

**MINUTES OF THE MEETING OF THE TOWN OF VINTON PLANNING  
COMMISSION HELD ON THURSDAY, APRIL 11, 2013, AT 6:30 P.M., AT THE VINTON  
MUNICIPAL BUILDING, 311 SOUTH POLLARD STREET.**

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

**MEMBERS ABSENT:**     **Dawn Michelsen**

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

**AGENDA:**

**WORK SESSION**

**A.     Call to Order**

**B.     Work Session:**

Proposed Amendment to the Town of Vinton Zoning Ordinance, Article IV, District Regulations, Division 8. M-1 Limited Industrial District, Section 4-40. Permitted uses and structures (b) *Special Uses* (3) Storage lots for the parking of motor vehicles which are being held in the custody of a law enforcement agency or financial institution, but not including automobile graveyards, and provided that individual vehicles shall not be stored for periods exceeding ~~30~~ 90 days.

**C.     Consent Agenda:     May 2, 2013**

- 1. Proposed Vacation of a 50 Foot Wide Undeveloped Right-of-way Known as Daleview Drive, off Olney Road**
- 2. Biggert-Waters Flood Insurance Reform Act of 2012, National Flood Insurance Program (NFIP) Community Rating System (CRS), Floodplain Management Ordinance**
- 3. Stormwater Management Ordinance**

**D.     Comments of Planning Commissioners and Planning Staff**

**E.     Adjournment**

**EVENING SESSION**

**F.     Call to Order**

**G.     Approval of Minutes:**

- 1. March 7, 2013 Meeting**

**H.     Public Hearing:**

- 1. Proposed Amendment to the Town of Vinton Zoning Ordinance, Article IV, District Regulations, Division 8. M-1 Limited Industrial District, Section 4-40. Permitted uses and structures (b) *Special Uses* (3) Storage lots for the parking of motor vehicles which are being held in the custody of a law enforcement agency or financial institution, but not including automobile graveyards, and provided that individual vehicles shall not be stored for periods exceeding ~~30~~ 90 days.**

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- I. Citizens Comments**
- J. Work Session:**
  - 1. Proposed Vacation of a 50 Foot Wide Undeveloped Right-of-way Known as Daleview Drive, off Olney Road**
  - 2. Biggert-Waters Flood Insurance Reform Act of 2012, National Flood Insurance Program (NFIP) Community Rating System (CRS), Floodplain Management Ordinance**
  - 3. Stormwater Management Ordinance**
- K. Comments of Planning Commissioners and Planning Staff**
- L. Adjournment**

The meeting of the Vinton Planning Commission was called to order at 6:35 p.m. by Chairman Jones. Roll was called and, as noted above, four members were present and one was absent.

The first item on the agenda was the proposed amendment to the Town of Vinton Zoning Ordinance, Article IV, District Regulations, Division 8. M-1 Limited Industrial District, Section 4-40. Permitted uses and structures (b) *Special Uses* (3) Storage lots for the parking of motor vehicles which are being held in the custody of a law enforcement agency or financial institution, but not including automobile graveyards, and provided that individual vehicles shall not be stored for periods exceeding ~~30~~ 90 days. Chairman Jones stated that this amendment was first on the work session agenda, and that it was also going to be heard tonight during the public hearing. Chairman Jones said that it is more of a cleanup item for the ordinance. Ms. Turman said that it is state mandated that the Town must allow storage for at least 60 days, and the zoning ordinance currently only allows 30 days. Ms. Turman said that, after talking with the Town Attorney, it was decided that that 90 days for storage would be ample time. She mentioned that Roanoke City currently allows 120 days for storage. Ms. Turman said that the request by Scorpion Towing to amend a Special Use Permit was approved by Council, and they required the company to provide solid screening on one side and maintain the rest of the fence in good order without vines. Ms. McMillan asked if they feel that 90 days is sufficient. Mr. Patterson said he felt that 90 days would be good. Chairman Jones said if someone has a problem with the title, they could need more than 90 days. Mr. Booth asked if they need to make a motion on this. Chairman Jones said they can do so during the public hearing. Ms. Turman noted that this was just an informational session for them.

The next items for discussion were items on the consent agenda for May 2, 2013. The first of which was the proposed vacation of a 50 foot wide undeveloped right-of-way known as Daleview Drive, off Olney Road. Ms. McMillan gave them some background information on the proposed vacation of the Daleview Drive right-of-way. She showed them on a plat where it is located, as well as the property that is proposed to be developed. The property is located in Roanoke City, but it can only be accessed from Town of Vinton. Ms. McMillan said that a developer, Mr. Overbay, is the owner of the property. She stated that he would like to develop it with single-family homes. She said he has owned the property since the late 70s or early 80s and had originally wanted to build townhouses. The Town asked at that time for the City of Roanoke to allow the property to become a part of the town. However, the City refused to give up the 25 acres so the request died. Recently, Mr. Overbay came back and asked to

