Albemarle County Planning Commission
October 7, 2008

The Albemarle County Planning Commission held a meeting, work session and public hearing on Tuesday, October 7, 2008, at 6:00 p.m., at the County Office Building, Lane Auditorium, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

Members attending were Thomas Loach, Linda Porterfield, Marcia Joseph, Bill Edgerton, Eric Strucko and Calvin Morris, Chairman. Mr. Edgerton arrived at 6:10 p.m. Mr. Cannon was absent. Julia Monteith, AICP, non-voting representative for the University of Virginia was absent.

Other officials present were Joan McDowell, Principal Planner, David Benish, Chief of Planning; Amelia McCulley, Director of Zoning/Zoning Administrator; Elaine Echols, Principal Planner, Lee Catlin, Community Relations Manager; Mark Graham, Director of Community Development; Ron Higgins, Chief of Zoning; Wayne Cilimberg, Director of Planning; Bill Fritz, Chief of Community Development and Greg Kamptner, Deputy County Attorney.

Call to Order and Establish Quorum:

Mr. Morris called the regular meeting to order at 6:00 p.m. and established a quorum.

Other Matters Not Listed on the Agenda from the Public:

Mr. Morris invited comment from the public on other matters not listed on the agenda. There being none, the meeting moved to the next item.

Committee Reports:

Mr. Morris invited committee reports.

- Ms. Porterfield reported that the Historic Preservation Committee continues to work on its draft ordinance.
- Mr. Loach reported that the Crozet Library Committee met last week and saw the first plans from the architectural consultants for one- and two-story combinations of how they were going to lay out the library.
- Mr. Morris reported that as far as the Eastern Connector that the public knows as much as he knows at this particular time. Whether the Eastern Connector Committee will be meeting again he had no idea.

There being no further committee reports, the meeting moved to the next item.

Other Matters Not Listed on the Agenda from the Public:

Mr. Morris invited comment from the public on other matters not listed on the agenda.

Neil Williamson, with the Free Enterprise Forum, said last week he spoke to the Commission with regard to a work session on the Economic Development chapter of the Comp Plan. In those comments he suggested that the preface of the Comp Plan chapter was weak. That was criticism and perhaps not as constructive as it could have been. So in an effort to try and provide constructive criticism, he has put forth language working with some other folks to address what he envisioned from what has been done and what has been said with regard to

economic development in the community. It really only focuses on paragraph 3, which was something that Mr. Strucko recognized at last meeting. He read the following:

"The purpose of this Economic Development Policy is first and foremost to provide the local citizenry with an improved standard of living and enhanced quality of life. Economic growth and vitality are required to sustain and enhance the human, economic, cultural and natural characteristics of our community. By creating and sustaining a high quality diversified economic environment citizens will enjoy improved job opportunities, competitive wages, work force development opportunities and a diversified tax base. With well defined development areas they will seek to designate opportunity sites to address future growth needs in a manner that will add to the strength of our community. We will engage with our resident and new enterprises seeking to expand their businesses. We will work to find appropriate development area sites to accommodate this positive growth. We will work with resident and new agricultural enterprises to an environmentally sustainable manner to maximize their productivity and tourism opportunities as a part of our overall strategy to preserve the rich agrarian traditional and texture of our rural area. We recognize our position along with the City of Charlottesville as the center of the regional economy. We recognize the economic objectives of the other localities in the region while renewing our commitment to our own economic development within the framework of our growth management objectives."

Mr. Williamson invited the Commission to compare this with the current Comp Plan. He has worked diligently to try to address many of the concerns that he thought that this Commission has. He wanted the Commission to have a chance to review this before the night of the public hearing. He thought that bringing this forth might provide a better discussion and perhaps take some of the good and see what they think in moving it forward.

Mr. Strucko supported every word of the strong statement. He hoped that the Commission gives it some serious consideration as they look forward to final adjustments to the Comprehensive Plan language for this.

There being no further comments, the meeting moved to the next item.

Review of Board of Supervisors Meeting – October 1, 2008.

Mr. Cilimberg summarized the actions taken by the Board of Supervisors on October 1, 2008.

Consent Agenda:

b. <u>Approval of Minutes</u>: August 28, 2007

b. <u>Water Supply Plan</u>
Amend the Natural Resources and Cultural Assets and the Land Use sections of the Albemarle County Comprehensive Plan to reflect new studies and community decisions regarding needed water supply for the Urban Service Area, new state requirements for County-wide water supply planning, and County initiatives relating to drought response. (David Benish)

Mr. Morris asked if any Commissioner would like to pull this item from the consent agenda.

Mr. Edgerton pointed out that Ms. Joseph had already pulled the Water Supply Plan from the consent agenda for discussion.

Mr. Morris asked for action on the approval of the minutes of August 28, 2007 noting that two Commissioners would abstain.

Motion: Ms. Joseph moved and Mr. Strucko seconded for approval of the consent agenda excluding the Water Supply Plan.

The motion passed by a vote of 4:0:2. (Porterfield and Loach abstained.) (Cannon was absent.)

Mr. Morris noted that the minutes of August 28, 2007 were approved.

b. <u>Water Supply Plan</u>
Amend the Natural Resources and Cultural Assets and the Land Use sections of the Albemarle County Comprehensive Plan to reflect new studies and community decisions regarding needed water supply for the Urban Service Area, new state requirements for County-wide water supply planning, and County initiatives relating to drought response. (David Benish)

Ms. Joseph noted that she pulled this item because there were several items that she would like to discuss. First, she asked that "safe yield" be defined because it is not clear what they are talking about. She submitted a list of typos circled in red to be incorporated in the text. The discussion regarding water conservation and use efficiency on page four was good and would handle the future. She noted that Sally Thomas had suggested some other language be added in an email. She asked that the University of Virginia be added on page four since they had been doing some things concerning conservation.

Mr. Benish noted that the University of Virginia participates in the dry-response team. He incorporated Ms. Thomas' recommendation under the water conservation section as an additional strategy that reflects a desire to promote rain-water harvesting as a method to efficiently utilize water that falls to the county.

Mr. Edgerton agreed with the recommended text.

Ms. Porterfield asked if staff put anything in about gray water since that is a method used in other areas.

Mr. Benish replied that they did not. The initial intent here was not to do a comprehensive update of that section. The goal of this amendment was primarily to update our water supply plan and water resource. This is a useful addition. But there are probably a lot of other additions that they could make. He wanted to keep the focus of this amendment to reflect our water supply plan goal. He was open to other changes, but felt that they have to draw the line.

Mr. Edgerton noted that the use of gray water was a good idea, but the Health Department would get involved in the discussions.

