

A G E N D A
JAMES CITY COUNTY BOARD OF SUPERVISORS
County Government Center Board Room
March 13, 2012
7:00 P.M.

- A. CALL TO ORDER**
- B. ROLL CALL**
- C. MOMENT OF SILENCE**
- D. PLEDGE OF ALLEGIANCE** – Tiger Cub Scouts of Cub Scout Pack 1932
- E. PRESENTATIONS**
 - 1. Planning Commission Annual Report for 2011
 - 2. Community Emergency Response Team (CERT) Graduation
- F. PUBLIC COMMENT**
- G. BOARD REQUESTS AND DIRECTIVES**
- H. CONSENT CALENDAR**
 - 1. Minutes –
 - a. February 28, 2012, Work Session
 - b. February 28, 2012, Regular Meeting
- I. PUBLIC HEARING** – None
- J. BOARD CONSIDERATIONS**
 - 1. Neighbors Drive/Richmond Road Neighborhood Improvement Project – Community Development Block Grant Application – \$1,070,000
 - 2. Dominion Virginia Power Proposed Transmission Line
- K. PUBLIC COMMENT**
- L. REPORTS OF THE COUNTY ADMINISTRATOR**
- M. BOARD REQUESTS AND DIRECTIVES**
- N. CLOSED SESSION**
 - 1. Discussion of contract negotiations where financial interests of the County are involved, pursuant to Section 2.2-3711(A)(6) of the Code of Virginia
 - a. School Contract Negotiation
 - 2. The Board will go into Closed Session pursuant to Section 2.2-3711(A) (1) of the Code of Virginia to consider a personnel matter(s), the appointment of individuals to County boards and/or commissions
 - a. Planning Commission
- O. ADJOURNMENT** – to 4 p.m. on March 27, 2012

MEMORANDUM

DATE: March 13, 2012

TO: The Board of Supervisors

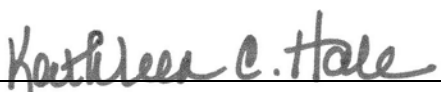
FROM: Kathleen C. Hale, Director of Emergency Services

SUBJECT: Community Emergency Response Team (CERT) Graduation

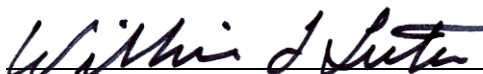
The James City County Community Emergency Response Team (JCC CERT) Program educates citizens on disaster preparedness, response, and recovery for hazards that may impact our area. JCC CERT volunteers are qualified to provide assistance in the aftermath of an emergency including immediate assistance to victims and by collecting emergency information to support first responder efforts. They receive training in basic disaster response skills such as fire safety, light search and rescue, team organization, and disaster medical operations. Using their training, JCC CERT volunteers can assist others following an event until professional emergency responders and critical resources arrive.

The following James City County citizens completed their essential 32-hour JCC CERT training on March 3, 2012, and join a growing cadre of more than 300 JCC CERT volunteers who have completed training since the program began in 2003. Their names, neighborhoods, and districts are as follows:

Mr. Raymond Hoyle	Toano Trace	Stonehouse
Ms. Patricia McSherry	Colonial Heritage	Stonehouse
Ms. Barbara Miller	Villas Five Forks	Berkeley
Mr. Tom Miller	Villas Five Forks	Berkeley


Kathleen C. Hale

CONCUR:


William T. Luton

KCH/nb
CERTVol_mem



2011 PLANNING COMMISSION ANNUAL REPORT

MESSAGE FROM THE CHAIR

On behalf of the Planning Commission I am pleased to present the Commission's 2011 Annual Report.

Population growth in James City County in 2011 was essentially flat continuing the downward growth rate trend over the last three years. Residential development activity reflected this slowdown as virtually no residential units were approved through the legislative process for the second consecutive year. Details can be found on pages 4-10 of the report.

A major effort was made in 2011 to update the Zoning and Subdivision Ordinances. Highlights of this effort were the establishment of a new District, Economic Opportunity; streamlining of the Commercial Districts to enhance process predictability; establishment of a cumulative impact database to assess the cumulative impacts of development; a sustainability audit to incorporate sustainable features into the revised ordinances; drafting of a Green Building policy; updating development standards and modernizing the Wireless Communications Facilities ordinance. Several important new requirements were adopted including tree preservation plans, limits on clear cutting and requirements for phasing development of large tracts. Details can be found on pages 13-16 of the report.

Progress was made on many high priority action items in the 2009 Comprehensive Plan as is detailed on pages 17-27 of the report.

I would like to thank my colleagues on the Planning Commission and County Staff for their support and hard work in behalf of the citizens of James City County. It was an honor to serve as their Chairman in 2011.

Jack Fraley, Chairman
James City County Planning Commission

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2011 PLANNING COMMISSION

Name	District	Appointment	Term Expires
Jack Fraley ** (Chair)	Roberts	1/12/2004	1/31/2012
Tim O'Connor** (Vice – Chair)	At-Large	8/10/2010	1/31/2013
Joe Poole III **	Jamestown	1/22/2008	1/31/2012
Richard Krapf **	Stonehouse	1/23/2007	1/31/2015
Al Woods	Powhatan	1/26/2010	1/13/2014
Mike Maddocks**	At-Large	1/26/2010	1/31/2014
Christopher Basic	Berkeley	1/2/2008	1/31/2013

PLANNING DIVISION STAFF

Allen J. Murphy Jr., AICP, Acting Development Manager
 Tammy Rosario, AICP, Principal Planner
 Christopher Johnson, Principal Planner
 Ellen Cook, AICP, Senior Planner II
 Scott Whyte, Senior Landscape Planner
 Jason Purse, AICP, Senior Planner II
 Leanne Reidenbach, AICP, Senior Planner II
 Jose Ribeiro, Senior Planner
 Luke Vinciguerra, Planner
 Brian Elmore, Development Management Assistant
 Jennifer VanDyke, Administrative Services Coordinator

ZONING DIVISION STAFF

Melissa Brown, CZA, Zoning Administrator
 Christy Parrish, CZA, Proffer Administrator
 John Rogerson, CZA, Senior Zoning Officer
 Terry Costello, Zoning Officer

**Virginia Certified Planning Commissioner
 AICP – American Institute of Certified Planners
 CZA – Certified Zoning Administrator

INTRODUCTION

The James City County Planning Commission (Commission) is composed of seven members, one member from each of the County's five magisterial districts (Powhatan, Roberts, Stonehouse, Jamestown, Berkeley) and two at-large members. Members are required to participate on one or two subcommittees: Development Review Committee (DRC) and the Policy Committee. The DRC reviews subdivisions and site plans for consistency with approved master plans, County zoning and subdivision ordinances, the Comprehensive Plan, and other Board-adopted policies. The Policy Committee works with staff to (1) prioritize Capital Improvement Program (CIP) requests in accordance with the Comprehensive Plan, and (2) address specific planning-related issues such as policy and ordinance revisions.

Planning Commission Responsibilities:

The Board appoints members to the Commission to review cases and make recommendations regarding land use, transportation, public facilities and utilities. The Commission shall, among other things:

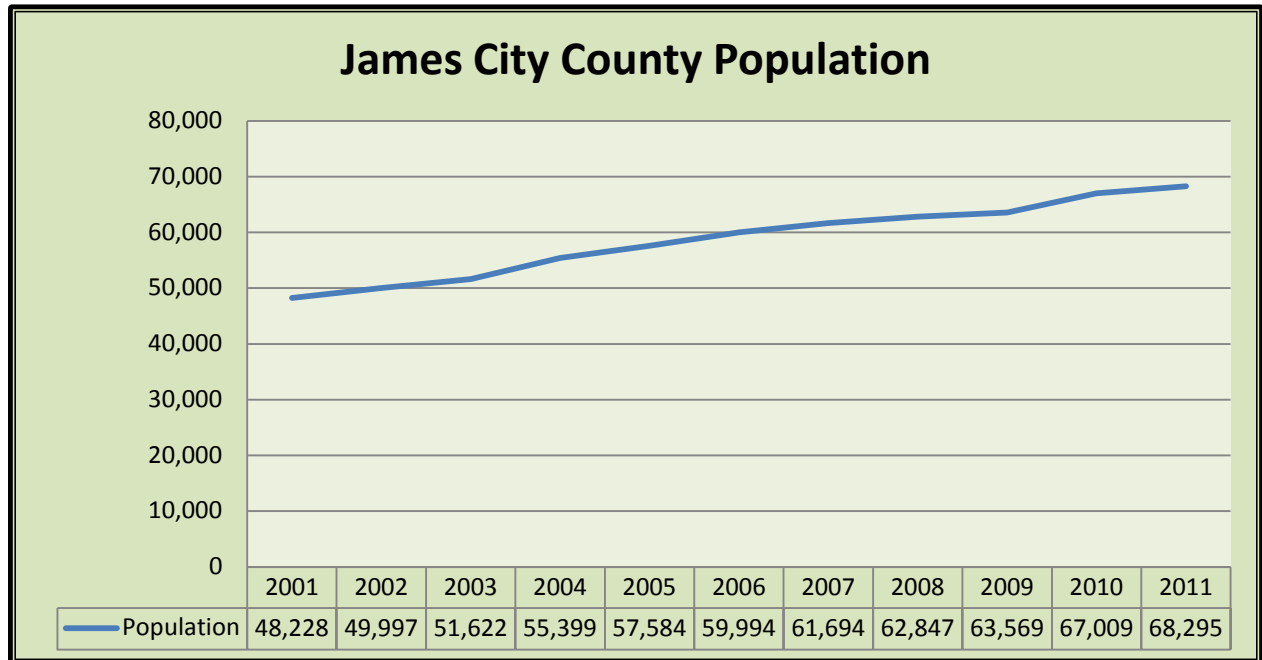
- Update and coordinate the implementation of the County's Comprehensive Plan;
- Review and make recommendations to the Board of Supervisors on rezoning, master plan, special use permit, subdivision and site plan applications;
- Consider and prepare policy and ordinance revisions;
- Assess the annual Capital Improvements Program; and
- Participate in community planning forums and committee studies.



Pervious pavement seen at Jacobs Industrial Park

2011 Schedule		
Regular Meetings		Work Session 04/13/11
01/05/11	07/06/11	Public Forum 2/10/11
02/02/11	08/03/11	
03/02/11	09/07/11	
04/06/11	10/05/11	
05/04/11	11/02/11	
06/01/11	12/07/11	

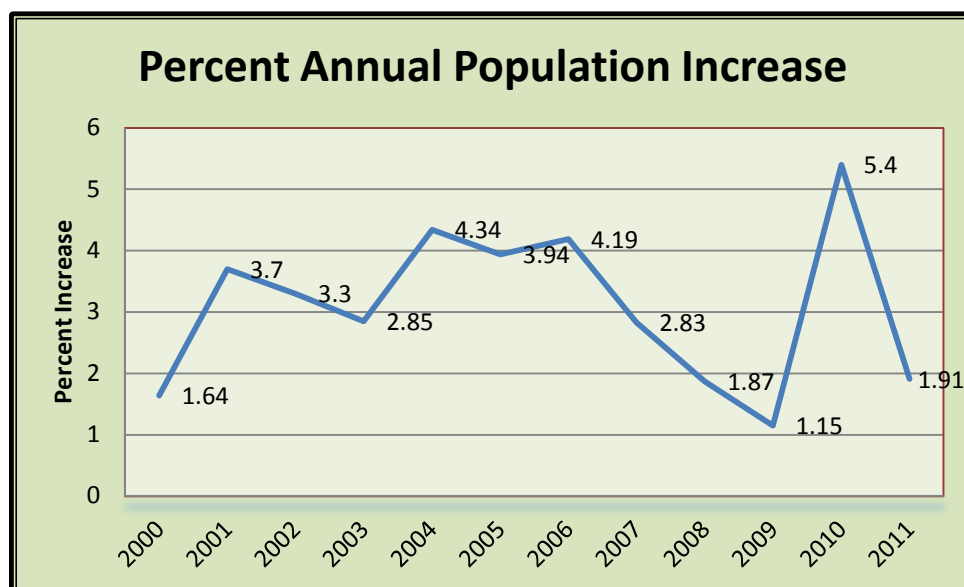
DEVELOPMENT AND GROWTH



Year	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Pop.	48,228	49,997	51,622	55,339	57,584	59,994	61,694	62,847	63,569	67,009	68,295*

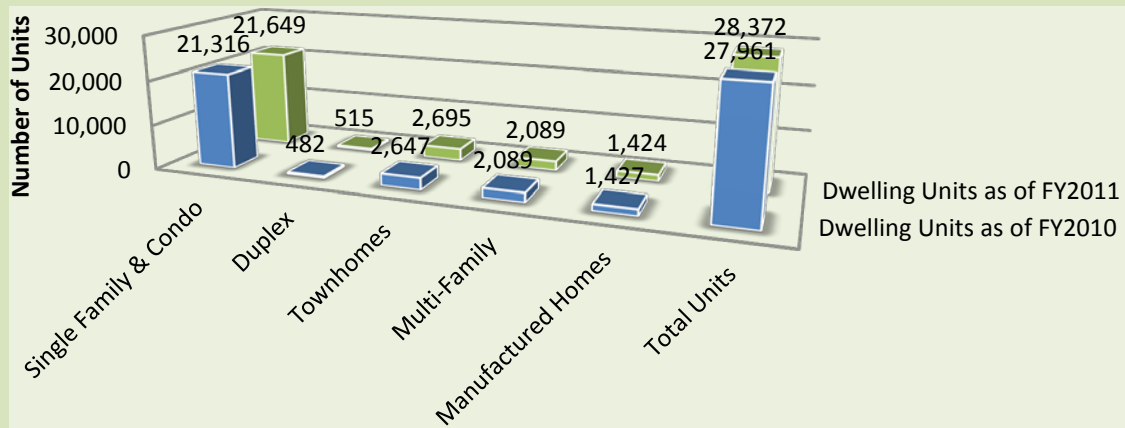
Source: Staff population estimates (2001-2009, 2011) and United States Census Bureau (2010)

* Estimate reflects first half of 2011



Note: The population growth rate in 2010 reflects both population increase and differences in source data. The annual population increase for 2011 reflects the first six months.

Number of Dwelling Units in FY2010 to FY2011



Types of Units	Single Family & Condo	Duplex	Townhome	Multi-Family	Manufactured Home	Total Units
Dwelling Units as of FY2010	21,316	482	2,647	2,089	1,427	27,961
Dwelling Unit Change in FY2011	333	33	48	0	-3	411
Total	21,649	515	2,695	2,089	1,424	28,372



White Hall saw a number of new units built in 2011.

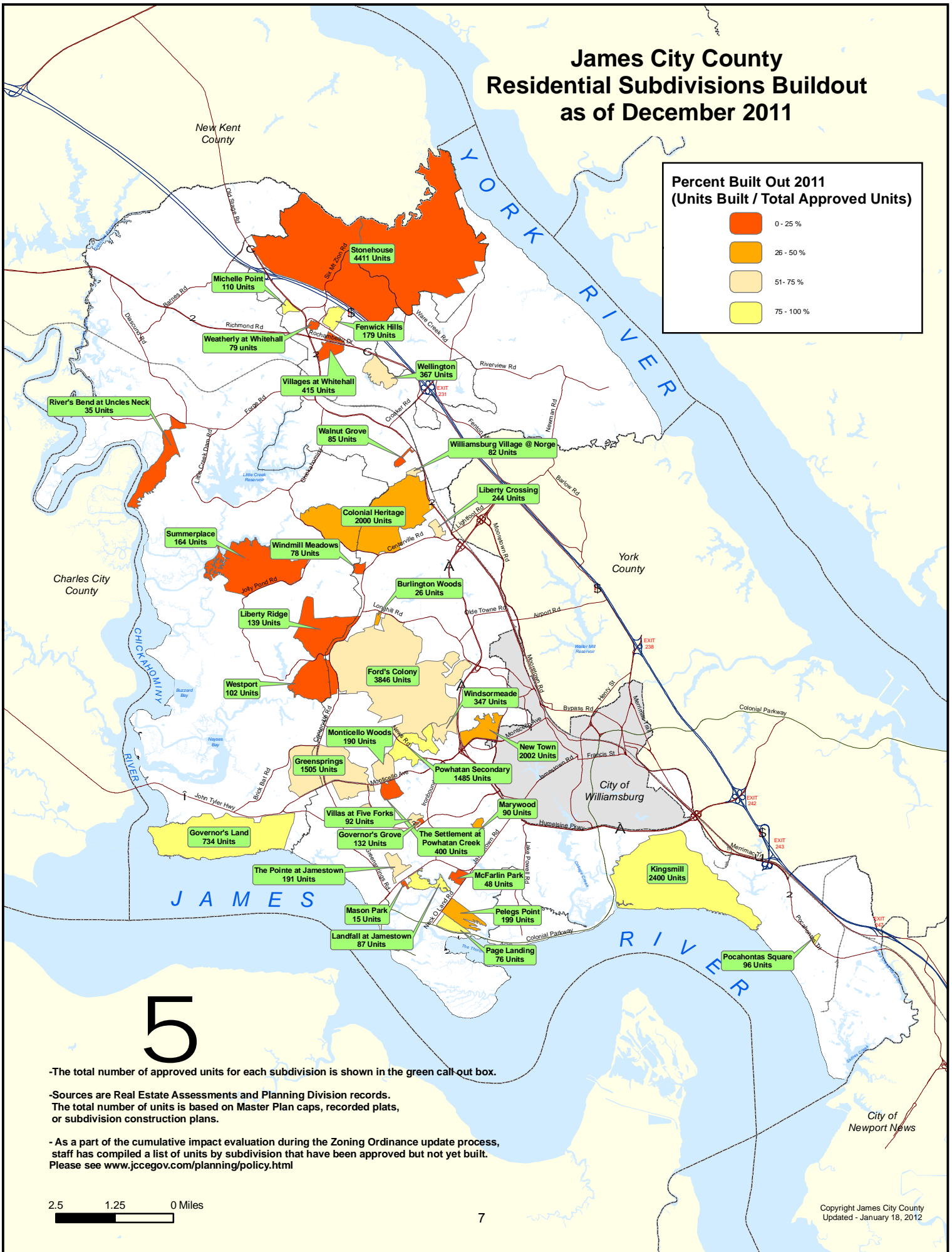
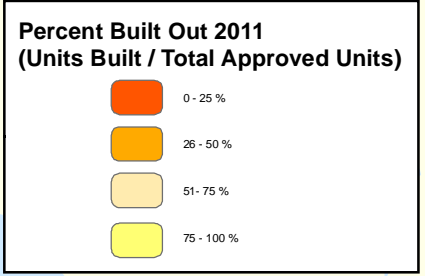
RESIDENTIAL SUBDIVISION BUILDOUT DATA

The Residential Subdivision Buildout Map has been updated for 2011. In addition to using Certificate of Occupancy information as in years' past, staff has also been able to use data recently exported and coded from Real Estate Assessments/GIS as part of the cumulative impact evaluation. Exporting and manipulating this data provides a more accurate snapshot of the County.

