

**Town of Round Hill
Planning Commission Meeting
July 11, 2017
7:00 p.m.**

A regular meeting of the Town of Round Hill Planning Commission was held Tuesday, July 11, 2017, at 7:00 p.m. at the Town Office – 23 Main Street, Round Hill, Virginia.

PLANNING COMMISSION MEMBERS PRESENT

Jean Daly
Michael Hummel
Lori Minshall

PLANNING COMMISSION MEMBERS ABSENT

Manuel Mirabal, Chairman
Stephan Evers

STAFF MEMBERS PRESENT

Melissa Hynes, Town Planner/Zoning Administrator

MEMBERS OF THE PUBLIC PRESENT

Maureen Gilmore, Town Attorney

IN RE: CALL TO ORDER

In the absence of both Chairman Mirabal and Vice-Chairman Evers, and on the advice of Town Attorney Gilmore, Commission Member Hummel moved **to nominate Commission Member Minshall to serve as Chairman pro-tempore**; Commission Member Daly 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

Chairman pro-tempore Minshall called the meeting to order at 7:09 p.m. With three members of the Planning Commission in attendance, a quorum was present.

IN RE: PLEDGE OF ALLEGIANCE

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

IN RE: PUBLIC COMMENT

There was no Public Comment.

IN RE: DISCLOSURES AND COMMISSIONERS' COMMENTS

There were no Disclosures and Commissioners' Comments.

IN RE: APPROVAL OF AGENDA

Commission Member Hummel made a motion **to approve the Agenda as presented**; Commission Member Daly 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. June 7, 2017

Commission Member Hummel provided the following comments and corrections for the minutes: 1) on page one, in the last paragraph, a portion of the third line reads *Vice-Chairman Evers reported that the also attended...*, the line should read *Vice-Chairman Evers reported that he also attended*; 2) on page two, under both the "Approval of the Agenda," and the "Approval of the Minutes," it was noted that *a vote was not held*, which should be stricken; 3) on page three, the ninth line and the last paragraph were notated with two asterisks, which seemed confusing, however, it was determined that the discussion took place in that order, so the notation stood; 4) on page four, first paragraph, line three, the word *Dylan* should be spelled *Dillon*; 5) on page six, in line thirty-six, it was stated that notes from a Housing Diversity meeting would be provided to Commissioners, however, the meeting did not occur as planned, thus notes were not provided – the minutes correctly notated the conversation at the June Planning Commission Meeting and this section did not require any correction. There were no further corrections and/or comments made regarding the minutes. Commission Member Hummel then moved **to approve the June 7, 2017 minutes, subject to the changes noted**; 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. Public Hearing Review & Preparation (July 20, 2017)

Town Planner/Zoning Administrator Hynes reported that a Planning Commission/Town Council Joint Public Hearing will be held next Thursday, to hear public comment regarding the Zoning Text Amendments upon which the Planning Commission has been working. Ms. Hynes and Town Attorney Gilmore explained the process for holding this public hearing, which includes advertisement of the public hearing on the two consecutive Fridays prior to the hearing, with the information contained in the advertisement briefly reviewed; noting that the Planning Commission Members will sit at the Council table with Town Council Members; explaining that the Public Hearing will be held, after which the Planning Commission will convene a meeting to decide upon its recommendation and provide it to the Town Council. The Planning Commission will then adjourn its meeting, and the Town Council will convene its meeting, at which it will make its determination regarding the Zoning Text Amendments. There was discussion of ensuring a Planning Commission quorum for the Public Hearing; if a quorum is not present and the Joint Public Hearing cannot be held on July 20th, it will be postponed until September 2017. Town Planner/Zoning Administrator Hynes explained that, technically, the Planning Commission would hold a separate meeting on a different day, but, as a cost saving, joint hearings are sometimes held. Town Attorney Gilmore further explained that State Code requires both the Planning Commission and the Town Council to hold public hearings, but also allows small localities to hold joint public hearings for non-controversial matters.

