

**PLANNING COMMISSION WORK SESSION
JANUARY 18, 2006**

THE GREENE COUNTY PLANNING COMMISSION HELD A WORK SESSION TO DISCUSS TIME BASED DIVISIONS ON WEDNESDAY, JANUARY 18, 2006 AT 8:00 PM AFTER THE MONTHLY PLANNING COMMISSION MEETING IN THE COUNTY MEETING ROOM.

Those present were: Gary Lowe, Chairman
Jim, Davis, Vice-Chairman
Davis Lamb, Member
Graydon Lamb, Member
Phyllis Woodfolk, Member
Mickey Cox, Ex-officio Member
Bart Svoboda, Zoning Administrator
Kelly Clay, Secretary

Mr. Lowe called the work session to order.

Mr. Lowe said that possible ordinance revisions will be reviewed. He said this is a discussion that began at a work session on December 21st after the Planning Commission meeting. He said that this is a work session to come up with language, idea's and thoughts on how we want to proceed with time based subdivisions. Mr. Lowe said that the Planning Commission instructed staff at the last work session to go back and review what the surrounding counties have or are doing. He said that they would like to compare that with what we are talking about. He said that he would like to then hear thoughts from each Commissioner and what we would need to do to direct staff on how to proceed so that a conclusion could be met.

Mr. Lowe asked Mr. Svoboda to give a report.

Mr. Svoboda said that at this point, no language had been re-written. He said that they went back as directed by the Planning Commission and reviewed some other localities ordinances and what they do. He said that he would review them first using the overhead presentation and handouts.

There was discussion about when you first divide and when the clock would start. Mr. Svoboda said that the first parcel divided off cannot be re-divided for 10 years. Mr. Davis said that he saw this as a rolling process. Mr. Svoboda said yes. Mr. Davis asked in this research from Madison County if there was any negative feedback. Mr. Svoboda said that staff seemed to like it and it seemed to be doing the job they want it to do in Madison which is limit growth.

Mr. Svoboda continued his overhead/handout presentation. There was further discussion

regarding the individual counties and their systems that are in place.

There was discussion about special use permits and if that permit could play a role in what is trying to be achieved. Mr. Svoboda said that it possibly could. He then continued his overhead presentation discussing each county.

Mr. Svoboda said this concluded his examples presentation. He said that he hasn't received some callbacks at this time. He said that they didn't re-write the language from last meeting at this time because they were going to look at other options that the Planning Commission may want him to come back with which could include the original with modifications verses a percentage base model verses an acreage base model. He said staff would go on recommendation from the Planning Commission.

Mr. Lowe reviewed the statistics he had gathered. He said that he wanted to know the magnitudes of the properties of the county. He said that he did a study from 2,000 acres down to 300 acres and he was able to get 16 results. He said that there is 1,181 acres as the largest. He said the next was 734 acres and two in the 600 acre range. He said there were 13 parcels in the county of 300 acres. He continued to review his stats.

Mr. Svoboda continued his overhead presentation. There was discussion about the overhead presentation.

Mr. Lowe asked how much R-1 we had in the county that has not been developed.

Mr. Svoboda said he didn't have his numbers with him but he did have some figures.

Mr. Svoboda continued his presentation. He reviewed the packets.

There was further discussion regarding C-1 and A-1.

Mr. Lowe reviewed the process. He said that tonight is a work session between the Commission and staff where there will be discussion of ideas and scenario's trying to come up with "what if" ideas. He said that there should be time tonight for public comments. He said that formally there needs to be a public hearing at a Planning Commission meeting in the future. He said that there could be more work sessions before that public hearing. He said once the work sessions are complete and the public hearing takes place, the Planning Commission will make a recommendation and forward to the Board of Supervisors (BOS). He said that at the BOS level, they may wish to have work sessions or move on to have a public hearing. Mr. Lowe said there will be plenty of opportunity for public input.

The Chairman then opened the meeting up to the Commissioners.

Mr. Davis Lamb said that he has reviewed the letter and brief from Carl Schmitt. He said that he knows this would curb growth and that in the Comprehensive Plan we have designated growth areas and we are just an advisory to the BOS. He said that when we

vote for them and we designate them and delegate authority to them to decide what we need and he said he feels a small percentage will be penalized. He feels investments will be interrupted.

Mr. Lowe said this is a good point and feels we need to look at the impact and different scenarios.

Mr. Svoboda said that this issue that the BOS put on the Planning Commissions list to investigate to see if it is feasible.

Mr. Davis Lamb said that he commends staff on the study and research and this may curb growth but it also may hurt a small percentage of people too.

Mr. Graydon Lamb said that he has been studying the packet material and he said that in the Agriculture Zone and the Conservation Zone, they were restricted in 2001. He said that in the Agriculture Zone you can divide five 2 acre lots and after that 5 acre lots. He said that in the Conservation Zone you can divide five 8 acre parcels and after that 16 acre parcels. Mr. Lamb said there is still opportunity in R-1 and R-2 zones and that is where he said he sees the growth. He said that the newly created lots in the last 35 years in the Ag and Conservation zones have been maybe 100 parcels. He said that in R-1 and R-2 maybe 2000 parcels. He said that if growth causes taxes to increase and that we need to look at where the growth is. He said that he agrees with Davis Lamb that a lot of people will be hurt in stead of a few. He said that he appreciates the work that Mr. Svoboda and staff have put into this study.

Mr. Lowe said that May 8, 2001 is when the parent tract was created. He said that subdivision rights were established along time ago.

There was discussion about the Conservation zone.

Graydon Lamb said that growth has been limited in the Agriculture and Conservations zones 5 years ago.

Ms. Woodfolk said that she is in agreement with Davis Lamb. She said that most people have made investments in their land over years.

