

**MEETING MINUTES  
OF THE  
FREDERICK COUNTY BOARD OF SUPERVISORS'  
RURAL AREAS SUBCOMMITTEE**

**PRESENTATION OF PRELIMINARY RURAL AREAS REPORT  
AND PUBLIC COMMENT MEETING**

Held in the Board Room of the Frederick County Administration Building, 107 N. Kent Street, Winchester, Virginia, on February 5, 2009.

**RA SUBCOMMITTEE MEMBERS PRESENT:** Richard Shickle, Cordell Watt, June Wilmot, and H. Paige Manuel.

**RA SUBCOMMITTEE MEMBERS ABSENT:** Gary Dove and Gary Lofton.

**OTHER BOARD AND COMMISSION MEMBERS PRESENT:** Greg Unger, Philip Lemieux, and Bill Ewing

**STAFF PRESENT:** Eric Lawrence, Planning Director; Candice Perkins, Senior Planner; and Bev Dellinger, Secretary III.

**CALL TO ORDER**

The meeting started at 7:00 p.m.

Mr. Lawrence stated that the target for tonight's meeting is to present an update of the RA Subcommittee's review of the County's rural area policy, an effort underway for the past six to seven months. Mr. Lawrence stated that the efforts of the Subcommittee have been available via the Planning Department's web page and through various public meetings, but in an effort to bring everyone up to date, tonight's presentation will recap the history of this rural areas effort. The Subcommittee has directed Mr. Lawrence to present information tonight; they have not concluded or formalized a recommendation because they want to get the public's reaction and responses to their preliminary thoughts.

Mr. Lawrence stated that 89% of Frederick County continues to be rural – and encompasses that outside of our Urban Development Area (UDA). The study we have been looking at for the past seven months is emphasizing and concentrating on those rural areas of the County.

Mr. Lawrence further stated that growth trends are the catalyst behind why we're looking at the rural areas. Population growth through the better part of three decades has been 2.9% annually. However, in the early portion of this decade, 2000 through 2006, development peaked and then it really slowed down, but through the first half of this decade, the annual growth rate averaged 3.1%. The 2008 provisional population estimate was released last week and Frederick County has approximately 73,800 people; the community has grown by about 15,000 people over the past decade. Statistically, half of the population continues to live in the rural areas of

the County. That means that half of our population lives in 89% of the County and the other half lives in 10% of the County, in the UDA, where we would like to see them. Since 1990, 30% of the new homes were constructed in the rural areas. Since 2000, we have seen 12,000 acres of rural areas land developed – subdivided and transformed from an agricultural use to a residential, five acre density, use.

Concerning subdividing rural areas properties, essentially farm land, the Zoning and Subdivision Ordinance provides various methods enabling land divisions. There are family lots and Minor Rural subdivisions, relatively small projects. But more importantly, anything over three lots or larger is considered a major rural subdivision or a rural preservation subdivision. A major rural subdivision contains a minimum of five-acre lots, direct access to public roads and individual private health systems. Rural preservation subdivisions may have lots as small as two acres, direct access to public roads, private health systems, and a preservation lot is required which is 40% of the parent tract and cannot be further developed. These are both based on the density of one house per five acres. That's currently what is on the books as far as an ordinance requirement. There is a wide range of density factors in some of the jurisdictions surrounding Frederick County – some are smaller, with one per ten acres, some have sliding scales and the lot sizes range from five acres, two acres and ten acre lots. A statistic generated last summer shows that in a four year period, just over 7,000 acres were planned to be subdivided into residential lots, based on the five acre density. This is a combination of rural preservation and major rural lots. As of last summer, only about 900 of the 1,400 lots that had been planned through the subdivision design process had actually been created.

Mr. Lawrence stated that in July 2008, a public hearing was held, and a number of concerns were voiced about any changes the County might consider with reducing density or increasing the minimum lot size. At that time, the Board of Supervisors created the Rural Areas Subcommittee to take the lead in evaluating the rural areas, and the Subcommittee is the organization hosting tonight's meeting. Tonight is an opportunity to affirm whether or not the Subcommittee is ready to make a recommendation to the Board of Supervisors.

Issues that the Subcommittee has studied and analyzed are indentified in a five-prong approach: the relationship of the rural areas to the UDA, the agricultural economy, land development and design, community services and facilities, and transportation. Mr. Lawrence said that from a planning perspective, whenever there are rezonings in the UDA, all these issues are addressed; but in the rural subdivisions, it's a by-right exercise so if the property meets the Code requirements, the subdivision is approved.