Mr. Morris asked if staff saw any problem with adding the one new strategy.

Mr. Benish replied that he did not because it was a useful one to add.

Mr. Morris noted that it could be added as an additional bullet.

Mr. Benish noted that if the Commission could condition the approval, he would make sure that the definition of "safe yield" was added.

Ms. Joseph asked that the University of Virginia be added as part of the support group.

Mr. Cilimberg suggested that the Commission make their recommendation to the Board of Supervisors with the additions suggested tonight. The Board would then hold a public hearing at which interested parties would have an opportunity to speak.

Motion: Mr. Edgerton moved and Ms. Porterfield seconded to recommend approval of the Water Supply Plan amendments as recommended by staff, as amended, with the following additions:

- Ms. Thomas' recommendation as a strategy,
- the reference to the University of Virginia,
- the definition of "safe yield," and
- the correction of the typos submitted by Ms. Joseph.

The motion passed by a vote of 6:0. (Cannon absent)

Public Hearing Items:

SP-2008-00047 Stony Point Fire Department (Sign # 95)
PROPOSED: Amend SP 2007-13 to increase size of outbuilding for storage and office uses approved for the expansion of Stony Point Fire Station. ZONING CATEGORY/GENERAL USAGE: VR - Village Residential: agriculture, compact residential (0.7 unit/acre); EC - Entrance Corridor: Overlay to protect properties of historic, architectural or cultural significance from visual impacts of development along routes of tourist access. SECTION: 12.2.2.3, Fire and rescue squad stations (reference 5.1.09). COMPREHENSIVE PLAN LAND USE/DENSITY: Rural Areas - preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/ density (.5 unit/ acre). ENTRANCE CORRIDOR: Yes. LOCATION: 3827 Stony Point Road (Route 20), 0.2 miles south of intersection of Route 20 and Route 600. TAX MAP/PARCEL: Tax Map 48 Parcel 18D. MAGISTERIAL DISTRICT: Rivanna (Joan McDowell)

Ms. McDowell made a power-point presentation and summarized the staff report.

The proposal is to expand the existing fire station by adding outbuilding for storage and office uses.

Staff has identified the following factors favorable to this application:

1. The existing facility meets an important public-safety need. The new outbuilding would help the fire company meet space needs without creating new impacts on the surroundings.

Staff has not identified any factors unfavorable to this application.

The major change in the condition of approval was that they would stipulate no more than 2,000 square feet. The location of the building is in general accord with the concept plan. Based on the findings contained in this staff report, staff recommends approval of Special Use Permit 2007-00013 under the following condition:

1. The Stony Point Volunteer Fire Department's ~~The fire station's improvements and the scale and~~ outbuilding shall be no more than 2,000 square feet and the location of the ~~improvements~~ outbuilding shall be developed in general accord with the conceptual plan

entitled “Conceptual Plan SP 2007-13,” prepared by Thomas B. Lincoln Land Surveyor Inc., dated 3/22/07, revised by the applicant and received 9/3/08.

Mr. Morris opened the public hearing and invited the applicant to come forward.

Neil Craft, with the Offices of Facilities Development, was present to answer questions related to the project.

There being no questions, Mr. Morris invited public comment. There being none, the public hearing was closed and the matter came back before the Commission.

Motion: Mr. Strucko moved and Mr. Edgerton seconded to approve SP-2008-00047, Stony Point Fire Department with the condition as recommended by staff.

1. The Stony Point Volunteer Fire Department’s outbuilding shall be no more than 2,000 square feet and the location of the outbuilding shall be developed in general accord with the conceptual plan entitled “Conceptual Plan SP 2007-13,” prepared by Thomas B. Lincoln Land Surveyor Inc., dated 3/22/07, revised by the applicant and received 9/3/08.

The motion passed by a vote of 6:0. (Cannon absent)

Mr. Morris said that SP-2008-00047, Stony Point Fire Department would go to the Board of Supervisors on October 8 with a recommendation for approval.

Public Hearing Items:

STA-2008-00001 Rural Areas 2-lot Street Standards
Amend Sections 14-207, Rural subdivisions, 14-404, Lot location to allow access from lot onto street or shared driveway, 14-412, Standards for private streets only, and 14-434, Completion of on-site improvements required prior to plat approval, of Chapter 14, Subdivision of Land, of the Albemarle County Code. This ordinance would amend Sec. 14-207 by making rural subdivisions subject to Sec. 14-404; Sec. 14-404 by requiring that the first subdivision plat approved for a parcel after the effective date of this ordinance (the “parent parcel”) must establish a single public or private access from an existing public or private street outside of the parent parcel to the lots within the subdivision, and would require that the proposed street provide such access for all future subdivisions within the parent parcel, and would delete the requirement that all subsequent divisions of the residue enter only onto such streets shown on the approved final plat and have no immediate access onto any public street; Sec. 14-412 by deleting the standard for residential private streets serving 2 lots and requiring such streets to meet the standard currently required for streets serving 3 to 5 lots; Sec. 14-434 by deleting the exception for certain private streets from the requirement that all on-site improvements be completed prior to approval of the final plat where surety in lieu of completion of the improvements is not authorized. A copy of the full text of the ordinance is on file in the office of the Clerk of the Board of Supervisors and in the Department of Community Development, County Office Building, 401 McIntire Road, Charlottesville, Virginia. (Amelia McCulley)

Mr. Fritz separated the request into two parts because there are two main areas of this proposal. The first part is a single point of access component, and the other is the road standard. This is a rehashing of an action that was taken on February 6, 2008. There are two amendments being proposed - the two-lot road standard and the single point of access. He made a power-point presentation and reviewed the staff report.

Mr. Morris asked if the items would be taken separately.

Mr. Fritz replied that the Planning Commission can take a single action, but the presentation will be done separately so there can be two separate conversations.

- The proposal is to require all subdivisions of property from an effective date forward to share the same point of access, a single entrance. Why is this back before the Commission? Frankly, staff told the Commission what the ordinance would do, but forgot to actually write the ordinance to do that. Therefore, staff made a mistake and now is adding that language. Staff is proposing a section that will require rural divisions to comply with Section 14-404, which is the section being amended. The purpose of this amendment is to reduce the number of entrances onto a public road and thereby reduce conflict points for accidents. By reducing the number of access roads serving a property, the resulting roads would meet a higher construction standard and private road maintenance will be shared amongst more properties. These changes do not impact family divisions or development-area shared driveways.
- What happens is that a large parcel is divided into Parcel A and Parcel B. This is a rural division, and each lot is approved with a separate entrance onto the public street. Subsequent subdivisions occur where Parcel A is divided into a front and back division served by a private street serving parcels A1 and A2. Another subdivision would subdivide Parcel B into B1 and B2 with a private street that serves those two. Under the proposed ordinance, there would be a single entrance. Waivers from the Commission are available.
- Staff recommends that the Commission adopt the revised subdivision text amendment that is Attachment B. This subdivision text amendment is set for a public hearing with the Board of Supervisors on November 12. The ordinance codifies what staff described in its August presentation to the Commission.

