

**MINUTES**  
**JAMES CITY COUNTY PLANNING COMMISSION**  
**REGULAR MEETING**  
**County Government Center Board Room**  
**101 Mounts Bay Road, Williamsburg, VA 23185**  
**October 5, 2016**  
**7:00 PM**

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**A. CALL TO ORDER**

Mr. Tim O'Connor called the meeting to order at 7:00 p.m.

**B. ROLL CALL**

Planning Commissioners Present:

Tim O'Connor  
Rich Krapf  
Chris Basic  
Robin Bledsoe  
John Wright  
Heath Richardson  
Danny Schmidt

Staff Present:

Paul Holt, Planning Director  
Ellen Cook, Principal Planner  
Tammy Rosario, Principal Planner  
Scott Whyte, Senior Landscape Planner II  
Savannah Pietrowski, Planner  
Roberta Sulouff, Planner  
Alex Baruch, Planner  
Lauren White, Planner  
Maxwell Hlavin, County Attorney

**C. PUBLIC COMMENT**

Mr. O'Connor opened Public Comment.

As no one wished to speak, Mr. O'Connor closed Public Comment.

**D. CONSENT AGENDA**

Ms. Robin Bledsoe made a motion to approve the Consent Agenda.

The consent agenda was approved by voice vote with Mr. Basic abstaining on the Development Review Committee Action Item (7-0).

1. Minutes Adoption - September 7, 2016 Regular Meeting
2. Development Review Committee Action Item: Case No. SP-0047-2016, Patriot's Colony Expansion

#### **E. REPORTS OF THE COMMISSION**

Mr. Rich Krapf stated that Mr. Wright chaired the last Policy Committee meeting and would defer to him for the report.

Mr. John Wright stated that the Policy Committee met on September 15 to review updates to the proposed ordinance amendments for Food Trucks and Wireless Communications Facilities and proposed updates to the Sign Ordinance.

Mr. Wright stated that the Committee reviewed revised language for amendments to allow food trucks in the M-1, Limited Business/Industrial District, M-2, General Industrial District, PUD-C, Planned Unit Development-Commercial and PL, Public Land Districts that incorporated changes based on requests from the Committee at its August 11 meeting and feedback from the public comment at the August 25 meeting. The Committee requested several additional changes as did the County Attorney's Office. The Committee voted to forward the ordinance amendments to the Planning Commission for consideration.

Mr. Wright stated that the Committee also considered revised language for amendments to the Wireless Communications Facilities Ordinance. Mr. Wright stated that the changes focused on six exemptions. Mr. Wright stated that the Committee voted to forward the ordinance amendments to the Planning Commission for consideration.

Mr. Wright stated that the Committee discussed potential amendments to the Sign Ordinance. Mr. Wright stated that staff will return to the next Policy Committee meeting with amendments to make the Sign Ordinance content neutral in accordance with the Supreme Court decision on sign content relating to freedom of speech.

#### **F. PUBLIC HEARINGS**

1. SUP-0014-2016/MP-0002-2016, Warhill Sports Complex Master Plan Amendment

Mr. Paul Holt, Planning Director, stated that Mr. John Carnifax, Director of Parks & Recreation, has applied to amend the existing special Use Permit and Master Plan for the Warhill Sports Complex to allow for the conceptual possible addition of a running center building, a Williamsburg Area Transit Authority transfer station, the relocation of a proposed indoor sports facility and other minor revisions. Mr. Holt stated that the public hearing has been advertised and will need to be opened; however, staff recommends that the Planning Commission defer consideration of this application to its November 2, 2016 meeting. Mr. Holt stated that the deferral will allow staff and VDOT additional time with which to evaluate traffic impacts

Mr. O'Connor inquired if any of the Commissioners were opposed to the deferral.

No Commissioners voiced an objection.

Mr. O'Connor opened the public hearing.

Mr. Jack Fowler, 109 Wilderness Lane, addressed the Commission on concerns about the design for the boat launch at Little Creek Reservoir. Mr. Fowler requested that the County address the concerns at Little Creek Reservoir before spending funds to improve other facilities.

Ms. Tamara Johnson, a resident of the Mallard Hill subdivision, addressed the Commission on concerns about the vehicle speed on Warhill Trail. Ms. Johnson requested that the traffic considerations include the speed as well as the level of service at the intersection. Ms. Johnson stated that the residents would like an additional access point considered to alleviate the congestion.

Mr. Richard Minor, president of the Longhill Gate Home Owner's Association, addressed the Commission on concerns about the volume of traffic accessing the Warhill Sports Complex. Mr. Minor stated that a traffic signal would be beneficial, as would an additional access point. Mr. Minor further stated that the existing turn lanes on Longhill Road should be evaluated for safety.

As no one further wished to speak, Mr. O'Connor continued the public hearing to the November 2, 2016 Planning Commission meeting.

2. Z-0009-2016, 124 and 130 Riverview Plantation Drive

Mr. Alex Baruch, Planner, provided a report to the Commission on the request to rezone approximately 5.45 acres of land from R-1, Limited Residential to A-1, General Agricultural. The purpose of this application is to allow the keeping of two horses and their foals to weaning age on their property for personal use. Mr. Baruch stated that the subject properties are located in the middle of Riverview Plantation subdivision and do not share any boundary lines with adjacent lots as they are surrounded by two roads, Four Mile Tree and Riverview Plantation Drive. Mr. Baruch further stated that the house and its dependencies are a part of the National Register of Historic Places. Mr. Baruch stated that the property is designated Rural Lands on the adopted Comprehensive Plan Land Use Map as are all of the surrounding parcels. Staff finds this use to fit within the recommended uses listed in the Comprehensive Plan, and to meet Rural Lands development standards. Mr. Baruch noted that after the distribution of the agenda materials, the applicants became aware of concerns related to the barn. Mr. Baruch stated that the applicants are proposing to move the location of the barn interior to the parcel, across from the existing garage. Mr. Baruch stated that staff finds the proposal to be compatible with the adopted Comprehensive Plan, the Zoning Ordinance and surrounding development. Mr. Baruch further stated that staff recommends that the Planning Commission recommend approval of this application to the Board of Supervisors and accept the proffers attached to the staff report.

Mr. O'Connor opened the floor for questions from the Commission.

Mr. Danny Schmidt inquired what additional types of structures could be built if the property is rezoned.

Mr. Baruch stated that accessory structures are permitted uses in the A-1 district. Mr.

Baruch stated that the residential components were not proffered out; however, all the other agricultural uses and all commercial uses have been proffered out.

Mr. Wright inquired what other animals could be housed on the property.

Mr. Baruch stated that all other agricultural uses have been proffered out. Mr. Baruch further stated that the request is specifically for two horses and their foal to weaning age.

