

**TOWN OF ROCKY MOUNT
PLANNING COMMISSION
REGULAR MEETING MINUTES
July 7, 2015
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, Virginia, at 6:00 p.m. on July 7, 2015, for its regular monthly meeting with Chair Janet Stockton presiding.

Commission Members Present: Madame Chair Janet Stockton; Vice Chairman John Speidel; and Planning Commission Members Bud Blanchard; Ina Clements; Derwin Hall; Jerry Greer; John Tiggle

Commission Members Absent: None

Staff Members Present: Assistant Town Manager, Matt Hankins; Town Planner, Josh Gibson; Town Attorney, John Boitnott; Deputy Clerk and Secretary to Planning Commission Deanna Alexander

Madame Chair Stockton welcomed everyone to the July Planning Commission meeting. Chair Stockton relinquished the floor to Matthew Hankins, Assistant Town Manager, to conduct the annual Organizational Meeting for the election of the chairman and vice chairman; and seating of the Planning Commission members. Mr. Hankins gave a brief explanation of the purpose of the Organizational Meeting and opened the floor for nominations for chairman of the Planning Commission.

ORGANIZATIONAL MEETING

Election of Chairman: Vice Chairman Speidel nominated Madame Chair Janet Stockton to remain as chairman of the Planning Commission. The nomination was seconded by Commission Member Blanchard. Nominations were closed by Vice Chairman Speidel. Let the record show that Madame Chair Stockton was re-elected as chairman by a unanimous vote.

Assistant Town Manger, Matthew Hankins relinquished the floor back to Madame Chair Stockton. Chair Stockton opened the floor for nominations for Vice Chairman of the Planning Commission.

Election of Vice Chairman: Commission Member Hall nominated Vice Chairman John Speidel to remain as vice chairman of the Planning Commission. The nomination was seconded by Commission Member Clements. Nominations were closed by Commission Member Tiggle. Let the record show that Vice Chairman Speidel was re-elected as vice chairman by a unanimous vote.

Seating of Members: Madame Chair Stockton opened the floor for discussion of the seating of members. All members agreed to retain current seating positions.

APPROVAL OF AGENDA

Additions or Corrections: None

Motion: To approve the agenda as presented

Motion By: Commission Member Tiggle

Second: Commission Member Clements

Action: Approved by a unanimous vote of members present

REVIEW AND CONSIDERATION OF MINUTES

Let the record show that prior to the meeting, Planning Commission received the following draft minutes for review and consideration of approval:

- **June 2, 2015 - Regular Meeting Minutes**

Additions or Corrections: None

Motion: To approve the minutes presented

Motion By: Commission Member Clements

Second: Commission Member Greer

Action: Approved by a unanimous vote of members present

PUBLIC HEARING

Madame Chair Stockton recessed the meeting to hold the following public hearing.

Public Hearing Item 1: Planning Commission Recommendation to Town Council to amend the Zoning Ordinance of the Town of Rocky Mount for new Lodging Definitions and Zoning Classifications in the Central Business District.

Staff Report:

Josh Gibson, Town Planner, came before the Planning Commission to present the Lodging in the Central Business District - Updates to Zoning Ordinance staff report.

STAFF REPORT

To: Janet Stockton, Chair, and Planning Commissioners

From: Matthew C. Hankins, Assistant Town Manager and Zoning Administrator
Josh Gibson, Town Planner

Date: July 2, 2015

Re: Lodging in the Central Business District – Updates to Zoning Ordinance

EXECUTIVE SUMMARY

In February and March meetings, staff and planning commissioners generally agreed that some of the lodging definitions in our Zoning and Development Ordinance needed clarification and adjustment.

After continued research, a few changes are proposed below. Updates include an expansion to the definition of Bed & Breakfast establishments, plus an additional category for a small hotel recommended as either a by-right or special exception use for parcels zoned Central Business District (CBD). Rather than a wholesale update to all lodging types (as was previously discussed), this proposal includes the updates most critical for bringing existing and planned businesses into compliance. It also addresses a need for more lodging options in the CBD regulations without permitting those uses with a greater potential to unfavorably affect the character of the district, such as conventional hotels and motels.

Since there appeared to be little interest in immediately pursuing downtown design guidelines in concert with lodging updates, staff is making no recommendation to implement any at this time.

**RECOMMENDATIONS TO AMEND TOWN OF ROCKY MOUNT
ZONING & DEVELOPMENT ORDINANCE:**

I. DEFINITION UPDATES

ARTICLE 4 (Definitions) of the Town of Rocky Mount Zoning and Development Ordinance will be updated to **strike** the following definitions from 4-3:

BED AND BREAKFAST ESTABLISHMENT: A home occupation involving the rental of up to four rooms to overnight guests and offering breakfast meals only to said guests.

