

A G E N D A

JAMES CITY COUNTY BOARD OF SUPERVISORS

County Government Center Board Room

May 14, 2002

7:00 P.M.

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A. ROLL CALL	
B. MOMENT OF SILENCE	
C. PLEDGE OF ALLEGIANCE - Ms. Ashari Watson, a fourth grade student at Stonehouse Elementary School	
D. PUBLIC COMMENT	
E. PRESENTATION	
1. May is Bike Month	
F. CONSENT CALENDAR	
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I. PUBLIC COMMENT	
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K. BOARD REQUESTS AND DIRECTIVES	

L. CLOSED SESSION

1. Consideration of the Disposition of a Parcel of Property, Pursuant to Section 2.2-3711 (A) (3) of the Code of Virginia

M. ADJOURNMENT

AT A WORK SESSION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 23TH DAY OF APRIL, 2002, AT 5:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

James G. Kennedy, Chairman, Stonehouse District
Jay T. Harrison, Sr., Vice Chairman, Berkeley District

John J. McGlennon, Jamestown District
Michael J. Brown, Powhatan District
Bruce C. Goodson, Roberts District

Sanford B. Wanner, County Administrator
Frank M. Morton, III, County Attorney

B. BOARD CONSIDERATIONS

1. 2002 Comprehensive Plan Update Methodology

Ms. Tamara Rosario, Senior Planner, provided the Board with an overview on information on methodologies other jurisdictions in Virginia employed to update their comprehensive plans and request guidance from the Board on the proposed methodology and recommendation to utilize a combination of staff and consultants to update the Comprehensive Plan.

The Board and staff discussed the anticipated costs involved in utilizing a consultant, the anticipated amount of consultant and staff time involved in the process, and the consultant's role in updating the Comprehensive Plan.

The Board requested that the Comprehensive Plan be updated with a 10-20 year outlook and that efforts are taken to sustain citizen involvement through the process.

Mr. Kennedy recognized Mr. Joe McCleary and Ms. Peggy Wildman, representatives of the Planning Commission, in the audience.

Mr. McCleary stated that citizen input has been solicited and that efforts will be taken to invite citizen involvement through the process; and provided the Board with an overview of how the committees, citizens, and Board will be involved in the update.

The Board and staff briefly discussed the selection process for the consultants.

Mr. Harrison made a motion to adopt Option B, a combination of staff and consultants to update the Comprehensive Plan, as presented in the memorandum to the Board dated March 26, 2002.

On a roll call, the vote was AYE: Brown, Goodson, Harrison, Kennedy (4). NAY: McGlennon (1).

2. Draft Greenway Master Plan

Mr. Needham S. Cheely, III, Director of Parks and Recreation, presented the Board with an overview of the Greenway Master Plan including the six goals developed with citizen input, planning of the greenway corridor, development of the greenway map to connect the significant sites, parks, and trails, and the action plan for the Greenway Mater Plan.

The Board and staff briefly discussed the maintenance of the developed trails, and the three main concerns voiced by citizens including: the safety/security associated with the greenways, development funding, and approval by citizens of the Plan.

Mr. Cheely recognized the members of the Greenway Steering Committee.

C. ADJOURNMENT

At 6:00 p.m. Mr. Kennedy recessed the Board until the Regular Meeting at 7:00 p.m.

Sanford B. Wanner
Clerk to the Board

AT A WORK SESSION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 30TH DAY OF APRIL, 2002, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

James G. Kennedy, Chairman, Stonehouse District
Jay T. Harrison, Sr., Vice Chairman, Berkeley District
John J. McGlennon, Jamestown District
Michael J. Brown, Powhatan District
Bruce C. Goodson, Roberts District

Sanford B. Wanner, County Administrator
Frank M. Morton, III, County Attorney

B. BOARD CONSIDERATIONS

1. Review of the FY2003/2004 Proposed Budget

Mr. John McDonald, Manager of Financial and Management Services, introduced Ms. Suzanne Mellen, Director of Budget and Accounting.

Ms. Mellen provided the Board with an overview of the Proposed Budget for Fiscal Years 2003 and 2004, including higher revenues collected from Real Estate Tax in FY2002.

Mr. McGlennon inquired about the number of vehicles in the County valued above \$20,000, and stated concern about the amount of local revenue collected from taxes in comparison to the increasing shared expenses and decreasing revenue from the Commonwealth to localities.

Ms. Ann Davis, Treasurer, stated that individuals will need to certify that their vehicle is for personal use, the Commonwealth is expecting to make money from the certifications, although that money will not be distributed to the localities.

Mr. Harrison inquired if the Jail administrative fees would apply to those arrested and convicted or to individuals arrested.

Ms. Carol Luckam, Human Resource Manager, provided the Board with an overview of the personnel portion of the proposed Budget and provided an overview of the health insurance increases for different program costs.

Mr. McGlennon inquired how many employees received a pay increase due to recalibration of positions. Staff will respond with more detail.

The Board held a brief discussion on ways to distribute information to County residents through publications such as FYI and the Annual Report, and costs of such mailings.

