

**MINUTES OF THE MEETING OF THE TOWN OF VINTON PLANNING  
COMMISSION HELD ON TUESDAY, FEBRUARY 8, 2011, AT 7 P.M., AT THE  
VINTON MUNICIPAL BUILDING, 311 SOUTH POLLARD STREET.**

**MEMBERS PRESENT:**     **Dave Jones, Chairman**  
                                  **Bill Booth**  
                                  **Paul Mason**  
                                  **Bob Patterson**

**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:**     **Janet Scheid, Vinton, VA**  
                                  **Mick Michelsen, Vinton, VA**  
                                  **Bruce Mayer, Vinton, VA**  
                                  **Brian McGuire, Arkansas**

**AGENDA**

- I. Call to Order**
- II. Approval of Minutes: Public Hearing, September 9, 2010**
- III. Public Hearing:**
  - 1. Article V, Supplementary Regulations, Division 4 Accessory Buildings and Temporary Buildings, Sections 5-15 through 5-17.2. The proposed amendments are related to the allowance of temporary family health care structures in single-family residential districts.**
  - 2. Article VI, Nonconforming Uses and Features, Section 6-7, Damage to nonconforming buildings and uses. The proposed amendments are related to the definition of an “act of God”, as well as the addition of accidental fire.**
  - 3. Article VII, Administration and Enforcement, Division 1, Zoning Administrator, Section 7-2, Duties of the zoning administrator, and Division 3, Site Plan Review, Section 7-25, Expiration of approved site plan. The proposed amendments are related to the authority of the zoning administrator and the period for which an approved site plan is valid.**
  - 4. Article IX, Board of Zoning Appeals, Section 9-14, Expiration of variance or special exception. The proposed amendments are related to documents provided to keep the variance or special exception valid.**
  - 5. The proposed amendment to Article X, Definitions, Section 10-2. The proposed amendment is related to the definition of a group home.**
- IV. Other Business—Work Session**
  - 1. Urban Chickens**
  - 2. Alternative Energy Sources:**
    - a. Wind energy**
    - b. Solar energy**
- V. Adjournment**

The meeting of the Vinton Planning Commission was called to order at 7:03 p.m. by Chairman Jones. Four members including Chairman Jones, Commissioner Booth, Commissioner Mason, and Commissioner Patterson were present. Vice Chairperson Michelsen was absent.

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The first item on the agenda was the approval of minutes from a public hearing held on September 9, 2010. Mr. Patterson made a motion to approve the minutes as submitted, and Mr. Booth seconded the motion. A roll call vote was taken, and all members present voted in favor of the motion.

The next item on the agenda was a public hearing on several “cleanup” items in the ordinance due to State Code changes. Chairman Jones announced the first item regarding Med Cottages: Article V, Supplementary Regulations, Division 4 Accessory Buildings and Temporary Buildings, Sections 5-15 through 5-17.2. The proposed amendments are related to the allowance of temporary family health care structures in single-family residential districts. Ms. McMillan stated that they will need to make a recommendation to Town Council for the Med Cottages. She mentioned that Ms. Turman had done a lot of research and had met with several parties regarding the cottages. Mr. Booth moved to send the Med Cottages on to Town Council as submitted. Mr. Patterson seconded the motion. A roll call vote was taken, and all members present voted in favor of the motion.

The second item was regarding Article VI, Nonconforming Uses and Features, Section 6-7, Damage to nonconforming buildings and uses. The proposed amendments are related to the definition of an “act of God”, as well as the addition of accidental fire. Chairman Jones stated that this change involved a revision to the language in the ordinance. Ms. McMillan stated that it will better define it so property owners will know what it all means to them should a disaster occur. The new language will also include the addition of accidental fire to the ordinance. Mr. Booth moved to accept as written Sec. 6-7 and to send it on to Town Council for consideration. Mr. Mason seconded the motion. A roll call vote was taken, and all members present voted in favor of the motion.

