applicant wishes to construct a parking area at 50 Floyd Avenue, also known as Franklin County Tax Map & Parcel Number 20700 50600, using natural materials, such as chipped wood, instead of asphalt or concrete. The property is zoned Central Business District - CBD and will be used as a commercial bed-and-breakfast establishment. A site-visit will be held at 5:15 p.m. immediately prior to the public hearing.

The public may view information regarding the variance request at the Rocky Mount Municipal Building, 345 Donald Avenue, Rocky Mount, from 8 a.m. to 5 p.m., Monday through Friday. Written comments may be sent to the attention of the Deputy Clerk, or e-mailed to government@rocky-mountva.org. **ANY PERSON WITH A DISABILITY WHO NEEDS ACCOMMODATION TO FULLY PARTICIPATE IN THE PUBLIC HEARING SHOULD NOTIFY THE DEPUTY CLERK AT 540-483-0907.**

**Stacey B. Sink
Deputy Clerk**



Run Dates

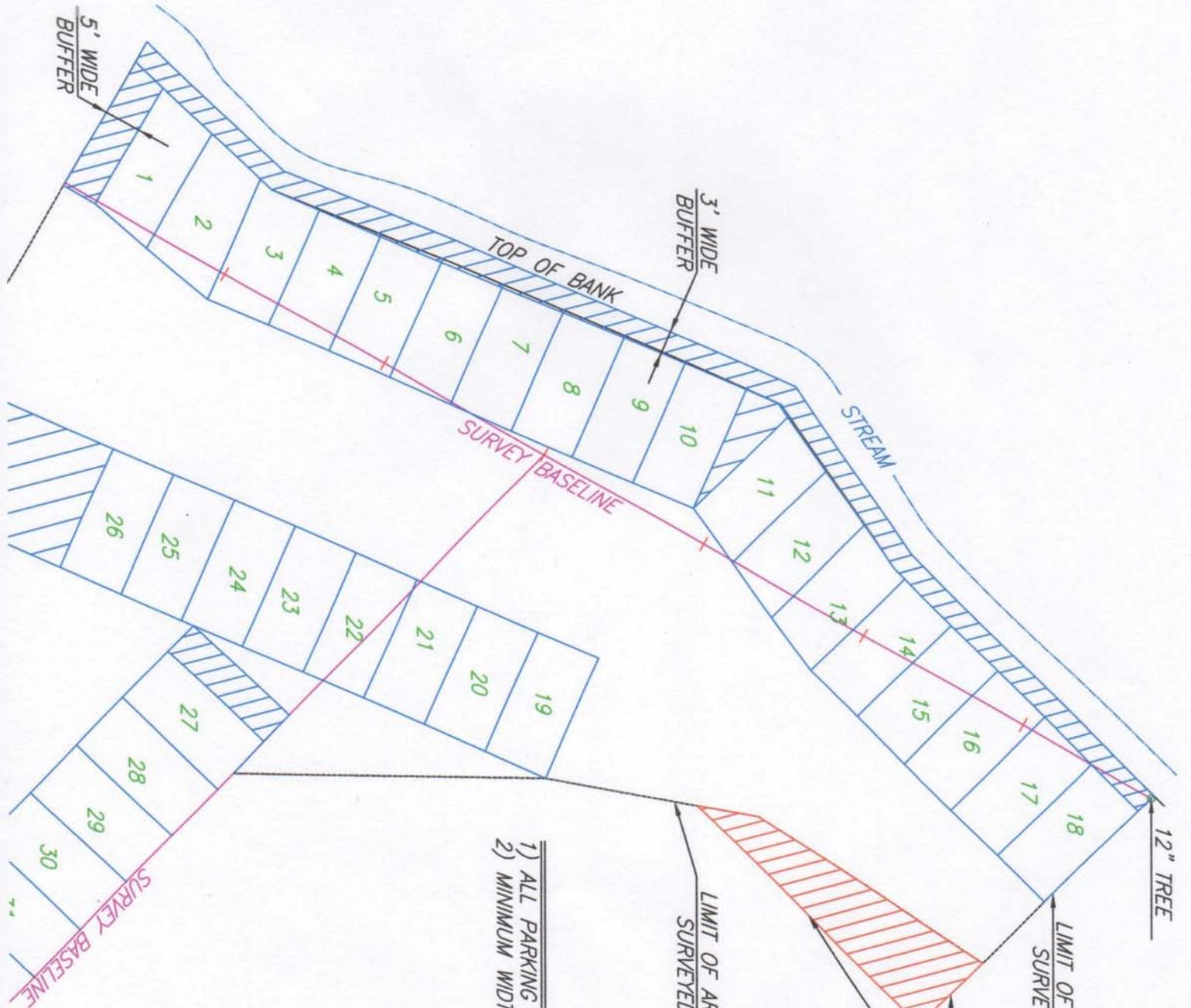
Friday, February 21st

Friday, February 28

Ad Specs

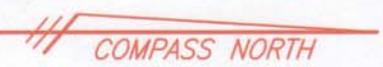
2 columns by 6.25 inches

12.5 column inches



- NOTES**
- 1) ALL PARKING STALLS TO BE 9' X 18'
 - 2) MINIMUM WIDTH BETWEEN DRIVE AISLES TO BE 24'

SCALE: 1" = 20'