Regarding the relationship of the rural areas to the UDA, for the past 20 years, since 1987, Frederick County has had an Urban Development Area, where growth is preferred and directed. One challenge the County will be faced with is that new stormwater management requirements are going to be stricter in our Urban Development Area because of regulations from Richmond. Indirectly that creates an opportunity where it's probably easier to develop in the rural areas than in the UDA on a stormwater front.

Concerning the agricultural economy, there has been a net loss of 6,500 acres from the agricultural districts since 1980. Our location proximity to Northern Virginia certainly

contributes to interest in transferring land from an agricultural activity to possibly recouping some land value through subdivision.

Relating to land development and design, we recognize that in the rural areas of the County, development is a non-legislative process - it's administrative. If you want to subdivide your property, you don't have to come to the Board of Supervisors and ask for them to approve it; it's a ministerial exercise. If you meet our Code requirements, the Planning Department is empowered to approve the subdivision.

Regarding community services and facilities, it is more difficult to provide cost-effective services when you have a disbursed population, whether it is fire and rescue response time increases or longer school bus rides. We have a model that projects the impacts for every house that's built in the County, and the 2008 model we're using projects there is a \$23,818 impact on County capital facilities every time a house is built. Through our rezoning process, we are able to accept mitigation efforts to offset that amount in the urban areas of the County, but we are not able to address that in the rural areas of the County.

As far as transportation, there is not a requirement or an ability to have the off-site roads improved with rural areas development. Many times, people who do subdivision in the rural areas put in state roads within their development, which is an asphalt surface. But once one leaves the actual subdivision, they will be driving on dirt or gravel roads. There are no opportunities under the current laws applied to Frederick County to have those roads improved, as compared to development in the UDA where developers are expected to make sure the transportation network can accommodate the growth. VDOT created a Rural Rustic Road Program in an effort to stretch the state transportation dollar. Under the Rural Rustic Road Program, the funds earmarked for Frederick County's rural roads wouldn't be used to upgrade the roads to the criteria that VDOT had always expected. The Rural Rustic program is similar to a pave-in-place, tar-and-chip treatment, a much less expensive treatment that could be done to stretch the dollar. One caveat that VDOT had is that the Board of Supervisors has to identify these rural rustic roads and the Board has to make every effort to not increase the traffic on those roads. In the rural areas of the County, the Board doesn't get involved in the subdivision process, yet for us to stretch the dollar and get the road treatment done, the Board is put in a position to commit to reduce traffic.

Some things that really drew the Subcommittee's attention when looking at the rural areas were the impacts on the demand for County services, the agricultural economy, the viewshed and rural landscape and the community's rural character.

The Subcommittee asked what are and are not we doing and they came up with 14 growth management tools - tools that the State has enabled Frederick County to exercise. The Subcommittee studied all 14 items and what we found is we're currently using a majority of those tools. One new tool is the Transfer of Development Rights (TDR), and we're looking for feedback on this tonight.

The Subcommittee has come up with some preliminary thoughts. Mr. Lawrence has already talked about the preservation tract and the 40% set-aside as a part of the subdivision

layout requirement. The preliminary suggestion is that we maintain a minimum lot size of two acres. The preliminary suggestion for the preservation tract is that we increase it from 40% to 60%, with the rural preservation parcel actually counting towards one of the overall lots in the project. The intent was always that the preservation tract count toward the density. The ordinance doesn't clearly state that the preservation parcel count or not count towards density, so the suggestion is that we now clarify that a preservation parcel is counting towards the density.

In an effort to promote the agricultural economy viewshed preservation, and in Mr. Lawrence's opinion, in an effort to help people capture their land value without subdividing the land, there is a recommendation that we ought to implement a TDR (Transfer of Development Rights) Program. People are familiar with Purchase of Development Rights (PDR), but TDRs are a relatively new concept. It's an opportunity for a landowner, voluntarily, to sell their development rights to an interested party who could then go build a house in the designated receiving area, all in an effort to preserve the farmland. The idea is you're moving the house from the farmland to an urban development area, the designated growth area. From the County's perspective, it helps with the cost of facility services because it puts the house where we'd rather see it – closer to a school, fire and rescue and closer to commercial opportunities so you don't have the transportation impacts spread throughout the County. The TDR Program also creates the opportunity for the landowner to recover costs. If you have a mindset that you want to get out of farming and subdivide your property, there's an expense associated with subdividing your property – engineering, health systems evaluations and maybe state roads, but through the TDR Program, you don't do any of that. You come up with a value for your development right and whether it's a banking process or a developer comes to you and agrees to buy that unit from you, it becomes a transfer. You get paid and they take the development right and you continue to own your property. You don't have any more development rights if you've sold them, but you continue to keep your farm either for active agricultural use or because you want to preserve it. TDRs provide another opportunity for the landowner to recover some value in their property without having to sell their property.

