VIRGINIA:

At a recessed meeting of the Board of Supervisors of the County of Northampton, Virginia, held in the Auditorium of Northampton High School, 16041 Courthouse Road, Eastville, Virginia, on the 9th day of March, 2016, at 7:00 p.m.

Present:

H. Spencer Murray, Chairman	Granville F. Hogg, Jr.
Larry LeMond, Vice Chairman	Robert G. Duer
Oliver H. Bennett	

The meeting was called to order by the Chairman. The Northampton County Planning Commission was also present and in session.

Public Hearing:

The Chairman called to order the following public hearing:

Conduct joint public hearing re: Proposed Zoning Code text and map (Zoning Text Amendment ZTA 2016-01 and Zoning Map Amendment ZMP 2016-01)

COUNTY OF NORTHAMPTON
NOTICE OF PUBLIC HEARING
Proposed 2016 Zoning Code text and map
Zoning Text Amendment ZTA 2016-01
Zoning Map Amendment ZMP 2016-01

Notice is hereby provided that the County of Northampton Board of Supervisors ("BOS") and Planning Commission ("PC") will hold a joint public hearing at the Northampton High School auditorium located at 16041 Courthouse Road, Eastville, VA 23347, on March 9, 2016, at 7:00 p.m. The purpose of the meeting is to review comprehensive amendments proposed to the Northampton County Zoning Code (ZC) text and map.

The proposed 2016 zoning code text (PZC) and map amendments (PMA) will:

1. Repeal the ZC text and map adopted on December 8, 2015, and codified as Northampton County Code ("NCC") Chapter 154.1;
2. Re-enact the former 2009 ZC and map, with certain changes, including the inclusion of the Chesapeake/Atlantic Preservation Areas in the map;
3. Re-enact for certain districts the 2000 Zoning Code, with certain changes, as Appendix C;

4. Re-enact for certain districts the 1983 Zoning Code as Appendix D; and
5. Recodify NCC Chapter 158, Chesapeake/Atlantic Preservation Areas (CAP) as Section 154.2-165 et seq. of the PZC and repeal the CAP map adopted on December 8, 2015.
6.

The PZC will replace the 17 zoning districts of the current ZC with 12 primary districts, 19 secondary districts, 4 overlay districts and 3 floating districts, as described herein. The PZC will increase the number of uses requiring a special use permit and will set forth in chart form over 6,000 specific uses as compared to lists of general or categorical uses contained in the current ZC. Certain parcels now designated R, R1, R3, and R5 will revert to the 2009 Existing Subdivision primary district, to be renamed "Existing Subdivision/Residential" (ES/R). The "Existing Subdivision" districts will be governed by the former 2000 or 1983 zoning ordinances, as applicable, which are proposed to be reenacted and set forth as Appendices C and D to the PZC. Certain parcels now designated Commercial or Industrial will revert to Existing Business or Existing Industrial. All districts designated "Existing" are not to be expanded and no other parcels may be rezoned to those categories. Apartments, townhouses and duplexes are not permitted of right in any district.

§§154.2-001-004 General Provisions. Addresses authority, intent, purpose, definitions and general conditions of the zoning code. Provides definitions for numerous terms contained in the PZC.

§154.2-004 - General Conditions. Recognizes that previously adopted provisions in conflict with the proposed revisions are to be replaced and that the granting of a County permit/certificate does not guarantee land and/or structure development. Formalizes policy that handicapped/disabled persons are not to be excluded from the benefits of residential surroundings.

§§154.2-020-026 Zoning Administrative Structure Established. Establishes the powers and duties of the Zoning Administrator (ZA), including obtaining inspection warrants; the powers and duties of the site plan review agent; authorizes the board of zoning appeals and historic review board; authorizes filing fees; and the enforcement of regulations and appeals.

§§154.2-040-045 Permits and Procedures. Identifies and explains when zoning clearance approvals are required; application requirements for clearances; ; states when a certificate of occupancy is required and that ZA may make inspections; distinguishes between major and minor special use permits (SUPs) depending upon character and intensity of use and potential impacts on adjacent and nearby properties; sets forth SUP submission requirements, review process, and timetable; states that conditions can be imposed by BOS; states submission and processing requirements for zoning map and text amendment applications; sets forth proffer submission and review process; states criteria for site/development plan review, including submission requirements, processing procedures, and minimum required standards and improvements for plan approval.

§§154.2-060-067 General Regulations for all Zoning Districts. Requires that densities and setbacks comply with zoning code requirements; establishes standards for temporary emergency housing, temporary family health care structures and temporary construction structures; provides that wetlands, coastal primary sand dunes, and water areas are excluded from minimum lot area calculations, prohibits double- and reverse-frontage lots.

§§154.2-080-085 Establishment of Zoning Districts and Maps. Establishes 12 primary, 19 secondary, four overlay and three floating zoning districts, descriptions of which are set forth immediately below (D = density; DU=dwelling units; max=maximum; A=acres) and statements of intent for these districts; provides that zoning text and map are a unified document; sets forth establishes zoning map.

1. Conservation Primary District (C). This proposed primary district is located within the Atlantic Ocean coastal areas, limited Chesapeake Bay coastal areas and limited unique upland coastal areas to protect natural resource and important habitats. Max D is 1 DU per 50 A. All single-family dwelling ("SFD") housing types are permitted; multi-family dwellings ("MFDs') are not permitted.

2. Agriculture/Rural Business Primary District (A/RB). Preserves prime agricultural soils, maintains the County's rural character, provides for areas in which the agricultural and forestry industries of the County may freely practice and provides for low impact density. Max D is 1 DU per 20 A with an alternative open space bonus density option allowing a max D of 1 DU per 10 A with a minimum lot size of 1 A and open space of 85%. All SFD housing types are permitted, including manufactured single-wides. MFDs housing types such as apartment and townhouses are not permitted and duplexes are allowed by SUP.
3. Hamlet/Residential Primary District (H/R). Recognizes small, typically crossroads settlements of historic or cultural significance which over the years have taken the form of primarily residential neighborhoods and provides a mix of residential and low-impact commercial uses compatible with a rural setting and supports a variety of housing options. Max D is 2 DU per 1 A. SFD housing types such as on-site construction, manufactured double or triple-wides and modular are permitted. Manufactured single-wides are allowed by SUP; MFD types such as duplexes and apartments allowed by SUP and townhouses are not permitted.
4. Waterfront Hamlet/Residential Primary District (WH/R). Recognizes and provides for the continued existence of small, traditional residential and working waterfront hamlets. Max D is 2 DU per 1 A. SFD housing types such as on-site construction, manufactured double or triple-wides and modular are permitted; manufactured single-wides allowed by SUP; MFD housing types such as duplexes and apartments and townhouses are not permitted.
5. Village District Primary (V). Recognizes traditional villages and provides for a mixture of residential and neighborhood business uses compatible with a rural village setting. Village (V) is further classified into three secondary districts: Village-1 (V-1), Village/Residential (V/R) and Village-Neighborhood Business (V-NB).

a. Village-1 Secondary District (V-1). Provides transition and potential future growth area between adjacent principally agricultural areas and the more intensely developed residential village areas with a mixture of farming activities and low density residential uses for potential population expansion that is in keeping with a rural lifestyle. Max D is 1 DU per 20 acres. SFD housing types such as on-site construction, manufactured double or triple-wides and modular are permitted; manufactured single-wides are allowed by SUP; MFD housing types such as duplexes are allowed by SUP and apartments and townhouses are not permitted.
b. Village/Residential Secondary District (V/R). Provides residential lots large enough to accommodate both individual water systems and sewage disposal systems on the same site. Max D is 2 DU per 1 A and 4 DU per 1 A by SUP. SFD housing types such as on-site construction, manufactured double or triple-wides and modular are permitted; manufactured single-wides are allowed by SUP; MFD housing types such as apartments, duplexes and townhouses are allowed by SUP.
c. Village-Neighborhood Business Secondary District (V-NB). Recognizes small neighborhood commercial areas already established in the rural villages and provides for additional small neighbor-serving commercial areas. Max D is 2 DU per 1 A and 4 DU per 1 A by SUP. SFD housing types such as on-site construction and modular are permitted by SUP; manufactured double or triple-wides and single-wides are not permitted. MFD housing types are not permitted.

6. Waterfront Village Primary District (WV). Recognizes distinct traditional waterfront villages and provides for a mixture of residential, commercial, and limited agricultural uses that are designed to serve and support waterfront village residents and the local economy with traditional seafood, farming, and related industries. Four secondary districts are proposed: Waterfront Village-1 District (WV-1); Waterfront Village/Residential District (WV/R); Waterfront Village-Neighborhood Business District (WV-NB); and Waterfront Village-Waterfront Commercial District (WV-WC).

a. Waterfront Village-1 Secondary District (WV-1). Provides for low-density rural housing while recognizing existing aquaculture and farming activities. Max D is 1 DU per 20 A. SFD housing types such as on-site construction, manufactured double or triple-wides and modular are permitted. Manufactured single-wides are allowed by SUP. MFD housing types such as duplexes are allowed by SUP; apartments and townhouses are not permitted.
b. Waterfront Village/Residential Secondary District (WV/R). Provides a mix of housing types, with single-family units predominating, which are compatible in scale with the traditional characteristic of the village. Max D is 2 DU per 1 A. SFD housing types such as on-site construction, manufactured double or triple-wides and modular are permitted. Manufactured single-wides are

allowed by SUP. MFD housing types such as apartments, townhouses and duplexes are allowed by SUP.

c. Waterfront Village-Neighborhood Business Secondary District (WV-NB). Recognizes existing commercial areas and allows for environmentally low-impact commercial activities. Max D is 2 DU per 1 A. SFD housing types such as on-site construction and modular are allowed by SUP. SFD and MFD are not permitted.

d. Waterfront Village-Waterfront Commercial Secondary District (WV-WC). Provides for low-impact commercial uses which must be located on the waterfront due to the intrinsic nature of the activity. No density is designated in this district. SFD and MFD are not permitted.

7. Existing Cottage Community/Residential Primary District (ECC/R). Recognizes existing rural residential development located on or near the water, pre-dating the Northampton County's adoption of a zoning ordinance or developed under old zoning regulations, and which are not served by public utilities. Surrounding A/RB or C Districts may not be rezoned to ECC/R district. Max D is 2 DU per 1 A. SFD housing types such as on-site construction and modular are permitted are allowed by SUP. Manufactured double or triple-wides and manufactured single-wides are not permitted. MFD housing types are not permitted.

8. Town Edge Primary District (TE). Provides potential development areas adjacent to incorporated towns which may, in the future, be served by extensions of public water and sewer services from the towns. Four secondary districts are proposed, with two mapped initially and two potentially available upon rezoning: Town Edge-1 District (TE-1); Town Edge/Residential District (TE/R); Town Edge-Neighborhood Business District (TE-NB); and Town Edge Commercial General District (TE-CG).

a. Town Edge – 1 District (TE-1). Provides for a mix of farming activities, low density residential, and other low-impact uses at a density/intensity higher than that of the surrounding agricultural areas, but lower than may be appropriate in the TE/R district. Max D is 1 DU per 5 A. SFD housing types such as on-site construction, manufactured double or triple-wides and modular are permitted. Manufactured single-wides are allowed by SUP. MFD housing types such as duplexes are allowed by SUP; apartments and townhouses are not permitted.

b. Town Edge/Residential Secondary District (TE/R). Provides for a mix of residential, home business, low-impact commercial and community service. Max D is 1 DU per 2 A and 5 DU per 1 A by SUP if central water and sewer are provided. SFD housing types such as on-site construction, manufactured double or triple-wides and modular are permitted. Manufactured single-wides are not permitted. MFD housing types such as apartments, townhouses and duplexes are allowed by SUP. No land is currently mapped in this secondary district.

c. Town Edge-Neighborhood Business Secondary District (TE-NB). Provides for neighborhood-scale commercial, community service, very light industrial, and residential uses at a density higher than that in the TE-1 and similar to that of the adjacent town. Max D is 1 DU per 2 A and 5 DU per 1 A by SUP when central water and sewer are provided. SFD housing types such as on-site construction and modular are permitted by SUP and manufactured double or triple-wides and single-wides are not permitted. MFD housing types are not permitted. No land is currently mapped in this secondary district.

d. Town Edge-Commercial General District Secondary (TE-CG). Provides for a mix of commercial, community-service, and light manufacturing/industrial uses adjacent to incorporated towns and at a density similar to that of the adjacent town. No density is designated in this district. SFD are not permitted in this district. MFD housing types such as apartments are allowed by SUP and townhouses and duplexes are not permitted.

9. Existing Business Primary District (EB). Recognizes commercial uses and zones outside of V, W V, H/R, WH/R, and TE Districts which already exist, EB may not be enlarged after October 21, 2009; however, a use being performed within EB may expand to the lawful limits of the existing site. No density is designated in this district. SFD housing types are not permitted in this district. MFD housing types such as apartments are allowed by SUP and townhouses and duplexes are not permitted.

10. Existing Industrial Primary District (EI). Recognizes existing industrial uses and zones. EI may not be enlarged after October 21, 2009; however, a use being performed within an Existing Industrial District may expand to the lawful limits of the existing site. No density is designated for this district. SFD and MFD are not permitted.

11. Existing Subdivision/Residential Primary District (ES/R). Recognizes principally single-use, rural residential subdivisions which have been developed or approved for six or more lots on a 50-foot right-of-way or a state road. Properties zoned ES/R as the primary district will retain their zoning assigned on December 28, 2000, or which the property was rezoned between December 28, 2000, and October 21, 2009. All use and dimensional regulations from the 2000 Zoning Code and 1983 Zoning Code shall apply will continue to apply to these developments. No ES/R district is to be expanded and no other parcels may be rezoned an ES district. ES districts may expand to the lawful limits of the approved subdivision plat and plan of development and in accordance with the applicable December 28, 2000, use and dimensional and area regulations.

a. Existing Subdivision/Residential-Agricultural-1 Secondary District (ES/R-A-1). ES/R-A-1 preserves prime agricultural soils and viable farm and forestry operations in areas not served and not intended to be served by public utilities. Max D is 1 DU per 20 A; plus sliding scale bonus lots.
b. Existing Subdivision/Residential-Rural Village-Rural Residential Secondary District (ES/R-RV-RR). Provides a transition area between the principally agricultural areas and the more intensely residential areas of the county. Provides for a mixture of agricultural uses and compatible residential uses of intermediate density in transition areas between agricultural uses and the more intensely residential portions of Rural Villages and areas of population expansion in keeping with rural lifestyle. Max D is 1 DU per 3 A. with a minimum lot size of 20,000 square feet.
c. Existing Subdivision/Residential-Rural Village-Residential Secondary District (ES/R-RV-R). Provides residential lots large enough to accommodate both individual water systems and sewage disposal systems on the same site. Allows limited non-single family uses up to four units per site with on-site water and sewer systems. Allows for the continued use of mobile homes on lots of record in platted subdivisions. Max D is 1 DU per 20,000 sq. ft. with a minimum lot size of 20,000 square feet.
d. Existing Subdivision/Residential-Rural Village-Residential Mixed Secondary District (ES/R-RV-RM) Provides for a variety and flexibility in "villages" as defined in 2000 Zoning Code, through a full range of housing types. Protects the residential character of "villages" from encroachment of commercial and other uses likely to create a negative impact. Max D is 1 DU 1 per 20,000 sq. ft. with a minimum lot size of 20,000 square feet and 10,000 sq. ft. with public sewer and water.
e. Existing Subdivision/Residential-Community Development-Rural Residential Secondary District (ES/R-CD-RR). Provides residential lots large enough to accommodate both individual water systems and sewage disposal systems on the same site in areas which in the future may be compatible with public water and sewer services. Provides a transition area between the principally agricultural areas and the more intensely residential areas of the county. Max D is 1 DU per 1 A. with a minimum lot size of 1 acre.
f. Existing Subdivision/Residential-Community Development-Single-Family Residential Secondary District (ES/R-CD-R1). Provides for single family residential uses at a density sufficient to support public water and sewage systems. Protects the residential character of the district from the encroachment of commercial, industrial, or other uses likely to generate large concentrations of traffic, dust, odor, smoke, light, noise, and other influences which would adversely impact residential uses. Max D is 1 DU 1 per 20,000 sq. ft. with a minimum lot size of 20,000 square feet.
g. Existing Subdivision/Residential-Community Development-Residential Mixed Secondary District (ES/R-CD-RM). Allows greater residential densities in areas served by public water and sewer systems. Provides for variety and flexibility in residential development through a full range of housing types, including apartments, town houses, duplexes, and condominiums. Protects the residential character of the district from the encroachment of commercial, industrial, or other uses likely to generate large concentrations of traffic, dust, odor, smoke, light, noise, and other influences which would adversely impact residential uses. Max D is 1 DU per 20,000 sq. ft. with a minimum lot size of 20,000 square feet and 10,000 sq. ft. with public sewer and water.
h. Existing Subdivision/Residential-Existing Business-Commercial Waterfront District (ES/R-EB-CW). Recognizes commercial uses and zones outside of rural village and community development areas which existed on October 21, 2009 but which are not consistent with the Comprehensive Plan for the future development of Northampton County. Max D is not specified except for Condominiums and residential multi-family structures which are governed by PZC Appendix D Article 11.

