

LANCASTER COUNTY PLANNING COMMISSION

Minutes

March 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, Tim Guill and Susan Sciabbarrasi, Lancaster County Schools, Audrey Thomasson, Rappahannock Record and others.

Mr. Jones asked if there were any corrections or additions to the minutes of the February 19, 2009 regular meeting.

Mr. Jones moved to approve the February 19, 2009 minutes as submitted. **VOTE: 6-0.**

PUBLIC HEARING #1

PROPOSED NEW DISTRICT 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 Gill stated that since the old R-2 District was repealed in 2005, Lancaster County has been without a zoning district which allows multi-family housing. The Board of Supervisors requested that the Planning Commission develop a replacement for the old R-2 District that would allow for off-water multi-family development and encourage the creation of workforce housing. Mr. Gill further stated that the first draft of this proposed new ordinance was presented to the Planning Commission in May 2008 after several months of discussion and a public hearing was held in July 2008. He said since that time, several revisions have been made to this draft, primarily dealing with townhouse provisions and the enforcement aspect of the deed restriction maintaining affordability of the workforce housing units for the first fifteen years. Mr. Gill said the ordinance has

previously been reviewed by the County Attorney and his suggestions have been incorporated into it.

Mr. Gill stated that staff believes the proposed draft satisfactorily addresses the Board of Supervisors request and it creates a replacement zoning district to allow multi-family housing and also encourages workforce housing by allowing modest density increases if a certain percentage of homes are built and priced or rented for a defined income range, making them more affordable to the targeted “workforce”. He stated that to date, there has been no additional input from the public.

Mr. Jones asked the members of the Commission if there were any questions or concerns before he opened the public hearing.

Mr. Chupp asked about Section 6A-1-18 and asked what the term “agriculture as defined” meant.

Mr. Jenkins stated that the definition is stated in the zoning ordinance.

Mr. Chupp stated that he thought the R-4 would be high-density developments and didn’t know where agriculture would apply.

Mr. Jenkins stated that the R-4 ordinance requires some open space and if someone had an acre of land or more and wished to farm it, they could do so.

Mr. Chupp referred to Section 6A-4-2 and asked about the median family income.

Mr. Gill stated that the last time he checked, the HUD estimate was \$53,000 for Lancaster County and three times that amount would be the target price of the workforce homes.

Mr. Chupp asked about Section 6A-5 concerning the setback regulations.

Mr. Jones stated that a fifty feet setback is standard.

Mr. Chupp referred to Section 6A-8-1 and asked about the minimum lot area for a townhouse being fifteen hundred square feet.

Mr. Jones stated that fifteen hundred is the minimum, not the maximum.

Mr. Jenkins stated that with townhouses, the owner only owns the land on which the townhouse sits and everything else is common ground to the homeowner’s association.

Mr. Smart stated that Section 6A-3-1 talks about when central/public water and sewer are not utilized and the statement of intent says that the district shall be located where central/public water and sewer are available. Mr. Smart asked if people would

have the option of R-4 zoning without having to hook up to a central water and sewer system.

Mr. Jones stated yes and that central/public water and sewer would be preferable, but may not always be feasible.

Mr. Jones opened the floor to public comment.

Bob Sowder stated that he thought the R-4 ordinance ties in to cluster development. He stated that he had been involved in subdivisions in other parts of the state. He recommended that the county not stay involved with the process for years and also recommended that workforce housing be in a compatible area with like properties.

Charles Costello stated that he thought it was a good idea to keep the R-4 in the planned growth areas.

Mr. Jones asked if there were any other comments from the floor.

Mr. Jones closed the public hearing.

Mr. Jenkins stated that in the second sentence in the statement of intent, he thought the wording should be slightly different, but thought that it could be dealt with at the next level.

Mr. Jones made a motion to forward the R-4 Ordinance to the Board of Supervisors recommending approval with a clarification of how the HUD median family income percentage translates into the targeted workforce home price. **VOTE: 6-0.**

CONSIDERATION ITEM #2

Mr. Gill stated that the issue was the consideration of the FY 2010-2014 Capital Improvement Budget (CIB). Mr. Gill stated that the Capital Improvement Budget summary cost sheet had been submitted to the Planning Commission last month for review. He stated that the only difference from last month was the first item regarding the repair of the Old Jail/Clerk's Office, which was added to the CIB by the Board of Supervisors last year after the Planning Commission had conducted its review. Mr. Gill said that Jeff Schmidt, President of the Mary Ball Washington Museum and Library, recently requested that this item be carried forward as progress has been delayed for verification that the needed repairs are architecturally consistent with these historic old buildings.

