

STAFFORD COUNTY PLANNING COMMISSION MINUTES

May 2, 2012

The meeting of the Stafford County Planning Commission of Wednesday, May 2, 2012, was called to order at 6:32 p.m. by Chairman Michael Rhodes in the Board of Supervisors Chambers of the County Administrative Center.

MEMBERS PRESENT: Rhodes, Hirons, Apicella, Gibbons, Hazard, and Schwartz

MEMBERS ABSENT: Boswell

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

Mrs. Hazard stated that five members were present, Mr. Hirons would be late, and Mr. Bowell was absent.

DECLARATIONS OF DISQUALIFICATION

Mr. Rhodes asked if there were any declarations of disqualification. Hearing none he moved on to item 1.

UNFINISHED BUSINESS

1. Amendment to Zoning Ordinance - Proposed Ordinance O12-02 would amend the Stafford County Code by, among other things, creating new definitions, modifying permitted uses and creating new zoning regulations to establish a Transfer of Development Rights (TDR) program. The purpose of the TDR program is to provide a mechanism by which a property owner can voluntarily transfer residential density from sending areas to receiving areas and/or to a transferee without relation to any particular property through a process intended to permanently conserve agricultural and forestry uses of lands, reduce development densities on those and other lands, and preserve rural open spaces and natural and scenic resources. The TDR program is intended to complement and supplement County land use regulations, resource protection efforts, and open space acquisition programs. The TDR program is also intended to encourage increased densities in two designated receiving areas that can better accommodate this growth. **(Time Limit: June 2012) (History - Deferred at March 7, 2012 to March 21, 2012) (Deferred at March 21, 2012 to April 3, 2012) (Deferred at April 3, 2012 to April 18, 2012) (Deferred at April 18, 2012 to May 2, 2012)**
(Authorize for Public Hearing by: May 16, 2012)
(Potential Public Hearing Date: June 20, 2012)
2. Amendment to the Stafford County Comprehensive Plan (the "Plan") - A proposal to amend the Plan dated June 7, 2011 in accordance with Virginia Code Section 15.2-2229 regarding Transfer of Development Rights (TDR). The proposed amendment would modify Chapter 3 of the Plan to incorporate amendments to the textual document and adopt a new map entitled Figure 3.8, Transfer of Development Rights Sending and Receiving Areas. The map generally depicts the area south of Aquia Creek, east of the CSX Rail Line and north of Potomac Creek that are designated as Agricultural/Rural and Park on the Plan Land Use

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Map as a sending area for Transfer of Development Rights and the lands designated as the Brooke Station Urban Development Area and Courthouse Urban Development Area as receiving areas for Transfer of Development Rights. **(Time Limit: June 2012) (History - Deferred at March 7, 2012 to March 21, 2012) (Deferred at March 21, 2012 to April 3, 2012) (Deferred at April 3, 2012 to April 18, 2012) (Deferred at April 18, 2012 to May 2, 2012)**
(Authorize for Public Hearing by: May 16, 2012)
(Potential Public Hearing Date: June 20, 2012)

Mr. Harvey stated that at the last meeting the Commission gave staff direction on how to make modifications to both the Zoning Ordinance Amendment and the Comprehensive Plan Amendment. He stated that they are currently in the process of doing that, and they anticipate that at the next meeting they will have the final document available for the Commission to authorize a public hearing.

Mr. Hirons arrived at 6:36 p.m.

Mr. Rhodes stated that they would include in the Ordinance, the Crow's Nest development properties and the A-2 properties more than 20 acres, as the sending area. He stated that they were working to find the receiving area that would be able to accommodate that portion in the Courthouse Road area. Mr. Rhodes stated that both items will be brought back to the Commission at the next meeting and preceded on to item 3.

