

STAFFORD COUNTY PLANNING COMMISSION MINUTES
November 16, 2011

The meeting of the Stafford County Planning Commission of Wednesday, November 16, 2011, was called to order at 6:32 p.m. by Vice-Chairman Michael Rhodes in the Board of Supervisors Chambers of the County Administrative Center.

MEMBERS PRESENT: Howard, Rhodes, Fields, Hazard, Apicella, Kirkman and Hirons

MEMBERS ABSENT: None

STAFF PRESENT: Harvey, McClendon, Zuraf, Hornung and Knighting

DECLARATIONS OF DISQUALIFICATION

Mr. Howard: Thank you. Are there any declarations of disqualifications for anything on this evening's agenda? Hearing none, I will now call for a motion to adopt the agenda as written or any changes or additions from anyone.

Mr. Hirons: Mr. Chairman, I move to accept the agenda as written and published.

Mr. Howard: Is there a second?

Mr. Apicella: I will second.

Mr. Howard: Any discussion on this evening's agenda? Hearing none, all those in favor of adopting this evening's agenda as written signify by saying aye.

Mr. Apicella: Aye.

Mr. Hirons: Aye.

Ms. Kirkman: Aye.

Mr. Rhodes: Aye.

Mrs. Hazard: Aye.

Mr. Fields: Aye.

Mr. Howard: Aye. Opposed nay. Motion carries 7-0. That brings us to item number 1 on the agenda, which is the Zoning Ordinance Amendment, Farmers Market. Mr. Harvey.

UNFINISHED BUSINESS

1. Zoning Ordinance Amendment; Farmers Market (**Time Limit: January 19, 2012**) (**In joint Committee with Agricultural/PDR Committee and Planning Commission**)

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Mr. Harvey: Mr. Chairman, this is in the joint Committee of the Planning Commission and the Agricultural/PDR Committee. And you do have two of the Committee members here tonight. I am not sure if they want to give an update to the Commission or not.

Mr. Howard: That would be great. Mrs. Hazard.

Mrs. Hazard: Sure. We actually did have a meeting with the members of the Agricultural Committee. We had a good meeting, got some issues flushed out. We have sort of a road ahead of where we are going and we have also invited the Economic Development team member to attend our next meeting, which we have... I do not believe we have scheduled the exact date.

Mr. Fields: Not yet.

Mrs. Hazard: Not yet, we were waiting to hear back. But we had a great discussion and we have a road map of where we are going.

Mr. Howard: Will you have additional information for the December 5th meeting?

Mr. Fields: I am not sure about that. Probably not.

Mrs. Hazard: I am not sure we will have met with Economic Development, which we do want to do.

Mr. Howard: So it is likely that probably the first meeting in January this will be taken up again?

Mrs. Hazard: Yes.

Mr. Howard: Okay.

Ms. Kirkman: I do have a question.

Mr. Howard: Ms. Kirkman.

Ms. Kirkman: Was the sense that in fact legislation was needed or was there some discussion that there is existing solutions? Because when the gentleman from the Ag Committee came in front of us really they were just looking for a place to do it and we have a County Courthouse/Administration parking lot that is empty on the weekends.

Mr. Fields: We talked about a lot of possible locations and the possibility of how that was going to work and... like anything you know the... a lot of it Mrs. Hazard and I was primarily an informative meeting. We simply just sat and listened to the people who actually have farms and want to sell their stuff. They are the people who know how to do this and so... you know we wanted to find where the boundaries... like to what extent does the County need to be involved. Should it be involved? Does it want to be involved? And we got some parameters from other localities where you see that in some... in some localities actually the County or the State, like in the City of Charlottesville and I believe, what was the other County, was it Prince William no Fairfax. The County of Fairfax and the City of Charlottesville, their Parks and Rec Department operates the farmers market. In other places it is a very... it is a private venture. The farmers market... the way the farmers market itself operates is fairly self... internally

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organizing and usually there is a set of by-laws that the people that participate adhere to, not something that is imposed by the County. The only question is to find a way to have the... to get that organization going and that's part of what we... I think in future discussion does the County want to be pro-active and try to be the focal point or do we want to simply provide a framework for individuals to do it. The idea was certainly discussed that you don't want to be able to allow a million different farmers markets everywhere but of course you know neither do you want to get into issues like CUPs and things like that. I think a lot of people... you know the idea of a Courthouse based farmers market was pretty appealing I think in general to people. But you know they need to be the closest they can be to where all the people are so that is like anything else like that, you have a little bit whether the farmers themselves want to be here or whether they think they can do better if they were in some location on 610 is probably still up for grabs. But I think there was a lot of... we had a good discussion about how all that works and what they would like to do, so yeah I think the... what we came to is that probably you need an Ordinance that helps set the framework for farmers markets but is not, you know it is not... it is not (inaudible) you can set up a farmers market anywhere but is also does not make it too restrictive that nobody is going to go through it or too expensive. It was also clear that there is actually probably a second layer of entity that needs to exist, which is not exactly a farmers market but is more like what you would call for lack of a better word a small local corporative. Because what happens is that in some regions one farm will act as a vehicle for selling the produce from that farm and maybe two or three neighboring farms and that is not exactly a farmers market but you don't want to make the rules for farmers markets such that you infringe on those people's ability to make their farm work. So I think we are probably going to need a category... a second category of farm retail structure.

Ms. Kirkman: Well I guess I was asking because in... again what became clear from the discussion with the representative from the Ag Committee is they actually want to be where there is dense commercial development.

Mr. Fields: Yes.

Ms. Kirkman: Yet the way the Ordinance is laid out it is making farmers markets with very little definition a by-right use in the rural areas and it seems to me what they are saying is that is not where they are going to sell the product because they can already do that.

Mr. Fields: Yes.

Ms. Kirkman: That they want to be moving in to the commercial areas. Is that correct?

Mr. Fields: Yes, that is what the farmers... they don't want... but what you will probably need is again this other category that will allow some retail... some sort of cooperative retail sale of produce from farms in rural areas where the farms are because some of the members on the Committee said that is their model. They choose to sell at their farm and it is a vehicle for people adjacent and close proximity... so you don't want to completely deny that in every category, but what is it is what we need... the Planning Commission and the Board in terms of the land use issue of it will need to... needs to... Mrs. Baker was saying what we need to do is craft very tightly what they are and how they operate so that even though you don't say it can only be in this one place because of people in the Ag Committee don't want to end up corralling them into one specific location as circumstances and things change. But you also don't want several farmers markets to just be able to emerge randomly. I think by creating a set of regulations on how they are used, I think is what was sort of came out as potentially the best way to meet all those needs.