LIMIT OF AREA SURVEYED

LIMIT OF AREA SURVEYED

AREA TO BE CLEARED

12" TREE

STREAM

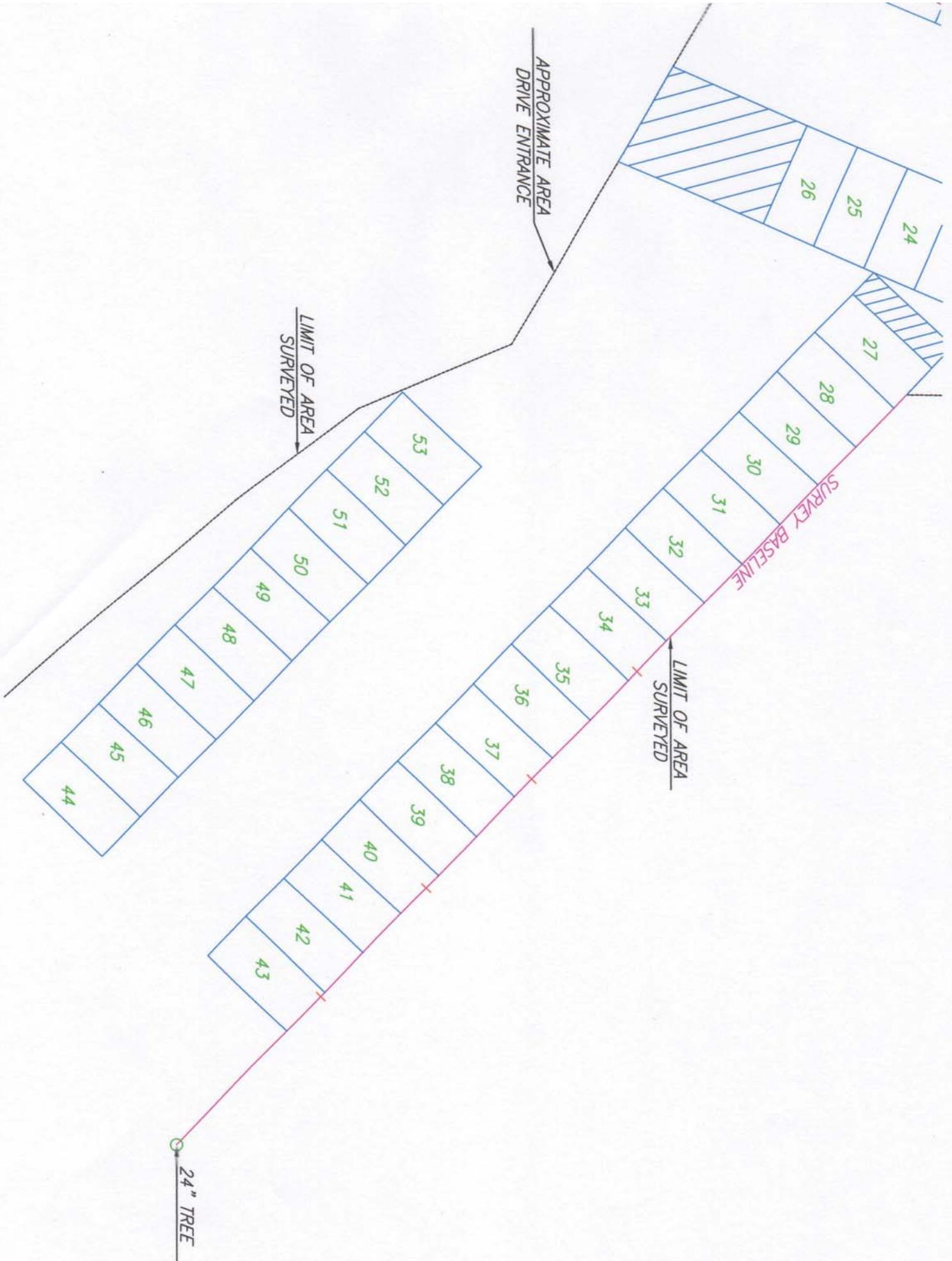
TOP OF BANK

3' WIDE BUFFER

5' WIDE BUFFER

SURVEY BASELINE

SURVEY BASELINE



9.98 ACRES



PROANE TANK ON CONCRETE PAD

40

ROUTE

STATE

Traffic Flow

LEGEND

- SURVEYED PROPERTY LINE
- SURVEYED I/E LINE
- DEED LINE
- FENCE LINE
- OVERHEAD ELECTRIC, TELEPHONE, CABLE LINE
- EXISTING FOUND IRON
- EXISTING FOUND CONCRETE R/W MONUMENT
- EXISTING FOUND CONCRETE MONUMENT
- EXISTING FOUND GRANITE MONUMENT
- UTILITY POLE
- SEWER MANHOLE
- POINT

SHADING DEMOTES CONCRETE

ROCKETS & GUNNERY

REVESTER GREER

ROCKY MOUNT COUNTY, VIRGINIA
FEBRUARY 24, 1992
NUMBER 270-89



8" DRAINAGE DRAIN PIPE (EXACT LOCATION UNKNOWN)

FROM #111 0.33' LEFT AT 57.82°

APPROXIMATE CENTERLINE DRAINAGE DITCH

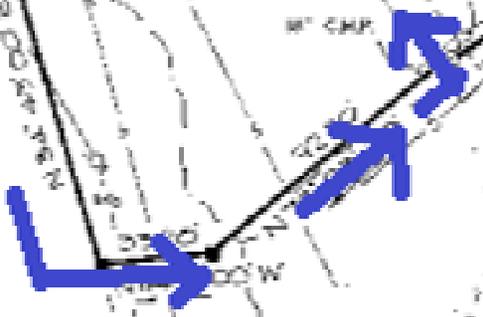
MARGARET W : CB
WB TO PG 527
MB E - PG 143

S 55°41'15" W 24.70'

AS SHOWN ON MAP
NOT TO SCALE

SEWER LINE FROM MANHOLE 2 TO FLOYD AVENUE, UNABLE TO DETERMINE EXACT LOCATION

SEWER LINE - SERVED TO LEE HOUSE



PLANNING COMMISSION - BYLAWS

Bylaws of the Planning Commission for the Town of Rocky Mount

Article I - Authorization

- 22 10
- 1-1. The Town of Rocky Mount Planning Commission ("the Commission") is established under the provisions of § 15.2-1210, et seq., of the Code of Virginia (1950), as amended, and § 2-151, et seq., of the Code of the Town of Rocky Mount, Virginia.
 - 1-2. The Planning Commission has adopted these bylaws to facilitate its functions, powers and duties according to the above code provisions.

Article II - Purpose