Mr. Brown inquired about the Budget for the Treasurer's Office.

Ms. Davis stated that the Business Tax Field Collector position must show that it receives revenue to offset the position's salary, and that banking services are paid for based on a contract.

C. ADJOURNMENT

At 9:45 p.m., Mr. Kennedy recessed the Board until 7:00 p.m. on May 2, 2002.

Sanford B. Wanner
Clerk to the Board

043002bsws.min

MEMORANDUM

DATE: May 14, 2002
TO: The Board of Supervisors
FROM: Keith A. Taylor, Economic Development Director
SUBJECT: Business Appreciation Week, May 12-18, 2002

The Governor's Office and the Virginia Department of Business Assistance are declaring the week of May 12-18 as Business Appreciation Week statewide. A number of special State events are being planned.

In cooperation with that initiative, James City County will be hosting its ninth annual Celebration of Business during that week, and staff has prepared the attached resolution for Board consideration to declare that week as Business Appreciation Week locally.

Staff recommends approval of the resolution.

Keith A. Taylor

KAT/adw
busineapp.mem

Attachment

RESOLUTION

BUSINESS APPRECIATION WEEK, MAY 12 - 18, 2002

WHEREAS, James City County is pleased to have a thriving base of business and industry to support the local economy; and

WHEREAS, these businesses provide essential employment opportunities, provide local tax revenues, and make other significant contributions in our community that promote both educational opportunities for our children and a variety of activities which increase the quality of life; and

WHEREAS, the increasing strength and diversity of this business base was a key factor that influenced Standard & Poor's and Moody's, two prominent investor services, to upgrade the County's bond rating in the past year.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby salutes our existing businesses, and by virtue of this resolution give notice to our citizens that we wish to recognize their importance.

BE IT FURTHER RESOLVED that the week of May 12-18, 2002, is declared Business Appreciation Week in James City County.

James G. Kennedy
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of May, 2002.

busineapp.res

MEMORANDUM

DATE: May 14, 2002
 TO: The Board of Supervisors
 FROM: Richard M. Miller, Fire Chief
 SUBJECT: Award of Bid - Replacement Ambulance

The FY 2002 Capital Improvement Budget contains funding for purchase of a replacement ambulance in the amount of \$95,000. A Virginia Rescue Squad Assistance Fund grant in the amount of \$30,000 was received to apply toward this purchase. Specifications were prepared and two bids were received as follow:

<u>Firm</u>	<u>Amount</u>
Singer Associates Fire Equipment	\$124,996
Performance Speciality Vehicles, LLC	119,461

Fire Department and Purchasing staff evaluated the bids and determined Performance Speciality Vehicles, LLC, to be a responsible and responsive bid.

Staff recommends approval of the attached resolution awarding the bid to Performance Speciality Vehicles, LLC, in the amount of \$119,461.

Richard M. Miller

RMM/gs
 ambulancebid.mem

Attachment

RESOLUTION

AWARD OF BID - REPLACEMENT AMBULANCE

WHEREAS, funds are available in the FY 2002 Capital Improvement Program budget for purchase of a replacement ambulance; and

WHEREAS, bids for purchase of the ambulance were received on April 15, 2002, with Performance Speciality Vehicles, LLC, submitting a responsive bid of \$119,461.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes the County Administrator to execute a contract between James City County and Performance Speciality Vehicles, LLC, in the amount of \$119,461.

James G. Kennedy
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of May, 2002.

ambulbid02.res

MEMORANDUM

DATE: May 14, 2002
TO: The Board of Supervisors
FROM: Needham S. Cheely, III, Director of Parks and Recreation
SUBJECT: May is Bike Month

The month of May is nationally recognized by bicycle enthusiasts, organizations, and businesses as "Bicycle Month." During this month various local organizations, in conjunction with local government, will be conducting a number of activities including "Pedal the Parkway." In order to increase visibility throughout the state and here locally, cyclists from around the Commonwealth gathered in Richmond on Wednesday, May 1, 2002, to receive statewide proclamations signed by the Governor declaring May as Bike Month in the Commonwealth of Virginia. Cyclists from James City County, including members of Williamsburg Area Bicyclists, citizens at large, and even several members of the James City County staff rode 60 miles to deliver that proclamation to you this evening.

At the request of citizens, Williamsburg Area Bicyclists, and the Parks and Recreation Advisory Commission, staff has prepared a resolution for consideration by the Board of Supervisors. This resolution recognizes the many benefits of bicycling and formally recognizes May 2002 as "Bicycle Month" in James City County.

Staff recommends the Board adopt the attached resolution.

Needham S. Cheely, III

CONCUR:

Anthony Conyers, Jr.

