

**Town of Round Hill
Planning Commission Meeting
March 8, 2016
7:00 p.m.**

The regular meeting of the Town of Round Hill Planning Commission was held Tuesday, March 8, 2016, at 7:00 p.m. at the Town Office – 23 Main Street, Round Hill, Virginia.

PLANNING COMMISSION MEMBERS PRESENT

Michael Hummel, Vice-Chairman
Stephan Evers
Elizabeth Wolford

PLANNING COMMISSION MEMBERS ABSENT

Manuel Mirabal, Chairman
Christopher Prack

STAFF MEMBERS PRESENT

Melissa Hynes, Town Planner/Zoning Administrator

MEMBERS OF THE PUBLIC PRESENT

Clinton Chapman
Daniel Botsch, Member, Round Hill Town Council
Mary Anne Graham, Vice-Mayor, Town of Round Hill

IN RE: CALL TO ORDER

Vice-Chairman Hummel called the meeting to order at 7:00 p.m. Roll call was held, and it was determined that a quorum was present.

IN RE: PLEDGE OF ALLEGIANCE

Commission Member Wolford led those present in the Pledge of Allegiance.

IN RE: PUBLIC COMMENT

Councilperson Botsch stated that he is in attendance this evening in order to ascertain where the Planning Commission is in its process of updating the Comprehensive Plan, noting that setting a date for a Public Hearing is included in this evening's Agenda. Vice-Chairman Hummel noted that he carried the message from the Land Use Committee to the Planning Commission regarding the urgency of completing this process and the need not to continue with the current pace; Chairman Mirabal set the more timely process in motion at the most recent work session. Town Planner/Zoning Administrator Hynes noted that the Planning Commission's Public Hearing is scheduled for April 19th, and that, after the Public Hearing is advertised, no more work may be done on the document. Therefore, the Commission will complete its work by April 1st. Ms. Hynes noted that two weeks' work was lost due to the January snowstorm. Councilperson Botsch and Ms. Hynes discussed the schedule further, with Ms. Hynes noting that there should not be any

major changes to the Comprehensive Plan after the April 19th Public Hearing. Councilperson Botsch asked Vice-Chairman Hummel when he believes the Planning Commission will finish the document; Mr. Hummel noted that he is unsure. Town Planner/Zoning Administrator Hynes stated that the goal is to have the document completely finished by March 29th. Councilperson Botsch explained that the Land Use Committee is already holding discussions regarding the Comprehensive Plan update. Vice-Chairman Hummel explained that he does not expect changes to any major items in the plan. Councilperson Botsch stated that the Planning Commission should take more time to complete its work, if needed. Mr. Hummel noted that he will relay that message to Chairman Mirabal.

IN RE: DISCLOSURES AND COMMISSIONERS' COMMENTS

There were no Disclosures and Commissioners' Comments.

IN RE: APPROVAL OF AGENDA

Commission Member Wolford made a motion **that the Agenda be approved as submitted**; Commission Member Evers seconded the motion. A vote was held; the motion was approved 3-0, with Chairman Mirabal and Commission Member Prack absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Manuel Mirabal	Absent
Stephan Evers	Aye
Michael Hummel	Aye
Christopher Prack	Absent
Elizabeth Wolford	Aye

IN RE: APPROVAL OF MINUTES

A. Minutes from February 10, 2016

Vice-Chairman Hummel referenced comments on the minutes provided by Chairman Mirabal, included in Commission Members' packets. Chairman Mirabal's comment regarding wording on page four was discussed; it was determined that the words *of many* should be included, as noted. An additional change, on page eleven, regarding the tense of the verb (are/were) was discussed, with the Commission deciding to leave the word as noted. There were no further corrections. Commission Member Hummel then made a motion **to approve the minutes**; Commission Member Wolford seconded the motion. A vote was held; the motion was approved 2-1, with Commission Member Evers abstaining, and with Chairman Mirabal and Commission Member Prack absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Manuel Mirabal	Absent
Stephan Evers	Abstain
Michael Hummel	Aye
Christopher Prack	Absent
Elizabeth Wolford	Aye

