

Note from Clerk: These minutes are written as the agenda was presented. Some votes may appear out of order.

SMYTH COUNTY PLANNING COMMISSION

Thursday, January 28, 2016

The Smyth County Planning Commission met in their regular meeting on Thursday, January 28, 2016, at 6:00 P.M. in the Smyth County Office Building.

Commissioners Present: Hazel Wagoner, Graham Davidson Jr. (arrived at 6:07 p.m.), Norman Sparks, Joel Pugh, Paul Shepherd and David Spence

Commissioner Absent: Robbie Doyle

Staff Present: Clegg Williams and Becca Creasy

At approximately 6:00 p.m. Mr. Sparks called the meeting to order.

Adoption of Agenda: Chairman Sparks opened the floor for motions to approve the agenda as presented. Mr. Pugh made a motion which was seconded by Mr. Spence and unanimously passed.

Mr. Sparks appointed Clegg Williams as temporary Chairman for the election of officers.

Election of Officers:

Chairman: Mr. Williams then opened the floor for nominations of Chairman for calendar year 2016. Mr. Pugh nominated Mr. Sparks for Chairman; it was seconded by Mr. Spence. With no other nominations, Mr. Sparks was elected to serve as Chairman for 2016.

Vote:	4 yeas	Pugh, Spence, Wagoner, Shepherd
	2 absent	Davidson Jr. and Doyle
	1 abstain	Sparks

Vice Chairman: Mr. Sparks opened the floor for nominations of Vice-Chairman for calendar year 2016. Mrs. Wagoner nominated Mr. Pugh for Vice Chairman; it was seconded by Mr. Spence. With no other nominations, Mr. Pugh was elected to serve as Vice Chairman for 2016, with the following vote recorded.

Vote:	4 yeas	Sparks, Spence, Wagoner, Shepherd
	2 absent	Davidson Jr. and Doyle
	1 abstain	Pugh

Secretary: Mr. Sparks opened the floor for nominations of Secretary for calendar year 2016. Mr. Pugh nominated Mr. Doyle; it was seconded by Mrs. Wagoner. With no other nominations, Mr. Doyle was elected to serve as Secretary for 2016, with the following vote recorded.

Vote:	4 yeas	Sparks, Spence, Wagoner, Shepherd and Doyle
	2 absent	Davidson Jr. and Doyle

Clerk: Mr. Sparks opened the floor for nomination of Clerk for calendar year 2016. Mr. Pugh nominated Becca Creasy; it was seconded by Mrs. Wagoner. With no other nominations, Ms. Creasy was elected to serve as Clerk for 2016. The following vote was recorded.

Vote: 4 yeas Sparks, Spence, Wagoner, Shepherd and Pugh
2 absent Davidson Jr. and Doyle

Set Calendar year 2016: Mr. Pugh motioned to set the meetings for the fourth Thursday at 6:00 p.m. with the exception of November and December due to holidays. November's meeting is set tentatively for November 17th and December's meeting is scheduled for December 15th. Mr. Spence seconded the motion and the following vote was recorded.

Vote: 6 yeas Sparks, Spence, Wagoner, Shepherd, Pugh, Davidson Jr.
1 absent Doyle

Minutes: Mrs. Wagoner made a motion to approve the minutes of the Thursday, November 19, 2015, meeting. Mr. Spence seconded the motion and the following vote was recorded.

Vote: 6 yeas Sparks, Spence, Wagoner, Shepherd, Pugh, Davidson Jr.
1 absent Doyle

Citizens' Time: No citizens were present.

Committee Appointments: There was discussion about the proposed amendments to the Zoning Ordinance. Mr. Williams informed the Commission of a Joint Ordinance Committee scheduled for February 3, 2016, at 3:30 p.m. Mrs. Wagoner made a motion for Mr. Sparks, Mr. Pugh and Mr. Doyle to remain on the Ordinance Committee for 2016, with Mr. Sparks serving as the Chairman and they're to act jointly with the Board's Ordinance Committee. Mr. Spence seconded the motion and the following vote was recorded.

Vote: 4 yeas Wagoner, Spence, Shepherd, Davidson Jr.
1 absent Doyle
2 abstain Sparks and Pugh

2016 Operating Procedures: Mr. Spence made a motion to adopt the 2016 Operating Procedures as submitted, which was seconded by Mr. Pugh and the following vote was recorded.

Vote: 6 yeas Sparks, Spence, Wagoner, Shepherd, Pugh, Davidson Jr.
1 absent Doyle

2015 Annual Report: Mr. Pugh made a motion to adopt the 2015 Annual Report, which was seconded by Mr. Spence and the following vote was recorded.

Vote: 6 yeas Sparks, Spence, Wagoner, Shepherd, Pugh, Davidson Jr.
1 absent Doyle

Other Business and Questions/Comment from Commissioners: None.

Adjournment: At approximately 6:40, Mr. Sparks adjourned the Planning Commission's meeting.

Robbie Doyle, Secretary

Note from Clerk: These minutes are written as the agenda was presented. Some votes may appear out of order.

SMYTH COUNTY PLANNING COMMISSION

Thursday, February 25, 2016

The Smyth County Planning Commission met in their regular meeting on Thursday, February 25, 2016, at 6:30 P.M. in the Smyth County Office Building.

Commissioners Present: Hazel Wagoner, Graham Davidson Jr., Norman Sparks, Joel Pugh, Paul Shepherd, Robbie Doyle and David Spence

Staff Present: Clegg Williams, Becca Creasy and Michelle Clayton

At approximately 6:30 p.m. Mr. Sparks called the meeting to order.

Adoption of Agenda: Mr. Spence made a motion to adopt the agenda as presented. Mr. Doyle seconded the motion and the following vote was recorded:

Vote: 7 yeas Davidson, Doyle, Pugh, Shepherd, Sparks, Spence and Wagoner

Minutes: Mrs. Wagoner made a motion to approve the minutes of the Thursday, January 28, 2016, meeting. Mr. Spence seconded the motion and the following vote was recorded.

Vote: 7 yeas Davidson, Doyle, Pugh, Shepherd, Sparks, Spence and Wagoner

Citizens' Time: No citizens were present.

Committee Recommendation: Mr. Sparks updated the full Commission of the Planning Commission and Board of Supervisors' Joint Ordinance Committee's efforts and work on the proposed amendments to the Zoning Ordinance. The definition of "service business, general contractor, minor" and "service business, general contractor, major" was discussed. Mr. Sparks recommended an amendment to the proposal as it was presented. Instead of "with less than five" he felt "five or less" would resolve the issue. Mr. Doyle seconded his motion.

Mr. Spence then made a motion to recommend the Board of Supervisors set a joint public hearing to consider and take comments on the proposed amendments to the Zoning Ordinance "in accordance with Virginia Code Sections 15.2-2285 and 15.2-2286, the Smyth County Planning Commission is of the opinion that the public necessity, convenience, general welfare, or good zoning practice warrant the consideration of the following Zoning Ordinance amendments. It hereby recommends that a joint public hearing be scheduled with the Board of Supervisors to provide public notice and an opportunity for citizen comments on the proposed Zoning Ordinance amendments." Mrs. Wagoner seconded the motion and the following vote was recorded:

Vote: 7 yeas Davidson, Doyle, Pugh, Shepherd, Sparks, Spence and Wagoner

Other Business and Questions/Comment from Commissioners: None.

Recess: At approximately 6:43 p.m. Mr. Sparks recessed the Planning Commission's meeting until their 7:00 p.m. joint public hearing with the Board of Supervisors.

Public Hearing: At 7:00 p.m. Mr. Wade Blevins, Chairman of the Board of Supervisors, and Mr. Norman Sparks, Chairman of the Planning Commission, called the joint public hearing to

order. Mr. Michael Carter read the advertisement as placed in the Smyth County News and Messenger as well as the rules of procedure during public hearings.

Board Members Present: Chairman Wade Blevins, Charlie Atkins, Roscoe Call, Todd Dishner, Blake Frazier and Phil Stevenson

Board Members Absent: Rick Blevins

Commissioners Present: Chairman Norman Sparks, Graham Davidson Jr., Robbie Doyle, Joel Pugh, Paul Shepherd, David Spence and Hazel Wagoner

Staff Present: Michael Carter, County Administrator; Scott Simpson, Assistant County Administrator; Becca Creasy and Kelly Woods, Administrative Assistants; Clegg Williams, Zoning Administrator; and Michelle Clayton, County Attorney. Stephanie Porter-Nichols with the Smyth County News and approximately three citizens were present.

**BEFORE THE SMYTH COUNTY BOARD OF SUPERVISORS AND
SMYTH COUNTY PLANNING COMMISSION**

The Smyth County Board of Supervisors and the Smyth County Planning Commission will conduct a joint public hearing on Thursday, February 25, 2016, at 7:00 P.M. or as soon after 7:00 P.M. as an application may be heard, in the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia, to consider the following application(s) to the Zoning Ordinance of Smyth County, Virginia:

An application from Lawrence Scott Schumaker for a Special Use Permit to establish a Recreation Facility. The property is located at 760 Walkers Creek Road in Chilhowie. It is identified as Tax Map Nos. 45-A-99A, 45-A-97 and 45-A-96D, and is zoned Agricultural/Rural.

At this public hearing, subject to the rules of procedure of the Board of Supervisors and Planning Commission of Smyth County, Virginia, any person may appear and state his/her views thereon.