NSC/tlc
BikeMonth02.mem

Attachment

RESOLUTION

MAY IS BIKE MONTH

WHEREAS, bicycling is a safe, clean, and affordable mode of transportation used by thousands of citizens and residents of all ages each year; and

WHEREAS, bicycling provides a unique vantage point for tourists, sightseers, and citizens of James City County to visit parks, travel to needed destinations, and explore area attractions; and

WHEREAS, bicycling is an important part of urban and community planning and development, and it is important that children and adults bike cautiously and receive proper biking instruction; and

WHEREAS, it is fitting to recognize the usefulness and importance of bicycling as a mode of transportation and as a form of recreation, and it is important to take proper safety precautions when riding by wearing a protective helmet and being an alert rider.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby recognize May 2002 as Bike Month and calls this observance to the attention of its citizens

James G. Kennedy
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of May, 2002.

bikemonth02.res

**SPECIAL USE PERMIT-4-02. J. W. Crossing Shopping Center Expansion
Staff Report for May 14, 2002, Board of Supervisors Public Hearing**

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

PUBLIC HEARINGS

Building C Board Room; County Government Complex
Planning Commission: April 1, 2002, 7:00 p.m.
Board of Supervisors: May 14, 2002, 7:00 p.m.

SUMMARY FACTS

Applicant: Vernon Geddy, III
Land Owner: C & N Dining, LLC

Proposed Use: Amend SUP-7-98 to increase the size of the permitted retail shopping center to 17,149 square feet and to eliminate the previously approved automobile service center and fast food restaurant as specially permitted uses. This project requires a commercial special use permit under Section 24-11 of the Zoning Ordinance.

Location: 5547 Richmond Road, at the northwest corner of Olde Towne Road (an outparcel for Ewell Station shopping center); Powhatan District.

Tax Map and Parcel Nos.: (33-3)(1-2A), (33-3)(1-2C), & (33-3)(1-2D)

Primary Service Area: Inside

Parcel Size: 2.79 acres

Existing Zoning: B-1, General Business

Comprehensive Plan: Community Commercial

Surrounding Zoning: North, South and West: B-1, General Business
East (across the CSX railroad tracks): M-1, Limited Business/Industrial and R-8, Rural Residential

Staff Contact: David Anderson - Phone: 253-6685

STAFF RECOMMENDATION:

Staff finds the proposal to be consistent with the surrounding commercial zoning and development, and consistent with the Community Commercial designations of the Comprehensive Plan. The proposed conditions will mitigate traffic and visual impacts of this development. On April 1, 2002, the Planning Commission voted 6-0 to recommend approval of the special use permit application with the attached conditions.

History

This site is located on an outparcel of the existing 18-acre Ewell Station shopping center, at the corner of Olde Towne Road (Route 658) and Richmond Road (Route 60). In 1989, Ewell Station received site plan approval for a shopping center containing approximately 150,000 square feet of retail shops, warehouses, offices, restaurants, a bank, a grocery store, and a department store. The approved site plan designates the outparcel as “future development.”

On March 9, 1999, the Board of Supervisors approved Case No. SUP-7-98 which proposed a 5,600-square foot retail shopping center, a 2,883-square foot automobile service center, and a 3,148-square foot fast food restaurant for the outparcel. Since that time, the 5,600-square foot retail shopping center has been built, but both the automobile service center and the fast food restaurant have not been built and the applicant would like to eliminate them as specially permitted uses.

Comparison of SUP-7-98 & SUP-04-02

	SUP-7-98	SUP-4-02
Project Description	5,600-square foot retail shopping center; 2,883-square foot automobile service center; 3,148-square foot fast food restaurant (Total sq. ft. = 11,631)	5,747-square foot retail shopping center (existing); 8,970-square foot retail shopping center; 2,432-square foot retail shopping center (Total sq. ft. = 17,149)
Surrounding Zoning & Development	North, South, & West - B-1, General Business East - M-1, Limited Business/Industrial & R-8, Rural Residential	Unchanged
Private Covenants	With the owners of Ewell Station	Unchanged
Physical Features and Environmental Considerations	A condition is included requiring Environmental Director approval of a drainage plan prior to preliminary site plan approval	Unchanged
Greenspace vs. Impervious Cover	Greenspace - 1.16 acres Impervious - 1.63 acres	Greenspace - 1.39 acres Impervious - 1.40 acres
Access	Limited to two internal Ewell Station entrances	Unchanged
Parking	93 spaces	81 spaces
Sidewalk	Condition requiring pedestrian access between proposed uses	Unchanged

Traffic Study (further analysis below)	AM Peak: 213 trips PM Peak: 172 trips A condition is included to mitigate traffic impact.	AM Peak: 110 trips PM Peak: 76 trips Condition unchanged
Public Utilities	Within PSA	Unchanged
Comprehensive Plan	Community Commercial	Unchanged

To elaborate on the above table, the main differences between the previously approved SUP-7-98 and the current SUP-04-02 involve traffic and trip generation rates. The highest trip generation rates for the earlier SUP were attributed to the inclusion of the 3,150 square-foot fast food restaurant. Average trip generation rates for fast food restaurant uses are over 17 times that of specialty retail centers per 1,000 square feet of floor area. The trip generation rates for this 3,150 square-foot fast food restaurant alone are greater than the total trip generation for the currently proposed SUP. This explains the large difference (over 50 percent less) between the trip generation rates for SUP-7-98 and for SUP-04-02. This leads staff to agree with the conclusion that this currently proposed SUP will have much less traffic impact than the earlier approved SUP.

