

**Albemarle County Planning Commission
Final Meeting Minutes July 25, 2023**

The Albemarle County Planning Commission held a public hearing on Tuesday, July 25, 2023, at 6:00 p.m.

Members attending were: Corey Clayborne, Chair; Fred Missel, Vice-Chair; Karen Firehock; Julian Bivins; Luis Carrazana; Lonnie Murray; Nathan Moore.

Members absent: None.

Other officials present were: Kevin McDermott, Director of Planning; Lea Brumfield; Andy Herrick, County Attorney's Office; and Carolyn Shaffer, Clerk to the Planning Commission.

Call to Order and Establish Quorum

Ms. Shaffer called the roll.

Mr. Clayborne established a quorum.

Other Matters Not Listed on the Agenda from the Public

Mr. Neil Williamson, President of the Free Enterprise Forum (FEF), stated that Ronald Reagan once challenged Mikhail Gorbachev to tear down the Berlin Wall. He stated that government-mandated zoning was a proverbial Berlin Wall between commercial office space and residential uses, and it was keeping families from potential homes. He said that the FEF was calling on the Planning Commission to remove the zoning precluding residential uses and commercial office uses, and the limitations could be changed with the addition of up to 10 words to the zoning code. He said that since proposing the change, the FEF had received feedback about how expensive the adaptive reuse could be—such as plumbing and electrical changes. He said that last week, the mayor of Boston indicated that the City was moving forward with a tax incentive plan to encourage conversions from commercial office space to residential uses. He said that traffic and parking concerns would be alleviated for new residential development by reusing vacant office buildings.

Mr. Tom Olivier thanked the Commission for committing to an open, deliberative process for the remainder of the comprehensive plan update. He said that in an age of ecological crises, they needed a plan to make ecosystem protection a chief priority. He said that the comprehensive plan update had pushed natural resources to the periphery. He said that the County was a good place to live because they had biologically diverse open spaces in close proximity to an urban center. He said that so far, the update process had been committed to casting aside current plan thinking to be replaced by a new organization structure with no recommendations beyond readability. He said he looked forward to the rest of the process.

Consent Agenda

Mr. Missel moved to pull Item B, CCP202300001 Ragged Mountain Raw Water Pump Station, from the Consent Agenda, which was seconded by Mr. Murray. The motion carried unanimously (6-0).

Mr. Firehock motioned for the Planning Commission to adopt the Consent Agenda as amended, which was seconded by Mr. Missel. The motion passed unanimously (6-0).

Mr. Missel stated that he would recuse himself from the vote for Item B because the property was owned by his employer.

Mr. Herrick explained that Mr. Missel had provided a written statement under the state and local conflict of interest act which would be filed with the Clerk for the record.

Ms. Firehock motioned to approve CCP202300001 Ragged Mountain Raw Water Pump Station, which was seconded by Mr. Carrazana. The motion passed unanimously (6-0).

Work Session

ZTA202200002 Zoning Modernization Phase I

Ms. Lea Brumfield, Senior Planner II, stated that they were still within the administrative and application stage of the modernization process. She said that they were working to lay the groundwork for the zoning ordinance, such as the sections which would allow interpretation, understanding, and requirements for other sections.

Ms. Brumfield stated that the initial kickoff meeting was held on August 22, 2022, where they discussed phasing for the project and the intended schedule. She said that the following stages focused on interviews, gathering stakeholder information, and they held 2-on-2 interviews with the Commission and interviews with staff. She said that a focus group listening session was held with the Charlottesville Area Development Roundtable (CADRe), a key stakeholder in the application process. She said that the first work session held with the Commission was in December 2022, and it focused on the initial findings of the public engagement. She said that in January 2023, they held a public open house to share information.

Ms. Brumfield stated that the second work session was held in March 2023 where they reviewed Article 1, General Provisions, and Article 2, Powers and Responsibilities of the Zoning Administrator, BZA, ARB, and the Commission. She stated that moving forward, they were working on Article 3, Procedures and Requirements for Applications, and Article 10, which described how to handle nonconformities. She said that they focused on a list of drafting guidelines.