Ms. Joseph asked what section they were looking at and where are the changes.

Mr. Fritz noted that the only changes from the material presented to the Commission in August were in Section 14-207(d) in 14-404.

Ms. Joseph noted that the big concern expressed by the public after the last meeting was the Highway Department and that this would stop rural development because of Highway Department requirements. She questioned if it had something to do with sight distance. With a single point of access it has to have a certain sight distance. A driveway does not have a sight distance requirement.

Mr. Fritz noted that on the slide where Parcel A and Parcel B are divided and Parcel A is further divided, the lots are served either by one or two access points. Therefore, the VDOT standard is going to be the private-street access. If on the other hand the ordinance was amended, all four of the lots would require that a single point of access be used for the property as it exists now and all subsequent divisions of the property would have to use that access. There would be four lots accessing a single point. That would require a commercial entrance, which does have higher entrance requirements.

Ms. Joseph said that in essence it is supposed to be a safer entrance for all of the four residents that are using it.

Mr. Fritz agreed that it improved the sight distance.

Ms. Porterfield asked if family subdivisions would be the only properties not affected by this change.

Mr. Fritz replied that this will not apply to family subdivisions. There is also an exemption to a different provision of the ordinance regarding inter-parcel connections in the development areas. What you would have is one section of the ordinance saying have multiple connections and another section of the ordinance saying that you will only get one. Staff removed that conflict.

Ms. Porterfield questioned why family divisions were not included.

Mr. Fritz said that if a family division occurs and it is held for four years and the family chose to further divide that property, then it would be subject to this regulation. That would not be a family division.

Mr. Strucko asked if no upgrades to different standards would have to be made.

Mr. Fritz replied that is correct.

Mr. Edgerton asked if the State Code would prohibit the Commission from applying this to family divisions.

Mr. Kamptner noted that because Albemarle County is a high-growth locality, the County can establish the regulations they desire.

Mr. Loach asked for clarification that this came out of the resolution of intent dated February 6, 2008 from the Board of Supervisors as Attachment A.

Mr. Fritz replied that it was the resolution of intent that was included in the packet dated February 6, 2008, which was supported by the Board of Supervisors.

Mr. Loach asked if there was a provision for a wavier of this requirement.

Mr. Fritz replied a waiver could be requested.

Mr. Loach asked if this was done in accordance with Fire/Rescue officials.

Mr. Fritz replied that Fire/Rescue issues were included in road standards. Single point of access does not have much to do with the road standards that were developed in association with Fire/Rescue and engineers.

Ms. McCulley noted that the indirect positive impact and basic planning concept behind restricting access is reducing the number of conflict points along a highway. Each conflict point could create an accident. In terms of public safety, this a better solution than allowing as many entrances as the frontage allowed.

Mr. Morris asked staff if they want to take the second part for public input.

Mr. Fritz noted that the second part deals with the standard of the road once you get past the actual entrance.

- There is a current provision in the Zoning Ordinance that says when a building permit application is made, certain design standards must be met for the access to that new

dwelling. These standards were created in association with Fire/Rescue. The current Zoning Ordinance has road standards that apply to roads serving three or more lots. The draft ordinance would make that two or more lots. Currently if you have two lots, the road standard is simply reasonable access by motor vehicle.

- The Zoning Ordinance lot-access standards are more restrictive in some respects than the subdivision road standards. Particularly, the maximum grade is 16 percent and there is a minimal vertical clearance of 14'. Private streets in the rural area currently do not have that requirement. Ms. McCulley has provided a very good table in the packet. It compares the provisions for driveways, 2-lot subdivision, 3-lot to 5-lot subdivision and 6 or more lots. If you look at the maximum grade for driveways, there is a 16 percent grade. But there is no maximum grade for 2-lot or 3-to-5 lot subdivision roads. When you get over 7 percent, it is required to be paved. But there is no maximum grade. In the 3-to-5 lot standard there is a minimum surface requirement with a 14' wide gravel travel way. But, there is no similar standard for a driveway.

Consideration of Differences –

- Could a current subdivision approval result in a lot design and/or road that will not meet driveway standards for issuance of a building permit? The answer to that question is yes.
- If driveway standards are based on access by public vehicles, should the subdivision road also meet this standard? That question is one for the Commission to consider.

Options for the Commission

- Separate the road-standard issue for further discussion and allow the SPOA Subdivision Amendment to move forward; OR
- Recommend a revision of the road standard (where less restrictive than the driveway standard) to be incorporated into the pending STA-2008-001.
- Or, the Commission could make no changes to the draft Subdivision Text Amendment. The draft Subdivision text is to simply apply the 3-to-5 lot standard to 2 lots, thereby becoming a 2-to-5 lot standard.

Mr. Edgerton asked if the current driveway maximum grade of 16 percent does not even apply to the 3-to-5 lots.

Mr. Fritz replied that was correct.

Mr. Edgerton said the second alternative is to get these into alignment before they approve them. He said what would change here is that they would have 16 percent listed for a new box that would say 2-to-5 lots.

Mr. Fritz replied that was correct.

Mr. Morris opened the public hearing and invited public comment. There being none, the public hearing was closed and the matter came back before the Commission.

Ms. Joseph said that it sounds as if they are just cleaning up something that they missed the first time around with the rural areas insertion. It makes perfect sense if they are going to have high standards for driveways that they ought to have that same standard for the entry going into it. Therefore, she could support both.

Mr. Edgerton asked if she was recommending a revision of the road standard (where less restrictive than the driveway standard) to be incorporated into the pending STA-2008-001. He asked if that was something that would send everybody back to square one and start over again.

Mr. Fritz noted that if the Commission's intent is to give staff direction to incorporate the drive-way standards into the 2-to-5 lot standard, they can get the language right before it goes to the Board.

Mr. Edgerton asked if that would include up to 16 percent grade and the 14' high vertical grade to accommodate equipment such as a fire truck.

Mr. Fritz replied yes.

Ms. McCulley noted that they would still be able to keep this on the November 12 Board of Supervisors public hearing date.

