

MEETING 33 – June 17

At a Joint Meeting/Public Hearing of the Madison County Planning Commission and the Madison County Board of Supervisors on June 17, 2015 at 7:00 p.m. in the Madison County Administration Center Auditorium located at 414 N. Main Street:

PRESENT: Doris G. Lackey, Chair
R. Clay Jackson, Vice-Chair
Jonathon Weakley, Member
Robert W. Campbell, Member
V. R. Shackelford, III, County Attorney
Betty Grayson, Zoning Administrator

ABSENT: Kevin McGhee, Member

Planning Commission:

Call to Order

Mr. Yowell, Commission Chair, noted that tonight' joint meeting with the Madison County Board of Supervisors is to discuss an amendment to the County's Zoning Ordinance, relative to B-1 zones and substations.

Pledge of Allegiance & Moment of Silence

1. Determine Presence of a Quorum

Mr. Yowell, Commission Chair, noted that a Quorum was present.

2. Approval of Minutes

The minutes of the May 20, 2015 joint meeting were approved with one (1) correction.

3. Guest Speaker – Mr. Michael Chandler, Ph.D. – Planning Expert with Planning Works

Mr. Yowell introduced Dr. Michael Chandler, PhD., Planning Expert, and provided a brief overview of his professional background, goals and achievements.

Mr. Chandler provided input on tonight's proposed amendment to the comp plan, and feels the comp plan is a strategy to manage change in the County for the present and future, as required by Virginia Code. Discussions focused on the County's beauty, community planning and zoning concerns with emphasis on the following:

- The purpose of planning (i.e. improve locality, health, safety and welfare of citizens)
- The need to focus on County funding, scope and purpose of the proposed plan

Highlights were provided on

- A narrative initiated by Virginia Code (2200-2323) in 1926
- Two mandates (i.e. transportation, affordable housing – 2007/2009)
- Maps, charts,
- A narrative regarding maps and charts
- The fact that most localities (in Virginia) haven't focused on corridors in their individual comp plans

Additional specifics focused on:

- The Commission is charged with doing the comp plan
- The County is obligated to adopt the proposed plan after review by the Commission
- Comp plan must be reviewed once every five (5) years – changes can be initiated if needed
- There is no mandate to require review of the County's Zoning Ordinance
- Amendments can be made to the comp plan if requested (by the County)
- The County can use corridors that area already in place
- Comp plan (page 90-92) focuses on authority and is entitled to be reviewed

4. Updates on Dominion Power

5. Action Items:

a. Public Hearing: Ordinance ID#2015-5 [Amend Article 8, Business, General B-1, Uses Permitted by Right, Article 8-1-4, Public Services and Add Article 8, Business, General B-1, Special Use Permit, Article 8-2-9]

Mr. Yowell provided an overview of tonight's meeting process as noted on tonight's Agenda.

Mr. Yowell advised that tonight's public hearing is to discuss an amendment to the County's Zoning Ordinance to:

- Amend Article 8, Business, General B0-1, Uses Permitted by Right, Article 8-1-4, Public Services (as noted in the Ordinance) and;
- Add Article 8, Business, General B-1, Special Permit Use, Article 8-2-9 (as noted in the Ordinance)

i. Mr. Yowell then opened the floor for public comment on the proposed amendment.

The following citizens provided comments:

- Mike Mosko
- Bob Powell
- Jerry Butler
- Billy Hill
- George (Kim) Beach
- Faye Utz

After discussion, the Madison County Planning Commission recommended that the Madison County Board of Supervisors approve the amendment to the County's Zoning Ordinance to Amend Article 8, Business, General B-1, Uses Permitted by Right, Article 8-1-4, Public Services, and to Add Article 8, Business, General B-1, Special Use Permit, Article 8-2-9.

The Madison County Planning Commission temporarily adjourned their portion of tonight's meeting

After the presentation by Mr. Chandler, the Madison County Planning Commission returned to order.

