

Mount Jackson  
Planning Commission Regular Meeting and Joint Public Hearing

July 6, 2020

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Regular Meeting

Chairman Larry Ambrose called the meeting to order at 7:00 PM in the council chamber at 5901 Main Street. Commissioners present were Anita Miller, Evelyn Burner and Jim Hines. Commissioner Dennis Andrick attended electronically through Zoom.

Mayor Donnie Pifer called the Council meeting to order at 7:01 PM in the council chamber at 5901 Main Street. Councilmember Roger Rudy was present. Councilmembers Bonnie Good, Dennis Andrick, Judy Fultz, and Whitney Miller attended electronically through Zoom. Councilmember Rod Shepherd was absent.

Also present was Neil Showalter, Town Manager; and Debbie Stover, Town Clerk. Rebecca Cobb and Melissa Scott from The Berkley Group attended electronically through Zoom. Dave Moore from Cornerstone Technology was present to video record the meeting. There were no visitors.

Joint Public Hearing

Ordinance O-07-2020 – Updating the Town Code’s Floodplain Provisions

Rebecca Cobb from The Berkley Group introduced her colleague Melissa Scott, to present the Town’s floodplain ordinance revisions.

Ms. Scott stated the floodplain ordinance will now be separate from the zoning ordinance. Virginia state code ordinance authorization was revised to add a new section that is effective July 1, 2020. This new section will ensure that local communities have the full authority to regulate a floodplain, and that the Town’s ordinance can be adopted to act as a stand-alone regulatory document to be administered and enforced by the floodplain administrator, who shall be appointed by the governing body. The federal ordinance requirements from National Flood Insurance Program (NFIP) are outlined in 44 CFR. The NFIP was created as a result of the passage of the National Flood Insurance Act of 1968, and is a federal program managed by the Federal Emergency Management Administration (FEMA), having three components: to provides flood insurance, to improve floodplain management, and to develop maps of flood hazard zones. FEMA named Virginia Department of Conservation and Recreation (DCR) as the coordinating agency of NFIP. The DCR drafted recommended language for floodplain ordinances, and the Town’s floodplain ordinance revisions were written and revised in accordance with DCR’s standards.

Ms. Scott stated the Town’s revised ordinance structure is: Article I – General Provisions, Article II – Administration, Article III – Establishment of Flood Hazard Districts, Article IV – District Provisions, Article V – Existing Structures in Floodplain Area, Article VI – Variances (Factors to be Considered), and Article VII – Definitions. Ms. Scott noted there are different ordinance levels that can be adopted. First, while there are strict requirements, there is some flexibility in the levels of protections a community may offer. Second, the more protections that are built into development, the lower the flood insurance for that structure, and last, more stringent mandatory protections in community ordinances can reduce damage and loss and lower overall flood insurance rates for the community.

Ms. Scott stated the article updates added references to state and federal code, cross referenced with state DCR ordinance recommendations, modernized definitions and language for easier understanding, and revised definitions and general standards in line with state and federal guidance to reduce flood risk for new development.

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Ms. Scott stated in Article VII – Definitions, minor revisions were made to several definitions, but substantive revisions were made to “Development” and “Substantial Damage”. Ms. Scott stated the revisions to Article IV – General Standards are: freeboard references were set to 18”, reduced size limit for accessory structures in the floodplain from 600 square feet to 300 square feet, and added a requirement that a non-conversion agreement be recorded for the property deed prior to the final inspection.

Ms. Scott concluded her presentation stating the next steps are: adoption, floodplain manager familiarity, implement best practices, and review and update as new state and federal guidelines change.

There were no public comments.

Chairman Ambrose closed the joint public hearing.

Mayor Donnie Pifer called for adjournment of the Town Council, motion by Councilmember Rudy, seconded by Councilmember Andrick; the Town Council meeting adjourned at 7:20 PM.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Councilmember Fultz			
Councilmember Miller			
Councilmember Andrick			
			Councilmember Shepherd
Councilmember Rudy			
Councilmember Good			

5 AYES, 1 ABSENT, motion carried

Agenda Additions/Deletions/Changes: None

Introduction of Guests: None

Hear from Visitors: None

Approval of the Previous Meeting Minutes – Commissioner Miller MOVED, seconded by Commissioner Burner to APPROVE the Minutes of June 1, 2020 Regular Meeting and Joint Public Hearing.

VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Commissioner Andrick			
Commissioner Miller			
Commissioner Burner			
Commissioner Hines			
Commissioner Ambrose			

5 AYES, motion carried

Old Business:

Consider the following for recommendation to the Town Council:

1. Ordinance O-07-2020 – Updating the Town Code’s Floodplain Provisions.

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Commissioner Burner MOVED, seconded by Commissioner Miller to APPROVE the recommendation of Ordinance O-07-2020 to the Town Council.

VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Commissioner Andrick			
Commissioner Miller			
Commissioner Burner			
Commissioner Hines			
Commissioner Ambrose			
5 AYES, motion carried			

New Business: None

Actions of the Board of Zoning Appeals: None

Report on Town Council Items: Mr. Andrick stated he was out of town for the last Council meeting, but the Councilmembers did not take the Planning Commission's recommendation to deny the special use permit on the sign replacement at Food Lion.

Zoning Administrator's Report:

Mr. Showalter referred to the zoning administrator's report in the Commissioner's packets, and highlighted a few items.

1. Hardees site plan is still under review by the DEQ, but VDOT has approved it.
2. Sun Tribe Solar is awaiting confirmation from the county of exception to the DEQ review. Mr. Showalter stated he received an email today that the county has accepted it, and will issue its own approval letter.
3. Bowman Andros site plan still under review by VDOT.
4. Sheetz submitted an application to move their existing truck scale to a different site on their property. Mr. Showalter reviewed the application, and will be sending a letter of comment out asking for enhancement changes to the site plan, specifically measurements.
5. Notices of violation were issued to 6017 Broad Street, 6070 Main Street, and 6091 Main Street. In early June, the two Main Street properties received \$50 fines and \$124 court costs, and if the properties are not cleaned up, the Town can refile those charges. The court extended the case at 6017 Broad Street until early August. Mr. Showalter noted the owner of the lot adjacent to 235 Nelson has demolished the property on that lot, which was the subject of previous enforcement complaints.

Board Member's Report: None

Commissioner Miller made a motion, seconded by Commissioner Burner to adjourn the meeting at 7:35 PM.

Submitted by:

Debbie Stover  
Town Clerk