Albemarle County Planning Commission
November 20, 2012

The Albemarle County Planning Commission held a regular meeting on Tuesday, November 20, 2012, at 6:00 p.m., at the County Office Building, Lane Auditorium, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

Members attending were Richard Randolph, Bruce Dotson, Ed Smith, Thomas Loach, Don Franco, and Calvin Morris, Chair. Absent was Russell (Mac) Lafferty, Vice Chair. Julia Monteith, AICP, Senior Land Use Planner for the University of Virginia was absent.

Other officials present were Matt Weaver, Intern; Elaine Echols, Principal Planner; Andy Sorrell, Senior Planner; Wayne Cilimberg, Director of Planning, Ron Higgins, Chief of Zoning; and Greg Kamptner, Deputy County Attorney.

Call to Order and Establish

Mr. Morris, Chair, 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.

Charles Battig, M.D., as a private citizen and landowner in Albemarle County in the vicinity of Free Union, spoke against the proposals for the County Comprehensive Plan as described in his letter submitted outlining his prepared comments. (**Attachment 1** Letter submitted by Charles Battig, MD submitted to the Albemarle County Planning Commission dated November 20, 2012 - Attachments on file with the printed minutes in the office of the clerk and final action memo online)

Jack Marshall, President for Advocates for a Sustainable Albemarle Population (ASAP), said that ASAP are impressed with the thoughtful work that has gone into the revision of our County's Comprehensive Plan. However, they are troubled that the draft document does not sufficiently speak to issues regarding our County's potential for, and impacts of, future population growth. Our concern rests on a growing body of evidence that past a certain point of a community's population size, a few individuals may profit from more growth, but all residents end up paying for it – poorer quality of life, in a less health environment, and in higher taxes. He submitted a statement to the Albemarle County Planning Commission dated November 20, 2012 Introducing the ASAP Proposals Regarding the 8/28/12 Draft of the Albemarle County Comprehensive Plan and 11/4/12 ASPA comments on the 8/28/12 draft of the Albemarle County Comprehensive Plan. (**Attachment 2** Statement to the Planning Commission from Mr. Marshall dated November 20, 2012 - Attachments on file with the printed minutes in the office of the clerk and final action memo online)

Tom Oliver, Chairman of the Piedmont Group of the Sierra Club, said their comments this evening focus on the optimum sustainable population size proposal that has been presented by Advocates for a Sustainable Albemarle Population. "The Piedmont Group of the Sierra Club recognizes the detrimental effects of continuing human population growth on vital environmental resources. We believe it is necessary that the Comprehensive Plans of Albemarle County and the City of Charlottesville confront the consequences of growth in our community. In a vision statement we proposed in June 2011 for inclusion in the Comprehensive Plans of the City and County, we included a stable or near stable population size as a feature of our vision. A copy of our vision proposal is attached to this statement. Like many in the environmental community, we have found it difficult to develop proactive proposals within this compressed update process. We are likely to present additional proposals for the plan after it reaches the Board of Supervisors." (**Attachment 3** – Statement dated November 20, 2012 from the Piedmont Group of the Sierra Club to the Albemarle County Planning Commission Regarding the ASAP Optimum Sustainable Population Size Proposal and Proposed Comprehensive Plans Vision Statement For the City of Charlottesville and County of Albemarle dated June 14, 2011 - Attachments on file with the printed minutes in the office of the clerk and final action memo online)

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

Review of Board of Supervisors Meeting – November 13, 2012

Mr. Cilimberg summarized the actions taken by the Board of Supervisors on November 13, 2012.

CPA-2013-00001 Comprehensive Plan
Finalize recommendations on uses, strategies, and performance measures for success - Rural Areas and Natural Resources sections of Comprehensive Plan. (Elaine Echols, Andy Sorrell)

Mr. Morris asked to make a change in the venue for this evening. Since this is a continuation of the meeting on October 30 he would like to first open up for matters from the public and then bring it back and ask Ms. Echols to walk the Commission through the staff report. The Commission will take the items one by one having the benefit of hearing from the public. He asked if there were any objections to that. There being no objections, he opened the matter up to items from the public.

