



**TOWN OF BOWLING GREEN
PLANNING COMMISSION MEETING**

A G E N D A

**Monday December 16, 2019
6:00 PM**

ROLL CALL AND DETERMINATION OF A QUORUM:

PUBLIC HEARINGS:

1. Text Amendment to R-1 Special Use to add mixed use development
2. ZP-2019-027 Special Use Permit Application to allow for mixed use in R-1 residential zoning – 333 N. Main St., Weldon

APPROVAL OF THE MINUTES:

3. Minutes – November 18, 2019 Meeting

NEW BUSINESS:

UNFINISHED BUSINESS:

4. Proposed Bylaw revisions

INFORMATIONAL ITEMS:

ADJOURNMENT



**TOWN OF BOWLING GREEN
PLANNING COMMISSION MEETING
AGENDA ITEM REPORT**

AGENDA ITEM: Text Amendment to R-1 Special Use

ITEM TYPE: Public Hearing - Duly Advertised

PURPOSE OF ITEM: Decision - By Motion

PRESENTER: Andrea Erard, Town Attorney

PHONE: (804) 633-6212

BACKGROUND / SUMMARY:

Interest has been expressed by the public to allow light impact business activity in certain residential areas. Staff recommends a text amendment to the R-1 zoning that would allow for such activity by Special Use Permit. A Public Hearing was scheduled at last Planning Commission meeting.

The hearing has been advertised in the Free-Lance Star in accordance with state code.

ATTACHMENTS:

Public Notice run in Free Lance Star 12/3 and 12/10
Proposed text amendment.

REQUESTED ACTION:

Make recommendation to Council



TOWN OF BOWLING GREEN, VIRGINIA NOTICE OF PUBLIC HEARING

The **Bowling Green Planning Commission** will conduct two (2) public hearings on Monday December 16, 2019 at 6:00 PM in the Bowling

Green Town Hall, 117 Butler Street. The purpose of the hearings will be for the Planning Commission to receive public comment on and consider the following matters:

Ordinance Number O-2019-006 – to allow mixed use development by Special Use Permit in the R-1 Residential Zoning District. The purpose of this ordinance is to amend the Bowling Green Town Code Zoning Ordinance by adding Mixed Use Development to Section 3-116 - Special uses in R-1 zoning district.

ZP-2019-027 – Pamela Weldon – application for Special Use Permit to allow for mixed use development (antique store) at 333 N. Main Street (tax map # 43A1 4 32.) The property is located in the R-1, Residential Zoning District.

The Planning Commission will refer these matters to Town Council with its recommendation after the hearing. The complete ordinance and application are available for review at Town Hall, 117 Butler Street, during normal business hours and posted on the Town's website at <https://www.townofbowlinggreen.com>. All those wishing to comment on these matters can come to the hearings and be heard. Any person requiring assistance in order to participate in the public hearings is asked to contact the office staff by calling 804-633-6212 in advance so appropriate arrangements can be made.

A complete copy of budget is available for public inspection weekdays from 9:00 AM until 5:00 PM at the Bowling Green Town Hall, 117 Butler Street, Bowling Green, Virginia, 22427. Questions about the budget may be directed to A. Reese Peck, 3 Manager. 804-633-6212; and on the Town of Bowling Green website at www.townofbowlinggreen.com/

**Authorized by A. Reese Peck
Town Manager/Zoning Administrator**

Proposed Text Amendment to R-1

Section 3-116. Special uses.

(a) The following uses are permitted when authorized by the Town Council of Bowling Green after a recommendation from the Planning Commission:

- (1) Guest rooms.
- (2) Family care homes.
- (3) Two-family dwellings created by conversion of an existing single-family dwelling into a two-family dwelling.
- (4) Day-care center.
- (5) Bed and Breakfast Establishment.
- (6) Mixed Use Development - a residential use and a business use that is compatible with the neighborhood.



**TOWN OF BOWLING GREEN
PLANNING COMMISSION MEETING
AGENDA ITEM REPORT**

AGENDA ITEM: ZP-2019-027 Special Use Permit Application
ITEM TYPE: Public Hearing - Duly Advertised
PURPOSE OF ITEM: Decision - By Motion
PRESENTER: Andrea Erard, Town Attorney
PHONE: (804) 633-6212

BACKGROUND / SUMMARY:

Ms. Pam Weldon, 333 N. Main St., has applied for a Special Use Permit to allow for mixed use development on her property pursuant to the pending text amendment. Legal counsel has advised that the Public Hearings can be run in tandem, with action on each item being taken separately.