The Subcommittee looked at the County's Land Use assessment program, as well as the sliding scale land use tax which we presently don't have in Frederick County. Loudoun County has the sliding-scale land use assessment program, and essentially it says if someone is willing to sign an agreement with the County not to develop their property for 20 years, they could reduce their land use tax. The Subcommittee found that if someone is already in our County's land use program, there's probably not a significant advantage to going to a sliding scale land use tax program. The Subcommittee is not supportive of applying that particular tool – the sliding scale land use assessment.

After hearing comments last summer and throughout this process, the Subcommittee's conclusion is to maintain the one unit per five acre density; there is no change being considered to the density.

In an effort to mitigate environmental impacts that development may have on our natural resources, and ultimately fiscal impacts on the County, the Subcommittee looked at health systems which the State Health Department allows to be used in Frederick County. Two experts talked to the Subcommittee to educate them on the pros and cons and how different systems

work. One thing the Subcommittee found is we currently pretty much allow whatever the State Health Department allows. Other communities have adopted more stringent requirements.

The Subcommittee feels that more stringent health requirements may be appropriate for Frederick County. Some of the more stringent health standards might include an increase in the well head separation distance; for example, separating your well from your drainfield. We currently allow off-site easements, which means that your drainfield could be on your neighbor's property through an easement when the property was created. Our drainfield requirements presently say that the reserve drainfield can be 50% of the primary. In simple terms, that means if you have a four-bedroom house, you would have a four-bedroom drainfield. If your drainfield fails, you probably only have a reserve area for 50% of that; 50% of the primary drainfield. So if your four-bedroom drainfield fails, you can build a two-bedroom drainfield. There are alternative systems to try to stretch it out, but on the surface it was raising some concerns throughout the discussion. As a result, the Subcommittee's preliminary thoughts are the drainfield reserve area should be increased from a 50% requirement to 100% to capture the true impacts of the house.

There wasn't enough consensus to make a recommendation as far as well head protection. Comments received tonight may help guide that.

There is a three tier approach to health systems in Virginia – General Approval, Provisional Approval and Experimental Approval. General Approval is what everyone is familiar with; it's a conventional drainfield or it's an alternative drainfield that's been proven to work. The Subcommittee feels the General Approval systems are appropriate and should continue to be permitted. The Provisional and Experimental Approval systems are entry level, more creative, less tested, and in various stages of evaluations to assess if those systems are going to work throughout Virginia. For simplicity purposes, Experimental systems are site specific systems, unique to the site for which it was designed. Provisional systems may have been replicated a few times, but have yet to successfully complete a five-year monitoring period. The Subcommittee felt that maybe the Provisional and Experimental Approval systems weren't appropriate for Frederick County. The Subcommittee's preliminary thought is to just allow the General Approval systems and not the Provisional and Experimental Approval health systems.

The Subcommittee felt that the discharge system probably wasn't appropriate, so they would suggest that we not allow discharge systems. There are concerns from the Health Department and the experts who talked to the Subcommittee that if you don't maintain the alternative systems, which people don't appear to be maintaining and/or be knowledgeable about the system's necessary maintenance, then you could have a significant impact of a failing system on groundwater pollution. More importantly for the homeowner, it's a cost to him. The Subcommittee felt that implementing some kind of maintenance operation requirement was probably a good move. The Health Department has by State law a directive to implement an operation and maintenance program by July 2009. We haven't received positive feedback that the state will be prepared to do that on a statewide basis. If that changes and the Health Department isn't going to pursue a maintenance program, maybe the County should take the lead and make sure that things are safe in our community. We heard a lot from our experts on community health systems, as well as comments from the November community meetings, that

there is interest in some aspects of a maintenance requirement.