Based on this information, staff has created a series of reports that provide additional detailed information for all subdivisions within James City County. Each report is organized by subdivision alphabetically or by election district. These reports are considered "works in progress" and will be refined over time. The first report, "Development Status Report – All Data," (posted at www.jccgov.com/planning/policy.html and attached) reports the number of vacant parcels, improved parcels, residential units, and all parcel unit classifications. This report includes common areas, timeshares, public lands, commercial, etc. The second report, "Residential Development Status Report – Residential Only," (attached and posted) provides information only on residential units. This report is condensed and excludes unit classification. The unit counts do not include common areas, timeshares, public lands, commercial, etc. A summary of the data from the second report is presented in the table below:

Election District	Residential Unit Count	Vacant Parcels	Improved Parcels	Total Parcels
Berkeley	5,865	528	5,259	5,787
Jamestown	6,190	609	4,570	5,179
Powhatan	5,957	989	4,966	5,955
Roberts	6,809	404	4,778	5,182
Stonehouse	5,583	993	5,215	6,208
TOTAL	30,404	3,523	24,788	28,311

James City County Residential Subdivisions Buildout as of December 2011



5

-The total number of approved units for each subdivision is shown in the green call-out box.

-Sources are Real Estate Assessments and Planning Division records.
The total number of units is based on Master Plan caps, recorded plats, or subdivision construction plans.

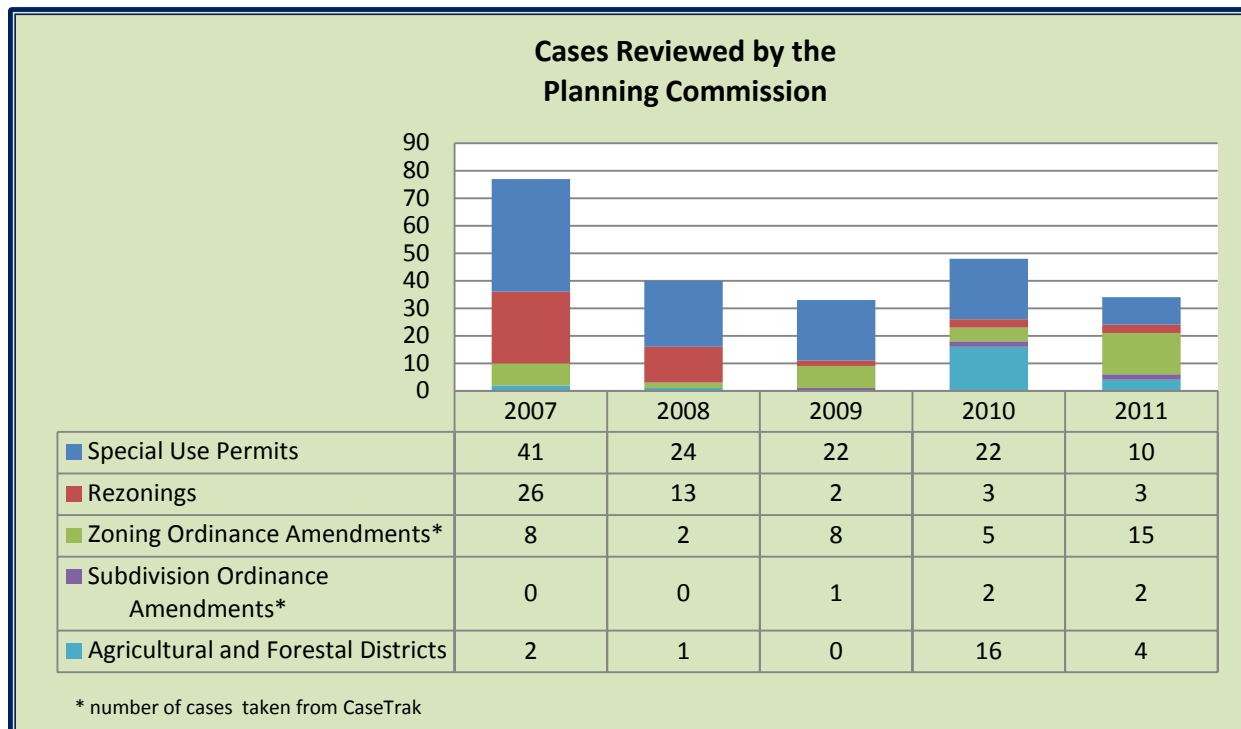
- As a part of the cumulative impact evaluation during the Zoning Ordinance update process, staff has compiled a list of units by subdivision that have been approved but not yet built. Please see www.jccegov.com/planning/policy.html

2.5 1.25 0 Miles

PLANNING COMMISSION HIGHLIGHTS AND ACTIVITIES

DEVELOPMENT REVIEW

Development review activities consist primarily of rezoning, special use permits, site plans, subdivisions and conceptual plans.



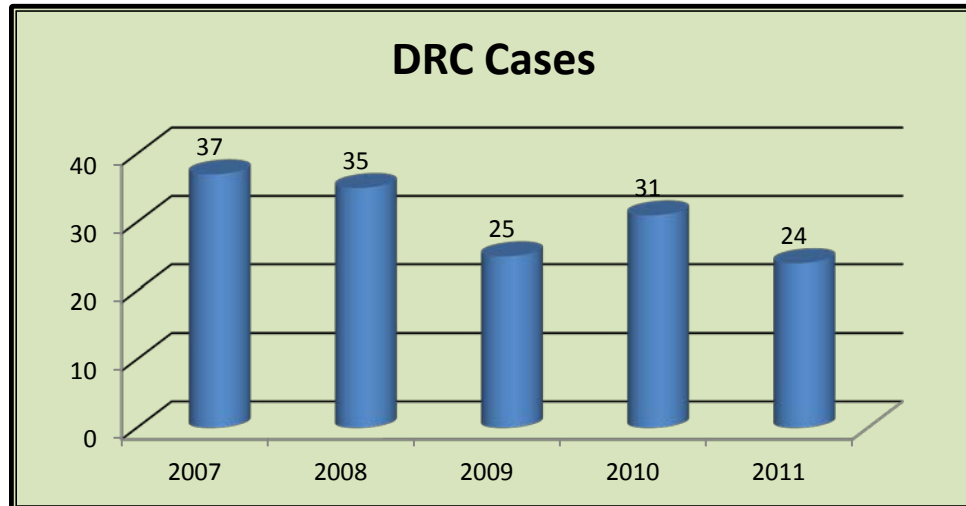
Special Use Permits: The Planning Commission reviewed ten applications. The applications included two manufactured homes, an accessory apartment, the Williamsburg Pottery, a new attraction at Busch Gardens, a parking lot expansion for D.J. Montague Elementary School, modification to park facilities at Mid-County Park, an automated car wash, a construction commencement deadline extension for Williamsburg Landing, and a mausoleum addition at St. Bede Catholic Church.

Rezoning: Three applications were considered by the Commission. The application for Forest Heights Road, Neighbors Drive, and Richmond Road - Improvements included reconfiguring 64 properties. Other applications included proffer amendments for the Williamsburg Pottery and New Town Settler's Market, Section 9.

Residential Units Legislatively Approved in 2011: The Planning Commission and the Board of Supervisors approved 175 dwelling units as part of the Candle Factory rezoning application (Z-0003-2008/MP-0003-2008) and one single dwelling unit as part of the Wohlfarth Family Subdivision (SUP-0010-2011) on Jolly Pond Road.

Agricultural and Forestal Districts: The Planning Commission reviewed four applications for AFD additions, two for Yarmouth Island AFD, one for Gordon Creek AFD, and one for the Christenson's Corner AFD.

The Development Review Committee reviewed 24 cases. These included Stonehouse Tract 12, Norge Center, Courthouse Commons, Windsor Ridge, Freedom Park Ropes Course, New Town Settler's Market and White Hall Design Guidelines. Five applicants requested the Committee's input on potential legislative proposals and received guidance and feedback to help them create plans and drawings that are consistent with the Comprehensive Plan.



POLICY REVIEW

Policy review functions include reviewing the Capital Improvements Plan as well as processing any changes to the Zoning Ordinance or Committee Bylaws. For more information on the Ordinance Update please read the summary provided on page thirteen.



Tractor Supply just before grand opening in January 2012

PLANNING COMMISSION ACTIONS

SPECIAL USE PERMITS

Case Number	Name of Project	Location	Acres	Case Description	Recommendation/Action		
					Staff	PC	BOS
SUP-0029-2010	The Williamsburg Pottery	6692 Richmond Road	18.78	Amendment to proffers and master plan expanding square footage and relocating two signalized entrances	approval	approval	approval
SUP-0028-2010	Busch Gardens New Attraction Oktoberfest	7851 Pocahontas Trail	5	New attraction to replace an existing roller coaster	approval	approval	approval
SUP-0031-2010	Chickahominy Road Manufactured Home	3125 Chickahominy Road	5	Permit placement of a manufactured home	approval	approval	approval
SUP-0032-2010	D.J. Montague Elementary School Parking Lot Expansion	5380 Centerville Road	23	Establish approved use of expanded parking lot	approval	approval	approval
SUP-0001-2011	Williamsburg Crossing Car Wash	5117 John Tyler Highway	2	Automated car wash	approval	approval	approval
SUP-0003-2011	Mid-County Park Revised Master Plan	3793 Ironbound Road	19	Modification to park facilities	approval	approval	approval
SUP-0005-2011	Williamsburg Landing Construction Commencement Extension	5560 Williamsburg Landing Drive	50	Extension of project commencement deadline	approval	approval	approval

SUP-0004-2011	St. Bede Catholic Church Mausoleum Addition	3686 Ironbound Road	3	Amendment to allow mausoleum building complex and associated parking and uses	approval	approval	deferred
SUP-0006-2011	Shellbank Drive Accessory Apartment	126 Shellbank Drive	0.89	250 square foot expansion of an existing nonconforming accessory apartment	approval	approval	approval
SUP-0008-2011	Chickahominy Road Manufactured Home	2720 Chickahominy Road	0.517	Replacement of singlewide trailer with doublewide trailer	approval	approval	approval

REZONINGS

Case Number	Name of Project	Location	Acres	Case Description	Recommendation/Action		
					Staff	PC	BOS
Z-0002-2010	The Williamsburg Pottery	6692 Richmond Road	18.78	Amendment to proffers	approval	approval	approval
Z-0001-2011	Forest Heights Road, Neighbors Drive, Richmond Road - Improvements	Properties found on Forest Heights Road, Neighbors Drive and Richmond Road	27.5	Rezoning to reconfigure 64 single family properties, and to allow Salvation Army	approval	approval	approval

Z-0003-2011	New Town Settler's Market, Section 9 Master Plan Amendment	4509 and 4520 Casey Boulevard	18	Proffer amendment to separate commercial and residential uses, reduce the number of residential units, and rearrange the design of the residential area.	approval	approval	approval
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AGRICULTURAL AND FORESTAL DISTRICTS

Case Number	Name of Project	Acres	Case Description	Recommendation/Action			
				Staff	AFD	PC	BOS
AFD-11-86-3-2010	Shields Point, Yarmouth Island AFD Addition	124.5	Addition to the Yarmouth Island AFD	approval	approval	approval	approval
AFD-11-86-2-2010	Jolly Pond Road, Yarmouth Island AFD Addition	10	Addition to the Yarmouth Island AFD	approval	approval	approval	approval
AFD-09-86-4-2010	Centerville Road, Gordon Creek AFD	60	Addition to the Gordon Creek AFD	approval	approval	approval	approval
AFD-10-86-1-2011	Christenson's Corner AFD Addition, Newman Road	567	Adding two parcels, totaling 567 acres, along the JCC portion of Newman Road, to the Christenson's Corner AFD	approval	approval	approval	approval

ZONING ORDINANCE AND SUBDIVISION ORDINANCE UPDATE

Substantial work was done in 2011 to update the Zoning and Subdivision ordinances. The Policy Committee met 19 times in 2011 to discuss the draft ordinances as they have moved through the three stages of the process. In addition, staff and Policy Committee work was presented at five Board work sessions. Throughout the update process, staff maintained a dedicated website (www.iccplans.org) to collect community input and provide information and meeting materials.

Progress in 2011 spanned both the priority items and the non-priority items identified in the adopted update methodology. Progress on the five priority items is summarized below:

- **Economic Opportunity District.** Staff drafted a new Economic Opportunity District for use in conjunction with the Economic Opportunity designation included in the 2009 Comprehensive Plan. The new district was considered by the Planning Commission on August 3, 2011, and was adopted by the Board of Supervisors on September 13, 2011.
- **Commercial/Business Districts.** Staff drafted amendments to the commercial/business districts, most recently recommended for approval by the Planning Commission at its December 7, 2011 meeting. The districts are scheduled for additional Board of Supervisors consideration in 2012.
- **Cumulative Impact Database Set-Up.** The goal of setting up this database is to help track impacts from existing development, and from approved development that has not yet been built. Substantial progress was made in 2011 on setting up this database, and further information and updates on this item are included on page six of this report.
- **Sustainability Audit.** The sustainability audit was completed by LSL Planning, Inc. and presented to the Planning Commission and Board of Supervisors in November 2010. In 2011, staff worked to incorporate recommendations from the audit into the revised ordinances.
- **Development Standards.** The majority of the design standards, including sound walls, outdoor lighting, landscaping, parking standards, private streets, pedestrian accommodations, timbering, and floodplain were considered by the Planning Commission on October 5, 2011, and adopted by the Board of Supervisors on November 22, 2011. The exterior sign ordinance was drafted and will be considered by the Planning Commission and Board of Supervisors in 2012.

Progress on the non-priority items is summarized below:

- **Wireless Communication Facilities.** Staff drafted amendments to the wireless communication facility district and accompanying performance standards policy. The amendments were recommended for approval by the Planning Commission at its December 7, 2011 meeting. The districts are scheduled for Board of Supervisors consideration in 2012.
- **Residential Districts.** This category includes revisions to the existing R-1, R-2, R-5, and Cluster Districts, and creation of a new R-3, Residential Redevelopment District and new

Housing Opportunities Policy. These items are in Stage II draft format, and the Board began discussion of the drafts and the Policy Committee's feedback at its September 27, 2011 work session. Additional Board discussion is scheduled for a work session in 2012.

- **Multiple Use Districts.** This category includes revisions to the existing MU, PUD, and R-4 Districts. These items are in Stage II draft format, and were provided to the Board for its September 27, 2011 work session. The Board is scheduled to begin discussion of these districts at a work session in 2012.
- **Green Building.** A green building policy was drafted as part of Stage II, and was considered by the Policy Committee on July 18, 2011. Per the request of the Policy Committee, the policy was sent to the County's Economic Development Authority (EDA) for comment in August 2011. The Board is scheduled to begin discussion of the policy at a work session in 2012.
- **Administrative Items and Procedures.** This category includes revisions to existing Articles I (General) and III (Site Plan) and the Nonconformities section, and development of three new policies for Traffic Impact Analysis Guidelines, Environmental Constraints Analysis, and Fiscal Impact Studies. These items are in Stage II draft format, and were provided to the Board for its September 27, 2011 work session. The Board is scheduled to begin discussion of these items at a work session in 2012.
- **Subdivision Ordinance.** The Stage I options memo was presented to the Policy Committee on February 23, 2011 and to the Board of Supervisors on April 26, 2011. Staff has been in the process of creating the Stage II draft, and expects to forward it for consideration in 2012.

Finally, work in 2011 included the **Transfer of Development Rights (TDR) Feasibility Study**, which was the first step in the process of updating the Rural Lands Districts (A-1, General Agricultural, and R-8, Rural Residential). This feasibility study was undertaken by the firm DC&E Planning. Activities included a public forum on February 10, 2011, an update at the Board's July 26, 2011 work session, and a final presentation of the study on October 25, 2011. The Board decided not to pursue a TDR program at this time. Next steps for Rural Lands in 2012 include a Board work session to discuss and provide direction on the other ordinance options that are available.



Nazar, a redevelopment project that was seen by the Planning Commission in 2009

ZONING ORDINANCE AMENDMENTS

Case Number	Name of Project	Case Description	Recommendation/ Action	
			PC	BOS
ZO-0001-2011	Initiating Resolution	Initiating Resolution for Zoning Ordinance Update	Approval	N/A
ZO-0002-2011	Administrative Fees	Permission to waive administrative fees for the James City Service Authority, the Williamsburg Area Transit Authority, the Williamsburg Regional Library and Williamsburg-James City County Schools	Approval	Approval
ZO-0003-2011	Economic Opportunity District	Creation of a new ordinance to serve those properties designated EO	Approval	Approval
ZO-0004-2011	Commercial Districts	Amendments to section 24-11, section 24-147 and the LB, B-1, M-1 and M-2 Zoning districts	Approval	Pending
ZO-0014-2011	External Signs	Amendments to Article II, Division 3. External Signs	Approval	Approval
ZO-0010-2011	Wireless Communication Facilities	Amendments to Article II, Division 6. Wireless Communications Facilities	Approval	Pending

SUBDIVISION ORDINANCE AMENDMENTS

Case Number	Name of Project	Case Description	Recommendation/ Action	
			PC	BOS
SO-0001-2011	Initiating Resolution	Initiating Resolution for Subdivision Ordinance Update	Approval	N/A

SO-0002-2011	Administrative Fees	Permission to waive administrative fees for the James City Service Authority, the Williamsburg Area Transit Authority, the Williamsburg Regional Library and Williamsburg-James City County Schools	Approval	Approval
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The Freedom Park Interpretive Center, a James City County project, opened in 2011.