A Public Hearing was scheduled at last Planning Commission meeting.

The hearing has been advertised in the Free-Lance Star and public Notice sent directly to neighboring properties in accordance with state code

ATTACHMENTS:

Public Notice run in Free Lance Star 12/3 and 12/10
ZP-2019-027 – Weldon, 333 N. Main St. – Special Use Permit

REQUESTED ACTION:

Make recommendation to Council.



TOWN OF BOWLING GREEN, VIRGINIA NOTICE OF PUBLIC HEARING

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**Authorized by A. Reese Peck
Town Manager/Zoning Administrator**

Type of Permit

Please check appropriate box(s)

Residential

Commercial

Single Family

Alteration

Multi-Family No. of units _____

Reroof

Addition Specify _____

Remodeling

Accessory Building Less Than 100 Feet Specify _____

Accessory Building More Than 100 Feet Specify _____

Commercial/Industrial Structure

Verification of Non-Conforming Use

Sign Permit 30 FT or Less Specify _____

Sign Permit More Than 30 FT Specify _____

Zoning Certification Letter

Modification/Variance Specify _____

Special Use Permit (*Property Owner Notification Required*) Specify _____

Administrative Appeal Specify _____

Other Specify Concurrently apply for text amendment to allow mixed-use by Special Use Permit in R-1 and apply for a Special Use Permit for mixed-use to operate an antique store in existing house.

Water and Sewer

What is your water supply source?

What is your sewage disposal source?

Municipal

Private Well

Municipal

Septic Tank

Certification by Owner/Applicant

I certify that I have the authority to make the foregoing application, that the information given is correct, including any attached plans or drawings, and that all construction will conform with all applicable state, county, and town laws, ordinances, and regulations with regard to zoning, health and building. Failure to do so will automatically render this permit invalid. I understand that two copies of a plot plan (or a plan for signs) must be submitted with this application, that construction requires a building permit Issued by the Caroline County Building Official, that a separate application must be made for water & sewer connections, and that all contractors must register with the Town prior to commencing work. I agree to repair any damages to sidewalks, streets, and utilities caused during this construction. I agree to pay an inspection deposit and notify the Zoning Administrator within ten (10) days of completion of the work for an inspection and issuance of Certificate of Zoning Compliance. Failure to do so may result in the forfeiture of the inspection deposit which in no way relieves me of any obligation to comply with all Town requirements. Land may be used or occupied, and buildings structurally altered or erected may be used or changed in use, only after the Certificate of Zoning Compliance is issued.

11/06/2019

Date



Owner/Applicant Signature

**** FOR TOWN USE ONLY ****

<u>Refer to Planning Commission</u>	<input type="checkbox"/>	Yes		<input type="checkbox"/>	No
<input type="checkbox"/> Recommend Approval	<input type="checkbox"/>	Recommend Disapproval	Date _____		
<u>Refer to Town Council</u>	<input type="checkbox"/>	Yes		<input type="checkbox"/>	No
<input type="checkbox"/> Approved	<input type="checkbox"/>	Disapproved	Date _____		
<u>Refer to Director of Public Works</u>	<input type="checkbox"/>	Yes		<input type="checkbox"/>	No
<input type="checkbox"/> Recommend Approval	<input type="checkbox"/>	Recommend Disapproval	Date _____		
<u>Zoning Administrator</u>	<input type="checkbox"/>	Approved		<input type="checkbox"/>	Disapproved
<input type="checkbox"/> Approved with Conditions (See Attached)			Fee Paid \$ <u>750.00</u>		
_____ Zoning Administrator Signature			_____ Date		

CERTIFICATE OF ZONING COMPLIANCE

The building, its proposed use, or the use of the land, as described in the above application and permit complies with the provisions of Chapter 126 (Zoning) of the Code of the Town of Bowling Green and any applicable conditions.

Zoning Administrator Signature

Date

REMINDER!!

Issuance of this permit does not mean work can begin. Permits must be obtained from the Caroline County Building Official and possibly (depending on the scope of the work) Virginia Department of Transportation (VDOT) and the Health Department or Department of Environmental Quality (DEQ). It is the responsibility of the owner/applicant to check with these agencies to ensure all permits are obtained before beginning work.

