



PLANNING COMMISSION REGULAR MEETING
WEDNESDAY, JANUARY 11, 2017
5:30 PM

[Johnnie Roark](#), Community Development Director

153A Morton Lane, Appomattox, VA 24522
www.AppomattoxCountyVA.gov

Call to Order

Determination of Quorum

1. [17-0342](#)

Election of Officers

Chairman and Vice-Chairman

Per the By Laws adopted by the Planning Commission, the Chairman and Vice-Chairman, beginning last year, shall rotate according to the alphabetical order of the election districts. Last year, Appomattox River and Courthouse (Almond/Conner) served as Chair and Vice-Chair. If you desire to follow the By Laws, Courthouse (Conner) should be nominated for Chairman and Falling River (Dickerson) should be nominated for Vice-Chairman.

2. [17-0343](#)

Consent Action

The Annual Calendar and By Laws have been attached for your review. If it suits the Commission, you may adopt both items by consent.

Documents: [PC-By Laws 2016.docx](#), [2017 Planning Commission Calendar.docx](#)

3. [17-0346](#)

2017 Work Plan

Typically, at the January organizational meeting, staff takes requests from Planning Commission members for projects or items the Planning Commission feel needs to be addressed. These projects are worked into the normal cycle of code updates, zoning petitions, and capital improvement programming.

If you have any planning areas you would like to address, this is the time to add them.

Citizen's Comment Period

Approval of Minutes

4. [17-0344](#)

December Minutes

The meeting minutes for the December 14, 2016 meeting are available for your approval.

Documents: [Dec14 Minutes.pdf](#)

Discussion of Petition/Public Hearing

Old Business

New Business

5. [17-0345](#)

Vtrans 2025 Multimodal Transportation Plan

The Region 2000 Local Government Council will be hosting an Open House for the Vtrans 2025 Multimodal Transportation Plan update on January 12, 2017 at its offices, 828 Main Street, Lynchburg, Virginia from 5:00 to 6:00 p.m. You are invited to attend. The update will include recommendations for improvements to Corridors of Statewide Significance (CoSS), Regional Networks, and Urban Development Areas (UDA's).

The recommendations in the VMTP 2025 will be presented to the Commonwealth Transportation Board mid-year in 2017. As you may know, all

Smart Scale project applications must demonstrate a need identified in the 2025 VMTP Needs assessment.

6. [17-0347](#)

Regional Planning Commission's Training Opportunity

Every few years, Region 2000 Local Government Council sponsors a one to two hour training/workshop meeting for all of the local Planning Commissions. This spring will be another opportunity for this event. If you have a specific topic you would like addressed or a particular guest speaker, please let staff know.

Adjournment

MINUTES

APPOMATTOX COUNTY PLANNING COMMISSION MEETING APPOMATTOX, VIRGINIA

Wednesday, December 14, 2016

Members Present: (Quorum)

George Almond
Steve Conner
Susan Hudson
Earl Dickerson

Members Absent:

Kevin O'Brien
Sara Carter
Joshua Mills

Also Present:

Johnnie Roark, Director of Community Development

Mr. George Almond, Chairman, called the meeting to order at 5:36 p.m. and determined that a quorum was present.

Mr. Almond circulated the attendance sheet.

Citizens Comment Period

No citizens spoke.

Approval of Minutes

Mr. Almond opened the public hearing at 5:37 p.m.

Mr. Earl Dickerson motioned, with a second by Mr. Steve Conner to approve the minutes for November. The motion passed 5-0.

Public Hearing-Capital Improvement Program FY2018 through FY2022

Mr. Roark provided a summary of the Capital Improvement Program update for FY18-FY22. Mr. Almond asked if anyone wished to speak either for or against the CIP for FY2018 through FY2022.

No one spoke.

Mr. Almond closed the public hearing at 5:38 p.m.

Discussion-Capital Improvement Program FY 2018 through FY2022

Mr. Almond asked if there was any discussion. Hearing none, he asked for a motion.

Mr. Conner motioned with a second by Mr. Dickerson to approve and recommend to the Board of Supervisors the Capital Improvement Program FY2018 through FY2022 as presented. The motion passed unanimously.

