

## **Bland County Planning Commission Minutes of the Regular Meeting on May 2, 2005.**

### Members Present:

Jerry Mercer, Elmer Chewning, Allen Newberry, Henry Blessing, , John Dodson, Guy Boone, Robert Trobaugh, and R.B. Anderson

### Members Absent:

Jim Baker, Stephen Kelley, and Deborah Looney

### Others Present:

Jonathan D. Sweet - Planning Commission Secretary, Carol Hall - Deputy County Administrator, and Randy Moler - Bland County Economic Development Authority, Rob Stewart - Citizen

## **CALL TO ORDER**

At 7:00 PM, Planning Commission Chairman, Jerry Mercer called the meeting of the Bland County Planning commission to order at the Bland County School Board Office, Bastian, Virginia.

## **ROLL CALL**

Planning Commission Secretary Jonathan D. Sweet took the roll call and announced that there was indeed a quorum present.

## **APPROVAL OF MINUTES**

Chairman Mercer requested a motion to approve the minutes of the April 4, 2005 meeting. Commission Member Blessing made the motion to approve the minutes of the April 4, 2005 meeting as presented; Commission Member Trobaugh provided a second to the motion, and it passed as written by acclamation.

## **ITEMS TABLED FROM PREVIOUS MEETING**

None

## **PUBLIC HEARING ON REZONE & ZONING ORDINANCE**

### Bland County Economic Development Authority's Request to Rezone Property

Chairman Mercer officially opened the public hearing and presented the floor to Mr. Randy Moler, Bland County EDA, to brief the Commission on their application to rezone a 5-acre tract in Bastian Virginia, Tax Map Parcel # 49-1-1, from agriculture to industrial for the purpose of inducing economic development.

Mr. Moler addressed the commission and explained the purpose of the rezone request. He briefly stated that the EDA is looking to rezone this property in order to market it to industrial prospects.

Mr. Moler further restated the principles of the EDA and the focus of attracting new business to the County that he had mentioned at a previous Commission meeting. He restated that the job is difficult due to the lack of product, i.e. industrial property. He concluded by thanking the commission for their consideration of this application to rezone.

Secretary Sweet provided a recap of the March 15, 2005 meeting where the EDA had previously presented this request.

Chairman Mercer then asked of the Commission if there was any further discussion of this matter. The Commission acknowledged that they had no further questions and stated that they trust the intentions of the EDA and the Board of Supervisors with respect to smart and conservation conscious development.

Chairman Mercer requested a motion to recommend to the Bland County Board of Supervisors the approval of the EDA's request to rezone a 5-acre tract in Bastian Virginia, Tax Map Parcel # 49-1-1, from agriculture to industrial for the purpose of inducing economic development.

Commission Member Anderson made the motion to approve and recommend to the Bland County Board of Supervisors the application to rezone a 5-acre tract in Bastian Virginia, Tax Map Parcel # 49-1-1, from agriculture to industrial for the purpose of inducing economic development. Commission Member Newberry provided the 2<sup>nd</sup> and the motion passed unanimously.

Proposed addition to the Bland County zoning Ordinance – Agriculture: Landscape Contractor Storage Yard (CUP)

Chairman Mercer officially opened the public hearing and presented the floor to the public. Chairman Mercer acknowledged that there was no public participation and shortly there after closed the public hearing.

The Commission then thoroughly discussed the many nuances and difficulties with specifically identifying a storage yard, and landscape contractor. The Commission agreed that additional information be researched and brought before the Commission prior to any approval and recommendation to the Bland County Board of Supervisors.

Commission Member Anderson made the motion to table the proposed addition until further information could yield a clearer understanding of what needed to take place with respect to the definition of the Landscape Contractor and its storage yard. Commission Member Dodson provided the 2<sup>nd</sup>.

Chairman Mercer asked if there was any further discussion, the Commission discussed and requested that we use Montgomery County, VA as our model to addressing this issue.

After no further discussion, Chairman Mercer tendered the votes and the motion to table this item

passed unanimously.

Proposed addition to the Bland County zoning Ordinance – Agriculture: Cottage Industry (CUP)

Chairman Mercer officially opened the public hearing and presented the floor to the public. Mr. Rob Stewart requested to address the commission on this matter and stated that he was not against the Amish Community and or of the individuals who live in the White Gate community and surrounding area. He was, however, concerned about the safety issues resulting from the 12' x 14', constructed buildings on low-boy trucks being hauled down the road out from his home. He stated that this activity should not be allowed under this proposed ordinance amendment and that this amendment should not exempt them from having to pay taxes like everyone else.

Secretary Sweet responded to this statement with assurance that this application is not permissible under a cottage industry and its definition. Mr. Sweet also made clear that this proposed ordinance was not derived with the Amish or any particular individual or application in mind. This proposed zoning ordinance amendment was to help regulate what we expect to be a thriving market once the County's tourism initiative takes off and to be more pro-business toward the local, small entrepreneurial and agricultural sectors.

Chairman Mercer closed the public hearing and asked if the Commission had any further questions. The Commission felt comfortable with the discussions and Commission Member Anderson made a motion to recommend to the Bland County Board of Supervisors to amend the Bland County Zoning Ordinance to include Cottage Industries within an agricultural zone with a Conditional Use Permit. Commission Member Boone provided the second and the motion passed unanimously.

Note:

The proposed additions were as follows:

ZONING

**ARTICLE I. IN GENERAL**

**Sec. 62-1. Definitions.**

*Storage Yard, Landscape Contractor* means any area used primarily for the storage of equipment and products used in a commercial landscape operation.

DIVISION 2. Agricultural District (AG)\*

**Sec. 62-222. Uses Permitted.**

(43) Storage Yard, Landscape Contractor, with a conditional use permit.

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## ZONING

### ARTICLE I. IN GENERAL

#### **Sec. 62-1. Definitions.**

*Cottage Industry* means a business in an Agricultural District conducted primarily by the residents of the property manufacturing artistic, handicraft and other craft items.

#### DIVISION 2. Agricultural District (AG)\*

#### **Sec. 62-222. Uses Permitted.**

(44) Cottage Industry, with a conditional use permit.

#### **OLD BUSINESS**

None

#### **NEW BUSINESS**

#### Discussion on Sexually Oriented Businesses

The Commission had an open discussion regarding sexually oriented businesses. They pondered whether or not to incite a provision to allow for such establishments in Bland County. The consensus of the Commission was not to amend the zoning ordinance to allow for any such operation to be conducted in any one of the current zones.

#### **ADJOURNMENT**

Commission Member Newberry made a motion to adjourn the meeting, Vice Chairman Chewning provided the second.

Chairman Mercer obliged – the meeting was adjourned.