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develop the property into two lots. Currently, there is no water or sewer serving the lots. The City requires that access be provided to the property if it is to be developed. They have asked that the Town provide water to the lots, which would be serviced by septic systems rather than the public sewer system. The Town felt that vacating the right-of-way would be the best way to provide access to this lot without the Town having to maintain a newly developed right-of-way. Ms. McMillan stated that two neighboring properties currently have their private driveways in this right-of-way. Ms. McMillan provided them with forms signed by the two neighbors stating that they have no problem with the Town vacating the right-of-way. It seems that the two owners may have come to an agreement to convey the portion of the right-of-way they will each be deeded to Mr. Overbay. Chairman Jones asked how they would handle the two existing driveways that are in the right-of-way. Ms. McMillan said she was not aware of the arrangements between the two driveway owners and Mr. Overbay. Chairman Jones asked why Gates Lane was not used. Ms. McMillan said it is too far away and does not adjoin the property. Ms. McMillan said the property will be divided into two lots—one 10 acres and one 15 acres. Chairman Jones asked if Mr. Overbay would attend tonight. Ms. McMillan said he asked if he needed to, but she told him that it would not be necessary. He will attend the public hearing to be held in May, as well as the Town Council meeting.

The work session was adjourned at 6:55 p.m. to go to council chambers for the scheduled public hearing.

The evening session was called to order at 7 p.m. by Chairman Jones. Roll was called and, as noted above, four members were present and one was absent.

Minutes from the March 7, 2013, meeting were up for approval. Chairman Jones said he did not see anything that needed to be corrected; therefore, he asked for a motion on the approval of the minutes. Mr. Patterson made a motion to approve the minutes as submitted, and Mr. Booth seconded the motion. Roll was called, and all members who were present voted in favor of the motion to approve the minutes.

The first item on the public hearing portion of the agenda was the proposed amendment to the Town of Vinton Zoning Ordinance, Article IV, District Regulations, Division 8. M-1 Limited Industrial District, Section 4-40. Permitted uses and structures (b) *Special Uses* (3) Storage lots for the parking of motor vehicles which are being held in the custody of a law enforcement agency or financial institution, but not including automobile graveyards, and provided that individual vehicles shall not be stored for periods exceeding ~~30~~ 90 days. Chairman Jones opened the public hearing on this amendment at 7:03 pm. He stated that there was no one in attendance. There was no further discussion about it; therefore, he closed the public hearing at 7:05 p.m. and asked for a motion on the proposed amendment. Mr. Booth made a motion to recommend to Council that they adopt the 90 day storage limit policy. Mr. Patterson seconded the motion. Roll was called and all members present voted in favor of the motion.

For the citizens' comments section of the meeting, there were no citizens in attendance to speak. Therefore, the Commissioners moved back to finish the work session items at 7:05 p.m. Ms. McMillan asked if May 2, 2013, would work for them for the next meeting. All members present agreed to hold the next meeting then.

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The next item was the discussion of a proposed vacation of a 50 foot wide undeveloped right-of-way known as Daleview Drive, off Olney Road. Chairman Jones asked about the notifications of adjoining property owners for this request. Ms. McMillan stated that the only ones required to be notified are the two properties that directly adjoin the ROW. She said the utility companies would also be notified. However, she mentioned that additional notifications could be sent out if the Commissioners would like staff to do so. Chairman Jones asked that three houses both ways on the same side of the street as the ROW, and the same amount across the street from the ROW be notified. He then clarified his request: notifications to the two adjoiners of the ROW plus two more on each side of the adjoiners and an equal amount across the street. Chairman Jones said he would like more information on how the lots in the proposed subdivision will be used and what is being proposed. Ms. McMillan said there would be two lots and each would be developed with single-family houses. She stated that the town has agreed to supply water for two houses only. Currently, the lots are zoned by Roanoke City as agricultural. Chairman Jones wanted to make sure that years from now it cannot be resubdivided again. Ms. McMillan said it would only be two lots due to the limited access and the septic systems that will be used.

