

FINAL ACTIONS
Planning Commission Meeting of September 25, 2012

<u>AGENDA ITEM/ACTION</u>	<u>FOLLOW-UP ACTION</u>
<p>1. Call to Order.</p> <ul style="list-style-type: none"> • Meeting was called to order at 6:00 p.m. by Calvin Morris, Chairman. • PC members present were Mr. Morris, Mr. Loach, Mr. Randolph, Mr. Franco, Mr. Dotson, Mr. Smith and Mr. Lafferty. Ms. Monteith was absent. • Staff present was Brent Nelson, Wayne Cilimberg, Elaine Echols, Andy Sorrels, Sharon Taylor and Greg Kamptner. 	
<p>2. From the Public: Matters Not Listed for Public Hearing on the Agenda.</p> <ul style="list-style-type: none"> • None 	<p><u>Clerk:</u></p> <ul style="list-style-type: none"> • No action required
<p>3. <u>Review of Board of Supervisors Meeting – September 12, 2012</u></p> <p>Mr. Cilimberg reviewed the actions taken on September 12, 2012.</p> <ul style="list-style-type: none"> • The Commission received an update on the wireless policy in a memo from Bill Fritz. 	<p><u>Clerk:</u> No action required</p>
<p>4. <u>Consent Agenda</u></p> <p><u>Approval of Minutes:</u> July 31, 2012</p> <p>APPROVED CONSENT AGENDA, by a vote of 7:0.</p>	<p><u>Clerk:</u></p> <ul style="list-style-type: none"> • Finalize Minutes & Obtain Signature
<p>5. <u>Deferred Item</u></p> <p><u>SP-2012-00017 Ntelos Wireless - Llandaff Property - Tier III PWSF (Sign # 90)</u></p> <p>PROPOSAL: Tier III personal wireless service facility on 19.8 acres. No dwellings proposed. ZONING CATEGORY/GENERAL USAGE: RA Rural Areas -</p>	<p><u>Clerk:</u></p> <ul style="list-style-type: none"> • Action Letter – SP-2012-00017 was recommended for approval subject to staff’s recommended conditions, as amended, at 10’ above the reference tree as recommended by staff. The conditions are outlined in Attachment 1. • Recommendation for approval to be forwarded to the Board of Supervisors to be heard October 3, 2012.

<p>agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots). SECTION: Chapter 18 Section 10.2.2(48) of the Albemarle County Code, which allows for Tier III personal wireless service facilities (reference 5.1.40). ENTRANCE CORRIDOR OVERLAY DISTRICT to protect properties of historic, architectural, or cultural significance from visual impacts of development along routes of tourist access: Yes. COMPREHENSIVE PLAN: Rural Areas – preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/ density (0.5 unit/ acre in development lots). LOCATION: 4319 Scottsville Rd (Route 20). TAX MAP/PARCEL: 11200-00-00-00900. MAGISTERIAL DISTRICT: Scottsville (Brent Nelson) <i>DEFERRED FROM THE JULY 17, 2012 PLANNING COMMISSION MEETING .</i></p> <p>RECOMMEND APPROVAL SP-2012-00017, by a vote of 7:0, subject to staff’s recommended conditions, as amended, at 10’ above the reference tree as requested by the applicant. The conditions are outlined in Attachment 1.</p>	
<p>The Planning Commission began the work session on CPA-2013-000001 at 6:19 p.m. The Planning Commission took a ten minute break at 7:08 p.m. and the meeting reconvened at 7:14 p.m.</p>	
<p>6. Work Session CPA-2013-00001 Comprehensive Plan Draft – Review of first section of draft plan</p>	<p><u>Staff:</u></p> <ul style="list-style-type: none"> • Refer to comments and suggestions as shown in Attachment 2 in further work on the Comp Plan Update.

<p>(continued discussion from the September 11, 2012 Planning Commission meeting)</p> <p>Elaine Echols provided the Commission a PowerPoint presentation. The Commission received public comment, asked questions and provided comments. Staff was asked to take the Commission's comments into consideration in the Comp Plan Update as noted in Attachment 2. No formal action taken.</p>	
<p>7. Old Business</p> <ul style="list-style-type: none"> • None 	
<p>8. New Business</p> <ul style="list-style-type: none"> • No Meeting on October 2, 2012 • Next Meeting – October 9, 2012. 	
<p>9. Adjourn to October 9, 2012, 6:00 p.m., Auditorium, Second Floor, County Office Building, 401 McIntire Road, Charlottesville, Virginia.</p> <ul style="list-style-type: none"> • The meeting was adjourned at 7:45 p.m. 	

