

LANCASTER COUNTY PLANNING COMMISSION

Minutes

November 15, 2007

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

Present were David Jones, Tara Booth, Steve Sorenson, Glendon Pinn, Jr., Don McCann, Rev. Rodney Waller and Robert Smart.

Also present were Ernest Palin, Board of Supervisors Representative, Joan McBride, Rappahannock Record, Ken Julian, George Bott, Kendall Acors, Jo Chamberlain, Jonah Fogel and Matt Lewis.

Mr. Jones asked if there were any corrections or additions to the minutes of the October 18, 2007 regular meeting.

Mr. Jones moved to approve the October 18, 2007 minutes as submitted. Seconded by Mr. McCann. VOTE: 7-0.

PUBLIC HEARINGS

CHANGES IN PERMITTED USES – A-1 and A-2 zoning districts

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

Mr. Gill stated that the issue was to conduct a public hearing on the proposed changes to permitted uses in the A-1 and A-2 zoning districts to make them more consistent with the spirit and intent of those districts, and make a recommendation to the Board of Supervisors as appropriate. Staff recommends favorable consideration, as long as all deleted uses are allowed in other zoning districts.

This issue has been discussed at the previous three Planning Commission meetings and a local Farm Bureau meeting resulting in the attached list of permitted uses. The proposed deleted uses from the agricultural districts are permitted in other zoning districts. Section 4-1-25 “Travel trailer camps, with a special exception” was left as a permitted use in the A-2 district as it is not allowed elsewhere in the zoning ordinance and it has been the intent of the Planning Commission to ensure that any deleted use would be allowed in other zoning districts. It is important to note that reviewing these

permitted uses satisfies one of the strategies under the goal “Protecting farmland and agricultural resources” in Chapter 7 of the Comprehensive Plan. Changes to zoning ordinances are allowed by Article 16 of the Lancaster County Land Development Code and Section 15.2-1433 of the Code of Virginia.

This request has been advertised as required by law. To date, the Planning and Land Use office has received three phone calls concerning this issue. Two of the calls were for clarifications of the definitions of sales platforms and pet cemeteries. The third call was from a Mr. Yerkie who expressed opposition to any and all changes.

Mr. Jones opened the floor to public comment.

Mr. Julian asked if existing business offices would still be allowed.

Mr. Jones stated yes because home businesses would still be allowed.

Mr. Julian stated his concerns about not permitting schools and antique shops.

Mr. Jones stated that the reason schools and antique shops were deleted was because they do not follow the general intent of an agricultural district and tend to be more commercial in nature.

Mr. Bott expressed his concerns about deleting business offices.

Mr. Acors expressed his concerns about deleting the already permitted uses. He views it as a taking of development rights. Mr. Acors stated that he does not know how the County has the right to delete these uses.

Mr. Gill stated that Article 16 of the Lancaster County Land Development Code and Section 15.2-1433 of the Code of Virginia allow the County to modify and change its ordinances.

Mr. Acors expressed his concerns about deleting commercial boat landings and asked where commercial watermen would unload their products.

Mr. Gill stated that commercial marinas are allowed elsewhere in the zoning ordinance and would allow this activity.

Mr. Smart stated that Articles 3-1-12 and 4-1-19 “Areas of basic seafood processing facilities with a special exception” should cover allowing unloading facilities.

Mr. McCann suggested that maybe Articles 3-1-12 and 4-1-19 be changed to “Areas of basic seafood processing facilities, with or without docking facilities, with a special exception”.

Ms. Chamberlain asked if someone could clarify what is meant by a sales platform.

Mr. Gill read the definition of a sales platform.

Mr. Gill stated that the phone call regarding deleting pet cemeteries concerned a person burying their own pets, which would still be allowed.

Mr. Gill stated that Article 3-1-17 “Accessory uses as defined” should not be deleted. Mr. Gill read the definition of accessory use.

Mr. Jones stated that he agreed. It should be kept in the ordinance.

Mr. Jones asked the commission if they were in consensus with the changes tonight.

The Planning Commission members indicated that they were in consensus.

Mr. Jones made a motion to forward to the Board of Supervisors for approval the proposed changes to permitted uses in the A-1 and A-2 zoning districts as amended. Seconded by Mr. McCann. VOTE: 7-0.