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Like I said specifically everything we were doing was addressing what was the desire of the members of the Ag Committee who are farmers trying to sell their produce. So really I think the spirit of it is to let them drive the process.

Mr. Howard: Okay, thank you. Any other questions for the Committee?

Ms. Kirkman: I am just trying to understand what that means for the proposed legislation that was given to us. Is the thinking that what was proposed meets that need? Or is the thinking that you really need to start from scratch at this point?

Mr. Howard: Mr. Fields or Mrs. Hazard.

Mr. Fields: Well I think it is partly there, I think the idea is to create... the real idea is to create the regulation... definition and regulations of how a farmers market operates. I think that is the first step and then there is applicability across zoning districts is really becomes secondary if you have a well-crafted definition of what a farmers market is and how is operates. So it... that legislation...

Ms. Kirkman: Does that mean the legislation that was proposed is inadequate at this point?

Mr. Fields: Yes.

Ms. Kirkman: I am trying to...

Mr. Fields: Yes exactly as it is proposed it is not adequate to meet the needs of the farmers market.

Ms. Kirkman: That is what I am trying to understand.

Mr. Fields: Right.

Ms. Kirkman: Okay.

Mr. Fields: It will be... I guess it is too early to say I don't know if it will be completely discarded, it is more likely to be added to and reassembled, so to speak, reassembled.

Mr. Howard: Reassembled. It sounds like you will know more after your next meeting. Well thank you, good work and we will look forward to seeing what the product looks like in January. Are there any other questions for the Committee? Okay we will now move to item 2 on the agenda, which is the Zoning Ordinance Amendment for the Recycling Definition. And I know there were some changes or some requested changes to some of the wording at the last meeting. Mrs. Hornung, good evening.

2. Zoning Ordinance Amendment; Recycling Definition (**Time Limit: January 19, 2012**) (**History - Deferred at September 7, 2011 meeting to October 5, 2011**) (**Deferred at October 19, 2011 to November 2, 2011**) (**Deferred at November 2, 2011 Meeting to November 16, 2011**)
(*Authorize for Public Hearing by: December 5, 2011*)
(*Potential Public Hearing Date: January 18, 2012*)

Mrs. Hornung: Good evening Mr. Chairman and members of the Commission. In your packet you will find a revised recycling facilities definition and from what I gathered from Mr. Michael and the Planning

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Commission, the revised definition should read “Recycling Facilities – a structure or confined site or place where recycling activities such as the extraction and processing or reprocessing of useful materials from pre-sorted recyclable materials take place”. We added the word recyclable in there and removed the waste, refuse, garbage or other discarded language from that so that it won’t be presumed that you could use items from trash.

Mr. Howard: Right. And that was the exact concern that was raised. Alright are there any questions of staff on the changes or any other issue related to this Zoning Ordinance Amendment?

Ms. Kirkman: Yes Mr. Chair.

Mr. Howard: Yes Ms. Kirkman.

Ms. Kirkman: I want to go back to the issue I have raised before which is my concern is that automobile parts and automobiles could be considered recycling materials and how do we make sure that somebody is not setting up a salvage yard under... which have caused many problems in the County. How do we make sure they are not setting them up under this definition of a recycling facility?

Mr. Howard: Do we have a definition of a salvage yard today? I know there is a definition for a, we don’t call it a junk yard, I think it is called a vehicle grave yard or something. Do you know what that would be Mrs. Hornung?

Mrs. Hornung: I have to check but I know we have a number of different automobile and vehicle servicing definitions, but I would have to see what exactly is the one that would specify it. But if somebody were to come in...

Mr. Howard: Right if we found out the definition of... well to Ms. Kirkman’s point to you don’t want someone disposing of auto parts through this process. That is not what this is designed for, however with that being said; if there is metal as an example that is recyclable it certainly would be a good thing to do. So if there is a way to include in the proposed amendment perhaps language that use the existing definitions of those types of businesses to be excluded from this Ordinance in terms of the collection of that type of material. I think that is what...

Ms. Kirkman: Right, I just want to make sure that it is clear that this does not cover recycling of automobile parts. And even if we have a definition of a salvage yard in other parts of our Ordinance, somebody could still argue, I think, under this that recycling of automobile parts could be done as a recycling facility.

Mrs. Hornung: I don’t think that would happen because they would have to come in for permitting for use and then with our definition for salvage yard and even our other sites that we have that recycle metal, they are... Mr. Harvey I think you.

Mr. Harvey: Certainly, I can read the definition of automobile graveyard to the Commission. It says any lot or place which is exposed to the weather upon which more than three motor vehicles of any kind incapable of being operated are placed. This should not be construed to include automobile avocations. So the key thing for a grave yard is that it is outdoors, so you could have an automobile recycling facility that is in a building, but I guess that if the Commission wants it to be clear that it is not intended to recycle automobiles we can include that in the definition of recycling facility.

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Ms. Kirkman: I would like to see some language added to that effect. I think just a single sentence.

Mrs. Hornung: We do have automobile salvage yard.

Ms. Kirkman: Right, I understand all these definitions exist...

Mr. Howard: Well could we...

Ms. Kirkman: ... unfortunately what has happened is we have attorney's in the County take advantage of conflicting definitions in our Ordinance which is why I want to make sure that this Ordinance specifically excludes recycling of automobile parts.

Mr. Howard: So could we do something like this, excludes... well maybe exclude...

Mrs. Hornung: Automobile parts?

Mr. Howard: ... automobile salvage yard or grave yard material to include any material from land or parcels or buildings currently classified as automobile salvage and/or grave yards for the collection of storage, processing, sale or resale of wrecked, inoperable, or abandoned motor vehicles or parts thereof. So you could sort of take that one paragraph...

Ms. Kirkman: Yes I don't know that you even need the whole paragraph, I think if you just said this...

Mrs. Hornung: Just use the word as it is defined.

Ms. Kirkman: Just excludes...

Mr. Howard: Yes, I think that would be good. That is fine.

Ms. Kirkman: The part you said about parts and...

Mr. Howard: The specific parts, the inoperable parts of an automobile.

Mrs. Hornung: So at the end we could say excluding automobile grave yard, automobile repair, automobile salvage yard...

Ms. Kirkman: I don't think you need to do any of that because then you are restricting it to that. Just say exclude...

Mrs. Hornung: Exclude automobile parts?

Ms. Kirkman: Inoperable automobiles or automobile parts, I think is the language that you read.