The Planning Commission received the following input from the public:

- Lonnie Murray, Chair of the Albemarle County National Heritage Committee and a citizen, said at the last meeting his committee was talked about and he wanted to clarify some things.
    - During his time as Chair at no time has the committee recommended taking away property rights or population control. Those are not things that get discussed at their meetings. At the meeting they have talked about the importance of sustainable uses for the rural area and the need for more focus on agri-tourism. One of the things they believe is if they don't get proactive about defining sustainable uses for our rural area, then the default use is going to be real estate development. We need to find sustainable uses in the rural areas and recognize the role biodiversity plays in natural resources.
    - Our natural resources provide a lot of different services, such as tourism, water quality, raw materials for products, and recreation opportunities. Biodiversity is the mechanism by which they measure the health of those systems that they depend upon. When they are looking at how they can determine how healthy our communities are they know already if they want to know whether they can drink the water they look at what creatures are growing in it. If nothing can live in the water, then they don't want to drink it. The same thing applies to terrestrial environments in our Albemarle County. If our natural systems in Albemarle County can't harbor biodiversity, then they don't want to live there.
    - If they did the best they could at managing storm water and protecting stream buffers and critical slope, they would accomplish about 95 percent of the protection in our biodiversity areas in the County. They have spoke to staff about our need for a Watershed Management Plan to see if they can merge that with the idea of a conservation plan. These are two inherently united goals. He encouraged providing opportunities for incentives to protect biodiversity in the rural area.

- Jim Moore, local resident, presented a draft proposal for the Planning Section of the Comprehensive Plan dated November 20, 2012 as a substitute for all sections of the Comprehensive Plan related to land use. In paragraph one – (1) a change in the use of land may be initiated by its owner upon public notice of the proposed use in detail, (2) a site plan including the height of structures, and (3) the time and place of the public meeting 30 days in advance to be moderated by an independent parliamentarian. Results shall be amended to the land's deed. The proposal shall be approved, approved with conditions, or rejected at such meeting by parties of interest with the voting rights as listed in Attachment 4. (Attachment 4 on file with the printed minutes in the office of the clerk and final action memo online)

- Audrey Wellborn, a 42 year County resident, said she had lived at her present address for 33 years, which was in the rural area. She was very concerned about the Comprehensive Plan.
    - They have three children and eight grandchildren and she was concerned about what was done now and how it would impact them. When they bought their property in 1979 it came with a list of covenants. They had a chance to look at the covenants and decide whether they were still going to purchase the property. They decided even with those restrictions that was something they were going to do.
    - She also had been on the Thomas Jefferson Planning District Commission as a citizen

advisory. So she has been following the course of these things for the last couple of years. Unlike when they bought their property and could look at the covenants ahead of time she was very concerned over a lot of the things that are in the Comprehensive Plan. These are restrictions that would be imposed upon property owners who like herself have lived there for a long time.

- She has read the documents on the rural areas and natural resources, each of which was 30+ pages. She was stopped on page 1 in the third paragraph where it said there are features that often draw people to want to live in the rural areas which are not a goal for Albemarle County. She could not believe that was right on the first page. She thought there were a lot of County residents that would be shocked to know that it is not a goal for people to live in the rural area.
- There are two areas. The first is in the Natural Resources on page 12, which is all about the biological inventory and references the Natural Heritage Committee. She was very concerned over the data base that would be created that would include landscape fixtures, habitats, critical areas, etc. She was wondering how they go about this. Do they go on private property and try to find these habitats and how would that impact private property rights. Also, on the transfer of development rights where it talks about receiving zones and that sending zones should have high value environmental resources which could be permanently protected, most people have no idea of what all this really means. She intends to look further. She just wanted to let the Commission know that her goal is to let people in the County know what is in these documents. She thinks they would be shocked to know what is being proposed.