New Business

Rural Long-Range Transportation Plan Update

Mr. Roark provided an overview of the current projects listed in the RL RTP. The project number includes 40 projects located throughout the county. Mr. Roark noted recent projects he has discussed with VDOT personnel. These include improvements along Route 727 near the High School, Evergreen Avenue, and widening of Red House Road through town from Church Street to Evergreen Avenue. Also, a turn lane project on Ferguson Street at Armstrong Lane to improve traffic flow near the Primary School. Mr. Roark noted a project on Lee Grant Avenue and Pumping Station Road at the intersection of Country Club Road. Projects in the Concord area will be re-scored to help improve the chances of funding. The Old Courthouse Road project will be re-scored using more of an economic development influence to help improve its score.

Mr. Roark stated that if any member had any other transportation related projects to let him know and he would get it added to the plan.

Mr. Roark gave a brief overview of the funding mechanism through the state's new ranking system.

Adjournment

Having no further business, Mr. Almond asked for a motion to adjourn.

Mr. Conner made a motion, with Mr. Dickerson seconding, that the meeting be adjourned.

The motion carried unanimously.

The meeting was adjourned at approximately 5:50 p.m.

Approved:

George Almond, Chairman
Appomattox County Planning Commission

Attest:

Johnnie Roark
Director of Community Development

BY LAWS

APPOMATTOX COUNTY JOINT PLANNING COMMISSION

[Adopted March 17, 2003, Amended January 20, 2009, Amended June 14, 2011, Amended January 14, 2014]

ARTICLE 1 - OBJECTIVES

- 1-1 This Commission, established in conformance with the resolution adopted by the Board of Supervisors of Appomattox County, Virginia, on July 10, 1963, has adopted the following Articles in order to facilitate its powers and duties in accordance with the provisions of Code of Virginia, 15.2-2210 et seq.
- 1-2 The official title of this commission shall be the “Appomattox County Joint Planning Commission.”

ARTICLE 2 – MEMBERS

- 2-1 Membership requirements shall be dictated by Chapter 19.1 of the Appomattox County Code.

ARTICLE 3 - OFFICERS AND THEIR SELECTION

- 3-1 The officers of the Planning Commission shall consist of a Chairman, a Vice Chairman and a Clerk. Beginning with the January, 2016 selections, the Planning Commission shall rotate the Chairman and Vice-Chairman by election district following alphabetical order of the districts. The Town of Pamplin representative shall be placed in the rotation following the Wreck Island District representative. The At-Large representative shall be placed at the end of this rotation following the Town of Pamplin representative. Any member may decline the opportunity to serve as an officer. In such event, the next member in the district alphabetical order may serve.
- 3-2 Nomination of officers shall be made from the floor at the annual organizational meeting each year held in January. Election of officers shall follow immediately. So long as the Clerk is an agent of the Board of Supervisors (i.e. Planner, Zoning Administrator, etc.) annual appointment shall not be required, otherwise, the Clerk shall be appointed annually along with all other officers.
- 3-3 A candidate receiving a majority vote of the entire membership of the Planning Commission shall be declared elected. He or she shall take office immediately and serve for one year or until a successor shall take office.
- 3-4 Vacancies in office shall be filled immediately by the following election procedure. Nominations for each office shall be made by the membership during open meeting; there is no requirement that a nomination be seconded. The Chairman shall receive all nominations for the open office or offices. In the event of an election for Chairman, the

Clerk shall receive nominations. Once nominations have been received, the membership shall vote on each until a candidate receives a majority vote of the membership.

ARTICLE 4 - DUTIES OF OFFICERS

4-1 The Chairman shall be a member of the Commission and shall:

4-1-1 Preside at all meetings.

4-1-2 Appoint committees, special and/or standing.

4-1-3 Rule on all procedural questions (subject to a reversal by a two-thirds [2/3] majority vote of the members present).

4-1-4 Be informed immediately of any official communication and report same at the next regular meeting.

4-1-5 Carry out other duties as assigned by the Commission.

4-2 The Vice Chairman shall be a member of the Commission and shall:

4-2-1 Act in the absence or inability of the Chairman to act.

4-2-2 Have the powers to function in the same capacity as the Chairman in cases of the Chairman's inability to act.

4-3 The Clerk shall be the County Planner, Zoning Administrator, or other agent appointed by the Board of Supervisors, and shall:

4-3-1 Keep a written record of all business transacted by the Commission.

4-3-2 Notify all members of all meetings.

4-3-3 Keep a file of all official records and reports for the Commission.

4-3-4 Certify all maps, records, and reports of the Commission.

4-3-5 Give notice of all hearings and public meetings.

4-3-6 Attend to the correspondence of the Commission.

4-3-7 Keep a set of minutes.

