

**WORKSHOP MEETING AGENDA
WASHINGTON COUNTY PLANNING BOARD
&
ZONING BOARD OF ADJUSTMENTS WORKSHOP MEETNIG**

June 5, 2014

11:00 a.m. - 1:00 p.m., Conference Room,
Washington County Operations and Maintenance Center
2615 Brink Drive
Fayetteville, Arkansas

1. Roll Call

Roll call was taken. Members present include Robert Daugherty, Chuck Browning, Randy Laney, and Daryl Yerton. Walter Jennings, Kenley Haley, and Cheryl West were not present.

2. Approval of the agenda

APPROVAL OF THE AGENDA: Chuck Browning made a motion to approve the agenda. Daryl Yerton seconded. All board members were in favor of approving. Motion passed.

3. Items for Discussion

A. Discussion of proposed Communication Tower Ordinance updates

Synopsis of proposed changes to Chapter 11, Article VIII – Placement, Construction and Maintenance of Antenna Arrays and Communication Towers.

It has come to the attention of the Planning Department Staff that Washington County's Antenna and Communication Tower code is in need of some revisions. Therefore, the Planning Department is proposing some changes to be made to the above Article of Washington County Code.

Summary of proposed changes:

- Clarification
- Removal of obsolete and/or confusing wording
- Reorganization
- Updates to the cell tower and cell antenna applications
- Addition of an application for outbuildings and facilities
- Update to the Department of Emergency Management page in the applications
- Updates to what facilities are excluded from Washington County code per the Federal Communications Commission (FCC) regulations
- Replacement of the land owner written consent and tower owner letter of intent requirements with only their signatures on the applications
- New Fire code requirements for fuel tanks associated with generators:
 - Fuel tanks must meet or exceed the Arkansas Fire Prevention Code and National Fire Protection Association Standard #30 standards
 - Propane tanks must meet National Fire Protection Association #58 standards, require installation of no smoking signs and hazard identification placards as per NFPA 704, and require anchoring on a concrete pad engineered to withstand the weight of proposed tanks and its contents.
- Referencing of parts of the antenna and tower code that currently apply but are not clearly designated.

- Requirement of pulsing red lights at night instead of solid red or white lights at night, unless otherwise required by the FCC or other regulating authority.
- Having the *tower owner* instead of the *applicant* agree to maintain and keep up towers and tower equipment.
- Due to feedback and concerns from cell tower projects last year, we have tried to incentivize tower applicants to locate towers away from surrounding properties with the addition of:
 - Allowing for administrative review if the tower (from the perimeter of the base of a tower) is a required 1500 feet distance to adjacent property lines and residences when major modifications to or construction of a tower is proposed, unless the affected property owners consent in signed writing
 - It is anticipated that the Zoning Ordinance would be amended along with this ordinance to allow new towers by right in this situation (only)
- *Sarah Geurtz, Washington County Planner, passed out the updated Communication Tower Ordinances for the board members.*
- *Sarah Geurtz, looked over the synopsis and explained that code, antenna application, and ordinances needed to be updated for clarification. Showed that planning added an application for buildings and facilities.*
- *Sarah Geurtz stated that the 9-11 page of the application needed to be changed.*
- *Randy Laney, Planning Board Chairman, asked "what needed to be changed"*
- *Sarah Geurtz replied that it was the wording of the requirements*
- *Juliet Richey, Washington County Planning Director, added, "That it is for addressing sectors for the antennas that are on the tower. It's for 9-11 purposes. The way our codes reads right now they have to submit an address at the same time they submit for a tower, but they have to build the tower before they can add the antennae. It was a nonsensical order but it's the way ordinance was written."*
- *Sarah Geurtz added that the FCC regulations required our codes to be updated.*
- *Chuck Browning asked, "If on page 3 where the word towers is replaced with facilities, should facilities be defined?"*
- *Daryl Yerton mentioned that facilities are not defined in the definition sections. Towers were defined.*
- *George Butler asked, "Why the word 'tower' was replaced."*
- *Juliet Richey replied that it applies to more than the tower. There could more infrastructure such as generators, out buildings, and etc.*
- *Chuck Browning suggested allowing flexibility in the definition of facilities to include any other piece of infrastructure and hardware that wasn't mention before.*
- *George Butler suggested adding a section stating this part of the Washington Code is subject to County zoning referencing the Washington County code pertaining to zoning.*
- *Juliet Richey stated that we can add that statement.*
- *Sarah Geurtz stated that we also replaced the landowner written consent requirement and the tower owner letter of intent requirement with requiring their signatures on the application only. Before they needed to sign and then write a letter. We also updated our fire code requirements concerning fuel tanks associated with generators. Sarah discussed the new requirements for fuel tanks.*
- *Dennis Ledbetter discussed the different types of tanks available and options for tank storage.*
- *Sarah Geurtz stated that requirement for a pulsing red light instead of a solid red light or white light at night. Unless otherwise required by the FCC or any other authorizing agency.*
- *Chuck Browning asked, "If the determining factor is always what the FCC required."*
- *Juliet Richey answered, "That the FCC has specific situations such as proximity to airports where they are required to have a light flashing. But once the tower is outside that range they don't regulate the light color as long as there is a colored light flashing. It can be red or white, we choose red because it's less disturbing to people at night."*
- *George Butler asked, "Why the pulsing light vs. solid light?"*
- *Sarah Gerutz answered, "The pulsing light allegedly causes less issue with night migratory birds."*
- *George Butler was concerned about the strobe effect of the light*
- *Juliet Richey replied, "It's a slower pulsating rate."*
- *Randy Laney suggested a fast track application review for applicants to wants to co-locate.*
- *Juliet Richey replied, "We do have a condition in the ordinance for co-locating but we do not have a condition if the applicant does not want to co-locate on the same tower."*