Recommendation

Staff finds this proposal to be consistent with the surrounding zoning and development, consistent with the Comprehensive Plan, and will cause less negative impact with regard to traffic generation and greenspace vs. impervious cover than the previously approved SUP-7-98. Staff recommends approval of this proposal with the following conditions. These conditions differ slightly from the set of conditions approved with SUP-7-98. Condition No. 2 was altered to prohibit an additional entrance from Olde Towne Road - the previous conditions only prohibited an additional entrance from Richmond Road. SUP-7-98 included a condition requiring Planning Director approval of a landscaping plan prior to final site plan approval. Staff feels this condition is no longer necessary as adequate landscaping will be enforced by the James City County Landscaping Ordinance. Condition No. 9 was added to address James City Service Authority water conservation standards.

1. The applicant shall submit to the Environmental Director a drainage plan addressing the stormwater management facilities to be located on-site. The drainage plan shall be approved by the Environmental Director prior to preliminary site plan approval for any development on this parcel, and said approved facilities shall be installed in accordance with this plan.
2. Internal access to Ewell Station Shopping Center shall be limited to two internal access points. No additional entrance from Richmond Road or Olde Towne Road shall be permitted. Access locations shall be generally in accordance with the binding master plan, as approved by the Board of Supervisors, with such minor changes as the Development Review Committee determines does not change the basic concept or character of the development.
3. A minimum four-foot sidewalk, for which the design and location shall be approved by the Planning Director, shall be provided that connects the commercial/retail structures on this site.
4. The applicant shall reimburse the Virginia Department of Transportation for its actual cost in adjusting the signal timing as reflected in the traffic study “Traffic Analysis for Ewell Station Expansion at Richmond Road/Olde Towne Road,” prepared by DRW Consultants, July 9, 1998. The applicant shall dedicate sufficient right-of-way along Olde Towne Road to accommodate a receiving lane for an additional westbound left-turn lane from Richmond Road, as recommended by the traffic study. The additional right-of-way shall be dedicated prior to final site plan approval.

5. The building elevations for any commercial/retail structure shall be approved by the Planning Director prior to final site plan approval. The intent of this condition is to ensure that the buildings on the site are compatible with the design, materials, and color of the Ewell Station shopping center building.
6. All dumpsters and heating and cooling units shall be screened by landscaping or fencing approved by the Planning Director prior to final site plan approval.
7. Free-standing signs shall be ground-mounted, monument style, and shall be approved by the Planning Director prior to final site plan approval.
8. Prior to obtaining site plan approval, the owner(s) of the property which is the subject of this special use permit (“the Property”) shall provide evidence to the County Attorney that the development hereby permitted will not violate the Declaration of Easements and Restrictions dated May 1, 1989, of record in the Clerk’s Office of the Circuit Court for the City of Williamsburg and County of James City County in James City County Deed Book No. 436, page 175, *et seq.* (“the Restrictions”) or evidence of the issuance of a title insurance policy by a major national title insurance company that if the development hereby permitted violates the Restrictions, the owners of the Property its tenants, occupants, and invitees will not sustain any financial loss.
9. The applicant shall be responsible for developing water conservation standards to be submitted and approved by the James City Service Authority and subsequently for enforcing these standards. These standards shall address such water conservation measures as high-efficiency fixtures and limitations on the installation and use of landscaping design and materials to promote water conservation and minimize the use of public resources. The James City Service Authority shall approve the standards prior to final site plan approval.
10. Construction on this project shall commence within 36 months from the date of approval of this special use permit or this special use permit shall be void. Construction shall be defined as the obtaining of permits for the construction of foundations and/or footings.
11. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

Dave Anderson

CONCUR:

O. Marvin Sowers, Jr.

DA/gs
sup-4-02.wpd

Attachments:

1. Minutes of the April 1, 2002, Planning Commission Meeting
2. Location Map
3. Development Plans (separate attachment)
4. Resolution

RESOLUTION

J. W. CROSSING SHOPPING CENTER EXPANSION (SUP-4-02)

- WHEREAS, the Board of Supervisors of James City County has adopted by ordinance specific land uses that shall be subjected to a special use permit process; and
- WHEREAS, Mr. Vernon Geddy, III, has applied on behalf of the C&N Dining, LLC, to amend SUP-7-98 to expand the J. W. Crossing Shopping Center located on 2.79 acres at the corner of Olde Towne Road and Richmond Road; and
- WHEREAS, the property is located on land zoned B-1, General Business, and can be further identified as Parcel Nos. (1-2A), (1-2C) and (1-2D) on James City County Real Estate Tax Map No. (33-3); and
- WHEREAS, the Planning Commission, following its public hearing on April 1, 2002, recommended approval of the application.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of Special Use Permit No. SUP-4-02 as described herein with the following conditions:

1. The applicant shall submit to the Environmental Director a drainage plan addressing the stormwater management facilities to be located on-site. The drainage plan shall be approved by the Environmental Director prior to preliminary site plan approval for any development on this parcel, and said approved facilities shall be installed in accordance with this plan.
2. Internal access to Ewell Station Shopping Center shall be limited to two internal access points. No additional entrance from Richmond Road or Olde Towne Road shall be permitted. Access locations shall be generally in accordance with the binding master plan, as approved by the Board of Supervisors, with such minor changes as the Development Review Committee determines does not change the basic concept or character of the development.
3. A minimum four-foot sidewalk, for which the design and location shall be approved by the Planning Director, shall be provided that connects the commercial/retail structures on this site.
4. The applicant shall reimburse the Virginia Department of Transportation for its actual cost in adjusting the signal timing as reflected in the traffic study "Traffic Analysis for Ewell Station Expansion at Richmond Road/Olde Towne Road," prepared by DRW Consultants, July 9, 1998. The applicant shall dedicate sufficient right-of-way along Olde Towne Road to accommodate a receiving lane for an additional westbound left-turn lane from Richmond Road, as recommended by the traffic study. The additional right-of-way shall be dedicated prior to final site plan approval.

5. The building elevations for any commercial/retail structure shall be approved by the Planning Director prior to final site plan approval. The intent of this condition is to ensure that the buildings on the site are compatible with the design, materials, and color of the Ewell Station shopping center building.
6. All dumpsters and heating and cooling units shall be screened by landscaping or fencing approved by the Planning Director prior to final site plan approval.
7. Free-standing signs shall be ground-mounted, monument style, and shall be approved by the Planning Director prior to final site plan approval.
8. Prior to obtaining site plan approval, the owner(s) of the property which is the subject of this special use permit ("the Property") shall provide evidence to the County Attorney that the development hereby permitted will not violate the Declaration of Easements and Restrictions dated May 1, 1989, of record in the Clerk's Office of the Circuit Court for the City of Williamsburg and County of James City County in James City County Deed Book No. 436, page 175, *et seq.* ("the Restrictions") or evidence of the issuance of a title insurance policy by a major national title insurance company that if the development hereby permitted violates the Restrictions, the owners of the Property its tenants, occupants, and invitees will not sustain any financial loss.
9. The applicant shall be responsible for developing water conservation standards to be submitted and approved by the James City Service Authority and subsequently for enforcing these standards. These standards shall address such water conservation measures as high-efficiency fixtures and limitations on the installation and use of landscaping design and materials to promote water conservation and minimize the use of public resources. The James City Service Authority shall approve the standards prior to final site plan approval.
10. Construction on this project shall commence within 36 months from the date of approval of this special use permit or this special use permit shall be void. Construction shall be defined as the obtaining of permits for the construction of foundations and/or footings.
11. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

James G. Kennedy
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of
May, 2002.

sup-4-02.res

MEMORANDUM

DATE: May 14, 2002
TO: The Board of Supervisors
FROM: Suzanne R. Mellen, Director of Budget and Accounting
SUBJECT: Appropriation Resolution - FY 2003 Budget

Presented for your consideration is the Appropriation Resolution for the FY 2003 Budget. The resolution reflects the County Administrator's Proposed Budget and the changes made by the Board at its last budget work session. It includes the addition of an Assistant Fire Marshall position, one Police Officer, additional funding for Project Legacy and the Historic Triangle Senior Center, additional Transit funding for an HRT connector and the elimination of the expanded mailing of the FYI. A reconciliation from the County Administrator's Proposed budget to the Appropriation Resolution for FY 2003 is also attached.

Included in this resolution are the budgets for FY 2004 for purposes of financial and operational planning.

Staff recommends approval of the attached resolution.

Suzanne R. Mellen

SRM/tlc
bdgtapp03.mem

Attachments

RESOLUTION

RESOLUTION OF APPROPRIATION

WHEREAS, the County Administrator has prepared a two-year Proposed Budget for the fiscal years beginning July 1, 2002, and ending June 30, 2003, along with the fiscal year beginning July 1, 2003 and ending June 30, 2004 and a five-year Capital Improvements Program, for information and fiscal planning purposes only; and

WHEREAS, it is now necessary to appropriate funds to carry out the activities proposed therein for the fiscal year beginning July 1, 2002, and ending June 30, 2003, and to set tax rates on real estate, tangible personal property, and machinery and tools, to provide certain revenue in support of those appropriations; and

WHEREAS, the Board wishes to adopt the second year of the operating and capital budget, beginning July 1, 2003, and ending June 30, 2004.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of James City County, Virginia, that:

1. The following amounts are hereby appropriated in the FY 2002-2003 General Fund for the offices and activities in the amounts as shown below:

GENERAL FUND REVENUES

	<u>FY 2003</u>
General Property Taxes	\$ 61,184,595
Other Local Taxes	15,183,323
Licenses, Permits and Fees	5,893,753
Fines and Forfeitures	205,000
Revenue from Use of Money and Property	1,700,000
Revenue from the Commonwealth	20,976,133
Revenue from the Federal Government	47,000
Charges for Current Services	2,974,210
Miscellaneous Revenues	<u>163,420</u>
TOTAL REVENUES	<u>\$108,327,434</u>