b. Manufacturing Tours & Tasting Rooms Presentation & Discussion

Town Planner/Zoning Administrator Hynes presented this item, explaining that there are currently two potential buyers for the one industrial-zoned property in Round Hill, both of which want to ensure that their proposed uses would be allowed; the two uses include a catering business and a brewery with a small tasting room. These proposals were brought to the Town Council for its recommendation regarding Planning Commission consideration; the Council directed the Planning Commission to explore the uses, keeping within the guidelines that no bar or restaurant is to be located at that site. The Town Council wants to ensure that strict use regulations are put in place for the property. Town Planner/Zoning Administrator Hynes explained that draft use regulations are included in Commission Members' packets for review. Ms. Hynes explained these regulations in more detail, noting that a manufacturer located at the site could conduct guided tours, followed by a tasting of products made on-site; State beverage control laws must be followed; and, hours of operation would be set by the Town. The building located at the site is a 5,000 square foot structure, which is much larger than the proposed uses would require; the regulations could state that 10 percent of the total building space, or 500 square feet, whichever amount is the smallest, would be allowed for the proposed use. The proposed uses will require no fewer than six parking spaces at the site. Additionally, the regulations must make clear that a store/restaurant/café/event center/bar will not be allowed at the site. Town Planner/Zoning Administrator Hynes asked the Commissioners if they are interested in pursuing this topic. Commission Member Hummel asked if Ms. Hynes consulted the realtor regarding the terms included in this draft document; she noted that she did not, as she wants any potential use of this property to be driven by the Town. The Town Planner/Zoning Administrator also stated that she wants to ensure any potential use of the property is something the Town prefers, regardless of who purchases the property.

Commission Member Minshall stated that representatives of the Town should speak to neighbors of the property regarding these proposed uses. Town Planner/Zoning Administrator Hynes stated that she does not want any potential use to be something which would negatively impact the Town. Discussion ensued regarding tax revenues which may be realized from these types of uses, with attention paid to a brewery with a tasting room. There was also discussion of properties which abut the Light Industrial parcel. Town Planner/Zoning Administrator Hynes noted that the Comprehensive Plan does address consideration of potential non-Light Industrial uses for this property. Town Planner/Zoning Administrator Hynes stated that she will speak with the realtor, so the clients can be informed that these potential uses are under consideration by the Town. Ms. Hynes asked if the Commissioners wish to speak to residents personally, or if they would prefer she sent a letter to those who may be impacted; it was the consensus of the Commission that they would speak to neighbors in the area. Town Planner/Zoning Administrator Hynes stated that this topic will be discussed again at the Planning Commission's next meeting.

c. Fall 2017 Zoning Ordinance Text Amendments Presentation & Discussion

Town Planner/Zoning Administrator Hynes presented this item, with the following uses discussed:

i. Guest Houses

Presently, Guest Houses are allowed by-right, with a zoning permit, in Round Hill. A Guest House is considered an accessory structure, with water and sewer service extended to the structure. A tenant may live there for ninety days or less. This structure must be 1,600 square feet or less. Rent may not be charged, and the owner must live on the parcel for a Guest House to be used. The responsible party for the Guest House is the owner on-site, and a business license is not required.

ii. Vacation Houses

An example of a Vacation House would be the house at 7 Main Street, which is currently used as an Airbnb but the use may not be in-line with Round Hill's proposed Short-Term Rental standards. Presently, the owner is offering this house for rent as a single-family dwelling, therefore, a zoning permit is not required. This use is by-right, and the house may only be offered for rent once weekly. There are no additional standards governing this type of rental. The owner is not required to live on the property. An absentee owner, or a management company, takes care of the property. A business license is not required.

iii. Bed & Breakfast Establishments

A Bed and Breakfast in Round Hill requires a special exception permit. Tenants are allowed to reside in the dwelling for seven or fewer days, and some standards are included in the Town's Zoning Ordinance. The dwelling may have three or fewer bedrooms. The owner must live in the house and operate the Bed and Breakfast, a management company may not operate the business. A business license is required.

iv. Short-Term Rentals

Work is underway on including this use in the Round Hill's Zoning Ordinance. A Short-Term Rental would be treated as an accessory use, and would require a special permit. Additional water and sewer would not be required. This would be a by-right use. A limit on the length of rental has not yet been set, but would likely be ninety days or less. Standards have been compiled for this use. A dwelling being used as a Short-Term Rental may have two lodgers per bedroom, with no limit on the number of bedrooms. The owner needs to be on-site six months out of the year; a property management company may take care of the property.

