

LANCASTER COUNTY PLANNING COMMISSION

Minutes

February 18, 2016

The regularly scheduled meeting of the Lancaster County Planning Commission was called to order at 7:00 p.m. in the Board meeting room of the Lancaster County Administration Building, Lancaster, Virginia.

Present were Ty Brent, Tara Booth, David Chupp and Glenn Pinn. Absent were Bob Smart, Steve Sorensen and Board of Supervisors Representative William R. Lee.

Also present were Don Gill, Planning/Land Use Director, David and Kathleen Jones, Terry McGregor, Jeffrey Haywood, Glenn Rowe, Keith Cornwell, John Mann, Audrey Thomasson and others.

PRESENTATION

Mr. Brent stated that David Jones had resigned from the Planning Commission after the last meeting and the Commission wanted to recognize his service. He stated that he and the Commission wanted to thank Mr. Jones for his twenty-plus years on the Lancaster County Planning Commission. He stated that without Mr. Jones, the Commission would not be where it is today and he had set the foundation for the Commission.

Mr. Brent stated that when Mr. Jones started with the Planning Commission in 1995, Bill Clinton was the President of the United States, Newt Gingrich was Time Magazine's Man of the Year and Cal Ripken, Jr. broke the all-time record for consecutive baseball games played.

Mr. Brent stated that the Planning Commission members at that time, in 1995 were Sherman Floyd, Ralph Dameron, Patsy Murray, Pete Ransone, Donald Conaway and William Lee. He stated that Mr. Jones assumed the vacant position that had been held by Harman Treakle. He stated that during Mr. Jones' tenure, he chaired three Comprehensive Plan revisions. He stated that Mr. Jones always had a reputation of being fair and consistent and allowing all sides of issues to be thoroughly discussed. He stated that Mr. Jones made all of the meetings enjoyable and informative.

Mr. Brent stated that Mr. Jones had been a great Chairman, colleague, and friend to each member and asked that, if Mr. Jones had the time, that he come back and check on them from time to time. He presented Mr. Jones with a wall clock/plaque.

**ELECTION OF CHAIRMAN TO FILL THE UNEXPIRED TERM OF THE
FORMER CHAIRMAN**

Mr. Brent stated that an election needed to be held to fill the unexpired term of Mr. Jones, according to the Lancaster County Planning Commission by-laws. He asked if there were any nominations.

Mrs. Booth nominated Mr. Brent for Chairman. There were no other nominations.

Mrs. Booth made the motion to elect Mr. Brent as Chairman. **VOTE: 4-0.**

Mr. Gill stated that since Mr. Brent was now the former Vice-Chairman, an election would have to be held next month for that position. He stated that the normal elections would be held in May.

Mr. Brent asked if there were any corrections or additions to the minutes of the January 14, 2016 meeting.

Mr. Brent moved to approve the January 14, 2016 minutes as submitted. **VOTE: 4-0.**

CONSIDERATION ITEM #1

UPDATE TO THE CAPITAL IMPROVEMENT BUDGET – FY 2017-2021

Mr. Brent asked Mr. Gill to present the issue.

Mr. Gill stated that the issue was the discussion of the FY 2017-2021 Capital Improvement Budget (CIB) submitted in response to the budget call. He stated that he recommended that the Planning Commission review the requests at the February meeting, prioritize the requests at the March meeting and hold a public hearing at the April meeting.

Mr. Gill stated that a capital improvement item is defined as a real or personal property acquisition and/or improvement estimated to have a minimum cost of \$10,000 and a minimum useful life expectancy of five years. He stated that Section 15.2-2239 of the Code of Virginia directs the local planning commission to prepare and submit annual capital improvement budgets to the Board of Supervisors.