ADJACENT PROPERTY OWNERS

The following are all of the individuals, firms, or corporations owning property adjacent to both sides and rear, and the property in front of (across the street from) the property for which a Special Use Permit is requested. **All adjacent property owner information is required to be accurate and complete before the application can be accepted.**

NAME

STREET ADDRESS

1) _____
Mailing Address: _____

2) _____
Mailing Address: _____

3) _____
Mailing Address: _____

See Attached

4) _____
Mailing Address: _____

5) _____
Mailing Address: _____

6) _____
Mailing Address: _____

7) _____
Mailing Address: _____

8) _____
Mailing Address: _____

9) _____
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11) _____
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12) _____
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13) _____
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14) _____
Mailing Address: _____

15) _____
Mailing Address: _____

CAROLINE COUNTY

INSERT 43A1

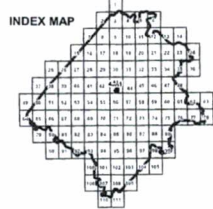
Last Updated 2/7/2018



Map information is believed to be accurate, but accuracy is not guaranteed. Any errors or omissions should be reported to Caroline County. In no event will the County be liable for any damages or other pecuniary loss that may arise from the use of this data.



- LEGEND**
- County Boundary
 - 42 Lots
 - Sections / Blocks
 - Roads
 - Streams
 - Water Bodies
 - Fire Stations
 - Schools
 - Inserts Adjacent Maps Lots



* = Applicants Property
 • = Neighboring Property to receive Notice of Application



**TOWN OF BOWLING GREEN
PLANNING COMMISSION
AGENDA ITEM REPORT**

AGENDA ITEM: Minutes – November 18, 2019 Meeting
ITEM TYPE: Action Item
PURPOSE OF ITEM: Discussion Only
PRESENTER: Melissa Lewis, towntreasurer@townofbowlinggreen.com
PHONE: (804) 633-6212

BACKGROUND / SUMMARY:

Minutes from the 11/18/2019 Planning Commission Meeting

ATTACHMENTS:

11/18/19 Meeting Minutes

REQUESTED ACTION:

Approve.

**TOWN OF BOWLING GREEN
PLANNING COMMISSION MEETING**

MINUTES

**Monday, November 18, 2019
6:00 PM**

ROLL CALL AND DETERMINATION OF A QUORUM:

PRESENT

Chairperson Jeff Voit
Vice Chairperson Valarie Coyle
Commissioner Armando Flores
Commissioner Arthur Wholey
Commissioner Lisa Gattie

Chairman Voit stated that a quorum was present and called the meeting to order.

Introduction and welcome of newly appointed member - Chairman Voit introduced and welcomed Lisa Gattie to the Commission

NEW BUSINESS:

Text Amendment to R-1 Special Use - Motion made by Vice Chairperson Coyle, Seconded by Commissioner Flores to schedule a public hearing for December 16, 2019 at 6:00 p.m. and authorize staff to advertise for a text amendment to add mixed use development to R-1, residential Zoning, Special Uses.

Voting Yea: Chairman Voit, Vice Chairperson Coyle, Commissioner Flores, Commissioner Wholey, Commissioner Gattie. Motion passed.

ZP-2019-027 Special Use Permit Application - Motion made by Commissioner Flores, Seconded by Vice Chairperson Coyle to schedule a public hearing for December 16, 2019 at 6:00 p.m. and authorize staff to advertise for consideration of ZP-2019-027 - application for Special Use Permit in the R-1 residential zoning district made by Pamela Weldon to allow for mixed use development at 333 N. Main St..

Voting Yea: Chairman Voit, Vice Chairperson Coyle, Commissioner Flores, Commissioner Wholey, Commissioner Gattie. Motion passed.

UNFINISHED BUSINESS:

Final Review of Comp Plan Citizen Advisory Committee - Chairperson Voit reviewed his vision for the Comp Plan Citizen Advisory Committee. He stated he had three members confirmed for the committee and asked the Commission for additional recommendations. The second Monday at 6:00 p.m. was set as the regular meeting date and time of the Comp Plan Citizen Advisory Committee.

INFORMATIONAL ITEMS:

Commission Bylaws review - The following sections of the Planning Commission Bylaws were discussed:

4-2-1: omit *and*

4-3-10: add *and/or electronic means* following *telephone*

6-1-1: does State Code require meeting schedule to be published in a newspaper?

Article 7: rearrange Order of Business, add Public Comment and language on policy and time limit, add Commission Reports/Comments.

9-2-8: discussion/explanation

Staff was asked to provide revisions at the next meeting.