Mr. Howard: Yes, that is correct.

Mrs. Hornung: Inoperable automobile parts.

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Ms. Kirkman: Automobiles and automobile parts.

Mrs. Hornung: Oh, and automobile parts, okay.

Ms. Kirkman: I think if you... in the... the lawyers in the attorneys office should look at it when they have a chance, but I think just something as simple as that would be adequate.

Mrs. Hornung: Okay.

Mrs. Hazard: You can even just keep it... keep the period there and just start a new sentence of this definition is not intended to apply to... as opposed to...

Ms. Kirkman: Yes.

Mrs. Hazard: Because I always find when you get a major run on sentence of excluding, what are you modifying and you get into a big mess.

Mrs. Hornung: Alright, add a new sentence saying this definition does not include inoperable automobiles and automobile parts.

Ms. Kirkman: Recycling of inoperable automobiles or automobile parts. I think that is all you need.

Mr. Howard: I think that is good. Now can we get that official and Ms. McClendon can you take some time to ponder that? The December 5th meeting is filled with information so if there is a way to resolve this tonight we have time to wordsmith this and give Ms. McClendon a chance to make sure from the County perspective that we are protected and there is no unintended consequence as Ms. Kirkman has amply pointed out. So that would be good. So we can table this for now and come back to it. Once you think the wording is right and Ms. McClendon has had time to think through that. She has heard the concerns to make sure that from a legal perspective to Ms. Kirkman's point we are not... we don't have an unintended consequence s where there is a loophole and somebody can say well, you know guess what we can do that.

Mrs. Hornung: Would you like me to go and fix this definition now...

Mr. Howard: Yes.

Mrs. Hornung: ... and bring it back to you?

Mr. Howard: Yes.

Mrs. Hornung: I can do that.

Mr. Howard: That would be wonderful. I think for the sake of December 5th that would be helpful.

Mrs. Hornung: Okay.

Mr. Howard: To all of us. So that would bring us to item 3 while we are working through item 2 in

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tandem. Which is the Zoning Ordinance Exempt Subdivisions and that also appears to by Mrs. Hornung.

3. Zoning Ordinance Amendment; Exempt Subdivision (**Time Limit: December 7, 2011**) (**Scheduled for October 5, 2011**) (**History - Deferred at October 5, 2011 to October 19, 2011**) (**Deferred at October 19, 2011 to November 2, 2011**) (**Deferred at November 2, 2011 to November 16, 2011**)

Mrs. Hornung: Yes Sir, thank you Mr. Chairman and members of the Commission. What you have in your place... at your place before you I have added the definitions as they are currently from the Subdivision and Zoning Ordinance. And there is... they basically say the same but some of the words are in different locations as it was revised a few years ago. But the family immediately member definition currently is any person who is natural... who is a natural or legal defined offspring, step-child, spouse, family member spouse, sibling, grandchild, grandparent or parent of the owner of the parcel. The revised definition will now include aunt, uncle, niece or nephew of the owner of the parcel. And the same will be for the Zoning Ordinance definition. It will read aunt, uncle, niece or nephew of the owner of the parcel, so that all those members of the owner of the parcel are able to receive property as a family subdivision. Also another... and I apologize for not sending it to you as well, but Mrs. Hazard asked for the fees for the family subdivision plat and those fees currently, there is a base fee to create a family subdivision of one thousand one hundred and fifty dollars. If you are utilizing public utilities there is a one hundred and eighty dollar utility review so that would total it to one thousand three hundred and thirty dollars for a family subdivision. And the only other fee that you would pay automatically is the number of lots that you create times twenty dollars, and that would be your total fee. You don't always have to pay the one hundred and eighty because if you have drainfields there is no utilities review. Those are the fees for a family subdivision plat.

Mr. Howard: Okay thank you. Mr. Apicella I know you had a question.

Mr. Apicella: Yes I am going to... Mr. Chairman with your indulgence I am going to ask the same question I did at the last meeting. To what extent can variances or exceptions be applied to the Subdivision Ordinance and specifically to this issue?

Mrs. Hornung: Well the Subdivision Ordinance is only going to the Planning Commission for waivers of the requirements. I am not sure if we have the opportunity for a special exception or a variance.

Mr. Harvey: Yes there is a provision in the State Code. Ms. McClendon has looked into that, it deals with language that allows a variance of the subdivision requirements or exception to the subdivision requirements. Currently right now in our Ordinance we have a specification for a waiver process, where as anybody who feels that the Ordinance as applied doesn't work very well for the parcel, they can ask for a waiver of that standard. But that is not exactly the same thing as a variance or an exception.

Ms. Kirkman: Mr. Harvey although it may be a different legal vehicle, does it accomplish the same thing of absolving the property owner of the responsibility to meet what they have asked for in the waiver? If you ask for a variance from the Zoning Ordinance it gives you the ability to not comply with some aspect of the Zoning Ordinance. If you ask for and are approved for a waiver of the Subdivision Ordinance does it have the same effect as a variance for...

Mr. Harvey: It is very similar, I guess with a variance for a zoning issue you have to prove a hardship. You don't necessarily have to prove a hardship for a subdivision issue.

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Ms. Kirkman: So the threshold for a subdivision waiver is actually lower than the threshold for a variance for the Zoning Ordinance?

Mr. Harvey: Correct.

Ms. Kirkman: Thank you.

Mr. Apicella: I have a similar question. So are waivers authorized by a different section in the State Code? Or I think part of the question that you are answering and I could be wrong, are they synonymous or are they different? Waivers verses variances and exceptions?

Mr. Harvey: Well if my recollection serves me correct our Ordinance doesn't directly tract with the State Code. In that it follows, I think, the concept or the intent that there should be some sort of administrative relief but it doesn't exactly tract with the wording specified in the State Code. But the effect would be similar.

Mr. Howard: Does that answer your question Mr. Apicella?

Mr. Apicella: So again, I think what I am hearing is you could have a waiver applied for... I am trying to remember the circumstances for a waiver, I think it said for an unreasonable burden. That was the threshold or criteria for a waiver verses a variance or a special exception based on an injustice or an undue hardship, if I read the State Code correctly. So there is different... potentially different criteria for a waiver verses and variance and an exception.

Mr. Harvey: I believe that is correct.

Mr. Howard: Go ahead Ms. Kirkman.

