

**MINUTES
PLANNING COMMISSION REGULAR MEETING
MAY 5, 2016, 7:00 PM
TOWN HALL COUNCIL CHAMBERS**

The Regular Meeting of the Purcellville Planning Commission convened at 7:03 PM in Council Chambers and the following attended:

PRESENT: Doug McCollum, Chairman
Theresa Stein, Vice Chair
Chip Paciulli, Planning Commissioner
Nedim Ogelman, Planning Commissioner
Tip Stinnette, Planning Commissioner
Chris Bledsoe, Planning Commissioner (arrived 7:32 PM)

ABSENT: EJ Van Istendal, Planning Commissioner

STAFF: Daniel Galindo, Senior Planner
Tucker Keller, Planning and Zoning Technician

CALL TO ORDER AND PLEDGE OF ALLEGIANCE:

The regular meeting of the Planning Commission was called to order by Chairman McCollum at 7:03 PM. The Pledge of Allegiance followed.

AGENDA AMENDMENTS:

Commissioner Paciulli stated he would like to discuss the stream edge setbacks. Chairman McCollum approved the request and stated it would be added as a Discussion Item.

COMMISSIONER DISCLOSURES:

None

PUBLIC HEARINGS:

None

PRESENTATIONS:

None

DISCUSSION ITEMS:

a. Stream Edge Setbacks

Commissioner Paciulli handed out documents to the Commissioners. Commissioner Paciulli noted that he and Commissioner Stein have been reviewing the Stream Edge Setback that is in the current zoning ordinance which was adopted in September 2009 and does not feel it was protective of the 100 ft. buffer. Commissioner Paciulli added he copied the 2025 Comprehensive Plan Environmental Issues and Opportunities and Environmental Policies and Implementation Strategies which he highlighted and read from. Commissioner Ogelman asked about the 100 foot wide buffers being on each side of a creek or shared across and asked what information was found in other materials about this. Commissioner Paciulli noted that copies of this were provided and that he would review those. Commissioner Paciulli noted he highlighted in yellow a proposed change for discussion. Commissioner Paciulli requested staff input on commission permits. Commissioner Stein added that they are trying to provide some additional protections that do not currently exist.

ACTION ITEMS:

a. Makersmiths Zoning Recommendation

Daniel Galindo introduced the staff report and recommended that the Planning Commission provide a recommendation to Town Council on how to proceed. Commissioner Ogelman asked how this would be different from classes that are offered through schools and the use. Daniel Galindo stated that he tried to breakdown the proposal and functions which are comparable to several uses the Town has; however, Makersmiths does not necessarily fit into any particular use.

Commissioner Stinnette added he does not understand why this does not fit into the School, Special Instruction designation under the IP district. Daniel Galindo stated this would not be a school although has an educational component to it at times. Tom Hill, Manager of the Makersmiths location in Purcellville, stated they do not consider themselves a school; however, education is a large part of their activities but not the only item.

Pat Scanell, Founder and Executive Director of Makersmiths, noted Makersmiths does not fit cleanly into any mode. Further discussion took place as to possible locations in the light industrial areas of Town as well as operating hours.

Chairman McCollum expressed concerns for the proposed location being close to a residential area. Commissioner Ogelman stated he feels the discussion should be open to the public. Commissioner Stein noted concerns for making amendments for one use, and added she would not support a rezoning or a comprehensive plan amendment. She believes a place can be found under something currently in place. Commissioner Paciulli

noted he is in favor of establishing a special use to accommodate hours and restrictions specifically for residential impact. Daniel Galindo talked about a use for Public or Government Building, Facility, or Use Not Otherwise Defined and talked about the advantages and disadvantages. The Commissioners discussed the advantages of holding the public hearings and the timeline.

Commissioner Stein made a motion that the Purcellville Planning Commission recommend that Town Council work with the Makersmiths to initiate an application for a Public or Government Building, Facility, or Use Not Otherwise Defined to be allowed by special use permit in the IP Institutional and Public Use zoning district so that the proposed Makerspace would operate in compliance with the Purcellville Zoning Ordinance. The motion was seconded by Commissioner Bledsoe and approved unanimously with one absent.

