

VIRGINIA:

At a regular meeting of the Board of Supervisors of the County of Northampton, Virginia, held in the Board Chambers of the County Administration Building, 16404 Courthouse Road, Eastville, Virginia, on the 11th day of March, 2014, at 4:00 p.m.

Present:

Laurence J. Trala, Vice Chairman

Richard L. Hubbard

Larry LeMond

Granville F. Hogg, Jr.

Oliver H. Bennett

The meeting was called to order by the Chairman.

Closed Session

Motion was made by Mr. Trala, seconded by Mr. Bennett, that the Board enter Closed Session in accordance with Section 2.2-3711 of the Code of Virginia of 1950, as amended:

(A) Paragraph 1: Discussion or consideration of employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees or employees of any public body.

*Appointments to boards, committees*

(B) Paragraph 3: Discussion or consideration of the condition, acquisition, or use of real property for public purpose, or of the disposition of publicly held property.

(C) Paragraph 5: Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

(D) Paragraph 7: Consultation with legal counsel and briefings by staff members, consultants, or attorneys pertaining to actual or probable litigation, and consultation with legal counsel employed or retained by the Board of Supervisors regarding specific legal matters requiring the provision of legal advice by such counsel.

All members were present with the exception of Mr. Hogg and voted "yes." The motion

was unanimously passed.

Mr. Hogg arrived at 4:05 p.m.

After Closed Session, the Chairman reconvened the meeting and said that the Board had entered the closed session for those purposes as set out in paragraphs 1, 3, 5, and 7 of Section 2.1-3711 of the Code of Virginia of 1950, as amended. Upon being polled individually, each Board member confirmed that these were the only matters of discussion during the closed session.

The Chairman read the following statement:

*It is the intent that all persons attending meetings of this Board, regardless of disability, shall have the opportunity to participate. Any person present that requires any special assistance or accommodations, please let the Board know in order that arrangements can be made.*

Board and Agency Presentations:

(1) Dr. David Matson, new Health District Director. Dr. Matson shared with the Board the following powerpoint presentation:



## Eastern Shore Health District

*Presentation to*  
Board of Supervisors  
Northampton County

March 11, 2014



## Eastern Shore Health District

- Mission and Vision
- Programs
- Observations on Eastern Shore population health
- Public Health Ethic



## Mission of the Eastern Shore Health District

“Our mission is to prevent illness and disease, protect the environment, and promote optimal health and emergency preparedness for everyone on the Eastern Shore of Virginia.

“We are people of the community,  
for the community.”



## Vision of the Eastern Shore Health District

“Our vision is to drive Virginia’s Eastern Shore to the peak of personal, environmental, and community health, setting an example for others to follow.”



Source: Google Images



## Eastern Shore Health District *Environmental Health*

- Well and septic permits
- Soil evaluations
- Building permit review
- Migrant labor camps
- Food establishments (stationary, mobile and temporary event)
- Hotels and motels
- Campgrounds
- Public swimming pools
- Outbreak investigation
- Shoreline survey corrections for shellfish growing waters
- Marina inspections
- Public beach monitoring
- Rabies prevention
- Lead poisoning prevention
- Emergency shelter sanitary surveys
- Disaster response assessments
- Health education

## Eastern Shore Health District *Health Services*



- Vital Records
- Clinic services
  - Family planning
  - Maternal and child health
  - Tuberculosis
  - Sexually transmitted infections
  - Communicable diseases
  - Immunizations
- Women, infants and children (WIC)
- Outreach and education
  - Resource Mothers and Nurse-Family Partnership
- Community partnerships
- Medicaid program support
- Walk-in service
- Prevention referrals
- Emergency preparedness and response

## Eastern Shore Health District *Emergency Preparedness and Response*



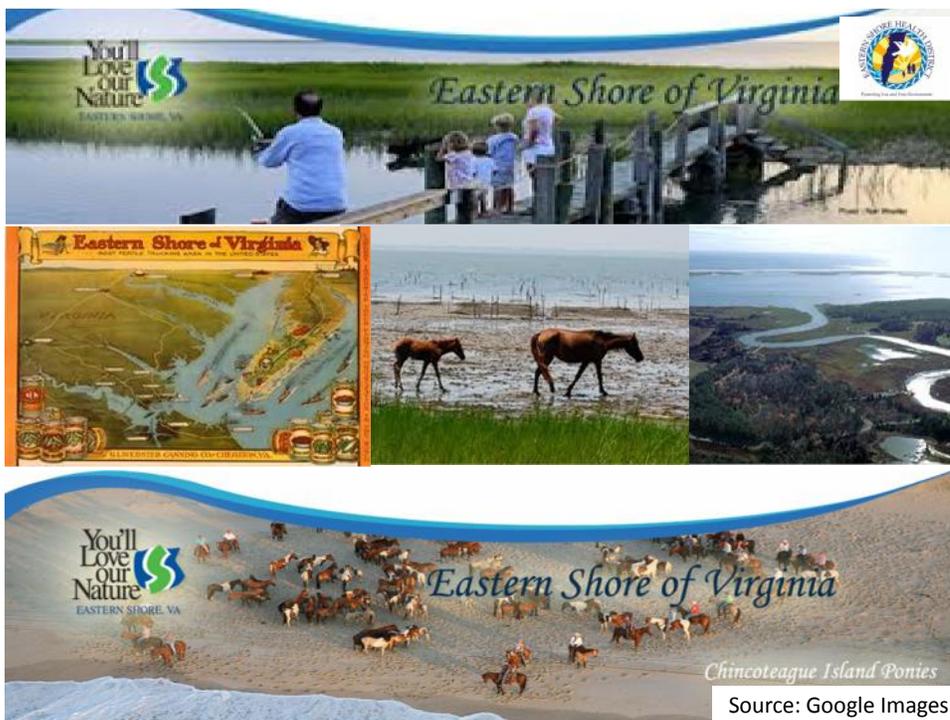
### Local Health Emergency Coordinator and Epidemiologist

- Develop, maintain and exercise public health emergency plans
- Coordinate with local emergency management officials
- Educate to prepare, assess, and respond
- Establish sites for mass medication dispensing and or vaccination
- Build and maintain the Medical Reserve Corps and Community Emergency Response Team
- During emergencies: Staff health “desk”; open and staff dispensing centers; coordinate specimen, medication and vaccine transport
- Encourage disease reports and report disease to District
- Support Chief Medical Examiner functions



# Eastern Shore Health District *One Attribute*

Inter-disciplinary practice: teams





## 5 Leading Causes of Death, 2012

Cause	Number of Deaths	
	Eastern Shore	Virginia
Cancer	143	14,208
Heart Disease	128	13,288
Chronic Lung Disease*	39	3,046
Stroke	30	3,390
Alzheimer's Disease	25	
Unintentional Injuries		2,777

\* chronic obstructive lung disease and asthma

Source: Virginia Department of Health



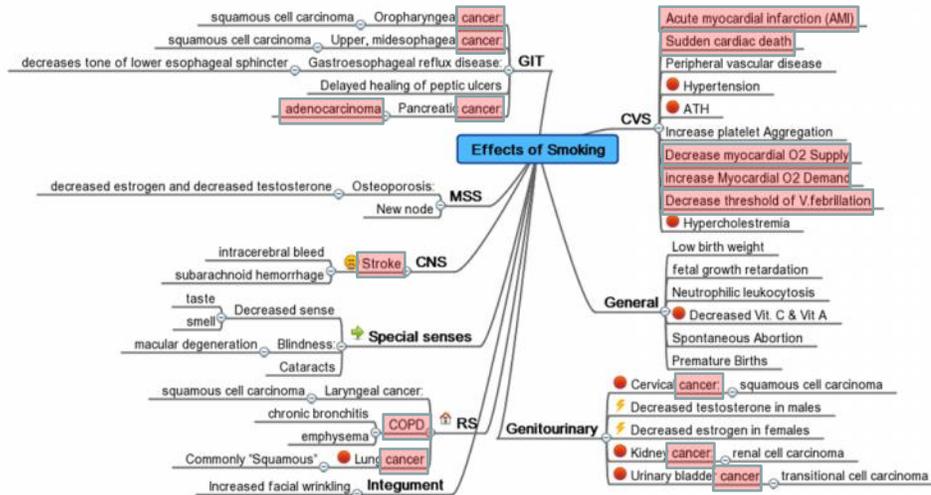
## Risk Factors for Cancer on the Eastern Shore, 2012 *Example Estimations*

Cancer	E. Shore No. (%)	Risk Factor			E. Shore HD Rank
		Smoking	Other Risk Factor	Not Explained	
Lung "tree"*	32 (22)	<b>25 (78)</b>	3	4	<b>35 of 35</b>
Others	131 (78)	3	20	108	---
All cancers	143 (100)	28 (20%)	23 (16)	112 (78)	---

\* Trachea, bronchus, and lung

Sources: Virginia Department of Health  
*Global Burden of Disease*

# Smoking Causes Many Things



Source: Wikipedia

## 6 Proven Ways to Reduce Smoking

### MPOWER



- M Monitor tobacco use
- P Protect people from tobacco smoke
- O Offer help to quit tobacco use
- W Warn about the dangers of tobacco
- E Enforce bans on tobacco advertising, promotion and sponsorship
- R Raise taxes on tobacco products

Source: The GTSS Atlas

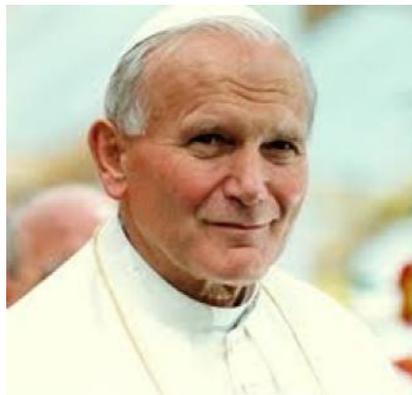


Eastern Shore Health District  
*Another Attribute*

Public Health Ethic



Sources: [pursuingheart.blogspot.com](http://pursuingheart.blogspot.com);  
[parenthub.com.au](http://parenthub.com.au)



Sources: [conservation.catholic.org](http://conservation.catholic.org);  
[netsolhost.com](http://netsolhost.com)



Sources: reuters.com;  
netsolhost.com



Sources: moralheroes.org;  
rhodiesworld.com



## Values

**ὑπομονή** = hypomone

- persevere, endure, forbear

**λογίζομαι** = logizomai

- credit, regard, consider

**ὄπτασία** = optasia

- (marvelous, magical, mythical) vision



“ . . . he has not the power, because he is the offspring and not the parent of a system.”

Source: James Fennimore Cooper. *The Prairie*. (1827)



## Citations

1. <http://www.google.com/images>, accessed 7 February 4
2. Virginia Department of Health, Office of Health Statistics
3. Lopez AD, Mathers CD, Ezzati M, Jamison DT, Murray CJL (Editors). Global Burden of Disease and Risk Factors. Geneva: World Bank Publications: 2006, 552 pp. ISBN-13: 978-082-136-2624
4. Health Effects of Tobacco.  
<http://en.academic.ru/dic.nsf/enwiki/1706590>, accessed 9 March 2014
5. Warren CW, Asma S, Lee J, Lea V, Mackay J. The GTSS Atlas. Atlanta: CDC Foundation, 2009
6. <http://pursuingheart.blogspot.com>, accessed 7 February 4
7. <http://www.parenthub.com.au>, accessed 7 February 4



## Citations

8. <http://conservation.catholic.org>, accessed 7 February 2014
9. <http://netsolhost.com>, accessed 7 February 2014
10. <http://www.reuters.com>, accessed 7 February 4
11. <http://moralheroes.org>, accessed 7 February 4
12. <http://rhodiesworld.com>, accessed 7 February 4
13. Cooper JF. *The Prairie*. (1827) In JF Cooper: Five Novels. New York: Barnes & Noble, 2007. ISBN-13: 978-0-7607-9308-4



\* \* \* \* \*

Mr. Hogg asked to receive information relative to comparisons between Eastern Shore cancer deaths and other health districts. He also questioned any correlation between local foods and environmental exposures and our high cancer rate. Dr. Matson agreed to research these questions.

Consent Agenda:

(2) Minutes of the meetings of February 11, 22 and 24, 2014.

Consider approving the Abstracts of Votes Cast in the Special Election held February 25, 2014.

Motion was made by Mr. Hubbard, seconded by Mr. Bennett, that the Consent Agenda be approved. All members were present and voted “yes.” The motion was unanimously passed.

County Officials’ Reports:

(3) Mrs. Leslie Lewis, Director of Finance, presented the following Budget Amendment and Appropriation Requests for the Board's consideration:

**TO:** Board of Supervisors  
**FROM:** Leslie Lewis, Director of Finance  
**DATE:** March 5, 2014  
**RE:** Budget Amendments and Appropriations – FY 2014

Your approval is respectfully requested for the following budget amendments and supplemental appropriations:

**\$213.84** – This represents a transfer from the federal forfeiture account of the Commonwealth's Attorney to his Travel line item (100-2201-51650).

**\$150,000.00** – This represents a grant award from the Governor's Development Opportunity Fund, in order to assist Bayshore Concrete Products. These grant funds will be transferred to Fund 710 (IDA Operating) for disbursement to Bayshore.