ARTICLE 4 (Definitions) of the Town of Rocky Mount Zoning and Development Ordinance will be updated to add the following definitions to 4-3:

BED AND BREAKFAST: A home occupation wherein the owner of the premises resides at the establishment, and which (1) may contain up to five (5) guestrooms for temporary/overnight guests, (2) shall not contain restaurant facilities but may provide food service for temporary/overnight guests and (3) may host indoor/outdoor events such as weddings, receptions, and similar activities on site subject to other applicable restrictions.

BED AND BREAKFAST INN: A dwelling and its associated building(s) used for temporary/overnight guests wherein the owner or manager provides full-time management of the establishment at all times when the facility is occupied by one or more guests, and which (1) may contain up to ten (10) guestrooms for temporary/overnight guests, (2) shall not contain restaurant facilities but may provide food service for temporary/overnight guests, and (3) may host indoor/outdoor events such as weddings, receptions, and similar activities on site subject to other applicable restrictions.

MIXED-USE INN: A building designed or occupied as an abiding place featuring no less than 8 rooms and no more than 20 rooms available for temporary/overnight guests who are, for compensation, lodged with or without meals, and in which provision is not generally made for cooking in individual rooms or suites. In addition to the 8-20 rooms/suites, a mixed-use inn may or may not also include on-premises restaurants, banquet halls, meeting rooms, retail uses and similar facilities as approved by the zoning

administrator. The intent of this lodging category is to encourage compatible mixed uses as an enhancement and compliment to the primary use, lodging.

II. OTHER ORDINANCE UPDATES:

RESIDENTIAL DISTRICT R1 (ARTICLE 20)

Under Article 20, 20-2-1 should be updated as follows: strike "Bed and breakfast establishments" and add "Bed and Breakfast and Bed and Breakfast Inn"

RESIDENTIAL BUSINESS DISTRICT RB (ARTICLE 24)

Under Article 24, 24-1-15 should be updated as follows: strike "Bed and breakfast establishments" and add "Bed and Breakfast and Bed and Breakfast Inn"

CENTRAL BUSINESS DISTRICT CBD (ARTICLE 29)

Under Article 29, 29-1-2 should be updated as follows: strike "Bed and breakfast establishments" and add "Bed and Breakfast and Bed and Breakfast Inn"

Under Article 29-2 "Uses by special exception" an additional definition should be added as follows: "29-2-8. Mixed-Use Inn"

Commission Questions and Comments:

Open discussion ensued with Commission Members and Josh Gibson, Town Planner, regarding the recommended changes in the staff report. Vice Chair Speidel asked if Bed & Breakfast establishments are allowed to cater off site events. Mr. Gibson explained by code off site catering is not allowed. Bed & Breakfast establishments can only cater for events on site. Discussion continued amongst members to clarify catering on site and off site, the different business classifications, and the support from our local community Bed & Breakfast owners on the requested changes.

Commission Member Hall asked if John Boitnott, Town Attorney, was involved in the process and lodging recommendations in the staff report. Mr. Gibson and Mr. Boitnott will work together to draft the Zoning Ordinance amendments order to present to the governing body (Town Council) for approval.

Madame Chair Stockton asked for any other comments.

Open Public Comments:

Let the record show that no one from the public came forward to speak in reference to the recommendations to amend the Town of Rocky Mount Zoning Ordinance.

Madame Chair Stockton hearing no further comments called the meeting back to order and entertained a motion from Planning Commission members.

Motion: To recommend to Town Council the approval to amend the Zoning Ordinance of the Town of Rocky Mount with new Lodging Definitions and Zoning Classifications in the Central Business District.

Motion By: Vice Chair Speidel

Second: Commission Member Greer

Action: Approved by a unanimous vote of members present

OLD BUSINESS

A. Distribution of Comprehensive Plan Draft

Open discussion ensued with Commission Members; Josh Gibson, Town Planner; and Matthew Hankins, Assistant Town Manager, regarding the Comprehensive Plan Draft. The draft plan presented is a usable document that will allow the Town the ability to check things off and update the plan as needed. The new Comprehensive Plan is a working document.

Mr. Hankins shared with commission members the importance of the document and the feedback from the Planning Commission to help complete the process. Discussion continued on various options of how to review the draft plan.

All Planning Commission Members agreed to divide the draft plan into three (3) sections. The Planning Commission members will review one section per meeting over the next three regularly scheduled Planning Commission meetings. The designated first section of the draft plan to be review on Tuesday, August 4, 2015 will be through page twenty-two (22).