Town Planner/Zoning Administrator Hynes explained that no standards exist in the Zoning Ordinance for Guest Houses. As she interprets the Zoning Ordinance, a tenant in a Guest House does not pay rent, and a Guest House may not be an income-producing property.

Town Planner/Zoning Administrator Hynes presented two charts related to these uses – a "Residential Chart," and a "Transient Occupancy Chart." Ms. Hynes noted that standards for uses inside a main dwelling exist; however, standards for uses in an accessory dwelling have not yet been decided upon. Town Planner/Zoning Administrator Hynes explained the main difference between a *dwelling* and a *lodging*, noting that a dwelling contains a kitchen, but a lodging does not. The Planning Commission reviewed the two charts, with uses for various types of properties discussed. Town Planner/Zoning Administrator Hynes explained that Temporary Healthcare Structures are allowed in Round Hill; this is a by-right use, which may be placed in an accessory structure, with additional water and sewer service not required. Use Standards have been written for a Temporary Healthcare Structure. Only family members may reside in a Temporary Healthcare Structure; caregivers are not allowed to reside in the structure. There was also discussion of an in-law/family suite; it was noted that consideration is being given to determining if a kitchen is to be allowed in this type of structure. Possible limitations on the size of these various structures was discussed, as well. In response to a question from Commissioner Minshall, Town Planner/Zoning Administrator Hynes explained that the Planning Commission is being charged with determining which of the uses discussed this evening the Town may wish to encourage, and for which standards will be provided. The various types of structures and uses were reviewed, with Commission Member Minshall suggesting that like uses be grouped together. Town Planner/Zoning Administrator Hynes again asked that the Commissioners determine which uses they feel comfortable recommending. Commission Member Minshall stated her feeling that the recommendations for standards for the various uses, put forth by the Town Planner/Zoning Administrator, are good; Ms. Minshall also stated that she feels "less is more" when it comes to standards, if the standards cover security and safety issues. Town Attorney Gilmore stated that the Commissioners need to consider the character of the neighborhood, when making determinations regarding these uses; possible impacts on the Town also should be considered. Ms. Gilmore also noted that the sizes of lots in the Town should be considered when discussing building size limits. Ms. Gilmore also noted that, when writing use standards for the various types of accessory uses, the Zoning Administrator must be sure to consider many possible use categories. Town Attorney Gilmore further explained Guest Houses, noting that the category was added to the Zoning Ordinance when a boundary line adjustment was executed and additional properties were brought into the Town limits; the use was allowed by-right in the County's zoning districts, thus the use was included in Round Hill's Zoning

Ordinance. Potential regulations for accessory structures were discussed; size limits for these structures, possibly tied to the size of the lot, and setback requirements were some of the regulations suggested by the Commissioners. Commission Member Hummel noted that providing for accessory structures may also be a way to help provide affordable housing. Town Planner/Zoning Administrator Hynes stated that she will prepare example regulations for these uses for the next Planning Commission meeting. Ms. Hynes noted that determining these regulations will help with the regulations for Short-Term Rentals, as well. It was decided that the Planning Commission will concentrate on determining regulations for Accessory Dwellings, and allowing bed and breakfast establishments as a by-right use.

IN RE: ACTION ITEMS

There were no Action Items.