Ms. Brumfield stated that they were simplifying the language and layout to remove verbose language and reduce vocabulary words. She said that they were increasing the amount of whitespace on the page and reorganizing information into graphical tables. She said that they were standardizing processes across application types, and they were removing the application requirements from the ordinance. She explained that currently, any time an application requirement was changed, the ordinance had to undergo an amendment process. She said that the current application requirements section would be replaced with a section outlining the minimum standards, and the other standards and requirements would be contained in the individual applications which reflected the current process.

Ms. Brumfield explained that changes included creating lists for ease of reading, removing unnecessary jargon, reducing wordiness, and updating current procedure. She explained that they were taking submission requirements out of the ordinance and inserting them into the application process which would allow for faster updates to application requirements. She stated that they were changing special exceptions to legislative modifications because in the Code of Virginia, a special exception was a special use permit, and the County was the only locality with both a special exception and a special use permit in the ordinance.

Ms. Brumfield said that they were looking to reduce the number of special exceptions and codify the standards. She stated that they were proposing to refer to minor modifications as administrative modifications, which included items such as substituting shared parking for parking requirements. She explained that the ordinance would explicitly state the sections where there could be modifications made to the requirements. She said that zoning map amendments with proffers would be referred to as conditional zoning with proffers in its own section, and this reflected state-wide naming conventions.

Ms. Brumfield stated that future work required pulling staff resources for graphic design. She said that they were reviewing additional questions for some of the recommendations from the consultants to ensure they met legal requirements. She stated that there was additional drafting and stakeholder work regarding the site plan ordinance and entrance corridor standards.

Ms. Brumfield stated that they would next consider a work session on Article 3 and Article 10 by Q4 of 2023. She said that Phase II would address community design standards, such as screening, lighting, landscaping, curb and gutter, and parking requirements. She noted that the engagement processes were not yet scheduled. She said that in terms of best practices, they wanted to keep the process streamlined and broadly applicable.

Mr. Bivins clarified that the review of Article 3 would seek to align the County's process for the built environment in a way that allowed builders and developers to move efficiently through the process.

Ms. Brumfield responded that the goal of the entire zoning modernization project was to make the process more predictable and efficient.

Mr. Bivins asked whether there would be a discussion about whether special exceptions had to come before the Commission. He noted that the Commission did not have to take action regarding special exceptions, and it could speed up the process if they were not presented to them.

Ms. Brumfield said that they should discuss the matter with the Planning Director because the ordinance did not require it, and it was not required in the proposed ordinance.

Ms. Firehock noted that the items still came before the Commission, but they did not need to review them.

Mr. Herrick explained that the former zoning ordinance did route special exceptions before the Commission, but the Virginia Supreme Court specified that those types of legislative decisions could not be delegated to the Commission. He said that there was recently a zoning text amendment which removed special exceptions from the Commission's jurisdiction, and the current County ordinance did not require that special exceptions appear before the Commission. He noted that the Commission was always welcome to volunteer a recommendation.

Mr. Bivins expressed a desire to discuss and consider how non-vehicular traffic moved through the County when discussing Phase II.

Ms. Brumfield noted that it was an important topic. She said that currently, the County could not own the roads and sidewalks were typically within the right-of-way.

Mr. Bivins suggested that the comprehensive plan include the aspirations of the County in terms of what it wanted from developers when new applications and projects were brought up for consideration.

Ms. Firehock clarified that they could exceed VDOT standards, such as requiring wider medians between roadways and pedestrian travel ways.

Ms. Brumfield responded that anything which exceeded VDOT standards had to be maintained by a separate entity from VDOT. She explained that VDOT would not maintain sidewalks wider than 5 feet.

Mr. Missel's noted that in instances where they required above-standard signage, they had a maintenance agreement with VDOT requiring the County to maintain the signs. He noted that the same would apply to other above-standard improvements and infrastructure. He said that they had to be considerate of what the Commission required to not impose burdensome, above-standard requirements on applicants.

Mr. Carrazana noted that they had to be careful about the standards they imposed. He cautioned against being prescriptive in the design standards. He expressed concerns about the term, "predictive development patterns" in the best practices.