GENERAL FUND EXPENDITURES

	<u>FY 2003</u>
Administrative	\$ 1,129,477
Elections	231,014
Human Resource	1,220,044
Financial Administration	3,124,581
Public Works	3,742,154
Information Resource Management	1,719,988
Development Management	3,618,711

Judicial	2,307,691
Public Safety	13,429,783
Community Services	5,071,807
Contributions - Other	1,855,946
Library and Arts Center	3,539,586
Mental Health	573,761
Public Health	523,338
Regional Jail	1,249,158
Nondepartmental	2,250,309
WJCC Schools	49,181,174
Contingency - School Grounds	326,221
Contribution - School Debt Service	9,032,000
Contribution - Capital Projects Fund	810,000
Contribution - County Debt Service	1,670,000
Contributions - Other Funds	<u>1,720,691</u>
TOTAL EXPENDITURES	<u>\$108,327,434</u>

The appropriation for education includes \$49,162,724 as a local contribution to the Williamsburg-James City County Schools operations.

2. That the tax rates be set for the amounts shown below and revenues appropriated in the following classifications:

TAX RATES

Real Estate on each \$100 assessed value	\$0.87
Tangible Personal Property on each \$100 assessed value	\$4.00
Machinery and tools on each \$100 assessed value	\$4.00
Transportation Improvement District Real Estate on each \$100 assessed value Budget	\$0.00

CAPITAL PROJECTS BUDGET

General Fund

Fund Balance	\$3,988,000
Contribution to Capital Projects Budget	\$3,988,000

Capital Projects Fund

Revenues and Other Fund Sources:

Estimated Prior Year General Fund Balance	\$3,988,000
Contribution - General Fund	810,000
State School Construction Funds	163,142
Proffers and Rollbacks	100,000
Capital Project Fund Balance	<u>728,765</u>
	<u>\$5,789,907</u>

Expenditures:

Community Development	\$1,273,750
Parks and Recreation	1,243,500
Community Services	1,195,550
Public Safety	1,710,800
Schools	1,166,307
Capital Contingency	<u>(800,000)</u>
	<u>\$5,789,907</u>

DEBT SERVICE BUDGET

General Fund

From Capital Reserve	\$198,812
Contribution to Debt Service	\$198,812

Debt Service Fund

Revenues:

From General Fund - Schools	\$ 7,985,000
From General Fund - Other	1,670,000
From Fund Balance - Capital Reserve	193,812
2-Cent Real Estate Tax Investment	<u>1,047,000</u>

Total Debt Service Fund Revenues \$10,895,812

Current Year Expenditures \$10,895,812

Debt Service Fund Disbursements \$10,895,812

VIRGINIA PUBLIC ASSISTANCE FUND

Revenues:

From the Federal Government/Commonwealth	\$ 3,004,734
From the General Fund	1,200,746
Comprehensive Services Act	174,050
Revenue Maximization	188,352
Other	<u>282,968</u>

Total Virginia Public Assistance
Fund Revenues \$ 4,850,850

Expenditures:

Administration and Assistance	\$ 4,716,933
Revenue Maximization	<u>133,917</u>
Total Virginia Public Assistance Fund Expenditures	<u>\$ 4,850,850</u>

COMMUNITY DEVELOPMENT FUND

Revenues:

General Fund	\$ 522,741
Grants	1,491,584
Generated Program Income	75,000
Fund Balance	<u>462,126</u>
Total Community Development Fund Revenues & Fund Balance	<u>\$ 2,551,451</u>

Expenditures:

Administration and Programs	<u>\$ 2,551,451</u>
Total Community Development Fund Expenditures	<u>\$ 2,551,451</u>

3. The County Administrator be authorized to transfer funds and personnel from time to time within and between the offices and activities delineated in this Resolution as he may deem in the best interest of the County in order to carry out the work of the County as approved by the Board of Supervisors during the coming fiscal year.
4. The County Administrator be authorized to administer the County's Personnel Policy and Pay Plan as previously adopted by the Board of Supervisors. There will be a salary increase based on either the employee's salary or the midpoint of the pay range with variable increases based on performance and funded at an average of 3.5 percent, granted to employees in FY 2003.
5. The County Administrator be authorized to transfer funds to and from the Personnel Contingency account and divisional personnel line items in order to capture turnover savings at a divisional level.
6. All outstanding encumbrances in all County funds at June 30, 2002, shall be an amendment to the FY 2003 budget, and appropriated to the FY 2003 budget to the same department and account for which they were encumbered in the previous year.
7. The County Administrator be authorized to make expenditures from the Donation Trust Fund for the specified reasons for which the fund was established. In no case shall the expenditure exceed the available balance in the fund as verified by the Treasurer.