Attachment 1 - SP-2012-00017 Ntelos Wireless – Llandaff Property –Tier III PWSF - Planning Commission Recommendation

Attachment 2 – CPA-2013-00001 Comprehensive Plan Draft – Review of first section of draft plan - Planning Commission Comments

ATTACHMENT 1

SP-2012-00017 Ntelos Wireless – Llandaff Property –Tier III PWSF - Planning Commission Recommendation

The Planning Commission recommends approval of this facility at ten (10) feet above the tallest tree with the conditions in the presentation, as amended, and outlined below:

Conditions of approval:

1. Development and use shall be in general accord with the conceptual plan titled “Carter’s Bridge (Llandaff, LC Property) CV828” prepared by Brian Crutchfield latest revision date 8/7/12 (hereafter “Conceptual Plan”), as determined by the Director of Planning and the Zoning Administrator. To be in **general** accord with the Conceptual Plan, development and use shall reflect the following major elements within the development essential to the design of the development, as shown on the Conceptual Plan.:
 - a. Height
 - b. Mounting type
 - c. Antenna type
 - d. Number of antenna
 - e. Distance above reference tree
 - f. Color
 - g. Location of ground equipment and monopole

Minor modifications to the plan which do not conflict with the elements above may be made to ensure compliance with the Zoning Ordinance.

Attachment 2 –

CPA-2013-00001 Comprehensive Plan Draft – Review of first section of draft plan – 9-25-2012

Planning Commission Comments

(Continued discussion from 9-11-2012 meeting)

The Planning Commission held a work session on the Comp Plan Draft – Review of first section of the draft plan, which was a continuation of the discussion from the 9-11-2012 meeting. Staff provided information on the status of the Livability Project as well as upcoming meetings about the Commission's joint goals and strategies. Then staff began review of the Comprehensive Plan draft that was distributed on August 28, 2012 in a PowerPoint presentation.

Sustainability, Growth Management and Facilities Planning & Financing

The first section to be reviewed was the Sustainability, Growth Management and Facilities Planning & Financing section. Staff indicated that the fifteen Sustainability Accords that were developed in 1998 and appended to the County's Comprehensive Plan were present in the document. Staff explained that Sustainability is the larger regional umbrella for the region and especially the City and County's Comprehensive Plans. For that reason, it was put first in the Plan.

The following questions and answers were provided as well as recommended changes.

- Where is “biodiversity” in the document? Staff answered that it is in the Natural Resources section that has not yet been provided.
- Can we find a way to indicate that the County is not trying to deprive individuals of their “by-right” residential development ability? Several suggestions were made on how that issue might be addressed including changing the word, “discourage” to the phrase, “discourage but not prevent” development in the Rural Areas or having a separate section related to property rights. This section would indicate that recommendations for the Rural Areas would not diminish any existing legal ability to subdivide land. Regulations would have to change to reduce development potential in the Rural Areas.
- Should the discussion reach back further than the 1998 sustainability accords? The County needs to indicate that it has a long-standing tradition of growth management that predates Agenda 21. Agenda 21 is a document of concern for the Tea Party from 1992. It was from the United Nations Department of Economic and Social Affairs Committee's Division of Sustainable Development which is a concern of the Tea Party.
- Eliminate “wishy-washy” language and suggest ways to help achieve goals.
- Since the sustainability portion doesn't have goals, objectives and strategies, can it be reworded and addressed as part of the preamble?
- Please include trails and bike lanes in the list of improvements the County has not kept up with.

Public Comment:

Tom Olivier: representing the Piedmont Group of the Sierra Club said he had served on the Sustainability Council in the 1990s. He said it consisted of a wide range of community leaders from builders/developers to environmentalists. He said it is still valid today and the Comprehensive Plan needs indicators or measures to see how we are doing in achieving our goals.