GOALS, STRATEGIES AND ACTIONS ANNUAL REVIEW

Most sections of the Comprehensive Plan include goals, strategies, and actions (GSAs), which collectively provide a mechanism for turning the written guidance of the Comprehensive Plan into tangible steps that can affect positive change, either through action or by identification of areas where additional resources are needed. The Planning Commission Annual Report provides an update on the progress that has been made in implementing the GSAs.



Greenwood Christian Academy, a redevelopment project in Williamsburg Crossing Shopping Center

Specifically, the report lists actions that have been completed and their associated tasks. A number of high priority items from the Community Character (CC), Economic Development (ED), Environmental (ENV), Housing (H), Land Use (LU), Parks and Recreation (PR), Population Needs (PN), Public Facilities (PF), and Transportation (T) sections of the Comprehensive Plan have yet to be initiated and/or completed. Tasks may not have been initiated and/or completed during the past calendar year because of financial constraints, Board of Supervisors direction, available manpower, County

Administration decisions and other limiting factors that play a crucial role in determining when GSAs get implemented. Other tasks may be high priority items with a 0-5 year timeframe, but have yet to be started even though they are still on schedule to be completed within the timeframe established in the Comprehensive Plan. The Board of Supervisors further prioritizes projects, based on available funding and resources, through the annual budget and Strategic Management Plan processes. For a list of the complete Implementation Schedule with all GSAs and the associated priority and timeframe, please visit the following link: <http://planning.jccgov.com/default.aspx>

Note: The list below focuses on completed high priority actions, as referenced in the 2009 Comprehensive Plan Implementation Schedule, and current in-progress tasks related to the 2010 Zoning Ordinance Update. The list does not include actions slated for future years.

<i>Tasks with a 0-5 year timeframe</i>	
<i>Action</i>	<i>Task Completed</i>
CC COMMUNITY CHARACTER	
CC 7.1. Update the Wireless Communications Division of the Zoning Ordinance to accommodate the use of new and emerging wireless communications services.	In December 2011, the Planning Commission considered and recommended staff's revisions to the Wireless Communication Section of the Zoning Ordinance which, among other revisions, accommodates newer technologies such as DAS (Distributed Antenna System).
ED ECONOMIC DEVELOPMENT	
ED 1.3.2. Maximize the land area available to James City County for inclusion in the Enterprise Zone as allowed by the Code of Virginia.	In April 2011, the Board endorsed revisions to the Enterprise Zones (EZ) boundaries. These revisions removed undevelopable acreage from previous EZ areas and expanded the EZ to include areas in additional parts of the County.
ED 2.4 Promote tourism and associated industries as a year-round industry.	<p>The County continues to support sport marketing. County facilities and staff are supporting the Chamber of Commerce Sports Williamsburg initiative. Top Gun Football University (FBU) booked Wanner Stadium. FBU claims 5,000 hotel room nights, 1,200 attendees, and 4,000 spectators. Other events included soccer, baseball and softball tournaments.</p> <p>The Board created a Tourism Investment Fund in the FY12 budget. Economic Development, Financial and Management Services, and Communication staff met with County tourism businesses to obtain feedback on County tourism marketing and corridor enhancements.</p>
ENV ENVIRONMENT	
ENV1.2.5. Promoting early submission of environmental inventories in order to protect trees, County wetlands, and highly erodible soils; to most efficiently use permeable soils, and to limit impervious cover.	A draft environmental constrain analysis checklist for administrative and legislative cases was shared at a work session with the Board in September 2011.
ENV 1.9. Implement identified management practices developed through the Total Maximum Daily Load (TMDL) program and seek continued funding to ensure the development of TMDL	In June 2011, staff completed the Mill-Powhatan Bacteria TMDL Implementation Plan and established a Technical Recommendation Committee to develop strategies to meet the

implementation plans for each County TMDL.	Chesapeake Bay Nutrient and Sediment TMDL. On November 2011, the Chesapeake Bay TMDL Technical Recommendation Committee successfully completed its work by providing alternatives and identifying opportunities for cross-sector implementation activities.
ENV 4.4. Create a green building policy and a cost-benefit analysis policy for County building capital projects and ensure that proposed County buildings meet the guidelines of that policy in advance of Capital Improvements Program construction expenditures.	In the fall of 2010, the BOS adopted the Sustainable Building Policy which addresses LEED certification and LID site design. The policy is being implemented currently at Police Headquarters and Fire Administration buildings. The policy will continue to be used at future construction projects.
H HOUSING	
H 1.6. Promote infill residential development by creating provisions in the Zoning Ordinance that allow for appropriate alternative lot sizes, setbacks, and densities.	A draft residential redevelopment zoning district (R-3) was shared at a work session with the Board in September 2011.
H 2.1. Support the efforts of private and non-profit entities to improve the condition of the County's housing stock.	In October 2011, the County awarded a contract to sell 6 lots in the Ironbound Square Subdivision to Habitat for Humanity Peninsula & Greater Williamsburg for construction of homes for low to moderate income households.
H 2.9. Continued efforts to attract funds from Federal and State sources for housing and neighborhood rehabilitation.	In November 2011, OHCD received a \$30,000 Community Development Block Grant Planning Grant to plan the improvements for the Neighbors Drive/ Richmond Road neighborhood project.
H 3.1. Review all existing residential districts in the Zoning Ordinance (R-1, Limited Residential; R-2, General Residential; R-4, Residential Planned Community; R-5, Multi-family Residential; R-6, Low Density Residential; R-8, Rural Residential; PUD-R, Planned Unit Development-Residential; MU, Mixed Use; and Cluster Overlay) to consider additional bonuses and incentives for the provision of affordable and workforce housing, as appropriate.	Revisions to the existing residential districts of the Zoning Ordinance were shared at a work session with the Board in September 2011.
H 3.7. Develop and adopt an affordable housing policy or affordable dwelling unit policy which states the County's definitions, goals, and expectations for providing affordable and workforce housing in developments requiring legislative approval.	A draft Affordable/Workforce Housing Policy was shared at a work session with the Board in September 2011.

H 5.1. Participate in Greater Williamsburg Area and Hampton Roads public/private partnerships to identify and address regional housing issues.	OHCD staff participates in the Peninsula Continuum of Care to provide a regional response to solving homelessness issues. Staff serves as a member of the Virginia Housing Commission to provide input on state housing issues.
LU	LAND USE
LU 3.2. Communicate with adjacent jurisdictions regarding development plans that have potential impacts on adjacent localities and public facilities. Work with them to coordinate plans and to identify and mitigate areas where there are conflicts.	Planning staff worked with York County and the City of Williamsburg and identified three study areas to be discussed during the 2012 Regional Comprehensive Planning process. The three study areas are: Lightfoot/Pottery, the Greater Northeast Triangle area, and the Marquee/Riverside/Busch Gardens area.
LU 3.3. Participate in regional planning process with York County and the City of Williamsburg.	Throughout 2011, Planning staff participated in quarterly Regional Comprehensive Plan coordination meetings with York County and the City of Williamsburg to complete shared studies and to plan public forums and additional meetings. In November 2011, planning staff worked together with York County, and the City of Williamsburg to apply for a grant with VDOT to enhance Route 60 East.
LU 4.5.2. Revisions to the Zoning Ordinance and/or Subdivision Ordinance or development of guidelines to provide additional flexibility, clear standards, or incentives such as expedited review plan review.	In December 2011, the Planning Commission endorsed amendments to the Commercial/Industrial zoning districts of the Zoning Ordinance. These amendments promote redevelopment by providing flexibility to the number of uses that require SUPs and those which require review by the Development Review Committee (DRC).
LU 4.6. Encourage developments which provide mixed use development, as further defined in the Mixed Use land use designation and development standards, within the PSA. Support design flexibility to promote mixing of various types of residential and non-residential uses and structures.	Planning staff has drafted ordinance language that more specifically highlights aspects of mixed use development standards from the Comprehensive Plan. These changes were shared at a work session with the Board in September 2011.
LU 4.7.1. Encouraging multiple uses within office parks in the PSA to assure employees convenient access to shopping, services, and open space.	Throughout 2011, Planning staff evaluated the multiple use districts, as well as the commercial/industrial districts to ensure appropriate and compatible uses were permitted in order to provide opportunities for needed services in compact areas.

LU 5.1.1 Reporting on feasibility of development of a model or models to assess and track the cumulative impacts of development proposals and development on existing and planned public facilities and services.	Planning staff developed a general methodology for developing a cumulative impacts model for the County and is in the process of implementation. In 2011 Planning interviewed other localities and consultants who had familiarity with similar systems nationally. Planning also completed coding existing land uses, number of residential units, and type of residential units for all parcels in the County.
LU 6.1.1 Support both the use value assessment and Agricultural and Forestal (AFD) programs to the maximum degree allowed by the Code of Virginia.	At its December 2011 meeting, the Board approved a major addition to the Christenson's Corner AFD. Acreage was also added to the Gordon Creek, Croaker, and Yarmouth Island AFDs.
LU 7.1. Conduct a sustainability audit of James City County codes, ordinances, and regulations prior to conducting comprehensive updates.	Various sustainability audit items have been included in the already adopted Zoning Ordinance sections, and in the draft sections that will be moving forward for adoption in 2012.
PR PARKS & RECREATION	
PR 3.5. Emphasize the maintenance of existing facilities as a way to make efficient use of limited financial and physical resources.	In 2011, four outdoor pools and the RV loop at the Chickahominy Riverfront Park were renovated. Two new heating units for the James City/ Williamsburg Community Center (JCWCC) were installed.
PR 5.5. Amend Zoning Ordinance regulations to facilitate development of recreational facilities, including but not limited to neighborhood parks, playgrounds, sport courts, fields, and trails within by-right residential developments in accordance with design standards as enabled by the Code of Virginia.	Planning staff has drafted amendments to the residential districts in the Zoning Ordinances. Amendments have been endorsed by the Policy Committee in Summer 2011 and were shared at a work session with the Board in September 2011.
PF PUBLIC FACILITIES	
PF 3.2. Consider additional adequate public facilities policies and/or level of service standards to complement the Adequate Public Schools Facilities Test Policy already in place.	Refer to LU 5.1.1 .
PF. 4.1. Utilize energy efficient heating, cooling, ventilation, lighting, and similar systems and designs for newly constructed facilities, and where feasible, for renovations of existing County facilities. Innovation and technology (such as that found in geothermal heating and cooling systems, green roofs, and solar	Capital Maintenance program in 2011 included major lighting changes in several buildings, HVAC control systems, and flexible HVAC equipment replacements, all of which will result in significant reductions in energy usage at County facilities. HVAC and lighting upgrade were completed at Bldg. A and B, 90%

panels) should similarly be employed where feasible, and where appropriate levels of long-term sustainability, cost savings, efficiency, and durability can be clearly expected or demonstrated.	completed at Community Center; boiler upgrades complete at Community Center.
PN POPULATION NEEDS	
PN 4.3. Work with the Senior Services Coalition to develop a strategic plan for seniors.	Community Services continues supporting and working with Senior Services Coalition in the implementation of the Community Action Plan on Aging. For a complete list of recent accomplishments please visit the following link: http://compplan/Lists/ActionPointStatus/AllItems.aspx
T TRANSPORTATION	
T 1.3.1. Adding the road segment to the Six Year Improvement Program and considering public-private partnerships among other mechanisms to fund proposed improvements.	In May 2011, the Board endorsed the addition of Croaker Road, Olde Towne Road, and Longhill Road into VDOT's Six Year Improvement Plan.
T 3.10. Update the James City County Sidewalk Master Plan and amend the Zoning Ordinance to increase accessibility, provide for more design and construction flexibility, and incorporate multi-use path as an option.	As part of the on-going Zoning Ordinance Review process, Planning staff developed a Pedestrian Accommodation Master Plan which was adopted by the Board in November 2011.
Tasks with a 6-10 year timeframe	
Action	Task Completed
ED ECONOMIC DEVELOPMENT	
ED 5.1. Encourage the rehabilitation of abandoned and/or underutilized facilities by promoting them to new business.	OED markets existing vacant and underutilized buildings to prospect and leads, when consent is given by the owner and when OED becomes aware of the opportunities. OED subscribes to site selection services and continues to work to keep an accurate database of available structures and facilities.
ED 5.5. Promote resource conservation techniques among new and existing business.	The County promotes its local and regional outreach with JCSA's own "Let's Be Water Smart" water and conservation education program and HRPDC's Hampton Roads Water Efficiency Team (HR WET) regional water conservation program.

<i>Tasks with a 10 + year timeframe</i>	
<i>No updates to report at this time</i>	
Ongoing	
Action	Task Completed
ED ECONOMIC DEVELOPMENT	
ED 1.5. Continue to analyze County regulations, policies, and procedures to ensure that they do not unnecessarily inhibit commercial and industrial development.	In the fall of 2011, OED collaborated with the Planning Division regarding the proposed Green Building Policy.
ED 4.1. Work with the College of William and Mary Office of Economic Development in support of business attraction and expansion.	In October 2011, the OED and the Economic Development offices of the City of Williamsburg, York County, and the College of William and Mary (W&M) co-sponsored an event targeting W&M alum and marketed the Historic Triangle as a great place to expand their business.
ED 6.1. Foster tourism development in James City County by continuing to partner with the Greater Williamsburg Chamber and Tourism Alliance.	The County partnered with the Greater Williamsburg Chamber and Tourism Alliance on Arts Month in September and during the Christmas season in Williamsburg.
ENV ENVIRONMENT	
ENV 1.2. Promote the use of Better Site Design, Low Impact Development (LID), and effective Best Management Practices (BMPs).	In November 2011, staff created permeable paver guidance for residential development as part of Chesapeake Bay Exceptions.
ENV 1.2.6. Continuing to encourage the development of regional BMPs that address cumulative future stormwater impacts and flood control benefits.	A County regional BMP for the Ironbound Square Redevelopment project, Phase II, was installed and functional as of April 2011.
ENV 1.2.8. Continuing to promote the protection of trees.	In November 2011, the Board adopted an optional specimen tree preservation ordinance and phased tree clearing regulations, among other provisions in the landscape ordinance.
ENV 1.11. Continue to implement the Chesapeake Bay	The County's Chesapeake Bay Act program was reviewed by state

Preservation Ordinance in order to protect water quality in all drinking water reservoirs within the County.	agencies and found compliant as of June 20, 2011.
ENV 1.14. Properly maintain stormwater facilities by:	The Stormwater Division continues to identify needed maintenance and upgrades to existing County-owned facilities. In the last six months of 2011, engineering contracts were awarded for the repair of 4 facilities.
ENV 1.14.1. Utilizing available resources, including enforcement of maintenance agreements and covenants.	In June 2011, the Stormwater Division completed inspections of all private and County-owned stormwater facilities. Inspection notices with recommended corrective actions, if any, have been sent to owners.
ENV 3.3. Operate programs which seek clear title to, or conservation easements over, environmentally sensitive lands throughout the County in partnership with willing property owners.	The County's green space program has funding to acquire property or obtain conservation easements. Discussion with various property owners is on-going. Exploring opportunities for priority conservation areas on approved watershed management plans.
ENV 4.1. Conduct a baseline energy and greenhouse gas emissions inventory in order to establish target greenhouse gas emission levels based on Cool Counties Climate Stabilization Initiative goals and track emission and energy savings annually.	Baseline inventory was completed on November 2011. New staff position filled in October 2011 which will accelerate progress on organizational energy tracking and the establishment of a process to begin community planning for greenhouse gas reduction.
ENV 4.6.1. Developing an action plan for the installation of energy management control systems and renewable energy technologies and the maintenance of heating and cooling systems at County facilities.	See PF 4.1.
PR PARKS AND RECREATION	
PR 2.1. Continue to coordinate with the Virginia Department of Transportation (VDOT), the Historic Triangle Bicycle Advisory Committee, and local running, hiking, and bicycling clubs to develop a bikeway network consistent with the adopted Regional Bicycle Facilities by seeking County funding whenever feasible and by seeking non-County funding sources.	Throughout 2011, Planning staff continued to attend the Historic Bicycle Advisory Committee and regional meetings/trainings related to non-vehicular transportation. Planning staff worked with VDOT on preliminary engineering plans for the widening of Croaker road which contains a multi-use path.
PR 2.3.5. Continuing to seek funding in the Capital Improvement Program (CIP) for the acquisition and use of open spaces areas and greenways to preserve the scenic, natural, and historic characters of the area.	The Policy Committee of the Planning Commission reviewed a request for \$250,000 over FY13-17 in the County's CIP in December 2011 and recommended the request be ranked as the County's 6 th funding priority. This recommendation will be

	forwarded to the Board for consideration with the FY13-17 budget.
PR 5.1. Continue to encourage new development to dedicate or otherwise permanently convey open space, greenway, and conservation areas to the County or a public land trust.	Planning staff evaluates this item with each development case that is reviewed. Recent open space dedications include land at Stonehouse Tract 12, White Hall, and the Settlement at Powhatan Creek.
PR 5.2. Encourage new development to dedicate right-of-way and construct sidewalks, bikeways, and greenway trails for transportation and recreation purposes, and construct such facilities concurrent with road improvements and other public projects in accordance with the Sidewalk Master Plan, the Regional Bicycle Facilities Plan, and the Greenway Master Plan.	Planning staff reviews site plans and subdivision for consistency with the newly adopted Pedestrian Accommodation Master Plan. Recently approved or constructed plans that included sidewalk or path construction includes Courthouse Commons, Williamsburg Crossing Car Wash, CVS and Food Lion in Norge, the JCC Police Department, intersection of Longhill and Centerville Road, and the intersection of Jolly Pond and Centerville Road. The County has completed coordinating with VDOT on the design work for the intersection in front of James City County River Elementary School and is preparing to begin construction.
PR 6.3. Continue to offer the inclusion service and conduct assessments with persons with disabilities to ensure necessary accessibility for participation in recreation programs.	Staff conducted assessment as requested by citizens and internal staff. From July to December 2011, 160 participants have received inclusion services and 13 new assessments were completed.
PR 9.1. Continue to disseminate brochures and keep up to date information on the Web site to inform County residents and visitors about County parks and recreational opportunities in accordance with approved public information plans.	In 2011, the Parks and Recreation Department reinstituted the twice annual print activity brochure. In September 2011, 15,000 thousand brochures were printed and over 6,000 were distributed to every elementary and middle school student and preschools. Created "Stall Times", a monthly calendar of programs and events that are placed inside bathroom stalls in parks and recreation facilities. In November 2011, staff produced the Destination Recreation Brochure and a mailer to all households advertising classes/facilities and incorporated new coupons. Information on events and activities were placed in all Parks and Recreation facilities.
PN POPULATION NEEDS	
PN 3.4. Promote affordable senior housing options, from independent living to Continuing Care Retirement Communities (CCRCs) and skilled care, for all.	Community Services supported Peninsula Agency on Aging, Bay Aging, the City of Williamsburg, and the Williamsburg Redevelopment and Housing Authorities. Recently the City of

