

Minutes
Essex County Planning Commission
Regular Meeting
January 3, 2024
7:00 P.M.

A regular meeting of the Essex County Planning Commission was held on January 3, 2024, at the Essex County School Board Office, Tappahannock, Virginia.

Present:

David Jones – Chairman
Angelo Stevens, Jr. – Vice Chairman
Stephen Walters
Wright Andrews
Scott Mundie

Absent:

Jean Segar
Trent Taliaferro

Also present:

Kelly McKnight – Building & Zoning Office Manager
Brian Barnes – Zoning Administrator

CALL TO ORDER

David Jones, Chairman, called the regular meeting of the Planning Commission to order at 7:00 pm.

ROLL CALL

Chairman Jones asked Ms. McKnight to call the roll. A quorum was met.

MEETING AGENDA

Chairman Jones asked if any changes needed to be made to the agenda.

APPROVAL OF MINUTES

Chairman Jones asked if there were any corrections or additions needed for the December 5, 2023, minutes? Mr. Mundie made a motion to approve the minutes as presented. Mr. Walters seconded the motion. AYES: 5 NAYES: 0 ABSENT: 2

PUBLIC COMMENTS

None

PUBLIC HEARING

None

OLD BUSINESS

Discussion of chapter 1 of the Essex County Comprehensive Plan

Chairman Jones asked if Mr. Barnes would like to say anything before getting started.

Mr. Barnes said that Ernie, April, and he attended the Certified Zoning Administrator training in Charlottesville, VA for three days and he wanted to tell the Planning Commission about that. He said that Max Hlavin who is our County Attorney, taught one of the classes and then another professor from UVA taught best management practices with counties whether its Board of Zoning Appeals, Planning Commissions, office politics. He said that he was half a motivational speaker and half management guru. Mr. Barnes said that on the first day a man who worked in Virginia Beach for 35 years in zoning taught a session. He said it was very interesting and very worthwhile. Sadly, you can't take the exam until June.

Mr. Barnes said he left them with section one of the Comp Plan, and he wanted to let the Planning Commission know that he is eager and willing to help with the Comp plan. Mr. Barnes said it is important to the people you serve on how the zoning ordinance works. He said that Commissioner Andrews sent in comments. Mr. Barnes wants to receive comments from the Commissioners, and he can put something together. He said doing it bite by bite and focusing on one chapter at a time since each chapter is different and we can look at it the next month.

Chairman Jones asked the question, do you think we would be good to do a couple of chapters and get them how we want them and put them to public hearing and get those out of the way, then send them to the Board of Supervisors to review?

Mr. Barnes said that he agrees with looking at it a little at a time instead of all at one time. Some things can get missed if done all at one time.

Chairman Jones said that this would be good for the public as well.

Commissioner Andrews agreed and said that we should get the public's opinion as we go along. He also said that there is a lot of data in there and that needs to get updated before it goes before going in front of the public. It is essential to have the public involved and we need to make it as easy and interesting as possible. He said that most people don't have knowledge of what the plan is.

Chairman Jones said that he knows we advertise it in the paper. He thinks we should add a little blurb about what is being discussed even if it is only three sentences. Make it interesting

so the public will be interested in coming to the meetings. He also said that the Comprehensive Plan is on the website.

Commissioner Andrews said that he thought in the past they had a steering committee or a citizens committee that worked to put the original one or updates together. Are we going to have a parallel system where we have some community people reading it and giving us ideas as we go along or are we going to throw them back to them with what we did?

Chairman Jones said that is his point of having an article in the paper that says we are discussing it so some interested citizens will come.

Commissioner Andrews said that as complex as the plan is as for as most ordinary citizens it is going to be hard to put their arms around it. If we could involve the citizens in some sort of work session.

Chairman Jones said that maybe what we could do is for Brian to bring it up to April. This meeting is just that that they can listen to what our thoughts are. The Comprehensive Plan is on the website, and they can come to the meeting and listen to what we have to say. Maybe before we do the public hearing for Chapter 1 and 2, we could have a listening session. If we find out there are twenty people, we can do it every time. If only one or two show up, then we can say that we have given it every effort.