Mr. Gill said that staff believes 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. The CIB will need to be docketed for public hearing once this review is complete.

Mr. Jenkins stated that to maintain the integrity of a historical building such as the old jail, the brickwork has to be done properly. He further stated that the \$48,000 figure is just an estimate and that work is an expensive process.

Mr. Smart stated that the clerk's office and the old jail are located on a main route, where many people can see them and could be considered tourist attractions.

Mr. Jones stated, in his opinion, that the communications equipment for the Sheriff's Department is a high priority.

Mr. Gill stated that he had spoken to Sergeant Haywood about the possibility of moving the dispatch office away from the Sheriff's office and after doing some research, they don't feel like that is a viable option. He stated that the two staffs overlap each other and if the two were separated, there would need to be an increase in staff.

Mr. Gill stated that the other bid for the phone system was approximately \$10,000 less, but that company was from out of state and their system would not be supported locally by Verizon.

Mr. Smart asked about the square footage being sufficient in the dispatch room.

Mr. Jenkins stated that space in the dispatch room has always been a problem, but he thought the plan was not well thought out.

Mr. Jones stated that he thought the new 911 equipment was very important, regardless of whether the dispatch room was enlarged.

Mr. Sorensen stated that he thought items 2-5 on the budget cost sheet were important because they involve people's welfare.

Mr. Chupp asked about the need for the new furniture for the equipment.

Mr. Gill stated that the old furniture would not accommodate the new computerized equipment.

Mr. Jones asked if the Commission wished to put the old jail repair down the list further as a priority item.

The Commission agreed.

Mr. Chupp stated that he didn't agree with the generator upgrade for the Middle School. He further stated that he thought it was a great expense for something that might not be used more than once every four or five years.

Mr. Jenkins stated that he thought that not enough research had been done on the part of the Emergency Services staff and that he thought more study should go into the County having more than one emergency shelter.

Mr. Jones stated that the Lancaster Middle School is the only building in the county that the Red Cross has designated a shelter.

Mr. Jenkins stated that he would like to know what constitutes a shelter and what other buildings in the county may meet the requirements to be a shelter. He further stated that in the last two storms he had people in his district who were unable to get to the middle school and he believes there should be more than one shelter in the county.

Mr. Chupp stated that he didn't think that \$250,000 should be spent to provide air conditioning during a storm.

Mr. Jones stated that it would be for more than air conditioning, such as lighting and kitchen facilities.

Mr. Gill stated that Scott Hudson couldn't attend the meeting because of training, but that he had provided information from the Red Cross on the standards of an evacuation shelter and the specifications on the generator upgrade. Mr. Gill further stated that a few years ago, a task force committee looked into replacing the generator at the middle school and their findings were that it was best to try to power the entire building based on the required standards for certification as a Red Cross shelter.

Mr. Gill stated that Mr. Hudson had looked into the availability of utilizing other buildings as shelters and the main benefit from the shelter being Red Cross approved is that once the shelter is opened, the Red Cross will staff it and the county is not responsible for staffing the shelter. Mr. Gill further stated that Mr. Hudson had called the Red Cross Regional Coordinator concerning shelter status and the gentleman is on vacation at the present time.

Mr. Jenkins stated that the need to have safe shelter, in his opinion, even if it is only once every ten years, is important. He further stated that he thought more research should be done on possible ways to better cover the county.

Mr. Jones asked what the Commission thought about how to prioritize the items.

The Commission agreed that the upgrade of the communications equipment for the Sheriff's Office should be the first item.

Mr. Jones stated that he went to the Lancaster Primary School to look at the bus loop and doesn't feel that paving it is a high priority issue at this time. The Commission agreed to move the bus loop paving to the bottom of the list.

Mr. Costello asked why the fire alarm system at Lancaster Middle School would be replaced before the older fire alarm system at Lancaster Primary School.

Mr. Jones stated that the Middle School was having problems with its fire alarm system.

Mrs. Booth asked if the replacement of the playground equipment at Lancaster Primary School was being moved to another year.

Mr. Smart stated that he thought playground equipment for the Primary School children is more important because of their ages.

Mr. Jones asked if the Commission wanted to move the Primary School playground equipment to another year and they agreed.

Mr. Jones asked Mr. Larson if the Commission should just be concerned with the items that have been asked for in fiscal year 2010.

Mr. Larson stated yes.