4-3-8 Prepare and be responsible for the publishing of advertisements relating to public hearing.

ARTICLE 5 - STANDING AND SPECIAL COMMITTEES

5-1 The following standing committees shall be appointed by the Chairman when needed. Necessary committees should be appointed when needed.

5-1-1 A Comprehensive Plan Committee shall be composed of at least three members. They shall coordinate the work of the other committees as it progresses and relate it to the overall program and keep the Comprehensive Plan developing in a realistic and reasonable manner.

- 5-1-2 Zoning Committees shall be formed for the County and Towns of Appomattox and Pamplin. The County Zoning Committee shall be composed of at least three (3) County representatives; the Town Zoning Committees shall be composed of the representatives of the respective Towns. The Zoning Committees shall be responsible for reviewing and developing amendments to the respective zoning ordinances. The committees shall also conduct pre-application meetings with potential zoning petitioners and applicants as requested by the Clerk. The committees, at their discretion, may also meet to discuss issues germane to their localities and present recommendations on such issues to the Commission.
- 5-1-3 A Capital Improvements Committee shall be composed of at least five (5) members. The committee shall be responsible for reviewing the Appomattox County Capital Improvements Plan and associated staff reports, and making recommendations on its adoption to the governing bodies.
- 5-2 Standing committees shall be appointed for one (1) year at the annual organizational meeting of the Commission. Vacancies shall be filled by the Commission Chairman.
- 5-3 Special committees may be appointed by the Chairman for purposes and terms approved by the Commission.

ARTICLE 6 - MEETINGS

- 6-1 Regular meetings of the Commission shall be held on the second Wednesday of each month at 5:30 PM. When a meeting date falls on a legal Holiday, the meeting shall be held on the day following unless otherwise designated by the Commission.
- 6-2 Special meetings shall be called at the request of the Chairman or at the request of a quorum of the membership. Written notice of meetings shall be given to each member at least five days prior to such meetings. It shall state the time of the meeting.
- 6-3 All regular meetings, hearings, records and accounts shall be open to the public.
- 6-4 A majority of the membership of the Commission shall constitute a quorum. The number of votes necessary to transact business shall be a majority of the members present. Voting may be by roll call, in which case a record shall be kept as a part of the minutes.

ARTICLE 7 - ORDER OF BUSINESS

- 7-1 The order of business for a regular meeting shall be:
 - 7-1-1 Call to order by Chairman
 - 7-1-2 Attendance; determination of a quorum
 - 7-1-3 Citizen's Comment Period

- 7-1-4 Approval of minutes
- 7-1-5 Discussion of petitions and proposed amendments
- 7-1-6 Old business
- 7-1-7 New business
- 7-1-8 Commissioner's Concerns
- 7-1-9 Adjournment

- 7-2 Motions shall be restated by the Chairman before a vote is taken. The names of persons making and seconding motions shall be recorded.

- 7-3 Parliamentary procedure in Commission meetings shall be governed by the adopted rules of order, namely, Robert's Rules of Order.

- 7-4 The Planning Commission shall keep a set of minutes of all meetings and these minutes shall become a public record.
 - 7-4-1 The Clerk shall prepare a set of minutes for all regular, adjourned, and special meetings as well as committee meetings.
 - 7-4-2 The Clerk shall sign all minutes and at the end of the year shall certify that the minutes of the preceding year are a true and correct copy.

ARTICLE 8 - HEARINGS

- 8-1 In addition to those required by law, the Commission, at its discretion, may hold public hearings when it decides that a hearing will be in the public interest.

- 8-2 All public hearings shall follow the requirements set forth in Code of Virginia, Chapter 15.2-2200 et seq.

- 8-3 The case before the Commission shall be summarized by the Chairman, other member delegated by the Chairman, or by the Clerk. Interested parties shall have the privilege of the floor. Records or statements shall be recorded or sworn to, as evidence for any court of law, only after notice is given to the interested parties.

- 8-4 A record shall be kept of those speaking before the hearing.

- 8-5 Public Hearings
 - 8-5-1 Public hearing procedure shall be as follows:
 - a. Chairman opens public hearing
 - b. Staff Report
 - c. Petitioner's Comments
 - d. Citizen's Comments
 - e. Chairman closes public hearing

- f. Chairman presides over Planning Commission discussion
- g. Motion
- h. Next Public hearing, if necessary, repeat a through g

8-5-2 On land use matters a reasonable and sufficient time will be afforded that petitioner to properly and fairly present the subject matter. Ten (10) minutes shall be allocated to the petitioner's presentation. The petitioner may allocate the time between presentation and rebuttal. If additional time is believed to be necessary, then petitioner should contact the Director of Community Development prior to the public hearing. Any member of the Commission may ask the applicant to respond to a specific question.

