Albemarle County Planning Commission
July 26, 2007

The Albemarle County Planning Commission held a special meeting and work session on Thursday, July 26, 2007, at 6:00 p.m., at the County Office Building, Lane Auditorium, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

Members attending were Jon Cannon, Calvin Morris, Vice-Chairman; Marcia Joseph, Chairman; Bill Edgerton, Duane Zobrist and Pete Craddock. Eric Strucko was absent. Julia Monteith, AICP, Senior Land Use Planner for the University of Virginia, was absent. Mr. Cannon left the meeting at 7:10 p.m. Mr. Kamptner left the meeting at 8:15.

Other officials present were Wayne Cilimberg, Planning Director; Elaine Echols, Principal Planner; Stuart Wright, Permit Plans Reviewer; Mark Graham, Director of Community Development and Greg Kamptner, Deputy County Attorney.

Call to Order and Establish Quorum:

Ms. Joseph called the special meeting to order at 6:02 p.m. and established a quorum.

Work Session:

ZTA-2004-02 Neighborhood Model Ordinance Amendments

Zoning Ordinance Amendments for Setbacks to Implement the Neighborhood Model (Elaine Echols ACIP) (Attachment – staff report)

In summary, the Planning Commission held a work session to discuss concepts for Zoning Ordinance and Subdivision Ordinance Amendments for setbacks to implement the Neighborhood Model. Ms. Echols presented a power point presentation to review the concepts. Public comment was provided by two members of the audience Don Franco and Neil Williamson. The Commission reviewed and discussed the concepts for the proposed changes, answered questions posed by staff and made comments and suggestions. Staff requested that the Commission forward individual comments before the next work session. The Commission asked staff to set up another work session as soon as possible in order to cover the remaining items noting that starting at 4:00 p.m. would be acceptable. No formal action was taken.

The Commission made the following comments and suggestions:

- There should be a minimum, but not a maximum building setback in the residential districts to prevent “cookie-cutter” design and too much homogeneity.

- Consideration should be given to different setbacks for different zoning districts.

    - The minimum lot size requirement for residential districts should be dropped. This may remove the need for different setbacks for different districts.
    - The proposed 5’ side yard setback for both primary and accessory structures removes the need for a 5’ building separation between main and accessory structures.

    - Discussion was held on how to avoid someone from building too large of a house on a small lot. The possibility of adding a building lot ratio was discussed, but it was noted that a minimum lot size might be necessary.

    - Staff needs to study how lot width requirements might relate to preventing too large a house on a small lot.

    - More discussion is needed on when a thick vegetative buffer should front a street rather than have the buildings front the street. It is not a good situation to see the backs of buildings

along the street if access provides for internal circulation that would be in keeping with the Neighborhood Model.

Old Business:

Due to having to leave early, Mr. Kamptner requested that the Commission consider one item of old business concerning Rio Truck Repair. At Tuesday's meeting the Commission made a motion to bring an action challenging the Zoning Administrator's decision. He had told the Commission that they could do that. The Code section that establishes the standing refers to public officials, boards, bureaus and departments as the local entities and officials that could bring the action. He said that they have always worked under the assumption that the term "bureau" was a catch-all for all the different sub-bodies that may exist under the Board or the Town or City Council. He said he did some research and a bureau is something unique unto itself. The statutes that refer to "boards, bureaus and commissions" – if the commission or local planning commission is included – the "local planning commission" or the "commission" is identified separately. His suggestion, which is not as their attorney because he is now conflicted out, would be that the commission make a motion to rescind the prior motion and that any member of the commission may certainly bring the appeal as a public official. That is explicitly authorized under the enabling authority.

Motion: Mr. Zobrist made a motion to rescind the resolution or motion passed on Tuesday, July 24, 2007 and pass a new motion enabling the Chairman of the Planning Commission, Marcia Joseph, as a public official, to appeal the decision of the Zoning Administrator in the Rio Truck Repair matter.

Mr. Craddock seconded the motion.

Mr. Morris noted that hopefully the motion would allow any other members of the Commission to assist.

Mr. Kamptner replied yes, that they were acting as individual public officials. Mr. Zobrist's motion is intended to specify a particular one, but if anyone else wants to that would be within their authority.

The motion was approved by a vote of 5:0. (Mr. Cannon and Mr. Strucko were absent.)

Mr. Kamptner left the meeting at 8:15 p.m.

Work Session Continued:

The Commission thanked the members of the public for their comments.

The Commission asked staff as a high priority to set up another work session to finish this discussion. Due to the work load the Commission agreed to a 4:00 p.m. work session as long as there was a quorum in order to keep the issue going.

Mr. Cilimberg said that staff will work on a summary of the Commission's primary points of decision and bring it back for review. Based on some of the comments tonight he heard some concern about the whole issue of revisiting the relegated parking. He suggested that they focus on some of the hot buttons issues such as the perception that the proposal would require parking in the rear, when it actually is proposed on the side.

Old Business

Ms. Joseph asked if there was any old business. There being none, the meeting proceeded.

New Business

Ms Joseph asked if there was any new business.

- The Commission was invited tomorrow afternoon, July 27, 2007 at 4:30 p.m. to the lobby of the County Office Building for the unveiling of some important accomplishments of easements in Albemarle County's rural areas.

There being none, the meeting proceeded.

Adjournment

With no further items, the meeting adjourned at 8:25 p.m. to the Tuesday, July 31, 2007 meeting at 6:00 p.m. at the County Office Building, Second Floor, Auditorium, 401 McIntire Road, Charlottesville, Virginia.

_____

V. Wayne Cilimberg, Secretary

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