Mr. Chris Basic inquired if there were a mechanism to ensure that the nutrient management plan is carried out.

Mr. Baruch stated that the plan is a recommendation approved by the Colonial Soil and Water Conservation District and the County's Engineering & Resource Protection division but it is not a binding document.

Mr. O'Connor inquired if the restriction was for two animals whether it be horses or ponies.

Mr. Baruch state that the request was for two horses and their foals to weaning age.

Mr. Basic inquired about the standard weaning age for a foal. Mr. Baruch stated that his research indicated that weaning age was between six months and one year.

Ms. Bledsoe inquired about the inclusion of the foals when both of the applicant's horses are geldings and it was stated that there would be no reproductive activities on the property.

Mr. Baruch stated that the language was a suggestion from the HOA.

Mr. Baruch confirmed that both of the applicant's horses are geldings.

Ms. Bledsoe inquired if the allowance for foals was intended to leave the door open for something in the future.

Mr. Baruch stated that he would defer to the applicant on that question.

Mr. Krapf stated that his understanding is that the allowance for foals would cover a future situation where the applicant might have a mare, already with foal when purchased, instead of a gelding.

Mr. Baruch stated that Mr. Krapf's understanding is correct.

Mr. Schmidt inquired if the proffered conditions would apply to future property owners.

Mr. Baruch stated that the proffered conditions will run with the land and the limitation on the number of horses would not change.

Mr. Basic inquired if chickens were permitted in the R-1 Zoning District.

Mr. Baruch stated that chickens are permitted with the minimum lot size specified in the Chicken Keeping Ordinance.

Mr. O'Connor opened the public hearing.

Dr. Teresa Dewitt, 124 Riverview Plantation Drive, applicant, provided a presentation to the Commission on the request to rezone the property. Dr. Dewitt provided a history of the property, noting its agricultural origins and that the original Riverview Subdivision plan included a riding stable among the recreational amenities. Dr. Dewitt discussed the conservation easement on 130 Riverview Plantation Road and noted that the conditions proffered with this rezoning would formalize the status of the easement. Dr. Dewitt shared details of the proposed barn and noted that the barn would be kept architecturally consistent with the existing buildings. Dr. Dewitt noted that waste and soiled bedding would be bagged and removed from the property twice weekly to minimize odor and proliferation of vermin. Dr. Dewitt further stated that the barn would not require extensive clearing or grading and that the paddocks would be rotated and managed to allow recovery of the grass.

Dr. Chris Dewitt, 124 Riverview Plantation Road, stated that he wanted to emphasize that the only structures would be on the 124 Riverview Road parcel. Dr. Dewitt further stated that the location of the proposed barn had adjusted to mitigate concerns. Ms. Bledsoe inquired about the easement and the County's authority to regulate the easement. Dr. Chris Dewitt stated that the lot known as 130 Riverview Plantation Road is shown on the plat as being in a conservation easement; however, it is not dedicated to the County. Dr. Dewitt stated that it is their intention to ensure that the parcel remains greenspace. Ms. Bledsoe inquired about the James City Service Authority's requirements for the property.

Dr. Teresa Dewitt stated that the comments from the JCSA noted that the property owner would need to be responsible for developing water conservation standards.

Dr. Chris Dewitt stated that the JCSA comments preceded the recommendation from the Colonial Soil and Water Conservation District. Ms. Bledsoe inquired about the design of the paddock area. Dr. Chris Dewitt stated that it is proffered to ensure that any buildings or fences constructed would be architecturally consistent with the existing home.

Mr. Schmidt inquired whether the proposed barn would be post-in-ground or require a foundation.

Dr. Chris Dewitt stated that he anticipated it would require a slab foundation.

Mr. Basic inquired how the County could ensure that the nutrient management plan will be followed if it has not been proffered.

Dr. Chris Dewitt stated that they also want the area to be well maintained. Dr. Dewitt further stated that even before this application was considered, he obtained recommendations from the Turf Love program to improve the yard. Dr. Dewitt noted that he is following through with those recommendations. Mr. O'Connor inquired if the applicant would consider adding the waste management plan to the proffers. The applicants concurred with the request.

Ms. Morgan Dewitt, 124 Riverview Plantation Drive, addressed the Commission in support of the application by sharing the request she submitted to the Home Owners

Association. Ms. Dewitt noted that the property and the horses would be well maintained and would be an asset to the community.

Mr. Kenneth Barnhart, 220 Sherwood Forrest, representing the Riverview Plantation Home Owners Association, addressed the Commission in opposition of the request to rezone the properties. Mr. Barnhart noted that the HOA has no question about the applicants' maintenance of their property or their ability to care for the horses. Mr. Barnhart stated that the HOA does not agree with the analysis that the use is compatible with the location and the surrounding development. Mr. Barnhart noted there has been a substantial outpouring of concerns from the community about impact on the surrounding properties and the precedent that the rezoning would set. Mr. Barnhart stated that the HOA Board requests that the Commission recommend denial of the rezoning application.

Ms. Jane Nichols, 102 Four Mile Tree, addressed the Commission in opposition to the rezoning. Ms. Nichols presented a petition signed by 44 home owners. Ms. Nichols expressed concerns about the appropriateness of the use in the community, the impacts on individuals allergic to horses, impacts on air quality. Ms. Nichols requested that the Commission recommend denial of the rezoning request.

Mr. Jim Saunders, 136 Riverview Plantation Drive, addressed the Commission in opposition to the rezoning. Mr. Saunders expressed concerns about the impacts of run-off and odors from the property.

Ms. Anita Dasher, 92 Four Mile Tree, addressed the Commission in opposition to the rezoning. Ms. Dasher expressed concerns about impacts on the beauty of the area and the air quality. Ms. Dasher requested that the Commission recommend denial of the rezoning request.

Mr. Louis Vosteen, 124 Four Mile Tree, addressed the Commission in opposition to the rezoning. Mr. Vosteen expressed concerns about potential for incompatible uses adjacent to the residential community and the impact of the rezoning on the values of the surrounding parcels. Mr. Vosteen requested that the Commission recommend denial of the rezoning request.

Mr. William Jaissle, 126 Four Mile Tree, addressed the Commission in opposition to the rezoning. Mr. Jaissle expressed concerns about run-off from the property, the proliferation of flies and other pests. Mr. Jaissle further expressed concerns about severe horse allergies. Mr. Jaissle requested that the Commission recommend denial of the rezoning request.

Mr. Edward Miller, 112 Four Mile Tree, addressed the Commission in opposition to the rezoning. Mr. Miller noted that it was the intent of the developer that the community be bound by covenants and restrictions and that any lots added to the community would also be bound by the covenants. Mr. Miller expressed concerns about the impact of the rezoning on the character of the neighborhood given that the parcels are central to the community. Mr. Miller requested that the Commission recommend denial of the rezoning request.