\* \* \* \* \*

Motion was made by Mr. Hubbard, seconded by Mr. Trala, that the budget amendments and supplemental appropriations be approved as presented above. All members were present and voted "yes." The motion was unanimously passed.

**TO:** Board of Supervisors  
**FROM:** Leslie Lewis, Director of Finance  
**DATE:** March 5, 2014  
**RE:** Budget Amendments and Appropriations – FY 2014

Your approval is respectfully requested for the following budget amendments and supplemental appropriations as requested by the Northampton County Public Schools:

**\$2,362.93** – This is a budget appropriation increase to adjust for the final award of State

Breakfast Incentive funds received from the Virginia Department of Education.

**\$3,634.71** – This is a grant award received from the Virginia Department of Education for 16 first-year teachers who qualify for the “Mentor Teacher Program”. These funds will be spent to support the mentoring program for these new teachers.

**\$55.23** – This is a budget appropriation increase to reflect an additional allocation of 2013-14 Title III, Part A, Limited English Proficiency grant funds.

\* \* \* \*

Motion was made by Mr. Bennett, seconded by Mr. Hogg, that the budget amendment and supplemental appropriation be approved as presented above. All members were present and voted “yes.” The motion was unanimously passed.

At 6:00 p.m., the Board recessed for supper.

At 7:00 p.m., the Chairman reconvened the meeting in the auditorium of Northampton High School, Eastville, Virginia.

The invocation was offered by Mr. Trala.

The Pledge of Allegiance was recited.

(4) Ms. Katherine H. Nunez, County Administrator, presented the following bi-monthly report was presented for the Board’s review.

- (i) 3/24/14: Work Session: Annual Joint Meeting with Planning Commission
- (ii) 4/15/14: Possible recessed meeting for FY 2015 Budget Adoption
- (iii) 4/28/14: Work Session: Topic to be announced
- (iv) 5/27/14: (Tuesday) Work Session: Topic to be announced.

The County Administrator’s bi-monthly report was presented as follows:

**TO:** Board of Supervisors  
**FROM:** Katie H. Nunez, County Administrator  
**DATE:** March 7, 2014  
**RE:** Bi-Monthly Report

**I. Projects:**

A. Public Service Authority:

The next meeting of the PSA is Tuesday, March 18, 2014 @ 7:00 p.m. in County Administration Building. Due to the inclement weather for the last two months, the PSA has not held a meeting. The joint meeting that was scheduled for February 18, 2014 was postponed as a result of inclement weather. **We have now confirmed a new date for this joint meeting: Monday, March 24, 2014 (the regular Work Session of the Board of Supervisors).**

B. Ad-Hoc Emergency Services Committee:

I am still working on the next charge for this committee and will distribute to the Board of Supervisors on Monday, March 10, 2014.

*The County Administrator indicated that this material will be completed and forwarded to the Board at a later date.*

\* \* \* \* \*

Citizen Information Period:

Mr. Robert Richardson urged caution by the Board in considering the renovation of the former middle school. He also asked that the Board redirect Mr. McSwain's duties to economic development.

Public Hearings:

The Chairman called to order the following public hearing:

(5) Conduct a public hearing to solicit public comment on the proposed 2014 Northampton County Zoning Code text and map and proposed Chesapeake Bay Preservation Areas text and map. *(This is a joint public hearing with the Planning Commission.)*

The Northampton County Planning Commission was present and in session.

The Chairman asked if there were any present desiring to speak.

Development Department staff shared with the Board the following powerpoint presentation:



Staff Report

# Proposed Zoning Code

## Timetable for Development

3/30/2011 – Joint BOS PC meeting to prioritize tasks

8/22/2011 – Board directed: make zoning code less onerous on citizens

10/18/2011 – Board agreed to ZC work plan including CBPA revisions

## 2012 Board Directive

- 5 Year Strategic Plan
- Review all Ordinances – no more than required VC
- Goal #2, Objective #1
- “Review and revise the zoning ordinance to promote business development by June 30, 2013”
- A draft ordinance was first submitted to the Board in July 2013

## Virginia Code on Zoning

- Zoning Code is optional in Virginia
- Localities choosing to adopt a zoning Code must comply with VA Code §15.2 – 2200 - §15.2 – 2329

## VA Code §15.2 – 2284

“Zoning ordinances and districts shall be drawn and applied with **reasonable consideration** for

- the **existing use and character of property,**
- the comprehensive plan,
- the suitability of property for various uses,
- the trends of growth or change,
- the current and future requirements of the community as to land for various purposes as determined by population and economic studies and other studies,
- the transportation requirements of the community,

## VA Code §15.2 – 2284 (continued)

- the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services,
- the conservation of natural resources,
- the preservation of flood plains,
- the protection of life and property from impounding structure failures,
- the preservation of agricultural and forestal land,
- the conservation of properties and their values and the encouragement of the most appropriate use of land throughout the locality.”

## Presentation Includes:

- Maps and Districts – Peter Stith
- Performance Standards, SUP – Melissa Kellam
- Commercial/Industrial Uses – Charles McSwain
- Screening and Signs – Charles McSwain
- Housing with Examples – Alice Custis
- Small Business Opportunity – Nyoka Hall

## Board Driven Goals:

- User friendly
- Create opportunity
- Guided by History, Plan, Future
- Separate Ordinances
  - SWMP (new), CBPA (West of 13), E&S, Floodplain

# Special Use Permits

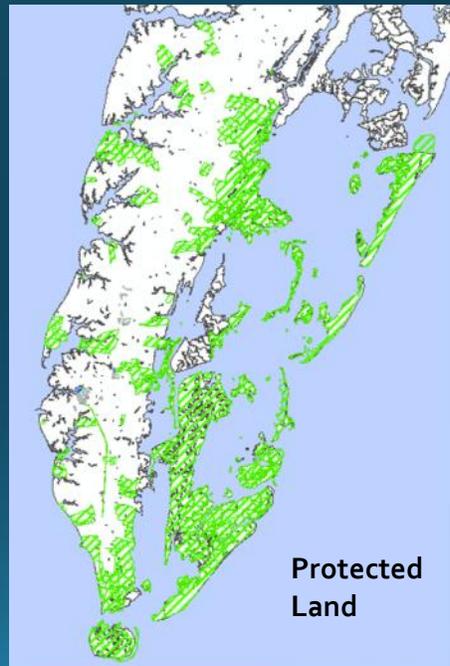
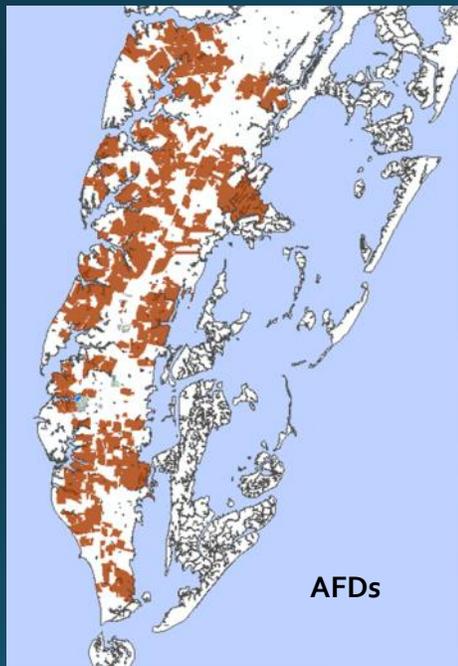
- **Currently thousands of listed uses require Special Use Permits**
  - Time consuming, expensive and intimidating for applicant
  - Creates a negotiation environment and uncertainty for applicant
- **Proposed Code only requires special use permits for projects with high potential for offensive operations**
- **Proposed Code relies on performance standards to maintain quality of life**

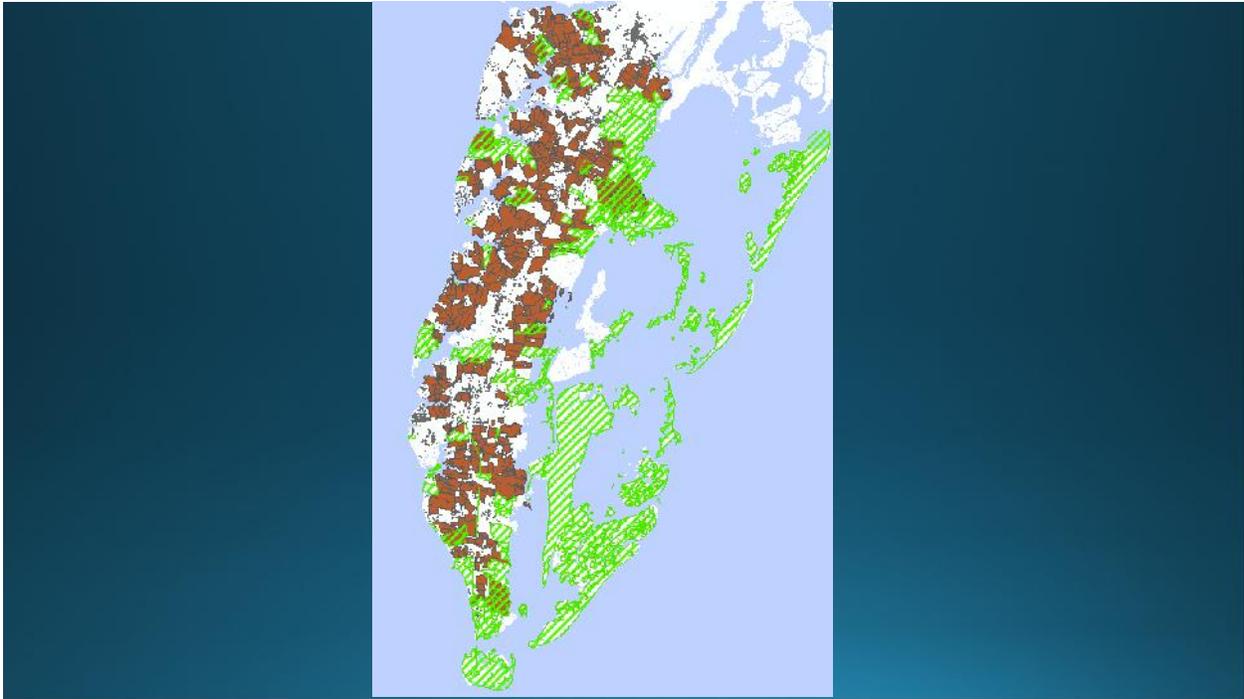
## Map Changes



## Current statistics:

- 129,504 acres of zoned land (unincorporated area)
- 38,128 (28%) acres are in AFDs (over 6,000 acres zoned something other than AG)
- 51,602 (38%) acres are Protected (conservation easement, state, federal, TNC, VOF)
- 66% of land in NHCO is in AFD or Protected





### Current Zoning

- 53% A/RB
- 34% Conservation
- 0.7% Commercial/Industrial
- 12% Residential
- 27 Zoning Districts

### Proposed Zoning

- 54% AG
- 34% Conservation
- 1% Commercial/Industrial
- 11% Residential
- 15 Zoning Districts

## Map changes:

Proposed Zoning rezones approx. 4742 acres back to AG.

Proposing to take large parcels that have active agricultural operations back to AG zoning to reflect principal land use.