- *Juliet Richey mentioned it's also not always about area coverage, but sometimes about being able to handle the quantity of calls or data.*
- *Robert Daugherty asked, "If there's plan if the applicant does not want to co-locate."*
- *Courtney McNair read a section of the code stating "this paragraph does not apply to applicants who desire to construct a tower for the primary purposes of attracting other persons to co-locate on the tower," "so does that mean that if someone wants to put a tower for money they are not subject to the co-location regulations?"*
- *Juliet Richey stated, "We will research this and see what other jurisdiction are doing."*
- *Daryl Yerton added, "Another aspect of this is the potential for new technology. We've seen a dramatic change in the last 10 years. Technology will drive more cellular uses in the years to come."*
- *Sarah Geurtz replied "The department will be meeting with various members from the cell tower industry to learn about any upcoming changes."*
- *Sarah Geurtz added, "We will try to incentivize cell tower applicants to locate towers away from surrounding properties. It would allow for administrative review if the tower from the parameter of the base is 1500 ft away from adjacent property lines as well as residences."*
- *Chuck Browning had a question about the wording of the residents and property owner. Stating that the wording sounds vague. "Just need to be clear which property owner is affected."*
- *Juliet Richey suggested removing residents and making it property lines.*
- *Courtney McNair asked, "What about mobile home owners. Mobile home owners can own their home but not the property."*
- *Juliet Richey replied, "We'll make it property line and will make it clear on distance from the adjacent property line."*
- *Juliet Richey explained the reasoning behind the 1500 ft change. "We want to incentivized cell tower applicants and give them a fast track review if they locate their towers away from property lines and residents."*
- *Daryl Yerton asked about the mobile home residents. "If they have a resident that is a mobile home owner sitting on the property that is owned by a different party. If that party allows for the cell tower than the mobile home owner has not rights to appeal the cell tower."*
- *Courtney McNair stated, "They can move the mobile home but they already have existing infrastructure such as septic, waterlines, and utilities."*
- *Juliet Richey added "We're not prohibiting them from living there, but the way this is written they wouldn't have the right to say where the tower is going up. They do not own the land."*
- *George Butler stated, "If the mobile home owner is affected we cannot deny them due process."*
- *Randy Laney stated, "This is the 'carrot' not the stick. This is the fast track review. We can offer them a regular review where their voices will be heard."*
- *Juliet Richey stated, "The mobile home owners may not be notified by the property owners that there will be a public forum hearing they can attend."*
- *Randy Laney stated, "That he's concerned that one day the industry will come up with new technology that does require more towers. With the percentage limit we might run short on locations. It would be hard for us to reverse our policy later in the future."*
- *George Butler agreed that we need to be cognizant of the changes in technology and growth.*

B. Discussion of proposed Administrative Replat and Minor Subdivision process

Synopsis of changes to the Minor Subdivision code to allow certain Minor Subdivisions to be processed administratively.

