

LANCASTER COUNTY PLANNING COMMISSION

Minutes

February 19, 2009

The regularly scheduled meeting of the Lancaster County Planning Commission was called to order at 7:00 p.m. in the General District Courtroom of the Lancaster County Courthouse, Lancaster, Virginia.

Present were David Jones, Chairman, Tara Booth, Steve Sorensen, Robert Smart, Ty Brent, and David Chupp.

Also present were Butch Jenkins, Board of Supervisors Representative; Don Gill, Planning/Land Use Director; Jack Larson, Assistant County Administrator; Scott Hudson, Emergency Services Director; Sergeant Jeffrey Haywood and Dispatcher Ashley O'Bier, Lancaster Sheriff's Office; Tim Guill, Lancaster School System; Audrey Thomasson, Rappahannock Record and others.

Mr. Jones asked if there were any corrections or additions to the minutes of the January 15, 2009 regular meeting.

Mr. Jones moved to approve the January 15, 2009 minutes as submitted. **VOTE: 6-0.**

CONSIDERATION ITEM #1

CAPITAL IMPROVEMENT BUDGET – FY 2010-2014

Mr. Gill stated that the issue was consideration of the FY 2010-2014 Capital Improvement Budget submitted in response to the budget call. Mr. Gill stated that a summary cost sheet had been prepared for review by the Planning Commission. Given the current economic uncertainties, departments were strongly encouraged to prioritize their requests. He further stated that the Sheriff's Office submitted one request, Emergency Services two, and that the rest were school related. Representatives from all three departments and Jack Larson, Assistant County Administrator and Financial Management Director were present to answer any questions. Mr. Gill stated that the Capital Improvement Budget would need to be docketed for public hearing once the review is complete.

Mr. Larson stated that quite a bit of work had been done in the last fiscal year with the capital improvements, including the replacement of windows at the middle school and the bus loop at the primary school. Mr. Larson further stated that this year,

with the uncertain economic times, he recommended that the Commission go over each request and make sure the justification is adequate.

Mr. Larson stated that there are requests from the Sheriff's Office, Emergency Services, and the School Board and he thought that there should be a priority ranking overall, then the Commission's decisions could be presented to the Board of Supervisors.

Mr. Jenkins stated that he hadn't received the information until Tuesday and since it was a request for over 2.5 million dollars, he felt he needed more time to examine the budget. He further stated that he thought there were slack justifications for the requests in the summaries and to ask the taxpayers of Lancaster County, in these economic times, to be obligated to a loan of 2.5 million dollars over a five year period is a very important issue.

Mrs. Booth referred to the second item from the Sheriff's Office request concerning enlarging the dispatch room and asked if that room could be incorporated into the new courthouse.

Mr. Jenkins stated that once the new Judicial Center is constructed, a large amount of space would be available in the old courthouse building.

Mr. Jones asked Sgt. Haywood if it would be possible to separate the dispatch room from the Sheriff's Office.

Sgt. Haywood stated that he wasn't sure about that possibility, since both areas would definitely need the Virginia Criminal Information Network that is used to run criminal background checks for arrests and traffic stops. It is currently located in the dispatch room.

Dispatcher O'Bier stated that more dispatchers would be needed than the three currently employed if the dispatch room was moved away from the Sheriff's Office, because the jail staff helps answer calls when extremely busy.

Sgt. Haywood handed out booklets to the Commission that explained the dispatch room equipment they have requested.

Sgt. Haywood stated that this is for the main emergency 911 operations center for the county. He stated that the current dispatch room was built in 1978 and expanded in 1995. Sgt. Haywood stated that they have several monitors, which include the 911 mapping and jail monitors. He further stated that the current system is difficult for the dispatchers because not all of the equipment they may need is in front of them.

Sgt. Haywood stated that they wanted the new consoles and phone system in 2010. He said the consoles are very space efficient and have the capability to control all of the monitors with one keyboard. The consoles also have space for the reference books that are needed for the emergency calls. Sgt. Haywood further stated that they have been

advised that their current phone system will be virtually obsolete after 2010 because the parts for it will no longer be manufactured.

Sgt. Haywood stated that the call volume has increased substantially since the year 2000 and in bad economic times, the call volume increases even more. As a result, they are looking at adding a third console, so no caller has to be put on hold. Sgt. Haywood stated that the new phone system has a touch screen and will prioritize calls, as well as have a voice mail delivery system for the deputies. He stated that some of the surrounding counties have the same system. He further stated that the dispatchers would be more efficient with the new equipment and it would free up more space in the dispatch room.

Mr. Brent asked Sgt. Haywood how many dispatchers were employed.

Sgt. Haywood stated that they have three civilian operators working overlapping shifts so that two are on duty from 8 a.m. to 4 p.m. Monday through Friday. He further stated that all the jail staff is cross-trained to dispatch.

Mr. Jones asked Sgt. Haywood how long the new system would last.

Sgt. Haywood stated that he would guess around twenty years.