- Kristen Grimlaw, a senior at Monticello High School, said she was doing a research project on public policy and rural areas. Expansion into the rural areas will take away from the rural area itself. Residents of Albemarle County move to the rural area because of the beautiful and quiet landscape, which allows them to escape the busy urban setting. The expansion of rural business would take this away from residents. In a study conducted by the University of Virginia's Center for Survey Research 95.6 percent of area residents believe the rural country side is important to their quality of life. This survey reveals that not all economic development is good. Obviously, the winery business has gone through changes over the years. Originally wineries were quaint and solely concerned on their wine with little concern on hosting big events. However, in order to increase the financial position of the winery many began offering their land for weddings and other venues. While this does bring in revenue many surrounding neighbors find their events incredibly intrusive to their privacy. As mentioned before people move out to the rural areas for the quietness of the landscape not for a concert in their back yard. King Family Vineyards built a barn to accompany large and small parties. Having facilities like this would cut down on the noise pollution produced outdoors. If a facility cannot be built or the vineyard prefers to stay outside permanent tents with sound barriers should be available for use.

- Michele Pace, a senior at Monticello High School, said she was doing research on public policy in rural areas. There is also a traffic concern when it comes to big events at wineries. Most often than not vineyards are located in the areas where roads are underdeveloped and do not support large amounts of traffic. The small and sometimes gravel roads creates hazards for residents and party goers. A road with a main concern of safety is Turkey Sag Road. This is a dirt road that has seen an increase in traffic after Castle Hill Cidery decided to host events. Residents, increased events and people will make the dirt road even more dangerous. If the expansion of business should occur it should take place in cross road communities. This is due to the fact that cross road communities have the resources to support growing businesses. An important thought to consider would be to create a local economy that allows producers to prosper. This would encourage farmers to sell directly into our local market rather than sending their products to other locations. This would prevent farmers from having to sell parts of their land because of economic reasons. As a result farm land would be less susceptible to development.

- Maynard Sipe, with the law firm Boyd and Sipe, said they practice in the area of real estate, land use, and government relations.
    - Regarding rural area uses in the Comp Plan he wanted to address an area discussed on page 3 of the staff report, which references breweries and distilleries. He was asking the Commission to voice support for small scale farm distilleries in particular as an

appropriate use. It is a very traditional agricultural use once common place on farms and across rural areas in Virginia. In general, he thinks they are facing a time where there is a concern that with rural uses they ensure a local quality safe food supply; recognize agricultural uses can embrace a diversity of uses; include processing and agri-tourism. He thinks these things are good because they will work to promote conservation and preservation of farms and rural lands by providing landowners with an economically viable use for their land.

- By ensuring economic vitality of the rural areas and a productive use of rural lands, he thinks farms and forests even in small holdings is really the best way to preserve the rural area. He referred to fact that historically our rural areas were very vital and active. They had a mutually supporting network of small farms. Each farm was a beehive of activity. The small farmers not only raised crops or cattle; they also engaged in small trades and process of their products in order to produce value added consumer ready products.
- There is a comparison to distilleries with wineries, which are prevalent in our area. Distilleries are like wineries in taking an agricultural product and processing it. However, they are also significantly different. A distillery is typically a small use and can be housed in an existing or typical farm building. They would not have the facilities that the wineries have embraced. They would not generally rely on public traffic. It has been historically shown that before prohibition there were over 250 distilleries across Virginia licensed and legal. These were often located on farms in the rural areas. By taking excess fruit and grain they enable farmers to find a way to add to their farm incomes.
- There is a section in the draft rural chapter on page 11 that talks about a strong agricultural and forestall economy. He really thinks that should be the opening of the rural chapter where they focus on what they want. It sets a vision for the rural area that embraces forestry, agriculture, and reasonably scaled rural enterprises, such as agricultural processing. He asked for support for distilleries and breweries.