Staff has been working on a revision to the code regarding Minor Subdivision review. A Minor Subdivision consists of four (4) lots or less, but does not meet Subdivision Exemption (current administrative split process) criteria. Generally, this is due to there being too many splits on the parent parcel in the past, or the applicant proposing several lots less than five (5) acres in size.

Staff feels that full Board review is unnecessary and time consuming. However, these projects benefit from the additional staff, Health Department, and utility review that the current administrative splits do not receive.

Proposed Process for Administrative Minor Subdivision Projects:

- Check for compliance with zoning
- Submit required information (plats/fees/letters) following the regular review schedule
- Tech Review meeting
- Submit corrections and any other required information to the Planning Office at the applicant's pace
- Final review and approval by the Planning Administrator
- File Plats with the Circuit Clerk and return the appropriate number of copies to the Planning Office.

Staff is proposing that Administrative Minor Subdivisions (AMSD) be reviewed at the monthly Tech Review meeting (following the regular submittal schedule). Tech Review meeting is the time when all jurisdictionally based utilities, the Health Department, and other County staff have the opportunity to review and comment on projects submitted to the Planning Office. For the proposed AMSDs, staff would require the applicant to submit documents for review and go through the Tech Review process.

Projects following the regular review schedule are required to submit corrections after Tech Review meeting. Staff reviews this corrected information and writes Staff Reports which are distributed to the Board and other entities for review. The project then must go before the Board for review and action (approval, denial, tabling).

Staff is proposing that after Tech Review, projects that qualify for AMSD will be allowed to submit corrections for staff review only. Once all corrections are made and any other conditions completed, the project would then be approved by the Planning Administrator. They will not have to continue to follow the regular submittal schedule or go to the Board for review. This revision should expedite the review time for the applicant, eliminate the need for staff to write (time consuming) reports, and reduce time spent by the Board at the Planning Board Meetings.

In addition to the elimination of the Board review, staff is proposing to eliminate the "Neighbor Notification" requirement. For projects following the regular review schedule, staff is required to notify (by certified mail) all neighboring property owners within 300 feet of the project property boundary. This is time consuming for staff, an additional expense for the applicant, and can cause confusion for the neighbors. In the past, staff has had several calls from concerned neighbors simply because the notification states the project is a "Subdivision", and many neighbors perceive a "Subdivision" to mean something that most Minor Subdivisions do not embody. Additionally, staff cannot recall any time in the recent past that a comment from a neighbor (who received notification) brought to light an issue that either staff or the Board could legally consider with contemplating a Minor Subdivision approval.

Staff feels these proposed changes will be a benefit to the applicant and a better use of Staff and Board time.

- *Courtney McNair updated the board members on Minor Subdivision update. "Staff is proposing a reduction in the some of the steps to make the Minor Subdivision an administrative review. It'll follow the review regular schedule and go through the tech review meeting. Afterwards the applicants will submit corrects and changes to staff. Instead of going before the planning board for review staff will review it administratively."*
- *Randy Laney and Robert Daugherty brought up that the name "minor subdivision" confuses people. They assume it's a full city subdivision.*
- *George Butler added, "We define subdivision as a type of land development."*
- *Juliet Richey asked, "Does the name matter since we are not notifying neighbors?"*
- *George Butler stated it has to say plat on the survey or it will get recorded properly.*
- *Courtney McNair suggested Minor Plat Division?"*
- *Randy Laney is concerned that even if we do not notify the neighbors they might call the department or JP stating they didn't get a chance to voice their concerns about a subdivision being approved in their neighborhood.*
- *George Butler asked if this applies to all minor subdivision.*
- *Courtney McNair replied, "A replat maybe a minor subdivision."*