12. Commercial District (C-1). Provides places for the conduct of commerce and business as well as providing places of employment with a mix of commercial, community service and very light industrial uses, controls and limits strip commercial development and regulates access to public streets and ensures that commercial uses preserve and protect the groundwater aquifer recharge spine along U.S. Route 13. No density is designated in this district. SFD not permitted in this district. MFD housing types such as apartments are allowed by SUP; townhouses and duplexes are not permitted.

(1) 13. Overlay Zoning Districts: Overlay and apply regulations above and beyond the underlying zoning district requirements. Densities and uses allowed in an overlay district are based upon a property's underlying zoning district.

(2) a. Historic Preservation District (HP) protects historic landmarks, buildings or structures.

(3) b. Chesapeake/Atlantic Preservation District (CAP) implements the requirements of the Code of Virginia to prevent water pollution, promote water conservation and protect the quality of state waters.

(4) c. Airport Protection District (AP) protects safety of air navigation and the public investment in air navigation facilities by preventing the development of activities in the vicinity of airports which could be hazardous to air navigation.

(5) d. US 13 Corridor District (US13CD) enhances the safety, function, and capacity of Route US 13 and designated intersecting highways.

(6) Only the US13CD is depicted on the map that is part of this notice. There are currently no HP or AP Districts proposed to be mapped, and there are no changes being proposed at this time to the current CAP district boundary.

14. Floating Zoning Districts: Floating districts are currently unmapped districts that allow the BOS to consider specific development proposals which would be reviewed based upon detailed development plans proposed by the developer. In such districts, the BOS could supplement or modify the regulations of the underlying zoning district for the property. These districts are intended to promote and allow innovative and creative development projects that are flexible in design, but conform to the goals and objectives of the comprehensive plan. Three floating zone districts are proposed:

a. Mobile Home Park District (MHP). MHP development must be served by approved sewage disposal facilities, have an adequate water supply, have access on a public street, have a density no greater than 2 DU per 1 acre, only allow rental spaces for residential use of at least 30 days and initially be between 5 and 10 acres in size.

b. Solar Energy District (SED) SED districts permit the development and operation of solar energy power generation using photovoltaic cells. The standards and procedures set forth in for this district are designed to achieve a harmonious and efficient layout of structures, circulation, and connection to public utilities on or adjacent to the SED and to ensure that such development does not adversely affect adjoining properties or the county's natural resources. The SED may be located only in the A/RB or EI district.

c. Bayview Planned Unit Development (PUD). The existing Planned Unit Development, known as the Bayview Citizens for Social Justice, will be renamed "Bayview PUD", with all of its unique attributes as created by vote of the Board of Supervisors on August 11, 1999, pursuant to Zoning Map Petition 99-10.

§§154.2-100-119 Supplemental Performance Standards. Provide supplemental requirements and standards, in addition to the applicable zoning district regulations, for marinas; residential development in agricultural districts; airports; domestic and traditional husbandry and intensive farming uses, facilities and structures; wireless communications facilities (towers and monopoles); sets maximum lot coverage requirements for development in all zoning districts except Existing Subdivision (ESD); require easements for dedicated open space; set landscaping and screening requirements, including vegetation installation and protection provisions; sets commercial and industrial road frontage standards based upon roadway classification; set lighting standards for exterior sources and sets standards for ponds; set incentives and standards for affordable housing, by allowing up to a 10% density increase when developers include affordable housing units; provide standards for wind turbines, windmills, meteorological towers and wind energy facilities; provide standards for agritourism activities; provide that accessory dwellings shall not be

counted as a unit when calculating and provides standards for accessory dwellings; allow and provide standards for additional SFDs on one lot.

§§154.2-125-128 Uses, Density and Other Dimensional Regulations. These sections, along with Appendices A & B to the proposed ZC, set forth uses, densities, and dimension/bulk regulations applicable to those districts not governed by Appendices C and D. Appendix A classifies uses into 8 categories: Agricultural; Commercial; Community Service; Industrial; Marine-Related; Recreational; Single-Family Residential; and Multi-Family Residential. Within each use category, specifically-described individual uses are designated as either by right, permitted by major or minor SUP, or not allowed. Appendix B sets forth the max DU, minimum (min) lot width, min lot size, yards/setbacks (front, rear, side & shoreline), max height and max lot coverage applicable to each the proposed zoning districts that is not governed by Appendices C and D. Further, these regulations would allow certain "Home Occupation" and "Adaptive Re-Use Business" commercial uses to take place in residentially-zoned areas, either upon the approval of an SUP or by right.

§§154.2-140-148: Supplemental Regulations. Set forth those cases in which setback and height regulations are or may be modified; prohibits new double frontage lots (lots with frontage on two streets); sets forth additional shoreline setback regulations for lots lawfully created prior to December 28, 2000.

§§154.2-160-165 Overlay Districts. Sets forth and explains the Code of Virginia enabling authority for the County's overlay districts; allow the creation of HP Districts where building or structures officially designated by the Virginia Board of Historic Resources, have an important historic, architectural, archeological or cultural interest or are historic areas as defined by VA Code § 15.2-2201 and are recommended by Historic Review Board (HRB); provides for submission requirements and evaluation criteria are proposed; and appeals of decisions of the HRB. No changes are made to the Chesapeake/Atlantic Preservation District (CAP) other than recodification of NCC Chapter 158 as Section 154.2-165 et seq. The Airport Protection District (AP) regulates the ground lying beneath the airport approach surfaces, airport horizontal surfaces and airport transitional surfaces and airport horizon and prohibits certain uses and structures in an AP district. The US 13 Corridor district (US13C), provides regulations and performance standards with respect to direct access points to U.S. 13 and improvements and planting requirements in the required setback area; requires that whenever feasible from an engineering perspective, access must be from a side street connection rather than directly onto Route 13, subject to VDOT approval; and require redevelopment of nonconforming sites must conform with the adopted regulations.

§§154.2-175-178 Floating Zone Districts. Provides for three floating zoning districts (MHP, SED, and PUD) as described above.

§§154.2-190-195 Signs. No changes to the 2015 ZC sign provisions are proposed.

§§154.2-205 -213 Off Street Parking and Loading: Provides requirements and standards for off street parking and loading.

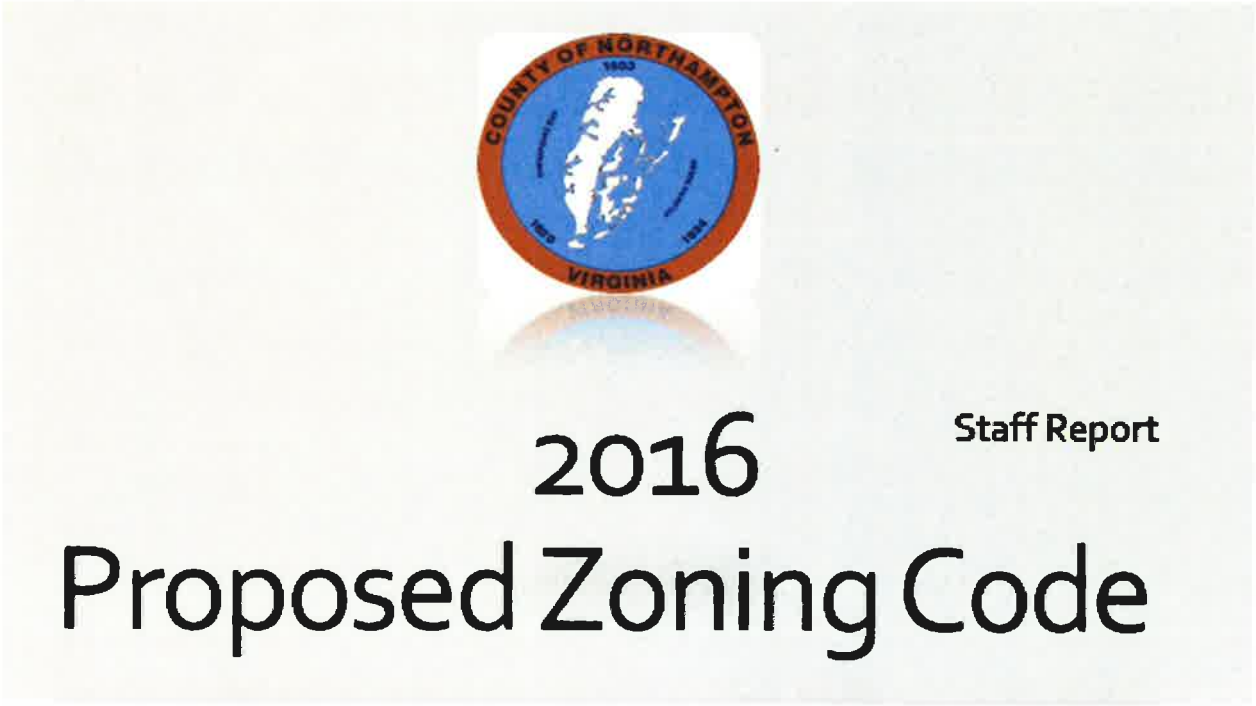
§§154.2-225-230 Board of Zoning Appeals (BZA). Identifies who may apply for variances and the criteria for approving variances, consistent with the Virginia Code; clarifies the record-keeping duties of the BZA; provides that the BZA cannot change zoning district locations; sets forth the process for appealing zoning decisions to the BZA and/or to the Circuit Court.

§§154.2-245-250 Non-Conforming Uses and Vested Rights Policy. Allows lawful nonconformities to continue until eliminated by removal, expansion, enlargement, reconstruction, alteration or discontinuance, and recognizes that nonconformities are not to serve as a basis for changing zoning categories; confirms that ordinary repairs and maintenance are allowed so long as they are to non-structural features; and states that the ZC is not intended to impair vested rights recognized by Va. Code § 15.2-2307.

§§154.2-998 –999 Violations and Penalty. Provides authority to ZA to pursue criminal remedies for certain zoning violations. Provides authority to ZA to impose civil penalties for violations of certain sign regulations.

(The entire text and maps of the 2009, 2000 and 1983 Zoning Ordinances with Proposed Amendments are on file in the Office of the County Administrator and the Planning & Zoning Office, Eastville, Virginia, and are made a part of these minutes as if included in their entirety hereof.)

County Administrator Katherine H. Nunez shared with the Board and Planning Commission the following powerpoint presentation:



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."

2016 Board Resolution

January 12, 2016 Resolution by the Board of Supervisors to repeal the 2015 Zoning, passed December 8, 2015 and revert back to the 2009 Ordinance (which incorporates vested rights for property owners in the 2000 and 1983 zoning) with some significant amendments.

The 2016 Proposed Amendments:

- Add a definition for Agritourism to comply with VA Code.
- Revised District Intent statements to provide more clarity for property owners.
- Reduce requirements for adaptive re-use of buildings for rural business.
- Change most Industrial and Commercial uses in those districts from Special Use Permit (SUP) to By-Right use.
- Revise setbacks for CAFOs, AFOs and Wind Energy Facilities.
- Provide for Accessory Dwelling Units.

Requests to include certain elements of 2015 Zoning in the 2016 code have been received:

- Adopt certain formatting of the 2015 use tables displayed with the specific districts and lists.
- Add "Event Venue" as a use in specific districts.
- Review "Working Waterfront" to promote aquaculture.
- Review Atlantic Preservation sections of the CAP

The following list of uses required a Special Use Permit in the 2009 Ordinance and are proposed to be "By-Right" in the 2016 Ordinance.

In Commercial General/Existing Business/Commercial 1 Districts:

Banks/Financial Institutions	Qualifying Rural Business
Miniature Golf	RV/Camper Sales, Rental
Dance Halls to 5000 sq. ft.	Schools of Special Instruction, 25+ students
Mini-storage Facilities	Tourist Cottages to 12 units
Dry Cleaning/Laundry	Warehousing, incl Moving & Storage
Mobile Home Sales	Colleges/Universities
Flexible Term Rental Units	Hospitals
Motels/Hotels up to 25 rooms	Schools, primary, secondary-public/private
Music Studio	Schools, vocational/technical-public/private
Other Retail Establishment to 25,000 sq. ft.	Telephone Exchange, unmanned
Regional Commercial Center to 20,000 sq. ft.	Sewage Treatment facilities on-site use
Restaurant, outdoor seating, no drive-thru	Waste collection center, public

In Existing Industrial District from SUP to By-Right:

Dance Halls to 5000 sq. ft.	Sewage Treatment facilities
Guide/Outfitter Services	Telephone Exchange, unmanned
Petroleum Products Bulk Storage, wholesale	Telecommunication antennas & towers
Truck Stop	Waste collection center, public

COMPARATIVE PERFORMANCE STANDARDS for Intensive Farming 2015 - 2016

2015 SETBACKS	2016 SETBACKS
300 ft. from all right of ways	**1,000** ft. from a public road right of way
2,000 ft. from incorporated town limits	1,500 ft. from incorporated town limits
1,500 ft. from V, H, ECC, TE districts	1,500 ft. from V, WV, H/R, WH/R, ECC/R, ES/R districts
500 ft. from property lines – may be reduced to 200 ft. if there is 200 ft. of mature woodlands and ammonia scrubbers are used.	1,000 ft. from any property line
2,000 ft. from shorelines and perennial streams	2,000 ft. from shorelines and perennial streams

2015 SETBACKS	2016 SETBACKS
ALL intensive farming uses, structures and buildings must adhere to above setbacks	All manure storage must be 1,000 ft. from any property line
Storage facilities and disposal practices shall be maintained per VA Code	Manure storage must be operational at commencement of the operation
AFOs, CAFOs, etc. must provide documentation to NHCO that proper approvals and permits have been obtained and maintained	Approved Nutrient Mgmt. Plan, Stormwater Mgmt. Plan and E & S Plan must be submitted prior to approval. Operator must submit Contingency Plan for fire, , emergency, public heath and vector control.
Shall be governed by VSWP regulations	

Virginia mandated programs:

- §154.1-611 and Chapter 153 EROSION AND SEDIMENT CONTROLS
- §154.1-612 and Chapter 158 CHESAPEAKE / ATLANTIC PRESERVATION AREAS (CAP)
- §154.1-613 and Chapter 159 FLOODPLAIN MANAGEMENT
- §154.1-614 and VA Code Title 62.1 STORMWATER MANAGEMENT
- §154.1-615 and VA Code Title 10.1 DAM SAFETY
- Chapter 151 and VA Code Title §28.2 151 WETLANDS
- Chapter 152 and VA Code Title §28.2-1400 COASTAL PRIMARY SAND DUNES

Note: All of the above are enforced at the local level

OTHER LOCAL LAND USE REGULATIONS ASSOCIATED WITH ZONING CODE REQUIREMENTS FOR SITE PLANS:

Chesapeake / Atlantic Preservation Areas (CAP)

Development projects on properties located within the CAP are required to submit and implement a site plan that includes an approved erosion and sediment control plan and stormwater management plan when the project involves 2,500 sq. ft. of land disturbance. All lands within in the Chesapeake Bay watershed are required to be placed in the CAP. Lands within the Atlantic Ocean watershed are not required to be placed in the CAP. Northampton County has chosen to include both the Chesapeake Bay and Atlantic Ocean watersheds within their CAP.