Ms. Kirkman: Isn't the important this here whether or not there is an ability to get relief if someone... we are thinking... this whole issue came before us because there were one or two examples in the County in the last decade or so of instances where there had been willed property and there were issues with subdividing the property to meet the terms of the will. That is my understanding as to why this issue came before the Board of Supervisors and in particular in the Hartwood District, so I think Mrs. Hazard was going to go back and confer with her Supervisor on the issue. And that we... the important thing is that there is a mechanism in our Subdivision Ordinance now to get relief if it is needed and I think we determined that if there is a hardship, although we weren't able to identify many cases where this occurred. If there was a hardship that perhaps the best way for that to be addressed was for the Board to do something with the fee structure for these unique and rare occurrences. I think that is where we are at. So I am not understanding why you...

Mr. Apicella: There may have been a catalyst based on a given set of circumstances that caused this to come to our attention. That being said there is a discretionary portion of the State Code that allows us in addition to what we have currently and that standard which is, I believe, an unreasonable burden, the vehicle being a waiver. There are additional vehicles and different set of circumstances that might cause someone to come to the Planning Commission and ask for a variance or an exception. So again the State Code authorizes the County to adopt that particular code section in the Subdivision Ordinance and even though no one has come to us and asked for that kind of relief, we are able to grant that kind of relief by amending the Subdivision Ordinance.

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Ms. Kirkman: So Mr. Chair, I would just suggest that for the purposes of clarity that if the Commissioner from Aquia has new and different legislation that he would like to introduce, that he do so separate from this particular issue that we have been dealing with. I just think that it would be a little cleaner.

Mr. Howard: I understand. I think the question was initially why would we want to adopt an amendment to the Subdivision Ordinance that created a classification called Exempt Subdivisions. That had everybody concerned. And I think Mr. Apicella has done his homework and points out that in the Subdivision Ordinance Stafford County omits something that is in the State Regs that we could include in our County Ordinance as well and allow that type of relief to occur. And Ms. Kirkman's point is, you know in this particular issue where we were asked to create and exempt subdivision definition/Ordinance and it doesn't appear that we have a huge appetite to do that, right? So Ms. Kirkman's point is let's take care of this and if Mr. Apicella wants to make a motion to request the Board of Supervisors to allow the Planning Commission to amend the Subdivision Ordinance to include the State provisions, I think that is probably the appropriate way to handle the entire process. So Mrs. Hazard you had a chance to talk to your Supervisor and is there anything we have not thought through on this?

Mrs. Hazard: I don't think so. I think I have communicated that the word exempt and creating that classification is just difficult. And I think there was agreement to that. It was trying to find a way that there is an avenue, just like everybody has just amply stated for these unusual circumstances to be handled. It seems like then the current thinking is does this particular right now waiver procedure, is that the correct one to send people to or is there the appetite to suggest and I believe we were asked for our recommendations or suggestions of what the Board might do. Whether this variation of the variance or the exception language that was quoted in some of the emails that we saw from 15.2-2242 of the Virginia Code, which says in cases of unusual situations, which to me seemed to sort of speak to this one. Unusual circumstances does not come up very often when...

Mr. Howard: Well the fact that it has come up twice in ten years that would be unusual.

Mrs. Hazard: Right. It seemed to me when reading that, that that would be an easier place to send that person to say here is an area, you do have something that is unique but there is still an oversight by a body that would approve for them also to be on... putting on the other hats that I wear the bank would prefer to see variance, exception, somebody has looked at this and so my suggestion was going to be to... that the exempt subdivision, we would recommend that not be avenue to pursue but I would be willing to entertain suggesting to the Board of Supervisors that this addition of the exception or the variance might be added to our Subdivision Code.

Mr. Howard: Amend our Subdivision Code to include that.

Mrs. Hazard: Yes.

Mr. Howard: Alright, so is there anybody that has a recommendation or wants to make a motion on the amendment to the Subdivision Ordinance for exempt subdivisions?

Ms. Kirkman: Can I just...

Mr. Howard: Yes, Ms. Kirkman.

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Ms. Kirkman: For clarification, I am not understanding why the recommendation for a special exception or variance verses uses the waiver process that we have in place now.

Mrs. Hazard: It seemed that the unreasonable burden... personally I when looking at this thought that the language that for the variance or the exception, when it talks about unusual situations was just more crafted language than just unreasonable burden. I felt that it made a cleaner case. I mean as long as this body believes that the waiver process is working, I just got the impression from other that maybe that wasn't working.

Ms. Kirkman: Have we had any requests... I mean to my knowledge I don't know that the Planning Commission has ever denied a waiver. I don't know the administrator also has the capacity to approve waivers.

Mr. Howard: Mr. Harvey do you recall someone requesting a waiver from the Planning Commission?

Mr. Harvey: We have had some waivers, they are fairly limited. The most recent example that I can think of is one family subdivision in the Hartwood District where they had a 5 to 1 lot shape issue because of the configuration of the parent parcel. That waiver was granted. Right now the way our administrative process works a waiver is considered typically with either a preliminary plan or prior to approval of a plat. In that case it was a family subdivision and they had to pay an additional review fee to come forward to the Planning Commission to request the waiver. The waiver standards are different than what the State Code has for the optional provision, because the optional provisions specify that unusual situations or when strict adherence to general regulations would result in substantial injustice or hardship. In our waiver provisions it specifies that the minimum requirements that have to be considered for granting a waiver is that if applied to proposed subdivision it would impose an unreasonable burden on the subdivider and be the granting of the waiver would have no substantial adverse effect on future residents of the proposed subdivision or upon the property adjoining such subdivision. So in some regards our waiver requirements are more strict than the State Code and how you administer...

Ms. Kirkman: Except for the threshold of hardship and there is quite a bit of case law around what hardship means and it tends to be a pretty high bar.

Mr. Apicella: Mr. Chairman again for me the issue is the different standards and potential thresholds. I think there is one standard for an unreasonable burden as compared to a completely set of criteria or standards for a substantial injustice or hardship. So I personally think all three might be applicable and perhaps the reason why we have not gotten waivers is because that is based on a certain set of circumstances that may not have been triggered. However if we had this applied... if this State... additional State Code discretionary provision was applied in Stafford we may get more interest in applying for waivers... I am sorry for variances or exceptions pursuant to this specific State Code Section. So again I think it is discretionary, it is not mandatory. But again I think our job is to make sure that we allow folks who are harmed by our process to have whatever type of relief is allowable and again this is allowable under the State Code and I think the Planning Commission ought to consider adopting it and applying it to the Subdivision Ordinance.

Mr. Howard: Right. I think we are saying the same thing. The question that Ms. Kirkman had before Mrs. Hazard, I think, was in the definition and/or use of one of the terms. Is that correct? Okay.