Motion: Commissioner Stein
Seconded: Commissioner Bledsoe
Carried: 6-0-1 Absent

INFORMATION ITEMS:

a. Status of Comprehensive Plan Update

Daniel Galindo noted that the next workshop is scheduled for May 19th from 7:00 – 9:00 PM and talked about the format for the workshop and looking forward. The Commission determined that there would be no regular meeting of the Planning Commission on May 19th.

CITIZEN COMMENTS:

None

CHAIRMAN’S COMMENTS & COUNCIL REPRESENTATIVE’S REPORT:

Chairman McCollum congratulated Commissioners Bledsoe and Ogelman for their recent elections to Town Council and added that as of July 1st the Planning Commission will have at least two openings.

PLANNING COMMISSIONERS’ COMMENTS:

Commissioner Paciulli stated he was part of a review of the downtown building heights on the BZA and had to make a decision on what they felt were the facts. Commissioner Paciulli noted he read the comp plan briefly and asked if it is ok to review the building height requirements of the zoning ordinance, which he feels is the issue in the downtown area, and possibly recommend a zoning text amendment. Commissioner Ogelman stated he feels in talking with people that there would be interest from citizens in having a

discussion about height regulations downtown. Commissioner Stein noted she feels this item will be addressed as part of the comp plan results.

Commissioner Bledsoe noted he spoke with Mike Chandler and noted there will be possibly five certified Planning Commissioners on the Town Council starting in July.

APPROVAL OF MINUTES:

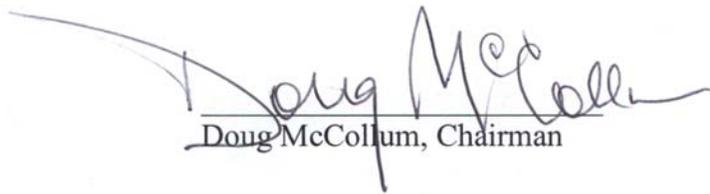
- a) April 7, 2016 Regular Meeting

Commissioner Ogelman made a motion that the Planning Commission approve the minutes of the April 7, 2016 meeting wave reading. The motion was seconded by Commissioner Stein and approved unanimously.

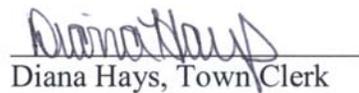
Motion:	Commissioner Ogelman
Seconded:	Commissioner Stein
Carried:	6-0-1 Absent

ADJOURNMENT:

With no further business, Commissioner Ogelman made a motion to adjourn the meeting at 8:58 PM. The motion was seconded by Commissioner Bledsoe and approved unanimously with one absent.



Doug McCollum, Chairman



Diana Hays, Town Clerk

- Proposed -

ARTICLE 14. - STREAM AND CREEK BUFFER

Section 1. - Purpose and intent.

The Stream and Creek Buffer is established to govern the construction of buildings, structures, parking, and other impervious surfaces in areas adjacent to major stream areas draining greater than 640 acres and minor stream areas draining less than 640 acres, but more than 100 acres by providing for a setback area from the channel scar line in which construction of improvements would not occur except as set forth below. These streams and creeks within the Town of Purcellville Corporate limits include, but are not limited to the South Fork of Catoctin Creek, North Fork of Goose Creek and Crooked Run, as shown on the Town of Purcellville "Major & Minor Floodplains - Purcellville and JLMA" map.

The intent is to (1) promote water quality and the preservation of significant environmental resource areas, wildlife habitat and corridors, and native vegetation areas; (2) protect and enhance water and groundwater recharge processes by protection of the natural capacity of vegetative areas along rivers and creeks to filter and purify stormwater runoff; (3) protect aquatic environments from the warming effects of solar radiation by preserving riparian tree canopy cover; (4) promote tourism and high quality corporate investment by maintaining to the extent reasonably possible, existing high water quality; (5) to maintain the scenic beauty of the streams of Loudoun County; and (6) implement the comprehensive plan.

Section 2. - Stream and Creek Buffer established.