Copies of the application(s) along with their maps/drawings are on file in the Office of the County Administrator of Smyth County. Copies are also maintained by the County Zoning Administrator at the address given above, and may be viewed during regular business hours Monday through Friday.

In compliance with the Americans with Disabilities, persons requiring special assistance to attend and participate in this hearing should contact the Smyth County Building and Zoning Department at (276) 783-3298 ext. 8315 at least 48 hours prior to the hearing.

Done by order of the Board of Supervisors and the Planning Commission.

Michael L. Carter, County Administrator
Norman K. Sparks, Chairman of the Planning Commission

Lawrence Scott Schumaker — Application for Special Use Permit to establish a Recreational Facility. Mr. Williams explained Mr. Schumaker's application for a Special Use Permit to establish a Recreational Facility on his property identified as Tax Map Nos. 45-A-99A, 45-A-97, and 45-A-96D, addressed as 760 Walker's Creek Road in Marion. He referenced the relevant Zoning Ordinance sections. Notice of tonight's public hearing was advertised in the Smyth County News & Messenger on February 13 and 20. Additionally, a first class mailing was sent

to each of the applicant's adjoining property owners. He stated he had only received general questions and comments but was not requested to communicate those at the public hearing.

Lawrence Scott Schumaker (Scott) was present to address any questions and concerns. He explained his distillery has out grown its present location and he intends to move it to a larger location. He feels the topography of his property would provide a good location for zip lines and draw tourism. He proposes to install seven lines with the longest line being approximately 1,500 feet. Guides will supervise individuals through the zip lines at all times. Final engineering is not complete but he is consulting with professionals and intends to have a sound and well maintained operation. He intends to install rope courses for team building exercises. Parking will be provided at the bottom on the mountain and he will look at purchasing more property for parking and provide shuttle service if necessary. The current distillery building will be converted for business operations and equipment storage. He hopes to provide 10-15 jobs. He hopes to partner with Hungry Mother State Park and connect the park and his facility with a hiking trail.

Isaac Freeman was present on behalf of Sali Corporation stated the concerns he had were resolved before the public hearing started.

Les Whitt, an adjoining property owner, stated he would like to see a fence installed to hopefully resolve any liability risks of potential trespassers from Mr. Schumaker's business. He stated he had no other concerns and was willing to work with Mr. Schumaker.

No one else spoke on the application.

Chairman Wade Blevins and Chairman Sparks closed the joint public hearing at 7:23 p.m.

Chairman Sparks reconvened the Commission at approximately 7:24 p.m. and opened the floor to Commissioners for comments or questions.

Recommendation on the request by Lawrence Scott Schumaker for a Special Use Permit to establish a Recreational Facility: After discussion regarding fencing, setback, and hours of operation, Commissioner Joel Pugh made a motion to recommend the Board approve the Special Use Permit requested by Lawrence Scott Schumaker to establish a Recreational Facility with the following restrictions: daytime operations only with up to six (6) night events annually; and that a suitable fence (approved by the Whitt's) be constructed between the shared property line. The property is identified as 760 Walker's Creek Road in Marion; Tax Map Nos. 45-A-99A, 45-A-97, and 45-A-96D; and is zoned Agricultural/Rural. Commissioner David Spence seconded the motion.

After consideration, the motion PASSED by the following vote:

7 yeas Davidson, Doyle, Pugh, Shepherd, Sparks, Spence and Wagoner

Adjournment: At approximately 7:40, Mr. Sparks adjourned the Planning Commission's meeting.

Robbie Doyle, Secretary

Note from Clerk: These minutes are written as the agenda was presented. Some votes may appear out of order.

SMYTH COUNTY PLANNING COMMISSION

Thursday, March 24, 2016

The Smyth County Planning Commission met in their regular meeting on Thursday, March 24, 2016, at 6:30 P.M. in the Smyth County Office Building.

Commissioners Present: Hazel Wagoner, Graham Davidson Jr., Norman Sparks, Joel Pugh, Paul Shepherd, Robbie Doyle and David Spence

Staff Present: Clegg Williams, Becca Creasy

At approximately 6:30 p.m. Mr. Sparks called the meeting to order.

Adoption of Agenda: Mr. Pugh made a motion to adopt the agenda as presented. Mr. Spence seconded the motion and the following vote was recorded:

Vote: 7 yeas Davidson, Doyle, Pugh, Shepherd, Sparks, Spence and Wagoner

Minutes: Mr. Pugh made a motion to adopt the minutes of the Thursday, February 25, 2016, meeting. Mr. Doyle seconded the motion and the following vote was recorded.

Vote: 7 yeas Davidson, Doyle, Pugh, Shepherd, Sparks, Spence and Wagoner

Citizens' Time: No citizens were present.

Other Business and Questions/Comment from Commissioners: None.

Recess: At approximately 6:34 p.m. Mr. Sparks recessed the Planning Commission's meeting until their 7:00 p.m. joint public hearing with the Board of Supervisors.

Public Hearing: At 7:00 p.m. Mr. Wade Blevins, Chairman of the Board of Supervisors, and Mr. Norman Sparks, Chairman of the Planning Commission, called the joint public hearing to order. Mr. Michael Carter read the advertisements as placed in the Smyth County News and Messenger as well as the rules of procedure during public hearings.

Board Members Present: Chairman Wade Blevins, Charlie Atkins, Roscoe Call, Rick Blevins, Blake Frazier and Phil Stevenson

Board Members Absent: Todd Dishner

Commissioners Present: Chairman Norman Sparks, Graham Davidson Jr., Robbie Doyle, Joel Pugh, Paul Shepherd, David Spence and Hazel Wagoner

Staff Present: Michael Carter, County Administrator; Scott Simpson, Assistant County Administrator; Becca Creasy and Kelly Woods, Administrative Assistants; Clegg Williams, Zoning Administrator; and Director of Community & Economic Development, Lori Deel. Linda Burchette with the Smyth County News and approximately five citizens were present.

NOTICE OF PUBLIC HEARING

BEFORE THE SMYTH COUNTY BOARD OF SUPERVISORS

**AND SMYTH COUNTY PLANNING COMMISSION
ON AMENDMENTS TO THE SMYTH COUNTY ZONING ORDINANCE**

The Smyth County Board of Supervisors and the Smyth County Planning Commission will conduct a joint public hearing on Thursday, March 24, 2016 at 7:00 p.m., or as soon thereafter, as may be heard, in the Smyth County Administration Building, 121 Bagley Circle, Marion, Virginia, to consider the following: Adoption of amendments to the Smyth County Zoning Ordinance located in Appendix A of the Smyth County Code. The following proposed changes will be considered:

- **Addition of Article IV – General Provisions and Supplementary Regulations, Sections 4-14.1 relating to “Townhouses”** to provide requirements to be followed with regard to public water and sewer, off-street parking, minimum lot size and easements for access the back of units. Section 4-14.2 relates to open space and amenities and the maintenance thereof through a nonprofit homeowners association agreement.
- **Repeal of definition of “Commercial Slaughterhouse”** to be replaced by “Meat Processing Facility.”
- **Deletion of reference to “Recreational Development”** which has been repealed from the Smyth County Subdivision Ordinance.
- **New definitions of land uses in Article X - Definitions:** Auditorium; Automotive Sales; Automotive Servicing and Parts; Automotive Sales and Service; Boardinghouse; Brewery; Broadcasting/Radio, Television Station; Bus Depot; Cab Service; Campground/Recreational Vehicle Park; Catering Facility; Commercial Bus Station; Commercial Bus Terminal; Ecotourism, Major; Ecotourism, Minor; Event Center; Laboratory, Medical and Analytical; Livestock Market; Meat Processing Facility; Microbrewery; Microdistillery; Nanobrewery; Recreational Vehicle; Service Business, General Contractor, Major; Service Business, General Contractor, Minor; Shooting Range, Indoor; Shooting Range, Outdoor; Stonecutting, Monument Manufacturing; Taxidermy; Tire Recapping or Retreading; Townhouse; and Winery.
- **Proposed new land uses permitted by right or by special use permit applications in the following districts listed in Article III - District Regulations:**

§ 3-1.1 – Uses Permitted by Right in the Agricultural District – Proposed Additions:

Service business, general contractor, minor (five employees or less)

§ 3-1.2 – Uses Permitted with Special Use Permit in the Agricultural District – Proposed Additions: Auditorium; Automotive sales; Automotive servicing and parts; Automotive sales and service; Boardinghouse; Broadcasting/ radio, TV station; Bus depot; Brewery; Cab service; Campground; Catering facility; Commercial bus station; Commercial bus terminal; Distillery; Ecotourism, major; Ecotourism, minor; Event center; Laboratory, medical and analytical; Livestock market; Meat processing facility; Microbrewery; Microdistillery; Nanobrewery; Recreational vehicle park; Recreational vehicle sales, service and rental; Service business, general contractor, major (more than 5 employees); Shooting range, indoor; Shooting range, outdoor; Stonecutting, monument manufacture and sale; Taxidermy; Tire recapping and retreading; Townhouse; Winery.

