

A G E N D A

JAMES CITY COUNTY BOARD OF SUPERVISORS

County Government Center Board Room

October 12, 2010

7:00 P.M.

A. CALL TO ORDER

B. ROLL CALL

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE – Adam Leschinger, a third-grade student at D.J. Montague Elementary School

E. PUBLIC COMMENT

F. BOARD REQUESTS AND DIRECTIVES

1. Historic Triangle Collaborative Economic Diversification Task Force Report
2. Veterans Tribute

G. CONSENT CALENDAR

1. Minutes –
 - a. September 28, 2010, Work Session
 - b. September 28, 2010, Regular Meeting
2. Contract Award – Longhill Road and Centerville Road Intersection Improvements – \$536,699.73
Supports County's Strategic Pathway 3.d - invest in the capital project needs of the community

H. PUBLIC HEARINGS

1. Case No. SUP-0018-2010. American Heritage RV Park Expansion
2. Case No. SUP-0021-2010. Hogge Family Subdivision
3. SO-0002-2010. Subdivision Ordinance Amendment
Supports County's Strategic Pathway 4.c - ensure private development and government operations are environmentally sensitive
4. Ordinance to Amend Chapter 24, Zoning, Section 24-666

I. PUBLIC COMMENT

J. REPORTS OF THE COUNTY ADMINISTRATOR

K. BOARD REQUESTS AND DIRECTIVES

-CONTINUED-

L. CLOSED SESSION

1. Consideration of a personnel matter, the appointment of individuals to County boards and/or commissions pursuant to Section 2.2-3711(A)(1) of the Code of Virginia
 - a. Regional Issues Committee

M. ADJOURNMENT to 4:00 p.m. on October 26, 2010

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AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 28TH DAY OF SEPTEMBER 2010, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. CALL TO ORDER

B. ROLL CALL

James G. Kennedy, Chairman, Stonehouse District
Mary Jones, Vice Chair, Berkeley District
Bruce C. Goodson, Roberts District
James O. Icenhour, Jr., Powhatan District
John J. McGlennon, Jamestown District

Robert C. Middaugh, County Administrator
Leo P. Rogers, County Attorney

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE – Ysabel Dieguez, a first-grade student at Rawls Byrd Elementary School, led the Board and citizens in the Pledge of Allegiance.

E. PUBLIC COMMENT

1. Dr. John Whitley, 110 Governor Berkeley, commented on decorum and disrespectful comments by members of the Board of Supervisors.

2. Mr. Jack Haldeman, 1597 Founders Hill North, on behalf of the James City County Citizens Coalition (J4C), commented on the group's support for increased fees for independent water systems.

3. Mr. Ed Oyer, 139 Indian Circle, commented on the loss of Lt. Todd Weaver; decreased enrollment in schools; and demographic and income comparisons between James City County and York County.

4. Mr. Robert Richardson, 2786 Lake Powell Road, commented on the Constitutional Conservations kickoff event and encouraged attendance at the remaining events. He commented on disrespectful comments that he felt were aimed at him and defaults in the financial obligations of members of the Board.

F. BOARD REQUESTS AND DIRECTIVES

Ms. Jones commented that on Thursday, September 30, 2010, at 6:30 p.m. a meeting will be held at the James City/Williamsburg Community Center Room A for the public to take an opportunity to meet the new County Administrator.

Mr. Middaugh stated that the meetings would be held each Thursday beginning on September 30, 2010, in the Berkeley District.

Mr. Icenhour stated the meeting on October 7, 2010, in the Powhatan District would be held in the Human Services Building Auditorium.

Mr. McGlennon stated the meeting on October 14, 2010, in the Jamestown District would be held at Rawls Byrd Elementary School.

Mr. Goodson stated the meeting on October 21, 2010, in the Roberts District would be held at James River Elementary School Auditorium.

Mr. Kennedy stated the meeting on October 28, 2010, in the Stonehouse District would be held at the James City County Library in Norge.

G. CONSENT CALENDAR

Ms. Jones asked to pull Item No. 3 for more information for the benefit of the citizens.

Mr. McGlennon made a motion to adopt the remaining items on the Consent Calendar.

On a roll call vote, the vote was AYE: McGlennon, Goodson, Icenhour, Jones, Kennedy (5). NAY: (0).

1. Minutes – September 14, 2010
2. Grant Award – Virginia Department of Health – \$21,762

RESOLUTION

GRANT AWARD - VIRGINIA DEPARTMENT OF HEALTH - \$21,762

WHEREAS, James City County was awarded a grant from the Virginia Department of Health under the Clean Vessel Act in the amount of \$21,762 (\$16,322 grant, \$5,440 local match); and

WHEREAS, the grant requires a match of \$5,440 which is available in the Grants Match Account; and

WHEREAS, the funds are to be used to purchase and install a sewage system at the County's Jamestown Yacht Basin facility.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the acceptance of this grant and the following appropriation amendment to the General Fund Grants Match:

Revenues:

VDH-Clean Vessel Act	\$16,322
General Fund Grants Match	<u>5,440</u>
Total	<u>\$21,762</u>

Expenditure:

VDH-Clean Vessel Act	<u>\$21,762</u>
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4. Declaration of a Local Emergency

RESOLUTION

DECLARATION OF A LOCAL EMERGENCY

WHEREAS, the Board of Supervisors of James City County, Virginia, does hereby find that due to the recent lack of rain coupled with low humidity, the County faces dangerous conditions of sufficient severity and magnitude to warrant coordinated local government action to prevent or alleviate the damage, loss, hardship, or suffering threatened or caused thereby, including an immediate prohibition on open burning; and

WHEREAS, a condition of extreme peril of life and property necessitated the declaration of the existence of an emergency; and

WHEREAS, due to exigent circumstances, the Board of Supervisors was unable to convene to consent to the declaration of a local emergency.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that, pursuant to Section 44-146.21 of the Code of Virginia, 1950, as amended, the Declaration of a Local Emergency dated September 17, 2010, by Robert C. Middaugh, Jr., Director of Emergency Management for James City County, be, and the same hereby, is confirmed.

BE IT FURTHER RESOLVED that the Director of Emergency Management and the Emergency Operations Division of the James City County Fire Department shall exercise those powers, functions, and duties as prescribed by State law and the ordinances, resolutions, and approved plans of James City County in order to mitigate the effects of said emergency.

3. Contract Award – Construction of Ironbound Square Revitalization Road Improvements, Phase II – \$589,535

Mr. Rick Hanson, Office of Housing and Community Development Director, gave information about when the project will occur and the extent of the work. He stated that the contract included reconstruction of the remaining portion of Watford Lane and construction of three new cul-de-sacs, paved shared drives, stormwater management structures, water and sewer line extensions and other improvements. He stated the pre-construction meeting is scheduled for October 11, 2010, and citizens will be invited to a subsequent

meeting that week. He stated that directly-impacted citizens would be notified by mail and the information would be on the County website. He stated the construction would begin October 21, 2010, and conclude in August, 2011.

Mr. McGlennon made a motion to adopt the resolution.

On a roll call vote, the vote was AYE: McGlennon, Goodson, Icenhour, Jones, Kennedy (5). NAY: (0).

RESOLUTION

CONTRACT AWARD – CONSTRUCTION OF IRONBOUND SQUARE REVITALIZATION

ROAD IMPROVEMENTS – PHASE II - \$589,535

WHEREAS, bids were publicly advertised for the construction of Ironbound Square Revitalization Road Improvements - Phase II; and

WHEREAS, eight bids were considered for award and David A. Nice Builders, Inc. was the lowest responsive and responsible bidder; and

WHEREAS, sufficient funds are available to award the bid amount of \$589,535 from the Ironbound Square Roads Project in the Capital Improvement Program.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator to execute a contract up to the amount of \$589,535 with David A. Nice Builders, Inc. for the Construction of Ironbound Square Revitalization Road Improvements - Phase II.

H. PUBLIC HEARINGS

1. Agricultural and Forestal District (AFD) 2010 Renewals

- a. Case No. AFD-1-89. Armistead 2010 Renewal
- b. Case No. AFD-5-86. Barnes Swamp 2010 Renewal
- c. Case No. AFD-1-02. Carter's Grove 2010 Renewal
- d. Case No. AFD-10-86. Christenson's Corner 2010 Renewal
- e. Case No. AFD-6-86. Cranston's Pond 2010 Renewal
- f. Case No. AFD-2-86. Croaker 2010 Renewal
- g. Case No. AFD-9-86. Gordon Creek 2010 Renewal
- h. Case No. AFD-12-86. Gospel Spreading Church Farm 2010 Renewal
- i. Case No. AFD-3-86. Hill Pleasant Farm 2010 Renewal
- j. Case No. AFD-7-86. Mill Creek 2010 Renewal
- k. Case No. AFD-1-93. Williamsburg Farms 2010 Renewal
- l. Case No. AFD-11-86. Yarmouth Island 2010 Renewal

Ms. Kate Sipes, Senior Planner, stated there were currently 14 AFDs in the County, with 12 in the renewal process. She stated that per State Code, a public hearing was required to renew an AFD for an additional term. Per State Code, a public hearing must be held to consider the renewal of an AFD for an

additional term. There are currently 14 AFDs in the County. Twelve are currently in the renewal process: Armistead, Barnes Swamp, Carter's Grove, Christenson's Corner, Cranston's Pond, Croaker, Gordon Creek, Gospel Spreading Church Farm, Hill Pleasant Farm, Mill Creek, Williamsburg Farms, and Yarmouth Island. All have four-year terms, expiring between September and November 2010. Wright's Island AFD was renewed by the Board of Supervisors in July 2010, with an eight-year term; the remaining district, Pate's Neck, has a six-year term which expires in 2012.

At its meeting on September 1, 2010, the Planning Commission recommended renewal of the AFDs other than AFD-7-86, Mill Creek and AFD-1-02, Carter's Grove by a vote of 7-0. The Planning Commission recommended renewal of AFD-7-86 Mill Creek by a vote of 6-0 with one abstention and AFD-1-02 Carter's Grove by a vote of 5-0 with two abstentions.

Staff recommended renewal of all the districts and adoption of the ordinances.

Mr. Kennedy opened the Public Hearing.

1. Ms. Jacqueline Griffin-Allmond, 1804 Treasure Island Road, stated she was speaking in relation to Gospel Spreading Church AFD. She commented that she would like to add a provision to this AFD to allow for the construction of two dwellings on the parcels and limitations to be placed on wireless communication towers and equipment on this property due to possible negative health effects. She commented that the 1990 renewal of this AFD has stunted the growth of the parcel and requested that the original provisions be included in the current renewal ordinance.

2. Mr. Robert Richardson, 2786 Lake Powell Road, continued Ms. Griffin-Allmond's statements which requested approval of the planned community that would have originally been allowed on the property. Mr. Richardson commented on the historical significance of the property. He stated that the modifications to the ordinance were being requested. He noted that he was a neighbor of Gospel Spreading Church AFD and felt it was an asset to the community.

As no one else wished to speak to this matter, Mr. Kennedy closed the Public Hearing.

Mr. Kennedy asked Mr. Rogers to address the concerns of Ms. Griffin-Allmond.

Mr. Rogers stated the application for the renewal of the AFD could be done only if the property owner and the County were in agreements with the change. He stated the court has determined that the owner was the James City County Bible and Agricultural Training School, which was the applicant in this case.

Mr. Goodson stated the Board could not make the changes without approval by the property owner.

Mr. Rogers stated the Board could make the changes, but it would need to notify the property owner.

Mr. McGlennon made a motion to adopt the ordinances.

On a roll call vote, the vote was AYE: McGlennon, Goodson, Icenhour, Jones, Kennedy (5). NAY: (0).

2. Case No. SUP-0019-2010. Harmonious Hardscapes

Ms. Sarah Propst, Planner, stated that Mr. David Barglof has applied for a Special Use Permit (SUP) to allow for the development of a retail landscaping store with the storage of landscaping materials as an accessory use at 8162 Richmond Road. The sale of plant and garden supplies and the storage and distribution

of sand, gravel, and stone are specially permitted uses in the A-1, General Agriculture zoning district. The applicant will be using the existing structure as the retail store and business office. A 17-space parking lot, as depicted on the master plan and a privacy fence around the "Inventory and Equipment Storage Area" will be constructed.

On September 1, 2010, the Planning Commission recommended approval of this application by a vote of 7-0.

Ms. Propst explained that Condition Nos. 2 and 6 were changed, at the recommendation of the Planning Commission. Condition No. 2 reads "A privacy fence of at least 6 feet tall made of chain link with vertical slats to accommodate privacy or a comparable material, *such as Enviroscreen*, approved by the Planning Director shall be provided around the "Inventory and Equipment Storage Area." Condition No. 6 reads "A landscape plan *and a tree preservation plan*, subject to the review and approval of the Planning Director or their designee, shall be submitted for the Property (in accordance with the "Article II. Special Regulations Division 4. Landscaping" of the Zoning Ordinance) during the initial phase of development."

Staff found the proposal consistent with surrounding land uses, the Land Use policies of the Comprehensive Plan, and the Comprehensive Plan Land Use Map designation.

Staff recommends approval of the application.

Mr. McGlennon asked about tree buffer on the property and which trees would remain.

Ms. Propst stated that a mature row of pine trees on the east side of the property per Condition No. 6 and staff would work with the applicant for tree preservation through a landscaping plan.

Mr. Icenhour asked if the trees would front on Richmond Road.

Ms. Propst stated that was correct.

Mr. Icenhour stated his concern with significant tree removal. He asked if there was discussion about tree preservation at the Planning Commission. He asked if these changes would be done at the site plan level.

Ms. Propst stated that the discussion was held at the Planning Commission, but no changes were suggested at that time.

Mr. Icenhour asked if the purpose of the landscaping would be enhancement of the property or for screening.

Ms. Propst stated that the landscaping would be for enhancement of the property for community character.

Mr. Kennedy recognized Mr. Jack Fraley in attendance on behalf of the Planning Commission.

Mr. Kennedy opened the Public Hearing.

As no one wished to speak to this matter, Mr. Kennedy closed the Public Hearing.

Ms. Jones made a motion to adopt the resolution.

On a roll call vote, the vote was AYE: McGlennon, Goodson, Icenhour, Jones, Kennedy (5). NAY: (0).

RESOLUTION

CASE NO. SUP-0019-2010. HARMONIOUS HARDSCAPES

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 (SUP) process; and

WHEREAS, Mr. David Barglof has applied on behalf of Mid Atlantic Enterprises, Inc. for an SUP to allow for the construction of a retail landscaping store with storage of materials for landscaping as an accessory use; and

WHEREAS, the proposed development is shown on a plan prepared by Cornerstone Design Group, dated August 20, 2010 (the "Master Plan") and entitled "Harmonious Hardscapes Special Use Permit Application Exhibit"; and

WHEREAS, the property is located at 8162 Richmond Road and can be further identified as James City County Real Estate Tax Map Parcel No. 1240100012; and

WHEREAS, the Planning Commission, following its public hearing on September 1, 2010, voted 7-0 to recommend approval of this application; and

WHEREAS, the Board of Supervisors of James City County, Virginia, finds this use to be consistent with the 2009 Comprehensive Plan Use Map designation for this site.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of SUP-0019-2010 as described herein with the following conditions:

1. **Master Plan:** This SUP shall be valid for the construction of an approximately 1,440 square foot, one-story-high retail landscaping business, which also includes a two-story future expansion of approximately 1,500 square feet for retail and office space and an approximate 2,000-square-foot shop space. The property is located at 8162 Richmond Road and further identified as James City County Tax Map Parcel No. 1240100012. Development and use of the Property shall be generally in accordance with and bound by the Master Plan entitled "Harmonious Hardscapes 8162 Richmond Road," prepared by Cornerstone Design Group, date stamped August 20, 2010 (the "Master Plan") with such minor changes as the Development Review Committee determines does not change the basic concept or character of the development.
2. **Buffering:** A privacy fence of at least 6 feet tall made of chain link with vertical slats to accommodate privacy or a comparable material, such as Enviroscreen, approved by the Planning Director shall be provided around the "Inventory and Equipment Storage Area." The trees between the fencing and the residence at 123 Industrial Boulevard shall be preserved and maintained.

3. **Hours of Operation:** The hours of operation for the business, including the loading or unloading of, or maintenance of, vehicles or equipment, shall be limited from 6 a.m. to 8 p.m., Monday through Friday, 7 a.m. to 8 p.m. on Saturday, and 9 a.m. to 8 p.m. on Sunday.
4. **Water Conservation:** The Owner shall be responsible for developing and enforcing water conservation standards to be submitted to and approved by the James City Service Authority prior to final site plan approval for the initial phase. The standards may include, but shall not be limited to such water conservation measures as limitations on the installation and use of irrigations systems and irrigations wells, the use of approved landscaping materials including the use of drought tolerant plants, warm season grasses, and the use of water conserving fixtures and appliances to promote water conservation and minimize the use of public water resources.
5. **Lighting:** Any parking lot lighting installed on the Property shall be comprised of recessed fixtures with no bulb, lens, or globe extending below the fixture housing. The housing shall be opaque and shall completely enclose the light source in such a manner that all light is directed downward, and that the light source is not visible from the side of the fixture. Pole-mounted fixtures shall not be mounted in excess of 15 feet in height above the finished grade beneath them. Accent lighting to showcase products is allowed but may not produce any glare or light spillage toward the roads or the residence at 123 Industrial Boulevard. Light spillage, defined as light intensity measured at 0.1 foot-candle or higher extending beyond any property line, shall be prohibited.
6. **Landscape Plan:** A landscape plan, subject to the review and approval of the Planning Director or his designee, shall be submitted for the Property (in accordance with “Article II. Special Regulations Division 4. Landscaping” of the Zoning Ordinance) during the initial phase of development. The owner shall provide enhanced landscaping such that the required size of shrubs and trees located in the 50-foot buffer along Richmond Road equals, at a minimum, 125 percent of the size requirements, and such that at least 60 percent of the shrubs and trees are evergreens.
7. **Equipment Storage:** All storage of equipment associated with the development shall be located inside the fenced area defined as “Inventory and Equipment Storage” or “Bulk Storage” on the Master Plan.
8. **Freestanding Sign:** Freestanding signage shall be limited to one monument style sign. For purposes of this condition, a “monument” style sign shall be defined as a freestanding sign with a completely enclosed base not to exceed 32 square feet in size and not to exceed ten feet in height from grade. The sign shall be illuminated by ground mounted lights only.
9. **Severance Clause:** This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

3. Reductions in the FY 2011 Capital Budget

Mr. John McDonald, Manager of Financial and Management Services, stated that Williamsburg-James City County Schools (WJCC) has ended the year with an unusually high fund balance of approximately \$4.26 million in unencumbered funds primarily due to the fact that the State suspended the fourth quarter Virginia Retirement System (VRS) payment in FY 2010. Under State law, these funds would be returned to the City

and the County but under the provisions of the City/County School contract, the schools can retain the funds, invest up to \$500,000 in any needed school project, and use the residual to fund approved capital projects. WJCC has set aside the \$500,000 allowed under the contract and is tentatively allocating approximately \$1 million to instructional technology and the James Blair renovation. The remaining funds of \$2.75 million are proposed to be used on capital projects that the City and County have already agreed to fund.

Mr. McDonald stated that the resolution reduces the County's Capital Budget by \$2,513,857 in school spending and reduces the approved financing by \$2.5 million. The \$13,857 difference is proposed to be added to Capital Contingency. He recommended approval of the resolution.

Mr. Goodson asked when the payment that was not made to VRS would need to be made up. He asked for more details on this issue.

Mr. McDonald stated that the General Assembly did commit to reestablish the contribution to VRS and the County would eventually have to catch-up the payments.

Mr. Goodson stated that the State would have to make that decision and the schools were unable to make that decision.

Mr. McDonald stated that was correct.

Mr. Icenhour asked if the County budgeted for the payment.

Mr. McDonald stated that it was budgeted and the County did not receive the funds to assist with the payment, but the contribution is larger than what the State would contribute.

Mr. Icenhour stated concern that when the payment is made or caught up, it would likely be paid from County funds rather than State funds.

Mr. McDonald stated that the contribution was a combination of State and County funds.

Mr. Icenhour stated the County would likely have to contribute more.

Mr. McDonald stated that was correct.

Mr. Kennedy asked if there was potential for the funding to be waived again.

Mr. McDonald stated that it was possible, but he was unsure. He stated that the rates for VRS have been set for FY 2011 and FY 2012.

Mr. Kennedy asked if there was a way to keep this money until the County needed to pay its obligation.

Mr. McDonald stated the agreement with the City had provisions for the leftover funds.

Mr. McGlennon stated that he understood why the Board would question why the County should not hold the money until the funds needed to be paid, but he understood that this money could offset some capital borrowing. He stated there was a possibility that the State could take many approaches to the repayment of the funds.

Mr. McDonald stated that the City-County contract agreed to a provision in this case, and that this was a one-time availability of spendable cash that needed to be spent, and he noted the differences of fiscal policy and political actions. He stated staff was unsure when the payment would need to be made.

Mr. Kennedy recommended cost-saving measures to provide for a future payment.

Mr. Goodson noted that there would be debt-service savings. He stated that he would like to discuss what the resulting savings would be during the budget process.

Mr. Kennedy opened the Public Hearing.

1. Mr. Ed Oyer, 139 Indian Circle, commented that this was a deferred payment.

2. Mr. Jay Everson, 103 Branscome Boulevard, commented on the interest savings in comparison to the rate of return on the VRS funds, which was about seven percent. He commented that the VRS system is underfunded, and the repayment would need to be repaid with interest, which would double in ten years at seven percent. He stated that making a direct payment to VRS or placing the funds in escrow would be recommended so the payment could be made later.

As no one else wished to speak to this matter, Mr. Kennedy closed the Public Hearing.

Mr. Middaugh noted that the current contract with the City required the funds to be allocated as noted. He stated that the contract would need to be amended in order to make a change.

Mr. Goodson stated that he believed that if an adjustment needed to be made, it should be done through the County budget.

Mr. Kennedy stated the agreement could not be changed at this time.

Mr. Goodson stated that if the funds were sent, it would not change what would be due in the future.

Mr. Kennedy stated that this was a scenario that could not have been anticipated in the contract with the City. He noted his discomfort with trying to realize where the funding would come from in the future. He stated that in this case, the money was not left over at the end of the year since it was technically appropriated for a purpose.

Mr. McGlennon stated that he did not disagree that there were problems with VRS. He stated that the Board could not solve those issues at this time and under the current contract. He stated that in the short-term, there were benefits of spending the funds for capital projects. He stated the State would accept the money, but it would not credit the County for the contribution. He stated that the Board needed to plan to meet this obligation in the future.

Mr. McGlennon made a motion to adopt the resolution.

Mr. Middaugh stated that the action could be deferred in order to future explore the options.

Mr. Kennedy stated the schools were setting aside funds for capital projects per the contract.

Mr. McDonald indicated that spending on the projects identified in the memorandum had not yet commenced but spending on both the school technology component and the James Blair Renovation had begun in June. He stated the \$500,000 residual allowed under the contract is treated as a contingency fund by the Schools, which was spent only if there is an unanticipated need. He said that hiring a new 2nd grade teacher at a school where enrollment exceeded projections is an example of such a contingency.

Mr. Kennedy asked if the budget reduction has resulted in an increase in spending.

Mr. McDonald indicated that the proposal was a change in how needed capital projects were funded, but it was not an increase in spending. He noted that on the County side, the proposal reduced debt service spending.

Mr. McGlennon stated the funding would reduce what was going to be spent in the coming year.

Mr. Kennedy stated that the funds would need to be replaced in the future.

Mr. McGlennon stated the planning budget that was adopted included the \$2.7 million allocation. He stated that those funds could be used to offset the VRS funding.

Mr. Goodson stated that the County would not borrow for those projects and would not have the additional cash.

Mr. McDonald noted that the bonds were typically issued for 20 years.

Mr. Goodson stated that the VRS payment would need to be paid before the 20 year bond was mature.

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

RESOLUTION

REDUCTIONS IN THE FY 2011 CAPITAL BUDGET

WHEREAS, the Board of Supervisors has been advised that FY 2010 ending balances accumulated by the Williamsburg-James City County School Board are sufficient to finance \$2,513,857 in certain specific capital projects that were originally dependent on County borrowings.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the following amendments to appropriations in the FY 2011 capital budget be adopted and that the FY 2011 budget be amended, as follows:

Reduction in FY 2011 School Bond Financing	\$ 2,500,000
Increase in Capital Contingency	<u>13,857</u>
	<u>\$ 2,513,857</u>
Reduction in FY 2011 School Capital Projects	<u>\$ 2,513,857</u>

I. BOARD CONSIDERATIONS

1. Refunding of General Obligation Bonds

Mr. John McDonald, Manager of Financial and Management Services, stated that staff has been working with representatives of Davenport and Company, the County's financial advisors, and Mr. Stephen Johnson of Troutman Sanders, bond counsel, on a possible refunding (refinancing) of \$4,939,800 of the County's outstanding 2002 General Obligation debt. Savings in debt service spending from the refunding is estimated to be \$373,638 through the year 2016.

Mr. McDonald stated that staff was also working on a refunding of \$4,903,000 of the County's 2003 lease revenue financing, with a projected savings of \$235,461 through the year 2019. He stated that he hoped to be able to bring that proposal to the Board in October.

Staff recommended approval of the resolution.

Mr. Goodson asked if additional funds could be borrowed for VRS payment.

Mr. McDonald stated the payback on a bond issued in less than six years was less than two percent.

Mr. Icenhour asked if this was like refinancing a mortgage to get a better rate.

Mr. McDonald stated that was correct.

Mr. McGlennon made a motion to adopt the resolution.

On a roll call vote, the vote was AYE: McGlennon, Goodson, Icenhour, Jones, Kennedy (5). NAY: (0).

**RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF
GENERAL OBLIGATION PUBLIC IMPROVEMENT REFUNDING BONDS,
SERIES 2010, OF THE COUNTY OF JAMES CITY, VIRGINIA,
AND PROVIDING FOR THE FORM, DETAILS AND PAYMENT THEREOF**

WHEREAS, the issuance of general obligation bonds by the County of James City, Virginia (the "County"), in the maximum principal amount of \$52,100,000 was approved by the qualified voters of the County in three referenda at a special election held on March 1, 1994, to finance a school construction program, library improvements and park and recreation improvements (together, the "Improvements"). On August 3, 1994, the County issued its \$9,500,000 General Obligation Public Improvement Bonds, Series of 1994 (the "1994 Bonds") to finance a portion of the costs of the Improvements. On December 5, 1995, the County issued its \$35,000,000 General Obligation Public Improvement Bonds, Series 1995 (the "1995 Bonds") to finance a portion of the costs of the Improvements; and

WHEREAS, on November 20, 2002, the County issued its \$4,280,000 General Obligation Public Improvement Refunding Bond, Series 2002 (the "2002A Bond") to refund a portion of the 1994 Bonds, and on December 17, 2002, the County issued its \$3,180,200 General Obligation Public

Improvement Refunding Bond, Series 2002B (the "2002B Bond") to refund a portion of the 1995 Bonds. The County's Board of Supervisors (the "Board") determines that it is in the best interests of the County to take advantage of lower interest rates now prevalent in the capital markets and to issue and sell general obligation public improvement refunding bonds to refund the 2002A Bond and the 2002B Bond (collectively, the "Prior Bonds"); and

WHEREAS, the Board determines that it would be advantageous to the County to sell such refunding bonds in a competitive sale.

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

Section 1. **Authorization, Issuance and Sale.** There is hereby authorized to be issued and sold, pursuant to the Constitution and statutes of the Commonwealth of Virginia, including the Public Finance Act of 1991, Chapter 26, Title 15.2, Code of Virginia of 1950, as amended (the "Act"), general obligation public improvement refunding bonds of the County in the principal amount not to exceed \$5,250,000 to refund the Prior Bonds and to pay the costs incurred in connection with issuing such refunding bonds. The Board hereby elects to issue such refunding bonds under the provisions of the Act.

Section 2. **Bond Details.** Such bonds shall be designated "General Obligation Public Improvement Refunding Bonds, Series 2010" (the "Bonds"), shall be dated the date of their issuance, shall be in registered form, shall be in denominations of \$5,000 and multiples thereof, and shall be numbered R-1 upward. Subject to Section 4 and Section 9, the Bonds shall mature in installments, or shall have mandatory sinking fund redemption installments, on each December 15 ending no later than the year 2016. Subject to Section 9, interest on the Bonds shall be payable on June 15, 2011, and semiannually thereafter on each June 15 and December 15 (each, an "Interest Payment Date") and shall be calculated on the basis of a year of 360 days with twelve 30-day months. The Board authorizes the issuance and sale of the Bonds on such terms as shall be satisfactory to the County Administrator or the Chairman of the Board; *provided*, that the Bonds (a) shall have a true or "Canadian" interest cost not to exceed 2.00% per year, taking into account any original issue discount or premium; (b) shall be sold to the successful bidder at a price not less than 98% of the original aggregate principal amount thereof; (c) shall have a weighted average maturity of no more than six (6) years; (d) shall be issued in an aggregate amount not to exceed \$5,250,000; (e) shall not be subject to optional redemption; and (f) shall result in a three percent (3.00%) or greater net present value debt service savings to the County.

Principal and premium, if any, on the Bonds shall be payable to the registered owners upon surrender of the Bonds as they become due at the designated corporate trust office of the Registrar, as defined in Section 8 below. Interest shall be payable by check or draft mailed to the registered owners at their addresses as they appear on the registration books kept by the Registrar as of the close of business on the first day of the month in which each Interest Payment Date occurs. In case the date of maturity or redemption of the principal of any Bond or an Interest Payment Date shall be a date on which banking institutions are authorized or obligated by law to

close at the place where the designated corporate trust office of the Registrar is located, then payment of principal and interest need not be made on such date, but may be made on the next succeeding date which is not such a date at the place where the designated corporate trust office of the Registrar is located, and if made on such next succeeding date no additional interest shall accrue for the period after such date of maturity or redemption or Interest Payment Date. Principal, premium, if any, and interest on the Bonds shall be payable in lawful money of the United States of America.

Each Bond shall bear interest from the Interest Payment Date next preceding the date on which it is authenticated, unless such Bond is (a) authenticated before June 15, 2011, in which case it will bear interest from its dated date, or (b) authenticated upon an Interest Payment Date or after the record date with respect thereto, in which case it will bear interest from such Interest Payment Date (unless payment of interest thereon is in default, in which case interest on such Bond shall be payable from the date to which interest has been paid).

Section 3.

Book-Entry System. Initially, one Bond certificate for each maturity of the Bonds shall be issued to and registered in the name of The Depository Trust Company, New York, New York (“DTC”), or its nominee. The County has entered into or will enter into a Blanket Issuer Letter of Representations (the “Letter of Representations”) relating to a book-entry system to be maintained by DTC with respect to certain securities issued by the County, including the Bonds. As used herein, the term “Securities Depository” shall mean DTC or any other securities depository for the Bonds appointed pursuant to this Section 3.

In the event that (a) the Securities Depository determines not to continue to act as the securities depository for the Bonds by giving notice to the Registrar or the County, or (b) the County in its sole discretion determines (i) to select a new Securities Depository or (ii) that beneficial owners of Bonds shall be able to obtain certificated Bonds, then the County Administrator shall, at the direction of the County, attempt to locate another qualified securities depository to serve as Securities Depository or arrange for the authentication and delivery of certificated Bonds to the beneficial owners or to the Securities Depository’s participants on behalf of beneficial owners, substantially in the form provided for in Exhibit A. In delivering certificated Bonds, the County Administrator shall be entitled to rely on the records of the Securities Depository as to the beneficial owners or the records of the Securities Depository’s participants acting on behalf of beneficial owners. Such certificated Bonds will then be registrable, transferable and exchangeable as set forth in Section 8.

So long as there is a Securities Depository for the Bonds (1) it or its nominee shall be the registered owner of the Bonds, (2) notwithstanding anything to the contrary in this Resolution, determinations of persons entitled to payment of principal, premium, if any, and interest, transfers of ownership and exchanges, and receipt of notices shall be the responsibility of the Securities Depository and shall be effected pursuant to rules and procedures established by such Securities Depository, (3) the Registrar and the County shall not be

responsible or liable for maintaining, supervising, or reviewing the records maintained by the Securities Depository, its participants or persons acting through such participants, (4) references in this Resolution to registered owners of the Bonds shall mean such Securities Depository or its nominee and shall not mean the beneficial owners of the Bonds, and (5) in the event of any inconsistency between the provisions of this Resolution and the provisions of the Letter of Representations, such provisions of the Letter of Representations, except to the extent set forth in this paragraph and the next preceding paragraph, shall control.

Section 4. Redemption Provisions.

- (a) Optional Redemption. The Bonds are not subject to optional redemption prior to their respective stated dates of maturity.
- (b) Mandatory Sinking Fund Redemption. Any term bonds may be subject to mandatory sinking fund redemption as determined by the County Administrator or the Chairman of the Board. If there are any term bonds, on or before the 70th day next preceding any mandatory sinking fund redemption date, the County may apply as a credit against the County's mandatory sinking fund redemption obligation for any Bonds maturing on such date, Bonds that previously have been purchased and canceled or surrendered for cancellation by the County and not previously applied as a credit against any mandatory sinking fund redemption obligation for such Bonds. Each such Bond so purchased and delivered shall be credited at 100% of the principal amount thereof against the principal amount of the Bonds required to be redeemed on such mandatory sinking fund redemption date. Any principal amount of Bonds so purchased and delivered in excess of the principal amount required to be redeemed on such mandatory sinking fund redemption date shall similarly reduce the principal amount of the Bonds to be redeemed on future mandatory sinking fund redemption dates, as selected by the County Administrator or the Chairman of the Board.
- (c) Bonds Selected for Redemption. If less than all the Bonds of any maturity are to be redeemed through a mandatory sinking fund redemption, the Bonds to be redeemed shall be selected by DTC or any successor Securities Depository pursuant to its rules and procedures or, if the book-entry system is discontinued, shall be selected by the Registrar by lot in such manner as the Registrar in its discretion may determine. In either case, (a) the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or some integral multiple thereof and (b) in selecting Bonds for redemption, each Bond shall be considered as representing that number of Bonds that is obtained by dividing the principal amount of such Bond by \$5,000. If a portion of a Bond is called for redemption, a new Bond in principal amount equal to the unredeemed portion thereof will be issued to the registered owner

upon the surrender thereof.

- (d) Determination of Final Redemption Provisions. The Board authorizes the County Administrator or the Chairman of the Board, in collaboration with Davenport & Company LLC, as the County's financial advisor (the "Financial Advisor"), to determine whether the issuance of any term bonds would be beneficial to the County.

Section 5. Execution and Authentication. The Bonds shall be signed by the manual or facsimile signature of the Chairman or Vice Chairman of the Board and the Board's seal shall be affixed thereto or a facsimile thereof printed thereon and attested to by the manual or facsimile signature of the Clerk or Deputy Clerk of the Board; *provided*, that no Bond shall be valid until it has been authenticated by the manual signature of an authorized representative of the Registrar and the date of authentication noted thereon. Upon execution and authentication, the Bonds shall be delivered to or on behalf of the successful bidder upon payment for the Bonds.

Section 6. Bond Form. The Bonds shall be in substantially the form set forth in Exhibit A attached hereto, with such changes, insertions, completions or omissions to reflect the final terms of the Bonds.

Section 7. Pledge of Full Faith and Credit. The full faith and credit of the County are irrevocably pledged for the payment of principal of, premium, if any, and interest on the Bonds. Unless other funds are lawfully available and appropriated for timely payment of the Bonds, the County shall levy and collect an annual *ad valorem* tax, over and above all other taxes authorized or limited by law and without limitation as to rate or amount, on all locally taxable property in the County sufficient to pay the principal of, premium, if any, and interest on the Bonds, as the same become due.

Section 8. Registration, Transfer and Owners of Bonds. Regions Bank, Richmond, Virginia, is appointed paying agent and registrar for the Bonds (the "Registrar"). The Registrar shall maintain registration books for the registration of the Bonds. Upon surrender of any Bonds at the designated corporate trust office of the Registrar, together with an assignment duly executed by the registered owner or his duly authorized attorney or legal representative in such form as shall be satisfactory to the Registrar, the County shall execute, and the Registrar shall authenticate and deliver in exchange, a new Bond or Bonds having an equal aggregate principal amount, in authorized denominations, of the same form and maturity, bearing interest at the same rate, and registered in names as requested by the then registered owner or his duly authorized attorney or legal representative. Any such exchange shall be at the expense of the County, except that the Registrar may charge the person requesting such exchange the amount of any tax or other governmental charge required to be paid with respect thereto.

The Registrar shall treat the registered owner as the person exclusively entitled to payment of principal, premium, if any, and interest and the exercise of all other rights and powers of the owner, except that interest

payments shall be made to the person shown as owner on the registration books on the first day of the month in which each Interest Payment Date occurs.

Section 9. **Sale of Bonds.** The Board approves the following terms of the sale of the Bonds. The Bonds will be sold by competitive bid. The County Administrator or the Chairman of the Board, in collaboration with the Financial Advisor, shall receive bids for the Bonds and award the Bonds to the bidder providing the lowest true or “Canadian” interest cost, all subject to the limitations set forth in Section 2. The Board further authorizes the County Administrator or the Chairman of the Board, in collaboration with the Financial Advisor, to (a) determine the principal amount of the Bonds, subject to the limitations set forth in Section 2, (b) determine the maturity schedule of the Bonds, subject to the weighted average maturity limitations and other limitations set forth in Section 2, (c) establish the sinking fund redemption provisions for any term Bonds, subject to the limitations set forth in Section 2 and Section 4(d) and (d) confirm that the debt service savings target set forth in Section 2 has been satisfied. In connection with the sale of the Bonds, the County Administrator or the Chairman of the Board, in collaboration with the Financial Advisor, may change the dated date of the Bonds and the payment dates provided therein (so long as the interest payment dates for any series are semi-annual) to facilitate the sale and delivery of the Bonds. The actions of the County Administrator or the Chairman of the Board in selling the Bonds shall be conclusive, and no further action with respect to the sale and issuance of the Bonds shall be necessary on the part of the Board.

Section 10. **Official Statement.** The form of the Preliminary Official Statement of the County, to be dated the date of its mailing (the “Preliminary Official Statement”), has been made available to the Board prior to the adoption of this Resolution. The use and distribution of the Preliminary Official Statement, in substantially the form made available to the Board, including the use and distribution of an Appendix to the Preliminary Official Statement describing the County, are hereby authorized and approved. The Preliminary Official Statement, including such Appendix, may be completed and “deemed final” by the County Administrator or the Chairman of the Board as of its date, within the meaning of Rule 15c2-12 of the Securities and Exchange Commission (the “Rule”), except for the omission from the Preliminary Official Statement of such pricing and other information permitted to be omitted pursuant to the Rule. The delivery of the Preliminary Official Statement to the Financial Advisor shall be conclusive evidence that it has been deemed final as of its date by the County Administrator or the Chairman of the Board, except for the omission of such pricing and other information.

The County Administrator or the Chairman of the Board shall make such completions, omissions, insertions and changes in the Preliminary Official Statement not inconsistent with this Resolution as are necessary or desirable to complete it as a final Official Statement (the “Official Statement”). The use and distribution of the Official Statement are hereby authorized and approved. The County Administrator or the Chairman of the Board shall

arrange for the delivery to the successful bidder of a reasonable number of copies of the Official Statement, within seven (7) business days after the Bonds have been sold, for delivery to each potential investor requesting a copy of the Official Statement and to each person to whom the successful bidder initially sells Bonds.

The County Administrator or the Chairman of the Board is authorized, on behalf of the County, to deem the Official Statement to be final as of its date within the meaning of the Rule. The County Administrator or the Chairman of the Board is authorized and directed to execute the Official Statement, which execution shall be conclusive evidence that the Official Statement has been deemed final.

Section 11. **Continuing Disclosure.** A substantially final form of the Continuing Disclosure Certificate to be given by the County (the "Continuing Disclosure Certificate"), evidencing conformity with certain provisions of the Rule, has been made available to the Board prior to the adoption of this Resolution. The Continuing Disclosure Certificate is hereby approved in substantially the form made available to the Board. There may, however, be changes, insertions, completions or omissions to the form of the Continuing Disclosure Certificate to reflect the final terms of the Bonds, the completion of the Official Statement or other commercially reasonable provisions. All of such changes, insertions, completions or omissions will be approved by the County Administrator or the Chairman of the Board, whose approval shall be evidenced conclusively by the execution and delivery of the Continuing Disclosure Certificate. The Board hereby authorizes the County Administrator or the Chairman of the Board to execute and deliver the Continuing Disclosure Certificate on behalf of the County.

The County hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate. Notwithstanding any other provision of this Resolution, failure of the County to comply with the Continuing Disclosure Certificate shall not be considered a default under this Resolution or the Bonds; *provided*, that any holder of the Bonds, including owners of beneficial interests in the Bonds, may take such actions as may be necessary and appropriate, including seeking mandamus or specific performance by court order, to cause the County to comply with its obligations under this Section 11 and the Continuing Disclosure Certificate.

Section 12. **Sale Documents.** The use and distribution of the Notice of Bond Sale pursuant to which the Bonds will be offered for sale are hereby authorized and approved.

Section 13. **Refunding; Escrow Agreement.** The Board hereby irrevocably calls for the optional redemption of the Prior Bonds on a date that is not less than thirty (30) days nor more than sixty (60) days after the issuance of the Bonds (the "Redemption Date") at a redemption price equal to 100% of the principal amount of the Prior Bonds plus accrued interest to the Redemption Date.

To facilitate the defeasance of the Prior Bonds and the payment of the principal of, premium and interest on the Prior Bonds from the issuance date

through the Redemption Date, the Board hereby authorizes the use of the Escrow Agreement, dated as of October 1, 2010 (the "Escrow Agreement"), between the County and Regions Bank, as escrow agent (the "Escrow Agent"). The Escrow Agreement shall be in substantially the form previously used by the County in connection with the issuance of general obligation refunding bonds, with such changes, insertions and omissions as may be approved by the Chairman or Vice Chairman of the Board or the County Administrator, whose approval shall be conclusively evidenced by the execution of the Escrow Agreement. The Board hereby authorizes the County Administrator or the Escrow Agent to submit a subscription for the purchase and issue of United States Treasury Securities - State and Local Government Series or, alternatively, the County Administrator or the Escrow Agent, with the advice of the Financial Advisor, to obtain competitively a portfolio of securities. If the County Administrator shall determine that the same shall improve the efficiency of the Escrow Fund created under the Escrow Agreement, he is further authorized to enter into agreements and give instructions for the purchase of securities for periods when the moneys credited to the Escrow Fund would otherwise be uninvested. The Board hereby authorizes the Chairman and the Vice Chairman of the Board and the County Administrator, any of whom may act, to execute and deliver the Escrow Agreement on behalf of the County.

Section 14. Arbitrage Covenants.

- (a) No Composite Issue. The County represents that there have not been issued, and covenants that there will not be issued, any obligations that will be treated as part of the same issue of obligations as the Bonds within the meaning of the Internal Revenue Code of 1986, as amended, including regulations issued pursuant thereto (the "Code").

- (b) No Arbitrage Bonds. The County covenants that it shall not take or omit to take any action the taking or omission of which will cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code, or otherwise cause interest on the Bonds to be includable in the gross income for federal income tax purposes of the registered owner thereof under existing law. Without limiting the generality of the foregoing, the County shall comply with any provision of law which may require the County at any time to rebate to the United States any part of the earnings derived from the investment of the gross proceeds of the Bonds, unless the County receives an opinion of nationally recognized bond counsel that such compliance is not required to prevent interest on the Bonds from being includable in the gross income for federal income tax purposes of the registered owners thereof under existing law. The County shall pay any such required rebate from its legally available funds.

Section 15. Non-Arbitrage Certificate and Elections. Such officers of the County as may be requested are authorized and directed to execute an appropriate

certificate setting forth the expected use and investment of the proceeds of the Bonds in order to show that such expected use and investment will not violate the provisions of Section 148 of the Code, and any elections such officers deem desirable regarding rebate of earnings to the United States, for purposes of complying with Section 148 of the Code. Such certificate and elections shall be in such form as may be requested by bond counsel for the County. The County shall comply with any covenants set forth in such certificate regarding the use and investment of the proceeds of the Bonds.

Section 16.

Limitation on Private Use; No Federal Guaranty. The County covenants that it shall not permit the proceeds of the Bonds to be used in any manner that would result in (a) ten percent (10%) or more of such proceeds being used in a trade or business carried on by any person other than a state or local governmental unit, as provided in Section 141(b) of the Code, (b) five percent (5%) or more of such proceeds being used with respect to any output facility (other than a facility for the furnishing of water), within the meaning of Section 141(b)(4) of the Code, or (c) five percent (5%) or more of such proceeds being used directly or indirectly to make or finance loans to any persons other than a state or local governmental unit, as provided in Section 141(c) of the Code; *provided*, that if the County receives an opinion of nationally recognized bond counsel that any such covenants need not be complied with to prevent the interest on the Bonds from being includable in the gross income for federal income tax purposes of the registered owners thereof under existing law, the County need not comply with such covenants.

The County represents and agrees that the Bonds are not and will not be “federally guaranteed,” as such term is used in Section 149(b) of the Code. No portion of the payment of principal of or interest on the Bonds is or will be guaranteed, directly or indirectly, in whole or in part by the United States or an agency or instrumentality thereof.

Section 17.

Bank Qualification. The Bonds are hereby designated as qualified tax-exempt obligations under Section 265(b)(3)(B) of the Code. The County has not and will not designate more than \$30,000,000 of obligations, including the Bonds, as qualified tax-exempt obligations in calendar year 2010. The County has not issued, nor had issued for its benefit, more than \$30,000,000 of tax-exempt obligations in calendar year 2010, including the Bonds. Barring circumstances unforeseen as of the date of delivery of the Bonds, none of the County, its economic development authority or any other entity which issues obligations on behalf of the County (together, the “County Entities”) will issue tax-exempt obligations if the issuance of such tax-exempt obligations would, when aggregated with all other tax-exempt obligations theretofore issued by the County Entities in calendar year 2010, result in the County Entities having issued a total of more than \$30,000,000 of tax-exempt obligations in calendar year 2010, including the Bonds, for the benefit of the County. The County has no reason to believe that it will issue such tax-exempt obligations in 2010 in an aggregate amount that will exceed such \$30,000,000 limit; *provided*, that if the County receives an opinion of nationally recognized bond counsel that compliance with any covenant set forth above in this paragraph is not required for the Bonds to be qualified tax-exempt obligations, the County need not comply with such covenant.

- Section 18.** **Discharge upon Payment of Bonds.** The Bonds may be defeased, as permitted by the Act. Any defeasance of the Bonds, as permitted by the Act, shall not release the County or the Registrar from its obligations hereunder to register and transfer the Bonds or release the County from its obligations to pay the principal of, premium, if any, and interest on the Bonds as contemplated herein until the date the Bonds are paid in full, unless otherwise provided in the Act. In addition, such defeasance shall not terminate the obligations of the County under Sections 14 and 16 until the date the Bonds are paid in full.
- Section 19.** **Other Actions.** All other actions of the members of the Board, officers, staff, and agents of the County in conformity with the purposes and intent of this Resolution and in furtherance of the issuance and sale of the Bonds and the refunding of the Prior Bonds are approved and confirmed. The officers and staff of the County are authorized and directed to execute and deliver all certificates and instruments, including Internal Revenue Service Form 8038-G, and to take all such further action as may be considered necessary or desirable in connection with the issuance, sale and delivery of the Bonds.
- Section 20.** **Limitation of Liability of Officials of the County.** No covenant, condition, agreement or obligation contained herein shall be deemed to be a covenant, condition, agreement or obligation of a member of the Board, officer, employee or agent of the County in his or her individual capacity, and no officer of the County executing any Bond shall be liable personally on such Bond or be subject to any personal liability or accountability by reason of the issuance thereof. No member of the Board, officer, employee or agent of the County shall incur any personal liability with respect to any other action taken by him or her pursuant to this Resolution, provided he or she acts in good faith.
- Section 21.** **Contract with Registered Owner.** The provisions of this Resolution shall constitute a contract between the County and the registered owner of the Bonds for so long as the Bonds are outstanding. Notwithstanding the foregoing, this Resolution may be amended by the County in any manner that does not, in the opinion of the County, materially adversely affect the registered owners of the Bonds.
- Section 22.** **Repeal of Conflicting Resolutions.** All resolutions or parts of resolutions in conflict herewith are repealed.
- Section 23.** **Effective Date.** This Resolution shall take effect immediately upon its adoption. The Clerk and any Deputy Clerk of the Board are hereby authorized and directed to see to the immediate filing of a certified copy of this Resolution with the Circuit Court of the City of Williamsburg and County of James City.