The following setbacks are established along major and minor streams and creeks in areas where the 100-year floodplain is less than the setbacks provided below:

1. *Major stream buffer.* For streams with major floodplains (streams where the watershed is greater than 640 acres): A minimum of 100 feet on each side of the creek measured from the channel scar line of each creek or stream.
2. Within the 100 foot buffer, a streamside forested area of at least 25 feet on each side of the creek or stream shall be provided. The streamside forested area shall consist of mature trees where they exist prior to the development of a property and shall be supplemented with new tree plantings if required by the town. When no mature trees exist, the streamside forested area shall be created with new tree plantings. All new tree plantings shall comply with the minimum size requirements for plantings found in article 7 of this ordinance. New tree plantings shall be of a species compatible with the stream, creek, and/or wetlands. Unless otherwise exempted by this ordinance, land uses permitted within the streamside forested area shall be limited to pedestrian footpaths (preferably constructed of a porous material); well designed watercourse crossings, designed in accordance with accepted Best Management Practices; passive recreation areas such as gazebos or benches; and other such uses, as determined by the zoning administrator, which do not negatively impact the adjoining stream, creek, or wetlands.
3. *Minor stream buffer.* For streams with minor floodplains (streams with a watershed of less than 640 acres, but greater than 100 acres): A minimum of 35 feet on each side of the stream or creek measured from the channel scar line of the stream or creek.
4. Within the 35 foot buffer, a streamside forested area of at least 25 feet on each side of the creek or stream shall be provided. The streamside forested area shall consist of mature trees where they exist prior to the development of a property and shall be supplemented with new tree plantings if required by the town. When no mature trees exist, the streamside forested area shall be created with new tree plantings. All new tree plantings shall comply with the minimum size requirements for plantings found in article 7 of this ordinance. New tree plantings shall be of a

species compatible with the stream, creek, and/or wetlands. Unless otherwise exempted by this ordinance, land uses permitted within the streamside forested area shall be limited to pedestrian footpaths (preferably constructed of a porous material); well designed watercourse crossings, designed in accordance with accepted Best Management Practices; passive recreation areas such as gazebos or benches; and other such uses, as determined by the zoning administrator, which do not negatively impact the adjoining stream, creek, or wetlands.

5. Where wetlands exist adjacent to a major or minor stream buffer, a setback of at least 35 feet shall be maintained from all wetlands for all structures and impervious surfaces. When any part of this ordinance requires a setback of more than 35 feet, the larger setbacks shall be provided.

Section 3. - Effect of buffer.

The construction of buildings, structures, impervious parking lots, or other impermeable surfaces within the stream and creek buffer is prohibited, except as stated herein. Existing buildings and structures within the stream and creek buffer are not considered nonconforming, i.e., they can be added to and, if destroyed by fire or casualty, they can be rebuilt to the same or an equivalent footprint. The town encourages the growth, through plantings or natural succession, of vegetative and forestal cover within the Scenic Creek Buffer area.

Section 4. - Development criteria.

The stream and creek buffer is not intended to, and shall not, limit development density (gross floor area or units per acre) otherwise allowed on land within the stream and creek buffer area, and off-street parking requirements shall be reduced as necessary to accommodate the buffer without limiting such otherwise permitted development. The stream and creek buffer shall be administered like any other setback provided for in this ordinance in allowing otherwise developable land within the setback area to be counted for density computation purposes and applied toward the construction of improvements outside the setback area.

Section 5. - Exceptions.

Public or private land disturbance, utility installations, outfalls, road crossings and driveways may be allowed by special use permit, subject to applicable federal and state regulations, and to such performance standards as may be contained in the facilities standards manual. Said land disturbance, installations, outfalls, road crossings and driveways shall be designed in such a way as to minimize impacts on the natural features of the streams and creeks.

*Do we need
to reword for
commission permit
(we need Team of utilities
hears process)*

2025 Environmental Issues and Opportunities

With projections for increased growth and development in and around Purcellville, there will be a greater need to ensure that the environmental quality of the landscape, water and air is protected for the community's health, safety and welfare. When considering future development, special attention should be given to those areas that are environmentally sensitive, such as wetlands, steep slopes, floodplains and poorly drained areas. In addition to protecting water quality, these areas also serve as natural buffer zones for passive recreation and provide diverse habitat opportunities.