Note: These requirements DO NOT CHANGE in 2015 or 2016

Erosion and Sediment Control
VA State Regulations – Enforced by local Ordinance

Development projects on properties located **within the CAP**:

Required to submit and implement a site plan that includes an approved erosion and sediment control plan reviewed by Northampton County Zoning Administrator and signed off by certified engineer when the project involves 2,500 sq. ft. of land disturbance

Development projects on properties located **outside the CAP**:

Required to submit and implement a site plan that includes an approved erosion and sediment control plan reviewed by Northampton County Zoning Administrator and signed off by certified engineer when the project involves 10,000 sq. ft. of land disturbance

Stormwater Management
VA State Regulations

Development projects on properties located **within the CAP**:

Required to submit and implement a site plan that includes an approved stormwater management plan reviewed by Northampton County and signed off by a certified engineer when the project involves 2,500 sq. ft. , but less than 1 acre of land disturbance

Development projects on properties located **outside the CAP**:

Required to submit and implement a site plan that includes an approved stormwater management plan reviewed by the VA Department of Environmental Quality (DEQ) when the project involves 1 acre or more of land disturbance

DEQ has up to 75 days to review and approve/reject the site plan.

Timeline after tonight

- Planning Commission has been given 43 days to review the Proposed Zoning (calendar started February 2, 2016)
- March 16, 2016 is the deadline for the Planning Commission to provide a recommendation to the Board.
- Following tonight's public hearing, the public comment period will close for comments to be made part of the public record.
- As always, citizens can continue to submit comments, and specific suggestions for later review to be considered by staff, the Planning Commission and Board of Supervisors.

* * * * *

At this time, Chairman Murray asked if the Board or Planning Commission had any questions relative to the powerpoint.

After Planning Commissioner Dixon Leatherbury confirmed that this was the only presentation as well as the only presentation of materials to the general public, he indicated that he felt that the presentation fell short from what is usually seen from staff. He said that he saw no comparisons between the two ordinances relative to districts, no mention of multi-family housing or special use permits being required for mobile homes. He said that the public has not been well-enough informed on these sweeping zoning changes.

Chairman Murray responded that he thought the presentation did a good job and that all of the proposed ordinance materials have been posted on the County's website. He said that the Board will review every comment and every recommendation that will be provided by the Planning Commission and may not vote on March 28th as outlined by the adoption calendar.

Planning Commissioner Kay Downing agreed with Mr. Leatherbury and said that she thought the presentation was very slight in nature and did not cover many of the issues.

Planning Commissioner Mike Ward said that normally zoning applications are reviewed by the Planning staff and he questioned if this presentation constituted a staff report. Ms. Nunez responded that the powerpoint presentation was reviewed on behalf of the Board and that the Planning staff may perform additional review and analysis to address concerns of the Planning Commission.

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

Mr. Robert Colson read the following comments:

My name is Robert Colson, I live at 19328 Seaside road, Cheriton, VA

I would like to read a portion from an email I received that was sent out by our opposition.

_ IN CASE ANY ONE HAS BEEN CAUGHT NAPPING, THE DEVELOPERS WHO SEEM *DELIRIOUS* IN THEIR *PANIC* THAT THE 2015 ZONING MAY BE OVERTURNED, HAVE PUT A FULL COURT PRESS ON TO CONVINCE THE PUBLIC (AND THEIR TENANTS AND WORKERS!) THAT THE 2015 ZONING WILL BE NORTHAMPTON COUNTY'S ECONOMIC SALVATION! YOU HAVE SEEN THE SIGNS, YOU HAVE SEEN THE FULL PAGE ADS, AND YOU HAVE SEEN THE LETTERS TO THE EDITOR. AND THERE IS A PETITION BEING CIRCULATED BY LOCAL BUSINESS OWNERS THAT IS DESIGNED TO PANIC LOCAL CITIZENS INTO BELIEVING THAT THE 2015 ZONING ORDINANCE MUST BE RETAINED OR NORTHAMPTON COUNTY WILL FALL INTO AN ECONOMIC ABYSS.

Bla...Bla...Bla...

I am here to tell you folks that no developers are involved in the "Keep 2015 Zoning" movement. Never were and never will be.

Just farmers, who want to build a produce cooler or tractor shed or dig a pond, business owners who might want to expand and concerned citizens. Basically, your neighbors.

The special interest groups are so off base they don't even know who their opposition is. This is the type of falsehoods and propaganda that the special interest groups like the CBES and Shorekeeper put out about us and the 2015 Zoning Ordinance. The majority of the tax payers did want zoning change. They said it at the March 2014 public hearing and they are saying it again tonight.

As far as the signs and ads go, we bought them, and put them up, not developers, but private citizens of Northampton County. The tenants and workers mentioned in the email, were men who were laid off because a stop work order was impose on the job they were working on due to the lengthy zoning and building permit process in the county. They are also property owners, tax payers and citizens of Northampton County. They are not second class citizens.

Our opposition has got so desperate that they have been stealing our signs. Go to Indian town road and RT 600 and you will see where one farmer painted a yellow dump truck "Keep 2015 Zoning" because his signs had been stolen 3 times. That's sad, but our opposition has shown their true colors.

I got my project going under the 2015 zoning and now I am fighting for the next guy who needs to do a project.

I am also here tonight to put Ken Dufty, Robert Kellam, David Kabler, Mary Miller, Bob Meyer, Martina Coker, Jay Ford, the CBES and Shorekeepers on notice that they have imposed their individual will upon this county long enough and we, the silent majority awakened, are here to take it back.

Read, and put into the public record March 9, 2015

Mr. Kyle Sturgis read the following comments:

3/9/16

Good evening. My name is Kyle Sturgis and I live at 3351 Eyre Hall Dr. Cape Charles. I would like to start off by saying thank you for the opportunity to speak tonight. Many of you if not all of you on the board know my family. My father and mother, Steve and Sherry Sturgis were both raised right here in Northampton County. My Grandparents on both sides of my family were and currently are residents of Northampton County and my Great Grandparents on my dad's side were even born and raised here.

The reason I say all this is because our roots run deep here in Northampton County. Just like the crops my family grows on our farm. I would like to keep it that way I would like to look back and be able to have my kids someday say the same thing and take pride in where they come from.

It took me moving away to Richmond and getting married to realize how much I missed this place so I moved back but I can tell you that my wife and I have had serious doubts since moving back if we made the right decision. $8.78, $4.61 and $3.58 these are the current prices of soybeans, wheat and corn all at historic lows. As a Young farmer these numbers do not instill hope in me for a bright future with that being said, young farmers all over the country are having to diversify their farms and farming operations in order to make a living. For a county that is so pro Agriculture I would think we would want to have growth and development especially along the route 13 corridor. Keeping the 2015 zoning would help with this. We need new businesses to help create jobs and take some of the tax burdens off of the farmers so we can keep farming and having the farm land that people love seeing. This would also help locals such as myself and my brother who have ideas to help this county through agriculture related businesses by bringing in revenue and jobs but I will be honest with you this new proposed Zoning ordinance is so difficult and confusing that you are making it impossible for any young person who has a dream of owning their own business and bettering this county and themselves to have any chance at

making it. Is anything in this life perfect? No, but if we spend our lives looking in the rearview mirror there is almost a 100% chance we are going to crash and burn. We need to be looking ahead to the future. know I am. I feel that by keeping the 2015 zoning and amending it with community input as we go along is the proper course of action and I know I am not the only one in this room who feels this way.

I would like to leave you with a quote " A sensible and safe use of the route 13 corridor is necessary for commercial growth. Lankford Highway is a linear city that we must utilize to generate revenue for the county budget. We need to create new light commercial businesses with 10 to 50 jobs per business in the short term as our most realistic approach to this end."

This was a quote from Supervisor Spencer Murray during his presentation to the comprehensive plan advisory committee in September of 2011. Mr. Murray I hope you take these words you said to heart and retract the proposed zoning ordinance. Thank you for listening to me tonight and I would like for this to be place into the public record. Thank you again.

Ms. Elaine Beall said that everyone needed to be civil, respectful and to practice compromise; they do not need to intimidate each other. She then read the following letter from Mr. Barry Downing, Jr., who could not attend the meeting:

1

March 9, 2016

I regret that I cannot attend tonight's meeting since I am at a Cheriton Town Council meeting.

This letter is not written to point fingers at anyone. I feel that the Board of Supervisors wants the best for this county as each member wouldn't be giving their time and energy to serve the public.

It's a fact that at most of the Board meetings this past year the same 8 or 9 people have addressed the Board and the Board listened making dozens and dozens of modifications and edits to the adopted 2015 Code. Now that Code is proposed to be rescinded, even though the Board took into account those suggestions made by that handful of outspoken people.

Most of the people opposed to the 2015 Code have chosen to locate here and many have retired here from other localities where they worked at good paying jobs and careers. They wanted to get away from high taxes, unfettered growth and the hustle and bustle of city life and we welcome them as long as we can come together for the good of all.

BARRY DOWNING

Others who have spoken in opposition are blessed to be natives here, but don't want to see change because they are also in a good financial position. Other people, the blue collar workers, want to continue to live here but they need job opportunities and housing options. They want to remain here along with their children and generations to come. Without the basics of affordable housing and livable wages this county is going in the wrong direction. Small business owners need to be able to expand their businesses without being "put through the ringer". I want to believe that the American dream is still alive and that people can find jobs in Northampton County that provide livable wages so that they can buy a home and retire here in comfort as well.

It is my opinion that the 2015 code may not be perfect but neither is the proposed 2016 Code which is the adoption of 3 different zoning codes no matter how it is described. The 2015 code is a start in the right direction and it can still be modified through the proper process. It's time for Northampton County to look forward ... to move forward.

This county is now facing a need for more emergency services and new or refurbished schools. Who is going to pay for all of this? It's time to expand our tax base and to welcome opportunities that pay livable wages. Let's not put our taxpayers through the ringer. Let's not stifle business prospects any longer.

If everyone here cared enough to show up tonight then everyone here can surely compromise and work together to make the 2015 Code better. The Board represents everyone here and many who are not. Just because the poor or other demographic groups may not be present tonight doesn't mean that they should be forgotten or marginalized. It is up to the Board to hopefully move this county forward and to encourage economic growth.

Attached are statements from the CPAC report made by Supervisor Murray in Sept. 2011 that I submit as part of my statement and for the record.

Respectfully,

Barry Downing, Jr.

21292 Pineview Street, Cheriton, VA

Mrs. Christine Tankard questioned why the 2015 is being so quickly repealed; it does not seem ethical. In fact, she did not even realize that the 2016 amendments were being worked on. She said that the 2009 version was too complicated. She asked how many Board members have read the 700+ pages of proposed ordinances and can explain it to her. She suggested that the Board use the Comprehensive Plan and the comments as provided to the Planning Commission for any needed changes.

Mr. Mark Newman said that he was in favor of retaining the 2015 ordinance and relayed some of his experiences in trying to do projects, both large and small, under that zoning. He said that the County needs new businesses and expansion of existing ones.

Ms. Katherine Campbell read the following comments:

great!" Well, you changed it by adding 23 pages of new code in January. And they're okay with your changes. Were they wrong then? Or are they wrong now?

The 2009 code was in response to a valid fear at the time of unchecked growth. The opposition is also based on fear, and has fanned the flames of fear. Fear that the county will somehow be ruined from its current wonderful state. I saw this notice. The county is not in a wonderful state. The 2009 ordinance was made in fear and is being kept -with modifications, out of fear. Fear should not be the driver of public policy. Why empower fear when the facts are clear!

Please keep the 2015 ordinance. Thank you.

Submitted by Katherine Campbell 3/9/2016

Good evening. I am in favor of keeping the 2015 Zoning Ordinance, or amending if it needs changes, rather than tearing it up and throwing it out. Some opponents of the 2015 zoning have said that it takes away their property rights because they say they want to control what their neighbor does. Those aren't property rights. Those are meddling rights. Property rights are what Americans can do with their own land that the government doesn't outlaw. Public policy and the courts lean in favor of the least restrictive landowner rights. It's what separates America from all the other countries in the world.

The 2009 code was written in response to a valid fear that Northampton County could become the bedroom community of Hampton Roads. Bay Creek was booming. The Eastville Inn had a line out the door waiting for tables. The County was humming with activity. But the 2009 ordinance put the brakes on too hard. If only 1/10th of 1% of Hampton Roads residents had moved to the County it would be 1,000 people. But instead, we've lost population.

Northampton County is becoming the bedroom community of Accomac County. Accomac provides the jobs and collects the business taxes, Northampton provides the schools, the buses, the teachers, public safety, public works, and all the services our taxes pay for.

Sometimes, when the Fed raises interest rates to curb inflation, it backfires and kills the economy. So they make a correction. The 2009 zoning, though well-intended, backfired and the last board had the foresight to make a correction. They introduced it to the public in early 2014 and tweaked it for almost two years based on public comments, before passing it in 2015.

They looked at 2009's myriad minor uses that always got approved and thought 'why put a job creator through all that?" Save special use permits for those uses that could be obnoxious to the public, or could affect property values, and make the minor, benign uses by-right, but prescribe setbacks, landscape screens, parking restrictions and other restrictions to protect nearby properties.

All along, a small, angry and vocal group of opponents were against making any changes whatsoever to the 2009 code. Relentlessly, consistently, it was always "No Changes!" "Do not change 2009!" "It works

Mr. Steve Sturgis read the following comments:

March 9, 2016

Steve Sturgis
2403 Savage Neck Dr.
Eastville, VA 23347

Good evening Chairman Murray and other Board of Supervisor members and Planning commission members.

First I would like to say that I do support keeping the 2015 zoning. Although I recognize that it is not a perfect document and it does need some changes, I feel that it is something we can work with. We were under the 2009 zoning for 6 years and I don't see where that has helped us at all. We need a zoning ordinance that allows for more local businesses and light industry to broaden our tax base. I am one of the fortunate ones to have lived here all my life. I remember when we had 3 vegetable processing facilities, 2 clam shucking plants, a shirt factory and at one time we even had 7 locations to buy gasoline on Courthouse Road. 4 years ago I tried to diversify my agricultural operation but was unable to do so due to the cumbersome regulations of the 2009 zoning. This was not just one request on one parcel, but several requests on different parcels within the county and each time I was told it was not allowed even though more intensive uses were permissible on those properties.

I also question the way in which the material for tonight's meeting has been presented on the county website. When reviewing the proposed 2009 document, I noticed that the text of the irrigation pond standards (154.2-111) has significantly changed from the 2015 (154.1-308) without any acknowledgement of the changes. This just happens to be a section that I am familiar with and makes me wonder, what about the other sections? Unless an individual had the time to read and compare the two documents section by section you would never know what has been changed.

I urge you tonight to not rescind the 2015 zoning, but slow down and take the time to work with it and make necessary changes as needed but show all deletions and additions.

Mr. Murray, last week in a meeting you stated to us that you felt that the 2015 zoning was "rammed down our throats". The 2015 zoning changes were made over a course of 3 years with many opportunities for the public to voice concerns. This amended 2009 proposed zoning that you may vote on has only had a life of 3 months for public review. That is ramming down our throats.

Mr. Robert C. Richardson said that the zoning ordinance is a complete mistake and should be trashed. He said that the County only needs four zones: agricultural, commercial, industrial, and residential. He noted that people cannot understand this volume of paperwork and that the Board needs to bring jobs back to the County.

Mr. Wayne McCoy asked the Board to retain the 2015 zoning, calling the mass migration of people out of the County as a sign of the failed 2009 ordinance. He said that the County cannot survive on eco-tourism and needs a strong tax base to offset increasing taxes.

Mrs. Martina Coker read the following comments:

Martina Coker Comments to Board of Supervisors March 8, 2016

Please place these comments in the public record.

I would like to commend the Board for presenting a resolution to repeal the 2015 Zoning Ordinance and would like to encourage the entire board to support this proposal. The danger of pushing through a poorly thought out document is too great to allow the 2015 Zoning Ordinance to remain in place. A local developer even acknowledged at a recent Supervisor's Town Hall meeting that the Zoning Ordinance was voted in with much work left to be done and he was not happy with the impact on his own property.

An audience member at that Town Hall asked a good question. What has the 2009 Zoning Ordinance done to benefit the County?