	Williamsburg submitted funding request to the Department of Housing and Community Development to establish 38 units of Supportive Elderly Housing. In December 2011, the Board of Supervisors approved the development of an assisted living facility with capacity for 96 rooms as part of a mixed-use development (Candle Factory).
PF	PUBLIC FACILITIES
PF 1.3. Design facilities and services for efficient and cost-effective operations over the expected life of the facilities or programs.	<p>Examples of designs in 2011 that concentrated on efficient operations over the life of the facilities were:</p> <ul style="list-style-type: none"> • Police HQ Building- LEED Gold Certified and many design components such as roof, floor surfaces, and mechanical systems designed for energy efficiency and long operational life; • Fire Administration Building- Design will be LEED Silver and building components such as listed above are also incorporated; • Building D Renovation- LEED Silver with same type of building components. • Freedom Park Interpretative Center- Geothermal HVAC will result in very low energy usage for HVAC. <p>All new facilities and major renovations comply with the BOS adopted Sustainable Building Policy.</p>
PF 3.1. Development should occur concurrently with the adequacy and accessibility of existing facilities and phased in accordance with the provision of new facilities and services.	Planning staff guides the Policy Committee through review of CIP requests annually. Planning staff is also in the process of developing a cumulative impacts model for the County. In 2011, staff completed coding existing land uses, number of residential units, and type of residential units for all parcels in the County. All legislative cases are reviewed to determine adequacy of surrounding infrastructure, including water, sewer, schools, and roads.
PF 5.4. Prepare and maintain detailed emergency preparedness plans to protect the County's citizens, facilities, and infrastructure.	Emergency Management has completed revisions/updates to the basic emergency operations, radiological response, hazardous materials, and hazard mitigation plans. Review and maintenance of

	all emergency plans is on-going. The Board adopted the updated Emergency Operations Plan (OEP) on November 18, 2011 and the Peninsula Hazard Mitigation Plan Update 2012 on October 25, 2011. The Peninsula Hazardous Materials Plan is in final review and will be presented for Board action early in 2012.
T	TRANSPORTATION
T 3.2. Actively pursue additional local, State, Federal, and private funding to accelerate the construction for all needed modes of transportation facilities.	Staff vigorously pursues federal and state funding from the Transportation Planning Organization (TPO). In April 2011, approximately \$10 million was allocated to the Skiffes Creek Connector project.
T 3.5. Work with VDOT to design new or enhanced complete streets that allow for the safe accommodation of automobiles, public transit, pedestrians, cyclists and other users.	Staff has applied for the Regional Surface Transportation Program (RSTP) funding to retrofit Route 60 in Grove into a complete street. In November 2011, Planning staff worked together with York County, and the City of Williamsburg to apply for a grant with VDOT to enhance Route 60 East.
T 3.9. Include bikeways, pedestrian facilities and/or multi-use trails within major developments and elsewhere in the County, especially connecting residential and non-residential areas and County facilities.	In November 2011, the Board endorsed the Pedestrian Accommodation Zoning Ordinance amendments which require pedestrian facilities and interconnectivity within new developments.

GLOSSARY OF TERMS

AFD	Agricultural and Forestal District
BCTF	Business Climate Task Force
BMP	Best Management Practice
BOS	Board of Supervisors
CIP	Capital Improvements Program
DCHD	Virginia Department of Housing and Community Development
DRC	Development Review Committee
EDA	Economic Development Authority
EOC	Emergency Operations Center
GSA	Goal, Strategy and/or Action
JCWCC	James City-Williamsburg Community Center
LEED	Leadership in Energy and Environmental Design
OED	Office of Economic Development
OHCD	Office of Housing and Community Development
PC	Planning Commission
SSPRIT	Subdivision / Site Plan Review Improvement Team
VDOT	Virginia Department of Transportation
VHDA	Virginia Housing Development Authority



The new Food Lion on Richmond Road has a number of environmentally friendly features.



Historic Past.



Sustainable Future

2008 James City County Comprehensive Plan

JAMES CITY COUNTY PLANNING COMMISSIONERS



Front Left to Right: Tim O'Connor, Rich Krapf, Joe Poole III, Jack Fraley
Back Left to Right: Al Woods, Reese Peck, Mike Maddocks



Mr. Chris Basic was appointed to fill
Mr. Reese Peck's term after his resignation in July.

Planning Division of Development Management
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Residential Development Status Report
Election District Order - Residential Only

Subdivision	Residential Unit Count	Vacant Parcels	Improved Parcels	Total Parcels	Unit Cap
Berkeley					
Acreage Lots	270	104	220	324	0
Albemarle Condos	11	0	11	11	0
Barrett's Ferry	5	3	5	8	0
Barrett's Ferry Landing	0	7	0	7	0
Berkeley's Green	266	9	266	275	0
Bozarth & Mahone	29	6	29	35	0
Cardinal Acres	26	0	13	13	0
Chanco Estate	19	2	19	21	0
Chanco's Grant	123	0	123	123	0
Chestnut Hills	9	0	9	9	0
Deer Run	33	0	33	33	0
Druid Hills	86	1	86	87	0
Drummond's Field	65	2	65	67	0
Drummond's Quarter on the James	9	2	8	10	0
Fernbrook	105	2	105	107	0
Fieldcrest	78	2	78	80	0
First Colony	279	13	279	292	0
First Settler's Landing	8	1	8	9	0
Five Lots on Jamestown Road	2	0	2	2	0
Foxfield	43	0	43	43	0
Frances S. Rees	3	2	3	5	0
Frank Armistead (Jamestown Road)	18	2	16	18	0
Gilliam's Woods	4	0	4	4	0
Gordon Berryman Duplexes	10	0	5	5	0
Governors Green	1	0	1	1	0
Governors Land	671	61	671	732	734
Greensprings Plantation	170	3	170	173	0
Heritage Landing	89	3	89	92	0
Holly Ridge	21	0	21	21	0
Hollybrook	47	2	47	49	0
Jamestown 1607	177	0	177	177	0
Jamestown Hundred	107	0	107	107	0
Kingswood	96	3	96	99	0
La Fontaine	160	0	161	161	0
Lakewood	38	3	38	41	0
Landfall at Jamestown	66	16	66	82	87
Landfall Village	3	13	3	16	0
Marywood	41	24	41	65	90
McFarlin Park	2	3	1	4	50
Norco	1	2	1	3	0

Subdivision	Residential Unit Count	Vacant Parcels	Improved Parcels	Total Parcels	Unit Cap
Oak Hill Condos	12	0	12	12	0
Parrish	5	0	5	5	0
Powhatan Crossing	113	2	113	115	0
Powhatan Secondary	272	0	53	53	1485
Powhatan Shores	98	6	98	104	0
Powhatan Springs	4	0	4	4	0
Raleigh Square	71	1	68	69	0
Settler's Mill	191	4	191	195	0
Shellbank	14	5	14	19	0
Shellbank Woods	131	3	131	134	0
Smith Grove	5	0	5	5	0
St. George's Hundred	236	0	236	236	0
Steers	12	1	12	13	0
The Pointe at Jamestown	134	54	134	188	191
The Settlement at Powhatan Creek	54	106	54	160	400
Village Square	63	0	63	63	0
Villas at Five Forks	65	0	65	65	92
Westray Downs	131	0	131	131	0
Winston Terrace	64	0	64	64	0
Greensprings	992	55	683	738	1505
Governors Grove	7	0	3	3	132
Berkeley Total	5865	528	5259	5787	4766
Jamestown					
Acreage Lots	50	26	47	73	0
Baron Woods	41	0	41	41	0
Belen & Carriage Heights, Parker	137	10	72	82	0
Bradshaw Ordinary	24	2	24	26	0
Brandon Woods	110	1	110	111	0
Brook Haven	36	8	36	44	0
Canterbury Hills	43	2	43	45	0
Chambrel	252	0	1	1	0
Chisel Run	237	0	232	232	239
D.C. Renick on Indigo Dam Road	23	2	23	25	0
D.C. Renick on Jester's Lane	23	9	23	32	0
Ford's Colony	1030	364	1030	1394	3846
Frank Armistead Estate	3	2	3	5	0
Governor's Square	72	0	72	72	0
Graylin Woods	45	1	45	46	0
Greyhound Estates	8	1	8	9	0
Hill	4	0	4	4	0
Indigo Park	142	12	140	152	0
Indigo Terrace	22	0	22	22	0
Ironbound Square	15	32	15	47	0
Ironbound Village	30	0	30	30	0
Jamestown Farms	40	0	40	40	0

Subdivision	Residential Unit Count	Vacant Parcels	Improved Parcels	Total Parcels	Unit Cap
Mill Creek Landing	83	9	83	92	0
Minichiello Villa	4	0	4	4	0
Monticello Woods	131	19	131	150	190
Nelson	8	0	8	8	0
New Town	608	42	344	386	2002
Paddock Green	3	1	3	4	0
Paddock Lane	2	0	2	2	0
Powhatan Secondary	985	32	720	752	0
Regency at Longhill Apartments	206	0	1	1	0
Rolling Meadows Apartments	200	0	1	1	0
Springhill	190	0	190	190	0
Stratford Hall	156	0	1	1	0
The Foxes	7	5	7	12	0
The Hamlet	48	0	48	48	0
The Meadows	254	2	254	256	0
The Mews	109	0	109	109	0
The Midlands	148	0	148	148	0
Vass Meadows	16	0	16	16	0
White Oaks	30	5	30	35	0
Whiting, William L.	6	0	6	6	0
Williamsburg West	50	3	50	53	0
Windsor Estates	5	0	5	5	0
Windsor Forest	347	19	347	366	0
Windsor Meade	207	0	1	1	347
Jamestown Total	6190	609	4570	5179	6624
Powhatan					
Acreage Lots	887	293	702	995	0
Adam's Hunt	91	0	91	91	0
Arlene's View	3	4	3	7	0
Benjamin & Helen Clark	17	13	17	30	0
Burlington Woods	9	17	9	26	26
Camelot	31	2	30	32	0
Chadwicke Estates	3	2	3	5	0
Chickahominy Farmettes W	6	7	5	12	0
Chickahominy Haven	358	46	354	400	0
Cypress Point	79	122	78	200	0
Davis/Clark/JCC	3	0	3	3	0
Deerwood Hills	28	3	28	31	0
Eagle Tree Farms	10	4	10	14	0
Ewell Hall	57	0	57	57	0
Ford's Colony	1280	284	1280	1564	0
Forest Glen	183	1	182	183	0
Fox Ridge	100	0	100	100	0
Green Swamp	4	5	4	9	0
Grove Hill Estates	19	3	19	22	0

Subdivision	Residential Unit Count	Vacant Parcels	Improved Parcels	Total Parcels	Unit Cap
Haven Lake	7	4	7	11	0
Haven Landing	1	6	1	7	0
Heron Run	41	1	41	42	0
Hickory Hill	2	4	2	6	0
J. W. Moore Estate	7	11	6	17	0
Joyce G. Ward	3	2	3	5	0
King's Corner Properties	14	12	14	26	0
Lafayette Manor Apts	375	0	4	4	0
Levi & Letti Wallace	9	3	9	12	0
Liberty Ridge	2	28	2	30	139
Longhill Gate	142	0	142	142	0
Longhill Grove	170	0	2	2	0
Longhill Station	180	0	180	180	0
Mallard Hill	56	2	56	58	0
Merry Oaks	35	4	35	39	0
Minor	0	9	0	9	0
Mulberry Place	50	0	50	50	0
Neal's Grant	4	1	4	5	0
Old Stage Manor	38	0	38	38	0
Powhatan Apts	48	0	1	1	0
Raintree	89	0	89	89	0
Raintree Villas	65	0	65	65	0
River's Bend at Uncles Neck	0	35	0	35	35
Scott's Pond	279	0	279	279	0
Season's Trace	346	0	346	346	0
Sheldon Lumber Company	13	2	13	15	0
Spotswood Commons	212	0	1	1	0
Villages at Westminster	381	0	381	381	0
Westmoreland	75	8	75	83	0
Williams Circle	11	0	10	10	0
Williamstown	3	1	3	4	0
Windmill Meadows	4	4	4	8	78
Winter Park	74	0	74	74	0
Wood Duck Commons & Pheasants Run	53	0	53	53	0
Summerplace	0	1	0	1	164
Westport Ford's Colony	0	45	1	46	102
Powhatan Total	5957	989	4966	5955	544
Roberts					
Acreage Lots	1296	129	259	388	0
Benjamin Jones	5	3	5	8	0
Birchwood Park & Marlboro	132	3	132	135	0
Boughsprings	26	0	26	26	0
Bozarth & Mahone	9	0	9	9	0
Brookside haven	84	0	84	84	0
Carter's Village	31	0	31	31	0

Subdivision	Residential Unit Count	Vacant Parcels	Improved Parcels	Total Parcels	Unit Cap
Chestnut Grove	0	1	0	1	0
Colonial Park	39	0	39	39	0
Colonial Terrace	4	0	4	4	0
Conway Garden Apartments	200	0	2	2	0
Durfey's Mill	3	3	3	6	0
Gatehouse Farms	46	2	46	48	0
Gilley Properties LLC	10	0	5	5	0
Grove	29	2	29	31	0
Grove Area	15	5	15	20	0
Harwood	72	21	72	93	0
James Square	69	0	69	69	0
James Terrace	193	5	193	198	0
John Henry Lee	17	1	6	7	0
Kennington Woods	25	15	25	40	0
Kingsmill	2253	113	2258	2371	2400
Kingspoint	224	6	224	230	0
Lake Powell Forest	162	1	162	163	0
Lake Powell Pointe	42	10	42	52	0
Larson's Lane	6	0	6	6	0
Magruder Heights	31	0	31	31	0
Magruder View	30	2	26	28	0
Marlboro Apartments	48	0	1	1	0
Neck-O-Land Hundred	20	2	15	17	0
Olde Jamestown Apartments	52	0	1	1	0
Page Landing	56	0	56	56	76
Peleg's Point	96	17	96	113	199
Pine Grove	5	0	5	5	0
Pocahontas Square	96	0	96	96	96
Poplar Hall	136	9	136	145	0
Rolling Woods	195	2	195	197	0
Sadie Lee Taylor	64	18	49	67	0
Schulyer & Troy Smith	12	2	12	14	0
Skiffe's Creek Terrace	129	0	129	129	0
Solomon Orange	12	4	12	16	0
South England Point	3	2	3	5	0
Springdale	13	2	13	15	0
Stonegate Apartments	128	0	1	1	0
The Colony	30	4	30	34	0
Tom & Hazel Kearney	9	2	8	10	0
Vineyards at Jockey's Neck	93	14	93	107	0
Wallace Woods	20	0	12	12	0
Williamsburg Landing	530	0	3	3	0
Williamsburg Terrace MHP	4	0	4	4	0
Wynn's	5	4	5	9	0
Roberts Total	6809	404	4778	5182	2771

Subdivision	Residential Unit Count	Vacant Parcels	Improved Parcels	Total Parcels	Unit Cap
Stonehouse					
Acreage Lots	1215	337	938	1275	0
Beeson, John L.	10	0	10	10	0
Blackthorn Green	0	5	0	5	0
Boyd Acres	6	0	6	6	0
Briarwood Park	38	0	38	38	0
Broughton Tract	14	2	10	12	0
Burnham Woods	47	0	47	47	0
Burnt Ordinary	102	2	3	5	0
Bush Springs	10	7	10	17	0
Clover Dale	3	1	3	4	0
Colonial Heritage	703	34	703	737	2000
Cooke	9	0	8	8	0
Countryside	1	4	1	5	0
Cox	4	3	4	7	0
Croaker	6	4	5	9	0
Elmwood	75	7	75	82	0
Farmville Estates	22	1	22	23	0
Fenton, Benjamin W. Estate	4	0	4	4	0
Fenwick Hills	144	35	144	179	179
Glenwood Acres	32	1	33	34	0
Great Woods	49	2	49	51	0
Haley & Whitehall	6	2	6	8	0
Hankins Industrial Park	0	1	3	4	0
Hazelwood, Donald	5	1	5	6	0
Higg, Katherine Smith	5	0	5	5	0
Holly Hill	5	4	5	9	0
Hunter's Creek	76	2	76	78	0
Ivey Dell	8	2	8	10	0
James F & Celia Ann Cowles	1	3	1	4	0
James Shire Settlement	19	2	19	21	0
Johnson's Meadows	7	0	7	7	0
Joshua's Glen	1	0	1	1	0
King's Village	49	0	50	50	0
Knemeyer-Potter	0	7	0	7	0
Kristiansand	198	6	199	205	0
Lake Toano Estates	130	5	130	135	0
Lakeside West	3	0	3	3	0
Lakeview Estates	0	9	0	9	0
Landis-Brown	5	1	5	6	0
Liberty Crossing	138	31	138	169	244
Longhouse Village	15	0	15	15	0
Magnolia Cove	3	0	3	3	0
Meadow Lake	24	1	24	25	0
Mertens	24	8	24	32	0