ADJOURNMENT

Following a motion made by Commissioner Wholey, Seconded by Commissioner Flores, the meeting adjourned at 6:53 p.m.



TOWN OF BOWLING GREEN PLANNING COMMISSION AGENDA ITEM REPORT

AGENDA ITEM: Proposed Bylaw revisions

ITEM TYPE: Action Item

PURPOSE OF ITEM: Decision - By Motion

PRESENTER: Melissa Lewis, towntreasurer@townofbowlinggreen.com

PHONE: (804) 633-6212

BACKGROUND / SUMMARY:

The Planning Commission Bylaws are to be reviewed annually and revisions made as necessary. Bylaws were last reviewed in January 2019

ATTACHMENTS:

- Bylaws with marked revisions
- State Code excerpts §15.2-2214, 15.2-2221, and 15.2-2223

REQUESTED ACTION:

Adopt revisions.

TOWN OF BOWLING GREEN PLANNING COMMISSION

BYLAWS*

TOWN OF BOWLING GREEN PLANNING COMMISSION

ARTICLE 1

OBJECTIVES

- 1-1. This planning commission, re-established pursuant to an Ordinance enacted by the Town of Bowling Green Town Council on the 17th day of January, 2018, has adopted these subsequent Articles in order to clearly delineate its powers and duties in accordance with the provisions of the Code of Virginia, 1950, as amended.
- 1-2. The official title of this planning commission shall be the "Town of Bowling Green Planning Commission."

ARTICLE 2

MEMBERS

- 2-1. In accordance with the provisions of the Code of Virginia, 1950, as amended, the Town of Bowling Green Planning Commission shall consist of five (5) members, one member of the Bowling Green Town Council and four of which are appointed at-large by the Bowling Green Town Council. All commission members shall be residents of the Town of Bowling Green, qualified by knowledge and experience to make decisions on questions of community growth and development. At least one-half of the commission members must be owners of real property in the Town of Bowling Green.
- 2-2. After initial appointments, Commission member appointments shall be for a term of four years except that the Bowling Green Town Council representative shall serve a two year term. Vacancies on the Planning Commission shall be filled by the Town of Bowling Green Town Council for the unexpired term only.
- 2-3. Commission members may be removed for malfeasance in office.
- 2-4. All members of the planning commission shall serve with compensation in an amount specified by the governing body.

* Adopted by the Bowling Green Planning Commission, January 28, 2019

TOWN OF BOWLING GREEN PLANNING COMMISSION

ARTICLE 3
OFFICERS AND THEIR SELECTION

- 3-1. The officers of the planning commission shall consist of a chairman and vice-chairman. The Town of Bowling Green Zoning Administrator shall serve as secretary and staff to the planning commission and may designate town staff or other consultants as needed for timely completion of assignments.
- 3-2. Nomination of officers shall be made from the floor at the regular January meeting each year. Election of officers shall follow immediately thereafter.
- 3-3. A candidate receiving a majority vote of the entire membership of the planning commission shall be declared elected and shall take office immediately and serve for one (1) year or until his successor shall take office.
- 3-4. Vacancies in office shall be filled immediately by regular election procedures.

ARTICLE 4
DUTIES OF OFFICERS

- 4-1. The *chairman* shall be a citizen 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 [3/5] majority vote of the members present;
 - 4-1-4. Be informed immediately of any official communication and report same at the next regular meeting; and
 - 4-1-5. Carry out other duties as assigned by the governing body.
- 4-2. The *vice-chairman* shall be a citizen member of the commission and shall:
 - 4-2-1. Act in the absence or inability of the chairman to act, ~~and~~

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* Adopted by the Bowling Green Planning Commission, January 28, 2019

TOWN OF BOWLING GREEN PLANNING COMMISSION

- 4-2-2. Have the powers to function in the same capacity of the chairman in cases of the chairman's inability to act.
- 4-3. The *secretary* 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 of the commission;
 - 4-3-4. Certify all maps, records and reports of the commission;
 - 4-3-5. Serve notice of all hearings and public meetings;
 - 4-3-6. Attend to the correspondence of the commission as hereinafter prescribed;
 - 4-3-7. Keep a set of minutes as hereinafter prescribed;
 - 4-3-8. Prepare and be responsible for the publishing of advertisements relating to public hearings in compliance with the requirements of the Code of Virginia, 1950, as amended;
 - 4-3-9. Draft and sign all correspondence necessary for the execution of the duties and functions of the planning commission; and
 - 4-3-10. Communicate by telephone whenever necessary to accomplish communications that cannot be carried out as rapidly as required through direct correspondence. A record of such communication shall be kept and presented at the next meeting of the commission.
- 4-4. All official papers and plans involving the authority of the commission shall bear the signature of the chairman or vice-chairman together with the certification signed by the secretary and chairman.