Mr. Peter Evans, 109 Greenway Circle addressed the Commission in opposition the rezoning. Mr. Evans expressed concerns about the precedent that the rezoning would set and the impact of potential property owners who are not as diligent as the applicant.

Mr. Obediah Andrews, 108 Greenway Circle, stated that, had he been at the HOA meeting he would have added his name to the petition. Mr. Andrews addressed the Commission in opposition to the rezoning. Mr. Andrews expressed concerns about the precedent that the rezoning would set, future changes to the property and the impact on the historic integrity of the property. Mr. Andrews requested that the Commission recommend denial of the rezoning request.

Mr. John McDonough 712 E. Tazewell's Way, stated that he owns 119 and 120 Riverview Plantation Road. Mr. McDonough addressed the Commission in opposition to the rezoning. Mr. McDonough expressed concerns about the effect of creating an agricultural parcel in the center of a residential community. Mr. McDonough requested that the Commission recommend denial of the rezoning request.

Ms. Angie McDonough, 712 E. Tazewell's Way, addressed the Commission in opposition to the rezoning. Ms. McDonough expressed concerns about the potential for other property owners to request a similar rezoning. Ms. McDonough noted that she bought property in a residential Community and did not want to be adjacent to agricultural activities. Ms. McDonough requested that the Commission recommend denial of the rezoning request.

Mr. James Armstrong, 104 Riverview Plantation Drive, expressed appreciation for the way the applicants have improved the property. Mr. Armstrong further stated that the difficulty is to decide between the rights of a property owner and the common good. Mr. Armstrong requested that the Commission recommend denial of the rezoning request.

Mr. Dennis Dasher, 92 Four Mile Tree, addressed the Commission in opposition to the rezoning. Mr. Dasher expressed concerns about changes to the scenic property and the impacts of an agricultural property in the center of a residential community. Mr. Dasher stated that Riverview Plantation should remain a residential community.

As no one further wished to speak, Mr. O'Connor closed the public hearing

Mr. O'Connor opened the floor to discussion by the Commission

Mr. Krapf inquired about the factors staff considered in developing the recommendation on the application. Mr. Krapf noted that the Comprehensive Plan is a major factor but compatibility with surrounding development is also important.

Mr. Baruch stated that the subject parcel and the surrounding properties are designated rural lands. Mr. Baruch stated that equine opportunities are among the recommended uses in rural lands. Mr. Baruch further stated that staff considered the size of the parcels, the recommendations of the Colonial Soil & Water Conservation District Board and recommendations from other reviewing divisions and agencies.

Mr. Holt stated that the proffers were also a key factor. Mr. Holt stated that the proffers were designed to ensure mitigation of any negative impacts. Mr. Holt stated that the proffers remove the opportunity for all other agricultural uses, removes the potential for any commercial uses and limits the number of horses allowed on the property.

Ms. Bledsoe inquired about the process to amend proffers.

Mr. Holt stated that action by the Board of Supervisors would be required to amend proffers.

Ms. Bledsoe inquired if a future property owner could change the proffers.

Mr. Holt stated that it would be possible but the request would go through the Board of Supervisors legislative process.

Mr. O'Connor inquired if the subject parcels were encumbered by the Riverview Plantation Covenants and Restrictions.

Mr. Barnhart stated that he had researched the deeds for the property from the time it was deeded to the Plantation Club, Ltd. up to the time it was purchased by the applicant. Mr. Barnhart stated that he did not see covenants on the deed. Mr. Barnhart stated that all other properties in the subdivision have covenants on their deed. Mr. Barnhart noted that initially the plantation house was to serve as the clubhouse for the community and since it was not intended as a residential property, covenants were not included. Mr. Barnhart noted that the properties are part of Section III of Riverview Plantation and there are covenants for Section III. Mr. Barnhart stated that it is not clear if the Section III covenants apply to the subject properties; however, it is clear that the intent is for Riverview Plantation to be a residential community.

Ms. Bledsoe inquired if the applicant met with the neighbors prior to discuss their intentions.

Mr. Barnhart responded that the HOA Board had recommended that the applicant meet with neighbors prior to moving forward with the rezoning. Mr. Barnhart noted that some of the misunderstandings could have been avoided if the applicant had met with neighbors.

Ms. Bledsoe inquired if the HOA had discussed the proffers with the applicant.

Mr. Barnhart stated that the HOA had made recommendations on what the proffers should contain.

Ms. Bledsoe inquired if there was a community meeting.

Mr. Barnhart stated that the community meeting did not occur until after the public hearing notification sign was placed.

Ms. Bledsoe inquired if the applicants attended.

Mr. Barnhart stated that the applicants were notified. Mr. Barnhart stated that he also informed the applicants of the concerns from the community.

Mr. O'Connor requested that Mr. Hlavin discuss the Commissions role in considering the neighborhood covenants.

Mr. Max Hlavin, Assistant County Attorney, stated that restrictive covenants are private matters between private landowners and do not involve the County. Mr. Hlavin further stated that as they relate to the Commissions deliberations on land use, restrictive



covenants indicate the desires and expectations of the landowners for the community. Mr. Hlavin stated that the scenic easement is shown on the plat of the property and that any changes to that easement would have to go through the Board of Supervisors plat vacation process. Mr. Hlavin noted that the scenic easement issue is separate from the issue of restrictive covenants.

Ms. Bledsoe asked the applicants if and when they shared their plan with the community.

Dr. Teresa Dewitt stated that they had created an information packet for neighbors and had set the packets out once the public hearing notification sign was posted.

Mr. Wright inquired if the applicants are members of the HOA and if they were given a declaration package.

Dr. Chris Dewitt stated that they are members of the HOA and received the declaration package.

Dr. Teresa Dewitt noted that it was suggested that they not attend the community meeting.

Mr. Baruch stated that he did not attend. Mr. Baruch stated that after the staff report is made available to the public, the County believes the report should speak for itself.

Ms. Bledsoe inquired who told the applicant that they should not attend the community meeting.

Dr. Chris Dewitt stated that Mr. Barnhart had recommended that they not attend. Dr. Dewitt further stated that Mr. Barnhart indicated that he was familiar with their proposal and would be able to make clarifications and address any questions.

Mr. Heath Richardson inquired if the HOA is active and actively enforcing covenants.

Mr. Baruch stated that believes it is a voluntary HOA and would defer to Mr. Barnhart on whether they HOA actively enforces covenants. Mr. Barnhart stated that the HOA has been active from the beginning of the development and that they do enforce the covenants; however, the difficulty is that covenants vary somewhat depending on when the parcel was developed.