Subdivision	Residential Unit Count	Vacant Parcels	Improved Parcels	Total Parcels	Unit Cap
Michelle Point	87	19	88	107	110
Mirror Lakes Estates	241	4	241	245	0
Moss Side	8	0	8	8	0
Norge	8	3	9	12	0
Norge Court	26	3	27	30	0
North Cove	38	4	38	42	0
Norvalia	57	0	57	57	0
Oak Grove	3	0	3	3	0
Oakland	40	3	40	43	0
P.W. Development	3	0	3	3	0
Paul N. Carrithers	15	0	15	15	0
Pendleton, Elijah	4	0	4	4	0
Pineridge	28	3	28	31	0
Piney Woods Estates	0	8	0	8	0
Polk Estates	2	2	2	4	0
Quail Run	6	0	6	6	0
Racefield	99	3	100	103	0
Remington	6	1	6	7	0
Reservoir Ridge	3	0	3	3	0
Riverview Plantation	99	18	99	117	0
Roper, George W. II	2	3	2	5	0
Sand Hill	24	0	24	24	0
Sheppard & Kinley	11	0	11	11	0
Skillman Estates	11	6	11	17	0
Smith, Florence & Betty	4	1	4	5	0
Stephen's Tract & Sycamore Landing	8	3	8	11	0
Stonehouse	572	176	572	748	4411
Temple Hall Estates	59	18	59	77	0
The Pines	6	0	6	6	0
The Retreat	48	21	48	69	0
Toano	4	3	6	9	0
Toano Terrace	24	20	24	44	0
Toano Trace	60	0	60	60	0
Toano Woods	76	0	77	77	0
Tyssen, Henry	5	0	5	5	0
Ware Creek Manor	65	0	65	65	0
Warren Farm Estates	5	4	5	9	0
Weatherly @ Whitehall	12	0	12	12	79
Wellington	241	16	242	258	367
Westbank Farms	22	2	21	23	0
Wexford Hills	64	24	64	88	0
White Hall	85	60	85	145	415
William Lee Tract	44	6	44	50	0
Williamsburg Pottery	0	0	1	1	0
Williamsburg Village @ Norge	57	5	57	62	82

Subdivision	Residential Unit Count	Vacant Parcels	Improved Parcels	Total Parcels	Unit Cap
Willow Pond Estates	1	5	1	6	0
Woodland Farms	84	17	84	101	0
Walnut Grove	0	2	0	2	85
Stonehouse Total	5583	993	5215	6208	7972
Grand Total	30404	3523	24788	28311	22677

Legend:

Residential Unit Count = Number of dwelling units

***(In many cases, there are more than one dwelling unit on a parcel)**

Vacant Parcels = Parcels that do not have dwelling units

Improved Parcels = Parcels that contain at least one dwelling unit

Total Parcels = Total vacant and improved parcels

Unit Cap = The maximum number of units based on master plans, plats or construction plans

***(Unit caps are not complete for all subdivisions)**

Notes:

1- Larger master planned communities may include single family and multi-family units

2- Timeshares are not counted as dwelling units

3- Powhatan Secondary and Ford's Colony developments are split between voting districts

***(Unit caps for these two areas are only listed in one district)**

4- This document is a "work-in progress". Staff will add additional data when available

AT A WORK SESSION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 28TH DAY OF FEBRUARY 2012, 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

Mary K. Jones, Chairman, Berkeley District
John J. McGlennon, Vice Chairman, Roberts District
James G. Kennedy, Stonehouse District
James O. Icenhour, Jr., Powhatan District

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

C. BOARD DISCUSSION

1. Stage II Zoning Ordinance Update for Non Priority Items – Continued from the January 24, 2012 Work Session

Ms. Tammy Rosario, Principal Planner, began the work session discussion on the topics of density calculations and density bonuses, which have an overlap with both residential and multiple use districts. Ms. Rosario stated that at last month's work session, there was review of the stepped-scale approach introduced by staff. The Board members requested specific examples from various developments. Ms. Rosaria stated that this information has been provided as Attachment No. 8.

Ms. Ellen Cook, Senior Planner II, explained the spreadsheet table and scale and stated that the department wanted to include as much information as possible on developable and non-developable properties.

Mr. Icenhour questioned some of the definitions and asked if the definitions are clear and easy to apply and understand from staff's and applicant's viewpoint.

Ms. Rosario stated that the new definitions make matters clearer because the terms used are more typically used in today's developmental process.

Ms. Jones questioned density measurements. She stated that currently the County requires an additional 15 percent of the developable area of the site be set aside as open space. Ms. Jones stated that this would be an additional imposition on a potential applicant.

Ms. Cook stated that the non-developable definition change did also affect open space requirements and that the open space percentage was adjusted down. Ms. Cook stated that there is a range.

Mr. McGlennon questioned the net developable area formula and inquired as to how recognition is given to parcel developability.

Mr. Allen Murphy, Acting Manager of Development Management and Planning Director, responded that the 35 percent formula was a compromise reached when the County involved the development community in the ordinance process.

Mr. Icenhour inquired if the existing 35 percent system actually provided an incentive for putting density where you really would not want it.

Mr. Murphy responded that when the Board considers a residential development, it would consider the suggested densities in the Comprehensive Plan. He stated that the current formulas in the zoning ordinance would allow more units given recognition that part of the undevelopable land could be counted in the density calculation. He further stated that as part of legislative approval, the Board would know just how many units were being proposed on how many developable acres. The total build out could be compared to what is suggested by the Comprehensive Plan, which is currently in gross density.

Ms. Jones recognized that Mr. Tim O'Connor, Chairman of the Planning Commission, was present at the work session. Ms. Jones asked Mr. O'Connor to provide the details of the discussion that the Policy Committee had on net developable versus gross density issue.

Mr. O'Connor responded that the meeting discussions focused on language being clear to the applicant and process streamlining.

Mr. Icenhour stated that under the current regulations, there are three different ways to calculate density. He suggested that the County consider choosing one method and utilizing it across the board.

Ms. Rosario commented that the Board has been working towards this method with the stepped-scale approach and asked whether the Board would be comfortable with this method.

Mr. Icenhour stated, while he prefers the net because it allows building at a consistent density on developable property, that the stepped-scale approach is a reasonable alternative he could support.

Ms. Jones stated that she could be supportive of the stepped-scale approach.

Mr. McGlennon stated that his preference is the net. He stated that the net developable provides a better indication of what is going to actually fit.

Ms. Rosario introduced the density bonus provisions in residential and mixed use areas as the next item for discussion.

Mr. Icenhour questioned whether or not there are different density bonus options in R5, cluster, and mixed use developments. He questioned whether they had the same point status. He questioned if the cluster category had the varying point values.

Ms. Rosario responded that only the cluster had the varying point values. She also noted that there is an additional density bonus provided in the cluster category which is adherence to open space principles.

Mr. Icenhour expressed concern over several density bonuses that do not measure up to the level of some of the other items in providing benefit to County citizens. He stated that some items should not be on the chart. He stated that there should be a weighting system across the board which should be consistent from one zoning category to another.

Mr. McGlennon questioned if it could be determined which points were used more frequently than others.

Ms. Cook responded that she researched past proffers and master plans, but that she could not produce that tally.

Mr. McGlennon questioned if the bonus list could be more simplified and prioritized. He stated that there are good reasons to provide density bonuses.

Ms. Jones expressed concern regarding grading the different types of open space designs. She stated that she didn't want to see the process complicated because the County would lose predictability of land use for the citizens, property owners, and developers.

Mr. McGlennon stated that he believed that there would be less predictability when a bonus is provided for a much wider range of options.

Mr. Icenhour expressed concern that the County will give density bonus for open space, regardless if the open space is a soccer field with 100 children using it or a path through a swamp. He indicated that there is value in both, but has difficulty with open space being generally categorized.

Ms. Cook stated that the department tried to put more specifics in the ordinance as to what they would like to see in open space, some of which is limited by State code.

Ms. Jones questioned if the Chesapeake Bay Preservation Ordinance is currently required.

Mr. Murphy stated that the Chesapeake Bay Preservation Ordinance is required, but that the density bonus item listed in this ordinance is above and beyond what the Chesapeake Bay Ordinance requires because it is directed towards exclusive or majority use of low impact site design measures.

Mr. McGlennon questioned as to what extent the State Code prevents the County from mandating better site designs for stormwater management.

Ms. Cook responded that she did not believe this particular item was restricted by State Code.

Ms. Jones inquired as to what areas are limited by State Code.

Ms. Cook stated that the State limits pertain to the cluster category.

Ms. Rosario inquired if the Board had any more questions or concerns on what options the Board considered necessary or unnecessary density bonuses.

Mr. Icenhour discussed the bonus density options that he felt would provide the greatest benefit to the community.

Mr. Kennedy expressed his thoughts and concerns on affordable and work force housing density bonus. He expressed his thoughts on the Williamsburg Area Transit Authority (WATA) bus stops being important with mass transit and the green design.

Mr. McGlennon stated that he felt it important to have a good transportation system. However, he stated that many parcels would be ineligible for the density bonus. He stated that a development cannot have a WATA stop if there is no service to that area.

Mr. Kennedy stated that with the increased gas prices, maybe more people would take the bus. He stated that if an item is removed from getting the density bonus he did not want to see it become a proffered requirement.

Ms. Rosario asked the Board if they would examine the weighting of the bonus density items.

Mr. Icenhour questioned that if property is being rezoned and it comes to the Board for legislative action, does the Board still have an opportunity to take a look at whether or not the Board thinks the particular density bonus option provided meets what the Board would like to see in the community. He questioned that if the property were already zoned, would it become a by-right or an administrative application.

Ms. Jones and Mr. Icenhour both expressed concern with leaving in-fill as a density bonus option.

Ms. Rosario questioned whether there was a consensus to remove in-fill as a density bonus.

Ms. Jones stated that this could be a case-by-case decision and that maybe it should not be removed as a bonus density option.

Mr. Icenhour stated that he would not have a problem with the in-fill density bonus if the matter came before the Board and not staff.

Mr. Kennedy stated that it would be appropriate to discuss in-fill density bonus on a case-by-case issue.

Ms. Rosario opened the discussion to include R4, PUD, Mixed Use, and R5 topics.

Mr. McGlennon questioned changes in the Mixed Use district.

Mr. Jason Purse, Senior Planner II, responded that the only changes to the permitted/specially permitted uses in the mixed use district were ones that were discussed at the Economic Opportunities (EO) stage as well. He stated that there were very few changes to the actual uses in Mixed Use.

Ms. Rosario stated that any discussion pertaining to density calculations and bonuses would be applied to multiple use districts and residential districts.

Mr. Icenhour questioned if there are any R5 properties that have not been developed.

Ms. Cook responded that an open field by the church located near the James City County/Williamsburg Community Center was not developed.

Mr. Icenhour questioned if there was R5 zoned property on Croaker Road.

Ms. Cook stated that yes, there was a rezoning, but it is subject to a binding master plan.

Mr. Icenhour stated his concern about the terminology of “or otherwise” on page 54 – Cluster Ordinance Chart regarding low density, moderate density, and open space.

Mr. Kennedy stated that he could support stepped-scale, however, he prefers net on EO.

Mr. McGlennon stated he prefers net.

Ms. Jones stated she supports stepped-scale

Mr. Icenhour stated that he prefers net, but stated that he could support stepped-scale, leaving EO at net. He also questioned Mixed Use language and asked how the staff defines the 80 percent ratio in regards to housing units and commercial square footage. He stated that he would like a clearer definition on defining that ratio.

Ms. Rosario responded that this information is in the ordinance in concept form and she recognized that moving through Stage 3, the County will need to refine some of the specifics. She stated that if the Board concurs with the concept of ensuring a basic level of mixture, the County would then look to quantifying specifications either through ordinance or policy form.

Mr. McGlennon questioned if a site was being developed for residential or commercial developers, would the residential developer have to wait until the commercial developer has developed to the threshold required.

Ms. Rosario responded that the construction phasing guidelines are in policy form and stated that this concluded her meeting on residential and mixed use. Ms. Rosario turned the discussion over to Mr. Christopher Johnson, Principal Planner.

Mr. Johnson spoke to the Board on updating administrative and procedural changes and also on clarifying references to non-conforming use and non-conforming structures. He inquired of the Board if they had any question.

Mr. Icenhour asked how much impact the County had from the development community in preparing the Fiscal Impact Study template.

Mr. Johnson stated that the County got a fair amount of input from the development community and stated that the development community thought it was fair.

Mr. McGlennon inquired if the template was going to replace the analysis the developer was previously providing and if the analysis would still be required to be submitted.

Mr. Jose Ribeiro, Senior Planner, responded that only the template would be required to be submitted, although the applicant would have the option of providing any supplemental information he or she thought was appropriate.

Ms. Jones questioned the Environmental Constraint Analysis for Legislative Cases Resolution. Ms. Jones also questioned how the Natural Resource Policy determined rare or endangered animal and plant species and how frequently this was determined.

Mr. Johnson responded that the State Department of Conservation and Recreation (DCR) had a wealth of information available that the County can now incorporate into the County's existing data. He stated that there are maps available that provide locations of rare and threatened animal and plant species.

Mr. McGlennon questioned the source of the endangered species policy study.

Mr. Johnson believed the study refers one back to the State to put one in touch with the people who know more about the study.

Mr. McGlennon inquired as to the level of expectation when an applicant stated an endangered study has been done.

Mr. Johnson responded that the department would inquire to see a copy of the study.

Mr. McGlennon questioned if the Natural Resource Policy requires a report to be submitted.

Ms. Rosario stated the policy does have standards referring back to the clearinghouse agency and their standards.

Mr. McGlennon questioned what standard the County was going to expect the applicant to meet.

Mr. Johnson assured the Board that his department is encouraging applicants to submit a project conceptually and taking the project to the Development Review Committee (DRC) for initial feedback. They can bring in consultants to meet with staff, ensuring that everyone is on the same page.

Ms. Jones inquired if the Board had any more questions.

Mr. Icenhour made a motion to go into closed session for consideration of a personnel matter, involving the mid-year performance of the County Administrator pursuant to Section 2.2-3711(A)(1) of the Code of Virginia.

On a roll call the vote, the vote was: AYE: McGlennon, Icenhour, Kennedy, Jones (4). NAY: (0)

RESOLUTION

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Board of Supervisors of James City County, Virginia, (Board) has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby certifies that, to the best of each member's knowledge: i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies; and ii) only such public business matters were heard, discussed, or considered by the Board as were identified in the motion, Section 2.2-3711(A)(1) of the Code of Virginia, consideration of a personnel matter, involving the mid-year performance of the County Administrator.

Mr. McGlennon made a motion to adopt the Closed Session resolution.

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

(0)

D. BREAK

At 6:55 p.m., the Board took a break.

Robert C. Middaugh
Clerk to the Board

022812bosws_min

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 28TH DAY OF FEBRUARY 2012, 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

Mary K. Jones, Chairman, Berkeley District
John J. McGlennon, Vice Chairman, Roberts District
James G. Kennedy, Stonehouse District
James O. Icenhour, Jr., Powhatan District

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

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE – Benjamin Helbert, a 4th grade student at Matoaka Elementary School, led the Board and citizens in the Pledge of Allegiance.

E. PRESENTATIONS – None

F. PUBLIC COMMENTS

1. Ms. Sue Sadler, 9929 Mountain Berry Court, Toano, addressed the Board and questioned the local newspaper attacks on certain officials and their families. She expressed gratitude to her local representative for taking a stand against unnecessary regulations. She also expressed appreciation to the Supervisors who were willing to vote against initiatives that drained the Federal budget of grant monies. Ms. Sadler views against United Nations Agenda 21.

2. Mr. Paul Cieurzo, 200 Cruden Bay, representing the Directors of the Ford's Colony Homeowners Association (HOA), addressed the Board regarding the Westport Development. Mr. Cieurzo stated that the HOA Board recognizes this as a viable neighborhood which will add desirability to the community as a whole. Mr. Cieurzo informed the Board that nine property owners, who purchased lots several years ago, are unable to build. Mr. Cieurzo expressed concerns over the lack of a plan. He stated the plan, which was originally submitted to the County, did not foresee a need for a second access point to Centerville Road. He also expressed concerns that when the lots were purchased, certain amenities such as the marina on Gordon Creek and an activities building were promised. The HOA Board would like to make sure those amenities were included in the plans. He requested the Board of Supervisors to encourage Meridian Construction Capital (Meridian) and the County to include the HOA Board in the development of a new plan.

3. Mr. John Pottle, 4233 Teakwood Drive, Williamsburg, gave an invocation to the Board.

4. Mr. Keith Sadler, 9929 Mountain Berry Court, Toano, addressed the Board regarding the Historic Triangle Comprehensive Plan. He made the comment that this plan will add to the list of regulations that affect property rights. He stated that policies come from the American Planning Association (APA). He expressed concern that James City County belongs to the APA and expressed his opposition to Agenda 21. Mr. Sadler expressed thanks to Ms. Jones and Mr. Kennedy for their actions at the last meeting for supporting the best candidate for the vacant Board of Supervisors' seat that they believed was most qualified. Mr. Sadler expressed disappointment that Ms. Bledsoe felt she had to withdraw from the race.

5. Mr. Tom Hitchens, 350 Thompson Lane, Williamsburg, addressed the Board regarding the Westport matter. Mr. Hitchens advised the Board that his property is 35 acres on Gordon's Creek, adjacent to the failed subdivision. He stated that Meridian has asked for the Board's help and the taxpayers of James City County to save the failed subdivision. He stated that his tax dollars should not be used to help correct bad financial choices of individuals. He challenged the Board to think on how deeply its actions will allow Meridian to increase its profits and recoup its losses and, in doing so, will further burden infrastructure.