Next to be considered was Article VII, Administration and Enforcement, Division 1, Zoning Administrator, Section 7-2, Duties of the zoning administrator, and Division 3, Site Plan Review, Section 7-25, Expiration of approved site plan. The proposed amendments are related to the authority of the zoning administrator and the period for which an approved site plan is valid. Mr. Booth made a motion to approve the revisions as submitted, and Mr. Patterson seconded the motion. A roll call vote was taken, and all members present voted in favor of the motion.

The fourth item up for consideration was Article IX, Board of Zoning Appeals, Section 9-14, expiration of a variance or special exception. The proposed amendments are related to documents provided to keep the variance or special exception valid. Mr. Patterson made a motion to approve it as written and send on to Town Council for consideration. The motion was seconded by Mr. Mason. A roll call vote was taken, and all members present voted in favor of the motion.

The last item on the public hearing agenda was the proposed amendment to Article X, Definitions, Section 10-2. The proposed amendment is related to the definition of a group home. Ms. Turman stated that the change was being made to match the definition in the State Code. Mr. Booth made a motion to approve the amendment and recommend it to Town Council. Mr.

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Mason seconded the motion. A roll call vote was taken, and all members present voted in favor of the motion.

Chairman Jones closed public hearing at 7:15 pm to move on to the work session.

The first item heard during the work session was the discussion about allowing urban chickens in Vinton. Chairman Jones stated that they would like to hear from those in attendance on the issue. Mr. Michelsen was up first and stated that he and his wife would like to have no more than four laying hens on their property. He said they would like to produce their own eggs, and would also use it to educate neighborhood kids about where eggs come from, other than Kroger. He stated they wish to have a very small mobile chicken coop called a chicken tractor. He said it would be fully protected from predators and would keep the chickens from getting out into the neighborhood. Mr. Booth asked why Mr. Michelsen only wanted to have four hens. Mr. Michelsen stated that they were not trying to set up a whole chicken flock. He feels four is about the right number. Mr. Booth asked if the eggs would be likely to ever hatch and increase the amount of chickens. There was doubt expressed that it would happen. Mr. Mayer stated that chickens lay eggs for ten months and will not lay eggs until the hens are mature. He said they generally don't lay eggs in the colder months. Ms. Scheid stated that her reasons for wanting to have hens are pretty much the same as the Michelsens'. She wants fresh eggs and is having to purchase them elsewhere. She also currently purchases chicken manure for her gardens. She said hens are quiet and don't produce as much noise or waste as dogs. She does not feel they will be a nuisance to her neighbors or the citizens of Vinton. She stated that she would also like to have a chicken tractor so she can move it around to her various garden areas to provide pest control and fertilizer. She said she might like to have more than four hens, perhaps six or eight total. Ms. Scheid pointed out that Roanoke City allows up to ten hens per half acre, and the town is proposing to only allow four hens per acre. Mr. Mason asked about the prevention of diseases in the hens. He wanted to know if they are vaccinated. Mr. Mayer stated that they spread about 6 inches of wood chips in the coops and then you put some scratch down to cause the chickens to scratch around in the chips and waste. Mr. Mayer said that periodically the area should be cleaned with bleach. He stated that eggs are inoculated before being sold to people to hatch and raise. Ms. McMillan gave them some additional background on the request. She said it had already been discussed by Town Council in a work session. She provided the most current suggested wording for the ordinance in their packets and said that the changes were noted in blue. She mentioned that, originally the Town was considering requiring a larger distance from the property line. However, it was pointed out that requiring such a large setback will eliminate many of the lots in Vinton. Ms. McMillan pointed out the aerial maps that were provided to them showing the suggested setbacks. Ms. Turman showed Ms. Scheid, Mr. Michelsen, Mr. McGuire, and Mr. Mayer the aerial maps. Mr. Mayer stated that the coops must face southeast for maximum sunlight to increase egg production. While Ms. Turman explained the maps to those in attendance, Ms. McMillan went over the maps with the Commissioners. The maps depicted twenty-five and seventy-five feet setbacks on one map, and fifty-feet on the other map. Mr. McGuire asked about the reasoning for the large setbacks because the international building code only requires ten feet clearance to allow emergency vehicle access. Ms. McMillan said it is to protect adjoining property owners. He mentioned that the setback requirements may complicate zoning enforcement. Mr. Booth asked if the amount of acreage required for the