Mr. John McDonald, Manager of Financial and Management Services, stated that the Board was being requested to update policies adopted in the mid-1990s relating to requested withdrawals of properties from agricultural and forestal districts (AFDs). This update would create the same withdrawal policy for all AFD properties, whether in the Primary Service Area (PSA) or not. As with any legislative policy, it provides guidance to future Boards but does not bind them. Individual property characteristics and circumstances will determine whether a future Board votes for a withdrawal.

Mr. McDonald stated that the purpose of the policy was to establish several items: that enabling legislation be requested from the General Assembly to allow James City County to join the current group of eight counties that have the ability to authorize new AFDs with as few as 20 acres, which staff recommended to be part of the 2011 Legislative Agenda; that the benefits of land use valuation for agricultural properties be limited to properties within an AFD and, as a component of that recommendation, that the minimum parcel size for inclusion in an AFD be reduced from 20 acres to five acres; that the policy governing withdrawals from AFDs outside of the PSA be used for every property in an AFD, whether within the PSA or not; that six-year terms with staggered commencement dates be established for citizen appointees to the AFD Advisory Committee, and a request that the Board attempt to appoint citizen committee members from each election district within the County.

Mr. Icenhour made a motion to adopt the resolution.

On a roll call vote, the vote was AYE: McGlennon, Goodson, Icenhour, Jones, Kennedy (5). NAY: (0).

RESOLUTION

POLICY GOVERNING THE WITHDRAWALS OF PROPERTY FROM AGRICULTURAL AND FORESTAL DISTRICTS (AFDs)

WHEREAS, the Board of Supervisors has determined that Agricultural and Forestal Districts (AFDs) are a valuable tool to help protect the agricultural and forestal lands and industry in James City County; and

WHEREAS, premature withdrawals of land from the Districts is contrary to the intent of the Board in allowing the establishment of these Districts.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby establishes the following policy relating to the withdrawal of lands from AFDs during the terms of those Districts. This policy in no way supersedes the provisions for withdrawal by right under Sections 15.2-4311 or 15.2-4314D of the Code of Virginia.

1. It is the policy of the Board of Supervisors to discourage the withdrawal of properties from AFDs during the terms of those districts.
2. The criteria for withdrawal during the terms of the districts are as follows:

In order to establish "good and reasonable cause," a landowner requesting to withdraw property from an AFD must submit written information to demonstrate compliance with the following criteria:

- A. The request is caused by a change in circumstances that could not have been anticipated at the time application was made for inclusion in the district.
- B. The request would serve a public purpose, as opposed to the proprietary interest of the landowner that could not otherwise be realized upon expiration of the AFD.
- C. The request would not cause damage or disruption to the existing district.
- D. If the request for withdrawal is in conjunction with a proposal to convert the land use of a property to a different use than is currently in place on the property, the new land use would be in conformance with the Comprehensive Plan.

The Board shall weigh each of the above criteria in its deliberation, but may also use whatever other criteria as it deems appropriate for the individual case.

J. PUBLIC COMMENT

1. Mr. Ed Oyer, 139 Indian Circle, commented on leftover funds allocated at the Virginia Department of Transportation (VDOT). He commented that the funds were obligated but not spent. He commented that the deferral of the VRS payment was going to result in increased funding from the County in the long run.

2. Mr. Robert Richardson, 2786 Lake Powell Road, continued his comments on derogatory comments made against him by Mr. Kennedy. He commented on a previous altercation at a public meeting and implications that he instigated the incident.

3. Mr. Jack Fowler, 109 Wilderness Lane, commented on the upcoming stormwater referendum series. He noted that development has caused stormwater management problems, specifically citing Lake Powell. He commented that developers do not take responsibility for the environmental impacts of development and the Board should look at what impacts would result for areas downstream.

K. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Middaugh announced that County residents are invited to attend any of the Community meetings held over five consecutive Thursdays beginning September 30, 2010. He noted that each discussion starts at 6:30 p.m. and will be hosted by the Board of Supervisors member in their respective District. He stated that the meetings were an opportunity for him to meet residents and start a dialog regarding the Comprehensive Plan survey results as well as other questions the citizens had. He also noted that the Board had a Closed Session item on its agenda which could be done in open session.

L. BOARD REQUESTS AND DIRECTIVES

Mr. Goodson made a motion to reappoint Ms. Peg Boarman, Mr. Charles Loundermon, and Mr. Will Barnes to three-year terms on the Clean County Commission with terms to expire on July 31, 2013.

On a roll call vote, the vote was AYE: McGlennon, Goodson, Icenhour, Jones, Kennedy (5). NAY: (0).

Mr. Goodson commented on the extension of the Gospel Spreading Farm AFD. He asked if the AFD would be invalidated if someone other than the owner applied for the designation.

Mr. Rogers stated that was correct.

M. RECESS to 4:00 p.m. on October 12, 2010

Mr. McGlennon made a motion to recess.

On a roll call vote, the vote was AYE: McGlennon, Goodson, Icenhour, Jones, Kennedy (5). NAY:
(0).

At 8:18 p.m., Mr. Kennedy recessed the Board until 4 p.m. on October 12, 2010.


Robert C. Middaugh
Clerk to the Board

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SEP 28 2010

ORDINANCE NO. 164A-12

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AGRICULTURAL AND FORESTAL DISTRICT 2-86

CROAKER 2010 RENEWAL

WHEREAS, James City County has completed a review of the Croaker Agricultural and Forestal District (AFD); and

WHEREAS, in accordance with Section 15.2-4311 of the Code of Virginia, 1950, as amended (the "Virginia Code") property owners have been notified, public notices have been filed, public hearings have been advertised, and public hearings have been held on the continuation of the Croaker AFD; and

WHEREAS, the AFD Advisory Committee at its meeting on August 23, 2010, voted 9-0 to recommend renewal of the district; and

WHEREAS, the Planning Commission following its public hearing on September 1, 2010, concurred with the recommendation of staff and the AFD Advisory Committee and voted 7-0 to recommend renewal of the district with the conditions listed below:

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

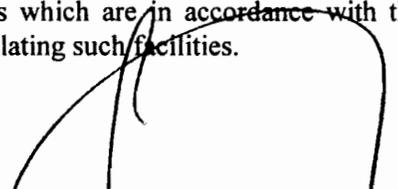
1. The Croaker AFD is hereby continued for a period of four years, one month and three days to October 31, 2014, in accordance with the provisions of the Virginia AFD Act, Virginia Code Section 15.2-4300 et. seq.
2. That the district shall include the following parcels provided, however, that all land within 25 feet of road rights-of-way is excluded from the district:

<u>Owner</u>	<u>Parcel No.</u>	<u>Acres</u>
Hankins Land Trust	1530100044	119.00
William and Mary Margaret Apperson	1440100015	51.45
V. D. McManus Estate	1530100043	119.85
V. D. McManus Estate	1530100042	10.10
V. D. McManus Estate	1530100036	40.40
Hazel M. Richardson and L. A Richardson	1530100002	39.76
Clarence D. Richardson, Jr.	1530100034	39.78
Judith R. Pieper	1440100010	40.00
Linda Ann Winston	1440100009	49.07
Wenger Farms, LLC	1320100018	95.30
Wenger Farms, LLC	1410100001	150.00
Wenger Farms, LLC	1440100014	143.50
Thomas B. Ballard	1530100035	53.17
Lasata, LLC	1530100018	16.05
Lasata, LLC	1530100019	16.39
Lasata, LLC	1530100029	30.93
Milly Wallis, c/o Doris Lockley	1540100004	40.00

Thomas B. Ballard	1530100035A.....4.91
Thomas B. Ballard	153010003216.21
	Total: <u>1,075.9</u>

3. That pursuant to the Virginia Code, Section 15.2-4312 and 15.2-4313, the Board of Supervisors requires that no parcel in the Croaker AFD be developed to a more intensive use without prior approval of the Board of Supervisors. Specifically, the following restrictions shall apply:

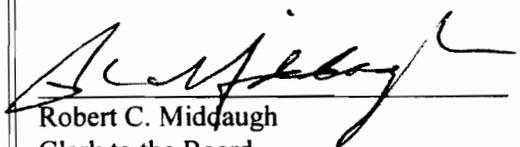
- a. The subdivision of land is limited to 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner's immediate family, as defined in the James City County Subdivision Ordinance. Parcels of up to five acres, including necessary access roads, may be subdivided for the siting of Wireless Communications Facilities (WCF), provided: a) The subdivision does not result in the total acreage of the District to drop below 200 acres; and b) the subdivision does not result in a remnant parcel of less than 25 acres.
- b. No land outside the Primary Service Area (PSA) and within the AFD may be rezoned and no application for such rezoning shall be filed earlier than six months prior to the expiration of the District. Land outside the PSA, and within the AFD, may be withdrawn from the District in accordance with the Board of Supervisors' policy pertaining to Withdrawal of Lands from Agricultural and Forestal Districts Outside the Primary Service Area, adopted September 24, 1996, as amended. Land inside the PSA, and within the AFD, may be withdrawn from the District in accordance with the Board of Supervisors' policy pertaining to Withdrawal of Lands from Agricultural and Forestal Districts Within the Primary Service Area, adopted September 24, 1996, as amended.
- c. No Special Use Permit (SUP) shall be issued except for agricultural, forestal, or other activities and uses consistent with Virginia Code, Section 15.2-4301 et. seq., which are not in conflict with the policies of this District. The Board of Supervisors, at its discretion, may issue SUPs for wireless communications facilities on AFD properties which are in accordance with the County's policies and ordinances regulating such facilities.



James G. Kennedy
Chairman, Board of Supervisors

SUPERVISOR	VOTE
MCGLENNON	AYE
GOOBSON	AYE
ICENHOUR	AYE
JONES	AYE
KENNEDY	AYE

ATTEST:



Robert C. Middaugh
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 28th day of September, 2010.

SEP 28 2010

ORDINANCE NO. 165A-10

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AGRICULTURAL AND FORESTAL DISTRICT -3-86

HILL PLEASANT FARM 2010 RENEWAL

WHEREAS, James City County has completed a review of the Hill Pleasant Farm Agricultural and Forestal District; and

WHEREAS, in accordance with Section 15.2-4311 of the Code of Virginia, 1950, as amended (the "Virginia Code") property owners have been notified, public meetings have been held, public hearings have been advertised, and public hearings have been held on the continuation of the Hill Pleasant Farm Agricultural and Forestal District; and

WHEREAS, the Agricultural and Forestal District Advisory Committee, at its meeting on August 23, 2010, voted 9-0 to approve the application; and

WHEREAS, the Planning Commission, following its public hearing on September 1, 2010, concurred with the recommendation of staff and the AFD Advisory Committee and voted 7-0 to renew this district with the conditions listed below.

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

1. The Hill Pleasant Farm Agricultural and Forestal District is hereby continued for a period of four years, one month and three days to October 31, 2014, in accordance with the provisions of the Virginia Agricultural and Forestal District Act, Virginia Code Section 15.2-4300 et. seq.
2. The District shall include the following parcels:

<u>Owner</u>	<u>Parcel No.</u>	<u>Acres</u>
Margaret S. Stevens	2410100004	105.82
Hill Pleasant Farm, Inc.	2410100005	391.30
Wayne A. Moyer Revocable Trust	2410100015D	32.27
Williamsburg Pottery Factory, Inc.	2430100017	27.00
Williamsburg Pottery Factory, Inc.	2430100031B	<u>12.39</u>
	Total:	<u>568.80</u>

provided, however, that all land within 25 feet of the road rights-of-way is excluded from the District to allow for possible road improvements.

3. Pursuant to the Virginia Code, Section 15.2-4312 and 15.2-4313, the Board of Supervisors requires that no parcel in the Hill Pleasant Farm Agricultural and Forestal District be developed to a more intensive use without prior approval of the Board of Supervisors. Specifically, the following restrictions shall apply:
 - a. The subdivision of land is limited to 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner's immediate family, as defined in the James City County Subdivision Ordinance. Parcels of up to five acres, including necessary access roads, may be subdivided for the siting of Wireless Communication Facilities (WCF), provided:
 - a) The subdivision does not result in the total acreage of the District to drop below 200 acres; and b) the subdivision does not result in a remnant parcel of less than 25 acres.
 - b. No land outside the Primary Service Area (PSA) and within the Agricultural and Forestal District may be rezoned and no application for such rezoning shall be filed earlier than six months prior to the expiration of the district. Land outside the PSA, and within the Agricultural and Forestal District, may be withdrawn from the District in accordance with the Board of Supervisors' policy pertaining to Withdrawal of Lands from Agricultural and Forestal Districts Outside the Primary Service Area, adopted September 24, 1996, as amended. Land inside the PSA, and within the Agricultural and Forestal District, may be withdrawn from the District in accordance with the Board of Supervisors' policy pertaining to Withdrawal of Lands from Agricultural and Forestal Districts Within the Primary Service Area, adopted September 24, 1996, as amended.
 - c. No special use permit shall be issued except for agricultural, forestal, or other activities and uses consistent with Virginia Code, Section 15.2-4301 et. seq., which are not in conflict with the policies of this District. The Board of Supervisors, at its discretion, may issue special use permits for wireless communications facilities on AFD properties which are in accordance with the County's policies and ordinances regulating such facilities.

James G. Kennedy	
Chairman, Board of Supervisors	
SUPERVISOR	VOTE
MCGLENNON	AYE
GOODSON	AYE
ICENHOUR	AYE
JONES	AYE
KENNEDY	AYE

ATTEST:



Robert C. McLaughlin
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 28th day of September, 2010.

SEP 28 2010

ORDINANCE NO. 167A-11

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AGRICULTURAL AND FORESTAL DISTRICT 5-86

BARNES SWAMP 2010 RENEWAL

WHEREAS, James City County has completed a review of the Barnes Swamp Agricultural and Forestal District (AFD); and

WHEREAS, in accordance with Section 15.2-4311 of the Code of Virginia, 1950, as amended (the "Virginia Code") property owners have been notified, public meetings have been held, public hearings have been advertised, and public hearings have been held on the continuation of the Barnes Swamp AFD; and

WHEREAS, the AFD Advisory Committee, at its meeting on August 23, 2010, voted 9-0 to approve the application; and

WHEREAS, the Planning Commission, following its public hearing on September 1, 2010, concurred with the recommendation of staff and the AFD Advisory Committee and voted 7-0 to renew this district with the conditions listed below.

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

1. The Barnes Swamp AFD is hereby continued for a period of four years, one month, and three days to October 31, 2014, in accordance with the provisions of the Virginia AFD Act, Virginia Code Section 15.2-4300 et. seq.
2. The District shall include the following parcels provided, however, that all land within 25 feet of the road rights-of-way be excluded from the District to allow for possible road improvements:

<u>Owners</u>	<u>Parcel No.</u>	<u>Acres</u>
SD and SKI, LLC	0310100001	108.47
Jane B. Farmer and Betty B. Rady	0310100002	64.00
Katherine L. Hockaday	0310100003	65.26
Alvin Beahm	0330100003	70.00
Alvin Beahm	0330100004	70.00
Arline H. Bowmer	0330100006	96.75
Arline H. Bowmer	0240100012	62.19
Martha W. McMurrin and SWR-Misc, LLC	1010100001	61.61
Charles Douglas Harwood	0320100001	43.52
Estate of Mick Zuzma	0320100002	13.85
Estate of Mick Zuzma	0320100002A	17.20
Betty L. Johnson and Lynne J. Fischer	0320100003	19.07
Betty L. Johnson and Lynne J. Fischer	0320100003A	93.98
Robert Michael Dzula	0320100004	28.07

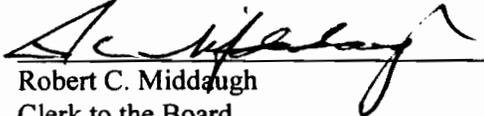
John A. Richardson	0410100005	42.00
John A. Richardson	0410100006	10.00
H.P. and Mary Hazelwood	0420100008	227.98
Cherri U. Spellmeyer	0420100014	134.00
Pamaka, LLC	0430100015	21.99
Pamaka, LLC	0430100016	52.00
Frances Isabell Woodard	0920100001	114.58
Alex Lamar Penland	0240100029	55.90
Donald A. Hazelwood	0420100020	112.44
Donald A. Hazelwood	0420100018	3.46
Donald A. Hazelwood	0440100001	6.11
John P. Latoski Trustee	0310100001B	10.23
Dennis Wayne Leonituk, Jr.	0310100001A	10.00
Pamaka, LLC	0430100014A	<u>1.34</u>
	Total	<u>1,616.1</u>

3. Pursuant to the Virginia Code, Section 15.2-4312 and 15.2-4313, the Board of Supervisors requires that no parcel in the Barnes Swamp AFD be developed to a more intensive use without prior approval of the Board of Supervisors. Specifically, the following restrictions shall apply:
- a. The subdivision of land is limited to 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner's immediate family, as defined in the James City County Subdivision Ordinance. Parcels of up to five acres, including necessary access roads, may be subdivided for the siting of Wireless Communication Facilities (WCF), provided: a) The subdivision does not result in the total acreage of the District to drop below 200 acres; and b) the subdivision does not result in a remnant parcel of less than 25 acres.
 - b. No land outside the Primary Service Area (PSA) and within the AFD may be rezoned and no application for such rezoning shall be filed earlier than six months prior to the expiration of the district. Land outside the PSA, and within the AFD, may be withdrawn from the District in accordance with the Board of Supervisors' policy pertaining to Withdrawal of Lands from AFDs Outside the PSA, adopted September 24, 1996, as amended. Land inside the PSA, and within the AFD, may be withdrawn from the District in accordance with the Board of Supervisors' policy pertaining to Withdrawal of Lands from Agricultural and Forestal Districts Within the Primary Service Area, adopted September 24, 1996, as amended.
 - c. No Special Use Permit (SUP) shall be issued except for agricultural, forestal, or other activities and uses consistent with Virginia Code, Section 15.2-4301 et. seq., which are not in conflict with the policies of this District. The Board of Supervisors, at its discretion, may issue SUPs for wireless communications facilities on AFD properties which are in accordance with the County's policies and ordinances regulating such facilities.

James G. Kennedy
Chairman, Board of Supervisors

<u>SUPERVISOR</u>	<u>VOTE</u>
MCGLENNON	AYE
GOODSON	AYE
ICENHOUR	AYE
JONES	AYE
KENNEDY	AYE

ATTEST:


Robert C. Middaugh
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 28th day of September, 2010.

AFD5-86BarnesSwamp_res

SEP 28 2010

ORDINANCE NO. 168A-10

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AGRICULTURAL AND FORESTAL DISTRICT 6-86

CRANSTON'S POND 2010 RENEWAL

WHEREAS, James City County has completed a review of the Cranston's Pond Agricultural and Forestal District (AFD); and

WHEREAS, in accordance with Section 15.2-4311 of the Code of Virginia, 1950, as amended (the "Virginia Code") property owners have been notified, public notices have been filed, public hearings have been advertised, and public hearings have been held on the continuation of the Cranston's Pond AFD; and

WHEREAS, the AFD Advisory Committee at its meeting on August 23, 2010, voted 9-0 to recommend renewal of the district; and

WHEREAS, the Planning Commission following its public hearing on September 1, 2010, concurred with the recommendation of staff and the AFD Advisory Committee and voted 7-0 to recommend renewal of the district with the conditions listed below.

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

1. The Cranston's Pond AFD is hereby continued for a period of four years, one month and three days to October 31, 2014, in accordance with the provisions of the Virginia Agricultural and Forestal District Act, Virginia Code Section 15.2-4300 et. seq.
2. That the district shall include the following parcels provided, however, that all land within 25 feet of road rights-of-way is excluded from the district:

<u>Owner</u>	<u>Parcel No.</u>	<u>Acres</u>
Hidden Acres Farm, Inc.	2330100001	416.50
Bertrand E. Geddy Jr., Trustee	2230100026	167.50
Edward K. English	2240100001A	101.67
Payton J. Harcum	2220100087	62.55
Otto C. and Thelma Ripley	3120100003B	21.01
	Total:	<u>769.2</u>

3. That pursuant to the Virginia Code, Section 15.2-4312 and 15.2-4313, the Board of Supervisors requires that no parcel in the Cranston's Pond Agricultural and Forestal District be developed to a more intensive use without prior approval of the Board of Supervisors. Specifically, the following restrictions shall apply:
 - a. The subdivision of land is limited to 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner's immediate family, as defined in the James City County Subdivision Ordinance. Parcels of up to five acres, including necessary access roads, may be subdivided for the siting of Wireless Communications

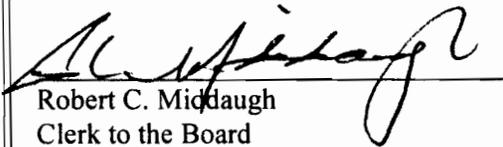
Facilities (WCF), provided: a) The subdivision does not result in the total acreage of the District to drop below 200 acres; and b) the subdivision does not result in a remnant parcel of less than 25 acres.

- b. No land outside the PSA and within the AFD may be rezoned and no application for such rezoning shall be filed earlier than six months prior to the expiration of the District. Land outside the PSA, and within the AFD, may be withdrawn from the District in accordance with the Board of Supervisors' policy pertaining to Withdrawal of Lands from Agricultural and Forestal Districts Outside the Primary Service Area, adopted September 24, 1996, as amended. Land inside the PSA, and within the Agricultural and Forestal District, may be withdrawn from the District in accordance with the Board of Supervisors' policy pertaining to Withdrawal of Lands from Agricultural and Forestal Districts Within the Primary Service Area, adopted September 24, 1996, as amended.
- c. No Special Use Permit (SUP) shall be issued except for agricultural, forestal, or other activities and uses consistent with Virginia Code, Section 15.2-4301 et. seq., which are not in conflict with the policies of this District. The Board of Supervisors, at its discretion, may issue SUPs for wireless communications facilities on AFD properties which are in accordance with the County's policies and ordinances regulating such facilities.

James G. Kennedy
 Chairman, Board of Supervisors

<u>SUPERVISOR</u>	<u>VOTE</u>
MCLENNON	AYE
GOODSON	AYE
ICENHOUR	AYE
JONES	AYE
KENNEDY	AYE

ATTEST:


 Robert C. Middaugh
 Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 28th day of September, 2010.

AFD6-86CransonPond_res

SEP 28 2010

ORDINANCE NO. 169A-13

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AGRICULTURAL AND FORESTAL DISTRICT-7-86

MILL CREEK 2010 RENEWAL

WHEREAS, James City County has completed a review of the Mill Creek Agricultural and Forestal District; and

WHEREAS, in accordance with Section 15.2-4311 of the Code of Virginia, 1950, as amended (the "Virginia Code") property owners have been notified, public meetings have been held, public hearings have been advertised, and public hearings have been held on the continuation of the Mill Creek Agricultural and Forestal District; and

WHEREAS, the Agricultural and Forestal District Advisory Committee, at its meeting on August 23, 2010, voted 9-0 to approve the application; and

WHEREAS, the Planning Commission, following its public hearing on September 1, 2010, concurred with the recommendation of staff and the AFD Advisory Committee and voted 6-0 with one abstention to renew this district with the conditions listed below.

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

1. The Mill Creek Agricultural and Forestal District is hereby continued for a period of four years, one month, and three days to October 31, 2014, in accordance with the provisions of the Virginia Agricultural and Forestal District Act, Virginia Code Section 15.2-4300 et. seq.
2. The District shall include the following parcels:

<u>Owner</u>	<u>Parcel No.</u>	<u>Acres</u>
Carter C. Cowles, Sr. & Linda B. Cowles Estate	2020100006	352.96
Melinda Cowles Barbour & Ruth Dozier	2020100003	102.66
Melinda Cowles Barbour & Ruth Dozier	2020100001	8.75
Mayes & Cheryl Matthews	2110100005	46.01
Pamela C. Massie Trustee & Steve Massie	1130100028	99.45
Steve L. & Pamela C. Massie	1130100028A	32.61
Richard W. & Margaret Krapf	1140100006	4.73
Nancy Cottrell Kruse & M. Anderson Bradshaw	1140100002	297.28
Linda B. Cowles Estate	1040100005	249.88
Carter C. Cowles, Sr. & Linda B. Cowles Estate	1040100006	124.76
Cynthia Cowles Cragg & Robert Patrick	1040100003	103.26
Sarah H. Armistead	1010100038	50.00
Daniel R. Winall & Marion Virginia	1030100019	97.59
Pamaka LLC	1020100017	244.50

Albert T. & Joan Lloyd Slater	1010100028	69.69
McRae O. Selph	1010100007	50.00
Walter N. Marshall, III Trustee	1140100005	79.94
Martha Ware Trust	2020100002	57.41
John Lee Darst	0920100036	41.22
Pamaka LLC	1030100003	42.00
Caroline W. Dozier	2020100005	186.16
Caroline W. Dozier	2020100007	16.50
Caroline W. Dozier	2020100008	12.00
Dennis P. & Christine A. Weygand	1030100013	34.02
John M. L. Barnes Estate	1020100004	215.76
John M. L. Barnes Estate	1110100001	29.00
Linda B. Cowles Estate	2010100002	2.00
Randolph G. Gulden	1020100012	87.20
Eugene C. Andrews Living Trust	0940100008N	57.81
John G. & Marie Antoinette Findlay	0940100008H	<u>118.29</u>
	Total:	<u>2,913.50</u>

provided, however, that all land within 25 feet of the road rights-of-way is excluded from the District to allow for possible road improvements.

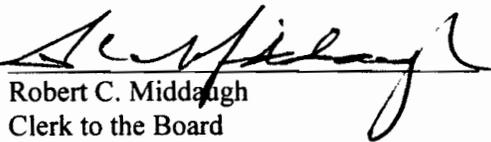
3. Pursuant to the Virginia Code, Section 15.2-4312 and 15.2-4313, the Board of Supervisors requires that no parcel in the Mill Creek Agricultural and Forestal District be developed to a more intensive use without prior approval of the Board of Supervisors. Specifically, the following restrictions shall apply:
 - a. The subdivision of land is limited to 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner's immediate family, as defined in the James City County Subdivision Ordinance. Parcels of up to five acres, including necessary access roads, may be subdivided for the siting of Wireless Communication Facilities (WCF), provided: a) The subdivision does not result in the total acreage of the District to drop below 200 acres; and b) the subdivision does not result in a remnant parcel of less than 25 acres.
 - b. No land outside the Primary Service Area (PSA) and within the Agricultural and Forestal District may be rezoned and no application for such rezoning shall be filed earlier than six months prior to the expiration of the district. Land outside the PSA, and within the Agricultural and Forestal District, may be withdrawn from the District in accordance with the Board of Supervisors' policy pertaining to Withdrawal of Lands from Agricultural and Forestal Districts Outside the Primary Service Area, adopted September 24, 1996, as amended. Land inside the PSA, and within the Agricultural and Forestal District, may be withdrawn from the District in accordance with the Board of Supervisors' policy pertaining to Withdrawal of Lands from Agricultural and Forestal Districts Within the Primary Service Area, adopted September 24, 1996, as amended.
 - c. No special use permit shall be issued except for agricultural, forestal, or other activities and uses consistent with Virginia Code, Section 15.2-4301 et. seq., which are not in conflict with the policies of this District. The Board of

Supervisors, at its discretion, may issue special use permits for wireless communications facilities on AFD properties which are in accordance with the County's policies and ordinances regulating such facilities.

James G. Kennedy
Chairman, Board of Supervisors

SUPERVISOR	VOTE
MCGLENNON	AYE
GOODSON	AYE
ICENHOUR	AYE
JONES	AYE
KENNEDY	AYE

ATTEST:


Robert C. Middaugh
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 28th day of September, 2010.

AFD7-86MillCrk_res

SEP 28 2010

ORDINANCE NO. 170A-16BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIAAGRICULTURAL AND FORESTAL DISTRICT-9-86GORDON CREEK 2010 RENEWAL

- WHEREAS, James City County has completed a review of the Gordon Creek Agricultural and Forestal District; and
- WHEREAS, in accordance with Section 15.2-4311 of the Code of Virginia, 1950, as amended (the "Virginia Code") property owners have been notified, public notices have been filed, public hearings have been advertised, and public hearings have been held on the continuation of the Gordon Creek Agricultural and Forestal District; and
- WHEREAS, Edward Warburton III and Regina Warburton have requested the withdrawal of three acres from their parcel which is identified as Tax Map ID 3520100001B; and
- WHEREAS, the Agricultural and Forestal District Advisory Committee at its meeting on August 23, 2010, voted 9-0 to recommend renewal of the district; and
- WHEREAS, the Planning Commission following its public hearing on September 1, 2010, concurred with the recommendation of staff and the AFD Advisory Committee and voted 7-0 to recommend renewal of the district with the conditions listed below.
- NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that:

1. The Gordon Creek Agricultural and Forestal District is hereby continued for a period of four years, one month and three days to October 31, 2014, in accordance with the provisions of the Virginia Agricultural and Forestal District Act, Virginia Code Section 15.2-4300 et. seq.
2. The district shall include the following parcels:

<u>Owner</u>	<u>Parcel No.</u>	<u>Acres</u>
R. T. Armistead & Letitia A. T. Hanson	3520100016	369.00
R. T. Armistead & Letitia A. T. Hanson	3630100001	124.17
R. T. Armistead & Letitia A. T. Hanson	3030100004	23.00
Martha W. McMurrin & SWR-Pinewood	3540100001	394.50
Edward Warburton III & Regina L.	3520100001B	29.00
Edward Warburton	2940100011	56.20
Allen, David H. & Stephanie M.	3420100002	132.98
Patrick, Matthew CH & Teresa L.	3420100002A	25.02
Martha W. McMurrin & SWR-Pinewood	3630100003	264.00
Thomas L. Hitchens	3610100006	35.00
W.A. Thompson & Charles Flemming	3620100040	136.96

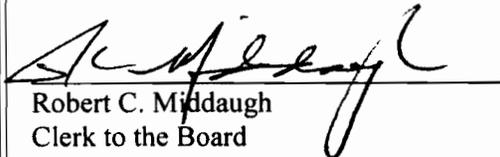
Claybank Landing, LLC	4320100001	124.10
Richardson Holdings Limited Partnership	3640100007	116.83
Richardson Holdings Limited Partnership	3030100003	33.00
Jane T. Carswell	3610100003	44.00
Martha W. McMurrin & SWR-MISC LLC	3610100004	37.62
Powhatan Associates	4410100001	387.42
Powhatan Associates	3530100001	241.68
Mary Abbott	3620100018	43.55
Trust Company of Virginia, c/o Greg Davis	3540100009	57.60
Linda Henderson Gordon	3420100001	35.30
Williamsburg Pottery Inc.	4410100002	26.00
Nayses Bay Land Co.	3510100003	32.00
Nayses Bay Land Co.	3510100006	34.30
William Kane	2940100003	4.00
William Kane	3030100007	8.00
William Kane	3520100007	131.00
William Kane	3610100001	8.33
William Kane	3610100002	13.00
Baxter I. Bell Jr. Trustee	4320100003	207.95
Madeline Carswell Est	3520100010	<u>28.36</u>
	Total:	<u>3,203.8</u>

provided, however, that all land within 25 feet of road rights-of-way is excluded from the district.

3. Pursuant to the Virginia Code, Section 15.2-4312 and 15.2-4313, the Board of Supervisors requires that no parcel in the Gordon Creek Agricultural and Forestal District be developed to a more intensive use without prior approval of the Board of Supervisors. Specifically, the following restrictions shall apply:
 - a. The subdivision of land is limited to 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner's immediate family, as defined in the James City County Subdivision Ordinance. Parcels of up to five acres, including necessary access roads, may be subdivided for the siting of Wireless Communications Facilities (WCF), provided:
 - a) The subdivision does not result in the total acreage of the District to drop below 200 acres; and b) the subdivision does not result in a remnant parcel of less than 25 acres.
 - b. No land outside the Primary Service Area (PSA) and within the Agricultural and Forestal District may be rezoned and no application for such rezoning shall be filed earlier than six months prior to the expiration of the District. Land outside the PSA, and within the Agricultural and Forestal District, may be withdrawn from the District in accordance with the Board of Supervisors' policy pertaining to Withdrawal of Lands from Agricultural and Forestal Districts Outside the Primary Service Area, adopted September 24, 1996, as amended. Land inside the PSA, and within the Agricultural and Forestal District, may be withdrawn from the District in accordance with the Board of Supervisors' policy pertaining to Withdrawal of Lands from Agricultural and Forestal Districts Within the Primary Service Area, adopted September 24, 1996, as amended.

- c. No special use permit shall be issued except for agricultural, forestal, or other activities and uses consistent with Virginia Code, Section 15.2-4301 et. seq., which are not in conflict with the policies of this District. The Board of Supervisors, at its discretion, may issue special use permits for wireless communications facilities on AFD properties which are in accordance with the County's policies and ordinances regulating such facilities.

ATTEST:


Robert C. Middaugh
Clerk to the Board

James G. Kennedy Chairman, Board of Supervisors	
<u>SUPERVISOR</u>	<u>VOTE</u>
MCCLENNON	AYE
GOODSON	AYE
ICENHOUR	AYE
JONES	AYE
KENNEDY	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 28th day of September, 2010.

AFD9-86GordonCrk_res

SEP 28 2010

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

ORDINANCE NO. 171A-6

AGRICULTURAL AND FORESTAL DISTRICT 10-86

CHRISTENSON'S CORNER 2010 RENEWAL

WHEREAS, James City County has completed a review of the Christenson's Corner Agricultural and Forestal District (AFD); and

WHEREAS, in accordance with Section 15.2-4311 of the Code of Virginia, 1950, as amended (the "Virginia Code") property owners have been notified, public meetings have been held, public hearings have been advertised, and public hearings have been held on the continuation of the Christenson's Corner AFD; and

WHEREAS, the AFD Advisory Committee, at its meeting on August 23, 2010, voted 9-0 to approve the application; and

WHEREAS, the Planning Commission, following its public hearing on September 1, 2010, concurred with the recommendation of staff and the AFD Advisory Committee and voted 7-0 to renew this district with the conditions listed below.

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

1. The Christenson's Corner AFD is hereby continued for a period of four years, one month, and three days to October 31, 2014, in accordance with the provisions of the Virginia AFD Act, Virginia Code Section 15.2-4300 et. seq.
2. The District shall include the following parcels provided, however, that all land within 25 feet of the road rights-of-way be excluded from the District to allow for possible road improvements:

<u>Owner</u>	<u>Parcel No.</u>	<u>Acres</u>
C.M. Chandler	1540100011	151.25
C.M. Chandler	1630100001	8.01
Stieffen Co, LLC and Stieffen, B. P.	1640100003	<u>402.89</u>
	Total:	<u>562.2</u>

3. Pursuant to the Virginia Code, Section 15.2-4312 and 15.2-4313, the Board of Supervisors requires that no parcel in the Christenson's Corner AFD be developed to a more intensive use without prior approval of the Board of Supervisors. Specifically, the following restrictions shall apply:
 - a. The subdivision of land is limited to 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner's immediate family, as defined in the James City County Subdivision Ordinance. Parcels of up to five acres, including necessary access

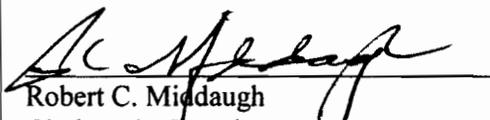
roads, may be subdivided for the siting of Wireless Communication Facilities (WCF), provided: a) The subdivision does not result in the total acreage of the District to drop below 200 acres; and b) the subdivision does not result in a remnant parcel of less than 25 acres.

- b. No land outside the PSA and within the AFD may be rezoned and no application for such rezoning shall be filed earlier than six months prior to the expiration of the district. Land outside the PSA, and within the AFD, may be withdrawn from the District in accordance with the Board of Supervisors' policy pertaining to Withdrawal of Lands from Agricultural and Forestal Districts Outside the Primary Service Area, adopted September 24, 1996, as amended. Land inside the PSA, and within the AFD, may be withdrawn from the District in accordance with the Board of Supervisors' policy pertaining to Withdrawal of Lands from Agricultural and Forestal Districts Within the Primary Service Area, adopted September 24, 1996, as amended.
- c. No Special Use Permit (SUP) shall be issued except for agricultural, forestal, or other activities and uses consistent with Virginia Code, Section 15.2-4301 et. seq., which are not in conflict with the policies of this District. The Board of Supervisors, at its discretion, may issue SUPs for wireless communications facilities on AFD properties which are in accordance with the County's policies and ordinances regulating such facilities.

 James G. Kennedy
 Chairman, Board of Supervisors

<u>SUPERVISOR</u>	<u>VOTE</u>
MCGLENNON	AYE
GOODSON	AYE
ICENHOUR	AYE
JONES	AYE
KENNEDY	AYE

ATTEST:


 Robert C. Middaugh
 Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 28th day of September, 2010.

AFD10-86Christenson_res

SEP 28 2010

ORDINANCE NO. 172A-7BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIAAGRICULTURAL AND FORESTAL DISTRICT-11-86YARMOUTH ISLAND 2010 RENEWAL

WHEREAS, James City County has completed a review of the Yarmouth Island Agricultural and Forestal District; and

WHEREAS, in accordance with Section 15.2-4311 of the Code of Virginia, 1950, as amended (the "Virginia Code") property owners have been notified, public notices have been filed, public hearings have been advertised, and public hearings have been held on the continuation of the Yarmouth Island Agricultural and Forestal District; and

WHEREAS, the Agricultural and Forestal District Advisory Committee at its meeting on August 23, 2010, voted 9-0 to recommend renewal of the district; and

WHEREAS, the Planning Commission following its public hearing on September 1, 2010, concurred with the recommendation of staff and the AFD Advisory Committee and voted 7-0 to recommend renewal of the district with the conditions listed below.

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

1. The Yarmouth Island Agricultural and Forestal District is hereby continued for a period of four years, one month and three days to October 31, 2014, in accordance with the provisions of the Virginia Agricultural and Forestal District Act, Virginia Code Section 15.2-4300 et. seq.
2. The District shall include the following parcels:

<u>Owner</u>	<u>Parcel No.</u>	<u>Acres</u>
Richardson Holdings Limited Partnership	2930100005	172.84
Richardson Holdings Limited Partnership	2930100002	68.50
Richardson Holdings Limited Partnership	2840100005	940.00
John C. Richardson	2910100001	28.50
Richardson Holdings Limited Partnership	2920100001	123.00
McMurran, Martha W. & SWR-MISC LLC	2940100001	38.70
Franciscan Brethren of St. Philip	2940100002	34.65
Shield's Point LLC	2840100008	<u>625.20</u>
	Total:	<u>2031.40</u>

provided, however, that all land within 25 feet of the road rights-of-way is excluded from the District to allow for possible road improvements.

3. Pursuant to the Virginia Code, Section 15.2-4312 and 15.2-4313, the Board of Supervisors requires that no parcel in the Yarmouth Island Agricultural and Forestal District be developed to a more intensive use without prior approval of the Board of Supervisors. Specifically, the following restrictions shall apply:

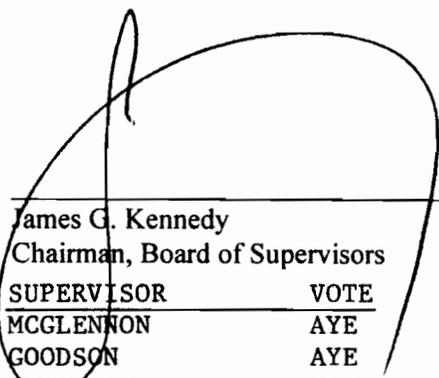
- a. The subdivision of land is limited to 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner's immediate family, as defined in the James City County Subdivision Ordinance. Parcels of up to five acres, including necessary access roads, may be subdivided for the siting of Wireless Communications Facilities (WCF), provided:
 - a) The subdivision does not result in the total acreage of the District to drop below 200 acres; and b) the subdivision does not result in a remnant parcel of less than 25 acres.

- b. No land outside the Primary Service Area (PSA) and within the Agricultural and Forestal District may be rezoned and no application for such rezoning shall be filed earlier than six months prior to the expiration of the District. Land outside the PSA, and within the Agricultural and Forestal District, may be withdrawn from the District in accordance with the Board of Supervisors' policy pertaining to Withdrawal of Lands from Agricultural and Forestal Districts Outside the Primary Service Area, adopted September 24, 1996, as amended. Land inside the PSA, and within the Agricultural and Forestal District, may be withdrawn from the District in accordance with the Board of Supervisors' policy pertaining to Withdrawal of Lands from Agricultural and Forestal Districts Within the Primary Service Area, adopted September 24, 1996, as amended.

- c. No special use permit shall be issued except for agricultural, forestal, or other activities and uses consistent with Virginia Code, Section 15.2-4301 et. seq., which are not in conflict with the policies of this District. The Board of Supervisors, at its discretion, may issue special use permits for wireless communications facilities on AFD properties which are in accordance with the County's policies and ordinances regulating such facilities.

ATTEST:


 Robert C. Middaugh
 Clerk to the Board


 James G. Kennedy
 Chairman, Board of Supervisors

SUPERVISOR	VOTE
MCGLENNON	AYE
GOODSON	AYE
ISENHOUR	AYE
JONES	AYE
KENNEDY	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 28th day of September, 2010.

ADOPTED

SEP 28 2010

ORDINANCE NO. 173A-18

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AGRICULTURAL AND FORESTAL DISTRICT -12-86

GOSPEL SPREADING CHURCH FARM 2010 RENEWAL

WHEREAS, James City County has completed a review of the Gospel Spreading Church Farm Agricultural and Forestal District; and

WHEREAS, in accordance with Section 15.2-4311 of the Code of Virginia, 1950, as amended (the "Virginia Code") property owners have been notified, public meetings have been held, public hearings have been advertised, and public hearings have been held on the continuation of the Gospel Spreading Church Farm Agricultural and Forestal District; and

WHEREAS, the Agricultural and Forestal District Advisory Committee, at its meeting on August 23, 2010, voted 9-0 to approve the application; and

WHEREAS, the Planning Commission, following its public hearing on September 1, 2010, concurred with the recommendation of staff and the AFD Advisory Committee and voted 7-0 to renew this district with the conditions listed below.

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

1. The Gospel Spreading Church Farm Agricultural and Forestal District is hereby continued for a period of four years, one month and three days to October 31, 2014, in accordance with the provisions of the Virginia Agricultural and Forestal District Act, Virginia Code Section 15.2-4300 et. seq.
2. The District shall include the following parcels:

<u>Owner</u>	<u>Parcel No.</u>	<u>Acres</u>
JCC Bible & Agricultural Training School	4830100035	403.55
JCC Bible & Agricultural Training School	5620100001	457.79
Floyd B. Carmines	4740100037	27.92
Robert E. Gilley, II & Meredith H. Gilley	4740100042C	2.89
REGJAG LLC	4740100042D	2.81
REGJAG LLC	4740100042E	16.29
REGJAG LLC	4740100040	42.84
REGJAG LLC	4740100041	108.27
REGJAG LLC	4830100042	<u>71.33</u>
	Total:	<u>1,133.70</u>

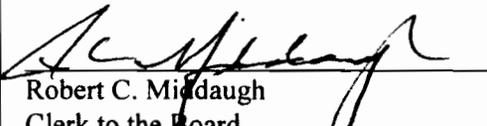
provided, however, that all land within 25 feet of the road rights-of-way is excluded from the District to allow for possible road improvements.

3. Pursuant to the Virginia Code, Section 15.2-4312 and 15.2-4313, the Board of Supervisors requires that no parcel in the Gospel Spreading Church Farm Agricultural and Forestal District be developed to a more intensive use without prior approval of the Board of Supervisors. Specifically, the following restrictions shall apply:
 - a. The subdivision of land is limited to 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner's immediate family, as defined in the James City County Subdivision Ordinance. Parcels of up to five acres, including necessary access roads, may be subdivided for the siting of Wireless Communication Facilities (WCF), provided:
 - a) The subdivision does not result in the total acreage of the District to drop below 200 acres; and b) the subdivision does not result in a remnant parcel of less than 25 acres.
 - b. No land outside the Primary Service Area (PSA) and within the Agricultural and Forestal District may be rezoned and no application for such rezoning shall be filed earlier than six months prior to the expiration of the district. Land outside the PSA, and within the Agricultural and Forestal District, may be withdrawn from the District in accordance with the Board of Supervisors' policy pertaining to Withdrawal of Lands from Agricultural and Forestal Districts Outside the Primary Service Area, adopted September 24, 1996, as amended. Land inside the PSA, and within the Agricultural and Forestal District, may be withdrawn from the District in accordance with the Board of Supervisors' policy pertaining to Withdrawal of Lands from Agricultural and Forestal Districts Within the Primary Service Area, adopted September 24, 1996, as amended.
 - c. No special use permit shall be issued except for agricultural, forestal, or other activities and uses consistent with Virginia Code, Section 15.2-4301 et. seq., which are not in conflict with the policies of this District. The Board of Supervisors, at its discretion, may issue special use permits for wireless communications facilities on AFD properties which are in accordance with the County's policies and ordinances regulating such facilities.

James G. Kennedy
 Chairman, Board of Supervisors

SUPERVISOR	VOTE
MCLENNON	AYE
GOODSON	AYE
ICENHOUR	AYE
JONES	AYE
KENNEDY	AYE

ATTEST:


 Robert C. Middaugh
 Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 28th day of September, 2010.

ADOPTED

SEP 28 2010

ORDINANCE NO. 182A-8

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AGRICULTURAL AND FORESTAL DISTRICT-1-89

ARMISTEAD 2010 RENEWAL

WHEREAS, James City County has completed a review of the Armistead Agricultural and Forestal District (AFD); and

WHEREAS, in accordance with Section 15.2-4311 of the Code of Virginia, 1950, as amended (the "Virginia Code") property owners have been notified, public notices have been filed, public hearings have been advertised, and public hearings have been held on the continuation of the Armistead AFD; and

WHEREAS, the AFD Advisory Committee at its meeting on August 23, 2010, voted 9-0 to recommend renewal of the district; and

WHEREAS, the Planning Commission following its public hearing on September 1, 2010, concurred with the recommendation of staff and the AFD Advisory Committee and voted 7-0 to recommend renewal of the district with the conditions listed below.

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

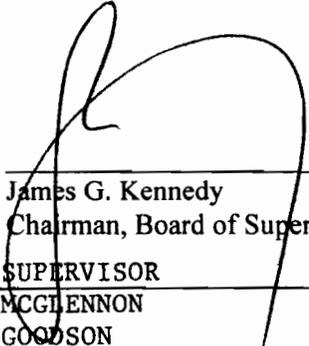
1. The Armistead AFD is hereby continued from its current date of expiration (January 10, 2006) for a period of four years, one month and three days to October 31, 2010, in accordance with the provisions of the Virginia Agricultural and Forestal District Act, Virginia Code Section 15.2-4300 et. seq.
2. The district shall include the following parcels provided, however, that all land within 25 feet of road rights-of-way is excluded from the district:

<u>Owner</u>	<u>Parcel No.</u>	<u>Acres</u>
Sarah H. Armistead	3120100017	84.50
Sarah H. Armistead	3120100014	53.78
Sarah H. Armistead	3130100029	132.08
Sarah H. Armistead	3140100001	<u>41.17</u>
	Total:	<u>311.5</u>

3. Pursuant to the Virginia Code, Section 15.2-4312 and 15.2-4313, the Board of Supervisors requires that no parcel in the Armistead AFD be developed to a more intensive use without prior approval of the Board of Supervisors. Specifically, the following restrictions shall apply:
 - a. The subdivision of land is limited to 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by

members of the owner's immediate family, as defined in the James City County Subdivision Ordinance. Parcels of up to five acres, including necessary access roads, may be subdivided for the siting of Wireless Communications Facilities (WCF), provided: a) The subdivision does not result in the total acreage of the District to drop below 200 acres; and b) the subdivision does not result in a remnant parcel of less than 25 acres.