Mr. Barnhart noted that nothing in the covenants requires membership in the HOA and that rather than being voluntary, it is more that requiring membership is unenforceable.

Mr. Richardson inquired whether the home is actually subject to the covenants.

Mr. Barnhart stated that the deeds for the two subject parcels do not have the covenants on them. Mr. Barnhart stated that the deeds for all the other parcels do have the covenants. Mr. Barnhart noted that the properties are part of Section III of Riverview Plantation and there are covenants for Section III. Mr. Barnhart stated that it is not clear if the Section III covenants apply to the subject properties; however, it is clear that the intent is for Riverview Plantation to be a residential community.

Mr. Krapf stated that this is a difficult application to sort through. Mr. Krapf stated that

the Comprehensive Plan does support the rezoning. Mr. Krapf stated that the applicants have proffered away every other agricultural and commercial use that would be available under the A-1 zoning. Mr. Krapf noted that there is a primary structure and several accessory structures already on the parcel and that the 576 square foot barn would be of minimal impact. Mr. Krapf stated that the difficult part of the decision is that it would be the only property in that subdivision with the A-1 designation. Mr. Krapf stated that the elements he is weighing are the impact on the neighbors which is offset by the size of the parcel and the proffers.

Mr. Richardson stated that he believes the parcel is large enough to support the use with minimal impact and that the proffers also work to substantially mitigate the impacts. Mr. Richardson noted that he would like to see the waste management plan included in the proffers.

Mr. Basic stated that he concurs that this is not a cut and dried decision. Mr. Basic noted that one of the larger questions is what is to prevent other property owners to request their property be rezoned to A-1. Mr. Basic stated that the factual response is that the ordinance requires that a parcel be minimum of three acres which would address that concern. Mr. Basic stated that he would consider supporting the request because the fear of what this application could be versus what it actually is are very different.

Mr. Wright stated that both the applicants and the neighbors have strong arguments in favor of their individual positions. Mr. Wright stated that for him, it comes down to the land use. Mr. Wright stated that he is basing his decision on the best use for the land.

Mr. Richardson stated that it is worth considering also that the parcel boundary line would be extinguished and the property would remain that larger acreage.

Mr. Schmidt stated that rezoning the parcel would create an island in the middle of the residentially zoned parcels. Mr. Schmidt stated that after considering all the factors he is inclined not to support the application.

Mr. Wright noted that if the request were in reverse to go to a designation that supports greater density, the Comprehensive Plan would support keeping the area rural lands and ensuring that it remains a scenic area in the future.

Mr. O'Connor stated that the residents have an expectation for how the community will operate based on the zoning designation when they purchased property. Mr. O'Connor stated that his consideration is balancing the expectations of the community with the desires of the applicant.

Ms. Bledsoe stated that she believes the placement of the property is key to the decision. Ms. Bledsoe stated that it has been the centerpiece of the community from the beginning. Ms. Bledsoe further stated that the applicant's request is compatible with the Comprehensive Plan. Ms. Bledsoe stated that it does come down to weighing what the community expects against the right of the homeowner. Ms. Bledsoe stated that the next consideration is the visual impact on the property. Ms. Bledsoe stated that there does not seem to be opposition to constructing the barn, but more to the horses and their by-products. Ms. Bledsoe stated that what changes the look of the property is establishing the fencing for the paddocks. Ms. Bledsoe stated that the difficult decision for the Commission is whether it is more important that the community as a whole gets to maintain what it is accustomed to at the expense of the homeowner or does the

homeowner get what it wants at the expense of the community.

Mr. Richardson made a motion to approve with an addition to the proffers for the waste management plan.

Mr. Holt stated that proffers were entirely voluntary.

Mr. Richardson made a motion to approve.

On a roll call vote the Commission voted to recommend approval of Z-0009-2016, 124 and 130 Riverview Plantation Drive (4-3). Ayes: Richardson, Basic, Wright, O'Connor. Nays: Schmidt, Bledsoe, Krapf.

Mr. Basic stated that he wanted to clarify that the Planning Commission is only a recommending body and that the Board of supervisors would make the final determination at its meeting in November.

A motion to Approve was made by Heath Richardson, the motion result was Passed.

AYES: 4 NAYS: 3 ABSTAIN: 0 ABSENT: 0

Ayes: Basic, O'Connor, Richardson, Wright III

Nays: Bledsoe, Krapf, Schmidt

3. ZO-0001-2016, Zoning Ordinance Revisions to Allow Places of Public Assembly, Including Those Used Primarily as an Event Facility, in A-1, General Agricultural, and R-8, Rural Residential Districts

Ms. Ellen Cook, Principal Planner, presented a report to the Commission on the proposed Zoning Ordinance amendments to allow event facilities for private special events in the A-1, General Agriculture and R-8, Rural Residential Districts. Ms. Cook noted that the ordinance amendments were incorporated in the Planning division's 2015/2016 Work Plan in response to inquiries from citizens who are interested in starting privately run-for-profit event facility businesses on parcels in Rural Lands. Ms. Cook stated that the draft ordinance proposes changes to the use lists in A-1, General Agricultural, and R-8, Rural Residential, and changes to Article II, Special Regulations, to create a new Section 24-48 that lists the standards that a place of public assembly used primarily as an event facility would need to meet in order to proceed as a by-right use.

Ms. Cook stated that in both A-1 and R-8, deletes the uses "houses of worship and cemeteries accessory hereto" and "lodges, civic clubs, fraternal organizations or service clubs" and consolidates them into the use "place of public assembly," consistent with what has been done previously in the other Zoning Ordinance districts. Further, the places of public assembly use is listed in three parts, with "places of public assembly used primarily as an event facility in accordance with Section 24-48" listed as a permitted use and "places of public assembly" and "places of public assembly used primarily as an event facility not in accordance with Section 24-48" listed as SUP uses.

Ms. Cook further stated that a new section (Section 24-48) has been added to the Special Regulations section of the Ordinance, which lists the performance standards for event facilities. Ms. Cook stated that the R-8 Use List is reformatted as a table to make it consistent with the other zoning districts, and the "group home" use has been updated to be consistent with state code requirements and with what has been done previously in

the other residential Zoning Ordinance districts.

Ms. Cook stated that staff recommends the Planning Commission recommend approval of these amendments to the Zoning Ordinance to the Board of Supervisors.

Mr. O'Connor opened the floor to questions from the Commission.

Ms. Bledsoe inquired about the time limit of 30 days for a tent to stay up.

Ms. Cook stated that the time limit was set to be consistent with Building Safety & Permits regulations for temporary tents.