The Subcommittee ultimately felt that the community health system probably was not a good idea if randomly located throughout the rural areas, but might be appropriate if it was in conjunction with one of our rural community centers.

Mr. Lawrence briefly discussed the Pump-and-Haul permit. Presently the County Administrator is authorized to sign off on those and there was some discussion that maybe it should be an opportunity for the Board of Supervisors to get involved simply to make sure that people weren't seeking the pump and haul system unless it was the worst case scenario.

Mr. Lawrence concluded the summary of the RA Subcommittee's main preliminary thoughts in terms of addressing issues in the rural areas. Mr. Lawrence asked for comments from the audience.

Mr. John Gavitt of the Gainesboro Magisterial District spoke on behalf of Preserve Frederick. Preserve Frederick continues to support the work of the Rural Areas Subcommittee. Mr. Gavitt stated they agree there are a variety of tools available to manage growth in the rural areas. However, without a sustainable and far-reaching program in place, success in preserving rural lands will remain small and fragmented. It is clear that rural landowners should be compensated for giving up their development rights except where there is donation. To provide such compensation, new sources of funding must be tapped. For instance, if developers pay for development rights under a TDR Program, prices may rise accordingly. For a PDR Program to be successful, a special County tax may be required. All citizens must understand that preserving important rural lands for the future will not occur unless there is some level of sacrifice today. Mr. Gavitt further stated they have a note of caution regarding the TDR Program. Montgomery County, Maryland, has what is perceived as a model TDR Program. However, an economic analysis of that program by the University of Maryland concluded that the County's rate of farmland-lost decline in the number of farming operations and decline in market value of farm infrastructure all exceeded the State averages after the TDR Program was enacted. Mr. Gavitt went on to state that land was saved from development but farming operations plummeted. As important as it is to save our land, it is equally important that any program enacted also save our agricultural industry and infrastructure.

Mr. Bob Carpenter of the Gainesboro Magisterial District spoke on behalf of the Committee to Preserve Rural Life in Frederick County. Mr. Carpenter commended Mr. Shickle and the members of the Subcommittee for the work that has transpired over the last several months. He stated that he was very pleased with the quality of discussion, the constructive discussion, the fact that the Subcommittee was looking for ideas and hashed through a number of ideas. He believes that from the time we started this process last July to where we are tonight, a lot of good things have occurred. Mr. Carpenter's group feels that we have accomplished many things, some of which don't jump out at you, but they're very important nonetheless. One of those is the fact that we, his group and the County, have agreed to solicit, pursue and try to find a way to work with Richmond to get the impact fee model discussed and on the record. That's a very important step forward. The other thing that the Subcommittee accomplished, and they very much appreciate their support, is that you want to help the agricultural community to remain

vibrant and find ways to encourage that to happen. Mr. Carpenter asked that the Subcommittee continue to focus on the TDR Program and to keep in mind that not all land is created equal. Also, they ask that the Subcommittee further study the community waste systems. Using them in rural community centers makes a lot of sense, but in terms of maintaining and improving ground water quality and encouraging the maintenance of open space and clustering development, they think community centers may have a place even in other parts of the rural areas.

Mr. John Good, Jr., of Stonewall Magisterial District, stated that he is happy with a lot of the work this Subcommittee has done and he and his family appreciate it. The preservation of value by not dramatically reducing the density is very important. This could turn into a tool, not necessarily to create more lots and more houses in Frederick County, but by retaining the value, somebody can take a tax deduction when they put a conservation easement on it. Furthermore, with the TDR tool, they don't necessarily have to move from one spot to another, they can move from the farm to a tax deduction and then maybe that unit's not built at all. One concern is the 100% reserve area. Mr. Good thinks the concept is good for people who want to fix their systems; the problem is not many people fix their systems. Another concern is about off-site easements and not allowing those anymore. Mr. Good stated he's not sure if that's a supported idea but if it is, it's a bad idea. If you have to keep the drainfield on the lot, you'll be spreading lots out again and ruining a large area. Allowing an off-site easement might mean that the drainfield is out in the middle of the cornfield or the pasture. Off-site easements are important to retain. The goal of viewshed preservation and preservation of farm land is important.

Mr. Lawrence clarified that the Subcommittee does not support elimination of the off-site easement.