Acreages back to AG:

Approx. – 1436 acres TE1  
2079 acres Es-A1  
1227 acres WV1

## Map changes:

- Expand Hamlet and Village boundaries – incorporate adjacent properties with similar uses
- Combine Waterfront Hamlets and Hamlets
- Combine Waterfront Villages and Villages
- Change Village-1 (V-1) to Village
- Remove all “Existing” designations (EB, EI, ES, EPRV) – eliminates use of 2 ordinances (2000 & 2009)
- Create one Commercial District

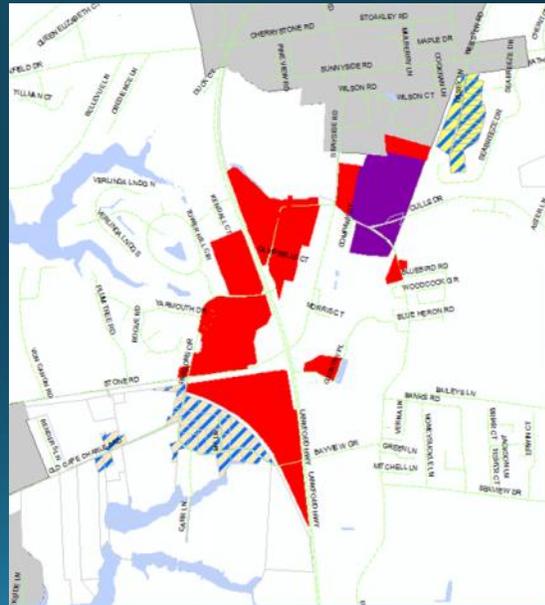
# Changes continued:

- Expand Commercial and Industrial zoning
- Create Residential zoning districts (R, R-1, R-3, R-5, RM)
- Current existing subdivisions rezoned to actual use/expanded
- Remove Town Edge Districts, C-1 Commercial, MHP – Mobile Home Park, VNB Village-Neighborhood Business
- Create Planned Unit Development (PUD) District
- Fill “doughnut holes”

Current Town Edge



Proposed Zoning

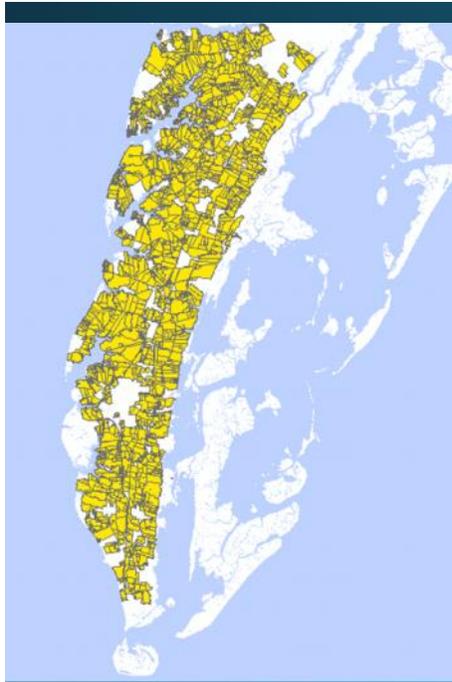




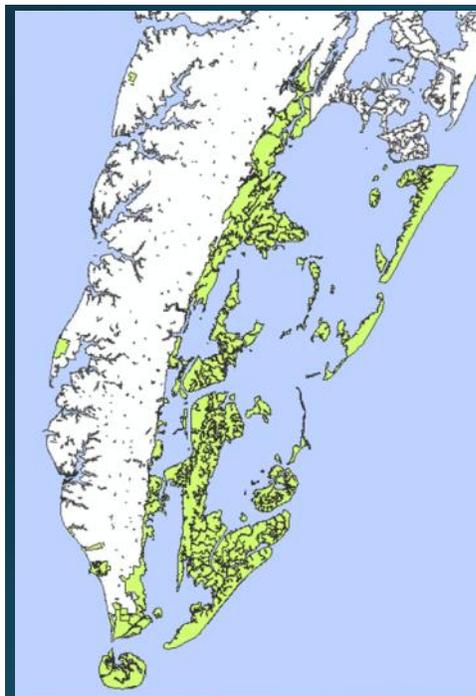
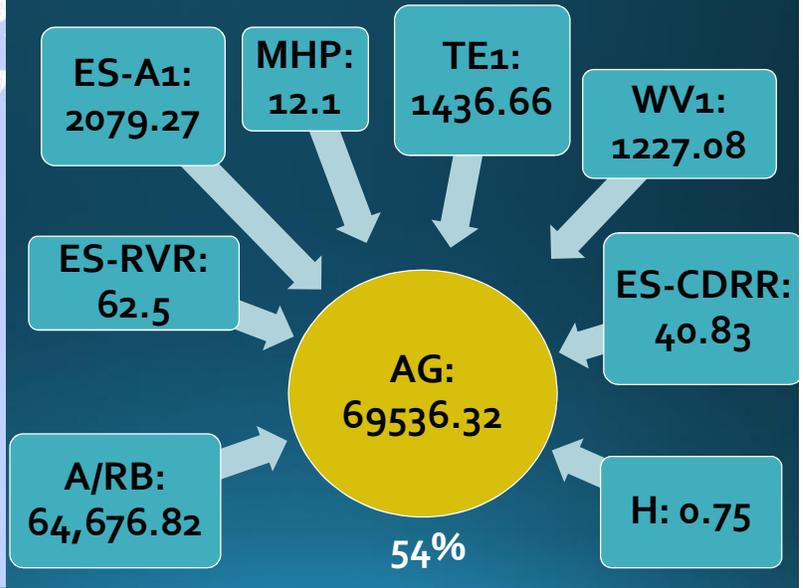
# Districts

## Proposed Districts

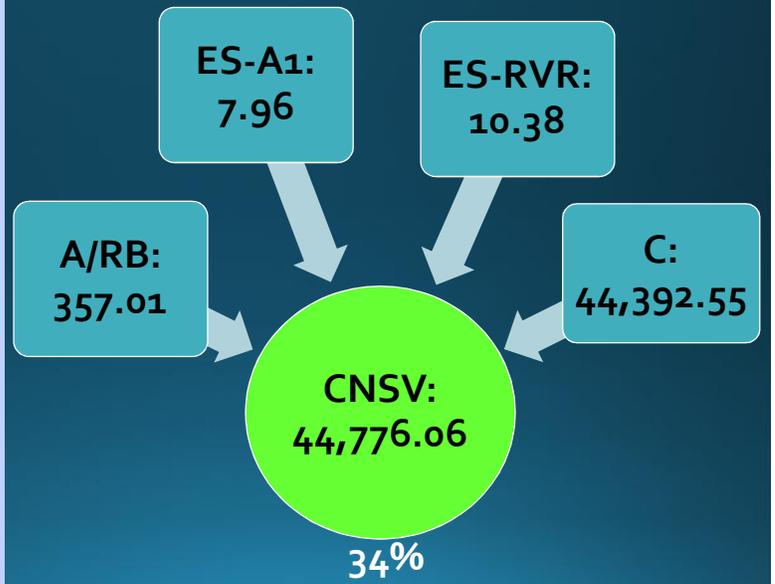
- **AG – Agriculture**
- **CNSV – Conservation**
- **C – Commercial**
- **I – Industrial**
- **R – Residential**
- **R-1 – Residential-1**
- **R-3 – Residential-3**
- **R-5 – Residential-5**
- **RM – Residential Mixed**
- **H – Hamlet**
- **CTCM – Cottage Community**
- **V – Village**
- **VC – Village Commercial**
- **VWC – Village Waterfront Commercial**
- **PUD – Planned Unit Development**

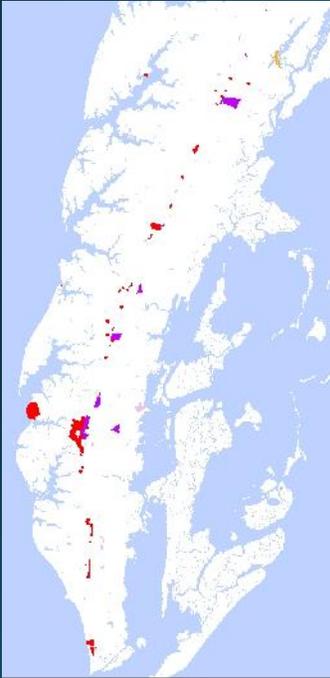


## AG - Agriculture



## CNSV - Conservation





## Commercial/Industrial Districts

Commercial (0.6%)

Industrial (0.34%)

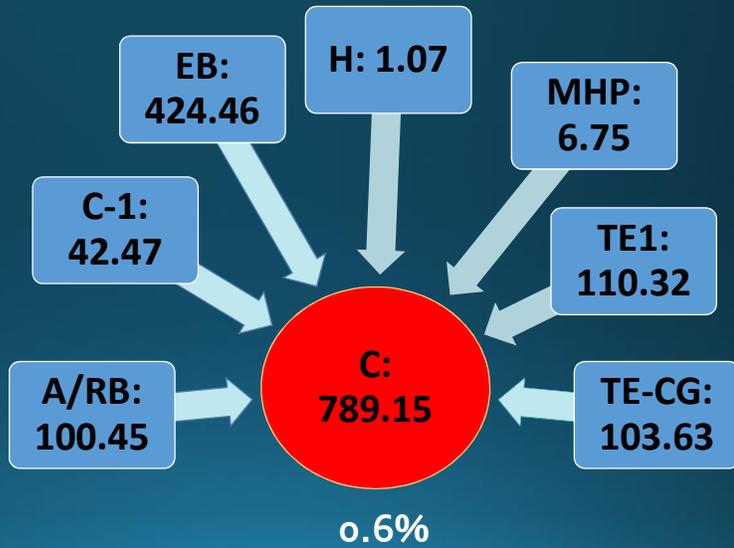
Village Commercial (0.06%)

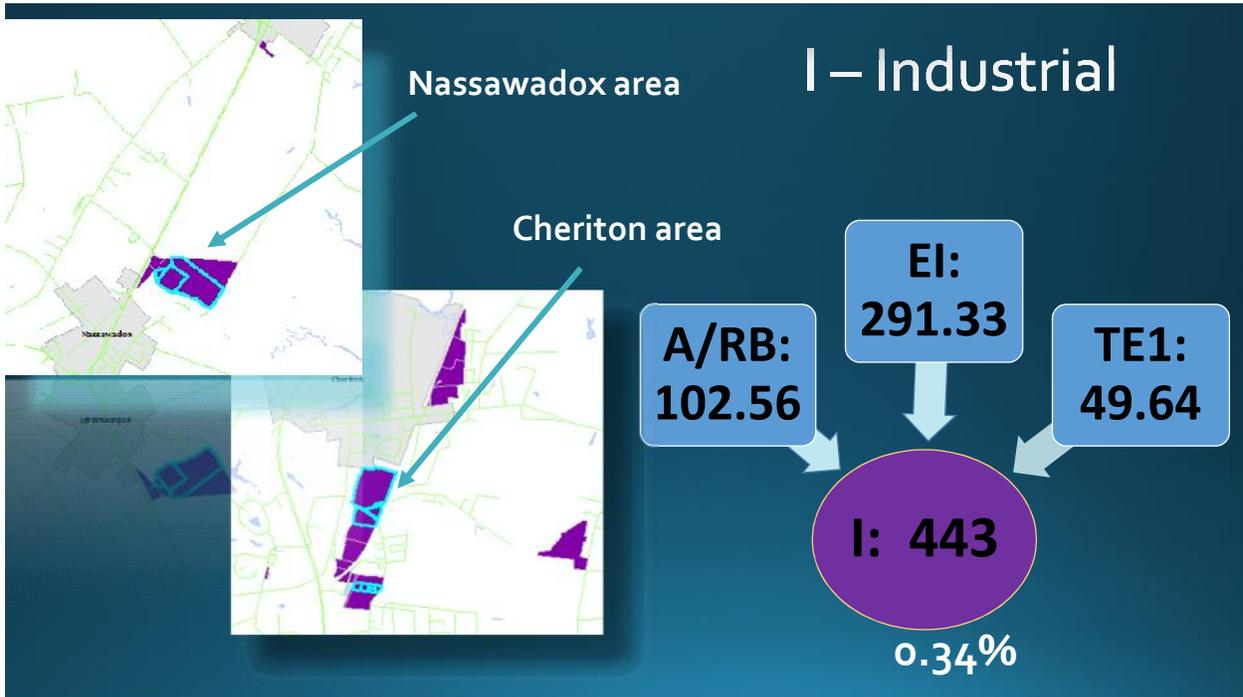
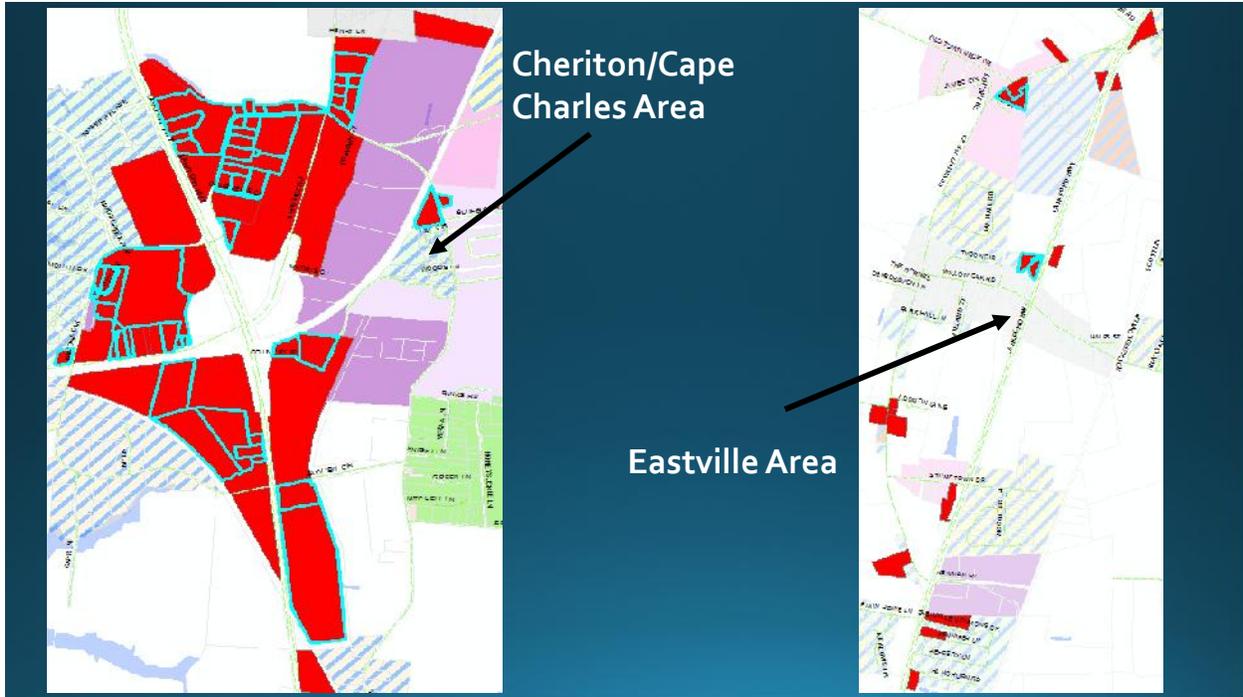
Village-Waterfront Commercial (0.02%)

