

**AT A SPECIAL WORK SESSION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 10TH DAY OF NOVEMBER 2009, AT 4:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.**

**A.    CALL TO ORDER**

**B.    ROLL CALL**

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

Sanford B. Wanner, County Administrator  
Leo P. Rogers, County Attorney

**C.    BOARD DISCUSSION**

**1.    2009 Comprehensive Plan: *Historic Past, Sustainable Future***

Mr. Wanner stated that during the Board's regular meeting, the Comprehensive Plan would be considered as a public hearing. He stated that a work session was scheduled for November 17, 2009 for more discussion prior to a final adoption of the Comprehensive Plan.

Mr. Wanner recognized Planning Commission Chairman Rich Krapf and Steering Committee Chairman Jack Fraley. Mr. Wanner introduced Ms. Tammy Rosario, Principal Planner, to present the Comprehensive Plan.

Ms. Rosario reviewed the 26-month process that the Comprehensive Plan had undergone and reviewed methodology and citizen input vehicles. She noted the development of the Community Participation Team and the Community Conversations that were held to garner citizen feedback. She reviewed the formation of the Steering Committee and its development and approval of a draft plan.

Ms. Rosario addressed various concerns expressed by the public and how they were addressed in the proposed Comprehensive Plan. She commented on the pace and impact of growth and the small-town character of the community. She stated the Comprehensive Plan addressed growth by establishing a cumulative impact analysis and consideration of additional adequate public facilities policies, establishing Five Forks as a Community Character area, tree preservation, and protection of rural lands. She commented on economic development in the County. She noted the input of members of the business community during the Comprehensive Plan process. She stated initiatives were included in the Comprehensive Plan to diversify the County's economy, improve workforce development, and encourage infill development and redevelopment. She noted the creation of the Economic Opportunity land use designation. Ms. Rosario commented on housing in the County, including the need for affordable and workforce housing. She stated the initiatives called for an affordable housing unit policy, incentives for affordable housing, a housing trust fund, and an emphasis of

universal design features. She noted concerns about traffic congestion, water supply needs, senior population needs, preservation of open space, and promoting green building practices and how those items were addressed in the Comprehensive Plan.

Planning Commission Chairman Rich Krapf commented on the Planning Commission involvement on the Comprehensive Plan. He stated seven work sessions were held, a public hearing was held, and on October 7, 2009, the Planning Commission adopted the proposed Comprehensive Plan and recommended approval by the Board of Supervisors. He noted the development of the Implementation Guide and Schedule and the Executive Summary as part of the Comprehensive Plan. He noted some suggestions the Planning Commission has made to the Plan in respect to Land Use, Community Character, and growth.

Mr. McGlennon stated his appreciation for the efforts of staff and citizens who contributed to the Plan. He stated he felt that this was a very comprehensive document, but that a sense of direction should be added to the Plan. He asked how the Planning Commission addressed the rate of growth that is expected and how that was addressed in relation to sustainability.

Mr. Krapf stated that the current economic conditions have impeded growth, action items in the plan have been geared toward growth management and economic diversity.

Mr. McGlennon stated that he felt that citizens did not agree that a healthy economy required a growth rate of 3 - 4 percent annually.

Mr. Krapf stated that was addressed through utilization of workforce development and educational development and technologies in the area.

Mr. McGlennon stated he felt that the tools to control growth should be identified. He stated that economic growth should be considered fully in relation to the impact on employment.

Ms. Rosario stated the proposed Plan recognizes that the County will be subject to growth in the future, and in Virginia, many planning tools are geared toward directing growth rather than limiting growth.

Mr. McGlennon commented on reducing proposals for buildable lots. He stated that this would be allowed by the State and why shouldn't we approach those kinds of opportunities.

Mr. Fraley stated the ordinances served as a plan for growth and that the Board was responsible for the approval of special use permits and rezonings. He commented on a recommendation to reduce density in rural lands. He commented on the action item to correlate development with the availability of public facilities.

Ms. Jones commented on the main concerns of the public and the research done on transportation and appropriate levels of service in relation to land use cases. She commented that balancing economic diversification and responsible growth management was a goal during the Steering Committee process.

Mr. Icenhour asked how the Comprehensive Plan addresses growth in relation to the number of land use cases that were already approved, but not yet completed.

Mr. Krapf stated that there was difficulty in predicting when previously approved developments and growth would occur. He stated the current Plan provided various tools to monitor the pace of growth.

Mr. Icenhour commented on adjustments to the master plan for developments to reflect current goals and regulations.

Mr. Murphy commented that enabling legislation provides for vesting plans for developers, and outside of a voluntary proffer, that may be difficult.

Mr. Rogers stated that some conditions may be put on special use permits for transitional use. He stated that this has been done for daycare centers. He stated that when a land use decision is made, the designation continues regardless of ownership. He stated that Virginia limits those regulations especially when the developer has invested in a property.

Mr. Goodson stated that that was in support of the financial industry which was lending money for the value of the land. He stated if the locality could change the value of the property by changing the vested rights, there was uncertainty for financial institutions.

Discussion was held about investment into developments and timely development. Sunset clauses on various parts of the special use permit, vested development, and stale zoning needs to meet laws in effect at the time of the subdivision plan submission,

Ms. Jones commented that a goal of plan was land use predictability, vision for the community and measuring benefits of land use case versus by-right development.