Mr. Gill stated that representatives from the departments submitting CIB requests have been asked to attend this meeting to answer any questions. He stated that to date, no other supporting documentation had been provided. He stated that staff believes that the Planning Commission's review should not be targeted toward meeting a set dollar figure, but rather determining the necessity of requested items and then prioritizing those accordingly. He stated that it is hoped that scrutiny at the Planning Commission level will

make resulting approval by the Board of Supervisors an easier process that will clearly identify the necessity of requests.

Mr. Gill stated that everyone who had made a request was in attendance to answer any questions that the Commission may have.

Building and Maintenance Department

Mr. Keith Cornwell from the Building and Maintenance Department stated that his first item was a new roof for the Health Department Building and the request was a carry-over item from last year. He stated that the roof has been patched for several years and ceiling tiles have constantly been replaced. He stated that the figure on the budget sheet is an estimate, not a firm price.

Mr. Brent asked when the Health Department Building had been built.

Mr. Cornwell replied approximately thirty-five years ago.

Mr. Brent asked if it was the original roof.

Mr. Cornwell replied yes.

Mr. Cornwell stated that his second item was the completion of the window replacement in the Administration Building. He stated that the figure shown of \$17,000 will complete the window project.

Mr. Cornwell stated that his third item was the asphalt sealing and striping of the parking lots at the Courthouse, the Administration Building and the Health Department Building. He stated that the job will be put out to bid if it is approved and the figure of \$27,000 was an estimate.

Mr. Cornwell stated that his final item was new entry doors for the Administration and Health Department Buildings. He stated that the doors were old, no longer efficient and not ADA compliant.

Mr. Brent asked what doors were to be replaced.

Mr. Cornwell stated the three glass doors in the Administration Building and the front door at the Health Department.

Mr. Chupp stated that he was impressed, year after year, that Mr. Cornwell was able to maintain the old buildings with expenditures that were so low.

Lancaster County Public School System

Mr. John Mann, Director of Operations and Transportation for Lancaster Public Schools, stated that there is a new School Board and they have revised the original plan from January. He stated that the first priority is the buses and FY17 is a two bus year.

Mr. Mann stated that the school received \$100,000 for a school security grant, so their second request was the required 25% matching funds.

Mr. Brent asked what the grant would be used for.

Mr. Mann replied that it would be for cameras at the primary school, an intercom system at the high school, swipe card locks for all doors and some other security enhancements.

Mr. Mann stated that the third request is for a school improvement and/or construction study. He stated that there is a school facilities committee made up of community members that have visited the school buildings and are trying to ascertain what direction the schools need to go. He stated that item three is for testing, surveying or other things needed to be done for a future school building or renovation.

Mr. Mann stated that the fourth item was an air handler at the high school. He stated that the current air handler is original to the building and it would cost almost as much to repair as it would to replace.

Mr. Chupp referred to the library building renovation in FY 2018 and asked if the school board knew what they wanted to do with the building.

Mr. Mann stated that there were three new school board members and he believed the intent was for the school board to hear from the school facilities committee about their recommendations before spending money on engineered drawings.

Mr. Chupp asked if it was, in effect, a placeholder.

Mr. Mann replied yes and he thought that it would likely be a facility for early childhood education.

Mr. Gill referred to the items in FY2020 and asked why the special education bus cost was more than \$89,000 in FY 2020, but not in FY 2017.

Mr. Mann replied it was more because of its size.

Mr. Gill asked if the special education bus in FY2017 would also cost more.

Mr. Mann replied no because it was a two bus year, so he would be able to offset the extra cost.

Emergency Medical Services

Chief Terry McGregor stated that his item for the Emergency Services Department was the Emergency Services/Emergency Operations Center Building and it was a carry over from last year. He stated that the project had not begun and he wanted to give the Planning Commission an update. He stated that the Emergency Services Department is still located in the old maternity center and they don't know for how long. He stated that the plan is to acquire architectural services to evaluate if the maternity center will be a viable option. He stated that it would likely require substantial modifications and the acquisition of additional land. He stated that he did not have the answer to the question about whether or not it is better to build a new building or work with what they already are in. He stated that the figure from last year of \$2,050,000 is still valid.