- Jeff Werner, representing the Piedmont Environmental Council (PEC) provided comments on the Rural Areas Section of the Comprehensive Plan in "Albemarle County Rural Area Subdivision Activity from Development Activity Reports 1979 to 2003 and Rural Areas Section of the Comprehensive Plan adopted in 2005 as presented in **Attachment** 5. (Attachment on file with the printed minutes in the office of the clerk and final action memo online)
  - The first handout was a cliff note version of the current Rural Area Plan. He went through and stripped out all of the goals, objectives and strategies. He left out all of the other text. He was on the group several years ago that came up with the current Rural Area Plan. He thinks it is a pretty good plan and has a lot of good stuff. He suggested that is where they have to start with making sure the good things are retained in this discussion. In particular, the back page talks about the fiscal impact of growth in the rural area.
  - The second sheet of paper is to raise some questions about information. Since they stopped getting development activity reports in 2003 they really don't know what the rate of subdivision is in the rural area. They are constantly talking about what is happening out there. He asked that they get some real information. He looked at the 2012 tax map/parcel data today and he was shocked to find there are 7,035 vacant parcels in the rural area, which would be with $25,000 of improvements or less. There are 5,992 vacant parcels with zero improvements on it. That is the kind of information they need to be getting into this discussion.
  - They really have to get down to the discussion of transportation and these new uses. They need to talk about how they are going to weigh their impact. They need to get some measurables so they know when an activity is going to increase the traffic, what does that mean, and what will happen to that road. He was curious what the enabling legislation says about breweries and distilleries. Wineries have it, but he does not know how that is covered there.
  - They talk about tourism and to have a significant tourist economy. He suggested defining the word "significant" in order to understand that objective. On the events at a farm winery make sure to distinguish between a private event and a commercial event. He would submit all of his comments later. He appreciated the Commission allowing the students to speak. It is wonderful to have them here.

- Neil Williamson, with the Free Enterprise Forum, said one critical part of this discussion tonight

really is a function of what is the rural area. Is it a park? They talk about the Comprehensive Plan and have a sustainability discussion where they are going to bring it all together. However, he continues to see them working on these issues as silos. Natural Resources are a silo. Economic Development is a silo. He thought Mr. Murray spoke to it well to suggest that if they don't have an economically sustainable area in the rural area it will go to the lower use. When people move to the rural areas and they chose to live there they do not give up their property rights. What they give up based on the current Comprehensive Plan is an expectation of a level of service. That is a real choice that has to be made.

  - He wanted to speak very briefly about the discussion of an optical population size. He was reading a "Science Today" article that was speaking of a 1968 book The Population Bomb, which did not blow up. They continue to find innovation and that the greatest resource in any community is the people of that community, whether it is the high school students they heard or others from the community. Our community's greatest resource is the people. Why would they limit who is allowed to live there.

- Morgan Butler, representing the Southern Environmental Council, thanked the Commission and staff for adding this extra session to go through these chapters. It will give the public a bit more time to go through these two important chapters to offer comments. They offered oral comments at the last work session on these chapters and also sent a letter on Friday. He hoped they would take those comments into consideration. He made the following points, which he wanted to stress tonight:
  1. Particular zoning text amendments are discussed in the Comprehensive Plan. Because so much additional work and information needs to be done and obtained before an educated and informed decision can be made on whether such amendment would make sense they suggest that those should be worded as considering amendments to the plan as opposed to amending the plan to do such.
  2. Regarding the transfer of development rights program, they support staff's recommendation that this continue to be something that is considered. It was a topic of some discussion years ago. He thinks one of the challenges of that approach was it was envisioned as being very broad in scope and encompassed all of the rural areas. He thinks there is room to start at a smaller almost pilot program where they identify a specific part of the rural area and see if they can fashion a transferable development rights program about that.
  3. He stressed that they have serious doubts about the appropriateness of allowing lodging to occur in the rural areas by right in new buildings. They think there may be some reason that warrants looking at perhaps allowing it by special use permit in existing buildings, historic structures in particular. However, to allow lodging in new buildings by right seems to be a dangerous step.