Ms. Firehock clarified that the process would involve the consultant creating a draft proposal which would be presented to a stakeholder roundtable and then come before the Commission for feedback.

Ms. Brumfield responded that that would be part of the process.

Ms. Firehock noted she had had long conversations with the former Planning Director Charles Rapp about landscaping standards and the fact that the County lacked certain standards, such as in regard to tree plantings. She said that she did not know what the process was for the Commission to provide recommendations as to what should be reviewed as part of the topics prior to the roundtable discussions. She asked how the Commission should suggest items which should be included in the review.

Ms. Brumfield responded that if there were specific items the Commission wanted staff to review, then Commissioners should email staff with those requests, and they would become part of the process.

Mr. Missel suggested that they embed links providing more context within the simplified language. He noted that the graphics and process timelines were valuable assets and served as a way to keep the process accountable. He asked for clarification about the Berklee Group presentation they received in December regarding Article 9 and nonconforming uses.

Ms. Brumfield responded that they had to make adjustments because they added an additional section.

Mr. Missel clarified that it was now Article 1.

Ms. Brumfield responded yes.

Mr. Murray asked for clarification about the administrative modifications. He asked whether there would be an enumerated list of what qualified for administrative modification. He suggested that the administrative changes be transparently communicated to the public. He noted that not all projects should be expedited because some did not meet the County standards.

Mr. Murray suggested that application requirements be provided upfront, and staff should provide a letter grade for applications that was publicly available. He said that if applications were submitted below a certain standard, it should be rejected. He said that in Phase II, they should consider low-impact development standards. He said that the current parking lot and landscaping processes did not address stormwater management, and they should discuss ways to address stormwater management through those standards.

Mr. Moore said he appreciated moving toward best practices and faster processing. He asked whether the differences between the rural areas and development areas were addressed in the County-wide design standards.

Ms. Brumfield responded that the current design standards were for commercial and industrial developments, and residential and rural developments had separate standards. She explained that many of the standards were contained in the entrance corridor requirements, which were typically commercial in nature.

Ms. Firehock asked what the procedure would be for businesses that installed lighting that did not meet the County standards when the business predated the zoning ordinance.

Ms. Brumfield explained that there was a distinction between newer developments and existing nonconforming uses. She explained that if the use was already there, they could not necessarily change the requirements. She said that there were specific standards for country stores, and in terms of lighting, the use had to meet standard regulations.

Ms. Firehock asked how the County would address additional lighting that was installed.

Mr. Svoboda responded that they would investigate reports on a case-by-case basis because they did not have a proactive enforcement program. He said that if a commercial use installed the wrong lighting, they would be required to remediate it.

Ms. Firehock stated that it should be expected that more people would ask questions as the zoning ordinance was solidified.

Mr. Svoboda stated that any new information would be communicated to the public. He said that four code compliance officers responded to over 400 zoning complaints per year.

Mr. Missel stated that not all applicants had the resources to bring a Grade A or B application, but may be fighting to get a project done with what they had been able to pull together for a passing grade. He stated that it also put the County in a position of making a judgment call, which was not their jobs, nor would they want it to be. He stated that it was a question of whether the regulations were being followed, so it should be more of a pass/fail grade than a letter grade, and recommended they stay away from streamlining review of applications that received a high grade.

Mr. Carrazana stated that he agreed they should be mindful not everyone had the resources. He stated that however, one of the best applications received was a small-scale residential application that was very straightforward and had everything recommended by the County. He stated that the key was ensuring that everything the County wanted to see was in the application.

Mr. Clayborne asked if the City of Charlottesville was undertaking the same initiative at this time or using the same consultants.

Ms. Brumfield answered no, she was unsure of who their consultants were, but they were learning together and had just spoken about this process at the APA Virginia last weekend. She stated that a lot of people were trying to go through this process right now and comparing strategies and results.

Mr. Clayborne asked if there were times when it made sense to collaborate or coordinate with the other localities.

