Albemarle County Planning Commission
March 16, 2010

The Albemarle County Planning Commission held a work session on Tuesday, March 16, 2010, at 4:00 p.m., at the County Office Building, Lane Auditorium, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

Members attending were Russell (Mac) Lafferty, Duane Zobrist, Vice-Chairman; Ed Smith, Thomas Loach, Chairman; Linda Porterfield, Don Franco and Calvin Morris. Julia Monteith, AICP, Senior Land Use Planner for the University of Virginia was present. Don Franco arrived at 4:37 p.m.

Other officials present were Elaine Echols, Principal Planner; Bill Fritz, Chief of Current Development; Ron Higgins, Chief of Zoning; Glenn Brooks, County Engineer; Stewart Wright, Permits Planner; Wayne Cilimberg, Director of Planning and Greg Kamptner, Deputy County Attorney.

Call to Order and Establish Quorum:

Mr. Loach, Chairman, called the regular meeting to order at 4:02 p.m. and established a quorum.

Work Session:

Neighborhood Model Volume 2 – Setbacks, yards and buffers (Elaine Echols)
The proposal is in regards to amendment of the Zoning Ordinance to allow for reduced yards/setbacks in the Development Areas

Ms. Echols summarized the staff report, as follows. The PowerPoint presentation reviewed the current proposal which concentrated on proposed changes to the front yard requirements for all zoning districts in the Development Areas.

ORIGIN: Adoption of the Neighborhood Model in 2001 and directive by Board of Supervisors to prepare ordinance changes to implement the Neighborhood Model.

PROPOSAL: This work session is concentrating on proposed changes to the front yard requirements for all zoning districts in the Development Areas.

PUBLIC PURPOSE TO BE SERVED: The current development standards in the Zoning Ordinance promote a rural/suburban form that is not in keeping with the Comprehensive Plan for the Development Areas. In order to make it easier for developers to create a more urban form of development, the zoning ordinance needs to be amended, especially with regard to setbacks.

HISTORY: The Neighborhood Model, which was appended to the Comprehensive Plan in 2001, provides guidance on how higher density development can take place without reducing quality of life. The goal of the Neighborhood Model was to help create places where people want to live, instead of building in the designated Rural Areas.

A number of zoning and subdivision text amendments to implement the Neighborhood Model have taken place since 2001. The comprehensive list was provided in the prior staff report and has been included in the minutes of the October 20, 2009 Planning Commission meeting. At the October 20 meeting, a work session was held on staff proposed changes to rear and side yards/setbacks, buffer areas, and screening. In addition, a concept for basing the front yard/setback on numbers of street lanes and speed limits rather than by zoning district was proposed. The Commission generally endorsed this concept and staff has further refined it for additional Commission input.

STAFF COMMENT:

Front Yards

Attachment A contains a refinement of the recommendations which the Planning Commission reviewed on October 20. The recommendations for front yards/setbacks are based on the characteristics of the street on which the lot sits. For example, the front yard/setback is proposed to be the shallowest on narrow streets with slow moving traffic. The deepest front yard/setback is proposed on the widest, fastest moving streets, such as Rt. 29 North and Rt. 250 East. The recommended distances between the travel lanes and buildings is based on concepts proposed in the Places 29 Master Plan study for the different sections of streets. Images of the proposed front yards with streetscape will be shown at the upcoming work session.

Streetscape Improvements
In the Development Areas, the long-term expectation is that all streets will have an urban character with curb/curb & gutter, sidewalks, and street trees. For the short term, this expectation is for all new streets and some major streets. Sidewalks promote pedestrian accessibility and public transit as an alternative to the automobile. Street trees in tree lawns provide separation of pedestrians from traffic. These features represent the preferred streetscape articulated in the Comprehensive Plan.

To implement this aspect of the Comprehensive Plan, the recommended front yard distance noted in Attachment A should be added to the ultimate urban street section (with curb/curb and gutter, tree lawns, trees, and sidewalks) to determine the **total** distance from the street's edge to the buildings or projections. If one thinks about the front yard as **X** and the area for the proposed ultimate improvements as **Y**, then the required minimum distance for building = **X + Y.**

The ultimate street section can be easily achieved in new development on new streets, such as has occurred in Old Trail and Belvedere. It will be harder to achieve for new development and redevelopment along existing streets. It may not yet even be appropriate in certain places in the Development Areas, such as along Rt. 250 East in Crozet and Rt. 20 North in Pantops. However, even in these cases, room for the ultimate improvements should be left available.

Attachment B shows how the recommended front yards and streetscape improvements would be provided. In the first box, the only proposed change is to the subdivision ordinance to require sidewalks on all new streets in the Development Areas, where subdivision takes place, not just new streets in single family subdivisions. The waivers currently available for new streets in single family subdivisions would then be available to all new streets in the Development Areas.

The next three boxes on Attachment B deal with existing streets in the Development Areas. The three categories of existing major streets are:

- Existing major streets with curb/curb and gutter
- Existing major streets with shoulders and ditches that are in areas that are anticipated to be upgraded to an urban character because of expected redevelopment or new development in the near term, as indicated in Comprehensive Plan
- Existing major streets with shoulders and ditches that are not anticipated to be upgraded to an urban character because of expected longer term development conditions, as indicated in the Comprehensive Plan.

Major streets are considered to be those that are in the Entrance Corridor (EC) as well those which provide important connections throughout the Development Areas. Examples of major non-EC streets would be Berkmar, Proffitt, and the new Main Street in Crozet. Through master planning in all but urban neighborhoods 4, 5, 6, and 7, the expected street sections for major streets have been identified for the near term. The ultimate major street sections for the neighborhoods 4, 5, 6, and 7 will be identified with the upcoming Comprehensive Plan update.

Existing Single Family Residential Neighborhoods
One area which has not yet been discussed is the front yard/setback on streets in existing developed neighborhoods. In existing developed neighborhoods, there are sometimes vacant lots or buildings (houses or other buildings) for which additions are proposed. It is essential that the character of these single family neighborhoods be maintained. If the streets are a rural section, it is likely they will not

convert to an urban section in many years, if ever. In these circumstances, the front yard requirement should be the same as the surrounding buildings. Staff is recommending that the Charlottesville provisions for maintaining the character of existing neighborhoods be used. This proposal is provided in the fifth box.