IN RE: BUSINESS ITEMS

A. Legislative Update

Town Planner/Zoning Administrator Hynes explained that Town Attorney Gilmore provided this update in memo form, which she asked Commission Members to review. Vice-Chairman Hummel asked if these amendments are final, approved law; Ms. Hynes explained that the Governor could still veto any of the legislation, and that the deadline for action on the amendments is today. Vice-Chairman Hummel noted that the legislation put forward regarding proffers does not prohibit residential proffers, with Commission Member Wolford pointing out language in the memo which is contradictory. Town Planner/Zoning Administrator Hynes suggested that discussion of this Legislative Update could be postponed until the Planning Commission's upcoming work session, which was agreed upon by the Commission. Further discussion of the content of the bill regarding proffers ensued, with Vice-Chairman Hummel and Commissioner Wolford noting contradictions between an earlier briefing and the memo presented this evening. Town Planner/Zoning Administrator Hynes stated that she will speak with representatives of other jurisdictions regarding this legislation. Vice-Chairman Hummel stated that the Governor did sign this legislation, and that language was inserted regarding the definition of "unreasonable proffers." Ms. Hynes then moved to the update regarding Airbnb's, noting that this will be investigated further in the future, as it has been an issue for discussion by the Planning Commission. This legislation should not require changes to the Comprehensive Plan; however, Ms. Hynes noted, she would like to know more about how an Airbnb will be defined. Discussion ensued regarding the differences between rental properties and Airbnb's, with Town Planner/Zoning Administrator Hynes recommending that these two entities be handled separately in Round Hill's Zoning Ordinance. Commission Member Wolford asked how an Airbnb would not fall in the same category as a bed and breakfast, and require a special exception; Town Planner/Zoning Administrator Hynes explained that, at present, renting property as an Airbnb requires that the entire house be rented, not just one room, as in a traditional bed and breakfast. Ms. Hynes reiterated that the Town's Zoning Ordinance will require updating, and that the State will need to provide a definition in order to clarify these types of rentals. Commissioner Wolford asked if a property defined as an Airbnb will require a 45-day rental; Ms. Hynes stated that she is unsure, and will ask the Town Attorney for clarification.

Town Planner/Zoning Administrator Hynes explained that she has created a glossary of terms contained in all the Comprehensive Plan chapters, for use as a reference this evening. This will also be discussed at the upcoming work session.

B. Utility System Goals for Comprehensive Plan

Vice-Chairman Hummel asked if the document under review this evening contains all changes; Town Planner/Zoning Administrator Hynes stated that it does, and that there were only three changes. Mr. Hummel stated that the Planning Commission's goal for this evening is to vote on this chapter, and asked Vice-Mayor Graham (Chairperson of the Utility Committee) if the document is ready for a vote; Ms. Graham stated that it is. Town Planner/Zoning Administrator Hynes noted that she included a definition of MTBE in the glossary, as an on-line search defines it as "gasoline in the water," and a more expansive definition is in order. Discussion ensued regarding the MTBE issue, with it being noted that the MTBE contamination was actually in the ground, and that steps have been taken

