

Virginia: At a meeting of the Accomack County Planning Commission held on the 8th day of May, 2007, in the cafeteria of Metompkin Elementary School in Parksley, Virginia:

1. CALL TO ORDER:

A. MEMBERS PRESENT AND ABSENT

Members Present:

Mr. E. Phillip Hickman, Chairman
Mr. William A. Sprague, Vice-Chairman
Mr. Jim Frese
Mr. C. Robert Hickman
Mr. Leander Roberts, Jr.
Ms. Stella Rohde
Mr. E. Bryan Turner

Members Absent:

Mr. Robert L. Nock
Mr. Herb Thom

Others Present:

Mr. James M. McGowan, Director of Planning
Ms. Renee Rice, Temporary Secretary

B. DETERMINATION OF QUORUM

There being a quorum, the meeting was called to order by Mr. Hickman at 7:00 PM. The Commissioners agreed to follow the Agenda.

2. PLANNING COMMISSION APPOINTMENT:

A. Planning Commission Appointment – C. Robert Hickman: Mr. McGowan reported that, on April 18, 2007, the Board of Supervisors appointed Mr. C. Robert Hickman to complete the four-year term of former Planning Commissioner Darby. Mr. Hickman's term expires December 31, 2008.

3. PUBLIC COMMENT PERIOD: *(Not a Public Hearing)*

A. Mr. Bob Gresham presented the Commissioners with written comments on the Draft Comprehensive Plan, dated May 8, 2007. Mr. Gresham requested the Commission to review his comments before making a final decision on the Comprehensive Plan.

4. STAKEHOLDER GROUP COMMENTS:

A. Stakeholder Group member Mark Glackin stated that he supports Mr. Gene Wayne Taylor's proposal for a Five-Acre Affordable Subdivision and requested the Commissioners to consider the idea.

5. OLD BUSINESS:

A. Planned Unit Development Discussion: As requested by the Commission, Chris Carbaugh of the Atlantic Group was present to further discuss his Planned Unit Development (PUD) concept.

Chairman Hickman stated that he read the Montgomery County, VA PUD ordinance and liked it. He would like PUDs limited to the Village Development area, and thinks it would be a problem if allowed in other areas. PUDs should have 15-20 percent affordable units, based on Accomack County median income. The Comprehensive Plan should include text on PUDs as desirable and necessary, but there is no need to write the ordinance now.

Mr. Bob Hickman stated that PUDs can be good, but there needs to be a minimum size. Stella Rhode asked if PUDs should be floating or non-floating.

Chairman Hickman stated that PUDs should only be allowed in Village Development with central water and sewer, should look better than regular development, and should have mixed-use, small streets, and provide affordable housing.

Jim Frese stated that there is a limited amount of Village Development area and that PUDs take more land. Rather than restrict PUDs to Village Development, PUDs should be allowed in other areas. Determine location by roads, jobs, etc. Ninety-two percent of the county is zoned Agricultural.

Chairman Hickman stated that the Draft Future Land Use Map shows a lot of growth. If PUDs are allowed everywhere, developers will put them on the necks and along the waterfront where there are bad roads. Bob Hickman stated that PUDs can be flexible. Jim Frese stated that if developers have to build central water and sewer, they can build roads. Stella Rohde stated that Mr. Frese is talking about a floating PUD.

Chairman Hickman stated that he wants to finalize the Comprehensive Plan before moving forward with a PUD ordinance, and asked staff to develop Comprehensive Plan text regarding PUDs. Mr. McGowan stated that he and Milton Herd would include PUD text in the Draft Comprehensive Plan for review at the next work session so the pros and cons of PUDs can be considered.

Chairman Hickman introduced Chris Carbaugh of the Atlantic Group. Mr. Carbaugh stated that, in Worcester County, MD, PUDs are handled like a rezoning. PUDs allow for more innovative development. The density of PUDs can be limited to the density of the underlying zone. Different uses can be allowed in different zoning districts.