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Ms. Kirkman: I would suggest this actually be divided into two questions. Whoever makes the motion, one is a motion regarding the proposed exempt piece and the other motion people may wish to make about additional legislation.

Mrs. Hazard: Therefore... I mean I would certainly want to make the motion that the proposed exempt subdivision language that we have bannered around be communicated to the Board that we would not recommend adoption of an exempt subdivision ordinance.

Ms. Kirkman: I will second.

Mr. Howard: Okay, any further discussion? So the motion on the table is the Planning Commission recommends that the Board of Supervisors not adopt an amendment to the Subdivision Ordinance that provides for exempt subdivisions, seconded by Ms. Kirkman. Hearing no one signal for discussion, I will now call for the vote. All those in favor of the motion on the table signify by saying aye.

Mr. Apicella: Aye.

Mr. Hirons: Aye.

Ms. Kirkman: Aye.

Mr. Rhodes: Aye.

Mrs. Hazard: Aye.

Mr. Fields: Aye.

Mr. Howard: Aye. Opposed nay. Motion carries 7-0, history in the making. It was a good discussion.

Mr. Apicella: I am going to defer to my colleague, Mrs. Hazard.

Mr. Howard: Okay, Mrs. Hazard.

Mrs. Hazard: I am going to recommend to the Board of Supervisors for them to examine whether the addition of language allowing for a variation or an exception to the Subdivision Ordinance along the lines of the Virginia State Code related to unusual situations or when strict adherence to the general regulations would result in a substantial injustice or hardship be considered as an amendment to the Subdivision Ordinance.

Mr. Apicella: If that is a motion I will second it.

Mr. Howard: Discussion?

Mr. Rhodes: Just to confirm and this is going along in parallel with our response to the Board on exempt, right? Correct? Okay.

Ms. Kirkman: Mr. Chair.

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Mr. Howard: Ms. Kirkman.

Ms. Kirkman: I have to say that I am reluctant to vote on that tonight because we have not seen a real solid analysis of the difference between our waiver provisions and what it would mean to also or as a substitute include the variance and special exception process to subdivisions and I would be reluctant to move forward without really understanding the full legal ramifications of that. I would be concerned about some unintended consequences there. Because we really have not discussed that, all we got I think about a week ago was a statement that this was something that was possible.

Mr. Howard: Right.

Ms. Kirkman: But there wasn't any analysis of what that would actually mean and what circumstances it would apply to, what the case law is around this like what situations... what door are we opening if we add this.

Mr. Howard: Fair enough. Mr. Apicella I don't know if you have response. I know you did the homework on that.

Mr. Apicella: Yes. I think if I understand the motion it is asking the Board of Supervisors to give us an opportunity to explore this issue. So all the concerns that Ms. Kirkman raised are ones we can look into and address as we explore whether this is appropriate or not to incorporate into our Subdivision Ordinance.

Mrs. Hazard: Because as I understood what they requested to us to look at this issue, give us some recommendations. Because they will have to refer it back to us for... if they want us to give them a recommendation on amending the Code. They did not send us actually an Ordinance exactly to approve, as I understand it was more asking for guidance.

Mr. Howard: Ms. McClendon if this motion were to move forward, in your opinion as the not the parliamentarian necessarily but the attorney who advised the Planning Commission, would you have enough time if it were to come back to us, it probably would not come back to us until next year, but would there be enough time from your perspective recognizing what you have heard this evening that you could do some assessment in terms of what other potential implications this would have on Stafford County?

Ms. McClendon: Sure there is more than enough time.

Mr. Howard: Okay, thank you. It is a good point Ms. Kirkman that you brought up because we certainly don't want to adopt something and then have an intended consequence that we did not think through appropriately.

Ms. Kirkman: Mr. Chair I still think it is premature and for that reason I am going to oppose the motion.

Mr. Howard: Understood. Any other discussion? Hearing none I will call for the vote on the table. All those in favor of the motion currently before us signify by saying aye.

Mr. Apicella: Aye.

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Mr. Hirons: Aye.

Mr. Rhodes: Aye.

Mrs. Hazard: Aye.

Mr. Howard: Aye. Opposed nay.

Ms. Kirkman: Nay.

Mr. Fields: Nay.

Mr. Howard: Motion carries 5-2.

Mr. Apicella: Mr. Chairman, can I ask for a clarification about amending the definitions for immediately family members? What is required for us to make that happen, both in terms of the Subdivision Ordinance and the Zoning Ordinance?

Mr. Howard: Go ahead Mrs. Hornung if you would like to answer.

Mrs. Hornung: That would be included in your recommendation to the Board that they send an Ordinance to you amending the Subdivision Ordinance and an Ordinance would be drafted including the revised definition.

Ms. Kirkman: And would anything need to be amended in the Zoning Ordinance?

Mrs. Hornung: Yes there is definitions here, the Subdivision and the Zoning Ordinance definition of family, immediate member. They both would be amended.

Ms. Kirkman: And where in our Zoning Ordinance do we use immediate family?

Mrs. Hornung: For the... when we are looking at who is living... it is the family unit. There is a section in the Ordinance about how many related people can live in a dwelling.

Ms. Kirkman: Okay, thank you.

Mrs. Hornung: More than four unrelated is a zoning violation.

Ms. Kirkman: So that is where it would pull into the Zoning Ordinance.

Mrs. Hornung: Right, that is correct.

Ms. Kirkman: Okay, thank you.

Mr. Howard: Mr. Rhodes.

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Mr. Rhodes: So we would address this so that... the point would be that we would address this as another comment or recommendation back to the Board similar to the last item that we just voted on.

Mr. Apicella: Right.

Mr. Rhodes: Another sub-part of it.

Mr. Apicella: So Mr. Chairman, I move to request and I am asking for a little help here in terms of making the appropriate motion, that we request that the Board of Supervisors consider or allow us to consider amending the definitions of immediate members... family members for both the Subdivision Ordinance and the Zoning Ordinance to include Aunts, Uncles, Nieces and Nephews.

Mr. Howard: That is a motion. Is there a second?

Mr. Rhodes: Second.

Mr. Howard: Second by Mr. Rhodes. Discussion?

Mr. Fields: Mr. Chairman.

Mr. Howard: Mr. Fields.