Sgt. Haywood stated that the new phone system is what they were looking for in 2010, and then they wanted to expand the dispatch room by ten feet in 2011. This would give them the needed room for the third console area, since they anticipate needing additional monitors for the new courthouse's security.

Mr. Smart asked Sgt. Haywood if Verizon would continue to service the phone system.

Sgt. Haywood stated that they would continue to service the system as long as they could find parts to do so.

Mr. Smart stated that he thought the case had been made that a new phone system is needed. He further stated that some thought needed to be put into where the new system would go, whether it would be the new courthouse or the existing dispatch room or space in the current courthouse.

Mr. Jones stated that the bottom line is that the new equipment is still needed.

Mr. Gill stated that the preliminary design for the new courthouse does not include a dispatch room.

Sgt. Haywood stated that they have shopped around with various vendors to try to pick the best system for the money.

Mr. Jones thanked Sgt. Haywood for his presentation.

Tim Guill, representing the Lancaster County Schools, was present to answer questions about their capital improvements requests.

Mr. Jones asked about item #2, which is a request for asphalt for the bus loop at the Lancaster Primary School. Mr. Jones asked if that was a priority or a convenience.

Mr. Guill stated that the asphalt was a priority because the potholes have gotten bad very quickly. He further stated that the existing asphalt is starting to crumble.

Mr. Chupp asked why the asphalt is such a high priority in the current economic times.

Mr. Guill stated that the school board thinks it is necessary.

Mr. Jones stated that he thought it seemed like a maintenance issue.

Mr. Smart stated that he thought item #1, replacing the fire alarm system at the middle school, was important because if not addressed it could possibly cause the school to shut down for a time. He further stated that if the asphalt project wasn't done, it would not be as detrimental, since the area could be re-graded and more gravel brought in as needed.

Mrs. Booth stated that in reference to two diesel generators for the high school and the primary school, she remembered that the discussion last year was about possibly having one generator to transport between the two schools.

Mr. Guill stated that there was discussion about a mobile generator, but he didn't know how practical that would be. He further stated that there is some concern about keeping the water pressure up at a constant rate at each school during a power failure.

Mrs. Booth asked if the high school bleachers were dangerous.

Mr. Guill stated that they were not dangerous, but they were almost forty years old. They have been maintained each year and they do not meet ADA standards.

Mr. Guill thanked the commission for their time and consideration.

Scott Hudson, Chief of Emergency Services for Lancaster County was present to answer questions about the Emergency Services capital improvements requests.

Mr. Hudson stated that their first request was for a new generator for the emergency shelter site at Lancaster Middle School and the second request was to move the communications repeater site in White Stone to the new Verizon wireless tower and also to install a communications repeater site in the Ottoman area.

Mr. Smart asked about how the decision for a 660 KW generator was made.

Mr. Hudson stated that the decision was made based on an engineering report. He further stated that the current generator at the middle school is nineteen years old and the middle school is the only approved shelter in the county because of its structural integrity. Mr. Hudson stated that it meets the requirements of the Red Cross to be an approved shelter.

Mr. Jenkins asked what constitutes the approval rating for a shelter. He further stated that there should be some research in alternative shelter sites for the county. He said that a quarter of a million dollars is a lot to spend on just one site.

Mr. Jones stated that there are probably other buildings in the county that could be certified.

Mr. Hudson stated that there are many factors that go into a building becoming a shelter, such as water and sewer services and shower facilities.

Mr. Brent asked Mr. Hudson if food preparation was a consideration for a shelter.

Mr. Hudson stated yes.

Mr. Smart stated that in regard to the communications equipment, it would seem that the best place for it would be geographically centered at the highest point in the county.

Mr. Hudson stated that he thought that was why it was originally placed on the radio tower in Kilmarnock.

Mr. Chupp stated that the federal government just passed a stimulus bill and he thought in a month maybe the county would know if there would be money for any of the requests.

Mr. Jones stated that the Capital Improvements Budget for 2010-2014 would come back next month as a consideration item.

CONSIDERATION ITEM #2

REVISION TO THE SUBDIVISION ORDINANCE SECTION 5-26

Mr. Gill stated that the issue was the revision to the Subdivision Ordinance Section 5-26 "Open Space and Recreation Area" to allow conservation/cluster subdivision to preserve open space in the A-1, Agricultural Limited, A-2, Agricultural General, R-1 Residential General and R-3, Residential Medium General zoning districts.

Mr. Gill stated that the revised draft addresses the items determined by the Planning Commission to need clarification and/or correction as discussed at last month's public hearing. He stated specifically, the subdivision size triggering the required open space percentages was changed in Sections 5-26A and B, "overlay districts" was added in Section 5-26B(1), "tidal wetlands" was added in Section 5-26B(6), and the percentage of open space which can be comprised of wetlands and floodplains was revised along with adding a clearer definition of open space in Section 5-26C.

Mr. Gill stated that staff suggests that required open space not be comprised of more than 50 percent of wetlands, floodplains, above ground utilities (including stormwater management facilities or steep slopes in excess of 25% grades as recommended by the American Planning Association. This restriction also meets and exceeds the recommendation that at least 25% of open space be buildable land, as stated in Rural by Design by Randall Arendt.