Vice Chairman Stevens said that most people don't get involved until it affects them.

Chairman Jones said that he and Brian were talking today, and he read over the state statute today and it is to be general in nature and it is to be broad, so we don't take the board of supervisors and hem them in a corner. It is better for the public because we get into the minute detail people get lost in the shuffle.

Chairman Jones suggested they do Chapters 1 and 2 and put it out there for the public's input session, not a public hearing but hear what they have to say.

Commissioner Walters said that Richmond County just went through their Comp plan, and they used the Berkley group. He said that they had a committee of local people knowledgeable in different areas to hash out ideas. It would be good to talk to people over at Richmond County to see how they handled it because they went through public input sessions. How did that work? Was it effective? Did it cover everybody? There are certain people that are interested in this. There are a lot of people that also are not interested in this but have passionate feelings about things.

Chairman Jones said when it came time for the capital improvement budget, we always had people in here looking for their special interest. Chairman Jones is all for public input, the more the better, but you have to be careful about who we are going to ask to participate. If we picked the head of Chamber of Commerce or head of EDA. You will leave someone out. This is

a public forum so at the least email Brian or Kelly and say that you want a copy of the minutes for the comprehensive plan.

Commissioner Mundie asked if Richmond County's new Comp Plan is on the website?

Commissioner Walters said yes.

Mr. Barnes said that he is going to reach out to Hope.

Commissioner Andrews said that we need to look at several other counties for comparison and see what ideas they have. If we can look at one or two and see how they approach it. He said that he has never done a Comprehensive Plan and would like to see what a good one looks like.

Commissioner Mundie said that he remembers when Cheryl Evans gave background on how the Comprehensive Plan works. She said that you start with your Comp Plan because that is your 30000-foot view and that lays out your broader less specific framework and then you get down in the weeds with the actual zoning. It makes since to do the comp plan first and then the zoning ordinance. We were under pressure to get the zoning ordinance revised. We were doing it in the reverse order. It is important to remember the comp plan is the the umbrella, and the zoning ordinance is the framework.

Chairman Jones said that he reread the law today and it is more specific that you have here. There was one point in there that said the comprehensive plan says that this is an area for this and if someone wants to put it here you shall not use this against this person that wants to do this, and people do that all the time. They say the comprehensive plan says it should be here and in no way shall you use the fact that it is not in that area to not look at it and accept it. I find that very odd.

Vice Chairman Stevens said that we have to decide which direction do we want the county to go. Do we want it to grow or stay stagnant or make the whole county a ghost town? The growth process is not here. The youth have left. More retirees are moving into the Northern district. We need to sit back and figure out what is leaving next and how or do we want more industry to produce more jobs.

Chairman Jones said to maintain the rural and beauty of the county. With the intent that we want to keep it rural, farmland and nice, this is how we do it. We first decide how we want the county to go. Then we decide how it will go. We say we want the county to head in this direction. These are the things that we want in Essex County.

Mr. Barnes said that everything the Commissioners are talking about is what we are working on, and he is going to keep everything in a folder.

Commissioner Andrews said that we need to consider the regional nature and why we are unique. There are many common issues that are out there. The solar farms, the data farms. We need general cooperation.

Chairman Jones said that we have to decide if we want a data center it would bring in jobs. He is not saying he is for a data center, it's just an example.

Commissioner Walters said yes if you do it right what is the cost to the County?

Mr. Barnes said that if you came to this county and said I am going to build a 1000 home subdivision and bring in a lot of people in Essex County. Not bring in anything else except people. Whether you are pro development or antidevelopment. Most people might not be crazy about that. But if you bring in a proposal that brings in a bunch of jobs, maybe 250 people. Who is going to be against that? Most people are in favor of improving their quality of life or income. Mr. Barnes said as the staff guy is trying to stick to the noncontroversial stuff.