Ms. Brumfield stated yes. She said that they were going to meet with Roanoke County and Henrico County next week about their form-based code. She stated that they would not necessarily coordinate their ordinances because of the different needs of the localities, but they were trying to work with the Code of Virginia and the past ordinances in order to make them into something that resonated with the needs of the population and developers today.

Mr. Clayborne stated that from an owner's perspective, it would be frustrating for it to be more arduous in one locality than its neighbor.

Mr. Murray stated that regarding the subject of residential development in commercial zoning, affordable commercial and office space was just as important as affordable housing, especially because it was revenue-positive as opposed to revenue-negative. He stated that there were many areas in the County that were underutilized with excessive and empty parking lots, and as they discussed parking in Phase 2, a great conversation to be had would be about putting housing in excessive, underused parking areas.

Ms. Brumfield stated that parking would be in Phase 2, but districts and uses in them would be in Phase 3 and would be when they took the information out of the comprehensive plan process and put it into the ordinance. She stated that the districts and their ordinances were what shaped the individual areas, and they were attempting to do this with form-based code because they did want people to build apartments in those parking lots.

Mr. Murray stated that he understood and felt that it should be addressed.

Mr. Bivins stated that the model of mixed use was common in places such as Switzerland, and in the United States, the specialization of techniques could put up unfortunate barriers. He stated that he hoped they were in a period now in which they could rethink how they did zoning in order to mitigate barriers. He stated that regarding affordability, while it was outside of the County's purview, if they could as a culture come to a consensus of what it meant to be housed, they could learn how to provide interesting, healthy, and safe places to live while expanding from the past models of development. He stated that the comprehensive plan and zoning ordinance should allow them to think through how they planned to encourage a diversity of ideas and culture through the allocation of resources. He stated that they should think about how to use commercial space to encourage housing and transportation.

Ms. Firehock stated that if they wanted to think about buildings that were more adaptive, they may have to change some of their standards. She stated that in West Palm Beach, they changed the zoning to allow hotels to be converted into apartments in the future as well as for parking garages so that they could be converted into residential or commercial structures. She stated that she agreed with the concept of having applicants bring application materials to the Planning Commission five days ahead of the public hearing so that the most up-to-date information was given ahead of time. She stated that it had been a common practice for applicants to present slideshows with brand-new renderings that were not in the packet at the time of presentation, and it was impossible to digest entire new building designs in that amount of time.

Presentation

CPA202100002 AC44 Updates

Mr. Kevin McDermott, Director of Planning, stated that he would give an update on the August 8 work session on the planning toolkits, seeking input on the topic areas being evaluated which included activity centers in the development areas, criteria for future development areas expansion, rural crossroads communities, and rural interstate interchanges. He stated that they would also review the fall engagement and Planning Commission work sessions, including the timeline on the draft goals and objectives and how the work sessions would be structured for those.

Mr. McDermott stated that as indicated on the slide, the graphic of the project phases for AC44 showed the overall AC44 process. He stated that they were currently finishing the phase of developing planning toolkits, and would be returning to the Planning Commission on August 8 with those toolkits, followed by presentation of the toolkits to the Board of Supervisors. He stated that after that, they would move onto defining the goals and objectives. He stated that for the planning toolkits, staff was seeking Planning Commission input and direction on how to update the recommendations for the topic areas, which were activity centers, future development area expansion, crossroads communities, and rural interstate interchanges.

Mr. McDermott stated that they would hold a meeting in Room 241 with the planning toolkits being the only scheduled agenda item so that they could take as much time as necessary to discuss the item. He stated that there would be a 10-minute presentation on each topic followed by 20 minutes of Planning Commission discussion. He stated that they would have the session professionally facilitated by Cozart Consulting in order to manage time and make sure input from the Planning Commission was communicated effectively. He stated that for each topic, there would be two to three options for how the topic could be updated, then staff would request feedback including which of the options should be pursued. He stated that once the information was gathered, staff would take the feedback to the Board in September.

Mr. McDermott stated that in step 3 of Phase 2, the fall engagement timeline had proposed three Planning Commission work sessions on goals and objectives instead of one work session, still keeping with the timeline shared with the Board at the beginning of Phase 2. He stated that these work sessions would follow the public engagement for the goals and objectives, and then the draft recommendations for goals and objectives would be shared with the Board of Supervisors.