8-5-3 Each speaker will have up to five (5) minutes available whether speaking as an individual or a representative of any group or organization. However, should the number of registered speakers on any item exceed ten (10), then the time will be adjusted to three (3) minutes for each speaker. Unless instructed by the majority of the Commission present and voting to do otherwise, the Chairman shall enforce the time limits, as appropriate.

8-5-4 Speakers will be limited to a presentation of their points of view except that the Chairman may entertain questions for clarification.

8-5-5 Debate is prohibited.

8-5-6 All comments will be directed to the Planning Commission as a body.

8-5-7 Decorum will be maintained. This includes common courtesy from the audience, staff, and Commission to the speaker and from the speaker to the audience, staff, and Commission. Statements, which are demeaning or inappropriate, shall be ruled out of order.

8-5-8 The Commission shall have the discretion to act on a matter appearing on a public hearing; or the Commission, by majority vote, may defer the matter to the next regular meeting. It shall be the policy of the Commission to leave the record open to receive written comments following a public hearing up until the time that a vote is taken.

ARTICLE 9 - CORRESPONDENCE

9-1 It shall be the duty of the Clerk to draft and sign all correspondence necessary for the execution of the duties and functions of the Planning Commission.

9-2 It shall be the duty of the Clerk to communicate by telephone or other electronic means when necessary to make communications that cannot be carried out as rapidly as required

through direct correspondence.

- 9-3 All official papers and plans involving the authority of the Commission shall bear the signature of the Chairman, Vice Chairman, or Clerk.

ARTICLE 10 - AMENDMENTS

- 10-1 These rules may be changed by a recorded two-thirds vote of the entire membership after thirty (30) days' prior notice.

ARTICLE 11 – CONFLICTS OF INTEREST

- 11-1 The Appomattox Joint Planning Commission shall be governed by the provisions of the Conflict of Interests Act, Code of Virginia, as amended, §2.2-3100 et seq.

- 11-2 A Commissioner shall have a conflict of interest in the following situations:

11-2-1 When a member of a Commissioner's immediate family has a financial or ownership interest in a subject property or business that is before the Commission. Immediate family includes (i) a member's spouse, (ii) any of the member's dependents, and (iii) any relative of whom the member is a dependent.

11-2-2 When a member of a Commissioner's immediate family may realize a reasonably foreseeable direct or indirect benefit or detriment as a result of Commission action.

11-2-3 When a Commissioner has a direct financial interest in a subject property or business that is before the Commission.

11-2-4 When a Commissioner is actively serving as an agent or employee of the property owner that has brought a matter before the Commission.

11-2-5. When a Commissioner has actively served as an agent or employee of the property owner that has brought a matter before the Commission, but is not currently serving as an agent or employee and has not served in either role within a period of twelve (12) months.

- 11-3 When a Commissioner has a conflict of interest, he or she shall make this fact known to the Chairman in open session prior to any deliberations or discussion of the pertinent subject. The Commissioner shall be disqualified from voting on the pertinent subject, and the Commissioner's official action on the subject shall be noted as "abstained for conflict of interest" in the meeting record.

- 11-4 Commissioners disqualified from voting by reason of conflict of interest shall be permitted to engage in discussion on the pertinent subject upon recognition by the Chairman.

11-5 A Commissioner may, at their sole discretion, abstain from voting on a pertinent subject for reasons not set forth in this Article as a conflict of interest, but in order to avoid any appearance of impropriety. The Commissioner's official action on the subject shall be noted as "abstained" in the meeting record.

2017 Planning Commission Calendar

Wednesday, January 11, 2017

Wednesday, February 8, 2017

Wednesday, March 8, 2017

Wednesday, April 12, 2017

Wednesday, May 10, 2017

Wednesday, June 14, 2017

Wednesday, July 12, 2017

Wednesday, August 9, 2017

Wednesday, September 13, 2017

Wednesday, October 11, 2017

Wednesday, November 8, 2017

Wednesday, December 13, 2017

*All meetings are held in the Board of Supervisors meeting room at Carver Price Educational Complex unless otherwise noted.

**Meetings begin at 5:30 p.m.

***Either the June, July or August meeting may be cancelled as determined by the Planning Commission, depending on the workload.