Albemarle County Planning Commission
April 30, 2013

The Albemarle County Planning Commission held a regular meeting on Tuesday, April 30, 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, Calvin Morris, Chair; and Russell (Mac) Lafferty, Vice Chair. Julia Monteith, AICP, Senior Land Use Planner for the University of Virginia was absent.

Other officials present were Elaine Echols, Principal Planner; Summer Frederick, Intern, Scott Clark, Senior Planner; Andy Sorrell, Senior Planner; Sharon Taylor, Clerk to Planning Commission; Wayne Cilimberg, Director of Planning 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.

Closed Meeting

Motion: Mr. Franco moved and Mr. Smith seconded that the Planning Commission go into a closed meeting as authorized by the Virginia Freedom of Information Act, section 2.2-3711(A) of the Code of Virginia under:

- Subsection 19 to discuss plans related to the security of the County Office Building and the safety of persons using the County Office Building before, during and after Planning Commission meetings.

The motion passed by a vote of 7:0.

The Planning Commission meeting moved into a closed meeting at 6:01 p.m. The Planning Commission meeting convened at 6:29 p.m.

Certify Closed Meeting

Motion: Mr. Franco moved and Mr. Randolph seconded that the Planning Commission certify by recorded vote that to the best of each Commissioner's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion authorizing the closed meeting were heard, discussed or considered in the closed meeting.

The motion passed by a vote of 7:0.

Other Matters Not Listed on the Agenda from the Public:

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

Work Session

CPA-2013-00001 Comprehensive Plan Update – Review of Natural Resources; Historic, Cultural and Scenic Resources, Monticello Viewshew & Economic Development (Andy Sorrell, Elaine Echols)

Mr. Morris noted the Commission would review the following topics individually at the work session after receiving staff's PowerPoint presentation and taking public comment.

- Natural Resources
- Historic, Cultural, and Scenic Resources
- Economic Development

Natural Resources:

Ms. Echols provided a PowerPoint presentation to explain the section on Natural Resources. Scott Clark was present to help answer questions.

After the presentation, the Commission opened the topic for public comments.

The following individuals spoke on Natural Resources:

Charles Battig questioned what is being accomplished here because the presentation was talking in terms of generalities with no specifics and incomplete data. He asked where the definition of biodiversity was. He gave staff the link to Chapter 15 of Agenda 21, which very well spelled out the United Nations document. The County staff has done a good job of lifting that and incorporating it in there. However, all of the language in there is very general with a lot of vague things the County should. He did not see where any additional information has been provided at this point in time. Therefore, it is hard to comment. He wished they could have a debate so there could be some interchange. He felt that discussing these things back and forth would open it to the public's opinion being heard. He questioned if there was true public participation.

Wendell Wood asked to emphasis the cost of these regulations because the regulations keep growing. The bottom line is the effect it is having on the population of this community to be able to afford to live here since it is becoming unbelievable. He has been doing this for 52 years. He started selling lots in Briarwood Subdivision, which was built as the affordable subdivision in this County. He sold those lots to Randy Wade with roads, curb and gutter, and public water and sewer for $4,800 in 1985. The houses were selling at that time for $46,000 to $55,000 for the house and the lot. Today the lots are $85,000. They cost almost $40,000 to build just to provide the same end result with the difference being the water quality and storm water prevention. He had to post a bond with the County on the first phase. They had storm water ordinances at the time. They had to post no bonds for the first 150 lots. Today he has had to post a bond for $3,400,000 for the same amount of lots just to be able to build it. The ordinances while they all sound good prevent subdivisions such as Bellair, Farmington, Woodbrook, etc. from being built today. It just can't be done with the new ordinances. He suggested that they look at the big picture because it is reaching a critical mass that it is going to be tough to do.

The public comment was closed and the matter before the Planning Commission for discussion and action.

Related to Natural Resources, the Commission discussed and requested the following:

- Extensive questions were asked related to available water quality data.
- Find a way to show how different organizations and agencies carry out their missions, thus helping to implement the Comprehensive Plan, such as the Army Corps of Engineers with wetlands, Streamwatch, and DEQ with monitoring water quality; however, this should not result in a lengthy list of "who does what."

- Ensure text is clear on recommendations related to mineral rights and recommendations related to soapstone mining.
- County's position on wetlands was clarified – preservation/conservation, not acquisition.
- Commissioners still thought there was excess text in Section, and opportunities for clarification – i.e. specify six sites chosen by Biodiversity Committee as mentioned in Strategy 1.a.5.
- Under floodplains, add a strategy on dam safety and protection from downstream inundation
- Modify strategies 7a and 7a.3 to better reflect the purpose of the floodplain rather than mentioning, "inappropriate uses" and remove information that is more "commentary" than "strategy."
- Cross reference Objectives and Strategies with the Indicators of Progress.
- List priorities as:
    1. Continue to do what we are doing that is successful;
    2. Examine currently unsuccessful work in important areas (water, air), and make changes to ensure success, as well as determining what County resources would be necessary for such work; and,
    3. Identify priorities that are to be addressed if time and resources permit.

