

**ROCKY MOUNT TOWN COUNCIL  
SPECIAL COUNCIL MEETING  
JOINT WORK SESSION WITH PLANNING COMMISSION  
AUGUST 9, 2012**

The Rocky Mount Town Council held a special Council meeting joint work session with the Planning Commission on August 9, 2012 at 6:00 p.m. in the Council Chambers of the Rocky Mount Municipal Building located at 345 Donald Avenue, Rocky Mount, Virginia with Mayor Steven C. Angle presiding. The following members of Council were present: Council Members Bobby M. Cundiff, Jerry W. Greer, Sr., P. Ann Love, Robert L. Moyer, and Billie W. Stockton. Let the record show that Vice Mayor Gregory B. Walker was absent due to a previous commitment.

The following members of the Planning Commission were present: Chair Janet Stockton, Planning Commission Members John Tiggler and Jerry Greer, Sr. Absent were Vice Chair John Tiggler and Planning Commission Members Ina Clements, Blanchard (Bud) Boyce, Derwin Hall.

The meeting was called to order by Mayor Angle on behalf of the Rocky Mount Town Council and Chair Stockton on behalf of the Planning Commission. For the record, the following were present: Members of Town Council and Planning Commission as noted, Town Manager C. James Ervin, Assistant Town Manager/Community Development Director Matthew C. Hankins (and Planning & Zoning Administrator), Town Attorney John T. Boitnott, Deputy Clerk and Planning Technician Stacey B. Sink, and Town Clerk Patricia H. Keatts.

**APPROVAL OF AGENDA**

Prior to the meeting, Council had received the agenda for review and consideration of approval.

- Motion was made by Council Member Love to approve the agenda as presented, seconded by Council Member Cundiff and carried unanimously by those present.

**JOINT WORK SESSION**

**A. Review of Draft Town of Rocky Mount Zoning and Land Use Rules**

Prior to the meeting, a list of the substantive zoning ordinance revisions, chart relating to child care, and the planning and zoning fee schedule were handed out to everyone for review:

## SUBSTANTIVE ZONING ORDINANCE REVISIONS

SUBSTANTIVE CHANGE #	Article No. (New)	Description of Change	Old Article No.
1	3-3	Amending Article 3-3 to include Franklin County Zoning District Planned Commercial District PCD and assign corresponding Rocky Mount Zoning Districts of Commercial Office Limited District C1 and Commercial Office General District C2; and, changing the Rocky Mount District corresponding to Franklin County District Residential Planned Unit Development RPD from Residential District R1 to Residential Planned Unit Development RPUD.	2-3
1a	4	Adding definition: ACCESSORY STRUCTURE - See "Building, accessory".	
1b	4	Amending definition: ACCESSORY USE - A use of land or a use of a building or structure for purposes customarily incidental and clearly subordinate to the principal use of the lot on which it is located. <i>(Formerly - Accessory use or structure: A subordinate or secondary use or structure customarily incidental to and located upon the same lot occupied by the main use or building, provided that no such accessory building shall be used for housekeeping purposes. )</i>	
2	4	Deleting definition: ADULT CARE FACILITIES - an agency, organization or individual providing daytime care for adults, in conformance with licensing regulations	19

3	4	Adding definition: ADULT DAY CARE CENTER - a facility which provides supplementary care and protection during a part of the day only to four or more aged, infirm, or disabled adults who reside elsewhere, except a facility or portion of a facility licensed by the Commonwealth of Virginia State Board of Health or the Commonwealth of Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services.	19
4	4	Adding definition: ADULT DAY CARE HOME - a single-family dwelling in which is operated a facility which provides supplementary care and protection during a part of the day only to less than four aged, infirm or disable adults who reside elsewhere, except a facility or portion of a facility licensed by the Commonwealth of Virginia State Board of Health or the Commonwealth of Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services.	19
5	4	Adding definition: ASSISTED LIVING FACILITY - Any facility or any identifiable component of a facility in which the primary function is the provision on a continuing basis of shelter and other services, which may include meals, housekeeping, and personal care assistance, for elderly residents who are typically functionally impaired and socially isolated, but otherwise in good health and able to maintain a semi-independent lifestyle, not requiring the more intensive care of a nursing home.	19
6	4	Adding definition: AUTOMOBILE/TRUCK SALES AND SERVICE - See automobile dealership.	