- Juliet Richey added, "It would apply unless it requires road improvement or doesn't meet zoning."
- George Butler stated, "If they don't meet zoning they'll have to through a CUP. The neighbors will be notified through the CUP."
- Juliet Richey stated, "Usually most of the minor subdivisions meet our zoning requirement."
- Robert Daugherty concluded, "We should use common sense and try to make the process administrative so it can be more efficient and expedient."
- Randy Laney said, "It'll be administrative "plus", since we are still sitting down and reviewing it."
- Juliet Richey added, "That's an issues with we have with our current exemption. There's not any way to get right of ways or utility review."
- Juliet Richey explains the issues of septic reviews. "It gets tricky when you are splitting land that already has a house on it. Without planning's involvement all the health department has to do is send someone out to visually see if there's a malfunction of the existing septic system. If it the house us unoccupied for several months, nobody's going to know. The state health department does not have a way for them to require the applicant to have an alternative area. It would make sense to have since you are splitting land. If it breaks down in the future you'll have an area available to replace the broken septic. You don't want them to split the land in a way for them not to have that reserve area."
- Chuck Browning asked, "Why is it our responsibility to govern the septic. Isn't that a buyer beware?"
- Juliet Richey replied that sometimes the solution involves them putting in a new field is expensive. Some of them don't have the means to do that. What you end up is septic that does not work and that's bad for everybody. To me a little bit of a review on the front end, making sure that there's room for an extra septic field before you split it."
- Robert Daugherty stated, "There will be issues with properties that are sold as is and they have water problems. There's really no way to check the septic until you get resolve all the other problems. The buyer knew that when they bought it. In those case I don't think you can require them for septic."
- Chuck Browning stated that this shouldn't prevent someone for splitting their land.
- Courtney McNair replied, "This is a public health safety issue."
- Chuck Browning stated he's not sure if that should be our role to come in and evaluate the septic system. "As an example, why should I (just want to split my property 4 times) have to prove to planning and spend all that money for an alternative field when it's the health department who regulates this anyway?"
- Juliet Richey replied, "The health department is not regulating it."
- Chuck Browning stated, "The health department does determine what type of septic design is used for that property. So they are overseeing it. I've chosen to split it. That's my risk if I've chosen to split the land.
- Juliet Richey stated it's to protect future buyers."
- Chuck Browning stated, "Sometimes we go too far to be the watchdog for every potential thing. When it comes right down to it. I should have a right to split my land."
- Juliet Richey replied, "You can split it; you just have to dig a pit first."
- Chuck Browning said, "I think it's a valid argument. We just got to be careful about what our role is. To me there are already guidelines in places to protect potential buyers."
- Juliet Richey replied "Yes there are rules, but they do not have any enforcement power. The only recourse they have is if there is visible excrement on the property."
- George Butler added, "Sometimes we'll prosecute the owners for having a malfunctioning septic but they usually don't have the money to fix it."
- Juliet Richey replied, "All we want is to know if there is room to place a field if it needs to be replaced in the future."
- George Butler wanted to clarify that when you split you need to prove or show that the lot will accommodate a septic tank with a field on the lot.
- Robert Daugherty added, "If there's an existing house on the land, you will also have to provide an optional septic field for that house to. In other words you have a house on 2 or 3 acres. You're going to have to prove that there's an alternate site for the house too."
- Randy Laney stated, "There was a time when the alternative field wasn't required. The alternative field rule is just 10 years old in Washington County."
- Juliet Richey stated, "We are giving the public an easy low cost solution that most people can afford."
- Chuck Browning stated that he doesn't agree with that.
- Randy Laney wanted to clarify the requirements for the Health Department to regulate septic.
- Juliet Richey stated, "The minor subdivision goes through tech review and the health department will review it. Anything over 3 acres the health department does not require a perk test. It's usually 3 acres or

smaller or there is some questionable things on the property , like if it happens to be a strip mine in the past. We're not talking about every lot. We're talking about lots less than 3 acres. Septic issues affect more than just the property; they affect ground water for everybody."