Mr. Edgerton noted that there were a lot of members of the public that were present at the work session that are not here tonight. He questioned if there was a notice requirement that they have to worry about.

Mr. Fritz noted that staff had been instructed that no additional public notice was needed.

Mr. Edgerton suggested that this was the most appropriate way to move ahead.

Ms. McCulley questioned if they need to provide additional legal notice.

Mr. Kamptner replied no, that the notice has been provided and the Commission is making its recommendation. These changes are not any of the types of things that would trigger the need for additional notice at the Planning Commission stage.

Motion: Ms. Joseph moved and Mr. Edgerton seconded to recommend approval of STA-2008-0001 Rural Areas 2-lot Street Standards and Lot Access Driveway Standards to the Board of Supervisors as recommended by staff, amended as follows:

- Include revised text on SPOA (single point of access), and
- Include a revision of the private road standard for revision for grade and vertical clearance to be consistent with the driveway standard.

The motion passed by a vote of 6:0. (Cannon absent)

Mr. Morris noted that STA-2008-0001 Rural Areas 2-lot Street Standards and Lot Access Driveway Standards would go before the Board of Supervisors on November 12 with a recommendation for approval with the resolution of intent as follows:

ORDINANCE NO. 08-14( )

AN ORDINANCE TO AMEND CHAPTER 14, SUBDIVISION OF LAND, ARTICLE II, ADMINISTRATION AND PROCEDURE, ARTICLE IV, ON-SITE IMPROVEMENTS AND DESIGN, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA

BE IT ORDAINED By the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 14, Subdivision of Land, Article II, Administration and Procedure, and Article IV, On-Site Improvements and Design, are hereby amended and reordained as follows:

By Amending:

Sec. 14-207 Rural subdivisions
Sec. 14-404 Lot location to allow access from lot onto street or shared driveway
Sec. 14-412 Standards for private streets only
Sec. 14-434 Completion of on-site improvements required prior to plat approval

Chapter 14. Subdivision of Land

Article II. Administration and Procedure

Sec. 14-207 Rural subdivisions

The following sections of this chapter shall apply to each rural subdivision:

A. *General*: Sections 14-100 through 14-108.

B. *Administration and procedure*: Sections 14-200 through 14-204 and sections 14-209, 14-226, 14-229 and 14-236.

C. *Plat requirements and documents to be submitted*: Sections 14-300, 14-301, 14-302(A)(1), (3), (4), (5), (6), (7), (9), (10), (11), (14) and (15), 14-302(B)(1), (2), (4), (5), (6), (7), (8), (9) and (10), 14-303(A), (B), (C), (D), (E), (F), (H), (I), (L), (O) and (P), 14-304, 14-305(B), 14-308.1, 14-309, 14-310, 14-312, 14-314 and 14-316.

D. *On-site improvements and design*: Sections 14-400, 14-403, 14-404, 14-406, 14-414, 14-416, 14-421, 14-426, 14-427, 14-433 and 14-438.

(9-5-96, 7-9-86, 12-21-83, 2-4-81, 5-2-79, 11-13-74, 8-28-74; 1988 Code, § 18-13(b); Ord. 98-A(1), 7-15-98; Ord. 05-14(1), 4-20-05, effective 6-20-05)

State law reference--Va. Code § 15.2-2241(9).

Article IV. On-Site Improvements and Design

Sec. 14-404 Lot location to allow access from lot onto street or shared driveway.

Each lot within a subdivision shall be located as follows:

A. The first subdivision plat approved for a parcel on and after [insert effective date] (hereinafter, the "parent parcel") shall establish a single public or private street to provide access from an existing public or private street outside of or adjacent to the parent parcel to the lots within the subdivision. The street shall also provide such access for all future subdivisions within the boundaries of the parent parcel as it existed on [insert effective date]. The requirement of a single access street shall not apply to any subdivision whose streets and access are subject to section 14-409.

~~A~~B. Each lot, other than a corner lot within the development areas, shall have reasonable access to the building site from only one street, shared driveway or alley established at the same time as the subdivision or the subdivision of the parent parcel as provided in subsection (A); provided that a lot may be located so that its driveway enters only onto a public street abutting the subdivision if: (i) the commission grants a waiver under subsection (C); (ii) the subdivider obtains an entrance permit from the Virginia Department of Transportation for the access; (iii) the entrance complies with the design standards set forth in sections 14-410(F) and 14-410(G); and (iv) the subdivider demonstrates to the agent prior to approval of the final plat that the waiver does not violate any covenants to be recorded for the subdivision. For purposes of this section, the term "reasonable access" means a location for a driveway or, if a driveway location is not provided, a location for a suitable foot path from the parking spaces required by the zoning ordinance to the building site; the term "within the subdivision" means within the exterior boundary lines of the lands being divided.

~~B. If the subdivision is within the rural areas, all subsequent divisions of the residue shall enter only onto such street(s) shown on the approved final plat and shall have no immediate access onto to any public street.~~

C. The requirements of this section may be waived by the commission as provided in section 14-225.1. In reviewing a waiver request, the commission shall determine whether: (i) the county engineer recommends an alternative standard; or (ii) because of unusual size, topography, shape of the property, location of the property or other unusual conditions, excluding the proprietary interests of the subdivider, strict application of the applicable requirements would result in significant degradation of the property or to the land adjacent thereto. In approving a waiver, the commission shall find that requiring the standard would not forward the purposes of this chapter or otherwise serve the public interest; and granting the waiver would not be detrimental to the public health, safety or welfare, to the orderly development of the area, to sound engineering practices, and to the land adjacent thereto. In reviewing a waiver request, the commission may allow a substitute design of comparable quality, but differing from that required, if it finds that the subdivider would achieve results which substantially satisfy the overall purposes of this chapter in a manner equal to or exceeding the desired effects of the requirement.

(§ 18-36 (part), 9-5-96, 8-28-74; § 18-39 (part), 9-5-96, 10-19-77, 5-10-77, 8-28-74; 1988 Code, §§ 18-36, 18-39; Ord. 98-A(1), 8-5-98, §§ 14-500(C), 14-505; Ord. 05-14(1), 4-20-05, effective 6-20-05)

State law reference--Va. Code § 15.2-2241(5).

Sec. 14-412 Standards for private streets only.