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chickens is set. Ms. McMillan said they are recommending one acre based on their research and the opinions of other staff members. He wanted to know why so much had to be required. Mr. Mayer said the coop needs to be close to the owner's house because of the water freezing in the winter—water has to be carried to them or they will not lay eggs. Ms. McMillan stated that the Planning Commission can make a recommendation to Town Council on any acreage amount they feel is appropriate. Ms. Scheid said they could start with an acre and then if it goes well and others express interest later, revise the ordinance to allow less acreage. She mentioned that having the permit requirement would be good in order to regulate it if there are problems with smell and other issues. Ms. Scheid said the setback is to address how close the coop is to the neighbors' houses, rather than how close to her own house. Mr. Jones stated that he is "somewhat in the business" because of working for Southern States, but he does not feel it would be a conflict of interest for him to discuss the issue. He said he is enthusiastic about it. He talked to two poultry specialists who gave him some ideas for the suggested ordinance. Mr. Jones said his specialists said four hens would not be enough and recommended eight hens. Mr. Jones said to do this on a trial basis and then reevaluate it after awhile. He stated that chickens do well in the cold weather, but do not handle hot weather as well. Mr. Mayer stated that he thought four hens would be a bit low. He said that hens are very quiet. Mr. Booth said he would like his neighbor to have the chickens rather than all the pigeons. He stated that he thought it would be a good idea to forward to Town Council even if only for a trial period. Ms. McMillan said this will not be a part of the zoning ordinance, but will be in the Town Code under the animal control. She said they can make a preliminary recommendation to Town Council, and then allow staff to work on the setbacks and numbers of chickens. Mr. Booth said for a trial period, the suggested acreage amount would be good to start. Ms. McMillan stated that sixty-five parcels could potentially meet the suggested requirements. Mr. Mason agreed that it should be left as is and see how it goes over the next year or so. He felt that if it is successful, it could be revisited for some changes later. Mr. Jones said that they have to do something about some of the suggested wording. He mentioned the part about chicken feed being cleaned up after each feeding. Mr. Mayer stated that they need food available throughout the day. Mr. Jones said four chickens may be a good number to start. Mr. Mayer mentioned that fully grown hens only weigh about 6 pounds. Ms. McMillan stated that staff can work on the language and send them a copy for their review and approval. She asked that they reply in writing to staff once they review it. Ms. McMillan requested their input by the end of February. Mr. Jones asked Mr. McGuire for his experience with urban chickens where he lives. Mr. McGuire said in the two places that have allowed it, there have been no problems. He said the smell has not been a problem. He stated that he is from northwest Arkansas. He said they have not had any trouble or complaints, and so far it is a non-issue. He said the number of people interested in having chickens is relatively small. Mr. Mayer mentioned that the mass produced hens are given antibiotics and are not organically raised. Mr. Booth asked if they can pass the recommendation on to have staff work on the wording before sending it to Town Council. Ms. McMillan reminded them to send their suggestions to staff before the end of February so staff can then finalize the recommendation and send to Town Council for their work session. Ms. McMillan said Town Council would consider it the third Tuesday in March. Ms. McMillan mentioned that she would also like to have Mr. Jones specialists' recommendations. She also asked for Ms. Scheid's and Mr. Michelsen's input on the wording.

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Next on the agenda was a discussion of alternative energy sources, including wind and solar energy. Ms. McMillan asked if they wanted to work on it at this meeting or hold it until the meeting in March. The consensus of the commissioners was to work on it in March. Ms. McMillan reminded them of the work session to be held the second Tuesday, March 8th, for the CIP and alternative energy source discussions.

There was nothing further for discussion; therefore, Mr. Booth made a motion to adjourn the meeting. Mr. Mason seconded it. The meeting was adjourned at 8:15 p.m.

Respectfully Submitted,

Anita McMillan  
Planning Commission Secretary