Mr. Gill asked the Commission about the order of items for Fiscal Year 2010 and the consensus was 1) Upgrade the communications equipment at the Sheriff's Office; 2) Relocate the Fire/Rescue/Sheriff tower communications equipment; 3) Replace the fire alarm system at LMS; 4) Repair old jail/clerk's office; and 5) Replace HVAC Systems at LPS.

Ms. Thomasson asked about the priority of the playground equipment.

Mr. Jones stated that, in some cases, there is a lack of maintenance on the equipment.

Mr. Guill stated that the playground equipment has been maintained when needed with new seats, chains, etc.

Mr. Jones stated that he felt there should be money allocated each year from the school operating budget for repair and maintenance instead of waiting until everything is in disrepair and then asking for a large amount of money. Mr. Jones suggested that a smaller amount be asked for each year to replace a piece of equipment at a time.

Mr. Jones asked about where the emergency shelter generator would fit in the budget.

Mr. Chupp stated that he thought more study should be done on the generator.

Mrs. Booth asked if the generator could be kept as a priority and let the Board of Supervisors determine the dollar figure.

Mr. Jones stated that he thought the generator should go into Fiscal Year 2011 because it will take awhile to get all of the answers for the Board.

Mr. Gill asked Mr. Jones if a determination had been made about replacing the playground equipment at Lancaster Primary School.

Mr. Jones stated that it would be Fiscal Year 2011.

Mr. Smart asked about a Fiscal Year 2011 item to replace the bus garage heating system. He referenced a prior discussion in which they talked about contracting out the maintenance of the school buses. Mr. Smart also asked about a Fiscal Year 2013 item to construct tennis courts at Lancaster Middle School. He asked if tennis was going to be a part of the physical education program.

Ms. Sciabbarrasi stated that the tennis courts were a community request, but could also be used in the physical education curriculum.

Mrs. Booth asked about a prior discussion involving a combined bus garage and county vehicle garage.

Mr. Jenkins stated that idea had been dropped and said the local mechanics need the business.

Mr. Chupp asked about stimulus money and if anyone is looking into how that money might affect the budget requests.

Mr. Larson stated that the stimulus money is in a state of flux and at the present time, no one knows what amount there might be or what the money can be used for.

Mr. Gill asked about the two items that are being moved to Fiscal Year 2011 and how they would be prioritized.

Mr. Jones stated he thought those items could just be moved over to 2011.

Mr. Gill asked the Commission if there were any items that should not be on the budget.

Mr. Jones stated that he thought the current items should stay and may just be moved to another year, as deemed necessary.

Mr. Smart referred to a Fiscal Year 2013 item to replace the bleachers in the Lancaster High School gym. Mr. Smart stated that he thought that item was an important one considering the high school gym is the largest enclosed space in the county and would be an ideal place for a community meeting, in which many citizens would need to attend.

Mr. Smart asked about a prior discussion involving a trailer-mounted generator to be used between Lancaster High School and Lancaster Primary School.

Mr. Jones stated that the emergency services staff would probably look into that.

Mr. Gill stated that if the Planning Commission was finished with their review, the Capital Improvement Budget would need to be scheduled for a public hearing.

Mr. Jones made a motion to forward the Capital Improvement Budget, as revised, for public hearing at next month's Planning Commission 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 County Attorney has advised that cash proffers can be suggested for fire and rescue services even though those services are not entirely owned/funded by the County. As a result, the draft cash proffer policy has been revised to include all public services and facilities funded or partially funded by the County. Mr. Gill added that the current methodology multiplies the per capita expense for County funded public services and facilities by the average number of persons per household minus the average household's real estate taxes (used to annually operate those public services and facilities) to obtain maximum cash proffer amounts for each. Mr. Gill stated that the figures are still subject to verification by County auditors and this policy remains a work in progress and will remain on the agenda until finalized.

Mr. Jones asked Mr. Gill if he would explain to the Commission again about the cash proffer policy.

Mr. Gill stated that the county can currently accept proffers for conditional rezoning requests, but not cash proffers. He stated that cash proffers are offered voluntarily in writing by the property owners and are used to offset the additional cost to the County for the additional public services and facilities needed for the increased density normally associated with a rezoning.

Mr. Gill further stated that the policy is a resolution, not an ordinance, and a public hearing is not needed. He stated that after the figures are verified, the issue could come back next month as a consideration item.

OTHER BUSINESS

There was no other business.

ADJOURNMENT

The March 19, 2009 regular meeting of the Lancaster County Planning Commission was adjourned at 8:30 p.m.