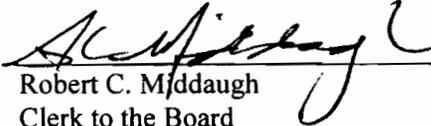
- b. No land outside the Primary Service Area (PSA) and within the AFD may be rezoned and no application for such rezoning shall be filed earlier than six months prior to the expiration of the District. Land outside the PSA, and within the AFD, may be withdrawn from the District in accordance with the Board of Supervisors' policy pertaining to Withdrawal of Lands from Agricultural and Forestal Districts Outside the Primary Service Area, adopted September 24, 1996, as amended. Land inside the PSA, and within the AFD, may be withdrawn from the District in accordance with the Board of Supervisors' policy pertaining to Withdrawal of Lands from Agricultural and Forestal Districts Within the Primary Service Area, adopted September 24, 1996, as amended.
- c. No Special Use Permit (SUP) shall be issued except for agricultural, forestal, or other activities and uses consistent with Virginia Code, Section 15.2-4301 et. seq., which are not in conflict with the policies of this District. The Board of Supervisors, at its discretion, may issue SUPs for wireless communications facilities on AFD properties which are in accordance with the County's policies and ordinances regulating such facilities.



 James G. Kennedy
 Chairman, Board of Supervisors

SUPERVISOR	VOTE
MCGLENNON	AYE
GOODSON	AYE
ICENHOUR	AYE
JONES	AYE
KENNEDY	AYE

ATTEST:



 Robert C. McJdaugh
 Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 28th day of September, 2010.

AFD1-89Armistead_res

SEP 28 2010

ORDINANCE NO. 190A-7BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIAAGRICULTURAL AND FORESTAL DISTRICT-1-93WILLIAMSBURG FARMS 2010 RENEWAL

WHEREAS, James City County has completed a review of the Williamsburg Farms Agricultural and Forestal District; and

WHEREAS, in accordance with Section 15.2-4311 of the Code of Virginia, 1950, as amended (the "Virginia Code") property owners have been notified, public meetings have been held, public hearings have been advertised, and public hearings have been held on the continuation of the Williamsburg Farms Agricultural and Forestal District; and

WHEREAS, the Agricultural and Forestal District Advisory Committee, at its meeting on August 23, 2010, voted 9-0 to approve the application; and

WHEREAS, the Planning Commission, following its public hearing on September 1, 2010, concurred with the recommendation of staff and the AFD Advisory Committee and voted 7-0 to renew this district with the conditions listed below.

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

1. The Williamsburg Farms Agricultural and Forestal District is hereby continued for a period of four years, one month, and three days to October 31, 2014, in accordance with the provisions of the Virginia Agricultural and Forestal District Act, Virginia Code Section 15.2-4300 et. seq.
2. The District shall include the following parcels:

<u>Owner</u>	<u>Parcel No.</u>	<u>Acres</u>
Williamsburg Vineyards, LLC	4840100012	29.65
Williamsburg Vineyards, LLC	4840100010	157.71
Wedmore Place, LLC	4840100010D	67.26
Vineyard Partners, LLC	4840100010E	18.72
Williamsburg Winery	4840100010B	<u>6.63</u>
	Total:	<u>279.90</u>

provided, however, that all land within 25 feet of the road rights-of-way is excluded from the District to allow for possible road improvements.

3. Pursuant to the Virginia Code, Section 15.2-4312 and 15.2-4313, the Board of Supervisors requires that no parcel in the Williamsburg Farms Agricultural and Forestal District be developed to a more intensive use without prior approval of the Board of Supervisors. Specifically, the following restrictions shall apply:

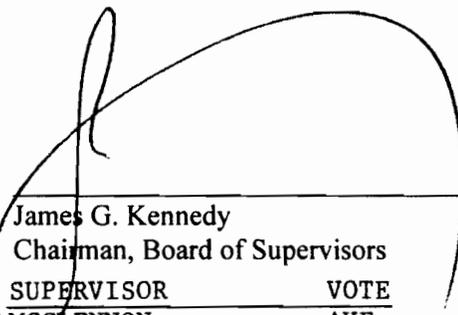
- a. The subdivision of land is limited to 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner's immediate family, as defined in the James City County Subdivision Ordinance. Parcels of up to five acres, including necessary access roads, may be subdivided for the siting of Wireless Communication Facilities (WCF), provided:
 - a) The subdivision does not result in the total acreage of the District to drop below 200 acres; and b) the subdivision does not result in a remnant parcel of less than 25 acres.

- b. No land outside the Primary Service Area (PSA) and within the Agricultural and Forestal District may be rezoned and no application for such rezoning shall be filed earlier than six months prior to the expiration of the district. Land outside the PSA, and within the Agricultural and Forestal District, may be withdrawn from the District in accordance with the Board of Supervisors' policy pertaining to Withdrawal of Lands from Agricultural and Forestal Districts Outside the Primary Service Area, adopted September 24, 1996, as amended. Land inside the PSA, and within the Agricultural and Forestal District, may be withdrawn from the District in accordance with the Board of Supervisors' policy pertaining to Withdrawal of Lands from Agricultural and Forestal Districts Within the Primary Service Area, adopted September 24, 1996, as amended.

- c. No special use permit shall be issued except for agricultural, forestal, or other activities and uses consistent with Virginia Code, Section 15.2-4301 et. seq., which are not in conflict with the policies of this District. The Board of Supervisors, at its discretion, may issue special use permits for wireless communications facilities on AFD properties which are in accordance with the County's policies and ordinances regulating such facilities.

ATTEST:


 Robert C. Middleaugh
 Clerk to the Board


 James G. Kennedy
 Chairman, Board of Supervisors

SUPERVISOR	VOTE
MCCLENNON	AYE
GOODSON	AYE
ICENHOUR	AYE
JONES	AYE
KENNEDY	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 28th day of September, 2010.

SEP 28 2010

ORDINANCE NO. 197A-2

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AGRICULTURAL AND FORESTAL DISTRICT 1-02

CARTER'S GROVE 2010 RENEWAL

WHEREAS, James City County has completed a review of the Carter's Grove Agricultural and Forestal District; and

WHEREAS, in accordance with Section 15.2-4311 of the Code of Virginia, 1950, as amended (the "Virginia Code") property owners have been notified, public meetings have been held, public hearings have been advertised, and public hearings have been held on the continuation of the Carter's Grove Agricultural and Forestal District; and

WHEREAS, the AFD Advisory Committee, at its meeting on August 23, 2010, voted 9-0 to approve the application; and

WHEREAS, the Planning Commission, following its public hearing on September 1, 2010, concurred with the recommendation of staff and the AFD Advisory Committee and voted 5-0 with two abstentions to renew this district with the conditions listed below.

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

1. The Carter's Grove AFD is hereby continued for a period of four years, one month, and three days to October 31, 2014, in accordance with the provisions of the Virginia Agricultural and Forestal District Act, Virginia Code Section 15.2-4300 et. seq.
2. The District shall include the following parcels provided, however, that all land within 25 feet of the road rights-of-way be excluded from the District to allow for possible road improvements:

<u>Owner</u>	<u>Parcel No.</u>	<u>Acres</u>
Carter's Grove, LLC	5820100002	76.10
Carter's Grove, LLC	5910100030	240.04
Colonial Williamsburg Foundation	5910100021	<u>1.56</u>
	Total:	<u>317.7</u>

3. Pursuant to the Virginia Code, Section 15.2-4312 and 15.2-4313, the Board of Supervisors requires that no parcel in the Carter's Grove AFD be developed to a more intensive use without prior approval of the Board of Supervisors. Specifically, the following restrictions shall apply:
 - a. The subdivision of land is limited to 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner's immediate family, as defined in the James City County Subdivision Ordinance. Parcels of up to five acres, including necessary access

roads, may be subdivided for the siting of Wireless Communication Facilities (WCF), provided: a) The subdivision does not result in the total acreage of the District to drop below 200 acres; and b) the subdivision does not result in a remnant parcel of less than 25 acres.

- b. No land outside the Primary Service Area (PSA) and within the AFD may be rezoned and no application for such rezoning shall be filed earlier than six months prior to the expiration of the district. Land outside the PSA, and within the AFD, may be withdrawn from the District in accordance with the Board of Supervisors' policy pertaining to Withdrawal of Lands from Agricultural and Forestal Districts Outside the Primary Service Area, adopted September 24, 1996, as amended. Land inside the PSA, and within the AFD, may be withdrawn from the District in accordance with the Board of Supervisors' policy pertaining to Withdrawal of Lands from Agricultural and Forestal Districts Within the Primary Service Area, adopted September 24, 1996, as amended.
- c. No Special Use Permit (SUP) shall be issued except for agricultural, forestal, or other activities and uses consistent with Virginia Code, Section 15.2-4301 et. seq., which are not in conflict with the policies of this District. The Board of Supervisors, at its discretion, may issue SUPs for wireless communications facilities on AFD properties which are in accordance with the County's policies and ordinances regulating such facilities.

 James G. Kennedy
 Chairman, Board of Supervisors

SUPERVISOR	VOTE
MCCLENNON	AYE
GOODSON	AYE
ICENHOUR	AYE
JONES	AYE
KENNEDY	AYE

ATTEST:

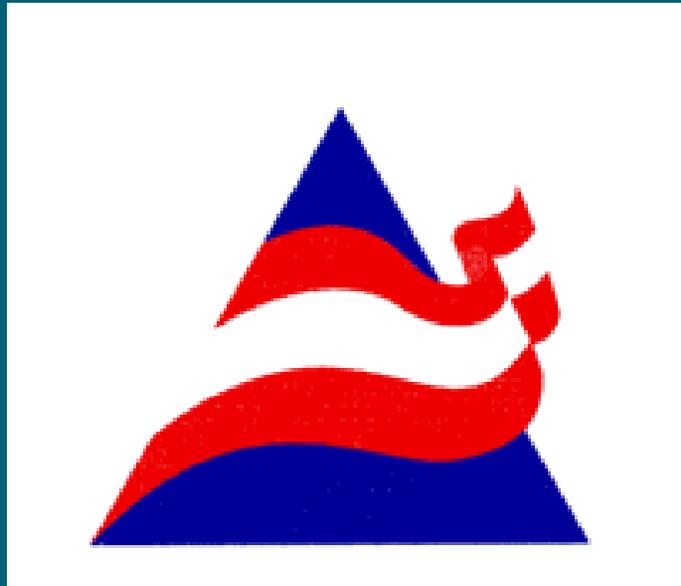
 Robert C. Middaugh
 Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 28th day of September, 2010.

AFD1-02CartersGrve_res

October 12, 2010

Economic Diversification in America's Historic Triangle



Summary



- Quality of life is critical
- Dramatic, historic employment growth
- Concentration in tourism related sectors
- Recession after period of high investment
- Need to take a new look at our economy
- Report informs 2012 comp plans

Recent successes & initiatives

- Business diversification initiatives
- William & Mary initiatives
- TNCC initiatives
- Business attraction successes
- Business expansion successes
- Real estate development initiatives
- Regional collaboration
- Tourism expansion & diversification
- Tell this story more effectively
- Strong foundation for regional collaboration



Getting Started



- ⦿ Reviewed recent studies
- ⦿ Compiled data
- ⦿ Hampton Roads Vision and SWOT
- ⦿ Historic Triangle SWOT

Starting point for this report and for simultaneous comprehensive planning in 2012

Central findings

- High quality of life
- Strong foundation for Historic Triangle collaboration
- Historic Triangle lacks business brand
- At center of an expanding economic region
- Transportation is a major challenge
- Diversification is possible through smaller companies
- Available land is limited, requiring coordination
- Increasing number of entrepreneurs
- Major institutions can be leveraged
- Tourism can be diversified



Goals

- While maintaining quality of life:
 - Focus on smaller companies & hub operations
 - Explore regional partnerships and revenue sharing
 - Support entrepreneurs
 - Leverage major institutions
 - Develop a business brand
 - Diversify tourism
- Next: Strategies



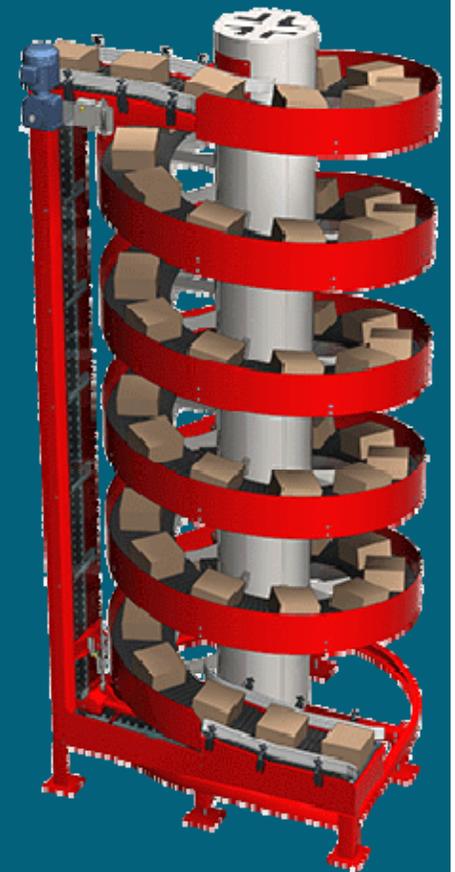
Goals

**Focus on smaller companies
& hub operations**

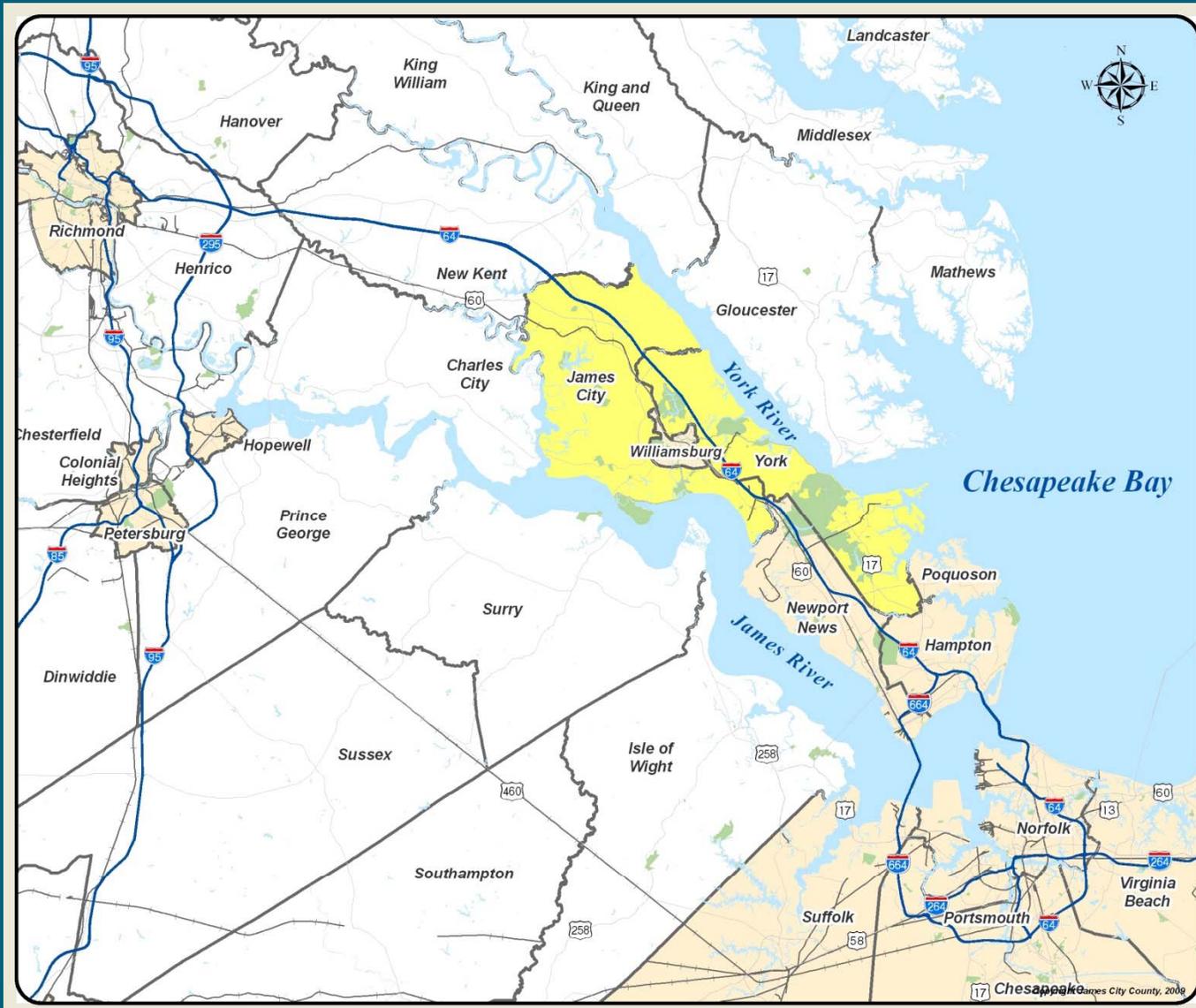
Focus on smaller companies

- Set appropriate expectations for recovery
- Invest in local entrepreneurs
- Consider regional incubator
- Develop a support website
- Look at workforce leaving the military
- Establish more CEO forums

Ryson Spiral Conveyors



The Historic Triangle links two MSAs



Explore hub operations

- Develop the Historic Triangle as a regional hub
 - Support efforts to explore linking the HR and Richmond economic regions
 - Identify regional hub business clusters
 - Reach out to companies that serve both MSA's
 - Explore vertical and horizontal linkages
 - Identify companies that have significant employees living here
 - Look west for partnerships and competition

Leverage health services opportunities

- Assess opportunity for expanding health services
 - Involve Sentara and Riverside in economic development discussions
 - Support an Allied Health focus at TNCC
 - Explore logistical connections of existing medical services companies



Goals

**Explore Regional Partnerships and
Revenue Sharing**

Explore collaborative projects

- Investigate collaborative projects along boundaries
- Consider regional incubator as initial test



Consider revenue sharing as appropriate for specific projects

- Complete a preliminary assessment of potential projects: business park, Lightfoot, redevelopment
 - Firm political support essential
 - Explore specific revenue sharing agreements
 - Research location, size, focus
 - Initiate dialogue with planning staffs of three localities



Goals

Support Entrepreneurs

Encourage young professionals

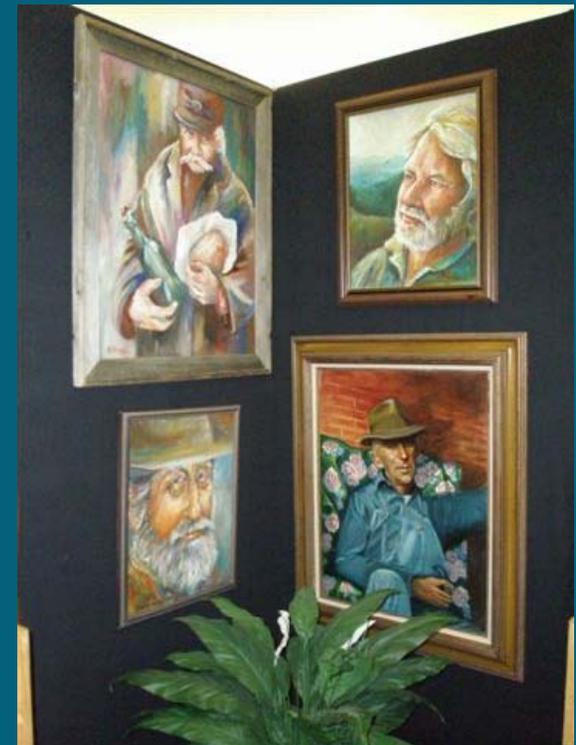
- Create a more positive environment for young professionals
 - Work with YP groups
 - Assess variety of jobs available in the Historic Triangle, promote to W&M graduates
 - Work on workforce housing
 - Encourage YP participation in leadership roles
 - Conduct focus groups



YOUNG
EMERGING
PROFESSIONALS
of Williamsburg

Promote zoning to attract YP's

- Encourage the City's arts district
- Review zoning ordinances with YP's in mind



Support entrepreneurs

- Encourage entrepreneurs through connections with major institutions
 - Support Discovery Center
 - Consider expanding incubator
 - Pursue external funding
 - Research and promote entrepreneurs
 - Consider more CEO forums
 - Support applied science expansion
 - Explore leveraging CWF assets
 - Establish support system to retain incubator graduates



Goals

Leverage Major Institutions

Leverage major institutions

- Promote existing business support
 - Communicate to economic development professionals & local business
- Leverage institutional connections
 - Promote Greater Williamsburg as a great place for business through W&M's alumni network
 - Assist in attracting & closing deals
 - Carefully use contact databases



Goals

Collaborative Marketing

Develop a *business brand*

- Establish a steering group:
 - Use outside professional experts: recommend a target business brand for the region, develop a targeted marketing message (Emphasize our quality of life)
 - Build support for new brand
 - Develop marketing campaign
 - Align local, regional, state marketing efforts with new brand



Diversify the Tourism Sector

Diversify within existing attractions

- Support Colonial Williamsburg & Busch Gardens as major drivers
- Encourage further internal investment
- Encourage additional interactive opportunities
- Celebrate successes



Improve Regional Coordination

- Support CW's Visitor Center
- Elevate tone of tourism discourse
- Support collaboration, especially with historical sites
- Support World Heritage designation
- Evaluate the tourism brand
- Develop systematic tourism research
- Lobby for state support of tourism marketing
- Communicate, e.g. GWCTA's Tourism Forum
- Leverage W&M
- Consider Center of Tourism Excellence

Expand events in shoulder seasons

- Provide seed funding to expand and market related events in targeted months
- Establish process for coordinating and promoting regional events
- Support GWCTA's sports marketing efforts



Complement current strengths

- Market the Civil War 150th
- Encourage more nightlife
- Encourage the proposed arts district
- Leverage institutional connections
- Encourage new venues that can attract visits, e.g. a “Museum of Play”



Discuss a third attraction

- Talk with CWF and Busch
- Consider Lightfoot



Next steps

- Release report (October 2010)
- Discuss opportunities for regional collaboration with stakeholders (Ongoing)
- Task force remains in place
- Report related initiatives as appropriate



MEMORANDUM

DATE: October 12, 2010

TO: The Board of Supervisors

FROM: Robert C. Middaugh, County Administrator

SUBJECT: Discussion on the Historic Triangle Collaborative Economic Diversification Report in America's Historic Triangle

The Historic Triangle Collaborative (HTC) commissioned a study on Economic Diversification in the Historic Triangle. An Economic Diversification Task Force (EDTF) was chaired by Dr. Jim Golden, Vice President of Strategic Initiatives at the College of William and Mary, completed the study for HTC. The committee included a number of Economic Development professionals from the region.

The Economic Diversification study that was prepared by the EDTF is currently being released to the respective public bodies in the Historic Triangle for discussion and further guidance and direction.

The report is quite thorough and very well written, with an abundance of data and ideas on how to diversify the economy and Historic Triangle area. At a minimum, it is my recommendation to the Board of Supervisors that this report be accepted after the discussion at the Board of Supervisors meeting.

One general area of direction that would be helpful from the Board of Supervisors is to identify if there are any problematic areas or ideas which are presented as part of the Economic Diversification Report. While the report identifies a number of areas, some of which might be controversial in their discussion (for example, a single visitor's center based at Colonial Williamsburg), the report does not commit any of the jurisdictions to a specific position relative to the ideas which are identified. As such, and absent any specific Board of Supervisor concerns, endorsement of the report may be possible at the conclusion of the Board conversation.

The HTC is seeking, from the respective political jurisdictions, an indication of which, if any, of the different suggested activities or programs the respective jurisdiction is comfortable pursuing and potentially leading. That direction and guidance from the Board of Supervisors would also be extremely helpful to me and the professional staff of the County as we work on the County's economic development activities.

From the extensive list of suggestions within the diversification report, the following key areas are ones in which some direction to the staff on the level of County involvement desired would be very helpful. These items include:

1. **Report Sub Area No. 5.2 Area Branding:** This particular area of the diversification report deals with several different levels of branding and marketing in the region. Economic development, individual locality identity and branding, and tourism branding are all discussed in the report. This is a very important area within the region and one which James City County may be particularly helpful in pursuing. Board guidance in this area would be very helpful particularly as it relates to the willingness of the Board to develop new brands or imagery that is reflective of James City County or the Historic Triangle. Also in this area as a key component, is the concept of the development of a single visitor's center for the region which is developed around or associated with the current Colonial Williamsburg Visitor's Center. As indicated previously, this conversation may be somewhat controversial but the direction of the Board in this area would be helpful in moving this particular item forward. The report indicates that a common visitor's center is beneficial to the region and further specifies that the ideal location is at or in association with the Colonial

Williamsburg Visitor's Center. As the members of the Board are aware, there is another organization in the community that is attempting to develop a different and separate visitor's center. If the Board is comfortable in endorsing the common visitor's center associated with the current Colonial Williamsburg Visitor's Center, that guidance will be particularly helpful in moving this item forward and the role that the County should play.

2. **Report Sub Area No. 5.4 Revenue Sharing:** In this section it is recommended that the respective jurisdictions meet and discuss if there is an opportunity and willingness to pursue revenue sharing that would jointly benefit all of the jurisdictions. The report points out a practical matter; James City County is the jurisdiction with the largest amount of undeveloped property at the current time and as such revenue sharing may take the form of investment by other jurisdictions to help support a specific development in the County. The Economic Opportunity Zone identified in the Comprehensive Plan for the County is one key area that may be a focus for revenue sharing conversations related to Sub Area No. 5.7 in the report "The Diversification of Tourism," A potential use identified in the report is a new third tourism attraction that might also be the subject of revenue sharing conversations among the various political jurisdictions.
3. **Report Sub Area No. 5.6 Leverage Major Institutions:** In this section of the report, the importance of the College of William and Mary and Thomas Nelson Community College is highlighted as an economic development opportunity that can and should be pursued by the various jurisdictions.
4. **Report Sub Area No. 5.7 Diversification of Tourism:** As previously indicated, the potential of a third attraction in the area falls within this particular subject area of the report. Also, "Sport Marketing" is an area that would fall into this particular part of the report and is an area in which the County is uniquely poised to move forward given the support of the supervisors. Policy direction in this area would be extremely helpful.

Any other direction from the Board on other area of the study would also be helpful.

The Economic Diversification Report identifies more things than can possibly be done by any jurisdiction in a short period of time, as such, if it is possible for the Board to identify key areas on which James City County can focus, that will enable the professional staff to develop more detail work plans and to participate fully with the other jurisdictions in realizing the goals identified in the Economic Diversification Report.

AT A WORK SESSION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 28TH DAY OF SEPTEMBER 2010, AT 4:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. CALL TO ORDER

B. ROLL CALL

James G. Kennedy, Chairman, Stonehouse District
Mary Jones, Vice Chair, Berkeley District
Bruce C. Goodson, Roberts District
James O. Icenhour, Jr., Powhatan District
John J. McGlennon, Jamestown District

Robert C. Middaugh, County Administrator
Leo P. Rogers, County Attorney

C. BOARD DISCUSSIONS

1. Joint Work Session with the Economic Development Authority

Mr. Tom Tingle, Chairman, Economic Development Authority (EDA) called to order the EDA. Members present for the EDA were Ms. Leanne DuBois, Mr. Larry Pulley, Mr. Marshall Warner, Mr. Tom Tingle, and Mr. Doug Gebhardt. Mr. Stephen Montgomery and Mr. Paul Gerhardt were not in attendance.

Mr. Tingle explained that the purpose of the work session was to inform the Board of the EDA's recent activities and receive guidance and input from the Board. Mr. Tingle and the members of the EDA reviewed the strategic initiatives developed to help move the Authority forward and encourage economic growth in the County. Discussion was held about attracting traditional and knowledge-based businesses, rural economic development initiatives, Enterprise Zone strategies, and attraction of entrepreneurial and healthcare industries. Mr. Tingle discussed the possibility of a regional business incubator in collaboration with the City of Williamsburg and York County.

Mr. Kennedy asked about necessary tools and funding to help direct these initiatives.

Mr. Tingle stated that a majority of the funds for the EDA was from industrial revenue bonding, which would support the programs that carried the weight to warrant funds from the County. He noted the excellent service of Mr. Keith Taylor and the service of Mr. Steven Yavorsky. He commented that the New Town office space was ideal for the Office of Economic Development.

Discussion was held about potential uses for Mainland Farm, including rural economic development projects in conjunction with hospitality and tourism. There was discussion about economic development collaboration within the region and the fiscal contributions of economic development to the County. Discussion

was held on what types of economic development would be best for the community and regionalism in relation to the recent Historic Triangle Collaboration Economic Diversification Report, the Regional Comprehensive Plan, and working with the other local governing bodies.

2. Rural Lands

Mr. Kennedy encouraged good dialogue to create sound policy on Rural Lands. He commented that this subject would likely result in a series of meetings that would involve the public.

Discussion was held about the dangers perceived toward rural lands and the challenges faced by the large property owners remaining in the County. Discussion was held on protection of property rights and the possibilities and limitations of a Transfer of Development Rights (TDR) program. The Board discussed environmental protections in contrast with landowner rights. Discussion was held about evaluating the Public Service Area and by-right and special uses in the zoning ordinance update related to rural lands.

The Board requested a meeting with representatives from other localities with TDR programs in conjunction with requirements from the State and as well as receiving input from consultants. Discussion was held about the possibility of developing a policy that prevented urban sprawl and preserved rural lands, but allowed cluster development. Irrigation and water demand were discussed along with the idea of predictability for the rural lands program.

Discussion was held on how to enable and promote agribusiness and farming in the County to complement the preservation of rural lands. The Board had further discussion about cluster development in rural lands and increased densities in rural areas.

Staff requested feedback on the worksheet included in the Board materials for further direction in developing the zoning ordinance in relation to rural lands, as well as any guidance or questions to be presented to the consultant once one was chosen.

D. BREAK

At 5:47 p.m., the Board broke for dinner.

Robert C. Middaugh
Clerk to the Board

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 28TH DAY OF SEPTEMBER 2010, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. CALL TO ORDER

B. ROLL CALL

James G. Kennedy, Chairman, Stonehouse District
Mary Jones, Vice Chair, Berkeley District
Bruce C. Goodson, Roberts District
James O. Icenhour, Jr., Powhatan District
John J. McGlennon, Jamestown District

Robert C. Middaugh, County Administrator
Leo P. Rogers, County Attorney

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE – Ysabel Dieguez, a first-grade student at Rawls Byrd Elementary School, led the Board and citizens in the Pledge of Allegiance.

E. PUBLIC COMMENT

1. Dr. John Whitley, 110 Governor Berkeley, commented on decorum and disrespectful comments by members of the Board of Supervisors.

2. Mr. Jack Haldeman, 1597 Founders Hill North, on behalf of the James City County Citizens Coalition (J4C), commented on the group's support for increased fees for independent water systems.

3. Mr. Ed Oyer, 139 Indian Circle, commented on the loss of Lt. Todd Weaver; decreased enrollment in schools; and demographic and income comparisons between James City County and York County.

4. Mr. Robert Richardson, 2786 Lake Powell Road, commented on the Constitutional Conservations kickoff event and encouraged attendance at the remaining events. He commented on disrespectful comments aimed at him and defaults in the financial obligations of members of the Board.

F. BOARD REQUESTS AND DIRECTIVES

Ms. Jones commented that on Thursday, September 30, 2010, at 6:30 p.m. a meeting will be held at the James City/Williamsburg Community Center Room A for the public to take an opportunity to meet the new County Administrator.

Mr. Middaugh stated that the meetings would be held each Thursday beginning on September 30, 2010, in the Berkeley District.

Mr. Icenhour stated the meeting on October 7, 2010, in the Powhatan District would be held in the Human Services Building Auditorium.

Mr. McGlennon stated the meeting on October 14, 2010, in the Jamestown District would be held at Rawls Byrd Elementary School.

Mr. Goodson stated the meeting on October 21, 2010, in the Roberts District would be held at James River Elementary School Auditorium.

Mr. Kennedy stated the meeting on October 28, 2010, in the Stonehouse District would be held at the James City County Library in Norge.

G. CONSENT CALENDAR

Ms. Jones asked to pull Item No. 3 for more information for the benefit of the citizens.

Mr. McGlennon made a motion to adopt the remaining items on the Consent Calendar.

On a roll call vote, the vote was AYE: McGlennon, Goodson, Icenhour, Jones, Kennedy (5). NAY: (0).

1. Minutes – September 14, 2010
2. Grant Award – Virginia Department of Health – \$21,762

RESOLUTION

GRANT AWARD - VIRGINIA DEPARTMENT OF HEALTH - \$21,762

WHEREAS, James City County was awarded a grant from the Virginia Department of Health under the Clean Vessel Act in the amount of \$21,762 (\$16,322 grant, \$5,440 local match); and

WHEREAS, the grant requires a match of \$5,440 which is available in the Grants Match Account; and

WHEREAS, the funds are to be used to purchase and install a sewage system at the County's Jamestown Yacht Basin facility.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the acceptance of this grant and the following appropriation amendment to the General Fund Grants Match:

Revenues:

VDH-Clean Vessel Act	\$16,322
General Fund Grants Match	<u>5,440</u>
Total	<u>\$21,762</u>

Expenditure:

VDH-Clean Vessel Act	<u>\$21,762</u>
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4. Declaration of a Local Emergency

RESOLUTION

DECLARATION OF A LOCAL EMERGENCY

WHEREAS, the Board of Supervisors of James City County, Virginia, does hereby find that due to the recent lack of rain coupled with low humidity, the County faces dangerous conditions of sufficient severity and magnitude to warrant coordinated local government action to prevent or alleviate the damage, loss, hardship, or suffering threatened or caused thereby, including an immediate prohibition on open burning; and

WHEREAS, a condition of extreme peril of life and property necessitated the declaration of the existence of an emergency; and

WHEREAS, due to exigent circumstances, the Board of Supervisors was unable to convene to consent to the declaration of a local emergency.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that, pursuant to Section 44-146.21 of the Code of Virginia, 1950, as amended, the Declaration of a Local Emergency dated September 17, 2010, by Robert C. Middaugh, Jr., Director of Emergency Management for James City County, be, and the same hereby, is confirmed.

BE IT FURTHER RESOLVED that the Director of Emergency Management and the Emergency Operations Division of the James City County Fire Department shall exercise those powers, functions, and duties as prescribed by State law and the ordinances, resolutions, and approved plans of James City County in order to mitigate the effects of said emergency.

3. Contract Award – Construction of Ironbound Square Revitalization Road Improvements, Phase II – \$589,535

Mr. Rick Hanson, Office of Housing and Community Development Director, gave information about when the project will occur and the extent of the work. He stated that the contract included reconstruction of the remaining portion of Watford Lane and construction of three new cul-de-sacs, paved shared drives, stormwater management structures, water and sewer line extensions and other improvements. He stated the pre-construction meeting is scheduled for October 11, 2010, and citizens will be invited to a subsequent

meeting that week. He stated that directly-impacted citizens would be notified by mail and the information would be on the County website. He stated the construction would begin October 21, 2010, and conclude in August, 2011.

Mr. McGlennon made a motion to adopt the resolution.

On a roll call vote, the vote was AYE: McGlennon, Goodson, Icenhour, Jones, Kennedy (5). NAY: (0).

RESOLUTION

CONTRACT AWARD – CONSTRUCTION OF IRONBOUND SQUARE REVITALIZATION

ROAD IMPROVEMENTS – PHASE II - \$589,535

WHEREAS, bids were publicly advertised for the construction of Ironbound Square Revitalization Road Improvements - Phase II; and

WHEREAS, eight bids were considered for award and David A. Nice Builders, Inc. was the lowest responsive and responsible bidder; and

WHEREAS, sufficient funds are available to award the bid amount of \$589,535 from the Ironbound Square Roads Project in the Capital Improvement Program.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator to execute a contract up to the amount of \$589,535 with David A. Nice Builders, Inc. for the Construction of Ironbound Square Revitalization Road Improvements - Phase II.

H. PUBLIC HEARINGS

1. Agricultural and Forestal District (AFD) 2010 Renewals

- a. Case No. AFD-1-89. Armistead 2010 Renewal
- b. Case No. AFD-5-86. Barnes Swamp 2010 Renewal
- c. Case No. AFD-1-02. Carter's Grove 2010 Renewal
- d. Case No. AFD-10-86. Christenson's Corner 2010 Renewal
- e. Case No. AFD-6-86. Cranston's Pond 2010 Renewal
- f. Case No. AFD-2-86. Croaker 2010 Renewal
- g. Case No. AFD-9-86. Gordon Creek 2010 Renewal
- h. Case No. AFD-12-86. Gospel Spreading Church Farm 2010 Renewal
- i. Case No. AFD-3-86. Hill Pleasant Farm 2010 Renewal
- j. Case No. AFD-7-86. Mill Creek 2010 Renewal
- k. Case No. AFD-1-93. Williamsburg Farms 2010 Renewal
- l. Case No. AFD-11-86. Yarmouth Island 2010 Renewal

Ms. Kate Sipes, Senior Planner, stated there were currently 14 AFDs in the County, with 12 in the renewal process. She stated that per State Code, a public hearing was required to renew an AFD for an additional term. Per State Code, a public hearing must be held to consider the renewal of an AFD for an

additional term. There are currently 14 AFDs in the County. Twelve are currently in the renewal process: Armistead, Barnes Swamp, Carter's Grove, Christenson's Corner, Cranston's Pond, Croaker, Gordon Creek, Gospel Spreading Church Farm, Hill Pleasant Farm, Mill Creek, Williamsburg Farms, and Yarmouth Island. All have four-year terms, expiring between September and November 2010. Wright's Island AFD was renewed by the Board of Supervisors in July 2010, with an eight-year term; the remaining district, Pate's Neck, has a six-year term which expires in 2012.

At its meeting on September 1, 2010, the Planning Commission recommended renewal of the AFDs other than AFD-7-86, Mill Creek and AFD-1-02, Carter's Grove by a vote of 7-0. The Planning Commission recommended renewal of AFD-7-86 Mill Creek by a vote of 6-0 with one abstention and AFD-1-02 Carter's Grove by a vote of 5-0 with two abstentions.

Staff recommended renewal of all the districts and adoption of the ordinances.

Mr. Kennedy opened the Public Hearing.

1. Ms. Jacqueline Griffin-Allmond, 1804 Treasure Island Road, stated she was speaking in relation to Gospel Spreading Church AFD. She commented that she would like to add a provision to this AFD to allow for the construction of two dwellings on the parcels and limitations to be placed on wireless communication towers and equipment on this property due to possible negative health effects. She commented that the 1990 renewal of this AFD has stunted the growth of the parcel and requested that the original provisions be included in the current renewal ordinance.

2. Mr. Robert Richardson, 2786 Lake Powell Road, continued Ms. Griffin-Allmond's statements which requested approval of the planned community that would have originally been allowed on the property. Mr. Richardson commented on the historical significance of the property. He stated that the modifications to the ordinance were being requested. He noted that he was a neighbor of Gospel Spreading Church AFD and felt it was an asset to the community.

As no one else wished to speak to this matter, Mr. Kennedy closed the Public Hearing.

Mr. Kennedy asked Mr. Rogers to address the concerns of Ms. Griffin-Allmond.

Mr. Rogers stated the application for the renewal of the AFD could be done only if the property owner and the County were in agreements with the change. He stated the court has determined that the owner was the James City County Bible and Agricultural Training School, which was the applicant in this case.

Mr. Goodson stated the Board could not make the changes without approval by the property owner.

Mr. Rogers stated the Board could make the changes, but it would need to notify the property owner.

Mr. McGlennon made a motion to adopt the ordinances.

On a roll call vote, the vote was AYE: McGlennon, Goodson, Icenhour, Jones, Kennedy (5). NAY: (0).

2. Case No. SUP-0019-2010. Harmonious Hardscapes

Ms. Sarah Propst, Planner, stated that Mr. David Barglof has applied for a Special Use Permit (SUP) to allow for the development of a retail landscaping store with the storage of landscaping materials as an accessory use at 8162 Richmond Road. The sale of plant and garden supplies and the storage and distribution

of sand, gravel, and stone are specially permitted uses in the A-1, General Agriculture zoning district. The applicant will be using the existing structure as the retail store and business office. A 17-space parking lot, as depicted on the master plan and a privacy fence around the "Inventory and Equipment Storage Area" will be constructed.

On September 1, 2010, the Planning Commission recommended approval of this application by a vote of 7-0.

Ms. Propst explained that Condition Nos. 2 and 6 were changed, at the recommendation of the Planning Commission. Condition No. 2 reads "A privacy fence of at least 6 feet tall made of chain link with vertical slats to accommodate privacy or a comparable material, *such as Enviroscreen*, approved by the Planning Director shall be provided around the "Inventory and Equipment Storage Area." Condition No. 6 reads "A landscape plan *and a tree preservation plan*, subject to the review and approval of the Planning Director or their designee, shall be submitted for the Property (in accordance with the "Article II. Special Regulations Division 4. Landscaping" of the Zoning Ordinance) during the initial phase of development."

Staff found the proposal consistent with surrounding land uses, the Land Use policies of the Comprehensive Plan, and the Comprehensive Plan Land Use Map designation.

Staff recommends approval of the application.

Mr. McGlennon asked about tree buffer on the property and which trees would remain.

Ms. Propst stated that a mature row of pine trees on the east side of the property per Condition No. 6 and staff would work with the applicant for tree preservation through a landscaping plan.

Mr. Icenhour asked if the trees would front on Richmond Road.

Ms. Propst stated that was correct.

Mr. Icenhour stated his concern with significant tree removal. He asked if there was discussion about tree preservation at the Planning Commission. He asked if these changes would be done at the site plan level.

Ms. Propst stated that the discussion was held at the Planning Commission, but no changes were suggested at that time.

Mr. Icenhour asked if the purpose of the landscaping would be enhancement of the property or for screening.

Ms. Propst stated that the landscaping would be for enhancement of the property for community character.

Mr. Kennedy recognized Mr. Jack Fraley in attendance on behalf of the Planning Commission.

Mr. Kennedy opened the Public Hearing.

As no one wished to speak to this matter, Mr. Kennedy closed the Public Hearing.

Ms. Jones made a motion to adopt the resolution.

On a roll call vote, the vote was AYE: McGlennon, Goodson, Icenhour, Jones, Kennedy (5). NAY: (0).

RESOLUTION

CASE NO. SUP-0019-2010. HARMONIOUS HARDCAPES

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 (SUP) process; and

WHEREAS, Mr. David Barglof has applied on behalf of Mid Atlantic Enterprises, Inc. for an SUP to allow for the construction of a retail landscaping store with storage of materials for landscaping as an accessory use; and

WHEREAS, the proposed development is shown on a plan prepared by Cornerstone Design Group, dated August 20, 2010 (the "Master Plan") and entitled "Harmonious Hardscapes Special Use Permit Application Exhibit"; and

WHEREAS, the property is located at 8162 Richmond Road and can be further identified as James City County Real Estate Tax Map Parcel No. 1240100012; and

WHEREAS, the Planning Commission, following its public hearing on September 1, 2010, voted 7-0 to recommend approval of this application; and

WHEREAS, the Board of Supervisors of James City County, Virginia, finds this use to be consistent with the 2009 Comprehensive Plan Use Map designation for this site.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of SUP-0019-2010 as described herein with the following conditions:

1. Master Plan: This SUP shall be valid for the construction of an approximately 1,440 square foot, one-story-high retail landscaping business, which also includes a two-story future expansion of approximately 1,500 square feet for retail and office space and an approximate 2,000-square-foot shop space. The property is located at 8162 Richmond Road and further identified as James City County Tax Map Parcel No. 1240100012. Development and use of the Property shall be generally in accordance with and bound by the Master Plan entitled "Harmonious Hardscapes 8162 Richmond Road," prepared by Cornerstone Design Group, date stamped August 20, 2010 (the "Master Plan") with such minor changes as the Development Review Committee determines does not change the basic concept or character of the development.
2. Buffering: A privacy fence of at least 6 feet tall made of chain link with vertical slats to accommodate privacy or a comparable material, such as Enviroscreen, approved by the Planning Director shall be provided around the "Inventory and Equipment Storage Area." The trees between the fencing and the residence at 123 Industrial Boulevard shall be preserved and maintained.

3. Hours of Operation: The hours of operation for the business, including the loading or unloading of, or maintenance of, vehicles or equipment, shall be limited from 6 a.m. to 8 p.m., Monday through Friday, 7 a.m. to 8 p.m. on Saturday, and 9 a.m. to 8 p.m. on Sunday.
4. Water Conservation: The Owner shall be responsible for developing and enforcing water conservation standards to be submitted to and approved by the James City Service Authority prior to final site plan approval for the initial phase. The standards may include, but shall not be limited to such water conservation measures as limitations on the installation and use of irrigations systems and irrigations wells, the use of approved landscaping materials including the use of drought tolerant plants, warm season grasses, and the use of water conserving fixtures and appliances to promote water conservation and minimize the use of public water resources.
5. Lighting: Any parking lot lighting installed on the Property shall be comprised of recessed fixtures with no bulb, lens, or globe extending below the fixture housing. The housing shall be opaque and shall completely enclose the light source in such a manner that all light is directed downward, and that the light source is not visible from the side of the fixture. Pole-mounted fixtures shall not be mounted in excess of 15 feet in height above the finished grade beneath them. Accent lighting to showcase products is allowed but may not produce any glare or light spillage toward the roads or the residence at 123 Industrial Boulevard. Light spillage, defined as light intensity measured at 0.1 foot-candle or higher extending beyond any property line, shall be prohibited.
6. Landscape Plan: A landscape plan, subject to the review and approval of the Planning Director or his designee, shall be submitted for the Property (in accordance with "Article II. Special Regulations Division 4. Landscaping" of the Zoning Ordinance) during the initial phase of development. The owner shall provide enhanced landscaping such that the required size of shrubs and trees located in the 50-foot buffer along Richmond Road equals, at a minimum, 125 percent of the size requirements, and such that at least 60 percent of the shrubs and trees are evergreens.
7. Equipment Storage: All storage of equipment associated with the development shall be located inside the fenced area defined as "Inventory and Equipment Storage" or "Bulk Storage" on the Master Plan.
8. Freestanding Sign: Freestanding signage shall be limited to one monument style sign. For purposes of this condition, a "monument" style sign shall be defined as a freestanding sign with a completely enclosed base not to exceed 32 square feet in size and not to exceed ten feet in height from grade. The sign shall be illuminated by ground mounted lights only.
9. Severance Clause: This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

3. Reductions in the FY 2011 Capital Budget

Mr. John McDonald, Manager of Financial and Management Services, stated that Williamsburg-James City County Schools (WJCC) has ended the year with an unusually high fund balance of approximately \$4.26 million in unencumbered funds primarily due to the fact that the State suspended the fourth quarter Virginia Retirement System (VRS) payment in FY 2010. Under State law, these funds would be returned to the City

and the County but under the provisions of the City/County School contract, the schools can retain the funds, invest up to \$500,000 in any needed school project, and use the residual to fund approved capital projects. WJCC has set aside the \$500,000 allowed under the contract and is tentatively allocating approximately \$1 million to instructional technology and the James Blair renovation. The remaining funds of \$2.75 million are proposed to be used on capital projects that the City and County have already agreed to fund.

Mr. McDonald stated that the resolution reduces the County's Capital Budget by \$2,513,857 in school spending and reduces the approved financing by \$2.5 million. The \$13,857 difference is proposed to be added to Capital Contingency. He recommended approval of the resolution.

Mr. Goodson asked when the payment that was not made to VRS would need to be made up. He asked for more details on this issue.

Mr. McDonald stated that the General Assembly did commit to reestablish the contribution to VRS and the County would eventually have to catch-up the payments.

