

**Town of Round Hill
Planning Commission Meeting
February 7, 2017
7:00 p.m.**

A regular meeting of the Town of Round Hill Planning Commission was held Tuesday, February 7, 2017, at 7:00 p.m. at the Town Office – 23 Main Street, Round Hill, Virginia.

PLANNING COMMISSION MEMBERS PRESENT

Michael Hummel, Vice-Chairman
Lori Minshall
Jean Daly

PLANNING COMMISSION MEMBERS ABSENT

Manuel Mirabal, Chairman
Stephan Evers

STAFF MEMBERS PRESENT

Melissa Hynes, Town Planner/Zoning Administrator

MEMBERS OF THE PUBLIC PRESENT

Mary Anne Graham, Vice-Mayor, Town of Round Hill

IN RE: CALL TO ORDER

Vice-Chairman Hummel called the meeting to order at 7:02 p.m. Roll call was held, and, with three of the five Planning Commission Members present, it was determined there was a quorum.

IN RE: PLEDGE OF ALLEGIANCE

Commission Member Minshall led those present in the Pledge of Allegiance.

IN RE: PUBLIC COMMENT

Vice-Mayor Graham welcomed the new members of the Planning Commission.

IN RE: DISCLOSURES AND COMMISSIONERS' COMMENTS

There were no Disclosures and Commissioners' Comments.

IN RE: APPROVAL OF AGENDA

Town Planner/Zoning Administrator Hynes requested that discussion of the By-Laws be tabled until the March meeting, due to the absence of two Planning Commission Members. Commission Member Daly then moved **that the Agenda be approved as amended**; Commission Member Minshall seconded the motion. A vote was held; the motion was approved 3-0, with Chairman Mirabal and Commission Member Evers absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Manuel Mirabal	Absent
Jean Daly	Aye
Stephan Evers	Absent
Michael Hummel	Aye
Lori Minshall	Aye

IN RE: APPROVAL OF MINUTES

a. January 12, 2017

There was brief discussion of tabling the Approval of the Minutes due to Planning Commission absences; however, Town Planner/Zoning Administrator Hynes recommended moving forward with the motion and vote. Vice-Chairman Hummel then moved **that the minutes of the Planning Commission meeting of January 12, 2017 be approved**; Commission Member Minshall seconded the motion. A vote was held; the motion was approved 3-0, with Chairman Mirabal and Commission Member Evers absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Manuel Mirabal	Absent
Jean Daly	Aye
Stephan Evers	Absent
Michael Hummel	Aye
Lori Minshall	Aye

IN RE: BUSINESS ITEMS

a. Pre-Application ZMAP-2017-01: 8 East Loudoun Street

Town Planner/Zoning Administrator Hynes reported that she recently met with the owner of the property at 8 East Loudoun Street, and recommended that she proceed with this pre-application. Ms. Hynes noted that there is a somewhat tight timeline, as the owner's lease at the current site of her business expires in July of this year. The Town Planner/Zoning Administrator also noted that the updated Comprehensive Plan supports the proposed commercial use of this property. Ms. Hynes explained the reasons for the inclusion of this use in the Comprehensive Plan, as well as the restrictions included. Vice-Chairman Hummel asked to clarify if a Comprehensive Plan Amendment would be required for the application to be approved; Town Planner/Zoning Administrator Hynes stated that at this time an amendment would not be required. Town Planner/Zoning Administrator Hynes then provided background on the business seeking to move to the 8 East Loudoun Street property – Savoir Fare, a catering company, and explained the proposed use of the property. It was noted that the owner intends to protect the integrity of the house, and that most of the work would take place in buildings located to the rear of the house. Discussion ensued regarding how restrictions on the uses allowed there would be put in place. Town Planner/Zoning Administrator Hynes noted that the owner will file the pre-application within the next month. The Town Planner/Zoning Administrator asked if Commission Members had any questions, or wished to voice any concerns, regarding this issue. Additionally, Ms. Hynes explained the buffers which will be required at the property, and listed the specific uses named in the Comprehensive Plan for the property. It was noted that all intense uses must be located on the west side of the property, toward other existing