Mr. Paul Anderson of Back Creek Magisterial District, President of Frederick County Farm Bureau, stated that he appreciates the work the Subcommittee has been doing. Mr. Anderson hasn't attended any of the meetings, but the Farm Bureau had policy set up before the Rural Life Committee was established and their policies pretty much mirror what Farm Bureau has been fighting, too. Mr. John Marker and Ms. Margaret Douglas were representing Farm Bureau at the meetings, looking after our interests. Mr. Anderson likes the idea of the TDR Program. He also thinks the PDR Program would be a good program to go along with that. One of the ways that it could be funded has to do with a subdivision called Governor's Hill which is going in, and somewhere along the line you'll get six years of roll-back taxes from that. That's not in the past budget and Mr. Anderson thinks if we want to get a good PDR Program going and get some money started for it, when you get the roll-back taxes from this property, put that into a fund for the PDR Program. Mr. Anderson said let's not make agriculture suffer financially so the general public can drive out and see beautiful countryside. We want to keep the countryside beautiful, but don't put an economic hardship on agriculture in order to provide that. Right now, one of the things that bothers Mr. Anderson is the two-acre lots issue. If someone has financial trouble and needs to sell lots, two lots probably wouldn't do it, and if he sells the third lot, he has to put a road in. If he has to sell land, he can't afford to put a road in. So he's going to sell it to a developer and have 19 lots put in to get the money he needs and lose that bit of farmland where possibly he wouldn't have needed but maybe the third lot in order to survive. Agriculture is still the largest industry in Frederick County and in the State. We still do have an impact and it's something we need to look closely at to make sure we don't put agriculture in a position where

they have to end up selling a good bit of land in order to stay in farming. Farm Bureau has a Government Affairs Department, and Mr. Anderson stated that about six years ago he brought a resolution to Farm Bureau to support impact fees and it went over like a lead balloon for about three years. Then all the counties in the State started having problems, and now they're fighting vigorously to get impact fees for their county. Farm Bureau is working hard to get impact fees established. Mr. Anderson agrees with Mr. Good about lot sizes. There are a lot of alternate systems and if we can keep the lot sizes down to a minimum in order to preserve as much farm land as we can, that's the goal. Mr. Anderson likes the idea of going from 40% to 60% open space, but we need to look at lot sizes and see if we can maybe reduce those lot sizes based on the type of health systems that can be used.

Ms. Charlotte Messick of Back Creek Magisterial District reminded everyone that you can talk about TDRs and all the programs you want to preserve your scenic viewsheds, but without a skilled environmentally conscientious farmer to work those viewsheds, you'll just have jungles and weeds. This County needs to find ways to not only educate the young people coming up to be farmers, but to encourage the farmers that are here in every way they can to stay in farming, not because of the monetary reasons, but you don't have scenic viewsheds without a knowledgeable farmer to make that viewshed. Ms. Messick said thank you to everyone who's worked so hard, especially the ad hoc committee. They've put a lot of time and effort into this and it kind of knocked her faith in the government not working; you've actually listened and she appreciates it.

Ms. Mary Anderson of Back Creek Magisterial District, who is on the Farm Bureau Board, was asked to read a letter from Mr. John Stetzel, who was not able to attend. This letter was sent to Mr. Bill Ewing and Mr. Richard Shickle. Ms. Anderson read that Mr. Stetzel is for controlling growth in the County. However, Mr. Stetzel thinks it needs to be a balanced control between not only the rural areas but also the area within Urban Development Area. If a PDR Program cannot be offered to working farms, then any changes made in rural areas shall have a minimal effect on farmer's ability to extract the equity of their land, as it is sometimes necessary to sell off a portion of the farm to continue the operation of business. Unfortunately, development offers the best option to sell the smallest amount of land at the highest price. Mr. Stetzel asks please make sure that whatever changes you decide upon not only meet the goals of controlling growth, but also those changes do not negatively impact landowners' equity.

Mr. Patrick Felling of Red Bud Magisterial District represents the Potomac Conservancy. Mr. Felling thanked the ad hoc committee for the work that they've done; he witnessed the time they've put in and the effort to listen. As Mr. Felling considers the issues, one of the things that really stuck out is the potential for Purchase of Development Rights and Transfer of Development Rights to maintain the value for the landowner without increasing the density in rural areas. Those programs are great solutions, but they're tough and it's going to take a lot of work to implement those programs. Mr. Felling would like to encourage the County to take the time and effort to find out the solutions and the mechanisms that are needed to put the Transfer of Development Rights Program into place. Regarding the letter that was just read, if a farmer needs to gain some value from the land, they don't have to sell off a lot or two. They can sell off a development right or two, maintain the farm and keep the land's integrity.