Part of what makes floodplains such sensitive areas is their proximity to streams and rivers, which allows them to manage stormwater and pollution. The amounts and types of pollutants and sediment present in an urban environment differ from those found in less developed areas. Ice melting material applied to roads, lawn fertilization practices, pet waste, gasoline, oil and antifreeze from vehicles, and other common pollutants combine to adversely affect water quality for humans and species that live in the water. The Virginia Department of Conservation and Recreation indicates that, "A 100-foot wide strip of forest and grass can reduce sediment by 97 percent, nitrogen by 80 percent and phosphorous by 77 percent (Source: <http://www.dcr.virginia.gov/sw//crep.htm>).

Conservation efforts and special attention should be directed to any future development influences on the Goose Creek Historic District, south of Purcellville in the JLMA. Continued use of agricultural and conservation districts adjacent to the Town will encourage compatible land uses, preserve agricultural landscapes and benefit community character of western Loudoun County.

While improvements are planned to the Town's water supply and treatment facilities to meet future needs, capacities of the existing water and sewer facilities are limited. It is projected that even with planned improvements in the near future, the systems will not accommodate full build out of the Town under current zoning. Consequently, every effort should be undertaken to protect water quality and promote good environmental principles in new development, thereby proactively managing environmental resources.

Finally, there are a number of water quality issues which must be carefully monitored. These include:

1. Storm water runoff that contains pollutants and sediment.
2. Loss of ground percolation surface area due to the addition of pavement and the construction of buildings that are impervious.
3. Underground storage tanks - In recent years, the Virginia Department of Environmental Quality (DEQ) identified a number of sites in the Town with petroleum releases from underground storage tanks. The majority of these cases are located along Main Street; some have been addressed and closed by DEQ and others are still being monitored.

4. The South Fork of the Catoclin Creek is classified by DEQ as "impaired riverine water." DEQ has mapped at least one citizen monitoring station, a biological station and an ambient monitoring station along the South Fork of Catoclin Creek within the Town. Loudoun County has between 1 and 5 impairments in the watersheds of the County. The Catoclin Creek Watershed Project monitors stations and generates annual reports on the quality. The project is conducted by Loudoun Watershed Watch in conjunction with the Department of Conservation and Recreation and the Loudoun County Soil and Water Conservation District.

2025 Environmental Policies and Implementation Strategies

Environmental recommendations from the 1998 Comprehensive Plan are integrated into the following updated environmental policies for the 2025 Plan. Strategies are recommended to implement each of these environmental policies. Timeframes and participants involved in implementation are defined in the Implementation Strategy Matrix shown in Section IV, Comprehensive Plan Implementation.

- * 1. Environmental Protection and Monitoring: Improve, maintain and protect the natural environment of the Town. Ensure that growth meets the needs of people and protects the environment. Preserve the natural beauty and function of the environment as a habitat for people, plants and animals. Monitor and protect the quality of air, water, flora, fauna and other physical features of the Town and its surroundings.

Implementation Strategies:

- 1.1 Revise zoning and subdivision regulations to include environmental standards for new residential, commercial and industrial development. Include standards that address development in or adjacent to floodplains, forested areas, critical or significant habitats, important viewsheds, water recharge areas, and other similar environmental areas.
- 1.2 Provide leadership in protecting and enhancing the environment by working with Loudoun County and other regional entities to develop an environmental protection strategy. Encourage the formation of a regional environmental conservation coalition of both public and private interests to assist in implementing the strategy and monitoring environmental issues.
- 1.3 Address non-attainment air quality issues and reduce air pollution in Purcellville by encouraging implementation and use of a bus transit system that connects businesses, commercial areas, commuter lots, and public facilities.

- * 2. Sensitive Environmental Areas and Water Resources: Protect scenic and sensitive environmental areas. Conserve and protect water resources. Monitor, maintain, and improve water quality in surface and groundwater sources used by the Town. Integrate wellhead protection and watershed planning into Town planning.