Chairman Jones said look what's happening in Kilmarnock with Hills Quarter which was a thriving subdivision in the 90's and had was a golf course now the golf course is gone. Property values went down by 30 percent.

Brian Barnes said that a lot of your housing starts now in Hobbs Hole.

Chairman Jones said that it is an infill of an existing product not new growth.

Mr. Barnes said that your job is hard because you have to help tell the Board and the citizens and plan out what you think success is in Essex County and how to get there and that is not easy.

Mr. Barnes said that some of the goals of the county can be met by the town and vice versa but the two entities with their comprehensive plan are not working hand and glove. They are starting their comp plan update as well.

Mr. Barnes passed out a paper called Study Goals 360 corridor study that VDOT is starting right now. Smart scale with VDOT. Changed VDOT from road projects to a data driven analytical to look at road improvements. You now have to get it into this smart scale project queue then it is studied, funded and then it's built. The Commonwealth transportation board still looks at the projects. For the first time ever Essex County is now participating in this.

Study Goals

- **Maintain and protect the efficiency of the corridor**
 - **Manage the number of access points**
 - **Encourage inter-parcel connections, a parallel road system, and turn lanes**
- **Support economic growth in line with comprehensive plans**
- **Improve safety**

Mr. Barnes said that what you do with this Comprehensive Plan is very important. Mr. Barnes said that next week he is supposed to give a presentation to the Board. Chris Rose is good at picking up new stuff to write about. So, when he says that we are in the update phase that will help. The future of federal money and state money being spent. They are looking at the comprehensive plan to see if we are serious about it. Brays Fork intersection area is on the smart scale now, Howerton's 17 and Howerton's intersection on smart scale.

Chairman Jones asked you mean to improve it is what you are saying?

Mr. Barnes said yes this is pre scope, they are just studying it and they will come back with ideas.

Commissioner Stevens said that he noticed many signs are coming up now. They have many accidents in Champlain.

Mr. Barnes said he wants the Planning Commission to think about this and it is ok if something is in prescope now. This is a 24-month thing and hopefully in less than 24 months he and Tim Smith loading up 4 or 5 more projects for the county to go in the prescope. Hopefully you will see roads getting fixed.

Chairman Jones said that if he heard Mr. Barnes correctly, we would in the comp plan saying that we would make a general statement in the comp plan that we recognize there are several areas of roads in Essex County that need attention because of traffic issues like

Mr. Barnes said that with the comp plan you always want it to be measurable, data driven and not an opinion, but something based on fact because of accident data.

Chairman Jones said that the state statute gives you what you need in your road plan.

Mr. Barnes handed out a handout on the Code of Virginia and the capital improvement plan.

Chairman Jones said they do have one, but it hasn't been updated in a couple of years.

03/01/2024, 11:17

§ 15.2-2239. Local planning commissions to prepare and submit annually capital improvement programs to governing

Code of Virginia

Title 15.2. Counties, Cities and Towns

Chapter 22. Planning, Subdivision of Land and Zoning

§ 15.2-2239. Local planning commissions to prepare and submit annually capital improvement programs to governing body or official charged with preparing budget.

A local planning commission may, and at the direction of the governing body shall, prepare and revise annually a capital improvement program based on the comprehensive plan of the locality for a period not to exceed the ensuing five years. The commission shall submit the program annually to the governing body, or to the chief administrative officer or other official charged with preparation of the budget for the locality, at such time or he shall direct. The capital improvement program shall include the commission's recommendations, an estimate of cost of the facilities and life cycle costs, including any road improvement and any transportation improvement the locality chooses to include in its capital improvement plan and as provided for in the comprehensive plan, and the means of financing them, to be undertaken in the ensuing fiscal year and in the period not to exceed the next four years, as the basis of the capital budget for the locality. In the preparation of its capital budget recommendations, the commission shall consult with the chief administrative officer or executive head of the government of the locality, the heads of departments and interested citizens and organizations and shall hold such public hearings as it deems necessary.