* Adopted by the Bowling Green Planning Commission, January 28, 2019

TOWN OF BOWLING GREEN PLANNING COMMISSION

ARTICLE 5
COMMITTEES, STANDING AND SPECIAL

- 5-1. Special Committees may be appointed by the chairman for purposes and terms approved by the commission.
- 5-2. All committees are appointed to more efficiently and expeditiously research and develop recommendations for the planning commission's consideration. No committee has authority to hold public hearings or to take final action on any matter. The planning commission has sole authority to act on those matters as permitted by the Code of Virginia, 1950, as amended and to make recommendations to the Bowling Green Town Council.
- 5-3. The Bowling Green Zoning Administrator shall serve as staff to each committee.

ARTICLE 6
MEETINGS

- 6-1. Regular meetings of the commission shall be held on the third Monday of each month. When such regular meeting date is scheduled on a State designated holiday or the chairman declares that weather or other conditions are such that it is hazardous for members to attend the meeting, the meeting shall be held on the following Monday. All hearings and other matters previously advertised for such regular meeting shall be conducted at the continued meeting and no further advertisement is required.
- 6-1-1. ~~The commission shall cause a copy of the yearly regular meeting schedule to be inserted in a newspaper having general circulation in the Town of Bowling Green~~ publicly posted at the Town of Bowling Green Business Office and electronically at least seven days prior to the first meeting held pursuant to the adopted schedule.
- 6-2. Special meetings shall be called at the request of the chairman or at the request of two members. Such requests for special meetings shall be made to the Bowling Green Zoning Administrator who shall be responsible for notice of such meeting by mail to all members. Written notice of meetings shall be given to each member at least five (5) regular days in advance of a special meeting and shall state the purpose, time and place of the special meeting.
- 6-2-1. Written notice of a special meeting is not required if the time of the special meeting has been fixed at a regular meeting or if all members file a written waiver of notice.
- 6-3. Pursuant to the Virginia Freedom of Information Act, meetings, hearings, records, and accounts shall be open to the public.

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* Adopted by the Bowling Green Planning Commission, January 28, 2019

TOWN OF BOWLING GREEN PLANNING COMMISSION

6-4. A majority of the membership of the commission shall constitute a quorum and no action of the planning commission shall be valid unless authorized by a majority vote of those present and voting.

6-5. All documents, requests, applications, and forms of communication that require action by the Town of Bowling Green Planning Commission or review by a committee must be received fourteen (14) business days prior to the next scheduled meeting to allow for town staff processing and distribution to the members of the Town of Bowling Green Planning Commission and adequate time for review by the members prior to the meeting which they are scheduled for action. Items received less than fourteen (14) business days will be assessed by the Bowling Green Zoning Administrator for urgency and if not urgent, will be acknowledged as received at the next scheduled meeting and deferred for action until the following meeting.

ARTICLE 7
ORDER OF BUSINESS

7-1. **ROLL CALL AND DETERMINATION OF A QUORUM:**

7-1.1 ~~**PUBLIC HEARING PUBLIC COMMENT:**~~

~~7-1.2 **PUBLIC HEARING:**~~

~~7-1.23 **APPROVAL OF THE MINUTES:**~~

7-1.34 **NEW BUSINESS:**

~~7-1.45 **REPORT OF THE ZONING ADMINISTRATOR:**~~

~~7-1.56 **UNFINISHED BUSINESS:**~~

~~7-1.67 **INFORMATIONAL ITEMS:**~~

~~7-1.7 **COMMISSION COMMENTS AND REPORTS:**~~

~~7-1.78 **ADJOURNMENT:**~~

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* Adopted by the Bowling Green Planning Commission, January 28, 2019

TOWN OF BOWLING GREEN PLANNING COMMISSION

- 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. All votes shall be recorded in the minutes as roll call votes.
- 7-3. Parliamentary procedure in commission meetings shall be governed by Robert's Rules of Order. The rules and procedures under Robert's Rules of Order may be waived or temporarily suspended on a designated matter by a majority vote of commission members present and voting.
- 7-3-1. These by-laws may be modified by a recorded two-thirds (3/5) vote of the entire membership.
- 7-4. The planning commission shall keep a set of minutes of all meetings and these minutes shall become public record.
- 7-4-1. The secretary shall cause a set of minutes for all regular, continued, and special meetings to be prepared.
- 7-4-2. The chairman 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 of same.