Implementation Strategies:

- 2.1 Review zoning regulations with respect to provisions for protecting and enhancing sensitive environmental areas such as floodplains, wetlands, and other natural areas. Investigate methods used by other communities to protect these areas and minimize development impacts. Amend zoning regulations to strengthen protection of these environments.
 - 2.2 Develop and implement a Storm Water Management Plan. Include regional storm water management strategies for managing stormwater runoff quantity and quality, particularly on East Main Street.
 - 2.3 Proactively address the treatment of storm water for pollutants, nutrients, and sediment before it reaches the wastewater treatment plant by recommending and using applicable natural and technological methods to control pollutants (e.g. vegetation as filters to reduce concentrations, collection traps at drainage inlets, underground systems with filtration capabilities, planting of pollution tolerant vegetation, etc.). Revise parking lot standards to encourage use of pervious pavement options where appropriate.
 - 2.4 Maintain a 100-foot wide buffer around streams and creeks to filter pollution and sediment from the urban environment.
3. ***Environmental Quality of Life: Maintain high standards for environmental quality to enhance the quality of life for residents and businesses. Protect important natural features such as wetlands, floodplains, and forested areas. Encourage landscaped buffers, tree planting, and the retention of heritage landscapes (e.g., stone walls, fences and trees) to preserve environmental character of Purcellville. Preserve important views of natural features at Town gateways, in public spaces and parks, between residential and commercial areas, and along major transportation corridors.***

Implementation Strategies:

- 3.1 Conduct an inventory of existing trees. Develop a tree preservation and replacement plan that promotes citizen and developer partnership in tree retention, replacement and planting.
 - 3.2 Develop a Master Tree Plan for public properties. Plant and maintain trees along streets. Establish an annual tree planting day. Engage local nurseries and arborists from the Extension Service, homeowners, businesses and developers to install, replace and care for trees in conjunction with sidewalk improvements and additions.
 - 3.3 Promote the use of "green" buildings and site development in new construction. Consider financial incentives such as reduced rates for water and sewer.
4. ***Environmental Education and Stewardship: Promote public education regarding the role and importance of the environment in sustaining the community's health and well-being.***



A healthy riparian buffer is an essential part of a healthy stream.

Riparian Buffers

What is a Riparian Buffer?

The term riparian buffer is used to describe lands adjacent to streams where vegetation is strongly influenced by the presence of water. They are often thin-lines-of-green containing native grasses, flowers, shrubs and trees that line the stream banks. They are also called vegetated buffer zones. A healthy riparian area is evidence of wise land use management.

What are their values?

Riparian buffers are important for good water quality. Riparian zones help to prevent sediment, nitrogen, phosphorus, pesticides and other pollutants from reaching a stream. Riparian buffers are most effective at improving water quality when they include a native grass or herbaceous filter strip along with deep rooted trees and shrubs along the stream.

Riparian vegetation is a major source of energy and nutrients for stream communities. They are especially important in small, headwater streams where up to 99% of the energy input may be from woody debris and leaf litter. Overhanging riparian vegetation keeps streams cool, this is especially important for North Carolina's mountain trout populations.

Riparian buffers provide valuable habitat for wildlife. In addition to providing food and cover they are an important corridor or travel way for a variety of wildlife. Forested streambanks benefit game species such as deer, rabbit, quail and nongame species like migratory songbirds.

Riparian vegetation slows floodwaters, thereby helping to maintain stable streambanks and protect downstream property. By slowing down floodwaters and rainwater runoff, the riparian vegetation allows water to soak into the ground and recharge groundwater. Slowing floodwaters allows the riparian zone to function as a site of sediment deposition, trapping sediments that build stream banks and would otherwise degrade our streams and rivers.

Loss of Riparian Areas

Degraded riparian buffers reduce water quality values, reduce wildlife and fish populations, cause serious property damage (bank erosion) and loss of valuable agricultural lands. Removal of riparian vegetation results in increased water temperatures and decreased dissolved oxygen. The loss of shade exposes soils to drying out by wind and sunlight and reduces the water storage capacity of the riparian area. Loss of riparian vegetation causes streambank erosion. Eroding banks contribute to sedimentation and lead to a wide shallow stream with little habitat value. These factors result in significant reductions in aquatic stream life.

Restoring and Managing Riparian Buffers

Rehabilitating riparian buffers is key to restoring natural stream functions and aquatic habitats. There are many economic benefits derived from increased riparian habitat, channel stabilization, improved water quality, improved wildlife and fish populations, improved aesthetics, and other associated values. Depending on the surrounding land use and area topography, riparian buffers should range from 25 to 100 feet wide on each side of the stream.