Localities may use value engineering for any capital project. For purposes of this section, "value engineering" has the same meaning as that in § [2.2-1133](#).

Code 1950, § 15-966; 1962, c. 407, § 15.1-464; 1975, c. 641; 1976, c. 650; 1996, c. [553](#); 1997, c. 587; 2006, c. 2011, c. [658](#).

Mr. Barnes said that within another county that he worked for every year starting with January we would look at every school bus, cop car and everything else and we would have a five-year replacement plan for everything, the Planning Commission would. Do you all do that now?

Chairman Jones said we did until a couple to three years ago. When he first got on, we did not. Then he was coming from Lancaster he said they did do that. They invited all the county department heads in, and they said what is needed. The Planning Commission would listen to their wants and needs. COVID is what stopped it.

Mr. Barnes said that he knows it is in the Comp Plan. If it is not true anymore, we need to change it. He will have the answer to that next month.

Commission Andrews made his comments on section one which is included below.

SECTION ONE

INTRODUCTION AND FRAMEWORK FOR PLANNING

(Suggest we also add a “Vision Statement” as recommended in “The Comprehensive Plan,” by David Rouse & Ricky Piro)

The Essex County Comprehensive Plan

The Essex County Comprehensive Plan is an official public document adopted by the County Planning Commission and Board of Supervisors. The Plan is a general, long-range, policy and implementation guide for decisions concerning the overall growth and development of the County. It brings together the elements of land use, economy, transportation, public infrastructure and environmental protections to implement the vision of a prosperous, sustainable and equitable Essex County community.

The overall goal of the Comprehensive Plan is to: **"Maintain and enhance the quality and character of the County by promoting the efficient use of the County's land and natural resources in order to effectively meet the social and economic needs of present and future residents providing for a more balanced, resilient, sustainable and equitable community.¹"**

The Commonwealth of Virginia requires that counties prepare Comprehensive Plans and revise them periodically. The key statutory provisions relating to this issue is set forth an endnote to this section (see, p. ____). Plans are most effective when they contain input from all segments of the community and must be continuously evaluated and updated as necessary. Public participation and outreach are essential to knowing and understanding the goals and objectives of the County.

The Plan is a culmination of a cooperative effort, pulling together the knowledge and skills of diverse residents, business leaders and government staff. This plan represents a vision of Essex County along with recommendations for bringing that vision to fruition. The ideas of the Plan are a distillation of the community's many desires, tempered by what is necessary, feasible, and reasonable to foster a good quality of life for Essex residents. This Plan is not intended to be a static document. It should be reviewed and updated periodically to reflect new development trends, shifts in the

¹ Please note that I added concepts such as resilient and equitable because the Rouse and Piro (“R&P”) book used in training Planning Commissioners indicates they are key elements of modern comprehensive plans. That said, I did not attempt to develop such points beyond what our original draft contains by adding additional paragraphs to the text of this section because I feel this is a policy issue that should first be discussed by the Commission. The R&P book indicates that modern plans “go beyond the roots of comprehensive planning in physical development to address social dimensions of community, such as equity, public health, and human investment.” (page 2)

economy, or changes in the community goals and objectives.

Essex County is a special place with a unique character, culture and history that distinguishes the community from others in the region². This Comprehensive Plan, particularly its goals and objectives, addresses the preservation and enhancement of these special qualities and the distinctive personality felt by the residents. This sense of uniqueness and pride of place are the guiding forces and strongest motivation for those who have contributed to the realization of this document. The opportunities presented by a shifting economy, technological changes, and a strategic location present the County with the chance to shape a bright future.

It also has been recognized that in addition to its uniqueness, Essex has a number of important issues that are similar to, or in common with issues found in other counties in our region, such as providing residents affordable housing and adequate job opportunities, transportation, solar farm development, and local impacts of global warming. In developing and implementing our Comprehensive Plan, the drafters therefore have noted such regional (or broader) issues and have endorsed cooperative work by Essex officials with their neighboring counterparts such as active participation in the Middle Peninsula Planning Commission.