Mr. Fields: Yes, this is a... the family... the concept of the family subdivision is the... is... can be both best and the worst of how things work in Stafford County. And sadly I have always... as someone who has represented an area that has a lot of families that have been living there for close to four hundred years owning property, I have always been highly sympathetic to the idea of being able to keep area of the county that have that kind of unbelievable multi-generational continuity however, sadly once the requirements were eased of how long those families, those individuals have to hold their property before they are free to sell it, I have to oppose any extension or increase in the latitude of the family subdivision because it simply does not work with the five year turn around increasing the number of people that can participate in it has a much potential or more potential for abuse or if not abuse at least creating what ends up being a special privilege class of people able to buy and sell property speculatively under a different set of rules than the rest of us who may not be in a position to inherit large amounts of land. And I think that is not really what a lot of people intend but it is certainly what can be accomplished and has been accomplished in the past. If you allow lots of people in the family to own this property you can subdivide your land for much less than you would have to on a commercial level and then when you... if you only have to hold it for five years all these people can turn around and certainly it is great if you can give that to your Nieces and Nephews, that opportunity to profit but it is not really fair in the main stream of things. The family subdivision to me exists as a potentially strong tool for creating and maintaining specifically rural communities. And with the lowering of the... the creation of the five year turnaround and then widening the thing I am afraid that effect is negligible.

Mr. Howard: Any other comments on the motion before us? Hearing none I will now call for the vote. Did you have a comment Mrs. Hazard?

Mrs. Hazard: I guess it was going back to Mrs. Kirkman's point about how broad this definition... the one that we are looking at when we redefine family immediately member and family immediately

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member in the Zoning and Subdivision doesn't necessarily just apply to family subdivisions. Is that correct? I guess I would want to make sure that there is not unintended consequences of where else... I think it was to her point about what other parts of the Subdivision Ordinance this impacts. I am not saying we can't recommend but I would like, if it does go forward, to say that we have not yet examined any intended consequences of what else this might impact besides the family subdivision.

Mr. Howard: I think that is a good point. Mrs. Horning how would staff research that? What type of analysis do you think you could do in our Ordinance to understand what impact?

Mrs. Hornung: For adding the additional people to the definition?

Mr. Howard: The additional definitions of family, correct.

Mrs. Hornung: Well you would allow... you would be able to allow more people... more the person giving their land in a family subdivision. They would have a wider range of people who they can give it to instead of the vertical lineage it would be the horizontal lineage.

Mr. Rhodes: Mr. Chair.

Mrs. Hornung: I would have to think about that on...

Mr. Howard: Mr. Rhodes.

Mr. Rhodes: I would just submit that if this comes back to us, if it does get referred back to us that we would just want to have a referencing of where all that term is used in the Ordinances...

Mr. Howard: And what implications it has.

Mr. Rhodes: ... that we have so that we would know all the places to see where it applies to make sure we are comfortable of the application of it.

Mr. Howard: Right. Any other comments? Hearing none I will call for the vote. All those in favor of the motion before us signify by saying aye.

Mr. Apicella: Aye.

Mr. Hirons: Aye.

Mr. Rhodes: Aye.

Mrs. Hazard: Aye.

Mr. Howard: Aye. Opposed nay.

Ms. Kirkman: Nay.

Mr. Fields: Nay.

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Mr. Howard: Motion carries 5-2. Thank you. That brings us to item number 4, which is the Tyler Estates Preliminary Subdivision Plan. Mr. Harvey I think you have some information on that.

4. SUB2501460; Tyler Estates Preliminary Subdivision Plan - A preliminary subdivision plan for 6 single family detached units, zoned A-2 consisting of 12.39 acres located on the north side of Ramoth Church Road between Freedom Lane and Powhatan Trail on Assessor's Parcel 38-11 within the Hartwood Election District. **(Time Limit: January 25, 2012) (History - Deferred at November 2, 2011 Meeting to November 16, 2011)**

Mr. Harvey: Yes Mr. Chairman, as you will note in your packet the applicant has requested a deferral until the first meeting in January to be able to address some of the questions dealing with soil suitability for the overall project.

Mr. Howard: And this is in Hartwood so Mrs. Hazard if you are in agreement this would defer you in terms of making a motion to actually officially defer that.

Mrs. Hazard: Yes, before I make that motion I have spoken to the analysis and somewhat to the applicant of exactly what we are looking for there and they still found the January 4th meeting to be better with December and other commitments. So based on that and a clarification talking with them about what we are going to be seeing, I do make a motion to defer this SUB2501460, Tyler Estates to the January 4, 2012 meeting.

Mr. Rhodes: Second.

Mr. Howard: Second by Mr. Rhodes. Is there any further discussion?

Mr. Rhodes: This will give us two sessions to be able to deal with it before the time limit. Okay.

Mr. Howard: Any other discussion? Hearing none I will now call for the vote. All those in favor of the motion on the table which is to defer Tyler Estates Preliminary Subdivision Plan to the first meeting in January signify by saying aye.

Mr. Apicella: Aye.

Mr. Hirons: Aye.

Ms. Kirkman: Aye.

Mr. Rhodes: Aye.

Mrs. Hazard: Aye.

Mr. Fields: Aye.

Mr. Howard: Aye. Opposed nay. Motion carries 7-0. And that brings us to item number 5, which is the Comprehensive Plan Amendment and Zoning Ordinance Amendment, Courthouse Urban Development Area Plan. Mr. Zuraf.

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5. Comprehensive Plan Amendment and Zoning Ordinance Amendment; Courthouse Urban Development Area Plan and UD, Urban Development Zoning District. **(Time Limit: December 31, 2011) (History - Deferred at November 2, 2011 Meeting to November 16, 2011)**
(Public Hearing Date: December 5, 2011)

Mr. Zuraf: Good evening Mr. Chairman and members of the Commission. Mike Zuraf, Principle Planner in the Planning and Zoning Department. These two items you did schedule for your next meeting, December 5th for a public hearing on that date. We did add the items to this schedule to allow time for discussion and answering questions. We did provide some responses to some of the questions at the last meeting. Those specifically were wanting to see a kind of analysis of the amount of commercial development that was anticipated in the consultant's economic analysis and then also compare that amount compared to what has been projected in the 2010 to 2030 Comprehensive Plan and also what is projected in the Courthouse Small Area Plan. Also we did an inquiry with Brad Johnson on the question of well should the redevelopment area boundaries be adjusted and he did feel like that there is some need to look at those redevelopment area boundaries. Because for the Courthouse Redevelopment Area, the boundary extends west of Interstate 95 and that area is in an entirely different Urban Development Area and likely those areas would get addressed when George Washington Village gets looked at, but also otherwise there is a need to and a desire to look at bringing all those boundaries inline, but there may not necessarily need to be... there may be some areas where the boundaries don't necessarily need to match up completely. Other than that staff is also requesting the Commission concurrence on notification we are proposing to although it is not required to do a mail out to all the properties within the Urban Development Area of this public hearing. We did send notices of prior open house to all the property owners by first class mail and so we want to get your input for that. For that notice there is a nominal cost of thirty-five dollars for the first class notification.