The Comprehensive Plan and the Zoning Ordinance set a direction for the County. Two areas of potential growth in the 2009 Comprehensive Plan are Aquaculture and Tourism. This direction was based on community input and data, including feedback from experts recommending an economic strategy based on capitalizing on the natural assets of the community. The Zoning Ordinance was then developed to support managed growth, based on factors within the Comprehensive Plan, including support of these industries.

Has this been positive for the County? The answer is yes.

Tourism

The Eastern Shore is the fastest growing region in the state for tourism for the second year in a row. Visitor spending was over $250 million, resulting in more than $6.5 million in lodging, meals and sales tax. Tourism jobs increased 9% with and increased payroll of 21%, indicating increasing salaries for that sector. This success is possible because the Eastern Shore currently provides what tourists are looking for, in terms of authenticity, local flavor, and a sense of place, and a rich local culture.

How does this help the County? By focusing on tourism, our County has an influx of approximately 5,000 people into the County on a seasonal basis. Tourists visit, spend money throughout the County, and do not utilize much in the way of County resources. So, municipalities realize revenue and people have jobs.

Growth in this area has led to a huge expansion at the old Sunset Beach Resort. The capacity at this resort is approximately 1,800 people in the tourism season, with an additional 85 jobs being added. This is all occurring under the 2009 Zoning Ordinance.

There is a balance that is beneficial for County citizens in relation to tourism. Becoming like Ocean City, as the County Administrator has recommended would increase infrastructure costs and decrease the quality of life cherished by the people who actually live here, while harming what makes us special enough to visit.

Aquaculture

The aquaculture industry continues to grow, able to thrive in the pristine waters surrounding us. Northampton County shellfish farms and commercial fishermen harvested over $42 million of seafood products in 2013. The resultant economic impact is estimated at over $97 million in output, supporting 987 jobs and generating household and business incomes of $27.1 million. This is an industry dependent on clean water. Keeping that water clean requires a sensitive balancing act, and careful thought must be given to development that could affect that balance.

New Businesses and Employment:
It is highly unlikely that we will attract large employers to our geographically isolated peninsula, however we can attract telecommuters with improved internet services, attract new small businesses and support those that we already have. The past few years have shown a number of new businesses throughout the County with 42 new start-ups in 2013, 48 in 2014, and 31 in just the first 2 quarters of 2015, according to the Virginia Commission Community profile.

Virginia Employment Commission Community Profile
New Start Ups

	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Total
2013	11	9	6	14	42
2014	10	13	6	19	48
2015	16	15	No data	No data	31 (Six months)

We recently experienced a severe recession in our country, and our County was not immune, however we are now seeing a very positive trend in terms of growth.

The first six months of 2015 show good employment growth in the County, with an average increased growth in employees of 10% in each of the first six months comparing 2013 to 2015.

Quarterly Census of Employment and Wages
Bureau of Labor Statistics

	JAN	FEB	MAR	APR	MAY	JUN	ANNUAL
2013	4091	4055	4209	4416	4579	4992	4913
2014	4179	4172	4302	4493	4800	5065	5065
2015	4582	4555	4598	4885	5065	5259	
% change	12%	12.3%	9.2%	10.6%	10.6%	6.2%	3%

Growth in the current Comprehensive Plan is encouraged in and around towns and this focus has assisted with growth in Cape Charles, as an example, by bringing businesses into town rather than having an unplanned and inefficient spread of businesses along Route 13, which is acknowledged to have extreme safety issues. Cape Charles has flourished, with many businesses established and thriving and a new mixed use center being constructed. Exmore has stabilized its financial situation with a focus on fiscal responsibility and open communication with constituents. How does this help the County? Although the municipalities are separate and distinct, the people who live in and visit them are part of the same community, moving beyond municipal borders sharing expertise, a sense of community, commerce, and revenue.

Construction:
Our census numbers are indeed decreasing and are projected to continue to do so, as in most rural areas.

One interesting dynamic that we have is that many people in the County have a primary residence elsewhere and are therefore not included in the census, but they do pay property taxes. It would be very helpful for staff to evaluate the impact of this trend.

According to the Planning and Zoning Department the value of building permits is increasing, showing a shift from renovation to the building of new homes. The number of building permits increased 133% from 2009 to 2012. Updated figures should be elicited and systems put in place for ongoing analysis.

Existing home sales have also been strong and are increasing.

People are retiring here and the stated reason that they are coming is consistently "the natural beauty, peace and quiet."

We have over 5,000 approved lots in the County currently available. That will allow a lot of building for a long time.

So the answer is that the 2009 Comprehensive Plan provided the blueprint for demonstrated growth in the County which capitalized on our natural assets and the 2009 Zoning Ordinance set the related land use plan in place. Growth HAS been demonstrated in the County, supported by this blueprint for growth despite living through a recession.

Do we have problems that need to be addressed? Yes, underperforming schools, an inadequate workforce, strain on emergency services, and a large existing debt load, and regulations that restrict development at times (and zoning is often incorrectly stated as the issue in these cases). Will the 2015 Zoning Ordinance fix these issues....No. The benefits of this ordinance have never been clearly articulated and the reality is that the 2015 Zoning Ordinance has the very real potential to undo progress that has been made.

Changes to a Zoning Ordinance can be made via Zoning Text Amendments. This process can be used at any time and the staff should educate the public regarding this option.

I am providing this list of new businesses that have started up since the last revision of the Comprehensive Plan.

Let's move on, with the approval of this resolution and use our energies to continue this progress and to solve the real challenges that we have.

Exmore
Two hotels. Holiday Inn and Hampton Inn
Verizon store
Quilt Shop
Eastern Shore Beauty Academy
Waterford Printers
Wachina Company Antiques shop
Well Played-Video Gaming Store
Hospice Thrift Shop
Dollar Store
Tractor Supply coming soon
Regional Flea Market planned
Community Center Planned

Cape Charles
2 Hotels- Cape Charles Hotel and Hotel Blue- and one being renovated

2 Bed and Breakfasts
Gull Hummock Gourmet shop
Brown Dog Ice Cream shop
Cape Charles Collision and Towing Auto Body Repair
Eastern Shore Custom Carts-Golf cart sales/repair
Jet ski rental
Cape Charles Yacht center
40 Additional slips at the Harbor
The Shanty restaurant

Gift/Home decor shops- 5
Art Galleries- 2
Periwinkles- Consignment store
Drizzles- Olive Oil shop
Jewelry Store
Sweet Annie's-Chocolate Company
Best Nest-Furniture/Accessories store
Shore IT-Computer Services
Credit Union
Northampton Firearms
Florist
Christian School
Mixed use area to be built starting 2018

Eastville
Prizes- Home Décor
Northampton Seafood-Crab picking/seafood sales
Eastville Fire Department Thrift Shop

County
Eastern Shore Events and rental company
Cape Charles Animal Hospital
Numerous property rental companies and related businesses
Rental homes (one site had listing increase from 52 listings in 2011 to 115 this year)
Broadband- 2 companies. Neubeam and Eastern Shore Communications
Numerous food prep businesses (Caterers, bakeries)
Organic farms
Restaurant coming to Kiptopeke area
Conference Center (Mimosa Farms)
Nautical Themed shop
Nottingham Seafood
Randy and Sandy's Seafood
Montessori School
Day Care Center
Eastern Shore Rurual Health is planning an expanded facility near Eastville

Oyster
Restaurant in planning stages
Dock Fueling approved

Cheriton
Eastern Shore Signs- Started in Cape Charles and outgrew location and moved to Cheriton

Jacob Parks Personal Training/The Cheriton Gym
Bayside Rehabilitation
Chatta Auto Repair
Yoga Studio

Expanded Businesses
Bayshore Concrete
Wagner Brothers
Northampton Lumber
Aquaculture- Virtually all businesses involved in this industry
All Rental Property Management Companies

New Initiatives
Oyster Trail
Artiste Trail

Thank you for your consideration

Martina Coker
1530 Elliotts Creek Lane
Cape Charles, VA

Mrs. Sarah Colson read the following comments:

My name is Sarah Colson I live at 19328 Seaside Road, Chincoteague

I would like to quote, a wise statesman of our county.

"To deny the revenue possibilities associated with managed commercial growth is to strangle the county's future and further transfer the tax burden to personal property and real estate, a trend that has increased from 64% of revenues to 79% of revenues since the year 2000. <u>This Inconvenient truth must be acknowledged.</u> Counties, like corporations, stagnate and die when they fail to innovate and grow, losing market share and an economic reason to exist."

This was Supervisor Spencer Murray's comment in his presentation to the Comprehensive Plan Advisory Committee in September 2011.

There is no way that his words can become reality under this proposed zoning ordinance.

Keep 2015 Zoning!

Thank you, I would like this placed into the public record.

(Then hand it in)

My name is Christopher Howard I live at 34463 Heron Hill Lane Painter, VA 23420

Work at: 19319 Seaside Rd Chincoteague, VA 23336

I would like to quote, a wise statesman of our county.

"We simply cannot encourage farmers and watermen to provide year round employment with benefits and living wages when their costs are rising and their prices are falling. I have no idea what these incentives would be or how the county can afford them, but we must avoid unrealistic notions and empty words. Our challenges are real."

This was Supervisor Spencer Murray's comment in his presentation to the Comprehensive Plan Advisory Committee in September 2011.

There is no way that his words can become reality under this proposed zoning ordinance.

Keep 2015 Zoning!

Thank you, I would like this placed into the public record.

(Then hand it in)

Mr. Chris Hoover asked the Board to retain the 2015 zoning regulations.

Mr. Vince Young asked if he could replace an old trailer on his property with a new one. He was advised to provide his contact information to the Planning & Zoning staff for follow-up.

Mr. Mark Baumgartner, representing Royal Farms, said that his client was pleased with the 2015 zoning and is preparing to invest millions in the County and generate many jobs. The proposed regulations would revoke their favorable zoning and force Royal Farms to construct an older-style building. He said that the former Board tried for three years to cure the ills of the 2009 zoning ordinance and the proposed 2016 "cure" is worse than the disease. He further noted that he felt that the 2014 and 2015 presentations were much more comprehensive than the presentation made this evening and urged the Board to make changes as needed to the 2015 version rather than repeal it.

Ms. Sandra Beerends read the following comment:

We live on a dangerous highway & [illegible] [illegible] to [illegible] [illegible] [illegible]

I support the 2009 Comprehensive Plan and the adoption of the 2016 zoning. I support the goals of the competitive assessment study.

Let's all come together in a transparent way for the future benefit of ALL citizens of our country, with sustainability in mind.

I also ask that the Northampton County Staff remain neutral in this. I believe you work for us.

730 East Broad Street, Suite 2050
P.O. Box 980008
Richmond, VA 23298-0008

Ms. Sandra K. Beerends
PO Box 214
Franktown VA 23354-0214

NONPROFIT ORG
U.S. POSTAGE PAID
RICHMOND VIRGINIA
PERMIT NO. 869

*SANDRA?

My relatives have been here since the 1600s. I'm not sure if this is a pro or con.

7069

Ms. Virginia Olson read the following comments:

My name is Virginia Olson. I live at 6185 Simpkins Road.

I would like to read a comment by Sandra Benson, former Director of Planning & Zoning.

"The 2004 board mandate - very vocally stated by the 2004 board, was to reduce growth and density, and substantially limit development on route 13. This was the board policy that drove the process, and determined the outcome of the contents of the comprehensive plan that we have today."

This was Mr. Murray's response.

"We need to pop some of the myths that our comprehensive plan is founded on in order to develop a plan that creates a positive net growth for the county."

This was Supervisor Spencer Murray's comment in his presentation to the Comprehensive Plan Advisory Committee in September 2011.

There is no way that his words can become reality under this proposed zoning ordinance.

Keep 2015 Zoning!

Thank you, I would like this placed into the public record.

Mrs. Barbara Coady said that she was proposed to the 2016 zoning ordinance.

Mr. Pat Coady read the following comments:

PART 2009

Remarks to joint hearing on zoning changes 3/9/16

Good Evening Members of the Planning Commission and the Honorable Board of Supervisors

It is nearly incomprehensible to me that I find it necessary to speak tonight regarding this attempt to rezone the county in ninety days without proper consideration of the factors required by §15.2 of the Code of the Commonwealth. If this injudicious haste is taken to its proposed end it is a prima facie study case of bad governmental action. We deserve and expect better of our Board of Supervisors.

Last night I had remarks prepared to address the problems with the process that has been undertaken. Tonight, I turn those remarks in for this hearing record.

For two years, this community has heard non-stop complaints that what became the 2015 zoning was rushed through without community input or proper study. Lets look at the record for a moment:

What became the 2015 code started in March of 2011 with a joint meeting of the planning commission and the Board to establish priorities. In August 2011 the Board directed: "making the zone code less onerous on citizens". In October 2011 the Board agreed to a zoning code work plan. In 2012 the Board laid out a set of directives. A draft ordinance was submitted in July 2013. All those actions are and were in the public record. Four public input meetings followed leading to the March 2014 joint public hearing. That hearing, three years in, was where one first heard the complaint that this zoning work was a shock. The hearing was followed by 18 BOS meetings, where comment was received and 14 work sessions discussing and significantly amending the proposed code thereby addressing publicly raised issue after issue. There were two additional public input meetings in February 2015. Following a second public hearing in Dec 2015, the code was finally adopted, nearly four years after the work began.

Compare that process to this re-zoning: Zero public information meetings—only one public hearing, the minimum required time for the planning commission to consider and make recommendations and zero formal studies or evaluations of options—exactly every complaint that was alleged regarding the current code—redoubled!

Make no mistake whatever: This is not a re-adoption of the 2009 code as it stood. Attached to the motion ordering this process were 21 pages directed changes followed by two directives from the board that attempted to explain and clarify what was demanded. The resulting document before us tonight is 270 pages long. Of that 270 pages, by my count there are 20 out of 39 pages with changes to definitions; of 229 pages of code text 130 of them have redlines; in the 31 pages of special use permit tables 14 of them have changes. All told there are 183 pages with

changes in a 270 page legal document. Compare 183 pages of changes to the current zoning, which is only 140 pages total and then try and explain that this a re-adoption.

There are complete sections deleted and moved or edited and re-added later such as signage and the CBPA. The logic of moving requirements of Federal and State laws out of our zoning so zoning isn't affected when other laws change is ignored. There is a complete rewrite of the duties of the zoning administrator. Floating districts were returned—except for one. Setbacks for poultry houses were increased but ammonia scrubbers were deleted. Any possibility of utility scale windmills is precluded. The entire 2000 and 1983 ordinances were added as appendices, clearly answering the oft-disputed question as to whether they continue to apply.

The document has numerous obvious errors that would have legal consequence including multiple sections with the same number. It is simply not close to ready for adoption. The unintended consequences will be significant

This re-zoning follows the dictates of the few citizens that had input to the attachment; citizens who were not elected or then serving in any relevant appointed public capacity. It is the 2009 zoning with significant changes that a small private group wished to see changed. So far it bears not least resemblance to an open public process. Even worse, the Board's January motion with its whereas clauses stands at variance with what I understand are the Board's own statements as submitted via the Board's attorney to the court in a zoning lawsuit.

Our planning and zoning staff has been professional as they have tried to meet the Board's time demands, in spite of the fact that the majority of this Board is repudiating and dismissing all of their diligent work over the past four years. To the staff: I salute you for your patience and diligence. I wouldn't blame them if they resigned in mass. Of course, they won't do that because "THERE ARE NO JOBS" worthwhile for them seek instead.

The Board's actions have real consequences and some of them are immediate. With the passing of the 2015 code several projects, which would add to our tax base came off the shelf and started to move forward. One of them totals about 7MM in ratable property and 50-70 jobs. Two others will also stop dead if this re-zoning is enacted, if they haven't already. In addition, if this action continues, it is doubtful if they'll ever consider Northampton again.

The professional survey undertaken by the Myers Group of Northampton Citizens in 2012 showed that jobs was the biggest issue, 76% said business and commercial growth was happening too slowly, 56% stated we were "on the wrong track". Moving backward is not an answer—to anything.

If this Board persists with this action on this timetable, please don't ever raise the issue of the need for jobs, or need for economic growth or improving the tax base to improve our schools, fund our EMS or to meet any other public need.