7	4	Amending definition: BUILDING, ACCESSORY - A subordinate structure customarily incidental to and located upon the same lot occupied by the main structure. No such accessory structure shall be used for housekeeping purposes, <u>with the exception that dwelling use shall not be prohibited for temporary family health care structures (as defined).</u>
8	4	Adding definition: BUILDING, COMMUNITY ACCESSORY - In high-density housing or planned developments, a structure and associated amenities owned and operated by a community corporation or association for the purpose of providing common meeting, social, recreational or dining spaces for the benefit of the members of the corporation or association. Some examples include: clubhouses, swimming pools and poolhouses, dining halls, ballrooms, tennis courts, locker rooms, recreational fields and associated buildings or similar uses associated with the mission of the corporation or association.
9	4	Adding definition: BUILDING FOOTPRINT - The outline of the total area covered by a building's perimeter, as measured from the outside of all exterior walls, at the ground level.
10		Deleting definition: CHILD CARE CENTER - A structure either wholly or partially used for the temporary care and lodging for compensation of young children. Three types of child care centers are: (a) home care: use of the residential structure or part thereof for the temporary lodging and care of not more than four children for compensation; (b) day care center: a commercially zoned structure utilized for the temporary care of not more than ten children for compensation. This use must meet the necessary state licensing requirements; and (c) nursery: a structure utilized for the reception, board, and care for compensation of ten or more children. This use must meet the necessary state licensing requirements.

11	4	Adding definition: CHILD DAY CENTER - A facility complying with applicable Commonwealth of Virginia licensing requirements and operated for the purpose of providing care, protection and guidance to a group of 13 or more children separated from their parents or guardians during a portion of the day.
12	4	Adding definition: COMMUNITY CENTER - See community accessory building.
13	4	Amending definition: DAIRY - A commercial establishment for the production and sale of wholesale dairy products. <i>(Formerly - A commercial establishment for the manufacture and sale of dairy products.)</i>
14	4	Adding definition: DATA CENTER - An industrial building designed to hold large numbers of servers, computers, switches and related electronic equipment to facilitate storage of data from off-site sources. Typically, data centers include infrastructure support for high-speed communications connections, as well as the back-up power supplies required to maintain the integrity of the center in case of disaster.
15	4	Adding definition: FAMILY DAY HOME - A single-family dwelling in which a facility as defined in § 63.2-100 of the Code of Virginia (1950), as amended, is operated for the purpose of providing care for more than five but less than 13 children separated from their parents or guardians during a portion of the day, exclusive of the provider's own children and any children who reside in the home. The care of five or less children for portions of a day shall be considered a home occupation.

16	4	<p>Amending definition: FLOOD OR FLOODING - (1) A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal water; or, the unusual and rapid accumulation or runoff of surface waters from any source; (2) The collapse or subsistence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in part (1) of this definition. <i>(Formerly - A general and temporary inundation of normally dry land areas.)</i></p>
17	4	<p>Amending definition: FLOODPLAIN OR FLOODPRONE AREA - Any land area susceptible to being inundated by water from any source. <i>(Formerly - (1) A relatively flat or low land area adjoining a river, stream, or watercourse which is subject to partial or complete inundation; (2) An area subject to the unusual and rapid accumulation or runoff of surface waters from any source.)</i></p>
18	4	<p>Amending definition: FLOODWAY - The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. <i>(Formerly - The designated area of a floodplain required to carry the discharge of flood waters of a given magnitude. For the purposes of this ordinance the floodway shall be capable of accommodating a flood of the 100-year magnitude.)</i></p>

19	4	Adding definition: FUNERAL HOME - A mortuary service facility licensed and inspected by the Commonwealth of Virginia which provides ordinary and customary on-site funerary services after death and before final disposition of a body, including, but not limited to: transfer of decedent remains to or from other mortuary services; embalming and associated disposition of fluids; preparation of remains for viewing and burial; holding wakes, memorials and funeral services; cremation of remains; pre-need planning; casket and vault sales; storage and parking for vehicles ordinarily used for funeral transportation.
20	4	Deleting definition: HARDSHIP - A situation used in appealing for variances that borders on confiscation. Inconvenience does not constitute hardship.
21	4	Deleting definition: HOME DAY CARE - Use of a residence or part thereof for the temporary day care of not more than four children or four elderly persons for compensation as allowed by law.
22	4	Amending definition: HOME OCCUPATION - leaving "as-is" but removing the last statement which reads: <i>(Certain home care facilities for the young or the elderly may be conducted as a "home occupation" if they comply with Virginia law related to "day care" facilities.)</i>