CONSIDERATION ITEMS

WORKFORCE HOUSING ORDINANCE

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

Mr. Gill stated that the Board of Supervisors has asked the Planning Commission to develop a zoning district that, like the old R-2, would allow town home or other medium density development outside the Waterfront Residential Overlay, with the intent and purpose of encouraging and accommodating workforce housing. The Board of Supervisors has given this issue top priority as the next step in the Planning Commission’s review of the ordinances. Rising home values have made it increasingly difficult for working families to afford the market rate housing in Lancaster County. Some ideas of how to ensure an adequate supply of workforce housing have been mentioned in the conservation/cluster development draft ordinances from previous meetings, however they deal primarily with single-family dwellings. Lancaster County does not currently have a zoning district allowing denser, moderately priced, multi-family housing that may appeal to working families.

As a starting point, a copy of the old R-2 ordinance was provided for detailed review and analysis to begin the process of drafting a new and improved zoning district to encourage and accommodate workforce housing.

Mr. Gill stated that Jonah Fogel, Virginia Tech Community Viability Specialist, and Mr. Matt Lewis, Northumberland/Lancaster Extension Agent were present tonight. Since the contract with Land Design has been terminated, Mr. Fogel will be a primary source of information as we go through the process of updating the ordinances. Mr. Fogel's position is to provide education and not advocacy of one particular ordinance over another.

Mr. Fogel thanked the Planning Commission and Staff for inviting him to the meeting. Mr. Fogel stated that his position was created two years ago to deal with community and economic development. Mr. Fogel stated that his background would be of use to the County for research on updating the current ordinances. Mr. Fogel stated he would like to assist the County and if anyone has any questions they can contact him.

Mr. Jones asked what the next step would be. He asked Mr. Fogel if he would provide a "straw man" ordinance for the Planning Commission to review.

Mr. Gill stated that Mr. Fogel had provided several e-mail links and models from the Internet. Mr. Gill suggested that the easiest way to start was to take a look at the old R-2 and pick out what should stay and what should be removed.

Mr. Fogel offered to facilitate a community workshop on workforce housing. He stated that he could provide qualified speakers who could explain the necessity for workforce housing in our community and provide the Commission with valuable insight in preparation of an appropriate ordinance.

The members of the Planning Commission, by consensus, accepted Mr. Fogel's offer.

Mr. Fogel stated that he would work with Mr. Lewis and Mr. Gill in planning this workshop.

Mr. McCann expressed his opinion that the Commission should contact the Town of Kilmarnock's Planning Commission to see what direction they were headed on this issue. Mr. McCann stated that it was important for potential new R-2 locations to be site appropriate to help deal with the issues of traffic and sewage. Mr. McCann stated that he understands that density will have to be greater to be able to be affordable, but open space will still be required.

Mr. Jones stated that the first desirable area should be in the vicinity of incorporated towns and villages. Mr. Jones stated that this ordinance would require greater densities which would require the need for centralized sewage and water, and therefore should be in close proximity to incorporated towns and villages.

Mr. Smart stated that was a good suggestion since many of the service jobs performed by the workforce community are located close to the incorporated towns and villages.

Mr. McCann stated that he is not in favor of editing the old R-2 ordinance and suggested starting over to create a new ordinance.

Mr. Jones stated that the next step may be for the Commission to try to set up a joint meeting with the Town of Kilmarnock and proceed from there.

Mr. Gill stated that he would like to clarify that the wishes of the Planning Commission were to explore inclusionary zoning and density credits in a new and improved R-2 district.

Mr. Jones stated that was correct.

OTHER BUSINESS

1. Capital Improvements Budget

Mr. Gill stated that the Capital Improvements Budget request would be going out tomorrow with a reply requested by January 1, 2008.

2. Right to Farm Ordinance

Mr. Gill stated that each member had received a copy of Richmond County's Right to Farm ordinance in this month's package for review.

3. Other Business:

The Planning Commission, by consensus, decided there would be no meeting in December.

ADJOURNMENT

The November 15, 2007 regular meeting of the Lancaster County Planning Commission was adjourned at 8:10 p.m.