



**TOWN OF BOWLING GREEN
PLANNING COMMISSION MEETING**

A G E N D A

**Thursday, February 15, 2024
6:00 PM**

PLEDGE OF ALLEGIANCE:

ROLL CALL AND DETERMINATION OF A QUORUM:

PUBLIC COMMENT:

NEW BUSINESS:

1. Elect Chair of Planning Commission
2. Special Use Permit Application Reviews
 - 205 N. Main Street, Zone B1: Mixed-use exception
 - 132 East Broaddus Avenue, Zone R1: Two-family dwelling exception
3. Planning Commission Workplan

UNFINISHED BUSINESS:

4. Fences Draft Ordinance

ADJOURNMENT:

To: Planning Commission for the Town of Bowling Green
Copy: India Adams-Jacobs, Town Manager & Zoning Administrator
From: J.C. LaRiviere, Community Development & Project Associate
Date: February 15th, 2024
Subject: Special Use Permit Applications- Planning Commission Review

Background:

The Town of Bowling Green received two special use permit applications in January 2024 from Mr. Jason Manns. Staff have reviewed the applications and consider them to be complete. The Planning Commission may provide input on the applications for consideration at the public hearing on the matter before the Town Council.

Matters Before the Commission:

The factors to consider regarding all special use permits include: whether the proposed use will be detrimental to the character and development of adjacent properties; consistency with code and comprehensive plan; and interference with by-right uses in area.

The application for 205 Main Street falls under the mixed-use special use exception provided under B1 zoning regulations. The only additional requirement is that the residential use be secondary to the primary business use. According to the application, the operator of the business hopes to reside above the business which provides evidence supporting the dominance of the business use.

The application for 132 East Broaddus Avenue falls under the two-family dwelling special use exception provided under R1 zoning regulations. The only additional requirement is that the two-family dwelling must be created by conversion of an existing single-family dwelling. The existing structure meets the definition of an existing single-family dwelling provided in the Zoning Ordinance.

Recommendation:

Staff recommends that the Planning Commission provide favorable input on the applications to Council. Staff will relay Commission comments to Council at the public hearing for the applications.

To: Planning Commission for the Town of Bowling Green
Copy: India Adams-Jacobs, Town Manager & Zoning Administrator
From: J.C. LaRiviere, Community Development & Project Associate
Date: February 15th, 2024
Subject: Planning Commission Annual Workplan

Background:

Town staff propose the adoption of an annual work plan for the Planning Commission for the Town of Bowling Green. The Planning Commission should discuss the work plan, submit the plan to Town Council for approval, and adopt the plan at their next meeting.

Matters Before the Commission:

Benefits of the establishment of an annual workplan for the Commission include:

- Ensures that Town Council has knowledge of, and approves of, all major initiatives of the Planning Commission
- Ensures that the Town Council, Planning Commission, and Town Staff are unified in pursuing achievable broader goals while understanding that significant time will be needed to manage routine Commission business
- Enhances communication regarding the Commission’s work and major goals to residents

This workplan is subject to change due to new Council directives and other matters that may arise relevant to the Commission as identified by staff throughout the year. However, should topics arise not requested by Council, that are not time sensitive, and do not clearly take priority over issues on the current workplan, the Commission should consider adding these items to next year’s work plan. This will assist the Commission & Town Staff in maintaining a manageable workload which will facilitate the achievement of established major goals on the work plan this year, while allowing time for routine business.

Recommendation:

Staff recommend that the Planning Commission authorize staff to submit the attached workplan for approval by Town Council.

**Town of Bowling Green Planning Commission Annual Workplan
(2/24 - 1/25)**

Months	Action Items
February- April	Propose Workplan to Council
	Adopt Annual Workplan
	Fence Ordinance Adoption
	Zoning Map Discussion
May- July	Zoning Map Discussion
	Zoning Map Adoption
August- October	
November- January	Water Service Area Discussion

**AN ORDINANCE OF THE TOWN OF BOWLING GREEN, VIRGINIA, REGULATING THE
CONSTRUCTION AND MAINTENANCE OF FENCES**

Section 1. Purpose

The purpose of this ordinance is to regulate the construction and maintenance of fences in the Town of Bowling Green, Virginia. This ordinance is intended to protect the safety of the public, promote the aesthetic quality of the town, and preserve property values.