6. Mr. Ed Oyer, 139 Indian Circle, Williamsburg, spoke to the Board regarding schools adding to their class size. He also talked about vacant commercial space being used for educational purposes.

G. BOARD REQUESTS AND DIRECTIVES

Mr. Icenhour extended his thanks to Mr. Carroll, Virginia Department of Transportation (VDOT), for his quick response with the shoulder stabilization project on Jolly Pond Road.

Ms. Jones passed on her condolences and prayers to a former Board member, Ms. Denise Koch, and her family for their recent loss.

H. CONSENT CALENDAR

1. Minutes –
 - a. February 6, 2012 – Special Meeting
 - b. February 14, 2012 – Regular Meeting

Mr. Icenhour made a motion to approve the Consent Calendar with a correction of a 4 p.m. meeting time, instead of 7 p.m., on the February 6, 2012, minutes.

On a roll call vote, the vote was AYE: McGlennon, Icenhour, Kennedy, Jones (4). NAY: (0).

I. PUBLIC HEARING

1. Ordinance to Vacate Approximately 0.621 Acres of Right-of-Way near the Intersection of Powhatan Secondary and Monticello Avenue

Mr. Leo Rogers, County Attorney, addressed the Board regarding this matter. Mr. Rogers informed the Board that the Powhatan Secondary HOA requested that the County vacate this existing right-of-way. The abandonment would abandon it as a public road and the vacation would turn it over to the HOA to be used as a park and recreational amenity.

Mr. McGlennon made a motion to approve the appropriation.

On a roll call vote, the vote was AYE: McGlennon, Icenhour, Kennedy, Jones (4). NAY: (0).

J. BOARD CONSIDERATION

1. Approval of A Memorandum of Agreement for the Westport Subdivision

Mr. Rogers, County Attorney, addressed the Board regarding this matter. Mr. Rogers stated that while the County is not engaged in the business of development, it does serve as a consumer protection agent when it comes to the subdivision of lots. Mr. Rogers stated that it is required by local and State code that certain amenities get put into place and that the County requires surety to see that the amenities are provided. He stated that in the Westport case, a property owner has not completed the subdivision improvements. The County is holding a bond for \$2,245,000, which is not taxpayer money. Mr. Rogers stated that the equity holder, Meridian Land, has requested that they enter into a partnership arrangement with the County to provide the subdivision improvements. Meridian, or the property owner, would get the well system and the specifications for the subdivision prepared. The County would then proceed with calling the bond and holding the funds in escrow. Mr. Rogers stated that this would be a by-right subdivision. There would be no rezoning, or proffers. It would be done according to ordinance. The lot owners would have whatever claim as to what type of development is to be built and the County could certainly keep Ford's Colony HOA informed. Once that is done, the County would enter into a cooperative procurement with Meridian, or one of its equity holders, and the County would begin the development of the subdivision improvements using all of the bond proceeds. The County's full extent of the liability is the amount of proceeds received under the bond. Once that is completed, the remaining subdivision improvements would become the responsibility of the developer of the by-right subdivision.

Mr. Kennedy asked Mr. Rogers if it is typical that the bond requirement would not cover the necessary improvements.

Mr. Rogers responded that it is not. He explained that County staff generally overestimates the cost of the project and includes a 10 to 15 percent administrative cost along with the bond in the event that the County has to administer the project.

Mr. Kennedy inquired as to what happened in this case.

Mr. Rogers responded that the County staff underestimated the amount of the surety that was required for this project.

Mr. Kennedy inquired if this land has been foreclosed on and, if they do foreclose and the County does call the bond, is Meridian is under no obligation to build to any of the specifications that the Board received from the HOA?

Mr. Rogers responded that the land was not foreclosed on and that Meridian has not come into title. Mr. Rogers explained the process of how Meridian would come into title. Mr. Rogers further advised that once Meridian has title, they are the developer and would not have an obligation to the County to build the subdivision in accordance with what was previously provided. The obligation may run to the lot owners who would then have civil action against Meridian.

Ms. Jones and Mr. Kennedy inquired if this matter went through the Development Review Committee (DRC).

Mr. Rogers spoke about water improvements and informed the Board that this is outside the Primary Service Area (PSA) and that there is a requirement for an independent water system, which would be conveyed to the James City Service Authority (JCSA). Mr. Rogers informed the Board that it is a by-right community that did get approval through the DRC per ordinance.

Mr. Kennedy asked Mr. Rogers as to what would happen if the Board would say no to calling the bond.

Mr. Rogers responded that the County has been threatened by the lot owners with a lawsuit to enforce the alleged obligations under County law to provide consumer protection to those who purchased the lots.

Mr. McGlennon questioned the possibility of the development connecting to public water and public sewer.

Mr. Rogers responded that under this proposal, the answer would be no. He stated that one of the conditions to calling the bond is the approval of an independent water system by JCSA and the State authority.

Mr. McGlennon asked if the agreement specifies what improvements would be made with the proceeds from the bond.

Mr. Rogers stated that the subdivision improvements are estimated at \$3.9 million and the amount of the bond does not cover the whole amount. He stated that it is anticipated that the bond proceeds would be used to build the well system.

Mr. McGlennon questioned that with the continuation of the development, what financial security does the County have if the County claims the bond.

Mr. Rogers indicated that once the bond is claimed, the County gets the proceeds and starts to build the subdivision improvements. When Meridian's equity company develops the property, they would also be required to post a bond, pursuant to the subdivision ordinance, to make sure that all the improvements that are proposed are completed.

Mr. Kennedy questioned if this subdivision would be part of Ford's Colony.

Mr. Rogers responded yes. He further mentioned that Meridian and Ford's Colony could come to a different arrangement.

Mr. Kennedy asked how do the lot owners in this situation become whole.

Mr. Rogers responded that they would become whole through this agreement. The subdivision improvements would be put in place that would allow them to develop their lots.

Mr. Kennedy inquired as to what measures the County has in place now to prevent anything from happening again with bonds.

Mr. Rogers responded that the former Environmental Division looks at these projects and estimates the cost of these projects. The County usually overestimates the cost of the surety and the County adds an administrative percentage on top of the estimated amount.

Mr. McGlennon inquired as to what happens if the developer is unable to get the necessary permits for the well.

Mr. Rogers stated that matter is a conditioned precedent of the agreement. He stated that if the developer is unable to obtain the approval, the agreement is null and void.

Mr. Icenhour stated that Section 35 is part of Ford's Colony as far as the HOA is concerned, even though it is not part of the master plan. Mr. Icenhour further stated that he believed the County has a legal obligation when it takes bonds, that if something goes wrong, the County tries to complete what the County has taken the bond on.

Mr. Rogers stated that the County is approving the plan and the purchasers under the plan have an expectation of what a subdivision is going to look like. Holding a surety is to meet those expectations.

Mr. Icenhour stated that it should be the County's goal to see that the landowners have buildable lots. He noted from the handout that he received that the activities building was originally planned to be sited on a piece of property inside the PSA that belongs to the Ford family. He noted that it is not part of the property. Mr. Icenhour also noted that the site where the well was going to go was lost in bankruptcy. He questioned how the County will be compensated for staff time. He inquired if taxpayer dollars for staff time will be used outside the bond money.

Mr. Rogers stated that in a normal failed subdivision, it would be the full responsibility of the County to complete the improvements, determine the specifications, call the surety, procure a contractor, and manage the contract. He stated that in this case the County would have less responsibility since the County is working with the bank on the specifications. The bank would be the project manager. The County has to call the bond and the County has to do the procurement. This part of the staff costs would not be paid out of the bond proceeds.

Mr. Icenhour made a motion to approve the resolution. Mr. Icenhour commented that the County has an obligation to make sure the taxpayers have buildable lots. He stressed that beyond that, it is the responsibility of the development.

Mr. McGlennon stated that he will support the request with the understanding that this subdivision will not be connected to the PSA. This action is being taken in order to allow the construction of an independent well that would permit them to move forward.

Mr. Kennedy stated that the lot that was supposed to house the central well is no longer available and questioned whether the County knows of another lot to be used for the central well.

Mr. Rogers explained that it is not that the lot is no longer available; the lot is no longer available under common ownership. He stated that it could be acquired, if that was the plan of the new developer. He stated that the test well for the project is in Section A, which is under the ownership of Realtec with Meridian owning the equity interest and will be used as the site for the well.

Mr. Kennedy indicated that he would support the resolution with reluctance. He indicated he is not supportive of it becoming part of the PSA. He stated that there was talk with East/West Partnerships for a dual well.

Mr. Rogers indicated that the well was not sized sufficiently with East/West Partnerships to handle the water needs of this development.

Mr. Kennedy questioned the cost of the well.

The question was referred to Mr. Larry Foster, General Manager of JCSA, who indicated that the best estimate, based on JCSA interactions with the developer on the Liberty Ridge project, was \$2 million for the well facility.

Mr. Kennedy inquired if the Liberty Ridge well would be the same size well needed for the Westport subdivision.

Mr. Foster stated water demand would be based on the lots in the development. He believed the well size may be comparable within a reasonable range, but would have to determine how many lots are in each subdivision.

On a roll call vote, the vote was AYE: McGlennon, Icenhour, Kennedy, Jones (4). NAY: (0).

RESOLUTION

APPROVAL OF A MEMORANDUM OF AGREEMENT FOR THE WESTPORT SUBDIVISION

WHEREAS, Realtec Incorporated, a North Carolina corporation, is the owner of certain land in James City County (the "County") commonly known as the Westport Subdivision; and

WHEREAS, Meridian Land Company, LLC, a Minnesota company, is the successor in interest to Meridian Bank, National Association, and Meridian Construction Capital, LLC, the lien holder on the Westport Subdivision; and

WHEREAS, lots in the Westport Subdivision have been sold to individuals; and

WHEREAS, certain infrastructure and improvements, such as a central well system, water system, and roads, have not been developed to allow the lot owners to use their property for its intended purpose; and

WHEREAS, the County is holding a public improvement bond in the amount of \$2,245,000 which is insufficient to construct the necessary improvements in the Westport Subdivision; and

WHEREAS, the County, Realtec Incorporated, and Meridian Land Company, LLC desire to enter into a Memorandum of Agreement (MOA) to identify responsibilities of each of the parties in constructing the necessary improvement to the Westport Subdivision; and

WHEREAS, the County's liability under the MOA is limited to the amount it receives from drawing on the public improvement bond.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that Robert C. Middaugh, County Administrator, is hereby authorized and directed to execute a MOA with Realtec Incorporated and Meridian Land Company, LLC to provide necessary infrastructure improvements to the Westport Subdivision.

K. PUBLIC COMMENT

1. Mr. Ed Oyer, 139 Indian Circle, Williamsburg, spoke to the Board about a 1998 article about housing in James City County.

2. Mr. Tom Hitchens, 350 Thompson Lane, Williamsburg, expressed disappointment with the Board's approval of the Westport subdivision resolution. Mr. Hitchens stated that the County is overwhelmed with building and that he does not like the way the County is headed. Mr. Hitchens stated that the County is not following its mission statement for protecting resources.

L. REPORT OF THE COUNTY ADMINISTRATOR

Mr. Middaugh stated that the biennial real estate assessments have been completed by the County and the assessment notices will be mailed out on February 29. He noted that the assessments decreased 3.67 percent, from \$11.3 billion to \$10.9 billion. Mr. Middaugh also noted that residential values dropped on the average of 5.64 percent across the entire County.

Mr. Middaugh stated that there will be a joint meeting with the Williamsburg City Council, James City County Board of Supervisors, and Williamsburg-James City County School Board on March 7, 2012, at 8 a.m. at the Law Enforcement Center. The Board will be meeting about the annual school budget and the capital plan for the School.

Mr. Middaugh stated that the Board will be going into Closed Session to discuss the School Board contract and an appointment to the Planning Commission.

M. BOARD REQUESTS AND DIRECTIVES

Mr. Icenhour commended staff for the Black History Month program held at the Community Center. Mr. Icenhour also mentioned that he attended two new businesses openings at Premium Outlets: Longaberger Basket and Pepperidge Farms.

Ms. Jones mentioned that on February 21, 2012, she, along with York County Chairman Sheppard, Williamsburg Mayor Haulman, and James City County Assistant County Administrator Powell, attended the Chamber Community Class.

Ms. Jones also mentioned that on February 27, 2012, she attended the Historic Triangle Comprehensive Plan Forum held in the City of Williamsburg. She indicated that there were approximately 60-70 people in attendance. She stated that the final forum will be held on March 15, 2012, from 7 to 8:45 p.m. in York County.

Ms. Jones mentioned that on March 9, 2012, James City County will be hosting Arbor Day at Legacy Hall at 11 a.m.

At 7:59 p.m., Ms. Jones recessed the Board for a meeting of the JCSA Board of Directors.

At 8:01 p.m., Ms. Jones reconvened the Board.

N. CLOSED SESSION

Mr. McGlennon made a motion for the Board to go into Closed Session pursuant to Section 2.2-3711(A)(6) and Section 2.2-3711(A)(11) of the Code of Virginia to discuss:

- a. School Contract Negotiation
- b. Planning Commission Vacancy

On a roll call vote, the vote was AYE: McGlennon, Icenhour, Kennedy, Jones (4). NAY: (0).

RESOLUTION

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Board of Supervisors of James City County, Virginia, (Board) has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby certifies that, to the best of each member's knowledge: i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies; and ii) only such public business matters were heard, discussed, or considered by the Board as were identified in the motion, Section 2.2-3711(A)(6) of the Code of Virginia, discussion of contract negotiations where financial interests of the County are involved.

RESOLUTION

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Board of Supervisors of James City County, Virginia, (Board) has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby certifies that, to the best of each member's knowledge: i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies; and ii) only such public business matters were heard, discussed, or considered by the Board as were identified in the motion, Section 2.2-3711(A)(1) of the Code of Virginia, consideration of a personnel matter, the appointment of individuals to County boards and/or commissions.

O. ADJOURNMENT

At 8:24 p.m., Ms. Jones adjourned the Board until March 7, 2012, at 8 a.m.

Robert C. Middaugh
Clerk to the Board

02812bos_min

MEMORANDUM COVER

Subject: Neighbors Drive/Richmond Road Neighborhood Improvement Project - Community Development Block Grant Application - \$1,070,000

Action Requested: Shall the Board authorize the County Administrator to apply for Community Development Block Grant (CDBG) Funds for the Neighbors Drive/Richmond Road Neighborhood Improvement Project?

Summary: The County is eligible to apply to the Virginia Department of Housing and Community Development (VDHCD) for \$1,070,000 of CDBG funds. The CDBG funds would be used to assist in funding construction of a paved public road to replace the private dirt lane known as Neighbors Drive, construction of related infrastructure, and rehabilitation or replacement of housing for 10 low- to moderate-income households in the project area.

Staff recommends the Board of Supervisors authorize the County Administrator to apply for \$1,070,000 in Community Development Block Grant funds.

Staff recommends approval of the attached resolution.

Fiscal Impact: The CDBG funds will provide \$1,070,000 to the County for use in this project. The local match funds are available from the County's Community Development Fund and from in-kind contributions from the Engineering and Resource Protection Division.

FMS Approval, if Applicable: Yes ☐ No ☐

Assistant County Administrator

Doug Powell _____

County Administrator

Robert C. Middaugh _____

Attachments:

1. Memorandum
2. Resolution
3. Project Activity Summary
4. Proposed Budget
5. Project Boundary Map
6. Acquisition Map
7. Rendered Concept Plan

Agenda Item No.: J-1

Date: March 13, 2012

MEMORANDUM

DATE: March 13, 2012

TO: The Board of Supervisors

FROM: A. Vaughn Poller, Housing and Community Development Administrator

SUBJECT: Neighbors Drive/Richmond Road Neighborhood Improvement Project - Community Development Block Grant Application - \$1,070,000

Attached for your consideration is a resolution authorizing the County Administrator to submit an application to the Virginia Department of Housing and Community Development (DHCD) for a \$1,070,000 Community Development Block Grant (CDBG) to assist in funding the multiyear Comprehensive Community Development Project known as the Neighbors Drive/Richmond Road Neighborhood Improvement Project (the "Project"). This project is the companion project to the Forest Heights Richmond Road CDBG project the Board approved in 2010. This memorandum, along with the attached Project Activity Summary, Proposed Budget, and Project Boundary Map, describes the housing and infrastructure improvements designed to address critical needs identified by the residents of the predominantly low- and moderate-income project area.

Project Planning and Citizen Participation

In 2009 following a meeting initiated by residents of Forest Heights Road, the Office of Housing and Community Development (OHCD) began an assessment of the housing and infrastructure needs of a 68-acre area that included housing on Forest Heights Road, Neighbors Drive, and on Richmond Road between the Premium Outlets and Wellesley Boulevard. The original intent was to address the needs of this area with one grant application. The Forest Heights Project is underway and should be completed in early 2013.

In 2010 a \$1,400,000 CDBG was obtained for the Forest Heights Neighborhood Improvement Project (the "Forest Heights Project"), which included all of the properties on Forest Heights Road, 6015 and 5951 Richmond Road, and eight properties on Neighbors Drive. DHCD, the State funding agency, advised that the project be broken into two phases. This application is the second of the two phases.

In August 2011 OHCD surveyed Neighbors Drive and Richmond Road residents. Twenty-four surveys were returned. Except for one renter-occupied household, all of the surveyed households expressed the need for infrastructure improvements. Fifteen of the 18 owner-occupied households expressed interest in having OHCD assist with rehabilitation of their homes.

On October 21, 2011, the Board of Supervisors appropriated the funds for a \$30,000 Neighbors Drive/Richmond Road Project Planning Grant (the "Neighbors PG") from DHCD for the residents who were not served by the Forest Heights Project. The Neighbors PG activities included a Design Workshop on November 19, 2011, where area residents and the project engineers, AES Consulting Engineers, discussed road alternatives and agreed upon a preferred plan for the conceptual design for Neighbors Drive. In December 2011, OHCD mailed a Design Workshop report to all Neighbors Drive, Richmond Road, and Forest Heights Road residents. The report explained the alternative road designs that were considered during the Workshop and the primary reasons the citizens selected the preferred alternative. In response to the report, three citizens who were unable to attend the Workshop telephoned OHCD to ask questions and ultimately express support for the preferred design.

