

**PLANNING COMMISSION
MINUTES
SEPTEMBER 4, 2007
6:00 P.M.**

The Planning Commission of the Town of Rocky Mount, Virginia met at the Municipal Building on September 4, 2007 at 6:00 p.m. with Chair Janet Stockton presiding.

The following members were present:

Chair Janet Stockton, Vice Chair John Speidel, Planning Commission Members Milton Arrington, Ina Clements, Jerry W. Greer, Sr., John Tiggie; Town Manager C. James Ervin, Planning & Zoning Administrator Paul Stockwell, Town Attorney John Boitnott, Deputy Clerk Stacey B. Sink, and Town Clerk Patricia H. Keatts

Let the record show that Planning Commission Member Derwin Hall was not present.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

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

- July 2, 2007
- Motion was made by Planning Commission Member Tiggie 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.

PUBLIC HEARING

Chair Stockton recessed the meeting to hold the following public hearings:

A) Special Use Permit Request of Cathy McBride

After being duly advertised, Cathy McBride requested a Special Use Permit for Franklin County Tax Map 204 and Parcel Numbers 476, 477, 478 and 480 for the placement of a single-wide mobile home without a permanent foundation. The property is located between Pendleton Street and Woodlawn Drive.

Chair Stockton opened the floor to anyone wishing to come before the Planning Commission to speak regarding this request.

- Eddie Hawks, Pastor of Woodlawn Baptist Church (located across the street from Cathy McBride's residence) came before the Planning Commission stating that he has known Ms. McBride for several years. He further stated that the home she currently resides in is in the worst shape he has ever seen, and poses a health hazard to her. He tried to impress upon the Planning Commission the deteriorating condition of the home and that if Ms. McBride continues to live there, it would not be to her benefit; therefore, requesting that the Planning Commission help her in anyway that they could, and furthermore, he is in support of Ms. McBride's request.

The Planning Commission questioned where Ms. McBride would be living while the house is being demolished. Planning Commission Member Greer stated that he has been working with Ms. McBride for quite awhile on getting her suitable housing and that a group of people has banded together to put in a mobile home unit on the property where the house now exists, and then the home will be demolished. He further confirmed that Ms. McBride will stay at her current location until the mobile unit is set. There was brief discussion regarding what direction the mobile unit will be facing, with Mr. Greer stating that it will be set behind an existing structure that is on the property.

- Jackie Spence of 920 State Street came before the Planning Commission stating that he has lived in the neighborhood that Ms. McBride is living at for 11 years and used to be the pastor at the Pentecostal Church in that area. He further stated that during that time, the house Ms. McBride lives in was in very bad shape, and has grown worse since that time. He further informed the Planning Commission that a lot of work in the past has gone into that neighborhood to improve it, and the house needs to be taken care of. He also relayed that he is in support of Ms. McBride's request.
- Planning Commission Member Greer stated that the house is a real health hazard, as it is falling apart. He further implied that he doesn't think Ms. McBride could afford to fix the home or has the tools to do it, but there

were people around her that were willing to help her. He further stated that as a Planning Commission member, he could not vote on the issue because he has been so involved with this project, but he is in favor of Ms. McBride's request.

- The Planning & Zoning Administrator informed the Planning Commission that the structure is a danger and a mobile unit will be a solution to the problem. He further mentioned for the record a list of six suggested conditions if the Planning Commission considered approving Ms. McBride's request, being:
 1. The interior lot lines of tax parcels 204-476, 204-477, 204-478 and 204-480 are vacated within six months of issuance of special use permit.
 2. The existing structure on the property is demolished and removed within 60 days of mobile home.
 3. A vinyl or T-111 exterior is put on the mobile home within 60 days of the home's placement.
 4. A front porch is added to the mobile home within 60 days of the home's placement.
 5. An acceptable skirting as required by the Uniform Statewide Building Code is placed around the mobile home within 60 days of the home's placement.
 6. The mobile home will be removed and the Special Use Permit will expire when Cathy McBride no longer occupies the home.

Planning Commission Member Greer confirmed to Chair Stockton that these six suggested conditions could be done, with the Town Attorney stating that everyone is in agreement with this. Planning Commission Member Greer stated that he is in agreement with this also.

Vice Chair Speidel stated he does not think that the Planning Commission is opposed to Ms. McBride's request and questioned if there was a problem with the 60 days, with Planning Commission Member Greer confirming that the 60 days should be no problem.

