

**MINUTES OF THE MEETING OF THE TOWN OF VINTON PLANNING COMMISSION
HELD ON TUESDAY, JULY 27, 2010, AT 6:20 P.M., AT THE VINTON MUNICIPAL
BUILDING, 311 SOUTH POLLARD STREET.**

MEMBERS PRESENT: **Dave Jones, Chairman
Bob Patterson
C.W. Pace, Jr.**

MEMBERS ABSENT: **Dawn Michelsen, Vice Chairperson**

STAFF PRESENT: **Anita McMillan, Planning and Zoning Director
Karla Turman, Associate Planner/Code Enforcement Officer
Julie S. Tucei, Planning and Zoning Coordinator**

OTHERS PRESENT (at 7 pm): **Denise Sowder, Roanoke County Community Development
Susan Carter, Roanoke County Community Development
Amanda Micklow, Roanoke County Community Development**

AGENDA

I. Call to Order

II. Downtown Revitalization Status Update

III. Proposed amendments to the Zoning Ordinance:

- 1. Section 5-17-2: Temporary Family Health Care Structures (New)**
- 2. Section 6-7: Damage to nonconforming buildings and uses (Amendment)**
- 3. Section 10-2: Definition of Group Home (Amendment)**
- 4. Other amendments as suggested by legislation from the 2010 General Assembly Session.**
- 5. Other issues as determined by staff.**
- 6. Section 5-5: Fence regulations. (Returned to Planning Commission for reconsideration)**
 - a. Public comment period**
 - b. Planning Commission discussion**

IV. Other Business

V. Adjournment

The meeting of the Vinton Planning Commission was called to order at 6:23 p.m. Three members including Chairman Jones, Commissioner Pace, and Commissioner Patterson were present. Vice Chairperson Michelsen was absent.

The first item on the agenda was an update on the status of the Downtown Revitalization Project. Ms. McMillan mentioned that the Town had received a \$35,000 planning grant for the project. The planning grant has to be completed prior to applying for Community Development Block Grant (CDBG) money. She stated that meetings to get input from citizens had been held, and a downtown management team was formed. A downtown physical improvement plan and an economic restructuring plan were created with the planning grant. Ms. McMillan said that Hill Studio, with their subcontractor Arnett Muldrow, was the

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winner of the bid for the planning grant project. The consultants felt that Vinton is not as bad as the perception is of it. They mentioned that Vinton used to be lumped in with Southeast Roanoke City in real estate sales listings, but it is now a separate listing. Ms. McMillan mentioned that the consultants had interviewed business owners to get their opinions on Vinton. Studies indicate that Vinton should be able to support specialized retail—coffee shops and ice cream stores. Studies also indicated that Vinton could support a garden center. Ms. McMillan stated that one of the proposals from the consultants was for a year-round farmers' market. She also noted that Mr. Wayne Dunman is planning to divide his large building on S. Pollard Street into separate retail business spaces. She said that he is downsizing his floral supply business and also moving the antiques store from Jackson Avenue into the floral building. Additionally, Ms. McMillan showed them the various branding ideas suggested by the consultants (copies of which will be made a part of the permanent record). She stated that none of the branding ideas were initially approved, but there were elements of each that appealed to people. She mentioned that the Town is also in the process of creating a new website. Ms. Tucei reported that some of the elements from the branding ideas suggested by the consultants were used for the new site. Next, Ms. McMillan went over the cost estimate spreadsheet for the proposed areas for improvement (a copy of which will be made a part of the permanent record). Chairman Jones stated that the stormwater runoff issues need to be corrected during the downtown revitalization project. Mr. Patterson asked about the probability of moving the library to Mr. Dunman's building. Ms. McMillan said that it is a possibility, and that the Town feels strongly that it should be moved into Downtown Vinton.