An advertised public hearing was held on December 7, 2011, to solicit County citizens' at-large opinions as to community development needs in the County. No citizens attended that meeting. AES refined the preferred conceptual design for Neighbors Drive and, with OHCD, presented the revised design to area residents at a public meeting on January 18, 2012. The revised conceptual design, shown on the attached Property Acquisition Map, proposes redevelopment through a combination of boundary line adjustments, property acquisition, and resubdivision within a 10.3-acre redevelopment area. This activity would be similar to that occurring in the Forest Heights project. The revised design was well received by the residents who attended the meeting.

A second advertised public hearing was held on February 7, 2012, to present to County citizens at-large the CDBG proposal to be submitted to DHCD and solicit their input. The Project Activity Summary, Proposed Budget, Project Boundary Map, Conceptual Design Plan, and the Property Acquisition Plan were presented at the public hearing. Nine citizens attended and were supportive of the project.

Project Activities, Benefits, and Project Area Demographics

The project activities and benefits are enumerated in the attached Project Activity Summary. The project is anticipated to benefit 64 persons, of whom 48 are low- and moderate-income, by providing public roads, stormwater management, property clearance, and development of a multi-use path, and by providing new homeownership opportunities, and housing rehabilitation and replacement.

Project Implementation and Funding Strategy

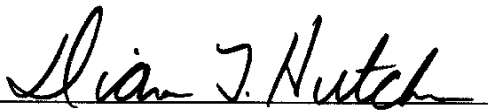
To calculate the estimated \$1,926,730 total cost of the proposed neighborhood improvement project, OHCD staff inspected nine of 18 Low or Moderate Income owner occupied homes in the project area. These inspections were used to estimate the cost of housing rehabilitation and/or replacement. Staff consulted with the Real Estate Assessments Division and contacted property owners to estimate property acquisition and relocation expenses. Street and utility construction cost were determined by the Preliminary Engineering Report prepared by AES.

The project area boundaries are indicated on the attached Project Boundary Map. This project is proposed to include housing improvement, infrastructure improvements, property acquisition and boundary line adjustments for VDOT subdivision standard street right of way. A detailed listing is provided on the attached CDBG Project Activity Summary. The attached Proposed Budget identifies sources and uses of the CDBG, local, and Federal funds required to finance this project. The local share of \$818,330 indicated in the project budget and in the resolution is to be provided from \$764,540 of the County's Community Development Fund and \$53,790 of in-kind services from the County's Engineering and Resource Protection Division. The Engineering and Resource Protection Division's in-kind services will be comprised of the necessary daily inspection services during the construction period. The Community Development Fund allocation consists of current fund balance; program income and the requested General Fund allocation in FY 2013 and in FY 2014 to the Housing Fund. You may recall that the County is awarded these grant funds by competing against 204 other localities throughout the Commonwealth. When considered against its competition, James City County has a comparatively low Fiscal Stress Index score. The County has relied on submitting more comprehensive projects with a larger commitment of local support to overcome this challenge.

Staff recommends approval of the attached resolution to authorize the submission of a Community Development Block Grant application to undertake the Neighbors Drive/Richmond Road Neighborhood Improvement Project.

A. Vaughn Poller

CONCUR:



Diana F. Hutchens

AVP/gb
CDBG-App_mem

Attachments

RESOLUTION

NEIGHBORS DRIVE/RICHMOND ROAD NEIGHBORHOOD IMPROVEMENT PROJECT -

COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION - \$1,070,000

WHEREAS, financial assistance is available to units of local government through the Commonwealth of Virginia Community Development Block Grant (VCDBG); and

WHEREAS, in compliance with VCDBG requirements, two public hearings were advertised in a newspaper with general circulation in the County, notices of the public hearings were mailed to the project area residents, and the hearings were held on December 7, 2011, and February 7, 2012, regarding this application; and

WHEREAS, James City County wishes to apply for \$1,070,000 in VCDBG funds to be used in undertaking a multiyear Comprehensive Community Development Project in the designated Neighbors Drive/Richmond Road Neighborhood Improvement Project Area; and

WHEREAS, \$818,330 in local funds are allocated to the project and \$38,400 in Federal funds will be expended on this project; and

WHEREAS, the project is anticipated to benefit 64 persons, of whom 48 are low- and moderate-income, by providing public roads, stormwater management, property clearance, and development of a multi-use path, and by providing new homeownership opportunities and housing rehabilitation and replacement, which will meet the National Objective of providing benefits to persons of low and moderate incomes.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, pursuant to two public hearings, the County of James City, Virginia, hereby wishes to apply for \$1,070,000 of VCDBG Funds for the Neighbors Drive/Richmond Road Neighborhood Improvement Project.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator to sign and submit appropriate documents, including an application with all the understandings and assurances contained therein, and to provide such additional information as may be required for the submittal of the VCDBG proposal.

Mary K. Jones
Chairman, Board of Supervisors

ATTEST:

Robert C. Middaugh
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of March, 2012.

CDBG-App_res

Neighbors Drive/Richmond Road Neighborhood Improvement Project CDBG Project Activity Summary

I. Housing Rehabilitation

8 LMI owner households provided housing rehabilitation, energy audits and weatherization assistance.

II. Substantial Reconstruction

2 LMI owner households provided housing rehabilitation, reconstruction, and relocation assistance. Demolition of 2 foundations, attachments, and accessory structures

III. Affordable Housing Site Development

5 new lots for sale to LMI home buyers.

IV. Interim Assistance

Removal of debris from private properties and areas within the Resource Protection Area

V. Clearance and Demolition

1 vacant dilapidated home will be demolished

VII. Storm Water Management

Construction of one storm water detention pond south of the relocated Neighbors Drive

Construction of a storm sewer collection system

VIII. Streets

Construction of 600 linear feet of paved street built to VDOT standards to replace Neighbors Drive.

Construction of 600 linear feet of sidewalk

Construction of 650 linear feet of paved multi-use path to connect Forest Heights Road to the relocated Neighbors Drive

IX. Utilities

Construction of 300 linear feet of sewer line

Construction of 300 linear feet of water line

Relocation of 3 utility poles

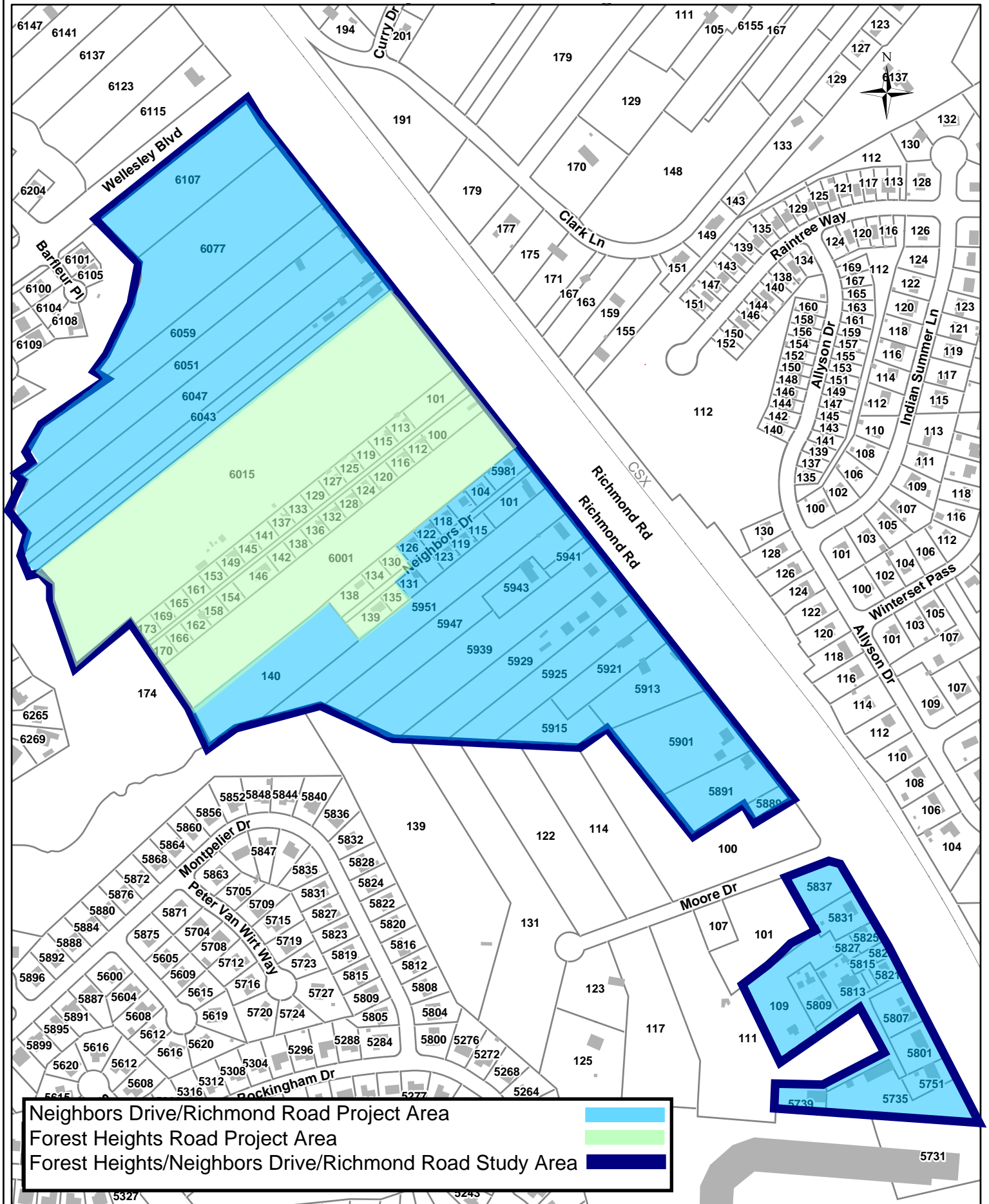
X. Neighborhood Improvements

Installation of street lights and street trees, and upgrade of one existing fire hydrant and installation of one new fire hydrant

PROPOSED NEIGHBORS DRIVE/RICHMOND ROAD CDBG APPLICATION BUDGET

BUDGET LINE ITEM	CDBG Funds	Local Funds Funds	Federal Funds	Source of Non-CDBG Funds
ADMINISTRATION	\$ 100,000.00			
INTERIM ASSISTANCE		\$ 10,000.00		JCC Community Development Fund
ACQUISITION		\$ 118,000.00		JCC Community Development Fund
CLEARANCE & DEMOLITION		\$ 8,000.00		JCC Community Development Fund
OWNER-OCCUPIED HOUSING REHABILITATION				
Owner-Occupied Construction	\$ 200,000.00		\$ 38,400.00	EPA (Climate Showcase Grant)
Rehabilitation Specialist	\$ 20,000.00			
HMEP		\$ 2,000.00		JCC Community Development Fund
SUBSTANTIAL RECONSTRUCTION				
Clearance & Demolition	\$ 16,000.00			
Owner-Occupied Construction	\$ 80,000.00	\$ 170,000.00		JCC Community Development Fund
Rehabilitation Specialist	\$ 8,000.00			
Temporary Relocation		\$ 30,000.00		JCC Community Development Fund
HMEP		\$ 500.00		JCC Community Development Fund
STORMWATER MANAGEMENT/BMP				
Architect/Engineer/Design	\$ 38,830.00			
Inspection		\$ 21,180.00		JCC Environmental Division Personnel
Acquisition (Easements Only)	\$ -	\$ 4,500.00		JCC Community Development Fund
Permits/Fees		\$ 7,060.00		JCC Community Development Fund
Construction/Improvements	\$ 352,910.00			
STORMWATER MANAGEMENT/STORM SEWER				
Architect/Engineer/Design		\$ 13,560.00		JCC Community Development Fund
Inspection	\$ -	\$ 8,850.00		JCC Environmental Division Personnel
Permits/Fees	\$ -	\$ 2,950.00		
Construction/Improvements	\$ 147,350.00			JCC Community Development Fund
WATER/SEWER				
Architect/Engineer/Design	\$ 4,160.00	\$ 8,650.00		JCC Community Development Fund
Inspection		\$ 6,990.00		JCC Environmental Division Personnel
Permits/Fees	\$ -	\$ 2,330.00		JCC Community Development Fund
Construction/Improvements	\$ 102,750.00	\$ 13,630.00		JCC Community Development Fund
STREETS				
Architect/Engineer/Design		\$ 25,710.00		JCC Community Development Fund
Inspection		\$ 16,770.00		JCC Environmental Division Personnel
Permits/Fees		\$ 5,590.00		JCC Community Development Fund
Construction/Improvements		\$ 279,360.00		JCC Community Development Fund
Underground Utilities		\$ 62,700.00		JCC Community Development Fund
TOTAL	\$ 1,070,000.00	\$ 818,330.00	\$ 38,400.00	\$ 1,926,730.00
Projected Lot Sales Revenue		\$ 175,000.00		

Project Boundary Map



This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and James City County is not responsible for its accuracy or how current it may be. If discrepancies are found, please contact the Real Estate Assessment Division of James City County, Mapping/GIS Section. Aerial Imagery Copyright 2005 James City County.

MEMORANDUM COVER

Subject: Opposition to a Proposed Corridor for the Construction of a 500-kV Utility Transmission Line

Action Requested: Shall the Board adopt the resolution of Opposition to a Proposed Corridor for the Construction of a 500-kV Utility Transmission Line?

Summary: The Board of Supervisors has previously been made aware by Virginia Dominion Power (VDP) that electric capacity for the Peninsula needs to be enhanced by the construction of additional transmission lines. One of the transmission line projects that VDP has proposed is a 500-kV transmission line that would run from the Chickahominy substation in Charles City County to a switching station at Skiffe's Creek in James City County.

The corridor for the 500-kV transmission line is proposed to run from the Chickahominy substation through Charles City County, cross the Chickahominy River near Yarmouth Creek, and then cross portions of James City County to intersect with an existing VDP transmission corridor near Lightfoot. The proposed corridor crosses heavily wooded property in both Charles City County and James City County and also passes near or over a number of historic and cultural resource areas. In James City County the proposed transmission line corridor would run through Freedom Park, adjacent to Hornsby Middle School and Blayton Elementary School, and then through the Colonial Heritage subdivision.

In the permitting process for the transmission line, VDP will need to address how impacts to any corridor might be mitigated. As the proposed corridor, which passes in part through James City County is analyzed, it is readily apparent that no mitigation is possible for many of the consequences associated with the transmission line.

As the transmission line project is still in the early phases, it would seem to be a good time to advise VDP of the County concern and further advise them that we oppose the proposed corridor as a result of significant adverse impacts in the route through James City County.

Assistant County Administrator

Doug Powell _____

County Administrator

Robert C. Middaugh _____

Attachments:

1. Memorandum
2. Resolution

Agenda Item No.: J-2

Date: March 13, 2012

MEMORANDUM

DATE: March 13, 2012

TO: The Board of Supervisors

FROM: Robert C. Middaugh, County Administrator

SUBJECT: Opposition to a Proposed Corridor for the Construction of a 500-kV Utility Transmission Line

The Board of Supervisors has previously been made aware by Virginia Dominion Power (VDP) that electric capacity needs for the Peninsula need to be enhanced by the construction of additional transmission lines. One of the transmission line projects that VDP has proposed is a 500-kV transmission line that would run from the Chickahominy substation in Charles City County to a switching station at Skiffe's Creek in James City County.

The corridor for the 500-kV transmission line is proposed to run from the Chickahominy substation through Charles City County, cross the Chickahominy River near Yarmouth Creek, and then cross portions of James City County to intersect with an existing VDP transmission corridor near Lightfoot. The proposed corridor crosses heavily wooded property in both Charles City County and James City County and also passes near or over a number of historic and cultural resource areas. In James City County the proposed transmission line corridor would run through Freedom Park, adjacent to Hornsby Middle School and Blayton Elementary School and then through the Colonial Heritage subdivision.

VDP maintains that it has acquired sufficient rights-of-way in order to allow them to construct the transmission line in the proposed corridor through Charles City and James City County. Many of the easements in James City County were acquired 20 to 30 years ago. It is not clear that the County or other property owners from whom the easements were acquired had full knowledge of the potential utilization of the easement. Specifically, County records are not clear whether or not it was explained prior to the easement acquisition that the easement would or might be used in the future to construct a major transmission line that would necessitate clearing of substantial forest resources.

Thus far, VDP has not filed its formal application in the required State Corporation Commission permitting process. The County has been informed that other possible transmission corridors are being analyzed, which would be a requirement of the State Corporation Commission application process. To date the County has not seen any information on alternate corridors that may be under consideration.

In the permitting process for the transmission line, VDP will need to address how impacts to any corridor might be mitigated. As the proposed corridor which passes in part through James City County is analyzed, it is readily apparent that no mitigation is possible for many of the consequences associated with the transmission line. The aerial crossing of the Chickahominy River would significantly and adversely impact both the scenic and historic nature of this river. The clear cutting of forested properties in James City County, including the scenic and historic Freedom Park, cannot be mitigated. While the historic and cultural resources might be excavated or saved, there would still be a lasting impact that cannot be mitigated.

As the transmission line project is still in the early phases, it would seem to be a good time to advise VDP of the County concern and further advise them that we oppose the proposed corridor as a result of significant adverse impacts in the route through James City County. It would be my hope that VDP, in the face of opposition from James City County and what is likely to be opposition from Charles City County, would alter its plans or analysis in order to address the County concern. Hopefully, addressing our concern to VDP and to

the State Corporation Commission early in the process would enable VDP to proceed in its planning processes with an acceptable alternate corridor that might be more easily and more timely permitted.

Please note that the attached resolution for the Board of Supervisors provides specific direction to the County Administrator and to the County Attorney to take appropriate actions to ensure the Board wishes are addressed. In the event that a more formal challenge to the VDP permit at the State Corporation Commission level is required, it may be necessary to secure outside counsel to assist with pursuing the County interest. Before any such action requiring the expenditure of resources would be undertaken by the County Administrator or the County Attorney, Board authorization for such expenditure would be secured.