3. **Proffer Guidelines** - Review and discuss new methodology and policies. **(Time Limit: June 30, 2012) (Deferred at April 3, 2012 to April 18, 2012) (Planning Commission has requested additional time)**
(Authorize for Public Hearing by: May 16, 2012)
(Potential Public Hearing Date: June 20, 2012)

Mr. Harvey stated the presentation was given at the last Planning Commission meeting. At the Board of Supervisors meeting last night the Board discussed the Commission's request for additional time. He stated the Commission had asked for an additional 90 days extension to the previous deadline and further asked the Board to consider establishing a joint committee. He stated the Board did grant the time extension and staff was open to questions that the Commission may have about the guidelines or any direction the Commission would like to proceed with the committee process and have that discussion at the committee level. Mr. Rhodes explained that Mrs. Stimpson stated that she would take the request for joint committee under consideration and possibly address it during the next session. Mr. Rhodes recommended voting for a public hearing at the meeting in August and hold the public hearing at the first session of September. Mr. Harvey concurred. Mr. Rhodes asked Mr. Harvey what staff's perspective would be on the next steps. Mr. Harvey stated that once they got the committee established they would start going through the various components of the proposed guidelines. Mr. Rhodes stated that they would later discuss the transportation impact fees in item number 5. He stated that they would be working on the proffer guidelines as a whole. Mr. Rhodes stated that they would leave this item for discussion on May 16th for confirmation as to how the Commission will develop their own committee or how they will proceed once they get feedback from the Board of Supervisors as to their inclination on a joint committee. Mr. Harvey suggested amending some of the policy guidelines to incorporate some concerns that were mentioned. He asked if the Commission would be willing to give the staff some

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more liberal license to put those items in prior to the next meeting. Mr. Rhodes concurred and proceeded to item 4.

4. Architectural Design Standards – Amend the Traditional Neighborhood Development Plan, an element of the Comprehensive Plan, to incorporate Architectural Design Standards. **(Time Limit: September 5, 2012) (Deferred at April 18, 2012 to May 2, 2012)**
(Authorize for Public Hearing by: July 11, 2012)
(Potential Public Hearing Date: September 5, 2012)

Mr. Zuraf gave a brief update. He stated that the Board of Supervisors granted the Planning Commission additional time to develop architectural design guidelines, giving them until September 5, 2012 to act. He stated that public input would be obtained through an in-person public meeting and an online survey. Staff is in the process of developing a public meeting strategy and compiling information for the development of Architectural Design Guidelines and incorporating those into the TND Plan. He stated that they will be presenting that at a future meeting when they have more details.

NEW BUSINESS

5. Amendments to the Stafford County Comprehensive Plan (the “Comprehensive Plan”) - The County proposes to amend the textual document entitled “Stafford County, Virginia, Comprehensive Plan 2010-2030,” to: amend Chapter 4 with regards to Transportation Impact Fees . The proposed amendment would eliminate reference to the current impact fee areas known as the Central West district (Area A) created in 2003 and the South East district (Area E5) established in 2005, reference to the impact fee projects and impact fee rates. The amendment would further reference a new County-Wide district with a new project list and fee rates. **(Time Limit: June 17, 2012)**
(Authorize for Public Hearing by: May 16, 2012)
(Potential Public Hearing Date: June 6, 2012)

Mr. Harvey stated that they are considering amending Chapter 4 of the Comprehensive Plan. He stated that there will be an amendment to the Impact Fee Ordinance that the Board will take up as a separate issue at the same time that they take up the Comprehensive Plan Amendment. He stated that the County is proposing to institute a countywide impact fee in which the proposed Comprehensive Plan amendments would repeal the two existing impact fee districts and the amendments include a new list of road improvements which the impact fees would be used toward. He stated that staff is providing option A for consideration. He stated that option A would allow the County to collect transportation impact fees for both future residential and non-residential development. Mr. Harvey stated that each road project has a listing of the ultimate cost for that project, as well as a growth share percentage and based on the growth share percentage, that is what the relative existing cost is versus what the future development cost. Mr. Harvey stated that the impact fees will help pay partly for road improvements.

Mr. Rhodes halted the discussion to open the public presentation portion of the meeting.

Discussion continued after public presentation.

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7:30 P.M.