Mr. Goodson stated that the State would have to make that decision and the schools were unable to make that decision.

Mr. McDonald stated that was correct.

Mr. Icenhour asked if the County budgeted for the payment.

Mr. McDonald stated that it was budgeted and the County did not receive the funds to assist with the payment, but the contribution is larger than what the State would contribute.

Mr. Icenhour stated concern that when the payment is made or caught up, it would likely be paid from County funds rather than State funds.

Mr. McDonald stated that the contribution was a combination of State and County funds.

Mr. Icenhour stated the County would likely have to contribute more.

Mr. McDonald stated that was correct.

Mr. Kennedy asked if there was potential for the funding to be waived again.

Mr. McDonald stated that it was possible, but he was unsure. He stated that the rates for VRS have been set for FY 2011 and FY 2012.

Mr. Kennedy asked if there was a way to keep this money until the County needed to pay its obligation.

Mr. McDonald stated the agreement with the City had provisions for the leftover funds.

Mr. McGlennon stated that he understood why the Board would question why the County should not hold the money until the funds needed to be paid, but he understood that this money could offset some capital borrowing. He stated there was a possibility that the State could take many approaches to the repayment of the funds.

Mr. McDonald stated that the City-County contract agreed to a provision in this case, and that this was a one-time availability of spendable cash that needed to be spent, and he noted the differences of fiscal policy and political actions. He stated staff was unsure when the payment would need to be made.

Mr. Kennedy recommended cost-saving measures to provide for a future payment.

Mr. Goodson noted that there would be debt-service savings. He stated that he would like to discuss what the resulting savings would be during the budget process.

Mr. Kennedy opened the Public Hearing.

1. Mr. Ed Oyer, 139 Indian Circle, commented that this was a deferred payment.

2. Mr. Jay Everson, 103 Branscome Boulevard, commented on the interest savings in comparison to the rate of return on the VRS funds, which was about seven percent. He commented that the VRS system is underfunded, and the repayment would need to be repaid with interest, which would double in ten years at seven percent. He stated that making a direct payment to VRS or placing the funds in escrow would be recommended so the payment could be made later.

As no one else wished to speak to this matter, Mr. Kennedy closed the Public Hearing.

Mr. Middaugh noted that the current contract with the City required the funds to be allocated as noted. He stated that the contract would need to be amended in order to make a change.

Mr. Goodson stated that he believed that if an adjustment needed to be made, it should be done through the County budget.

Mr. Kennedy stated the agreement could not be changed at this time.

Mr. Goodson stated that if the funds were sent, it would not change what would be due in the future.

Mr. Kennedy stated that this was a scenario that could not have been anticipated in the contract with the City. He noted his discomfort with trying to realize where the funding would come from in the future. He stated that in this case, the money was not left over at the end of the year since it was technically appropriated for a purpose.

Mr. McGlennon stated that he did not disagree that there were problems with VRS. He stated that the Board could not solve those issues at this time and under the current contract. He stated that in the short-term, there were benefits of spending the funds for capital projects. He stated the State would accept the money, but it would not credit the County for the contribution. He stated that the Board needed to plan to meet this obligation in the future.

Mr. McGlennon made a motion to adopt the resolution.

Mr. Middaugh stated that the action could be deferred in order to future explore the options.

Mr. Kennedy stated the schools were setting aside funds for capital projects per the contract.

Mr. McDonald stated that he did not believe there was a use for the \$500,000 at this point, but the schools would use it later. He stated the investments for instructional technology and other projects have been committed.

Mr. Kennedy stated that the budget reduction has resulted in an increase in spending.

Mr. McDonald stated that was correct.

Mr. McGlennon stated the funding would reduce what was going to be spent in the coming year.

Mr. Kennedy stated that the funds would need to be replaced in the future.

Mr. McGlennon stated the planning budget that was adopted included the \$2.7 million allocation. He stated that those funds could be used to offset the VRS funding.

Mr. Goodson stated that the County would not borrow for those projects and would not have the additional cash.

Mr. McDonald noted that the bonds were typically issued for 20 years.

Mr. Goodson stated that the VRS payment would need to be paid before the 20 year bond was mature.

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

RESOLUTION

REDUCTIONS IN THE FY 2011 CAPITAL BUDGET

WHEREAS, the Board of Supervisors has been advised that FY 2010 ending balances accumulated by the Williamsburg-James City County School Board are sufficient to finance \$2,513,857 in certain specific capital projects that were originally dependent on County borrowings.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the following amendments to appropriations in the FY 2011 capital budget be adopted and that the FY 2011 budget be amended, as follows:

Reduction in FY 2011 School Bond Financing	\$ 2,500,000
Increase in Capital Contingency	<u>13,857</u>
	<u>\$ 2,513,857</u>
Reduction in FY 2011 School Capital Projects	<u>\$ 2,513,857</u>

I. BOARD CONSIDERATIONS

1. Refunding of General Obligation Bonds

Mr. John McDonald, Manager of Financial and Management Services, stated that staff has been working with representatives of Davenport and Company, the County's financial advisors, and Mr. Stephen Johnson of Troutman Sanders, bond counsel, on a possible refunding (refinancing) of \$4,939,800 of the County's outstanding 2002 General Obligation debt. Savings in debt service spending from the refunding is estimated to be \$373,638 through the year 2016.

Mr. McDonald stated that staff was also working on a refunding of \$4,903,000 of the County's 2003 lease revenue financing, with a projected savings of \$235,461 through the year 2019. He stated that he hoped to be able to bring that proposal to the Board in October.

Staff recommended approval of the resolution.

Mr. Goodson asked if additional funds could be borrowed for VRS payment.

Mr. McDonald stated the payback on a bond issued in less than six years was less than two percent.

Mr. Icenhour asked if this was like refinancing a mortgage to get a better rate.

Mr. McDonald stated that was correct.

Mr. McGlennon made a motion to adopt the resolution.

On a roll call vote, the vote was AYE: McGlennon, Goodson, Icenhour, Jones, Kennedy (5). NAY: (0).

RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF
GENERAL OBLIGATION PUBLIC IMPROVEMENT REFUNDING BONDS,
SERIES 2010, OF THE COUNTY OF JAMES CITY, VIRGINIA,
AND PROVIDING FOR THE FORM, DETAILS AND PAYMENT THEREOF

WHEREAS, the issuance of general obligation bonds by the County of James City, Virginia (the "County"), in the maximum principal amount of \$52,100,000 was approved by the qualified voters of the County in three referenda at a special election held on March 1, 1994, to finance a school construction program, library improvements and park and recreation improvements (together, the "Improvements"). On August 3, 1994, the County issued its \$9,500,000 General Obligation Public Improvement Bonds, Series of 1994 (the "1994 Bonds") to finance a portion of the costs of the Improvements. On December 5, 1995, the County issued its \$35,000,000 General Obligation Public Improvement Bonds, Series 1995 (the "1995 Bonds") to finance a portion of the costs of the Improvements; and

WHEREAS, on November 20, 2002, the County issued its \$4,280,000 General Obligation Public Improvement Refunding Bond, Series 2002 (the "2002A Bond") to refund a portion of the 1994 Bonds, and on December 17, 2002, the County issued its \$3,180,200 General Obligation Public Improvement Refunding Bond, Series 2002B (the "2002B Bond") to refund a portion of the 1995 Bonds. The County's Board of Supervisors (the "Board") determines that it is in the best interests of the County to take advantage of lower interest rates now prevalent in the capital markets and to issue and sell general obligation public improvement refunding bonds to refund the 2002A Bond and the 2002B Bond (collectively, the "Prior Bonds"); and

WHEREAS, the Board determines that it would be advantageous to the County to sell such refunding bonds in a competitive sale.

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

Section 1. **Authorization, Issuance and Sale.** There is hereby authorized to be issued and sold, pursuant to the Constitution and statutes of the Commonwealth of Virginia, including the Public Finance Act of 1991, Chapter 26, Title 15.2, Code of Virginia of 1950, as amended (the "Act"), general obligation public improvement refunding bonds of the County in the principal amount not to exceed \$5,250,000 to refund the Prior Bonds and to pay the costs incurred in connection with issuing such refunding bonds. The Board hereby elects to issue such refunding bonds under the provisions of the Act.

Section 2. **Bond Details.** Such bonds shall be designated "General Obligation Public Improvement Refunding Bonds, Series 2010" (the "Bonds"), shall be dated the date of their issuance, shall be in registered form, shall be in denominations of \$5,000 and multiples thereof, and shall be numbered R-1 upward. Subject to Section 4 and Section 9, the Bonds shall mature in installments, or shall have mandatory sinking fund redemption installments, on each December 15 ending no later than the year 2016. Subject to Section 9, interest on the Bonds shall be payable on June 15, 2011, and semiannually thereafter on each June 15 and December 15 (each, an "Interest Payment Date") and shall be calculated on the basis of a year of 360 days with twelve 30-day months. The Board authorizes the issuance and sale of the Bonds on such terms as shall be satisfactory to the County Administrator or the Chairman of the Board; *provided*, that the Bonds (a) shall have a true or "Canadian" interest cost not to exceed 2.00% per year, taking into account any original issue discount or premium; (b) shall be sold to the successful bidder at a price not less than 98% of the original aggregate principal amount thereof; (c) shall have a weighted average maturity of no more than six (6) years; (d) shall be issued in an aggregate amount not to exceed \$5,250,000; (e) shall not be subject to optional redemption; and (f) shall result in a three percent (3.00%) or greater net present value debt service savings to the County.

Principal and premium, if any, on the Bonds shall be payable to the registered owners upon surrender of the Bonds as they become due at the designated corporate trust office of the Registrar, as defined in Section 8 below. Interest shall be payable by check or draft mailed to the registered owners at their addresses as they appear on the registration books kept by the Registrar as of the close of business on the first day of the month in which each Interest Payment Date occurs. In case the date of maturity or redemption of the principal of any Bond or an Interest Payment Date shall be a date on which banking institutions are authorized or obligated by law to close at the place where the designated corporate trust office of the Registrar is located, then payment of principal and interest need not be made on such date, but may be made on the next succeeding date which is not such a date at the place where the designated corporate trust office of the Registrar is located, and if made on such next succeeding date no additional interest shall accrue for the period after such date of maturity or redemption or Interest Payment Date. Principal, premium, if any, and interest on the Bonds shall be payable in lawful money of the United States of America.

Each Bond shall bear interest from the Interest Payment Date next preceding the date on which it is authenticated, unless such Bond is (a) authenticated before June 15, 2011, in which case it will bear interest from its dated date, or (b) authenticated upon an Interest Payment Date or after the record date with respect thereto, in which case it will bear interest from such Interest Payment Date (unless payment of interest thereon is in default, in which case interest on such Bond shall be payable from the date to which interest has been paid).

Section 3.

Book-Entry System. Initially, one Bond certificate for each maturity of the Bonds shall be issued to and registered in the name of The Depository Trust Company, New York, New York (“DTC”), or its nominee. The County has entered into or will enter into a Blanket Issuer Letter of Representations (the “Letter of Representations”) relating to a book-entry system to be maintained by DTC with respect to certain securities issued by the County, including the Bonds. As used herein, the term “Securities Depository” shall mean DTC or any other securities depository for the Bonds appointed pursuant to this Section 3.

In the event that (a) the Securities Depository determines not to continue to act as the securities depository for the Bonds by giving notice to the Registrar or the County, or (b) the County in its sole discretion determines (i) to select a new Securities Depository or (ii) that beneficial owners of Bonds shall be able to obtain certificated Bonds, then the County Administrator shall, at the direction of the County, attempt to locate another qualified securities depository to serve as Securities Depository or arrange for the authentication and delivery of certificated Bonds to the beneficial owners or to the Securities Depository’s participants on behalf of beneficial owners, substantially in the form provided for in Exhibit A. In delivering certificated Bonds, the County Administrator shall be entitled to rely on the records of the Securities Depository as to the beneficial owners or the records of the Securities Depository’s participants acting on behalf of beneficial owners. Such certificated Bonds will then be registrable, transferable and exchangeable as set forth in Section 8.

So long as there is a Securities Depository for the Bonds (1) it or its nominee shall be the registered owner of the Bonds, (2) notwithstanding anything to the contrary in this Resolution, determinations of persons entitled to payment of principal, premium, if any, and interest, transfers of ownership and exchanges, and receipt of notices shall be the responsibility of the Securities Depository and shall be effected pursuant to rules and procedures established by such Securities Depository, (3) the Registrar and the County shall not be responsible or liable for maintaining, supervising, or reviewing the records maintained by the Securities Depository, its participants or persons acting through such participants, (4) references in this Resolution to registered owners of the Bonds shall mean such Securities Depository or its nominee and shall not mean the beneficial owners of the Bonds, and (5) in the event of any inconsistency between the provisions of this Resolution and the provisions of the Letter of Representations, such provisions of the Letter of Representations, except to the extent set forth in this paragraph and the next preceding paragraph, shall control.

Section 4. Redemption Provisions.

- (a) Optional Redemption. The Bonds are not subject to optional redemption prior to their respective stated dates of maturity.
- (b) Mandatory Sinking Fund Redemption. Any term bonds may be subject to mandatory sinking fund redemption as determined by the County Administrator or the Chairman of the Board. If there are any term bonds, on or before the 70th day next preceding any mandatory sinking fund redemption date, the County may apply as a credit against the County's mandatory sinking fund redemption obligation for any Bonds maturing on such date, Bonds that previously have been purchased and canceled or surrendered for cancellation by the County and not previously applied as a credit against any mandatory sinking fund redemption obligation for such Bonds. Each such Bond so purchased and delivered shall be credited at 100% of the principal amount thereof against the principal amount of the Bonds required to be redeemed on such mandatory sinking fund redemption date. Any principal amount of Bonds so purchased and delivered in excess of the principal amount required to be redeemed on such mandatory sinking fund redemption date shall similarly reduce the principal amount of the Bonds to be redeemed on future mandatory sinking fund redemption dates, as selected by the County Administrator or the Chairman of the Board.
- (c) Bonds Selected for Redemption. If less than all the Bonds of any maturity are to be redeemed through a mandatory sinking fund redemption, the Bonds to be redeemed shall be selected by DTC or any successor Securities Depository pursuant to its rules and procedures or, if the book-entry system is discontinued, shall be selected by the Registrar by lot in such manner as the Registrar in its discretion may determine. In either case, (a) the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or some integral multiple thereof and (b) in selecting Bonds for redemption, each Bond shall be considered as representing that number of Bonds that is obtained by dividing the principal amount of such Bond by \$5,000. If a portion of a Bond is called for redemption, a new Bond in principal amount equal to the unredeemed portion thereof will be issued to the registered owner upon the surrender thereof.
- (d) Determination of Final Redemption Provisions. The Board authorizes the County Administrator or the Chairman of the Board, in collaboration with Davenport & Company LLC, as the County's financial advisor (the "Financial Advisor"), to determine whether the issuance of any term bonds would be beneficial to the County.

Section 5. **Execution and Authentication.** The Bonds shall be signed by the manual or facsimile signature of the Chairman or Vice Chairman of the Board and the Board's seal shall be affixed thereto or a facsimile thereof printed thereon and attested to by the manual or facsimile signature of the Clerk or Deputy Clerk of the Board; *provided*, that no Bond shall be valid until it has been authenticated by the manual signature of an authorized representative of the Registrar and the date of authentication noted thereon. Upon execution and authentication, the Bonds shall be delivered to or on behalf of the successful bidder upon payment for the Bonds.

Section 6. **Bond Form.** The Bonds shall be in substantially the form set forth in Exhibit A attached hereto, with such changes, insertions, completions or omissions to reflect the final terms of the Bonds.

Section 7. **Pledge of Full Faith and Credit.** The full faith and credit of the County are irrevocably pledged for the payment of principal of, premium, if any, and interest on the Bonds. Unless other funds are lawfully available and appropriated for timely payment of the Bonds, the County shall levy and collect an annual *ad valorem* tax, over and above all other taxes authorized or limited by law and without limitation as to rate or amount, on all locally taxable property in the County sufficient to pay the principal of, premium, if any, and interest on the Bonds, as the same become due.

Section 8. **Registration, Transfer and Owners of Bonds.** Regions Bank, Richmond, Virginia, is appointed paying agent and registrar for the Bonds (the "Registrar"). The Registrar shall maintain registration books for the registration of the Bonds. Upon surrender of any Bonds at the designated corporate trust office of the Registrar, together with an assignment duly executed by the registered owner or his duly authorized attorney or legal representative in such form as shall be satisfactory to the Registrar, the County shall execute, and the Registrar shall authenticate and deliver in exchange, a new Bond or Bonds having an equal aggregate principal amount, in authorized denominations, of the same form and maturity, bearing interest at the same rate, and registered in names as requested by the then registered owner or his duly authorized attorney or legal representative. Any such exchange shall be at the expense of the County, except that the Registrar may charge the person requesting such exchange the amount of any tax or other governmental charge required to be paid with respect thereto.

The Registrar shall treat the registered owner as the person exclusively entitled to payment of principal, premium, if any, and interest and the exercise of all other rights and powers of the owner, except that interest payments shall be made to the person shown as owner on the registration books on the first day of the month in which each Interest Payment Date occurs.

Section 9. **Sale of Bonds.** The Board approves the following terms of the sale of the Bonds. The Bonds will be sold by competitive bid. The County Administrator or the Chairman of the Board, in collaboration with the Financial Advisor, shall receive bids for the Bonds and award the Bonds to

the bidder providing the lowest true or “Canadian” interest cost, all subject to the limitations set forth in Section 2. The Board further authorizes the County Administrator or the Chairman of the Board, in collaboration with the Financial Advisor, to (a) determine the principal amount of the Bonds, subject to the limitations set forth in Section 2, (b) determine the maturity schedule of the Bonds, subject to the weighted average maturity limitations and other limitations set forth in Section 2, (c) establish the sinking fund redemption provisions for any term Bonds, subject to the limitations set forth in Section 2 and Section 4(d) and (d) confirm that the debt service savings target set forth in Section 2 has been satisfied. In connection with the sale of the Bonds, the County Administrator or the Chairman of the Board, in collaboration with the Financial Advisor, may change the dated date of the Bonds and the payment dates provided therein (so long as the interest payment dates for any series are semi-annual) to facilitate the sale and delivery of the Bonds. The actions of the County Administrator or the Chairman of the Board in selling the Bonds shall be conclusive, and no further action with respect to the sale and issuance of the Bonds shall be necessary on the part of the Board.

Section 10.

Official Statement. The form of the Preliminary Official Statement of the County, to be dated the date of its mailing (the “Preliminary Official Statement”), has been made available to the Board prior to the adoption of this Resolution. The use and distribution of the Preliminary Official Statement, in substantially the form made available to the Board, including the use and distribution of an Appendix to the Preliminary Official Statement describing the County, are hereby authorized and approved. The Preliminary Official Statement, including such Appendix, may be completed and “deemed final” by the County Administrator or the Chairman of the Board as of its date, within the meaning of Rule 15c2-12 of the Securities and Exchange Commission (the “Rule”), except for the omission from the Preliminary Official Statement of such pricing and other information permitted to be omitted pursuant to the Rule. The delivery of the Preliminary Official Statement to the Financial Advisor shall be conclusive evidence that it has been deemed final as of its date by the County Administrator or the Chairman of the Board, except for the omission of such pricing and other information.

The County Administrator or the Chairman of the Board shall make such completions, omissions, insertions and changes in the Preliminary Official Statement not inconsistent with this Resolution as are necessary or desirable to complete it as a final Official Statement (the “Official Statement”). The use and distribution of the Official Statement are hereby authorized and approved. The County Administrator or the Chairman of the Board shall arrange for the delivery to the successful bidder of a reasonable number of copies of the Official Statement, within seven (7) business days after the Bonds have been sold, for delivery to each potential investor requesting a copy of the Official Statement and to each person to whom the successful bidder initially sells Bonds.

The County Administrator or the Chairman of the Board is authorized, on behalf of the County, to deem the Official Statement to be final as of its date within the meaning of the Rule. The County Administrator or the Chairman of the Board is authorized and directed to execute the Official Statement, which execution shall be conclusive evidence that the Official Statement has been deemed final.

Section 11. **Continuing Disclosure.** A substantially final form of the Continuing Disclosure Certificate to be given by the County (the “Continuing Disclosure Certificate”), evidencing conformity with certain provisions of the Rule, has been made available to the Board prior to the adoption of this Resolution. The Continuing Disclosure Certificate is hereby approved in substantially the form made available to the Board. There may, however, be changes, insertions, completions or omissions to the form of the Continuing Disclosure Certificate to reflect the final terms of the Bonds, the completion of the Official Statement or other commercially reasonable provisions. All of such changes, insertions, completions or omissions will be approved by the County Administrator or the Chairman of the Board, whose approval shall be evidenced conclusively by the execution and delivery of the Continuing Disclosure Certificate. The Board hereby authorizes the County Administrator or the Chairman of the Board to execute and deliver the Continuing Disclosure Certificate on behalf of the County.

The County hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate. Notwithstanding any other provision of this Resolution, failure of the County to comply with the Continuing Disclosure Certificate shall not be considered a default under this Resolution or the Bonds; *provided*, that any holder of the Bonds, including owners of beneficial interests in the Bonds, may take such actions as may be necessary and appropriate, including seeking mandamus or specific performance by court order, to cause the County to comply with its obligations under this Section 11 and the Continuing Disclosure Certificate.

Section 12. **Sale Documents.** The use and distribution of the Notice of Bond Sale pursuant to which the Bonds will be offered for sale are hereby authorized and approved.

Section 13. **Refunding; Escrow Agreement.** The Board hereby irrevocably calls for the optional redemption of the Prior Bonds on a date that is not less than thirty (30) days nor more than sixty (60) days after the issuance of the Bonds (the “Redemption Date”) at a redemption price equal to 100% of the principal amount of the Prior Bonds plus accrued interest to the Redemption Date.

To facilitate the defeasance of the Prior Bonds and the payment of the principal of, premium and interest on the Prior Bonds from the issuance date through the Redemption Date, the Board hereby authorizes the use of the Escrow Agreement, dated as of October 1, 2010 (the “Escrow Agreement”), between the County and Regions Bank, as escrow agent (the “Escrow Agent”). The Escrow Agreement shall be in substantially the form previously used by the County in connection with the issuance of general

obligation refunding bonds, with such changes, insertions and omissions as may be approved by the Chairman or Vice Chairman of the Board or the County Administrator, whose approval shall be conclusively evidenced by the execution of the Escrow Agreement. The Board hereby authorizes the County Administrator or the Escrow Agent to submit a subscription for the purchase and issue of United States Treasury Securities - State and Local Government Series or, alternatively, the County Administrator or the Escrow Agent, with the advice of the Financial Advisor, to obtain competitively a portfolio of securities. If the County Administrator shall determine that the same shall improve the efficiency of the Escrow Fund created under the Escrow Agreement, he is further authorized to enter into agreements and give instructions for the purchase of securities for periods when the moneys credited to the Escrow Fund would otherwise be uninvested. The Board hereby authorizes the Chairman and the Vice Chairman of the Board and the County Administrator, any of whom may act, to execute and deliver the Escrow Agreement on behalf of the County.

Section 14. Arbitrage Covenants.

- (a) No Composite Issue. The County represents that there have not been issued, and covenants that there will not be issued, any obligations that will be treated as part of the same issue of obligations as the Bonds within the meaning of the Internal Revenue Code of 1986, as amended, including regulations issued pursuant thereto (the "Code").

- (b) No Arbitrage Bonds. The County covenants that it shall not take or omit to take any action the taking or omission of which will cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code, or otherwise cause interest on the Bonds to be includable in the gross income for federal income tax purposes of the registered owner thereof under existing law. Without limiting the generality of the foregoing, the County shall comply with any provision of law which may require the County at any time to rebate to the United States any part of the earnings derived from the investment of the gross proceeds of the Bonds, unless the County receives an opinion of nationally recognized bond counsel that such compliance is not required to prevent interest on the Bonds from being includable in the gross income for federal income tax purposes of the registered owners thereof under existing law. The County shall pay any such required rebate from its legally available funds.

Section 15. Non-Arbitrage Certificate and Elections. Such officers of the County as may be requested are authorized and directed to execute an appropriate certificate setting forth the expected use and investment of the proceeds of the Bonds in order to show that such expected use and investment will not violate the provisions of Section 148 of the Code, and any elections such officers deem desirable regarding rebate of earnings to the United States, for purposes of complying with Section 148 of the Code. Such certificate and elections shall be in such form as may be requested by bond counsel for the

County. The County shall comply with any covenants set forth in such certificate regarding the use and investment of the proceeds of the Bonds.

Section 16. **Limitation on Private Use; No Federal Guaranty.** The County covenants that it shall not permit the proceeds of the Bonds to be used in any manner that would result in (a) ten percent (10%) or more of such proceeds being used in a trade or business carried on by any person other than a state or local governmental unit, as provided in Section 141(b) of the Code, (b) five percent (5%) or more of such proceeds being used with respect to any output facility (other than a facility for the furnishing of water), within the meaning of Section 141(b)(4) of the Code, or (c) five percent (5%) or more of such proceeds being used directly or indirectly to make or finance loans to any persons other than a state or local governmental unit, as provided in Section 141(c) of the Code; *provided*, that if the County receives an opinion of nationally recognized bond counsel that any such covenants need not be complied with to prevent the interest on the Bonds from being includable in the gross income for federal income tax purposes of the registered owners thereof under existing law, the County need not comply with such covenants.

The County represents and agrees that the Bonds are not and will not be “federally guaranteed,” as such term is used in Section 149(b) of the Code. No portion of the payment of principal of or interest on the Bonds is or will be guaranteed, directly or indirectly, in whole or in part by the United States or an agency or instrumentality thereof.

Section 17. **Bank Qualification.** The Bonds are hereby designated as qualified tax-exempt obligations under Section 265(b)(3)(B) of the Code. The County has not and will not designate more than \$30,000,000 of obligations, including the Bonds, as qualified tax-exempt obligations in calendar year 2010. The County has not issued, nor had issued for its benefit, more than \$30,000,000 of tax-exempt obligations in calendar year 2010, including the Bonds. Barring circumstances unforeseen as of the date of delivery of the Bonds, none of the County, its economic development authority or any other entity which issues obligations on behalf of the County (together, the “County Entities”) will issue tax-exempt obligations if the issuance of such tax-exempt obligations would, when aggregated with all other tax-exempt obligations theretofore issued by the County Entities in calendar year 2010, result in the County Entities having issued a total of more than \$30,000,000 of tax-exempt obligations in calendar year 2010, including the Bonds, for the benefit of the County. The County has no reason to believe that it will issue such tax-exempt obligations in 2010 in an aggregate amount that will exceed such \$30,000,000 limit; *provided*, that if the County receives an opinion of nationally recognized bond counsel that compliance with any covenant set forth above in this paragraph is not required for the Bonds to be qualified tax-exempt obligations, the County need not comply with such covenant.

Section 18. **Discharge upon Payment of Bonds.** The Bonds may be defeased, as permitted by the Act. Any defeasance of the Bonds, as permitted by the Act, shall not release the County or the Registrar from its obligations hereunder to register and transfer the Bonds or release the County from its obligations to pay the principal of, premium, if any, and interest on the Bonds as

contemplated herein until the date the Bonds are paid in full, unless otherwise provided in the Act. In addition, such defeasance shall not terminate the obligations of the County under Sections 14 and 16 until the date the Bonds are paid in full.

Section 19. **Other Actions.** All other actions of the members of the Board, officers, staff, and agents of the County in conformity with the purposes and intent of this Resolution and in furtherance of the issuance and sale of the Bonds and the refunding of the Prior Bonds are approved and confirmed. The officers and staff of the County are authorized and directed to execute and deliver all certificates and instruments, including Internal Revenue Service Form 8038-G, and to take all such further action as may be considered necessary or desirable in connection with the issuance, sale and delivery of the Bonds.

Section 20. **Limitation of Liability of Officials of the County.** No covenant, condition, agreement or obligation contained herein shall be deemed to be a covenant, condition, agreement or obligation of a member of the Board, officer, employee or agent of the County in his or her individual capacity, and no officer of the County executing any Bond shall be liable personally on such Bond or be subject to any personal liability or accountability by reason of the issuance thereof. No member of the Board, officer, employee or agent of the County shall incur any personal liability with respect to any other action taken by him or her pursuant to this Resolution, provided he or she acts in good faith.

Section 21. **Contract with Registered Owner.** The provisions of this Resolution shall constitute a contract between the County and the registered owner of the Bonds for so long as the Bonds are outstanding. Notwithstanding the foregoing, this Resolution may be amended by the County in any manner that does not, in the opinion of the County, materially adversely affect the registered owners of the Bonds.

Section 22. **Repeal of Conflicting Resolutions.** All resolutions or parts of resolutions in conflict herewith are repealed.

Section 23. **Effective Date.** This Resolution shall take effect immediately upon its adoption. The Clerk and any Deputy Clerk of the Board are hereby authorized and directed to see to the immediate filing of a certified copy of this Resolution with the Circuit Court of the City of Williamsburg and County of James City.

2. **Policy Governing the Withdrawal of Property from Agricultural and Forestal Districts (AFDs)**

Mr. John McDonald, Manager of Financial and Management Services, stated that the Board was being requested to update policies adopted in the mid-1990s relating to requested withdrawals of properties from agricultural and forestal districts (AFDs). This update would create the same withdrawal policy for all AFD properties, whether in the Primary Service Area (PSA) or not. As with any legislative policy, it provides guidance to future Boards but does not bind them. Individual property characteristics and circumstances will determine whether a future Board votes for a withdrawal.

Mr. McDonald stated that the purpose of the policy was to establish several items: that enabling legislation be requested from the General Assembly to allow James City County to join the current group of eight counties that have the ability to authorize new AFDs with as few as 20 acres, which staff recommended to be part of the 2011 Legislative Agenda; that the benefits of land use valuation for agricultural properties be limited to properties within an AFD and, as a component of that recommendation, that the minimum parcel size for inclusion in an AFD be reduced from 20 acres to five acres; that the policy governing withdrawals from AFDs outside of the PSA be used for every property in an AFD, whether within the PSA or not; that six-year terms with staggered commencement dates be established for citizen appointees to the AFD Advisory Committee, and a request that the Board attempt to appoint citizen committee members from each election district within the County.

Mr. Icenhour made a motion to adopt the resolution.

On a roll call vote, the vote was AYE: McGlennon, Goodson, Icenhour, Jones, Kennedy (5). NAY: (0).

RESOLUTION

POLICY GOVERNING THE WITHDRAWALS OF PROPERTY FROM AGRICULTURAL AND FORESTAL DISTRICTS (AFDs)

WHEREAS, the Board of Supervisors has determined that Agricultural and Forestal Districts (AFDs) are a valuable tool to help protect the agricultural and forestal lands and industry in James City County; and

WHEREAS, premature withdrawals of land from the Districts is contrary to the intent of the Board in allowing the establishment of these Districts.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby establishes the following policy relating to the withdrawal of lands from AFDs during the terms of those Districts. This policy in no way supersedes the provisions for withdrawal by right under Sections 15.2-4311 or 15.2-4314D of the Code of Virginia.

1. It is the policy of the Board of Supervisors to discourage the withdrawal of properties from AFDs during the terms of those districts.
2. The criteria for withdrawal during the terms of the districts are as follows:

In order to establish “good and reasonable cause,” a landowner requesting to withdraw property from an AFD must submit written information to demonstrate compliance with the following criteria:

- A. The request is caused by a change in circumstances that could not have been anticipated at the time application was made for inclusion in the district.
- B. The request would serve a public purpose, as opposed to the proprietary interest of the landowner that could not otherwise be realized upon expiration of the AFD.
- C. The request would not cause damage or disruption to the existing district.

- D. If the request for withdrawal is in conjunction with a proposal to convert the land use of a property to a different use than is currently in place on the property, the new land use would be in conformance with the Comprehensive Plan.

The Board shall weigh each of the above criteria in its deliberation, but may also use whatever other criteria as it deems appropriate for the individual case.

J. PUBLIC COMMENT

1. Mr. Ed Oyer, 139 Indian Circle, commented on leftover funds allocated at the Virginia Department of Transportation (VDOT). He commented that the funds were obligated but not spent. He commented that the deferral of the VRS payment was going to result in increased funding from the County in the long run.

2. Mr. Robert Richardson, 2786 Lake Powell Road, continued his comments on derogatory comments made against him by Mr. Kennedy. He commented on a previous altercation at a public meeting and implications that he instigated the incident.

3. Mr. Jack Fowler, 109 Wilderness Lane, commented on the upcoming stormwater referendum series. He noted that development has caused stormwater management problems, specifically citing Lake Powell. He commented that developers do not take responsibility for the environmental impacts of development and the Board should look at what impacts would result for areas downstream.

K. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Middaugh announced that County residents are invited to attend any of the Community meetings held over five consecutive Thursdays beginning September 30, 2010. He noted that each discussion starts at 6:30 p.m. and will be hosted by the Board of Supervisors member in their respective District. He stated that the meetings were an opportunity for him to meet residents and start a dialog regarding the Comprehensive Plan survey results as well as other questions the citizens had. He also noted that the Board had a Closed Session item on its agenda which could be done in open session.

L. BOARD REQUESTS AND DIRECTIVES

Mr. Goodson made a motion to reappoint Ms. Peg Boarman, Mr. Charles Loudermon, and Mr. Will Barnes to three-year terms on the Clean County Commission with terms to expire on July 31, 2013.

On a roll call vote, the vote was AYE: McGlennon, Goodson, Icenhour, Jones, Kennedy (5). NAY: (0).

Mr. Goodson commented on the extension of the Gospel Spreading Farm AFD. He asked if the AFD would be invalidated if someone other than the owner applied for the designation.

Mr. Rogers stated that was correct.

M. RECESS to 4:00 p.m. on October 12, 2010

Mr. McGlennon made a motion to recess.

On a roll call vote, the vote was AYE: McGlennon, Goodson, Icenhour, Jones, Kennedy (5). NAY:
(0).

At 8:18 p.m., Mr. Kennedy recessed the Board until 4 p.m. on October 12, 2010.

Robert C. Middaugh
Clerk to the Board

092810bos_min

MEMORANDUM

DATE: October 12, 2010
TO: The Board of Supervisors
FROM: Shawn A. Gordon, Capital Projects Coordinator
SUBJECT: Contract Award – Longhill Road and Centerville Road Intersection Improvements – \$536,699.73

The County, in partnership with the Virginia Department of Transportation (VDOT), will be locally administering the Intersection Improvements for Longhill Road (Route 612) and Centerville Road (Route 614) at the entrance to Freedom Park. In accordance with the approved Freedom Park Master Plan, JCC Case No. SUP-11-04, Condition Nos. 4 and 5, and Master Plan 3-04, intersection improvements are necessary in accordance with previous traffic impact studies and the VDOT Traffic Signal Study conducted. The intersection improvements consist of the construction and installation of the northbound and southbound turn lanes on Centerville Road, a right-turn lane on Longhill Road, stormwater improvements, utility installation, and asphalt paving in accordance with the VDOT Standard Project Administration Agreement. (Refer to the attached drawing for an overview of the intersection improvements.)

The Longhill Road and Centerville Road Intersection Improvement project is part of the FY 2010-2015 VDOT Six-Year Secondary System Construction Program, listed as Priority No. 3, and Federal funding to cover the construction phase expenses. The Board of Supervisors endorsed the FY 2010-2015 VDOT Six-Year Secondary System Construction Program on June 9, 2009. On July 28, 2009, the Board of Supervisors appropriated the project funds to cover the construction phase of the intersection improvements. All necessary right-of-way has been acquired and easements dedicated within the project corridor to James City County. In addition, the utilities within the proposed project area have been relocated accordingly for these improvements. Please note, this intersection will have traffic signalization and pedestrian crossings installed. The addition of the traffic signalization and pedestrian crossings will be funded, designed and installed by VDOT. The traffic signalization and pedestrian crossing installation is anticipated to be completed with the intersection improvements locally administered by James City County.

Eight firms submitted bids and were considered for contract award.

<u>Firm</u>	<u>Amount</u>
Toano Contractors, Inc.	\$536,699.73
George Nice and Sons, Inc.	590,555.00
Branscome, Inc.	645,379.42
Basic Construction Company, LLC	650,873.30
Howard Brothers Contractors, Inc.	665,977.50
J. Sanders Construction	691,686.00
Henry S. Branscome, LLC	713,631.87
Walter C. Via Enterprises, Inc.	850,229.75

Toano Contractors, Inc. has done satisfactory work for James City County and the James City Service Authority and was determined to be the lowest responsive and responsible bidder. The bid amount of \$536,699.73 is consistent with the project estimate and funds are available as previously appropriated by the Board of Supervisors.

Contract Award – Longhill Road and Centerville Road Intersection Improvements – \$536,699.73

October 12, 2010

Page 2

Staff recommends approval of the attached resolution authorizing the contract award to Toano Contractors, Inc. for construction of the Longhill Road and Centerville Road Intersection Improvements.



Shawn A. Gordon

CONCUR:



John T.P. Horne

SAG/nb

CA_InterImp_mem

Attachment

RESOLUTION

CONTRACT AWARD – LONGHILL ROAD AND CENTERVILLE ROAD

INTERSECTION IMPROVEMENTS – \$536,699.73

WHEREAS, funds are available for James City County as part of the FY 2010-2015 VDOT Six-Year Secondary System Construction Program listed as Priority No. 3, and Federal funding to cover the construction phase expenses for the Longhill Road and Centerville Road Intersection Improvements; and

WHEREAS, eight bids were considered for award with the lowest responsive and responsible bidder being Toano Contractors, Inc. with a bid in the amount of \$536,699.73.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby awards the contract for the Longhill Road and Centerville Road Intersection Improvements to Toano Contractors, Inc. in the total amount of \$536,699.73

James G. Kennedy
Chairman, Board of Supervisors

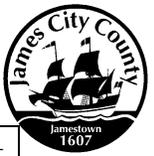
ATTEST:

Robert C. Middaugh
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of October, 2010.

CA_InterImp_res

MEMORANDUM COVER



Subject: Contract Award – Longhill Road and Centerville Road Intersection Improvements – \$536,699.73

Strategic Management Plan Pathway: 3.d – Invest in capital project needs of the community

Action Requested: Shall the Board of Supervisors approve the resolution to award the contract for the Longhill Road and Centerville Road Intersection Improvements to Toano Contractors, Inc.?

Summary: The County, in partnership with the Virginia Department of Transportation, will be locally administering the Intersection Improvements for Longhill Road (Route 612) and Centerville Road (Route 614) at the entrance to Freedom Park. In accordance with the approved Freedom Park Master Plan, James City County Case No. SUP-11-04, Conditions Nos. 4 and 5, and Master Plan 3-04, intersection improvements are necessary in accordance with previous traffic impact studies and the VDOT Traffic Signal Study conducted. The intersection improvements consist of the construction and installation of the northbound and southbound turn lanes on Centerville Road, right turn lane on Longhill Road, storm water improvements, utility installation and asphalt paving in accordance with the VDOT Standard Project Administration Agreement. (Refer to the attached drawing for an overview of the intersection improvements.)

The Longhill Road and Centerville Road Intersection Improvement project is part of the FY 2010-2015 VDOT Six-Year Secondary System Construction Program, listed as Priority No.3, and Federal funding to cover the construction phase expenses. The Board of Supervisors endorsed the FY 2010-2015 VDOT Six-Year Secondary System Construction Program on June 9, 2009. On July 28, 2009, the Board of Supervisors appropriated the project funds to cover the construction phase of the intersection improvements. All necessary right-of-way has been acquired and easements dedicated within the project corridor to James City County. In addition, the utilities within the proposed project area have been relocated accordingly for these improvements. Please note, this intersection will have traffic signalization and pedestrian crossings installed. The addition of the traffic signalization and pedestrian crossings will be funded, designed and installed by VDOT. The traffic signalization and pedestrian crossing installation is anticipated to be completed with the intersection improvements locally administered by James City County.

Eight firms submitted bids and were considered for contract award. Toano Contractors, Inc. has done satisfactory work for James City County and the James City Service Authority and was determined to be the lowest responsive and responsible bidder. The bid amount of \$536,699.73 is consistent with the project estimate and funds are available as previously appropriated by the Board of Supervisors.

Staff recommends approval of the resolution.

Fiscal Impact: FY2010-2015 VDOT Six-Year Secondary System Construction Program and Federal Funds to cover the construction phase expenses.

FMS Approval, if Applicable: Yes No

Assistant County Administrator

Doug Powell _____

County Administrator

Robert C. Middaugh _____

Attachments:

1. Memorandum
2. Resolution
3. Intersection Improvements map

Agenda Item No.: G-2

Date: October 12, 2010

UNAPPROVED MINUTES FROM THE SEPTEMBER 1, 2010 PLANNING COMMISSION MEETING

SUP-0018-2010 American Heritage RV Park Expansion

Ms. Kate Sipes stated that Vernon Geddy has applied on behalf of Mr. and Mrs. William Rhodes to expand the American Heritage RV Park from 95 to 327 camping sites. The parcel is zoned R-8, Rural Residential, and designated Economic Opportunity on the 2009 Comprehensive Plan. The campground, a legally non-conforming use, operates on a Conditional Use Permit from 1973. Any expansion would require a Special Use Permit (SUP). Staff finds the campground a transitional land use until larger economic forces drive development of the Economic Opportunity area. The parcel is inside the Primary Service Area (PSA). Ms. Sipes noted one correction to the staff report. Due to revised comments received from JCSA, the site will be required to connect to public water and sewer. Ms. Sipes indicated the applicant had been made aware of the change. Staff recommends approval with the understanding that the applicant be required to connect to public water and amending the conditions to remove Conditions 12 and 13 referencing well and septic systems. Residences on Maxton Lane are not connected to public water or sewer. JCSA discovered the campground would be required to connect to the PSA just prior to the Commission meeting. Ms. Sipes explained the extension of public water and sewer outside the PSA would require an additional SUP, which had not been advertised and would have to be presented to the Commission at a future date.

Mr. Mike Maddocks asked if there had been any citizen concerns from Mirror Lakes.

Ms. Sipes stated there were none.

Mr. Peck opened the public hearing.

Mr. Vernon Geddy, representing the applicant, stated the campground intends a phased expansion over the next five to seven years, increasing the number of campsites to 327, as well as additional recreational, storage, and office areas. He stated he agrees with staff recommendations and proposed conditions. The campground use fits the Economic Opportunity area well, allowing transient visitors and tourists to support local businesses and attractions. The transient population will put relatively few burdens on County services. Few permanent structures will be built, easing any future Economic Opportunity redevelopment. The applicant learned of the need to connect to public water the morning of the Commission meeting. The connection is required due to a small piece of the property, fronting Maxton Lane, coming within 1,000 feet of existing JCSA facilities on Croaker Road. The portion fronting Maxton Lane is not involved in the park's operation and is currently used as a driveway for two residences. The applicant seeks to agree on a boundary line adjustment with the two owners to avoid the connection requirement.

Mr. Fraley asked if avoiding JCSA connections would mean reinstating the well and

septic conditions.

Mr. Kinsman suggested adding the language “If the property is not required to be connected to public utilities” at the beginning of Conditions 12 and 13 to cover any possible changes made by the Commission or Board.

Mr. Geddy stated he agreed with that SUP language.

Mr. Poole asked if the two residences shared a driveway easement.

Mr. Geddy stated there was no driveway easement of which he was aware, but as this issue had just arisen, more research was needed.

Mr. Maddocks asked about the status of the RV industry.

Mr. William Rhodes stated that the RV park was doing very good business in spite of the economy. He stated the campground caters to RV operators who want a comfortable experience.

Mr. Bart Montesano, 126 Maxton Lane, stated that Maxton Lane should be widened due to the difficulty RVs have sharing the effectively one-lane road. He stated the 25 mile-per-hour posted speed is also too high for RVs to handle the turns.

Mr. Jack Fowler, 109 Wilderness Lane, stated he was concerned with people in RVs using the campgrounds as their primary home.

Mr. Peck closed the public hearing.

Mr. Poole asked Ms. Sipes to address neighbors’ concerns.

Ms. Sipes stated the SUP allows only RVs and cabins on the site, with a condition stating campers are limited to a 30-day stay within a 60-day period. She stated the Zoning Ordinance also limits camping to 30 days in a 60 day period. The condition was added as a reminder to the applicant. Any enforcement would be complaint driven. The Virginia Department of Transportation stated the proposal would not trigger any road improvements, and that Maxton Lane meets design requirements for the local street designation.

Mr. Poole stated the proposal was a good fit for both the parcel and the surrounding Economic Opportunity area.

Mr. Poole moved to recommend approval with amended conditions 12 and 13.

In a unanimous roll call vote, the Commission recommended approval with amended conditions (7-0).



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

1700 North Main Street
SUFFOLK, VIRGINIA 23434

Gregory A. Whirley
Commissioner

October 1, 2010

MEMORANDUM

**TO: Kate Sipes, Senior Planner
James City County Planning**

**FROM: Bradley A. Weidenhammer, PE
District Land Development Program Manager**

**RE: American Heritage RV Park Expansion
County Plan No. SUP-18-10
Maxton Lane (Route 758), James City County**

The District has reevaluated this site and determined that measurements previously made to determine the existing condition of Maxton Lane were not representative of a majority of the roadway between Croaker Road and the existing entrance to the subject site. The following are our findings.

- 1) The existing pavement width of Maxton Lane varies between 16' and 18'. VDOT's previous analysis was based on a pavement width of 18'.
- 2) Maxton Lane is functionally classified as a Rural Local Road.
- 3) The existing AADT of Maxton Lane is approximately 331 daily vehicles.
- 4) Per the VDOT Road Design Manual, Geometric Standards for Rural Local Road System, the minimum standard pavement width based on the functional classification and traffic volume is 18' with a 2' graded shoulder. A majority of the roadway is currently substandard.
- 5) We recommend that trench widening be pursued to provide shoulder stability and increased lane widths. Alternatively, shoulder widening (i.e. 21-B aggregate) may be beneficial to provide increased stability to the existing pavement section. We note that these alternatives may impact existing ornamental and natural vegetation along Maxton Road.