Robert C. Middaugh

RCM/nb
OppTransLine_mem

Attachment

RESOLUTION

OPPOSITION TO A PROPOSED CORRIDOR FOR THE CONSTRUCTION OF

A 500-KV UTILITY TRANSMISSION LINE

- WHEREAS, Virginia Electric and Power Company (VEPC) Dominion Virginia Power (DVP) has proposed to construct a 500-kV electric transmission line from the Chickahominy Substation to the Skiffe's Creek Switching Station in order to provide additional electric utility capacity for the Peninsula area, which incorporates James City County; and
- WHEREAS, DVP has proposed a corridor for the 500-kV electric transmission line which runs from the Chickahominy Substation in Charles City County through Charles City County, crossing the Chickahominy River, and crossing portions of James city County to a point in James City County where the new 500-kV electric transmission line would connect to an existing DVP corridor near the Lightfoot Substation; and
- WHEREAS, the proposed 500-kV electric transmission line corridor crossing through Charles City County and James City County would traverse areas of both counties that are unspoiled heavily wooded areas, as well as near or through significant cultural and historical resource areas and a crossing of the scenic and historic Chickahominy River; and
- WHEREAS, in light of significant concern in James City County, the Board of Supervisors feels that it is imperative that James City County make known those concerns early in the process, with the expectation that DVP and/or the permitting authority for the transmission line, the State Corporation Commission, may take appropriate alternative action.
- NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that in light of significant adverse environmental, natural resource, historic and cultural resource adverse impacts, which cannot be mitigated, as a result of the construction of a new 500-kV electric transmission line in the proposed corridor which crosses Charles City County and James City County, the James City County Board of Supervisors hereby expresses its opposition to the proposed corridor and further directs that the County Administrator and County Attorney intervene on behalf of James City County in the State Corporation Commission permitting process and take all appropriate actions to see that the DVP 500-kV electric transmission line is built in a corridor other than the proposed crossing through Charles City County and James City County.

Mary K. Jones
Chairman, Board of Supervisors

ATTEST:

Robert C. Middaugh
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of March, 2012.

OppTransLine_res

Dominion plans to meet continued growth with new transmission lines utilizing existing right-of-way easements

BACKGROUND — Dominion is committed to providing reliable electricity to our customers. Electrical demand in the Hampton Roads area is projected to increase by more than 20 percent by summer 2020. This growth will place a strain on the electrical grid, and create the potential for overloads and violations of North American Electric Reliability Corporation (NERC) reliability standards. Recently announced plans for retirement of local generation facilities has accelerated the need for new transmission lines to be built and in service by 2014. Dominion is now looking into the potential of developing transmission lines utilizing previously acquired right-of-way easements, see map on reverse.

PROJECT OVERVIEW

Chickahominy-Skiffes Creek 500kV Line — 38 miles total: approximately 25 miles uncleared, 13 miles existing, cleared corridor

- During the 1970s/1980s, Dominion acquired new right-of-way (150' to 250' wide easements) in Charles City and James City counties. Dominion recently conducted a preliminary feasibility study and has now assembled a project team to develop plans to utilize this right-of-way corridor to build a new 500,000 volt (500kV) line to connect to an existing transmission corridor just north of Lightfoot Substation
- From north of Lightfoot Substation continuing south the new 500kV line will be collocated with other transmission structures within an existing corridor
- Skiffes Creek Switching Station — As part of application to be filed with the Virginia SCC, Dominion will propose to build and operate the Skiffes Creek Switching Station on land already acquired near the I-64 corridor in southern James City County

Skiffes Creek-Wheaton 230kV Line — 18 miles: all existing, cleared corridor

- From the proposed Skiffes Creek Switching Station south to the existing Wheaton Substation, Dominion plans to reconfigure the existing transmission lines and towers in order to accommodate a new 230,000 volt (230kV) line

PROJECT BENEFITS

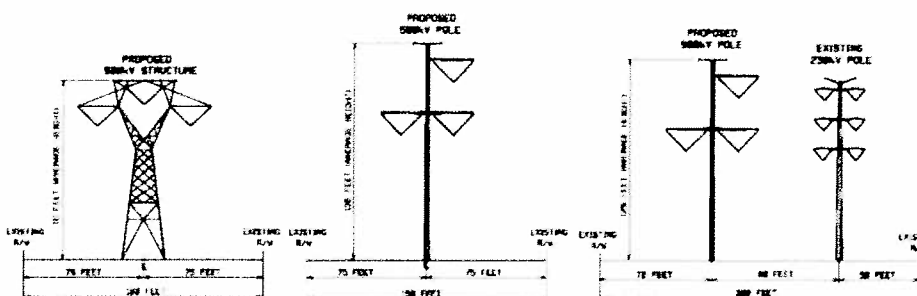
Dominion's new line projects will:

- Supply needed capacity by 2014 to serve the local area and our nation's critical military facilities
- Comply with mandatory NERC Reliability Standards,
- Take advantage of the existing corridor wherever possible, and
- Provide reliability improvements for fewer service interruptions and shorter durations when an outage does occur.

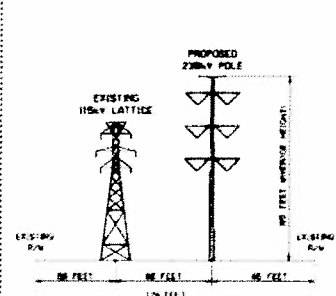
PROJECT TIMELINE

- **December 2012** — Community outreach and notification letters will be mailed to area residents
- **January 2012** — Multiple publicly advertised "Open House Meetings" will be held to solicit community input on proposed projects
- **February 2012** — File application with Virginia State Corporation Commission (SCC). Public will have multiple opportunities to engage in SCC application review process
- **Fall 2012** — Pending approval, initiate construction activities
- **November 2014** — Energize lines

Chickahominy-Skiffes Creek 500kV Proposed Structures



Skiffes Creek-Wheaton 230kV Proposed Structure



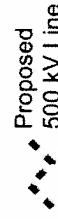
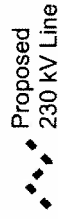
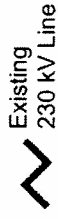
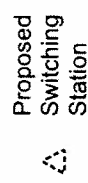
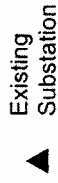
The structure diagrams shown above are indicative of typical proposed structures but do not represent all potential configurations. Actual structure types and heights are subject to final engineering.

See reverse side for a map of the **Chickahominy-Skiffes Creek 500kV** and **Skiffes Creek-Wheaton 230kV Rebuild Projects**.

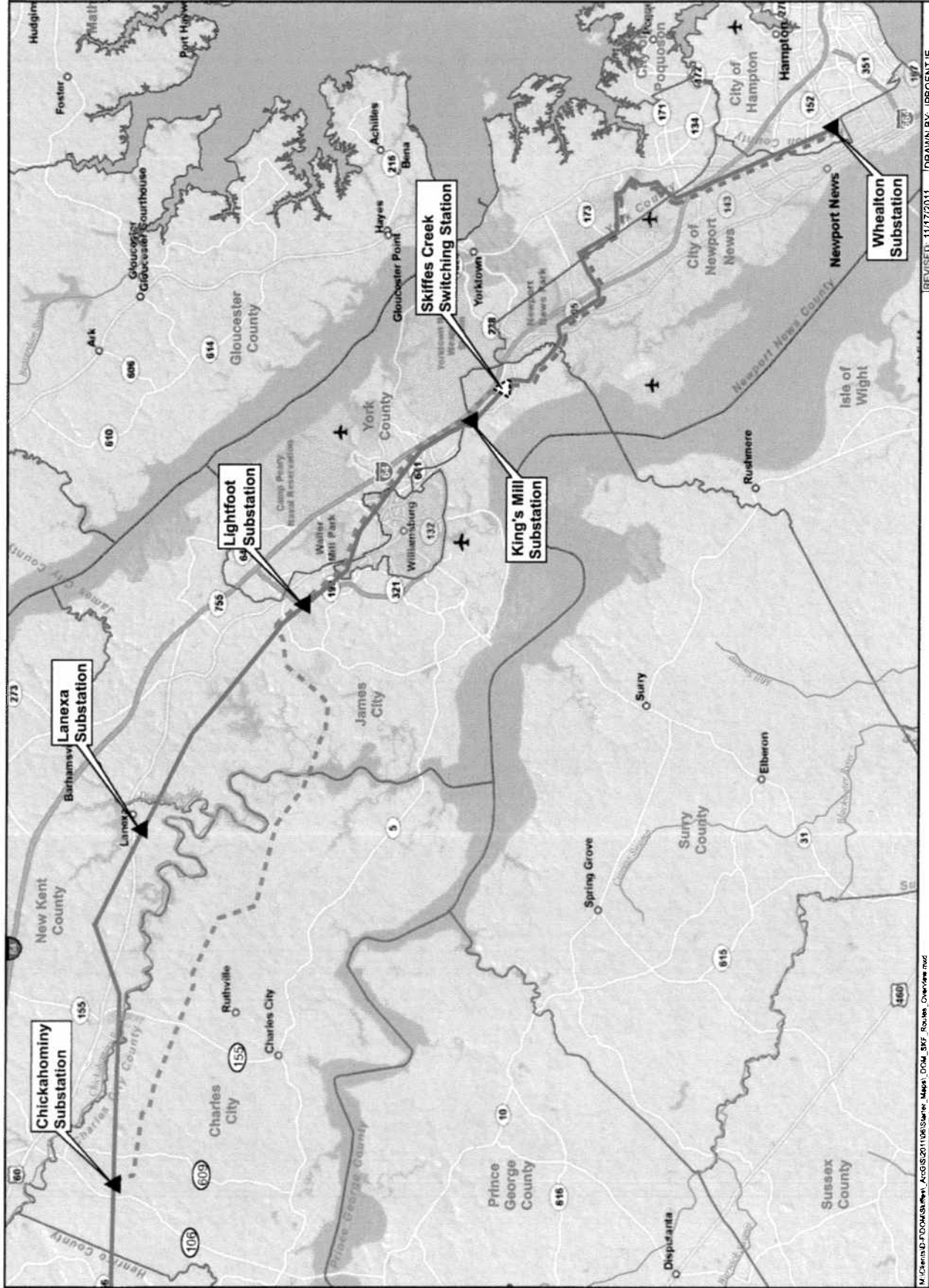


Dominion

Chickahominy -
Skiffes Creek
500 kV Line
Skiffes Creek -
Wheaton
230 kV Line



0 1.25 2.5 5 Miles
1:225,000

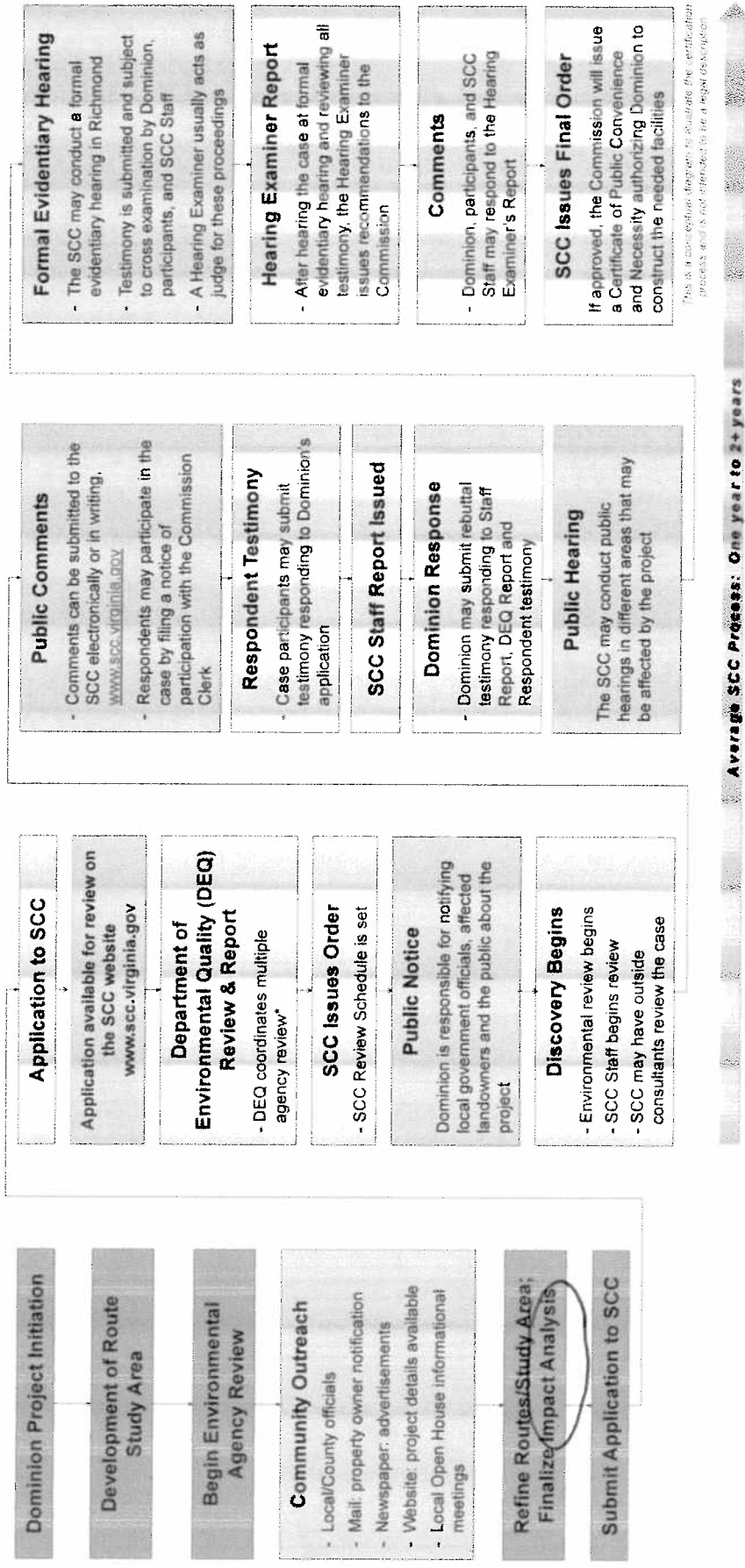


REVISION: 11/17/2011 DRAWN BY: JPB/ENT/JE

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The Transmission Line Approval Process

Virginia's State Corporation Commission (SCC) has regulatory authority over all electric utilities and requires that all transmission facilities at or above 138 kV be certified by the SCC. The SCC determines the need for a proposed line and the route. Among other elements considered, the SCC must determine that the selected route reasonably minimizes the impact on scenic assets, historic districts, and the environment.



*DEQ coordinated agency review includes: Virginia Marine Resources Commission, Department of Conservation & Recreation, Department of Game & Inland Fisheries, Department of Historic Resources and others.

Dec. '14 target to energize
12-18 month const. timeline

Dominion Virginia Power

Mailing Address: P.O. Box 26666
Richmond, VA 23261

Web Address: www.dom.com



December 1, 2011

RE: *Chickahominy-Skiffes Creek 500kV Line*

Dear Property Owner:

Dominion is committed to providing reliable electricity to our customers. Regional electrical demand increases coupled with the announced retirement of nearby power generation facilities have accelerated the need for new high-voltage electric transmission lines to be built and operational by 2014.

Your property is crossed by, or adjacent to, an easement acquired by Dominion in the 1970's/1980's for purposes of building electric transmission infrastructure. Dominion recently conducted a preliminary feasibility study and has now assembled a project team to develop plans to utilize this right-of-way corridor. The existing easement establishes the right, among other things, to clear vegetation for the safe and reliable operation of future transmission facilities. Please refer to the enclosed fact sheet for additional project details and a map.

In December we will invite you, your neighbors, and the general public to attend one of three Informational Open House meetings to be scheduled during the month of January. Details will be mailed to you once dates and locations are confirmed and advertisements for these events will appear in regional newspapers.

We plan to file an application with the Virginia State Corporation Commission (SCC) in February 2012 to seek authorization to construct and operate new transmission facilities. Please visit our website to learn more about the proposed *Chickahominy-Skiffes Creek 500kV* project and updates as we proceed at www.dom.com, keyword: "Skiffes." If you have questions or comments regarding the project, please send an email to our dedicated transmission team at: powerline@dom.com or phone one of our representatives at 1-888-291-0190 from 7 a.m. to 7 p.m., Monday – Friday.

Sincerely,

Dominion Virginia Power

Dominion Virginia Power

Mailing Address: P.O. Box 26666
Richmond, VA 23261

Web Address: www.dom.com



December 1, 2011

RE: ***Chickahominy-Skiffes Creek 500kV & Skiffes Creek – Whealton 230kV Lines***

Dear Property Owner:

Dominion is committed to providing reliable electricity to our customers. Regional electrical demand increases and announced retirement of power generation facilities has accelerated the need for new transmission lines to be built and operational by 2014.

Your property is crossed by, or adjacent to, an existing electric transmission corridor with lines that extend from James City County and continue to Newport News. Dominion recently conducted a preliminary feasibility study and has now assembled a project team to develop plans to reconfigure these existing lines in order to accommodate new transmission infrastructure.

Initial studies indicate no need to expand the width of the existing right-of-way corridor.

Please refer to the enclosed fact sheet for additional project details and a map.

In December we will invite you, your neighbors, and the general public to attend one of three Informational Open House meetings to be scheduled during the month of January. Details will be mailed to you once dates and locations are confirmed and advertisements for these events will appear in regional newspapers.

We plan to file an application with the Virginia State Corporation Commission (SCC) in February 2012 to seek authorization to construct and operate new transmission facilities. Please visit our website to learn more about the proposed *Chickahominy-Skiffes Creek 500kV* and *Skiffes Creek-Whealton 230kV* projects and updates as we proceed at www.dom.com, keyword: "Skiffes." If you have questions or comments regarding the projects, please send an email to our dedicated transmission team at: powerline@dom.com or phone one of our representatives at 1-888-291-0190 from 7 a.m. to 7 p.m., Monday – Friday.

Sincerely,

Dominion Virginia Power