

## Minutes

### Northampton County Planning Commission

#### Regular Meeting

September 2, 2014

Those members present were Jacqueline Chatmon, Michael Ward, Sylvia Stanley, Dixon Leatherbury, Kay Downing. Members Absent, Mark Freeze.

Also present was Peter Stith, Long Range Planner and Nyoka Hall, Recording Secretary

The meeting was called to order and a quorum was established.

The agenda was accepted as presented.

There were no public hearings. Commissioner Downing arrived at 7:06 pm.

Matters from the public – Ken Dufty spoke regarding concerns with the intent statements and their removal from the proposed document. He felt that the removal of these statements would create a dangerous situation. He stated that intent statements need to be in all districts to provide adequate protection to properties.

David Kabler a resident and realtor with Blue Heron spoke to inform the Commission of the present real estate gains in the community. He urged the Commissioners to use studies while updating the comprehensive plan and not let the document be reflective of just personal opinion as it needs to meet the will of the community. He then thanked the commission for its time and hard work.

#### Consideration of minutes

A motion to accept the minutes of the April 16<sup>th</sup>, 2014 meeting as presented was made by Commissioner Chatmon and Seconded by Commissioner Ward. The motion carried with all in favor. Commissioner Downing abstaining.

A motion to accept the minutes of the April 23<sup>rd</sup>, 2014 meeting as presented was made by Commissioner Chatmon and Seconded by Commissioner Stanley. The motion carried with all in favor and Commissioner Downing abstaining.

A Motion to accept the minutes of the May 6<sup>th</sup>, 2014 meeting as presented was made by Commissioner Chatmon and seconded by Commissioner Ward. The motion carried with all in favor and Commissioner Downing abstaining.

A motion to accept the minutes of the May 14<sup>th</sup>, 2014 meeting as presented was made by Commissioner Chatmon and seconded by Commissioner Stanley. The motion carried with all in favor and Commissioner Downing Abstaining.

A Motion to accept the minutes of the May 21<sup>st</sup>, 2014 meeting as presented was made by Commissioner Chatmon and seconded by Commissioner Stanley. The motion carried with all in favor and Commissioner Downing abstaining.

A Motion to accept the minutes of the August 5<sup>th</sup>, 2014 meeting as presented was made by Commissioner Chatmon and seconded by Commissioner Stanley. The motion carried with all in favor.

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## New Business

Commissioner Ward nominated Commissioner Chatmon as Vice Chair. The nominations were then closed as there were no other nominations. Commissioner Chatmon accepted the nomination.

## Questions related to CBPA

Chairman Leatherbury asked the Commissioners if there was a need to refine the questionnaire related to the CBPA. The commissioners agreed that the questions did need to be refined and changes made. The modifications were made and Mr. Stith was asked to provide the revisions to the Commission at the next meeting for review.

## Comp Plan Review

During last meeting the review left off with section 2.2.7 of the land use Plan. The Commission picked up the review and made the following changes.

### **2.2.7 Residential**

Residential areas are principally single-use rural residential areas that are frequently located on or near the water and in rural locations throughout the County. Residential areas are not served by public utilities and are not intended for such service. ~~Residential areas account for approximately 8.7% of the unincorporated area in the County.~~ Residential areas are shown on the Future-Land-Use Map, and examples include Vaucluse, Waverly, Wilsonia Landing, Butler's Bluff, Chesawadox, Highland Heights and Tower Hill, among others.

#### **2.2.7.1 Residential Land Uses**

Development of single family residences should be focused on infill within existing residential neighborhoods rather than the development of new subdivisions. Vacations of existing platted subdivisions that have never been built should be encouraged if the land can be returned to agricultural production.

#### **2.2.7.2 Residential Community Design**

- a. New structures should be limited to single-family dwellings of scale and type that is consistent with existing surrounding structures. Residential densities should not exceed those permitted by current zoning, ranging from 2 dwelling units per 1 acre to 1 dwelling unit per 5 acres.
- b. To retain property values and to maintain community stability, public and private community design efforts should focus on enhancing community characters and quality, and improving or upgrading existing community features such as sidewalks, neighborhood facilities and open space.
- c. Non-residential development should be limited to special exception uses or home-occupation uses allowed under applicable zoning regulations; such uses shall be operated in a manner that maintains the residential character of the subdivision.

#### **2.2.7.3 Residential Community Facilities and Utilities**

- a. ~~The use of alternative on-site wastewater systems may be permitted in Residential Areas to resolve existing public health threats. Individual alternative on-site wastewater systems may also be permitted to serve existing community service uses if such systems are more ecologically or environmentally appropriate than traditional septic systems.~~

c. The County encourages the maintenance, enhancement and, where appropriate, the expansion of private facilities that serve residents of these communities.

d. Transportation improvements should generally be limited to routine maintenance and enhancements needed to improve public safety. Countywide or regional transportation improvements that may affect Residential Areas should be designed to minimize and/or mitigate potential negative impacts on these areas. The County or the State will not maintain private streets serving Residential Areas. Accommodations should be made to allow for active transportation in Residential Areas.