Mr. O'Connor inquired about the rationale behind requiring civic organizations to apply for a special use permit while it is a by-right use for private property owners.

Mr. Krapf stated that his understanding was that if a civic organization constructed a facility on its property dedicated solely to its use, it fell outside the intent of the ordinance. Mr. Krapf further stated that the difference would be if a civic organization constructed an event facility on rural lands and had not only their meetings at the location but also opened it up commercially for other uses, it would still be a by-right use if it were on an arterial road, but would require an SUP if it were on a collector road.

Mr. O'Connor stated that he was still struggling with the SUP requirement for civic organizations.

Mr. Krapf noted that for event facilities not located on an arterial road, all property owners would have to apply for an SUP.

Ms. Bledsoe requested an example of a local arterial road in rural lands.

Ms. Cook stated that parts of Route 5, Monticello Avenue, Centerville Road and Route 60 and Route 30 from Anderson's Corner going north.

Mr. O'Connor opened the public hearing.

Ms. Linda Rice, 2394 Forge Road, stated that she represents Friends of Forge Road. Ms. Rice addressed the Commission on concerns about retaining the historical character of Forge Road. Ms. Rice further noted concerns about the impact of additional traffic on a rural collector road and the impact of noise on adjacent property owners. Ms. Rice requested that the Commission consider eliminating the use on collector roads.

Ms. Jess Aiken, 8409 Attleborough Way, addressed the Commission in support of the ordinance amendments. Ms. Aiken noted that allowing the development of event facilities would fill a market need as there are only a few facilities that can accommodate large parties and would bring economic benefit to the County. Ms. Aiken noted that the performance standards or SUP conditions would ensure that the impacts are mitigated.

As no one further wished to speak, Mr. O'Connor closed the public hearing.

Mr. O'Connor opened the floor to discussion by the Commission.

Mr. Krapf stated that, as a disclosure, he is on the Board of Friends of Forge Road; however, he does not have a conflict of interest for this matter. Mr. Krapf stated that as Chair of the Policy Committee, he has been involved in discussion of the ordinance amendments from the outset. Mr. Krapf stated that he has examined all sides of the matter and can make an unbiased decision.

Mr. Basic inquired about the Policy Committee addressing the difference between private events on private property and the commercial events.

Mr. Krapf stated that under County Code there is a mechanism to obtain a permit for a one-time special event. Mr. Krapf stated that these amendments stemmed from recommendations from the Rural Economic Development Committee to find a mechanism to use rural lands for something other than residential development. Mr. Krapf further stated that by adding the use to the ordinance, it eliminated the need to apply for a permit for every single event and put the use on a commercial footing.

Mr. Richardson confirmed that the effort is has been to craft a policy that would allow these types of events to go forward.

Mr. Basic stated that it is difficult to find acceptable uses that allow owners of property designated rural lands to derive economic benefit from their property.

Ms. Cook clarified that private events on private property do not fall under the ordinance amendments or under the County's Special Event process. Ms. Cook further stated that a major public event with an attendance of 200 or more would require a Special Event Permit. Ms. Cook stated that the ordinance covers events where people are paying for the use of the facility.

Mr. Wright stated that it is likely that the use is already occurring without the County's knowledge. Mr. Wright further stated that the ordinance amendments are a way to set forth required criteria and to mitigate impacts. Mr. Wright noted that the Policy Committee considered a number of options that were broader than the final language. Mr. Wright further noted that the final ordinance language reflects of what will benefit property and business owners and what will protect adjacent property owners.

Ms. Bledsoe expressed appreciation for the work of the Policy Committee. Ms. Bledsoe noted that the Committee had addressed the majority of concerns noted by the public. Ms. Bledsoe stated that she is supportive of the ordinance amendments.

Mr. Krapf noted that he was the dissenting vote to moving forward with the ordinance amendments. Mr. Krapf stated that he had initially considered event facilities for weddings to be a benign use initially; however, the category of "Places of public assembly" is too broad and leaves open an opportunity for events with more impact such as motorcycle rally group that would hold periodic events and reach the cap of 300 attendees. Mr. Krapf stated that agri-tourism is addressed separately in the Zoning Ordinance and that event facilities are not an agri-tourism initiative. Mr. Krapf further stated that agri-tourism usually follows normal business hours where the traffic impacts are spread out over those hours while traffic for an event is arriving and departing at approximately the same time. Mr. Krapf stated that collector roads are generally not signalized at intersections which would create the potential for significant traffic delay at those intersections. Mr. Krapf further noted that the narrowness of collector roads increases the impact of traffic. Mr. Krapf stated that he is fully supportive of the portion

of the ordinance amendments related to event facilities located on arterial roads; however, because the category of "Places of public assembly" broad and a special use permit runs with the land he cannot support the inclusion of parcels located on collector roads.

Mr. Richardson stated that because event facilities on collector roads would require an SUP, it would ensure that the impacts would be considered. Mr. Richardson further stated that he believes this is an appropriate mechanism for allowing property owners to derive economic benefit from their land. Mr. Richardson stated that he supports the amendments.

Ms. Bledsoe requested that Mr. Richardson elaborate on the types of events that could be held.

Mr. Richardson stated that the discussion covered a wide range of potential events.

Ms. Cook stated that the ordinance defines it as a place to host functions. Ms. Cook further stated that the Zoning Administrator would make a determination if the use was in accord with being a place for hosting functions. Ms. Cook stated that the ordinance lists examples as weddings, anniversaries, meetings and conferences; however, this is not an exclusive list.

Ms. Bledsoe inquired if a motorcycle rally would fall under that definition.

Ms. Cook stated that it would be necessary to know the exact parameters and details for the event to make a determination.

Ms. Bledsoe stated that it seems it would be necessary to meet with staff and discuss the type of event to ensure that it would be appropriate rather than being able to just purchase the property and host any event they want at any time they want. Mr. Holt stated that because the ordinance focuses on land use and land use types there would not be an ability to distinguish in the Zoning Ordinance between arriving at an event in a car or a motorcycle. Ms. Bledsoe stated that the difference is what people use as a normal mode of transportation and an event where everyone would arrive on motorcycles because of the nature of the event.

Mr. Wright stated that this was the purpose of requiring an SUP for event facilities on collector roads. Mr. Wright further stated that the SUP requirements were helpful in alleviating his concerns.

Ms. Bledsoe stated that her experience is that the Zoning Administrator does follow up on complaints and would pursue enforcement options.

Mr. Krapf state that the SUP trigger is helpful; however, once the SUP is approved there is no further oversight of the types of activities that take place. Mr. Krapf further stated that even if, for example, the facility were used exclusively for weddings, there could still be a substantial impact on a collector road every weekend for more than six months out of the year. Mr. Krapf stated that while the SUP would address many concerns, there is still no limit on frequency or limitation on the types of events that could occur.

