

POLICY COMMITTEE MEETING

February 15, 2013

2:00 p.m.

County Government Center, Building A

1) Roll Call

Present

Ms. Robin Bledsoe
Mr. Al Woods
Mr. Rich Krapf
Mr. Tim O'Connor
Mr. Chris Basic

Staff Present

Mr. Paul Holt
Mr. Jason Purse
Mr. Scott Whyte
Mr. Chris Johnson

Ms. Christy Parrish
Mr. Brian Elmore
Ms. Tammy Rosario
Ms. Leanne Reidenbach

Ms. Robin Bledsoe called the meeting to order at 2:00 p.m.

2) Old Business – Pawnshops

Mr. Jason Purse stated based on Committee recommendations at the January 17, 2013 meeting, staff prepared changes to three sections of the Zoning Ordinance. He stated staff added definitions for pawnshops and payday title loan establishments to the definitions in Section 24-2. Staff also added pawnshops and payday title loan establishments as specially-permitted uses (SUP) in the M-1, Limited Industrial, and M-2, General Industrial zoning districts. The County Attorney's Office said the County cannot outright prohibit pawnshops. Staff also reviewed the cap. The SUP process would better to handle the cap. Coming up with a number would be arbitrary without anything to base it on. The Committee has more discretion and control during the SUP process.

Mr. Al Woods asked how other localities employ the cap.

Mr. Purse stated it's an overall number anywhere in the community.

Mr. Krapf asked if staff reviewed performance standards.

Mr. Purse stated that any standards would have to be enforced county-wide.

Ms. Bledsoe stated she had researched pawnshops' own national standards. She stated they provide a service for people who do not necessarily go to banks. She stated she was comfortable with them as SUPs.

Mr. Krapf moved to recommend approval of the Zoning Ordinance amendments.

In a unanimous voice vote, the Commission recommended approval. (4-0)

3) New Business –

a) Landscape Ordinance Amendments (PLAT Committee Recommendations, Public Lands, Economic Opportunity)

Mr. Scott Whyte stated at their January 22nd meeting, the Board of Supervisors passed an initiating resolution to modify the transfer and modification sections of the Landscaping Ordinance to create an enhanced landscaping policy. He stated at their February meeting, the Planning Commission approved an initiating resolution to amend the landscaping sections of the Public Lands and Economic Opportunity ordinances. The enhanced landscaping policy is based on recommendations from the PLAT Committee's landscaping professionals and is intended to give landscape designers more flexibility to address certain site constraints. The amendments to the Public Lands and Economic Opportunity are minor and intended to clarify the buffering language.

Mr. Krapf asked about the utility easement mitigation language.

Mr. Whyte stated utility easements are often in the buffer area and they include restrictions on what can be planted there. He stated it typically squeezes the landscape area.

Mr. Chris Johnson stated there was a legislative application to reduce the front buffer from 50' to an average of 37'. He stated when the potential planting area is further constrained by multiple easements running parallel to each other, it made the required amount of planting seem far and above what was warranted for that site. The PLAT committee agreed there ought to be an ability to objectively look at sites on a case by case basis to view unique needs or intents, and whether that means additional screening of objectionable features, providing additional landscaping, larger size plants, or transferring hardscapes.

Mr. Paul Holt stated there is a desire to custom-define what enhanced landscaping means rather than blanket 125% planting. He stated allowing site designers to be more adaptable, and have them work together in context of the site location within the County will set the stage for more well-rounded proposals. Landscaping will be reviewed earlier in the process.

Mr. Krapf asked if early landscaping review was conceptual. He asked if they would be able to specific at that stage.

Mr. Whyte stated staff will encourage applicants to get as much as on the table as possible during the conceptual plan process.

Mr. Chris Basic stated it is a preliminary thought process, where instead of saying 'plants', we start to think in terms of focus of evergreens, or shrubs, without necessarily getting specific trees.

Mr. Woods asked what the word 'encourage' meant.

Mr. Basic stated during the legislative process, for all groups, submitting the enhanced landscaping became a rubber stamp. He stated this policy forces all groups to start to accept a customized thought process. The term 'encourage' works pretty well.

Mr. Krapf stated with staff and the DRC reviewing these, it will not take very long for applicants to realize they have to address that.

Mr. Holt stated that using the word 'shall' creates a minimum requirement and no longer an enhancement above and beyond.

Mr. Johnson stated each site has its unique opportunities, constraints, and challenges. He stated some are full wooded. Others have no trees. There may be features that should be screened or blended with surrounding areas. Enhanced landscaping should show intent. We may want to minimize screening to highlight a building's architecture.

Mr. Whyte stated that before, staff always considered bumping up the size of plants as a benefit. He stated it is not always necessarily a benefit. The policy is to make people focus on what they are trying to accomplish. Applicants will define a benefit and how their application will accomplish it.

Ms. Bledsoe stated the language allows an applicant to provide something they don't necessarily have to do.