Mr. McDermott stated that staff would continue to draft the comprehensive plan goals and objectives with coordination from staff, partners, external agencies, and stakeholders. He stated that the planning toolkits would be presented at the August 8 work session with Planning Commission and the September 6 work session with the Board of Supervisors, followed by fall engagement on the goals and objectives from September through December.

Mr. McDermott stated that there would be in-person and online opportunities to provide input, and they were looking at a variety of methods to do outreach, including AC44 office hours, online polls, and community pop-up events. He stated that they would then get into land use designations, attempting to standardize the different land use types across the master plans, adjustment of the neighborhood model principles to make them more usable for staff and developers, and density calculation approach for land use.

Mr. Clayborne stated that as they advanced through this process, they were beginning to look at how the schedule allowed them to bring in County SMEs to present on certain topics to inform deeper and richer conversation on those topical areas as they got through Q3 and Q4.

Mr. Moore stated that he looked forward to the multiple work sessions, which would allow for robust and iterative discussion. He asked if the community engagement work lifted the same type of respondents, because fewer than 1 in 10 respondents rented their homes and fewer than 1 in 20 lived in an apartment. He stated that he understood the decisions of government bodies were most informed by the people who showed up, but he wondered what they were doing to make sure they could best reach the people who did not usually show up.

Mr. McDermott stated that the best opportunity for that was a diversity of opportunities. He stated that some online things were provided, there were some structured meetings, and in the last round they hosted open houses in different locations around the County. He stated that the pop-up events were hosted in order to elicit responses from residents who they did not typically hear from, as well as providing answers to questions, receive feedback, and get people engaged. He stated that they were working on a map of all the places they were going for the engagement opportunities. He stated that it was a struggle to hear from people who usually did not participate, but they were happy to make the effort and would gladly take suggestions on how to incorporate new strategies for engagement.

Mr. Moore stated that they could discuss different ideas. He stated that he had attended one of the public engagement sessions at Journey Middle School, where there were more staff than residents. He stated that he understood it could be difficult to get the word out.

Mr. McDermott stated that there was also the working group for AC44, which was composed of citizens interested in the AC44 update. He stated that these citizens were equipped with information from staff that they could then share with their networks in the community. He stated that there were approximately 30 people in the Phase 2 work group, and these individuals often were able to reach community members that staff otherwise would not communicate with. He said that they had had success with engagement from that group.

Mr. Murray stated that he would strongly encourage the toolkits the Board of Supervisors saw did not look identical to the ones seen by the Planning Commission, and that the Planning Commission's input be revised into the new toolkit. He stated that likewise, the toolkit received by the Planning Commission should not look like the toolkit originally released to the public because the public's feedback should be incorporated.

Mr. McDermott stated that the intent was to go to the Board with recommendations staff received from the Planning Commission. He stated that there would be two to three options for how to update the comprehensive plan, staff would ask the Planning Commission how they should do it, and then the result would be presented to the Board. He stated that staff would do their best to accommodate the background information and other edits.

Mr. Missel asked Mr. McDermott what staff anticipated to send in advance of the conversation on August 8.

Mr. McDermott answered that there would be a detailed report staff would send to the Planning Commission at least a week in advance that would describe all of the information in the planning toolkits.

Mr. Missel asked if there would be links or information provided about the feedback received from the working group and the community engagement process so the Planning Commission could refer back to that.

Mr. McDermott stated that he would ensure that links were made available. He stated that in the report, there was a summary of the feedback received from the public.

Ms. Firehock asked if there would be a 20-minute conversation about expanding the criteria of the growth area, 20 minutes on crossroads communities, and 20 minutes on how they developed the rural interstate interchanges. She stated that she could envision each of these topics as being their own work session, and she questioned if 20 minutes was enough time for them to tackle some of the biggest issues they were facing.

Mr. McDermott stated that the conversations could be more than 20 minutes, and the current schedule assumed a two-hour work session. He stated that they did not have anything else on the agenda if they needed to take additional time, and that was part of why they provided the report ahead of time so that the Commission could reflect on the information.