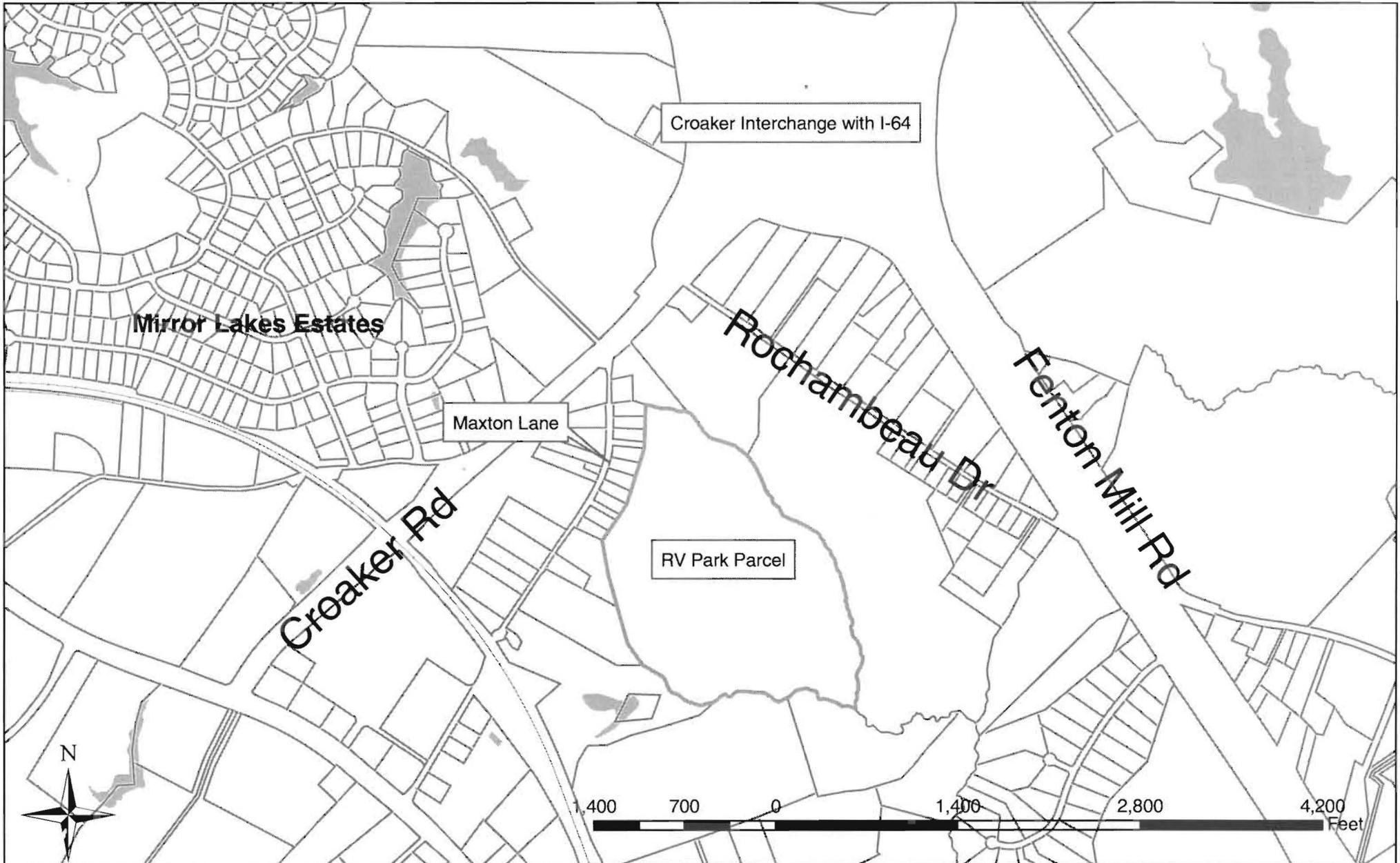
American Heritage RV Park Expansion
October 1, 2010
Page Two

- 6) A three year search of the VDOT crash database shows no reportable crashes. Given the low speeds and no crash history, we do not foresee an increase in crashes due to this proposal, as the types of vehicle will not change, only the frequency.

If you have any questions, please contact me at the Hampton Road District Office at (757) 925-1594.

JCC-SUP-0018-2010

American Heritage RV Park Expansion



**SPECIAL USE PERMIT-0018-2010. American Heritage RV Park Expansion
Staff Report for the October 12, 2010, 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

Planning Commission:
Board of Supervisors:

Building F Board Room; County Government Complex

September 1, 2010, 7:00 p.m.
October 12, 2010, 7:00 p.m.

SUMMARY FACTS

Applicant: Mr. Vernon Geddy, III

Land Owner: Mr. and Mrs. William Rhoads

Proposal: Expansion of an existing campground and RV park from 95 sites to 327 sites, including 86 cabin/RV units, an RV storage building, recreational and picnic facilities, storage and office space.

Location: 146 Maxton Lane

Tax Map/Parcel No.: 1340100035

Parcel Size: Approximately 70.13 acres

Zoning: R-8, Rural Residential

Comprehensive Plan: EO, Economic Opportunity

Primary Service Area: Inside

STAFF RECOMMENDATION

Revised comments from the Virginia Department of Transportation (VDOT), dated September 27, 2010, indicate that off-site road improvements on Maxton Lane may be appropriate due to the impacts of the proposed expansion. In order to allow time for the applicant and the project engineers to fully address these comments, staff recommends the Board of Supervisors remand this case to the Planning Commission.

Staff Contact: Kathryn Sipes, Senior Planning Phone: 253-6685

PLANNING COMMISSION RECOMMENDATION

At its meeting on September 1, 2010, by a vote of 7-0, the Planning Commission recommended approval of this application to the Board of Supervisors.

Proposed Changes Made Since Planning Commission Meeting

Revised information received from the James City Service Authority indicates that connection to public water and sewer is required when public utilities are within 1,000 feet of the property line, rather than 300 feet as previously indicated. A piece of the property intersects with Maxton Lane within 1,000 feet of existing utilities (which are located along Croaker Road). Therefore, the applicant will be required to connect to public water

and sewer. This piece of property is currently used by two adjacent residential property owners as a driveway and is not used by the RV park. The applicant has proposed a boundary line adjustment with the adjacent property owners, which would eliminate the requirement to connect to public utilities.

The residential properties on both sides of Maxton Lane are outside the Primary Service Area (PSA), and are currently not connected to public water or sewer. In order to extend the utility lines to the RV Park, a Special Use Permit would be required to extend the utility lines outside the PSA. If this option is pursued, a separate SUP application would be considered by the Board of Supervisors at a future meeting.

In order to accommodate both scenarios, Condition Nos. 12 and 13 have been revised to add the phrase “If the property is not required to be connected to public utilities” to the beginning of each.

Following the Planning Commission public hearing, staff was contacted by several property owners on Maxton Lane expressing concerns about the width of the road and its ability to accommodate additional RV traffic. As a result of these inquiries, VDOT conducted additional site visits and issued revised comments recommending trench widening to provide shoulder stability and increased lane widths. These revised comments have been added to this staff report as Attachment No. 5.

The revised comments introduce possible off-site road improvements, and as of the writing of this report, there has not been adequate time to fully discuss the implications of this recommendation with either the applicant or the property owner.

PROJECT DESCRIPTION

Mr. Vernon Geddy, III, has applied on behalf of Mr. and Mrs. William Rhoads for a Special Use Permit to expand the existing American Heritage RV Park from the current 95 camp sites to a proposed 327 sites. Eighty-six (86) of the sites would be modular cabins (identified on the exhibit as cabins/RV units). In addition to the cabins/RV units and an additional 146 camp sites, the applicant is proposing a building for the storage of RV units, expanded recreation and picnic areas, a storage building, and an office addition.

The property is legally non-conforming as a campground operating under a Conditional Use Permit (CUP) issued in 1973 with no expiration date or sunset clause. The CUP permitted 195 camp sites; 95 “full hook up” sites and 100 sites with no hook ups. The approved site plan reflected 144 total camp sites, including 95 “full hook up” sites. A subsequent site plan amendment reflected only the 95 “full hook up” sites and in correspondence dated 1999 the Zoning Administrator determined approval of the site plan amendment limited the total number of permitted campsites to the 95 “full hook up sites” shown on that amendment. In the current Zoning Ordinance campgrounds are a specially permitted use in the R-8, Rural Residential, zoning district. The owners can continue to operate the existing use without further approvals from the County; however, the proposed expansion requires a Special Use Permit.

In October 2009 the applicants submitted a conceptual plan for a proposed expansion to the existing RV park. In January 2010 the conceptual plan was presented by the Development Review Committee (DRC) to discuss consistency with the recently adopted Comprehensive Plan and to identify any issues that may affect the application for a special use permit. As a consideration item no formal action was taken by the DRC; however, the consensus expressed by DRC members present was in support of the application provided cooperation was given to future master planning efforts within the Economic Opportunity designation.

PUBLIC IMPACTS

Environmental

Watershed: York River

Staff Comments: Environmental Staff has reviewed the proposal and has no concerns. Staff did note, however, that outfalls for stormwater BMPs require an administrative approval for impacts to the Resource Protection Area (RPA) and any grading not related to the outfalls would require approval through the

Chesapeake Bay Board (CBB). The additional information required will be needed in order to approve the site plan for the project.

Public Utilities

The property is currently located inside the Primary Service Area (PSA), but is not currently served by public water or sewer. Connection to public utilities is required in those instances when public utilities are within 300 feet of the property line. In the case of this property, JCSA lines are not within 300 feet for either water or sewer. Therefore, the expansion will be served by well and septic. The well will require approval by the Virginia Department of Environmental Quality and/or the Virginia Office of Drinking Water. The septic system and associated drainfields require approval by the Virginia Department of Health.

Conditions:

- Condition 12 requires the necessary approval by the Virginia Department of Health to be obtained prior to the County granting final approval to the site plan for the expansion. This condition further requires a primary and reserve drainfield to be shown on the final site plan.
- Condition 13 requires the necessary approval by the Virginia Department of Environmental Quality and/or the Virginia Office of Drinking Water to be obtained prior to the County granting final approval to the site plan for the expansion.
- Condition 14 requires a Water Conservation Agreement in the event a future connection is made to the JCSA water system.

Staff Comments: JCSA Staff has reviewed the proposal and noted Virginia Department of Health approvals will be needed for the expanded use for both water and septic. JCSA has requested copies of the VDH approval for both.

Transportation

Information submitted by the Applicant calculates trip generation using ITE Code 416 (Campground/Recreation Vehicle Park). Based on 327 sites the proposed expansion is expected to generate 72 AM Peak Hour Trips and 135 PM Peak Hour Trips at 100 percent capacity. Based on the historical occupancy rate of the existing park of 62 percent, the expansion is expected to generate 45 AM Peak Hour Trips and 84 PM Peak Hour Trips.

Maxton Lane is approximately 2,300 feet in length before ending in a cul-de-sac at the CSX Railroad tracks. Approximately 12 residential driveways serve single-family lots fronting on Maxton Lane before the entrance to the RV Park. An additional driveway serves the Williamsburg Mennonite Church from Maxton Lane near the intersection with Croaker Road. Maxton Lane connects to Croaker Road where it is a four-lane divided highway. From the intersection of Maxton Lane and Croaker Road it is approximately 1,500 feet to the I-64 interchange.

VDOT Comments: VDOT staff reviewed the application and determined the additional trips were not anticipated to adversely impact the surrounding roadway network and no roadway improvements would be requested.

Staff Comments: Since the campground is expected to generate fewer than 100 peak hour trips a Traffic Impact Study was not required by the County or VDOT as part of the SUP application.

COMPREHENSIVE PLAN

Land Use Map

Designation	<p>Economic Opportunity: Lands designated as Economic Opportunity are intended primarily for economic development, increased non-residential tax base, and the creation of jobs.</p> <p>Staff Comment: The Comprehensive Plan identifies master planning as being the core of this designation and it was envisioned that the entire EO area would be master planned for future development. While the Comprehensive Plan states no development shall occur unless incorporated into master planning efforts, this is an expansion of an existing use. Furthermore, the particular use for this property does not preclude future master planning or development as it requires minimal</p>
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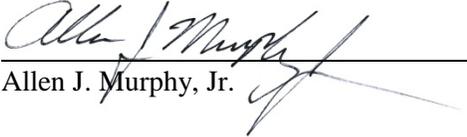
	infrastructure and targets seasonal tourism markets. A campground may serve as a transitional land use until market forces determine a more intense economic use.
Goals, strategies and actions	LU5: Promote the use of land consistent with the capacity of existing and planned public facilities and services and the County's ability to provide such facilities and services. Staff Comment: The current use has minimal impact on the County's resources and an expansion requires minimal additional infrastructure.

RECOMMENDATION

Revised comments from VDOT, dated September 27, 2010, indicate that off-site road improvements on Maxton Lane may be appropriate due to the impacts of the proposed expansion. In order to allow time for the applicant and the project engineers to fully address these comments, staff recommends the Board of Supervisors remand this case to the Planning Commission.

Kathryn Sipes

CONCUR:



Allen J. Murphy, Jr.

KS/gb
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ATTACHMENTS:

1. Resolution
2. Location Map
3. Minutes from the September 1, 2010, Planning Commission meeting
4. Special Use Permit Exhibit for American Heritage RV Park
5. Revised VDOT memorandum dated September 27, 2010

RESOLUTION

CASE NO. SUP-0018-2010. AMERICAN HERITAGE RV PARK EXPANSION

WHEREAS, Mr. and Mrs. William Rhoads own a parcel of property located at 146 Maxton Lane and further identified as James City County Real Estate Tax Map No. 1340100035 (the “Property”); and

WHEREAS, the Property is currently zoned R-8, Rural Residential, and designated Economic Opportunity on the 2009 Comprehensive Plan Land Use Map; and

WHEREAS, Mr. Vernon Geddy, III, has applied on behalf of Mr. and Mrs. William Rhoads to obtain a Special Use Permit (SUP) to expand the existing campground (the “RV Park”) from 95 sites to 327 sites, including 86 cabin/RV units, an RV storage building, recreational and picnic facilities, storage and office space; and

WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing scheduled; and

WHEREAS, the Planning Commission of James City County, following its public hearing on September 1, 2010, recommended approval of Case No. SUP-0018-2010 by a vote of 7-0.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after a public hearing, does hereby approve Case No. SUP-0018-2010 with the following conditions:

1. This SUP shall be valid for the operation of a 327-unit campground and accessory uses thereto located at 146 Maxton Lane, also known as James City County Real Estate Tax Map Parcel No. 1340100035. The Property shall be developed generally as shown on the exhibit “Special Use Permit Exhibit for American Heritage RV Park” dated July 2, 2010, prepared by LandTech Resources Inc (“Master Plan”). A maximum of 86 units may be cabins as shown on the Master Plan. The Property shall be developed generally as shown on the Master Plan. Minor changes may be permitted by the Development Review Committee, as long as it does not change the basic concept or character of the development.
2. No accessory structure or parking area shall be within 100 feet of the property line of adjacent residential properties fronting on Maxton Lane.
3. The Property shall be limited to one egress/ingress from Maxton Lane. Internal roads shall remain private and shall be designed and maintained in a manner that minimizes dust during use. Accessory structures used by guests shall have at minimum one handicapped parking space and comply with the Americans with Disability Act (ADA) standards. Parking for accessory structures shall be limited to the number of spaces required for maintenance and handicapped parking only. All structures and accessory structures shall be connected by an internal ADA-compliant multi-use path and/or sidewalk.

4. Any exterior or building lighting shall have recessed fixtures with no bulb, lens, or globe extending below the casing. The casing shall be opaque and shall completely surround the entire light fixture and light source in such a manner that all light will be directed downward and the light source are not visible from the side. Fixtures which are horizontally mounted on poles shall not exceed 15 feet in height unless otherwise approved by the Planning Director. No light spillage, for purposes of this condition defined as 0.1 foot-candle or higher, shall extend outside the property lines.
5. No more than one freestanding sign shall be allowed along Maxton Lane. The sign shall be a monument-style sign no more than eight feet tall with ground-mounted lighting and not larger than 32 square feet.
6. All open spaces shall be kept free from litter and debris.
7. A minimum 50-foot landscape buffer, free of structures, roads, and campsites, shall be preserved along the property line of adjacent residential properties fronting on Maxton Lane. The buffer shall be landscaped, at a minimum, in accordance with the landscaping requirements of the Zoning Ordinance and such landscaping shall be approved by the Planning Director or his designee.
8. Outdoor activities shall be conducted in such a manner that they shall not be audible from adjacent properties later than 10 p.m. or before 7 a.m.
9. Vehicular camping units shall be licensed and registered by a governmental body and shall be legal to travel on Virginia highways without special permits for size, weight, or other reasons.
10. No person, other than the owner(s) or employees of the campground, may stay overnight for a period exceeding 30 consecutive days in any 60-day period.
11. The property owner shall be required to maintain a daily log of all campers staying at the campground (the "Log"). The Log shall include arrival and departure dates of each camper, shall be kept on file for a period of two years, and shall be available for review at the request of the Zoning Administrator.
12. If the property is not required to connect to public utilities, approval from the Virginia Department of Health for required drainfields must be obtained prior to final site plan approval being granted by the County. Primary and reserve drainfield locations must be shown on the submitted site plan prior to final site plan approval being granted by the County.
13. If the property is not required to connect to public utilities, applicable approvals from the Virginia Department of Environmental Quality and/or the Virginia Office of Drinking Water must be obtained prior to final site plan approval being granted by the County.
14. If in the future a connection is made to the James City Service Authority (JCSA) water system, a Water Conservation Agreement shall be required.

15. This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

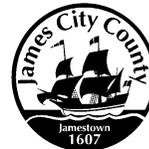
James G. Kennedy
Chairman, Board of Supervisors

ATTEST:

Robert C. Middaugh
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of October, 2010.

Sup18-19RVPark_res



MEMORANDUM COVER

Subject: Case No. SUP-0018-2010. American Heritage RV Park Expansion

Strategic Management Plan Pathway: N/A

Action Requested: Shall the Board approve the resolution that approves Special Use Permit (SUP) No. 0018-2010, allowing the expansion of the existing RV Park from 95 sites to 327 sites?

Summary: Mr. Vernon Geddy, III, has applied on behalf of Mr. and Mrs. Rhoads for an SUP to expand the existing American Heritage RV Park from the current 95 camp sites to a proposed 327 sites. Eighty-six of the sites would be modular cabins (identified on the exhibit as cabins/RV units). In addition to the cabins/RV units and an additional 146 camp sites, the applicant is proposing a building for the storage of RV units, expanded recreational and picnic areas, a storage building, and an office additon.

Following the Planning Commission public hearing, staff was contacted by several property owners on Maxton Lane expressing concerns about the width of the road and its ability to accommodate additional RV traffic. As a result of these inquiries, VDOT conducted additional site visits and issued revised comments recommending trench widening to provide shoulder stability and increased lane widths. These revised comments have been added to this staff report as Attachment No. 5.

The revised comments introduce possible off-site road improvements, and as of the writing of this report there has not been adequate time to fully discuss the implications of this recommendation with either the applicant or the property owner.

At its meeting on September 1, 2010, by a vote of 7-0, the Planning Commission recommended approval of this application.

In order to allow time for the applicant and the project engineers to fully address revised VDOT comments, staff recommends the Board of Supervisors remand this case to the Planning Commission.

Fiscal Impact: N/A

FMS Approval, if Applicable: Yes No

Assistant County Administrator

Doug Powell _____

County Administrator

Robert C. Middaugh _____

- Attachments:**
1. Staff report
 2. Resolution
 3. Location map
 4. Planning Commission minutes
 5. SUP exhibit from applicant
 6. Revised VDOT memorandum dated September 27, 2010

Agenda Item No.: H-1

Date: October 12, 2010

COUNTY OF JAMES CITY, VIRGINIA
FAMILY SUBDIVISION AFFIDAVIT

September 22, 2010

I/we, Thomas and Annikki Hogge, own a parcel of property consisting of 6.93 acres and located at 2677 Jolly Pond Road and further identified as James City County Real Estate Tax Map No. 3520100015B (the "Property"). I/we hereby request that James City County, Virginia, approve a family subdivision of the Property into a total of 2 parcel(s), in the specific location and sizes as shown on a plat entitled "Subdivision of the property of Thomas R. & Annikki S. Hogge"; made by Angle & Distance Land Surveying, Inc. and dated July 29, 2010 (the "Family Subdivision Plat").

This family subdivision is being made for the purpose of transferring a lot by sale or gift to: Jacob Samuel Hogge, who is my/our Son, and is not made for the purpose of circumventing any of the provisions of the Code of the County of James City, Virginia. It is my/our intention that the deed(s) of transfer will be drawn and duly recorded as soon as reasonably possible subsequent to the approval of the Family Subdivision Plat.

Thomas R. Hogge
Owner
Annikki S. Hogge
Owner

COMMONWEALTH OF VIRGINIA,
CITY/COUNTY of James City, to-wit:

The foregoing Affidavit was acknowledged before me this 24TH day of September, 2010, by Annikki S. Hogge.

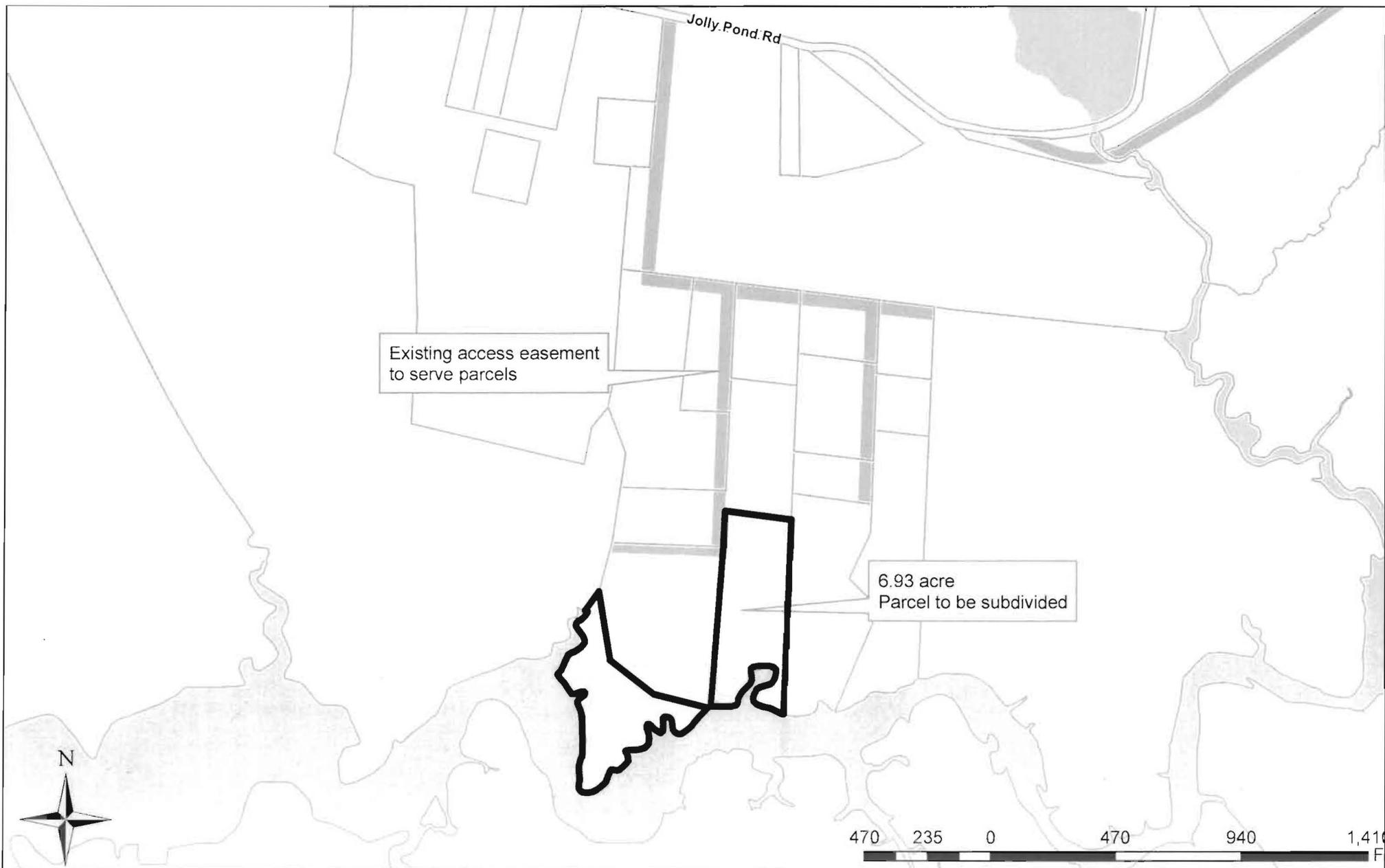
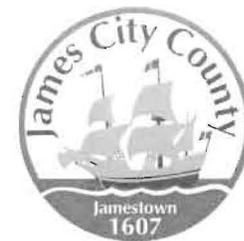
My Commission expires: 10/30/10

[Signature]
Notary Public
Notary No. 311459

Prepared by and return to:
Name: _____
Address: _____
Telephone: _____

SUP-0021-2010

Hogge Family Subdivision



**SPECIAL USE PERMIT-0021-2010. Hogge Family Subdivision
Staff Report for the October 12, 2010, 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

Board of Supervisors:

Building F Board Room; County Government Complex

October 12, 2010, 7:00 p.m.

SUMMARY FACTS

Applicant:

Mr. Thomas R. Hogge

Land Owner:

Mr. Thomas and Mrs. Nikki Hogge

Proposal:

Family subdivision resulting in lots that are less than three acres in size.

Location:

2677 Jolly Pond Road

Tax Map/Parcel No.:

3520100015B

Parcel Size:

Parent Lot: 6.93 acres
Proposed Lot: 1.85 acre
Remaining Parent Lot: 5.08 acres

Zoning:

A-1, General Agricultural

Comprehensive Plan:

Rural Lands

Primary Service Area:

Outside

STAFF RECOMMENDATION

Staff finds the proposal to be consistent with the surrounding development and Section 19-17 of the James City County Subdivision Ordinance. Staff recommends the Board of Supervisors approve this Special Use Permit (SUP) with the conditions listed in the attached resolution.

Staff Contact:

Jason Purse, Senior Planner

Phone: 253-6685

PROJECT DESCRIPTION

Mr. Thomas Hogge has applied for an SUP to allow a family subdivision resulting in lots of less than three acres in size for family residential use. The lot is currently owned by Mr. Thomas and Mrs. Nikki Hogge and is planned to be transferred to their son, Mr. Jacob S. Hogge. Mr. and Mrs. Hogge have owned this parcel for more than 30 years. An existing shared 50-foot ingress/egress easement and gravel driveway will continue to be used as the primary point of access to the lot(s). The existing lot is 6.93 acres; the proposed family subdivision would result in a new 1.85-acre lot and a remainder parent parcel of 5.08 acres.

The majority of the surrounding properties range between one and five acres and several of the properties were created as a result of past family subdivisions. All adjacent parcels are zoned A-1 and designated Rural Lands by the 2009 Comprehensive Plan and are being used for single-family residences and agricultural uses.

The property is located in the A-1, General Agricultural, District. The minimum lot size in A-1 for single-family detached units is three acres. Section 24-214 of the Zoning Ordinance allows for a minimum lot size of less than three acres, but more than one acre, if the creation of said lot is for use by a member of the owner's immediate family (children 18 years of age or older or parents of an owner) and an SUP is issued. The Zoning Ordinance requires the Board of Supervisors to review and approve this type of application. The application submitted is for an SUP only; should the Board approve of the SUP, the applicant will need to submit a subdivision plat for further administrative review and comment.

The Hogge family has previously applied for and received approval of three other family subdivisions in this area. This is the last family subdivision anticipated by the Hogge family at this time.

PUBLIC UTILITIES

Public water and sewer are not available to the site. The proposed new 1.85-acre lot will be served by a private septic system and well. The Health Department has reviewed the proposed locations, but requires additional soil documentation to determine soil suitability. Staff has no record of soil deficiencies in this area for septic fields. Should the Board approve this SUP, the Health Department will review soils information and final well and septic locations as part of subdivision plan review and if adequate drainfield locations cannot be verified, the new lot would not be able to be approved.

COMPREHENSIVE PLAN

The site is located outside the Primary Service Area (PSA) and is designated as Rural Lands on the 2009 Comprehensive Plan Land Use Map. Recommended primary uses in the Rural Lands include agricultural and forestal activities and public or semi-public institutions that require a spacious site. Recommended residential uses include single-family developments at a low-density and small-scale rural clusters. Such developments should be compatible with the natural and rural character of the area and be in accordance with the Rural Lands Development Standards provided in the Comprehensive Plan.

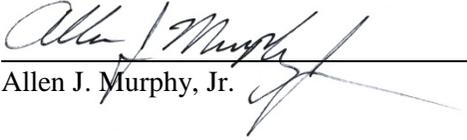
Staff Comments: The creation of the additional lot is not in conflict with the rural character of the area, is compatible with surrounding lot sizes and land uses, and is compatible with other existing family subdivisions approved by the Board of Supervisors. The proposed family subdivision does not represent a large-scale residential development and will not negatively impact any agricultural or forestal uses.

RECOMMENDATION

Staff finds the proposal to be consistent with the surrounding zoning and development and with the 2009 Comprehensive Plan. Staff recommends the Board of Supervisors approve this SUP with the conditions listed in the attached resolution.

Jason Purse

CONCUR:


Allen J. Murphy, Jr.

JP/nb
SUP21-2010.doc

ATTACHMENTS:

1. Resolution
2. Preliminary Plat (under separate cover)
3. Location Map
4. Family Subdivision Affidavit

RESOLUTION

CASE NO. SUP-0021-2010. HOGGE FAMILY SUBDIVISION

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 (SUP) process; and

WHEREAS, the applicants have requested an SUP to allow for a family subdivision with a lot less than three acres in size in an A-1, General Agricultural, District, located at 2677 Jolly Pond Road, further identified as James City County Real Estate Tax Map No. 3520100015B; and

WHEREAS, the Board of Supervisors, following a public hearing, is of the opinion that the SUP to allow for the above-mentioned family subdivision should be approved.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of SUP-0021-2010 as described herein with the following conditions:

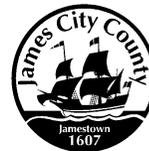
1. This SUP is valid for a family subdivision for the creation of one new lot and one parent lot and shall be generally as shown on the plan drawn by Angle and Distance Land Surveying Inc, titled “(proposed) Subdivision of the Property of Thomas R. and Annikki S. Hogge,” and dated July 29, 2010.
2. Only one entrance serving both lots shall be allowed onto Jolly Pond Road.
3. Final subdivision approval must be received from the County within 12 months from the issuance of this SUP or the permit shall become void.
4. This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

James G. Kennedy
Chairman, Board of Supervisors

ATTEST:

Robert C. Middaugh
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of October, 2010.



MEMORANDUM COVER

Subject: Case No. SUP-0021-2010. Hogge Family Subdivision

Strategic Management Plan Pathway: N/A

Action Requested: Shall the Board approve the resolution approving this Special Use Permit (SUP) for a family subdivision with the conditions listed?

Summary: Mr. Thomas Hogge has applied for an SUP to allow a family subdivision resulting in lots of less than three acres in size for family residential use. The lot is currently owned by Mr. Thomas and Mrs. Nikki Hogge and is planned to be transferred to their son, Mr. Jacob S. Hogge. Mr. and Mrs. Hogge have owned this parcel for more than 30 years. An existing shared 50-foot ingress/egress easement and gravel driveway will continue to be used as the primary point of access to the lot(s). The existing lot is 6.93 acres; the proposed family subdivision would result in a new 1.85-acre lot and a remainder parent parcel of 5.08 acres. The lot is zoned A-1, General Agricultural, and is designated Rural Lands on the 2009 Comprehensive Plan Land Use Map.

Staff recommends approval of this SUP with the conditions listed in the attached resolution.

Fiscal Impact: N/A

FMS Approval, if Applicable: Yes No

Assistant County Administrator

Doug Powell _____

County Administrator

Robert C. Middaugh _____

Attachments:
1. Staff Report
2. Resolution
3. Preliminary Plat (under separate cover)
4. Location Map
5. Family Subdivision Affidavit

Agenda Item No.: H-2

Date: October 12, 2010

UNAPPROVED MINUTES FROM THE SEPTEMBER 1, 2010 PLANNING COMMISSION MEETING

SO-0002-2010 Subdivision Ordinance Amendment – Sewage Treatment Systems Pump
Out

Ms. Ellen Cook stated the amendment revises Section 19-29 of the Subdivision Ordinance. She stated that Section 19-29 includes items now required to be listed on a subdivision plat, including a note mentioning the required five-year septic tank pump out and a reference to Section 23-9-6b of the Chesapeake Bay Ordinance. On subdivision plats, under resource protection for development areas, a note will reference Item G to Chesapeake Bay Section Ordinance Section 23-7. Both notes reference existing regulations. The Department of Conservation and Recreation identified the changes during the recent Chesapeake Bay Act compliance assessment. Due to compliance schedules determined by the state, these changes precede the remainder of the Zoning Ordinance updates. Staff recommends approval of the amendments to the Subdivision Ordinance.

Mr. Peck opened the public hearing. Seeing no one, Mr. Peck closed the public hearing.

Mr. Poole moved to recommend approval of the amendments.

In a unanimous roll call vote, the Commission recommended approval of the amendment (7-0).

MEMORANDUM

DATE: October 12, 2010
TO: The Board of Supervisors
FROM: Christopher Johnson, Principal Planner
SUBJECT: SO-0002-2010. Subdivision Ordinance, Section 19-29, Final Plan – Submittal Requirements

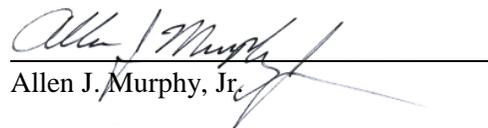
Staff is recommending amendment of Section 19-29 of Article II of the Subdivision Ordinance. The amendment adds one new note and revises one existing note, both of which are required to be shown on final subdivision plats for parcels with either on-site sewage treatment systems (commonly known as septic systems) or Resource Protection Area. The new note is in regard to the requirement that on-site sewage treatment systems be pumped out at least once every five years per Section 23-9(b)(6) of the James City County Code (this Section is in the Chesapeake Bay Preservation Ordinance). The revised existing note simply changes the Section reference to include all of Section 23-7 of the Chesapeake Bay Preservation Ordinance, which is the section that describes development criteria for Resource Protection Areas. By referencing the section as a whole, rather than a subsection, citizens and others reading this note would be directed to the full description of the development criteria. The amendment will also potentially reduce the need to amend the subdivision ordinance again in the future if additional subsections were to be added to Section 23-7.

These amendments were identified by the recent compliance assessment conducted by the Virginia Department of Conservation and Recreation's Chesapeake Bay Local Assistance staff in accordance with State law. Both notes refer to already existing Chesapeake Bay Act-related Environmental Division regulations – by placing the notation language in Section 19-29, these requirements are formalized within the subdivision ordinance regulations and serve to notify homeowners through the subdivision plat process. These amendments to Section 19-29 are being brought forward in advance of other ordinance update process amendments due to the compliance assessment schedule set by the State.

At its September 1, 2010, meeting, the Planning Commission recommended approval by a vote of 7 – 0. Staff recommends that the Board of Supervisors approve the attached ordinance with amendments to Section 19-29 of the Subdivision Ordinance.

Christopher Johnson

CONCUR:


Allen J. Murphy, Jr.

CJ/gb
Ch19subdivisions_mem

Attachment:

1. September 1, 2010 Draft Planning Commission Minutes
2. Ordinance

ORDINANCE NO. _____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 19, SUBDIVISIONS, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE II, PROCEDURES AND DOCUMENTS TO BE FILED, SECTION 19-29, FINAL PLAN - SUBMITTAL REQUIREMENTS.

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 II, Procedures and Documents to be Filed, Section 19-29, Final plan – Submittal requirements.

Chapter 19. Subdivisions

Article II. Procedures and Documents to be Filed

Section 19-29. Final plan – Submittal requirements.

- (g) If the subdivided property contains wetlands and/or resource protection areas, there shall be a note on the plat which states the following:

“Wetlands and land within resource protection areas shall remain in a natural undisturbed state except for those activities permitted by Section 23-7(e)(1) of the James City County Code.”

- (n) If the subdivided property contains an on-site sewage treatment system, the plat shall include the following note:

“On-site sewage treatment systems shall be pumped out at least once every five years per Section 23-9(b)(6) of the James City County Code.”

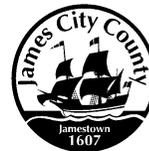
James G. Kennedy
Chairman, Board of Supervisors

ATTEST:

Robert C. Middaugh, Jr.
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of October, 2010.

Ch19Subdivisions_ord



MEMORANDUM COVER

Subject: SO-0002-2010. Subdivision Ordinance Section 19-29 Final Plan – Submittal Requirements

Strategic Management Plan Pathway: 4.c - ensure private development and government operations are environmentally sensitive

Action Requested: Shall the Board approve this ordinance to amend Section 19-29 of the Subdivision Ordinance to bring the County Code into compliance with the Chesapeake Bay Act?

Summary: Staff is recommending amendment of Section 19-29 of Article II of the Subdivision Ordinance. The amendment adds one new note and revises one existing note, both of which are required to be shown on final subdivision plats for parcels with either on-site sewage treatment systems (commonly known as septic systems) or Resource Protection Area. The new note is in regard to the requirement that on-site sewage treatment systems be pumped out at least once every five years per Section 23-9(b)(6) of the James City County Code (Chesapeake Bay Preservation Ordinance). The revised existing note simply changes the Section referenced to include all of Section 23-7 of the Chesapeake Bay Preservation Ordinance, which is the section that describes development criteria for Resource Protection Areas. These amendments were identified by the recent Chesapeake Bay Act Phase III compliance assessment conducted by the Virginia Department of Conservation and Recreation’s Chesapeake Bay Local Assistance staff in accordance with State law. Both notes refer to already existing Chesapeake Bay Act-related Environmental Division regulations.

At their September 1, 2010, meeting the Planning Commission recommended approval of the proposed amendments by a vote of 7-0.

Staff recommends adoption of the ordinance.

Fiscal Impact: N/A

FMS Approval, if Applicable: Yes No

Assistant County Administrator

Doug Powell _____

County Administrator

Robert C. Middaugh _____

- Attachments:**
- 1. Memorandum
 - 2. Ordinance
 - 3. September 1, 2010, Draft Planning Commission Minutes

Agenda Item No.: H-3

Date: October 12, 2010

UNAPPROVED MINUTES FROM THE SEPTEMBER 1, 2010 PLANNING COMMISSION MEETING

Zoning Ordinance Amendment – Section 24-666

Mr. Adam Kinsman stated the recent revisions to the Code of Virginia's Board of Zoning Appeals (BZA) section were influenced by the Kingsmill tower lawsuit. He stated that the Kingsmill case created confusion regarding how BZA appeals are labeled, who is liable for any BZA suit, how costs are paid, who is a party to the suit and how those parties are served. Working with Ms. Abbitt at the General Assembly, the County Attorney's office clarified State Code. Judicial appeals have replaced the recourse of suing the BZA or its members. The revisions to Section 24-666 will align it with new State Code provisions. Staff recommends approval of the amendment.

Mr. Peck opened the public hearing. Seeing no one, Mr. Peck closed the public hearing.

Mr. Poole moved to recommend approval of the amendment.

In a unanimous roll call vote, the Commission recommended approval of the amendment (7-0).

MEMORANDUM

DATE: October 12, 2010
TO: The Board of Supervisors
FROM: Adam R. Kinsman, Deputy County Attorney
SUBJECT: Zoning Ordinance Amendment, Section 24-666, Petition for Certiorari to Review Decision of Board

Staff recommends that Section 24-666 of the Zoning Ordinance be amended to bring it into compliance with the Virginia State Code. Following the recent appeal of the James City County Board of Zoning Appeals relating to the Kingsmill cellular towers, it was apparent to staff that the appeals procedure set forth in the Virginia Code was unclear. Staff drafted proposed changes to the Virginia Code, which was put on the Board's 2010 legislative agenda. Delegate Abbott carried this legislation on behalf of the County to the General Assembly where it was adopted at the 2010 session.

The State Code now provides that when a decision of the Board of Zoning Appeals (the "Board") is appealed, the Board shall not be a party to the proceedings. The amendment also provides that the governing body, the landowner, and the applicant before the Board shall be necessary parties to the proceedings.

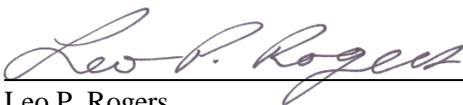
In addition, the State Code now provides that any costs incurred in the appeal shall not be allowed against the County unless it appears to the court that the County acted in bad faith or with malice. Previously, the Code had stated costs shall not be allowed against the Board.

Staff recommends adoption of the attached ordinance.



Adam R. Kinsman

CONCUR:



Leo P. Rogers

ARK/nb
ZO24-666_mem2

Attachment

ORDINANCE NO. _____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 24, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE VIII, APPEALS, DIVISION 3, REGULATIONS GOVERNING APPEALS, SECTION 24-666, PETITION FOR CERTIORARI TO REVIEW DECISION OF BOARD.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 24, Zoning, is hereby amended and reordained by amending Section 24-666, Petition for certiorari to review decision of board.

Chapter 24. Zoning

Article VIII. Appeals

Division 3. Regulations Governing Appeals

Section 24-666. Petition for certiorari to review decision of board.

(a) *Petition to circuit court.* Any person or persons jointly or severally aggrieved by any decision of the board of zoning appeals or any taxpayer or any officer, department, board or bureau of the county may present to the Circuit Court of James City County a petition *that shall be styled “In Re: [date] Decision of the Board of Zoning Appeals of James City County,”* specifying the grounds on which aggrieved within 30 days after the final decision of the board. A “final decision” is the decision that resolves the merits of the action pending before the board or effects a dismissal of the case with prejudice.

Any review of a decision of the board shall not be considered an action against the board and the board shall not be a party to the proceedings; however, the board shall participate in the proceedings to the extent required by this article. The board of supervisors, the landowner, and the applicant before the board of zoning appeals shall be necessary parties to the proceedings. The court may permit intervention by any other person or persons jointly or severally aggrieved by any decision of the board of zoning appeals.

(b) *Allowance of writ of certiorari.* Upon the presentation of such petition, the court will allow a writ of certiorari to review the decision of the board of zoning appeals and will prescribe therein the time within which a return thereto must be made and served upon the ~~petitioner's attorney,~~ *secretary of the board of zoning appeals, or if no secretary exists, the chair of the board of zoning appeals,* which will not be less than ten days and may be extended by the court. The allowances of the writ will not stay proceedings upon the decision appealed from, but the court may, on application, on notice to the board and on due cause shown, grant a restraining order.

(e) *Costs.* Costs shall not be allowed against the ~~board~~ *county* unless it shall appear to the court that it acted in bad faith or with malice ~~in making the decision appealed from.~~ In the event the decision of the board is affirmed, the court may order the person or persons who requested the issuance of the writ of certiorari to pay the costs incurred in making a return of the record pursuant to the writ of certiorari.

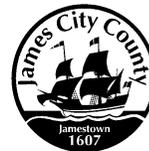
James G. Kennedy
Chairman, Board of Supervisors

ATTEST:

Robert C. Middaugh
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of October, 2010.

ZO24-666_ord2



MEMORANDUM COVER

Subject: Zoning Ordinance Amendment, Section 24-666, Petition for Certiorari to Review Decision of Board

Strategic Management Plan Pathway: N/A

Action Requested: Shall the Board of Supervisors adopt the ordinance?

Summary: This amendment will bring the County Code into compliance with recent changes to State Code.

The State Code now provides that when a decision of the Board of Zoning Appeals is appealed, the Board shall not be a party to the proceedings.

Staff recommends adoption of the ordinance.

Fiscal Impact: None.

FMS Approval, if Applicable: Yes No

Assistant County Administrator

Doug Powell _____

County Administrator

Robert C. Middaugh _____

Attachments:
1. Memorandum
2. Ordinance

Agenda Item No.: H-4
Date: October 12, 2010

Economic Diversification in America's Historic Triangle

Report to the Historic Triangle Collaborative by the
Economic Diversification Task Force (EDTF)



August 2010

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 2.2.4 Business Attraction Successes

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Economic Diversification in America’s Historic Triangle

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- 4.5 Leverage the strengths of the College of William and Mary, Thomas Nelson Community College and the Colonial Williamsburg Foundation
 - 4.5.1 The College of William and Mary and Thomas Nelson Community College
 - 4.5.2 The College of William and Mary
 - 4.5.3 Thomas Nelson Community College
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 - 5.3.3 Develop the Historic Triangle as a regional hub
 - 5.3.4 Assess the opportunities for leveraging expanding health services
- 5.4 Explore opportunities for revenue sharing and the coordination of projects across the three jurisdictions
 - 5.4.1 Overview
 - 5.4.2 Investigate revenue sharing possibilities
 - 5.4.3 Complete a preliminary assessment of the potential for a business park

Economic Diversification in America’s Historic Triangle

- 5.4.4 Encourage HTC members to promote land use planning that reflects regional priorities
- 5.5 Support entrepreneurs by building on local and regional initiatives
 - 5.5.1 Overview
 - 5.5.2 Encourage the three economic development offices and the Greater Williamsburg Chamber and Tourism Alliance (GWCT Alliance) to help create a more positive environment for young professionals
 - 5.5.3 Promote zoning initiatives to expand spaces to attract and retain creative people
 - 5.5.4 Encourage and support entrepreneurs and small businesses through connections with our major institutions
- 5.6 Leverage the strengths of the College of William and Mary, Thomas Nelson Community College and the Colonial Williamsburg Foundation
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Summary

This report, written during the Great Recession, presents goals and strategies for diversifying the economy of the Historic Triangle so it will be positioned to take advantage of the recovery and to provide sustainable economic vitality while nurturing and protecting our historic legacy, and our exceptional quality of life.

The Historic Triangle is an integrated cultural, social and economic area divided into three separate political jurisdictions. This is where the American legacies of cultural diversity, representative government and free enterprise took root. America's English colonial history began in Jamestown, her principles of education and democracy were tested and refined in Williamsburg, and her independence was secured at Yorktown.

The area's high quality of life includes a sense of place, our history, our architecture, our green spaces, our rivers; our commitment to education, the arts, volunteer service and philanthropy; and amenities that are often only available in larger cities. That quality of life is a major attractor of business. Most of our business owners and workers share the high value we place on our quality of life. So any effort to diversify our economy must begin with a sense of sustainable balance.

The last twenty years leading up to the current recession was a period of dramatic growth in employment in the Historic Triangle; an expansion of over 56 percent over those two decades, compared with 24 percent in Hampton Roads and 22 percent in the United States. In the last decade, despite the recession at the end of the period, employment in the Historic Triangle grew by 16 percent while employment in Hampton Roads rose by 6 percent, and U.S. employment increased by only 2 percent. Much of that growth was in the Historic Triangle's largest business sectors – accommodation and food services; arts, entertainment and recreation; retail; and health care. The first three of those, all related to the tourism and hospitality sector, accounted in 2009 for over 40 percent of employment in the Historic Triangle, compared with roughly 21 percent in both Hampton Roads and the United States.

As the current recession set in, those sectors slowed down along with the rest of the economy. From mid-2007 to mid-2009 employment in the accommodation and food services sector fell by 5 percent and the retail sector also fell by 5 percent, although employment in the arts, entertainment and recreation actually grew by 5 percent.

The declines, however, came at the end of a period of high investment in time shares, new hotel and motel rooms that replaced older rooms, commercial property, facilities at tourism attractions, large retail centers and housing. Much of that investment was predicated on continued economic expansion and easy financing. The impact of the current recession was therefore compounded. Continued high growth was needed to sustain the investments that had been made. Even a

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slowing of growth would have created significant financial pressure; the actual economic declines have placed enormous pressure on many of the investors.

In that economic setting, this report takes on added significance. Many of the assumptions of the last decade clearly no longer apply. We need to take a new look at our regional economy. While understanding that the three jurisdictions will always have some competing objectives, we need to explore ways in which a regional perspective might open new opportunities. We need a realistic assessment of our region's economic potential. We seek mutually beneficial strategies that can be used collaboratively to augment the individual efforts of the three jurisdictions. We want to achieve a more balanced economy that can exploit new opportunities, while simultaneously strengthening and diversifying the tourism sector.

Goals and Strategies

The Task Force recommends six interrelated goals for diversifying the economy of the Historic Triangle. All of them follow from the central theme that diversification must be consistent with maintaining the region's high quality of life. These are common goals and strategies for the region: success will require support across all the members of the Historic Triangle Collaborative. The report outlines 17 strategies and 89 actions related to the goals.

The Task Force concludes that the Historic Triangle should: emphasize smaller companies and exploit its position between Richmond and the rest of Hampton Roads; explore revenue sharing projects (including a regional incubator and potential projects along common jurisdictional borders); support entrepreneurs; leverage the substantial capabilities of our major institutions; develop a clear business brand and marketing strategy; and support further diversification in the tourism sector. Those related strategies recognize regional strengths, promote business scale and composition consistent with our high quality of life, position the region for the recovery, improve regional collaboration, reduce incentives for redundant competition, and leverage existing tourism infrastructure while further diversifying the economic base. The following sections highlight those main ideas.

1. Focus on smaller companies and hub operations. Diversify the business mix recognizing the Historic Triangle's position between the rest of Hampton Roads and Richmond, the potential for hub operations, and the growing importance of small companies.