- 2-1. The primary purpose of the Commission is to serve in an advisory capacity to the Council of the Town of Rocky Mount ("the Council").
- 2-2. The Commission may prepare and recommend plans, ordinances, capital improvements programs, and other documents to the Town Council for its consideration on questions of community growth and development according to the Zoning and Development Ordinance of the Town of Rocky Mount, Virginia ("the Zoning Ordinance").
- 2-3. The Commission may advise the Planning and Zoning Administrator by reviewing site plans, rezoning requests, conditional use zoning, special use permits, and other areas as requested by the Administrator according to the Zoning Ordinance.
- ✓ 2-4. The specific duties of the Commission under § 15.2-2221 of the Code of Virginia (1950), as amended), are as follows:
 - 2-4.1. Exercise general supervision of, and make regulations for, the administration of its affairs.
 - 2-4.2. Prescribe rules pertaining to its investigations and hearings.
 - 2-4.3. Supervise its fiscal affairs and responsibilities, under rules and regulations as prescribed by the Town Council.
 - 2-4.4. Keep a complete record of its proceedings; and be responsible for the custody and preservation of its papers and documents.
 - 2-4.5. Make recommendations and an annual report to the Town Council concerning the operation of the Commission and the status of planning within the Town of Rocky Mount.
 - 2-4.6. Prepare, publish and distribute reports, ordinances and other material relating to its activities.
 - 2-4.7. Prepare and submit an annual budget in the manner prescribed by the Town Council.
 - 2-4.8. If deemed advisable, establish an advisory committee or committees.