§ 3-2.1 – Uses Permitted by Right in the Agricultural/Rural District – Proposed Additions:

Service business, general contractor, minor (5 employees or less)

§ 3-2.2 – Uses Permitted with Special Use Permit in the Agricultural/Rural District – Proposed Additions: Auditorium; Automotive sales; Automotive servicing and parts; Automotive sales and service; Boardinghouse; Broadcasting/ radio, TV station; Bus depot; Brewery; Cab service; Campground; Catering facility; Commercial bus station; Commercial bus terminal; Distillery; Ecotourism, major; Ecotourism, minor; Event center; Laboratory, medical and analytical; Livestock market; Meat processing facility; Microbrewery; Microdistillery; Nanobrewery; Recreational vehicle park; Recreational vehicle sales, service and rental; Service

business, general contractor, major (more than 5 employees); Shooting range, indoor; Shooting range, outdoor; Stonecutting, monument manufacture and sale; Taxidermy; Tire recapping and retreading; Townhouse; Winery.

§ 3-3.2 – Uses Permitted with Special Use Permit in the Residential District – Proposed Additions: Auditorium; Automotive sales; Automotive servicing and parts; Automotive sales and service; Boardinghouse; Broadcasting/ radio, TV station; Bus depot; Brewery; Cab service; Catering facility; Commercial bus station; Ecotourism, major; Ecotourism, minor; Event center; Laboratory, medical and analytical; Microbrewery; Microdistillery; Nanobrewery; Recreational vehicle sales, service and rental; Stonecutting, monument manufacture and sale; Taxidermy; Townhouse; Winery.

§ 3-4.1 – Uses Permitted by Right in the Commercial District– Proposed Additions: Service business, general contractor, minor (5 employees or less).

§ 3-4.2 – Uses Permitted with Special Use Permit in the Commercial District – Proposed Additions: Auditorium; Automotive sales; Automotive servicing and parts; Automotive sales and service; Boardinghouse; Broadcasting/ radio, TV station; Bus depot; Brewery; Cab service; Catering facility; Commercial bus station; Commercial bus terminal; Distillery; Ecotourism, major; Ecotourism, minor; Laboratory, medical and analytical; Microbrewery; Microdistillery; Nanobrewery; Recreational vehicle sales, service and rental; Service business, general contractor, major (more than 5 employees); Stonecutting, monument manufacture and sale; Taxidermy; Tire recapping and retreading; Winery.

§ 3-5.1 – Uses Permitted by Right in the Industrial District– Proposed Additions: Bus depot; Brewery; Cab service; Catering facility; Commercial bus station; Commercial bus terminal; Distillery; Laboratory, medical, analytical; Microbrewery; Microdistillery; Nanobrewery; Service business, general contractor, major (more than 5 employees); Service business, general contractor, minor (5 employees or less); Taxidermy; Tire recapping and retreading; Winery.

§ 3-5.2 – Uses Permitted with Special Use Permit in the Industrial District – Proposed Additions: Auditorium; Automotive sales; Automotive servicing and parts; Automotive sales and service; Boardinghouse; Broadcasting/ radio, TV station; Ecotourism, major; Ecotourism, minor; Event Center; Livestock Market; Meat processing facility; Recreation vehicle sales, service and rental; Shooting range, indoor; Shooting range, outdoor; Stonecutting, monument manufacture and sale; Townhouse.

§ 3-6.2 – Uses Permitted with Special Use Permit in the Conservation Recreation District – Proposed Additions: Auditorium; Cab service; Campground; Campground and recreational vehicle park; Catering facility; Commercial bus station; Distillery; Ecotourism, major; Ecotourism, minor; Event center; Microbrewery; Microdistillery; Nanobrewery; Recreational vehicle park; Recreational vehicle sales, service and rental; Shooting range, indoor; Shooting range, outdoor; Stonecutting, monument manufacture and sale; Taxidermy; Tire recapping and retreading; Townhouse; Vineyard/Winery.

At this public hearing, subject to the rules of procedure of the Board of Supervisors of Smyth County, Virginia, any person may appear and state his/her views thereon. After the public hearing changes may be made to the Ordinance, as appropriate. In compliance with the Americans with Disabilities Act, persons requiring special assistance to attend and participate in this hearing should contact Clegg Williams, ADA Coordinator, at (276) 706-8326, at least 48 hours prior to the hearing. A copy of the full text of this proposed amendment and the district land use map is on file in the Office of the County Administrator of Smyth County at the address given above, and may be viewed during regular business hours Monday through Friday. The information is also posted at www.smythcounty.org.

Michael L. Carter, County Administrator
and the Smyth County Planning Commission
Norman Sparks, Chair.

**NOTICE OF PUBLIC HEARING
BEFORE THE SMYTH COUNTY BOARD OF SUPERVISORS
AND SMYTH COUNTY PLANNING COMMISSION
ON INCREASES OF FEES IN THE SMYTH COUNTY ZONING ORDINANCE**

The Smyth County Board of Supervisors and the Smyth County Planning Commission will conduct a joint public hearing on Thursday, March 24, 2016 at 7:00 p.m., or as soon thereafter, as may be heard, in the Smyth County Administration Building, 121 Bagley Circle, Marion, Virginia, to consider the following: Adoption of amendments to the Smyth County Zoning Ordinance located in Appendix A of the Smyth County Code pursuant to §§ 15.2-107 and 15.2-2286(A)(6) of the Code of Virginia (1950), as amended. The following proposed changes will be considered:

Section 8-6. - Duties of Administrator on Zoning Amendments, Zone Map Changes (Rezoning), Special Use Permits, Variances, and Appeals.

Filing Fees. Filing fees for the above applications shall be based upon reasonable costs to pay for the expenses involved. The fees shall be as follows:

Zoning Permit	No Fee	
Zoning Amendment (Text Change)	\$75.00	<u>\$250.00</u>
Rezoning (Change to Zoning Map)	\$75.00	<u>\$250.00</u>
Special Use Permit	\$75.00	<u>\$250.00</u>
Variance	\$75.00	<u>\$250.00</u>
Appeal	\$75.00	<u>\$250.00</u>

If the decision of the Board of Zoning Appeals is substantially in favor of the appellant, the ~~\$75.00~~ \$250.00 fee shall be refunded to the appellant.

At this public hearing, subject to the rules of procedure of the Board of Supervisors of Smyth County, Virginia, any person may appear and state his/her views thereon. In compliance with the Americans with Disabilities Act, persons requiring special assistance to attend and participate in this hearing should contact Clegg Williams, ADA Coordinator, at (276) 706-8326, at least 48 hours prior to the hearing. A copy of this proposed amendment is on file in the Office of the County Administrator of Smyth County at the address given above, and may be viewed during regular business hours Monday through Friday and at www.smythcounty.org.

Done by order of the Board of Supervisors of Smyth County, Virginia
Michael L. Carter, County Administrator
and the Smyth County Planning Commission
Norman Sparks, Chair.

Zoning Ordinance – Text Amendments: Mr. Williams summarized the several amendments to the Zoning Ordinance as outlined in the legal ad. There is a desire to add multiple uses which are not currently allowed by right or by special use. He stated he had received several phone calls and answered several general questions. He read two emails into record. One from John Saunders and the other from Edna Sullins. Both of the individuals stated their concerns and objection for Tire Recapping and Retreading being considered in the Conservation/Recreation

District as well. Furthermore, Ms. Sullins felt shooting ranges are inappropriate in the Conservation/Recreation.

John Taminger was present and echoed Mr. Saunders concerns. He stated parks like Hungry Mother Lake should be protected.

Jim Kelly was present and stated his opinions regarding recreational vehicle parks and the need for them to be restricted to maintain aesthetics of the park.

There were questions regarding the amendment for Tire Recapping and Retreading in the Industrial and Commercial Districts. Mr. Williams clarified that the proposed amendment as advertised would allow Tire Recapping and Retreading by special use permit in the Commercial and by right Industrial District.

No one else spoke on the proposed amendments.

Chairman Wade Blevins and Chairman Norman Sparks closed the 7:00 joint public hearings at 7:24 p.m.

Public Hearing: At approximately 7:27 p.m. Mr. Wade Blevins, Chairman of the Board of Supervisors, and Mr. Norman Sparks, Chairman of the Planning Commission, called the joint public hearing to order. Mr. Rick Blevins made a motion to forgo reading the rules of procedure for public hearings which was seconded by Mr. Call and passed unanimously.

**BEFORE THE SMYTH COUNTY BOARD OF SUPERVISORS AND
SMYTH COUNTY PLANNING COMMISSION**

The Smyth County Board of Supervisors and the Smyth County Planning Commission will conduct a joint public hearing on Thursday, March 24, 2016, at 7:30 P.M. or as soon after 7:30 P.M. as an application may be heard, in the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia, to consider the following application(s) to the Zoning Ordinance of Smyth County, Virginia:

An application from Lawrence Scott Schumaker for a Special Use Permit to establish a Recreation Facility, including but not limited to zip lines. The property is located at 760 Walkers Creek Road in Marion. It is identified as Tax Map Nos. 45-A-99A, 45-A-97 and 45-A-96D, and is zoned Agricultural/Rural.

At this public hearing, subject to the rules of procedure of the Board of Supervisors and Planning Commission of Smyth County, Virginia, any person may appear and state his/her views thereon.

Copies of the application(s) along with their maps/drawings are on file in the Office of the County Administrator of Smyth County. Copies are also maintained by the County Zoning Administrator at the address given above, and may be viewed during regular business hours Monday through Friday.