In addition to the minimum design requirements set forth in section 14-410, the following minimum design requirements shall apply to private streets authorized by this chapter:

A. *Residential private streets*. Each private street serving detached residential uses authorized under sections 14-232 or 14-233 shall satisfy the following:

~~1. *Streets serving two lots.* Each private street serving two (2) lots shall satisfy the following: (i) easement or right-of-way widths shall be thirty (30) feet minimum; (ii) the required materials and minimum depth of base shall satisfy the minimum requirements described in the design standards manual; and (iii) the surveyor shall include the following wording on the final plat: "The existing and/or proposed right-of-way is of adequate width and~~

~~horizontal and vertical alignment to accommodate a travelway passable by ordinary passenger vehicles in all but temporary extreme weather conditions, together with area adequate for maintenance of the travelway, as required by section 14-412 of the Albemarle County Code."~~

~~2~~1. *Streets serving ~~three~~ two to five lots.* Each private street serving ~~three (3)~~ two (2) to five (5) lots shall satisfy the following: (i) vertical centerline curvature shall meet a minimum design K value of five (5) for crest curves and fifteen (15) for sag curves; (ii) sight distances shall not be less than one hundred (100) feet; (iii) turnarounds shall be provided at the end of each street per American Association of State Highway and Transportation Officials guidelines; (iv) street easements or right-of-way widths shall be thirty (30) feet minimum; and (v) the radius for horizontal curvature shall be forty (40) feet or greater, unless otherwise authorized by this chapter~~. Any standard in this paragraph (2) may be reduced to the standard for streets serving two (2) lots where a driveway departs from the street and two lots remain to be served, and a turnaround is provided.~~ In addition, the following shall also apply:

(a) *Private streets in the rural areas*. For such private streets in the rural areas: (i) travelway widths shall be fourteen (14) feet minimum, with three (3) feet minimum shoulder widths, and a minimum of four (4) feet from the edge of the shoulder to the ditch centerline; (ii) if any portion of the street exceeds seven (7) percent in grade, the entire street shall be surfaced as required by Virginia Department of Transportation standards; streets of lesser grade may use a gravel surface.

(b) *Private streets in the development areas*. For such private streets in the development areas: (i) an urban cross-section street design shall be provided, with a minimum width of twenty (20) feet measured from the curb faces or such alternative design, including a street easement or right-of-way width, deemed adequate by the county engineer to be equivalent to or greater than the applicable standard in the design standards manual, so as to adequately protect the public health, safety or welfare; additional widths shall be provided for gutters to control drainage at the discretion of the county engineer; and (ii) the entire street shall be surfaced as required by Virginia Department of Transportation standards.

~~3~~2. *Streets serving six lots or more.* Each private street serving six (6) or more lots shall satisfy Virginia Department of Transportation standards, provided:

(a) *Private streets in the rural areas*. For such private streets in the rural areas, the commission may approve Virginia Department of Transportation standards for mountainous terrain if the subdivider demonstrates, for a specific, identifiable reason, the general welfare, as opposed to the proprietary interests of the subdivider, would be better served by the application of those standards.

(b) *Private streets in the development areas*. For such private streets in the development areas, the agent may approve Virginia Department of Transportation standards for mountainous terrain or an alternative standard deemed adequate by the county engineer to be equivalent to or greater than the applicable standard in the design standards manual, so as to adequately protect the public health, safety or welfare.

~~4~~3. *Streets serving family ~~or two-lot~~ subdivisions*. Each private street authorized to serve a family subdivision under section 14-232(B)(1) ~~or a two-lot subdivision under section 14-232(B)(2)~~ shall satisfy the following: (i) easement or right-of-way widths shall be ten (10) feet minimum; and (ii) the surveyor shall include the following wording on the plat: "The existing and/or proposed right-of-way is of adequate width and horizontal and vertical alignment to accommodate a travelway passable by ordinary passenger vehicles in all but

temporary extreme weather conditions, together with area adequate for maintenance of the travelway, as required by section 14-412 of the Albemarle County Code."

B. *Private streets serving non-residential, non-agricultural, attached residential, multi-unit residential and combined residential and non-residential uses.* Each private street authorized to serve non-residential, non-agricultural, attached residential, multi-unit residential and combined residential and non-residential uses under sections 14-232 or 14-233 shall satisfy Virginia Department of Transportation standards or an alternative standard deemed adequate by the agent, upon the recommendation of the county engineer, to be equivalent to or greater than the applicable standard in the design standards manual, so as to adequately protect the public health, safety or welfare. The agent may require minimum travelway widths to provide for on-street parking upon a determination that the provisions for off-street parking may be inadequate to reasonably preclude unauthorized on-street parking.

C. *Clearing land for improvements.* A private street constructed to Virginia Department of Transportation standards shall not be subject to that department's clear zone requirements.

D. *Landscaping and other improvements permitted.* Subsequent to construction of a private street, a subdivider may install ornamental plantings and any other improvements provided that they do not conflict with sight distance, drainage facilities or other required improvements.

E. *Waiver.* The requirements of section ~~14-412(A)(2)(a)~~ 14-412(A)(1)(a) relating to street easement or right-of-way widths may be waived by the commission as provided in section 14-225.1. In reviewing a waiver request for a lesser street easement or right-of-way width, the commission shall consider whether: (i) the subdivision will be served by an existing easement or right-of-way of fixed width that cannot be widened by the subdivider after documented good faith effort to acquire additional width; and (ii) the existing easement or right-of-way width is adequate to accommodate the required travelway and its maintenance. If the waiver pertains to minimum street easement or right-of-way widths over an existing bridge, dam or other structure, the commission shall consider whether: (i) the long-term environmental impacts resulting from not widening the bridge, dam or other structure outweigh complying with the minimum width requirements, as determined by the county engineer; or (ii) whether the bridge, dam or other structure is a historical structure. In approving a waiver, the commission shall find that requiring the standard street easement or right-of-way widths would not forward the purposes of this chapter or otherwise serve the public interest; and granting the waiver would not be detrimental to the public health, safety or welfare, to the orderly development of the area, to sound engineering practices, and to the land adjacent thereto.

(§ 18-36, 9-5-96, 8-28-74; § 18-37, 9-5-96, 11-21-79, 3-29-78, 8-28-74(part); 1988 Code, §§ 18-36, 18-37, 18-38; Ord. 98-A(1), 8-5-98, § 14-514; Ord. 02-14(1), 2-6-02; Ord. 05-14(1), 4-20-05, effective 6-20-05)

State law reference--Va. Code § 15.2-2242(3).

Sec. 14-434 Completion of on-site improvements required prior to plat approval.

Except as provided in section 14-435, all on-site improvements required by this chapter~~, other than a private street authorized under section 14-232(B)(1), 14-232(B)(2), 14-233(A)(2) or 14-433(B)(2) serving less than three (3) lots,~~ shall be completed prior to approval of the final plat. Prior to approval of the final plat:

A. The subdivider shall submit to the agent a certificate of completion of all of the improvements prepared by a professional engineer or a land surveyor, to the limits of his license; and

B. The subdivider shall certify to the agent that all of the construction costs for the improvements, including those for materials and labor, have been paid to the person constructing the improvements.