The Plan is comprehensive in that the elements cover the entire range of development, preservation infrastructure and economic issues which can be influenced significantly by the County Board of Supervisors and other governing authorities. Consideration is given to these categories and issues arising over the next twenty years. Planning is an important opportunity for a community to control its own destiny. It is a process by which Essex County has:

- Assessed its current state of development, needs, problems, and resources;
- Determined its desirable future physical form and character; and

² Essex County is a predominantly rural County situated on the northeastern most section of the Middle Peninsula in the Commonwealth of Virginia. It is bounded on the north by King George and Westmoreland Counties, on the east by Richmond County, south by Middlesex County, and by Caroline and King and Queen Counties on the west. The east boundary of Essex County is the Rappahannock River (See Map 1-1). The land area of the County is approximately 257 square miles (165,000 acres). Formed in 1692 when Old Rappahannock County was divided into Essex and Richmond, the County was named for either the English County or the Earl of Essex. In 1652, a port settlement began in the area of New Plymouth, later renamed Tappahannock for the Indian name meaning Town on the River. Tappahannock was incorporated in 1926 and serves as the County seat covering an area of roughly 2.75 square miles and located near the center of the County. An elected Board of Supervisors and an appointed County Administrator govern the County and a Town Council-Town Manager form of government serves the Town. Tappahannock is the employment and population center for the County and the commercial center for the Middle Peninsula region. Residential developments exist as small rural communities along the Rappahannock River or as strip residential along primary roadways. Growth has been gradual and slow allowing the County to retain its predominantly rural character.

- Established public policies designed to help bring about the necessary changes and guide private actions to achieve community objectives.

The purpose of such a process is to ensure rational allocation of finite resources to meet the community's priority needs and to mitigate whenever possible, future environmental, social, and economic issues. Planning is a means for expressing the will of the community and helps ensure it will be embodied in regulatory actions which achieve goals identified during the planning process. The Comprehensive Plan has evolved as the primary vehicle through which this process is conducted. The Plan generally consists of:

- An analysis of existing conditions and an inventory of available resources;
- Goals and objectives;
- Future plans; and
- Recommendations for implementation.

Although adopted as an official public document, the Comprehensive Plan is not a development and preservation ordinance. This plan serves as a catalyst and guide to the establishment of, or revisions to, other ordinances or planning tools including the zoning and subdivision ordinances. The Land Use Plan Map, included in this Plan, serves to illustrate how and where the Plan's policies and recommendations will be carried out. This mapped information is general in nature and not appropriate for determining the suitability of specific sites for any specific use. **(Add back Map)**

This Plan provides the basic policy framework to manage and direct future development in Essex County. It is designed to address imminent issues as well as to provide a long-term planning strategy for implementing future actions and policies. As such, the Plan is designed to address the County's needs through the year 2030 and thereby provide the County with a means to ensure orderly, managed growth and development throughout the planning period. Various projections, policies, and recommendations are prepared in the context of balancing the many objectives attendant to this Plan. **This general theme when interpreted in terms of land use says that:**

- **The County should adopt a "growth management " philosophy toward the use of the land over which it has zoning authority; and that development should be of a controlled nature, channeled into the most appropriate areas and discouraged in other areas.**
- **Moreover, the County has determined that such a philosophy is necessary to cost effectively sustain adequate levels of public services and facilities in the form of schools, transportation networks, sewer, water, police, fire and health care services which will be required to support present and future residents.**

The goals and objectives framed in the elements of this Plan serve as a formally adopted growth management guide to Essex County's future. They provide guidance for public decisions concerning how development will be managed or regulated, where and how it should occur, and where capital improvements and public services should be provided

or not provided to support it. In this context, the Plan serves to inform County residents, the development community, and State and Federal agencies of the County's intent regarding its future. It identifies controls, management measures, financial or human resource investments, and incentives necessary to achieve County objectives.

