

**Town of Round Hill  
Planning Commission Meeting  
July 7, 2015  
7:00 p.m.**

A regularly scheduled meeting of the Town of Round Hill Planning Commission was held Tuesday, July 7, 2015, at 7:00 p.m. at the Town Office – 23 Main Street, Round Hill, Virginia.

**PLANNING COMMISSION MEMBERS PRESENT**

Manuel Mirabal, Chairman  
Stephan Evers  
Michael Hummel  
Elizabeth Wolford

**PLANNING COMMISSION MEMBERS ABSENT**

Christopher Prack

**STAFF MEMBERS PRESENT**

Melissa Hynes, Town Planner/Zoning Administrator

**MEMBERS OF THE PUBLIC PRESENT**

Mary Anne Graham  
Kim McGaha  
Clinton Chapman  
Mike Minshall  
Lori Minshall

**IN RE: CALL TO ORDER**

Chairman Mirabal called the meeting to order at 7:03 p.m., and determined that a quorum was present.

**IN RE: PLEDGE OF ALLEGIANCE**

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

**IN RE: APPROVAL OF AGENDA**

Town Planner/Zoning Administrator Hynes requested that an additional Business Item be added, dealing with a possible rezoning at 13 Cedar Street. Commission Member Hummel then made a motion **to add Business Item “A,” 13 Cedar Street rezoning, to the Agenda;** Commission Member Wolford seconded the motion. A vote was then held; the motion was approved 4-0, with Commission Member Prack absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Manuel Mirabal	Aye
Stephan Evers	Aye
Michael Hummel	Aye
Christopher Prack	Absent
Elizabeth Wolford	Aye

Chairman Mirabal then requested a motion to approve the amended Agenda. Commission Members Hummel and Wolford explained that that was the intent of the previous motion. Commission Member Hummel then clarified that his previous motion was to approve the Agenda, as amended; Commission Member Evers seconded. A vote was held; the motion was approved 4-0, with Commission Member Prack absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Manuel Mirabal	Aye
Stephan Evers	Aye
Michael Hummel	Aye
Christopher Prack	Absent
Elizabeth Wolford	Aye

#### **IN RE: DISCLOSURES AND COMMISSIONERS' COMMENTS**

There were no Disclosures and Commissioners' Comments.

#### **IN RE: APPROVAL OF MINUTES**

##### **A. Minutes of the June 2, 2015 Meeting**

Commission Member Wolford made a motion **that the regular Planning Commission Meeting minutes, for June 2, 2015, be approved as submitted**; Commission Member Hummel seconded the motion. The motion was approved 3-1, with Commission Member Evers abstaining and Commission Member Prack absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Manuel Mirabal	Aye
Stephan Evers	Abstain
Michael Hummel	Aye
Christopher Prack	Absent
Elizabeth Wolford	Aye

#### **IN RE: BUSINESS ITEMS**

##### **A. 13 Cedar Street**

Town Planner/Zoning Administrator Hynes presented this item, explaining that the owners of this property would like to subdivide and build a cottage. The .53 acre property is currently zoned R-2. It was noted that the possibility of rezoning to R-4 or R-6 has been discussed; following such rezoning, the smaller home could be built. Ms. Hynes explained that other homes in this area are on nonconforming lots, and that at least seven homes are on lots less than ¼ acre (which is more in keeping with R-6 zoning) and thus are nonconforming. If the property at 13 Cedar were rezoned, it would be in general conformance with the rest of the community. Town Planner/Zoning Administrator Hynes further