Mr. Basic stated that he is also concerned that the SUP would run with the land. Mr. Basic stated that what the original owner proposes might be far different than what a

subsequent owner might do. Mr. Basic stated that he is eager to find viable solutions for property owners to profit from their land; however, he has some reservations about the impacts of this option as it stands. Mr. Basic noted that if the amendments are approved and problems occur, it would be possible to recraft the regulations. Mr. Basic stated that he is willing to take a chance on allowing the event facilities rather than turning down yet another proposal for using rural lands for economic gain.

Mr. Schmidt inquired if open air concerts would be allowed under the ordinance.

Ms. Cook stated that an event of that nature where the event was open to the public and the attendance was over 200, would need to apply for a Special Event Permit. Ms. Cook further stated that the event facility could operate under normal parameters for other events and apply for the occasional Special Event Permit.

For clarification, Mr. O'Connor and Mr. Richardson inquired about whether a commercial amphitheater would fall under the category of an event facility.

Mr. Schmidt noted that despite the acreage requirements, the impact of noise on adjacent property owners could be a concern because of the configuration of the lot. Mr. Schmidt stated that he would be more comfortable with an SUP process for properties on arterial roads to start and potentially including properties on collector roads in the future.

Mr. Richardson stated that the County is trying to find uses for rural lands other than farming. Mr. Richardson further stated that if the goal is to maintain the County's rural character, it is necessary to foster economic enterprise. Mr. Richardson stated that the ordinance amendments would establish regulations for activities that are already occurring without the County's knowledge and without regulation. Mr. Richardson stated that he believes a less restrictive ordinance would foster compliance.

Mr. Holt stated the ordinance contains regulations for noise, limits on hours of operation and requirements for sources of amplified sound to be oriented toward the interior of the property. Mr. Holt noted that this was a substantial concern that the Policy Committee worked to address through the regulations.

Ms. Bledsoe stated that she is surprised that there is still so much concern over the ordinance amendments, considering the in depth review by the Policy Committee and the recommendations to bring it forward for review by the Planning Commission.

Mr. Schmidt stated that because of the variety of lot sizes and configurations, he believes it would be best to consider each request on a case by case basis.

Mr. Krapf stated that it is important to remember that agri-tourism is a different category in the Zoning Ordinance and that event facilities are not the one and only attempt at bringing business revenue to rural lands. Mr. Krapf noted that there were a number of agri-tourism opportunities proposed by the consultant to the Rural Economic Development Community. Mr. Krapf noted that he is not advocating stifling economic development in rural lands because it is preferable to residential development.

Mr. Basic inquired what the approval conditions for an SUP might include.

Mr. Holt stated that they would be site specific. Mr. Holt further stated that the

performance standards for those operations of a small enough scale to be considered by-right would be similar to the SUP conditions and would include limitations on noise and hours of operation, limitations on size and buffer and screening requirements, among others.

Mr. Basic stated that the genesis of the questions was to determine how the conditions of the initial SUP might impact and restrict what future property owners could do.

Mr. O'Connor stated that he was trying to understand the goal of the amendments; whether the goal is to protect rural lands for future farming activities or whether it is to protect a rural look and feel to the community. Mr. O'Connor stated that he believes it is the rural look with open space and lack of density that appeals to most people.

Mr. Richardson stated that is important to both protect land for future farming and to protect the look of the County. Mr. Richardson stated that there are initiatives to promote farming. Mr. Richardson stated that it will be difficult to find suitable land in the future when these initiative come to fruition. Mr. Richardson stated that preserving the look is also important.

Mr. O'Connor stated that a ten acre parcel is different from some of the much larger parcels. Mr. O'Connor stated that during the last Comprehensive Plan review, there were a number of property owners seeking to change their properties to mixed-use or economic opportunity in order to have more viable uses for the land. Mr. O'Connor stated that regarding the traffic on a collector road, that there are already a number of collector roads in the County that experience extremely high volumes of traffic on a daily basis. Mr. O'Connor stated that it is not likely that events would occur every day and not at the maximum attendance allowed under the ordinance. Mr. O'Connor stated that he believes the concerns are not well founded. Mr. O'Connor further stated that he does not concur with requiring civic organizations to obtain an SUP.

Ms. Cook stated that facilities used exclusively by a membership group do not fall under the definition of an event facility. Ms. Cook further stated that if the facility is rented out, then it could become a by-right use if all the performance standards are met.

Mr. O'Connor inquired how that would be enforced.

Mr. Holt stated that it goes back to the principal use of the property. Mr. Holt stated that if you have, for example, a Moose Lodge on the property that is the primary use.

Mr. O'Connor inquired whether the primary use would change if the facility were used for the civic organization's monthly meeting and rented out for profit the remainder of the month.

Mr. Holt stated that it would be a different primary use.

Mr. O'Connor inquired what would prevent a civic organization from constructing an event facility in order to avoid the SUP process.

Mr. Wright stated that his understanding is that a civic organization could build a for profit facility and if they chose to use it once a month for their monthly meeting, it would be acceptable.



Mr. O'Connor stated that he concurs with Mr. Wright's interpretation. Mr. O'Connor further stated that his concern is that the SUP requirement puts civic organizations at a disadvantage and they are meeting less than other groups.

Mr. Richardson stated that there are already other localities with similar facilities. Mr. Richardson stated that the ordinance amendments would provide ground rules for facilities that might otherwise crop up without any oversight. Mr. Richardson stated that he understands the concerns about the requirements for civic organizations. Mr. Richardson noted that those requests would likely be infrequent.

Mr. Holt stated that previously lodges, civic clubs, fraternal organizations and service clubs were a specially permitted use and continue to be so under the new title "places of public assembly" which is consistent with all the other zoning districts. Mr. Holt further stated that the distinction is made with the subset for "places of public assembly used primarily as an event facility" Mr. Holt stated that the determination of which definition the proposed facility falls under will depend on details about the use of the facility.

Mr. Wright stated that the Policy committee went through an exhaustive review and addressed a vast number of potential issues. Mr. Wright stated that the amendments were forwarded to the Planning Commission because the Policy Committee believed that all the issues had been thoroughly vetted and the draft language was as close as possible to the Comprehensive Plan recommendations for rural lands.

Ms. Bledsoe stated that her gauge as to whether an ordinance should move forward is the Planning Director's comfort level in addressing questions. Ms. Bledsoe stated that Mr. Holt has not hesitated in his response to questions and that leads her to believe that it has been discussed and documented. Ms. Bledsoe stated that considering various scenarios is helpful because that is a way to identify pitfalls; however, at some point it is necessary to come to a decision.