Recommended Riparian Management Practices

- Protect or establish native shrubs, trees, or other vegetation along streams to help prevent bank erosion, trap sediment and filter other pollutants.
- Manage livestock grazing in riparian zones to avoid damage to existing plants.
- Plan developments, forestry activities and other land disturbing activities to protect riparian zones.

Practices to Avoid

- Straightening sections of streams.
- Removing streamside shrubs, trees and other vegetation.
- Farming up to the edge of a stream.
- Allowing livestock access to the riparian zone.
- Operating heavy equipment in the riparian zone.

Find Out More About Riparian Buffers and Management...

For assistance in evaluating riparian buffer problems, designing a riparian system, information on permits and cost share, contact the following organizations:

North Carolina Wildlife Resource Commission
Natural Resources Conservation Service
Resource Conservation & Development Councils
Soil & Water Conservation Districts
United States Fish and Wildlife Service

All programs and services are offered on a non-discriminatory basis, without regard to race, color, national origin, religion, sex, age, marital status or disability.

This fact sheet was made possible by the following organizations:

Surry Soil and Water Conservation District
Stone Mountain Chapter of Trout Unlimited
Pilot View Resource Conservation and Development, Inc.
Southwestern Resource Conservation and Development, Inc.
United States Fish and Wildlife Service
North Carolina Wildlife Resource Commission



Degraded riparian buffers lead to streambank erosion and loss of valuable agricultural land.



Well managed buffers provide clean water, stable streams and good wildlife habitat.



Avoid straightening streams and removing streamside vegetation.

What is a Wetland Buffer?

A wetland buffer is a setback area between a stream, river, or wetland and any upland development. It maintains the natural vegetation cover along the waterway, which is an essential part of the aquatic ecosystem. A wetland buffer is a simple land management practice that is employed by municipalities to protect property and conserve natural resources. In addition to protecting natural resource areas, buffers are the least expensive way for municipalities to protect homes and roadways from flood damage, manage floodwater, and to protect water quality.

The City of Portsmouth has a 100-foot buffer adjacent to all of its wetlands (including most tidal areas) greater than 10,000 square feet or about a quarter of an acre. The City limits what is allowed in this buffer to activities that are compatible with protecting the natural resource value of the buffer and adjacent wetland areas. New construction, ground disturbance and fill or removal of soil are not allowed in the Wetland buffer without a City Conditional Use Permit.