explained that, while the zoning in this area is R-2, the use of the land is more in keeping with R-4 or R-6 zoning. In light of these facts, Ms. Hynes stated that she is in support of the consideration of this potential application. The Commission reviewed a map which depicted lots measuring less than  $\frac{1}{4}$  acre, with the lot in question highlighted. Chairman Mirabal asked when the application was filed; it was noted that it has not yet been filed, as the property owners wanted to speak with the Planning Commission first. Mike and Lori Minshall, the property owners, were introduced; it was noted that they live on the Cedar Street property. Commissioner Hummel asked if the second lot would still meet required setbacks; Town Planner/Zoning Administrator Hynes stated that setbacks for an R-6 zoned property are different, and that she has recommended that an engineer make that determination. Commissioner Hummel asked if it would be possible to construct the second home as an accessory building; Town Planner/Zoning Administrator Hynes stated that it would not, at this time, as Round Hill does not have an accessory dwelling use in its zoning ordinance. Further discussion of the accessory dwelling issue ensued. Chairman Mirabal clarified that the basis of subdividing the lot into two parcels is so that the parcels could, in the future, be sold separately. Town Planner/Zoning Administrator Hynes explained that the property owners fully understand that an accessory dwelling use is being discussed by the Planning Commission and Town Council, and that this could be a future possibility; they also understand that they may need to pursue the rezoning and subdivision of the lot. Commissioner Wolford asked for an explanation of R-6 zoning; Town Planner/Zoning Administrator Hynes explained that it includes any property between 5,000 square feet and 10,000 square feet. Commissioner Wolford also asked what the road frontage for an R-6 zoned property would be; Ms. Hynes explained that it would be approximately 50 feet, but that this is a unique lot, as it is short and wide. It was noted that the owners will employ an engineer prior to moving forward with the proposed project. Commissioner Evers clarified that this would aid in reaching the goal of making this property conforming; it was noted that it would. Ms. Minshall noted that Ms. Hynes has described to the Planning Commission everything they have talked about, to date; she also explained the history of this proposed project, and their hopes for it in the future. Ms. Minshall explained that the proposed building would look historical, and would be 1,700 to 1,800 square feet. Mr. Minshall stated that they want Town support and want to avoid opposition. Chairman Mirabal noted that there are other Town entities which will have a say in this project. Commissioner Hummel asked that any possible precedent be considered, if this project were to be approved. Mr. Minshall noted his understanding that there is an R-6 zoned property across the street from their lot; Town Planner/Zoning Administrator Hynes clarified that it is not zoned R-6, but that it is non-conforming. Commission Member Hummel explained that he likes the concept, but wished that there was another procedure for use in undertaking the project. Town Planner/Zoning Administrator Hynes explained how this is “in-step” with the Comprehensive Plan. Commission Member Hummel asked if it is in-step with the Comprehensive Plan map; Ms. Hynes noted that it is, at this time. Discussion of an existing land use map, versus a future land use map, ensued. Chairman Mirabal noted that he sees no reason not to proceed with the preliminary steps for this – a study being done by an engineer, and then the Minshall’s returning to the Town with that information. Ms. Minshall concluded by thanking the Commission, and noting that their current house was built in 1920, and that “we love it.” The Commissioners thanked that Minshalls for their presentation.

## **B. Comprehensive Plan Update**

Town Planner/Zoning Administrator Hynes explained that she is currently waiting for the Town Council to complete their review of the four chapters previously reviewed by the Planning Commission. Ms. Hynes further explained that her goal is to incorporate that information into the original document produced by the Planning Commission in 2012, so that review of the entire document can begin at the next Planning Commission meeting. The Economic Development chapters still require review; however, Town Planner/Zoning Administrator Hynes stated, for the most part the Commission is on the right track. Ms. Hynes noted that the first public input meeting will be held on August 11<sup>th</sup>, and asked that at least two Planning Commission Members attend that meeting; the format for the meetings was also provided. Ms. Hynes explained that the August meeting will “set the agenda” for future meetings; it was also noted that the hope is that the September meeting will be held at the elementary school. An e-mail received from a resident regarding the Creekside development was discussed, as was the article related to Creekside and other development included in the last Town newsletter. Town Planner/Zoning Administrator Hynes reiterated that the Comprehensive Plan review is “on the right track,” and that the agenda for the August 11<sup>th</sup> public input meeting will be set at the August Planning Commission meeting.

## **C. Use Regulations and Definitions**

Town Planner/Zoning Administrator Hynes explained that the Planning Commission will transition from updating the Comprehensive Plan, which is nearing its completion, to amending the Zoning Ordinance. Ms. Hynes explained that the exercise included in Commission Members’ packets is a hybrid of the Comprehensive Plan and the Zoning Ordinance, and that, for the next three months, the Commission will discuss land use and economic development. It was noted that one of the finished pieces to be included in the Comprehensive Plan is the land use map, which will guide future growth and development in the Town. Town Planner/Zoning Administrator Hynes suggested that the Commissioners picture a blank map with no zoning included, and determine their vision for the Town for the coming twenty years. Ms. Hynes provided a detailed description of the exercise given to Planning Commission Members, and explained how to proceed with the exercise. It was noted that this is a three part exercise, and that the Commission will work on this in ½ hour increments at future meetings. Town Planner/Zoning Administrator Hynes noted that Definitions and Use Regulations have been included in packets provided to the Commissioners. It was explained that there are currently no Use Regulations included in the Town’s zoning ordinance. Town Planner/Zoning Administrator noted that some sample regulations are included in the packets. Ms. Hynes further explained that setting up Use Regulations may eliminate the need for a special exception process and could streamline the process for opening various businesses. Businesses such as a micro-brewery, child care center, or an assisted living facility could be included in these Use Regulations. Town Planner/Zoning Administrator Hynes suggested that the Commissioners review Round Hill’s Zoning Ordinance and determine what they might like to include or exclude. Sample Use Regulations for Home Occupations were then reviewed, with Ms. Hynes stating that she likes them a lot; possible applications of these in Round Hill were discussed. Uses which would be desired, and those which would not, were discussed, as well. This list, it was noted, ties into a chart recently provided to Planning Commission Members by the Town Planner/Zoning Administrator; Ms. Hynes