Mr. Howard: When would the mail go out... mailing go out? Friday?

Mr. Zuraf: Friday, okay.

Mr. Howard: I was lip reading. Thank you.

Mr. Zuraf: And other than that...

Ms. Kirkman: Can... what would be the possibility of including properties that are adjacent as well?

Mr. Zuraf: We can do that and that should not be a great number more.

Ms. Kirkman: Thank you.

Mr. Howard: Okay, good. So I think the will of the Planning Commission would be yes that is a good idea to send that mailer out.

Mr. Zuraf: Okay.

Mr. Howard: If you were looking for that answer.

Mr. Zuraf: Yes.

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Mr. Howard: Thank you.

Mr. Zuraf: We will do that.

Mr. Howard: To include the adjacent property owners.

Mr. Zuraf: Okay.

Mr. Rhodes: Mr. Chairman.

Mr. Howard: Mr. Rhodes.

Mr. Rhodes: I don't disagree per se but I still think that is an issue we need to address more formally on...

Mr. Howard: I agree. Yes this has come up and we need to change the Ordinance that requires us to do that.

Mr. Zuraf: Okay. And other than that I will turn it back to the Commission for any other questions you might have.

Mr. Howard: Thank you Mr. Zuraf. Are there any additional questions of Mr. Zuraf? Mrs. Hazard.

Mrs. Hazard: I did, I was just following up on the traffic information. I know that it's your hope... well we don't know if it will be here by December 5th, but is it sort of on track? I know you all were hoping to get some consultant materials during the week. Is that...

Mr. Zuraf: Yes.

Mrs. Hazard: Is that progressing?

Mr. Zuraf: Yes we just received that on Monday and staff is going through and reviewing the document. It is my goal to get that submitted to VDOT before the Thanksgiving break so we can get their comment.

Mr. Harvey: Yes and Mrs. Hazard, I have reached out and communicated with the VDOT representatives and made them aware that it is coming and our timeline. They said they would do the best they could to try to accommodate our schedule.

Ms. Kirkman: I have a question...

Mr. Howard: Ms. Kirkman.

Ms. Kirkman: ... for the Attorney because I have not heard any discussion of this. I was looking at the State Statute and small area plans seems to have a specific meaning within the State Statute and if I am reading the Statute correctly once a small area plan is in place then future applicants for development within that area no longer have to submit certain assessment documents. In particular for instance they don't have to do a 527 review or a traffic impact analysis. Is that correct?

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Ms. McClendon: I have not had a chance to look at that provision. I can look at it but I am not sure if I will be able to get that answer back to you this evening.

Mr. Howard: Okay.

Ms. Kirkman: Thank you.

Mr. Howard: But we can have that by the public hearing, correct?

Ms. McClendon: Yes you can.

Mr. Howard: Okay, thank you. Mr. Hirons.

Mr. Hirons: Mr. Chairman. Mike I was a little concerned, I don't know if the question to Economic Development was fully asked. I was the one who raised that issue and I was not only concerned about the boundary necessarily. Both of the plans talk about street layout and architecture and I am not sure if they really match up. I think there are some real opposition in the two plans. And I think that is where I would like to have explored whether or not we need to adjust the RDA plan to better match this one or vice versa.

Mr. Howard: Mr. Hirons, what do you see as the opposition just for my own curiosity?

Mr. Hirons: I don't recall right off hand.

Mr. Howard: Okay.

Mr. Hirons: And I apologize I should have...

Mr. Howard: No that's okay.

Mr. Hirons: We can discuss that at the public hearing but one of the things that made it pop in my head is Mr. Fields and I during the RDA plan presentations had some concerns with the Falmouth plan where it had specific pictures and kind of lead folks to believe this is exactly what it is going to look like in the end and during the meeting between us and the members of the Board of Supervisors from both of our areas we decided... requested the EDA to remove the pictures of... within the Falmouth plan. And that may be the solution here, I am not sure but I think what I would really like is a more thorough analysis from Economic Development on what is different in their... in the RDA plan from this small area plan.

Mr. Zuraf: Okay.

Mr. Howard: Yes that is where I was going. What is the specific question? Because maybe Mr. Dayton can have that and/or be present hopefully on the 5th and we can...

Mr. Hirons: Right. I think it is something that certainly we can discuss and you know it's not a show stopper necessarily but it is something that we can discuss during the public hearing.

Mr. Zuraf: I will see if Mr. Johnson can attend that meeting.

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Mr. Howard: Good, any other comments or questions for Mr. Zuraf? This was the... if you recall we recognize this was being published but if there were other points like the ones raised just moments ago that staff could have a chance to either hear that tonight and bring back additional information or give us some different perspective this evening. So I don't know if there are any other questions on that. Hearing none, I think there were two points raised Mr. Zuraf that you seemed to grasp and get Mr. Dayton here for one and the other question we will hear from Ms. McClendon on.

Mr. Zuraf: Okay, thank you.

Mr. Howard: Oh Brad Johnson.

Mr. Zuraf: Yes Mr. Johnson.

Mr. Howard: Not Brad Dayton.

Mr. Zuraf: Thank you.

Mr. Howard: Thank you. I appreciate that, thank you for the correction. Okay that brings us almost to the public comments. Obviously that brings us to the...

Mr. Rhodes: Meeting minutes.

Mr. Howard: No, we have item number 2, I don't know. I guess Mrs. Hornung is not back but... so we will wait on that. So this is a record. It is 7:26, anyone want to make a motion on approval for the October 19, 2011 minutes? No?

Ms. Kirkman: Mr. Chair I don't recall getting minutes in my packet.

Mr. Harvey: Mr. Chairman, I apologize. Those were not included in your report.

Mr. Howard: Then we can't make a motion on that. Okay, so there are no minutes to nominate for approval and public presentations will begin in three minutes for those of you waiting. We are waiting to go back to item number 2, which I guess Mrs. Hornung was going back to get some additional information on that we requested. Ms. McClendon did you have any other perspective on that language in the recycling definition that we revised this evening?