Planning Commission Member Greer also confirmed to Planning Commission Member Clements that they have a plan regarding the skirting and outside exterior of the mobile unit.

Let the record show that no one else from the public came to speak for or against the request.

There being no further discussion, Chair Stockton entertained a motion.

- Motion was made by Planning Commission Member Clements to approve the request with the suggested six conditions as outlined by the Planning & Zoning Administrator that were stated for the record, with motion on the floor being seconded by Vice Chair Speidel. A roll call vote was taken. Voting in favor of the motion on the floor were Chair Stockton, Vice Chair Speidel and Planning Commission Members Arrington, Clements, and Tiggle. Let the record show that Planning Commission Member Greer abstained per the reason as stated earlier. Let the record show that the motion on the floor passed five to one abstention.

Chair Stockton stated for the record that the Planning Commission would be recommending to Town Council approval of the request.

B) The Alloy Group, LLC

After being duly advertised, The Alloy Group, LLC requested the rezoning of approximately 0.047 (+/-) acres from Residential District (R-1) to Residential Planned Unit Development (RPUD). The applicant requested this rezoning of land in order to add some land to Lot 18 of The Cottages at Stone Mill, which is already rezoned RPUD.

Chair Stockton opened the floor to anyone wishing to come before the Planning Commission to speak regarding this request

- George Lloyd, member of The Alloy Group, LLC, came before the Planning Commission giving them a brief overview of the existing The Cottages at Stone Mill and how Lot 18 laid with the existing subdivision property. He further stated that the prospective buyer of this lot will be purchasing additional land behind it in order to create enough space to build a home upon Lot 18, with the purchase being contingent upon rezoning approval. The width of the lot was discussed, with Mr. Lloyd stating that with the purchase of the additional land, the lot would be adequate for the home to be built. The rezoning is for only .047 acres.

There being no further discussion, Chair Stockton entertained a motion.

- Motion was made by Planning Commission Tiggle to approve the request to rezone a portion of 211-26 and a portion of 211-25 from Residential District (R-1) to Residential Planning Unit Development (RPUD), with motion on the floor being seconded by Planning Commission Member Arrington. A roll call vote was taken. Voting in favor of the motion on the floor were Chair Stockton, Vice Chair Speidel, and Planning Commission Members Arrington,

Clements, Greer, and Tiggle. Let the record show the motion passed unanimously by those present.

OLD/NEW BUSINESS

A) Old Business

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

B) New Business

1. Discussion and consideration of committees.

The Planning & Zoning Administrator presented to the Planning Commission for their review and consideration a way for them to look at updating the Town's Comprehensive Plan and ways it can be implemented. He also stated that by forming committees to look at the Comprehensive Plan, he believes it would be an effective and efficient way to achieve change and direction through proactive planning and allowing each Planning Commission member an opportunity to choose a specialty or two with which they might have a particular interest in.

The committees suggested by the Planning & Zoning Administrator were:

- Natural, Cultural, and Historic Resources
- Community Facilities and Transportation
- Population, Economic Development, and Housing
- Land Use, Permits, and Plan Review

The Planning & Zoning Administrator stated the Planning Commission could choose what committees may be established and the composition of these committees. It was further pointed out by the Planning & Zoning Administrator that he believes the committee process will give the Planning Commission the opportunity to undertake some proactive planning and direction towards implementation of the community's vision and comprehensive plan.

There was a general consensus from the Planning Commission members that they did not wish to form the committees, as they felt that they would like to meet, review, and make any suggested changes to the Comprehensive Plan as a whole group.

The Planning & Zoning Administrator informed the Planning Commission that he was not trying to preclude them, but that having the committees look over any of the issues with the Comprehensive Plan first, they could then bring back before the whole group what he believes a better process that would work well with Town Council.

Chair Stockton relayed on behalf of the Planning Commission that it was their consensus that they be involved as a whole group in reviewing the Comprehensive Plan.

Planning Commission Member Greer stated that he appreciated what the Planning & Zoning Administrator was stating.

Let the record show that Chair Stockton recessed to meeting to the “closed chambers” to hold two work sessions as noted on the agenda, but let the record further show that the work session portion of the agenda was still an open public meeting.

WORK SESSION

As a note for the record, the Town Manager introduced Erik Mollin to the Planning Commission as the new Chief of Police for the Town of Rocky Mount. Everyone congratulated him on his appointment to the position.