9-5-96, 12-15-82, 4-21-76, 2-19-76, 8-28-74 (§ 3); 1988 Code, § 18-18; Ord. 98-A(1), 8-5-98, § 14-412; Ord. 05-14(1), 4-20-05, effective 6-20-05)

State law reference--Va. Code § 15.2-2241(9).

I, Ella W. Jordan, do hereby certify that the foregoing writing is a true, correct copy of an Ordinance duly adopted by the Board of Supervisors of Albemarle County, Virginia, by a vote of _____ to _____, as recorded below, at a regular meeting held on _____.

_____
Clerk, Board of County Supervisors

	Aye	Nay
Mr. Boyd	____	____
Mr. Dorrier	____	____
Ms. Mallek	____	____
Mr. Rooker	____	____
Mr. Slutzky	____	____
Ms. Thomas	____	____

Work Session:

a. Crozet Master Plan Review
The work session was held for Planning Commission review and discussion of the draft Public Participation Plan for the Crozet Master Plan review process which is anticipated to begin in 2009 with the Commission overseeing the process.

Mr. Morris noted that Ms. Echols and Ms. Catlin would make the presentation on the Crozet Master Plan Review.

Ms. Echols

- This item is about the Crozet Master Plan Revision, which staff hopes will begin fairly soon. The Crozet Master Plan was adopted in 2004 and will be ready for its update in 2009. The Crozet Community Advisory Council and staff have developed an approach

that they would like to bring to the Commission. Staff requests the Planning Commission's endorsement of the public participation plan. The Board will decide at the end of this month on the timing and sequence of updating the Crozet Master Plan and the remaining plans.

- Staff notes that this is not a complete overhaul of the Crozet Master Plan. The Commission has heard from Mr. Loach and other members of the community that the plan basically is good. There are some tweaks that are needed. There have been some specific areas of concern to the community as well as to the staff. These issues are going to be resolved through the update. Their goal is to improve the quality of the plan that they have. A specific time table for how they would be doing this would come back to the Commission once the Board decides whether or not to proceed with the update.
- There are several focus areas for the plan update that staff has worked on with the Crozet Community Advisory Council. The first one is an assessment of progress in how well have they done compared to what they were planning to do. They need to collect some data in order to assess that. They will be using accepted data sources and methodology. They are going to have to do some basic research regarding the existing conditions in Crozet now relative to what our expectations were. A survey is going to be developed by the CCAC and staff to get a handle on what the community sees as most important in making changes to the plan.

Ms. Catlin made a power-point presentation and spoke briefly about the public-participation piece.

- Much of what is on the screen is in the public-participation guidelines attached to the staff report. The public will be engaged in many or all aspects of the decisions, including the development of alternatives and the identification of a preferred solution. The public participation goals include providing educational opportunities.
- Staff feels it is important to get the plan back in front of people and remind them what it was all about before they get into the revision process. Obviously, they want to gather public feedback about community desires. The public participation plan also should establish realistic expectations and timelines. They want to make sure that they are providing a transparent process as they move forward, and that they are disseminating community input to the Commission and the other decision makers. They want to make sure that the public stays informed about the process as they move along through it.
- It is important to talk about the role of the Crozet Community Advisory Council in this process. She thanked the members present tonight and noted the entire Council's help in putting this approach together. They imagine that the CCAC would play a very critical advisory role with the revision process, including the public participation elements. They would look to them to work with staff to design all of the elements of the public engagement process and to regularly discuss with us about how effective that has been and if there are other things that they need to do to keep that dialogue going. The CCAC has formed a number of sub-groups that are focused on different topic areas. They feel that those sub-groups will be very helpful in researching and providing information for us and insights as the plan is moving forward.
- The public participation process activities have not been put to an exact schedule because they don't know the timeline. They would certainly be looking at citizen planning academy opportunities and refreshers on the existing master plan, public meetings, open houses and other forums; website with public comment opportunity; frequently asked question list, press releases, notices to the community when public discussions and decisions are occurring, etc. It includes a whole range of things that they would normally do to make sure that the community has a lot of opportunities to be involved in the process.

- Staff has a very important role in with working with the community and the Commission to bring that plan process through the process. The Planning Commission directs this update. Staff expects that they would manage this update in their legally prescribed role affirming the public participation plan, conducting their required public process including work sessions and a public hearing and obviously making a recommendation to the Board of Supervisors. Then the Board of Supervisors is the final decision-making authority.
- Staff wants to make sure that they have a clearly understood approach as they move forward to help the process. It is important for everyone to be on the same page as they move forward. Staff thinks that will help the process as they move along.
- The feedback loop is critical to make sure that the public input is getting communicated to the Planning Commission and back to the public at large in a very transparent way. There are a number of ways that they will be working on that. It is really important to show the public how their input has been heard and translated and how it influenced the outcome of the project.

She introduced Tim Tolson who represents the Crozet Community Advisory Council.

Tim Tolson felt that they have a very good strong working relationship with the County. They see themselves as full partners in this process of revising the master plan and look forward to being a conduit of information to fellow community members and to the Planning Commission and Board of Supervisors. As Ms. Catlin mentioned, they have already formed several subcommittees to begin the updating process and anticipate that they will probably form a couple of others as the public-input process moves forward. They basically see themselves as advising and full partners in the process and the decision making regarding revision of the master plan in 2009/2010.

Ms. Joseph asked if the subcommittees would include Crozet citizens not on the Advisory Council that were members of the public who may be interested in any particular topic.

Mr. Tolson replied absolutely. They have designated a couple topics like demographics, Eastern Connector, and an ombudsman to head up that area. As this moves forward, they will try to recruit. They have already talked about having a citizen's planning education so people can get up to speed in the planning process that happens at the County so that they understand the background. The goal is to make sure they have multiple non-CCAC members on these sub-committees that are helping to inform their neighbors and other community members.

Ms. Joseph suggested that they consider including students and making them stakeholders. She noted that she considered herself as part of the stakeholder group as a member of the Planning Commission because they are also looking at the entire County and how this master plan in Crozet is going to affect everything else that happens in Albemarle County. She wanted to insert that those Commissioners who don't live in Crozet are also stakeholders and hopefully are giving feedback and advice on how the east, west or north side thinks about what is going on in Crozet, too.