to remediate the problem. Commission Member Wolford noted her belief that the phrase *under the influence* was being retained in the document, in reference to this issue, with Town Planner/Zoning Administrator Hynes stating that she prefers the use of that phrase, rather than the word *contaminated*. It was decided to retain the phrase and replace the word *contaminated*. Commission Member Wolford also referenced Goal 2, Objective “b,” asking if the word *recommend* was to be used, rather than *ensure*. Vice-Mayor Graham explained that the Planning Commission may not recommend. Ms. Wolford noted that the term *recommend* has been used throughout the document. Town Planner/Zoning Administrator Hynes further clarified that the Town Council, in its review of the Comprehensive Plan, may include stronger language, however, the Planning Commission was uncomfortable doing so. Vice-Chairman Hummel asked if Ms. Hynes has been keeping a chart of what has been approved by the Planning Commission; she noted that she has, and that all but two chapters have been completed. Ms. Hynes also noted that the Planning Commission may still make comments, even though a chapter has been approved. Commission Member Evers then made a motion **to forward this on, as approved, included the two changes discussed by Commission Member Wolford, for final approval**; Commission Member Wolford seconded the motion. A vote was held; the motion was approved 3-0, with Chairman Mirabal and Commission Member Prack absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Manuel Mirabal	Absent
Stephan Evers	Aye
Michael Hummel	Aye
Christopher Prack	Absent
Elizabeth Wolford	Aye

C. Joint Land Management Area Goals for Comprehensive Plan

Town Planner/Zoning Administrator Hynes explained that there are two documents to be reviewed: 1) the Joint Land Management chapter; and, 2) the Regional Round Hill Land Bays Map, to which only minor changes have been made since it was last reviewed. Ms. Hynes suggested that discussion begin with the Joint Land Management chapter. The terms *JLMA Boundary Line*, *Town Urban Limit Line*, and *Water Service Area*, contained in this chapter and discussed previously, were reviewed, with Ms. Hynes noting that she had received clarification from the County regarding the definitions of these terms. The *Urban Growth Line* refers to a line indicating the extent to which the Town wishes to grow; the example of the twenty-acre parcel was used to illustrate the application of this terminology, as it could be included in the Urban Growth area, but is not part of the Water Service Area and is not in the JLMA. It was noted that, if Round Hill changes its Urban Growth Line, the County may mirror that boundary line in its Comprehensive Plan. Discussion ensued regarding what could be included in this area, and its depiction on related maps. In addition, the Commissioners clarified that the term JLMA is a County term, and the Urban Growth Line is a Town term, and that both areas may not coincide. Vice-Mayor Graham asked if including an area inside its Urban Growth Line obligates the Town to provide water and sewer services; Town Planner/Zoning Administrator Hynes noted that it does not. Discussion of this issue ensued, with it being noted that the Town is not obligated to provide these services, and that a developer wishing to build a large

subdivision may be asked to help provide the infrastructure for those services. Town Planner/Zoning Administrator Hynes noted that the guidance received from the County on this issue states that a municipality cannot be asked to grow beyond its capacity to provide services. Ms. Hynes stated further that County guidance states that the JLMA Lines are based, in part, on what services the town can provide and how well it can provide them; it may also be based on existing and proposed land use, subdivision, watershed boundaries, and drainage divides. It was noted that this language also provides for an adjustment of a JLMA boundary only if infrastructure supports the adjustment. Commission Member Wolford asked how the three documents under discussion (the JLMA Plan, the Urban Growth Plan and the Round Hill Area Management Plan) work together; Town Planner/Zoning Administrator Hynes explained what each of these documents governs, which are County-controlled and which are Town-controlled, and how they figure into the update of the Comprehensive Plan. Vice-Mayor Graham stated that she would feel more comfortable if Town Attorney Gilmore reviewed this, in light of past issues surrounding provision of water and sewer service. Town Planner/Zoning Administrator Hynes explained that no action on this is required this evening. Ms. Hynes further explained that a JLMA only works if the municipality wants it, and provided the example of Lovettsville's experiences with a JLMA. Ms. Hynes noted that an Urban Growth Boundary is not an official line, but is, rather, a tool to use in decision making. It was also noted that the JLMA chapter of the Comprehensive Plan is included in order to provide guidance to the Town's governing bodies and Staff in dealing with development in this area. Vice-Chairman Hummel clarified that the text that goes with the map is part of this document and should be reviewed together. The Commissioners then discussed corrections to verbiage, and corrections of typographical errors, in various areas of the document. Commission Member Evers asked about Goal 6, Objective "a," Strategy 4, which deals, in part, with properties which are partially in-town; examples of occurrences of this were provided, with it being noted that the Town's boundaries "need to be cleaned up."