A) Discussion Regarding “Family” Definition

Brought before the Planning Commission by the Planning & Zoning Administrator was that the Town’s current Zoning Ordinance defines a “family” as one or more persons..., which does not prevent multiple families or numerous people from residing in a single dwelling unit. Presented to the Planning Commission were examples of the Town’s current definition of “family” and some other localities’ definitions. The Planning & Zoning Administrator also informed the Planning Commission that if the definition did change, a public hearing of both the Planning Commission and Town Council would have to take place.

The Town Manager informed the Planning Commission that it was the Town’s intent to come up with a definition that fits the concept of single family. He further stated that, currently, there are people living in a single family housing that has anywhere from 13 to 16 people living there, with the Town receiving complaints from neighbors about this. He further commented that the Town needs a tool for the Town to work with.

There was much discussion between the Planning & Zoning Administrator, Town Manager, Chief of Police, and Planning Commission regarding the following:

- What could be enforced and what tools are needed to enforce it?
- There are areas in the Town that allow more density living, and if someone was looking for a home that allowed more people to live in, the Town had this.
- What definition can define “family”?

- Need to have someone assess the houses and enforcement of such.
- Land Use Office for the County of Franklin may have something already in place that could help the Town as a tool for enforcement.
- Could use the Health Department standards as a resource tool.
- Once you start putting a lot of complications into a definition, it would be more difficult to enforce, and keeping it simple may be more realistic, with the Planning Commission having to come up with what is best for the Town in the future.
- The Town provides a place where people want to live.
- Do not want the definition of “family” to include “blood relation” that would turn the house into a boarding house.
- The County of Franklin Building Code should help if you consider square footage and number of people that can live there.
- Cannot discriminate. Staff is trying to do good and not harm people.
- Not looking to define “family”, just head of households.

It was the consensus of the Planning Commission that staff needs to see if the Health Department has any square footage guidelines that can be used as an enforceable tool, and once that information is received, staff will need to come up with something for the Planning Commission to review. Staff so noted.

B) Discussion Regarding “Manufactured Housing”

As stated by the Planning & Zoning Administrator, it was discovered that the current definition of “manufactured housing” in the Planning & Zoning Ordinance is not up-to-date with the Virginia State Code. The Planning & Zoning Administrator presented to the Planning Commission definitions to distinguish between manufactured homes and modular housing, along with bulk regulations.

The Town Manager did a quick drawing of what manufactured homes, modular homes, and stick-built homes consisted of, with the following being understood as what it consists of now:

- Manufactured homes are now defined as Industrial and is for single family housing, with the Town supporting Mod-U-Kraf homes as industrial for stick built homes. Industrial homes are for Residential District (R-1) or Residential Agricultural (RA).

- Manufactured homes are for Residential Agricultural (RA) only.
- Stick built homes are for Residential District (R-1) or Residential Agricultural (RA), the same as Industrial homes.

Discussion ensued regarding the following:

- Town is trying to protect existing neighborhoods.
- Mod-U-Kraf homes use the strictest codes from several states, uses the BOCA code standards , and is a better built home.
- The Town's Zoning Ordinance in order to have square footage requirements in the different zoning districts.
- What was needed for residential bulk regulations.

"Square Footage of Homes in Rocky Mount's Residential Districts" chart was handed out to the Planning Commission, with the Planning & Zoning Administrator briefly going over the square footage as a point of reference as to how much square footage would be needed for that type of home that would be allowed in a particular zone.

It was brought out by the Town Manager that a vote was not needed at this meeting by the Planning Commission at this time, but this is a good time to look at what was brought before them and consider taking the next step before Town Council.

It was the consensus of the Planning Commission that the Town needed to come up to the same standards of the Virginia State Code, but that they did not want to get in a big hurry to do this, but rather, take the time to make sure it is done correctly the first time around. This being said, it was the decision of the Planning Commission for staff to set up a work session during the regularly scheduled Planning Commission meeting in October in order for them to review the submitted articles on this subject that were given to them by the Planning & Zoning Administrator. Staff so noted.

ADJOURNMENT

There being no further business to discuss, Chair Stockton entertained a motion to adjourn at 7:15 p.m., with motion being made by Planning Commission Member Tiggle, seconded by Planning Commission Member Clements and carried unanimously.

Janet Stockton, Chair

ATTEST:

Patricia H. Keatts
Town Clerk

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