4. Updates on Dominion Power/Discussion of Utility Corridors

The following Virginia Code sections were referenced:

- 15.2-2224
- 15.2-2228
- 15.2-2232
- 56.265-1

It was further noted that most planning district commissions are looking at issues involving corridors and the details that may be involved.

The County Attorney questioned if:

- There is a locality similar to Madison County that has a comp plan with a section pertaining energy (i.e. utilities)
- Whether other localities' zoning ordinance is more sophisticated regarding utilities,
And if:
- The County's zoning ordinance refers to 'transmission line' (i.e. if a use isn't permitted, then it's prohibited (based on the County's wording)

John Dillon, Attorney, was present and advised:

- There seems to be a difference between transmission lines and distribution line
- If a localities' ordinance doesn't specify 'distribution lines', then will this use not be permitted.

Mr. Dillon also provided input regarding:

- Location of transmission lines and distribution
- Distribution isn't listed in the Virginia Code

In regards to additional questions posed by the County Attorney, he advised:

- There noted there aren't any locations in Virginia, but there are some within the western and northwestern regions
- "Distribution" isn't listed in the Virginia Code and could be deemed as 'transmission'

Further points focused on the need to:

- Review and strengthen the existing comp plan
- Map existing corridors and widths involved
- Add conditions to the special use permit (to provide greater authority)

Mr. Yowell called for comments from the Commission members:

David Jones: Comments focused on:

- ✓ The County's lack of expertise regarding corridors
- ✓ Lack of knowledge as to what's needed in the future
- ✓ Concerns for public health, safety and welfare
- ✓ The need for the County & SCC to be advised of the grand scheme involved
- ✓ General Assembly provided Dominion Power the 'right of entry' on private property (ten [10] years ago)

Lloyd Williams: Comments focused on:

- ✓ Existing routes

Comments from the Board:

Chairman Lackey: Concerns focused on:

- ✓ The formation of a clearinghouse (in Virginia) where localities can exchange information/experiences

Mr. Dillon advised of a Division of State Planning & Community Affairs Office (closed in 1973); a technical research division was also in place to provide assistance with County issues; the Commission on Local Governments does have an inventory of most county, city and/or town comp plans to include conditional zoning information. It was further noted that any proffers generated must be filed with the Commission on Local Governments.

Chairman Lackey also noted that the County has:

Asked for an injunction (i.e. based on dialogue between 'company and the County' as noted on page 90 of the comp plan)

Additional concerns:

- Where existing right-of-ways are located
- Whether Dominion Power or the SCC questioned the location of existing right-of-ways
- The County hasn't had an opportunity to mediate, negotiate on the matter being proposed

Citizens providing comment:

- Robert Legge: Comments focused on how citizens would be compensated for the impact to their property; will there be a loss of profits in the State

Mr. Dillon advised that he has worked with localities in Florida, New Mexico and Arizona regarding energy development plans; however, the process in the west differs greatly from the East.

Mr. Yowell, Chair, noted that a visit was made to the PJM website last week.

Gerald Stephenson, Commission member, noted that the Orange County Board of Supervisors recently elected not to collaborate with Madison County on the transmission line issue.

It was also noted that during a recent meeting, Dominion Power changed their right-of-way proposal to total 7.3 miles (instead of 13 to 18 miles); a new path will be proposed, although the exact location isn't known at this time.

Mr. Yowell, Chair, noted that letters submitted by the Madison County Planning Commission have been received by Dominion Power representatives.

Mr. Yowell, Chair, noted that during the Board's meeting on May 13, there was a request for the Commission to look at providing consideration to the establishment of corridors; therefore, he suggested a sub-committee be established to study this concern.

After discussion, the following individuals were asked to participate on a sub-committee:

- ✓ George "Kim Beach, Chair
- ✓ Roger Gooding
- ✓ Danny Crigler
- ✓ Jerry Butler
- ✓ Steve Carpenter
- ✓ Robert Legge

5. Information/Correspondence (if any)

Mr. Yowell, Chair, advised there are no cases for the July Joint Meeting.