8. The Board of Supervisors of James City County, Virginia, hereby adopts the following budgets for the purposes of future financial and operational planning:

FY 2004

General Fund	\$ 114,831,730
Capital Budget	3,302,000
Debt Service	10,483,958
Public Assistance	4,946,282
Community Development	2,310,325

James G. Kennedy
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of May,
2002.

bdgtapp03.res

MEMORANDUM

DATE: May 14, 2002

TO: Board of Supervisors

FROM: Larry M. Foster, General Manager, James City Service Authority

SUBJECT: Case No. SO-1-02. Subdivision Ordinance Amendment (deferred from April 23, 2002)

Attached is an ordinance increasing the water and sewer line inspection fee from \$0.62 per foot to \$1.43 per foot. A public hearing was held by the Board on April 23, 2002. The change is necessary to recover from the developer the inspection expenses incurred by the James City Service Authority. The fee increase would cover the actual costs incurred. This fee has not changed since April 1990. If approved by the Board, the new fee would be effective on July 1, 2002. On February 4, 2002, the Planning Commission unanimously approved these proposed changes.

Staff recommends approval of the attached ordinance.

Larry M. Foster

LMF/gb
linefees2.mem

Attachment

ORDINANCE NO.

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 19, SUBDIVISIONS, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE I, GENERAL PROVISIONS, SECTION 19-15, FEES.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 19, Subdivisions, is hereby amended and reordained by amending Article I, General Provisions, Section 19-15, Fees.

Chapter 19. Subdivisions

Article I. General Provisions

Section 19-15. Fees.

Fees shall be charged to offset the cost of reviewing plats and plans, making inspections and other expenses incident to the administration of this chapter. The following fees shall be charged and collected as provided below:

- (1) *General plan review.* There shall be a fee for the examination of every plan reviewed by the agent or commission. For all subdivisions that do not require public improvements, the fee for a major or minor subdivision shall be \$105.00 per plan plus \$60.00 per lot for each lot over two lots in the subdivision plat. For all subdivisions that require public improvements, the fee for a major or minor subdivision shall be \$135.00 per plan plus \$60.00 per lot for each lot over two lots in the subdivision plat. The fee for townhouse or condominium subdivisions which have undergone site plan review shall be \$50.00. The fee shall be submitted to the agent at the time of filing the plat for review. Any check shall be payable to the James City County treasurer.

- (2) *Inspection fee for water and sewer lines.* There shall be a fee for the inspection by the service authority of public water and sewer system installations. Such fee shall be ~~\$0.62~~ *\$1.43* per foot for every foot of sewer main or water main constructed and shall be submitted at the time of filing an application for a land disturbance permit.

This ordinance shall become effective on July 1, 2002.

James G. Kennedy
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of May, 2002.

M E M O R A N D U M

DATE: May 14, 2002

TO: The Board of Supervisors

FROM: Richard M. Miller, Fire Chief

SUBJECT: Ordinance Amendments - Chapter 4, Building Regulations, and Chapter 9, Fire Protection, Fire Department Fees

The attached Ordinances impose inspection fees for certain non-emergency services currently provided by the Fire Department. These fees are included in the submitted FY 2003/2004 biennial budget. The FY 2003/2004 proposed budget includes \$32,500 annually to recover some costs of the services provided. A public hearing on the fees was conducted on April 23.

The Fire Department currently charges for open burning and fireworks permits. The *Virginia Statewide Fire Prevention Code* allows for the permit fees. The existing fees partially offset the cost of permit processing, site inspection, and any complaint follow-up to ensure safe open burning sites and fireworks displays.

The Fire Department performs numerous non-emergency functions, mainly in the training and fire prevention arenas. Training costs are offset by charging student user fees when appropriate. Several fire prevention and administrative functions are regularly performed without cost recovery, including routine fire prevention inspections and certain building code inspections.

The proposed fees are as follows:

Routine Inspection Fees

The Fire Department conducts inspections for compliance with the *Virginia Statewide Fire Prevention Code (VSFPC)*, as adopted by James City County. The *VSFPC* and Section 27-98 of the *Code of Virginia*, allows for fees to be levied by the local government to defray costs of enforcement. Board-appointed fire marshals within the Fire Prevention Division perform the code enforcement inspections in public facilities. Routine inspections are comprehensive code enforcement inspections performed on a regular schedule with fire prevention and life safety being the primary target areas. The property owner will be billed upon inspection, not more than once per year. Current fire marshal staffing will not likely allow for more than a four-year inspection cycle. **A fee schedule is proposed for routine inspections: \$25 for buildings 10,000 square feet or less; \$75 for 10,001 to 50,000; \$150 for 50,001 to 100,000; and, \$300 for greater than 100,000 or for buildings with 12 or more tenant spaces.**

New Construction Inspection Fees

The Fire Department, in cooperation with the Code Compliance Division, performs certain building code inspections. The building official charges inspection fees for services provided; the Fire Department does not recover costs for similar services provided. Board-appointed fire marshals assist with fire protection system (fire sprinkler, kitchen range hood suppression, fire alarm, etc.) acceptance tests and with certificate of occupancy inspections (excluding one- and two-family dwellings). **The proposed fee: \$25 to be added to building permit fee schedule for commercial kitchen range hood systems, fire alarm systems, fire suppression systems, and certificates of occupancy requests.**

Proposed Administration of Fees

The Routine Inspection Fees are proposed to be billed upon inspection with payment required in 30 days. Delinquent accounts are proposed to be handled in an existing method by the County Attorney. New Construction Inspection Fees are proposed to be collected at the time of permit application with the Code Compliance Division. The same fees should be included in the total permit fees. All fees received are proposed to be deposited into the General Fund account.