Mr. Brent stated that they were basically where they were last year.

Mr. McGregor replied yes until more information can be received.

Mr. Chupp asked why no progress had been made as far as determining the alternative costs.

Mr. McGregor replied because they have not awarded a bid to an architectural firm because other capital projects, such as the boat ramp and the Greentown/Gaskins project, have taken precedence. He stated that the request for proposals is ready to be issued.

Mr. Chupp stated that he felt the same way about the proposed building as he did last year. He stated that he was stunned that a county with 11,000 people would be considering a two million dollar building and he was not sure that he saw the need. He mentioned the storm in October, where there were mandatory evacuations in some areas of the County because of flooding and asked how many of those people were housed in the shelter.

Mr. McGregor replied that no one came to the shelter during that time. He stated that the facility that he is proposing would not be a shelter, but rather a building to maintain continuity of government in an emergency and to house emergency services personnel on a daily basis, which the County does not currently have. He stated that if Hurricane Joaquin had taken the track of coming up the Chesapeake Bay, the whole County would have had to be evacuated.

Mr. Chupp stated that the County had been around for almost 400 years and asked how many times have these situations occurred.

Mr. McGregor replied that he could not answer that question. He stated that the expectations of government are not what they were 400 years ago.

Sergeant Jeffrey Haywood of the Sheriff's Office stated that he had been with the department for 15 years. He stated that the Emergency Operations Center (EOC) used to be at the Sheriff's Office and it was basically run through the Board of Supervisors and the volunteer organizations. He stated that what has evolved in the last 15 years is more of a demand on the County during these emergencies. He stated that there are numerous calls made to the Sheriff's Office concerning electrical service and evacuations. He stated that the Emergency Operations Center eases the burden on the Sheriff's Office. He stated that the EOC is a place where fire, rescue and law enforcement personnel can meet and coordinate with one another.

Mr. Haywood stated that Lancaster County has become an older community. He stated that a lot of people who have retired here are from more urban communities and rely more heavily on government. He stated that they have to prepare for the worst and hope for the best.

Mr. McGregor stated that the current Emergency Operations Center is located in the Kilmarnock Volunteer Rescue Squad Building and is staffed with County personnel and volunteers. He stated that many important decisions must be made during emergency situations at the EOC and it takes a lot of coordination.

Mr. McGregor stated that the EOC is only one part of the proposed facility. He stated that the other part is that they have emergency vehicles that carry medications that need to be climate controlled and those vehicles need to be garaged inside. He stated that the proposed building would be used on a daily basis, around the clock for his staff.

Mr. Gill suggested to Mr. McGregor that he tell the Commission about his staff.

Mr. McGregor stated that he has sixteen full-time and twenty part-time staff members and emergency medical services coverage is provided around the clock.

Mr. Chupp stated that he did not realize the size of the emergency services staff and did not know the proposed building was not going to be a shelter. He stated that he was still shocked about the price tag of the proposed building.

Mr. McGregor stated that it was expensive, but the building would have community uses as well, such as a multipurpose room or common area.

Mr. Chupp stated that he thought the workload of the Emergency Services Department will increase in the future with global warming and more flooding, so he did see the demand for services going up. He stated that he would still like to see a cost comparison between the proposed new building and the renovation of the existing maternity center building. He stated that he thought the public would appreciate that as well.

Mr. McGregor stated that all options will be investigated.

Mr. Brent stated that a feasibility study might be a good idea.

Mr. Gill stated that last year the Planning Commission kept the building in the Capital Improvement Budget, but kept it at a low priority. He stated that the Board of Supervisors will require a cost analysis between the two options.

Information Technology Department

Mr. Glenn Rowe stated that his item was for FY 2018 and it was the replacement of the Bright System computer server that is used by all of the administrative departments, including the Commissioner of Revenue and the Treasurer. He stated that it is a very important piece of hardware. He stated that the current server has been in service for eight years and will be fine until a replacement can be made in FY 2018.