Parking Lots
In prior discussions regarding setbacks, a controversial recommendation was to require that parking lots be "relegated"; that is, parking lots would not be the most prominent feature adjacent to the street. The Neighborhood Model recommends that parking be to the side or rear of buildings to help create a better relationship of the buildings and pedestrians to the street.

At present, parking lots can be set back 10 feet from the r.o.w., but buildings must be set back a minimum of 25' for residential districts, 30' for commercial districts, and 50' for industrial districts. With these requirements, parking has typically located in front of buildings to make the most efficient use of the property.

To better provide for the potential that parking will not have to be "forced" to the front of buildings, but in recognition of the controversy that relegated parking has created, staff's recommendation would simply allow the buildings and parking to have the same setback. .

STAFF RECOMMENDATION: Staff recommends the Commission review the current proposal for front yards/setbacks and provide guidance on any changes needed. Staff will then proceed to a roundtable with interested parties and report the results of that roundtable back to the Commission before scheduling a public hearing.

Staff is here to answer the Planning Commission's questions and asks that the Commission note any particular changes and provide further direction before the zoning text amendment goes to public hearing.

Mr. Loach invited public comment.

Public comment was taken from the following person:

Neil Williamson, Free Enterprise Forum, questioned the map and the timing of these improvements. The Free Enterprise Forum is most concerned that if they place timing into this matrix at the ZTA level they may be creating unfillable citizen expectations for when things are going to get done. The timing of any private development is dependent on a multitude of things including landowner intent, economic climate, as well as the overall market. He thought it would be a mistake to include the timing in the map.

Based on staff's presentation and public input received, the Commission noted some areas for possible clarification or changes to be made and provided the following comments to the questions posed by staff.

1. Should sidewalk be provided on all new streets in the DA?

   It was the consensus of the Planning Commission that sidewalks should be provided on all new streets in the development area with the developer's right to come in with a waiver.

2. Should we base front yards/setbacks on # of street lanes?

   The Planning Commission generally felt this was a good approach, but wants to make sure that on-street parking is appropriately factored in.

3. Should the parking setback be the same as the building setback?

   It was the consensus of the Planning Commission that this was a good approach, but staff should further develop the requirements for setbacks where there are garages.

4. Should the front yard requirement be based on the ultimate street section with an approved map?

It was the consensus of the Planning Commission that this was a good approach, with the recognition that the ultimate street section is based on speed and whether there is on-street parking.

It was the consensus of the Planning Commission that the proposals are ready to take out to a round table to obtain public comment. Staff was requested to follow the guidance received and schedule a round table to obtain public input. No formal action was taken.

The Planning Commission recessed at 5:11 p.m. for a dinner break to reconvene to the regular meeting at 6:00 p.m. in the Auditorium.

The Albemarle County Planning Commission held a meeting and public hearing on Tuesday, March 16, 2010, at 6:00 p.m., at the County Office Building, Lane Auditorium, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

Members attending were Russell (Mac) Lafferty, Duane Zobrist, Vice-Chairman; Ed Smith, Thomas Loach, Chairman; Linda Porterfield, Don Franco and Calvin Morris. Julia Monteith, AICP, Senior Land Use Planner for the University of Virginia was present.

Other officials present were Eryn Brennan, Senior Planner; Joan McDowell, Principal Planner; Wayne Cilimberg, Director of Planning; Greg Kamptner, Deputy County Attorney; Amelia McCulley, Director of Zoning/Zoning Administrator; and Bill Fritz, Chief of Current Development.

Call to Order and Establish Quorum:

Mr. Loach called the regular meeting to order at 6:02 p.m. and established a quorum.

Committee Reports:

Mr. Loach invited committee reports from the Commissioners.

- Mr. Zobrist reported that he did not attend the MPO meeting today. He attended the ACE Committee meeting last night. The ACE Committee approved three nice projects with one project that had 56 development rights.
- Mr. Smith reported that he attended the University of Virginia Master Planning meeting, which was an overview of what they have done and plan to do.
- Mr. Lafferty noted that he attended the CHART meeting. They are working on a public presentation.

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

Other Matters Not Listed on the Agenda from the Public:

Mr. Loach invited comment from the public on other matters not listed on the agenda and on any consent agenda items. There being none, the meeting moved to the next item.

Review of Board of Supervisors Meeting – March 3, 2010 and March 10, 2010

Mr. Cilimberg reviewed the actions taken by the Board of Supervisors on March 3, 2010 and March 10, 2010.

Consent Agenda:

a. **Approval of Minutes**: August 11, 2009; August 18, 2009; October 6, 2009; October 13, 2009;

December 15, 2009, March 10, 2009 and January 12, 2010.

b. **ZTA-2010-00001 Industrial Districts – Phase I – Resolution of Intent** (Susan Stimart)

c. SDP-2008-00125 Pavilions at Pantops - Phase 3
The request is for final site plan approval for an 81-unit residential townhouse development on 16.07 acres. The property, described as Tax Map 78, Parcel 12, is zoned R-6, Residential and is located in the Rivanna Magisterial District on Verona Drive [Route #1771] approximately 500 feet east of its intersection with Rolkin Road [Private]. The Comprehensive Plan designates this property as Neighborhood Density in Urban Area 3. (Elizabeth Marotta)

d. SDP-2010-00005 Stone Robinson Elementary School Baseball Field – Waiver
The request is for a major site plan amendment approval and associated waiver to Zoning Ordinance Section 18-4.2.3.2 "Location of Structures and Improvements" to allow disturbance of critical slopes, pursuant to Section 4.2.5 and in conjunction with the construction of a baseball field. The proposed disturbance includes 0.33 acres on two properties described as Tax Map 79, Parcels 20 and 23A. Both parcels are zoned RA (Rural Areas) and are located in the Scottsville Magisterial District. The properties are located on the north side of North Milton Road [State Route 729] approximately 760 feet west of its intersection with Richmond Road [State Route 250]; The Comprehensive Plan designates the properties as Rural Areas with a secondary land use of Parks and Greenways in Rural Areas 4. (Elizabeth Marotta)

e. **AFD-2010-00002; AFD-2010-00005 Hardware Additions** Planning Commission acceptance of applications for additions to the Hardware District; direction to the Community Development Department to provide notice of the applications pursuant to Virginia Code § 15.2-4307(1); and referral of the applications to the Agricultural/Forestal Districts Advisory Committee (as required in Section 3-201(B) of the County Code). The proposed additions include the properties described as Tax Map 74, Parcel 28B; Tax Map 75, Parcels 4A and 5; and Tax Map 87, Parcel 16A. The proposed additions include a total of 192.54 acres. The area is designated as Rural Area in the Comprehensive Plan and the included properties are zoned RA Rural Areas. (Eryn Brennan)