Mr. Whyte stated the County gets better proposals while the applicants get to address a goal or concern rather than just spending more money on landscaping.

Mr. Krapf stated that with the 125% requirement, applicants will overplant or cram immature planting too close together. He stated as they mature, they choke each other out.

Mr. O'Connor asked how does this dovetail into community character corridors (CCCs).

Mr. Holt stated that designing these plans up front allow the designer to be more responsive to the specific type of CCC.

Mr. O'Connor stated he was concerned with how do we protect the landscape ability of someone trying to maximize the useable space on their lot.

Mr. Whyte stated the ordinance currently allows shrinking the landscape area if they meet certain criteria.

Mr. Johnson stated that by having communication up front, the County lays out to the applicant what the Comprehensive Plan calls for. He stated there is less ambiguity through all levels of the process.

Mr. Woods stated the nature of the plantings at Courthouse Commons will never be able to achieve the buffering density along the road at Monticello Marketplace. He asked what is it about the interpretation of the ordinance that can result in that inconsistency.

Mr. Basic stated that part of the visual disconnect was due to the wetlands RPA buffer at Monticello Marketplace.

Mr. Johnson stated there is also a different zoning once you get past News Road to WindsorMeade marketplace, which has different buffering. He stated it is confusing,

Mr. Woods asked that going forward, looking at Courthouse Commons, would we ask for enhanced landscaping in that buffering.

Mr. Whyte stated that buffer is above ordinance requirements. He stated designers can meet the ordinance but have a completely different look through selection of plant materials. If they had

picked screening materials, it would have looked reforested. Dwarf plants allow more visibility with a more suburban application.

Mr. Woods asked if we want, in terms of character, all of the development to be clearly visible or screened.

Mr. Johnson stated it depends on the type of development.

Mr. Whyte stated there are different types of corridors. He stated urban/suburban and wooded corridors are complete opposites. For urban/suburban, it would be somewhat visible.

Ms. Bledsoe stated the changes are necessary so that that dialogue happens.

Mr. Whyte stated we designated the corridors up front so applicants would know expectations up front.

Mr. Basic stated how the landlord does maintenance is also a factor. He stated if a landlord trims required plantings down, the County has no control.

Mr. Krapf stated in Section 24-91, 'rational' should read 'rationale.'

Mr. O'Connor stated in Section 24-91, paragraph A, where it reads 'adjustments to planting mixtures or densities are needed,' who is defining 'needed'?

Mr. Basic stated it is a collaborate effort.

Mr. Whyte stated the County Attorney's office will make some wording changes.

Ms. Bledsoe asked if the Committee members were comfortable was staff making any language changes.

Mr. Krapf moved to approve the draft ordinances and policy.

In a unanimous voice vote, the Committee recommended approval. (4-0)

4) Dates for Upcoming and Future Meetings

Mr. Holt stated staff wants to bring recommendations to the March Committee meeting regarding the next steps of the coordinated comprehensive plan review process, as well as which proposed zoning ordinance amendments to tackle next, including wind and solar production, electric vehicle charging, chickens, and accessory apartments. He asked what the Committee would like to review for the remainder of the year.

The Committee will meet on March 14, 2013, at 3 p.m.

Ms. Leanne Reidenbach stated the Economic Development Authority's Rural Economic Development Committee is partnering with the Office of Economic Development to apply for a State Governor's Agriculture and Forestry Industries Development Fund Planning Grant for a matching grant

of up to \$20,000 to encourage promotion of rural economic development. The County is attempting to draft a rural economic development strategic plan to tie rural assets together. This is the first step in implementing the related Comprehensive plan Goals, Strategies, and Actions (GSAs). Staff was hoping to have an agritourism component. The process and goals are still being shaped and the application is due March 1.

Mr. Krapf stated he would like to see a more proactive approach to rural lands to facilitate keeping rural lands productive with best practices.

Ms. Reidenbach stated that is exactly what the County hopes to accomplish. She stated rural lands can contribute to the economy and provide alternatives to developing the property residentially. She noted that the County had already looked at the feasibility of a Transfer of Development Rights (TDR) program so this would not be looking at that again.

The Committee discussed the perceived economic value of rural lands.

Ms. Rosario stated a rural lands economic development strategic plan would help provide alternatives and reduce development pressures.

Mr. Holt stated a Committee work plan from a calendar point of view can be a bit of a pacing guide, can help with the joint discussion with the Board and reconciling expectations.

The Committee discussed potential items to review in the remainder of the year.

Ms. Bledsoe asked if staff would send out a list of potential topics and meeting dates.

Mr. Holt stated yes. He stated the Committee will be able to review it before the joint meeting.

5) Other Business

There was no other business.

6) Adjournment

Ms. Bledsoe moved to adjourn. The meeting was adjourned at 3:15 p.m.


Robin Bledsoe, Chair of the Policy
Committee