Commission Member Wolford asked about the timeframe for advertising and holding the Public Hearing for the Comprehensive Plan; discussion ensued regarding the number of days a public hearing must be advertised prior to holding the hearing. It was noted that the document is slated to be completed by March 29, 2016 for final review by the Planning Commission; it will then go to the Land Use Committee for its review. Town Planner/Zoning Administrator Hynes noted that, if the currently proposed timeframe is too tight, the Public Hearing may be moved to April 26, 2016.

The Planning Commission then reviewed the Regional Round Hill Land Bays Map chapter. Commission Member Wolford asked if there have been any additional changes to the document e-mailed to Commission Members; Town Planner/Zoning Administrator Hynes stated that there have not, and reviewed changes made previously. Vice-Chairman Hummel discussed comments e-mailed by Chairman Mirabal, specifically regarding Area 9; Town Planner/Zoning Administrator Hynes noted that those changes have been made. In response to a question from Vice-Mayor Graham, Ms. Hynes explained that all changes will be correctly reflected in the accompanying maps. The Commissioners then reviewed each Area included in this document. Vice-Chairman Hummel specifically discussed Area 3, noting that he owns property in this area and feels that, if the 41 Loudoun Street parcel is brought into the Town's limits, his property should be, as well (so there will not be a

doughnut shaped parcel). Discussion ensued regarding the property owner’s wishes for use of the parcels there, and wording which could be added in order to support medium density in development. Vice-Chairman Hummel noted that he would support wording in the document which would support development of the parcels, if the development was done well. Mr. Hummel also noted his concern regarding an increase in density as development occurs further from the center of the Town. The consensus of the Planning Commission members was that the Town would consider increased density in this area, if the density was used for a senior-living development, and if specific conditions are met. Changes to the wording of this section were discussed, in order to support the desired type of potential development of these parcels. The proposed commuter lot, in Area 5, was discussed. It was decided to remove Policy Statement 4, dealing with traffic generated by the commuter lot and its potential impact on the Evening Star Drive/Loudoun Street intersection, from the document. Additionally, changes in verbiage to Policy Statement 6 were provided, in order to ensure use of the lot by the Town on evenings, weekends and holidays. Commission Member Wolford asked to clarify if the Town has a right to address areas outside the JLMA; Town Planner/Zoning Administrator Hynes explained circumstances under which the Town may comment, and reasons why this should be reflected in the updated Comprehensive Plan. There were no further comments on this chapter. Vice-Chairman Hummel then made a motion **to consider this ready for final review at a later date**; Commission Member Evers seconded the motion. Commission Member Wolford noted that, in the motion, the document(s) should be identified. Vice-Chairman Hummel then amended his motion to reflect that **the Joint Land Management Chapter, and the Regional Round Hill Land Bays Map Chapter, are the documents ready for final review at a later date**; Commission Member Evers, who seconded the original motion, accepted the changes. A vote was then held; the motion was approved 3-0, with Chairman Mirabal and Commission Member Prack absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Manuel Mirabal	Absent
Stephan Evers	Aye
Michael Hummel	Aye
Christopher Prack	Absent
Elizabeth Wolford	Aye