The Planning Commission recessed at 7:29 p.m. and reconvened at 7:36 p.m.

Ms. Echols provided a PowerPoint presentation to explain the section on Historic, Cultural, and Scenic Resources. She explained the base line information on the demolition permit process and the Monticello Viewshed Vista proposal.

After the presentation, the Commission opened the topic for public comments on Historic, Cultural and Scenic Resources.

The following individuals spoke:

John Chavan, resident of Albemarle County, opposed the Monticello Viewshed proposal because the County should reduce the red tape for citizens and not add to the process.

Charles Battig questioned whether groundwater or wetlands serve to feed wells since they go off of aquifers and not wetlands. He opposed the Monticello Viewshed Vista proposal because what they have already works.

Travis Pietila, with Southern Environmental Law Center, noted they are having some difficulty determining exactly what is going to be changed after these discussions. Therefore, they respectfully ask that staff provide a red line version in the next draft to help the public understand the changes.

Ann Taylor, Executive Vice-President of the Thomas Jefferson Foundation spoke in favor of the Monticello Viewshed proposal since it was voluntary and was about getting information to property owners early on in the process where there are choices that might be made about how they can affect the impact of the views from Monticello. These are all design tools that are meant to just increase that information early on in the process. This is about the long view and about what they can be preserving for future generations of people who will come to our area. Also present is Natasha Sienitsky, Director of Planning, who was heavily involved in the process of developing the map.

Wendell Wood questioned if they had narrowed the scope of the viewshed or if now they are talking just about the view from Monticello. He requested the Commission look at item #9 that

does not sound voluntary, but suggests proffers. He was not sure a non-profit should be able to dictate what someone else may want to do on their property.

The public comment was closed and the matter before the Planning Commission for discussion and action.

Related to Historic, Cultural, and Scenic Resources, the Commission discussed and requested the following:

- Extensive discussion related to Thomas Jefferson Foundation proposed Viewshed policy, and accompanying map.
- Commissioners agreed Viewshed map should be included in County GIS data, and viewshed policy should include indication in Legal Ad, and notification to applicant and Thomas Jefferson Foundation (TJF). All contact and coordination to be left up to applicant and Thomas Jefferson Foundation (TJF).
- Commissioners said that the strategies should be more concise.
- The Commission asked to discuss other aspects of Historic and Scenic Resources at the next meeting and indicated that Margaret Maliszewski's presence would be beneficial.

Economic Development

Mr. Morris noted that public comment would be taken before staff's presentation. He opened the Economic Development topic for public comments.

The following individuals spoke on Economic Development:

John Chavan, resident of Albemarle County, suggested eliminating agriculture from agricultural warehousing and just calling it warehousing so his proposed warehouse business would be allowed at Shadwell to promote the County's economic development.

Wendell Wood pointed out economic development was very important in this County. The County should be friendlier to businesses in order to create more jobs in the community that pay well.

There being no further public comment, Mr. Morris closed public comment to bring it back to staff.

Elaine Echols provided a PowerPoint presentation to explain the section on Economic Development regarding the Indicators of Progress that relate back to the Measures of Progress.

Andy Sorrell provided a PowerPoint Presentation to discuss the non-residential portion of the capacity analysis.

After the presentation the matter was before the Planning Commission for discussion and action.

Related to Economic Development, the Commission discussed and requested the following:

- Look into developing an Indicator of Progress that measures the affect of rural businesses on surrounding community.
- Add capacity information to the text and be clear about future needs for medium sized parcels for future economic growth. Remove the phrase, "and industrial growth for the

short term" on page 5.3.5 because it is not accurate. Add language related to continuing County financial support of the ACE program.

- In strategy 4A, pick a defined timeframe and in strategy 7D be sure to include Advisory Council input in planning for infrastructure and the application of growth management strategies.
- Remove the phrase in the strategy that refers to "at expense of water quality" in order to provide balance with the text in other Sections.
- Re-order the vision statement to start with, "Anchored by a strong economy and excellent educational system, Albemarle County envisions a thriving County that honors its rural heritage....." and make this change throughout the document.
- Add strategy to analyze cost of regulations to land and business development, as well as County resources.
- Add strategy that specifies creating an on-going relationship with military authority responsible for Rivanna Station.
- For Indicators of Progress, provide information on the types of jobs being created, rather than just the raw number of new jobs. Try to find ways to measurements whether new jobs are actually serving the existing population or are just attracting new residents to work in those jobs.
- Add a strategy that would study possible infill locations for business development within the development areas.

Conclusions and Recommendations to Staff:

No formal action taken. Staff was asked to take the Commission's comments into consideration in the Comp Plan Update.

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.

- The next Planning Commission meeting will be held on Tuesday, May 7, 2013 at 6:00 p.m.

There being no further new business, the meeting proceeded.

Adjournment

With no further items, the meeting adjourned at 9:07 p.m. to Tuesday, May 7, 2013 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)