IN RE: TOWN PLANNER REPORT

Town Planner/Zoning Administrator Hynes reported that there will be a number of applications presented for Planning Commission review soon; it will be a busy fall, with these applications and work on the Text Amendments before the Commission. The Darling property was discussed, with Town Planner/Zoning Administrator Hynes explaining that the property nearly completed the review process in 2010, but then the project was shelved; the application has been reopened. The Round Hill Partners Group was informed that they are responsible for writing the Zoning Amendment for the Eastern Commercial District. The Planning Commission has been asked to inform the Town Council of its position on this Zoning District; previous Planning Commission discussion of a mixed-use being allowed at this parcel was reviewed. Town Planner/Zoning Administrator Hynes stated that requirements for a mixed-use at the parcel need to be compiled; Commission Member Hummel noted that the Planning Commission did include these requirements in its update of the Comprehensive Plan, however, the requirements were later removed. Town Planner/Zoning Administrator Hynes recommended that the Planning Commission again put forth requirements for this type of use, to be prepared when the Zoning Amendment is presented by the Round Hill Partners Group. Discussion ensued regarding using the deleted language for this purpose. Town Attorney Gilmore recommended that the Planning Commission determine what is meant by "mixed-use," and if a mixed-use would detract from the Town. Town Planner/Zoning Administrator Hynes asked if the Planning Commission would prefer that the parcel remain commercial only. Commission Member Hummel stated that the time for development of this parcel is not now, and the parcel should be left alone until the right time for development arrives. Discussion ensued regarding the type of zoning which is preferred for the Eastern Commercial District parcel, with it being noted that tax revenue from that district likely will not have a great impact on the Town. Town Attorney Gilmore noted that the new proffer legislation may make development there very difficult. Commission Member Hummel suggested that this issue may be a good topic for discussion at the Town Council's upcoming Retreat; the Council could then provide direction to the Planning Commission in its work related to this parcel. Town Planner/Zoning Administrator Hynes stated that she will provide to the Commissioners the language included by the Planning Commission in the Comprehensive Plan regarding mixed-use at this site.

IN RE: TOWN COUNCIL REPORT

Commission Member Hummel reported that those involved in construction of the HeroHome approached the Town Council for assistance with the cost of the water/sewer connection at the property; a \$5,000.00 donation was made to HeroHomes. A Boundary Line Adjustment project will begin soon; two lengthy reports were prepared by Mayor Ramsey regarding this effort, and were presented to the Town Council. Public information meetings will be held regarding this project, with Town Planner/Zoning Administrator Hynes explaining that the first public information meeting will be held on August 3rd at Round Hill Elementary School. It was also noted that a survey is available to the public on the Town's website. Ms. Hynes noted that the Planning Commission will be involved in this effort. Town Planner/Zoning Administrator Hynes and Commission Member Hummel presented the benefits to the Town, and impacts upon the Town, which will be realized by conducting boundary line adjustments. A second public information meeting for this project will be held in September. Commission Member Hummel explained the breakdown in costs to residents if boundary line adjustments are undertaken. Town Planner/Zoning Administrator Hynes reported that condemnations for the Franklin Park Trail Project will be on the agenda at tomorrow evening's Board of Supervisors meeting; it was noted that the Main Street Enhancement Project is planned in conjunction with this County-led effort. Commission Member Hummel reported that the FY2018 Budget has been completed and adopted by the Town Council. The Town is now working with the County on a program under which the County will collect Town property taxes. The Town has contracted with a new trash collection company, and the reports regarding its service have been good. Work is continuing on Sleeter Lake Park, with the bid process having been revised. Town Planner/Zoning Administrator Hynes explained that two bids were received, and the bids were opened today. Town Planner/Zoning Administrator Hynes reported that two meetings will be held to discuss Round Hill becoming an Appalachian Trail Community; these are scheduled for July 20th and 27th. The information to be presented at each meeting is the same; Planning Commission members may attend either meeting. Ms. Hynes explained that an application package must be submitted.

IN RE: NEXT PLANNING COMMISSION MEETING

**a. Joint Planning Commission/Town Council Public Hearing:
Thursday, July 20, 2017**

b. Regular Planning Commission Meeting: Tuesday, August 1, 2017

IN RE: MEETING ADJOURNMENT

Commission Member Hummel moved **that the meeting be adjourned**; Commission Member Daly seconded the motion. The meeting was adjourned by Chairman pro-tempore Minshall at 8:33 p.m.

Respectfully submitted,

Lori Minshall, Chairman pro tempore

Debra McDonald, Recording Secretary