The Plan also provides the basis for a number of County actions and management decisions and serves as a tool for evaluating the merits of proposals which will surface over time. Undoubtedly, County residents, the Planning Commission and the County Board of Supervisors will be faced with proposals which could affect many aspects of life in the County. This Plan in particular, its policies and objectives, provide guidance in decision-making and establish a basis for evaluating proposals of this kind.

Plan Goals, Objectives and Recommendations

Goals, objectives, and recommendations of the Comprehensive Plan are influenced by reports prepared as part of the process toward its completion. Likewise, in turn, it influences revisions in the construction of companion documents which serve to implement the Plan including the County Zoning Ordinance and Land Subdivision Regulations. Since the Plan concurrently influences and is influenced by these related Planning Program documents, a brief description of each follows.

- **Zoning Ordinance**

The Essex County Zoning Ordinance was first adopted in 1976 and serves as a primary planning tool for implementing the Comprehensive Plan. Zoning is a means by which private properties are regulated in the public interest. The Zoning Ordinance and its official map delineate and describe conservation, agriculture, residential, business and industrial areas throughout the County. The permitted uses and development regulations for each of these areas are described within the ordinance and through a schedule of district regulations and an official zoning map.

The Zoning Ordinance sets out how property in the County may or may not be used. It prescribes a series of zoning districts and enumerates uses permitted and establishes performance standards for future development in each district. The standards are designed to ensure achievement of certain objectives established in the Plan including protection of sensitive environmental features and enhancement of future environmental qualities.

- **Subdivision Regulations**

Revised in 1998, Essex County has enforced subdivision regulations as a part of the growth management process. Subdivision regulations assure adequate provision of services for residential communities. By use of this planning tool, unnecessary burden of public funds for streets, recreation and utilities is mitigated in the future.

These regulations provide guidance and controls for the configuration and layout of land subdivision in the County. They further establish standards for subdivision plat content and procedural submission requirements. Standards contained in these Regulations will also be designed to ensure implementation of certain Comprehensive Plan policies and objectives.

- Site Plan Regulations

Another tool to implement the Comprehensive Plan is the establishment of site plan requirements which provide for the review of proposed developments of a designated scale prior to their location within the County. In this way the provision of public services, impact on adjacent land uses and overall impact can be negotiated with the developer prior to approval by the County.

- Storm Water Management

Essex County implements a countywide storm water management plan based on guidelines from the Statewide Storm Water Management Programs. The plan includes provisions from the previous Erosion and Sedimentation Control Ordinance. Through the Storm Water Management Program, development requests are reviewed and monitored so as to assure that sedimentation is minimized and storm water erosion is prevented during land disturbance. This serves to control development to the extent that compliance with environmental protection factors must be met.

- Housing and Building Codes

Housing and building codes include the fire code, electrical code, housing code, building code and plumbing code. These are designed to protect the health, safety and general welfare of the residents of the County by providing minimum standards for all types of structures. Most of these codes have been incorporated into the Uniform Statewide Building Code and are in effect through the Office of the Building Inspector.

- Conservation Easements & Historic Districts

The provisions of Virginia law permit County ordinances to include protection against destruction of or encroachment upon historic areas. This can be included within the zoning ordinance or it can exist independently in the form of historic easements. The historic easement is a means for private owners of historic properties to preserve these properties for public enjoyment without giving up their ownership. The easement includes a dedication of restrictions on future use and development of the property and places it in trust with a public or semi-public agency. The property owner, however, retains the right of continued ownership and usage as long as uses are consistent with the restrictions. There is also a provision for tax deductions. The County may wish to encourage owners of historic properties

to consider their options in preserving identified historic sites and structures in the County. Similar State statutes permit a landowner's voluntary formation of agricultural and forestry district. Encouraging landowners to create such districts further the comprehensive plan objectives for preserving farmland, forestland and rural character.