Ms. Firehock stated that she would like to have a robust discussion from her fellow Commissioners while having enough time in the meeting for herself to change her mind or be enlightened on an issue. She stated that they were not giving enough time to these important topics. She stated that even for the crossroads communities, she had heard constituents state they did not want to be designated as one and others who state that they wanted to be one but were not included as one, so the topic required attention. She stated that if she was the facilitator, she would say that it could not be done in this amount of time.

Mr. McDermott stated that this was not the end of the discussion, as the options provided would be the end goal, and how they got to that end would be defined further in the discussions around the goals and objectives and strategies or action steps included in the plan. He stated that while the August 8 session would be setting the direction, there was detailed work that must be done and would be addressed in a later session.

Ms. Firehock asked if this was more of an adaptive management approach in which they circled back to seek feedback on what had been developed so far.

Mr. McDermott stated that they must determine how they got to the direction indicated by the Planning Commission and the Board of Supervisors, which would be determined as a part of the goals and objectives and action steps. He stated that there was another year until the definitive goals were approved by the Board.

Ms. Firehock stated that she wanted to make sure things did not go away as they continued through the aggressive schedule.

Mr. Clayborne stated that the reason they had a consultant helping them with the facilitation was so that it focused the conversation, because the body could spend three hours talking about specific topics. He acknowledged Ms. Firehock's concern, noting that while there was flexibility in the schedule, they must maintain focus as this was not the last time, they would discuss the issues.

Mr. Carrazana asked if the materials to be received by the Commission would begin to focus the conversations so that they could decide what to discuss at later meetings. He asked when they would be receiving the package.

Mr. McDermott stated that the materials would be provided to the Commission at least a full week in advance of the meeting.

Mr. Bivins stated that he was glad that he would be receiving comments from the public as opposed to the public receiving comments from himself, because he struggled with what occurred in Crozet when shaping the small area plan and the tension between the community and the Planning Commission. He stated that it should be reiterated that information offered by the public was not the definitive plan but was the voice for the Planning Commission to consider and for the Board to use in creating the definitive plan.

Mr. Bivins stated that the Planning Commission rarely was given the opportunity for them to have dialogue amongst themselves without judging specific applications or plans, and they needed to have the conversation about what they were trying to do or experiencing in general. He stated that he hoped the opportunity would be given during their upcoming work sessions so that they could become more comfortable with the process and assist staff.

Mr. Murray stated that he had previously discussed with Ms. Firehock that the other committees he was a part of had subcommittees, and he believed that the Planning Commission could employ the strategy as well. He stated that he would appreciate the ability to form a subcommittee with interested Commissioners and discuss some of the topics in depth so that they could bring something more prepared to some of these discussions. He said he agreed that 20 minutes was not enough to discuss some of these important topics without having the opportunity for at least two or three people get together and talk about them in more detail.

Review of Board of Supervisors Meeting: July 19, 2023

Mr. McDermott stated that no public hearings were held for the Board of Supervisors. He stated that a lot of general items were covered, one of some interest being a presentation from Planning about a potential bicycle and pedestrian path on Route 20. He stated that it was something that had been discussed a while ago in terms of how to connect from the City line on Route 20 to PVCC, the Monticello Trailhead, and nearby developments. He stated that there was a funded project for construction of a roundabout at Route 53 and Route 20 that would begin construction in a few years, and there still was a gap in the pedestrian connections around that roundabout. He stated that there was a presentation on the design and feedback was received from the Board of Supervisors.

Committee Reports

Ms. Firehock stated that the Historic Preservation Committee met yesterday, and they continued work on the process for submitting awards for historic preservation in different categories such as commercial, small residential, large garden landscapes, etcetera, and were advised by staff that they should not launch an awards program until the comprehensive plan was finished. She stated that they must acknowledge the importance of recognizing laudatory historic preservation in the comprehensive plan, and then an awards program could be designed, potentially with a budget.

