

**Orange County Planning Commission
Regular Meeting
Gordon Building Meeting Room
112 W. Main Street, Orange, VA 22960
Thursday, March 20, 2014
Minutes**

Present: Donald Brooks, Andy Hutchison, George Yancey J.P. Tucker, III,
Nigel Goodwin, James Crozier, BOS Representative

Staff Present: Gregg B. Zody, Director; Josh Frederick, Senior Planner; Tom Lacheny,
County Attorney; Janet Jones, Senior Administrative Assistant

All discussion and comment made during this meeting was captured via digital audio recording. The minutes as written below are intended to be a summary of this discussion and comment. Anyone desiring detailed information about comment or discussion made during the meeting is referred to the recording.

1. Call to Order

2. Determination of Quorum

Chairman Brooks called the meeting to order at 7:00 p.m., and stated a quorum was present to conduct business.

3. Approval of Agenda

Chairman Brooks asked if there were any additions to or deletions from the agenda.

Chairman Brooks asked that the agenda be amended to include Interim County Administrator R. Bryan David doing a presentation on the proposed budget.

A motion was made by Mr. Hutchison, seconded by Mr. Yancey that the agenda be approved as amended. Motion carried 5-0.

4. Approval of Minutes

Chairman Brooks asked for additions to or deletions from the minutes of January 16, 2014.

A motion was made by Mr. Goodwin, seconded by Mr. Hutchison that the minutes of January 16, 2014 approved as presented. Motion carried 5-0.

5. Public Comment

Chairman Brooks opened the floor for public comment.

There were no speakers.

Chairman Brooks closed the public comment period.

Budget Review – R. David Bryan, Interim County Administrator

County Administrator David reviewed the draft budget procedures through his handout, discussing the budget drivers for the tax increase, expenditures and revenues, maintaining a fund balance, and long-term capital needs. Commissioners had general inquiries, notably about

development (residential vs. commercial, and which better serves the tax coffers).

Chairman Brooks closed out the presentation by inquiring whether the Commission was on the right track with their current task of amending the zoning and subdivision ordinances, given how high the Rte 3 area is prioritized by the BOS. Administrator David stated he agrees the Commission is heading in the right direction.

6. Old Business

A. Board of Supervisors Report – Jim Crozier

Supervisor Crozier briefly spoke on the budget preparation process and stated the route three corridor is the primary area of concern to be discussed during the Charette.

B. Planning and Zoning Report – Gregg Zody

Mr. Zody distributed to the Commission a memorandum summarizing the 2014 General Assembly legislation affecting land use with recommendations for ordinance changes to comport with State law. Mr. Zody stated the three bills that need substantial discussion and possible BOS action are SB51 (Farm activity); HB209 (Making preliminary plats for less than 50 lots optional); and HB1173 (Opt-out option for SWMP). SB51 generated the most discussion as it was generally agreed that local interpretation of the “customary activities” and “substantial impact” will cause a lot of litigation.

Mr. Zody also handed out the ARC agenda for March 25, 2014 for an SUP application for special events (weddings, parties, etc) at a property on Rapidan Road. The Commission briefly discussed other similar applications forthcoming. Mr. Zody noted no formal applications have been received to date.

The Commission discussed the structure and format of the Charrette and confusion about their roles in the process.

C. Route 3 Sub-Committee Report

The Commission continued the discussion on the Charrette and frustration of no participation by the members.

7. New Business

Chairman Brooks began the discussion of the division policies with the comparative division policies of adjacent and outlier localities prepared by Mr. Zody.

Chairman Brooks solicited comments regarding on how to proceed with establishing division policy.

Mr. Goodwin suggested three examples of division policies (high, medium, low alternatives), presenting drafts to public ahead of any public hearing, and to make sure the Comp Plan policies are followed.

Mr. Tucker was in agreement with the three scenario concept and public input.

Mr. Yancey commented on focusing on adjacent localities in the chart, noting that the County had one of the lower road frontage requirements (200', and 250' would be a happy medium), constructing a direct and selective manner in which to present to the public, which he also supported.

Chairman Brooks was complimentary of staff's efforts in assembling data, but had difficulty flipping back and forth, creating confusion. Chairman Brooks emphasized the Commission needs to listen to the public when making policy decisions. Chairman Brooks stated he is favor of Town Hall-style meetings. Chairman Brooks also requested staff to organize the data table by adjacent localities with like-sized populations, economies, and tax rates.

The Commission discussed the Commission needs to listen to the public even when it is in opposition to what they're proposing, i.e. Comprehensive Plan.

Mr. Hutchison commented the Commission needs to address the A1 and A2 districts differently than the Villages and Town-Suburban-Residential districts in terms of densities and division rights. Mr. Hutchison referenced the table in the Comprehensive Plan which defined each of the land use categories and that the PC should be using that as a guide.

Chairman Brooks suggested three meetings (north, central, southern) and hold the meetings on three consecutive nights and conducted in conjunction with the BOS. The Commission also discussed conducting five Town-Hall meetings (one in each district) instead of three.

The Commission discussed the formatting of the Town Hall meetings with speakers from that district being allowed to speak first, and if there was enough time, speakers from outside of the respective district could comment.

Mr. Goodwin spoke briefly of 5 acres min. lot size. Mr. Zody stated that if the county wants to call a zoning district "Agricultural", then it should be reflective of an agricultural land use district, with a minimum of 5 acres plus 1 acre for a homestead.

Mr. Lacheney pointed out that would entail downzoning all of the Agricultural zoned property. Mr. Lacheney suggested an alternative that would allow a certain number of lots being allowed to be developed on a parcel. Mr. Zody stated that it was a sliding-scale, density-based approach, which staff strongly recommends.

Mr. Goodwin suggested adding a column to the new chart which would identify the maximum number of lots permitted, or the net, as the case may be.

Mr. Lacheney told the members that if they are serious about proceeding down this path (sliding scale, density-based division policies), then they will have to be prepared for downzoning as well (i.e. mass notifications to property owners), and that it is better to enact such a policy while the economy is still on the downside.

8. Commissioner Comments

Mr. Zody presented Mr. Hutchison with a plaque commemorating his service on the Commission and to the public.

9. Next meeting

The next meeting of the Commission is scheduled for April 8, 2014; two public hearings scheduled first being an SUP application from Grymes Memorial School and second hearing on text amendments.

10. Adjourn

A motion was made by Mr. Hutchison, seconded by Mr. Tucker that the meeting be adjourned. Motion carried 5-0. Meeting adjourned at 9:16 pm.

Donald Brooks, Chairman

Gregg B. Zody, Secretary