

Minutes

Northampton County Comprehensive Plan Advisory Committee (CPAC)

February 23, 2012

This was a regular meeting of the Northampton County Comprehensive Plan Advisory Committee held on Thursday, February 9, 2012, in Conference Room 115 located at 16404 Courthouse Road in Eastville, Virginia.

Those present were Chair Bill Parr, Vice-Chair Bill Payne, David Long, Billy Moore, Dick Drury and Pat Coady. Absent from the meeting was Peter Lawrence, Butch Bailey and Charles Bell.

Also in attendance was Peter Stith, Long Range Planner for Northampton County and Melissa Kellam, Northampton County Zoning Administrator.

The meeting was called to order at 9:06 and a quorum was established. The committee reviewed the minutes from the February 16, 2012 meeting. A motion was made by Bill Payne to approve and a second by David Long. The motion passed unanimously.

Bill Parr introduced the County's Zoning Administrator, Melissa Kellam to discuss item 3 on the committee's charge memo. Mrs. Kellam began the discussion telling the committee they should look at the commercial/industrial districts and where they are actually located within the County. Then look at the use charts and see how they are set up. She said there are a lot of Special Use Permit requirements in the charts and not a lot of By-Right (R). The SUP process requires a public hearing and the by-right only requires a site plan. She stated the Board and Planning department will be looking over the use charts and reevaluating them. Mr. Parr stated the charts are the heart of the matter in many cases, especially with regards to the by-right concept.

Mrs. Kellam said you need to look at where the districts are located. She said as far as the dimensional requirements, the Planning Commission has mainly focused on residential, and there is not a lot of concept for the highway and Town Edge.

Mrs. Kellam indicated when the County first started zoning, it drew from other ordinances and we should tweak it for our area.

Mr. Parr used Harmony Investments as an example for how long the process can take. He said it took a year to find out if they could get permission to put up a hotel. They had to get a SUP for a mass drain field. He said it took Harmony a year on a large site and the economic cycle was over. He stated the Planning Commission micromanaged the process. Mr. Parr stated you cannot wait a year to find out. There was discussion about requiring Harmony to be LEED certified.

Mrs. Kellam stated the SUP process is supposed to mitigate impacts that are unique or not usually seen or are intense. Mrs. Kellam said the parking requirements are not an impediment and the Bay Act actually requires minimal parking. Mr. Parr asked how the Bay Act affects the highway. Mrs. Kellam said if the lot coverage is over 16%, a water quality BMP is required. She said the Bay Act is not an impediment to commercial development; it actually helps with design and protecting sensitive areas and storm water. Mr. Parr asked what level of engineering is required for over 16% coverage. Mrs. Kellam stated you have to design for water quantity anyway, this would just require a little more design in the BMP.

Mrs. Kellam said another area of the ordinance to be looked at is the sign ordinance, not because of size or location, but because it is not user friendly, it is poorly constructed. She said the Board knows this and the Planning Commission is supposed to be working on it. Mr. Parr asked about any sign issues with Royal Farms. Mrs. Kellam stated they wanted more signs and larger signs. She said some of the regulations don't make sense in today's world. She said there used to be gas station language in the ordinance, but not in the current one.

Mr. Coady asked if there are individual hearings if you have multiple SUPs. Mrs. Kellam said they are heard at one time. She stated it is not unusual to go through the rezoning or SUP process.

Mrs. Kellam said there are a lot of complaints the County cannot do anything about. There are several other ordinances that come directly from the State, E & S, Floodplain, Bay Act, Storm water and Wetlands. These ordinances are almost copied verbatim for the County. Mr. Payne asked if these were onerous to economic development. Mrs. Kellam said they are onerous to people not used to development; first time developers. Mr. Payne asked if they were an impediment to economic development. Mrs. Kellam said for the cost of development.

Mrs. Kellam stated another impediment to development is infrastructure and water. She said the plan calls for development in and around the towns. She said the lack of water and sewer and the highway are impediments to development. Rt. 13 is unique and dangerous and new regulations may require costly improvements.

Discussion continued about there being two zoning ordinances in place and Mrs. Kellam explained the Existing Subdivision districts and how their regulations are in the old 2000 ordinance. Mr. Parr said there was a rush to adopt a new ordinance that was driven by the Comp Plan and a no growth policy. Mrs. Kellam stated the ordinance is a living document and the staff and Board knew they had to review certain items. Mr. Coady stated he understands it is a living document, but for citizens it is a fixed point in time.

Discussion continued about setback regulations, VDOT requirements and right of ways. The committee discussed different commercial businesses like retail, service and consumer oriented businesses. Mr. Coady stated these businesses are not going to come here with a declining population and no medical facilities. He then referenced the current population over 65 at more than 20% and compared it to the over 65 population in Appalachia, which is just now reaching 20%. HE said without some sort of growth policy, we are in a death spiral.

Mr. Payne asked what kind of economic development the County is trying to attract. Mr. Parr stated the Comp Plan tells the market what to do. He said we should be opening our doors to whoever wants to come and let them come as long as they meet health department regulations and don't pollute. Mr. Coady stated there is nowhere in NHCO where the site is ready to go, no way to fast track anything. Mr. Parr said is it about incentives, like giving away land, abating taxes to get businesses to locate in the County. Mrs. Kellam stated there is a group that sits down with potential developers and lay out all the regulations and steps they have to go through. She said they bring in VDOT, VDH, sometimes DEQ and whoever else may be involved. She said they have had these meetings for the past 2 ½ years. MR. Coady said the committee needs to strongly reinforce Katie's call for an Economic Development staff and focus.

Mrs. Kellam also stated the definitions in the ordinance are overwhelming, and for such a small County we have a large ordinance. Mr. Parr asked how many districts are there. Mrs. Kellam said twenty but that did not bother her. She said if there was a unique area, it should have its own zoning district.

Mrs. Kellam said the lighting ordinance and regulations are a good thing, very well written. There was discussion about the different lighting requirements.

Dick Drury asked if the Bay Act being on the seaside has impeded commercial development. Mrs. Kellam said the main effect has been on residential development. Mrs. Kellam left the meeting at approximately 10:30.

Mr. Parr said he has recently talked with Mary Rae Carter and she is more than willing to talk to the committee. Mr. Parr said it would be hard to get a lot of people to come talk to the committee and said Mrs. Carter asked if the committee would be willing to come to Richmond for a meeting. Discussion continued about potential dates and what committee members would be able to go and how the committee would get there. Mr. Stith said he would look into what county vehicles were available. Mr. Parr said he would contact Mrs. Carter and see what dates worked for them.

Mr. Coady brought up the Economic study that was done before the last zoning update. Mr. Parr said it was conducted as a result of protest from citizens. Mr. Coady said the study says the rezoning will result in a reduction of available commercial land. Discussion continued about the public hearing process and how it is flawed.

Bill Payne moved to adjourn the meeting. Meeting was adjourned at 11:02 am.