- Dr. Clara Bell Wheeler, private property owner and care taker of a farm on Stony Point Road, said she was appalled at this Comprehensive Plan. It strikes at the heart of everything this country was founded to support – individual freedom, individual property rights and individual ownership as well as the ability to choose our own way in this world. First, she would like to say in this Comprehensive Plan there is a statement that says you the Planning Commission using the Comprehensive Plan will limit the number of churches in our country. Dear Heavenly Father if you do that let me run from the building before lighting strikes. She asked if they have lost their minds. They would compound that mistake by limiting the number of worshipers in those churches. She comes from a long line of Baptists. Our philosophy is you build churches and try to get people to come to them for a lot of good reasons. She has never heard in her life of anybody wanting to limit the number of churches in a free and open society. Last night on television there was an epic movie that talked about what happens when the government takes over everything including private property, which takes her to the next comment. The Comprehensive Plan will limit the number of guest that she can have on her farm to celebrate Independence Day on July 4th. She thinks not. She also thinks not that the Comprehensive Plan has any business telling someone how many people they can have in their private residence. Please consider this Comprehensive Plan a work in progress which should progress to the trash can.

- Dianna Weber, resident of Cismont, agreed with Ms. Wheeler and Neil Williamson that these plans amount to a straitjacket to County residents violating freedom of action and private property

rights. They seem to be a solution in search of a problem. They create more problems for residents than exist now. There are so many nit-picking regulations in this plan that she did not know where to start.

- She has a particular problem with telling people how many members they can have in their congregation; with telling community centers how many people they can have; and with limiting the amount of guests that people can have on their property. This is the United States of America. How can this happen?
- It takes her an hour and a half driving time to get here. She gives up her family, friends and the time at her home. Not every County resident is willing to do that to speak for three minutes. She is a County resident and not a member of an organization. She is not paid to be here. She had to take her evening two days away from Thanksgiving to come here out of fear. There are thousands of residents just like me. She had a lot of input from people she asked to come. But, they were busy.
- In one email someone sent it said "very glad to see they consider scenic resource a value. The most valuable scenic resource, in my opinion, is a view of the chaotic bustling communities that existed before zoning and even before stop lights when land was used efficiently for the mingling of many races and economic classes as they worked and shopped wherever they wanted." She did not think there was a problem here. She thinks they have a great County. She thinks the people are being hamstringed by these plans. No one is going to want to live here.

- Dr. R. Michael Johnson, a County resident for 35 years, said there is an interesting table in the draft of this which says how many building permits are being started or issued. In 2001, it was about 600 permits a year. Now it is about 200 permits a year. Why is that? Why is it that when a house goes up for sale in Albemarle County it sits there for two years before you find a buyer. It is probably, in his opinion, such things as this Comprehensive Plan that is causing this. They don't need a Comprehensive Plan at all basically. They just went through an election process and 75 percent of the people voted to support personal property rights to stop the government from taking over their rights. Remember that 75 percent of the people voted that way.

- Dr. Charles Battig, resident of Free Union area, read from the Nature Conservancy letter, "As conservation became a global enterprise in the 1970's and 1980's the movement's justification for saving nature shifted from spiritual and aesthetic values to focus on biodiversity. Nature was described as primeval, fragile, at risk of collapsing from too much human use and abuse. Indeed there are consequences when humans convert landscapes for undesirable activities. But, ecologists and conservationists have grossly overstated the fragility of nature frequently arguing that once an ecosystem is altered it is gone forever." "Everything from the expansion of agriculture to rain forest destruction to changing waterways has been painted as a threat to the delicate inner workings of our planetary ecosystem. The trouble for conservation is that the data simply does not support the idea of the fragile nature at risk of collapse. Ecologists now know that the disappearance of one species does not necessarily lead to the distinction of any others much less all others in the same ecosystem. In many circumstances the demise of formally abundant species can be inconsequential to ecosystem function."
    - He asked the Commission to absorb that since it was new data from last year. There are many people here who refuse or fail to recognize that the data and information has moved on. The takings constitutional amendment was passed by 75 percent. He wanted to reiterate with implementation that someone could lose valuable use of private property. Not when a freeway comes through and that is prevented, but by the nibbling away by the various regulations or regulatory nibbling. An infringement of property rights reduces value and you are not compensated for that and they should be.