**1.02%**

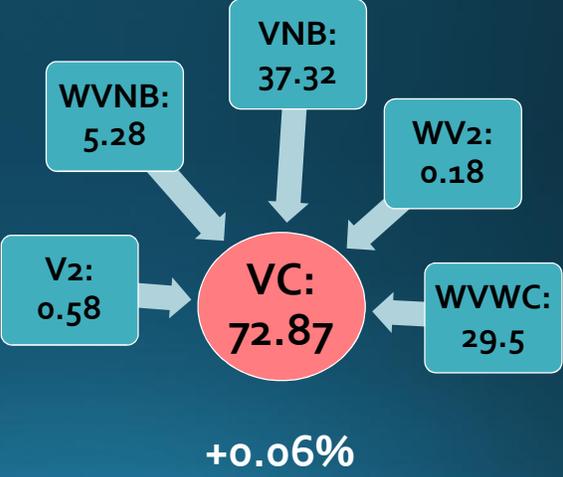
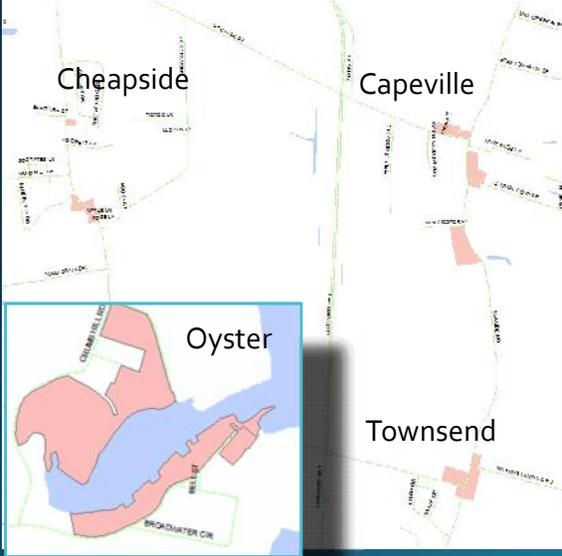


## C - Commercial

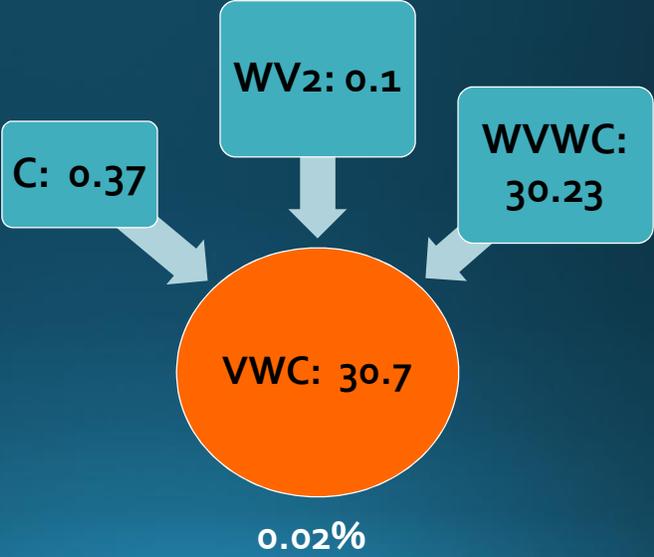




# VC – Village Commercial



# VWC – Village Waterfront Commercial

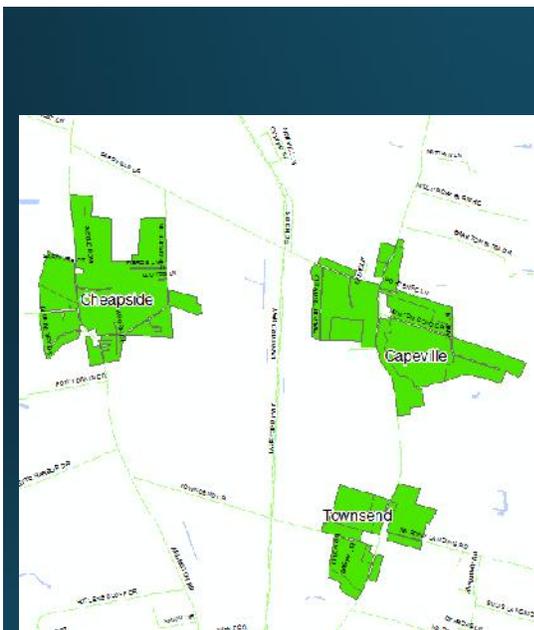




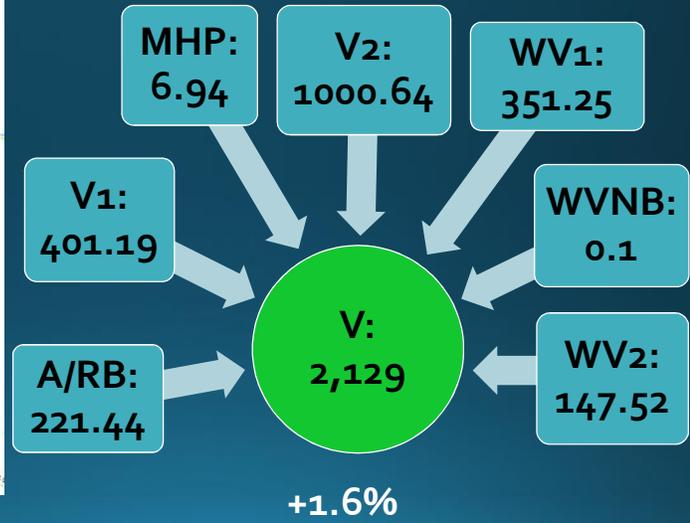
Village (1.6%)

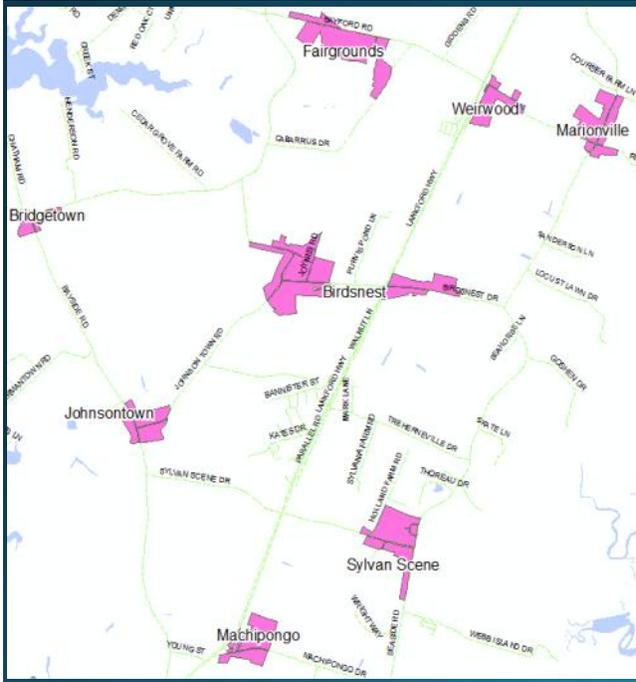
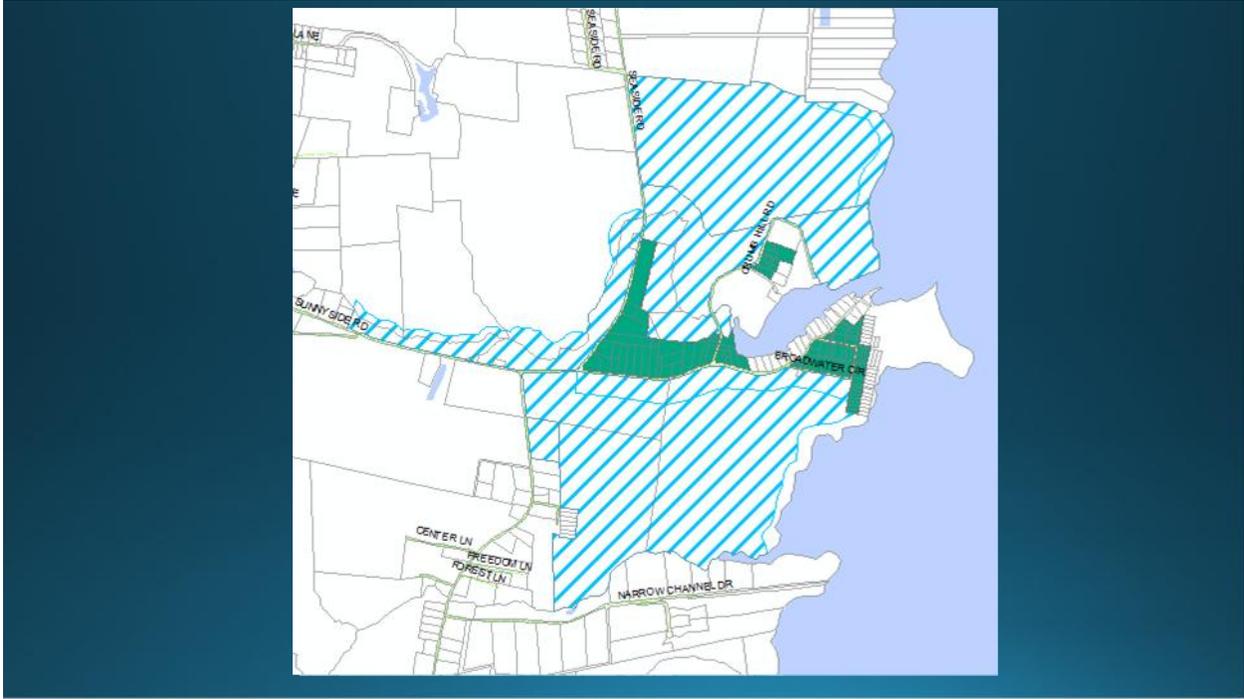
Hamlet (1.49%)

Cottage Community (0.16%)