Give priority to attracting, retaining, and expanding companies that are in clean industries, offer good wages and benefits, are revenue-positive for the jurisdictions, and exploit our advantages in knowledge-based business areas. Shift the core diversification strategy from attracting a few large companies to developing smaller and medium-size companies that can serve the Hampton Roads-Richmond area and beyond. Explore joint economic development initiatives to link the Hampton Roads and Greater Richmond regions. Identify potential regional hub business clusters

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(concentrations of interconnected businesses) and create a marketing plan that targets these clusters for expansion and attraction. Some potential clusters could include commercial general contractors, hotel management, civil engineering, environmental engineering, medical supplies and healthcare support, software development, military and government consulting and contracting, executive recruitment, and specialty financial and insurance niches for corporate, industrial and institutional markets. Our economic development offices should continue to study the vertical (customers and suppliers) and horizontal (related market) linkages of existing companies in the Historic Triangle and adjacent areas, particularly in those potential cluster areas. Understanding those linkages can help to identify opportunities for the companies to expand or to attract other companies to the area.

2. Explore Revenue Sharing. Explore opportunities for revenue sharing and the coordination of projects across the three jurisdictions.

Many potential collaborative regional projects will require the development of cost and revenue sharing arrangements. There is ample precedent and legal support for such arrangements, but they will require careful planning and political will. The need for those revenue sharing agreements expands with the scope of the potential project. Opportunities for attracting large projects with significant acreage are extremely limited. Large projects are particularly well suited to regional collaboration because of the significant benefits generated for the larger region. Now is the time to identify and agree on the remaining areas that are suitable for such projects and focus some of our collaborative efforts on them. It may be appropriate to begin with projects on a smaller scale, including a regional business and technology incubator, to demonstrate the concept. Encourage the three Economic Development Authorities to take the lead in researching the feasibility of cost and revenue sharing on inter-jurisdictional development projects (e.g., a business park) and possible locations. This process should begin soon in order to have products ready as the economy recovers.

3. Support Entrepreneurs. Support entrepreneurs by building on local and regional initiatives.

The Historic Triangle needs to attract and retain professionals and entrepreneurs. Our major institutions can help with that process. Several local and regional initiatives provide the opportunity to encourage entrepreneurship in the region. Create a more positive environment for young professionals.

The recent partnership between the College of William and Mary (W&M) and James City County in the County's Business and Technology Incubator, for example, is a promising model for the Historic Triangle region. Consider expansion into a collaborative incubator for the whole Historic Triangle area using a cost- and revenue-sharing arrangement. Consider a potential new regional facility that might house the incubator and an expanded W&M Research Institute. Collaborate with the Hampton Roads Partnership to submit a proposal to the U.S. Department of Commerce to fund "IdeaWorksHamptonRoads," a new organization proposed in the Hampton Roads strategic economic plan to promote innovation and entrepreneurship, with a regional hub

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in the Historic Triangle. Pursue external funding that strengthens the entrepreneurial, applied research, and workforce base in the region. Evaluate the possibilities for funding additional small business CEO networking and mentoring opportunities along the lines of the successful W&M Technology and Business Center CEO Forum.

4. Leverage Major Institutions. Leverage the strengths of the College of William and Mary, Thomas Nelson Community College and the Colonial Williamsburg Foundation.

These three institutions have substantial capacity to assist in regional approaches to increasing economic diversification. The College of William and Mary (W&M) and Colonial Williamsburg (CW) have strong national and even international brands. Their presence creates an attractive and stable environment and generates interest among business people and retirees to locate in the Historic Triangle. Over the past decade W&M and TNCC have significantly expanded their economic development activities in the Historic Triangle, and they are positioned to play a central role in further economic diversification in the region. They each provide considerable professional expertise that can help individual companies, expand workforce capabilities, and provide assistance in regional planning efforts. They each have strong alumni networks that can be used to communicate economic opportunities in the area. These organizations could play an even stronger role in working with entrepreneurs and small businesses. Develop and implement a communications strategy that will keep the region's economic development offices updated on W&M and TNCC economic and workforce development related initiatives, academic programs, research, grant activity, and subject matter experts. Improve communications with companies in the region and let them know about successful W&M and TNCC interactions with local businesses. Promote Greater Williamsburg as a "Great Place For Business" among W&M Alumni. In addition, Sentara Healthcare and Riverside Health System are both major and expanding health care providers in the region with substantial economic impacts. Involve them more directly in discussions about economic planning for the Historic Triangle.

5. Develop a business brand. Develop a business brand for the area and use it in coordinated marketing across the three jurisdictions.

Our area does not have a strong economic development brand beyond tourism, and it does not have a clear vision of what our economic development brand should be. Professionally develop that brand and a targeted marketing message that articulates the area's "quality of life" and speaks to selected business clusters and regions. Emphasize small companies, entrepreneurship and hub operations. Build support for the new target business brand throughout the Historic Triangle. Develop a marketing campaign to shift current perceptions to the new business brand. Align efforts of the economic development offices of the three jurisdictions and the Hampton Roads Economic Development Alliance with the business brand.

6. Diversify Tourism. Support efforts to increase diversification in the tourism sector with the following five strategies.

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(1) Promote further diversification of offerings within our major attractions. As the Nichols Report emphasized, the area should support CW and Busch Gardens as the major drivers of visits to our region. Encourage and provide incentives for further internal investment by Busch Gardens and CW to broaden their offerings and extend tourism beyond the core summer season. These investments have a significant impact on revenues for the rest of the tourism sector. Encourage the development of more interactive opportunities at our current attractions. Complement our traditional history tourism with other opportunities for a complete vacation experience. Recognize the growing role of time shares and integrate them more fully into regional planning.

(2) Improve regional tourism coordination. Support planned efforts to update CW's Visitor Center to realize more fully its potential to promote the Historic Triangle as a multi-faceted destination. The HTC should lead efforts to elevate the tone of the discussion about regional tourism and to present a unified image to potential visitors. Support collaborations across our "history tourism" institutions – along the lines of the proposed Colonial Williamsburg Foundation partnership with Preservation Virginia at Historic Jamestowne – to share capabilities and enhance the visitor experience. Support the effort to have the Historic Triangle designated as a World Heritage site. Commission a study to evaluate the "Historic Triangle" label and recommend a tourism branding strategy for the region. Develop a systematic pattern of tourism research including annual and multi-year components as a basis for developing marketing plans. Push for expanded state support for tourism marketing. Encourage development of a Center of Tourism Excellence that could offer courses, provide certificates, develop regional educational programs, and sponsor conferences around the themes of tourism and hospitality management and planning. Ask William & Mary to review the role it could play in regional tourism and to explore initiatives that might provide incentives for visitors, particularly admission visitors, to extend their stay in the area.

3) Expand tourism programming on the wings of the main summer season. Provide seed-funding to expand week-long and longer events with the scale to attract visitors from outside Virginia. Brand periods of the year for particular emphasis – for example, arts in September, Christmas, sports and gardens in the spring. Support efforts led by the GWCT Alliance to expand tourism related to sports teams. Consider funding an expansion of sports venues with greatest promise of attracting events. Establish a process for coordinating and publicizing regional events.

4) Promote diversification that complements current strengths. Begin now to explore marketing opportunities for the 150th anniversary of the Civil War, with emphasis on internet and social networking initiatives. Consider how best to leverage the region's resources in historic interpretation in conjunction with the anniversary. Consider initiatives to provide greater concentrations of night-life opportunities, perhaps in conjunction with initiatives concerning young professionals. Encourage the thorough exploration of the concept of a potential arts district in the City of Williamsburg. Use that discussion as an opportunity to coordinate broader regional initiatives in the arts, including William & Mary's evolving concept for an integrated

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arts complex and This Century Arts Gallery's proposed visual arts center. Explore joint tourism marketing opportunities with attractions outside the region, particularly those to the west; for example, the Capital-to-Capital bikeway. Leverage our institutional connections with regional military organizations to promote expanded tours by military-related organizations and participation by active-duty military in Historic Triangle events. Explore attracting a "Museum of Play" to the area as a catalyst for attracting tournaments and events linked to the various games the museum might feature.

5) Explore opportunities for a third major attraction. Conduct exploratory conversations with CEO's of current attractions to determine if they feel another major venue would be a welcome addition; if so, identify the type of attraction and where it should optimally be located. Consider use of "Economic Opportunity Zones" along the I-64 corridor as possible sites for a third attraction. Develop zoning and revenue sharing options across the three jurisdictions.

The Task Force and Comprehensive Planning

The Historic Triangle Collaborative established the Task Force in September 2009. Jim Golden, Ph.D. -- Vice President for Strategic Initiatives, W&M, and Chair of the Board of the Greater Williamsburg Chamber and Tourism Alliance -- was named as the Task Force chair. Members included: Robin Carson, Kingsmill Resort & Spa, who was then serving at HTC chair; Kyra Cook, HTC; Michele Mixner DeWitt, Director of Economic Development, City of Williamsburg; Bob Hershberger, Executive Vice President, Greater Williamsburg Chamber & Tourism Alliance; Monty Mason, Chair, Economic Development Authority, City of Williamsburg; Jim Noel, Director of Economic Development, York County; Leonard Sledge, Director of Economic Development, W&M; Keith Taylor, Economic Development Director, James City County; Robert Taylor, Senior Vice President, Colonial Williamsburg Foundation; Tom Tingle, Chair, Economic Development Authority, James City County; Bill Travis, Ed.D., Provost, Historic Triangle Campus, Thomas Nelson Community College; and Rick Weigel, Vice Chair, Economic Development Authority, York County.

From the outset, the Task Force viewed its work as a prelude to the simultaneous comprehensive planning that will take place in each of the three jurisdictions in 2012. We hoped that our work would provide a common set of research materials to help with that planning. With that in mind we compiled an annotated list of major studies over the last decade (Enclosure 1) and an extensive assessment of the region's strengths, weaknesses, opportunities and threats (Enclosure 3). Task Force members briefed each other on the major economic diversification efforts that were underway in each organization. We met with professionals from across the three jurisdictions and with representatives of the major economic development organizations at the state and regional levels to discuss business attraction, new business creation, business expansion and tourism. We worked with Hampton Roads Planning District Commission staff, who provided an extensive set of employment and income tables. We used the data in our own

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analysis and provided reference tables to each jurisdiction. Enclosure 4 provides a more detailed summary of the sequence of Task Force meetings.

We believe this report should provide a good foundation for the coming simultaneous comprehensive planning effort by the three jurisdictions. We believe that the Historic Triangle Collaborative has the right group of people to review and implement the recommendations we have provided. We know the HTC members will give our work serious consideration.

1. Purpose and Scope

(1.1) America's Historic Triangle

America's Historic Triangle includes the City of Williamsburg, James City County, and York County. This is where the American legacies of cultural diversity, representative government and free enterprise took root. America's English colonial history began in Jamestown, her principles of education and democracy were tested and refined in Williamsburg, and her independence was secured at Yorktown. The Historic Triangle recently commemorated the 400th anniversary of the settlement at Jamestown, the 300th anniversaries of the founding of the College of William and Mary and the City of Williamsburg, and the 225th anniversary of the siege at Yorktown. The Colonial Parkway connecting those corners of the triangle is itself a national landmark tracing the early history of the country.

(1.2) The Historic Triangle Collaborative (HTC)

The successful regional collaboration leading to the commemoration of Jamestown 2007 provided an impetus to the formation in 2008 of the Historic Triangle Collaborative (HTC), an informal group of twelve community leaders including the chief elected officials and chief administrators of James City County, the City of Williamsburg, and York County and the chief executive officers of the Colonial Williamsburg Foundation, the Jamestown-Yorktown Foundation, the College of William and Mary, the Greater Williamsburg Chamber and Tourism Alliance (GWCT Alliance), Busch Gardens and Water Country USA, and Kingsmill Resort (representing the Anheuser-Busch InBev companies). The HTC adopted the mission to think regionally and work collaboratively to achieve sustainable economic and quality of life benefits for the Historic Triangle.

(1.3) The Economic Diversification Task Force (EDTF)

HTC goals in the economic area include working toward a balanced and sustainable economy, enhancing the tourism sector, and providing a regional foundation for simultaneous, coordinated comprehensive planning across the three jurisdictions in 2012. In September of 2009, the HTC established an Economic Diversification Task Force (EDTF) to determine if the area would benefit from greater diversification, and, if so, to recommend mutually beneficial strategies that can be used collaboratively to augment the individual efforts of the three jurisdictions. Recognizing that the localities do compete against each other to gain business, but may nonetheless benefit from collaboration in some areas, the HTC asked the EDTF to do the following:

- Look at ways to achieve diversification by promoting growth in other sectors while simultaneously strengthening and diversifying the tourism sector.
- Review prior successes and initiatives underway by HTC partners and identify areas where regional collaboration has been and can be most effective.
- Provide by August of 2010 ideas about broad strategies that might be appropriate, as well as specific recommendations for action or further study.

The EDTF included the following members:

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- Jim Golden, Ph.D., Vice President for Strategic Initiatives, College of William and Mary, and Chair of the Board of the Greater Williamsburg Chamber and Tourism Alliance (chair)
- Robin Carson, Kingsmill Resort & Spa
- Kyra Cook, Historic Triangle Collaborative
- Michele Mixner DeWitt, Director of Economic Development, City of Williamsburg
- Bob Hershberger, Executive Vice President, Greater Williamsburg Chamber & Tourism Alliance
- Monty Mason, Chair, Economic Development Authority, City of Williamsburg
- Jim Noel, Director of Economic Development, York County
- Leonard Sledge, Director of Economic Development, College of William and Mary
- Keith Taylor, Director of Economic Development, James City County
- Robert Taylor, Senior Vice President, Colonial Williamsburg Foundation
- Tom Tingle, Chair, Economic Development Authority, James City County
- Bill Travis, Ed.D., Provost, Historic Triangle Campus, Thomas Nelson Community College
- Rick Weigel, Vice Chair, Economic Development Authority, York County

2. Background

(2.1) Overview of Regional Economic Diversification

At the time of this study, the Historic Triangle's economy reflects the broader national and regional trends brought on by the current recession. Although national gross domestic product rebounded somewhat to a 5.6 percent growth rate in the fourth quarter of 2009 and 3.0 percent in the first quarter of 2010, in April 2010 national unemployment remained near 10 percent. Virginia, buffered somewhat by relatively strong federal and defense sectors, experienced unemployment of just over 7 percent. The Hampton Roads region also experienced unemployment around 7 percent. The Historic Triangle experienced sharp downturns in the retail, tourism-hospitality, and real-estate/construction sectors. Several new retail projects went into bankruptcy, many new real-estate/construction projects were canceled or delayed, employers in most sectors, including tourism-hospitality, cut jobs, and room and meal tax receipts fell sharply.

The EDTF asked the Hampton Roads Planning District Commission to assemble data for employment, compensation and income for the Historic Triangle. They provided a superb set of tables for the Historic Triangle and comparable data for Hampton Roads and the United States so we could assess relative shifts. The EDTF provided copies of the data to the three jurisdictions for use in the simultaneous comprehensive plan reviews in 2012. The paragraphs below summarize the major findings related to employment.

Over the past two decades employment in the Historic Triangle has grown much faster than in the whole Hampton Roads region or the United States. As shown in Figure 1, below, total employment in the Historic Triangle grew from roughly 55,000 in 1999 to about 64,000 in 2009,

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an increase of almost 16 percent. During the same period employment in Hampton Roads grew by 5.5 percent, and employment in the United States grew by 1.9 percent. All of the employment growth figures for the decade were reduced by the recession at the end of the period. For the longer period from 1990 to 2009, employment in the Historic Triangle grew by 56 percent, compared to 24 percent in Hampton Roads and 22 percent in the United States.¹

Industry	HT Employment 1990 Q2	HT Employment 1999 Q2	HT Employment 2009 Q2	HT Change in Employment 1999-2009	HT Change in Employment 1990-2009
Accommodation and Food Services	7,872	11,133	12,040	8.1%	52.9%
Administrative and Waste Services	1,086	2,604	3,045	16.9%	180.4%
Agriculture, Forestry, Fishing & Hunting	42	110	45	-59.1%	7.1%
Arts, Entertainment, and Recreation	1,200	4,740	5,686	20.0%	373.8%
Construction	3,217	4,019	3,954	-1.6%	22.9%
Educational Services	3,843	5,400	6,762	25.2%	76.0%
Finance and Insurance	518	685	921	34.5%	77.8%
Health Care and Social Assistance	3,601	4,837	6,088	25.9%	69.1%
Information	345	489	432	-11.7%	25.2%
Management of Companies & Enterprises	-	311	723	132.5%	
Manufacturing	5,932	3,075	2,415	-21.5%	-59.3%
Other Services, Ex. Public Admin	1,054	1,726	1,959	13.5%	85.9%
Professional and Technical Services	1,121	1,700	2,794	64.4%	149.2%
Public Administration	1,440	2,349	2,306	-1.8%	60.1%
Real Estate and Rental and Leasing	611	1,650	1,580	-4.2%	158.6%
Retail Trade	5,573	7,052	8,593	21.9%	54.2%
Transportation and Warehousing	434	606	1,200	98.0%	176.5%
Wholesale Trade	492	599	1,200	100.3%	143.9%
Total, All Industries	40,787	55,097	63,786	15.8%	56.4%

Figure 1. Historic Triangle Employment by Industry Sector, Second Quarter of 1990, 1999 and 2009, and Percentage Changes 1999-2009 and 1990-2009

Source: Virginia Employment Commission and Hampton Roads Planning District Commission data from the U.S. Department of Labor, Quarterly Census of Employment and Wages. Notes: Details do not add to totals because some employment data does not fall into the listed categories. Poquoson is included in the totals, but the numbers there are small.

The Historic Triangle is highly concentrated in businesses related to tourism, hospitality and retail. As shown in Figure 2 below, the five largest employment sectors in the Historic Triangle in 2009 were accommodation and food services (20.2%), retail trade (13.5%), educational services (10.6%), health care and social assistance (9.5%), and arts, entertainment and recreation (8.9%). Those five sectors account for roughly 63 percent of the Historic Triangle economy. Excluding health care and education, the other three are related to the tourism sector. Those three related to tourism account for over 42 percent of employment in the Historic Triangle. In contrast, in 2009 those three sectors account for only 20.7 percent of employment in Hampton Roads and 21.3 percent in the United States.²

¹ Data provided by Hampton Roads Planning District Commission.

² Ibid.

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As shown in Figure 1 above, those sectors had significant employment growth over the last decade, with an expansion of 8 percent in accommodation and food services, 20 percent in arts entertainment and recreation, and 22 percent in retail trade. Those strong numbers helped account for the overall employment growth of 16 percent for the Historic Triangle over that period. In the period from 2007 to 2009, however, employment in the accommodation and food services sector fell from 12,707 to 12,040 (-5.2%) and in the retail sector it declined from 9,034 to 8,593 (-4.9%). Despite the recession, employment in arts, entertainment and recreation expanded from 5,421 to 5,686 (+4.8%) during those two years.³

Industry	HT Employment 1990 Q2	HT Employment 1999 Q2	HT Employment 2009 Q2	% Change 1999-2009	% Change 1990-2009
Accommodation and Food Services	19.3%	20.2%	18.9%	-1.3%	-0.4%
Administrative and Waste Services	2.7%	4.7%	4.8%	0.0%	2.1%
Agriculture, Forestry, Fishing & Hunting	0.1%	0.2%	0.1%	-0.1%	0.0%
Arts, Entertainment, and Recreation	2.9%	8.6%	8.9%	0.3%	6.0%
Construction	7.9%	7.3%	6.2%	-1.1%	-1.7%
Educational Services	9.4%	9.8%	10.6%	0.8%	1.2%
Finance and Insurance	1.3%	1.2%	1.4%	0.2%	0.2%
Health Care and Social Assistance	8.8%	8.8%	9.5%	0.8%	0.7%
Information	0.8%	0.9%	0.7%	-0.2%	-0.2%
Management of Companies & Enterprises	0.0%	0.6%	1.1%	0.6%	1.1%
Manufacturing	14.5%	5.6%	3.8%	-1.8%	-10.8%
Other Services, Ex. Public Admin	2.6%	3.1%	3.1%	-0.1%	0.5%
Professional and Technical Services	2.7%	3.1%	4.4%	1.3%	1.6%
Public Administration	3.5%	4.3%	3.6%	-0.6%	0.1%
Real Estate and Rental and Leasing	1.5%	3.0%	2.5%	-0.5%	1.0%
Retail Trade	13.7%	12.8%	13.5%	0.7%	-0.2%
Transportation and Warehousing	1.1%	1.1%	1.9%	0.8%	0.8%
Wholesale Trade	1.2%	1.1%	1.9%	0.8%	0.7%
Total, All Industries	100.0%	100.0%	100.0%		

Figure 2. Percentage of Historic Triangle Employment in each Industry Sector, Second Quarter of 1990, 1999, and 2009, and Changes in Percentages in each Sector 1999-2009 and 1990-2009

Source: Figure 1 data converted to percentages.

Over the longer period from 1990 to 2009, one of the most striking changes in the Historic Triangle was the decline in manufacturing as a share of total employment from 14.5 percent down to 3.8 percent. That reflects similar patterns for all of Hampton Roads and for the United States in the same period. The shares of Historic Triangle employment in accommodation and food services and in retail were surprisingly unchanged over the longer period. One of the largest shifts was the expansion in the arts, entertainment and recreation sector from about three percent in 1990 to roughly nine percent in 2009.

The central conclusion from this analysis is that the Historic Triangle remains highly concentrated in sectors related to tourism and retail. Employment growth in those sectors

³ Data provided by Hampton Roads Planning District Commission.

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remained high over the past decade, although that sector was affected by the recession over the past two years. Education and health care are also important employment sectors.

(2.2) Recent Successes and Initiatives

The partners represented in the HTC have pursued a variety of strategies that have helped to strengthen and diversify the area's economic base. Before considering additional steps that might be pursued, the EDTF reviewed initiatives that have been completed in the last ten years or are now underway. In particular the review identified common approaches that several of the partners were pursuing. Those could serve as the basis for even stronger regional collaboration.

(2.2.1) Business Diversification Initiatives

The three jurisdictions have pursued many of the same approaches to business diversification, including support for mixed-use and waterfront developments, marketing, communication with existing businesses, incubation, recruitment of targeted businesses, and product development – to include identification of infrastructure needs and sometimes development of infrastructure for potential sites. The EDTF discussed the experiences of the three jurisdictions in the following areas:

- Mixed use developments – High Street (City), New Town (JCC), Quarterpath (City)
- Waterfront development – Riverwalk Landing (York)
- Programs in all three jurisdictions
 - Existing industry visitation
 - E-commerce grant programs
 - Commercial real estate brokerage outreach
 - Office of Economic Development improvements – website & entrepreneurial environment
 - Support for marketing efforts by the Hampton Roads Economic Development Alliance (HREDA) and the Virginia Economic Development Partnership (VEDP)
 - Business incubation
 - Incentive programs
 - Product development (site identification and, in some cases, preparation)
- Rural development committee (JCC)
- Demolition loans (City)

(2.2.2) William & Mary Initiatives

The College of William and Mary has been actively supporting economic diversification, particularly in attempting to link the private sector to faculty involved in the sciences and business. Initiatives include the following:

- Technology and Business Center
 - Development of regional clusters: Sensors, Modeling/Simulation, Bioscience, Port & Logistics
 - Emphasis on business links with Applied Science, School of Education, School of Business, Virginia Institute of Marine Science (VIMS)

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- Business development classes with the GWCT Alliance and the three jurisdictions
- CEO Forum for leaders of small businesses
- Technology Transfer Office
- William and Mary Research Institute – Pursues interdisciplinary research in new areas including cancer markers, materials science, and alternative energy
- VIMS – Industry Committee explores potential partnerships, particularly in the areas of observation systems and the conversion of algae to energy
- Real Estate Foundation – Has developed projects on the periphery of the main campus including New Town and a new Richmond Road student residence over retail space
- The new facilities for the Schools of Business and Education provided expanded outreach capacity

The Technology and Business Center, which has been funded by external grants and contracts, has a strong record of linking companies in Hampton Roads to research, particularly in the areas of sensors, modeling and simulation, bioscience, and port logistics. The Center has also collaborated with the three jurisdictions in developing outreach programs in which business school faculty develop and present courses to the local business community. The Center's CEO Forum provides an opportunity for leaders of small companies in the area to share challenges and insights. The William & Mary Research Institute is designed to pursue grant and collaboration opportunities in areas that cut across various university programs, most recently including the development of markers for various kinds of cancer and the development of alternative energy projects. The Technology Transfer Office patents and licenses intellectual property developed at the university. The VIMS-Industry Partnership Committee brings marine science researchers together with business leaders five times a year to identify opportunities for collaboration. The William & Mary Real Estate Foundation has been focused on developing student-oriented retail opportunities on the perimeter of the campus. The Schools of Business and Education each have new facilities that will help promote broader outreach and conference opportunities.

(2.2.3) Thomas Nelson Community College (TNCC) Initiatives

TNCC has a variety of programs targeted on education and workforce development. Recent successes include the following:

- New Historic Triangle Campus
- Regional Workforce Development Programs
- Discovery Center partnership with William & Mary

The new Historic Triangle Campus opens opportunities to support workforce needs and support economic diversification. Enrollment at the new campus has been excellent. New opportunities include nursing and dental programs that could be the foundation for expansion into other health areas. TNCC has the capacity to support companies with a variety of workforce development needs, including programs at the center in Hampton or on-site. Recent successes have included major training initiatives in support of the expansion of the Canon facility in Newport News. TNCC has also partnered with William & Mary in developing new high-technology classrooms

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in the Discovery Center in New Town. The Discovery Center, which links TNCC workforce development with William & Mary's Technology and Business Center, presents a new opportunity to provide businesses with a wide range of support.

(2.2.4) Business Attraction Successes

The EDTF reviewed successes in bringing new companies to the Historic Triangle area in order to identify characteristics of other companies that might be attracted in the future. The list includes the following companies:

- WHRO (City)
- Solutionz, Inc. (City)
- Wal-mart Import Distribution Center (JCC)
- Haynes Furniture Distribution Center (JCC)
- Citizens and Farmers Bank Operations and HQ (JCC)
- Great Wolf Lodge (York)
- Philip Morris (York) – reinvestment in vacant facility
- First Advantage Federal Credit Union Operations and HQ (York)
- Cybernetics (York)
- Travaini Pumps USA (York)
- S. B. Cox (York)

(2.2.5) Business Expansion Successes

EDTF members offered examples of successes in business expansion in the Historic Triangle area so we could discuss the characteristics of successful, expanding companies in the region. The list includes the following companies:

- A-B InBev Williamsburg Brewery: \$200 million plant modernization (JCC)
- AVID Medical Inc.: \$8 million expansion (JCC)
- Owens-Illinois Inc.: \$20 million manufacturing and packaging equipment expansion (JCC)
- Nicewood Enterprises: \$1+ million facility expansion (JCC)
- Colonial Williamsburg has invested over \$200 million in facilities, including renovation and expansion of the Inn and Lodge, the Visitor Center, the DeWitt Wallace Decorative Arts Museum, the Spa, and the Charlton Coffee House. (City)
- Chesapeake Bank: \$2.5+ million investment in new financial center (City)
- Bikes Unlimited: Relocation and expansion (City)
- Berkeley Realty Management: \$850,000 relocation and expansion (City)
- Altria/Philip Morris: \$100 million facility expansion (York)
- Western Refining: \$175 million refining equipment expansion (York)
- Ryson International: \$3 million building and equipment expansion (York)
- Spain Commercial: \$6.5 million (2 projects) light industrial building construction and bank to restaurant building renovation (York)

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(2.2.6) Real Estate Development Initiatives

All three jurisdictions, Colonial Williamsburg (CW), the William & Mary Foundation and the William & Mary Real Estate Foundation (W&M REF) have been active in developing sites for business attraction and expansion. The list includes the following sites:

- James River Commerce Center (JCC, CW)
- Stonehouse Commerce Park shell building (JCC)
- Virtual shell building (JCC)
- New Town (W&M Foundation)
- Richmond Road student development (W&M REF)
- High Street (City)
- Tioga property (City)
- Merchants Square (CW)
- Quarterpath (City)
- Riverwalk Landing (York)
- York River Commerce Park shell and virtual shell buildings (York)
- Jordon property light industrial development (York)
- Eastern State Hospital, master planning discussions facilitated by the Crossroads Group

(2.2.7) Regional Collaboration

The region has a complex web of organizations involved in various aspects of economic development. The memberships of the organizations have substantial overlap. The organizations include the following:

- State Level – Virginia Economic Development Partnership
- Hampton Roads Level
 - Hampton Roads Economic Development Alliance (HREDA)
 - Hampton Roads Military & Federal Facilities Alliance
 - Hampton Roads Partnership (HRP)
 - Hampton Roads Planning District Commission (HRPDC)
 - Hampton Roads Research Partnership (HRRP)
 - Hampton Roads Small Business Development Center
 - Hampton Roads Technology Council
- Peninsula Level
 - Greater Peninsula Workforce Development Consortium
 - Peninsula Council for Workforce Development
- Historic Triangle Level
 - Crossroads Group
 - Greater Williamsburg Chamber and Tourism Alliance (GWCT Alliance)
 - Historic Triangle Collaborative
 - Historic Triangle Economic Development Team (City, JCC, York)
 - Regional Issues Committee
 - Williamsburg Area Destination Marketing Committee (WADMC)

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(2.2.8) Tourism Expansion and Diversification

The last ten years have witnessed substantial investment in the tourism and hospitality sectors. The ongoing recession has highlighted the vulnerability of this sector to national economic trends. As it considered alternatives to support and diversify the tourism sector going forward, the EDTF reviewed the major changes that have taken place in the last decade or are currently underway, including the following:

- Blackstone Purchase of Busch Gardens and Water Country USA (JCC and York)
- Christmas Town at Busch Gardens (JCC)
- Colonial Williamsburg Foundation Reinvestment (Visitor Center, Inn, Lodge, Charlton Coffee House, Museum consolidation, Spa) (CW)
- Great Wolf Lodge (York)
- Greater Williamsburg Chamber and Tourism Alliance (GWCT Alliance) Initiatives
 - I-64 Welcome Center
 - Visitor Tracking Research
 - Niche brochures – ecotourism, biking, arts, golf
 - Hospitality training
 - Williamsburg weekends
 - Leisure Travel and Sports Committees
 - Proposed Competitive Assessment Study
 - Business Training and Education
 - High School business tracks support
 - Workforce studies
- Historic Triangle Shuttle, Yorktown Trolley, Williamsburg Trolley (City/JCC)
- Jamestown Commemoration and related infrastructure (JCC)
- Prime Outlets expansion (JCC)
- Ripley's Believe it or Not! (City)
- Riverwalk Landing (York)
- Timeshare growth (particularly in York and JCC)
- Yankee Candle Factory (City)
- Yorktown Victory Center expansion (York)

(2.3) Conclusions

The EDTF recognized that the economic development offices in the three jurisdictions compete to gain revenue, jobs and investment for each locality. Nonetheless, there are many opportunities to collaborate across the three jurisdictions in ways that can enhance economic diversification across the Historic Triangle area and support the goals of each jurisdiction. The region has many recent successes on which to build.

Conclusions from the review of recent successes and current programs include the following:

- There are strong opportunities for greater collaboration across the three jurisdictions with our major institutions, including the College of William and Mary, Thomas Nelson Community College, the Colonial Williamsburg Foundation and the GWCT Alliance. Those institutions are regional assets, and collaboration does not threaten any of the

jurisdictions. In short, collaborations with the major institutions provide common ground and a foundation for greater regional cooperation.

- There is substantial overlap in the activities of the three economic development offices, Thomas Nelson Community College, the GWCT Alliance and the Office of Economic Development at William & Mary, and opportunity to collaborate even more closely in promoting initiatives that cut across the three jurisdictions, particularly in workforce development, business incubation, business outreach, tourism diversification, and branding the Historic Triangle as an area for businesses in targeted industries.
- The EDTF discussions noted a major obstacle to collaboration: revenues from new projects will fall across the three jurisdictions. As a result, each jurisdiction evaluates projects in terms of the return to the jurisdiction rather than to the region. Projects that would make sense if the three jurisdictions were one integrated fiscal entity are separately sought by one, two or all three of the jurisdictions in hopes of capturing the resultant tax revenue, even if it would make more economic sense to consolidate into one more viable project. In addition, the fiscal and transportation impacts of projects that fall on other jurisdictions might not be fully considered in the analysis of any one jurisdiction. Revenue sharing options would make it possible to consider all of those impacts in evaluating projects. But revenue sharing will take substantial political will. One approach would be to identify trial projects in which the concept might be tested. The EDTF highlighted revenue sharing as a key area for further study, as discussed later in this report.
- There are many regional economic development organizations, many focused on the broader Hampton Roads region. We have historically paid less attention in our economic development efforts to the area to the west of the Historic Triangle.

3. Identification of Opportunities

(3.1) Strengths, Weaknesses, Opportunities and Threats (SWOT) Analysis

(3.1.1) Hampton Roads SWOT

The Hampton Roads Partnership led an effort from 2009-2010 to develop a Comprehensive Economic Development Strategy (CEDS). The goal was to develop broad strategies and specific actions to position the region as a leader in the global economy. According to the CEDS study “Hampton Roads is the 38th largest Metropolitan economy and the 34th most populated MSA in the country with a gross metropolitan product of approximately \$72.4 Billion (2007). The region’s economic structure is characterized by the strong presence of the military, followed by real estate and rental leasing, construction, tourism, recreation and retail.”

The ultimate CEDS document includes a review of the region’s strengths, weaknesses, opportunities and threats (see Enclosure 2). The Historic Triangle (see map below) lies at the northwest corner of the Hampton Roads region. Although the Triangle has many unique characteristics, it is clearly affected by the drivers for the broader region, and the EDTF drew on the SWOT analysis for the region, particularly the “opportunities” section in its analysis.

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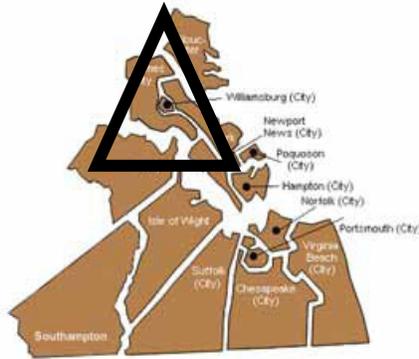


Figure 3. The Historic Triangle and the Hampton Roads Region

Source: Hampton Roads CEDS, 2010

The CEDS study identified the following major economic development opportunities:

- Modeling and Simulation
- Alternative Energy
- Affordable Office/Commercial Space
- BRAC job inflows
- Federal Stimulus Money (although this appears to be ending in 2012)

(3.1.2) Historic Triangle SWOT Analysis

The EDTF began its work with an extensive list of strengths, weaknesses, opportunities and threats (see Enclosure 3). The analysis identified a large number of potential actions under each identified opportunity area. Here are the major opportunity categories. They are not listed in order of importance.

- Leverage the assets at William & Mary and Thomas Nelson Community College more effectively
- Leverage the assets at Colonial Williamsburg more effectively
- Strengthen our regional identity
- Strengthen regional planning
- Encourage more flexibility for live/work space and telecommuting
- Strengthen and diversify the tourism/hospitality sector
- Improve the environment for young professionals
- Grow entrepreneurs
- Transportation – leverage opportunities with NN-Williamsburg Airport and future high speed rail
- Military – encourage expansion in York County
- Sectors – target opportunities include
 - Medical (logistics, geriatric, executive health)
 - Energy
 - Green industry
 - Agri-business
 - Advanced manufacturing

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- Restoration, reproduction, conservation, historic trades
- History, anthropology, politics, legal, democracy, international/global
- Electronic classrooms, productions
- Military contractors
- Public Policy Institutes
- Regional headquarters – Location of businesses that serve Richmond and Hampton Roads (HR) markets
- Defense and Homeland Security – Businesses that serve large federal facilities in HR
- Education/training – destination for training, workshops, certificates building off educational institutions
- Arts – Improve, foster, strengthen the arts
 - Utilize existing performance and exhibit space
 - Build from existing creative/arts efforts (Colonial Williamsburg, William & Mary)
- Workforce – Tap talented and educated workers who are underemployed and may be interested in entrepreneurial work outside of their “day” jobs. Retain W&M alumni. Attract transitioning and retiring military.
- Encourage flexible use of space and reduce uncertainty about zoning and related processes
 - Improve the inventory (both quantity and quality) of available commercial and industrial properties
 - Bring zoning into compliance with comprehensive plans
 - Create economic opportunity zones
 - Potential conversion of older retail centers

That initial SWOT brainstorming provided a menu of ideas for further analysis.

(3.2) Review of recent studies

(3.2.1) Overview

The EDTF had the benefit of several economic development studies completed over the last decade. Enclosure 1 provides a chronological listing of those with brief summaries of the major conclusions. Most of the studies reviewed issues at the regional Hampton Roads level. As discussed above, from 2009-2010 the Hampton Roads Partnership sponsored development of a Comprehensive Economic Development Strategy (CEDS) titled “Vision Hampton Roads.” The College of William and Mary (W&M) worked with the Hampton Roads Research Partnership on an assessment of technology clusters in the region, and the Hampton Roads Planning District Commission also assessed potential growth of several business clusters. James City County studies included a review of technology clusters, a business climate task force study, and the recent Comprehensive Plan. The City of Williamsburg completed an economic development strategy. The Crossroads Group completed an assessment of knowledge-based businesses that might be attracted to land that could become available at Eastern State Hospital and sponsored a land-use planning study for that area.

Those studies have been very consistent in highlighting business areas and technology clusters that show the most promise for the Hampton Roads region in general and the Historic Triangle

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area in particular. Not surprisingly, the Hampton Roads level studies emphasize businesses associated with the major drivers for the region – the port and military facilities. Historic Triangle studies have placed greater emphasis on potential links with technologies tied to the major research resources on the Peninsula, particularly those related to NASA Langley, the Jefferson Laboratory, and W&M.

(3.2.2) Hampton Roads regional studies

The “Vision Hampton Roads” Comprehensive Economic Development Strategy, completed in early 2010 under the auspices of the Hampton Roads Partnership, includes a plan of action related to four strategic areas – innovation; intellectual and human capital; infrastructure; and sense of place. The plan identified four tactical areas for advancing the broader strategies – federal; port and maritime; tourism, arts and culture; and “opportunities” related to technologies. The plan anticipates creation of a task force to deal with each of the tactical areas.

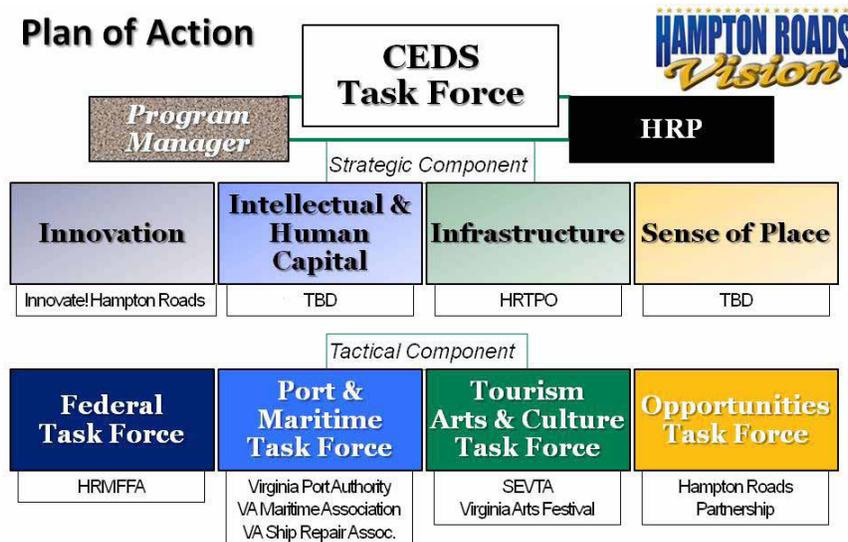


Figure 4. Vision Hampton Roads Plan

Source: Hampton Roads CEDS, 2010

The “opportunities” include exploiting regional technology strengths and developing a new organization to encourage innovation and entrepreneurship. The former Hampton Roads Research Partnership (HRRP), which included only universities and federal research laboratories, will be expanded into a new organization called Innovate!HamptonRoads, which will also include business and government representatives. HRRP currently coordinates technology clusters in bioscience, modeling and simulation, and sensors. The objective is to link research organizations to businesses in those fields. The new organization will expand that coverage to include two additional clusters in coastal energy and robotics. In addition, Innovate!HamptonRoads will seek funding from the Department of Commerce Economic Development Administration to launch IdeaWorksHamptonRoads to encourage innovation and entrepreneurship throughout the region.



Figure 5. Vision Hampton Roads “Opportunities”
Source: Hampton Roads CEDS, 2010

IdeaWorksHamptonRoads is still in the planning stages, but it will most likely identify four or five sub-regions within Hampton Roads. IdeaWorksHamptonRoads might provide some central services, but each sub-region would identify its own initiatives to promote innovation and entrepreneurship, perhaps including an incubator, workforce training, and links to local research organizations. The Historic Triangle area could be designated as one of those sub-regions, emphasizing links to William & Mary and Thomas Nelson Community College.

Completion of the CEDS plan makes the Hampton Roads region eligible for funding by the U.S. Department of Commerce. Historic Triangle initiatives tied to the regional strategic plan have the potential to take advantage of the federal funding opportunities.

(3.3) Conclusions. The SWOT analysis and the review of earlier studies suggested the following potential collaborative actions for further study:

- Strengthen the region's identity as a business brand
- Explore opportunities for coordinated land use planning
- Examine the possibility of revenue sharing for collaborative projects and identify the kinds of projects that would be the most likely candidates
- Exploit the region's position as a regional hub between Richmond and the rest of Hampton Roads
- Leverage the assets of the College of William and Mary and Thomas Nelson Community College more effectively
- Grow and attract entrepreneurs
- Develop the capability to track and communicate data concerning regional economic development and diversification
- Leverage the assets the Colonial Williamsburg Foundation more effectively
- Enhance the environment for young professionals
- Provide ready access to economic development studies and summary recommendations to regional decision makers, and produce a common statistical foundation for the comprehensive planning processes in 2012

4. Major Opportunities

The EDTF established subcommittees to review the potential actions listed in section 3.3 above. It also held extended committee meetings with professionals on new business creation, the expansion of existing businesses, business attraction and tourism (see Enclosure 4 for details). The EDTF concluded that there were six major areas of opportunity to promote economic diversification in the Historic Triangle.

- Coordinate marketing the area as an integrated economic entity with emphasis on quality of life as a major regional strength;
- Emphasize business expansion and attraction opportunities that flow from the area's potential as a regional hub and the broader opportunities for smaller businesses to grow here and serve distant markets;
- Explore opportunities for land-use planning and other major projects by the three jurisdictions, including using revenue sharing arrangements;
- Increase emphasis on growing and supporting small entrepreneurial companies;
- Leverage the strengths of the College of William and Mary, Thomas Nelson Community College and the Colonial Williamsburg Foundation; and
- Promote diversification in the tourism industry.

These opportunities are somewhat interrelated. The following sections describe those opportunities in more detail. The final section of the report recommends strategies and actions in each of the six areas that the HTC might support.

(4.1) Coordinate marketing the area as an integrated economic entity with emphasis on quality of life as a major regional strength

The EDTF believes there is a great opportunity for the three jurisdictions to expand joint marketing efforts. The local economic market clearly spans the arbitrary boundaries of the three jurisdictions, and companies interested in starting, growing or moving here are probably more attracted by the things the jurisdictions have in common than by the things that separate them. Of course the jurisdictions do compete, but the first common interest is to get a business to want to be in our area. The Hampton Roads Economic Development Alliance, for example, provides joint marketing for the region and refers prospects to the jurisdictions. The jurisdictions then have the opportunity to try to land the prospect. Similarly the three jurisdictions in the Historic Triangle could do even more joint marketing to create initial interest. So what is the common story they might communicate?

Every study we read and every interview we conducted underscored the central point that we all know intuitively. The quality of life in our area is the major attractor of business. Most of our business owners and workers live in our area, and they share the high value we place on our quality of life. That quality includes a sense of place, our history, our architecture, our green spaces, our recreational opportunities, our amenities that are often only available in larger cities, our rivers, our education opportunities, and so forth. Those are qualities that span our three jurisdictions and they can be jointly articulated.

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Beyond retaining and communicating our quality of life, we also need to decide and communicate the kinds of businesses we would like to attract. We need to know how we would like businesses to perceive opportunities in our region, and what we would like our business brand to be. That is an issue that spans the three jurisdictions.

(4.1.1) Background

Communication professionals define the term “brand” as an existing perception. If the brand is not one that is desired, there are various ways to attempt to shift the perception toward the “target” or “desired” brand. Professionals might develop a campaign to shift the brand by changing the actual characteristics of the product, by communicating ideas about the product, or both. So what is the Historic Triangle’s business “brand,” what do we want it to be, and how do we get there?

Our EDTF and those it consulted believe that our area enjoys a strong tourism brand led by its two large tourism destinations – the Colonial Williamsburg Foundation and Busch Gardens Williamsburg. Another element of the area’s existing brand lies in a third large institution – the College of William and Mary. These brands generally connote quality, history, academics, prestige, culture, fun, and stability. Economic development marketing for the area has relied on the connotations of this brand – stressing quality of life and in many cases stability and prestige. James City County’s tag line states, “Strategically Located – Historically Resourceful.” The City of Williamsburg’s tag line states, “Historic City – New Commerce – Open for Business Since 1699.” York County describes itself as “A Revolutionary Business Opportunity.” Staff members primarily promote these target brands via the Internet.

There is little funding available for local economic development marketing, and certainly not enough to shift perceptions to the target brands. Most localities rely on promotion via relationships built by economic development staff. The Historic Triangle localities fund the Hampton Roads Economic Development Alliance to market the region to prospective businesses and to create an attractive regional brand. The larger region of “Hampton Roads,” however, struggles with its name and brand identity. That name has weak recognition outside the region. Some taglines used by Hampton Roads include, “The Heart of the Mid-Atlantic,” “America’s First Region,” and “Southeastern Virginia,” but those outside the region probably have unclear perceptions of those terms as well. When traveling outside of the region, economic development professionals sometimes resort to saying, “Norfolk and Virginia Beach,” in order to get recognition from a prospect.

(4.1.2) Issue

Our area has multiple branding challenges. They are perhaps most important in the tourism sector. While the term “Historic Triangle” is used to promote the area’s travel industry, it is considered an internal label and is not widely understood externally. Section 4.6 below deals with the tourism issues in more detail. The branding challenges also affect the area’s business marketing. To the extent that “The Historic Triangle” is recognized, it does not have a regional brand for diversified businesses or for economic development. Other regions have been successful at attracting targeted businesses and developing and earning a brand around economic

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development success. Charlotte, N.C., for example, has developed a successful brand for finance, and Silicon Valley's brand speaks to technology and entrepreneurship.

Research on shifting an economic development brand shows that the target brand should relate to a community-wide vision. However, a brand must reflect the reality of a place. A city cannot manufacture a successful brand that is not based in reality and the vision of the community.⁴

Our area does not have a strong economic development brand beyond tourism, and it does not have a clear vision of what our economic development brand should be. Marketing professionals the EDFT met with generally agree that "Williamsburg," or "Greater Williamsburg," have clear tourism brands, but they do not convey any strong perception about local business beyond that. "Historic Triangle" does not evoke strong tourism or business perceptions. It might be possible to use existing perceptions about Williamsburg to create a new related business perception. However, the marketing professionals also agreed that political obstacles may prevent all three localities from accepting "Williamsburg" vs. "Jamestown" or "Yorktown," as part of the desired business brand for the region.

The College of William and Mary has faced a similar challenge. Its strong history and tradition are advantages in name recognition, but that brand can detract from the desired perception that is also a place on the move, creating new ideas, adjusting to a rapidly changing world. The School of Business has a new marketing campaign designed to play off the existing brand as a place full of tradition, but shift it to the idea that the school is a dynamic place for innovators. The campaign, organized around the tagline that "Revolutionaries are still welcome here," promotes the tradition and current promise of dynamic change. But it is not just a marketing campaign. The school has also made dramatic changes in its academic program, which now emphasizes new "career advancement modules" and its program of senior mentors for each student.

The new marketing campaign at Colonial Williamsburg has taken a somewhat similar approach. It builds on the existing brand as a place grounded in history and attempts to develop a new perception that it is a place where the whole family can get actively involved. The campaign, focused on the theme "Come be part of the story" is designed to shift the existing brand to a new target brand that emphasizes more interaction. The campaign also stresses the full range of activities that are available.