asked if there were any questions regarding the chart. Chairman Mirabal asked how other governing bodies in the Town would be included in this review; Town Planner/Zoning Administrator Hynes explained that, at this point, this is purely a conversation starter for the Planning Commission. Chairman Mirabal discussed the schedule for completion of the Comprehensive Plan update, and asked to clarify if this would go to the Town Council prior to finalizing the Comprehensive Plan; Ms. Hynes stated that it would, and explained the process. Additionally, it was noted that proposed zoning amendments would be prepared and then forwarded to the Town Council. Chairman Mirabal expressed his belief that notice of the inclusion of this chapter should be provided to the Town Council. Town Planner/Zoning Administrator Hynes provided the responsibilities of the Land Use Committee and the Planning Commission, in response, and explained the purpose of this exercise, noting that no text amendments are being discussed at present. Town Planner/Zoning Administrator Hynes reiterated her proposal that a chapter on Use Regulations be included in the Comprehensive Plan, and noted that she will present this to the Town Council at their meeting next week. Discussion of including a chapter on Use Regulations in the Comprehensive Plan ensued, with the consensus of the Planning Commission being that this chapter should be included. Town Planner/Zoning Administrator Hynes clarified that including this in this evening's discussion had a two-fold purpose: 1) to determine if a chapter on Use Regulations should be included in the Comprehensive Plan, and 2) to devise a land use map. Town Planner/Zoning Administrator Hynes noted that the last page of the document under discussion includes a section on housing, and explained that comments regarding this would aid in the construction of a land use map. Ms. Hynes also explained that the County is currently conducting a land use analysis, and will require a copy of Round Hill's land use map for that analysis. It was noted that the Planning Commission will review the County's build-out analysis, and will work on the Town's land use map, at its next meeting. Town Planner/Zoning Administrator Hynes then presented various types of buildings/housing which the Planning Commission will consider in these discussions, and explained how she devised the chart included in the document. Discussion of what, specifically, would be included in the Comprehensive Plan ensued, with it being noted that any Use Regulations and Definitions would be included in the Zoning Ordinance, and that a land use map would be included in the Comprehensive Plan. Town Planner/Zoning Administrator Hynes further explained that a land use map must be included in the Comprehensive Plan, and that it guides future development; these discussions by the Planning Commission aid in deciding what types of uses may be desired for the Town, and thus aid in devising the land use map. Ms. Hynes also clarified that the Comprehensive Plan helps in guiding policy, and the Zoning Ordinance provides for specifics. It was noted that there are two questions before the Planning Commission: 1) if a Use Regulations and Definitions chapter should be included in the Comprehensive Plan – the Commission decided in favor of its inclusion; and, 2) to provide for the development of the land use map. Commission Member Evers asked what the rough goal is for the August 11<sup>th</sup> public meeting; Town Planner/Zoning Administrator Hynes explained that an overview of the work done thus far on the Comprehensive Plan will be presented, as will the "big" concepts therein. Mr. Evers asked if this will be more detailed than the Joint Work Session held in January; Ms. Hynes noted that it will be. Ms. Hynes explained that the Land Use Committee will review the information presented at this evening's Planning Commission meeting at their August meeting. Town Planner/Zoning Administrator Hynes explained that her overall goal is for Planning

Commission Members to provide their opinions on these issues. It was decided that this information will be discussed again at the August Planning Commission meeting, and that Commissioners should forward their comments to Town Planner/Zoning Administrator Hynes within the next two weeks.

#### **D. Land Use and Build Out Analysis**

This item was included in the previous discussion.

