AGENDA
Thursday, August 25, 2016
6:00 p.m.

1. Call Meeting to Order

2. Adoption of Agenda

3. Adopt Minutes of July 28, 2016, meeting (pg. 3-7)

4. Citizens Time

5. Request from Board of Supervisors to consider an amendment to the proposed Map Amendment of the Agricultural District (pg. 8)

6. Questions/Comments from Commissioners

7. Adjournment
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
**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, 5500, 5511, 5520, 5521, 5530, 5531, 5532, 5533 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
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
July 28, 2016

"If the locality generates a zoning change – for their own planning reasons and not at the request of the landowner, then property within the new zoning, if in a land use program, will NOT have rollback taxes nor will it be taken out of land use as long as the program requirements are still being met by the landowner." *

Real estate assessments for tax purposes are established by a mass appraisal firm hired by Board of Supervisors. Our last re-assessment was in 2014 and our next re-assessment will be in 2020. Values are not determined by zoning, but rather by comparable sales.

Property values are not subject to change until the next re-assessment scheduled for 2020, unless a property owner initiates a change in use by obtaining a building permit for an addition, new home or barn. Other examples would be: an owner developing a subdivision, having a survey recorded among the land records of Circuit Court that reflects an increase or decrease of the acreage currently on record, or selling a portion of a currently owned parcel of land.

Should you have any questions, please feel free to contact me. (276) 782-4040.

Sincerely,

Jeff Richardson

*Land Use Taxation Manual, as provided by the Commissioners of the Revenue Association of Virginia