There is a straight-forward and proper method to undertake for re-zoning. It starts with completing the Comprehensive Plan whose update is nearly two years overdue due to being sidetracked. Then direct staff and the planning commission to write zoning in conformance with code, the plan and the Board's priorities. When they are complete and have held their public information meetings and hearing it comes to the Board for its hearing, consideration and adoption. That is a process that has been partially or fully by-passed in the last three zoning adoptions and leads us to the mess we have before us. Doing it a fourth time in haste won't speak well for learning from mistakes.

Therefore, I'll remove my Keep 2015 zoning shirt and say—by all means go ahead and undertake a rezoning, but do it in the proper manner and order and with the proper time-frames. I can support a re-zoning that has weathered a full and public process, even if I personally don't agree with most of it but I will never support a Board that by-passes all semblance of good governance to pass something this important in an ill-considered rush.

Patrick Coady
Machipongo
9 March 2016

Good Evening Honorable Supervisors

Supervisor Hogg:

As you stated in your email to Mr. Colson: "My experience has been when I make to many revisions to complex documents I miss many of the things that cause a domino effect." If you felt that way after all the time spent on the 2015 code, how can you support 183 pages containing changes in this so called re-adoption.

Supervisor Duer:

You are new to the Board. If these changes are approved according to the timetable currently outlined, are you not totally substituting your judgment for the judgment of the previous Board, which wrestled with these changes for three years? Do you not value precedent and a prior Board's dedication and efforts?

Additionally, you have stated that you "must look out for Exmore first". If you truly feel that way you are failing your county oath and creating a serious conflict of interest. If you vote for this proposed zoning ordinance you are restricting growth in the County, which directly benefits a progressive Exmore.

Supervisor Murray:

You and Supervisor Duer put forth a motion that was not even legally permissible in attempting to "rescind" the 2015 code. You further endeavored to alter the 2009 code while claiming it's a re-adoption.

In response to a FOIA request you claimed that the Attachment to the motion was "drafted by private citizens" and was therefore not subject to FOIA. That may be true, but in one meeting you claimed you wrote it and in another identified several other authors. Regardless, the method by which it came to be attached to the motion is most definitely subject to FOIA as are all emails and correspondence regarding it from the date of swearing in. That makes your answer, while technically accurate, very disingenuous and should be beneath you.

At a recent citizen meeting you stated that the current zoning code was "jammed down your throat". Quite the contrary argument is more valid. It was the sitting board's right and responsibility to complete work they had initiated and worked on for three years. It would have been wrong for them to say "well we don't have to finish this—we can leave it for a new Board vote upon or decide to undertake all over again. As you are well aware, there is a process for any remaining defects in the 2015 code to be addressed.

Finally, if you proceed with your present course of action, you will put lie to all the quotes you have made in the preceding years regarding the restrictions in the

current comprehensive plan and the 2009 zoning and their detrimental effects on this County.

To the entire Board: If you proceed with the proposed actions and timetable without time for full consideration by the Planning Commission and the public, you will open yourselves and the County to expensive lawsuits.

There is an appropriate solution: Complete the comprehensive plan; then proceed with a full proper re-zoning process. The 2015 zoning is superior to the previous zoning. It is in general compliance with the 2009 comprehensive plan; far more so than the 2009 zoning.

Ladies and Gentlemen of the Audience: These are honorable men and I expect them to make honorable decisions. Decisions in the best interests of "all" the citizens—not one town nor one group of lobbying citizens—not even "my group"!!

Patrick Coady
Machipongo
8 March 2016

Ms. Roberta Kellam read the following comments:

My name is Roberta Kellam. I reside at 7514 Wellington Neck Road. Over the past two years, I have attended countless meetings about the 2015 Rezoning, and I ask that all of the memoranda and statements submitted by me to the Board in 2014 and 2015 be included as part of the public hearing record for the current action. The proposal to repeal the 2015 zoning ordinance and readopt the 2009 Zoning Ordinance with amendments is the best compromise to the dispute that has paralyzed this County for the past 2 and a half years. The Board has taken some of the best ideas from the 2015 Zoning Ordinance to amend and readopt the 2009 Zoning Ordinance, and it is the most consistent with the community input on the adopted Comprehensive Plan and it provide the Better basis for a Zoning Code

Opponents of your 2015 proposal raise many issues that are easy to address with reformatting of the 2016 Zoning Ordinance to make the uses and dimensions for each district easier to understand. The criticism that 700 pages of old ordinances are still on the books can be addressed by making it more clear that the only parts of the old ordinances that would apply are the uses and dimensions of the subdivisions that were subdivided under the old ordinances, less than 30 pages. The old ordinances were never intended to be readopted as part of the Existing Subdivision Districts in the 2009 Zoning Ordinance. Those Existing Subdivision Districts are important because they preserve vested rights for owners of subdivision lots, and they ensure that subdivisions are built out using consistent development standards throughout a platted subdivision. I submit with my statement tonight a copy of a legal opinion provided to the County Administrator Katie Nunez on September 18, 2007, and a May 14, 2008 memorandum from former Planning Director Sandra Benson to the Planning Commission which provides the support for the Existing Subdivision Zoning Districts, and does not support the allegation that this rezoning keeps 700 pages of old zoning Code on the books

I have long been interested in tackling the problems of poverty in Northampton County. The article that I wrote about poverty on the Eastern Shore was ~~utilized by the Northampton County citizen~~ included in the Comprehensive Plan Advisory committee ~~that wrote an~~ Economic Plan for the County, led by real estate salesman B.L. Parr. Unfortunately, the 2015 Zoning would not be helpful in addressing poverty, economic development and affordable housing problems in Northampton County, and I'm sorry to see people being misled into thinking that it will help them. The 2015 Rezoning does not create new jobs and economic development – it was a ruse to get more waterfront subdivision lots and an effort to recreate a housing bubble in the County. The main difference between the 2015 and 2009 zoning ordinances is that the 2015 Zoning is a roadmap to turn Northampton County into an area of suburban style residential development, particularly in the area of high-end waterfront housing. I value the rural lifestyle of Northampton County and I don't want to see this turned into another second home retirement destination like Ocean City, Maryland.

Thank you for your time.

ROBERTA KELLAM

DEPARTMENT OF PLANNING AND ZONING
NORTHAMPTON COUNTY, VIRGINIA

Sandra G. Benson, AICP
Director
Joint Local Planning Commission
Wetlands Board
Board of Zoning Appeals
General Development

16404 Courthouse Road
P.O. Box 538
Eastville, VA 23347
Phone: 757-678-0440
Fax: 757-678-0483
sbenson@co.northampton.va.us

MEMORANDUM

TO: Northampton County Joint Local Planning Commission

FROM: Sandra G. Benson, AICP
Director of Planning & Zoning

COPY

SUBJECT: Zoning for Existing Subdivisions

DATE: May 14, 2008

Background
In response to the draft zoning ordinance revisions that were released to the public in January 2007, a large number of comments were received from property owners in recorded subdivisions objecting to the proposed downzoning of their property to the Agriculture District, the requirements of which were also proposed to be amended. As a result of your review and consideration of these comments it was concluded that a zoning district should be created to recognize and afford the vested rights afforded to those property owners under Virginia law.

Methodology
Staff undertook an evaluation of the various regulations under which existing subdivision developments were reviewed and approved. It became apparent that crafting one set of density and dimensional regulations that would address the array of existing development scenarios would be highly problematic. Accordingly, it was agreed that the most reasonable approach would be to retain the current zoning district requirements for those developments identified as existing subdivisions and to discourage/prohibit the creation of any new/additional subdistricts in the future.

The first criteria proposed by staff to identify existing subdivisions were based on factors associated with future farming activity, such as lot size, soil types, and the presence of existing infrastructure, particularly roads. This approach proved to be unworkable as it gerned parcels that had never been part of a planned/platted development.

Staff has now analyzed a significant sample of subdivisions in the county in an effort to identify any characteristics that would justify criteria for inclusion in the proposed new district. One-hundred percent (100%) of residential subdivisions recorded between January 01, 1997, and March 18, 2008, were examined. The sample consists of over 150 residential subdivisions.

It is important to remember that the Code of Virginia identifies approval of a final subdivision plat, site plan or plan of development as a significant affirmative governmental act allowing development of a specific project. The Code also cites approval of a preliminary subdivision

plat as a significant affirmative governmental act. To obtain a vested right, such an approval must be accompanied by good faith reliance by the applicant on the approval as well as the applicant diligently pursuing the approval and incurring extensive obligations or substantial expenses in furtherance of it. Further, § 155.27 of the Northampton County Subdivision Ordinance (November 15, 2006) provides that an approved record plat which has been recorded is valid for a period of not less than five (5) years from the date of approval.

Staff Recommendation

Given the findings above and the fact that our prior subdivision requirements required the installation of a private road according to specified standards if the road were serving six (6) – nine (9) lots and a state-standard road if were to serve ten (10) or more lots, and given that 'extensive obligations or substantial expenses' is not defined by the Code, nor does the Code require that such obligations/expenses be in furtherance of 'public' improvements, we recommend the following be identified as 'existing subdivisions': residential divisions of six (6) or more lots on a 50-foot right-of-way or state road, deeded or platted together, and if recorded more than five years ago have a road constructed therein.

As to the structure of the zoning regulations, we propose that a primary district be established to be known as "Existing Subdivision District" with secondary districts of Agriculture-1 Rural Village Residential, Rural Village, Rural Residential, Community Development-Single-family Residential, Community Development-Rural Residential. Accordingly, the districts would be identified as Existing Subdivision – A-1, Existing Subdivision – RVR, etc. Each new district would retain the current regulations with respect to density requirements and dimensional and use regulations.

Sandra Benson

From: Randy Greehan [rgreehan@grpe.com]
Sent: Tuesday, September 18, 2007 9:51 AM
To: 'Sandra Benson'
Cc: 'Katie Nunez'
Subject: RE: potential timeline

ATTORNEY CLIENT COMMUNICATION -- NOT FOR PUBLIC DISCLOSURE

5. I know that there have been several discussions about existing subdivisions in the County that under the current draft of the ZOAs may be rezoned to another district, such as the Ag district. One option that would seem to address many of the citizens concerns about which I have heard would be not to rezone certain existing subdivisions, developments or areas that already have approved subdivisions plats. These developments may have vested or other statutory rights to develop (see Va. Code 15.2-2261 and 2307) no matter what the County rezoned them to. To save time and County resources that will be needed to perform exhaustive and complicated case-by-case reviews of each of these existing subdivisions/developments, the BOS could determine that based upon their potential existing development rights, it wants to leave them zoned to their current districts. This would reduce claims that the BOS acted non-uniformly concerning lots that might or might not meet new ZO requirements or that the Board was taking away development rights of existing lawfully created subdivisions - two issues that seemed to be on the minds of many of the speakers at the PH last winter. This would mean that your ZO contained the new zoning districts pursuant to most of the old ones. If the BOS wants to take this approach, the Comp Plan also would be amended to indicate that the BOS has already decided to leave these areas/developments as-is but at the same time reflect that these old districts were not intended to be used for new development.

I look forward to continuing to assist you, the County Administrator, the Planning Commission and the Board as needed. Please feel free to call or email whenever questions arise.
-Randy Greehan

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4004 Genesee Place, Suite 201
Woodbridge, Virginia 22192
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9/21/2007

Mr. Charles Bruckner, Jr. read the following comments:

Charles J. Bruckner
29315 Atwells Way
Cape Charles, VA 23310

First I would like to thank Supervisor Dean for making the motion to repeal the 2015 Zoning Ordinance and thank Chairman Murray and Supervisor Hogg for supporting that motion. Chairman Murray, it is a pleasure to see someone in public office who keeps his word. Thank you, you three.

I support the Board of Supervisors repeal of the 2015 ordinance as that ordinance was not based on a new or revised Comprehensive Plan. The 2015 ordinance would permit irresponsible and uncontrolled development that would be harmful to Northampton County and its residents.

I also support the Board improving the 2009 Ordinance by making technical changes and improvements discussed

during the 2015 zoning ordinance ~~process~~ debate. Parts of the 2015 Ordinance ~~were~~ had ~~not~~ merit however the total ordinance was harmful to the county.

I am basically throwing the baby out with the bathwater since the 2015 Ordinance that I am against, did ~~give~~ zone two residential developments unfully. Kiptopeke Landing and Cedar Grove Landing were changed from Hamlet in 2009 Ordinance to R-1 in the 2015 Ordinance. That is the correct zoning for this rural residential area however the 2009 Ordinance does not have an R-1 designation. I am formally requesting that the 2089 Zoning Ordinance be modified to include the R-1 designation as defined by the 2015 Ordinance and that the two subdivisions zoning be changed from Hamlet to R-1. Thank You

Ms. Janet Sturgis read the following comments:

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JANET STURGIS

Northampton Co. BoS
9 March 2016
To be read into the record
Janet Sturgis
Wellington Neck

I would like to voice my support, for the adoption of the Amended 2009 Zoning Ordinance.(otherwise known as the 2016 Zoning Ordinance).

The adoption of the 2015 ordinance, with its **up zoning** of properties large and small and dissolution of previously protected **vested rights** of property owners, set a dangerous precedent, paving the way for future unbridled, arbitrary, incongruous,and inconsistent up zoning, **without input** from property owners,adjacent property owners, and other citizens who would be adversely impacted.

2015 zoning is inconsistent with our comprehensive plan. Its enactment threatens open space,overtaxes our aquifer, encourages degradation of surface waters, threatens native species, does not provide adequate setbacks and other zoning protections as they relate to CAFOs, and supports waterfront densities that are not compatible with our burgeoning aquaculture and ecotourism industries, responsible environmental stewardship, and a rural family friendly quality of life.

Are you wondering how I can make these theoretical leaps? These issues are not theoretical, as I have seen the results of the encroachment of development first hand. Property adjacent to mine, that at one time was a beautiful old growth woodland, was subdivided in 1991. Human activity directly resulting from that development was responsible for at least two threatened plant species that were once abundant there, to disappear(Mitchella repens(partridge berry) and Monotropa uniflora(Indian pipe) along with several species of fern, can no longer be found on my property or in the adjacent subdivision. We are about to start our aquaculture operations, on creek bottom adjoining our Ag zoned property. Will we see ourselves unable to work our oysters from our own dock and property, as has happened on the western shore and on the Lynnhaven River in VA Beach because of complaints and demands from residentially zoned properties? We do not permit hunting on our properties, however many allow others, with proper permission, to hunt their lands. Will you lose that privilege because the folks in all of those residential properties don't like you shooting next door and demand that"something be done"? Adoption of the 2016 (revised and improved 2009)zoning would place us back on track, and allow the county to get back to the business of growing our economy through responsible, sustainable, well planned growth and development, while protecting what makes Northampton County the jewel in Virginia's crown.

I would like to remind those who are convinced, that our only way to employment, opportunity and prosperity is to carve us up into little pieces and become a disjointed patchwork of postage stamp waterfront lots, wall to wall strip malls etc., that those who once inhabited Hilton Head ,Martha's Vineyard and other pieces of rural waterfront paradise, can no longer afford to live in the lands of their forefathers, and must commute into those areas to wait tables and at some point, as with the Outer Banks, lose even those jobs to Russians and other groups brought in seasonally. Is this what we want for Northampton County?

Ms. Montaigne referenced the flyer shown below and provided comments afterwards:

minority or team mongering haters

THE TRUTH ABOUT THE 2015 ZONING

The developers who apparently want to drive the poor and the minorities off their land are trying to whip up the minority population to support the very zoning that will indeed accomplish their self-serving goal. The 2015 zoning, rammed through by the old Board before the people voted them out of office...by a wide majority....was written by special interests that want to turn this county into an Ocean City look-alike, perhaps in an attempt to rid the county of the very folks who make up the backbone of this fine community. In fact, the 2015 zoning includes changes to the 2009 zoning that:

#1- Outlaws Mobile Home Parks;

#2- Eliminates the Affordable Housing Bonus, which gives incentives for building affordable housing;

#3-Rezones thousands of acres of agricultural lands to RESIDENTIAL zoning designation, especially in the areas where minorities live. [Note: this is the first step in an effort that could significantly raise taxes for us all and could cause those on the "edge" to lose their homes, which is why the NAACP opposes these changes];

#4- Calls for massive development along the waterfronts, allowing condos, multi-families and more houses/acre than our current Comprehensive Plan calls for. This change will certainly result in tax increases, which is what happens when you over-develop and need more public services (EMS, Fire, Police, Sewer, Water, Roads, etc.)