Mr. Gill stated that one additional area the Planning Commission may want to discuss is how much, if any, of a golf course could be used as open space. He said while much of a golf course could be viewed as an intensively managed lawn, most golf courses also contain forested perimeters and alleys and that staff research since the last meeting indicates that some localities group golf courses with wetlands and floodplains and allow no more than 50% of the open space to be comprised of those areas.

Mr. Gill also stated that he had included a letter in the packets from Ben Burton of Bay Design Group which promotes the use of conservation/cluster subdivision within the Waterfront Residential Overlay. Mr. Burton accurately described measures that are already "built in" to the ordinance to prohibit an increase in waterfront density, however the *perception* of increased density would be obvious. Many subdivisions approved under the old R-2 District also had an obvious perception of increased density, which ultimately led to its repeal. Mr. Gill stated that Mr. Burton's comments also did not take into account any waterfront parcels created prior to the enactment of the Waterfront Residential Overlay, which could be developed under only base zoning provisions and would result in an actual increase in waterfront density. Mr. Gill further stated that staff does not recommend allowing conservation/cluster subdivision within 800' of tidal shores and tidal wetlands.

Mrs. Booth asked, in reference to G-4 of the ordinance, if the word "areas" was missing after the word recreation.

Mr. Gill stated that she was correct.

Mr. Jones stated that he wanted to discuss golf courses being considered part of the open space in the ordinance.

Mr. Gill stated that it was a preference of whether or not a locality would consider a golf course part of open space.

Mr. Jenkins stated that someone who puts a golf course in is looking for a financial advantage and shouldn't get other advantages.

Mr. Jones stated that his issue with golf courses is that they are used for commercial use. He stated that there is a big difference between farmland and a golf course when it comes to open space.

Mr. Gill stated that as the ordinance is written now, golf courses would not be included as open space.

Mr. Jones suggested that it be moved on to the Board of Supervisors.

Mr. Chupp referred to paragraph A and asked if the ten percent of open space was too small of a percentage.

Mr. Gill stated that under the revised Section 5-26, more open space will be achieved because it will apply to subdivisions with six or more lots as opposed to subdivisions with fifteen or more lots as previously required.

Mr. Jones made a motion to forward the Revision of Section 5-26 of the Subdivision Ordinance, as amended from last month's meeting, to the Board of Supervisors recommending approval. **VOTE: 6-0.**

CONSIDERATION ITEM # 3

PROPOSED NEW ORDINANCE, R-4 – RESIDENTIAL COMMUNITY DISTRICT

Mr. Gill stated that the issue was to revise a proposed new ordinance, R-4 – Residential Community District, which allows multi-family housing with an emphasis on creating workforce housing. Mr. Gill stated that the discussion at last month's meeting prompted staff to revise the townhouse provisions of the ordinance. He said that townhouse specific regulations have now been grouped together under a separate section. Also, since the Planning Commission intends to bring this ordinance back before public hearing, staff made a few other corrections after a thorough review of the entire document.

Mr. Gill stated that a clarification was sought from the County Attorney regarding the difference between townhouses and condominiums and he was referred to Section 55-79.41 of the Code of Virginia. Mr. Gill further stated that a townhouse is not specifically defined in the Code, but a basic distinction is that a townhouse owner owns the dwelling unit and the lot the unit sits on, whereas a condominium owner owns the dwelling unit, but the lot is owned in common with all other unit owners in the complex. Mr. Gill stated

that he believes that the separate townhouse section and the other corrections will help clarify the confusion of recent months.

Mrs. Booth asked about Section 6A-1-21 and whether a special exception was needed just for a barber or hair salon.

Mr. Gill stated that a special exception would be needed for any support commercial service.

Mrs. Booth asked if the wording should include a minimum of ten feet in Section 6A-8-5.

Mr. Gill stated yes and that it applied to townhouses.

Mr. Smart asked if a townhouse could only be a single story.

Mr. Jones stated that there can be two story townhouses.

Mr. Brent asked if the thirty-five feet height for buildings is standard.

Mr. Gill stated that it is the standard in all of the residential zoning districts.

Mr. Jones made a motion to bring the proposed R-4, Residential Community District Ordinance to public hearing at next month's meeting. **VOTE: 6-0.**

DISCUSSION ITEMS

1) CASH PROFFER STUDY

Mr. Gill stated that the issue was to study the "cash proffer system" and make a recommendation to the Board of Supervisors addressing the six points outlined in the memorandum from the County Administrator, William H. Pennell, Jr.

Mr. Gill stated that the question raised at last month's meeting, regarding whether cash proffers can be suggested for fire and rescue services even though those services are not entirely owned or funded by the County, has been forwarded to the County Attorney for clarification. Mr. Gill said that he had not received an answer yet and it will come back as a discussion item next month.

OTHER BUSINESS

There was no other business.

ADJOURNMENT

The February 19, 2009 regular meeting of the Lancaster County Planning Commission was adjourned at 8:40 p.m.