PLANNING COMMISSION - BYLAWS

Article III - Membership

- 3-1. ✓ The Commission is composed of not less than five or more than fifteen members appointed by the Town Council. All shall be residents of the Town of Rocky Mount and qualified by knowledge and experience to make decisions on questions of community growth and development. At least one-half of the members shall be owners of real property in the Town. One member may be a member of the Town Council and one member may be a member of the administrative branch of government of the Town. The term for each of these two members shall be coextensive with the term of office to which he or she has been elected or appointed unless the Town Council, at the first regular meeting each year, appoints others to serve as their representatives. The remaining members shall serve for terms of four years each. The Council may establish different terms of office for appointments, including terms of office that are concurrent with those of the Council. Vacancies shall be filled by appointment for the unexpired term only.
- 3-2. ✓ Members of the Commission may be removed by the Council for malfeasance in office. Notwithstanding the foregoing provision, a member may be removed from office by the Council without limitation in the event that the member is absent from any three consecutive meetings of the Commission, or is absent from any four meetings of the Commission within any twelve month period. In either such event, a successor shall be appointed by the Council for the unexpired portion of the term of the member who has been removed.
- 3-3. ✓ The Council may provide for compensation to members for their services, reimbursement for actual expenses incurred, or both.

Article IV – Conduct of the Members of the Commission

- 4-1. Members of the Commission shall take the necessary time to prepare for hearings and meetings. Preparation shall include but not be limited to site visits (if applicable) and review of the Zoning Ordinance and Comprehensive Plan.
- 4-2. Members of the Commission shall comply with the Virginia State and Local Conflict of Interest Act as provided by § 2.2-3100 et seq., of the Code of Virginia (1950), as amended. ^{Government}

Article V - Selection of Officers

- 5-1. Officers of the Commission shall consist of a chairman, vice-chairman, and secretary. The chairman and vice-chairman shall be elected by the members. The secretary shall serve at the request of the Commission and may be a member of the Commission or an employee of the Town. *and if not a member of the Commission, shall not be entitled to vote on matters before the Commission.*
- 5-2. Nomination of officers shall be made from the floor of the first meeting of the fiscal year. Election of officers shall follow immediately. A candidate receiving a majority vote of the entire membership shall be declared elected.
- 5-3. Terms of office shall be for one (1) year or until a successor takes office.
- 5-4. Vacancies in office shall be filled for an unexpired term by a majority vote ~~a majority vote~~ of the entire membership
- 5-5. In the event of the absences of both the Chairman and Vice-Chairman from any meeting, the Commission shall designate from its members a temporary chairman who shall act for that meeting.

PLANNING COMMISSION - BYLAWS

Article VI - Duties of Officers and Staff

- 6-1. The chairman shall:
 - 6-1.1. Preside at meetings.
 - 6-1.2. Appoint committees.
 - 6-1.3. Rule on procedural questions (subject to reversal by a two-thirds majority vote of the members present).
 - 6-1.4. Report official communications at the next regular Commission meeting.
 - 6-1.5. Certify official documents involving the authority of the Commission.
 - 6-1.6. Certify minutes as true and correct copies.
 - 6-1.7. Carry out other duties as assigned by the Commission.
- 6-2. The vice-chairman shall assume the full powers of the chairman in the absence, or inability, of the chairman to act.
- 6-3. The secretary shall:
 - 6-3.1. Record attendance at all meetings.
 - 6-3.2. Record the minutes of the Commission meetings.
 - 6-3.3. Notify members of all meetings.
 - 6-3.4. Maintain a file of all official Commission records and reports.
 - 6-3.5. Certify maps, records, and reports of the Commission.
 - 6-3.6. Prepare for publication all public notices for Commission public hearings and public meetings.
 - 6-3.7. Notify property owners and adjacent property owners regarding applications for zoning changes as required by the Zoning Ordinance.
 - 6-3.8. Attend to the preparation and delivery of correspondence necessary for the execution of the duties and functions of the Commission.
- 6-4. Subject to the approval of the Town Council, the Planning and Zoning Administrator shall:
 - 6-4.1. Receive the applications and accompanying documents or materials to ensure that the application is complete and in good order before sending the application to the Secretary for placement on the Commission agenda.
 - 6-4.2. Prepare a staff report (if requested) and advise the Commission of conditions on the property and its relation to other properties likely to be affected.