Section 2. Definitions

For the purposes of this ordinance, the following terms shall have the following meanings:

- "Fence" means an enclosed barrier consisting of vegetation, wood, stone, or metal intended to prevent ingress or egress. For purposes of this section, the term "fence" shall include plantings, such as hedges and shrubbery. No fence shall be constructed of unsightly or dangerous materials which would constitute a nuisance.
- "Sight triangle" means a triangular area of land established at street intersections in which nothing is erected, placed, planted, or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection.
- "Intersection" means the area where two or more roads meet or cross, including driveways.
- "Hedge" means a row of bushes or small trees planted close together which may form a barrier, enclosure or boundary.

Section 3. Permits

No person shall construct a fence in the Town of Bowling Green, Virginia without first obtaining a permit from the Zoning Administrator. The applicant shall submit design specifications and a plot plan showing the lot with setbacks indicating placement of the fence with dimensions clearly shown on the plan.

Section 4. Height Restrictions and Setbacks

The height of a fence shall not exceed the following:

- In a front yard, four feet high with a setback of four feet from the edge of the road or sidewalk if present.
- In a side yard, four feet high with a setback of four feet from the edge of the road or sidewalk if present. No setback if adjacent to another parcel.
- In a rear yard, eight feet with a setback of four feet from the edge of the road or sidewalk if present. No setback required if adjacent to another parcel.
- Height restrictions do not apply to vegetative growth in side and rear yards.
- Upon determination of the Zoning Administrator, B-2 and M-1 parcels may have an extension to height requirements as defined in section 5.

All parts of the fence must be within the owner's property.

Section 5. Materials

Fences shall be constructed of materials that are durable and that will not create a hazard to the public. Front yard fences shall be open face and not solid. The following materials are prohibited:

- Broken glass, tires, hubcaps, or other automotive parts
- Electric fences
- Barbed, concertina, or razor wire.
- Chain link and other wire fencing
- Any other material that could cause injury.

Vegetative growth may be used in the construction of a fence provided all other provisions of this ordinance are followed.

Upon determination of the Zoning Administrator, parcels zoned B-2 or M-1 may have the following apply:

- Chain link fencing of a height not more than 8 feet.
- Barbed, concertina, razor, or electric wire fencing erected above an 8 foot fence to a total height not more than 12 feet.

Section 6. Temporary Fencing

- Fences erected for the protection of plantings or to warn of a construction hazard or for similar purposes shall clearly be visible or marked with colored streamers or other such warning devices at four-foot intervals.
- Such fences shall comply with the setback requirements set forth in section 4.
- Temporary fences shall not remain in place after completion of the construction.
- Permits are not required for temporary fences.

Section 7. Sight Triangles

- No person shall erect, place, plant, or allow to grow any material in a sight triangle that would limit or obstruct the sight distance of motorists entering or leaving an intersection.
- The sight triangle shall be measured from the edge of pavement at the intersection to a point 10 feet along each curb or edge of pavement.
- The sight triangle shall be clear of all obstructions, including fences, tree branches, shrubs, and other vegetation higher than 3 feet or less than 8 feet.

Section 8. Maintenance

Fences shall be maintained in a good state of repair and free of debris. Upon the determination of the Zoning Administrator, any fence that is in disrepair or that is a hazard to the public shall be removed by the property owner. If after notice of a violation the property owner has not taken corrective action, the Town may have the fence removed at the owner's expense.

Section 9. Enforcement

The Town Zoning Administrator shall be responsible for enforcing this ordinance. Any property owner that violates this ordinance shall be subject to a fine of not more than \$500.