### **2.2.8 Cottage Communities**

Cottage Communities are existing rural residential subdivisions, typically of 50 or more lots located on or near the water in rural locations. Cottage Communities are not served by sewer and water utilities, and most were developed under older zoning standards. These frequently do not meet current zoning, subdivision, Health Department, Storm Water Management or Chesapeake Bay Protection standards. ~~Cottage Communities make up approximately 0.16% of the unincorporated area of the County.~~ Cottage Communities include:

- Battle Point
- Silver Beach
- Smith Beach

#### **2.2.8.1 Cottage Community Land Uses**

a. The most appropriate land use in Cottage Communities is residential infill of existing lots consistent with the existing development.

b. For redevelopment of existing homes, any increase in floor area and/or lot coverage should be discouraged, as the existing Cottage Community standards for lot size, drainfield size and separation distances, and environmental protection are generally well below current standards for development in rural coastal locations.

d. As individual lots or areas of these Cottage Communities are redeveloped, they should be brought into compliance with current health, environmental and zoning and subdivision standards.

#### **2.2.8.2 Cottage Community Design**

a. New structures should be limited to single-family dwellings of a scale and type that is consistent with existing surrounding structures. Residential density should not exceed 2 dwelling units per acre.

b. Development on infill properties should be compatible with existing development in terms of scale and density.

c. To retain property values and to maintain community stability, public and private community-design efforts should focus on enhancing the community character and quality, and improving or upgrading existing community features such as sidewalks, neighborhood facilities and open space.

d. The County should consider developing a study of potential improvements in Cottage Communities to mitigate their negative environmental impacts, through techniques such as shoreline stabilization-measures, alternative wastewater systems and native plantings for additional filtering of runoff from developed areas.

e. Non-residential development should be limited to special-exception uses or home-occupation-allowed uses under applicable zoning regulations. Such uses should be operated in a manner that maintains the residential character of the community.

### **2.2.8.3 Cottage Community Facilities and Utilities**

a. Public sewer and water service will not be extended to Cottage Communities.

~~b. The use of the alternative on-site wastewater systems may be permitted in Cottage Communities to resolve existing public health threats. Individual alternative on-site wastewater systems may also be permitted to serve local community service uses, such as community recreation facilities, if such systems are more ecologically or environmentally appropriate than traditional septic systems.~~

c. Cottage Communities are not appropriate locations for new community facilities, except community-based recreational facilities. However, the County encourages the maintenance, enhancement, and, where appropriate, the expansion of private facilities that serve residents of these communities.

d. Since little new development is anticipated in Cottage Communities, transportation improvements should be limited to routine maintenance and enhancements needed to improve public safety. Countywide or regional transportation improvements that may affect Cottage Communities should be designed to minimize and/or mitigate potential negative impacts on these areas. The County or the State will not maintain private streets serving Cottage Communities.

## **2.3 Development-Area Settlement Types**

### **2.3.1 Town**

There are five incorporated towns in Northampton County: Exmore, Nassawadox, Eastville, Cheriton and Cape Charles. A portion of Belle Haven is also located in Northampton County. Towns have their own governing bodies and land-use planning and zoning controls. In 2010, the population of these towns ranged from a high of approximately 1460 residents in Exmore to as low as 157 in Eastville. The Towns have served as social and economic focal points for the County since the development of the railroad, and even earlier. They have long been designated by the County as development areas and the existing zoning in and around the Towns reflects that expectation. The Towns will continue to be the most appropriate location for new residential and non-residential development in the County.

The amount of new growth that can be accommodated within these Towns will vary substantially depending generally upon the availability of municipal sewer and water service. At this time, only Cape Charles and Exmore offer public sewer and water service. A Southern Wastewater Commercial Node near the Cape Charles and Cheriton area is in development to serve commercial properties located in this area with the possibility to serve additional parcels in the future. A similar Northern node centered near Exmore is also planned. The imperative is for environmental protection through management of large scale waste discharges. Eastville operates a municipal water system and will also be more likely to attract development interest than the other incorporated towns. Belle Haven and Nassawadox are envisioned to remain secondary development areas, as is Cheriton, until such time as sewer and/or water service becomes available. The County will consider each Town's Comprehensive Plan, will work cooperatively with the Towns on all land-use matters, and offers the following general planning policies for consideration by the Towns in recognition of the fact that what occurs within Town boundaries will influence what occurs outside the corporate limits and that the County and the Towns may share responsibilities for the provision of public services to residents of the Towns.