ARTICLE 8
HEARINGS

- 8-1. The planning commission shall hold public hearings as required by the Code of Virginia, 1950, as amended.
- 8-2. Notice of such hearings shall be published in accordance with the requirements of the Code of Virginia, 1950, as amended.
- 8-3. The matter before the commission shall be summarized by the chairman, and parties in interest shall have the privilege of the floor. No record or statement shall be recorded, or sworn to, as evidence for any court of law without notice to the parties in interest.
- 8-4. A record shall be kept of those speaking before the hearing.

* Adopted by the Bowling Green Planning Commission, January 28, 2019

TOWN OF BOWLING GREEN PLANNING COMMISSION

ARTICLE 9
DUTIES OF THE COMMISSION

- 9-1. To effectuate the duties and powers of a local planning commission under the Code of Virginia, 1950, as amended, the Bowling Green Planning Commission shall:
- 9-1-1. Exercise general supervision of, and make regulations for, the administration of its affairs;
 - 9-1-2. Prescribe rules pertaining to its investigations and hearings;
 - 9-1-3. Supervise its fiscal affairs and responsibilities, under rules and regulations as prescribed by the Bowling Green Town Council;
 - 9-1-4. Keep a complete record of its proceedings; and be responsible for the custody and preservation of its papers and documents;
 - 9-1-5. Make recommendations in an annual report to the Bowling Green Town Council concerning the operation of the Bowling Green Planning Commission and the status of planning within its jurisdiction;
 - 9-1-6. Prepare, publish and distribute reports, ordinances and other material relating to its activities;
 - 9-1-7. Prepare and submit an annual budget request in the manner prescribed by the Bowling Green Town Council; and
 - 9-1-8. Establish advisory committees, if deemed advisable.
- 9-2. The commission shall perform those duties and functions as requested by the Bowling Green Town Council and as required by the Code of Virginia, 1950, as amended which shall include but not be limited to the following:
- 9-2-1. Prepare and recommend a comprehensive plan for the physical development of the Town of Bowling Green. In the preparation of the comprehensive plan, the commission shall make careful and comprehensive surveys and studies of the existing conditions and trends of growth, and of the probable future requirements of its land and citizens;
 - 9-2-2. Review and determine whether any requested amendment to the adopted Town of Bowling Green zoning map is substantially in accord with the adopted comprehensive plan and communicate its findings to the Bowling Green Town Council;

* Adopted by the Bowling Green Planning Commission, January 28, 2019

TOWN OF BOWLING GREEN PLANNING COMMISSION

- 9-2-3. Review and consider all additions and modifications to the official zoning map referred by the Bowling Green Town Council which shall be acted upon within ninety (90) days of referral;
- 9-2-4. Prepare and recommend any amendment to the subdivision ordinance and transmit it to the Bowling Green Town Council;
- 9-2-5. Prepare and revise annually a capital improvement program based on the comprehensive plan. The commission shall submit the program annually to the Bowling Green Town Manager at such time as the Town Manager directs;
- 9-2-6. Review and make recommendations on applications for special exceptions, and when deemed necessary, on appeals and applications for special permits filed with the Board of Zoning Appeals (BZA);
- 9-2-7. Review and make recommendations on preliminary and final development plans; and
- 9-2-8. Approve or disapprove the general or approximate location, character and extent of streets, parks or other public areas, public buildings, public structures, public utilities, or public service corporations, other than railroads, **whether publicly or privately owned.**

ARTICLE 10 EDUCATION REQUIREMENTS

- 10-1. All appointees to the Town of Bowling Green Planning Commission are required to attend and successfully complete a Planning Commissioners Course. The appointee will make every attempt to attend the course in the first year of the appointed term. Should class schedule, funding, or personal circumstances prevent attendance in the first year, the class will be completed as soon as possible.
- 10-2. The Chairman of the Town of Bowling Green Planning Commission shall identify all educational requirements for the upcoming budget year and provide the request for funds to the Town Manager during the budget development cycle. Other educational opportunities that will benefit the town planning process may be identified by the Chairman of the Town of Bowling Green Planning Commission and appropriate approvals and funding will be requested from the governing body or projected for the next budget cycle.

Commented [t2]:

1. See state code 15.2-2221 and 15.2-2223.

-Wording combines aspects of state code to form this statement.