John Chavan: said there needs to be a clearer distinction between what is Rural Area (RA) and what is not. Some areas may be designated RA but are not rural anymore (such as the Shadwell interchange on I-64). He said the Plan seems to always have “no” language and it needs to be more people friendly and the County needs to find more consensus.

Historic Preservation

Staff provided an overview of the Historic Preservation section. The Commission provided the following questions, comments and recommendations:

- The definition of “historic” should be at the beginning and not the end.
- A connection between the Entrance Corridor and Historic Preservation should be made in this section.
- How can the goals, objectives and strategies be tracked? One member suggested that the word, “strategies” be used for actions that can be tracked.
- The Monticello/Thomas Jefferson Foundation Viewshed Map seems to take in a very broad area. Staff suggested that Natasha Sienitsky, Associate Director for Planning and Facilities for Monticello and City Planning Commissioner, come to a meeting and explain the map and their recommendations to the Commission. Staff noted this was being set up for the County’s Historic Preservation Committee already.

Public Comment:

Jeff Werner: Piedmont Environmental Council stated that PEC helped develop the Monticello Viewshed map the Commission saw tonight. He reminded the Commission that keeping Monticello’s viewshed protected was an economic engine for the area.

John Chavan: said if the Thomas Jefferson Foundation continues buying surrounding land will everything they purchase then be in a protected viewshed? What about the property rights of the people who own that land? Mr. Chavan said he agreed that it is important to preserve what we have now, but not at the cost of landowner’s prosperity.

The Planning Commission took a ten minute break at 7:08 p.m. and the meeting reconvened at 7:14 p.m.

Rural Albemarle

Staff provided an overview of the Rural Albemarle section. The Commission provided the following questions, comments, and recommendations.

- Try to avoid repetition in goals.

- Will the new rural economic uses turn the RA into something it is not? Staff indicated that the Commission needs to discuss this issue before completing the Comprehensive Plan.
- Is there a way to do a build-out analysis for the non-residential and non-agricultural uses, such as wineries and bed and breakfasts? When is enough enough? How do we measure if we have too many such uses in an area?
- Where are the metrics to measure progress? Staff said the Livability Project had suggested some performance measurements that will be brought back with their work. Several commissioners affirmed the need to have these systems in place for the future.
- When the document is adopted and put on-line, use hyperlinks to data that support the goals, etc. A data dictionary may be needed to explain everything.
- An on-line comment section at the website would be useful for the public to submit comments about the text on-line.
- In setting the metrics for preservation of the Rural Areas, could we set a threshold of how many residential units should be built annually in the Rural Areas? Ten percent was a suggested threshold. It was said that 10% may not be the right number, but a number would allow for something to measure against. Another Commissioner said that more information is needed from residents who build in or move to the Rural Areas to find out why they make this choice.
- Recommendations are needed for dedicated funding for ACE. This funding can be leveraged against state and federal dollars for the purchase of easements.

Public Comment:

Jeff Werner: representing the PEC, said if the intent is to fund ACE, just directly say it. He also said that the Commission should not forget about the federal facilities we have in the area and how we plan with the federal government. He said there are grant monies available to help with this kind of planning.

Tom Olivier: representing the Piedmont Group of the Sierra Club, said the RA section was last updated in 2005 and it is tightly tied to the natural resources section – don't change that.

John Chavan: said just because land is zoned RA doesn't mean it is rural (i.e. his land at Shadwell). He said things have changed over time and certain areas of the county have changed that are no longer rural. He asked the Commission to continue to keep this in mind.

Comments on How to Review the Draft Plan

Staff noted to the Commission some of the difficulties that exist with reviewing the plan in sections. They suggested that rather than bringing the Commission individual sections by topic, that staff provide a complete draft of the Plan to the Commission in December.

The Commission discussed this recommendation and said they liked the idea of receiving a complete draft but it was going to be harder to digest a larger document than smaller pieces. Members said that it would likely be overwhelming to discuss at the December meeting. Some members said it would be helpful to have complete sections that would include the policy, the implementation and the metrics on how to achieve the goals for those sections. A member asked how the public would be able to comment on a complete draft – would they have to save it all for the one meeting where the complete draft was presented. Right now, section by section they get an opportunity to provide comment on each section. Staff and the Commission discussed the pros and cons and it was agreed by both that staff bring a complete section for Natural Resources and the Rural Areas to a November meeting.