(That is why the tax rate in Virginia Beach is over 50% higher than ours!)

#5- Allowing industrial uses on farmland, such as waste incinerators, race tracks, chicken manure burners, electric generating plants, factory chicken farms 200' away from your property line, as well as many more changes.

Don't let these people pushing the 2015 zoning ordinance fool you...they are not your friends. Come to the Public Hearing at the Northampton High School on Wednesday, March 9 at 7pm and hear the truth! This is YOUR future!

Time is up, but wrote my comments before seeing this despicable piece of fear mongering which says developers want to run off the poor & minorities from their land. Developers don't want your land or my land. There's plenty of vacant land + closed stores, unbuilt lots.

The 2015 Zoning will create jobs, If you are against jobs, stick with this Sean

Montaigne Cree
3/9/16

Mrs. Mary Miller read the following comments:

Mary Miller, Eastville

March 9, 2016 Public Hearing Comments: support of proposed 2016 Zoning Ordinance

I speak in support of repealing the poorly drafted 2015 Zoning Ordinance which was hastily adopted by a lame duck Board of Supervisors.

This is not an economic development, "business friendly" ordinance, in spite of a few spot-zoned commercial parcels on the highway —this is a residential real estate development ordinance. Arbitrary changes like upzoning farm fields and creating huge density increases at Oyster and Willis Wharf prove that. We have over 199 subdivisions in the county now, thousands of buildable lots—your taxpayers can't afford to subsidize more residential development. The community never asked to be rezoned into an Ocean City or a Virginia Beach neighborhood. The process was hijacked. People who pay the bills were completely shut out in the dark. Who among us had the really bad idea to let county employees sit in their offices and write a Zoning Ordinance for us?!?!

I speak in favor of adopting the 2016 proposed Ordinance as published based on the 2009 Ordinance, which was adopted after extensive public input. Several "business friendly" uses, with no explanation, were deleted from the Ordinance last Dec. While I was on the Pl Comm I helped draft several "business friendly" standards—permitting signs on Rt. 13 for off-highway businesses and business directories for the Towns-- and adding By Right Micro-business language to help entrepreneurial start-ups. All removed by the previous Board from their so-called "business friendly" ordinance—but all included in the proposed new zoning. This is a big part of our future home grown businesses, using assets the county is fortunate to have. 149 new business start ups in the past 3 years—under the 2009 zoning.

The next step is to include the whole community in a review of the county's Comprehensive Plan---and give us all a chance to sit down together and plan for the future. Citizens need to talk and listen to each other first, then tell you what they want. With all due respect, neither the Board nor the Planning Commission should be writing the Comprehensive Plan for us. Ladies and gentlemen, you first need to make arrangements to listen, at professionally facilitated meetings- where everyone has a seat at the table. Yet now I find out that the Planning Commission has already drafted a new Comprehensive Plan for us and we've been shut out again.

Please continue on the path to undo the uncertainty and the distrust in local government which this contentious zoning issue has created. Give the community a chance to work together and get it right. Adopt the 2016 Ordinance.

I request that my comments be included in the public record.

Mary Miller

Mr. David Boyd read the following comments:

DAVID BOYD

To the Northampton County Board of Supervisors and Planning Commission, 3/9/2016

Between 2007 and 2009, I and a great deal of others, participated in a series of meetings regarding the creation a new Comprehensive Plan and new Zoning regulations. Back in 2009 we were informed the correct way to address this method of governing our county was to first develop the Comprehensive Plan, then follow that with a complimentary set of zoning regulations. That was the path we followed in 2009.

Several topics emerged as driving issues during this long process involving extensive citizen input. Some of the key issues were 1) encouraging development in the towns and hamlets instead of along Route 13 2) Making the most of our unique natural resources by promoting traditional uses such as farming and fishing, as well as newer businesses like aquaculture and ecotourism. 3) Preserving our natural assets such as our sole source aquifer, our clean Bay and ocean waters, our unspoiled barrier islands (which form the largest expanse of undeveloped coastline on the East coast) and our fertile agricultural lands 4) Preserving the rural culture and historic values

An inherent assumption seemed to be it would make the most sense to utilize our strengths, assets and traditions to craft our own future rather than to try and compete with Ocean City, Virginia Beach or the Outer Banks in a pell mell rush to promote commercial development at any cost

Zoning was written to compliment these ideas, including significant setbacks for shoreline development to preserve our riparian zones and filter pollutants before they entered our waterways. Restrictions were placed on development which might harm these natural resources, but provisions were made to achieve approval for non-conforming uses. Traditional uses such as working waterfronts were written into zoning code after meeting with local citizens and officials from the towns and hamlets involved.

In contrast to that 2009 Comprehensive Plan/Zoning procedure, the 2015 Zoning followed a much different path. The Comprehensive Plan was not rewritten prior to creation of the Zoning Ordinance. The 2015 Zoning was written by county staff in a dimly lit back room with zero input from the public. The Planning Commission was not given the opportunity to review the new Zoning until after it was written. They were given insufficient time to review it once it was presented to them and they were denied allowances for extra time or resources to complete a full review of the Zoning. In fact, several well regarded members of the Planning Commission resigned in protest of this treatment. The Planning Commission review of the Zoning was rushed because the former BOS was adamant about their desire to approve the 2015 Zoning as soon as possible, with or without public input. Not exactly a poster child for due process.

For 2 years, hundreds of citizen activists attended meeting after meeting to protest the high handed way the BOS was using to push through the 2015 Zoning. Several members of the old BOS refused to listen to their constituents, claiming they knew better and that the "silent majority" was behind them. In November 2015 that falacious assertion was demonstrated for what it was when both Districts holding elections overwhelmingly chose Supervisors who had vowed to keep the 2009 zoning. In a petty, vindictive reaction to the November 2015 elections, the lame duck members of the old BOS voted to pass the 2015 Zoning, despite major conflicts

with the existing Comprehensive Plan and the obvious wishes of the public, as demonstrated by the election of the new Supervisors.

Now we have a new board, duly elected by their constituents, who is working to reinstate a Comp Plan/Zoning ordinance that was thoroughly vetted by the public and the Planning Commission. It isn't perfect, but at least it followed legal guidelines and received extensive citizen input during it's drafting, which the 2015 Zoning did not.

Finally it is worth noting that in the "Northampton County Competitive Assessment Study" drafted under the direction of the previous Board of Supervisors and released in 2014, there are a number of obstacles hindering development, such as the county's remote location, the substandard K-12 education and the lack of sufficient workforce development training. In no instance does the 48 page document list zoning as hindering development.

I therefore respectively request the Board of Supervisors reinstate the 2009 zoning as the basis for future revisions.

Thank you for your time,

David Boyd

22146 Vetlinda Landing

Cape Charles, VA 23310

Mr. Larry Jones said that he could not understand why the County has multiple zoning ordinances. He said that "we" are poor people, unable to fight the Board, who are being paid off by special interests.

Mr. Bob Meyers read the following letter from Charles and Bettye Smith and then presented comments of his own:

Charles and Bettye Smith , 5347 Wardtown Road , Exmore, Virginia 23350, March 9, 2016

NC Board of Supervisors
Eastville, Virginia 23347

Dear Northampton County Supervisors:

When we bought our farm here in Northampton near the intersection of Wardtown Road and Milton Ames Drive over a decade ago, it was zoned agriculture, and that zoning was one of the reasons why we invested in this property. We currently rent out our tillable land to a local farmer, and also manage a mid size garden on the property where we grow vegetables and produce for our own consumption.

It was therefore very distressing when we received a notice in the mail in January 2014 and again in the fall of last year notifying us that our land was being arbitrarily rezoned, and indeed split-zoned, into residential zoning...something we did not ask for and a zoning designation that we do not want or support.

Interestingly, the farm directly north of us and adjacent to our property was not rezoned into residential, and that farm is owned by our white neighbor. But the property surrounding us and owned by minority landowners, including property owned by our neighbor Leo Kellam was also proposed to be arbitrarily zoned into R-3 residential zoning. As you know, when property is rezoned from agriculture to residential, it severely limits what can and cannot be done on the property. Indeed, lands zoned residential cannot legally have an irrigation pond on it, and in times of dry weather that regularly happens in the summer on the Shore, irrigation ponds are often an integral part of a successful farming operation.

While Mr. Kellam and our family were successful in getting our property zoned back into agriculture and that is reflected in the 2015 zoning, we fully support returning this county to the 2009 zoning with amendments. The 2009 zoning is consistent with the Comprehensive Plan that was written and crafted by the vast majority of residents in this county, and it took many years to come up with a plan that would balance the need to promote the rural nature of our county while encouraging sustainable development.

People like us invest in this county because it is NOT Virginia Beach, and it is NOT Ocean City, and attempts by developers and private interests to change this fragile county into such a model, where taxes go through the roof and the poor and minorities are shoved aside, should be resoundingly rejected. Even a casual look at the 2015 zoning will lead anyone to conclude that this zoning scheme seems intended to serve private interests at the expense of the majority of residents who are well invested in this county.

In closing, while there seems to be a recent campaign to convince you and others that people support the 2015 zoning, the results of the November 2015 election reveal that the majority of residents in this county do not want this dramatic zoning change, and we ask you to hold true to your campaign promise to repeal the destructive 2015 zoning ordinance and ensure you that we stand with you to return this county to a civil and sustainable plan that will help this county grow and prosper in the manner it deserves.

Sincerely,
Charles Smith

Please enter this into the public record for the Hearing tonight

To the Board of Supervisors and Planning Commission JPH on 9 Mar 2016

I want to commend you three Supervisors and one Planning Commission Member who recognized the overabundance of flaws in the current Zoning Ordinance. That you have selected several areas from that zoning and are proposing to incorporate them into zoning that is based on the Comprehensive Plan developed by a wide cross section of the community, is commendable.

I suggest that you also consider the addition of use charts that are oriented toward information a property owner can easily use, in addition to the ones currently presented that are oriented toward easy information a developer or land investor would use. I am not asking for any change in content, just including a format that was adopted from previous zoning and used in the current zoning.

While you address the most urgent issues facing the County and find solutions to the financial mess left to the Board by the last Board and County Administrator from their two and a half year period of laser beam like focus on zoning and neglect of critical County issues, I urge you to demand that the Economic Development Director open the Competitiveness Assessment Report and develop time-line solutions for revenue increase using the guidelines presented in that report.

During the meeting last night, a local real estate salesman and developer continues asking your support for more commercial development on US13 disregarding all advice against doing so. Today he writes *"If they rescind the ordinance, they send us back to the stone age financially."* Since he has purchased significant property along US13, I can only assume he cares more about enriching himself in almost complete disregard for the best interests of the County.

And finally, as the proposal being presented tonight is considered further by the Planning Commission, I hope the Chairperson will set an example and start doing the work for which she was appointed using the planning tools for which we, the taxpayers, paid and for which she was supposed to learn during the training and subsequently use to benefit the County.

Please enter this into the Public Record for this Hearing.

R Meyers
Exmore
9 Mar 16

Mr. Rick Gliebman said that he thought tonight's presentation was comparable to the 2014 version and noted that if the County wants better jobs, we need to focus on improving our education system and creating a skilled work force.

Mr. Bill Parr read the following comments:

BILL PARR

Northampton County Board Of Supervisors
Northampton County Planning Commission

March 9, 2016 Joint Public hearing

The level and extent of poverty specific to Northampton County can no longer be ignored. Our label of Persistent Poverty, this categorical status of predictable economic failure by the county must be eliminated. If anyone in this room thinks there is no link between land use regulation such as zoning, and economic growth, they are very wrong. For the 31.5% of children in this county that live in persistent poverty, it is an urgent matter. Economic growth is one of the solutions for poverty.

Our population is falling, so we have fewer taxpayers to fuel the county budget. Our tax base is crashing, in part due to market dynamics, in part due to the declining population, in part due to the lack of economic growth. Chairman Murray says our budget faces a deficit of 3 million dollars, that is $3 million short of fully funding much needed public programs, including our struggling school system. Where is the impact of the long list provided by Ms Coker & Mrs Miller? The statistics do not support these contentions.

We desperately need new sources of revenue. These new sources should be coming from commercial growth, which could be encouraged by a performance based zoning ordinance such as the 2015 document. One consequence of commercial growth is the creation of new jobs. New jobs can change the

lives of many people in our community, especially those living in persistent poverty.

The 1983, 2000 and 2009 ordinances have failed to raise the standard of living in Northampton County. The failure of these ordinances is all around us, and highly evident in the budget shortfalls and population declines. For the past 15 year it has been almost impossible to grow our tax base, even at the height of a booming economy in 2004. Relatively speaking, very few new taxable assets were created in the county, and very few new employment opportunities were created. This is a result of poorly designed and overly complex land use ordinances, and the unfriendly business environment that resulted from them.

Mr. Murrays supporters would have us believe that his election was some sort of mandate for this radical and economically dangerous move to rescind the ordinance. Yet less than four percent of the people in the county voted for him, hardly a mandate.

I am not crazy about the 2015 ordinance. It has plenty of elements that need improvement, and many changes that could be made to improve it. There is far too much unnecessary residential zoning in it for an agricultural community. Whatever is wrong with the new ordinance can be fixed. Mr. Duer objects to 3 narrow issues in the ordinance; they can be addressed in

the new ordinance. Rescinding is not the answer. The 3 old ordinances are fundamentally unrepairable; they are far too corrupt with complexity to be salvaged. More importantly, there is no success that can be attributed to them, NONE. These are failed documents that have prevented our community from progressing for far too long. They are bad public policy in every respect. I know of no other community anywhere with multiple concurrent ordinances. If it was a great idea, we would see many other examples of it. There are none that I can find.

The proposal before us here tonight, to rescind the 2015 ordinance, reestablish the 3 old ordinances as law, and then make substantial changes to the 3 documents is procedurally wrong. The public process has been subverted; we do not even know who drafted the changes. The public had no meaningful participation or input. Extremely complex documents are proposed to be modified in very substantial ways. There is no staff report in advance of this hearing.

I strongly object to the proposal to rescind the 2015 ordinance. It's not a plan to just go back to the old ordinances. It is a plan to reenact them, and then make very substantial changes to them, resulting in hundreds of changed pages of text.

I believe that the process of crafting the proposed changes to the old ordinances is a corrupt back room effort that should not be allowed to move forward. It is being crammed down our collective throats, with no public participation other than this hastily scheduled public hearing. The process that has been put in motion that brings us here tonight is exactly what everyone in this community has railed against for years. A very small group of people conspired to assemble these changes, and have them thrust into the public process without the opportunity for adequate consideration. It is wrong. It is bad public policy.

31% of our citizens live in persistent poverty. Rescinding the ordinance will assure that another generation of them will continue to endure poverty, while we spend the next few years arguing the merits of our failed history. Please do not proceed with this proposal. Lets Make Eliminating Persistent Poverty in This county A Priority!

Bill Parr
24021 Seaside Road
Seaview Va.

database. The VMT and Statewide Average Crash Rate were supplied by Central Office Traffic Engineering Division (CO TED).

There is a perception among residents of the Eastern Shore that Route 13 is more dangerous than any other road in the Commonwealth. In 2008 the crash rate for Route 13 dropped below the moving statewide average rate for primary highways with similar characteristics and has remained there. Traffic Engineering performed a comprehensive statistical analysis and found that currently Route 13 ranks 22nd out of 32 roads in the State with similar traffic and geometric characteristics. A summary of this crash data is located in **Attachment 1**.