2. Question from Commissioner Coyle on whether Planning Commission should be reviewing plans submitted to EDA for Façade improvement Grants:

-Planning Commission gives recommendations on non-by right planning/zoning requests.

-EDA does not approve work to be done; it only decides if grant funds will be awarded.

-Owner must obtain Zoning Permit that is reviewed administratively for zoning compliance.

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* Adopted by the Bowling Green Planning Commission, January 28, 2019

§ 15.2-2221. Duties of commissions

To effectuate this chapter, the local planning commission shall:

1. Exercise general supervision of, and make regulations for, the administration of its affairs;
2. Prescribe rules pertaining to its investigations and hearings;
3. Supervise its fiscal affairs and responsibilities, under rules and regulations as prescribed by the governing body;
4. Keep a complete record of its proceedings; and be responsible for the custody and preservation of its papers and documents;
5. Make recommendations and an annual report to the governing body concerning the operation of the commission and the status of planning within its jurisdiction;
6. Prepare, publish and distribute reports, ordinances and other material relating to its activities;
7. Prepare and submit an annual budget in the manner prescribed by the governing body of the county or municipality; and
8. If deemed advisable, establish an advisory committee or committees.

Code 1950, § 15-963.7; 1962, c. 407, § 15.1-444; 1997, c. 587.

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

§ 15.2-2214. Meetings

The local planning commission shall fix the time for holding regular meetings. The commission, by resolution adopted at a regular meeting, may also fix the day or days to which any meeting shall be continued if the chairman, or vice-chairman if the chairman is unable to act, finds and declares that weather or other conditions are such that it is hazardous for members to attend the meeting. Such finding shall be communicated to the members and the press as promptly as possible. All hearings and other matters previously advertised for such meeting shall be conducted at the continued meeting and no further advertisement is required. The commission shall cause a copy of such resolution to be inserted in a newspaper having general circulation in the locality at least seven days prior to the first meeting held pursuant to the adopted schedule.

Commissions shall meet at least every two months. However, in any locality with a population of not more than 7,500, the commission shall be required to meet at least once each year.

Special meetings of the commission may be called by the chairman or by two members upon written request to the secretary. The secretary shall mail to all members, at least five days in advance of a special meeting, a written notice fixing the time and place of the meeting and the purpose thereof.

Written notice of a special meeting is not required if the time of the special meeting has been fixed at a regular meeting, or if all members are present at the special meeting or file a written waiver of notice.

Code 1950, § 15-963.2; 1962, c. 407, § 15.1-439; 1990, c. 664; 1997, c. 587; 2003, c. 403.

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

§ 15.2-2223. Comprehensive plan to be prepared and adopted; scope and purpose

A. The local planning commission shall prepare and recommend a comprehensive plan for the physical development of the territory within its jurisdiction and every governing body shall adopt a comprehensive plan for the territory under its jurisdiction.

In the preparation of a comprehensive plan, the commission shall make careful and comprehensive surveys and studies of the existing conditions and trends of growth, and of the probable future requirements of its territory and inhabitants. The comprehensive plan shall be made with the purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the territory which will, in accordance with present and probable future needs and resources, best promote the health, safety, morals, order, convenience, prosperity and general welfare of the inhabitants, including the elderly and persons with disabilities.

The comprehensive plan shall be general in nature, in that it shall designate the general or approximate location, character, and extent of each feature, including any road improvement and any transportation improvement, shown on the plan and shall indicate where existing lands or facilities are proposed to be extended, widened, removed, relocated, vacated, narrowed, abandoned, or changed in use as the case may be.

B. 1. As part of the comprehensive plan, each locality shall develop a transportation plan that designates a system of transportation infrastructure needs and recommendations that include the designation of new and expanded transportation facilities and that support the planned development of the territory covered by the plan and shall include, as appropriate, but not be limited to, roadways, bicycle accommodations, pedestrian accommodations, railways, bridges, waterways, airports, ports, and public transportation facilities. The plan shall recognize and differentiate among a hierarchy of roads such as expressways, arterials, and collectors. In developing the plan, the locality shall take into consideration how to align transportation infrastructure and facilities with affordable, accessible housing and community services that are located within the territory in order to facilitate community integration of the elderly and persons with disabilities. The Virginia Department of Transportation shall, upon request, provide localities with technical assistance in preparing such transportation plan.