D. Economic Development Goals for Comprehensive Plan

Vice-Chairman Hummel asked to clarify that this section has been reviewed; Town Planner/Zoning Administrator Hynes stated that it has, and has been condensed from ten pages to seven. Vice-Mayor Graham highlighted a time limit included in Objective “b,” and noted that it had been decided to remove that reference; Town Planner/Zoning Administrator Hynes stated that the time limit will be removed, and noted that the aim is for the document to be self-explanatory. Vice-Mayor Graham pointed out a word which should be removed, on page 5, Goal 4, Objective “b;” discussion ensued regarding preferable wording. Additionally, Ms. Graham asked about Goal 5 on page two, regarding the use of residential dwelling units for child or adult care services; Ms. Hynes explained that State Code requires the inclusion of this provision. The Commissioners then discussed the section which deals with passenger vehicle service. It was decided to include wording

which will clarify that this refers to only one vehicle. There was also a question regarding the type of vehicle allowed; it was noted that the Town Ordinance would specify the type of vehicle. The Commissioners then made revisions to the use of specific words in various areas of the document. In response to a question from Commission Member Wolford, Town Planner/Zoning Administrator Hynes elaborated upon the meaning of “Public Streetscape Environment,” noting that it deals with the cleanliness and overall quality of the streetscape (such as inclusion of benches, flowers/plants, murals, etc.). Ms. Hynes also noted that Round Hill does not have many public right-of-way/common space/open space areas in which to include these types of amenities. Discussion ensued regarding wording for this section which would be more general in nature. The Planning Commission then turned to discussion of “branding strategies” and marketing goals for the Town, making several changes and deciding upon the final wording for this section. There was no further discussion of this chapter. Commission Member Wolford then moved **that we recommend to the Town Council this draft of the Economic Development Goals.** Vice-Chairman Hummel noted that, in order to follow the path the Planning Commission has been following, the chapter should be approved to go to final review. Commission Member Wolford agreed to the change in wording of the motion. Commission Member Evers seconded the motion. A vote was held; the motion was approved 3-0, with Chairman Mirabal and Commission Member Prack absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Manuel Mirabal	Absent
Stephan Evers	Aye
Michael Hummel	Aye
Christopher Prack	Absent
Elizabeth Wolford	Aye

E. Land Use Maps and Goals for Comprehensive Plan

Vice-Chairman Hummel noted that this discussion will cover two documents: 1) the text, which has been previously reviewed; and, 2) the map with its text, which has not yet been reviewed. It was clarified that Draft 14 is the latest version. Town Planner/Zoning Administrator Hynes explained that changes were made to the last three pages of the document, based upon conversations at the last meeting. Vice-Chairman Hummel stated his belief that the inclusion of ordinance-type detail is not needed at this point. Town Planner/Zoning Administrator Hynes asked Mr. Hummel to state his suggestions for this chapter for the record; Mr. Hummel noted that Items 1 and 2 are similar, and stated that everything after those two statements should be dropped from the document and replaced with the statement devised earlier by the Commission. Vice-Chairman Hummel further noted that, at this time, the vision should be included, with the ordinances created at a later date. Mr. Hummel also noted that he made sure language was included which encourages affordable housing. Vice-Mayor Graham asked about the issue of “demolition by benign neglect.” Vice-Chairman Hummel asked to clarify that this issue was addressed in the Housing section; Town Planner/Zoning Administrator Hynes noted that it was, but in a less specific manner. Ms. Hynes asked the Commissioners if there is any other language they would like to move around in the document, in conjunction with revisions Mr. Hummel has suggested. The subject of the rental of houses was briefly touched upon, then discussion returned to Vice-Chairman Hummel’s suggestion for the use of simpler