C. Discussion Possible Zoning Ordinance Update

While the results of using CUPs have been very good over the last 7 years, there are some drawbacks to the way we do it.

Cons:

- Each project is a negotiation of sorts
- Lack of predictability for developers
- Intensive review time required for each project
- Historical record keeping becomes more complex
- Time spent proceeding through the Development process is longer

Pros:

- Each project receives site-specific review based on individual context and situation
- Some allowance for flexibility in requirements
- Very basic code
- Ability to address many things (some that could be unique to particular projects) related to Health/safety that are not available to us strictly under Large Scale Development Review.

Due to a lack of Building code adoption or enforcement, many of the following are enforced via our CUP process. We would want to make sure that these are still addressed in multifamily/commercial projects if we begin to allow more uses by right:

- Adequate Fire Flow to support the use
- Adequate Road infrastructure to support the use
- Review of building Plans by Fire Marshal to assure Health/Safety compliance
- Architect Plans required for some projects
- Signage limitations (will vary somewhat by district/type of use)
- Separation and screening requirements between some categories of commercial/residential
- Ability to support adequate septic and alternate areas
- ADA compliance both inside the building and outside
- Plumbing code issues

- 1. Over the past 7 years, we've found some uses to be more or less on compatible with residential/agricultural setting of the County with a set of standard conditions:**
 - Religious and other Public Assembly areas (Churches/ community buildings)
 - Small service-related commercial with little to no retail aspect (ie plumbing contractor, electrical contractor, lawn service, small engine repair, etc)
- 2. Other uses are appropriate in along larger Highway corridors or already somewhat commercial areas:**
 - Smaller scale commercial with a retail aspect (sq footage cap)
 - Religious and other Public Assembly areas (Churches/ community buildings)
 - Small service-related commercial with little to no retail aspect (ie plumbing contractor, electrical contractor, lawn service, small engine repair, etc)
- 3. Other uses that I would like to explore to allow by right (with conditions/qualifiers)**
 - SF Residential Subdivisions with an overall density of 1 unit per acre (or less)
 - Home Occupations (We currently handle these by policy, but I would like to codify this policy)

Uses we will not be looking at to allow by right (at this time):