Sheriff's Office

Sergeant Haywood stated that the Sheriff's Office request was an extension of last year's request. He stated that the Computer Aided Dispatch and Incident Base Reporting software needs to be replaced. He stated that the software support on their current software will expire at the end of the calendar year and his office is currently looking into pricing and potential grants. He stated that in order for the new software to be compatible, they need new computers and that is where this request comes in. He stated that the new computers will be used in the booking room, investigations office and in the patrol vehicles. He stated that they also need to purchase some scanners and some tablets. He further stated that the Sheriff's Office is searching for an on-call IT person to help bring them up to date with their computer operations.

Mr. Brent asked if everything that was installed last year is in good working order.

Mr. Haywood replied yes and they were still working on getting everything in place.

Mr. Gill stated that he wanted to speak about two items on the Capital Improvement Budget summary sheet. He stated that the first item was the public access sites. He stated that when the Board of Supervisors borrowed money in 2014, they had tentatively earmarked \$1.5 million dollars for public access and the figures on the summary sheet are an extension of that decision. He referred to the new voting equipment item and stated that there had been a voting machine malfunction in November and many malfunctions with similar equipment in Northumberland County, so the electoral board came to the Board of Supervisors with a request for new voting machines. He stated that the Board of Supervisors approved the immediate request and put it in the FY16 CIB at last month's regular meeting. He stated that the Electoral Board wanted to put the next round of new voting machine purchases in the CIB for FY2021. He stated that the item will probably move back a few years, but they wanted the request to be kept in mind as a recurring expense every five to ten years.

DISCUSSION ITEM #1

REVIEW OF ZONING ORDINANCE – ARTICLES 1-4

Mr. Brent asked Mr. Gill to present the issue.

Mr. Gill stated that Chapter Seven of the Comprehensive Plan states that following the completion of the comprehensive plan update, the County will undertake a review of the zoning ordinances to identify any provisions that negatively impact desired development patterns. He stated that the zoning ordinance will be revised to encourage and support appropriate nonresidential growth, while protecting those resources, features and qualities that comprise the local rural character and quality of life.

Mr. Gill stated that all of the changes that had been discussed at last month's meeting had been made. He asked if the Planning Commission had any questions.

Mr. Chupp referred to the building height definition and stated that he was not sure about the definition change. He gave an example of a house built into a hillside and stated that there would be discrepancies in the height of the front and back of the structure.

Mr. Gill stated that the proposed building height definition is less subjective than trying to average elevations. He stated that, in his opinion, the new definition of building height is better than the old one.

Mr. Chupp referred to item 4-1-34 of the use regulations in the A-2 District that identifies roadside stands with a special exception and asked if that pertains to small vegetable stands.

Mr. Gill replied that small vegetable stands are exempt from the special exception and referred the Commission to the Article 1 definition under "wayside stands".

Mrs. Booth suggested that to make the definition easier to find, they change the definition to begin with the words "roadside stand".

The Planning Commission agreed by consensus.

Mr. Gill stated that he would make that change.

Mr. Chupp suggested that the use concerning "roadside stands" be added to the A-1 District as well.

Mr. Gill stated that he thought that was reasonable.

The Planning Commission agreed by consensus.

Mr. Gill stated that Article 1-Definitions will have to be reviewed at every meeting because as the Commission goes through the zoning ordinance, there may be definitions that need to be added, deleted or modified.

Mr. Gill referred to the added definition of "aquaculture" and stated that he had also added aquaculture to the agriculture definition as in the Code of Virginia.

Mr. Gill referred to "amusement enterprise" and stated that he added the words "or area" because there is not always a structure, for example, a concert held in a field.

Mr. Gill referred to the private boat pier definition and the pilings being taller than four and a half feet and the suggestion was to take out that part of the definition and just say that low profile boat lifts are permitted, but limit the fish cleaning stations, benches and hand rails to the four and a half foot height restriction above the decking.