commercial properties. Vice-Chairman Hummel asked for the time limit, once the pre-application is filed; Town Planner/Zoning Administrator Hynes stated that she is not certain, but will check on that information. Commission Member Daly asked how many parking spaces will be required; Town Planner/Zoning Administrator Hynes explained the method used to determine the number of spaces needed, and stated that this additional parking will help with the difficult parking situation in the Central Commercial District of Round Hill. The Town Planner/Zoning Administrator also noted that she would like a plaque to be installed on the building, to show its significance. Town Planner/Zoning Administrator Hynes explained that a rezoning comes with proffers, and explained that the newly enacted proffer law places restrictions on proffers for residential development, but not on commercial development. Ms. Hynes also stated that, in the event of any rezoning, the interests of the neighbors to the property must be considered. Commission Member Minshall asked if limitations will be placed on the hours the proposed business will be allowed to operate, as is the case for the nearby gas station; Town Planner/Zoning Administrator Hynes stated that the owner will proffer hours of operation. Ms. Hynes also noted, in response to a question from Commissioner Minshall, that the property will be zoned B-1. Ms. Hynes further noted that it is hoped the Zoning Ordinance will be updated in the future, so that it may be a more useful tool for the Town. Discussion ensued regarding uses allowed in a B-1 zoning district, with it being noted that both by-right uses and uses requiring a special exception may be included in the district. It was noted that a special exception usually is easier to negotiate. Additionally, Town Planner/Zoning Administrator Hynes noted that proffers go with the land, and must be met by any future owners. Vice-Chairman Hummel explained that a Public Hearing will be required for consideration to be given to rezoning the property. Town Planner/Zoning Administrator Hynes explained the documents required to move the process forward. Ms. Hynes noted that this will be a learning exercise for the newest members of the Planning Commission, with Vice-Chairman Hummel noting that there have only been a few of these requests for a rezoning made to the Town. Town Planner/Zoning Administrator Hynes stated that she will update the Planning Commission on this issue, as it takes thirty days for review of the application.

b. Town Council Adopted 2017 Action Plan

(Note: During this discussion, the remaining Business Items were discussed, as well. Those items include *Town Council Adopted Intent to Amend Resolution, Zoning Ordinance Diagnostic, Planning Commission 2017 Action Plan, and Short Term Rentals.*)

Town Planner/Zoning Administrator Hynes explained how the 2017 Action Plan was devised, and noted that this is the first time this has been done. Ms. Hynes noted that there are items in the Action Plan which affect the Planning Commission, notably determining housing goals, ensuring compliance with State Code, and dealing with issues surrounding non-conforming commercial properties in Round Hill. In response to a question from Vice-Chairman Hummel, Town Planner/Zoning Administrator Hynes explained that the Town Council prioritized commercial non-conforming properties over residential non-conforming properties, for this year. Ms. Hynes also explained that the Town Council may be open to requests from the Planning Commission. Town Planner/Zoning Administrator Hynes discussed legislation which is expected to be passed by the General Assembly regarding short-term rentals (Airbnb-type rentals), and noted that the Mayor has requested