23	4	<p>Amending definition: HOSPITAL - A facility, licensed by the Commonwealth of Virginia, in which the primary function is the provision of diagnosis, treatment and medical and nursing services, surgical or nonsurgical, for sick or injured persons, and which provides inpatient beds, and including ancillary facilities for outpatient and emergency care, training, research, administration and employee, patient and visitor services, but not including a facility exclusively or primarily for the care and treatment of psychiatric patients or persons suffering from substance abuse.  <i>(Formerly - An institution rendering medical, surgical, obstetrical, or convalescent care, including nursing homes, homes for the aged and sanitariums, but in all cases excluding institutions primarily for mental disorders or mentally handicapped patients, epileptics, alcoholics or drug addicts.)</i></p>
24	4	<p>Adding definition: LODGE - A facility providing meeting, recreational, social and/or dining spaces for a fraternal organization. Compare to club.</p>
25	4	<p>Adding definition: NURSERY, HORTICULTURAL - An agricultural or commercial facility wherein plants, trees, and shrubs are raised from seed or root stock for sale in retail or bulk garden centers.</p>
26	4	<p>Adding definition: NURSING HOME - Any facility or identifiable component of a facility in which the primary function is the provision on a continuing basis of nursing services and health related services for the treatment and in-patient care of two or more non-related individuals and which is licensed by the Commonwealth of Virginia as a nursing home, but excluding a facility providing care for alcoholism, drug addiction, mental disease, or communicable disease.</p>

27	4	Amending definition: PENNANT SIGN - Pieces of cloth, plastic or flexible material generally triangular or rectangular in shape, and which typically are strung together in a series of lines which are hung from poles, between buildings or in other arrangements for the purpose of decoration or attracting attention <u>on a temporary basis</u> .
28	4	Amending definition: PERSONAL SERVICE ESTABLISHMENT - Any building wherein the occupation is the repair, care of, maintenance or customizing of personal properties that are worn or carried about the person or are a physical component of the person. For the purpose of this ordinance, personal service establishments shall include barbershops, beauty parlors, pet grooming establishments, tailors, dressmaking shops, <u>dry cleaners</u> , shoe cleaning, repair shops, photographic studios, linen and diaper service establishments.
29	4	Adding definition: RAIL TRANSFER FACILITY - A facility, either standalone or incorporated with an industrial facility, designed to accommodate the intermodal transfer of goods and raw materials to or from rail cars and to or from highway carriers.
30	4	Amending definition: SAWMILL - A facility where logs or partially processed cants are sawn, split, shaved, stripped, chipped, or otherwise processed to produce wood products. This use includes limber mills and planing mills.

31	5-7	<p>Amending Article 5-7, Fees to read as follows: The Town Council may establish by general rule for the collection of fees to cover the cost of making inspections, issuing permits, advertising of notices and other expenses incident to the administration of this zoning ordinance or to the filing or processing of appeals and amendments. All applications for rezoning, permits, reviews, approvals or other actions for which fees are specified by such general rule, shall be accompanied by the required application fee. A schedule of such fees shall be made available in the office of the zoning administrator... <i>(Formerly: Fees are allowed by § 15.2-2286 of the Code of Virginia (1950), as amended. Administrative review and processing of zoning permits, certificates of zoning compliance (occupancy), site plans, rezoning requests, special exceptions, amendments, public hearing advertising, variance and nonconforming uses shall be published under a separate fee schedule and reviewed annually by the zoning administrator prior to approval by the town council. The amount of the current fees and charges are as follows...)</i> <b>NOTE: The referenced fee schedule was previously contained within the ordinance which required an amendment each time a fee was change. This will allow fees to be changed through normal procedures without requiring an amendment to the Zoning Ordinance.)</b></p>
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15-8