(4.1.3) Opportunity

The EDTF convened a focus group of marketing professionals to discuss the opportunities to create a target *business* brand for our area, as distinguished from a *tourism* brand. Those discussions and a review of economic development research on branding revealed the following possible opportunities for the Historic Triangle:

- Target brand development should be part of a larger process that includes a vision for the area, embracing all three jurisdictions. This vision should define what types of

⁴ Anholt, Simon, summary of Competitive Identity. February 27, 2010 : www.simonanholt.com/Explained, February 27, 2010.

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businesses the area wishes to target, thus defining the customer. Once a customer or niche is defined, a target branding process can be undertaken.

- The development of a tagline or label for the target brand should be open to a variety of possibilities and not limited to "Historic Triangle."
- A large piece of a target business brand for the area should include its high quality of life. Some groups may see business recruitment and diversification as threatening, so this target branding process will need to address status quo and anti-growth concerns from both residents and existing businesses that enjoy strong market share now.
- Any effort to adjust our brand should be professionally managed and should recognize that the area has existing business and entrepreneurial successes that should be nurtured and celebrated - consciously and aggressively.
- The area has a shortage of young professionals, and existing firms often struggle to recruit new talent. This reality should be addressed in defining our target brand and in efforts to shift the brand.
- After a target business brand is developed, an expanded co-marketing campaign that includes our major state and regional economic development partners should be considered in order to leverage limited resources.

(4.2) Exploit the area's potential as a regional hub with emphasis on smaller companies

(4.2.1) Advantages

The three Historic Triangle jurisdictions respond to marketing leads from the Virginia Economic Development Partnership (VEDP) and the Hampton Roads Economic Development Alliance (HREDA), which identify companies outside Virginia that may be considering relocation. VEDP also works with Virginia companies to help retain them in the state and to help them expand. The jurisdictions do not market the area to other companies in Virginia, but do respond to inquiries from them.

VEDP, a business-led agency that receives state funding, has been targeting five major sectors – transportation, advanced manufacturing, science/research, security/services, and energy. In the next four years, that focus will probably narrow to emphasize energy, information technology, advanced manufacturing and life science/biosciences. VEDP also provides support to companies that want to expand exports, and their technical assistance program is working well. The Lynchburg region has been particularly successful in business attraction, and VEDP suggested it as a good model for how public support can help expand key sectors.

HREDA supports 10 cities and five counties with marketing and recruitment, but it does not close deals and it does not own any real estate. The economic development directors of the jurisdictions serve on the HREDA marketing committee. HREDA conducts marketing trips, and economic development directors often participate in those, subject to available resources. VEDP provides about half of HREDA's business inquiries. In the past year, HREDA coordinated visits to the region by 16 international and 31 domestic companies. That represents a downturn in international interest. A large share of the companies interested in the area has been in the maritime industry and in logistics/warehouse distribution. There has been some interest in advanced manufacturing. Charleston, S.C., with a significant inventory of sites and

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financial incentives, has been an aggressive competitor with Hampton Roads. Successful business attraction increasingly depends on public-private projects.

The Historic Triangle has several strengths in business attraction:

- Quality of life. Customers love coming here. Employees like to live here. Our area has attracted a community of retired executives, with extensive national and international business contacts. We need to retain that quality by continuing to expand the residential, commercial and industrial sectors of our community in a controlled and balanced manner. We need compatible uses that will have a net positive fiscal and civic impact after considering all infrastructure implications.
- National and international links. Our area is ideally situated in the Middle Atlantic region, near a major port. Our location and the concentration of leaders in our area provide strong advantages for broader national and international business connections.
- Strength of the workforce. High quality of schools. Access to workers transitioning out of the military and out of William & Mary is a major advantage.
- Business support network. The companies we met with were very positive in assessing the support they had received from our economic development offices and their linkages with William & Mary.
- Quality of education at all levels.

Specific sectors of interest include the following:

- U.S. manufacturing has adapted to global competition through process improvements, quality management systems and shifting operations to employ advanced technologies, including robotics. Advanced manufacturing companies can often operate on smaller sites and still achieve sufficient scale. This makes the Historic Triangle a potential site for such operations.
- Attracting select mega-projects, however, still requires large, pre-engineered, mega-sites (2,000 acres), and our Historic Triangle area does not have those. In the current environment, however, there could be state support for smaller mega-projects in the \$200 million range that could provide several hundred jobs.
- The security and services sector has a large number of small defense businesses, and our area is well poised to capture those.
- Alternative energy also seems to be promising for our area. A challenge there is in “qualifying” small, pre-revenue companies that want to expand, because we have little mezzanine funding available.
- Commercial real estate is a lagging economic indicator, and a recovery there will follow job recovery. One option for the sector is growth in small companies, and there is some reason for optimism there. Talent is now available, space is relatively inexpensive, and credit is available for owner-occupied space. That makes this a logical time to promote the incubation of small companies.
- Corporate logistics chains now use a distributed work-force scattered around the country in very small, often two-person, businesses. The market is changing, and our expectations should adjust to the prevalence of very small businesses with few employees.

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- Existing businesses have extensive customer and supplier relationships. They are “vertically integrated” with other companies in their supply chain, and they are “horizontally integrated” in providing various related services and products to their customers. For example, a local medical devices company supplies products to two major distributors, Owens & Minor and McKesson, in Richmond. Those distributors have contacts with other suppliers who might want to locate in our area for the same reasons that attracted the company that is here. The medical devices company uses the services of a sterilization company in Richmond. At some point it may make sense to expand the local operation to include sterilization, or to have the sterilization company expand here. The opportunity is to track these relationships for major companies or industry clusters in our region, and to find logical opportunities for expansion. The Hampton Roads Economic Development Alliance (HREDA) has recently established a program to visit the corporate headquarters of local businesses during HREDA marketing trips. Those visits should provide an ideal opportunity to explore the linkages with other companies discussed above.
- Several companies reported much stronger market linkages to the west than to the east. We may systematically understate the potential for exploiting our market advantages with Richmond because of the extent of our political links with the Hampton Roads region.
- Access to the airports is a huge issue. Getting to Norfolk is not feasible for many business uses because of the traffic uncertainties. Expansion of the Newport News-Williamsburg and Richmond airports clearly helps local businesses.
- Economic Diversity in Business Sizes.
 - While focusing more resources on smaller companies, recognize that some mix of larger businesses will help smaller companies expand. Leverage the tools that exist at the state level.
 - The area's location between two rivers has often led prospective companies to under-estimate the size of the local market, because the demographic circles most companies use go into the rivers here.
 - Existing companies can use their facilities to help incubate small new companies. Shared staff, equipment and space lets the new companies reduce the overhead costs of starting operations, and it can provide lease revenue for the larger company.
 - Business incubation as a general concept is important.
- Workforce.
 - The Rita Welsh program at William & Mary has been excellent in teaching English to workers.
 - Extending WATA service to the larger business centers of the community has been helpful.
 - We should do more to listen to the ideas of young professionals.
- Continue to draw on the pool of individuals leaving the military each year.
- William & Mary Business School. Many companies have benefitted from connections with the school. Several have used studies completed by the graduate and undergraduate business students.
- Business Contacts. The EDTF learned a great deal from conversations with CEO's of local companies. Systematic meetings of CEO's with other Historic Triangle leaders would be helpful in identifying future initiatives to help local companies expand.

(4.2.2) Challenges

- Short-run consolidation.
 - The current recession and slower development have forced consolidation in related businesses – contractors, engineers, lawyers, etc. Some companies have closed; others have had substantial cuts in employment. This is likely to continue in the short term, because of the continuing imbalances with supply greater than demand in the residential and commercial sectors. Federal stimulus funds reduced the economic impact on state and local government in fiscal years 2008-2009 and 2009-2010, but they may see reduced government funding in 2010-2011 and 2011-2012. That suggests that the recovery will be slowed by cuts in government spending.
 - Our area, like many others, is vulnerable to the loss of large businesses based on decisions at distant corporate headquarters, including potential international sales.
 - Local banks appear to have lots of capital to lend, but they have very little risk tolerance in the current market.
- Business Uncertainty.
 - Our normal bureaucratic processes in re-zoning and site approval make it difficult to predict if and when projects might be approved. The requirement for “voluntary” proffers, adds additional uncertainty that could be reduced by greater specificity up front.
 - Those normal uncertainties have now been compounded by confusion concerning future health insurance and tax policies. As a result many businesses remain on the fence in committing to expansion.
 - Businesses face challenges in dealing with the myriad regulations at the local, state and federal levels. York County has established a business advocate position, which has been very effective. James City County recently established a business facilitator position as recommended in the Business Climate Task Force report.
- The area needs more workforce housing at all levels, from entry level on up. Traffic issues have made commuting to work more difficult.
- The current tax code makes machine and tool taxes an important source of revenue for the localities. This reality has traditionally argued for attracting large companies with substantial infrastructure investment. The localities also receive sales, room and meal taxes, which creates an incentive for those activities. Revenues from non-retail-sales and non-capital intensive companies, however, do not create direct taxes for the localities, although they do contribute indirectly by raising incomes, spending and property values. We need better ways to estimate the indirect tax benefits of those other businesses.

(4.2.3) Exploit the region's position as a regional hub between Richmond and the rest of Hampton Roads.

The Historic Triangle sits in the center of two major metropolitan areas: Richmond and Hampton Roads. The Richmond Metropolitan Statistical Area (MSA) includes roughly 1.2

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million people and Hampton Roads about 1.7.⁵ Together they account for about 37 percent of Virginia's population. The two MSA's are closely linked by history, culture and transportation. Some studies have referred to similar regions as "megapolitan" areas. In general, daily trips across such a region would be unlikely, but it would be common to find a sales district or branch office of a national company operating across the whole area. As defined by the Virginia Tech Metropolitan Institute, a megapolitan area would be anchored by two or more metropolitan areas between 50 and 200 miles apart. Examples would include the Sun Corridor between Phoenix and Tucson and the Bay Area of Northern California. The anchor metropolitan areas are linked through a series of interstate highways. In 2006 the Metropolitan Institute ranked the Chesapeake megapolitan region as one of the top twenty in the country in projected growth. In their definition, the Chesapeake region included Washington, D.C. as well as the Richmond and Hampton Roads MSAs.⁶

The geography suggests that the Triangle might serve as a hub for companies that want to operate in both the Richmond and Hampton Roads MSA's. These would include primarily "level 1" employers in primary industries that bring money into the region from outside sources. They are supported by "level 2" companies that provide them with business support services. Those two levels, in turn, support smaller "level 3" consumer services companies.⁷

In identifying existing and potential regional hub businesses, the EDTF focused primarily on level 1 employers that serve or could serve markets outside the Historic Triangle. Some of those companies are also level 2 employers for a portion of their income, because they serve other local businesses and residents. However, a primary reason for a Historic Triangle location would be to serve the three million people in the Richmond and Hampton Roads MSA's and beyond.

The EDTF identified the following issues in assessing the potential for expanded hub operations:

- The competition in attracting traditional large level 1 employers is high, and with the shifting national and global economy, a strategy that focuses on "elephant hunting" is rarely successful. The emerging level 1 businesses are small employers, which have less financial investment (buildings, machinery, and tools) and tend to be more mobile.
- Regional hub businesses need to have access to an adequate workforce, and Richmond and Southside Hampton Roads have larger pools of potential employees.
- Businesses in the Historic Triangle face the challenge of recruiting professional staff. With such a small employment market, professionals are hesitant to relocate because of an absence of similar employment options if the first job doesn't work out. This is also a risk for two-income families and professional couples, where the spouse may have to commute to Richmond or Southside Hampton Roads for employment.
- Many businesses want to be as close as possible to their customers, so operating from a central base may be less attractive than locations more central within each MSA. Even with successful regional hub firms in the Historic Triangle, the growth model may be

⁵ U.S. Department of Commerce, Bureau of the Census.

⁶ Robert Lang, Ph.D., "Megapolitan Areas: New Geography, New Opportunities." PowerPoint presentation to the Denver Regional Council of Governments, September 19, 2007.

⁷ Moran, Stahl & Boyer, LLC and EM Pemrick & Company report to the James City County Business Climate Task Force in 2007.

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limited, with future expansion in satellite offices located close to customers, rather than expansion of the home office.

- The Historic Triangle continues to suffer from a perception in the region that it is only for businesses related to tourism.
- Transportation continues to be a real and perceived problem. Access to Southside Hampton Roads is a clear barrier for businesses with customers located there. And while current firms are taking advantage of easy access to both the Newport News/Williamsburg and Richmond airports, lack of direct flights result in longer travel time and more overnight stays.
- While interviews with existing regional hub businesses, retired CEO's and real estate professionals indicated few common themes in why firms chose to locate in the Historic Triangle, most could have chosen to locate anywhere. Reasons for locating here included:
 - a. Local ties to family, the College or the military
 - b. Local customer base
 - c. Mentor/incubator relationship
 - d. Familiarity with the Williamsburg area.

Reasons for businesses remaining here were more focused on quality of life, including general character and aesthetics of the area, schools, recreation, and general ease of transportation within the Historic Triangle. If this *quality of life* perception could be "bottled", it could be a successful centerpiece for marketing the area.

- Many executives live in Kingsmill, Fords Colony, Governor's Land, Greensprings, Stonehouse, and other planned neighborhoods because of the quality of life in the Triangle, and commute into the more populated areas of the adjoining MSA's. Some might prefer to move their companies or open branches to reduce their own commute.
- The Triangle has a strong pool of currently employed and retired leaders. As long as technology is available, many of them can work anywhere. If you attract the CEO, you can attract the business.
- The Triangle can leverage its competitive advantage by expanding the focus to address businesses that have regional, mid-Atlantic, U.S. and even international markets/customers, rather than just the Richmond/Hampton Roads markets.
- To the extent that the Triangle can attract regional hubs, the best target may be smaller companies. Hubs might also be home-grown as existing companies expand, instead of trying to attract larger companies to move to the Triangle and use it as a hub.
- NASA Langley and the military have traditionally served as magnets for business recruitment. With the BRAC expansion at Fort Lee, military presence west of the Triangle can be advantageous.

(4.2.4) Look West

The EDTF explored development to the west of the Historic Triangle, particularly in New Kent County and the town of West Point. Expansion along the Interstate 64 corridor westward from Hampton Roads and eastward from Richmond has made the area in-between ripe for development. The counties and municipalities in this area have reacted uniquely and somewhat differently to this challenge.

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West Point, for example, is a small town with a narrow economic base. It is somewhat isolated from supporting services, but it has limited plans for redevelopment focusing on mostly retail, some waterfront development, and higher-end waterfront condos. One major advantage is its low land costs compared to the Historic Triangle. Its relatively small size suggests that it constitutes neither much of an opportunity nor a threat to the Historic Triangle.

New Kent, on the other hand, may offer some potential opportunities, but also some significant challenges to the Historic Triangle. Several years ago, New Kent decided to preserve the County's rural character, maintain low tax rates, and attract sound economic development projects. One significant strategy was to steer economic development projects to any of New Kent's four interstate interchange areas by extending infrastructure to those areas; this was accomplished through \$45-million in Community Development Bonds. By creating "shovel-ready" opportunities at these locations, New Kent was preserving the rural character of its remaining land. In the spring of 2009, New Kent launched an aggressive pro-business campaign that included review and permit fee waivers and refunds, expedited reviews, tax reductions, and other incentives. From the first day, all new New Kent staff hires are told that "economic development is everyone's number one priority." Also, land costs in New Kent have been and continue to be significantly lower than in the Historic Triangle.

(4.3) Explore opportunities for land-use planning and other major projects by the three jurisdictions, including using revenue sharing arrangements

(4.3.1) Land-use planning

James City County's 2009 Comprehensive Plan Update (CPU) included a new Economic Opportunity Zone designation to encourage developments that have a positive fiscal contribution, provide quality jobs, enhance community values, are environmentally friendly, and support local economic stability. Master planning is at the core of this designation. The Comprehensive Plan anticipates that no development should occur unless it is incorporated into area/corridor master planning efforts, which should be shielded from jurisdictional boundaries.

The CPU specifically notes the regional planning and cooperation opportunity for the Lightfoot/Hill Pleasant Farm and Quarterpath areas, but it notes that collaboration opportunities in other areas must be considered, as well. Areas that have already been developed along borders among the city, counties, and William & Mary, can provide insight on how to collaborate on future inter-jurisdictional developments.

Both James City and York Counties recognize the Lightfoot/Hill Pleasant Farm section as an area for significant development, much of which could be enhanced by extending Mooretown Road. This area includes approximately 1,100 acres – 600 in York and 500 in James City. The York comprehensive plan includes extension of Mooretown Road into this area and anticipates mixed use development. Both counties desire that the area develop through a master plan to include commercial and possibly some residential areas. James City County's suggested uses of the area include industrial, light industrial and office uses; primary uses would follow the recommendations for the general Economic Opportunity. York County has designated the Lightfoot area for Economic Opportunity with a Mixed Use overlay designation.

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In addition to the Lightfoot/Hill Pleasant Farm area, other areas that would benefit from inter-jurisdictional collaboration include the Eastern State property, Camp Peary intersection, and the Rt. 199/Rt. 60/I-64 intersections. Further research among James City, Williamsburg, York and William & Mary is necessary to completely identify large and small scale opportunities for collaboration.

The issue of collaboration involves staff other than economic development. Planning issues will surely arise as the three jurisdictions have their own separate zoning ordinances. A thorough review of each locality's development procedures will be necessary to determine conflicting ordinance permissions and uses. While all three localities are subject to the same Virginia Building Code and Chesapeake Bay regulations, each jurisdiction has its own standards and interpretations for these and other policies. A regional development policy for site and building plans review within collaboration areas could also be beneficial. Having only one review and enforcement agency would ease confusion for developers and land owners. Finally, involvement of public utility staff is necessary to coordinate the effects on our regional water and sewer systems. Planning, Environmental and Building Code staffs would have to adopt consistent standards for projects within collaborative areas. Ideally, the master plan would include consideration of types and sizes of units, inclusion of workforce housing, and apartments. The plan would consider the infrastructure impacts, particularly on school enrollments, and would consider how those impacts would be apportioned across jurisdictions.

Preliminary engineering work and a master plan for collaborative development would address the site and building plans approval issues. When developing a master plan, it will be important to consider the businesses and end-users for the area. Coordination with both VEDP and HREDA would be useful to develop target industries for the region, and incorporate features that attract those general industries into the sites.

(4.3.2) Revenue Sharing

The EDTF examined revenue sharing in the context of two or more localities designating a defined geographic area where development, marketing and maintenance costs are shared and the tax revenue from investment in the defined area is shared as well. This would be accomplished through an economic growth sharing agreement that clearly defines costs and benefits for each participant.

The key to stimulating significant regional economic development is insuring that all of the localities directly benefit from the tax revenue generated. It is true that new business investment in areas without revenue sharing agreements creates jobs and revenue that will benefit the other localities in that region. A recent study prepared for the Hampton Roads Economic Development Alliance by Dr. James Koch, an economist from ODU, quantifies these benefits in the Hampton Roads region. However, the direct tax benefit always accrues to the locality in which the business locates and this is the critical fiscal impact for each locality.

The advantages to sharing revenue from new business investment are significant. Some of the possible benefits are as follows:

- Shared product development (land acquisition and infrastructure), marketing and maintenance costs

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- Stronger economic development product
- More efficient and effective land use planning (avoiding duplication of product and optimizing product location)
- Improved municipal relations
- New and enhanced grant opportunities
- Elevated regional economic development image (demonstrated regional cooperation with voluntary funding)

The state, recognizing the benefits of regional economic development, codified voluntary economic growth sharing agreements in 1996.⁸ This code provides that localities may adopt revenue sharing agreements subject to approval by the Commission on Local Government and subsequently adoption by the governing body of each locality after an appropriately advertised public hearing. If such an agreement creates debt through bonds or similar instruments, the locality issuing the debt must have it approved by holding a special election.

Prior to 1996, several localities had entered into revenue sharing agreements through a much more laborious process. An agreement executed between the City of Franklin and Isle of Wight County facilitated revenue sharing in an area occupied by a paper mill. This agreement worked very successfully from 1987 until 1996, when a new agreement was forged under the new state code section.

Washington and Smyth Counties entered into one of the most successful revenue sharing agreements in Virginia. Executed in 2000, this agreement was the result of several textile plant closures in Smyth County. At that time, Smyth County had an abundance of labor and Washington County had an abundance of available land with infrastructure. Washington County had initiated the development of a 302 acre industrial park and Smyth County agreed to pay 50 percent of the land acquisition and development costs and in return they would receive 50 percent of all the tax revenue generated in the industrial park. An agreement created the Smyth Washington Regional Industrial Facilities Authority (SWIFA) to manage the industrial park and the revenue sharing.⁹ The two county economic development offices jointly market the park and they have been very successful, attracting a major manufacturing expansion from Colorado and a regional service office for their power company, AEP. They have also won grant funds from the state and the tobacco commission. Each county contributes approximately \$30,000/year to maintain the park. According to the economic development director in Washington County, this venture has improved relations between the counties.

Despite the success of SWIFA, not every revenue sharing effort has been so successful. In 2001, Dinwiddie County, Prince George County, and the City of Petersburg attempted to establish an economic growth sharing agreement as part of an effort to win state grant funds to create a regional industrial park. This effort was spearheaded by Jay Langston who was then director of the regional marketing group for the area. According to him, by the time the phase 1 environmental study was completed for the proposed site, arguments over who should pay for

⁸ Section 15.2-1301 of the Virginia State Code

⁹ SWIFA is comprised of three representatives from each county -- one BOS, one EDA and one at large --and the chairmanship rotates. SWIFA is staffed by the Planning District Commission Director and legal counsel is provided by the Smyth County Attorney.

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certain development costs and how the revenues would be divided had all but killed the project. The original plan to share the costs and revenues on a pro rata basis (what you put in equals what you receive) fell apart primarily over agreeing what the true cost of municipal services would be. In the SWIFA case, all municipal services are absorbed by Washington County, and their economic development director stated that they were more than compensated for that by the new commercial development that occurred next to the industrial park. Jay also mentioned that there was long standing mistrust between the community leaders in his area that contributed to the failed effort. However, this example highlights the need to secure formal buy-in from each community early in the process and carefully document how all of the costs and revenues will be handled.

The City of Williamsburg is virtually out of vacant property of any size for the development of a significant industrial or office park. York County is in a similar position with the exception of the undeveloped pottery property and the Egger tract. Conversely, James City County has a relatively abundant supply of undeveloped property that could be secured for a revenue sharing endeavor. As the current economic condition is predicted to continue for some time and government revenues may never approach what they once were, a strong case can be made for sharing development costs and incentive grants to promulgate economic development.

(4.4) Support small entrepreneurial companies and create a more supportive environment for young professionals

(4.4.1) Grow entrepreneurs

Entrepreneurs provide the creative thinking and problem solving to advance our economy and well-being. According to the September 2008 Kauffman Foundation Economic Crisis Survey,¹⁰

- 70 percent of Americans believe that the success and health of our economy depends on the success of entrepreneurs,
- 80 percent of Americans believe that the government should encourage more entrepreneurship, and
- 80 percent of Americans would rather work for themselves in a small business than for a Fortune 500 company.

Traditional elements of economic development, including available product, available talent, and access to financing, certainly apply to entrepreneurship growth, but another key characteristic seems to make the difference for entrepreneurship efforts – cultural and structural aspects of a community. Are entrepreneurs and risk-takers encouraged, rewarded, and celebrated? Are solutions and new ideas embraced? Is collaboration part of the business culture? Successful entrepreneurial regions have found ways to answer “yes” to those questions.

¹⁰ http://www.kauffman.org/uploadedfiles/Econ_Crisis_Survey_9_30_08.pdf

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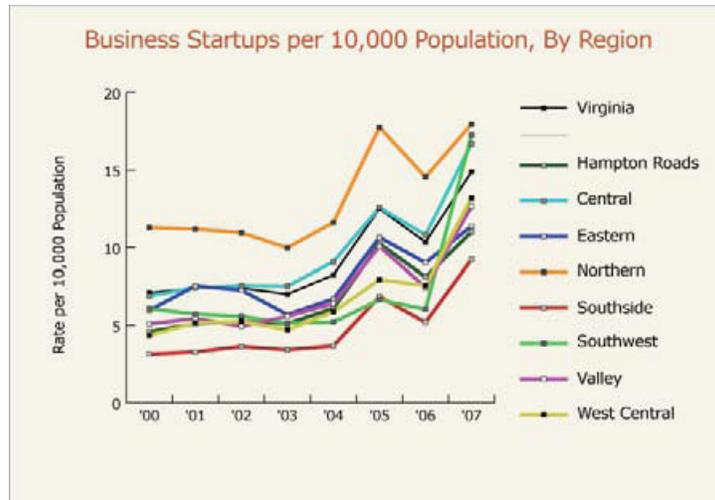


Figure 6. Business Startups per 10,000 Population, By Region in Virginia
Source: Hampton Roads CEDS, 2010

The Hampton Roads strategic planning process recognized that the region, as shown in the Figure 6 above, has been below the Virginia average rate of business startups for the last decade, trailing northern and central Virginia for the entire decade and lagging well behind southwest Virginia at the end of the decade. The numbers are for the period before the current recession, so they are a bit dated, but the pattern is still striking. The Hampton Roads strategic plan calls for a concerted effort to change that trend.

The Historic Triangle can compete with most other regions in providing office space and educating a workforce. The challenge will be providing the culture and environment where entrepreneurs want to locate. Economic development literature calls this the Entrepreneurship Ecosystem and often identifies college campuses as the ideal catalyst for it. Universities naturally provide elements of this ecosystem, including:

- A large group of talented and skilled individuals
- Intellectual Property (IP) transfer knowledge and assistance
- Access to market research, and
- Competitions for start-up capital.¹¹

The Historic Triangle is home to successful entrepreneurs, but they generally are unknown and do not feel embraced by the community. More research is needed to learn about the status of existing entrepreneurs and the reasons entrepreneurs have left this area to become successful elsewhere. Additionally, the Historic Triangle's demographics should provide multiple generations of entrepreneurial talent. This would include high school students, college students, young professionals, service and tourism industry workers, retired military, government retirees, and relocating retirees.

The EDTF identified the following opportunities:

¹¹ <http://www.xconomy.com/2008/02/25/universities-an-entrepreneurs-ecosystem>

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- Evaluate the culture and brand of the Historic Triangle to determine how the entrepreneurship ecosystem could be better embraced
- Research the existing entrepreneur community to learn why local entrepreneurs are here and thriving and why other entrepreneurs have felt the need to leave the area to become successful
- Create a public campaign to recognize and celebrate entrepreneurial successes
- Expand the James City County Incubator to all three jurisdictions
- Evaluate the existing CEO Forum operated under the auspices of the William & Mary Technology and Business Center and consider providing support for additional entrepreneur forums
- Investigate the expanded use of area retirees as mentors and angel investors
- Research other university models of entrepreneurship centers, and consider similar initiatives at William & Mary and VIMS

(4.4.2) Enhance the environment for young professionals

Young professionals are the gold standard of a knowledge-based economy. Recent studies have emphasized the importance of this group to the “creative economy” and economic diversification. If the Historic Triangle area wants to expand its knowledge-based economy, it must increase its young professional population.

Our nation is aging: the 85 and over population is the fastest growing single segment of the U.S. population. Locally, the Historic Triangle is aging too, but at a faster rate. By 2020, individuals age 60 and over are projected to comprise almost 30 percent of the Historic Triangle population.¹² Those population figures include the transient college student population, which suggests an even larger presence of older individuals outside the campus and its immediate surroundings.

Young people tend to congregate in larger cities, leaving smaller communities with disproportionately older populations and a vacuum of young, creative professionals. Greater Williamsburg is a celebrated retirement community, which moves the demographic needle even farther away from the national trend. In short, we are not perceived as an exciting College town but rather a quiet retirement Mecca and our population reflects that.

Though we have a vibrant college student population, those members of our community do not typically stay in Williamsburg after graduation. There are jobs available in the region – but they typically do not pay enough to justify living here, they are not in the fields studied at William & Mary, or they are not concentrated enough to allow creative, young job-seekers to move from job to job and stay in the area.

In December 2008 the HTC and Young Emerging Professionals of Williamsburg commissioned Next Generation Consulting to conduct a market research survey aimed at young professionals (YP's). That survey suggested the following:

¹² Virginia Employment Commission, 2008.

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- 66 percent of YP's in Greater Williamsburg are "transplants" compared to 50 percent in the national survey results
- 82 percent of respondents had a "very positive" or "somewhat positive" perception of the quality of life in Greater Williamsburg, on par with the national survey results
- 28 percent of YP's in Greater Williamsburg report they plan to leave the area in the next four years compared with 19 percent in the national survey results
- 65 percent of YP's are married or living together, on par with the national survey results
- 63 percent of YP's own their home compared to 71 percent in the national survey. The average value of those homes, however, is \$271,000 almost \$100,000 higher than the national survey results
- 27 percent of YP's have a household income \$75,001 to \$100,000
- 96 percent of YP's are registered voters, 92 percent voted in the last local election
- 46 percent of YP's volunteer 1 to 10 hours a month – 8 percent volunteer more than that
- 53 percent of YP's donated \$1 to \$250 in the last six months, 35 percent donated more than that

Although Greater Williamsburg is demographically challenged in attracting and retaining young professionals, there is hope. The mixed use projects at New Town and High Street are bright spots in providing the kind of density and activity young professionals desire. Also, the Historic Triangle offers a community that values intelligence. There are a variety of high-quality educational opportunities. Greater Williamsburg also delivers on the availability of transportation, "walkability" and short commute times. These quality of life issues are important to young professionals and can help to attract more.

The HTC and GWCT Alliance are partnering on the www.williamsburgworks.com website to promote this area as a good place to live and to work. The focus of the website is quality of life with an eye toward young professionals. The audience is anyone interested in living or working in the Historic Triangle and the site hangs a "virtual welcome sign" on our community.

(4.5) Leverage the strengths of the College of William and Mary, Thomas Nelson Community College and the Colonial Williamsburg Foundation

(4.5.1) The College of William and Mary (W&M) and Thomas Nelson Community College

Over the past decade W&M and TNCC have significantly expanded their economic development activities in the Historic Triangle, as enumerated in sections 2 and 3 above. They are positioned to play a central role in further economic diversification in the region. They each have the advantage of providing academic programs and connections that cut across the three jurisdictions, so they can strengthen the whole region without raising difficult competitive issues across jurisdictional boundaries. They each provide considerable professional expertise that can help individual companies, expand workforce capabilities, and provide assistance in regional planning efforts. They each have strong alumni networks that can be used to communicate economic opportunities in the area. They each have significant business operations in their own right that have significant multiplier impacts on local businesses.

(4.5.2) The College of William and Mary

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W&M does not have a medical school or a school of engineering, which are the typical drivers at major research universities. It has world-class researchers in a number of fields, but the scale of research in each field is constrained by the size of the various schools and departments and by the limited number of graduate programs. As a result, W&M is unlikely to generate the type of research that can lead to the creation of small companies based on the direct transfer of technology developed at the university. For example, the Department of Applied Science has substantial expertise in many applied areas, particularly in material science, but the department has less than 20 professors, including adjuncts. It has been a catalyst for broader interdisciplinary collaboration with the Departments of Physics, Computer Science, Chemistry and Biology, and with the School of Marine Science at VIMS. The William & Mary Research Institute (WMRI) has the potential to build on these interdisciplinary strengths in new fields, as demonstrated by recent funding for new research in the conversion of algae to fuels, but the scale of that operation is still quite small. There are a few small companies that have emerged in the past decade, but those are the exceptions and none of them has yet reached significant scale. In the past few years, however, the School of Business faculty have become far more engaged in the local community, and there are significant opportunities there. The Technology and Business Center has been actively involved with local businesses for the past decade, and in January 2010 it initiated a partnership with James City County to manage the Economic Development Authority's Business and Technology Incubator. Another area of opportunity that has been expressed is leveraging W&M alumni to consider starting or expanding their entrepreneurial firm in the region. The same thought holds true for alumni who are part of leadership teams in larger companies.

(4.5.3) Thomas Nelson Community College

TNCC's new Historic Triangle Campus and the Discovery Center high-technology classrooms in the Discovery 2 building in New Town have significantly strengthened TNCC's presence and programs in the Historic Triangle. Each of these initiatives was launched in the face of the current recession, so they have had to overcome the associated economic challenges. They each create significant opportunities. The campus has provided a number of new programs targeted on the local economy, including initiatives in nursing to address that shortage. The Discovery Center, collocated with W&M's Technology and Business Center, has the potential to link the workforce development and business support operations of both organizations and to attract additional federal and state funding to those programs.

(4.5.4) The Colonial Williamsburg Foundation

Colonial Williamsburg (CW) has assets that can be grouped generally into the following categories: physical, financial, educational, reputational, cultural, social and environmental.

- Physical assets. Key physical assets include the Historic Area, which is the actual 18th-century town of Williamsburg, preserved and restored meticulously and authentically; newly refurbished and constructed world-class hospitality facilities; and Merchants Square, the nation's first planned, self-contained shopping district, located adjacent to the Historic Area. In 2009 about 1.8 million people rode CW buses, and most of them passed through the Visitor Center. The Historic Area consists of 301 acres with 88

original buildings and more than 500 reconstructions, the newest of which is Charlton's Coffeehouse, which opened in November of 2009 and is located in close proximity to the Capitol. CW's hospitality facilities create a major resort complex that contains over 1,000 guest rooms, ten restaurants, including four operating taverns in the Historic Area, a world-class conference center, three golf courses, and a spa and fitness center. Merchants Square consists of over 190,000 square feet of retail space, most of which is leased to commercial tenants and restaurants. Additional physical assets include the Foundation's outstanding museum, library, archaeological, architectural, and other collections which can be accessed by visitors and scholars and are used to enhance Foundation staff's knowledge. The Foundation has extensive landholdings outside of the Historic Area. As part of satisfying its stewardship responsibilities, the Foundation has placed conservation easements on 312 acres of land it owns along Route 132 and Route 60 Bypass to preserve the view shed along these two important access routes to Williamsburg.

- **Financial assets.** The Foundation's operating budget totals in excess of \$225 million and includes 2,000 full-time equivalent staff, both of which provide substantial economic benefit to the community. The Foundation's endowment market value was approximately \$700 million as of December 31, 2009, and it provides substantial support of educational programming. Annually, the Foundation receives philanthropic support from over 110,000 households located around the country.
- **Educational assets.** CW is a world leader in both on-site education through its interpretation of historic buildings and events that occurred in Williamsburg that were instrumental in the creation of our democratic society, and off-site education through its electronic field trips that reach approximately 6 million children annually throughout the country. Over 6,000 teachers nationwide have learned new strategies for engaging their students in American history as a result of attending summer teacher training in Williamsburg. In addition, the Foundation has partnered with textbook publishers to develop educational materials that will be used in classrooms throughout the country.
- **Leadership.** The Foundation has a national and international reputation as the preeminent living history museum in the country and a leader in curatorial and conservation practices. Its boards of trustees and directors are composed of prominent and accomplished individuals from throughout the country with backgrounds in the fields of law, business, finance, education, and the media. Its talented and dedicated work force include many individuals with unique skills in the areas of historic trades and curatorial, conservation, and preservation practices.
- **Communication.** The Foundation communicates with an extensive group of friends, donors, guests and customers, advertises its program and hospitality offerings through a variety of media, and generates substantial media coverage through its public relations efforts.
- **Cultural and Social.** The Foundation also serves as a cultural and social center for the area. It has a leading museum and scholarly center for American folk art and a major museum of American and British 18th-century decorative arts and offers unique entertainment through its interpretation of 18th and 19th century American and British music. Both museums are among the most visited in Virginia. Its Kimball Theatre hosts movies and musical presentations throughout the year, and the Foundation partners with others, e.g., the Virginia Arts Festival, to offer entertainment in its hospitality facilities that attracts a diverse audience. The Foundation sponsors other events, e.g., Grand

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Illumination and Fourth of July celebration, which are open to the public and attract tens of thousands of people to the area. The Farmers Market, art festivals, and summer concerts in Merchants Square also are important social activities in Williamsburg.

- Environment. The presence of Colonial Williamsburg (CW) and William & Mary creates an attractive and stable environment and generates interest among business people and retirees to locate in the Historic Triangle.

The current uncertain economic environment and resulting pressures on consumers negatively affects virtually every revenue source of the Foundation. In response, CW has introduced a new programming site at Charlton's Coffeehouse and is enhancing Revolutionary City programming and extending its interactive programming to other locations within the Historic Area and in hospitality facilities. CW recently announced the development of the Public Armory on the site of James Anderson's Blacksmith Shop.

The EDTF identified several potential areas for leveraging those assets, including the following:

- CW's extensive formal and informal contacts could be used to communicate and encourage economic opportunities in the area.
- The CW Visitor Center could serve even more effectively as a regional visitor/information center, as it did during the 2007 commemoration.
- Further collaboration among the principal destinations in the area – Busch Gardens, Water Country, Jamestown, Yorktown, and CW – in the areas of marketing, ticketing, and planning
- Use core competencies including strategic, financial and business planning, workforce development, and electronic marketing and communications in collaboration with local businesses
- Specific employee skill sets (e.g., electronic broadcasting, historic trades, conservation, curatorial, preservation, and culinary arts) could be shared with others in the community to expand economic activity.

(4.6) Promote diversification in the tourism industry

(4.6.1) Advantages

America's Historic Triangle, including Williamsburg, Jamestown and Yorktown, is a national treasure. Williamsburg and Colonial Williamsburg (CW) have particularly strong national name recognition. The Colonial Parkway, one of the most beautiful highways in America, links CW with these other national landmarks. Decades of investment in facilities and programming have produced outstanding attractions at those sites.

This historic core has provided a platform for significant investment in other tourism attractions. CW itself has invested over \$200 million in the Inn, the Lodge, the Woodlands Hotel and Suites, golf courses, and the spa, and its Visitor Center serves as the visitor information hub for the region. Busch Gardens and Water Country USA are world-class regional attractions. Kingsmill provides an outstanding resort. The mix of room accommodations has been diversified with

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suite motels and hotels, a significant expansion in time shares, and a new hotel/attraction at Great Wolf Lodge. The outlet malls add to the region's draw.

As noted earlier, the investment in the tourism attractions in the past decade has been substantial including the addition of Riverwalk in Yorktown, expansion at Historic Jamestowne and Jamestown Settlement associated with the 2007 commemorations, and refurbished and newly constructed facilities at CW. CW has extended its national reach through its award-winning electronic field-trip program. There has also been significant investment at CW and Busch Gardens in expanding and diversifying offerings, including most recently Charlton Coffee House at CW and Sesame Street and Christmas Town at Busch Gardens. Importantly, Busch Gardens has expanded its reach to new age groups with those investments, and it continues to extend both the season and the day through Hollow Scream, Christmas Town, and "Nighttime in the Summer."

The region benefits from strong marketing in the eastern half of the United States. CW and Busch Gardens have substantial annual marketing campaigns. Time shares add significant destination marketing. Over the past five years, the allocation of a \$2 per night room tax to tourism marketing has added significant funding to supplement the advertising by the major attractions.

(4.6.2) Challenges and Opportunities – Fundamental Regional Issues

- The region and the many sectors of the tourism industry have strong incentives to increase the numbers of visitors to the area. Those we spoke with in the industry were all committed to that goal.
- Shifts in tourism patterns. Tourism related to history has trended down nationally. Our area received an important impetus from the 400th anniversary of Jamestown, but the longer term trend has not been positive. Paid attendance at CW has declined along with the national trend. Expanded summer activities for children have limited the amount of time that families spend traveling in the summer. Families that are used to more interactive entertainment at home now expect more interactive entertainment on vacation. Family travel expectations have increased in terms of expected lodging space and amenities. Time shares have become a more important part of the mix at major resort destinations.
- Supply and demand. The Historic Triangle has a lodging capacity of roughly 15,000 rooms. That exceeds the current demand driven by our two major attractions. By some estimates, only 15 percent of visitors attend attractions beyond CW and Busch Gardens. Expansion in activity at the other area attractions can help this imbalance at the margins, but the main challenge is to expand attendance at the core attractions. Without a major new attraction, however, it seems unlikely that vacancy rates will come down enough to sustain the current lodging capacity.
- New Attraction. A new major attraction might provide enough demand to justify current capacity, but the probability of attracting another major attraction is low, particularly because of limited land opportunities. The Blackstone purchase of Busch Gardens does open some possibilities for the area, given Blackstone's range of attractions. Any concerted effort to bring a new attraction to the area would require considerable land-use collaboration and probably a revenue-sharing arrangement across the three jurisdictions.

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- Regional collaboration. The national decline in history tourism, the imbalance of lodging supply and demand, and the current recession have strained regional collaboration. The Nichols Report emphasized the need for the entire region to actively support the major attractions, particularly CW which serves as the major regional draw.
- Enhancing the regional brand. Williamsburg has a strong national brand for history and restoration. "The Historic Triangle" resonates locally, balancing the three regional destinations, but it is less recognized outside the region. The "Historic Triangle" designation may also understate the wider appeal of the area as a major vacation destination with a full range of offerings. History, including the history of the region's three historic cultures, is clearly one strong dimension of that promise, but it will be important to convey the full range of opportunities as a complete vacation destination.
- Virginia Beach. The EDTF encountered two different local perspectives concerning the region's desired relationship with Virginia Beach. On the one hand, the beach is a major attraction and it makes sense to position the Historic Triangle as a complement to the beach – either as an additional stop on the way to the beach, or as a hub that would include a side-trip to the beach. From that perspective joint marketing makes sense. As a related theme, the region could be marketed as a stopping point for those traveling to the Outer Banks or between Florida and New England. On the other hand, the Historic Triangle can be positioned as a self-sufficient destination with more than enough to do right in this area. So rather than serving as a hub for side trips, the emphasis would be on the Historic Triangle as a full-week destination, avoiding the hassle of the drive through the tunnels to the beach. Those two approaches are not completely opposed, but they do suggest different market positioning, at least in the short term.
- State tourism support. Governor McDonnell has emphasized state tourism as part of his economic development platform. That may provide opportunities to expand state marketing support from its current low levels. The Historic Triangle could clearly benefit from stronger support across the state.
- Systematic research. The region does not have access to full information about proprietary research and marketing data compiled by the major attractions, time-shares, and others. The GWCT Alliance has been a leader in coordinating tourism research, but there has been no clear pattern of what key research elements should be completed on an annual basis and how major research might be conducted in multi-year cycles.

(4.6.3) Challenges and Opportunities – Diversifying Tourism Offerings

- Internal investment at the major attractions. Busch Gardens and CW have made major investments in facilities and programs to strengthen and broaden their offerings. In the absence of a new third major attraction, continued diversification within those attractions may hold the greatest promise for strengthening tourism. The recent trend at Busch Gardens has been particularly important. The addition of Christmas Town had a substantial impact on room occupancy in December. The proposed renovation of the Armory at CW is promising.
- Owning the Christmas market. The traditional holiday appeal of the area, centered on CW with Grand Illumination and acclaimed decorations, has now been extended by Christmas Town. New venues including River Walk, New Town and Yankee Candle have expanded the available settings. Christmas shops have long been a part of the local

market. The area now has an opportunity to integrate and expand on those strengths and to become one of the country's major Christmas destinations.

- Further extending the season. With the summer and Christmas as anchors, there is an opportunity to build on the wings of both seasons. The area already boasts a large number of events, forty by one estimate, that each draws over 500 visitors. Most of those events, however, are limited to one day or a weekend and do not have the capacity or draw to bring visitors from beyond Virginia. By concentrating similar events and adding a few major week-long or longer major events, the region could begin to brand portions of the year for major markets. The arts seem to have particular promise in that regard, potentially centered on the early fall. Sporting events also have potential, perhaps with emphasis on the spring. Some have suggested the possibility of building on local horticulture strengths at Busch Gardens, CW, and elsewhere to put a major regional effort into a month-long botanical festival. That could be linked to expanded emphasis on ecotourism.
- Founding Fathers. There is a growing interest in the Founding Fathers. The Founding Fathers play an important role in CW programming.
- Civil War. The 150th anniversary of the Civil War has potential to add to tourism in the area, particularly during the anniversary of the 1862 Peninsula Campaign and the Battle of Williamsburg in 2012. The HTC has led local efforts to prepare for that opportunity.
- Sharing information. The recent 2010 Tourism Forum, sponsored by the GWCT Alliance, held in Kimball Theater was extremely well done and very professional. The major regional organizations involved in tourism marketing discussed their plans for the coming season in some detail, including illustrative marketing commercials. Many at the event noted the importance of providing that information to those directly involved in the tourism industry, but also the potential for sharing similar information about the region's attractions with the broader public. Friends and family visiting local residents account for a substantial proportion of accommodations, and word of mouth from the public can have a substantial impact on attendance at the attractions. The GWCT Alliance has also pursued a Prepare-Share-Care customer service training program for tourism professionals that grew out of preparations for the 2007 events.
- Diversifying within the City of Williamsburg. The City is beginning of a process to create an arts district to encourage the arts and the creative economy. The concentration of artists living and working together could have substantial economic and cultural spin-offs, possibly including "coffee shops, galleries, theaters, music clubs, artist co-ops, other live/work spaces, studios, wine bars, etc., thus eventually becoming a recognized arts district."¹³
- Regional ticketing. The Nichols Report noted the opportunities for joint-ticketing across the major attractions. We need to continue to build on progress that has been made and continue to explore new possibilities.
- William & Mary (W&M). Although W&M brings an estimated 100,000 visitors to the area each year, it has not been fully integrated into tourism planning or marketing. One particularly promising area would be a concerted effort to encourage families coming on admissions visits to extend their stay in the area, perhaps through targeted, discounted packages. Evening football games have apparently increased hotel and motel room demand in the slower fall season.

¹³ City of Williamsburg Economic Development Authority, Arts District Feasibility Report.

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- Night life. The region suffers from the absence of a clear center for night life. Such centers are typical in major resort destinations. To some extent this is related to social amenities for young professionals, discussed elsewhere.
- Fly-in markets. The new Frontier flights to Newport News-Williamsburg airport from Colorado suggest the potential for marketing fly-in vacations to areas like that.

5. Major Findings and Recommendations

(5.1) Summary

The Task Force recommendations to increase economic diversification while sustaining a strong tourism sector flow from the following central findings:

- The high quality of life is a primary consideration for businesses that are here or might come here.
- The Historic Triangle region does not have a clear business vision or brand.
- The Historic Triangle is at the center of a large, integrated, expanding economic region that spans the Richmond and Hampton Roads Metropolitan Statistical Areas.
- Transportation is a major challenge for Hampton Roads, but those challenges do present opportunities for the Historic Triangle to exploit its central position in the larger region.
- Diversification is more likely to come from growing smaller companies than from attracting larger ones.
- Land available to attract larger companies is very limited, and the existing opportunities will require collaborative planning across jurisdictions.
- Several initiatives show promise of increasing entrepreneurship in the region, particularly in conjunction with resources that may become available through the emerging Hampton Roads strategy.
- The resources of the region's major institutions can be leveraged more effectively to promote economic diversification.
- There are many opportunities to diversify the tourism sector.

The Task Force recommends that the HTC pursue the broad strategies listed below. The following sections recommend specific actions under each strategy.

- Develop a clearer economic development vision and shift the region's brand to match that vision.
- Diversify the business mix recognizing the Historic Triangle's position between the rest of Hampton Roads and Richmond, the potential for hub operations, and the growing importance of small companies.
- Explore opportunities for revenue sharing and the coordination of projects across the three jurisdictions.
- Support entrepreneurs by building on local and regional initiatives
- Leverage the strengths of the College of William and Mary, Thomas Nelson Community College and the Colonial Williamsburg Foundation.
- Support efforts to increase diversification in the tourism sector.

(5.2) Develop a business brand for the region

(5.2.1) Overview

Our area does not have a strong economic development brand beyond tourism, and it does not have a clear vision of what our economic development brand should be. Marketing professionals generally agree that “Williamsburg” and “Greater Williamsburg” are clear tourism brands, but they do not convey any strong perception about local business beyond that. “Historic Triangle” does not evoke strong tourism or business perceptions. Section 5.7 below deals with the tourism brand. This section discusses the need for a business brand.

