Albemarle County Planning Commission
February 25, 2005

The Albemarle County Planning Commission held a retreat meeting on Friday, February 25, 2005 at 6:00 p.m., at L'etoile Restaurant, 817 W. Main Street, Charlottesville, Virginia. Members attending were William Rieley, Rodney Thomas, Marcia Joseph, Vice-Chair, Jo Higgins, Pete Craddock, Calvin Morris and Bill Edgerton, Chairman. Absent was David J. Neuman, FAIA, Architect for University of Virginia.

Other officials present were Mark Graham, Department Director of Community Development; Lee Caitlin, Facilitator and Sharon Taylor, Recording Secretary.

Call to Order and Establish Quorum:

Mr. Edgerton called the regular meeting to order at 6:00 p.m. and established a quorum. The Planning Commission had a working dinner while Lee Caitlin facilitated the meeting to cover all of the items on the agenda.

Agenda:

Ms. Caitlin asked for input from each Commissioner on what they felt were the major issues and what they hoped to accomplish from their discussions. She asked that the Commission discuss their expectations to make sure they accomplish what the group hopes for.

The following items were identified as issues to discuss:

- Role Clarification
- The role of the ARB and their decision making and private wells.
- Determine validity of issues/prioritize. If not valid, then drop and put the issue to rest.
- Understand perspective – Discuss and understand items that underlie particular types of projects.
- Individual rights vs. community rights.
- Impact of Comp Plan vs. Ordinance and its consistency.

Ms. Catlin stated that these are things that the Commission is concerned about. The question is how the Commission wants to deal with these issues and whether they were interested in subsequent meetings. This question is something that they will work through on Saturday morning. The next item on the agenda was getting to know each other a little better. She split the Commissioners into individual groups to get to know each other better by asking the following questions.

"Get-to-know-each-other-better" informal introductions of Commissioners to each other including:

What do we each do in our "day jobs"?
Why did we agree to serve on PC?
What experiences and skills does each of us bring to the Commission?
What are our passions?

The entire group held a discussion on the four questions that were posed.

The meeting moved on to the next item.

Clarification of roles and responsibilities of Board of Supervisors, Planning Commission, Architectural Review Committee, and Staff.

Mark Graham provided an overview to lead the discussion on the clarification of the roles and responsibilities of the Planning Commission with the Board of Supervisors, Architectural Review Board and Staff. He referred to Greg Kamptner's Land Use Handbook to discuss the role of the Planning Commission and what they can do. Some of those items include making recommendations to the Board of Supervisors on planning issues, recommendations on the CIP and the Zoning Ordinance. He discussed the role the Commission plays in ministerial acts versus legislative acts. On ministerial acts the Commission is not to make a judgment on whether it is a good or bad plan, but only if it satisfies the

requirements of the ordinance or not. If the plan does not meet the requirements of the ordinance, then the Commission must identify the deficiencies and what needs to be done to correct them. He pointed out that this was very important to do. He discussed the advisory role of the Commission to the Board of Supervisors and the ARB's advisory role to the Commission.

There was some discussion about the ARB having to consider the Design Guidelines. The Design Guidelines are approved by the Board of Supervisors. The question arose on whether the Design Guidelines came before the Planning Commission for review. The Planning Commission expressed interest in having the Design Guidelines presented to them.

Mr. Graham asked to consider the Commission's discretionary review that typically involves a waiver. He referred the Commission to Chapter 10 of the Land Use Workbook. He pointed out that the standards prescribed have to be precise for the subject matter and are defined by the ordinance. The Commission has to base their denial on the ordinance. He stated that discretionary acts set the Planning Commission's role.

The following items were identified as concerns regarding the ARB's role with the Planning Commission review:

- There are two groups with two different agendas.
- Coordinating the reviews and the scheduling.
- Nobody synchronizes the two reviews. The applicant either comes to Planning Commission without going to ARB because of missed deadline or because the applicant did not want to.
- Suggestion made concerning the possibility of having an ARB member being a part of the Planning Commission for communication purposes.

Regarding the Planning Commission's role with the Board of Supervisors:

- The Commission discussed how often they communicate with Board members.
- The Commission discussed their advisory role to the Board.
- The Commission needs to make an investment to get good information to the Board and not whether it is a good or bad decision.
- What needs to be done to help with this communication?

Mr. Graham stated that the Board is the primary customer for staff. He read the County's vision statement. He pointed out that how long it takes to get through the process is another element of the process that is very important.

Ms. Catlin pointed out that the Commission had never gotten the Board's initiative objectives or strategic plan, which was a total disconnect. She stated that was a linkage piece that needs to be done.

The following concerns were raised during the discussion of staff's role with the Planning Commission:

- The Planning Commission needs complete staff information in the staff report. A suggestion was made that the format of the staff report be changed to an executive summary of only one page with attachments.
- The process needs to be improved to provide a standardized review process. Staff is the informed expert giving the information. The Planning Commission as a group expects staff to bring forth their best professional advice based on their expertise and professional judgment. A distinction should be made between ministerial act and discretionary act. If it is a discretionary action staff should lay out their professional opinion such as favorable vs. unfavorable. Staff should be bringing their professional opinion to the Commission on factors they feel are relevant on that decision. Concerning ministerial issues staff should only address if the request meets the ordinance regulations. Some issues surfaced during the discussion that needs further action.
- The Planning Commission needs all of the background information on applications.
- The recommendations need to be based on the ordinance requirements.

Regarding the ARB:

- There was some discussion about the nature of the advisory role and how binding it is.
- Differentiate between legislative and ministerial decisions.
- Evaluating different criteria, i.e. Design Guidelines and Comprehensive Plan.
- Dual decision – should be synchronized to be done in more orderly fashion.

Regarding the Board of Supervisors:
- Communications between Planning Commission and Board.
- As a group and as a member what should it look like?
- Has the County staff given the Commission what the Board wants concerning where they are trying to move the County so that the Commission can have the benefit of that information?

Regarding the Planning Commission's role of being advisory:
- Expedite process
- Comp Plan – when joint discussion should take place.

Regarding staff's role with Planning Commission:
- Staff's role was seen as the Planning Commission's resource to make an informed decision since they rely on staff's complete work for their ultimate decisions.
- Question of objectivity vs. advisory. Where does the Planning Commission want staff to be in the role of professional judgment and recommendations?

Ms. Catlin stated that they would continue this discussion tomorrow morning. At the end of the meeting they would decide whether to come back to it and what they want to do with it. As an example, the Planning Commission wants to review the Board's strategic plan. She stated that they would revisit these items after their discussions tomorrow to see what else needs to be discussed.

Adjournment:

With no further items, the meeting adjourned at 8:20 p.m. to 8:00 a.m. on February 26 at the County Office Building, Room 235, 401 McIntire Road, Charlottesville, Virginia.

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V. Wayne Cilimberg, Secretary

(Recorded and transcribed by Sharon Claytor Taylor, Recording Secretary.)