2. The transportation plan shall include a map that shall show road and transportation improvements, including the cost estimates of such road and transportation improvements from the Virginia Department of Transportation, taking into account the current and future needs of residents in the locality while considering the current and future needs of the planning district within which the locality is situated.

3. The transportation plan, and any amendment thereto pursuant to § 15.2-2229, shall be consistent with the Commonwealth Transportation Board's Statewide Transportation Plan developed pursuant to § 33.2-353, the Six-Year Improvement Program adopted pursuant to subsection B of § 33.2-214, and the location of routes to be followed by roads comprising systems of state highways pursuant to subsection A of § 33.2-208. The locality shall consult with the Virginia Department of Transportation to assure such consistency is achieved. The

transportation plan need reflect only those changes in the annual update of the Six-Year Improvement Program that are deemed to be significant new, expanded, or relocated roadways.

4. Prior to the adoption of the transportation plan or any amendment to the transportation plan, the locality shall submit such plan or amendment to the Department for review and comment. The Department shall conduct its review and provide written comments to the locality on the consistency of the transportation plan or any amendment to the provisions of subdivision 1. The Department shall provide such written comments to the locality within 90 days of receipt of the plan or amendment, or such other shorter period of time as may be otherwise agreed upon by the Department and the locality.

5. The locality shall submit a copy of the adopted transportation plan or any amendment to the transportation plan to the Department for informational purposes. If the Department determines that the transportation plan or amendment is not consistent with the provisions of subdivision 1, the Department shall notify the Commonwealth Transportation Board so that the Board may take appropriate action in accordance with subsection F of § 33.2-214.

6. If the adopted transportation plan designates corridors planned to be served by mass transit, as defined in § 33.2-100, a portion of its allocation from (i) the Northern Virginia Transportation Authority distribution specified in subdivision B 1 of § 33.2-2510, (ii) the commercial and industrial real property tax revenue specified in § 58.1-3221.3, and (iii) the secondary system road construction program, as described in Article 5 (§ 33.2-351 et seq.) of Chapter 3 of Title 33.2, may be used for the purpose of utility undergrounding in the planned corridor, if the locality matches 100 percent of the state allocation.

7. Each locality's amendments or updates to its transportation plan as required by subdivisions 2 through 5 shall be made on or before its ongoing scheduled date for updating its transportation plan.

C. The comprehensive plan, with the accompanying maps, plats, charts, and descriptive matter, shall show the locality's long-range recommendations for the general development of the territory covered by the plan. It may include, but need not be limited to:

1. The designation of areas for various types of public and private development and use, such as different kinds of residential, including age-restricted, housing; business; industrial; agricultural; mineral resources; conservation; active and passive recreation; public service; flood plain and drainage; and other areas;
2. The designation of a system of community service facilities such as parks, sports playing fields, forests, schools, playgrounds, public buildings and institutions, hospitals, nursing homes, assisted living facilities, community centers, waterworks, sewage disposal or waste disposal areas, and the like;
3. The designation of historical areas and areas for urban renewal or other treatment;
4. The designation of areas for the implementation of reasonable measures to provide for the continued availability, quality, and sustainability of groundwater and surface water;
5. A capital improvements program, a subdivision ordinance, a zoning ordinance and zoning district maps, mineral resource district maps and agricultural and forestal district maps, where applicable;

6. The location of existing or proposed recycling centers;
7. The location of military bases, military installations, and military airports and their adjacent safety areas; and
8. The designation of corridors or routes for electric transmission lines of 150 kilovolts or more.

D. The comprehensive plan shall include the designation of areas and implementation of measures for the construction, rehabilitation and maintenance of affordable housing, which is sufficient to meet the current and future needs of residents of all levels of income in the locality while considering the current and future needs of the planning district within which the locality is situated.

E. The comprehensive plan shall consider strategies to provide broadband infrastructure that is sufficient to meet the current and future needs of residents and businesses in the locality. To this end, local planning commissions may consult with and receive technical assistance from the Center for Innovative Technology, among other resources.

1975, c. 641, § 15.1-446.1; 1976, c. 650; 1977, c. 228; 1988, c. 268; 1989, c. 532; 1990, c. 19; 1993, cc. 116, 758; 1996, cc. 585, 600; 1997, c. 587; 2003, c. 811; 2004, cc. 691, 799; 2005, cc. 466, 699; 2006, cc. 527, 563, 564; 2007, c. 761; 2012, cc. 729, 733; 2013, cc. 561, 585, 646, 656; 2014, cc. 397, 443; 2018, cc. 420, 691, 796, 828.

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.