<u>In summary, the following comments were received from the public</u>:

- There are too many regulations in the Earlysville area
- Performance measures are akin to a social agenda
- Conservation is not stagnant; it evolves and does not need government regulations
- The Comp Plan draft currently does not look at population size and it should. What's the optimum size?
- There should be more indicators supporting biological resources
- The plan needs more focus on agri-tourism

- We need to find sustainable uses in the rural areas
- What is the role of biodiversity in tourism?
- Albemarle needs a watershed management plan
- The county spends large amounts of money for existing government (and shouldn't)
- Encouraging people to live in the Rural Areas should be a goal of the County
- Setting up and keeping a database on residential units in the Rural Areas is of concern because of its impacts on private property rights
- Transfer of Development Rights (TDR) programs are of concern
- The Planning Commission should support distilleries, they are typically small scale with no tasting room
- Support is needed for consumer ready products in the Rural Areas
- Move the goal on page 11 stating "strong agricultural/forestall economy" to the front of the document and make it the main goal
- Retain the Rural Areas good stuff from the current Comp Plan
- Development Activity Reports are needed again
- Define with "Rural Area"
- We are compartmentalizing the topics – not showing the relationship of economic development and environmental health, etc.
- The community's greatest asset is the people; why would you limit the number of people?
- Use the word "consider" in front of an overarching comment regarding Zoning Text Amendments
- Use a small scale, "pilot program" for the TDR program
- To allow lodging in new buildings in the RA by right could be dangerous
- The Comprehensive Plan language is appalling. It strikes at private property rights. How could the Comprehensive Plan limit the number of churches and worshippers? How could it limit the number of guests on a private farm
- There is a problem with the number of guests and participants at events. Private property owners rights need to be considered versus commercial farm events
- We don't really need a Comp Plan
- The data has moved on and we should embrace the changes in data
- "Regulatory nibbling" should not be tolerated

There being no further public comment, Mr. Morris requested the staff report.

Elaine Echols presented a PowerPoint Presentation summarizing the staff report.

The purpose of the meeting is to:

- Allow additional opportunity for public input;
- Allow for more detailed discussion of the Commission; and
- Bring closure to the recommendations under review.

Tonight's meeting format is to have staff's presentation on each topic and the Planning Commission conclusion on the topic before moving to the next one.

Ms. Echols noted there were nine topics for discussion. For the benefit of the public she clarified the following recommendations.

Regarding churches there seems to be a misunderstanding about what the intent of the Comprehensive Plan was to do. It was basically to open up more opportunities for religious institutions and community centers in the rural areas. Right now the zoning regulations are more restrictive than what they are being recommended to be. One of the things not to necessarily restrict was on how many members could be in a congregation. Some special use permits are issued based on the capacity of a particular facility to hold X number of people. But, again they are not looking at closing down churches or restricting how many people can be there. Rather they are looking at making recommendations to open up more opportunities there.

Another thing has to do with the events in homes. The earlier staff report clarified this better than the staff report sent out. That would be special events being held regularly for the purpose of making money. It would not be for having parties, families getting together or anything like that. It is for the purpose of

things like hosting weddings or retreats for money, which is what they are talking about when they talk about the figure of 100.

Staff acknowledged that the details of particular uses will need to be fine-tuned through the zoning text amendment process. The recommendations in the Comprehensive Plan will provide a starting point for the development of the zoning text amendments.

Recommendations related to amending the zoning ordinance with the word "consider" or "not consider" is something that would happen in a zoning text amendment process. So having the word consider making these amendments is very fine to have in here. What in actuality happens is when there are recommendations to look at amending the zoning ordinance that does not necessarily mean that the ordinance will be amended. Having or not having the word consider was not intended to be more restricted. If the Commission prefers to add that word certainly that is fine.

When they talk about adding new opportunities for uses in the rural areas that our current zoning does not allow they do consider a lot of things which right now are by special use permit. However, in the process of providing more opportunities for people to have a better use of their land and not feeling compelled to engage in real estate development of their property, they are trying to find some opportunities for people. The things they will want to look at would set up the discussion for additional uses in the rural areas. The things that need to be considered as they move forward with any kind of changes are characteristics about individual parcels on which uses are proposed, as follows.