Mr. Lowe said that the alternative would be re-zoning, or a special use process. He said there are mechanisms that can be incorporated into certain cases that may be explored.

There was discussion about spot zoning and a large process to accommodate.

Mr. Lowe said that there are challenges ahead. He said that we want to protect property rights and division rights.

There was discussion about lots that are platted in the County. Mr. Svoboda said that he would try to research a number. Mr. Lowe said that the facts need to be right in front of

us before an informed decision can be made and before the public can make an informed decision.

Mr. Davis asked Mr. Svoboda to review some of the presentation from the overhead.

Mr. Lowe then opened the meeting to the public for comments.

Ms. Patsy Morris approached the Planning Commission and said that she is here as a citizen and not as a Board Member. Ms. Morris explained that this started on the western side of Greene and you could build on 2 acres. She said that when voting in BOS members that the people feel that these elected officials would look out for them. She said that it then went to 5 acres. She said that she and neighbors were notified by a BOS member to come forward to meetings in order to protect their land rights. She said that they were not made aware that in order to build on the western side of the county that you needed 8 acres. She said that her and her neighbors met with Planning Commission members to discuss their concerns. Ms. Morris said that she was for division rights until she found out that it was for A-1 and C-1 and nothing for R-1. She said that she feels that this affects the Dyke area, Snow Mountain Area (Bacon Hollow) and she is representing these people tonight; her land and the McInturff's. She said that she feels no man should come into this county and tell the people who have been moved off the park one time what they can or cannot do with their land. She said that if someone wants to sell 2 acres of land, then they should be allowed to sell it.

Mr. Lowe asked what Ms. Morris thought would be a solution.

Ms. Morris said that she feels the solution would be to give A-1 and C-1 the same rights that you can go down to Ruckersville and buy a quarter acre of land and build on. She said that she feels it is discrimination against the mountain people and the Bacon Hollow people.

Ms. Kim McInturff approached the Planning Commission and says that she has several questions and concerns regarding Carl Schmitt's letter. She asked what the purpose is to change the time based in A-1 and C-1. She said that she is for conservation and likes the beauty the County displays. She had questions regarding Mr. Schmitt's letter.

Mr. Lowe said that we want to protect property rights and maintain rural characteristics of the County. He said they didn't want to change any subdivision rights.

Ms. McInturff asked Mr. Lowe if the C-1 is causing a tax burden. She said that she feels she is paying taxes on other residential areas that are flooding the schools. She asked how we would be able to supply emergency vehicles for the County and questioned the water situation.

Mr. Lowe spoke about avoiding the bureaucracy to protect family members. He said that time based would allow to help family members administratively but would slow down large development.

Ms. McInturff referenced her questions and concerns to Mr. Schmitt's letter. She asked where the main bulk of growth, A-1, C-1 or R-1.

Mr. Schmitt responded with discussing build out. He said that it was converted into A-1 which is now the growth area. He said that the growth area which has been defined for Greene County is larger than the land of Charlottesville.

Ms. Patsy Morris asked why penalize the mountain people for what they hard worked hard for.

Mr. Schmitt said that we are looking to try and balance individual rights in community situations and maintain farm land. He said the best comparison for this scenario would be Madison County. He said that it is not an absolute solution but a way to continue rural character and hold down taxes

Ms. McInturff said to put time base on residential and stop penalizing them to slow down residential growth.

Mr. John Shifflett said that the County has tripled in population. He said is also concerned with the water situation - where is the water going to come from.

Mr. Lowe said that the County is working on the water situation and understands that the BOS is addressing this issue.

Mr. Alton Keel addressed the Planning Commission and said that he assisted on working on the Comprehensive Plan. He said that he recognized that something has to be done to monitor the growth and that it should have been addressed long before now. He said that surrounding counties have systems in place.

Mr. Richard Herring addressed the Planning Commission. He commented that in the studies performed 7 subdivisions were created outside the growth area with some of them within 2-3 miles of Rt. 29. He further discussed subdivisions and the amount of homes in the subdivisions. He said that nothing had been done west of Quinque. He went over statistics of homes in the geographical areas of Greene County.

Mr. Lowe said that there are re-zoning options.

Mr. Herring commented on re-zoning issues as far as time frame and also re-zoning from Industrial to Agriculture.

Mr. Lowe discussed price tag of homes in the \$500,000 range

Mr. Jimmy Henshaw addressed the Planning Commission with concerns about tonight's topic of time based division.

Lillian Baird addressed the Planning Commission with comments. She said that she didn't feel that you could blame the influx of a subdivision like Preddy Creek for tax burdens and overloading schools because the problem was already there.

Mr. Jake Harlow addressed the Planning Commission with several examples expressing water concerns and home price ranges. He said he feels the developer should be willing to pick up expenses.

Mr. Lowe said that a proffer system has been discussed.

Mr. Jerry Gore said that he feels the County is a long way from time based division approval and should focus on a proffer system. He said that the BOS should set aside time based division and work on proffers.

Mr. Lowe agreed with Mr. Gore, but he said that the Commission did suggest that the proffer system be addressed then time based division but it was voted down by the BOS for that order.

Mr. Gore suggested that the Planning Commission submit again to the BOS that the proffer system take priority over time based division as this is going to be a lengthy process.

Ms. Andrea Wilkerson expressed comments regarding the new senior residential development and how that development would have used up about 2600 acres of farm land.

Mr. Herring said that he feels it is not land/lots costing the County money, but the houses.

Mr. Lowe said that this was a good dialogue and felt this was a productive work session. He said that he will meet with Staff.

There being no further discussion, the work session was adjourned.

Respectfully submitted,

Kelly Clay
Secretary