- Self storage units
- Quarries
- Dirt pits

- Residential Subdivisions with an overall density of less than 1 unit per acre
 - Large scale high impact retail (Wal-Mart, etc)
 - General manufacturing or industrial uses
- *Juliet Richey discussed the current state of zoning which allows for use by right in some areas such as agriculture and residential. “There are some issues with our code because we do not have building permit approval. There are some health safety issues and ADA issues involving the building that we’re not able to address if we remove the conditional use permit. These things have made our developments a lot safer than they were five years ago. One of the big issues we have is limited amount of staff. It takes a lot time to individually process projects in a site specific manner. Things are starting to pick up again. The last 6 months we processed the same amount of projects as we did the entire year before. I don’t foresee a lot of support for getting additional staff. Also there will be issues with historical recording keeping since it’ll be very complex. When you have people looking at and acquiring piece of property from someone else, there is a lot to communicate. You’ll to make sure that records are up to date with the more complex system we have and the site specific approval. There’ll be more potential for gray area, loss of records, lack of understanding of exactly what certain conditions meant because it’s not part of a code. There’s going to be potential for issues. Also since projects are approved in such a specific manner, if someone wants to make a minor change, they would have to go through the whole process for an additional approval.”*
 - *Randy Laney asked staff if they can give an example of a project.*
 - *Courtney McNair replied, “The Blue Springs RV Park. There were several things that were significant enough that made it go through the CUP process. If we have basic conditions stating setbacks, screening, etc. on the applications then maybe it wouldn’t have to go through full review.”*
 - *Juliet Richey added, “It’ll let us tweak site plans and stay with certain set of parameters. We would feel comfortable working administratively with them. We have to be sure that the minor changes are legally acceptable. We don’t want to violate our ordinances by a minor change. That Smith and Barker Backwoods Beer they had to go back through to make a minor change to their sign. We outlined very specifically what their sign had to be.”*
 - *George Butler asked, “If they had to submit a brand new CUP.”*
 - *Juliet Richey said, “No, we just amended it. There’s been a couple that we’ve amended, Stables on the Hill, and etc. It’s a big process for the applicant to go through. A lot of people invest money in the front end and they want the flexibly and room grow their business without having to come back and ask for permission for every minor change.”*
 - *Robert Daugherty stated, “We need to accommodate it in some way or another.”*
 - *Randy Laney stated, “The other part of the problem is that some people would draw on the back of a napkin and not even hire an engineer. Our process now forces them to go through the proper steps.”*
 - *Juliet Richey stated that our process is not bad. “We’ve been doing it for seven years. But I’ve seen some recurring issues and some frustration on the part of applicants and staff. On the second page, we have three categories. We have some things that are compatible with residential agricultural setting with a set of standard conditions. We’ve zoned enough churches now that we know what they need. We have a standard set of conditions for churches. Small service related commercials shops with no retail aspect (plumbing contractors, electrical contractors, and small services) we have a set of conditions for them too. Minimum noises, all outdoor storage like fleet vehicles are in a screened area, keep your signage low key in a residential neighborhood.”*
 - *Randy Laney stated, “There’s no real problem with that sort of business until they get closer to Fayetteville.”*
 - *Juliet Richey stated, “After the initial outcry we never had a problem.”*
 - *Robert Daugherty added, “Their first reaction was that they didn’t want it in their area. I’ve visited with some of them afterwards and they said he did a good job.”*
 - *Randy Laney asked about public input. “If the public didn’t have a chance to come speak about it would they have put up that visual screen?”*
 - *Juliet Richey said, “It can play both ways. It can make people feel better or make people feel worse. They take all the time to get up there, prepare their letter, and talk but then it’s not a good argument.”*
 - *Robert Daugherty added, “Then they’re mad at us.”*
 - *Juliet Richey stated, “These are things that can be made easily compatible with the standards and conditions. There’s no point in notifying the neighbors and getting them upset in the first place. You’re taking people on an emotional roller coaster that was never needed at all.”*
 - *Robert Daugherty added, “kind of like a minor subdivision.”*