In compliance with the Americans with Disabilities Act, persons requiring special assistance to attend and participate in this hearing should contact the Smyth County Building and Zoning Department at (276) 783-3298 ext. 8315 at least 48 hours prior to the hearing.

Done by order of the Board of Supervisors and the Planning Commission.

Michael L. Carter, County Administrator
Norman K. Sparks, Chairman of the Planning Commission

Mr. Williams explained the advertisement for Lawrence Scott Schumaker's application for a Special Use Permit heard last month stated the property was located in Chilhowie when in fact it is located in Marion and legal counsel advised to avoid any consequences to re-advertise the hearing.

No one else spoke on the application.

Chairman Wade Blevins and Chairman Norman Sparks closed the 7:30 p.m. joint public hearing at approximately 7:31 p.m.

Chairman Sparks reconvened the Commission at approximately 7:31 p.m. and opened the floor to Commissioners for comments or questions.

Recommendation on Zoning Text Amendment: After discussion regarding *Tire Recapping and Retreading* in the Conservation/Recreation District, Commissioner Joel Pugh made a motion to recommend the Board remove *Tire Recapping and Retreading* in the Conservation/Recreation District and approve the remaining Text Amendments. Commissioner Hazel Wagoner seconded the motion. After consideration, the motion PASSED by the following vote:

7 yeas Davidson, Doyle, Pugh, Shepherd, Sparks, Spence and Wagoner

Recommendation on Zoning Ordinance Fee Increase: Commissioner David Spence made a motion to recommend the Board adopt the fees proposed for zoning map and text amendments, special use permits, appeals and variances. Commissioner Joel Pugh seconded the motion. After consideration, the motion PASSED by the following vote:

7 yeas Davidson, Doyle, Pugh, Shepherd, Sparks, Spence and Wagoner

Recommendation on the request by Lawrence Scott Schumaker for a Special Use Permit to establish a Recreational Facility: Commissioner Joel Pugh made a motion to recommend the Board approve the Special Use Permit requested by Lawrence Scott Schumaker to establish a Recreational Facility with the following restrictions: daytime operations only with up to six (6) night events annually; and that a suitable fence (approved by the Whitt's) be constructed between the shared property line. The property is identified as 760 Walker's Creek Road in Marion; Tax Map Nos. 45-A-99A, 45-A-97, and 45-A-96D; and is zoned Agricultural/Rural. Commissioner Hazel Wagoner seconded the motion. After consideration, the motion PASSED by the following vote:

7 yeas Davidson, Doyle, Pugh, Shepherd, Sparks, Spence and Wagoner

Adjournment: At approximately 7:40, Mr. Sparks adjourned the Planning Commission's meeting.

Robbie Doyle, Secretary

Note from Clerk: These minutes are written as the agenda was presented. Some votes may appear out of order.

SMYTH COUNTY PLANNING COMMISSION

Thursday, April 28, 2016

The Smyth County Planning Commission met in their regular meeting on Thursday, April 28, 2016, at 6:30 p.m. in the Smyth County Office Building.

Commissioners Present: Hazel Wagoner, Graham Davidson Jr., Norman Sparks, Joel Pugh, Paul Shepherd, and Robbie Doyle

Commissioner(s) Absent: David Spence

Staff Present: Clegg Williams

At approximately 6:30 p.m. Mr. Sparks called the meeting to order.

Adoption of Agenda: Mr. Pugh made a motion to adopt the agenda as presented. Mrs. Wagoner seconded the motion and the following vote was recorded:

Vote: 6 yeas	Davidson, Doyle, Pugh, Shepherd, Sparks, and Wagoner
1 absent	Spence

Minutes: Mr. Pugh made a motion to adopt the minutes of the Thursday, March 24, 2016, meeting. Mr. Shepherd seconded the motion and the following vote was recorded.

Vote: 6 yeas	Davidson, Doyle, Pugh, Shepherd, Sparks, Spence and Wagoner
1 absent	Spence

Citizens' Time: No citizens were present.

Other Business and Questions/Comment from Commissioners: Mr. Williams stated the Board followed the Commission's recommendation to approve Lawrence Scott Schumaker's request for a Special Use Permit with conditions as well as adopting the County's Zoning Ordinance fee schedule increase.

Robbie Doyle announced his resignation to the Mount Rogers Planning District Commission (MRPDC). He stated that he had not been asked to attend a single meeting since he was appointed. The Commission requested staff research and report at the next meeting the role of an appointee to the MRPDC.

Recess: At approximately 6:40 p.m. Mr. Sparks recessed the Planning Commission's meeting until their 7:00 p.m. joint public hearing with the Board of Supervisors.

Public Hearing: At 7:00 p.m. Todd Dishner, Vice-Chairman of the Board of Supervisors, and Norman Sparks, Chairman of the Planning Commission, called the joint public hearing to order. Michael Carter read the advertisement as placed in the Smyth County News and Messenger and the rules of procedure during public hearings.

Board Members Present: Vice-Chairman Todd Dishner, Charlie Atkins, Roscoe Call, Blake Frazier and Phil Stevenson

Board Member(s) Absent: Wade Blevins and Rick Blevins

Commissioners Present: Chairman Norman Sparks, Graham Davidson Jr., Robbie Doyle, Joel Pugh, Paul Shepherd, and Hazel Wagoner

Commissioner(s) Absent: David Spence

Staff Present: Michael Carter, County Administrator; Scott Simpson, Assistant County Administrator; Jeff Campbell, County Attorney; Kelly Woods, Administrative Assistant; Clegg Williams, Zoning Administrator; and Director of Community & Economic Development, Lori Deel. Stephanie Porter Nichols with the Smyth County News and approximately five citizens were present.

BEFORE THE SMYTH COUNTY BOARD OF SUPERVISORS AND SMYTH COUNTY PLANNING COMMISSION

The Smyth County Board of Supervisors and the Smyth County Planning Commission will conduct a joint public hearing on Thursday, April 28, 2016, at 7:00 P.M. or as soon after 7:00 P.M. as an application may be heard, in the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia, to consider the following application(s) to the Zoning Ordinance of Smyth County, Virginia:

An application from Angelina Blevins Pratt, which has been forwarded to the Board of Supervisors of Smyth County, Virginia, requesting an amendment to the official Zoning Map in Atkins, Virginia, to rezone approximately 51.01 acres from Agricultural/Rural to Industrial. The properties are addressed as 399, 407, 415 and 421 Nicks Creek Road in Atkins and identified as Tax Map Nos. 48-A-85, 48A2-1D-4E, 48A2-1D-5, 48A2-1D-6, 48A2-1D-6A, and 48A2-1D-7.

An application from Norma Pratt Teaters, which has been forwarded to the Board of Supervisors of Smyth County, Virginia, requesting an amendment to the official Zoning Map in Atkins, Virginia, to rezone approximately 1.14 acres from Agricultural/Rural to Industrial. The properties are addressed as 385 and 389 Nicks Creek Road in Atkins and identified as Tax Map No. 48A2-1D-4.

An application from Charles Walter Pratt, which has been forwarded to the Board of Supervisors of Smyth County, Virginia, requesting an amendment to the official Zoning Map in Atkins, Virginia, to rezone approximately 3.64 acres from Agricultural/Rural to Industrial. The properties are addressed as 461 and 475 Nicks Creek Road in Atkins and identified as Tax Map No. 48-A-83.

An application from Sara Elizabeth Pratt Carty, which has been forwarded to the Board of Supervisors of Smyth County, Virginia, requesting an amendment to the official Zoning Map in Atkins, Virginia, to rezone approximately 0.35 acres from Agricultural/Rural to Industrial. The property is addressed as 451 Nicks Creek Road in Atkins and identified as Tax Map Nos. 48-A-83B.

The Smyth County Comprehensive Plan does not identify a density range nor the general usage of these properties and they have most recently been used for residential and agriculture activities. The properties can be found within Grid No. 6428 of the State Plane Grid Index.

At this public hearing, subject to the rules of procedure of the Board of Supervisors and Planning Commission of Smyth County, Virginia, any person may appear and state his/her views thereon.

Copies of the application(s) along with their maps/drawings are on file in the Office of the County Administrator of Smyth County. Copies are also maintained by the County Zoning Administrator at the address given above, and may be viewed during regular business hours Monday through Friday.

In compliance with the Americans with Disabilities Act, persons requiring special assistance to attend and participate in this hearing should contact the Smyth County Building and Zoning Department at (276) 783-3298 ext. 8315 at least 48 hours prior to the hearing.

Done by order of the Board of Supervisors and the Planning Commission.

Michael L. Carter, County Administrator

Norman K. Sparks, Chairman of the Planning Commission

Angeline Blevins Pratt, Norma Pratt Teaters, Charles Walter Pratt and Sara Elizabeth Carty — Applications for Map Amendments from Agricultural/Rural to Industrial: Mr. Williams explained the applications for Map Amendments for properties identified as Tax Map Nos. 48-A-85, 48A2-1D-4E, 48A2-1D-5, 48A2-1D-6, 48A2-1D-6A, 48A2-1D-7, 48A2-1D-4, 48-A-83 and 48-A-83B. The properties are addressed as 385, 389, 399, 407, 415, 421, 451, 461 and 475 Nicks Creek Road in Atkins. He stated the applicants were negotiating with an adjoining industrial entity to purchase their property. He referenced the relevant Zoning Ordinance sections. Notice of tonight's public hearing was advertised in the Smyth County News & Messenger on April 16 and 23. Additionally, a first class mailing was sent to each of the applicant's adjoining property owners. The Town of Marion inquired about the notice they received. Mr. Williams explained to them that they owned the water tank site that adjoin the Pratt farm.