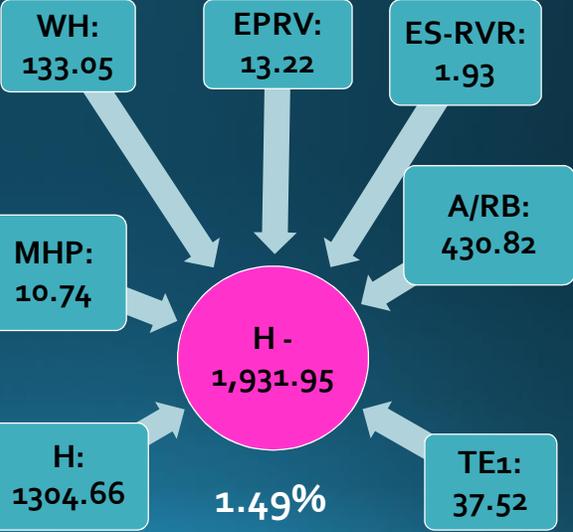


### V - Village





# H - Hamlet





# CTCM – Cottage Community

**ECC:  
161.82**

**A/RB:  
46.85**

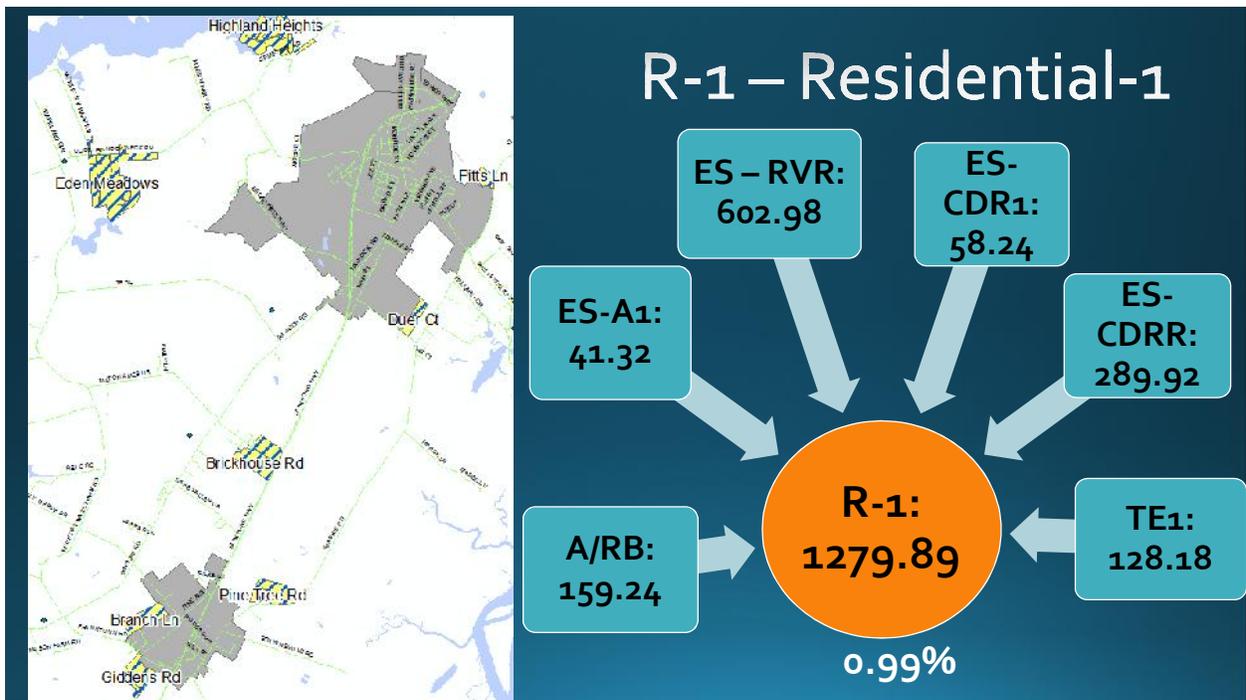
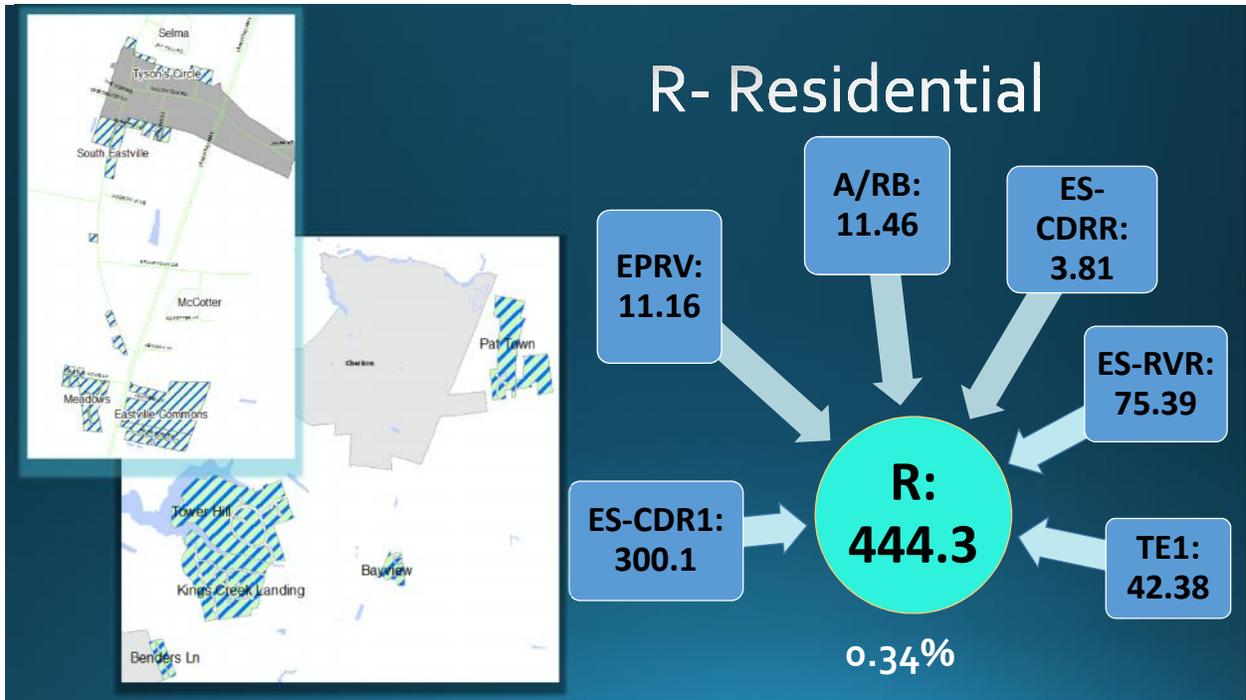
**CTCM:  
208.67**

0.16%



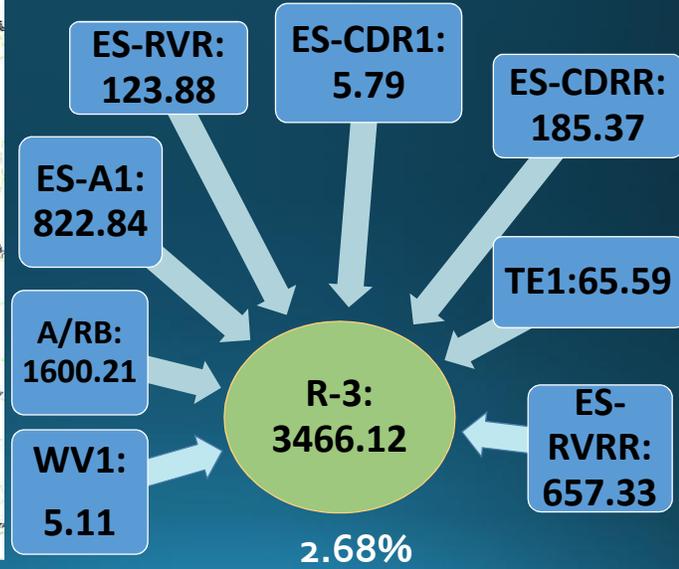
# Residential Districts

- R-Residential (0.34%)  
- Density – 1 SFD or MFD Unit/20,000 sq. ft.
- R-1-Residential-1 (0.99%)  
- Density – 1 SFD or MFD Unit/1 acre
- R-3 Residential-3 (2.68%)  
- Density – 1 SFD or MFD Unit/3 acres
- R-5 – Residential-5 (3.4%)  
- Density – 1 SFD or MFD Unit/5 acres
- RM – Residential Mixed (0.05%)  
- Density – 1 SFD/20,000 sq. ft. or 1 MFD/10,000 sq. ft.

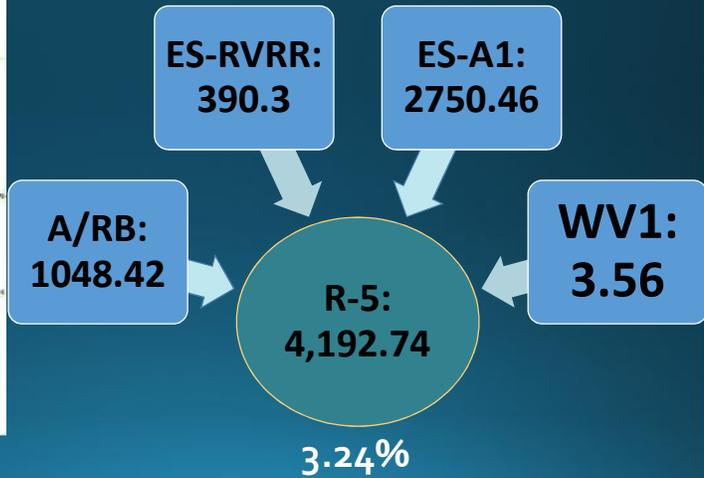




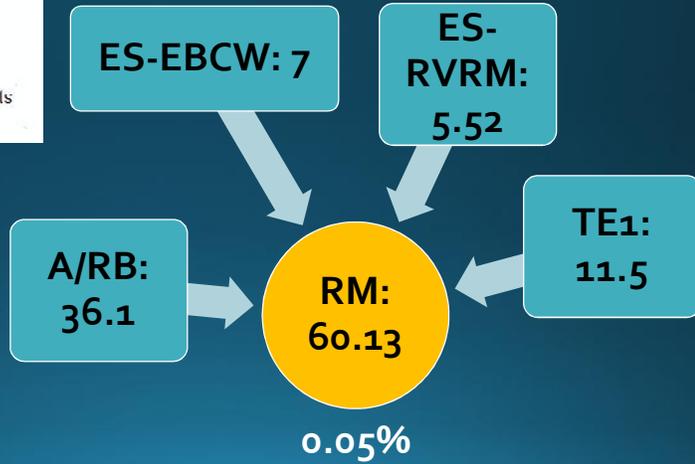
## R-3 – Residential-3



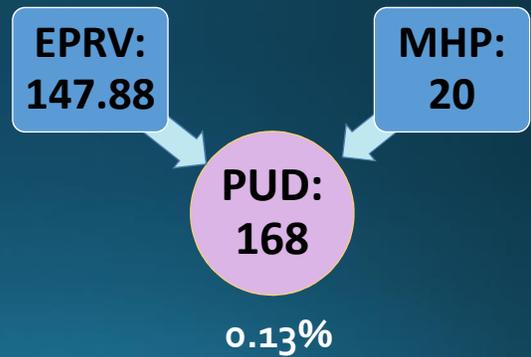
## R-5 – Residential-5



# RM – Residential Mixed



# PUD – Planned Unit Development



# Build-out

- Analysis using Current Zoning, Adopted Comprehensive Plan, and Proposed Zoning densities
- Identified constraints to development (wetlands, Coastal Barrier Resource System, Resource Protection Area, Conservation Easements)
- Run Build-out on remaining “developable” land

Scenario	# DU	Person/DU (*2.39)	Existing Population	+Town Total	Total Potential Population
Proposed Zoning	19,248	46,002	12,226**	18,204	76,432
Current Comp Plan	22,100	52,819	12,226**	18,204	83,249
Current Zoning	9,757	23,319	12,226**	18,204	53,749

\* 2008-2012 ACS data

\*\*2013 Population Estimate

# Consolidates, Simplifies and Clarifies

## 2000 and 2009 Zoning Codes



## Proposed 2014 Zoning Code

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>• Two ordinances</li> <li>• 27 Zoning Districts</li> <li>• 2009 Zoning Ordinance contains over 6,800 cells in use chart</li> <li>• Very specific uses</li> <li>• Special use permits required for majority of uses (PC&gt;BOS)</li> <li>• Contains other state mandated land use regulations</li> </ul> | <ul style="list-style-type: none"> <li>• Reduced to one ordinance</li> <li>• Reduced 15 Zoning Districts</li> <li>• A list of uses for each district</li> <li>• General use groups combined specific uses</li> <li>• Special use permits only required to address complex land uses with unique impacts &amp; application directly to BOS</li> <li>• Other state mandated land use regulations removed and become stand alone ordinances</li> </ul> |
|--|---|

### DENSITY

### 2009 ZONING CODE VS. PROPOSED 2014 ZONING CODE

	C	V-1 WV-1 AG/RB	H WH	V-2 WV-2	V-NB WV-NB	WV-WC	C-1
2009 Zoning Districts							
Maximum Density	1 SFD unit per 50 acres	1 SFD unit per 20 acres	2 SFD units per 1 acre <b>No MFD density</b>	<b>2 SFD units per 1 acre</b> 4 MFD units per 1 acre	<b>2 SFD units per 1 acre</b> 4 MFD units per 1 acre	N/A	N/A
Proposed 2014 Zoning Districts	CNSV	AG	H	V	V-C	V-WC	C
Maximum Density	1 SFD unit per 50 acres	1 SFD unit per 20 acres	2 SFD units per 1 acre <b>4 MFD units per 1 acre</b>	<b>4 SFD per 1 acre</b> 4 MFD units per 1 acre	<b>4 SFD per 1 acre</b> 4 MFD units per 1 acre	N/A	N/A

## DENSITY 2000 ZONING CODE VS. PROPOSED 2014 ZONING CODE

2000 Zoning Districts	ECC	EB	EI	ES-RV-R ES-CD-R1	ES-CD-RR	ES-RV-RR	ES-A-1	ES-RV-RM ES-CD-RM ES-EB-CW
Maximum Density	2 SFD units per acre	N/A	N/A	1 SFD or MFD unit per 20,000 sq. ft.	1 SFD or MFD unit per acre	1 SFD or MFD unit per 3 acres	1 SFD unit per 20 acres plus bonus lots	1 SFD unit per 20,000 sq. ft. <b>MFD not specified</b>
Proposed 2014 Zoning Districts	CTCM	C	I	R	R-1	R-3	R-5	RM
Maximum Density	2 SFD units per acre	N/A	N/A	1 SFD or MFD unit per 20,000 sq. ft.	1 SFD or MFD unit per acre	1 SFD or MFD unit per 3 acres	1 SFD or MFD unit per 5 acres	1 SFD unit per 20,000 sq. ft. <b>1 MFD unit per 10,000 sq. ft.</b>