- Capital Improvements Program (Update needed)

Essex County is currently exploring creation of a Capital Improvements Program. A capital improvements program lists the local public improvements needed for a specified period. It identifies the estimated construction costs and the proposed funding source as well as the timetable under which such projects will be implemented. A capital improvements program serves to assist the County in carrying out the goals and objectives within the limits of the County's financial capabilities, and to assure adequate funding for capital improvements needed to facilitate delivery of services to County residents.

Section One Note:

Legal Basis for Comprehensive Planning

Essex County's first Comprehensive Plan was drafted in 1967. Preparation of the Comprehensive Plan is the legal responsibility of the County Planning Commission and is mandated by the Virginia Planning Enabling Legislation, Title 15.2, Article III, of the Code of Virginia, 1950, as amended. The Plan also serves to satisfy the requirements of VAC 10-20-10 et seq. Chesapeake Bay Preservation Area Designation and Management Regulations, which established standards for local Comprehensive Plan Elements designed to implement Chesapeake Bay Water Quality Improvement objectives. Any ordinance pertaining to the use of land or the growth and development of the County should conform to the goals, objectives, and policies as they are presented in this Plan.

State of Virginia Statutory Authority for this Plan

The preparation, adoption, and implementation of a local comprehensive plan are governed by the Code of Virginia of 1950, as amended. Relevant portions of the Code follow:

Title 15.2
A

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Comprehensi

ve Plan

§ 15.2-2223. Comprehensive plan to be prepared and adopted; scope and purpose.

A. The local planning commission shall prepare and recommend a comprehensive plan for the physical development of the territory within its jurisdiction and every governing body shall adopt a comprehensive plan for the territory under its jurisdiction.

In the preparation of a comprehensive plan, the commission shall make careful and comprehensive surveys and studies of the existing conditions and trends of growth, and of the probable future requirements of its territory and inhabitants. The comprehensive plan shall be made with the purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the territory which will, in accordance with present and probable future needs and resources, best promote the health, safety, morals, order, convenience, prosperity and general welfare of the inhabitants, including the elderly and persons with disabilities.

The comprehensive plan shall be general in nature, in that it shall designate the general or approximate location, character, and extent of each feature, including any road improvement and any transportation improvement, shown on the plan and shall indicate where existing lands or facilities are proposed to be extended, widened, removed, relocated, vacated, narrowed, abandoned, or changed in use as the case may be.

This section of the Virginia Code continues on regarding information that shall be outlined in the Comprehensive Plan, specifically transportation planning and coastal zone management which applies to Essex County.

§ 15.2-2224. Surveys and studies to be made in preparation of plan; implementation

A. In the preparation of a comprehensive plan, the local planning commission shall survey and study such matters as the following:

1. Use of land, preservation of agricultural and forestal land, production of food and fiber, characteristics and conditions of existing development, trends of growth or changes, natural resources, historic areas, ground water, surface water, geologic factors, population factors, employment, environmental and economic factors, existing public facilities, drainage, flood control and flood damage prevention measures, dam break inundation zones and potential impacts to downstream properties to the extent that information concerning such information exists and is

available to the local planning authority, the transmission of electricity, road improvements, and any estimated cost thereof, transportation facilities, transportation improvements, and any cost thereof, the need for affordable housing in both the locality and planning district within which it is situated, and any other matters relating to the subject matter and general purposes of the comprehensive plan.

However, if a locality chooses not to survey and study historic areas, then the locality shall include historic areas in the comprehensive plan, if such areas are identified and surveyed by the Department of Historic Resources. Furthermore, if a locality chooses not to survey and study mineral resources, then the locality shall include mineral resources in the comprehensive plan, if such areas are identified and surveyed by the Department of Mines, Minerals and Energy. The requirement to study the production of food and fiber shall apply only to those plans adopted on or after January 1, 1981.

