

POLICY COMMITTEE MEETING

February 23, 2011

7:00 p.m.

County Complex, Building A

1) Roll Call

Present

Mr. Reese Peck, Chair
Mr. Tim O' Connor
Mr. Jack Fraley

Absent

Mr. Al Woods

Staff Present

Mr. Allen Murphy
Ms. Melissa Brown
Mr. Jose Ribeiro
Mr. Chris Johnson
Ms. Ellen Cook
Ms. Sarah Propst
Mr. Brian Elmore

Mr. Reese Peck called the meeting to order at 7:00 p.m.

2) Minutes –

A. January 24, 2011

Mr. Jack Fraley moved for approval of the minutes.

In a unanimous voice vote, the minutes were approved (3-0: Absent: Woods).

B. January 31, 2011

Mr. Jack Fraley moved for approval of the minutes.

In a unanimous voice vote, the minutes were approved (3-0: Absent: Woods).

3) New Business

A. Nonconformities zoning ordinance updates

Ms. Melissa Brown stated there is an expectation that nonconforming uses will become more conforming over time. She stated based on discussions with the County Attorney's office, staff recommends creating separate ordinance sections to address nonconforming structures, uses, and signs.

Mr. Tim O'Connor asked if the ordinance discussed substantial alterations in business operations.

Ms. Brown stated the County ordinance mirrored the state code, where alterations are allowed that do not expand nonconforming uses.

Mr. Fraley stated he supported staff recommendations.

B. Administrative Procedures zoning ordinance updates

Mr. Jose Ribeiro stated the first administrative procedure ordinance update addresses when the county requires site plans. He stated staff recommends adding a list of site plan exemptions to the ordinance, primarily site plan amendments for small structures with very limited impacts. The ordinance amendment would simplify the development process for site plan amendments.

Mr. Fraley stated that rather than have long listings of when site plans are required and when they are not, the ordinance language should be simplified to require site plans 'for construction of new buildings or expansion any building or structure by more than 20% of the of the existing floor area.' He stated staff should consider similar requirements and language.

Mr. Murphy stated staff would prefer not using a list. He stated staff would review language along the lines Mr. Fraley suggested.

Mr. O'Connor asked staff to consider other minor site plans exemptions, such as stormwater repair.

Mr. Ribeiro stated staff recommended removing the fee schedule from the zoning ordinance. He stated since the Commission reviews all ordinance changes, the removal would expedite all fee changes straight to the Board.

Mr. Peck stated fees are a fiscal, not a zoning, matter.

Mr. Ribeiro stated definitions are the most continually revised section of the ordinance. He stated staff recommends revising a list of unclear definitions and adding another new set of terms. New definitions will be brought to the Committee as planners revise individual sections of the ordinance.

Mr. Fraley stated he agrees with staff recommendations. He stated the current definition of 'structure' caused past controversies and the new definition would require careful thought. Staff should use the Comprehensive Plan definitions as a source and ensure definitions in both documents match.

Mr. Peck stated he agreed with the definitions update process.

Mr. Ribeiro stated adding illustrations to the zoning ordinance would serve as a teaching aide. Staff recommends adding illustrations to the ordinance.

Mr. Fraley stated he agreed with adding illustrations.

Mr. Ribeiro stated master plan requirements would be condensed into a single ordinance section.

Mr. Fraley asked staff to review any conflicts between zoning ordinance master plan language in the larger county code.

Ms. Sarah Propst stated staff recommends creating a policy for environmental submittal requirements for legislative cases and including language in the ordinance listing environmental submittal requirements for site plans, and subdivisions. All environmental requirements would be consolidated into a checklist included with applications.

Mr. Peck stated he would like clarification on the county's process for updating administrative policies. He stated he would like the process to involve public comment.

Mr. Murphy stated he would prefer all policies endorsed by the Board at a public meeting. He stated in this case, the ordinance update, and with its related policies, will be recommended by the Commission and sent to the Board during a public process.

Mr. Peck stated he would like to see all Board and administrative policies collected in a single document, as well as providing them all online on the county website.

Mr. Brian Elmore stated staff worked on a template over the past year to standardize fiscal impact studies received by the county. The County currently has no fiscal impact guidelines. Staff recommends including the fiscal impact template as a submittal requirement for legislative cases.

Mr. Fraley stated he has been frustrated to receive two sets of fiscal impact numbers, one from the applicant and one from the county. He stated the county should endorse a set of numbers.

Mr. Murphy stated part of the exercise would be to impress upon applicants what the county believes are the appropriate numbers.

Mr. Fraley stated he had concerns that increased tax revenue from new businesses was often overstated as those businesses reduced local competitors' sales. He asked staff to think about those conditions. He stated the common process and assumptions were a good step forward. He stated he had concerns applicants would be able to manipulate the phasing model.

Mr. Elmore stated staff had calculated a two year window for commercial phasing. He stated applicants would have the most leeway in the residential phasing and employment sections.

Mr. Murphy stated an appropriate phasing model will be determined before Board adoption. He stated the template would be sent to the private sector for input after Committee review.

Mr. O'Connor asked if staff had tested the model against existing fiscal impact studies.

Mr. Elmore stated staff ran test cases, but no template results were close to the studies provided to the county.

Mr. Peck stated the template should be as user-friendly as possible. He stated fiscal impact numbers should be the county's decision.

C. Subdivisions

Ms. Ellen Cook began with a discussion of alternative onsite septic systems, and stated that the subdivision ordinance revisions would coordinate the county language with state codes.

Ms. Cook moved on to family subdivision provisions, and stated staff recommends applicants own parcels 5 years before allowing them a family subdivision. She stated staff recommends limiting family subdivisions to A-1 and R-8 districts.

Mr. Fraley stated he agreed with staff recommendations on family subdivisions. He then stated there were discrepancies in the ordinance, where the development procedures in section 19-23(b-c) appear to only discuss 50-lot plus subdivisions instead of all major subdivisions.

Ms. Cook stated Section 19-24 discusses the development process for 9 to 50 lot subdivisions.

Mr. Fraley stated that his point was with regard to Development Review Committee review, and asked staff to strike the language in 19-23(b-c) which are the sections that describe DRC review of subdivision plans.

4) Adjournment

Mr. Peck moved to adjourn.

The meeting was adjourned at 7:45 p.m.



Reese Peck, Chair of the Policy Committee