#### **E. Adult Care and Child Care Zoning Regulations**

Town Planner/Zoning Administrator Hynes explained her hope that, after work is done on this topic by the Planning Commission this month and next month, a draft text will be ready to present to the Town Council in September. It was clarified that the document before the Planning Commission this evening contains Round Hill's current regulations, and reflects where Round Hill is not in conformance with State Code. Round Hill's definition of a "Family Care Home" was then discussed, and was compared to other definitions; Ms. Hynes suggested that the sections of the Town's definition which are not included in the State Code be dealt with, specifically those dealing with children with disabilities. Adult day care centers were also discussed. A "Place of Worship" was then discussed, with it being noted that this is not defined in Round Hill's zoning ordinance. However, it was noted that churches frequently have accessory uses, frequently dealing with child or adult day care. It was noted that the language being suggested for a Place of Worship comes from Loudoun County's code, but that items one through seven in this document are from State Code. Town Planner/Zoning Administrator Hynes recommended that references to a "Family Care Home" be removed, so that various categories of care homes may be delineated. It was reported that Loudoun County changed their terminology for this last year. Discussion ensued of where Round Hill's regulations are now, compared to where they should be; the Planning Commission will rewrite these regulations. Ms. Hynes explained that regulations should not be included in definitions. In addition, she noted that Round Hill's current zoning only regulates child care centers in B-1 zoned areas. Commission Member Welford pointed out areas in the document which she found confusing; Town Planner/Zoning Administrator Hynes pointed out which statement constitutes the regulation. Town Planner/Zoning Administrator Hynes suggested adding the category "Family Health Care Structure" to the document, as well. Ms. Hynes explained that the goal is to take a package of definitions and text amendments regarding both child care and adult care to the Town Council in September. The format of the document was discussed briefly, with Town Planner/Zoning Administrator Hynes noting that a format in which deletions are crossed out, and additions are inserted, in the document is preferable; Commission Member Hummel noted that he finds that format to be the most workable. Town Planner/Zoning Administrator Hynes explained that the process she recommends is for the Planning Commission to discuss topics first, following which a document using the preferred formatting will be created. Chairman Mirabal noted that it needs to be assured that the Town is complying with State Code; Commissioner Hummel noted that it is the responsibility of Staff to ensure this. Nuances in State Code language were discussed. Town Planner/Zoning Administrator Hynes asked if the Commission does or does not support temporary family health structures; discussion of this issue, and previous discussions related to this, ensued. Town Planner/Zoning Administrator Hynes noted that much of this deals with desires community members have expressed regarding

being allowed to build structures for elderly family members who need extra assistance. Following this discussion, Ms. Hynes explained that she will prepare an actual text amendment for review at the next Planning Commission meeting. The building code section, included on page seven of the document, was briefly reviewed. It was noted that the definitions included in this document were derived from Purcellville's documents; Commission Member Hummel suggested that additional conditions should be noted as such. Town Planner/Zoning Administrator Hynes then recapped the information discussed this evening, noting that the main concern is "Accessory Dwellings" versus "Temporary Family Health Care Structures." Chairman Mirabal asked if the Town Council is aware of these discussions; Town Planner/Zoning Administrator Hynes stated that they are, and explained the process going forward. Chairman Mirabal asked if temporary structures are being limited by current zoning; Ms. Hynes noted that they are, and that this will be discussed further at the next Planning Commission meeting. Town Planner/Zoning Administrator Hynes recommended that small scale applications of this be permitted by-right, as long as the regulations are met; however, large scale applications should require going through the special exception process. Ms. Hynes explained the six concepts on which the Planning Commission is currently working. There was discussion among the Commission Members regarding requiring a church to go through the special exception process in order to operate a child care facility.

#### **IN RE: LAND USE COMMITTEE REPORT**

Town Planner/Zoning Administrator Hynes reported that the Land Use Committee is "in tune" with the Comprehensive Plan update thus far; it is hoped they will discuss it at their meeting this week. The Committee is working on the Main Street Enhancement Project; will decide at their meeting next month if the Town will move forward on the grant funding for Sleeter Lake Park; and will view the presentation of the concept plan for the Eastern Commercial District at their meeting tomorrow.

#### **IN RE: TOWN PLANNER/ZONING ADMINISTRATOR'S REPORT**

Town Planner/Zoning Administrator Hynes reported that she is working with the developers of Creekside on their Performance Bond Agreement, and that a meeting regarding utility work was held last week. The developer hopes to have 27 lots completed by winter. Ms. Hynes has been assisting with the development of a new utility inspection protocol. Additionally, the Town Planner/Zoning Administrator has been reviewing the zoning enforcement process, and will make a presentation regarding this to the Town Council. Ms. Hynes has spoken with County representatives, as they will refer to Round Hill's Comprehensive Plan in their update of the County's plan. Town Planner/Zoning Administrator Hynes requested that Planning Commission Members invite residents to attend the upcoming Comprehensive Plan update public meetings. In response to a question from Chairman Mirabal, Town Planner/Zoning Administrator Hynes reported that it is confirmed that seven residents will attend the August public input meeting, and will be seated at the Council table; anyone else who wants to attend may do so. The desire is that some Town Council and Planning Commission Members attend, so that they may report back to their respective governing bodies.

#### **IN RE: NEXT MEETINGS**

- A. August 4, 2015, 7:00 p.m. The regular Planning Commission meeting.
- B. August 11, 2015, 7:00 p.m. The Comprehensive Plan Public Input meeting.

**IN RE: ADJOURNMENT**

The meeting was adjourned by Chairman Mirabal at 8:53 p.m.

Respectfully submitted,

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Manuel Mirabal, Chairman

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Debra McDonald, Recording Secretary