After discussion, the Commission voted to cancel the July Joint Meeting on July 3, 2015.

Mr. Yowell, Chair, advised that the regularly scheduled Commission workshop scheduled for July 15, 2015 will need to be rescheduled because of the annual Madison County Fair.

After discussion, the Commission voted to move the July workshop session to Wednesday, July 22, 2015 at 7:00 p.m. in the auditorium located at 414 N. Main Street, Madison, Virginia.

4. Adjournment

With no further action being required, Mr. Yowell, Chair, adjourned the Madison County Planning Commission's portion of tonight's meeting.

Board of Supervisors

Call to Order

Chairman Lackey called the Madison County Board of Supervisors' portion of tonight's meeting to order.

1. Determine Presence of a Quorum

Chairman Lackey advised that a quorum was present; Supervisor McGhee will be absent (delay at airport).

2. Adoption of Agenda

Supervisor Jackson moved the Board approve Ordinance ID#2015-5, as recommended by the Madison County Planning Commission.

3. Action Items:

a. Public Hearing: [Ordinance #2015-5 Amend Article 8, Business, Discussion:

Supervisor Weakley questioned if tonight's recommendation was in line with the County's comprehensive plan that speaks about public utilities (i.e. Objective 1, Objective 2 [denoted on page 90 and Major strategies [denoted on page 91]).

Ayes: Lackey, Jackson, Weakley, Campbell. Absent: McGhee. Nays: (0).

The Madison County Board of Supervisors suspended its portion of tonight's meeting.

**After the presentation by Mr. Chandler, The Board of Supervisors went back into session.*

5. Information/Correspondence (if any) - None

PRA:

Chairman Lackey advised of matters pertaining to PRA; the Treasurer and PRA representatives have been asked to

attend the June workshop session to discuss finances for the department and authority.

6. Adjournment

With no further action being required, on motion of Supervisor Jackson, seconded by Supervisor Weakley, Chairman Lackey adjourned the meeting. *Ayes: Lackey, Jackson, Weakley, Campbell. Absent: McGhee. Nays: (0).*

Doris G. Lackey, Chairman
Madison County Board of Supervisors

Clerk of the Board of Madison County Board Supervisors

Adopted on: August 11, 2015

Copies: Doris G. Lackey, R. Clay Jackson, Jonathon Weakley, Robert Campbell, Kevin, McGhee,
V.R. Shackelford, III, & Constitutional Officers



Agenda
Joint Meeting/Public Hearing
Madison County Planning Commission &
Madison County Board of Supervisors
Wednesday, June 17, 2015 at 7:00 p.m.
Madison County Administration Building Auditorium
414 N. Main Street, Madison, Virginia 22727



Agenda Items

Planning Commission

Call to Order

Pledge of Allegiance & Moment of Silence

1. Determine Presence of a Quorum
2. Approval of Minutes
3. Guest Speaker – Mr. Michael Chandler, PhD – planning expert with Planning Works
4. Updates on Dominion Power / Discussion of Utility Corridors
5. Action Items:
 - a. *Public Hearing: [Ordinance ID#2015-5 (Amend Article 8, Business, General B-1, Uses Permitted by Right, Article 8-1-4, Public Services, and Add Article 8, Business, General B-1, Special Use Permit, Article 8-2-9....)]*
 - i. *Public Comment*
6. Adjournment

Board of Supervisors

Call to Order

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3. Adoption of Agenda
4. Action Items:
 - a. *Public Hearing: [Ordinance ID#2015-5 (Amend Article 8, Business, General B-1, Uses Permitted by Right, Article 8-1-4, Public Services, and Add Article 8, Business, General B-1, Special Use Permit, Article 8-2-9....)]*
 - i. *Public Comment*
5. Information/Correspondence (if any)
6. Adjournment