f. **AFD-2010-00003 Kinloch Additions** Planning Commission acceptance of application for an addition to the Kinloch District; direction to the Community Development Department to provide notice of the applications pursuant to Virginia Code § 15.2-4307(1); and referral of the applications to the Agricultural/Forestal Districts Advisory Committee (as required in Section 3-201(B) of the County Code). The proposed addition includes the property described as Tax Map 66, Parcel 3G. The proposed addition includes a total of 38.85 acres. The area is designated as Rural Area in the Comprehensive Plan and the included properties are zoned RA Rural Areas. (Eryn Brennan)

g. **AFD-2010-00004 Moorman's River Addition** Planning Commission acceptance of application for an addition to the Moorman's River District; direction to the Community Development Department to provide notice of the applications pursuant to Virginia Code § 15.2-4307(1); and referral of the applications to the Agricultural/Forestal Districts Advisory Committee (as required in Section 3-201(B) of the County Code). The proposed addition includes the property described as Tax Map 41, Parcel 19. The proposed addition includes a total of 10.5 acres. The area is designated as Rural Area in the Comprehensive Plan and the included properties are zoned RA Rural Areas. (Eryn Brennan)

h. **AFD-2010-00006 Fox Mountain Additions** Planning Commission acceptance of applications for additions to the Fox Mountain District; direction to the Community Development Department to provide notice of the applications pursuant to Virginia Code § 15.2-4307(1); and referral of the applications to the Agricultural/Forestal Districts Advisory Committee (as required in Section 3-201(B) of the County Code). The proposed additions include the properties described as Tax Map 14, Parcels 26A and 26C; and Tax Map 15, Parcel 1. The proposed additions include a total of 32.8 acres. The area is designated as Rural Area in the Comprehensive Plan and the included properties are zoned RA Rural Areas. (Eryn Brennan)

i. **AFD-2010-00007 Jacob's Run Addition** Planning Commission acceptance of application for an addition to the Jacob's Run District; direction to the Community Development Department to provide notice of the applications pursuant to Virginia Code § 15.2-4307(1); and referral of the applications to the Agricultural/Forestal Districts Advisory Committee (as required in Section 3-201(B) of the County Code). The proposed addition includes the property described as Tax Map 31, Parcel 1. The proposed addition includes a total of 155.047 acres. The area is designated as

Rural Area in the Comprehensive Plan and the included properties are zoned RA Rural Areas. (Eryn Brennan)

j. **AFD-2010-00008 Hatton Addition** Planning Commission acceptance of an application for additions to the Hatton District; direction to the Community Development Department to provide notice of the applications pursuant to Virginia Code § 15.2-4307(1); and referral of the applications to the Agricultural/Forestal Districts Advisory Committee (as required in Section 3-201(B) of the County Code). The proposed additions include the properties described as Tax Map 136, Parcels 8H, 9A2, 6B, 9E, 9D1, and 9C. The proposed additions include a total of 115.061 acres. The area is designated as Rural Area in the Comprehensive Plan and the included properties are zoned RA Rural Areas. (Eryn Brennan)

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

Ms. Porterfield asked that the record reflect her commendation of Luck Stone for being a good corporate citizen and providing their assistance in making the ball field at Stone Robinson School a reality by providing some of the property.

Mr. Morris asked to take his hat off to the applicant for the Pavilions Phase II. As many remember that was a highly contentious program going into it. This time there was a real partnership between neighbors and the applicant that was great to see.

Mr. Lafferty asked to discuss the Heavy Industrial going to Light Industrial under ZTA-2010-00001 Industrial Districts – Phase I – Resolution of Intent. In looking at that under objective #2, strategy 4 it says that it needs to identify through the master plan and other efforts. He felt that the other efforts seem pretty open. He takes their master plans as being sort of a contract between the County and the residents of who is involved with the master plans.

Mr. Loach noted that he had the same question when he reviewed the ZTA objectives. It seems that it was talking about amending the zoning code by special use permit. He questioned if most of that would be covered under the master plan.

Mr. Cilimberg replied that the master plan would be the plan document or blue print for how it would it be considered. The background here is making reference to what is in the Comprehensive Plan right now as guidance. This resolution of intent actually would be to change ordinance provisions. If the Board ultimately adopted the amendments that brought HI uses into the LI district, those HI uses would only be allowed by special use permit. In review of the special use permit they would be referring back to things like master plans and the economic development policy, which are the plan documents for the County. This is intended to provide background on what guides the decision making and what would guide future decisions regarding industrial uses as they might be proposed under the ordinance as it would be amended ultimately reflecting this resolution of intent.

Mr. Lafferty asked why they would need an amendment to do this.

Mr. Cilimberg replied that they need an amendment in the Zoning Ordinance to be able to implement the idea of generalizing the industrial use opportunities in the County. The amendment brings the HI uses into the LI District; but, only through a special use permit process. The special use permit process involves a public hearing by the Planning Commission and Board of Supervisors and ultimately a decision by the Board on whether or not to grant that special use permit. Right now they could not have a HI use in the LI District at all. It has to be a rezoning to LI. This provides a slightly different opportunity for any HI use that may be appropriate in LI to be considered through the special use permit process.

Mr. Zobrist assumed that there would be a list of criteria to qualify for the special use permit in the ordinance language.

Mr. Cilimberg replied yes, there is going to be a list of uses brought over and any supplementary regulations that are necessary would be identified as well as part of that amendment. The Commission is not doing that tonight. Tonight the request was to simply pass a resolution of intent that authorizes staff to

proceed in doing this. This is part of what the Board had asked staff to pursue as part of the adoption of the Economic Development Policy, which is a part of the Comp Plan.

Mr. Lafferty asked if the ZTA would come back before the Planning Commission.

Mr. Cilimberg replied yes, the Commission would initially get this as a zoning text amendment, which was scheduled for a public hearing in April. The Commission will make a recommendation to the Board at that time and they in turn will act on it. The Commission will see the specifics of an ordinance change at that time.

Motion: Mr. Franco moved and Mr. Zobrist seconded for approval of the consent agenda.