PUBLIC PRESENTATIONS

Paul Waldowski explained that Mr. Milde stated that the County is going to spend \$66.1 million for a new high school. He stated that he came up with some interesting aspects, of looking between \$30 million and \$42 million using 21st Century techniques. He stated that 30 years prior to today, his subdivision was in front of the Planning Commission and proposed with Resolution 82-341. He stated that they are stuck with the roads and private water systems. He stated that the neat thing about planning is that, you can plan but you still have to implement because some of the banks are not giving loans. He stated that the news reported that on April 30th, an 11 year old boy died in a storm pond in one of the subdivisions with an HOA, but no details have yet to be released.

Mr. Rhodes closed the public presentation portion and proceeded to the public hearings.

PUBLIC HEARINGS

6. Amendment to the Stafford County Comprehensive Plan (the “Comprehensive Plan”) – A proposal to amend the Comprehensive Plan by amending (1) the textual document entitled “Stafford County Comprehensive Plan, 2010 – 2030,” dated January 17, 2012 (the “2010 – 2030 Plan”), and (2) the textual document entitled “Courthouse Urban Development Area Plan, Stafford County, Virginia,” dated February 10, 2012 (the “Courthouse UDA Plan”), in accordance with Virginia Code Section 15.2-2229. The proposed amendments would: (1) add language to the 2010 – 2030 Plan to summarize the Virginia Code changes, effective July 1, 2012, which would allow previously mandatory Urban Development Areas (UDAs) to be an optional element of a locality’s Comprehensive Plan; (2) amend both the 2010 – 2030 Plan and the Courthouse UDA Plan to clarify that previously stated minimum densities for development are now target densities, and (3) amend both the 2010 – 2030 Plan and the Courthouse UDA Plan to recommend that the zoning district standards created for UDAs should incorporate the following density ranges:
 - 3 to 6 dwelling units per acre for single-family detached homes,
 - 5 to 8 dwelling units per acre for townhomes,
 - 11 to 14 dwelling units per acre for condominiums or apartments, and
 - 0.4 to 1.0 floor area ratio for commercial development.

7. Amendment to Zoning Ordinance - Proposed Ordinance O12-13 would amend Stafford County Code, Section 28-35, Table 3.1, “District uses and standards.” This amendment to the UD, Urban Development Zoning District regulations establishes maximum densities and modifies the minimum density requirements for development in the UD Zoning District. The following density ranges are proposed: 3 to 6 dwelling units/gross acre for single-family detached and duplex dwellings; 5 to 8 dwelling units/gross acre for townhouse dwellings; 11 to 14 dwelling units/gross acre for multi-family dwellings; and 0.4 to 1.0 floor area ratio for commercial and for mixed-use development. **(Time Limit: June 5, 2012)**

Mr. Zuraf presented the staff report. He stated that the Planning Commission is to consider amendments to the Comprehensive Plan, specifically amending (1) the textual document entitled “Stafford County Comprehensive Plan, 2010 – 2030,” dated January 17, 2012 (the “2010 – 2030 Plan”), and (2) the textual document entitled “Courthouse Urban Development Area Plan, Stafford

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County, Virginia,” dated February 10, 2012 (the “Courthouse UDA Plan”). He stated that the Courthouse UDA Plan recommends that development shall meet the densities required in the State Code for UDAs, but does not recommend any maximum density threshold. The UD Zoning District includes only a minimum density requirement. He stated that the Board expressed concern about there not being a maximum density. He stated that upon adoption of the amendments, the Board requested the Planning Commission prepare and hold public hearings on amendments to the Courthouse UDA Plan and UD Zoning District to establish maximum densities for development. He stated that at the Planning Commission’s March 21st meeting, staff provided two alternative density scenarios for consideration that establish maximum density limits. He stated that the general consensus of the Commission was a preference towards Density Option #2. He stated that this option would make UDAs optional. He gave a brief overview of the staff reports. He stated that staff does support the amendments to the plan to the 2010 – 2030 Plan and Courthouse UDA Plan. He stated that the amendments meet the criteria specified in Section 15.2-2223.1 of the State Code regarding Urban Development Areas that take effect on July 1, 2012. He stated that the proposed Planning Commission Resolution PCR12-01 would reflect a Planning Commission’s recommendation to approve these amendments. He stated that staff also supports the amendments to the UD zoning district development standards. He stated that the amendments are consistent with the proposed Comprehensive Plan amendments to the 2010 – 2030 Plan and Courthouse UDA Plan and the amendments meet the criteria specified in Section 15.2-2223.1 of the State Code regarding Urban Development Areas that take effect on July 1, 2012. Mr. Rhodes asked if there was a specific order for them. Mr. Zuraf stated that the Comp Plan Amendment has to be addressed first.

