

**Approved Minutes of the December 5, 2018
Planning Commission Regular Meeting**

Case Nos. ORD-18-0010 and ORD-18-0011. Amendments to Address a Code of Virginia Change Prohibiting Mandatory Conceptual Plans

Mr. Ribeiro stated that during the 2018 session of the General Assembly, amendments were made to Section 15.2-2259 of the Code of Virginia. Mr. Ribeiro further stated that the amended language states: “the local planning commission or other agent shall not delay the official submission of any proposed plat, site plan, or plan of development by requiring presubmission conferences, meetings, or reviews.”

Mr. Ribeiro stated that after consultation with the County Attorney’s office, it is staff’s understanding that this language prohibiting the requirement of “presubmission reviews” would also prohibit the requirement for conceptual plan submissions.

Mr. Ribeiro stated that a process for submission and review of conceptual plan has been part of the County’s site plan and subdivision process for many years. Mr. Ribeiro further stated that for most of that time, the sections covering conceptual plans were worded to encourage their submission, but not require it. Mr. Ribeiro stated that in 2016 the site plan section of the Zoning Ordinance was amended to require “enhanced conceptual plans” prior to the submission of a site plan when the proposal was for certain types of development that triggered review by the DRC and Planning Commission. Mr. Ribeiro stated that this change in 2016 was made to make the plan review process more efficient and predictable, without compromising review integrity. Mr. Ribeiro further stated that this language is now out of compliance with State Code.

Mr. Ribeiro stated that in order to comply with State Code, staff recommends reverting to the language of Sections 24-147 and 24-148 as they existed prior to the amendments made in 2016.

Mr. Ribeiro stated that in order to fully comply with the State Code, staff recommends a change to Section 24-144 of the Zoning Ordinance and Section 19-19 of the Subdivision Ordinance, which contain the provisions for conceptual plans, to delete a sentence that states “Unless required by the planning director, a resubmittal of conceptual plans shall not be necessary.”

Mr. Ribeiro stated that the Policy Committee reviewed the draft Ordinance language at its October 2018 meeting and voted 3-0 to approve the amendments.

Mr. Ribeiro stated that staff recommends that the Planning Commission recommend approval of the ordinance amendments to the Board of Supervisors.

Ms. Leverenz inquired if an applicant could still voluntarily submit a conceptual plan.

Mr. Ribeiro confirmed. Mr. Ribeiro further stated that conceptual plans have never been mandatory. Mr. Ribeiro noted that the changes made in 2016 the enhanced were only for certain types of development.

Mr. Richardson opened the Public Hearing.

As no one wished to speak, Mr. Richardson closed the Public Hearing.

Mr. Krapf made a motion to recommend approval of the Ordinance amendments.

On a roll call vote the Commission voted to recommend approval of ORD-18-0010 and ORD-18-0011. Amendments to Address a Code of Virginia Change Prohibiting Mandatory Conceptual Plans (7-0).