Mr. Gill referred to the building height definition and suggested the Commission continue to try to come up with a better definition.

Mr. Gill referred to hunt clubs and stated that he had created a definition for them.

Mr. Gill referred to the half-story definition and stated that there had been some discussion at last month's meeting about the confusion of that definition, particularly when it comes to accessory structures. He stated that the current consensus was to delete the half-story definition.

Mr. Gill stated that those changes were everything that had been suggested for the definitions section.

Mr. Gill stated that Article 2 was self-explanatory and not much more could be done with that, unless the Commission wanted to create additional zoning districts.

Mr. Gill referred to Article 3 which covers the A-1 District and Article 4 which covers the A-2 District and stated that Mr. Chupp had brought up a concern about saw mills and how they should be "by-right" if they are not going to exceed fifteen days of operation. He stated that he had made the saw mill definition the same in both the A-1 and A-2 Districts as requested by the Planning Commission.

Mr. Gill referred to cemeteries and stated that the word "family" was added the last time the zoning ordinance was reviewed in 2007. He stated that 2007 was pre-recession and there was a lot of building and growth going on at that time and he thought the mentality at that time was to limit it in some way. He stated that churches are allowed in both the A-1 and A-2 Districts and one could reasonably assume that a church will have a cemetery and a church cannot be limited to a family cemetery, so his suggestion is to eliminate the word "family" and go back to the way it was.

The Planning Commission agreed by consensus.

Mr. Gill referred to the use regulation of accessory structures and stated that there was discussion at last month's meeting about how an accessory structure is not allowed to be taller than the main structure on a parcel. He stated that there are some cases where a citizen has a doublewide or smaller home and wants to add a taller garage to their property, but is not allowed to do so under the current zoning ordinance. He stated that there was discussion about changing the definition so that a citizen could have a larger accessory structure with a special exception. He stated that a special exception request opens up the issue to a public hearing and allows the adjoining property owners to be notified and have some say in it if they choose. He stated that he would carry that change forward through all of the zoning districts as requested by the Planning Commission.

Mr. Gill stated that he recently received a request from a citizen who wanted to have a dog boarding facility. He stated that the only place where that is allowed at the present time is in a commercial or industrial district. He stated that it probably would not belong in a residential district, where houses are close together, but would fit more in an agricultural district. He stated that his suggestion would be to add it to the A-1 and A-2 Districts with a special exception because that would allow adjoining property owners to comment if they choose to do so.

The Planning Commission agreed by consensus.

Mr. Gill stated that he added the words "agricultural buildings" to the other structures that are exempt from height regulations in both the A-1 and A-2 Districts as requested by the Planning Commission.

Mr. Gill referred to community service buildings, section 4-1-44, and suggested that the Commission consider requiring a special exception for this use. He stated that the County allows fire departments and rescue squads in these zoning districts, but with a special exception. He read the community service building definition and stated that probably ninety percent or more would not have any adverse effects on the surrounding community, such as noise. He stated that if something was proposed that would produce adverse effects, neighbors may want to weigh in and that is where a special exception would come in. He stated that the Board of Supervisors may decide to waive the special exception fee, as they do on the Individual Manufactured Home special exception, since it would be for a community service building.

The Planning Commission agreed by consensus.

Mr. Gill stated that when the Planning Commission gets to a point where it feels the revisions are complete, a public hearing would need to be scheduled.

Mrs. Booth stated that she thought that Articles 2, 3 and 4 were ready for public hearing.

Mr. Brent agreed.

Mr. Chupp made a motion to schedule the Proposed Amendments to Articles 2, 3 and 4 of the Lancaster County Zoning Ordinance for public hearing at the March meeting. **VOTE: 4-0.**

OTHER BUSINESS

There was no other business.

ADJOURNMENT

The February 18, 2016 regular meeting of the Lancaster County Planning Commission was adjourned at 8:30 p.m.