SETBACK AND OTHER DIMENSIONAL REQUIREMENTS 2009 ZONING CODE VS. PROPOSED 2014 ZONING CODE						
ZONING DISTRICT	2014 AG	2009 V-1, WV-1 AG/RB	2014 V-WC	2009 WV-WC	2014 CTCM	2009 ECC
Min. Lot Size	1 ac.	1 ac.	10,890 sq. ft.	None	21,780 sq. ft.	1/2 ac.
Min. Lot Frontage	50 ft.	X	50 ft.	X	50 ft.	X
Min. Lot Width	125 ft.	125 ft.	None	P / None	90 ft.	90 ft.
Min. Shoreline Width	125 ft.	250 ft.	None	60 ft.	90 ft.	250 ft.
Min. Front Setback Primary	60 ft.	P/80 ft. 60 ft.	P / 30 ft.	P / 10 ft.	P / 20 ft.	P / 20 ft.
Min. Front Setback Accessory	60 ft.	P/80 ft. 60 ft.	30 ft.	P / 10 ft.	20 ft.	P / 20 ft.
Min. Rear Setback Primary	25 ft.	50 ft. 25 ft.	10 ft.	0 ft.	20 ft.	20 ft.
Min. Rear Setback Accessory	10 ft.	10 ft.	5 ft.	0 ft.	5 ft.	5 ft.
Min. Side Setback Primary	15 ft.	25 ft. 15 ft.	8 ft.	10 ft.	10 ft.	10 ft.
Min. Side Setback For Attached Primary Building Adjacent to a Shared Property Line	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.
Min. Side Setback Accessory	10 ft.	10 ft.	3 ft.	10 ft.	5 ft.	5 ft.
Min. Setback from U. S. Route 13	100 ft.	100 ft.	100 ft.	N / A	100 ft.	N/A
Min. Setback From Railroad Rights-Of-Ways	50 ft.	60 ft.	20 ft.	P/10 ft.	20 ft.	P/20 ft.
Max. Height Primary	35 ft.	35 ft.	35 ft.	35 ft.	25 ft.	25 ft.
Max. Height Accessory	25 ft.	25 ft.	20 ft.	20 ft.	15 ft.	16 ft.
Max. Height Accessory Structures / Buildings Located 15-feet or Less From Any Property Line	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.
Max. Lot Coverage	X	15%	X	75%	X	60%

<b>SETBACK AND OTHER DIMENSIONAL REQUIREMENTS</b>						
2000 ZONING CODE VS. PROPOSED 2014 ZONING CODE						
ZONING DISTRICT	2014	2000	2014	2000	2014	2000
	R	ES-RV-R ES-CD-R1	R-5	ES-A-1	RM	ES-RV-RM ES-CD-RM ES-EB-CW
Min. Lot Size	20,000 sq. ft.	20,000 sq. ft.	5 ac.	20,000 sq. ft.	20,000 sq. ft.	20,000 sq. ft.
Min. Lot Frontage	50 ft.	X	50 ft.	X	50 ft.	X
Min. Lot Width	100 ft.	100 ft. / 90 ft.	125 ft.	125 ft.	90 ft.	90 ft.
Min. Shoreline Width	100 ft.	250 ft.	125 ft.	250 ft.	90 ft.	250 ft.
Min. Front Setback Primary	60 ft.	60 ft.	80 ft.	80 ft.	60 ft.	60 ft.
Min. Front Setback Accessory	60 ft.	60 ft.	80 ft.	80ft.	60 ft.	60 ft.
Min. Rear Setback Primary	35 ft.	35 ft.	35 ft.	60 ft.	25 ft.	25 ft.
Min. Rear Setback Accessory	6 ft.	6 ft. / 3 ft.	6 ft.	6 ft.	3 ft.	3 ft.
Min. Side Setback Primary	15 ft.	20 ft.	25 ft.	50 ft. / 25 ft.	10 ft.	10 ft.
Min. Side Setback For Attached Primary Buildings Adjacent to a Shared Property Line	0 ft.	X	0 ft.	X	0 ft.	X
Min. Side Setback Accessory	6 ft.	6 ft. / 3 ft.	10 ft.	10 ft.	3 ft.	3 ft.
Min. Setback from U. S. Route 13 (not Bus 13)	100 ft.	100 ft.	100 ft.	100 ft.	100 ft.	100 ft.
Min. Setback From Railroad Rights-Of-Ways	50 ft.	X	50 ft.	X	30 ft.	X
Max. Height Primary	35 ft.	40 ft.	35 ft.	40 ft.	35 ft.	40 ft.
Max. Height Accessory	25 ft.	X	25 ft.	X	20 ft.	X
Max. Height Accessory Structures / Buildings Located 15-feet or Less From Any Property Line	15 ft.	X	15 feet	X	15 ft.	X

## SPECIAL USE PERMITS VS. PERFORMANCE STANDARDS

### 2000 and 2009 Zoning Codes

- General land use issues subject to special use permit process
- Majority of allowed uses by special use permit
- Requires lengthy processing and expense
- May be subject to unknown conditions



### Proposed 2014 Zoning Code

- Performance standards used for general land uses and their impacts, special use permit used only for complex land uses to address unique impacts
- Minority of uses by special use permit
- Incorporated into normal review processes reduces time and cost
- Performance standards are always known and don't change

# **PERFORMANCE STANDARDS**

## **For certain uses:**

- Temporary construction offices
- Temporary emergency housing
- Temporary Family Health Care Housing
- Home occupations
- Unified plan for commercial and industrial uses
- Domestic husbandry, traditional husbandry and intensive farming uses
- Agricultural irrigation ponds
- Accessory dwellings
- Additional single family dwellings on one lot
- Vehicles, containers and manufacturing units converted to permanent accessory structures and buildings
- Wireless communication facilities and meteorological towers
- Wind turbines and windmills for on-site residential or commercial production and use
- Wind energy facilities, large and utility scale

# **PERFORMANCE STANDARDS**

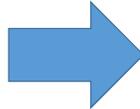
## **associated with engineered site plan regulations:**

- Access management
- Roads
- Interior travel ways
- Off-street parking and loading
- Perimeter screening
- Outdoor lighting
- Utilities
- Water and sewage
- Fire protection
- E & S control
- Chesapeake Bay preservation areas
- Flood plain management
- Stormwater management
- Dam safety

# Example Project #1 – Conversion of an old school house to an inn and reception hall

## 2009 Zoning Code

- Existing Hamlet zoning district, located on the seaside
- Major special use permit requires public hearing process
- Major special use permit process involves additional time
- Major special use permit requires engineered site plan which is costly with no guarantees of special use permit approval
- Special use permit conditions are unknown



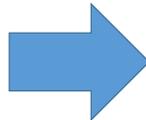
## Proposed 2014 Zoning Code

- Proposed Hamlet zoning district, located on the seaside
- Is a permitted use requiring no public hearing
- Extra time involved in the major special use permit process is eliminated
- Only required to submit an engineer site plan if the project involves land disturbance 10,000 square feet or greater
- An engineered site plan would require the implementation of the perimeter screening performance standard.

# Example Project #2 Family day home up to 12 children

## 2009 Zoning Code

- Existing Agricultural zoning district
- Listed in charts as nursery / daycare – does not correspond to the state's definition
- Requires a minor special use permit or major special use permit – even when in compliance with VA regulations



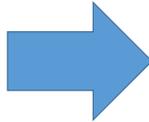
## Proposed 2014 Zoning Code

- Proposed Agricultural zoning district
- Definitions and standards mesh with the state regulations
- Permitted use, applicant must seek approval of the use through the state

## Example Project #3 Commercial project requiring a mass drainfield

### 2000 and 2009 Zoning Codes

- Engineered site plan conditioned requiring special use permit approval
- Virginia Department of Health approval



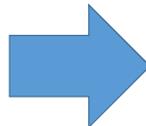
### Proposed 2014 Zoning Codes

- Engineered site plan is required
- No special use permit required
- Virginia Department of Health approval

## Example Project #4 Agricultural irrigation ponds

### 2009 Zoning Code

- Setbacks are required
- Text is unclear regarding an exemption from the setback requirement
- Reference to additional regulations in the Chesapeake Bay Preservation Areas are included, but the term variance is used incorrectly



### Proposed 2014 Zoning Code

- Setbacks are required, but can be reduced using performance standards
- Text is clarified
- Reference to additional regulations in the Chesapeake Bay Preservation Areas are included using the correct terminology
- Meshes with state and federal wetlands regulations

## Commercial and Industrial Uses

- Broadened permitted uses
- Reduced setbacks, increased screening to adjacent different uses
- Retained Dark Sky lighting
- Limit offensive and obnoxious conditions affecting other uses
- Noise Ordinance to be adopted separately and enforce by the Sheriff – not a land use matter

## Uses allowed (examples)

### Commercial

- Hospital
- Marina
- Personal Services
- Kennel (VC SUP)
- Retail – all
- Residential
- Wind turbines to 199'

### Industrial

- Heavy manufacturing
- Biomass conversion - large
- Prison (no site: Rezoning needed)
- Dredge soil disposal

# Engineered Site Plan Required

## Commercial or Industrial

- Within 500' US 13 or Stone Road
- Multiple businesses
- Locating on more than 1 lot
- Or if required by environmental law

## Single Residential Building

- None unless required by
  - E&S (>10,000 s.f. LDA)
  - SWMP (>2500 s.f. - 1 ac LDA)
  - CBPA

# Perimeter Screening

a performance standard

Existing Zoning Districts Adjacent to Proposed Development	Use of Proposed Development						
	 Intensive Farming	Agricultural	Commercial	Institutional and Public	Industrial	Residential Single - family	Residential Multi - family
CNSV	C	-	-	-	C	B	B
AG	-	-	-	-	-	A	A
R-5	C	-	-	A	A	A	A
H, V, R, CTCM	C	A	B	-	C	B	B
V-NB	C	-	A	-	C	A	A
R-1, R-3	C	A	B	-	C	A	A
RM	C	A	B	-	C	C	C
V-C	C	-	-	A	C	B	B
C	C	-	-	A	A	B	B
I	C	-	-	B	-	C	C

The developer shall provide perimeter screening types along property boundaries as indicated in the chart above based on the zoning of the adjacent properties.

# Perimeter Screening

Existing Zoning Districts Adjacent to Proposed Development	Use of Proposed Development						
	<i>Intensive Farming</i>	<i>Agricultural</i>	<i>Commercial</i>	<i>Institutional and Public</i>	<i>Industrial</i>	<i>Residential Single - family</i>	<i>Residential Multi - family</i>
<i>CNSV</i>	C	-	-	-	C	B	B
<i>AG</i>	-	-	-	-	-	A	A
<i>R-5</i>	C	-	-	A	A	A	A
<i>H, V, R, CTCM</i>	C	A	B	-	C	B	B
<i>V-NB</i>	C	-	A	-	C	A	A
<i>R-1, R-3</i>	C	A	B	-	C	A	A
<i>RM</i>	C	A	B	-	C	C	C
<i>V-C</i>	C	-	-	A	C	B	B
<i>C</i>	C	-	-	A	A	B	B
<i>I</i>	C	-	-	B	-	C	C

The developer shall provide perimeter screening types along property boundaries as indicated in the chart above based on the zoning of the adjacent properties.

# Perimeter Screening

Existing Zoning Districts Adjacent to Proposed Development	Use of Proposed Development						
	<i>Intensive Farming</i>	<i>Agricultural</i>	<i>Commercial</i>	<i>Institutional and Public</i>	<i>Industrial</i>	<i>Residential Single - family</i>	<i>Residential Multi - family</i>
<i>CNSV</i>	C	-	-	-	C	B	B
<i>AG</i>	-	-	-	-	-	A	A
<i>R-5</i>	C	-	-	A	A	A	A
<i>H, V, R, CTCM</i>	C	A	B	-	C	B	B
<i>V-NB</i>	C	-	A	-	C	A	A
<i>R-1, R-3</i>	C	A	B	-	C	A	A
<i>RM</i>	C	A	B	-	C	C	C
<i>V-C</i>	C	-	-	A	C	B	B
<i>C</i>	C	-	-	A	A	B	B
<i>I</i>	C	-	-	B	-	C	C

The developer shall provide perimeter screening types along property boundaries as indicated in the chart above based on the zoning of the adjacent properties.

# Signs – non-residential

## Proposed Allows:

- Freestanding Business signs up to 64 sf (8'x8')
- One additional sign in each direction of travel w/in 1 mile (32 s.f. max)
- Landscaping around base of permanent signs
- Home occupation sign allowed
- Flags for seasonal events, e.g., roadside sale of produce
  - But must be removed at end of event

## Residential Options

## Current Adopted Comprehensive Plan on Housing

Northampton County housing related problems:

- ▶ Inadequate supply of affordable standard units for low-to-moderate income population
- ▶ Remaining sub-standard dwelling units—Neighborhood blight



## 2011 Community Needs Assessment

1. Unemployment/Underemployment (91.9%)

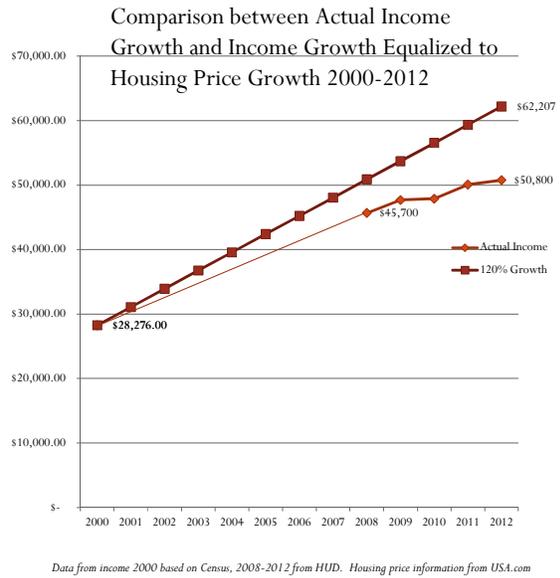
**2. Lack of Affordable Housing  
(84.6%)**

3. Ability to Read and Write (84.4%)

4. Lack of job training programs (83.8%)

5. Poor Quality of Public Education K-12 (82.2%)





A 2006 study conducted by Harvard economists on the effect of zoning impacts on housing availability showed that stringent land use regulations can restrict the supply of available housing.