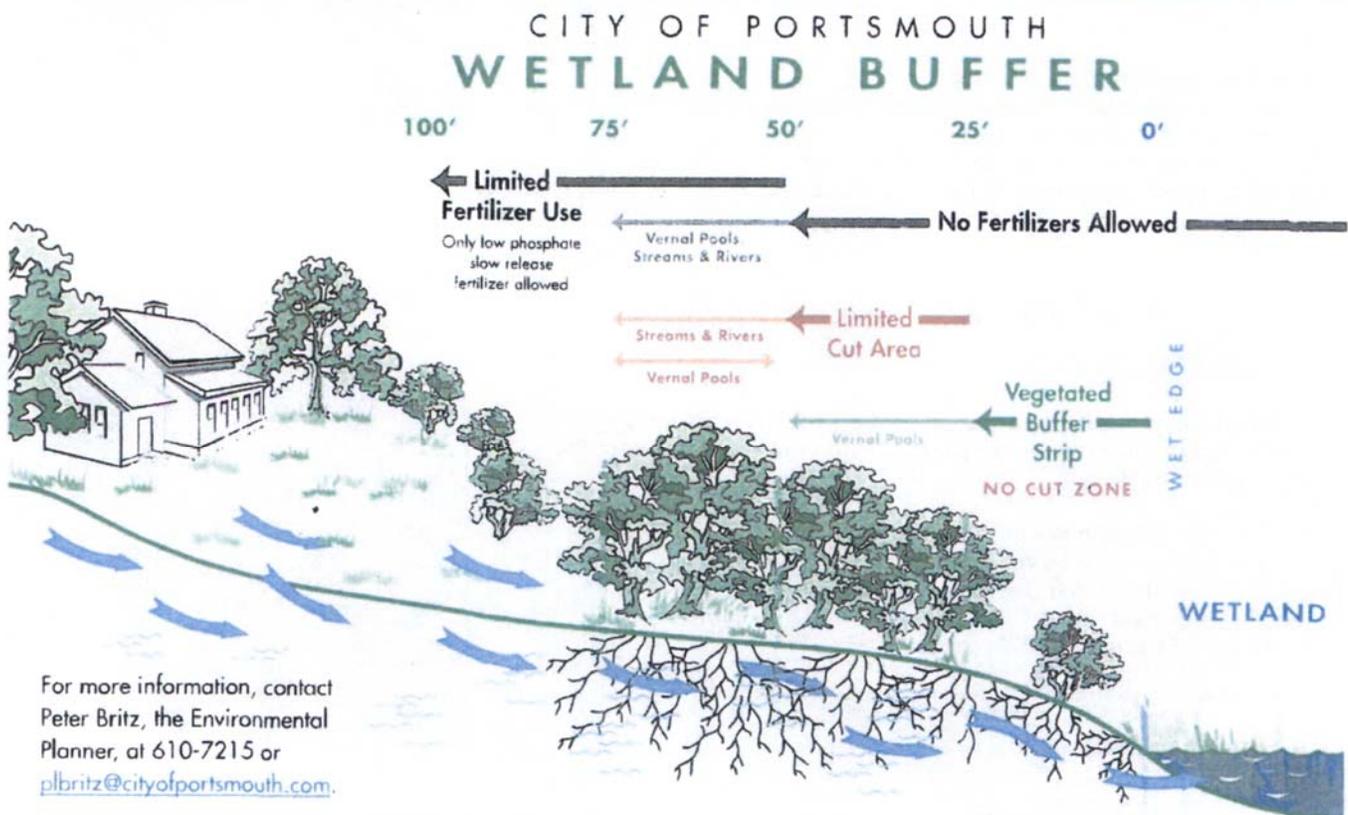
In Portsmouth, the first 25 feet from the edge of a wetland area is known as the Vegetated Buffer Strip (see below). Within this area, cutting and clearing of vegetation is not permitted unless it is to remove invasive species by hand. Between 25 and 50 feet, the City has a Limited Cut Area. In this area, property owners may cut up to 50% of the trees that are greater than six inches in diameter dbh (the diameter of the tree at 4.5 feet up from the ground). The use of fertilizer is prohibited in both the vegetated buffer strip and limited cut area. Beyond the limited cut area, only low phosphate and slow release fertilizers are allowed in the wetland buffer.

If you are planning on doing any work in the wetland or wetland buffer, it is always a good idea to check with the City before going ahead to make sure you do not need a conditional use permit. You can contact Peter Britz, the Environmental Planner at 610-7215 or plbritz@cityofportsmouth.com with any questions.

Additional Wetland Buffer Designations

- As shown below, non-tidal perennial **streams and rivers** have a limited cut area that extends to 75 feet.
- In addition, **vernal pool wetland areas** have a 50-foot vegetated buffer strip with a limited cut area extending from 50 to 75 feet.

The complete Wetlands Protection Ordinance can be found in Article 10 of the City's Zoning Ordinance Section 10.1010. Go to www.planportsmouth.com or direct your smartphone browser to the site by scanning this code:



Riparian Buffer Zones: Functions and Recommended Widths



Prepared by

**Ellen Hawes and Markelle Smith
Yale School of Forestry and Environmental Studies**

For the

Eightmile River Wild and Scenic Study Committee

April 2005

c. Three Zone

The Three Zone system was originally developed as part of an initiative to protect the Chesapeake Bay. The combination of vegetation types (trees, grass and shrubs) helps maximize the efficiency and diversity of benefits that the buffer provides (Figure 2).

Zone 1

Minimum Width: 15 ft.

Composition: Native trees and shrubs

Function: Bank stabilization, habitat, shade, flood prevention

Management: None allowed except bank stabilization and removal of problem vegetation.

Zone 2

Minimum Width: 60 ft.

Composition: Native trees and shrubs.

Function: Removal of nutrient, sediments and pollutants from surface and groundwater, habitat

Management: Some removal of trees to maintain vigorous growth.