Staff recommends approval of the attached Ordinances.

Richard M. Miller

CONCUR:

Sanford B. Wanner

RMM/gs
ordinspectionfees2.mem

Attachments

ORDINANCE NO.

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 9, FIRE PROTECTION, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING SECTION 9-3, AMENDMENTS.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 9, Fire Protection, is hereby amended and reordained by amending Section 9-3, Amendments, by adding Subsection (15), Routine fire inspections and fees.

Chapter 9. Fire Protection

Article I. Fire Prevention Code

Section 9-3. Amendments.

The fire prevention code is hereby amended, modified and changed as set out in the following subsections of this section.

(15) *Section F-109.4, Routine fire inspections and fee schedule, is hereby added:*

(a) *The fire department shall establish a routine fire inspection program for all structures in James City County other than those designated as exempt in section F-109.1, Inspection. "Routine fire inspections" shall mean any comprehensive inspections for the enforcement of the Virginia Statewide Fire Prevention Code, excluding inspections conducted based on complaint, observed violations, or new construction (building code) inspections. The fire official shall determine the frequency of such inspections.:*

(b) The fire department shall levy the following fees for routine fire inspections of public buildings. The square footage identified below also applies to multiple buildings on the same parcel as a cumulative total:

- 1. 10,000 square feet or less \$25*
- 2. 10,000 to 50,000 square feet 75*
- 3. 50,000 to 100,000 square feet 150*
- 4. greater than 100,000 square feet or buildings
with twelve (12) or more tenant spaces 300*

(c) The fees outlined in subsection (b) above shall not be charged to governmental agencies.

(d) Fees shall be charged to the building owner.

(e) The fees established by this section shall be due and payable from the date that a statement of accounting reflecting the charge is mailed by the county to the last known address of the building owner. The last known address shall be that address on file with the county assessor unless the fire department is aware of a more recent address. The charges established by this section shall be maintained in an open account in the name of the building owner. Any account that is more than thirty (30) days delinquent may be forwarded to the county attorney for collection. Should

legal action be required to collect such charges, the county also shall be entitled to attorney's fees equal to 25 percent of the total amount due.

(f) Routine fire inspection fees shall not be charged more often than once per year for each building inspected.

State Law Reference - Authority of county to adopt enforcement fees, Code of Va., § 27-98.

The effective date of this ordinance shall be July 1, 2002.

James G. Kennedy
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of May, 2002.

fireprotect.ord

ORDINANCE NO.

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 4, BUILDING REGULATIONS, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE I, GENERAL PROVISIONS, SECTION 4-8, GENERALLY.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 4, Building Regulations, is hereby amended and reordained by amending Section 4-8, Generally, by adding Subsection (10), Fire department new construction inspection fees.

Chapter 4. Building Regulations

Article I. Virginia Uniform Statewide Building Code

Division 2. Permit and Inspection Fees

Section 4-8. Generally.

Permit and inspection fees are hereby established in accordance with the provisions of the Virginia Uniform Statewide Building Code, as follows:

(10) Fire Department New Construction Fees.

- a. In addition to fees collected for building code permits and inspections, a fee of \$25.00 shall be charged to the permit applicant for the following inspections when a fire department employee will participate in such inspections:
 1. Fire protection system acceptance tests (including fire alarm, fire sprinkler, standpipe, fire pump)
 2. Commercial range hood fire suppression system acceptance tests.

3.. Certificate of Occupancy inspections excluding single- and two-family residences.

State Law Reference - Authority of county to adopt fire prevention code enforcement fees, Code of Va., § 27-98.

The effective date of this ordinance shall be July 1, 2002.

James G. Kennedy
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of May, 2002.

fireconstfee.ord

MEMORANDUM

DATE: May 14, 2002
TO: The Board of Supervisors
FROM: Sanford B. Wanner, County Administrator
SUBJECT: FY 2003 Strategic Management Plan

The County's Proposed FY 2003 Strategic Management Plan was submitted with the budget document for review.

I recommend approval of the attached resolution adopting the FY 2003 Strategic Management Plan.

Sanford B. Wanner

SBW/tlc
fy03smplan.mem

Attachment

RESOLUTION

FY 2003 STRATEGIC MANAGEMENT PLAN

WHEREAS, the County's Strategic Management Plan sets forth the mission, vision, values, goals, objectives, targets, and measure; and

WHEREAS, the FY 2003 Strategic Management Plan has been reviewed to assure that it reflects our priorities and is consistent with resources in the FY 2003 Budget; and

WHEREAS, the Strategic Management Plan is an essential tool for identifying, communicating, and tracking the critical areas we need to address to meet the needs of our citizens.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, adopts the FY 2003 Strategic Management Plan.

James G. Kennedy
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of May, 2002.

fy03smplan.res