The motion passed by a vote of 7:0.

Mr. Loach noted that the consent agenda was approved.

Public Hearing Items:

AFD-2010-00001 Batesville Agricultural/Forestal District
Review of the Batesville Agricultural and Forestal District: Periodic (10-year) review of the Batesville Agricultural and Forestal District, as required in Section 15.2-4311 of the Code of Virginia. The district includes the properties described as Tax map 70, parcels 40, 40A; tax map 71, parcels 23A, 23C, 24B, 24C, 24C1, 26, 26A, 26B, 26B1, 26B2, 26C, 27A, 29C, 29D, 29E, 29G, 29H, 29I; tax map 84, parcels 35A, 69; tax map 85, parcels 3, 3A (part), 4J, 17, 17B, 21, 21D, 21D1, 22B, 22C, 30D, 31. The area is designated as Rural Area in the Comprehensive Plan and the included properties are zoned RA Rural Areas. (Eryn Brennan)

Ms. Brennan presented a PowerPoint presentation and summarized the request as noted below.

- This is the ten-year district review of the Batesville Agricultural and Forestal District. The district is located west of Batesville and south of Dick Woods Road and north of Craig's Store Road. The district was created in 1990 and originally included 1,015 acres. The district now includes 34 parcels and 1,155 acres with 982 of which are enrolled in land use. As of this date no land owners have requested to withdraw from the district.
- On February 15, 2010, the Agricultural and Forestal District Advisory Committee recommended renewal of the Batesville District for a 10-year period until April 14, 2020.
- Staff recommends that the Planning Commission recommend renewal of the Batesville Agricultural and Forestal District for a period of ten years from the date of the Board of Supervisors action.

Mr. Loach opened the public hearing and invited public comment.

There being none, the public hearing was closed and the matter was before the Planning Commission for further comment and action.

Motion: Mr. Morris moved and Mr. Lafferty seconded to recommend approval of AFD-2010-00001 Batesville Agricultural/Forestal District as recommended for ten years.

The motion passed by a vote of 7:0.

Mr. Loach noted that the Batesville Agricultural/Forestal District Review will go to the Board of Supervisors on April 6, 2010 with a recommendation for approval.

ZTA-2009-00003 Farm Wineries
Amend Secs. 3.1, Definitions, 4.15.2, Definitions, 5.1.25, Farm winery, 10.2.1, By right and 10.2.2, By special use permit, of Chapter 18, Zoning, of the Albemarle County Code. This ordinance would amend

Secs. 3.1, by adding definitions of "agritourism" and "farm winery event" and amending the definitions of "accessory use, building or structure" and "farm winery"; 4.15.2, by adding signs identifying a farm winery as an "agricultural product sign"; 5.1.25, by amending the regulations applicable to farm wineries by delineating those farm winery related uses allowed by right; requiring a special use permit for a farm winery event, wedding or wedding reception, or a use not expressly allowed but determined by the zoning administrator to be a usual and customary use at a farm winery, if more than 200 persons will attend at any time; requiring identified information and a sketch plan to be submitted with an application for a special use permit; establishing regulations for sound generation and minimum yard requirements for farm wineries; and prohibiting restaurants and helicopter rides; 10.2.1, by amending the cross-reference to by-right farm winery uses; and 10.2.2, by adding certain farm winery uses as uses allowed by special use permit. 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. (Wayne Cilimberg)

Mr. Cilimberg presented a PowerPoint presentation and summarized the staff report regarding ZTA-2009-0003 Farm Wineries, as follows.

Background:

- 2007 - state legislation enacted limiting the extent to which localities may regulate various uses and activities associated with farm wineries
- This legislation and legislation more recently enacted in 2009 necessitate more detail be incorporated into the County's ordinance provisions
- Amendments that better define allowed uses and activities should provide local winery and public interests a clearer understanding of what is allowed; result in fewer questions of staff and greater efficiencies in use determinations and enforcement
- April, 2009 - ROI
- July, 2009 - Roundtable with interests
- November, 2009 and February, 2010 – PC work sessions; PC authorized public hearing in February

Definitions:

- Accessory Use, Building or Structure
- Agritourism
- Farm Winery
- Farm Winery Event
- Agricultural Product Sign

Uses Permitted By-right as Primary Uses:

1. The production and harvesting of fruit and . . . manufacturing of wine including . . . activities related to the production of the agricultural products used in wine . . .
2. The sale, tasting, including barrel tastings, or consumption of wine within the normal course of business of the farm winery.
3. The direct sale and shipment of wine . . . to consumers in accordance with . . . the Virginia Code and the regulations of the ABC Board.
4. The sale and shipment of wine to the ABC Board, licensed wholesalers, and out-of-state purchasers in accordance with . . . the Virginia Code, regulations of the ABC Board, and federal law.
5. The storage, warehousing, and wholesaling of wine in accordance with . . . the Virginia Code, regulations of the ABC Board, and federal law.
6. Private personal gatherings of a farm winery owner who resides at the farm winery or on property adjacent thereto that is owned or controlled by the owner, provided that wine is not sold or marketed and for which no consideration is received by the farm winery or its agents differently from private personal gatherings by other citizens.

Uses Permitted By-right Provided They are Related to Agritourism or Wine Sales:

1. Exhibits, museums, and historical segments related to wine or to the farm winery.

2. Farm winery events at which not more than two hundred (200) persons are in attendance at any time.
3. Guest winemakers and trade accommodations of invited guests at a farm winery owner's private residence at the farm winery.
4. Hayrides.
5. Kitchen and catering activities related to a use at the farm winery.
6. Picnics, either self-provided or available to be purchased at the farm winery.
7. Providing finger foods, soups and appetizers for visitors.
8. Sale of wine-related items that are incidental to the sale of wine including, but not limited to the sale of incidental gifts such as cork screws, wine glasses, and t-shirts.
9. Tours of the farm winery, including the vineyard.
10. Weddings and wedding receptions at which not more than two hundred (200) persons are in attendance at any time.
11. Other . . . agritourism uses or are wine sales related uses . . . determined by the zoning administrator to be usual and customary uses . . . which do not create a substantial impact on the health, safety or welfare . . . and at which not more than two hundred (200) persons are in attendance at any time.

Uses Permitted By Special Use Permit Provided They are Related to Agritourism

At which more than two hundred (200) persons are in attendance for the use at any time:
1. Farm winery events.
2. Weddings and wedding receptions.
3. Other uses that are agritourism or wine sales related . . . determined by the Zoning Administrator to be usual and customary uses . . .