2. ***Zoning Ordinance Amendment; Recycling Definition (Time Limit: January 19, 2012) (History - Deferred at September 7, 2011 meeting to October 5, 2011) (Deferred at October 19, 2011 to November 2, 2011) (Deferred at November 2, 2011 Meeting to November 16, 2011)***

Ms. McClendon: Yes Mr. Chairman. I am looking through the definitions that we already have in the Zoning Ordinance. I recommend that the Planning Commission consider making the definition parallel with the definition that already have for an auto salvage yard. So in keeping with Mrs. Hazards addition I would suggest the language reading this definition is not intended to apply to wrecked, inoperable or abandoned motor vehicles or parts thereof, to keep it consistent with the definition we already have for auto salvage yard.

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Ms. Kirkman: That works.

Mr. Howard: That actually sounds very good.

Ms. Kirkman: That is basically what we...

Ms. Howard: Yes I appreciate you doing that. So we would... we have that language officially in writing. Based on Ms. McClendon's verbal comments and she has it on her legal pad there. Not a real legal pad I might add it is a white pad but it is okay. So Mrs. Hazard would you like to include that language in the motion? Were you the motion maker originally?

Mrs. Hazard: I don't think we had...

Mr. Howard: We did not have one. Sorry. Mrs. Kirkman.

Ms. Kirkman: I did not make the motion.

Mr. Howard: Okay, I will entertain anybody that would like to make a motion.

Mr. Apicella: Mr. Chairman I would move that we adopt the language recommended by our Attorney.

Mr. Howard: Alright.

Mr. Rhodes: Submit to public hearing.

Mr. Howard: And submit to public hearing as amended.

Mr. Apicella: Right.

Mr. Howard: Can you just read the language... the amendment to the language one more time Ms. McClendon?

Ms. McClendon: Sure, this definition is not intended to apply to wrecked, inoperable or abandoned motor vehicles or parts thereof.

Mr. Rhodes: And that would be the final sentence added to the end of what is in our package for O11-37.

Mr. Howard: Alright is there a second?

Mr. Rhodes: Second.

Mr. Howard: Second by Mr. Rhodes. Is there any additional discussion?

Mr. Hirons: That is what Mrs. Hornung is going to edit currently, right?

Mr. Howard: Correct.

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Mr. Hirons: Can we get a message to her to let her know we changed that?

Mr. Howard: Yes, we are calling her office right now to save her the time. Good point.

Mr. Rhodes: No she will appreciate doing the work and coming down...

Mr. Howard: Well I think Ms. McClendon's recommendation was very thorough.

Mr. Rhodes: After we have adjourned.

Mr. Howard: Any other discussion? Hearing none we will now call for the vote. All those in favor of the amended... of recommending for public hearing the Zoning Ordinance Amendment Recycling definition as amended this evening including the language from Ms. McClendon signify by saying aye.

Mr. Apicella: Aye.

Mr. Hirons: Aye.

Ms. Kirkman: Aye.

Mr. Rhodes: Aye.

Mrs. Hazard: Aye.

Mr. Fields: Aye.

Mr. Howard: Aye. Opposed nay. Motion carries 7-0. Thank you Mrs. Hornung. Great job.

Mr. Rhodes: Great job.

Mrs. Hornung: Thank you.

6. Zoning Ordinance Amendment; Rappahannock River Overlay District and Potomac River Overlay District (Referred back by Board of Supervisors) (**Time Limit: October 6, 2010**) (**History - Deferred at June 16, 2010 Meeting to August 18, 2010**) (**Deferred at July 21, 2010 Meeting to September 1, 2010**) (**Deferred at September 1, 2010 Meeting to October 6, 2010 Meeting**) (**Deferred - Requesting additional time from Board of Supervisors**)

NEW BUSINESS

None

7:30 P.M.

PUBLIC PRESENTATIONS

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Mr. Howard: At this time of the meeting I would like to open up the meeting this evening for our public presentations. Anyone wishing to address the Planning Commission may do so by stepping forward to the podium. When you step forward to the podium you have three minutes to address the Planning Commission on any topic you wish to address us on. There are no public hearings this evening. So you may address us on any topic that is currently on your mind. When the light goes on three minutes begins, when the yellow light starts to flash you have about a minute left. And when the red light goes on we ask you to conclude your comments and step away from the podium and allow the next speaker to address the Planning Commission. We will not address your responses directly but general in nature at the end of the public comments. Anyone wishing to address the Planning Commission may do so now.

Mr. Rhodes: I think Mrs. Hornung may come forward to talk about wasting her time.

Mr. Howard: I am sorry, but that...

Mrs. Hornung: It was not a waste.

Mr. Howard: Yes, we were talking about a different type of waste. Alright seeing no one advancing towards the podium I will now close the public presentation portion of the meeting this evening and acknowledge that there are no public hearings on our agenda and that brings us to the Planning Directors Report.

PUBLIC HEARINGS

None

PLANNING DIRECTOR'S REPORT

Mr. Harvey: Thank you Mr. Chairman. I am happy to say that we have successfully concluded our search for a new Zoning Administrator. Yesterday the Board of Supervisors approved a Resolution appointing Susan Blackburn as the new Zoning Administrator for Stafford County. She has extensive experience previously with Henrico County as well as King William County. So we are looking forward to having her start with our office on the 28th.

Mr. Howard: Excellent. That is good to hear.

Mr. Harvey: And seeing that this is our last meeting in November I want to wish the Planning Commission a Happy Thanksgiving.

Mr. Howard: Thank you. Ms. Kirkman.

Ms. Kirkman: I did have a request of staff and the Director.

Mr. Howard: Yes.

Ms. Kirkman: I think it would be helpful given the anticipated changes in the composition of the Planning Commission if we could get as many minutes as possible for our next meeting.

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Mr. Howard: I appreciate that. That is a good point. Considering there is extra time too. I am just kidding there is not, there are two less days. But that is a point well taken. Are there any reports from the County Attorney?

COUNTY ATTORNEY'S REPORT

Ms. McClendon: No report at this time Mr. Chairman.

Mr. Howard: Thank you Madam Attorney. And the Committee Report we had earlier, is there any update on that? Anything to add? No, alright. And there is no other business on the agenda.

COMMITTEE REPORTS

CHAIRMAN'S REPORT

Mr. Howard: The Chairman has no report other than to wish everyone a happy, safe and healthy Thanksgiving as well. And to be thankful for all of those who serve our County in the many different capacities that they do. Hearing no other comments or no one motioning for the microphone the meeting is now adjourned. Thank you have a good evening.

OTHER BUSINESS

APPROVAL OF MINUTES

October 19, 2011

ADJOURNMENT

With no further business to discuss the meeting was adjourned at 7:33 p. m.