Mr. Hankins asked Commission Members to submit all questions to Josh Gibson, Town Planner.

Motion: To approve three meetings for review of the Comprehensive Plan Draft

Motion By: Commission Member Clements

Second: Commission Member Speidel

Action: Approved by a unanimous vote of members present

B. Update on food trucks.

Josh Gibson, Town Planner came before the Planning Commission to present the following Zoning Compliance Requirements / Supplemental Application for Mobile Restaurants and Food Trucks in the Town of Rocky Mount.

MOBILE RESTAURANTS / FOOD TRUCKS
Zoning Compliance Requirements / Supplemental Application
Town of Rocky Mount, Virginia

Mobile food unit ('food truck') owners who (1) intend to operate as stand-alone sellers of food and non-alcoholic beverages, (2) are not associated with one-time or short-term events and (3) cannot or wish not to abide by the Town of Rocky Mount peddler's license code requirements may apply for a **ZONING COMPLIANCE PERMIT** from the Town of Rocky Mount.

RULES AND REQUIREMENTS FOR APPLICATION APPROVAL

As they relate to zoning requirements and definitions, food trucks are interpreted by Town to be mobile brick-and-mortar restaurants and must possess a valid food permit (issued annually by the Virginia Department of Health) before receiving a Zoning Compliance Permit from the Town of Rocky Mount.

- Food trucks are limited to five pre-determined locations at which they may operate. Below, please list the owners' names and the physical addresses where your food truck will be located (up to five); **attach written permission from each property owner** to the Zoning Compliance application (if you wish to locate on a public road or public property, please contact the Town of Rocky Mount at 540-483-0907):
 - Property #1: ADDRESS: _____ OWNER: _____
 - Property #2: ADDRESS: _____ OWNER: _____
 - Property #3: ADDRESS: _____ OWNER: _____
 - Property #4: ADDRESS: _____ OWNER: _____
 - Property #5: ADDRESS: _____ OWNER: _____
- Anticipated days and hours of operation: _____

- Please **attach a sketch of each site**, including an approximation of the placement of the truck in relation to the lot/street, parking, routes for ingress and egress, and any other anticipated features.
- Please provide proof of: (1) a Town **business license** and (2) a **valid food permit** from the Virginia Health Department stating that the mobile food unit meets all applicable standards.
- Food Trucks which are operating independently are only permitted in zoning districts where restaurants are allowed uses by right (C2, CBD, and GB).
- Zoning Compliance Permits for food trucks are good for one year from the date of issuance, unless otherwise indicated by the Zoning Administrator. A Zoning Compliance Permit may be revoked by the zoning administrator at any time, due to the failure of the permit holder to comply with all requirements listed herein.
- A 100-ft buffer must be maintained between a Mobile Food Unit and any residential use.
- A 100-ft buffer must be maintained between a Mobile Food Unit and all brick-and-mortar restaurants.
- No customer seating is permitted (without zoning administrator approval); if space is available, one (1) covered table is permitted to provide condiments to patrons.
- Amplified music is forbidden outside of truck.
- Off premises signage is forbidden; signage must be permanently affixed to food unit.
- Food trucks must properly dispose of all trash, refuse, compost and garbage.
- Trucks may not be the primary or principal use at a lot; they may only be considered an accessory use.
- If parked with permission upon a public Right-of-way, food trucks may only remain in one location for up to 3 hours.
- Food trucks may not sell any items other than food and non-alcoholic beverages and items incidental to food and its consumption.
- No liquid wastes may be discharged from the mobile food unit.

Open discussion ensued with Commission Members; Josh Gibson, Town Planner; Matthew Hankins, Assistant Town Manager; and John Boitnott, Town Attorney, on Mobile Restaurants/Food Trucks application and guidelines. Discussion continued on time limits, placement, the intrusion on brick & mortar restaurants, the application process, the health department, temporary fair/festival vendors, public right of ways, and meals tax collection. Mr. Gibson advised the Commission Members that the application and the approval process will give the Town the flexibility to monitor and control the quality of the vendors.

NEW BUSINESS

A. Review of proposed FY2016 nuisance & blighted property list

Matthew Hankins, Assistant Town Manager, came before the commission to present a FY2016 nuisance & blighted property review.

Open discussion ensued with Commission Members and Matthew Hankins, Assistant Town Manager. Mr. Hankins is seeking advice and input from commission members regarding nuisance & blighted property in our community. Mr. Hankins advised the Commission Members that the Town has approximately twenty thousand (\$20,000) to spend on the issue. Mr. Hankins provided the following list of properties for Commission Members to consider:

70 & 90 Dent Street, 115 Wilson Street, 105 Anderson Street, 100 Goodview Street, 182 Woodlawn Drive, 120 West College Street, Patterson Street - end of street with property adjoining Mary Bethune park, 120 Spring Street - abandon Victorian home.