Bob Hickman state that we need a PUD ordinance to fit our existing towns.

B. Five-Acre Affordable Subdivision Discussion: As requested by the Commission, Stakeholder Group member Gene Wayne Taylor was present to further discuss his Five-Acre Affordable Subdivision concept.

Mr. Taylor stated that with his 5-acre concept, a lot could be kept at a \$30,000 sale price and be affordable for the 40 percent of low-to-moderate income residents in the county. Mr. Roberts expressed concern that the price would be raised by developers. Mr. Taylor stated that these subdivisions would have double-wide and single-wide manufactured homes, and that people wanting big houses wouldn't want to live there. Ms. Rohde stated that restrictions would have to be put in place to keep the price from going up.

Chairman Hickman stated that the Draft Comprehensive Plan already has provisions for affordable housing and that housing needs to be kept near towns and not in the middle of farmland. Chairman Hickman also stated that he felt the Comprehensive Plan needs to be finalized first before making changes to the zoning ordinance. It is time to finish the Comprehensive Plan update and then create new zoning districts.

Mr. Taylor stated that farmers with employees would rather have them live on a half-acre. Extended family can't qualify for family subdivisions. You can buy farmland for \$10,000 and acre. The cost of 5-acres to subdivide would be \$50,000. Small subdivisions are cost-effective and could be incorporated into the existing cluster provisions.

Mr. Frese stated that affordable housing and land is a problem that needs to be solved now and not later. Stella Rohde stated that the 5-acre subdivision should be allowed in denser "fringe" areas. Chairman Hickman requested Mr. McGowan to research the legal aspects of these ideas with Mr. Herd and Sharon Pandak so this can be discussed at the next Work Session.

C. Monthly Subdivision Report: The Monthly Subdivision Report was presented for the Commission's review.

Mr. Turner asked if a tax map number, route number and road name could be provided in an easily understood format so the Commissioners could actually locate the Subdivisions in the report. Mr. McGowan stated that he would ask Mr. Fluhart to do this.

Chairman Hickman asked if the Planning Commission could review and grant requests for subdivision extensions instead of the Subdivision Agent. Mr. McGowan stated that the Planning Commission would have to request a legal opinion to answer the question.

Mr. Turner made a Motion, seconded by Mr. Roberts, to obtain a legal opinion on whether or not the Board of Supervisors can delegate authority to the Planning Commission to review and grant extensions for Preliminary Subdivision Plats. The Motion passed with the following vote: Aye: Chairman Hickman, Mr. Sprague, Mr.

Hickman, Mr. Roberts, Ms. Rohde, Mr. Turner. Nay: Mr. Frese. Absent: Mr. Nock, Mr. Thom.

D. Comprehensive Plan Update: Department of Planning staff and planning consultant Milton Herd presented revisions to the Draft Future Land Use Map at the April 24, 2007, Planning Commission Work Session. Mr. Herd also presented the Draft Comprehensive Plan Update for Chapters 3, 5, and 6. The Board of Supervisors has agreed to hold a Joint Work Session on the Comprehensive Plan with the Planning Commission at 7:00 PM on Tuesday, May 22, 2007 at Metompkin Elementary School.

E. Agricultural and Forestal District Advisory Committee: The next Agricultural and Forestal District Advisory Committee meeting is scheduled for 10:00 on Wednesday, May 23, 2007, in the Accomack County Board Chambers.

Draft Agricultural and Forestal District Ordinance As requested at the April 11, 2007 Planning Commission meeting, on April 18, 2007, Mr. McGowan presented to the Board of Supervisors the Planning Commission's action to support adoption of the Draft Agricultural and Forestal District Ordinance. The Board voted to schedule a Public Hearing on the draft ordinance for 7:30 PM on Wednesday, May 16, 2007, at Metompkin Elementary School.

Public Hearings on Agricultural and Forestal District Review The Board of Supervisors held a Public Hearing on April 18, 2007 and subsequently voted to continue, with modifications, the Tasley, Locustville, and Pungoteague Agricultural and Forestal Districts.