Ms. Diane Kearns of Gainesboro Magisterial District thanked the Subcommittee for all their work. It may be a good idea to find a way to have the agricultural community give input on a continual basis; create some sort of ag task force, maybe through the EDC. TDRs are a great concept and Ms. Kearns applauds that idea. Ms. Kearns agrees with Mr. Carpenter that not all land is created equal so that has to be taken in account. To figure that out, as the process works through, get as many of the sectors involved as possible. Obviously, the ag community needs to be involved, engineers and developers and then the conservation easement community, too. The County is using almost all the tools they can, so she thinks the way we can best make all this work is to make sure we're doing what we can to have all those dots connected so that all of those things are working toward the same mutually understood goal.

Questions were asked from the audience of Mr. Lawrence. One person stated that she has a small farm and she wants to keep her farm, but her taxes are so high so may not be able to do that. Mr. Lawrence stated that she may benefit from the Land Use Assessment program. Mr. Lawrence will have someone contact her to try to find a solution to this tax issue.

Mr. Robert Solenberger asked if he wants to build a house in the UDA versus rural area in the County, what is the difference in price. Mr. Lawrence stated he doesn't have an answer for that. When you look at the sale of homes from 2004, the same house, whether it was built in the UDA or rural area, was almost selling at the same price, but Mr. Lawrence doesn't know the land value or cost of construction.

Mr. Solenberger asked the time limit on a 60% set-aside. Mr. Lawrence responded the proposal doesn't change the time frame from current ordinance requirements. Currently what the ordinance says is if you create a preservation tract, it cannot be subdivided for at least ten years and after that point, it has to be in conformance with the Comprehensive Plan. Basically, after ten years, if you find yourself within the UDA, then you have an opportunity to seek a rezoning, and ultimately establish a UDA subdivision.

Ms. Messick asked what value is the set-aside if there are no provisions to develop it. Mr. Lawrence replied the way the ordinance is written is that at such time as your preservation tract is adjacent to or within our urban area or in the UDA, which is where we want the development, we're better off developing that piece of land because it's in our UDA, rather than have the development go elsewhere in the County. Others might argue that the preservation parcel actually has an increased value, even without development rights, as it might be perceived as an exclusive site.

Mr. Solenberger asked if you sell your development rights, is that forever? Mr. Lawrence responded if you do a TDR or a PDR, the end result is the same – you've sold your development rights. Part of that process is that you place a conservation easement on your property – no future development. Mr. Solenberger asked who holds it and Mr. Lawrence said that's something still to be ironed out. Mr. Lawrence said maybe we partner with the Potomac Conservancy or VOF. Right now, the Conservation Easement Authority doesn't hold any, but they're partnering with other organizations that do hold easements.

Mr. Lawrence further stated that he believes when we create the TDR Program, we're going to identify the sending areas, which would be the qualifying properties, and he would strongly suggest that we not identify sending areas where we would expect the urban development area in the future. The receiving area could be designated rural community centers, it could be designated urban centers or it could be designated residentially-planned areas within our Urban Development Area. Within our UDA we have land use planning that says this area should be planned for residential. It's still zoned rural, but it's in the Urban Development Area and we want to see residential growth there, not commercial or industrial. That planned residential area is where you could transfer your development rights. For example, you've got ten acres of RA rezoned land within the Urban Development Area - it has two development rights. But it also has rights to water and sewer because it's in the UDA. You could take that ten acres, in theory, go buy 30 development rights and then develop that ten acres as a residentially zoned property with 32 houses. The incentive is so the developer doesn't have to go through the rezoning process; he basically has to find a willing farmer who will sell him the development rights. The County continues to realize the impact of those 32 houses, but we'd rather see them in a planned UDA setting than in the rural areas. The resulting development would continue to adhere to RP Zoning requirements. It's still going to look consistent with any other development you see in the UDA and it just eliminates the rezoning process and associated proffer package.

Mr. Lawrence stated that we'll bring all this information together - this information received at tonight's meeting - and see if the Subcommittee wants to tweak their preliminary thoughts and report or if they're ready to formally make a recommendation. The recommendation will be given to the Board of Supervisors and if the Board feels it has merits, there will be a public hearing with the Planning Commission and the Board of Supervisors.

There being no further discussion, the meeting adjourned at 8:25 pm.