Charles Walter Pratt was present and represented all of the applicants. He stated the property owners were negotiating with an adjoining company who needs the property for expansion and have requested it be rezoned.

No one else spoke on the applications.

Vice Chairman Todd Dishner and Chairman Sparks closed the joint public hearing at 7:12 p.m.

Chairman Sparks reconvened the Commission at approximately 7:13 p.m. and opened the floor to Commissioners for comments or questions.

Commissioner Joel Pugh made a motion to recommend approval of all four Map Amendment requests to the Official Zoning Map of Smyth County, Virginia, from Agricultural/Rural to Industrial. Commissioner Hazel Wagoner seconded the motion.

- a) Angelina Blevins Pratt, Tax Map Nos. 48-A-85, 48A2-1D-4E, 48A2-1D-5, 48A2-1D-6, 48A2-1D-6A, and 48A2-1D-7;
- b) Norma Pratt Teaters, Tax Map No. 48A2-1D-4;
- c) Charles Walter Pratt, Tax Map No. 48-A-83; and
- d) Sara Elizabeth Pratt Carty, Tax Map No. 48-A-83B.

After consideration, the motion PASSED by the following vote:

AYES: Sparks, Wagoner, Doyle, Pugh, Shepherd, and Davidson Jr.
NAYS: None.
ABSTAINERS: None.
ABSENT: Spence.

Public Hearing: At approximately 7:30 p.m. Todd Dishner, Vice-Chairman of the Board of Supervisors, and Norman Sparks, Chairman of the Planning Commission, called the joint public hearing to order. Clegg Williams read the advertisement as placed in the Smyth County News and Messenger. It was unanimously adopted to omit reading the rules of procedure for public hearings considering it was read during the 7:00 p.m. public hearing.

**NOTICE OF PUBLIC HEARING
BEFORE THE SMYTH COUNTY BOARD OF SUPERVISORS
AND SMYTH COUNTY PLANNING COMMISSION
ON AMENDMENTS TO THE SMYTH COUNTY ZONING ORDINANCE**

The Smyth County Board of Supervisors and the Smyth County Planning Commission will conduct a joint public hearing on Thursday, April 28, 2016 at 7:30 p.m., or as soon thereafter, as may be heard, in the Smyth County Administration Building, 121 Bagley Circle, Marion, Virginia, to consider the following: Adoption of amendments to the Smyth County Zoning Ordinance located in Appendix A of the Smyth County Code. The following proposed changes will be considered:

- **Addition of Article IV – General Provisions and Supplementary Regulations, Sections 4-14.1 relating to “Townhouses”** to provide requirements to be followed with regard to public water and sewer, off-street parking, minimum lot size and easements for access to the back of units. Section 4-14.2 relates to open space and amenities and the maintenance thereof through the Virginia Condominium Act or a nonprofit homeowners association agreement.
- **Repeal of definition of “Commercial Slaughterhouse”** to be replaced by “Meat Processing Facility.”
- **Deletion of reference to “Recreational Development”** which has been repealed from the Smyth County Subdivision Ordinance.
- **New definitions of land uses in Article X - Definitions:** Auditorium; Automotive Sales; Automotive Sales and Service; Automotive Servicing and Parts; Boardinghouse; Brewery; Broadcasting/Radio, or Television Station; Cab Service; Campground and Recreational Vehicle Park; Catering Facility; Commercial Bus Station; Commercial Bus Terminal; Distillery; Ecotourism; Ecotourism, Major; Ecotourism, Minor; Event Center; Laboratory, Medical and Analytical; Livestock Market; Meat Processing Facility; Microbrewery; Microdistillery; Nanobrewery; Recreational Vehicle; Recreational Vehicle sales, service and rental; Service Business, General Contractor, Major (more than 5 employees); Service Business, General Contractor, Minor (5 employees or less); Shooting Range, Indoor; Shooting Range, Outdoor; Stonecutting, Monument Manufacturing; Taxidermy; Tire Recapping or Retreading; Townhouse and Vineyard and/or Winery.
- **Proposed new land uses permitted by right or by special use permit applications in the following districts listed in Article III - District Regulations:**
§ 3-1.1 – Uses Permitted by Right in the Agricultural District – Proposed:
Service business, general contractor, minor (five employees or less)

§ 3-1.2 – Uses Permitted with Special Use Permit in the Agricultural District – Proposed:

Auditorium; Automotive sales; Automotive sales and service; Automotive servicing and parts; Boardinghouse; Broadcasting/radio or Television Station; Brewery; Cab service; Campground; Catering facility; Commercial bus station; Commercial bus terminal; Distillery; Ecotourism, major; Ecotourism, minor; Event center; Laboratory, medical and analytical; Livestock market; Meat processing facility; Microbrewery; Microdistillery; Nanobrewery; Recreational vehicle park; Recreational vehicle sales, service and rental; Service business, general contractor, major (more than 5 employees); Shooting range, indoor; Shooting range, outdoor; Stonecutting, monument manufacturing; Taxidermy; Tire recapping or retreading; and Townhouse.

§ 3-2.1 – Uses Permitted by Right in the Agricultural/Rural District – Proposed:

Service business, general contractor, minor (5 employees or less)

§ 3-2.2 – Uses Permitted with Special Use Permit in the Agricultural/Rural District – Proposed:

Auditorium; Automotive sales; Automotive servicing and parts; Boardinghouse; Broadcasting/ radio or Television Station; Brewery; Cab service; Campground; Catering facility; Commercial bus station; Commercial bus terminal; Distillery; Ecotourism, major; Ecotourism, minor; Event center; Laboratory, medical and analytical; Livestock market; Meat processing facility; Microbrewery; Microdistillery; Nanobrewery; Recreational vehicle park; Recreational vehicle sales, service and rental; Service business, general contractor, major (more than 5 employees); Shooting range, indoor; Shooting range, outdoor; Stonecutting, monument manufacturing; Taxidermy; and Tire recapping or retreading.

§ 3-3.2 – Uses Permitted with Special Use Permit in the Residential District – Proposed:

Auditorium; Automotive sales; Automotive sales and service; Automotive servicing and parts; Boardinghouse; Broadcasting/radio or Television Station; Cab service; Catering facility; Commercial bus station; Ecotourism, major; Ecotourism, minor; Event center; Laboratory, medical and analytical; Microbrewery; Microdistillery; Nanobrewery; Recreational vehicle sales, service and rental; Service Business, general contractor, major (more than 5 employees); Service Business, general contractor, minor (5 employees or less); Stonecutting, monument manufacturing; Taxidermy; Vineyard and/or Winery.

§ 3-4.1 – Uses Permitted by Right in the Commercial District– Proposed:

Auditorium; Automotive Sales; Automotive Servicing and Parts; Broadcasting/Radio or Television Station; Brewery; Cab Service; Catering Facility; Commercial Bus Station; Commercial Bus Terminal; Distillery; Laboratory, medical and analytical; Microbrewery; Microdistillery; Nanobrewery; Recreational vehicle sales, service and rental; Service business, general contractor, major (more than 5 employees); Service business, general contractor, minor (5 employees or less); Stonecutting, monument manufacturing; Taxidermy; Tire recapping or retreading; and Vineyard and/or Winery.

§ 3-4.2 – Uses Permitted with Special Use Permit in the Commercial District – Proposed:

Boardinghouse; Campground; Campground and Recreational Vehicle Park; Ecotourism, major; Ecotourism, minor; Event Center; Livestock Market; Meat Processing Facility; Recreational Vehicle Park; Shooting range, indoor; Shooting range, outdoor; and Townhouse.

§ 3-5.1 – Uses Permitted by Right in the Industrial District– Proposed: Brewery; Cab service; Catering facility; Commercial bus station; Commercial bus terminal; Distillery; Laboratory, medical, and analytical; Microbrewery; Microdistillery; Nanobrewery; Service business, general contractor, major (more than 5 employees); Service business, general contractor, minor (5 employees or less); Taxidermy; Tire recapping or retreading; and Vineyard and/or Winery.

§ 3-5.2 – Uses Permitted with Special Use Permit in the Industrial District – Proposed:

Auditorium; Automotive sales; Automotive sales and service; Automotive servicing and parts; Boardinghouse; Broadcasting/ radio or Television Station; Ecotourism, major; Ecotourism, minor; Event Center; Livestock Market; Meat processing facility; Recreational vehicle sales,

service and rental; Shooting range, indoor; Shooting range, outdoor; Stonecutting, monument manufacturing; and Townhouse.

§ 3-6.2 – Uses Permitted with Special Use Permit in the Conservation Recreation District – Proposed: Auditorium; Cab service; Campground; Campground and recreational vehicle park; Catering facility; Commercial bus station; Distillery; Ecotourism, major; Ecotourism, minor; Event center; Microbrewery; Microdistillery; Nanobrewery; Recreational vehicle park; Recreational vehicle sales, service and rental; Shooting range, indoor; Shooting range, outdoor; Stonecutting, monument manufacturing; Taxidermy; Townhouse; and Vineyard and/or Winery.