PLANNING COMMISSION - BYLAWS

- 6-4.3. Organize an inspection of the property by the Commission members as may be appropriate to the nature of the case.
 - 6-4.4. Aid the Commission in the preparation of its annual report to Town Council.
 - 6-4.5. Research, prepare, and submit to the Commission any revisions necessary for the Zoning Ordinance, Subdivision Ordinance, and Comprehensive Plan and advise the Commission of proposed changes for final review.
 - 6-4.6. Any other tasks the Commission deems necessary.
- 6-5. Subject to the approval of the Town Council, the Town Attorney shall provide legal advice to the Commission as to matters under its jurisdiction and may assist in interrogating witnesses. Advice of counsel shall be received and entered in the minutes before disposition of any question of law or matter requiring legal interpretation or advice.

Article VII - Committee(s)

- 7-1. The following committee(s) may be appointed at the discretion of the chairman.
- 7-1.1. An Ordinance Committee that reviews local ordinances and recommends amendments and changes to the Commission.
 - 7-1.2. Additional committees, such as By-Laws Revision, Capital Improvements, Comprehensive Plan, Land Use, Subdivision, and Zoning may be considered from time to time.
 - 7-1.3. Special committees for purposes and terms approved by the Commission.
- 7-2. The chairman shall be an ex-officio member of every committee.
- 7-3. Subject to the approval of the Town Council, Committees may request the participation of the Planning and Zoning Administrator and the Town Attorney at committee meetings.
- 7-4. All committees shall present a report to the Commission.

Article VIII - Meetings

- 8-1. Regular meetings of the Commission shall be held on the first Tuesday of each month at 6:00 p.m. (if there is an agenda item), unless changed by majority vote, which shall include proper notification. Special meetings shall be called as needed. When a meeting date falls on a legal holiday, the meeting shall be held on the Wednesday following, unless the Commission selects an alternate day.
- 8-2. Special meetings may be called by the chairman, or by two (2) members upon written request to the secretary. The secretary shall mail a written notice to all members at least five (5) days before a special meeting, stating the time, place, and purpose of the meeting.
- 8-3. All meetings of the Commission shall be open to the public. A reasonable and sufficient time shall be afforded the applicant to properly and fairly present the subject matter. All speakers must identify themselves by name and address before speaking. Speakers shall be limited to five (5) minutes, unless extended by the approval of a majority of the Commission. A

PLANNING COMMISSION - BYLAWS

reasonable and sufficient time shall be afforded the applicant to properly and fairly rebut the subject matter presented by members of the public..

Article IX - Voting

- 9-1. A majority of the members shall constitute a quorum.
- 9-2. No action of the Commission shall be valid unless authorized by a majority vote of those present and voting.
- 9-3. A tie vote shall be a rejection of the motion presented.

Article X - Order of Business

- 10-1. The order of business for a regular meeting shall include:
 - 10-1.1. Call to order.
 - 10-1.2. Roll call.
 - 10-1.3. Determination of a quorum.
 - 10-1.4. Public expression. *(Hearing of citizens)*
 - 10-1.5. Approval of the agenda.
Review and consideration of minutes
 - 10-1.6. Approval of the minutes.
Public hearing for application requests and petitions.
 - 10-1.7. Application requests and petitions (public hearings). A roll call vote shall be conducted on any action taken regarding application requests and petitions.
 - 10-1.8. Report of the Planning and Zoning Administrator. *is this intended to be in relation to the public hearing? Is this the staff report?... given after the applicant and others speak during the public hearing?*
 - 10-1.9. Report of committees.
 - 10-1.10. Unfinished business.
 - 10-1.11. New business.
→ Commissioner Concerns and Staff Updates
 - 10-1.12. Adjournment.
- 10-2. Parliamentary procedure in Commission meetings shall be governed by Robert's Rules of Order, however, failure to strictly comply with Robert's Rules of Order shall not invalidate any actions. *Newly Revised;*
- 10-3. The Commission shall keep minutes of each meeting, and these minutes shall become a public record. The chairman and secretary shall sign all minutes and, at the end of the year, certify that the minutes of the preceding year are a true and correct copy. *?*

PLANNING COMMISSION - BYLAWS

Article XI - Public Hearings

- 11-1. In addition to those required by law, the Commission may hold public hearings on any matter which is deemed to be in the public interest.
- 11-2. Notice of a public hearing shall be as required by § 15-1-11 of the Zoning Ordinance and § 15.2-2204 of the Code of Virginia (1950), as amended.
- 11-3. The chairman shall summarize the matter before the Commission, allow interested parties to speak, and accept written statements and other documentation related to the matter being addressed, which shall be entered into the official minutes of the meeting. All speakers must identify themselves by name and address before speaking. Speakers shall be limited to five (5) minutes, unless extended by the approval of a majority of the Commission.
- 11-4. An accurate, written record shall be made of the proceedings of the public hearing and maintained as part of the Commission's files.