*Regulation and the rise of Housing Prices in Greater Boston—A study based on new data from 1867 communities in Eastern Massachusetts Jan 5, 2006*

### Current Adopted Comprehensive Plan

“The County has a diverse population base, thus the need for different housing types.

Land use decisions which encourage a variety of housing types and costs are needed.

The County should address factors related to the shrinking inventory of affordable rental units, workforce housing, and other development providing increased housing opportunities.”

### Housing Stock: Housing Units Including Towns

	Single Family		Mobile Home		Multi-Family Units		TOTAL
	Units	%	Units	%	Unit	%	Units
2000 Housing Units	5,288	80.8	891	13.6	368	5.6	6,547
2005 Housing Units	5,816	81.5	950	13.3	371	5.2	7,137
Housing Units 2007- 2011 ACS	5,937	81.3	863	11.8	498	6.8	7,298

Single Family structures remain the predominant type of housing.

Single Wide Mobile Homes have decreased slightly.

Multi-Family housing accounts for less than 7% of total housing stock.

**Accessory Dwelling**

**Multi-family Dwelling**

**Planned Unit Development.**



**Garage Apartment is an Accessory Dwelling**

Accessory Dwelling

Current Zoning Codes

**Accessory dwelling unit must have Special Use Permit (SUP)**

Proposed Zoning Code

**Accessory dwelling permitted**



## Multi-Family Options

### Current Zoning Ordinance

- Multifamily by SUP except in Town Edge Commercial General



### Proposed Zoning Code

- Multi-family permitted except in AG, CNSV, CTCM & Industrial Districts.
- Clearly states density.



## Planned Rural Village (PRV) > Planned Unit Development (PUD)

### Current

- Only applies to any proposed changes of an existing PRV, Bayview Community.

### Proposed

- Permitted per Va. Code
- Requires a Zoning Map Amendment approval by public hearing process
- Requires a project plan approval
- Flexible
  - Design, Location, & Density
  - Housing options & accessory uses

## Temporary Housing: Remains the same

- Temporary family health care housing or emergency housing allowed
- Migrant Labor Camps permitted in AG & Industrial Districts.



## Current Adopted Comprehensive Plan

“A strategy to address adequate housing needs includes increasing income and employment generation by expanding home-based office and business opportunities in most zoning districts and by expanding both dwelling-unit options and on-site commercial opportunities on farms.”

## **Business Opportunity Outlook with the 2014 Proposed Zoning**



**The current adopted Comprehensive Plan has a goal to create a “business friendly” environment in Northampton County while preserving the county’s unique assets**



## 2014 Proposed Zoning Code

- Protect & preserve the County's natural resources and character
- Ensure a positive customer service experience
- Provide for small businesses & home occupations

## Employment Change

	1970	1980	1990	2000	2010	Change 2000-2010
<b>Total Employment</b>	6,718	6,866	5,928	7,127	7,135	8
<b>Wage &amp; Salary</b>	5,501	5,749	4,835	5,819	5,462	-357
<b># Self Employed</b>	1,217	1,117	1,093	1,308	1,673	365
<b>Percent of Total</b>						<b>% Change 2000-2010</b>
<b>Total Employment</b>						<b>0.1%</b>
<b>Wage &amp; Salary</b>	<b>81.9%</b>	<b>83.7%</b>	<b>81.6%</b>	<b>81.6%</b>	<b>76.6%</b>	<b>-6.1%</b>
<b># Self Employed</b>	<b>18.1%</b>	<b>16.3%</b>	<b>18.4%</b>	<b>18.4%</b>	<b>23.4%</b>	<b>27.9%</b>

## Home Occupations

A low-impact commercial use conducted in an owner or renter occupied dwelling or accessory structure(s)

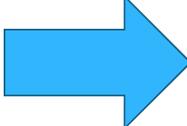


## Nature Tourism

Natural resource based recreation and tourism activities



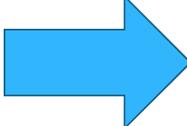
## Present 00/09 Code Vs. Proposed Code

- Specifically defined “Agritourism Uses”
  - Definition out of character with purpose
- 
- Broadly Categorized as “Nature Tourism”
  - Clear Definition

### Family Day Home (1 to 12 Children)

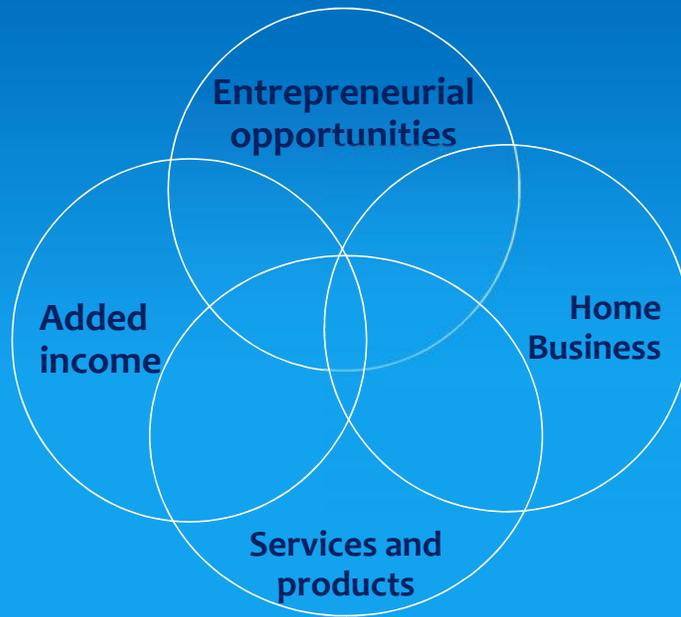
A child day program offered in the residence of the provider or the home of any of the children in care for one through 12 children under the age of 13, exclusive of the provider's own children and any children who reside in the home, when at least one child receives care for compensation.

## Present 00/09 Code Vs. Proposed Code

- Categorized & defined incorrectly
  - Treated as high impact use
- 
- Follows the VA State Code
  - Performance Standards
  - Locates in ideal areas

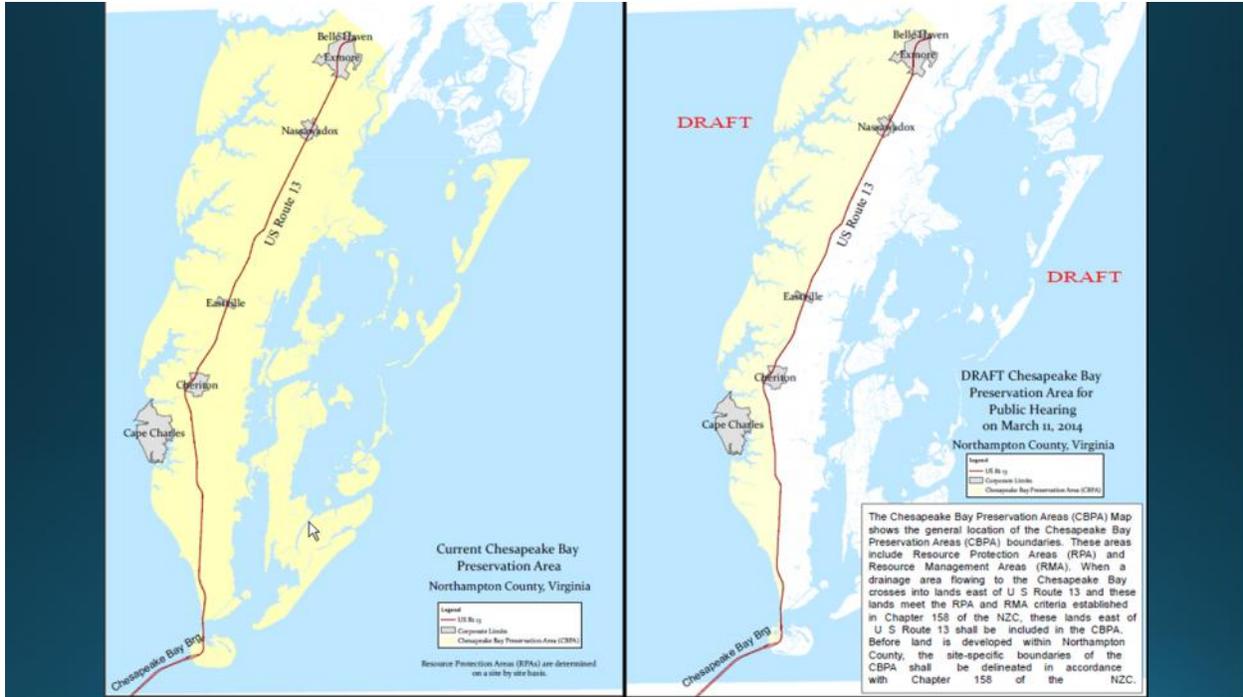
## Opportunity Seeker Goals

- Sustain themselves & their families financially
- Provide unique and needed services to the community
- Protect & preserve the County's natural resources and character



## Chesapeake Bay Preservation Areas

- Chapter 158 Northampton County Code of Ordinances
- Only change
  - Moves the Bay Preservation Areas back to the Bay drainage basins
  - Seaside protected by other ordinances such as
    - SWMP
    - Erosion & Sediment
    - Floodplain management
    - 100 foot development setback in conservation district (green on map)



# Double Wide Home Seaside Requires SWMP



Double Wide Home  
On Seaside Road  
(same lot)  
1300 Feet from  
Atlantic

Triggers Erosion &  
Sediment Permit



## In Conclusion

- Zoning: balance the ambition of the individual with the good of the community
- This Proposed Zoning Code reduces process in favor of clear standards
- Thank you for your time this evening

\* \* \* \* \*

Prior to receiving public comment, several questions were asked by members of the Planning Commission as follows.

Vice Chairman Coker provided the following comments:

**COMMENTS PUBLIC HEARING MARCH 11, 2014  
MARTINA COKER**

I will keep this as brief as possible to assure that the public has an opportunity to be heard. I do have some questions for the applicant:

First, I do want to express my concern about the process whereby this proposed Zoning Ordinance was developed and is being presented. As noted in the presentation, according to VA Code 15.2-2284 the Zoning Ordinance is to give reasonable consideration to the existing use and character of property, and the comprehensive plan, among other issues.

First, I would like to address the comments made about the length of time being taken with the Comprehensive Plan.

- Most municipalities utilize a consultant, as we have in the past, and that opportunity was not provided to us
- Census numbers were not available until 2012 into 2013, causing some delay, however data IS important to analysis
- The number of Planning Commissioners has been decreased, as some positions were not replaced as terms expired, leaving less volunteers to do the work

**Process:**

There are numerous instances in which this Zoning Ordinance is in conflict with the current Comprehensive Plan. *What is the justification for presenting this Zoning Ordinance when*

1. *It is in conflict with the current Comprehensive Plan?*
2. *The revised Comprehensive Plan has not been released?*
3. *Public Input was not obtained as part of the process?*

**Analysis regarding Impact on Aquaculture:**

The potential impacts of these proposed changes could significantly affect our community. Notably, Aquaculture, a thriving industry in our County could be adversely affected by:

- The removal of Chesapeake Bay Act protections from the Seaside
- Decreased shoreline widths throughout the county
- Increased Densities, runoff, and potentially less waterfront available for the industry

A great deal of investment has been made in the county by those in the aquaculture industry. *Has analysis been done to identify what the impacts of these changes would be on water quality, on the investments made by this industry and on the financial impact to the county if decreased water quality and decreased waterfront access adversely affects Aquaculture? If so, where are those studies?*

**Special Use Permit Process:**

A great deal is being made about the Special Use Permit process. Melissa Kellam has stated that not many Special Use permits have been denied. While streamlining of processes is always a good idea and I am sure there are many opportunities to do so with the current Zoning Ordinance, the Special Use Process is intended to allow surrounding property owners a say about land uses, which could, in fact affect their property values.

Residential property values could be affected by commercial uses that are proposed to be allowed, by right in many areas. People residing in R1, R3 and R5 zones, for example may end up with an Agricultural Research Facility, an Assisted Living Facility (No upper limit on size), a Biomass conversion facility, a Children’s Residential Facility (No upper limit on size), a Civic Club, Indoor or Outdoor Recreation, a recreational playing field, wind turbines (up to a height of 120 feet), etc. Additionally, in R5, up to 999 chickens could be kept.

Some of these uses are, in fact, intense and could definitely have a negative effect on property values. Uncertainty about such uses potentially being placed in a residential area could have a chilling effect on sales. *Has an analysis been done to determine what the potential impact of many of these uses could have on residential property values? If so, where are those studies?*

In the presentation it is stated that Special Use Permits will “only be required to address complex land issues with unique impacts”, and they will bypass the Planning Commission. These are the very most intense uses and the benefit of Planning Commission review, which generally involves a great deal of research is being removed. We currently have guidelines for approval of Special Use Permits, which I have found very beneficial. *Is there a plan to develop such guidelines so that expectations are clear for applicants and so that there is a consistent process? Who will do the research inherently necessary, since the Planning Commission will not be involved and the Planning Staff is being cut?*

**Studies required by Code:**

VA Code 15.2-2284 further describes many matters to be considered in the development of zoning ordinances and districts in including the future requirements of the community as to land for various purposes as determined by population and economic studies and other studies, the transportation requirements of the community, the requirements for schools, parks, playgrounds, recreational areas, and other public services, amongst other issues.