- Location & acreage of parcel (s)
- How water and waste water will be treated
- Traffic, impacts, on roads and parking
- Impacts on the natural, historic and cultural resources on nearby properties, especially agricultural uses
- Size, scale, and massing of new buildings
- Noise
- Trash/debris disposal
- Building adequacy uses proposed

These are the kinds of things they always look at when they look at special uses in the rural areas. Those would not be going away with any kind of consideration of moving forward with additional uses in the rural areas.

There are nine topics to be covered tonight. Staff will review them one by one with staff's recommendation.

The Planning Commission reviewed and discussed the following nine topics presented by staff.

•Religious institutions and Community Centers

•Breweries and Distilleries

•Lodging

•Restaurants

•Events Associated with Farms

•Regular Events not Associated with Farms or Wineries

•Transfer of Development Rights (TDRs)

•Crossroads Communities

•Performance Measures

The Planning Commission provided the following direction on the individual topics, as follows:

Religious Institutions

- Consider amending the zoning ordinance to allow by-right use of community centers and religious institutions at an appropriate scale. Some standards to be considered are location, size of facility, and scale of use or building change.

Breweries

- Consider amending the zoning ordinance to allow for small scale beer production and spirits in the Rural Areas. Ordinance amendments should clearly define the limits of production. Consideration should be given to the amount of fruit or grapes which should be grown on-site.

Lodging

Consider amending the zoning ordinance to allow for lodging facilities in the Rural Areas. Consider how performance standards might be used to allow this use without legislative review, but with parameters that ensure the scale of the lodging use is appropriate to its setting.

Crossroads Communities

- Consider amending the zoning ordinance to allow for restaurants and small-scaled and supportive uses in crossroads communities. Uses to be considered include restaurants, country stores, offices, child care facilities, and doctors/dentists offices. Develop thresholds for the size of facilities based on existing similar facilities. Ensure that the scale of the use is appropriate to its setting.

Note: After the discussion on Crossroads Communities the Planning Commission took a break at 8:11 p.m. and the meeting reconvened at 8:16 p.m.

Farm Events

- Continue to allow up to 200 persons at events at farm wineries and consider amending the zoning ordinance to include farm events. Revisit this threshold, as well as thresholds provided for larger events, in two years to determine if it is an appropriate threshold for permitting commercial events at farm wineries without unacceptable impacts on the wineries' rural surroundings. Monitor noise complaints and consider further limitations to outdoor amplified sound.

- Allow the possibility for over 200 persons through additional legislative review only for events that promote or support agricultural production and limit the frequency of those events to once or twice per year.

Commercial Events in the Rural Areas

- Consider amending the zoning ordinance to allow for commercial events which occur on a regular basis in the Rural Areas with performance standards. Consider the size of the parcel, location, ability to accommodate parking, limitations on amplified sound, and frequency of events. Small parcels within residential subdivisions/developments are not appropriate for commercial events.

Transfer of Development Rights (TDR) Program

- Assess strategies for the transfer of development rights from the Rural Areas with high-value natural and cultural resources to the Development Areas.

Performance Measures

- Track trends regarding building permits for residential units in the Rural Areas and monitor market forces and the demands for housing located in the Development Areas and the Rural Areas.

Other Comments

- Possibly include data from ASAP study in the appendix since the County spent money on the services
- Make a better correlation between the Rural Areas and water quality
- Provide a better definition for and call out Point and Non-point pollution

Old Business

Mr. Morris asked if there was any old business. There being none, the meeting proceeded.

New Business

Mr. Morris asked if there was any new business.

- Next Meeting – November 27, 2012.

There being no further business, the meeting proceeded.

Adjournment

With no further items, the meeting adjourned at 8:51 p.m. to Tuesday, November 27, 2012 at 6:00 p.m. at the County Office Building, Auditorium, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

V. Wayne Cilimberg, Secretary

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