5-1-11

Article XII - Amendments

- 12-1. These bylaws may be amended by a majority vote of the entire membership after thirty (30) days prior notice.

Adopted February 6, 2007

Ayes: Ina Clements, Jerry Greer, Sr., Derwin Hall, Janet Stockton,
John Speidel, John Tiggle

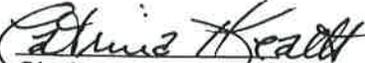
Nays: None

Absent: A. Milton Arrington

APPROVED:


Chairperson

ATTEST:


Clerk

Approved as to form:


Town Attorney

This section does not acknowledge the staff report.

NOTE: BZA Bylaws actually detail a procedure for public hearings. Could/should we do this here?

Upcoming Planning Projects for 2014 and Beyond

Complete Comprehensive Plan

Staff and the Commission continue to desire a comprehensive update to the Town's Comprehensive Plan. Staff will issue a Request For Proposals in early February for a professional firm to guide staff and the Commission through the process. Staff believes that contracting with a professional firm having recent and specific experience with the comprehensive planning process is essential to producing a document for the Town that is current, usable, and able to meet the specific requirements set forth in the Code of Virginia. Following the completion of this process, the Commission will strive to review portions of the plan on an annual basis.

The Next 6-Year Plan Project

With the funding of the Pigg River Bridge Replacement project, the Town suddenly found itself without a project on the Virginia Department of Transportation (VDOT) 6-Year Plan. Staff and the Commission worked quickly to determine what that next project should be: the realignment of the Pell Avenue-North Main Street- Franklin Street intersection near The Hub Restaurant. This project is currently on the VDOT 6-Year list. However, staff and the Commission believe it would be prudent to invest time in identifying the essence of the next available project, should the realignment receive funding within the next few years. The Commission will devote time and discussion hours to determining the next important project proposal.

Wayfinding

Wayfinding encompasses all of the ways in which people orient themselves in physical space and navigate from place to place. Signs are an important part of the wayfinding process, and over the past decade, the Town's wayfinding signage has not been updated to match the Town's growth or aesthetic progress. Some intersections are jumbled with too many signs, while others lack important wayfinding information. Currently, staff has inventoried the existing wayfinding conditions and will work with Planning Commission to implement a more succinct and aesthetically pleasing wayfinding program.

Town- Initiated Rezoning

Planning Commission has considered a staff request to investigate town-initiated rezonings on several properties

2013 ATTENDANCE RECORD

	Attended	Percent
Janet Stockton	8 of 9	89%
John Speidel	9 of 9	100%
Bud Blanchard	7 of 9	78%
Ina Clements	9 of 9	100%
Jerry Greer	7 of 9	78%
Derwin Hall	7 of 9	78%
John Tiggle	9 of 9	100%

which do not reflect the appropriate zoning based on the use. The properties staff seeks to investigate are primarily publicly owned and operated spaces which should be zoned Public or Open Space instead of their current designations.

Protection of Redeveloped Areas

With the significant investments made by the Town in parking and redeveloping Uptown and Downtown, staff and the Commission will work with utilities to develop code protecting redeveloped areas from overhead utility deployment.

Special Downtown Planning Needs

As the Harvester Performance Center transitions from a dream into a reality by April, 2014, the Commission expects to see a greater need for addressing planning issues in the Downtown area. As new businesses locate and existing businesses relocate or expand in the area, planning issues such as parking, signage, and pedestrian safety and access, particularly near the Floyd Avenue-Franklin Street intersection will need to be addressed. Staff and Planning Commission agree that these will be good issues to face.

Light Ordinance

Planning Commission recognizes the need to protect landowners from the intrusion of light from other properties. Staff will work with Planning Commission to determine if adequate protection is currently afforded to Town residents. This is particularly important in residential areas adjacent to higher-growth development areas.

Joint Meetings with Town Council

Planning Commission looks forward to opportunities to meet jointly with Town Council. These meetings are critical to the planning process, allowing the two bodies to work together in reviewing and determining planning priorities for the community.