language in this section. Commission Member Wolford reiterated her belief, which she voiced throughout discussion of all the sections of the Comprehensive Plan, that regulations take care of the “do’s and don’ts,” and that the Comprehensive Plan should be a summary of what is desired for the future of the Town. Town Planner/Zoning Administrator Hynes noted that there are some issues which may not be included in the Zoning Ordinance, but which can be addressed in the Comprehensive Plan; thus, specifics that are of concern should be included in the Comprehensive Plan. Commission Member Wolford noted that, throughout the Comprehensive Plan, the Round Hill Design Guidelines have been referenced; Town Planner/Zoning Administrator Hynes noted that specific items which the Planning Commission may want to include could be included in that document. Ms. Hynes then asked the Commission Members if there is any language, which Vice-Chairman Hummel suggested be stricken from the document, they would prefer to retain; discussion of this ensued, with various suggestions made. Town Planner/Zoning Administrator Hynes stated that she will update this section for further review at the upcoming work session. Ms. Hynes and Mr. Hummel briefly discussed cluster development and increased density, with it being noted that these should be addressed as two separate issues. Town Planner/Zoning Administrator Hynes again stated that she will make the recommended changes, for further review at the work session. Town Planner/Zoning Administrator Hynes then highlighted a change made on page eight, regarding financing for parking lots in the Central Commercial District. The Planning Commission was then asked to review the map/chart/wording, in order to ensure that they are all in agreement, and in order to provide any alternate wording desired. This was discussed, with revisions decided upon; particular attention was paid to wording regarding additional density. Vice-Mayor Graham noted that categories are listed, but not all are shown on the map; Town Planner/Zoning Administrator Hynes explained that that is done to account for possible future changes and is not unusual. Ms. Hynes further explained that she wants to ensure that the types of categories desired are included, and noted that some may be addressed in other parts of the Comprehensive Plan. The Commission then returned to the discussion of revisions of wording. Town Planner/Zoning Administrator Hynes pointed out changes made to the Land Use Map: 1) Lake Ridge was marked incorrectly, and should be noted as low density; and, 2) Hayman Lane was changed to medium density, as the zoning there is R-1-A. Ms. Hynes asked if the Commissioners wished to keep this, or return this area to a low density classification; discussion ensued, with it being decided to retain a low density classification for this development. The four lots on Yatton Road, to which utilities are not extended, were discussed as well; various scenarios for possible development there were provided by both the Town Planner/Zoning Administrator and Commission Members. It was determined that these lots should also be classified as low density. It was also noted that these density classifications should be noted as *preferred*. Town Planner/Zoning Administrator Hynes also stated that the road leading to these areas precludes higher density development. Upkeep of Hayman Lane, and of Bridge and Cedar Streets, was discussed; Town Planner/Zoning Administrator Hynes noted that she will add this topic to the Transportation Chapter.

Vice-Chairman Hummel and Town Planner/Zoning Administrator Hynes reviewed the items which were not completed at this evening’s meeting, including the In-Town Land Use Map, for which Chairman Mirabal has provided extensive comments, and for which Mr. Hummel has several comments, as well. Vice-Chairman Hummel stated that that topic, as well as Housing and

Community Development, may be tabled until the next work session. Vice-Mayor Graham asked, for the purpose of these future discussions, that an additional building be added to the train station area. Town Planner/Zoning Administrator Hynes provided the schedule for the upcoming work sessions/meetings. A work session is slated for March 22nd, during which the chapters tabled this evening, and the Transportation, Historic, and Natural Resources chapters will be reviewed. It was noted that these three chapters have been previously discussed. Town Planner/Zoning Administrator Hynes also stated that an additional work session may be held on March 29th, if needed; the April 5th meeting is the meeting whereby the work must be completed. The Public Hearing is slated for April 19, 2016.

IN RE: ACTION ITEMS

A. Schedule Public Hearing for 2016 Comprehensive Plan

Commission Member Wolford made a motion **that, if everything goes as planned, the Planning Commission schedule a Public Hearing on the 2016 Comprehensive Plan for April 19th at 7:00 p.m.;** Vice-Chairman Hummel seconded the motion. A vote was held; the motion was approved 3-0, with Chairman Mirabal and Commission Member Prack absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Manuel Mirabal	Absent
Stephan Evers	Aye
Michael Hummel	Aye
Christopher Prack	Absent
Elizabeth Wolford	Aye

IN RE: TOWN PLANNER REPORT

This item was not presented.

IN RE: ADJOURNMENT

The meeting was adjourned by Vice-Chairman Hummel at 10:10 p.m.

Respectfully submitted,

Michael Hummel, Vice-Chairman

Debra McDonald, Recording Secretary