Mr. Morris thanked Mr. Tolson for his contribution noting that they are really giving them a blueprint to work with. He echoed what Ms. Joseph said about getting the leadership class of Western Albemarle High School involved.

Ms. Catlin asked for any guidance that the Commission might have. She asked that the Commission endorse this revision process as it exists now with the understanding that they obviously will be coming back to the Commission frequently. The next time staff will come back

will be after the Board has made their decision about master-plan scheduling so they can talk a little bit more concretely about exactly when and how some of these pieces might start moving forward.

Mr. Morris invited public comment.

Bill Shredder, member of CCAC, said in reading through the guidelines it mentions that the process will involve CCAC as far as implementing the program. He asked that the CCAC have as much decision-making ability as possible as they bring points to the Commission and the Board of Supervisors. He asked that they please keep it in mind that the CCAC would like to be involved early, often and with the final decision processes as changes move forward.

There being no further comment, Mr. Morris closed the public hearing to bring the matter back to the Commission for discussion.

Mr. Edgerton said he had no problem with what staff is asking to be endorsed except at the bottom of the third paragraph on the first page of the staff report. It speaks about recommending the Crozet Master Plan revision process to begin next fiscal year without initiating any future master plans before that update is complete ahead of master plans to Neighborhoods IV, V, VI and VII. He was a little concerned. Certainly it is time to revise the Crozet Master Plan and he hoped for a schedule. But at the same time, they keep passing over these very critical neighborhoods. He knows that is causing a lot of stress to those in the city and the university. He was worried about that. The Board will have to make the decision about when to go ahead with it. But he thought that they need to anticipate that this could happen again. They could go through another five years and not get to looking at these other neighborhoods. Therefore, he was concerned. The reason for this is because they have been so overwhelmed with other business for so long and are so limited on staff. He did not think anyone was doing anything on purpose. But he needed to waive that flag and say he was a little concerned that they have an obligation to look at the whole county. He agreed that it was time to go back and look at the Crozet plan, but he felt that they need to consider these other neighborhoods as well. During his 6½ years on the Commission, those neighborhoods have not been addressed.

Mark Graham, Director of Community Development, said that Mr. Edgerton was correct and that staff shares the concern. But the real issue here is one of resources. In the current situation, they are not in the position to be able to undertake more master-planning issues. In looking at the silver lining, this gives staff an opportunity in going back through the Crozet Master Plan Plan update. They learned a lot the first time around. With the update, they have learned a lot as well. They can apply that to the southern urban area when they get to that master plan. Staff is just stretched. As they finish up Places29, Village of Rivanna and try to undertake any effort towards implementation of the strategies in those master plans, they just don't have the resources at this point in time to initiate other master plans.

Mr. Loach agreed with what Mr. Edgerton said, but he thought that there was something to be said for going forward with the Crozet Master Plan revision. There are some parts of it that have been problematic. He thought that before they go on to the next neighborhoods, they should at least get the one that they have in place set as the gold standard for other master plans. He also noted that the Crozet Community itself has been heavily involved in this process. The CCAC is a good cross section of the community. It is a critical filter. He depends on it as a Planning Commissioner so that he can go back to them on large issues and get a consensus from the community to come back to the Commission. There are a lot of things that are going on and a lot has changed in five years. The community's survey that Tim is working

on now is going to be very important because of the new residents. Not only are they revising an old plan, but they are going to be revising it with a lot of new ideas from new people. It is important to keep on track for the Crozet Master Plan to make sure that they have a plan that can be a standard for the way that the remaining master plans should be done. He still has some concern about infrastructure and growth and how these are going to be addressed. He did not think that these issues are unique to Crozet. That is going to be a big piece of the upcoming master-plan revision. He would hope that they would be able to walk and chew gum at the same time.

Ms. Joseph asked if they have a time table for this particularly when it would end so they would know when they could start master planning these other neighborhoods.

Ms. Catlin replied that they did not at this time. They were waiting for the decision of the Board. Staff would like to go ahead and start this one at the beginning of fiscal 2009. That means that there is a lot of work that could be done this spring such as survey work, background work and existing conditions. A lot of that can be done. The heavy lifting would not begin until the beginning of fiscal year 2009, which is July.

Ms. Joseph echoed Mr. Edgerton's concern about neglecting the other areas, but she did not have a solution.

Mr. Strucko said he could endorse the plan as proposed. He thought it was the right way to go. He agreed with Mr. Loach and his comments on prioritization. He had nothing to add.

Ms. Porterfield said that as someone in the middle of the master planning process, she could agree with Mr. Loach. She liked what Mr. Loach said regarding a gold standard because it would be bad to make the same mistake twice if they don't have to.

Mr. Morris fully endorsed staff's blueprint.

Ms. Catlin reiterated what she heard was that staff should proceed on this understanding and will be back to the Commission when they can put more of a timeline and schedule together.

Mr. Morris agreed that the Commission had a consensus on this.

Mr. Edgerton added that if because of the lack of staff resources they are never able to catch up with their ultimate community-wide responsibility, then they need to express that concern.

Mr. Morris agreed with Mr. Edgerton that the entire community needs to be involved.

In summary, it was the consensus of the Planning Commission that staff should proceed with the understanding that this will be back to the Commission when staff can put more of a timeline and schedule together after confirmation from the Board of Supervisors. No formal action was taken.

Subdivision Fees (Mark Graham)

The Planning Commission held a work session on Subdivision Ordinance fees.

Mark Graham reviewed the executive summary. (Attachment – Executive Summary for Community Development Fees – Subdivision Ordinance dated September 3, 2008)