32	6-3-1.2	Amending Article 6-3-1.2 changing terminology used from <u>sketch development plan</u> to site development plan as follows: Prior to the development of a manufactured home park, the developer must submit a site development plan to the planning commission and the town council for approval. The plan shall be prepared at a scale of one inch equals 100 feet or one inch equals 200 feet and shall depict the following items: (a) Location and size of the manufactured home park; (b) Location and size of the manufactured home lots; (c) Location and width of the proposed internal streets, and common walkways; (d) Location and size of the proposed sanitary facilities; (e) Location and size of the proposed service building and recreation area; (f) Location and size of water facilities.	
33	6-3-2.8	Amending 6-3-2.8, rear yard regulations to read as follows: Each townhouse shall have a minimum rear yard of 40 feet, except when the rear yard abuts <u>an area intended for the common use of townhouse occupants</u> such yard shall be at least 25 feet. An accessory building not exceeding ten feet by ten feet may be constructed in any rear yard, not closer than five feet to the property line, and not further than 15 feet from the property line.	12-3-2.8
34	6-5-3(B)3	Amending 6-5-3(B)3 regarding required screening to read as follows: The following list of specific screening provisions is descriptive of configurations which, among others, meet the standards of subsection (A) above: (1) White pines, Lob pines, Eastern red cedar, Norway spruce, Canada hemlock, or similar tree; (2) Yew, box honeysuckle or similar dense hedge; (3) A six-foot-high architectural screen (fences, man-made structures, berms, etc.) <u>supplemented</u> with plantings.	12-6-3(B)3
35	11	Amending Article 11, Provisions for Appeal, for conformity to State Code	16

36	12	Amending Article 12, Violation and Penalty, for conformity to State Code	17
37	19-1-5	Amending Article 19-1-5 Accessory buildings, as defined; however, a building or structure attached to the main building by walls or roof shall be considered part of the main building. The building footprint of an accessory building shall not exceed 50-percent of the building footprint of the principal building. An accessory building shall not be greater in height than the main structure. An accessory building shall be located behind and not closer than ten feet to the main structure. An accessory building within 20 feet of a property line may not be more than one story in height. A one-story accessory building may be no closer than five feet to any property line of an adjoining property owner.	24-5
38	19-1-10	Deleting 19-1-10 Home child care centers - as a use by right in the RA district.	
38a	19-1-19	Adding 19-1-19 Adult day care homes, as defined - as a use by right in RA.	
39	19-1-20	Adding 19-1-20 Temporary family health care structures, as defined - as a use by right in RA (required by State Law in all residential zoning districts).	
40	19-2-2	Adding 19-2-2 Family day homes, as defined - as a use by special exception in the RA district.	
41	19-5	Amending 19-5 Area regulations to read: The minimum lot area for permitted uses shall be one acre (43,560 square feet) or more. For permitted uses utilizing individual sewage disposal systems, the required area for any such area shall be approved by the health official. The health official and the administrator may require a greater area if considered necessary by soil and site conditions.	

42	20-1-5	Amending 20-1-5 Accessory buildings, as defined; however, a building or structure attached to the main building by walls or roof shall be considered part of the main building. The building footprint of an accessory building shall not exceed 50-percent of the building footprint of the principal building. An accessory building shall not be greater in height than the main structure. An accessory building shall be located behind and not closer than ten feet to the main structure. An accessory building within 20 feet of a property line may not be more than one story in height. A one-story accessory building may be no closer than five feet to any property line of an adjoining property owner.
43	20-1-10	Deleting 20-1-10 Home care centers - as a use by right in R1.
44	20-1-13	Adding 20-1-13 Adult day care homes, as defined - as a use by right in R1.
45	20-1-14	Adding 20-1-14 Temporary family health care structures, as defined - as a use by right in R1.
46	20-2-2	Adding 20-2-2 Family day homes, as defined - as a use by special exception in R1.
47	21-1-5	Deleting 21-1-5 Home care centers - as a use by right in R2.
48	21-1-7	Amending 21-1-7 Accessory buildings, as defined; however, a building or structure attached to the main building by walls or roof shall be considered part of the main building. The building footprint of an accessory building shall not exceed 50-percent of the building footprint of the principal building. An accessory building shall not be greater in height than the main structure. An accessory building shall be located behind and not closer than ten feet to the main structure. An accessory building within 20 feet of a property line may not be more than one story in height. A one-story accessory building may be no closer than five feet to any property line of an adjoining property owner.
49	21-1-12	Adding 21-1-12 Adult day care homes, as defined - as a use by right in R2.