- Randy Laney said, "I am concern that without the tone of the public we can't tell if a decision is over reaching or not."
- Juliet Richey stated, "That is a valid point. We don't know who's going to run this department later down the years. The way our code is now someone can take it into any direction they want. The other thing is treating people fairly. We can make one development do something and not the other one, but there was site specific reason we made one church do it. With the set standards and condition, it'll set a control for staff. It'll work through things like staff turnovers."
- Randy Laney wanted to clarify that the planning department does not work for the board. "Even though the public might perceive that way. The Planning Board is appointed by the Quorum Court. The Planning department is funded by the Quorum Court, but you're hired by the county judge. It can be confusing for the public to figure out who has accountability."
- Juliet Richey stated that the set conditions are not administrative power. "It doesn't have to come before the board but it's a codified set of conditions. For example, someone could review our conditions and see that we made these churches do X, Y, and Z and it's all in writing. But as of now each project is individual and you can make a site specific argument of why one church did this and not the other church."
- Randy Laney stated, "Yes, I agree. It can cut both ways."
- Daryl Yerton added, "We don't want to get into a situation where someone we represented comes back and said that we made a church do something and not the other church. Even though it went through this cookie cutter process they complain about the lack of oversight and input from the public."
- Juliet Richey stated, "They can always appeal it. All zoning issues are appealable to the Planning Board then the Quorum Court."
- Robert Daugherty asked, "Is there not a document we can hand the people that states that if they are building church or small service retail that they have to follow these sets of rules."
- Juliet Richey replied "No, there is not. We have the applicant come in. We sit down and go over the conditional use criteria check list. It applies to any conditional use. Then we get a feel for the project and work out the issues that we may feel might come up. If we have another church that is similar, we'll give them the previous staff report so they can get an idea of what issues we're going to look at. We do the best we can. That's the lack of predictability. I'm giving them a vague idea of what might happen but who really knows what might happen."
- Chuck Browning asked, "If we could write a set of standards that could be adaptable."
- Juliet Richey answered, "Yes. All standard zoning ordinances have categories such as C1, etc. In their uses they're allowed by right, not allowed, or allowed by special use permit. I've learned from the National APA conference is that you can add a standard set of conditions saying we allow religious and other assembly areas in C1 with these qualifiers. They apply to everything that meets these use definition. I wasn't aware that you can put qualifiers on uses."
- Randy Laney asked, "What if there's a church that does not meet the qualifiers for a church. Do they go through the CUP process or get denied?"
- Juliet Richey stated, "They can go through the both process, CUP route or the shorter route."
- Dennis Ledbetter added, "The definition of churches is vague in that it can be more than just a steeple. They might want to add a daycare, school, and sound room, and etc. Definition of church can be hard to define sometimes."
- Randy Laney asked, "How you do you define church?"
- Juliet Richey answered, "We treat all religious assembly and general public assembly the same. You cannot treat them differently."
- Dennis Ledbetter states, "The fire code treats an assembly as an assembly whether it is a school or a church. If there are people in it then it's considered an assembly."
- Robert Daugherty states that he wished we can give the engineers a form or something to let them know what we are looking for upfront. For the example the last subdivision with Bates and Fred Patrick. If we can give something in the beginning it'll make it easier for them.
- Juliet Richey discussed some of the items that she would like to add to the zoning ordinances. "Another item was the single family subdivision with an all over density of 1 unit per acre or less."
- George Butler added, "It's the average of the density of the lot as opposed to the strict 1 acre per unit."
- Juliet Richey stated it's the lots that are less than an acre but the overall density is in line with our zoning ordinance. This could incentivize people to come up with smaller lots or come up with creative configurations to preserve more land."
- Chuck Browning questioned this will open Pandora's Box; letting people create less than one acre tracts.

- *George Butler replied that the density of residential units was the driver of the zoning.*
- *Juliet Richey continued on to home occupation. “Right now we handle these by policies. I would like to codify this. Right now if a home residential business has no signage, no outdoor storage, no significant traffic, and no more than 1 employee outside of the home. Basically if nobody can tell it’s a business than we don’t want anything to do with it. I would like to codify it and have it in code than make it a policy.”*
- *Randy Laney states, “I’m a little hesitant to pass new zoning when it’s not broken too much. I know in the future when the county grows it can become cumbersome. I feel for the small business owners. I voted for every one of them. I understand, but I have to keep in the bigger picture. Before any zoning, it was a total chaos. To get zoning passed was monumental. Zoning was a good thing for the County. I remember kennel were a political compromise. It happened because it was a hot button and we gave them a chance. You will have all these hot buttons again if you try to pass new zoning.”*
- *Juliet Richey replied “This is just the very beginning stages of it. We’re just putting it together in an organized fashion. We will propose slowly. I think of the things I can is that we have been doing this for 7 years and these are the things I feel very sure about it. We have a very good set of standards. We’ve applied them numerous times. We have the basics from our experiences to do it well and in a responsible way for Washington County. If it starts getting crazy I’ll just pull the request. Just like the home occupation. I could see where it was going.”*
- *Randy Laney argued “That you can look at another way. The world didn’t end. What’s wrong with adding CI along regular highways? We learned that we’re making it a little hard for people. Here’s a user friendly way to do things.”*
- *Diane Bryant asked, “How these zoning rules will be enforced?”*
- *Juliet Richey answered a site plan process. “There’s a site plan review that we do. It’s not just a free for all.”*
- Any other Planning Department or Planning Board/ZBA business or discussion.

4. Adjourn

Daryl Yerton moved to adjourn. Robert Daugherty seconded. Motion passed. All Board members were in favor of approving.

Planning Board adjourned.

Minutes submitted by: *Phuong Pham*

Approved by the Planning Board on:

_____ Date: _____
 Randy Laney, Planning Board Chairman