### **2.3.1.1 Town Land Uses**

- a. Towns should be considered the most appropriate locations for most new residential and non-residential development. The County will work cooperatively with the Towns to attract development that is compatible with the Towns and that contributes to their economic and community vitality.
- b. Towns should accommodate a full range of residential-unit types and densities. Residential-development densities should range from 1 unit per acre to 10 units per acre depending on the Town's Comprehensive Plans and zoning regulations.
- c. Major employment and commercial uses should generally be located within Towns, in particular within their established business districts.
- d. The County should work cooperatively with the Towns and the Joint Industrial Development Authority to identify locations for compatible new industrial and business locations and/or the expansion of existing centers in the Towns.
- e. Local and regional shops and offices should generally be located in established downtown centers with residential uses integrated among these uses, including within the same buildings as live/work units.
- f. With industrial uses, particular attention should be given to their impact on groundwater resources. Industrial users and systems that promote best practices and water conservation should be encouraged, and, in all cases, pollution potential should be carefully evaluated.

### **2.3.1.2 Town Design**

- a. The County will work cooperatively with the Towns to promote development that is compatible with the design and character of the existing Towns and to ensure that development adjacent to the Towns is compatible with and complementary to development within the corporate limits of the Town.
- b. The County will share resources and work jointly with the Towns to encourage the renovation, reuse and adaptive use of existing structures. The County will also support Town efforts to encourage the preservation of historic structures within Town limits.

### **2.3.1.3 Town Community Facilities and Utilities**

- a. Towns are, or may in the future be, served by public sewer and water service provided by the County or by the towns, by mutual agreement. The County will work jointly with the Towns to evaluate the desirability and feasibility of upgrading or establishing central sewer and water facilities.
- b. Towns should be considered as the most appropriate locations for public facility investments occurring in Northampton County. Towns are the preferred location for new community facilities.
- c. Transportation improvements within the Towns should be designed to tie into the existing street network serving the County and the Towns.

### **2.3.3 Commercial Areas**

While the most appropriate locations for new commercial-employment uses are primarily within and adjacent to Towns, existing commercial locations are mainly found up and down the County near Route

13. While it has been the County's policy to encourage infill and expansion of the established business districts in and adjacent to Towns, supporting existing businesses, wherever they are located, should be a priority for the County. ~~Commercial Areas account for approximately 0.7% of the unincorporated area of the County.~~

#### **2.3.3.1 Commercial Area Land Uses:**

a. A mix of uses should be located in Commercial Areas, with commercial-employment uses predominating. Commercial areas should retain the scale, diversity and mix of uses that are characteristic of Northampton County businesses.

#### **2.3.3.2 Commercial Areas Community Design**

a. The design of Commercial Areas should be consistent with zoning regulations and follow the traditional architectural patterns and scale of the surrounding area.

b. The County will encourage the renovation, reuse and adaptive use of existing structures.

#### **2.3.3.3 Commercial Area Facilities and Utilities**

a. Commercial Areas are not intended to be served by public sewer and water service unless they are near a Town or planned sewer and water project.

b. Transportation improvements in Commercial Areas should be designed to tie into the existing street network serving the County.

#### **2.3.4 Industrial Areas**

Industrial Areas are located primarily near the towns of Exmore, Nassawadox, Eastville and Cheriton. Industrial growth should be focused on the areas identified on the Future Land Use Map as Industrial Areas. ~~Industrial Areas account for approximately 0.34% of the unincorporated land in the County.~~

#### **2.3.4.1 Industrial Area Land Uses**

a. Light and moderate industrial uses that are compatible with the County's rural and natural heritage are the most appropriate uses in Industrial Areas. In particular, uses should be compatible with the County's primary economic base of agriculture and aquaculture industries and should not strain or degrade the County's sole-source aquifer.

b. Industrial Areas should retain the scale, diversity and character that are characteristic of Northampton County.

c. With industrial uses, particular attention should be given to their impact on groundwater resources. Industrial users and systems that promote best practices and water conservation should be encouraged, and, in all cases, pollution potential should be carefully evaluated.

d. Local shops and offices designed primarily to serve the needs of the industrial uses may be appropriate within the Industrial Areas.

The Commission concluded its comprehensive plan review for the evening and moved on to the next item on the agenda.

#### Communications

There was nothing to report from the towns with the exception of the general forwards received from Cape Charles.

#### Staff report

The BOS approved the SUP 2014-08 for a mass drainfield at the Food Lion Shopping Center. The Board is continuing to review the proposed ordinance. Staff is working on the Part II data section and are presently waiting on additional data sources. There are some text amendments that should be coming forth from some ordinance revisions that have been made.

Motion to adjourn until the 17<sup>th</sup> of September for work session was made by Commissioner Ward and seconded by Commissioner Downing. Motion carried with all in favor.