50	21-1-13	Adding 21-1-13 Temporary family health care structures, as defined - as a use by right in R2.
51	21-2-4	Adding 21-2-4 Family day homes, as defined - as a use by special exception in R2.
52	22-1-4	Deleting 22-1-4 Day care centers - as a use by right in R3.
52	22-1-8	Amending 22-1-8 Accessory buildings, as defined; however, a building or structure attached to the main building by walls or roof shall be considered part of the main building. The building footprint of an accessory building shall not exceed 50-percent of the building footprint of the principal building. An accessory building shall not be greater in height than the main structure. An accessory building shall be located behind and not closer than ten feet to the main structure. An accessory building within 20 feet of a property line may not be more than one story in height. A one-story accessory building may be no closer than five feet to any property line of an adjoining property owner.
53	22-1-11	Adding 22-1-11 Adult day care homes, as defined - as a use by right in R3.
54	22-1-12	Adding 22-1-12 Temporary family health care structures, as defined - as a use by right in R3.
55	22-2-3	Adding 22-2-3 Family day homes, as defined - as a use by special exception in R3.
56	23-1-8	Deleting 23-1-8 Family day care homes - as a use by right in RPUD.
57	23-1-14	Adding 23-1-14 Adult day care homes, as defined - as a use by right in RPUD.
58	23-1-15	Adding 23-1-15 Temporary family health care structures, as defined - as a use by right in RPUD.
59	23-2-2	Adding 23-2-2 Family day homes, as defined - as a use by special exception in RPUD.

60	23-7	Amending 23-7 to read: Buildings may be erected up to 25 feet in height above the finished floor elevation. <i>(Formerly - Buildings may be erected up to 25 feet in height above the finished floor elevation <u>except that no accessory building within 20 feet of any lot line shall be more than one story high. All accessory buildings shall be less than the main building in height.</u> )</i>
61	23-13-1 (1)	Amending 23-13-1(1) to read: Any change in the density of development. <i>(Formerly - Any <u>increase in the density of development.</u>)</i>
62	24-1-9	Amending 24-1-9 Accessory buildings, as defined; however, a building or structure attached to the main building by walls or roof shall be considered part of the main building. The building footprint of an accessory building shall not exceed 50-percent of the building footprint of the principal building. An accessory building shall not be greater in height than the main structure. An accessory building shall be located behind and not closer than ten feet to the main structure. An accessory building within 20 feet of a property line may not be more than one story in height. A one-story accessory building may be no closer than five feet to any property line of an adjoining property owner.
63	24-1-16	Deleting 24-1-16 Home child care centers - as a use by right in RB.
64	24-1-19	Adding 24-1-19 Adult day care homes, as defined - as a use by right in RB.
65	24-1-20	Adding 24-1-20 Temporary family health care structures, as defined - as a use by right in RB.
66	24-2-1	Adding 24-2-1 Family day homes, as defined - as a use by special exception in RB.
67	24-2-2	Adding 24-2-2 Child day centers, as defined - as a use by special exception in RB.
68	24-2-3	Adding 24-2-3 Adult day care centers, as defined - as a use by special exception in RB.

69	24-7-2(2)	Amending 24-7-2 Accessory buildings, as defined; however, a building or structure attached to the main building by walls or roof shall be considered part of the main building. The building footprint of an accessory building shall not exceed 50-percent of the building footprint of the principal building. An accessory building shall not be greater in height than the main structure. An accessory building shall be located behind and not closer than ten feet to the main structure. An accessory building within 20 feet of a property line may not be more than one story in height. A one-story accessory building may be no closer than five feet to any property line of an adjoining property owner.
70	27-1-4	Amending 27-1-4, changing "Day care facilities, as defined" to "Child day centers, as defined" as a use by right in C1.
71	27-1-17	Adding 27-1-17 Adult day care centers, as defined - as a use by right in C1.
72	28-1-2	Amending 28-1-2, changing "Day care facilities, as defined" to "Child day centers, as defined" as a use by right in C2.
73	28-1-3	Adding 28-1-3 Adult day care centers, as defined - as a use by right in C2.
74	29-1-19	Amending 29-1-19, changing "Child care centers, as defined" to "Child day centers, as defined" as a use by right in CBD.
75	29-1-34	Adding 29-1-34 Adult day care homes, as defined - as a use by right in CBD.
76	29-1-35	Adding 29-1-35 Adult day care centers, as defined - as a use by right in CBD.
76a	29-1-36	Adding 29-1-36 Temporary family health care structures, as defined - as a use by right in CBD.
76b	29-2-7	Adding 29-2-7 Family day homes, as defined - as a use by right in CBD.
77	30-1-8	Amending 30-1-8, changing from "nursing homes" to "nursing homes and assisted living facilities, as defined" as use by right in GB.