- This is the first of the fee discussions with the Planning Commission. In addition to the subdivision ordinance fees, staff will be bringing forward fee discussions with the zoning ordinance at the start of the next calendar year. Staff has been working with the Board since last year on fees and in trying to set a fee policy. What they have found is that the County has never established a fee policy as related to development activity. The last serious discussion that happened prior to December 2007 was in 1991. What they found in 1991 was that the subject became so complex that everybody walked away from it. They could not figure out how to resolve it. He was trying to take each ordinance separately and move it forward.
- To date they have already done the building regulations and the Water Protection Ordinance. Both of those ordinances did not require action by the Planning Commission. However, both the subdivision and zoning ordinances require Planning Commission input and recommendations to be forwarded to the Board of Supervisors. The executive summary provided was given to the Board of Supervisors back in September. There is a resolution of intent to move it forward. Before bringing the ordinance amendment to the Commission, he wanted them to understand what they were doing, why and answer any questions.
- Staff completed a comprehensive fee study in 2007. The entire study is 250 pages long, which includes the diagrams and charts that show how they calculated the fees. Staff held a work session on the fee study with the Board. One of the recommendations that came from the Board at that time was that staff should look at some of the surrounding counties in addition to the comparable counties. Based on the direction in April, staff brought forward the building regulations and Water Protection Ordinance. The Board said that those looked good and asked that they be put into ordinance-amendment language. That was taken to the Board, approved in August and implemented.
- A work session immediately followed on the subdivision fees, which is the executive summary that is before them. In the subdivision fee consideration, the Board's direction was that the subdivision fees should be comparable and not equal or necessarily the same to what they see in other localities. The fees should attempt to recover a significant part of the services. There was an interest on the Board's part to see that the fees were recovering as much of the cost as they could while still maintaining fees comparable to other localities. Everybody agreed that there also needs to be a policy to establish regular updates of the fees.
- With respect to future fee adjustments, about 80% to 85% of the cost, depending on the application, was found to be associated with the staff time spent on the application. When they looked at it staff realized that if they based those on the merit pool, which is the annual increase given to staff, that would closely match the County's cost and would provide a very accurate annual cost adjustment. Staff recommended that revisions be done on a bi-annual basis which would be consistent with the policy adopted with the building regulations and Water Protection Ordinance.
- With the subdivision fees, staff proposes to recover one-half the cost of the services. It balances the cost recovery and comparable fees to other localities. It keeps us in the ballpark as the same as some of those other localities while maximizing the cost recovery. The fee amount should be adjusted bi-annually based on the annual merit increase, which would be consistent with the building regulations and the Water Protection Ordinance. Also, the Board requested that consideration of future ordinance changes should include the changes in the proposed cost of service. They need to look at any resulting changes in the cost of service and whether the fee should be adjusted as a result of that change.
- The Board adopted a resolution of intent, which is in the executive summary as attachment D and directed staff to proceed with the Planning Commission public

hearing. If there is an interest in higher fees than proposed, the Commission needs to make a recommendation to the Board to adjust that before going to public hearing before the Board. The resolution of intent proposes changes to the fees in 14-203. If there is interest in additional ordinance changes to fees in the resolution of intent, it may be necessary to revise the resolution of intent and hold a second public hearing. The main purpose of the work session was to give the Commission some background before staff writes the ordinance amendment and brings it forward for a public hearing.

Mr. Morris invited questions from the Commission.

Mr. Strucko asked why staff did not use the consultant's fee recommendation.

Mr. Graham replied that he found the consultant's recommendation hard to understand and therefore felt it was appropriate to simplify the fee-calculation process. From staff's analysis, it appears the consultant's recommendation and staff's recommendation will generate very similar revenues in an average year. He wanted to keep it simple.

Mr. Morris asked why it was based on 50 percent and not two-thirds or 60 percent.

Mr. Graham replied that he struggled with the parody with other localities. He was not saying that 50 percent was the magic number. There is no certain reason why it should be 50 percent except, as shown in attachment C, he was trying to keep it reasonably close to what the other localities have.

Mr. Edgerton noted that he was confused by the units.

Mr. Cilimberg noted that the units were the number of applications.

Mr. Loach asked if there was any consideration to outsourcing to contractors and then having fee-for-service for them to provide additional services.

Mr. Graham replied that they have tried that especially with some of the positions that they have had a hard time filling such as engineers. But, it is turning out to be a little more complicated than he hoped. Therefore, staff wants to go ahead and take this forward. The idea is that they would provide fee-for-service in the future when they get the details worked out.

Ms. Joseph asked if staff has an idea of how often this should be done.

Mr. Graham replied that staff suggests that a detailed review be done every five years with an automatic adjustment every two years based on staff's cost increase. Every five to six years they would take another exhaustive look at the fees to see if something significant has changed. Part of that entails implementing time sheets, which everybody hates. But it is the only way to track time.

Ms. Porterfield suggested that the fees decided upon should be at 100 percent recovery of the cost of staff time and materials (or in the case of Mr. Loach's suggestion—outsourcing). Basically, the fees imposed are a cost of doing business for the applicant.

There was consensus on the Commission that staff should look at 100 percent cost recovery as well as 75 percent.

Mr. Graham agreed to bring back the information for fees for 100 percent and 75 percent. The fees have already been calculated at 50 percent. That would provide a good range for consideration at the next meeting.

Ms. Joseph asked if staff was coming back to the Commission with ordinance language.

Mr. Graham replied yes for a public hearing. He noted that the Commission wanted staff to advertise an ordinance amendment at 100 percent and then the Commission can look at whether they want to go someplace else.

Mr. Kamptner said that they need to break out the notification costs. He asked if the notification costs were now averaged into these estimates.

Mr. Graham replied yes that he would review the spreadsheet to see if the notification costs could be separated.

Ms. Joseph noted that if it was possible to look at numerous revisions to see if it made sense to do that on the roads and maybe anything else that staff has some ideas on.

Mr. Graham replied that he would bring that up.

- **In summary, the Commission discussed the Subdivision Ordinance fees, provided direction to staff as noted below and asked staff to bring the requested information back for further review. No formal action was taken.**

  - The Commission asked staff to look at the notice questions to see if they found any other opportunities there.
  - Staff requested to look at an ordinance amendment based on 100 percent cost recovery, but also provide information with regard to 75 percent cost recovery. Staff has already done the analysis for 50 percent. The Commission will be able to look at that information and decide what percentage to recommend.
  - Mr. Loach asked that they have the ability to outsource if they had to—then billing a fee for the service.

Old Business:

Mr. Morris invited old business.

- The joint meeting with the City Planning Commission is set for 6:00 p.m. on October 28. It will be at the City's Basement Conference Room.
- The Planning Commission agreed with staff's suggestion to schedule the meeting with the Albemarle Service Authority Board on November 18 at 4:00 p.m. It would be the primary item for that meeting. Mr. Edgerton cannot attend.

New Business:

Mr. Morris invited new business.

- Mr. Morris invited the Commissioners to think about planning a Commission Retreat. Mr. Cannon and Ms. Porterfield were selected to serve on a sub-committee to plan the Commission Retreat.

- There will be no Planning Commission meeting on Tuesday October 14, 2008. The next regular meeting will be Tuesday, October 21, 2008.

Adjournment

With no further items, the meeting adjourned at 7:41 p.m. to the Tuesday, October 21, 2008 Planning Commission Meeting at 6:00 p.m. at the County Office Building, Auditorium, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

_____

V. Wayne Cilimberg, Secretary

(Recorded by Stephanie Mallory, Planning Assistant and transcribed by Sharon Claytor Taylor, Clerk to Planning Commission and Planning Boards)