At this public hearing, subject to the rules of procedure of the Board of Supervisors of Smyth County, Virginia, any person may appear and state his/her views thereon. In compliance with the Americans with Disabilities Act, persons requiring special assistance to attend and participate in this hearing should contact Clegg Williams, ADA Coordinator, at (276) 706-8315, at least 48 hours prior to the hearing. A copy of this proposed amendment is on file in the Office of the County Administrator of Smyth County at the address given above, and may be viewed during regular business hours Monday through Friday and at www.smythcounty.org.

Done by order of the Board of Supervisors of Smyth County, Virginia
Michael L. Carter, County Administrator
and the Smyth County Planning Commission
Norman Sparks, Chair.

No one spoke on the text amendments.

Vice-Chairman Todd Dishner and Chairman Norman Sparks closed the joint public hearing at approximately 7:45 p.m.

Chairman Sparks reconvened the Commission at approximately 7:45 p.m. and opened the floor to Commissioners for comments or questions.

Recommendation on Zoning Text Amendment: Commissioner Robbie Doyle made a motion to recommend the Board approve the Text Amendments to the Smyth County Zoning Ordinance as presented. Commissioner Joel Pugh seconded the motion. After consideration, the motion PASSED by the following vote:

AYES:	Sparks, Wagoner, Doyle, Pugh, Shepherd, and Davidson Jr.
NAYS:	None.
ABSTAINERS:	None.
ABSENT:	Spence.

Adjournment: At approximately 7:47, Mr. Sparks adjourned the Planning Commission's meeting.

Robbie Doyle, Secretary

Note from Clerk: These minutes are written as the agenda was presented. Some votes may appear out of order.

SMYTH COUNTY PLANNING COMMISSION
Thursday, June 23, 2016

The Smyth County Planning Commission met in their regular meeting on Thursday, June 23, 2016, at 6:00 p.m. in the Smyth County Office Building.

Commissioners Present: Hazel Wagoner, Graham Davidson Jr., Norman Sparks, Joel Pugh, Paul Shepherd, and David Spence

Commissioner(s) Absent: Robbie Doyle

Staff Present: Clegg Williams and Becca Creasy

At approximately 6:00 p.m. Mr. Sparks called the meeting to order.

Adoption of Agenda: Mr. Spence made a motion to adopt the agenda as presented. Mr. Pugh seconded the motion and the following vote was recorded:

Vote: 6 yeas	Davidson, Pugh, Shepherd, Sparks, Spence, and Wagoner
1 absent	Doyle

Minutes: Mr. Pugh made a motion to adopt the minutes of the Thursday, April 28, 2016, meeting. Mrs. Wagoner seconded the motion and the following vote was recorded.

Vote: 6 yeas	Davidson, Pugh, Shepherd, Sparks, Spence, and Wagoner
1 absent	Doyle

Citizens' Time: No citizens were present.

Other Business and Questions/Comment from Commissioners: Mr. Williams stated the Board followed the Commission's recommendations to approve Angeline Blevins Pratt, Norma Pratt Teaters, Sara Elizabeth Carty, and Charles Walter Pratt's request for a Map Amendment as well as adopting the Text Amendment to the County's Zoning Ordinance.

Mr. Williams notified the Commission there would be a July meeting for more Map Amendment requests.

Adjournment: At approximately 6:15, Mr. Sparks adjourned the Planning Commission's meeting.

Robbie Doyle, Secretary

Note from Clerk: These minutes are written as the agenda was presented. Some votes may appear out of order.

SMYTH COUNTY PLANNING COMMISSION

Thursday, July 28, 2016

The Smyth County Planning Commission met in their regular meeting on Thursday, July 28, 2016, at 6:30 p.m. in the Smyth County Office Building.

Commissioners Present: Hazel Wagoner, Graham Davidson Jr., Norman Sparks, Joel Pugh, Paul Shepherd, and David Spence

Commissioner(s) Absent: Robbie Doyle

Staff Present: Clegg Williams and Becca Creasy

At approximately 6:30 p.m. Mr. Sparks called the meeting to order.

Adoption of Agenda: Mr. Pugh made a motion to adopt the agenda as presented. Mr. Shepherd seconded the motion and the following vote was recorded:

Vote: 6 yeas	Davidson, Pugh, Shepherd, Sparks, Spence, and Wagoner
1 absent	Doyle

Minutes: Mr. Spence made a motion to adopt the minutes of the Thursday, June 23, 2016, meeting. Mrs. Wagoner seconded the motion and the following vote was recorded.

Vote: 6 yeas	Davidson, Pugh, Shepherd, Sparks, Spence, and Wagoner
1 absent	Doyle

Citizens' Time: No citizens were present.

Subdivision Ordinance: Gary Trout and Robert Francis were present and withdrew their request to re-divide Lot 22 of the Keller Heights Subdivision.

Other Business and Questions/Comment from Commissioners: None

Recess: At approximately 6:33 p.m. Mr. Sparks recessed the Planning Commission's meeting until their 7:00 p.m. joint public hearing with the Board of Supervisors.

Public Hearing: At 7:00 p.m. Wade Blevins, Chairman of the Board of Supervisors, and Norman Sparks, Chairman of the Planning Commission, called the joint public hearing to order. Michael Carter read the advertisement as placed in the Smyth County News and Messenger and the rules of procedure during public hearings.

Board Members Present: Chairman Wade Blevins, Todd Dishner, Roscoe Call, Blake Frazier and Phil Stevenson

Board Member(s) Absent: Charlie Atkins and Rick Blevins

Commissioners Present: Chairman Norman Sparks, Graham Davidson Jr., Joel Pugh, Paul Shepherd, David Spence and Hazel Wagoner

Commissioner(s) Absent: Robbie Doyle

Staff Present: Michael Carter, County Administrator; Scott Simpson, Assistant County Administrator; Jeff Campbell, County Attorney; Kelly Woods, Administrative Assistant; Clegg Williams, Zoning Administrator; Becca Creasy, Administrative Assistant; and Lori Deel, Director of Community & Economic Development; Smyth County Sheriff's Office, Deputies Tony Powers and Ernie Atwell; Stephanie Porter Nichols with the Smyth County News and approximately sixty-five citizens were present.

***BEFORE THE SMYTH COUNTY BOARD OF SUPERVISORS AND
SMYTH COUNTY PLANNING COMMISSION***

The Smyth County Board of Supervisors and the Smyth County Planning Commission will conduct a joint public hearing on Thursday, July 28, 2016, at 7:00 P.M. or as soon after 7:00 P.M. as an application may be heard, in the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia, to consider the following Map Amendment to the Zoning Ordinance of Smyth County, Virginia:

Pursuant to Section 9-2.1 the Board of Supervisors of Smyth County, Virginia, propose to amend the official Zoning Map of Smyth County, Virginia, by rezoning approximately 1,400 tracts totaling approximately 48,000 acres in the Rich Valley and Ceres Communities from Agricultural to Agricultural/Rural. The Smyth County Comprehensive Plan does not identify a density range and the general usage of these properties has been residential and agricultural. The properties can be found within Grid Nos. 5458, 5459, 5469, 5479, 5489, 5499, 5550, 5551, 5560, 5561, 5562, 5570, 5571, 5572, 5573, 5580, 5581, 5582, 5583, 5590, 5591, 5592, 5593, 6500, 6501, 6502, 6503, 6510, 6511, 6512, 6513, 6520, 6521, 6522, 6523, 6530, 6531, 6532, 6533 of the State Plane Grid Index.

At this public hearing, subject to the rules of procedure of the Board of Supervisors and Planning Commission of Smyth County, Virginia, any person may appear and state his/her views thereon.

Copies of the proposed Zoning Map is on file in the Office of the County Administrator of Smyth County. Copies are also maintained by the County Zoning Administrator at the address given above, and may be viewed during regular business hours Monday through Friday.

In compliance with the Americans with Disabilities Act, persons requiring special assistance to attend and participate in this hearing should contact the Smyth County Building and Zoning Department at (276) 783-3298 ext. 8315 at least 48 hours prior to the hearing.

Done by order of the Board of Supervisors and the Planning Commission.

Michael L. Carter, County Administrator

Norman K. Sparks, Chairman of the Planning Commission

Smyth County Board of Supervisors - Map Amendment A District to A/R District: Mr. Williams explained the proposed Map Amendment to rezone approximately 48,000 acres of land in the Rich Valley and Ceres communities from Agricultural to Agricultural/Rural. His presentation included a map of the area affected as well as a list of differences in the uses allowed "by right" and the uses allowed with the issuance of a special use permit in the A and A/R districts. He stated first class mailing was sent to approximately 600 property owners in the affected districts. Mr. Williams stated he had received numerous phone calls with general comments and questions. The most common questions included: (1) what area is being rezoned; (2) what requirements will change if it is approved; (3) why was this proposed, and; (4) what are the tax implications. He received a few emails providing comments to be read into record.

He introduced Jeff Richardson to address any tax consequences for rezoning. Mr. Richardson provided a statement for which a copy is attached hereto. Mr. Williams then introduced Board member Phil Stevenson to address the question of "why" Mr. Stevenson welcomed everyone and stated the main reason for his proposal was to provide a way for young people to purchase small lots and to make community growth easier. He stated he felt most of the area was already in conservation easements.