Other Provisions:
1. *Sound*. Sound generated from most activities at a farm winery use shall be subject to the noise regulations of the Zoning Ordinance (which currently exempts agricultural activities); sound generated by outdoor amplified music shall be subject to the general noise regulations of the County code.
2. *Yards*. The minimum front, side and rear yards of a farm winery shall be as provided in the Rural Areas section of the Zoning Ordinance. Minimum yard requirements shall apply to all primary and accessory structures . . . and to all tents, parking areas and portable toilets used . . . to serve any use permitted at a farm winery, and all yards shall be measured from structures and off-street parking areas.

Uses Not Permitted:
1. Restaurants.
2. Helicopter rides.

Changes in Response to PC February Work Session:
- Language added to Section 5.1.25(f.) stating that, "the zoning administrator may reduce the minimum required yard upon finding that: (i) there is no detriment to the abutting lot; (ii) there is no harm to the public health, safety or welfare; and (iii) written consent has been provided by the owner of the abutting lot consenting to the reduction."

Other changes:
- Minor clarifying language included.
- Recommend further amendment to Section 4.15.2 to add "farm sales, farm stands and farmers' markets" to the definition of "agricultural product sign".
- Recommend further amendment to add the noise standard for outdoor amplified music that is cross-referenced in section 5.1.25(e).

Summary:
- Staff believes that all issues have been addressed.

- Following the required public hearing, staff recommends that the PC recommend approval of ZTA-2009-00003 Farm Wineries as provided in Attachment I with additional amendments to include:
    - the change to definition of "agricultural product sign" incorporating "farm sales, farm stands and farmers' markets"
    - the addition of the noise standard for outdoor amplified music both as presented tonight.

Mr. Loach invited questions for staff.

Mr. Lafferty asked if it was 200 persons in attendance at a time per winery.

Mr. Cilimberg replied yes.

Mr. Lafferty asked if they could have multiple parties going at the same time.

Mr. Cilimberg replied yes for different wineries and different locations.

Mr. Loach pointed out that it was 200 persons plus any customers.

Mr. Cilimberg said that this was for more than 200 persons in association with those particular events as noted in the summary.

Mr. Kamptner noted the trailing ordinance will be coming to the Commission in about three weeks regarding the farm wineries being added to the definition of agricultural product sign along with farm sales/farm stands and farmer's market. It will also change the sign regulations as it pertains to agricultural product signs off-site that will no longer require a special use permit and the on-site agricultural product signs will not require a sign permit. The on-site sign will need to comply with the regulations in place, but they won't need to go through the permitting process.

There being no further questions for staff, Mr. Loach opened the public hearing and invited public comment.

Chas Zakaib, General Manager with Jefferson Vineyards and Monticello Wine Trail board member, said that he worked with staff and all wineries for the past few years on these issues. Tonight the most important thing the wineries can express is gratitude for the hard work that staff has put into understanding what it takes to make these businesses run and thrive. It is not an easy business, but this will be made less challenging by virtue of the clarity that this ordinance will provide.

There being no further public comment, the public hearing was closed and the matter before the Commission.

Mr. Loach noted that he had one issue to bring up regarding the use with 200 plus people, which means 100 plus cars. When the Commission brought up the opening of Byrom Park in White Hall the number of parking spaces at the park was 59. There were a lot of comments from the community about traffic to the point that the number of parking spaces was actually reduced. It seems a bit of a paradox that they have a 400 acre park with adequate parking, but they are allowing 37 parking spaces only because of traffic yet there can be a winery next to it that would allow 100 plus cars. Either there is a problem with traffic or there is not a problem. If there is not a problem with traffic, he would bring up the issue later about increasing the number of parking spaces in the park. His point is that he has no problem with wineries and thought it was a good thing. The issue of traffic came from the residents in the rural areas, which he questioned.

Mr. Cilimberg said that in the case of events and weddings that exceed 200 people a special use permit will be required. This is an agricultural use. Like any of the other agricultural uses at 200 or below it won't be reviewed for parking per say. It will be subject to VDOT review and Health Department review and such for the activities they undertake. Ms. McCulley might want to speak to particulars regarding parking requirements. But, that is no longer an element of the ordinance because it was decided a while back that

they would remove the zoning clearance and sketch plan requirement. That decision actually came out of a Planning Commission work session.

Mr. Loach said that it was his understanding as far as parking under the 200 limit that as long as there was an adequate entrance and exit as far as VDOT was concerned, then parking would not be something that was regulated. In other words, there are no special parking requirements on the interior.

Mr. Cilimberg replied that is the way it stands now. Back when they had the sketch plan aspect of this with the zoning clearance that was something that would be reviewed. The guidance and direction from the Planning Commission staff received at that time when they discussed it in work session after they had heard from the people in attendance was they were not sure that was necessary.

Mr. Loach noted that he just brought it up as another point of disparity.

Motion: Mr. Franco moved and Mr. Zobrist seconded to recommend approval of ZTA-2009-00003 Farm Wineries as recommended by staff and provided in Attachment I with the additional amendments as provided at the meeting.

1. the change to definition of "agricultural product sign" incorporating "farm sales, farm stands and farmers' markets", and
2. the addition of the noise standard for outdoor amplified music.

The motion passed by a vote of 7:0.

Mr. Loach suggested that they have Parks and Rec relook at the parking regulations for Byrom Park in view of what they have just done to see if the original number of parking spaces was adequate.

Mr. Cilimberg noted that was part of a site plan and the decisions have already been made on that. That would actually involve them bringing the site plan back for an amendment.

Mr. Loach noted that he would speak with Pat Mullaney about that because it seems that there is a double standard.

Mr. Lafferty questioned if it was the event that draws the people and not the number of parking spaces available.

Mr. Loach said that it seemed to be a disparity to say 200 people plus customers and have no parking regulations and then to have a County park where the parking is planned and go from 59 to 37 because of concerns of traffic. He was saying that it should be relooked at.

Mr. Zobrist suggested that the problem was that the state legislature has mandated that they give these wineries an awful lot of breathe. There were huge kick backs from the area residents on King's Family Winery when they came in for a special use permit. The state legislature has kind of ridden over them. If this turns out that they start getting specific parking issues or types of traffic problems with large events at these wineries he assumed that they have the opportunity to amend the statute at some point in time to make a parking requirement.