2. Probable future economic and population growth of the territory and requirements therefor.

B. The comprehensive plan shall recommend methods of implementation and shall include a current map of the area covered by the comprehensive plan. Unless otherwise required by this chapter, the methods of implementation may include but need not be limited to:

1. An official map;
2. A capital improvements program;
3. A subdivision ordinance;
4. A zoning ordinance and zoning district maps;
5. A mineral resource map;
6. A recreation and sports resource map; and
7. A map of dam break inundation zones.

§15.2-2230. Plan to be reviewed at least once every five years.-At least once every five years, the comprehensive plan shall be reviewed by the local commission to determine whether it is advisable to amend the plan.

§15.2-2231. Inclusion of incorporated town in county plan; inclusion of adjacent unincorporated territory in municipal plan.-Any county plan may include planning of incorporated towns to the extent to which, in the county local commission's judgment, provided, however, that the plan shall not be considered as a comprehensive plan for any incorporated town unless recommended by the town commission, if any, and

adopted by the governing body of the town.

Any municipal plan may include the planning of adjacent unincorporated territory to the extent to which, in the municipal local commission's judgment, it is related to the planning of the incorporated territory of the municipality; provided, however, that the plan shall not be considered as a comprehensive plan for such unincorporated territory unless recommended by the county local commission, if any, and approved and adopted by the governing body of the county.

§15.2-2232. Legal status of plan. - Whenever the local commission shall have recommended a comprehensive plan or part thereof for the county or municipality and such plan shall have been approved and adopted by the governing body, it shall control the general or approximate location, character and extent of each feature shown on the plan. Thereafter no street, park or other public area, public building or public structure, public utility facility or public service corporation facility other than railroad facility, whether publicly or privately owned, shall be constructed, established or authorized, unless and until the general location or approximated location, character, and extent thereof has been submitted to and approved by the local commission as being substantially in accord with the adopted comprehensive plan or part thereof. In connection with any such determination the commission may, and at the direction of the governing body shall, hold a public hearing, after notice as required by §15.2-2204.

The commission shall communicate its findings to the governing body, indicating its approval or disapproval with written reasons there for. The governing body may overrule the action of the commission by a vote of a majority of the membership therefore. Failure of the commission to act within sixty days of such submission, unless such time shall be extended by the governing body, shall be deemed approval.

Chairman Jones said that he made some notes also. He said do you want to send an email to Mr. Barnes with his notes for Chapter 1.

Mr. Barnes said that he before the next meeting will start typing up a draft of section 1 for the Planning Commission. If there is something you want in it or that needs to be edited send that to Mr. Barnes. Mr. Barnes said that he might assign each Planning Commission a color if they have a new text to add and each Planning Commissioner will know who made the edit.

Chairman Jones said that if Angelo is not much of an email person, can he come in the office with his notes written down?

Mr. Barnes said yes. Mr. Barnes said that he is looking forward to their comments. Mr. Barnes said that Carlos, who works in IT, is a creative person and map maker. They already have an update to maps or new things. He has come up with a cool graphic of Essex County and the distance that you have to drive to a big population center. Mr. Barnes said that he is not anti-consultant but is anti-cost.

Chairman Jones said we need to update the numbers and data before we get started on it.

Mr. Barnes said that he will leave the old existing number in it and just put a strike through the old number with the new data.

Chairman Jones said that the other thing that hasn't been thought about. Tappahannock is locked in.

Mr. Barnes said that you have a river on one side and creeks all around us.

Chairman Jones said for them to grow, where can we put another store?

Chairman Jones said that a call from Mr. Barnes would be helpful for him to call the Town Manager because they are doing their comp plan the same time we are and find out where they are. Commissioner Andrews said that he recommends that Mr. Barnes talks to the County EDA where his wife chairs.

Mr. Barnes said that he will reach out to the Town Manager.

Commissioner Walters asked if they could send any random ideas?

Mr. Barnes said yes.

NEW BUSINESS

None

ADJOURN

Having no further discussion, a motion to adjourn was made and seconded. AYES: 5, NAYES: 0, ABSENT:2

David Jones, Chairman