Mr. O'Connor stated that he is an advocate for the amendments. Mr. O'Connor stated that he was in favor of requiring an SUP in all cases because there are no design standards which would allow by-right development of a structure that is not compatible with the rural character. Mr. O'Connor further stated the legislative process ensures that the final product is suitable.

Ms. Bledsoe requested that Mr. Holt respond.

Mr. Holt stated that there are no architectural controls or standards.

Mr. Schmidt inquired about options to move forward but to make changes to the draft language.

Mr. O'Connor stated that someone could make a motion and the vote would be taken.

Mr. Holt stated that the options would be to refer the matter back to the Policy Committee for further consideration or to send the matter forward to the Board of Supervisors.

Mr. Basic made a motion to recommend approval of ZO-0001-2016.

On a roll call vote the Planning Commission voted to recommend approval of ZO-0001-

2016, Zoning Ordinance Revisions to Allow Places of Public Assembly, Including Those Used Primarily as an Event Facility, in A-1, General Agricultural, and R-8, Rural Residential Districts (4-3) Ayes: Richardson, Bledsoe, Basic, Wright. Nays: Schmidt, Krapf, O'Connor.

A motion to Approve was made by Chris Basic, the motion result was Passed.

AYES: 4 NAYS: 3 ABSTAIN: 0 ABSENT: 0

Ayes: Basic, Bledsoe, Richardson, Wright III

Nays: Krapf, O'Connor, Schmidt

4. ZO-0009-2016, Zoning Ordinance Amendments to the Mixed Use District

Ms. Ellen Cook, Principal Planner, provided a report to the Commission on the proposed ordinance amendments to the Mixed Use district. Ms. Cook stated that Zoning Ordinance to provide additional flexibility in the Mixed Use District was proposed as part of the Planning Division's 2015-16 work program, Ms. Cook stated that the flexibility was to accommodate circumstances such as development of mixed-use structures, i.e. vertical mixed-use, or mixed use development on parcels less than five acres total and mixed use development in an infill or redevelopment context. Ms. Cook stated that the draft amendments eliminate the restriction on mixed use development on parcels less than five acres, clarifies the mix of uses requirement calculation as it applies to mixed-use structures, adds specifications for Mixed-Use zoned development in areas designated Neighborhood Commercial or Community Commercial, removes the prohibition on counting landscaped area adjacent to buildings toward the open space requirements and clarifies the right-of-way and perimeter buffer standards. Ms. Cook stated that at its August 11, 2016 meeting, the Policy Committee voted to forward the ordinance amendments to the Planning Commission for consideration. Ms. Cook stated that staff recommends that the Planning Commission recommend approval of the amendments to the Board of Supervisors.

Mr. O'Connor opened the public hearing.

As no one wished to speak, Mr. O'Connor closed the public hearing.

Mr. O'Connor opened the floor to discussion by the commission.

Mr. Wright made a motion to approve ZO-0009-2016.

On a roll call vote, the Planning Commission voted to recommend approval of ZO-0009-2016, Zoning Ordinance Amendments to the Mixed Use District (7-0).

A motion to Approve was made by John Wright III, the motion result was Passed.

AYES: 7 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Basic, Bledsoe, Krapf, O'Connor, Richardson, Schmidt, Wright III

5. ZO-0010-2016, Zoning Ordinance Amendments to Allow Mobile Food Vending Vehicles (Food Trucks) in the M-1, Limited Business/Industrial District, the M-2, General Industrial District, the PUD-C, Planned Unit Development-Commercial District and the PL, Public Land District

Ms. Roberta Sulouff, Planner, presented a report to the Commission on the proposed

ordinance amendments to allow mobile food vending vehicles in M-1, Limited Business/Industrial District, the M-2, General Industrial District, the PUD-C, Planned Unit Development-Commercial District and the PL, Public Land District. Ms. Sulouff stated following the Initiating Resolution by the Board of Supervisors on April 12, staff worked with the Policy Committee to discuss with ordinance requirements for mobile food vending vehicles throughout the Commonwealth and develop draft ordinance language. Ms. Sulouff stated that the current ordinance language incorporates recommendations by the Policy Committee over the course of several meetings in May, August and September. Ms. Sulouff stated that the draft language also incorporates feedback resulting from an online survey and a community meeting, as well as feedback from the County Attorney's Office. Ms. Sulouff stated that staff proposes that mobile food vending vehicles be added as a permitted use, subject to requirements to be established in a new section providing performance standards. Ms. Sulouff noted that the proposed permitting process and operational standards would not apply to food trucks used in conjunction with special events where a special event permit is required or food trucks operating in conjunction with a private catered events. Ms. Sulouff stated that the proposed permitting process would be administered by the Zoning Administrator and would require the operator to provide a copy of a valid Health Department permit, verification of inspection by the Fire Department and documented consent from the owner of the property where the mobile food vending vehicle will operate. Ms. Sulouff stated that the performance standards included setback distances, parking requirements, signage and lighting requirements, waste disposal requirements and restrictions on hours of operation. Ms. Sulouff stated that at its September 15 meeting the Policy Committee voted to forward the draft ordinance to the Planning Commission for consideration. Ms. Sulouff stated that staff recommends that the Commission recommend approval of the ordinance amendments to the Board of Supervisors.

Mr. O'Connor opened the floor to questions by the Commission.

Mr. Basic inquired what would happen if a property owner withdrew permission to operate on the property.

Mr. Max Hlavin, Assistant County Attorney, stated that the property owner would submit a letter indicating that he wishes to withdraw his permission.

Mr. Holt stated that once permission is withdrawn, the mobile food vendor would be trespassing if he continued to operate.

Mr. Richardson inquired about the next steps for the ordinance amendments and the timeline for considering amendments to allow mobile food vending vehicles in the B-1, General Business District.

Ms. Sulouff stated that the two ordinance would remain on separate timelines and that these amendments would move forward to the Board of Supervisors in November, with the amendments to the B-1 District to follow in December depending on the recommendation of the Policy Committee.

Mr. O'Connor opened the public hearing.

As no one wished to speak, Mr. O'Connor closed the public hearing.

Mr. O'Connor opened the floor for discussion by the Commission.

Mr. Schmidt commended staff on the thoroughness of their research and public outreach.

Ms. Bledsoe commended staff on their efforts. Ms. Bledsoe stated that she is excited to see this use opened up in these zoning districts.

Mr. Krapf made a motion to approve ZO-0010-2016.

On a roll call vote the Commission voted to recommend approval of ZO-0010-2016, Zoning Ordinance Amendments to Allow Mobile Food Vending Vehicles (Food Trucks) in the M-1, Limited Business/Industrial District, the M-2, General Industrial District, the PUD-C, Planned Unit Development-Commercial District and the PL, Public Land District (7-0).