Mr. Cilimberg pointed out that they would be able to address it for over 200 in a special use permit review. For under 200 associated with whatever activities if there starts to be problems, then there may need to be a zoning text amendment. They might need to revisit the idea of the zoning clearance with a sketch plan, which was the way they were going to potentially handle it before.

Mr. Loach supported the ordinance and felt it was a good approach with the problems that they have had. King's Vineyard has been a net plus for the community of Crozet in his opinion. Again, he would like the parking revisited at Byrom Park. The number of parking spaces was the exact number as they have at Mint's Springs. Certainly that road is equal to any small County country road. So he did not see parking as a problem and would like to see the numbers when Byrom Park opens elevated.

Mr. Cilimberg noted that staff would also say something to Pat Mullaney, Director of Parks and Rec, concerning the parking in Byrom Park and the opportunity that may be available for them to request additional parking.

Mr. Loach noted that ZTA-2009-00003 Farm Wineries would go to the Board of Supervisors on a date to be determined with a recommendation for approval.

SP-2009-00027 Grayson Farm Airstrip
PROPOSED: Construct private 1600' grass airstrip for single-engine airplanes
ZONING CATEGORY/GENERAL USAGE: RA Rural Areas - agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots).SECTION: 10.2.2 (19) Private airport
COMPREHENSIVE PLAN LAND USE/DENSITY: Rural Areas - preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/ density (.5 unit/ acre in development lots)
ENTRANCE CORRIDOR: Yes. LOCATION: 6507 Scottsville Road (Rt. 20 South), north of Scottsville Road and Glendower Road junction. TAX MAP/PARCEL: 12100000082H0. MAGISTERIAL DISTRICT: Scottsville (Eryn Brennan)

Ms. Brennan presented a PowerPoint presentation and summarized the staff report.

- This is a special use permit to construct a private 1600' grass airstrip for a single-engine airplane.
- The airstrip is proposed to be used in the daytime only with no use from 10 a.m. to 12 p.m. on Sundays.
- Use of the proposed airstrip would be limited to a maximum of 250 take-offs and landings per year.
- The airstrip would be limited to visual flight restricted flying.
- Although no significant site grading, additional paving or roads are being proposed, the applicant would like to conduct some minor infill where necessary in order to even out the landscape along the proposed grass strip. A few trees along the fence line are proposed to be removed. The applicant would convert an existing hay barn near the proposed airstrip into a hangar.
- The applicant has submitted letters of no objection from eight adjacent property owners. The Charlottesville Albemarle Airport and the Federal Aviation Administration have also submitted letters stating that they have no objections to the proposed airstrip.
- The surrounding context is comprised of primarily large forested parcels intermixed with agricultural land to the north, south, and east. Several parcels of adjacent land are located in the Totier Creek Agricultural and Forestal District and/or are under conservation easements. The parcel is also located in the Southern Albemarle Rural Historic District and the Route 20 Entrance Corridor. The main house is located approximately one-quarter of a mile east of Scottsville Road and several farm buildings are located southeast of the main house.
- There are no provisions in the Comprehensive Plan regarding private airstrips in the rural areas. The land uses supported in the rural areas include agriculture, forestry and conservation. This proposed use does not directly contribute to these land uses, but it also does not negatively impact these land uses. There are no permanent improvements proposed to the site to accommodate the airstrip. Therefore, the proposed use would have only a minimal impact on the rural character of the area. Furthermore, as required in the supplemental regulations there is no residence within 500 feet horizontally or 1,000 feet longitudinally of the airstrip. Therefore, the proposed airstrip would not constitute a detrimental impact to adjacent properties.

Staff has identified the following factors favorable to this application:

1. The proposed use would only minimally impact the character of the site, given that no permanent structures or improvements would be constructed.
2. There are no anticipated detrimental impacts on adjacent property resulting from the proposed use.

Staff has identified one factor unfavorable to this application.

1. The use does not directly contribute to the goals outlined in the Rural Areas section of the Comprehensive Plan.

Staff recommends approval of Special Use Permit 2009-27 Grayson Farm Airstrip subject to the conditions as recommended in the staff report.

Mr. Loach invited questions for staff from the Commission. He asked if there were any FAA requirements on the part of the County.

Ms. Brennan replied no, that one of the conditions requires the applicant to get FAA approval, which the applicant has already done. The applicant is also required to obtain approval from the Virginia Department of Aviation.

Mr. Loach asked how the applicant would deal with condition 9 that said no fuel stored on site.

Ms. Brennan referred the question to the applicant.

Ms. Porterfield asked Mr. Kamptner if the special use permit approval would run for this applicant only.

Mr. Kamptner replied no, the special use permit runs with the land.

Ms. Porterfield pointed out according to the letter from the Charlottesville Airport it is a noncommercial strip for Mr. Schmidt's personal use only. She asked if they could condition it that way.

Mr. Kamptner replied that the Charlottesville Airport is conditioning it as part of their approval. He was not sure what role they would have.

Ms. Brennan noted that other than that it is a condition of the County's approval that the proposed airstrip does not conflict with any of their air traffic patterns.

Mr. Kamptner pointed out if Mr. Schmidt no longer resided there and the new owner was not able to get approval from the Charlottesville Albemarle Airport, then condition 5 would not be satisfied. So that concern has already been taken care of.

Mr. Loach opened the public hearing and invited the applicant to address the Commission.

Tim Schmidt, applicant, presented a PowerPoint presentation and explained the request, as follows.

- The airstrip is for his private personal use for a single-engine plane. There would be no flying lessons or student training. It is purely for his recreational use. There would be no bad weather flying. This is only for VFR, which is visual flight requirements, which means 3 miles of visibility longitudinally and at least 1,000 feet of ceiling from ground to the bottom of the clouds. There would be no flying between 10 a.m. and noon on Sundays because Christ Church is adjacent to their property, which is out of respect for their services on Sunday mornings. There will be less than 250 takeoffs and landings per year. That is an average number, which turns out to be less than five per week. Since it is not paved and with a winter like this past year it would be weeks without any flying.
- The neighborhood impact is the thing of most concern. Nothing will be visible from Route 20. There will be no structural changes on the property since the strip will go through two hay fields. When the airstrip is no longer used it will revert back to being a hay field. No structures are being built. The adjacent hay barn will be converted to a hangar for plane storage.
- Noise is a concern to everyone in the rural areas. The highest noise level at the property line is 55.12 dB at the nearest neighbor. (As calculated per the European Aviation Safety Association) The rating is so many decibels at 100 feet at take-off. He noted that 60 decibels is allowed through the rural areas standard. When taking noise into consideration it needs to be noted how

long this noise will be heard, which is only at take off. The noise may last 10 to 20 seconds as the plane is moving and taking off and its impact insignificant.