21 Most Dangerous Highways There's 13 ☺

Table 1 - Historical VMT and Crash Rates

	1985	2013
VMT	690,000	1,120,000
Crash Rate (/100 MVMT)	149.57	87.19

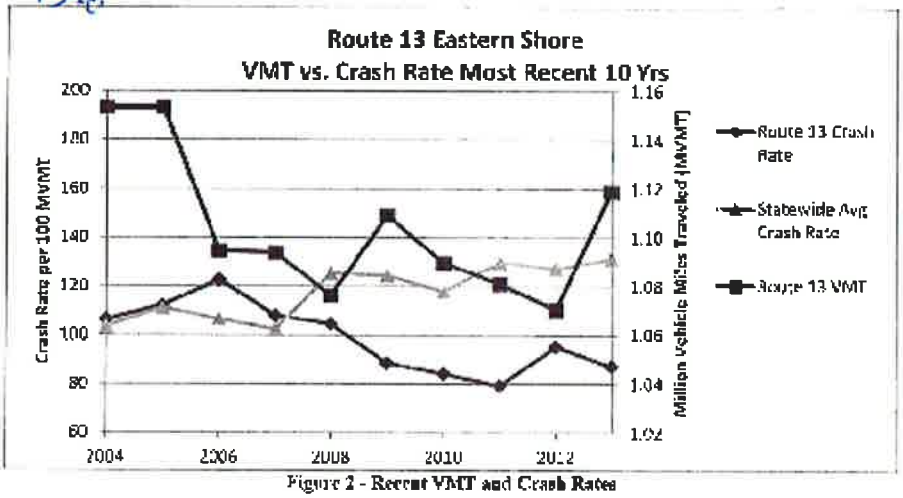

Figure 2 - Recent VMT and Crash Rates

Similar to the crash rate, the fatality rate has been dropping on Route 13, but with more variability. **Figure 3**, on the next page, presents the number of fatal crashes and the total number of fatalities occurring on Route 13 for the past 10 years. It should be noted that there has been a significant decrease in fatalities between 2010 and 2012. This can be at least partially attributed to the slowdown in the economy, resulting in fewer tourists and migrant laborers driving unfamiliar roads. From Jan 1 through Aug 31, 2014 there have been 6 fatal crashes resulting 8 total fatalities.

Current efforts to improve the safety of US Route 13 have included multiple corridor and spot studies and improvements. US Route 13 is one of the most heavily evaluated primary corridors

Mr. Hank Bowen read the following comments:

Subject: Zoning
From: Carol Bowen (cdgbowen@gmail.com)
To: jwilliams@co.northampton.va.us;
Cc: mrdam@verizon.net;
Date: Wednesday, March 9, 2016 11:08 AM

Dear Northampton County Board of Supervisors,

I request that the areas designated in the 2015 zoning as working waterfront remain as designated. I also request that the restrictions of the Chesapeake Bay Act be lifted only for the portions on the seaside in this specific designation. These areas have been historically used for businesses of working watermen. Relieving these restrictions will promote economic development in the aquaculture business, which is a portion of the comprehensive plan.

Sincerely,
Harry (Hank) L. Bowen, Jr.
Bowen & Bowen Clams
10232 Locust Lawn Drive
Marionville, VA 23408

Mr. Leo Kellam said that he wanted to be left alone and remarked that he did not see any yellow shirts before the 2015 zoning ordinance adoption. He said that they knew that the former Board was going to adopt the 2015 regulations and that was why they were not in evidence then.

Mr. Ralph Dodd, farmer and real estate broker, said that he has had excellent dialogue with the Planning & Zoning and Commissioner of the Revenue staff. He continued by saying that the 2009 zoning ordinance had been adopted out of fear but that the County currently is in dire straits and that we do not need the layers of the 2009 zoning ordinance.

Ms. Jo Ann Molera said that she supported the 2015 zoning ordinance and resented comments earlier in the evening concerning our "substandard" schools.

Ms. Windy Martin read the following comments:

Re: Joint Public Hearing 9th March 2016 Northampton County, Virginia
cc: smurray@co.northampton.va.us hogg@co.northampton.va.us,
robertson@co.northampton.va.us williams@co.northampton.va.us
From: Winifred B Martin, Sealand Lane, Eastville VA 23347 Signed:

Good evening Members of our Planning Commission and esteemed members of our Board of Supervisors

That zoning begins with a Z seems appropriate: it is not an inviting topic until one needs to find out what one can or cannot do. It is purposefully protective.

Although a typical stranger to the subject, I and many others have sat for two years through a major ty of meetings (while some have slaved endless hours in research behind the scenes) as our county was barraged with the 2015 Rezoning Proposal. Not only was it unsolicited by our citizenry but also it was stunningly and persistently closed to peer professional review.

Since time is money, could we possibly calculate the dollars diverted from our critical needs -- such as medical care, education, reducing poverty -- by that undertaking, especially as we lost our hospital? Last night it was clear that the chickens have flocked home to roost on our already painful budget predicament.

Now, well into a third year, there are those who want to prolong the battle in spite of the fact that Election Day last fall afforded Northampton folks the opportunity to vote. The outcome was a mandate contrary to the wishes of our administrative staff *who supposedly worked for us* and a few other - including the former Chairman who noticeably wore yellow last night - that the 'yellow shirts' which sprouted recently are wasting precious time while seeming to stoke community agitation with misinformation challenging the new Board is, in my opinion, selfish and woefully out of line.

Our new Board is working way overtime on the host of serious issues they've inherited. **They were not elected to be blamed for them!** Most refreshing ly, as echoed in Sunday's *Cape Charles Mirror*, the new blood and old (not true, Supervisor Hogg) are determined to listen to their constituents, to fulfill their obligation to represent us and to protect everyone's health safety and welfare.

In my effort to stay within three n. utes last month I owe the Board & Mrs. Campbell an apology for having whipped through her eloquent letter endorsing your endeavors. Thank you for encouragi ng even better communication with the introduction of a n additional 2 minutes at meeting's end.

We are proud of you, your cautious deliberation and stick-to-it iveness. We're mighty grateful you are willing to accept the mammoth respo nsibilities and unravel ing necessary to set Northampton straight in tough economic times.
How fortunate that we were well schooled exactly 366 years ago.

Please enter these remarks into the publ c record. T ank you.

WENDY MARTIN

Mr. Ken Dufty said that the 2015 zoning ordinance was not consistent with the Comprehensive Plan and gave enormous power to the zoning administrator. He said that zoning will not fix our problems.

Ms. Donna Bozza also said that the 2015 zoning ordinance was not consistent with the Comprehensive Plan and there was no solid basis or justification ever provided for its adoption. The CBES organization believes it is a good first step to repeal the 2015 zoning ordinance.

The following Petition was submitted to the record:

Petition to Keep the 2015 Zoning Ordinance

Petition summary and background	On December 8, 2015, a new zoning ordinance was approved by the Northampton County Board of Supervisors. On January 12, 2016, a motion to repeal it and go back to the 2009 Zoning Ordinance was passed by the Northampton County Board of Supervisors.
Action petitioned for	We, the undersigned, are concerned Northampton County citizens who urge our leaders to act now to Keep the 2015 Zoning Ordinance.

Printed Name	Signature	Printed Name	Signature
Virginia Olson	Virginia Olson		
Richard Craft	[illegible]		
HERBERT L WEST	[illegible]		
Vincent E Conroy	Vincent E Conroy		
Claudia Conroy	Claudia Conroy		
Geraldine Carpenter	Geraldine Carpenter		
Lynda Whitehead	Lynda Whitehead		
Audrey L Bell	Audrey L Bell		
R.A. GLADDEN	[illegible]		
W. R. [illegible]	[illegible]		
W.S Floyd	W.S Floyd		

15

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Printed Name	Signature	Printed Name	Signature
Sandra Haynie	Sandra Haynie		
Robert Colson	Robert P. Colson		
Sarah Colson	Sarah Colson		
Ian Colson	[illegible]		
Lee Kellam III	Lee Kellam III		
Paul [illegible]	[illegible]		
JOSEPH EVANS	[illegible]		
George Hannon	[illegible]		
Jessica Colson	[illegible]		
Elaine A. Beall	Elaine A. Beall		
John Small	[illegible]		
Jacett Sturgis	[illegible]		
Kyle Sturgis	[illegible]		
Marguerite Manual	Marguerite Manual		
Madge J. Christian	Madge J. Christian		

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Printed Name	Signature	Printed Name	Signature
Lester H. Spady	Lester H. Spady		
Gregory S. Smith	Gregory S. Smith		
Cecil Jones	Cecil Jones		
Roland Bailey	Roland Bailey		
Kelvin Johnson	Kelvin Johnson		
Rudolph Seymour	Rudolph Seymour		
Gary Hines	Gary Hines		
Adrian Nottingham	Adrian Nottingham		

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Printed Name	Signature	Printed Name	Signature
Lesli A. Evans			
Anne Kyle Daigity			
Susan Rippon			
Stella Kohde			
H.G. York			
Paulette MacPortland			
DN Griffith			
Linda Taylor			
Elizabeth Walters			
Terry Bowling			
Janice York			
Patty Ferguson			
MARY C. Richardson			
George Ferguson			
Richard L. Drewry			
Paul MacPORTLAND			
RICHARD L. MASON			
Charles Tankard			
CHRISTINE TANKARD			

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Action petitioned for	We, the undersigned, are concerned Northampton County citizens who urge our leaders to act now to Keep the 2015 Zoning Ordinance.

Printed Name	Signature	Printed Name	Signature
Angela Brooks	[illegible]	Donna Fitchett	Donna Fitchett
Gary Cochran	[illegible]	Roxanne Bosman	[illegible]
CHARLOTTE HEATH	Charlotte Heath	Kathleen Stellingwerf	[illegible]
Phyllis WARD	Phyllis Ward		
JOHN FLOYD	[illegible]		
Selby Smith	Selby Smith		
Sharon Floyd	Sharon Floyd		
Lawrence N Smith Jr	[illegible]		
Justin Sokatis	[illegible]		
J F Booker	[illegible]		
[illegible]	[illegible]		
John Ograke	[illegible]		
Linda Dragan	[illegible]		
Hyler A Stanavage	[illegible]		
David K Mitchell	[illegible]		
Lynne Fowler	Lynne Fowler		
[illegible]	[illegible]		
Greg Jones	[illegible]		
Richard Bowmaster	Richard Bowmaster		
Ralph Bowmaster	[illegible]		

Printed Name	Signature	Printed Name	Signature
CHARLES Steinmetz	Charles Steinmetz		

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Action petitioned for	We, the undersigned, are concerned Northampton County citizens who urge our leaders to act now to Keep the 2015 Zoning Ordinance.

Printed Name	Signature	Printed Name	Signature
MARY ELLIOTT	[illegible]		
Bruce Killmon	[illegible]		
Pannell Sutchell	[illegible]		
Edward T. Kellam	[illegible]		
[illegible]	[illegible]		
Lisa Sayers	Lisa Sayers		
[illegible]	[illegible]		
DAVID LONG	[illegible]		
Virginia Long	Virginia Long		

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Action petitioned for	We, the undersigned, are concerned Northampton County citizens who urge our leaders to act now to Keep the 2015 Zoning Ordinance.

Printed Name	Signature	Printed Name	Signature
Jason Bettingham	[illegible]		
Charles Bettingham	Charles Bettingham		
Parnell Satchell	Parnell Satchell		
Norris Owens	Norris Owens		
Rodney Spady	Rodney Spady		
Ernest Gay	Ernest Gay		
PAT COADY	[illegible]		

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Printed Name	Signature	Printed Name	Signature

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Action petitioned for	We, the undersigned, are concerned Northampton County citizens who urge our leaders to act now to Keep the 2015 Zoning Ordinance.

Printed Name	Signature	Printed Name	Signature
Mark Newman	Mark Newman		
Diane-Jo Harris	Diane-Jo Harris		
Thelma Burgoyne	Thelma Burgoyne		
Scott Dimick	Scott Dimick		
Brittany Coston	Brittany Coston		
MARY Newman	Mary Newman		

The following letters were asked to be read into the record as follows:

Gentlemen, For the record I completely support overturning the 2015 Zoning and support the 2009 Zoning AND Comp Plan. I ask you to vote to move this Northampton County on a sustained, viable road of managed growth and protect our Aquaculture, Agriculture and Tourism industries along with our rural way of life. Preservation and conservation are the way forward that will support natural, organic growth of our population and maintain our unique and civilized quality of life.

I ask you, Mr. Hogg, to please have this read into tonight's public hearing record.

And I applaud the efforts of you and Mr. Murray and Mr. Duer to be good stewards of our county. I implore Mr. Lemond and Mr. Bennett to join you in moving us all forward.

Respectfully submitted,
Peg Snowden Volk
Cherrystone. VA

* * * * *

I am writing to support the repeal of the 2015 zoning ordinance and the subsequent reenactment of the 2009 zoning ordinance. Much of the effect of the 2015 ordinance would be in direct conflict with Northampton County's comprehensive plan. During the period that the 2009 plan has been in place the county has seen exceptional growth in aquaculture and tourism industries. I fear that the 2015 ordinance has the potential to harm both of these burgeoning industries that are so well suited to Northampton's inherit strengths. The 2009 ordinance can be easily amended to address any changes that may be desired. The public's overwhelming opposition to the adoption to the 2015 ordinance (as expressed at supervisors meetings, public hearings and the 2015 supervisors elections) reflects the desire of Northampton's citizens to repeal the 2015 zoning ordinance and adopt the 2009 ordinance as it's replacement.

I request that this e-mail be read into the public record.

Sincerely,
Bowdoin Wise Lusk
2132 Cherrystone Road
Cheriton, VA 23316

* * * * * *

Letter to the Northampton County Board of Supervisors

We are sorry we will not be able to attend tonight's public hearing. Please insure that this letter is read into the public comments at the March 9, 2016 Public hearing.

We are writing to you for many reasons this evening, but especially to thank you and your colleagues for your time and commitment in responding to the public outcry of the last two years regarding the ill-conceived and misdirected 2015 Zoning ordinance.

As the newly elected representatives of the majority of Northampton County residents, you have been charged with the daunting task of making sense of all the legal "mumbo jumbo" that has been thrown at you from the forces behind the 2015 zoning ordinance. They all claim that the new ordinance is the way to Northampton County's salvation……so we ask you one simple question, if that was the case, why wasn't zoning identified as an issue in the recently completed and county funded Comprehensive Assessment Study?

As you are aware, over the past 2 years, many of "us" opposed to the 2015 zoning ordinance voiced numerous concerns regarding its accommodation of spot zoning, removal of landowners rights regarding proposed uses on neighboring lands, the "bending over backwards" to accommodate developer's wishes regarding the expanded uses of their land holdings, and the total lack of any scientific research on the impacts of these change on our fragile ecosystem.

Your task at hand is to do what you were elected to do— safeguard our unique natural resources , our ever growing ecological industries of agriculture, aquaculture and tourism and our future real estate values.

You were not elected by the citizens of this county to accommodate developer's wishes and allow the development of this county in a manner that diminishes our great natural resources.

We thank you for your consideration of our concerns and want to assure you that "we" are here to assist you in your efforts and in the adoption of the 2009 zoning ordinance with its amendments as proposed.

Sincerely,

Carl R. Nordstrom & Linda Nordstrom
10363 Thompson Lane
Exmore, Va. 23350

* * * * *

Please read the following comment into the record at the hearing tonight.

I support the Board of Supervisors (Board) repeal of the 2015 ordinance as that ordinance did not follow the comprehensive plan and would permit irresponsive development harmful to Northampton County and its citizens.

I support the Board in improving the 2009 ordinance by including technical changes and improvements which were discovered during the 2015 zoning ordinance process. Even though the 2015 ordinance in total was harmful, parts were positive.

One positive action in the 2015 ordinance was that it rezoned the Kiptopeke area from Hamlet to R-1, zoning it the same as the adjoining Lucilles Lane. This change is consistent with the Comprehensive Plan as the Kiptopeke area never was a Hamlet as described in that Plan. Kiptopeke area is a residential area just like Lucilles Lane. However, R-1 does not exist in the 2009 ordinance so Kiptopeke reverts to Hamlet and Lucilles lane to ES/R-RVR. Due to technical wording in the 2009 ordinance, Kiptopeke does not qualify as ES/R-RVR. Peter Stith can explain the technical better than I. I ask that the Board zone the Kiptopeke area equivalent to that of R-1 in the 2015 making it same as Lucilles Lane and make the technical changes necessary to allow this.

Thank you for your support and thank you for repealing the 2015 Ordinance.