Zone 3

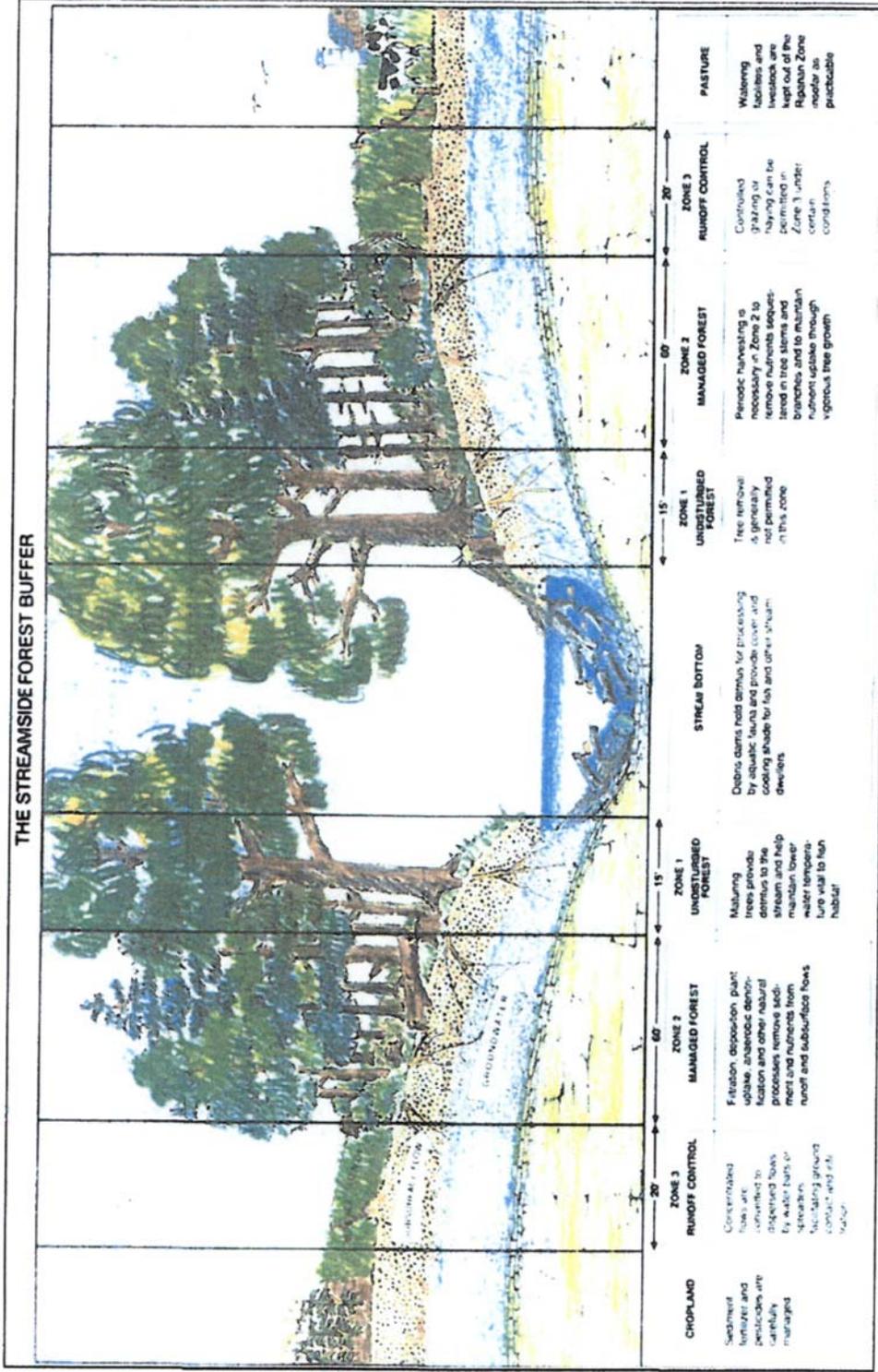
Minimum Width: 30 ft.

Composition: Grasses and herbaceous plants

Function: Slow surface runoff, trap sediments and pesticides

Management: Mowing

Fig. 2: Three-Zone System



Source: Welsch 1991. Riparian Forest Buffers: Function and Design For Protection and Enhancement of Water Resources.

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