The second item on the agenda was the discussion of proposed amendments to the zoning ordinance. Ms. McMillan stated that Ms. Turman had been working on the amendments that are required by the State Code update. Chairman Jones asked if we have to update our regulations because of the State's changes. Ms. McMillan stated that, if we don't update the Town's ordinance, then the Town would not have the power to regulate them. For Section 5-17-2: Temporary Family Health Care Structures (a new addition to the ordinance), Ms. Turman said she read an article about medical cottages, and when she did some research, she found that the state code had changed to allow temporary health care structures. They may only be 300 square feet or less, and must be allowed in all residential districts. The primary use of the property must be a single family dwelling. The person who will reside in the unit must be physically or mentally incapacitated, which will require a doctor's certification. Ms. Turman said they are still trying to decide whether or not to require them to be hooked up to water and sewer. She stated that the Town may also require a certificate from the doctor once per year to be allowed to keep it. The new ordinance will allow for unlimited inspections of the units. Ms. McMillan asked if they can have a public hearing in September on this ordinance addition. The commissioners agreed to hear it in September. The other amendments that will also need to be heard are Section 6-7: Damage to Nonconforming Buildings and Uses (an amendment to the ordinance); Section 10-2: Definition of Group Home (an amendment to the ordinance); and any other amendments as required by legislation from the 2010 General Assembly Session. Chairman Jones wanted to know if they could do one public hearing for all of the amendments. Ms. McMillan stated they could. She mentioned that there will also be an amendment to the portion of the ordinance regarding site plan review. Ms. McMillan stated they may also have a rezoning request for some property along Hardy Road. In addition, a work session for the downtown revitalization documents may also be needed. Mr. Pace wondered if there is going to be an issue with the medical cottages if they cannot be hooked up to water or sewer from the primary residence. He made a suggestion that the

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ordinance be worded to take that situation into account. Ms. McMillan said they could add in wording that addresses when primary utilities are not able and requiring that new connections be made.

Denise Sowder, Susan Carter, Amanda Micklow from Roanoke County Planning Department arrived to observe the public comment section on fencing regulations. Chairman Jones closed the work session at 7:04 p.m. and opened the public comment portion of the meeting. Public comments were requested on Section 5-5: Fence regulations which was returned to the Planning Commission for reconsideration. Ms. Turman gave some background information on the fencing regulations. She stated that, in the past few years, they had several fences put up that violated height and/or setback regulations. Town administration asked the Planning Commission to review the regulations to find out if the Town was being too restrictive on fencing. She explained the current regulations and mentioned that she had obtained feedback from the owner of Viking Fence Company located in Vinton. Ms. Turman stated that it is also proposed to add walls, trellises, and arbors to the regulations regarding fences. She briefly reviewed the proposed regulations that were taken to Council. She said Council heard the proposed regulations and then sent them back to Planning Commission for reconsideration of the portion that requires the fence to be located outside the first 5 feet of the property line. Ms. McMillan added that the new regulations will require a zoning permit for fences, walls etc. Council's concern was that property owners won't take care of the 5 feet of yard that is outside the fence. Council wants to know the Planning Commission's reason for not allowing the fencing in the first five feet of front yard. Chairman Jones noted that there were no citizens present to speak on the issue. Chairman Jones said the 5 feet setback was suggested by Viking Fence for safety reasons—so it does not obstruct visibility. He said he thought it was a good idea. Chairman Jones asked for comments from the persons from Roanoke County observing the meeting. Ms. Micklow explained the County's fence requirements which are similar to the Town's current fence regulations, and she also said they do not require a zoning permit for fences. Ms. McMillan asked if they wanted to proceed with a recommendation to Council tonight or wait for a full commission to do the recommendation. Chairman Jones said their job is to look after the safety and welfare of the community, and his thought was to leave it alone. Mr. Patterson agreed and said Council should have gone ahead and changed it if they had wanted to, rather than sending it back to the Planning Commission. Therefore, a motion was made by Mr. Patterson to make no changes to their initial recommendation to Council for safety reasons. The motion was seconded by Mr. Pace. A roll call vote was taken, and all members present voted in favor of the motion.

In other business, a Bylaws revision was discussed. Ms. Turman provided each of them a copy of the Bylaws with the proposed changes highlighted. Ms. McMillan said they could have a work session on those at the next meeting on September 9, 2010. Chairman Jones asked if the minutes from the previous meeting should be considered tonight or at the next meeting. Ms. McMillan stated that the minutes could be done at the next meeting.

There was no further business. Mr. Patterson made a motion to adjourn the meeting, and Mr. Pace seconded it. Therefore, the meeting was adjourned at 7:25 p.m.

Respectfully Submitted,

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Anita McMillan
Planning Commission Secretary