78	30-1-24	Amending 30-1-24, changing "Child care centers" to "Child day centers, as defined" as a use by right in GB.
79	30-1-25	Adding 30-1-25 Adult day care centers, as defined - as a use by right in GB.
80	34-1-20	Adding 34-1-20 Rail transfer facilities, as defined - as a use by right in M2.
81	34-8-1	Amending 34-8-1 to read: The creation of irregular or pipe stem lots shall be prohibited. No lot shall be platted or modified pursuant to the provisions of the Town of Rocky Mount Subdivision Ordinance that, due to its geometric characteristics, results in the creation of an irregular lot. <i>(Formerly - The creation of irregular or pipe stem lots shall be prohibited. No lot shall be platted or modified pursuant to the provisions of the <u>Roanoke County</u> Subdivision Ordinance that, due to its geometric characteristics, results in the creation of an irregular lot.)</i>
82	37-1-10	Amending 37-1-10 Accessory buildings, as defined; however, a building or structure attached to the main building by walls or roof shall be considered part of the main building. The building footprint of an accessory building shall not exceed 50-percent of the building footprint of the principal building. An accessory building shall not be greater in height than the main structure. An accessory building shall be located behind and not closer than ten feet to the main structure. An accessory building within 20 feet of a property line may not be more than one story in height. A one-story accessory building may be no closer than five feet to any property line of an adjoining property owner.
83	39	Amending Article 39 in its entirety to account for "Act of God" legislation.

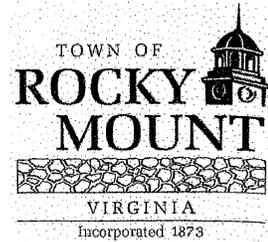
	<b>HOME OCCUPATION</b> (child care of 5 or less children - does not require state licensure)	<b>FAMILY DAY HOME*</b> (child care of 6 to 12 children - requires state licensure)	<b>CHILD DAY CENTER</b> (13+ children - requires state licensure)	<b>ADULT DAY CARE HOME*</b> (care of <4 adults)	<b>ADULT DAY CARE CENTER</b> (care of 4 or more adults)
USE BY RIGHT	Allowed in all residential districts. Not limited to single-family dwellings, so would include duplexes and multi-family dwellings. Would be treated as any other home occupation.		GB CBD C2 C1	CBD RB R3 R2 R1 RA RPUD	GB CBD C2 C1
USE BY SPECIAL EXCEPTION		CBD RB R3 R2 R1 RA RPUD	RB		RB

\* Family Day Homes and Adult Day Homes are, by definition, "single-family dwellings". Therefore, even though they are allowed in R3 and R2 zoning, they would not be allowed in multi-family dwellings or duplexes.

EFFECTIVE 7/1/2008  
**PLANNING & ZONING FEE SCHEDULE**

**ZONING FEES**

ZONING PERMIT .....	\$60.00
ZONING PERMIT (SINGLE-FAMILY RESIDENCE) .....	\$40.00
ZONING COMPLIANCE PERMIT .....	\$10.00
ZONING LETTER .....	\$125.00
REZONING.....	\$575.00 + POSTAGE
REZONING (R1,R2,RA,RB DOWNZONING/ALL REZONINGS < 3 ACRES) .....	\$375.00 + POSTAGE
SPECIAL EXCEPTION/USE (SINGLE-FAMILY RESIDENCE) .....	\$375.00 + POSTAGE
SPECIAL EXCEPTION/USE (ALL OTHERS) .....	\$475.00 + POSTAGE
VARIANCE (SINGLE-FAMILY RESIDENCE) .....	\$250.00 + POSTAGE
VARIANCE (ALL OTHERS).....	\$350.00 + POSTAGE
ZONING APPEALS.....	\$350.00 + POSTAGE
AMENDMENTS TO PROFFERS.....	\$375.00 + POSTAGE