- Environmentally, there will be no paving. There will be no significant changes to the landscaping.
- Regarding safety, there will be no lights on the airstrip. The plane is small with two seats and has low landing speeds. It will be used only for recreational use.

Mr. Loach questioned how he would deal with the condition regarding no fuel stored on site.

Mr. Schmidt replied that the plan holds 30 gallons of fuel and burns between 4.5 and 5 gallons per hour. It is a small 100 horse power engine. There would be six hours of flying with one fill up. It would be flying to Charlottesville or Farmville with a fill up. If he flew to Farmville he would fill up with 30 gallons. By the time he got back and landed one-half hour after fill up he would have burned 2 ½ to 3 gallons of fuel and still have 27 gallons of fuel left. That would be how he would handle the fuel.

Mr. Loach asked if there would be other aircraft other than his landing on the property.

Mr. Schmidt replied no.

Mr. Loach invited public comment. There being none, the public hearing was closed and the matter placed before the Planning Commission.

Motion: Mr. Zobrist moved and Mr. Franco seconded to approve SP-2009-00027, Grayson Farm AirStrip with the conditions recommended by staff as amended for condition 5.

1. Development of the use shall be in conformity with the Conceptual Plan entitled, "Concept Plan," prepared by Tim Schmidt, and submitted October 13, 2009, (hereinafter, the "Conceptual Plan"), as determined by the Director of Planning and the Zoning Administrator.

   To be in conformity with the Conceptual Plan, development shall reflect the following major elements within the development essential to the design of the development:

   - *location of airstrip*
   - *location of buildings and structures*

   shown on the Conceptual Plan.

   Minor modifications to the Conceptual Plan which do not conflict with the elements above may be made to ensure compliance with the Zoning Ordinance.

2. The airstrip shall be located not less than 500 feet horizontally nor 1,000 feet longitudinally to any existing dwelling on adjacent property.
3. No lighting of the airstrip shall be permitted.
4. The airstrip shall not be paved or graded.
5. Approval and registration with the Federal Aviation Administration, the Virginia Department of Aviation, and the Charlottesville-Albemarle Airport shall be required and must be kept current.
6. Landings and takeoffs shall be limited to daylight hours only, and shall not be permitted between the hours of 10:00am to 12:00pm on Sundays.
7. All maintenance, repair, and mechanical work, except that of an emergency nature, shall be performed in an enclosed building.
8. Commercial activities and private clubs shall not be permitted on-site in conjunction with the airstrip.
9. No fuel shall be stored on-site.
10. Aircraft usage shall be limited to a single-engine, fixed-wing aircraft.
11. The airstrip shall be limited to Visual Flight Restricted (VFR) flying.

12. No more than five (5) takeoffs and landings shall be allowed per week.

The motion passed by a vote of 7:0.

Mr. Loach said that SP-2009-00027 Grayson Farm AirStrip would go to the Board of Supervisors on a date to be determined with a recommendation for approval.

SP-2009-00028 Augusta Lumber

PROPOSED: Amend SP200100034 to include an existing lumber storage structure and an additional .267 acres with the approved special use permit. Waiver of Section 5.1.15(a) to reduce required setbacks has been requested. ZONING CATEGORY/GENERAL USAGE: RA Rural Areas - agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots. SECTION: 10.2.2(14) Sawmills, planing mills and woodyards (reference Sec. 5.1.15 and subject to performance standards in Sec. 4.14). COMPREHENSIVE PLAN LAND USE/DENSITY: Rural Areas - preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/ density (.5 unit/ acre in development lots)
ENTRANCE CORRIDOR: No. LOCATION: 4303 Plank Road (Rt. 712) at the intersection of Starlight Road (Rt. 813), North Garden. TAX MAP/PARCEL: 099000000049A0 and appx. .296 acre portion of TMP 099000000049A3. MAGISTERIAL DISTRICT: Samuel Miller (Joan McDowell)

Ms. McDowell presented a PowerPoint presentation and summarized the staff report.

- This is a special use permit for Augusta Lumber. There were several items of history contained in the staff report. The first special use permit began in 1982 with subsequent amendments to the special use permit. There were a couple of zoning violations. One was concerning the hours of operation and the latest one was concerning construction of an unpermitted expansion, which is what they are addressing with this special use permit.
- The applicant is requesting to amend SP-2009-00034 to add a 3,600 square foot building that was constructed without amending the previous special use permit. The building is used for storage and sorting of lumber. There is a condition of approval that has been offered to ensure that the future users of the building would be restricted to these two uses and that noise generating equipment would not be used in this area. No additional traffic, noise or pollution would be associated with this structure.
- With a boundary line adjustment that is on hold until this process has been completed .267 acres would be added to the Augusta Lumber property.
- A waiver has been requested of Section 5.1.15.a to reduce the required setbacks. Approval of SP-2009-00034 would bring the business into compliance and would permit the processing of the boundary line adjustment.
- An aerial photograph of the site shows that the building that they are requesting is on the adjacent property. The building apparently was built by the owner prior to the current owner and he owned both properties at the time. The boundary line adjustment would make an adjustment to put the well and building on the subject property within the Augusta Lumber property boundary.
- There is an issue with the setbacks, which was dealt with in the staff report.

- Staff has identified the following factors favorable to this application:
    - The lumber storage building would be consistent with the Comprehensive Plan goal to support forestal uses within the Rural Area.
    - No production activities would be contained within the storage/sorting building; therefore, noise generating uses would not result from this application.

- Staff has identified the following factor unfavorable to this application:
    - There are potential negative impacts that could result from this use in the RA; however, conditions of approval are included to mitigate or prohibit these impacts.
    - Staff identified factors favorable to the application as follows:

- Staff recommends approval of SP-2009-00028 Augusta Lumber subject to the recommended conditions listed in the staff report.