Ms. Firehock stated that they also discussed the historic markers and that there were funds available to create County historic markers, which were green in color rather than the state-designated black and white signs. She stated that the process of nominating those markers was being clarified, and it was unclear if that also had to wait for the comprehensive plan in order to authorize it. She stated that she attended the CAC meeting in Mr. Missel's district, which she would allow Mr. Missel to discuss.

Mr. Clayborne asked if the Historic Preservation Committee had discussed sponsoring a local award at the state level rather than creating a local program.

Ms. Firehock stated that they had not discussed the matter at that depth, but she could certainly bring that up to the group. She asked if Mr. Clayborne was suggesting instead of the County having a local program, or in addition to that local program.

Mr. Clayborne stated that he was referring to a state program instead of the local one.

Ms. Firehock stated that because there was not an ordinance right now, they were trying to find ways in which they could congratulate and showcase people who had done extraordinary things. She stated that they also were making a strong emphasis on recognizing the preservation of cultural and historical heirlooms aside from multi-millionaires who restored plantation houses. She stated that they lacked a lot of tools that they wished they had, and they wanted to have something local to push it.

Ms. Firehock stated that the main purpose of it would be to educate and make people aware of the knowledge and talent in the community, as well as creating something more dynamic. She stated that they discussed at the end of each meeting the requests for demolition, which was depressing in that they had no authority over that, so she requested that information be presented at the beginning of the meetings in order to focus on the positive aspects of preservation in the County.

Mr. Missel stated that he attended the 5th and Avon Community Advisory Committee last Thursday, in which they focused on two subjects, one of which a presentation from staff about a parcel along the east side of Stony Ridge Road. He stated that the Planning Commission was due to see the presentation in August, which was a relatively straightforward project of 1.53 acres requested for a special use permit to put an independent office and music studio within a structure. He stated that the applicant also presented to the group and it did not seem that there was any issue with that. He stated that a question was raised about potential hazmat materials, and they did not believe there were any, but more information would be provided to the County.

Ms. Firehock stated that it was a strange scenario in which they wanted to have a recording studio but also wanted to have offices, and they were not allowed to have both things in this industrial zoning. She stated that the zoning was overly restrictive, and was an example of the unintended consequences of the stringent ordinance.

Mr. Missel stated that the second subject presented by staff was the broadband focus group, which was more of a question for the public. He stated that there were questions such as what the greatest barriers were for accessing broadband, what devices they used the internet with, and similar questions. He stated that they were collecting data to further investigate the subject. He stated that something that stood out was the diversity of services and the number of people still using VSL.

Ms. Firehock stated that it was surprising how many problems there were in the urban ring with people not being able to get access at 5th and Avon.

Mr. Missel stated that the hinderance was small but impactful. He stated that there were issues in which the Firefly internet was run alongside the road but had to be stopped at railroad crossings because they did not have an agreement with the railroad.

Mr. Murray stated that the same questions were asked at his CAC, and when they asked the question of how many people worked from home, everyone in the room raised their hand.

Old Business/New Business

Ms. Firehock stated that under new business, she went to the Virginia American Planning Association conference last week, which she was able to attend for only \$50 as a Planning Commissioner. She stated that she attended an excellent session on utility-scale solar ordinances, and she forwarded the information to Albemarle County staff to review. She stated that Louisa County had a very robust ordinance that included a webpage that detailed all the information, instructions, what to consider, and how to apply. She stated that she had not read every detail of the ordinance, but it was very well-thought through and it would behoove Albemarle to take a look at it as they updated their own ordinance. She stated that they had also discussed the options they had tried and found to not work and the subsequent change of strategy.

Mr. Clayborne requested the Commissioners to give notice of any sessions they would be unable to attend during the remainder of the calendar year in order to coordinate schedules.

Items for Follow-Up

There were none.

Adjournment

At 7:50 p.m., the Commission adjourned to August 8, 2023, Albemarle County Planning Commission meeting, 6:00 p.m., Lane Auditorium.



Kevin McDermott, Director of Planning

(Recorded by Carolyn Shaffer, Clerk to Planning Commission & Planning Boards; transcribed by Golden Transcription Services)

Approved by Planning Commission
Date: 08/08/2023
Initials: CSS