**SITE PLAN REVIEW FEES**

SITE PLAN REVIEW (INCLUDING EROSION AND SEDIMENT) .....	\$725.00
SITE PLAN REVIEW (ENTERPRISE ZONE) .....	\$450.00
MINOR SITE PLAN REVIEW .....	\$250.00
MINOR SITE PLAN REVIEW (ENTERPRISE ZONE) .....	\$150.00
CHANGES TO APPROVED SITE PLAN/ PLAN SUBMITTAL AFTER 2ND.....	\$325.00
FINAL SITE INSPECTION, BOND RELEASE/REDUCTION .....	\$125.00

**SUBDIVISION FEES**

MAJOR SUBDIVISION PLAT (PRELIMINARY) .....	\$150.00 + (\$20.00 PER LOT) + POSTAGE
MAJOR SUBDIVISION PLAT (FINAL) .....	\$100.00 + (\$10.00 PER LOT)
MINOR/FAMILY SUBDIVISION .....	\$100.00 + (\$20.00 PER LOT)
SUBDIVISION/DEVELOPMENT WAIVER REQUEST .....	\$575.00 + POSTAGE
LINE ADJUSTMENT/VACATE LINE(S)/EASEMENT PLAT/RESURVEY .....	\$80.00

**EROSION AND SEDIMENT CONTROL FEES**

EROSION AND SEDIMENT CONTROL PLAN REVIEW .....	\$325.00
EROSION AND SEDIMENT CONTROL PLAN REVIEW (ENTERPRISE ZONE) .....	\$200.00
CHANGES TO APPROVED EROSION AND SEDIMENT CONTROL PLAN .....	\$150.00
LAND DISTURBING PERMIT.....	\$75.00 + (\$100.00 PER ACRE OR PARTIAL ACRE)
LAND DISTURBING AGREEMENT IN LIEU .....	\$75.00
FINAL SITE INSPECTION, BOND RELEASE/REDUCTION .....	\$125.00

**SIGN FEES**

SIGN PERMIT .....	\$40.00 PER SIGN
BANNER PERMIT .....	\$20.00

**MISCELLANEOUS**

MAPS (8.5" x 11").....	\$2.00
MAPS (11" x 17").....	\$5.00
MAPS (POSTER).....	\$15.00
SUBDIVISION ORDINANCE .....	\$30.00
SEWER & WATER ORDINANCE .....	\$30.00
ZONING & DEVELOPMENT ORDINANCE .....	\$30.00
COMPREHENSIVE PLAN .....	\$45.00
WATER & SEWER MASTER SPECIFICATIONS.....	\$30.00
DIGITAL DATA .....	\$10.00 PER FILE/LAYER
DIGITAL COPIES OF ORDINANCE .....	\$10.00

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[www.rockymountva.org](http://www.rockymountva.org)

The Assistant Town Manager came before Council stating the following:

- Staff had worked with and received guidance from the Planning Commission over a two year period in updating the zoning and land use rules, and what was before Council at this time was a book that was more user friendly and serves much better as a reference book.
- The primary motivation to bring the book up-to-date was due to the fact that in the past, a number of people had been maintaining the book and not everything had been corrected when inserted in the “blue book” (older version being updated).
- From organizational standpoint, there has been a variety of ways to amend the “blue book”, but now its replacement (“orange book”) is more user friendly and much easier to reference, with the final book being more reliable.
- The Planning Technician is the gatekeeper to update the newer “orange” books, iPads, and making sure that the books are distributed the way they should be.

At the request of the Mayor, the Assistant Town Manager hit the highlights of the proposed changes, which were mostly changes in the definitions, and that child care centers are now mandated by the state.

At this point, the Planning Technician explained the chart handed out to Council prior to the meeting that dealt with: home occupation; family day home; child day center; adult day care home; and adult care center. She explained that the current terms in the existing “blue” book did not go with the state code, which were all defined. What is being proposed to be inserted into the Town’s ordinance was explained in the chart that was handed out. She explained each definition listed on the chart.

The Assistant Town Manager continued hitting the highlights of the proposed changes: requested fee schedule to be changed (proposed changes handed out to Council prior to meeting); amending article dealing with accessory buildings and everything pertaining to that was changed accordingly; had referred to other localities in updating the book to see what process they use in updating their zoning and land use ordinance (this is a usual practice with localities); explained what pendant signs and banners are and how long they are allowed to be displayed.