an update of the short-term rental portion of the Zoning Ordinance, prior to July 1, 2017, the date when the expected legislation will be in force. Discussion ensued of the 7 Main Street property, which is currently in use as a short-term rental, as well as the current Zoning Ordinance regulations for this type of rental. Town Planner/Zoning Administrator Hynes explained that anyone who rents out his/her home must obtain a Business License. Commission Member Minshall asked what the greatest concerns are in relations to these short-term rentals; Town Planner/Zoning Administrator Hynes explained that concerns include protecting both renters and neighbors. Ms. Hynes stated that uses for these properties should be thought of in terms of uses that would be seen if a family of five were living there; further, Ms. Hynes noted, she is not comfortable with the possibility of renting out single rooms. The Town Planner/Zoning Administrator noted that Town Attorney Gilmore recommends designating these short-term rentals as home-based businesses. In response to a question from Commission Member Daly, the differences between Airbnb and a Bed and Breakfast business were discussed, with Town Planner/Zoning Administrator Hynes suggesting that a B&B be thought of as a mini-hotel. There was also discussion of B&B's which are managed versus B&B's where the owner lives on-site. Commissioner Daly asked if Virginia tourism officials have an opinion on this short-term rental legislation; Ms. Hynes explained that many tourism officials in the State are not in favor of the short-term rental legislation being proposed. Commission Member Minshall put forth some of the positive aspects of allowing short-term rentals. Town Planner/Zoning Administrator Hynes noted that the rules put in place for these rentals must be followed, or the permit for the use will be revoked. It was noted that the Town Attorney has recommended Arlington County's Zoning Ordinance be used as a guide in updating the short-term rental portion of Round Hill's Zoning Ordinance. Town Planner/Zoning Administrator Hynes stated that she would also like the Planning Commission to review assisted living facilities, daycare facilities for children, and temporary health structures in its update of the Zoning Ordinance. Discussion ensued regarding temporary health structures (called "granny pods"), with it being noted that these are currently being built in Blacksburg, Virginia, which is in the lead in implementing the use of these structures. Town Planner/Zoning Administrator Hynes briefly discussed issues surrounding the use of these accessory dwellings in Round Hill. Town Planner/Zoning Administrator Hynes explained that the update of the short-term rental portion of the Zoning Ordinance must be completed by May 4, 2017. The Intent to Amend Resolution adopted by the Town Council allows for work to take place on the first of these issues; the Planning Commission will receive further Intent to Amend Resolutions which will direct its work on the other issues. There was brief discussion on potentially rezoning the four lots on Yatton Road. Town Planner/Zoning Administrator Hynes explained that she will create a better timeline and list of pending items for the Planning Commission's next meeting, and will create a Planning Commission Work Plan in consultation with Chairman Mirabal. The Town Planner/Zoning Administrator also discussed concerns raised regarding accessory dwellings.

IN RE: TOWN PLANNER REPORT

Town Planner/Zoning Administrator Hynes presented the following items:

- 1) Phase I of Sleeter Lake Park was approved today, and can now go out to bid.

- 2) The Floodplain Ordinance was approved.
- 3) The County Comprehensive Plan is under review; the Towns will send representatives to the meetings.
- 4) The adoption of the Work Plan, and its use, will aid in future updates of the Town's Comprehensive Plan, which is nearing completion.

Town Planner/Zoning Administrator Hynes welcomed the new members of the Planning Commission.

IN RE: NEXT PLANNING COMMISSION MEETING

Vice-Chairman Hummel explained that, due to his appointment to serve on the Town Council, he will resign his position on the Board of Zoning Appeals, as required. Therefore, a new Planning Commission representative to the BZA must be appointed. Additionally, Mr. Hummel noted, the Planning Commission will need to appoint a new Vice-Chairman. Commission Member Hummel recommended that Chairman Mirabal be reappointed as chair of the Commission. Mr. Hummel suggested that this be considered at the next Planning Commission meeting, so that all the members of the Commission may be present. Vice-Chairman Hummel noted that the Planning Commission Vice-Chairman position, and appointment to the Board of Zoning Appeals, are not usually work-intensive; Mr. Hummel also provided an overview of work done by the BZA, which consists mainly of dealing with appeals of the Zoning Administrator's determinations, and with approval/disapproval of variance requests.

a. Next Planning Commission Meeting

The next meeting of the Planning Commission is scheduled for March 7, 2017, at 7:00 p.m.

Town Planner/Zoning Administrator Hynes reported that Commission Members Daly and Minshall will attend the Planning Commissioner training being offered in Purcellville.

IN RE: ADJOURNMENT

Commission Member Minshall made a motion **that the meeting be adjourned**; Commission Member Daly seconded the motion. The meeting was adjourned by Vice-Chairman Hummel at 8:20 p.m.

Respectfully submitted,

Michael Hummel, Vice-Chairman

Debra McDonald, Recording Secretary