*Where are the studies the applicant utilized to prepare this proposed Zoning Ordinance?*

**Modeling:**

*Has Modeling been done to illustrate impacts of the Zoning Changes and where is this modeling documented?*

Author(s):

*Finally, who wrote this ordinance?*

\* \* \* \* \*

Mr. McSwain responded that the public has been engaged since October. He also said that case studies are available and can be presented to the Commission next week. Mr. McSwain suggested that the Vice Chairman review public comment has received from residents – much insight has been obtained from the public process – and that staff is available to assist. Mr. McSwain said that staff (Mr. Stith) has done various analyses, such as the build-out analysis contained in the powerpoint presentation. In response to the question regarding authorship of the document, Mr. McSwain said that the ordinance had been written by two members of the County’s legal counsel, all of the presenters tonight, as well as the County Administrator.

Mrs. Roberta Kellam of the Planning Commission questioned how the elimination of single wide mobile homes from residential districts help affordable housing, noting that the Planning Commission would not exclude any affordable housing options. Mr. McSwain replied that there are much better, more economical housing solutions available. With regard to the Planned Unit Development district, Mrs. Kellam questioned if this district would have minimum lot dimensions. Mr. McSwain stated that the district is structured in such a way as to allow flexibility for approval by the governing body; i.e., an “open pallet that may be accepted by the community.” Mrs. Kellam questioned if the County’s noise ordinance was being defended. The County Attorney, Bruce D. Jones, Jr., responded that the County’s former noise ordinance, modeled after the Virginia Beach ordinance, has been declared unconstitutional and that a revised ordinance is currently being drafted. Mrs. Kellam noted that under the Energy Policy Act, noise standards are needed for wind turbines. Mrs. Kellam then said that the Planning Commission has not heard any public comment and that “this is one of the most disappointing examples of violating the public trust.”

Vice Chairman Coker referenced e-mails received from Mr. Bob Meyers in regard to health issues associated with wind turbines. These materials will be attached hereto.

Chairman LeMond opened the floor for public comment. All written comments that have been submitted to date will be attached hereto.

Mr. John Cleveland said that he was concerned with the transfer of agricultural lands to residential and said that one of the board's membership should recuse himself because his spouse is a real estate agent.

Mr. Robert Richardson said that the zoning ordinance was partly to blame for the depopulating of the county and requested that the ordinance be suspended within Capeville District.

Ms. Jill Bieri, director of The Nature Conservancy, said that good water quality was necessary on the seaside and that more time is needed to consider the impact of the proposed removal of the Chesapeake Bay regulations from the seaside.

Ms. Olester Manual, president of the West Birdsnest Community Action Group, read a list of requests for citizens in that area. Her full comments are attached hereto.

Mr. Art Schwarzschild, chairman of the Willis Wharf Steering Committee, said that the village was opposed to the proposed changes and was supportive of its Vision Statement.

Ms. Jill Wilt asked for copies of the studies as referenced by the Code.

Mr. Al Voss said that as a resident of the seaside, he couldn't even put gravel in his driveway without being in violation of the Chesapeake Bay act and he would like to see a change to address that.

Mr. Grayson Chesser was very concerned with limiting commercial industries in Oyster. He said that agriculture and aquaculture should be encouraged. He was also concerned with the potential loss of mobile homes.

Mr. Ken Dufty spoke about the prior Comprehensive Plan process and noted the public participation/community outreach efforts at that time, indicating that he did not see that happening now. He was also concerned with proposed biomass facilities being allowed, calling them “dangerous and troublesome”. He also asked that the Board consider language for wind turbines which produce less than 2,000 watts.

Mr. Arthur Upshur, President of Citizens for a Better Eastern Shore, read a statement from that group, indicating its opposition to the proposed zoning ordinance. These comments are attached hereto.

Mr. H. B. Arnold requested that language be provide to eliminate the “residency first” provision; i.e., prohibiting the construction of a garage or shed without a main dwelling unit.

Mr. Jack Ordeman said that he wished to yield his time to Mr. Jay Ford.

Ms. Sue Mastyl called these proceedings a “wholesale disregard of the process” and urged the Board to return the operation to the Planning Commission; to go back to the Comprehensive Plan and “rethink the consequences.”

Mr. Polk Kellam was opposed to the removal of the Chesapeake Bay regulations from the seaside and said it was an “abuse of local public process” to circumvent the Planning Commission.

Mr. Paul Strong said that he was an advocate of clean water but understood Northampton’s desire to provide economic development.

Mr. Darryl Hayslett urged the Board not to remove the Village-Waterfront designation from Willis Wharf and noted that it would be a disaster to remove the Chesapeake Bay regulations from the seaside.

Mrs. Araminta Travis requested that her property near Dalbys be zoned Commercial and asked the County to support existing businesses.

Mr. Jay Ford, Executive Director of the Virginia Shorekeepers, said that the proposal to remove the Chesapeake Bay regulations from the seaside is reckless and presented a petition with over 400 signatures calling for a slow-down of the process. That petition is attached hereto.

Mr. Robert Gleason requested the Board to cease all permits and variance for turbines that will scar the land and eradicate the wildlife population.

Mr. Tony Picardi, a member of the Accomack County Planning Commission, asked that the Chesapeake Bay regulations remain on the seaside.

Rev. Debbie Lee Bryant, pastor of Shorters Chapel and president of the Historic Bridgetown Association, supported hamlet zoning and said that the process should go through the Planning Commission. Her full comments are attached hereto.

Ms. Margaret Chandler of Concerned Citizens of Sylvan Scene reiterated similar comments as Rev. Bryant. The full text of her comments is attached.

Ms. Katherine Campbell questioned the definition of ‘inn’ and said that the County should leave the choice of management style up to the innkeeper.

Mrs. Mary Miller said that the proposed zoning ordinance does not comply with State Code, was not meant to provide economic development but was really to benefit residential development. Her comments are attached hereto.

Mr. Justin Colson said that the current zoning hand-cuffs their agricultural operation through provisions of the Bay Act. He hoped that the proposed regulations would allow replacement of their existing office and possible expansion of the entire operation. His comments are attached hereto.

Mr. Bob Meyers said that this has not been an open public process. He listed several concerns including health risks associated with wind turbines and possible pollution of the aquifer from agricultural irrigation ponds. His complete comments are attached hereto.

Ms. Grace Cormons asked that the Chesapeake Bay regulations not be removed from the seaside.

Ms. Cela Burge said that she has been able easily to access staff and written documentation with regard to the proposed zoning ordinance amendments and has already provided written comments at the public information sessions. She noted that special use permits are expensive and time-consuming and that the current ordinance is hard to read and understand. She felt that the identification of a simple commercial district was sound; additionally, the removal of shoreline setback requirements and Chesapeake Bay regulations on the seaside will remove a critical flaw in the current processing of “exceptions”.

Mr. Andrew Barbour said that “simplification of the process” was being used as a cover for something that runs counter to the existing Comprehensive Plan. He said that this ordinance will cost taxpayers a great deal.

Mr. Pat Coady said that he supported the simplification of the zoning code and that the proposed clustering of development is wise. He did note that he did not agree with “bypassing” the Planning Commission for special use permit decisions.

Mr. Hank Bowen said that easing of land use requirements in the Village Waterfront Commercial District would allow him to expand his operations in Willis Wharf but did not agree with the proposed reductions in the shoreline lot widths.

Mr. Tom Gallivan said that the Board was ignoring the aquaculture industry and that Northampton is the only county that controls its seaside watershed on the east coast.

Mr. Bill Prettyman spoke in support of the proposed ordinance amendments, indicating that it was much more transparent than the existing ordinance. He also noted that it should help affordable housing by reducing costs associated with housing development and allow for more capital infusion in the County.

Ms. Heather Lusk, speaking for H. M. Terry Co., read a letter into the record, urging the Board not to remove the Chesapeake Bay regulations from the seaside. Her text is attached hereto.

Mr. Tucker Watson, representing Treherneville MHP, LLC, noted that this property is proposed to be rezoned to “Village”, which is a traumatic change. The owner plans significant investment in the property and was concerned that the rezoning may prohibit him from replacing certain units within the Park. He requested that the existing four mobile home parks be allowed to remain as “Mobile Home Park” or that another designation be created to reflect their current zoning.

Ms. Montaigne Cree said that the current zoning is extremely complicated and that she appreciated the clarification and simplification efforts. She also agreed with the proposed accessory structure provisions.

Mr. Barrett Cree, who owns commercial property along U S Route 13, said that “we are all here for personal reasons” and that he applauded the efforts to restore historic commercial properties.

Mrs. Kay Downing, former Planning & Zoning staff member, said that the existing zoning ordinance is “much worse” than the proposed version and was hopeful that the governing body could address those concerns noted tonight including prohibition of single wide mobile homes in residential districts, use of windmill farms and their danger to migratory birds and the importance of agriculture and aquaculture. She said that the County’s existing businesses need to be helped and that new businesses need to be allowed. She commented that “the mentality of the boards of supervisors, planning commissions and special interest groups have led to the current situation.”

Mrs. Joanne Molera, newly elected member of the Northampton School Board, said that we need to have children who grow up and stay here and urged the Board not to over-regulate. She asked the Board to improve the residents’ economic chances so they can remain on the Shore.

Dr. Federico Molera stated that he felt “déjà vu” from ten years ago. He said that people are not coming to the County because they are no jobs and we lost the hospital.

There being no further speakers, motion was made by Mr. Trala, seconded by Mr. Bennett, that the public hearing be closed on the 2014 Northampton County Zoning Code text and map and proposed Chesapeake Bay Preservation Areas text and map and the matter having been previously referred to the Planning Commission, pursuant to the Code of Virginia Section 15.2-2285 (B) and the County’s Zoning Ordinance; the Planning Commission is allotted a maximum of 100 days, or no later than May 30, 2014, to submit a recommendation to the Board

of Supervisors on the aforesaid matters. All members were present and voted “yes.” The motion was unanimously passed.

In answer to a question from Mr. Hogg, County Attorney Bruce D. Jones, Jr., said that the Planning Commission and Board of Supervisors could continue to receive public comment.

The Planning Commission closed its hearing and recessed its meeting until March 19, 2014 for a work session.

Action Items:

- (6) Consider approval of contract with DJG Architects for NMS renovation project.

Mr. Hogg stated that the decision on awarding a contract for Architectural and Engineering Services should be delayed until the scope of this project was clearer. There is a need for more discussion with the School Board and a decision at this time is premature. Motion was made by Mr. Hogg, seconded by Mr. Hubbard, that the Board delay action on the contract with DJG Architects for architectural and engineering services relative to the NMS renovation project. Mr. Hogg and Mr. Hubbard voted “yes”; Mr. LeMond and Mr. Trala voted “no”; Mr. Bennett abstained. The motion failed. Following additional comments, the Board would try to get more information on the middle school from the School Board. Motion was then made by Mr. Trala, seconded by Mr. Hogg, that action on this matter be tabled until the work session. All members were present and voted “yes.” The motion was unanimously passed.

Matters Presented by the Board Including Committee Reports & Appointments

Motion was made by Mr. Trala, seconded by Mr. Hogg, that Mr. John Pavlik be appointed to the Joint Industrial Development Authority of Northampton County and Towns for a term of office to expire March 31, 2016. All members were present and voted “yes.” The motion was unanimously passed.

Following a question from Mr. Hogg, it was the consensus of the Board to request a quarterly status report on those repair items identified last fall by the School System.

Following a question from Mr. Hogg, Ms. Hollye Carpenter, EMS Director, was recognized and indicated that the \$30,000 recently appropriated by the Board will not assist Northampton Fire & Rescue although she is continuing to work with them and has several ideas in progress. Their specific funding request is being considered as part of the FY 2015 county budget. Additionally, she indicated that the two air ambulances currently being utilized (Nightingale & Life Evac) are performing well. She also noted that defibrillator equipment, obtained 8-10 years ago, was in place throughout the county. The Chairman reminded the Board that many of these topics will be covered in the revised charge to be issued to the Ad-Hoc Emergency Care Committee; said revised charge to be presented to the Board at its work session.

Recess

Motion was made by Mr. Trala, seconded by Mr. Hogg, that the meeting be recessed until 5:00 p.m., Monday, March 24, 2014, in the Board Room of the County Administration Building, 16404 Courthouse Road, Eastville, Virginia, to conduct the regular work session to include the annual meeting with the Planning Commission and a joint meeting with the Eastern Shore of Virginia Public Service Authority. All members were present and voted "yes." The motion was unanimously passed.

The meeting was recessed.

\_\_\_\_\_ CHAIRMAN

\_\_\_\_\_ COUNTY ADMINISTRATOR