A motion to Approve was made by Rich Krapf, the motion result was Passed.

AYES: 7 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Basic, Bledsoe, Krapf, O'Connor, Richardson, Schmidt, Wright III

6. Z-0011-2016, Wireless Communications Facilities and Towers

Ms. Savannah Pietrowski, Planner, presented a report to the Commission on the proposed changes to the Wireless Communications Facilities (WCF) Ordinance and the Board of Supervisors Wireless Communications Facilities Policy. Ms. Pietrowski stated that part of the updates were initially proposed as part of the Planning Division's 2015-2016 work program. Ms. Pietrowski stated that the request at that time was to consider how the ordinance requirements could be applied to other types of towers such as radio or microwave towers. Ms. Pietrowski stated that to address this issue, staff proposes replacing all references to WCFs with a more encompassing term - Communications Facilities, Antennas, Towers and/or Support Structures (CATS). Ms. Pietrowski further stated that each district's use list would be updated so that terms would be consistent throughout the Zoning Ordinance. Ms. Pietrowski stated that, in addition, staff has identified provisions of the Middle Class Tax Relief and Job Creation Act of 2012, which limit the parameters by which the County may evaluate wireless communication facilities applications. Ms. Pietrowski stated that as part of staff's evaluation of the WCF Ordinance, it is necessary and prudent for the County to amend processes and the Ordinance in order to comply with the Spectrum Act. Ms. Pietrowski stated that under the Spectrum Act, a locality may not deny, and shall approve, any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station. Ms. Pietrowski further stated that the FCC guidance includes a "shot clock" dictating how long a locality has to act on an eligible request and includes provisions to automatically grant an approval in the event that a locality does not take action within the specified timeline. Ms. Pietrowski stated that staff proposes to develop a separate application process for these requests and has proposed a new section of the ordinance covering submittal and processing requirements. Ms. Pietrowski stated that following discussion with the Policy Committee, staff has also proposed amendments to proactively address the implications of the Spectrum Act, such as decreasing the maximum by-right height for tower mounted facilities and enhancing language regarding concealment elements for new towers. Ms. Pietrowski stated that staff has also proposed revisions to the

ordinance language regarding satellite antennas to reflect existing exemptions for small satellite dishes such as those used for television or internet service. Ms. Pietrowski further stated that staff proposes certain changes to address inconsistencies across the ordinance and certain formatting changes to prevent future inconsistencies from occurring. Ms. Pietrowski stated that most notably, staff proposes to move information on permitted tower heights from the height limitations section in each zoning district to the CATS ordinance. Ms. Pietrowski stated that at its meeting on August 11, the Policy Committee voted to forward the amendments to the Planning Commission for consideration. Ms. Pietrowski stated that the ordinance amendments have also been reviewed by a consulting attorney specializing in telecommunications. Ms. Pietrowski stated that the attorney has determined that the amendments are in accordance with federal telecommunications regulations. Ms. Pietrowski stated that staff recommend that the Commission recommend approval of the ordinance amendments to the Board of Supervisors.

Mr. Holt stated that he wanted to also recognize Scott Whyte, Senior Landscape Planner, who was also instrumental in developing the ordinance amendments.

Mr. O'Connor opened the floor for questions from the Commission.

Ms. Bledsoe inquired about the height regulations for alternative mounting structures.

Ms. Pietrowski stated that these regulations pertain antennas that are mounted on structures other than towers such as a water tower. Ms. Pietrowski stated that under the current ordinance, if the structure received a height limitation waiver, the antenna could be mounted along the side of the structure but could not exceed the height of the structure. Ms. Pietrowski stated that under the proposed regulations it would allow an antenna to exceed the height of the structure to which it is mounted where an increased height is needed for improved service range. Ms. Pietrowski stated that this change was made to encourage the use of existing alternative structures and potentially reduce the need for new towers.

Mr. Wright thanked staff for their efforts in developing the ordinance amendments.

Mr. O'Connor opened the public hearing.

As no one wished to speak, Mr. O'Connor closed the public hearing.

Mr. O'Connor opened the floor for discussion by the Commission.

Mr. Richardson stated that staff did an outstanding job on the ordinance amendments.

Ms. Bledsoe stated that she appreciated staff's creative approach to crafting the regulations.

Mr. O'Connor stated that resolving the inconsistencies will provide a smoother process going forward.

Mr. Richardson made a motion to approve Z0-0011-2016, Wireless Communications Facilities and Towers.

On a roll call vote the Commission voted to recommend approval of Z0-0011-2016,

Wireless Communications Facilities and Towers (7-0).

A motion to Approve was made by Heath Richardson, the motion result was Passed.

AYES: 7 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Basic, Bledsoe, Krapf, O'Connor, Richardson, Schmidt, Wright III

#### **G. PLANNING COMMISSION CONSIDERATIONS**

There were no items for Planning Commission consideration.

#### **H. PLANNING DIRECTOR'S REPORT**

##### **1. Planning Director's Report - October 2016**

Mr. Holt stated that there was nothing more to add other than what was submitted in the Planning Commission packet.

Mr. Basic inquired about the status of the intersection improvements at Centerville Road and News Road.

Mr. Holt responded that the plans have been revised to eliminate the traffic circle and add a signal and turn lane. Mr. Holt stated that a design public hearing has been scheduled to present the changes. Mr. Holt further stated that a design public hearing has been scheduled for the Longhill Road, Phase I improvements.

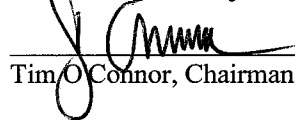
#### **I. PLANNING COMMISSION DISCUSSION AND REQUESTS**

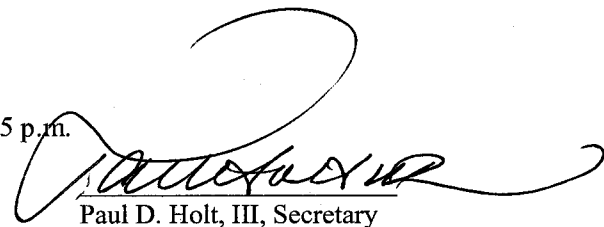
Mr. O'Connor requested that, for the discussion of the Warhill Sports Complex Master Plan Amendment at the November 2 meeting, staff be prepared to discuss short and long-term solutions for the intersection issues and options for use of the connector road.

#### **J. ADJOURNMENT**

Mr. Basic made a motion to adjourn.

The meeting was adjourned at approximately 10:55 p.m.

  
Tim O'Connor, Chairman

  
Paul D. Holt, III, Secretary