Recommendations. The HTC should encourage the following actions:

(5.2.2) Establish a steering group to work with outside consultants and guide the following process

- Recommend a target business brand for the area. Develop a targeted marketing message that articulates the “quality of life” perception and develop a campaign to selected business clusters (as described below) and regions (DC metro area, other regions with transportation and sprawl problems). Emphasize small companies, entrepreneurship and hub operations.
- Build support for the new target business brand throughout the Historic Triangle.
- Develop a marketing campaign to shift current perceptions to the new business brand.
- Align efforts of the economic development offices of the three jurisdictions and the Hampton Roads Economic Development Alliance with the business brand.

(5.3) Diversify the business mix recognizing the Historic Triangle's position between the rest of Hampton Roads and Richmond, the potential for hub operations, and the growing importance of small companies

(5.3.1) Overview

Retain the Historic Triangle's exceptional quality of life. This is not only a life-style issue for current residents; it is an imperative for business. Give priority to attracting, retaining, and expanding companies that are in clean industries, offer good wages and benefits, are revenue-positive for the jurisdictions, and exploit our advantages in knowledge-based business areas. Shift the core diversification strategy from attracting a few large companies to developing smaller and medium-size companies that can serve the Hampton Roads-Richmond area and beyond, leveraging the region's geographic position and leadership strengths.

Recommendations. The HTC should encourage the following actions:

(5.3.2) Shift the strategy from attracting a few large companies to developing many smaller and medium-sized companies

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- Accept the reality that the economy of the future will include a global distribution of the workforce based on “unbundled services,” with small companies focused on sharply focused niche capabilities. They will need organizational flexibility and agility to survive and expand.
- Set expectations at the right level. Recognize the prevalence of companies with only 5,000 SF in space and only a few employees. Focus a larger share of business attraction on that sector. That is where much of the growth will come in the recovery.
- Invest in local entrepreneurs with loyalty to our area. Spread the risk across many entrepreneurs. Develop a good model to demonstrate the return on investment to nurturing smaller companies to make the case for putting more public resources into that sector.
- Consider development of a regional entrepreneurship center and incubator, building on the current James City County business and technology incubator, to develop loyalty of new companies and draw on William & Mary graduates, retired military, and individuals in “retirement” communities who may be looking for a next career.
- Develop a regional website directed at entrepreneurs to showcase companies that are here and highlight available support.
- Study programs that might be developed to make individuals transitioning from the military better aware of employment opportunities in the Historic Triangle.
- The HTC should establish a forum to promote continuing exchanges of ideas with CEO's of local businesses.

(5.3.3) Develop the Historic Triangle as a regional hub

- Support efforts by leaders in Hampton Roads and Richmond to explore joint economic development initiatives linking the two regions. The preliminary meetings held several years ago have now been renewed. The HTC should take a leadership role in that effort by participating in and helping facilitate those discussions.
- Identify potential regional hub business clusters, serving both Hampton Roads and Richmond that are currently located in the Historic Triangle. Develop a strategy that removes potential obstacles for these types of businesses to be successful. Create a marketing plan that targets these clusters for expansion and attraction. Some potential clusters could include:
 - Commercial General Contractors (with commercial/governmental contracts averaging over \$5M)
 - Hotel Management
 - Civil Engineering (with industrial/governmental contracts averaging over \$50K)
 - Healthcare Support (serving hospitals, skilled nursing centers and/or physicians)
 - Environmental Engineering
 - Software Development (serving corporate/industrial/institutional clients)
 - Consultant/Contracting (serving military/governmental clients)
 - Executive Recruitment/Training
 - Specialty Financial/Insurance (unique product or niche corporate, industrial and institutional markets)
- Identify home-grown regional hub businesses in the area, as well as those that have the potential of transitioning from Level 2 to Level 1 businesses. These are the regional hubs that are likely to stay in the Historic Triangle long term. Through the use of

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existing industry visits and CEO roundtables, identify potential barriers to business success and work to remove those barriers.

- Follow up with companies that serve both Hampton Roads and Richmond to explore the potential for expansion. Work with HREDA to identify and exploit opportunities to meet with leaders at the corporate headquarters of companies operating in our area.
- Our economic development offices should continue to study the vertical (customers and suppliers) and horizontal (related market) linkages of existing companies in the Historic Triangle and adjacent areas. Understanding those linkages can help to identify opportunities for the companies to expand or to attract other companies to the area. This should include firms such as Inbev, Northrop Grumman, Canon, Western Refinery, Liebherr, etc. It should also include the military installations and institutional/governmental entities such as VIMS and Jefferson Lab.
- Identify companies that are located outside the Historic Triangle, but have a significant workforce that currently lives here. These firms could be attracted to the area for satellite locations.
- Maintain an adequate supply of buildings and sites to support attraction and expansion of regional hub businesses. The recent recession has resulted in higher vacancy rates and attractive pricing, but attention should be focused on available product of various types and price points as the economy improves.
- Traffic congestion to the east of the Historic Triangle suggests that we should consider even more partnering opportunities and collaborative efforts with potential partners to our west; for example, encouraging affordable housing and collaborative agri-business opportunities.
- Systematically assess economic development initiatives in communities to our west to insure that our business incentives and regulatory processes remain competitive without compromising quality standards.
- Explore college and university partnerships in the I-64 corridor in the areas of biosciences and alternative energy projects.
- Support commuter passenger rail service between HTSR and Richmond as a means of expanding our workforce reach.

(5.3.4) Assess the opportunities for leveraging expanding health services

- Sentara Healthcare and Riverside Health System are both major and expanding health care providers in the region, with substantial economic impacts. Involve them more directly in discussions about economic planning for the Historic Triangle.
- Thomas Nelson Community College has expanded its health-related programs on the new Historic Triangle campus. Identify workforce development funding opportunities that could support development of an Allied Health focus of the TNCC Historic Triangle campus.
- Some medical services companies now operate in the Historic Triangle. Explore their logistical connections to see if other similar companies might be interested in locating here.

(5.4) Explore opportunities for revenue sharing and the coordination of projects across the three jurisdictions

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(5.4.1) Overview

Many potential collaborative regional projects will require the development of revenue sharing arrangements. There is ample precedent and legal support for such arrangements, but they will require careful planning and political will. The need for those revenue sharing agreements expands with the scope of the potential project. Opportunities for attracting large projects – ones that require significant acreage – in the Historic Triangle are extremely limited. Large projects are particularly well suited to regional collaboration because of the significant benefits generated for the larger region. Now is the time to identify and agree on the remaining areas that are suitable for such projects and focus some of our collaborative efforts on them. It may be appropriate to begin with projects on a smaller scale, including a regional business and technology incubator, to demonstrate the concept.

Recommendations. The HTC should encourage the following actions:

(5.4.2) Investigate revenue sharing possibilities

- Encourage the three Economic Development Authorities to take the lead in researching the feasibility of revenue sharing and inter-jurisdictional development projects. This process should begin soon in order to have products ready when the economic recovery finally occurs.
- Develop general principles for a cost and revenue sharing formula and for the management of projects.
- Consider cost-sharing and revenue-sharing arrangements to permit logical planning for the roughly 1,100 acres that can be developed between Routes 60 and 64. Coordinated development would permit an appropriate balance across uses, and it would reduce competition across the jurisdictions for the same users.

(5.4.3) Complete a preliminary assessment of the potential for a business park

- Firm political support will be essential for such an effort to be launched.
- Explore specific revenue sharing agreements that could be used to develop a large business park.
- Research the location, size, and focus a potential business park. Identify areas in the region suitable for collaborative development. Develop targeted businesses suitable for the development areas.
- Initiate a dialog among the localities' planning and development review staffs (Planning, Environmental, Building, Public Utilities, etc.) to determine the feasibility of a coordinated development on the candidate site(s).
- If there is agreement on site(s), focus, and feasibility, develop a master plan for the targeted area(s), which would lead to preliminary engineering work.
- Leverage the tools that exist at the state level. Explore with VEDP the possibility for state support of a transformational mega-project in the \$200 million range, targeted on a particular sector, in support of a regional strategic vision, that could provide several hundred jobs.

(5.4.4) Encourage HTC members to promote land use planning that reflects regional priorities

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- There is a good deal of land under control of the partners in the HTC. The partners have done a good job preserving buffers along the major entryways to the area, and those should be sustained. As surplus properties are considered for other uses, the partners should consider how some of that land might be used to advance the recommendations in this report.

(5.5) Support entrepreneurs by building on local and regional initiatives

(5.5.1) Overview

The Historic Triangle needs to attract and retain professionals and entrepreneurs. Our major institutions can help with that process. Several local and regional initiatives provide the opportunity to encourage entrepreneurship in the region. The recent partnership between the College of William and Mary and James City County in the County's Business and Technology Incubator, for example, is a promising model for the Historic Triangle region. The Historic Triangle can leverage opportunities emerging from the new Hampton Roads strategic plan and position itself as one of the broader region's entrepreneurial centers by linking programs for business incubation and workforce training. The jurisdictions can use zoning to create incentives for smaller companies.

Recommendations. The HTC should encourage the following actions:

(5.5.2) Encourage the three economic development offices and GWCT Alliance to help create a more positive environment for young professionals.

- Work with the Young Emerging Professionals (YEP) and Young Professionals of Williamsburg (YPoW) to quantify and promote what young professionals add to the economy.
- Promote Greater Williamsburg's diverse educational opportunities, varied transportation options and exceptional recreational resources to potential young residents and job-seekers.
- Assemble data to outline and highlight the variety of jobs truly available here to counter the perception that local jobs are mostly low-wage and in the hospitality industry.
- Work on affordable housing geared toward young professionals.
- Develop young talent. Work with YEP and YPoW to encourage young professionals to serve on committees, boards and commissions. Encourage local committee, board and commission members to create opportunities for young professionals to serve.
- Develop a system to let W&M graduates, current and former, know about employment and business opportunities in the area. Make resumes of those seeking employment in the area available to local businesses.
- Conduct focus groups with young professionals to garner feedback on how to make Greater Williamsburg more welcoming to creative, young people.

(5.5.3) Promote zoning initiatives to expand spaces to attract and retain creative people

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- Encourage the City's arts district initiative which may include affordable housing options for creative individuals. Support the following next steps approved by the city council. "First, the city should examine the existing properties along Richmond Road and Lafayette Street to maintain their unique characteristics. Second, the city council should adopt a rezoning ordinance with the potential of tax incentives to encourage artists and businesses to move into the district. Lastly, the city should partner with Colonial Williamsburg, the College and the Williamsburg Visual Arts Center to explore mutual benefits."
- Review zoning laws with creative professionals and entrepreneurs in mind to make sure the area is not prohibiting businesses that may attract them.

(5.5.4) Encourage and support entrepreneurs and small businesses through connections with our major institutions

- Continue and expand the Discovery Center collaboration between the W&M Technology & Business Center (TBC) and TNCC as economic and workforce development service providers.
- Consider expansion of the JCC Business and Technology Incubator, now managed by the W&M TBC, into a collaborative incubator for the whole Historic Triangle area. Consider a potential new regional facility that might house the incubator and an expanded W&M Research Institute. Link this effort to the Idea Works Hampton Roads initiative and seek funding from the U.S. Department of Commerce Economic Development Administration in conjunction with the Hampton Roads Partnership.
- Systematically publicize and celebrate the area's entrepreneurial community.
- Evaluate the possibilities for funding additional small business CEO networking and mentoring opportunities along the lines of the successful W&M Technology and Business Center CEO Forum.
- Pursue external funding that strengthens the entrepreneurial, applied research, and workforce base in the region.
 - Collaborate with the Hampton Roads Partnership and Hampton Roads Research Partnership to submit a proposal to the United States Department of Commerce to fund Hampton Roads Knowledge Works, with a regional hub in the Historic Triangle.
 - Work with business in the region to submit Small Business Innovation Research (SBIR) funding proposals in collaboration with W&M faculty.
- Support the expansion of applied science research programs at W&M, because they have a direct connection to current and potential local businesses.
 - Support state funding for the third phase of the Integrated Science Center, because that wing will house expanded applied science research.
 - Seek business support, including endowed chairs, in applied research areas that would support attraction and expansion of companies in targeted industries.
- Explore additional joint ventures with the private sector to leverage Colonial Williamsburg assets into adjacent markets.
- Develop a regional effort to identify individuals who are leaving the military and attract them to opportunities in the Historic Triangle.

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- Consider a regional program to reach out to retired professionals in the area and suggest that they consider starting small companies as a way of contributing to economic diversification in the area. Celebrate those who do. Investigate the expanded use of area retirees as mentors and angel investors
- Support efforts to expand bus service and provide greater workforce mobility.
- Support workforce literacy programs, such as the Rita Welch program at W&M.
- Research the existing entrepreneur community to learn why local entrepreneurs are here and thriving and why other entrepreneurs have felt the need to leave the area to become successful

(5.6) Leverage the strengths of the College of William and Mary, Thomas Nelson Community College and the Colonial Williamsburg Foundation

(5.6.1) Overview

These three institutions have substantial capacity to assist in regional approaches to increasing economic diversification. The College of William and Mary (W&M) and the Colonial Williamsburg Foundation (CW) have strong national and even international brands. Their presence creates an attractive and stable environment and generates interest among business people and retirees to locate in the Historic Triangle. Over the past decade W&M and TNCC have significantly expanded their economic development activities in the Historic Triangle, and they are positioned to play a central role in further economic diversification in the region. They each have the advantage of providing academic programs and connections that cut across the three jurisdictions, so they can strengthen the whole region without raising difficult competitive issues across jurisdictional boundaries. They each provide considerable professional expertise that can help individual companies, expand workforce capabilities, and provide assistance in regional planning efforts. They each have strong alumni networks that can be used to communicate economic opportunities in the area. CW has exceptional leadership connections, a strong donor base, impressive physical and financial assets, a position as a world leader in on-site and electronic field trip education, a workforce with unique skills and an established role as a regional cultural and social center. Section 5.5 above already discussed how these organizations might play an even stronger role in working with entrepreneurs and small businesses. This section addresses other additional possibilities.

Recommendations. The HTC should encourage the following actions that draw on the strengths of the three institutions:

(5.6.2) Better communicate the support that is available to the business community.

- Develop and implement a communications strategy that will keep the region's economic development offices updated on W&M and TNCC economic and workforce development related initiatives, academic programs, research, grant activity, and subject matter experts. The strategy might include the following elements:
 - Technology Briefs that describe current research and its practical application.

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- Presentations by regional economic development directors to arrange time for WBG/JCC/YC to tell the regional economic development story to appropriate W&M and TNCC organizations.
- Lists of faculty experts who are interested in interacting with local businesses.
- Distribution by W&M and TNCC of Quarterly Updates.
- Improve communications with companies in the region and let them know about successful W&M and TNCC interactions with local businesses.
 - Identify and catalog companies that have collaborated with W&M and TNCC.
 - Share contact databases among W&M Economic Development, TNCC Workforce Development, City of Williamsburg Economic Development, James City County Economic Development, and York County Economic Development.
 - Use Email blasts to the business database to celebrate successes so businesses are more aware of opportunities for collaboration.
 - Create an annual recognition program for companies that have worked collaboratively with W&M and TNCC.

(5.6.3) Leverage institutional connections to promote the region

- Promote Greater Williamsburg as a “Great Place For Business” among W&M Alumni. Prepare materials and explore ways to distribute them to appropriate alumni.
 - Place ads in the W&M Alumni Magazine. Consider distributing materials to alumni at appropriate events, potentially including a business attraction tent or hosting a business attraction lunch or dinner.
 - Explore ways to include meetings with W&M Alumni during domestic and international marketing missions.
- The leaders of CW and W&M can be influential in helping the three jurisdictions attract and close deals with companies interested in coming to the area. Recent collaboration was important in helping attract Frontier Airlines to the Newport News-Williamsburg airport. The two organizations have well-known brands and they also have impressive settings for high-level discussions. Investigate how the three jurisdictions can integrate those leaders into appropriate stages in discussions with major new businesses.
- The CW Foundation and W&M have extensive databases of donors and alumni who work in corporations around the world. Those contacts have to be used carefully, but explore how some of the contacts could be used at critical moments to help provide local economic development officers access to specific corporations.

(5.7) Support Efforts to Increase Diversification within the Tourism Sector

(5.7.1) Major Findings

- Shifts in tourism patterns, particularly the decline in tourism related to history, pose a major challenge to the Historic Triangle.
- The Historic Triangle lodging capacity of roughly 15,000 rooms exceeds the current demand driven by our two major attractions. Expansion in activity at the other area

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attractions can help this imbalance at the margins, but the main challenge is to expand attendance at the core attractions.

- A new major attraction might provide enough demand to justify current capacity, but the probability of attracting another major attraction is low, particularly because of limited land opportunities.
- The national decline in history tourism, the imbalance of lodging supply and demand, and the current recession have strained the tourism industry.
- The “Historic Triangle” designation is not well recognized outside the region and it may also understate the wider appeal of the area as a major vacation destination with a full range of offerings. History, including the history of the region’s three historic cultures, is clearly one strong dimension of that promise, but it will be important to convey the full range of opportunities as a complete vacation destination.
- State tourism support has been woefully weak. Governor McDonnell has emphasized state tourism as part of his economic development platform.
- The region does not have access to full information about proprietary research and marketing data compiled by the major attractions, time-shares, and others.

Recommendations. The HTC should encourage the following actions:

(5.7.2) Promote further diversification of offerings within our major attractions

- As the Nichols Report correctly emphasized, support Colonial Williamsburg (CW) and Busch Gardens as the major drivers of visits to our region.
- Encourage and provide incentives for further internal investment by Busch Gardens and CW to broaden their offerings and extend beyond the core summer season. These investments have a significant impact on revenues for the rest of the tourism sector.
- Encourage the development of more interactive opportunities at our current attractions. Complement our traditional history tourism with other opportunities for a complete vacation experience. Continue to develop diverse lodging opportunities. Great Wolf Lodge illustrates that potential. Recognize the growing role of time shares and integrate them more fully into regional planning.
- Celebrate successes, such as the recently announced renovation of Anderson’s Armory by CW, and provide formal regional appreciation for the investments to those involved.

(5.7.3) Improve regional tourism coordination

- Support planned efforts to update CW’s Visitor Center to realize more fully its potential to meet the needs of travelers and to promote the Historic Triangle as a multi-faceted destination. Update and expand on regional information at the Center about attractions, lodging and dining, locate that information in a prominent space and make design improvements that will draw even more visitors to it.
- The HTC should lead efforts to elevate the tone of the discussion about regional tourism and to present a unified image to potential visitors.
- Support collaborations across our “history tourism” institutions – along the lines of the proposed CW Foundation partnership with Preservation Virginia at Historic Jamestowne – to share capabilities and enhance the visitor experience.
- Support the effort to have the Historic Triangle designated as a World Heritage site.

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- Commission a study to evaluate the “Historic Triangle” label and recommend a tourism branding strategy for the region.
- Develop a systematic pattern of tourism research including annual and multi-year components as a basis for developing marketing plans.
- Organize a strong lobbying effort to push for expanded state support for tourism marketing.
- Continue and expand the annual GWCT Alliance Tourism Forum. Continue to record the event and make an edited version available on community television. Consider similar live professional presentations modified to make them even more entertaining for the general public. Expand the event to include the College of William and Mary (W&M). Consider a recurring show at Kimball Theater that might highlight the offerings throughout the region with short performances drawn from the major attractions.
- Ask W&M to review the role it would like to play in regional tourism and to explore initiatives that might provide incentives for visitors, particularly admission visitors, to extend their stay in the area.
- Encourage development of a Center of Tourism Excellence that might offer courses, provide certificates, develop regional educational programs, and sponsor conferences around the themes of tourism and hospitality management and planning.
- Consider the development of consistent incentives across the Historic Triangle for conversion of older motels to other uses.

(5.7.4) Expand tourism programming on the wings of the main summer season

- Provide seed-funding to expand week-long and longer events with the scale and draw to attract visitors from outside Virginia, and to brand periods of the year for particular emphasis – for example, arts in September, Christmas, sports and gardens in the spring.
- Support efforts led by the GWCT Alliance to expand tourism related to sports teams. Consider funding an expansion of sports venues with greatest promise of attracting events.
- Establish a process for coordinating and publicizing regional events.

(5.7.5) Promote diversification that complements current strengths

- Begin now to explore marketing opportunities for the 150th anniversary of the Civil War, with emphasis on internet and social networking initiatives. Consider how best to leverage the region's resources in historic interpretation in conjunction with the anniversary.
- Consider initiatives to provide greater concentrations of night-life opportunities, perhaps in conjunction with initiatives discussed elsewhere in this report concerning young professionals.
- Encourage the thorough exploration of the concept of a potential arts district in the City of Williamsburg. Use that discussion as an opportunity to coordinate broader regional initiatives in the arts, including William & Mary's evolving concept for an integrated arts complex and This Century Arts Gallery's proposed visual arts center.
- Colonial Williamsburg Foundation employees have extraordinary skills in electronic broadcasting, historic trades, conservation, curatorial preservation and culinary arts.

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Consider how the proposed arts district in the City of Williamsburg could help leverage those skills by providing a cluster that could provide even more opportunities.

- Explore joint tourism marketing opportunities with attractions outside the region, particularly those to the west; for example, the Richmond State capital-to-18th Century State capital bikeway. Further exacerbated surface transportation issues to our east over the next 20+ years suggests we should consider even more partnering opportunities and collaborative efforts with our economic drivers to our west.
- Leverage our institutional connections with regional military organizations to promote expanded tours by military-related organizations and participation by active-duty military in Historic Triangle events.
- Explore a recommendation to attract a “Museum of Play” to the area as a catalyst for attracting tournaments and events linked to the various games the museum might feature, particularly in areas like the rapidly expanding Wii games.

(5.7.6) Explore opportunities for a third major attraction

- Conduct exploratory conversations with CEO's of current attractions to determine if they feel one more new major venue would be a welcome addition; if so, identify the type of attraction and where should it optimally be located.
- Consider use of “Economic Opportunity Zones” along the I-64 corridor as possible sites for a third attraction. Develop zoning and revenue sharing options across the three jurisdictions.

Enclosure 1. Annotated References

The Task Force had the benefit of several economic development studies completed over the past decade. The following sections list the main studies in chronologic order and provide short summaries of the studies that were most important to the work of the Task Force.

2010

Hampton Roads Partnership, Vision Hampton Roads, Comprehensive Economic Development Strategy (CEDS).

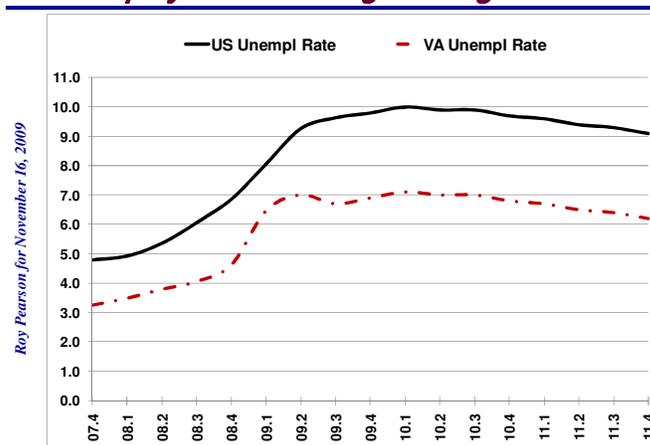
The report is reflected in a series of documents on the Hampton Roads Partnership website (<http://hrp.org/Site/programs/strategic-plans>). Key findings from these documents are summarized in section 3.2 of the Task Force Report. The report highlighted a number of strategic initiatives, particularly in the area of “opportunities” to exploit regional technology strengths. One key recommendation was the creation of an “Innovate!HamptonRoads” organization that would include clusters in robotics, coastal energy, bioscience, modeling and simulation, and sensors, and a new “IdeaWorksHamptonRoads” effort to promote innovation and entrepreneurship.

2009

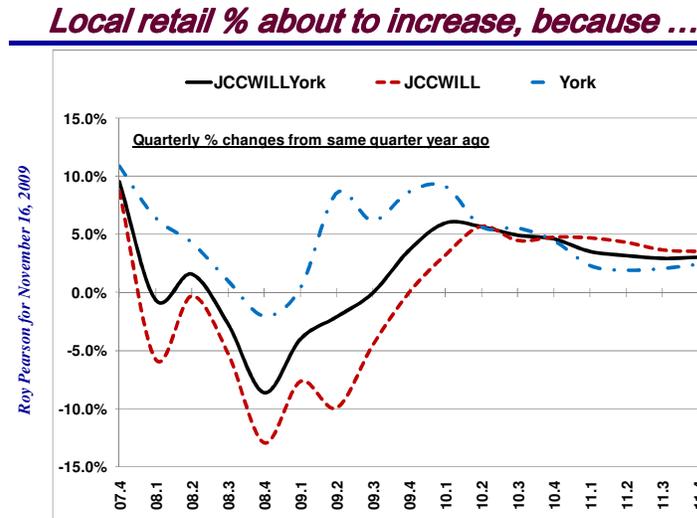
Don Messmer and Roy Pearson, The Wessex Group, *Economic Forecast Presented to the Historic Triangle Collaborative*, November 2009.

The study forecast that unemployment rates would remain at roughly current levels through the end of 2010 and then decline a bit in 2011.

Unemployment rates high through 2011



The study anticipated a rebound in retail from the sharp declines in 2009, returning to roughly five percent growth in 2011 from the new smaller base.



Greater Williamsburg Chamber and Tourism Alliance, Historic Triangle Tourism, September 2009.

The report reiterated the findings of the early Nichols study (2005) that Colonial Williamsburg and Busch Gardens were key drivers for regional tourism. Over the past decade Busch attendance numbers had grown by about 20 percent and Colonial Williamsburg's had declined by roughly 20 percent. Attendance at the "driver accelerants" identified in the Nichols study – Jamestown Settlement, Historic Jamestowne, Yorktown Victory Center, Yorktown Battlefield, and Water Country USA -- had remained roughly constant as a group, although attendance was up about 25 percent at Water Country and down almost 50 percent at the Yorktown Battlefield. All of them, except for Water Country, showed peaks in 2007 and declines in 2008.

The report showed that room sales taxes in Greater Williamsburg were up about 15 percent from 2000 to 2009, sales taxes were up almost 50 percent, and meal sales taxes were up over 60 percent. All three showed peaks in 2009 and declines in 2008 and 2009. The sharpest declines from 2007 to 2009 were in room sales.

The lodging inventory in Greater Williamsburg grew from 12,060 units in 1990 to 15,648 in 2009. The growth, however, was in the time share sector. The hotel room inventory remained constant at about 9,900 rooms. During that period 1,556 new hotel rooms did come on line, but they replaced about the same number that were taken out of inventory. These changes put large pressure on older properties. Timeshare units grew by 3,631 rooms from 1993 to 2007.

City of Williamsburg, Economic Development Presentation at City Council Work Session May 11, 2009

This PowerPoint presentation summarizes the City's major economic development goals.
<http://www.yeswilliamsburg.com/contentfiles/City%20Council%20ED%20presentation%20May%202009%20for%20web%20site.pdf>

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JCC Comprehensive Plan, 2009

Several members of the Task Force were active participants in James City County's Comprehensive Plan process in 2008 and 2009. The report drew on an extensive series of public input sessions and two surveys. The economic development section benefitted from the earlier work of the Business Climate Task Force (2008) cited below.

<http://www.jccegov.com/government/administration/comprehensive-plan.html>

ODU State of the Region Report , November 14, 2009, Part of continuing series of annual reports. <http://smartregion.org/2009/11/state-of-the-region/>

2008

JCC Business Climate Task Force Report, December 28, 2008.

<http://www.jccegov.com/pdf/business/taskforce/07Dec28FINALReport.pdf>

The report provided recommendations to make the County "business ready," to improve processes, to strengthen the workforce, and enhance the uniqueness of the community. The study drew on the Moran, Stahl & Boyer, *James City County, VA – Business Climate Study*, April 2007, report cited below. Specific diversification recommendations included the following:

- Install infrastructure to target preferred businesses, including master planning a business/industrial park.
- Establish Research and Technology Zones
- Acquire key sites for future economic development opportunities.
- Retain companies that graduate from the technology business incubator,
- Expand industry visitation.
- Encourage development of Class A and B for mixed use and other commercial areas.
- Promote links to business planning support by W&M business school students.
- Explore incentive funds for business retention, expansion and attraction.
- Expand workforce housing options. Complete workforce housing study.
- Enhance transportation through the Peninsula to ports.
- Develop prototype staffing policies to encourage hiring of retirees -- work from home, flex work hours and other similar options.
- Support actions to protect and enhance community resources such as recreation, culture, arts and entertainment, appearance and the environment to attract and retain business and employees.

The Economic Diversification Task Force also had access to a spreadsheet, developed by the JCC EDA, showing the status of implementation of the report's recommendations in five major areas: implementation, business ready, process improvements, workforce, and uniqueness.

2007

Moran, Stahl & Boyer, James City County, VA – Business Climate Study, April 2007.

The study included peer benchmarking of the following counties: Prince William and Spotsylvania in VA; New Hanover, NC; Beaufort, SC; and St. Johns, FL. Specific recommendations included the following:

- Acquire 200 acres along I-64 corridor for future office/industrial park.
- Prepare master plan for office/industrial park, and develop a portion to shovel ready status.
- Construct mixed-use spec building.
- Enhance transportation options between Newport News and Hampton.
- Engage in discussions with York, New Kent, Surry and Gloucester Counties concerning economic development plans that impact on workforce housing.
- Develop prototype staffing plans for retirees, etc.
- Workforce housing task force study.
- Integrate SCORE and other mentoring options into the incubator operations.
- Develop low cost flex space for incubator graduates.
- Promote investment fund for local business development.

Chmura Economics and Analytics, Workforce Development Study, February 2007. Completed for the Greater Williamsburg Chamber and Tourism Alliance.

The study showed that if all the projects contemplated for the region moved forward, there would be a huge excess of demand for employees compared to the current supply. Subsequently, the current recession led to a slowing or significant restructuring of most of the projects. The projections could, however, become relevant again when the economy recovers.

Greater Williamsburg Chamber and Tourism Alliance, Historic Triangle Compensation Survey, January 2007.

2006

Thomas Jefferson Program in Public Policy, The College of William and Mary, York Country Business Environment Report, 2006

2005

Virginia Economic Development Partnership and the Virginia Community College System, Industry and Occupational Cluster Analysis, July 2005.

Identified the following sectors in Hampton Roads as having good growth potential:

- Automotive
- Communication and entertainment

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- Distribution and warehousing
- Electronics equipment and instruments manufacturing
- Finance and insurance
- Health care
- Information technology and professional services
- Metals and related manufacturing
- Ship, boat and transportation equipment manufacturing
- Wood products and furniture manufacturing

Strategic Vision & Action Plan for the Historic Triangle Tourism Industry, Nichols Tourism Group, April 2005.

The "Nichols Report," issued in April 2005, was a cooperative effort including most tourism-related organizations in the Historic Triangle. The process included a large public review session. The 72-page report was a long-term vision with plans identified as short-term, medium-term and long-term. One of the key findings was that Colonial Williamsburg was a major tourism driver, and the region should support it. The report suggested an increase of regional collaboration and recommended the roles that various organizations should play in that process.

In a report issued in 2009 (see above) the Greater Williamsburg Chamber and Tourism Alliance said it had used the Nichols report as the basis for much of its marketing activities for each of the last four years. The Alliance said that the following initiatives had been implemented:

- Supported the creation of the Williamsburg Area Destination Marketing Committee (WADMC), became its largest private funder, provide staff support
- Created and maintain the I-64 Welcome Center as a regional information center
- Conducted visitor tracking research
- Developed and produced publications which broaden the appeal of the area
- Conduct hospitality training (Prepare, Care, Share)
- Expanded cooperative marketing programs with hotels for group tours and meetings markets
- Initiated a funding proposal and group in support of the Virginia Tourism Corporation
- Created quarterly tourism information forums.
- Began to use more diverse media
- Joined with other destination marketing organizations in SE Virginia to create communication and work towards development of joint programs
- Have involved timeshares in our operations and have plans for greater interaction

The Alliance noted that its plans for 2009-2010 included a review of progress against the Nichols Report's recommendations in order to prioritize those still to be completed.

2004

Angelou Economics, *Economic Assessment and Targeted Business Study*, November 2004. Report completed for the Hampton Roads Economic Development Alliance.

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The study recommended targeting the following sectors:

- Security and defense
- Financial services
- Food processing
- Machinery and equipment
- Trade and port distribution
- Mass media

Whittaker Associates, for the Peninsula Alliance for Economic Development, *Targeted Industry Study*, September 1, 2004.

2003

Moran, Stahl & Boyer, *Technology Policy Consultant Study*, prepared for the Industrial Development Authority, James City County, Virginia, May 13, 2003.

The study assessed the regions technology assets, including research activity at area universities and federal labs, and recommended three technology areas as having “significant commercialization potential:”

- Computation, analysis and simulation software and systems development.
- High performance material components manufacturing.
- Sensors and instrumentation manufacturing.

Moran, Stahl & Boyer, *Overview on the Sensor Industry and the Potential Opportunities for James City County*, October 20, 2003.

This study built on the consultant study cited above and provided the following specific recommendations related to sensors and instrumentation manufacturing:

- Establish a new business incubator or a post-incubator manufacturing facility, or both. If an incubator, develop a strong relationship with a regional research organization as well as a 501c organization to support the effort.
- Position the sensor industry initiative as part of an overall instrument and electronics target industry.
- Support William & Mary's efforts to establish an entrepreneurial program within their School of Business.
- Position James City County as a strategic manufacturing location for emerging companies.

2000

Crossroads Research and Technology Committee Report, July 2000.

The Report was developed under the auspices of the Crossroads Group in the context of potential uses of the land that might become available at Eastern State Hospital, but the findings were more general and easily extend to the broader region. The twelve-member committee was chaired by James R. Golden, who was then Director of Economic Development at William & Mary. Here are some excerpts from the executive summary:

“The Greater Williamsburg area has an exciting opportunity to create an environment that will attract technology-based companies to the area and add a new dimension to the regional economic development strategy. Converting that opportunity to reality will require a continued, concerted, collaborative partnership among the Crossroads members and other regional organizations.

The Greater Williamsburg area is a national treasure. Protecting and improving that special status will require a careful balance of traditional strengths and new opportunities. Technology-based companies with the correct scale can play a key role in achieving that balance.

The Committee recommends the following five key steps to attract appropriate technology-based companies to the area in general, and particularly to land that might become available at Eastern State Hospital:

- Develop a state-of-the-art telecommunications infrastructure.
- Provide opportunities for workforce training and technology incubation.
- Target companies in rapidly expanding technology sectors that match local strengths including information-communications, education-entertainment, biotechnology-environmental science, and materials science and advanced manufacturing.
- Establish a Geriatrics Center of Excellence.
- Coordinate land-use master planning at ESH with New Town and other adjoining properties.

One critical step is to provide a state-of-the-art telecommunications infrastructure that will make the region one of the most “connected” communities in the country. That step is feasible and achievable. The implementation will require development of a common supporting infrastructure that can be used by multiple fiberoptic cable and wireless service providers so that the system can adjust to inevitable technology changes and remain at the cutting edge. The Research and Technology Boulevard at New Town, which might ultimately extend into property that could become available at Eastern State Hospital, could serve as a catalyst for a new regional approach to telecommunications.

Another essential step is to address the challenge of developing a workforce capable of meeting the needs of technology-based companies. Meeting that challenge will provide quality jobs with benefits and fill a critical gap in the local economy. The College of William and Mary and

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Thomas Nelson Community College have formed a partnership to develop an Economic Development Center to help meet employer workforce training needs. That Center deserves broad public support and funding. The Economic Development Center should be combined with other related activities in a "Discovery Center" that would also house a technology incubator to help develop new entrepreneurial companies.

The Research and Technology Boulevard at New Town provides an opportunity to link the area's substantial intellectual assets with technology-based companies. With state-of-the-art telecommunications infrastructure and a skilled workforce, the area should be able to attract companies in rapidly expanding technology sectors. Those sectors might include information-communications, education-entertainment, biotechnology-environmental science, and materials science and advanced manufacturing.

Those opportunities exist with or without changes at Eastern State Hospital (ESH). The creation of a Geriatrics Center of Excellence at ESH would provide a range of potential linkages with other medical and research centers and open new opportunities for technology-based companies in the area. Such a Center deserves strong support. If the state decides to make land available at ESH, joint master planning with contiguous land holdings would be essential to achieve the highest and best use of the land and reduce infrastructure costs."

Enclosure 2. Hampton Roads SWOT analysis

Source: Hampton Roads Partnership, Vision Hampton Roads, Comprehensive Economic Development Strategy (CEDS), January 2010.

Strengths

- Educated Workforce
- Healthcare Access
- Port/Harbor; ice-free, deep, etc.
- Openness to Tourism
- Income Equality
- Access to Higher Education
- Square Footage of Open Spaces/Parks
- Geographic Location
- Logistics
- Stable level of Federal Employment

Weaknesses

- Lack of Mass Transit Miles
- Dearth of Affordable Housing
- Brain Drain
- Crime Rates
- Lack of corporate HQs
- Decision making is rarely at the regional level

Opportunities

- Modeling and Simulation
- Alternative Energy
- Affordable Office/Commercial Space
- BRAC job inflows
- Stimulus Money

Threats

- Flat/Slow Port Growth forecast
- Flat DOD Spending forecast
- Continued deterioration of traffic infrastructure
- Loss of Air Craft Carrier, Strike Group or other installation
- Rising sea levels
- Lack of Regional water strategy

Enclosure 3. Historic Triangle SWOT Analysis

The entries below refer to the area's strengths, weaknesses, threats and opportunities in increasing diversification compared to other regions.

Strengths

- Great institutions
 - College of William and Mary
 - Colonial Williamsburg Foundation
 - Well regarded K-12 school systems
 - Relationship with Jefferson Lab and NASA Langley
- Proximity to United States Armed Forces / military commands
- Location - in the mid-Atlantic region
- Transportation (general access and air transport) – less congestion than much of Hampton Roads
- Quality of life (small town charm, big city amenities)
- Reputation (internationally known brand)
- Product (diverse economic development product)
- Population (highly educated population)
- Strong workforce development program

Weaknesses

- Existing business (no medical or engineering schools or major HQ's)
- Challenging work force issues (either low wage or retired, few young professionals)
- Culture of inertia (fear that change will harm our brands)
- Lack of common identity
- Lack of collaboration (little tech transfer from large educational institutions)
- Cost (residential and commercial property is expensive)
- Transportation (lack of direct / non-stop air service, bridge/tunnel congestion isolates area from some Hampton Roads workforce)
- Product (diminishing inventory of marketable non-residential land)
- Funding (lack of reasonable venture capital sources)

Threats

- Transportation (bottlenecks increasing, particularly at water crossings)
- Cost (economic diversification will raise labor costs)
- Workforce (net loss of high school / college graduates)
- Product (commercial, privately-held properties continue to decline)
- Perceptions ("No growth" voice is growing louder; retirement/vacation community; existing institutions seen as not wanting change)

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- Competition (dramatically increased competition for relocating businesses)
- Sectors (continued deterioration in tourism industry, retail development may be excessive)
- Cooperation (without attention to sustainability, quality of life will deteriorate)
- Location (crime issues from Hampton and Newport News growing into York and James City County)

Opportunities

- Leverage the assets at W&M and TNCC more effectively
 - Get successful W&M alumni to return (with their businesses) to Historic Triangle
 - W&M Alumni help influence business expansion/location in Historic Triangle
 - \$50m in grants/research funding per year
 - Mason School of Business could use local businesses as “laboratories” for study
 - Expand W&M Research Institute. Consider expansion of materials science capabilities in the Historic Triangle.
 - Support the Hampton Roads Research Partnership
 - Partner with VCU and EVMS as well
 - Make W&M more of an economic development “player” in Historic Triangle
 - Possible “reengineering” of JCC Technology Business Incubator in partnership with W&M – consider leveraging this into a regional incubator
 - Grow/expand incubator
 - Develop next steps for graduates
 - Incentivize W&M faculty to be entrepreneurial
 - Utilizing the educational institutions, current talent base and hospitality facilities, become a destination for training and workshops in a variety of fields and disciplines
 - Expand conferences
 - Expand links to tourism
 - Explore Business School certificates in the hospitality/tourism industry
 - Expand Applied Science program at W&M
- Leverage the assets at Colonial Williamsburg more effectively
 - Incentivize CW employees to be entrepreneurial
 - Transfer CW research to private sector
 - Restoration, reproduction, conservation, historic trades
 - History, anthropology, politics, legal, democracy, international/global
 - Electronic classrooms, productions
 - Utilizing the educational institutions, current talent base and hospitality facilities, become a destination for training and workshops in a variety of fields and disciplines
- Strengthen our regional identity
 - Find our “brand” and aggressively promote it to our targets
 - Embrace “revolutionary” part of brand to capture creative and knowledge economy

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- Embrace change while honoring the past – be revolutionary
- Create a solutions-oriented atmosphere, rather than “no” to new ideas
- Drill down deeper to identify / define Historic Triangle's business assets /value proposition that would appeal to / attract emerging target business clusters
- Leverage geographic and political location between South Hampton Roads and Richmond
- Add emphasis and innovation to the quality of life appeal, could attract more business owners

- Strengthen Regional Planning
 - Joint Comprehensive Planning
 - Coordinate land use planning for contiguous lands
 - Educate residents about our economy and sustainable growth in order to garner support
 - Consider revenue sharing opportunities
 - Work together to improve technology -- Community broadband
 - Build on the new Hampton Roads Comprehensive Economic Development Strategy (CEDS) and consider Department of Commerce Economic Development Agency funding that might flow from the strategy – note that the City is eligible for EDA funds

- Encourage more flexibility
 - Allow and encourage home businesses (live/work space)
 - Encourage telecommuting (quantify its benefit if it does not generate BPOL taxes)

- Strengthen and diversify the tourism/hospitality sector
 - Opportunities created by Blackstone ownership of Busch Entertainment
 - Eco-tourism
 - Festivals – schedule coordination?
 - Arts cluster
 - Sports
 - Military

- Improve environment for young professionals
 - Intellectual based small businesses attracted to area by quality of life
 - Business of art and design/business of the creative economy
 - Improve environment for creative class and “blue chip” youth
 - Create an environment to which the creative class is attracted
 - Increase footprint of creative economy beyond historic and education sites
 - Subsidize live/work space for creative class
 - Subsidize housing for recent college graduates

- Grow/garden existing entrepreneurs
 - Trailing spouses as entrepreneurs
 - Incentivize W&M faculty and CW employees to be entrepreneurial

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- Transfer WM research to private sector in all depts. (not just sensors or VIMS)
- Transfer CW research to private sector
- Transfer professors' and students' work to private market
- Possible "reengineering" of JCC Technology Business Incubator
- Grow/expand incubator and develop next steps for graduates
- Mentoring support from W&M faculty
- Facilitate tangible assistance from retired business executives
 - Tap into 60+ population for mentoring, entrepreneurial efforts, venture capital
 - SCORE
- Transportation
 - Leverage NN-Williamsburg Airport
 - Work with RAISE/NN-Williamsburg airport to package tourism products
 - Assist in attracting new airlines
 - High speed rail could link us to DC with 2.5 hour trip
- Military
 - Encourage expansion at facilities in York County
- Sectors
 - Medical (geriatric, executive health)
 - Energy
 - Surry Nuclear Power Station
 - ODEC in Surry County
 - Yorktown Refinery
 - W&M/VIMS Bio-fuel Research
 - Green industry (VIMS, historic trades, carbon reduction goals for the region)
 - Agri-business – farm to table programs; value-added agricultural uses
 - Restoration, reproduction, conservation, historic trades
 - History, anthropology, politics, legal, democracy, international/global
 - Electronic classrooms, productions
 - Military contractors
 - Public Policy Institutes
 - Regional headquarters -- Location of businesses that serve Richmond and HR markets
 - Defense and Homeland Security -- Businesses that serve large Federal facilities in HR
- Education/training
 - Utilizing the educational institutions, current talent base and hospitality facilities, become a destination for training and workshops in a variety of fields and disciplines
 - TNCC Historic Triangle campus
 - Explore Business School certificates in the hospitality/tourism industry

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- Expand Applied Science program at W&M
- Arts -- Improve, foster, strengthen the arts
 - Utilize existing performance and exhibit space
 - Build from existing creative/arts efforts (CW and WM)
- Workforce
 - Retain W&M alumni
 - Underemployed workforce
 - Talented and educated workers who are underemployed and/or are ripe for entrepreneurial work outside of their "day" jobs
 - Public School pathways, completion rates
 - Facilitate tangible assistance from major stakeholders (CW & W&M)
 - Attract transitioning and retiring military.
- Encourage flexible use of space and reduce uncertainty about process
 - Improve inventory (both quantity and quality) of available commercial and industrial properties
 - Creatively use class B and C office space and other under-demolished properties
 - Bring zoning into compliance with comprehensive plans
 - Create economic opportunity zones
 - Potential conversion of older retail centers

Enclosure 4. Task Force Milestones

Task: Determine if the area needs or would benefit from greater diversification, and, if so, recommend mutually beneficial strategies that can be used collaboratively to augment individual efforts.

Actions Completed 2009-2010:

- | | |
|--------|--|
| May 18 | HTC meeting, Jim Golden presentation re “Diversifying the Economy” – challenge, current local clusters, current regional clusters, regional efforts, local efforts, opportunities |
| Aug 17 | HTC decides to establish task force |
| Sep 21 | Organizations designate task force participants, initial distribution of background material |
| Oct 1 | Initial tasks sent to task force – data collection, diversification efforts in each jurisdiction, input to SWOT analysis |
| Oct 26 | Tasking, outline, prior studies, data sources, SWOT analysis, discussion of JCC, Williamsburg and York diversification efforts |
| Nov 6 | Press release |
| Nov 16 | Chair met with HTC, brief update. Approved work plan. Discussed potential meeting with some task force members on December 21. Clarified interest in achieving diversity through growth, not by reducing tourism. |
| Nov 23 | Draft SWOT update; data tasking; compilation of diversification ideas from prior studies, review need for any benchmarking; discussion of Alliance and W&M diversification efforts; discuss regional positioning – land issues along the route 64, route 60 corridor; Richmond and Hampton Roads positioning |
| Dec 21 | Members met with HTC, overview of diversification activities
Task Force meeting – Presentation by TNCC; Initial overview of most promising areas for collaboration |
| Jan 25 | Business attraction meeting –presentations: Darryl Gosnell (HREDA), Liz Povar (VEDP), Jim Tucker (commercial real estate broker) |
| Feb 2 | Meeting with Greg Grotendorst, Hampton Roads Planning District Commission (HRPDC) |
| Feb 22 | New business creation: Bill Bean (W&M TBC), Jay Diedzic (Blackrock), Jonathan Harris (Tienda); Mike Melo (ITA), Lee Beach (HRRP) |
| Mar 8 | Tourism: Bob Tubbs (Cedars), Kevin Jones (King’s Creek), John Reilly (Busch Gardens & Water Country. Dick Schreiber and Bob Harris (GWCT Alliance) participated in the discussion. |
| Mar 18 | Jim Golden presented overview of the work of the EDTF to JCC EDA |
| Mar 22 | Business expansion – presentations: Ole Rygh (Ryson), Mike Sahady (AVID Medical), Bob Singley (RJS) and Mike Mathews (Structures Group). |
| Mar 22 | Received employment data and analysis of the shifts in employment by business sector from HRPDC. |
| Mar 25 | Received letter from Williamsburg Hotel Motel Association concerning tourism input. |
| Apr 19 | Jim Golden provided an update to the HTC |

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Apr 26	Task Force discussion of draft recommendations
May 24	Discussion of draft report
June 21	Review of draft report with HTC
July 21	Task Force discussion of final edits, implementation and communication plans
Aug	Transmittal of report to HTC with cover note

Enclosure 6. Developable Land by Comprehensive Plan Designation (areas greater than 50 acres)