Discussion continued on various properties, options, and commission concerns. Mr. Hankins suggested that Commission Members review and bring suggestions to the next regularly scheduled Planning Commission meeting.

COMMISSIONER CONCERNS AND STAFF UPDATES

Community Development Update

- a. Josh Gibson, Town Planner: Several residents have inquired about chickens and updating our Town Code to allow chickens at residential homes in the Town of Rocky Mount. Mr. Gibson asked if Planning Commission Members are willing to review and address the chicken request issue again. All Commission Members agreed the Planning Commission does not want to change the code or allow chickens in the Town of Rocky Mount at this time.
- b. Assistant Town Manager, Matthew Hankins: Urban Development Area
Mr. Hankins updated the Commission Members on the changes by VDOT (Virginia Department of Transportation) on transportation projects and funding. Communities need to designate growth areas or urban development areas to assist with grants and funding. Mr. Hankins will be asking Town Council to help designate those areas with a referral back to the Planning Commission. The Town's major pending transportation project is Angle Bridge.

Commission Member Blanchard: No Comments

Commission Member Clements:

Commission Member Clements asked about the possibility of a turnabout at Bootleggers restaurant located at the intersection of Floyd Street & Franklin Street.

Matthew Hankins, Assistant Town Manager, advised the Commission Members that the staff is not considering a turnabout. The staff is considering options for the Floyd & Franklin intersection. Mr. Hankins gave details on the possibility of a straight T-Intersection. Not ready to make any recommendations at this time.

Commission Member Greer:

Commission Member Greer expressed concern about high bushes in the median at Floyd & Franklin when turning onto 40 west. Visibility has become a hazard.

Josh Gibson, Town Planner, clarified Commission Member Greer's concerns and offered to follow up with public works department.

Commission Member Tiggel:

Commission Member Tiggel asked for an update on the Murphy Oil site plan.

Josh Gibson, Town Planner, advised the Planning Commission that Murphy Oil has submitted a second plan review. Staff concerns with first plan were fuel truck turn radius, signage for no tractor trailer trucks (only fuel trucks allowed), better landscaping, and traffic flow/patterns. Discussion continued about staff concerns and how fuel is taxed by the Town.

Commission Member Hall:

Commission Member Hall asked for information on natural gas in case the Planning Commission needs to make a decision on Mountain Valley Pipeline.

Matthew Hankins, Assistant Town Manager, offered to share with the Planning Commission a survey on the interest of residents in having natural gas in our area. Commission Member Hall asked about the cost to hook onto the Roanoke County natural gas line that is coming to our community.

John Boitnott, Town Attorney, explained to the Planning Commission Members that the new proposed natural gas line running through Franklin County by Mountain Valley is not a distribution center. The new line is a natural gas transmission line only. There will need to be a company who is willing to open and run the distribution center in the Town or in Franklin County. Roanoke gas has pending before the State Corporation Commission an application for a permit to allow them to distribute natural gas in Rocky Mount and Franklin County.

Assistant Town Manager, Matthew Hankins advised the Planning Commission Members that it would take approximately seventeen to twenty million dollars for Roanoke Gas to connect service to our area.

Vice Chair Speidel:

Vice Chair Speidel asked for follow up on the Blue Ridge Towers Board of Zoning Appeals hearing from April 30, 2015.

Town Attorney, John Boitnott advised the Planning Commission Members the case is on appeal to the circuit court and is still pending. Blue Ridge Towers did cancel the option to purchase property on West Court Street, Tax Map ID Number 2070056700.

Madam Chair Stockton: No Comments

Vice Chair Speidel asked for an official commendation to be entered into the minutes for Matthew Hankins, Assistant Town Manager.

For achievement in the superior performance of his duties, The Virginia Local Government Managers Association (VLGMA) presented the Assistant Town Manager of The Year Award to Mr. Hankins at the annual VLGMA summer conference. Thank you, Mr. Hankins for your commitment and exceptional performance from the Town of Rocky Mount Planning Commission Members.

Madam Chair Stockton hearing no further comments entertained a motion to adjourn.

ADJOURNMENT

Motion to Adjourn By: Commission Member Greer

Second: Commission Member Hall

Action: Approved by a unanimous vote of members present

Time of Adjournment: 6:45 p.m.

Janet Stockton, Chairman

ATTEST:

Deanna L. Alexander, Clerk/Secretary

DLA/

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