As recommended by the Planning Commission, the Board of Supervisors will hold a Public Hearing at 7:30 PM on Wednesday, May 16, 2007, at Metompkin Elementary School to review the Atlantic, Craddockville, Leemont, Painter, Scarborough's Neck, and Shields Agricultural and Forestal Districts.

6. NEW BUSINESS:

A. Proposed Draft Subdivision Amendment: As required by Chapter 566 of the 2006 Acts of Assembly, Mr. McGowan prepared the proposed Draft Subdivision Ordinance amendment to comply with new requirements for subdivision plat and deed statements regarding private roads. Staff requested the Commission to consider approving the draft text and scheduling a Public Hearing at 7:00 PM on June 13, 2007 at Metompkin Elementary School.

Mr. Turner made a Motion, seconded by Ms. Rohde, to approve the Draft Subdivision Ordinance amendment text and to schedule a Public Hearing for 7:00 PM on June 13, 2007 at Metompkin Elementary School. The Motion was passed unanimously by those present.

B. Draft Comprehensive Plan Update Discussion: Copies of the Draft Comprehensive Plan Update text for Chapters 3, 5, and 6 were distributed and presented at the April 24, 2007 Planning Commission Work Session. The Commission agreed to review the draft text and

discuss any revisions at the May 8, 2007, Planning Commission meeting. Any revisions to the text would be made and distributed before the Joint Work Session scheduled for May 22, 2007.

Chairman Hickman asked the Commission to discuss the draft text for Chapter 3, Chapter 5, and Chapter 6. The Commissioners discussed and provided comments on Chapter 3 and Chapter 5. Mr. McGowan stated that Chapter 3 is incomplete and revisions would be included with the complete text. Due to the late hour, the Commission agreed to discuss Chapter 6 at the next work session. Mr. McGowan would make the requested revisions to Chapter 5 and distribute them before the next work session.

C. Proposed Planning Commission Meeting Date Change: Mr. McGowan reported that with only a week between the regular Planning Commission and Board of Supervisors meetings, it is impossible to provide current information on Planning Commission actions with the regular Board meeting materials. His report to the Board and other materials are due several days before the Planning Commission meeting. He then has to revise his report based on Planning Commission actions and bring revised materials to the Board meeting. Board members do not want revised materials presented to them at the meeting. In order to solve this problem, Mr. Miner has suggested that the Planning Commission meetings be held the first Wednesday of the month. Chairman Hickman said he would like to change the regular meeting date starting in September. Chairman Hickman would also like to change the regular Work Session date from the fourth Tuesday to the third Monday

Mr. Turner made a Motion, seconded by Mr. Sprague, that the Regular Meetings be changed to the 1st Wednesday of the month and the Work Sessions to be changed to the 3rd Monday of the month beginning in September. The Motion was passed unanimously by those present.

8. OTHER BUSINESS:

Chairman Hickman stated they need someone to give them the “layman’s” version of the Model Virginia Stormwater Management Ordinance. Mr. McGowan said he would request someone from the Department of Conservation and Recreation to do a presentation and discuss the ordinance with the Planning Commission.

9. MINUTES:

Ms. Rohde made a Motion, seconded by Mr. Frese to approve the Minutes of the April 11, 2007 Meeting. The Motion was passed unanimously by those present.

Ms. Rohde made a Motion, seconded by Mr. Frese to approve the Minutes of the June 1st, 2006 Meeting. The Motion was passed unanimously by those present.

10. NEXT MEETING:

The next regular Planning Commission meeting is scheduled for Wednesday, June 13, 2007.

11. ADJOURNMENT:

On a Motion by Ms. Rhode, Seconded by Mr. Frese, those present voted unanimously to adjourn the meeting.

Chairman Hickman adjourned the meeting at 10:00 pm.

E. Phillip Hickman, Chairman

James M. McGowan, Director of Planning