The Biggert-Waters Flood Insurance Reform Act of 2012, National Flood Insurance Program (NFIP) Community Rating System (CRS), Floodplain Management Ordinance was also discussed by the Commission in regards to the increases it brings in flood insurance premiums. Chairman Jones stated that his business, Southern States, had received an increased rate on its flood insurance policy. Ms. Turman said that if the Town were to participate in the Community Rating System (CRS) program, premiums may be reduced. Currently, the Town is at level 10 in the CRS, and if the town were to move to level 9, flood insurance policy holders would be given a 5% discount on the premiums. Each level lower gets a larger discount on premiums. She stated that there is only one community in the United States that is at level one, and it is located in California. Chairman Jones asked if Roanoke County and City are at level 8. Ms. Turman said she believes that is the level they are on. She mentioned that once a community moves down a level, they have to continue to maintain it or otherwise would move back up. If the community moves back up a level, its citizens and businesses will receive rate increases on their policies. Ms. Turman said that she had already received a call from a property owner whose rate is increasing, and that owner wanted information on a letter of flood map amendment to attempt to prove her home is not in a floodplain. The commission briefly discussed the Midway Flood Hazard Mitigation Grant property acquisition, as well the 5th street property acquisition, and how it had helped get homes out of the floodplain to reduce the losses and insurance payouts. Ms. Turman said that, by 2014, all policies will increase until they reach market rate pricing. Chairman Jones asked what the Town would have to do to move to a level 9 or level 8 in the CRS. Ms. Turman said it would involve a lot of paperwork, mass mailings, and records to be kept. She said Roanoke County's staff works on the CRS six weeks out of every year to maintain their level. She said that informational/educational ads would have to be placed in the newspaper and other publications, and notices would have to be mailed out to those in the flood areas each year. Chairman Jones asked what the purpose of the CRS really is. Ms. Turman said it has an educational component, such as letting policy holders know what can be done to floodproof their homes etc. Ms. McMillan said whether the CRS will be undertaken or not will all depend upon how Council prioritizes the projects that Planning and Zoning currently has such as stormwater, enforcement, etc. Ms. McMillan stated that just the printing costs alone for the CRS would

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be about \$5,000. Chairman Jones asked how many flood insurance policies are in force in the Town. Ms. Turman said there are about 58, but only 44 are eligible for the CRS level discount. Ms. McMillan corrected the information regarding the levels of the City and County. Roanoke County is at level 8, and Roanoke City is at level 7. She stated that City of Salem is still at level 10. Ms. McMillan said that Roanoke City has a CRS manager, and maintaining level 7 is all she and a staff of two do basically. Ms. McMillan stated that she is the floodplain manager for the Town. Butch Workman of Roanoke County has helped her with any reviews for construction in the floodplain. Ms. Turman said she that if the Town decides to pursue a lower CRS rating, she is hoping that the town can “piggyback” off some of the things Roanoke County does for their rating. Chairman Jones said that Southern States recently had to have new elevation certificates. Ms. Turman asked if he would mind sharing a copy of them with her for her file. She said the Town can get points towards the lower CRS rating for things like that.

The next item on the agenda was the discussion of the Stormwater Management Ordinance. Ms. McMillan stated that it was a draft ordinance that she had provided them in their packets. She said the Town has to submit a draft stormwater ordinance to the state. She mentioned that the Phase II Communities in the area are the Town, Roanoke City and County, and City of Salem. She said that previously it was the quantity of stormwater that was required to be tracked, but since 2003, we also have to be concerned with stormwater quality. Retention ponds must now also clean the runoff. In 2006, the impaired waters for streams and rivers came into play, including the Roanoke River as well as Tinker and Glade Creeks. Ms. McMillan explained TDMLs—total daily maximum load—to the Commissioners. She said that TMDLs refer to the sedimentation and e-coli bacteria in the water. The Stormwater Ordinance will address construction and illicit dumping. She mentioned that Chairman Jones is on the Regional Stormwater Advisory Committee. She stated that the draft ordinance is a regional ordinance. Ms. McMillan said that the fee schedule will also be regional. There will be an approximately 300% increase for the Town if the proposed regional fee schedule is adopted. It will go from \$250 up to \$1200. However, she stated that, across the valley, the fees need to be consistent so that developers don't shop for the cheapest fees and then develop there. She mentioned that Virginia has been named one of the most customer friendly places to develop according to many articles. Ms. McMillan said that out-of-state developers always mention how easy the localities in the valley are to deal with. She asked the Commissioners to look over the draft ordinance and let her know if they have questions. She stated that the requirements will go from 5,000 square feet up to one acre lots before stormwater regulations kick in. Erosion and sediment control requirements will not change, and will still kick in at 10,000 square feet. She feels that developers will be happy with the increase to one acre lots. Ms. McMillan said she has been doing the Town's stormwater permit since 2003, and it has been a nightmare because it keeps changing. She said that the DEQ used to handle it, then DCR took it over, and now the DEQ might take it back.

Lastly, comments from the Planning Commission and Planning Staff were heard. Mr. Booth asked if the Commission needed to do anything more tonight on the Daleview Drive ROW issue. Chairman Jones stated nothing else is required this evening and said they will have the opportunity to discuss it with the developer during the public hearing at the next meeting. As far as the Flood CRS, Ms. McMillan said they can discuss it further at their upcoming work session. She asked them to let her know if they feel strongly about it and if they think Council should consider having staff undertake it. Ms. Turman said

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the person she works with on CRS, Mr. Charlie Banks, said the Town should notify citizens who would be affected by the rate increase. Chairman Jones said 50 or so properties affected versus 3,200 total properties in the Town does not seem to justify the cost to undertake it. McMillan said she believes that is also how council felt about it.

With there being nothing further to discuss, the meeting was adjourned at 8 p.m.

Respectfully Submitted,

Anita McMillan  
Planning Commission Secretary