Mr. Rhodes opened the public hearing portion for items 6 and 7.

Paul Waldowski stated that that in Stafford Meadows there are four buildings with 66 units that are based off of square footage. He stated that in his building there are 16 units and 17 units on the opposite side. He stated that trying to fit six single-family homes on one acre is tough. He stated that Courthouse is still an RDA and across they are building a lawyers complex. He stated that by following the Comp Plan of 2010-2030, this area will never become a downtown area.

With no one else coming forward to speak, Mr. Rhodes closed the public comment portion of the public hearings and proceeded back to the Commission.

Mr. Gibbons made a motion to defer items 6 and 7 to the next meeting to see what guidance the Board has.

Mr. Hirons seconded the motion.

The motion passed 6-0 (Mr. Boswell was absent).

Mr. Rhodes proceeded back to item number 5.

5. *Amendments to the Stafford County Comprehensive Plan (the “Comprehensive Plan”) - The County proposes to amend the textual document entitled “Stafford County, Virginia, Comprehensive Plan 2010-2030,” to: amend Chapter 4 with regards to Transportation Impact Fees . The proposed amendment would eliminate reference to the current impact fee areas known as the Central West district (Area A) created in 2003 and the South East district (Area E5) established in 2005, reference to the impact fee projects and impact fee rates. The*

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*amendment would further reference a new County-Wide district with a new project list and fee rates. (Time Limit: June 17, 2012)
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Mr. Apicella expressed his frustration of having to come to a conclusion quickly for this particular project.

Mr. Gibbons made a motion to just have the text relate to the maps and remove the fee schedule from the maps.

Mr. Apicella seconded the motion.

Mr. Rhodes suggested forwarding the Board's version and having a discussion for the dislike of the fees, lack of knowledge for how the fees were calculated, and then include that as commentary in the vote or go forward with the vote.

Mr. Apicella stated that he is not prepared to vote on these items.

Mr. Harvey stated that he ask get the Public Works staff to come present to the Planning Commission the background of the development of the impact fees.

Mr. Harvey and Ms. McClendon recommended that the Planning Commission consider deferring action to the next meeting for further clarification.

Mr. Gibbons withdrew his original motion and made a motion to defer items 6 and 7 to the next meeting.

Dr. Schwartz seconded the motion.

The motion passed 6-0 (Mr. Boswell was absent).

PLANNING DIRECTOR'S REPORT

Mr. Harvey stated the Planning Commission retreat was scheduled for Saturday morning at 8:00 a.m. He stated the Board of Supervisors approved the Reclassification in the Hartwood District for Electrifiers, and granted a time extension for the Commission on the Proffer Guidelines, and referred two Zoning Text Amendments down to the Planning Commission, one dealing with the Access Entrances and the other dealing with the Chesapeake Bay requirements.

COUNTY ATTORNEY'S REPORT

Ms. McClendon stated that she had no report at the time.

COMMITTEE REPORTS

CHAIRMAN'S REPORT

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Mr. Rhodes stated that he had no report at the time.

OTHER BUSINESS

8. TRC Information – May 9, 2012

Mr. Harvey stated that there was a TRC meeting on May 9th with two plans, one of which was a site plan for a terminal building at the Stafford Airport and a site plan for a 40,000 square foot medical office building within the Griffis Widewater District.

APPROVAL OF MINUTES

March 7, 2012

Dr. Schwartz stated that he was misquoted on line 360 on page 8 of 54. He stated that he said, “fire trucks” not “trucks.”

Mr. Gibbons made a motion to approve the March 7, 2012 minutes with the one modification.

Mrs. Hazard seconded the motion.

The motion passed 6-0 (Mr. Boswell was absent).

ADJOURNMENT

With no further business to discuss the meeting adjourned at 8:11 p.m.

Michael Rhodes, Chairman
Planning Commission