- Staff recommends approval of the request for a waiver from Section: 5.1.15 SAWMILL, TEMPORARY OR PERMANENT
    - Each temporary or permanent sawmill shall be subject to the following:
    - a. No structure and no storage of lumber, logs, chips or timber shall be located closer than one hundred (100) feet to any lot line. Trees and vegetation within the one hundred (100) foot setback shall be maintained as a buffer to adjoining properties and uses, provided that during the last three months of operation such trees may be removed.
- Applicant's Justification:
    - "The SUP Amendment will rectify an error enacted by the previous owner as a lumber drying shed was constructed across a shared property line. The Boundary Line Adjustment, in conjunction with the SUP Amendment will allow for all of the structures owned by Augusta Lumber, LLC to be on property owned by that entity. The two structures shown on the BLA plan also fall within the 100' setback as outlined in Section 5.1.15a and will require a waiver to be used for their existing purpose for lumber storage. The buildings do not face the adjacent property and do not produce an operational nuisance for adjacent property owners

Mr. Loach invited questions for staff from the Commission.

Ms. Porterfield asked if the applicant was the owner when the problems occurred with the County that were cited in the staff report.

Ms. McDowell replied that was correct since the applicant bought the property about two years ago.

Ms. Porterfield asked if everything existed as it is now for the past two years.

Ms. McDowell replied yes.

Ms. Porterfield asked if staff already has the application for the boundary line adjustments, and Ms. McDowell replied yes that the application had been put on hold for the special use permit review.

There being no further questions for staff, Mr. Loach opened the public hearing and invited the applicant to come forward to address the Commission.

Chris Schooley, CLA with Nowak Schooley Design representing Augusta Lumber, LLC, noted that Ms. McDowell gave a wonderful background. The Carr family owned Augusta Lumber and the adjacent property. Clearly someone went out and built a barn that did not get the building permit that they thought they did not need. Of course, since they owned both properties the barn ended up across the property line. Augusta Lumber as an entire entity, which is a number of holdings, was sold to a capital holding group out of Boston in 2006. During the due diligence period they asked the County to come out and do a compliance check on the property. He believed that it was John Shepherd who signed the letters saying that everything looked fine. He imagined that he looked at the other property because it feels like it is part of everything else and it looked okay. They might have missed it on the GIS. That is neither here nor there because the end result is, whether it was missed or not, that they still have to come back through this process and amend the special use permit to get the boundary line adjusted. At this point this seems to be the most logical path to get this resolved. As noted Augusta Lumber LLC was not involved when this was built and just wanted to have it resolved and move forward.

There being no questions for the applicant, Mr. Loach invited public comment. There being no public comment, the public hearing was closed and the matter before the Commission for discussion and action.

Motion on Special Use Permit:

Motion: Ms. Porterfield moved and Mr. Morris seconded to approve SP-2009-00028, Augusta Lumber subject to the conditions of approval as recommended by staff.

1. Approval SP-2009-00028 is for the addition of one 3,600 square foot lumber storage/sorting building only. Any other uses, buildings, and/or enlargement of buildings shall require amendment of this special use permit;
2. The subject storage shed shall be located on the property in general accord with the sketch plan entitled "Plat of Boundary Line Adjustment Tax Map 99 Parcels 49A and 49A3" dated September 25, 2008" (thereinafter the "Plat") subject to standards within Section 5.1.15 of the Albemarle Zoning Ordinance;
3. The subject storage shed shall be restricted to the following purposes:
   a) storage of lumber
   b) sorting of lumber;
4. No noise generating production equipment shall be used within the building proposed with SP200900028, as shown in Attachment A the "Plat" *(yellow)* or within 100' of the property line of TMP 99-49A3;
5. Approval of a waiver from Section 15.1.15(a) shall be required.

The motion passed by a vote of 7:0.

Motion on Waiver of Section 5.1.15(a):

Motion: Ms. Porterfield moved and Mr. Morris seconded to approve a waiver from Section 5.1.15(a) on SP-2009-00028 Augusta Lumber for the two storage/sorting buildings as shown on Attachment A, subject to the conditions of approval as recommended by staff.

1. Compliance with Section 5.1.15 of the Zoning Ordinance except as modified or waived below:

   a. Section 5.1.15 (a) shall not apply to existing development of the property; provided that any building or storage area currently within 100 feet of a property line shall not be expanded or extended in the direction of the property line. Buildings and storage areas which are in conformance with Section 5.1.15(a) shall remain in conformance with that section;
   b. Section 5.1.15 (b) shall not apply to any machinery regulated by Section 5.1.15(b) (the machinery) or any building housing machinery currently within 600 feet of any dwelling on other property in the area, provided that neither any machinery nor any building housing machinery may be expanded or relocated in the direction of such dwelling. Machinery and buildings housing machinery, which are in conformance with Section 5.1.15 (b), shall remain in conformance with that section;
   c. No sawing, planning, chipping or operation of other processing machinery (except the boiler plant and drying kiln) shall occur between 9:00 p.m. and 6:00 a.m. No loading/unloading of wood/wood products shall occur between 9 p.m. and 6 a.m.;
   d. Noise measured shall not exceed the levels allowed under Section 4.14 of the Zoning Ordinance.

The motion passed by a vote of 7:0.

Mr. Loach said that SP-2009-00028 Augusta Lumber would go to the Board of Supervisors on a date to be determined with a recommendation for approval. The waiver from Section 5.1.15(a) was approved and does not require Board approval.

Old Business:

Mr. Strucko asked if there was any old business.

- Request made by Ms. Porterfield regarding the Commission's follow-up to a previous discussion about trying to do something about making sure that whatever is getting buffered gets the good side of the fence.
- Mr. Cilimberg noted that it would be reflected in the action memo.

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

New Business:

Mr. Loach asked if there was any new business.

- As a follow-up to staff's Round Table discussion regarding critical slopes and amending that ordinance Mr. Franco noted that he hoped they were following what the City is doing. Mr. Cilimberg noted that the County was following the city's process.
- The next Planning Commission meeting will be held on April 6th.
- Commissioners Lafferty and Porterfield will be absent at the next meeting on April 6th.

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

Adjournment:

With no further items, the meeting adjourned at 6:54 p.m. to the April 6, 2010 meeting at 6:00 p.m. at the County Office Building, Room 241, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

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V. Wayne Cilimberg, Secretary

(Recorded and transcribed by Sharon C. Taylor, Clerk to Planning Commission & Planning Boards)