At approximately 7:25 Mr. Blevins proceeded with public comments from citizens signed up to speak.

Approximately 18 citizens spoke in opposition and Mr. Williams read five citizen's emails, all of which opposed the proposed rezoning. Comments made in opposition included: leave it "as is", violation of the comprehensive plan, agriculture needs to be preserved, industries have left but farming has stayed, it provides an outlet to get away from it all, didn't want neighbors to have a trailer park or junkyard, unfavorable environmental and economic effects.

Approximately four citizens spoke in favor of rezoning for reasons such as: wanting growth, increased likelihood of schools and churches remaining open.

No one else spoke on the applications.

Chairman Blevins and Chairman Sparks closed the 7:00 joint public hearing at 8:47 p.m.

Public Hearing: At approximately 8:47 p.m. Wade Blevins, Chairman of the Board of Supervisors, and Norman Sparks, Chairman of the Planning Commission, called the 7:15 p.m. joint public hearing to order. Michael Carter read the advertisement as placed in the Smyth County News and Messenger. Considering they were read at 7:00, the reading of the rules was waived by an anonymous vote.

***BEFORE THE SMYTH COUNTY BOARD OF SUPERVISORS AND
SMYTH COUNTY PLANNING COMMISSION***

The Smyth County Board of Supervisors and the Smyth County Planning Commission will conduct a joint public hearing on Thursday, July 28, 2016, at 7:15 P.M. or as soon after 7:15 P.M. as an application(s) may be heard, in the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia, to consider the following application(s) to the Zoning Ordinance of Smyth County, Virginia:

An application from Gerald D. McGuire which has been forwarded to the Board of Supervisors of Smyth County, Virginia, requesting an amendment to the official Zoning Map to rezone approximately 0.5 acres in Atkins, Virginia, from Agricultural/Rural to Industrial. The property is addressed as 383 Nicks Creek Road in Atkins and identified as Tax Map No. 48A2-1D-4A. The Smyth County Comprehensive Plan does not identify a density range nor the general usage of this property and it recently has been used as residential. The property can be found within Grid No. 6428 of the State Plane Grid Index.

At this public hearing, subject to the rules of procedure of the Board of Supervisors and Planning Commission of Smyth County, Virginia, any person may appear and state his/her views thereon.

Copies of the application(s) along with their maps/drawings are on file in the Office of the County Administrator of Smyth County. Copies are also maintained by the County Zoning

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Administrator at the address given above, and may be viewed during regular business hours Monday through Friday.

In compliance with the Americans with Disabilities Act, persons requiring special assistance to attend and participate in this hearing should contact the Smyth County Building and Zoning Department at (276) 783-3298 ext. 8315 at least 48 hours prior to the hearing.

Done by order of the Board of Supervisors and the Planning Commission.

Michael L. Carter, County Administrator
Norman K. Sparks, Chairman of the Planning Commission

Mr. Williams stated Mr. McGuire's property is adjacent to the Pratt properties which were rezoned to Industrial in April and for similar reasons Mr. McGuire requests to be zoned from Agricultural/Rural to Industrial. No one else spoke on his request.

Chairman Wade Blevins and Chairman Norman Sparks closed the 7:15 p.m. joint public hearing at approximately 8:51 p.m.

Chairman Sparks reconvened the Commission at approximately 8:51 p.m. and opened the floor to Commissioners for comments and/or questions.

Recommendation on Zoning Map Amendment (A/R to I): Commissioner Joel Pugh made a motion to recommend approval of Gerald McGuire's Map Amendment request to the Official Zoning Map of Smyth County, Virginia, from Agricultural/Rural to Industrial. Commissioner David Spence seconded the motion. The motion PASSED by the following vote:

AYES: Davidson Jr., Pugh, Shepherd, Sparks, Spence, and Wagoner
NAYS: None.
ABSTAINERS: None.
ABSENT: Doyle.

Recommendation on Zoning Map Amendment (A to A/R): Commissioner Graham Davidson Jr. made a motion to recommend the Board not amend the Agricultural District to Agricultural/Rural of the Official Zoning Map of Smyth County, as presented. Commissioner David Spence seconded the motion. After consideration, the motion PASSED by the following vote:

AYES: Davidson Jr., Pugh, Shepherd, Sparks, Spence, and Wagoner
NAYS: None.
ABSTAINERS: None.
ABSENT: Doyle.

Adjournment: At approximately 9:00 Mr. Sparks adjourned the Planning Commission's meeting.

Robbie Doyle, Secretary

Note from Clerk: These minutes are written as the agenda was presented. Some votes may appear out of order.

SMYTH COUNTY PLANNING COMMISSION

Thursday, August 25, 2016

The Smyth County Planning Commission met in their regular meeting on Thursday, August 25, 2016, at 6:00 p.m. in the Smyth County Office Building.

Commissioners Present: Hazel Wagoner, Graham Davidson Jr., Norman Sparks, Joel Pugh, Paul Shepherd, Robbie Doyle and David Spence

Staff Present: Clegg Williams and Becca Creasy

Others Present: Stephanie Porter-Nichols, Smyth County News & Messenger

At approximately 6:00 p.m. Mr. Sparks called the meeting to order.

Adoption of Agenda: Mr. Pugh made a motion to adopt the agenda as presented. Mr. Doyle seconded the motion and the following vote was recorded:

Vote: 7 yeas Davidson, Doyle, Pugh, Shepherd, Sparks, Spence, and Wagoner

Minutes: Mr. Shepherd made a motion to adopt the minutes of the Thursday, July 28, 2016, meeting. Mr. Pugh seconded the motion and the following vote was recorded.

Vote: 7 yeas Davidson, Doyle, Pugh, Shepherd, Sparks, Spence, and Wagoner

Citizens' Time: Approximately 10 citizens were present requesting to speak on tonight's proposed compromise to the Map Amendment.

Smyth County Board of Supervisors - Map Amendment A District to A/R District: Mr. Williams described the Board's decision to send the matter back to the Planning Commission with a proposed compromise to the original Map Amendment to rezone approximately 27,432 acres of land in the Agricultural District to Agricultural/Rural which would only include the northern side of the North Fork of the Holston River.

Mr. Williams stated he had received a number of calls with general questions and one email which was requested to be read into record from Beth Stephenson who opposed the proposed compromised map. Four citizens also spoke in opposition of the request. Comments made in opposition included: violation of the comprehensive plan, agricultural purposes need to be protected, it provides a retirement destination, smaller lots will only require more funding with demands for utilities to accommodate housing development taking away from school funding.

No one else spoke on the matter.

Recommendation on Zoning Map Amendment (A to A/R): Commissioner Joel Pugh made a motion to recommend the Board not rezone any portion of the Agricultural District to Agricultural/Rural of the Official Zoning Map of Smyth County, as presented. Commissioner David Spence seconded the motion. After consideration, the motion PASSED by the following vote:

AYES: Davidson Jr., Doyle, Pugh, Shepherd, Sparks, Spence, and Wagoner
NAYS: None.

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ABSTAINERS: None.

ABSENT: None.

After further discussion Commissioner Joel Pugh made a motion to recommend the Board consider a text amendment to reduce the minimum lot size requirement from two (2) acres to one (1) acre. Any concerns regarding the cost of a second public hearing should be minimal considering a text amendment only requires a legal ad and not a first class mailing to all of the affected property owners. Commissioner David Spence seconded the motion. After consideration, the motion PASSED by the following vote:

AYES: Davidson Jr., Doyle, Pugh, Shepherd, Sparks, Spence, and Wagoner

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Adjournment: Mr. Doyle made a motion to adjourn. Mr. Spence seconded the motion and the following vote was recorded.

Vote: 7 yeas Davidson, Doyle, Pugh, Shepherd, Sparks, Spence, and Wagoner

Robbie Doyle, Secretary

Note from Clerk: These minutes are written as the agenda was presented. Some votes may appear out of order.

SMYTH COUNTY PLANNING COMMISSION

Thursday, October 27, 2016

The Smyth County Planning Commission met in their regular meeting on Thursday, October 27, 2016, at 6:30 p.m. in the Smyth County Office Building.

Commissioners Present: Hazel Wagoner, Graham Davidson Jr., Norman Sparks, Joel Pugh, and Paul Shepherd

Commissioner(s) Absent: Robbie Doyle and David Spence

Staff Present: Becca Creasy

At approximately 6:30 p.m. Mr. Sparks called the meeting to order.

Adoption of Agenda: Mr. Pugh made a motion to adopt the agenda as presented. Mrs. Wagoner seconded the motion and the following vote was recorded:

Vote: 5 yeas	Davidson, Pugh, Shepherd, Sparks, and Wagoner
2 absent	Doyle and Spence

Minutes: Mr. Pugh made a motion to adopt the minutes of the Thursday, August 25, 2016, meeting. Mrs. Wagoner seconded the motion and the following vote was recorded.

Vote: 5 yeas	Davidson, Pugh, Shepherd, Sparks, Spence and Wagoner
2 absent	Doyle and Spence

Citizens' Time: No citizens were present.

Other Business and Questions/Comment from Commissioners: None.

Recess: At approximately 6:32 p.m. Mr. Sparks recessed the Planning Commission's meeting until their 7:00 p.m. joint public hearing with the Board of Supervisors.