Terrill W. Ramsey
4192 Kiptopeke Drive
Tax Map 112-06-7 – Lot 7 Cedar Grove Landing
Tax Map 112B-A-5 Cedar Grove Landing
434-229-6650

* * * * * *

Northampton County Board of Supervisors

Gentlemen: While tonight's agenda primarily deals with possible modifications to the Zoning Ordinance text and maps I would like to point out the importance of the Comprehensive Plan in this process.The Comp Plan is an important over arching document that provides direction to preparers of zoning text and maps. By way of example I point to the Comp Plan's emphasis on the contribution that agriculture, aquaculture and tourism make to our economy. The importance of these industries to the county's economic future was recently addressed by a Massachusetts firm that had been commissioned by the Board of Supervisors to perform a study about the county's economic competiveness. The ensuing report confirmed the Comp Plan's conclusions by noting that agriculture, aquaculture and tourism were indeed important industries in our county and deserved appropriate attention, I hope these findings and other recommendations in the Comp Plan are carefully examined when modifications in the zoning Ordinance are being considered. In summary, any change in the Zoning Ordinance should be in full accord with our Comprehensive Plan.

F.V.Schmidt

I respectfully request that my comments be read and included in the minutes of tonight's public hearing.

* * * * *

Dear Supervisors,

My name is Sarah Morgan and I live at 6553 Broadwater Circle in Oyster. I would like these remarks to be read into the official record for the Northampton County Public Hearing on March 9, 2016. With regard to the 2015 Zoning Ordinance amendments, I feel they were conceived in a way that left a huge number of residents and stakeholders out of the process. Without the input of the very citizens most affected by the new zoning, the rezoning action taken by the last board can only be characterized as elitist at best. The process used to craft the 2015 Zoning Ordinance was incredibly flawed.

So now we have the possibility of righting these wrongs. Reverting to the 2009 with the addition of the changes now proposed will give Northampton County time to reboot. Please continue to work to give all citizens a say in how our great county, heralded for its pristine environment and its vibrant aquaculture, agriculture, and tourism industries, can develop in a way that is not about special interests, but instead about creating opportunities for sensible, sensitive growth.

The Zoning Ordinance is meant to be in line with the Comprehensive Plan. Both documents are supposed to be dynamic, evolving guides for rational and community-supported growth. It is wrong to craft either or both of these without giving citizens the means for expressing their opinions, involving those citizens from early on until the final draft is considered by Supervisors.

Thank you for listening to the many residents and stakeholders who feel the 2015 rezoning of Northampton County has been a disservice to the majority of its citizens and who want to move forward using a more inclusive process. I urge you to continue to return to the 2009 Ordinance, with the amendments currently proposed.

Respectfully,
Sarah Morgan

* * * * *

Board of Supervisors:

In consideration of the fact that there were no public meetings whereby this recommendation could have been voiced in person I am placing my request in writing and further request that these statements be read into the public record.

The language outlined below should be included in the 2016 zoning ordinance (taken directly from the 2009 ordinance) and reads as follows:

Density, setbacks, districts (including overlay and floating districts), uses and map.

Additional amendments proposed include accessory dwelling units, confined animal feeding operations, setbacks, increase by-right commercial and industrial uses, agritourism definition, refining district intents and clarifying authority of the zoning administrator.

Please confirm receipt of this e-mail by responding to all.

Sincerely,

William Hughes

* * * * *

Please read the following comments and include them in the official public record for the Board of Supervisors meeting being held at Northampton High School.

Dear Chairman Murray and other members of the Northampton County Planning Commission.

I regret that I could not be in attendance at tonight's meeting, but I am out of the country on a trip planned before the date of this meeting was announced and could not change my travel plans.

I am certain that you will be hearing from a large number of people tonight and will therefore try to keep my comments brief.

First, please know that I am in complete support of the recent motion made by Mr. Duer and supported by Mr. Hogge and Mr. Murray Rescinding what I believe to be the deeply flawed 2015 zoning changes and reverting to the 2009 zoning text. It is my belief that the former board acted irresponsibly by enacting the 2015 zoning changes after the recent election that had clearly demonstrated significant opposition to these changes by citizens in the 2 districts where supervisors where up for election. Had mr. Bennett and Mr. LeMond also been up for reelection I believe they also would have faced significant opposition and may have been voted out of office based on their support of the drastic and poorly conceived zoning changes.

Second, it is important to state that while I prefer the 2009 zoning text to the changes proposed in the 2015 amendment, this does not mean that I believe the 2009 zoning text to be perfect. In fact, it could use revision and updating. Unfortunately the previous board and county staff used embarked on these changes behind closed doors and with only limited input from the citizens until the highly flawed document was announced at a public hearing. We then suffered through 2 painful years of rancorous debate with numerous citizens pointing out dozens of flaws and mistakes in the proposed zoning amendments. To their credit, county staff and the former BOS listened to many of these comments and made substantive changes to their document. Unfortunately,these changes did not correct all of the flaws and resulted in a zoning amendment that still ran counter to our comprehensive plan. At the same time, the Planning commission was engaged in a bizarre attempt to rewrite the new county comprehensive plan in a manner that agreed with the shifting goal posts of the proposed zoning changes. This process was against the state code which states that zoning texts should've derived from the comp plan, which is built upon the expressed Willa of the citizenry.

For this reason I support the new board in their goal of going back to the 2009 zoning in the hopes that we can work together to revise it following proper procedure and using an open and honest approach that includes citizen input, and the best data available from economic and environmental impact studies.

Working together I am confident that we can tailor a sustainable zoning ordinance that best supports the citizenry, agriculture, aquaculture, business, industry, and development I order to ensure a vital future for our communities.

Thank you very much.

Art Schwarzschild
4231 Willis wharf road
Willis wharf va

* * * * * *

Dear Chairman Murray:

I support repeal of the 2015 Zoning Ordinance.

I urge you to adopt the 2016 Zoning Ordinance. The people who live here now should be included in any more major zoning changes to our homes and property.

Please read my letter into the Public Hearing comments.

Sincerely,

David Handschur,
PO Box 275, Eastville, VA 23347

* * * * * *

Dear Sirs:

Thank you for the opportunity to express my opinion on the repeal of the 2015 Zoning Ordinance and Map and the reenactment of the 2009 Zoning Ordinance. I am very much in favor of a repeal of the 2015 zoning ordinance which I do not believe was developed in concert with the Northampton County Comprehensive Plan. The 2009 Zoning Ordinance was properly constructed in following the guidelines of the Comprehensive Plan and at most would need only minor amending.

One of the many areas of concern that I have with the 2015 Zoning Ordinance deals with its potential detriment to our core industries of Agriculture, Aquaculture and Tourism as described in the Comprehensive Plan. Agriculture is and has historically been a mainstay of our Eastern Shore economy. Aquaculture is huge in Northampton County as we are the number one clam growing county in the United States. The oyster aquaculture industry is not as mature as the clam industry but already is bringing millions of dollars into our local economy and is growing at an extremely fast rate. I refer you the Virginia Shellfish Aquaculture Situation and Outlook

Report which is published annually by the Virginia Institute of Marine Science. Tourism in Northampton County is presently growing at an astounding pace. The Eastern Shore of Virginia has been the fastest growing tourism region in the state for the past two years in a row. The transient occupancy tax in Northampton County showed an annual increase of ten percent in both the years of 2013 and 2014 and will probably exceed that rate of growth when the 2015 figures are known. These industries depend upon clean air, clean tidal waters, adequate clean ground water and our natural beautiful vistas and marine environments.

Once again, I would like to express my support for the repeal of the 2015 Zoning Ordinance and Map and the reenactment of the 2009 Zoning Ordinance.

I respectfully request that this letter be read into the public record.

Very truly yours,
Frank M. Lusk, Jr.
2175 Cherrystone Road
Cape Charles, Virginia 23310
757-331-1531

* * * * *

RECEIVED
MAR – 4 2016
NORTHAMPTON COUNTY
Administrative Office

Phyllis Smith
PO Box 1434
Exmore, Virginia 23350

March 4, 2016

Speech - Please read -

Northampton County Board of Supervisors
PO Box 66
Eastville, Virginia 23347

Dear Northampton County Supervisors,

I am writing as a land and home owner in Northampton County to express my concern over the rezoning of my home and property from agricultural to residential, as was performed under the new 2015 zoning ordinance. Note that I nor any of my neighbors here on Cemetery Road near Belle Haven and Exmore asked for our lands to be rezoned, and we wonder why this rezoning was performed without our consent.

My neighbors and I live on and around lands that were zoned as agriculture when we bought, rented, or leased lands in this area, and we expect it to stay that way.

On February 17, 2016 I received a notice that my land, known as parcel # 0004A 02-00-0000009 with a mailing address of PO Box 1434, Exmore, Virginia 23350 is proposed to be zoned back to agriculture under the proposed amended 2009 zoning ordinance (which is now being called the 2016 zoning ordinance).

I want to express my support for the adoption of the ordinance that will return my property, and that of my neighbors, to agricultural designation, and wish this letter to be included in the record of that proceeding and to be read into the record at an official meeting of the Northampton County Board of Supervisors before a final decision is made on this issue.

Thank you for your consideration of these comments.

Sincerely,
Phyllis Smith

Phyllis Smith
Exmore, Virginia

* * * * *

March 9, 2016
To the Northampton County Board of Supervisors

Re: reinstatement of the 2009 Zoning Ordinance with amendments (2016 Zoning Ordinance)

Dear Sirs,

Thank you for the opportunity to comment on the reinstatement of the 2009 Zoning Ordinance with amendments as advertised. Please accept this statement as my full support for such an initiative. My comments about the many inadequacies of the 2015 zoning ordinance that was passed last December are duly recorded in the public record over the last two years of your monthly meetings and need not be repeated here, but are still valid.

Regarding the ordinance under study tonight, it is a result of many years of public workshops and studies that included the input of hundreds of our citizens before it was even written. I can claim authorship of that document because of my own participation in those workshops. Further, I have for years now been using that ordinance in my real estate business to present our county and its properties to prospective clients in such a way that they feel very secure in making their investments here. The special use permits required in that ordinance give property owners peace of mind that some obtrusive use will not suddenly appear next door without notice or the opportunity to object. The minor special use permit system is particularly helpful for easing the burden of certain applications for special uses. Also, the statements of intent in the 2009 ordinance are not only consistent with our Comprehensive Plan but as well offer strict interpretation that clearly explains the rationale behind the codes.

The various zoning districts are consistent with the character and make-up of the actual neighborhoods and do honor to our present and future land use. The minimum widths of waterfront lots is reasonable yet not so lax as to encourage and allow high density waterfront development. The 2009 ordinance even allows for an extra density bonus when a land owner decides to plan cluster subdivision and preserve open space, an incentive that is hardly necessary what with the cost of road construction and the like. The Town Edge districts allow for the towns to have some say in what happens just outside of their borders. The ordinance also goes a long way towards the use and preservation of agricultural lands by making sure no heavy industrial uses are allowed either by right or even special use permit. The protection of the rt. 13 corridor is also enhanced and made safer by the 2009 ordinance, making sure that development is confined, limited and contained in zones planned for such development. This ordinance is very protective of our natural resources, property rights, health, safety and welfare when it places strict limits on the intensive animal farming that is causing such distress in other rural counties that did not have the same foresight as Northampton.

In short, I can see no reason not to uphold the repeal of the 2015 zoning ordinance. I can see many reasons why we should keep the 2009 zoning ordinance. It is environmentally sound, protective of our natural resources and our rural character, respectful of the rights of neighbors and the towns, friendly to business, attractive to outside investments, and consistent with our

Comprehensive Plan. Please have the courage and wisdom to stay the course and reinstate that ordinance on our books.

Sincerely,

David L. Kabler
10352 Church Neck Rd., Machipongo, VA 23405

* * * * * * * *

March 9, 2016

To: Ms Janice Williams

From: Justin Colson

Janice Please read

I am in Florida working at C&E Farms Florida facility and am unable to attend the zoning public hearing tonight. Please have my comments below read and placed into the public record.

My name is Justin Colson, I live at 6011 Simpkins Dr.

Our family business has had to deal with the 2009 zoning ordinance not once but twice. It was an expensive, time consuming, and stressful experience that would not be done a third time. Chairman Murray and Supervisor Hogg was in our office and we showed them how the 2009 zoning ordinance was difficult to deal with. The shoreline setback is 15' longer than the RPA setback and includes wetlands. Another drawback of the 2009 zoning ordinance is the 15% impervious surface requirement when we already have to adhere to the state's storm water management code. They both agreed that it was double dipping. One said it was uncalled for and the other said it was stupid. For a business to build a facility it would have to purchase approximately 64% more land to meet the 15% impervious surface requirement. The state storm water management code will more than take care of the requirement for what the 15% impervious surface was designed to do. Now we will be back to doing both. Why would any business want to come to a place where they would have to purchase 64% more land so they

can meet the 15% impervious surface zoning requirement? They would not. It is in the zoning code as a deterrent to keep new business out.

In review of the proposed zoning ordinance there are some glairing mistakes. There are at least 6 duplicate paragraphs. How can someone reference paragraph when there are 2? There are 8 paragraphs not listed in the table of contents. How is someone to locate to reference it if it is not listed? I went to the county's website and searched for "setbacks." I got this beautiful chart. I got to looking at the chart and what I found was that it was Existing setback for the original 2009 ordinance vs the proposed at the time 2015 zoning ordinance. This is what happens when, as Chairman Murray likes to say, things get rammed down your throat. Misinformation, poor document structure and a short review time. This document is in such total disarray that there should be a motion to throw it out after this public hearing while the board is still in session. Chairman Murray made a public statement, of the December 8 board votes that 2 of the yea's probability hadn't read it and 1 yea didn't understand it. I would not publicly embarrass any board members but I bet if the board was polled as to who has read all 730 pages of the proposed zoning ordinance and who honesty can understand it, there would be a majority of the members with egg on their face.

It is public knowledge that the proposed zoning ordinance was written by private citizens. Since when do private citizens write doctrine that governs our county? It is to my understanding that the majority of the authors of the proposed zoning ordinance are from district 4. What about districts 1, 2, 3, and 5? What about the rest of us "private citizens?" We didn't get to help write this document. It is to my understanding that it was started a year ago. This is not

democracy, it is dictatorship. What happened to independent thinking and representing the will of the people of your individual districts?

Please have this put into the public record.

* * * * * *

From: John Kolos <john.kolos1790@gmail.com>
Date: March 7, 2016 at 9:15:25 AM EST
To: smurray@co.northampton.va.us
Subject: Public Hearing - 3/9/16

Dear Supervisor Murray,

My name is John Kolos and I live at 1790 Sand Hill Drive, Cape Charles, VA 23310.

I wish to place my comments in the public record and ask that they be read out loud at the zoning hearing on March 9th as I cannot attend due to a prior commitment. I have listened to many people at the monthly BOS meetings throughout 2015 and believe that the majority of our citizens, including myself, agree with the new board's decision to repeal the 2015 ordinance and adopt the 2009 zoning ordinance with amendments that make sense.

I retired to Northampton County in 2014 and have owned property here since 1995. What drew me to the area were the open spaces, clean air and water, slower pace and friendly people who welcomed me with open arms. We need to protect our fragile environment and develop jobs and education opportunities that benefit all members of the community. The marketing of our area as a tourist destination should be high on the list to attract investment dollars that can be used to fund our schools and improve our educational capabilities.

Thank you for your consideration,

John

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Dear Sirs,

I am writing today to express my being in favor of a repeal of the 2015 zoning ordinance which I believe was not developed in concert with the NC Comprehensive Plan. My concern also revolves around the fact that our core industries of agriculture, aquaculture and tourism will be greatly threatened by the 2015 zoning ordinance. They depend on clean air and ground water, as well as clean tidal waters, natural land and marine viewscapes. Please repeal the 2015 zoning ordinance and reenact the 2009 zoning ordinance which is far better for the above mentioned economic lifelines of our county, as well as our citizens at large. I further request that this letter be read into the public record.

Sincerely,
Ellen E. Lusk
2175 Cherrystone Rd.,
Cape Charles, VA 23310

* * * * *

Recess

Motion was made by Mr. Bennett, seconded by Mr. Hogg, that the meeting be recessed until 5:00 p.m., Monday, March 28, 2016 in the Board Room of the County Administration Building, 16404 Courthouse Road, Eastville, Virginia, for the regular work session. All members were present and voted "yes." The motion was unanimously passed.

The meeting was recessed.

_____CHAIRMAN

_____ COUNTY ADMINISTRATOR