The Mayor indicated that he believes that the planning and zoning staff did a good job and that he has read through it, but not all at one sitting. He stated that he believes it is a more user friendly document for not only the Town staff, but for people wanting to look at it, and that having the document on-line is beneficial.

The Assistant Town Manager stated that the Planning Commission has put in a lot of time and that he and the Town Attorney both agree that the Planning Technician has

saved the Town about \$100,000 since it was done internally by her versus farming it out to be updated.

There was discussion regarding child care centers of six or more and if they are grandfathered in, with the Assistant Town Manager indicating that he believes they would have to come and get a permit, with Social Services also having to give them approval, but his staff would verify this. It was confirmed by the Assistant Town Manager that if a family member is keeping siblings and it numbers more than six in their home and if they are tended to by only one person, it is not considered a business.

Also discussed a family needing to put up an accessory building (granny pod) that is required now by the state code for a family member that needs medical assistance, and if that person no longer needs that type of housing, how long the Town would allow the structure to be on the property before it is removed, since they are temporary in nature. The Planning Technician explained that the Town would police this to make sure no one would be using it for other than the intended use allowed.

Discussion also ensued regarding a vacant lot being more than an acre in size that is subject to vermin if the lots are not mowed, and that there needs to be some language in the Town code that addresses this. It was explained by staff and the Town Attorney that the Town now has that ability to enforce through the nuisance ordinance.

The proposed zoning fees were discussed. Relating to the fees, staff indicated that some of the fees were not high enough. The Town Attorney noted that during the Council budget consideration, the fees could be reviewed and could be decided upon at that time. Staff explained that the fees typically cover the cost of advertising, staff time, and outside engineers, and that the fee schedule is on-line and has not been amended since 2008.

The Assistant Town Manager read for the record at the request of Vice Mayor Walker that he would liked entered into the record the following regarding the August 9, 2012 Special meeting joint work session with the Planning Commission regarding the review and consideration of the proposed updates to the zoning and land use book for the Town of Rocky Mount, Virginia being: "I have read through the zoning and land use book and given special attention to the proposed changes and I do not see any problem with what is being proposed; therefore, I am in favor of holding the Rocky Mount Town Council public hearing scheduled for September 10, 2012 (or when announced) that will address the proposed changes. I would like to commend the planning and zoning staff for a job well done".

Chair of the Planning Commission stated that she appreciates staff, and especially the Planning Technician for a job well done.

The Assistant Town Manager informed Council that they will be given the books once approved by Council, it will be on the Town's website, and it will be uploaded to Council's iPads.

The Planning Technician stated that the discretionary things allowed by the state were not included at all, but briefly went over what they were; and that Article 11 was changes based on the code.

The Town Manager gave a brief synopsis on how the zoning and land use changes came about, reflecting back five years when several of the Town's planners had input in putting the changes in the blue book. He stated that he and the Town Attorney noted that there was a lack of professional follow-up by the planners on what ended up in the book and that the Town is a government of law and that everyone needs to be treated the same, therefore, the changes in the book needed to be kept up-to-date, with the current Planning Technician having the wherewithal to do this. He further commented that now the second phase of this process (after Council tweaks the document) will be the Town Clerk and himself guiding Council through the re-codification of the Town Code, and that hopefully by the end of 12 to 18 months, there will be an accurate book on all the changes that have been made.

The Assistant Town Manager confirmed that the Planning Commission will hold their public hearing in September and bring to Council a recommendation for their public hearing.

There being no further comments, the Mayor entertained a motion.

- Motion was made by Council Member Greer for staff to advertise for a public hearing to be scheduled for September 10, 2012, with motion on the floor being seconded by Council Member Moyer. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

## **ADJOURNMENT**

At 6:41 p.m., motion was made by Council Member Love to adjourn, seconded by Council Member Stockton and carried unanimously by those present.

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Steven C. Angle, Mayor  
Rocky Mount Town Council

ATTEST:

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Patricia H. Keatts/Town Clerk

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Janet Stockton, Chair  
Rocky Mount Planning Commission

ATTEST:

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Stacey B. Sink, Deputy Clerk

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