Public Hearing: At 7:00 p.m. Wade Blevins, Chairman of the Board of Supervisors, and Norman Sparks, Chairman of the Planning Commission, called the joint public hearing to order. Michael Carter read the advertisement as placed in the Smyth County News and Messenger and the rules of procedure during public hearings.

Board Members Present: Chairman Wade Blevins, Rick Blevins, Todd Dishner, Charlie Atkins, Roscoe Call, Blake Frazier and Phil Stevenson

Commissioners Present: Chairman Norman Sparks, Graham Davidson Jr., Joel Pugh, Paul Shepherd, and Hazel Wagoner

Commissioner(s) Absent: Robbie Doyle and David Spence

Staff Present: Michael Carter, County Administrator; Scott Simpson, Assistant County Administrator; Jeff Campbell, County Attorney; Becca Creasy and Kelly Woods, Administrative

Assistants. Stephanie Porter Nichols with the Smyth County News, Ernie Atwell with the Smyth County Sheriff's Office and approximately 8 citizens were present.

**NOTICE OF PUBLIC HEARING
BEFORE THE SMYTH COUNTY BOARD OF SUPERVISORS
AND SMYTH COUNTY PLANNING COMMISSION
ON AMENDMENTS TO THE SMYTH COUNTY ZONING ORDINANCE**

The Smyth County Board of Supervisors and the Smyth County Planning Commission will conduct a joint public hearing on Thursday, October 27, 2016 at 7:00 p.m., or as soon thereafter, as may be heard, in the Smyth County Administration Building, 121 Bagley Circle, Marion, Virginia, to consider the following: Adoption of an amendment to the Smyth County Zoning Ordinance located in Appendix A of the Smyth County Code. The following proposed change will be considered:

Revision to Section 3-1.3 (a) – Minimum Lot Sizes and Relationship to Subdivision Ordinance in the A District: The minimum lot size in the Agricultural District shall be ~~two~~ one acres, with the exception of lots on record as allowed in Section 4-3.1 of this Ordinance.

At this public hearing, subject to the rules of procedure of the Board of Supervisors of Smyth County, Virginia, any person may appear and state his/her views thereon. In compliance with the Americans with Disabilities Act, persons requiring special assistance to attend and participate in this hearing should contact Clegg Williams, ADA Coordinator, at (276) 706-8315, at least 48 hours prior to the hearing. A copy of this proposed amendment is on file in the Office of the County Administrator of Smyth County at the address given above, and may be viewed during regular business hours Monday through Friday and at www.smythcounty.org.

Done by order of the Board of Supervisors of Smyth County, Virginia
Michael L. Carter, County Administrator
and the Smyth County Planning Commission
Norman Sparks, Chair.

Text Amendment — Reduce Agricultural District Minimum Lot Size from two acres to one acre:

Mr. Watson Gollehon spoke in opposition of the text amendment. No one else spoke on the proposal and Chairman Wade Blevins and Chairman Norman Sparks closed the joint public hearing at 7:06 p.m. Mr. Carter asked Becca Creasy if there was anything that needed to be added for which she stated no comments or questions were received.

Chairman Sparks reconvened the Commission at approximately 7:06 p.m. and opened the floor to Commissioners for comments or questions.

Recommendation on Text Amendment in Agricultural District: Commissioner Joel Pugh made a motion to recommend approving the proposed Text Amendment reducing the minimum lot size requirement in the Agricultural District from two acres to one acre. Commissioner Graham Davidson Jr. seconded the motion and the following vote was recorded.

Vote: 5 yeas	Davidson, Pugh, Shepherd, Sparks, and Wagoner
2 absent	Doyle and Spence

Recess: At approximately 7:07 p.m. Mr. Sparks recessed the Planning Commission's meeting until their 7:15 p.m. joint public hearing with the Board of Supervisors.

Public Hearing: At approximately 7:15 p.m. Wade Blevins Chairman of the Board of Supervisors, and Norman Sparks, Chairman of the Planning Commission, called the joint public hearing to order. Michael Carter read the advertisement as placed in the Smyth County News and Messenger. It was unanimously adopted to omit reading the rules of procedure for public hearings considering it was read at the 7:00 p.m. public hearing.

**BEFORE THE SMYTH COUNTY BOARD OF SUPERVISORS AND
SMYTH COUNTY PLANNING COMMISSION**

The Smyth County Board of Supervisors and the Smyth County Planning Commission will conduct a joint public hearing on Thursday, October 27, 2016, at 7:15 P.M. or as soon after 7:15 P.M. as an application may be heard, in the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia, to consider the following application(s) to the Zoning Ordinance of Smyth County, Virginia:

An application from Northwestern Emergency Vehicles for a Special Use Permit to establish Automotive Sales. The property is located at 4429 Lee Highway in Marion. It is identified as Tax Map Nos. 47C-2-12, 47C-2-13, 47C-2-14, 47C-2-15 and 47C-2-16, and is zoned Agricultural/Rural.

At this public hearing, subject to the rules of procedure of the Board of Supervisors and Planning Commission of Smyth County, Virginia, any person may appear and state his/her views thereon.

Copies of the application(s) along with their maps/drawings are on file in the Office of the County Administrator of Smyth County. Copies are also maintained by the County Zoning Administrator at the address given above, and may be viewed during regular business hours Monday through Friday.

In compliance with the Americans with Disabilities Act, persons requiring special assistance to attend and participate in this hearing should contact the Smyth County Building and Zoning Department at (276) 783-3298 ext. 8315 at least 48 hours prior to the hearing.

Done by order of the Board of Supervisors and the Planning Commission.

Michael L. Carter, County Administrator
Norman K. Sparks, Chairman of the Planning Commission

Northwestern Emergency Vehicles – Automotive Sales Special Use Permit request: Ms. Creasy stated Northwestern Emergency Vehicles is in the process of obtaining a DMV license to sell used ambulances. She stated the property is zoned Agricultural/Rural and a Special Use Permit is required for an Automotive Sales business. Notice was advertised on October 15 and 22 in

addition to letters being mailed to all adjoining property owners. She stated Clegg Williams received general questions but no one requested anything be relayed at the public hearing. Richard Hamby was present and spoke for Northwest Emergency Vehicles. He stated he is a partner with Trinity Ambulance Service which operates in the same building. In addition to obtaining local approval, he stated DMV requires him to designate a prescribed number of parking spaces to the proposed business and his proposed hours of operation before they would approve his license.

Mr. Stan Bystrek spoke on the application stating he was a neighbor and has no problem with the request; however, he would like to see the permit restricted to ambulances only.

No one else spoke on the application.

Chairman Wade Blevins and Chairman Norman Sparks closed the joint public hearing at approximately 7:21 p.m.

Chairman Sparks reconvened the Commission at approximately 7:21 p.m. and opened the floor to Commissioners for comments or questions.

Recommendation on Special Use Permit for Northwestern Emergency Vehicles:

Commissioner Joel Pugh made a motion to recommend approving a Special Use Permit for *Automotive Sales* for Northwestern Emergency Vehicles with a condition that only emergency vehicles are to be sold. Commissioner Hazel Wagoner seconded the motion and the following vote was recorded.

Vote: 5 yeas	Davidson, Pugh, Shepherd, Sparks, and Wagoner
2 absent	Doyle and Spence

Adjournment: At approximately 7:24, Mr. Sparks adjourned the Planning Commission's meeting.

Robbie Doyle, Secretary

Note from Clerk: These minutes are written as the agenda was presented. Some votes may appear out of order.

SMYTH COUNTY PLANNING COMMISSION
Thursday, December 15, 2016

The Smyth County Planning Commission met in their regular meeting on Thursday, December 15, 2016, at 6:00 p.m. in the Smyth County Office Building.

Commissioners Present: Hazel Wagoner, Graham Davidson Jr., Norman Sparks, Paul Shepherd, and David Spence

Commissioners Absent: Joel Pugh and Robbie Doyle

Staff Present: Becca Creasy

At approximately 6:00 p.m. Mr. Sparks called the meeting to order.

Adoption of Agenda: Ms. Wagoner made a motion to adopt the agenda with the addition of the Board of Supervisor's plat approval request. Mr. Spence seconded the motion and the following vote was recorded:

Vote:	5 yeas	Davidson, Shepherd, Sparks, Spence, and Wagoner
	2 absent	Pugh and Doyle

Minutes: Mr. Spence made a motion to adopt the minutes of the Thursday, October 27, 2016, meeting. Mr. Davidson seconded the motion and the following vote was recorded.

Vote:	5 yeas	Davidson, Shepherd, Sparks, Spence, and Wagoner
	2 absent	Pugh and Doyle

Citizens' Time: No one present.

Plat Approval: *Smyth County Board of Supervisors:* Becca Creasy explained the proposed plat for the Board of Supervisors' Adwolfe sewer line project. She explained the property is being purchased and the Board is requesting approval of the plat considering it creates a right-of-way for a utility and it does not meet the minimum lot size requirements.

No one else spoke on the matter.

Recommendation on Plat Approval: Commissioner David Spence made a motion to approve the plat. Commissioner Hazel Wagoner seconded the motion and the following vote was recorded.

Vote:	5 yeas	Davidson, Shepherd, Sparks, Spence, and Wagoner
	2 absent	Pugh and Doyle

Adjournment: Mr. Sparks adjourned the meeting at approximately 6:15.

Robbie Doyle, Secretary