Mr. Fraley and Mr. Icenhour discussed concerns related to growth predictability and cumulative impact on infrastructure.

Mr. Goodson commented on the need for directed growth in the County to avoid by-right development that may not be manageable or desirable.

Mr. Kennedy noted that many of the approved but not built residential units were age-restricted and would not yield students into the school system. He commented that improved amenities in the County have drawn people to the County and encouraged growth. He commented that rural lands in the Stonehouse district have problems with the inability to farm. He commented on purchase of development rights and rural lands purchases through greenspace funding. He emphasized that growth is a natural part of a good community.

Mr. McGlennon commented that growth is moving toward a point that may be unsustainable. He noted that the greenspace fund ceased being funded prior to the economic downturn. He commented on deteriorating infrastructure in neighborhoods that were not being addressed with a long-term vision.

Ms. Jones noted that a stormwater master plan was incorporated into the Comprehensive Plan and that the Stormwater Management Program Advisory Committee would play an active role in identifying communities and areas that require upgrades. She commented on the need for economic growth in the County, including the Economic Opportunity (EO) zones. She commented that growth is vital to a healthy community.

Mr. McGlennon stated that the goal was not a stagnant community in decline, but the question was how to uphold the quality of life when growth is occurring at the current pace. He commented on the need for growing existing businesses. He commented that some developments are geared toward attracting people to the area.

Mr. McGlennon discussed addressing the aging population and improving the quality of life and services for the people who may not be included in age-restricted housing.

Discussion was held about maintaining viewsheds and directing growth in order to preserve the character of the community and rural lands. Growth and population were compared to the services and amenities provided by the County and the quality of life in the community.

Mr. Kennedy noted that industrialization through a major employer helped improve schools, amenities, and industry in the County. He stated that was a stimulus for increasing growth in the County. He commented that without the amenities that resulted from the industrialization and growth, many people would not have moved into the community.

Discussion was held about the goals of economic development in the County and how those goals have been implemented into the Comprehensive Plan. Discussion was held about the Economic Opportunity (EO) zone. Mr. Krapf commented that the purpose of the EO zones would be for new economic development besides retail commercial developments with a regional master plan including a 15-percent cap on residential development in the EO zone. He commented that the zone would take some time to establish, but would provide for a better product over the longer term, while limiting by-right residential development in the area. Mr. Fraley commented on vast open areas of land, including Hill Pleasant Farm, which would result in more residential development than if they were designated as EO zones. He commented that the EO zones would be strategically located near transportation hubs, would result in placement of workforce housing, would provide a public-private master plan process, and would create employment opportunities that were not primarily retail.

Mr. Kennedy asked about the potential of growth and extension of Mooretown Road, particularly the funding needed for roadway project construction.

Mr. Fraley commented that the concept for the EO-incorporated public-private master planning that may incorporate other jurisdictions.

Mr. McGlennon asked what kinds of jobs were attractive through the EO zones.

Ms. Rosario stated the Business Climate Task Force provided input for the Comprehensive Plan's economic objectives. She stated the desirable jobs were not aligned by industry, but by a table of attributes. She stated this input was the basis of the creation of the EO zone and its implementation into the Comprehensive Plan. She noted that the EO zones included green field development as well as redevelopment and infill opportunities.

Mr. McGlennon commented on the attraction of a large corporation which may result in each of the employees becoming a net cost to the local government.

Ms. Jones commented on bringing larger employers into the community to allow citizens to live and work in the County. She noted that it would alleviate stress on Interstate 64, create opportunities for young professionals, and allow the operation of free enterprise.

Discussion was held about the ability to regulate desirable economic enterprises versus undesirable ones and diversification of employment opportunities in the County, including the employment, entertainment, and housing needs of young urban professionals. Mr. Kennedy commented that the College of William and Mary and the military were underutilized resources in the County.

Mr. Hicks noted that the Comprehensive Plan gave a general overview of what businesses were desirable for economic growth and also addressed working with higher education institutions, advanced scientific, manufacturing, and marine fields. He commented that the tax base has become more diverse since 2003.

Mr. McGlennon questioned the County's competitive advantage to attract industry to the Economic Opportunity zones.

Mr. Goodson asked if Mr. McGlennon opposed EO zones.

Mr. McGlennon stated he wanted a clearer idea of how the EO zones would look.

Mr. Goodson asked if he was requesting more specificity in the Comprehensive Plan.

Mr. McGlennon asked for an economic development plan that could be used to evaluate the EO zones

Ms. Jones stated that would occur during the legislative process for the master plan.

Mr. Icenhour stated he supported the idea of the EO zones. He stated his concern was that the County's existing industrial parks were largely empty. He stated his concern about how to market the new zones and the placement of the EO zones in relation to the Primary Service Area (PSA).

Discussion was held about the consideration of transportation infrastructure in relation to the EO-zone placement, including railway access and the possibility of light rail.

Mr. Krapf emphasized that the Comprehensive Plan was a long-term framework guide to development and land use rather than a specific guide.

Discussion was held about the PSA relative to the development of an EO zone.

Mr. Kennedy commented that he felt that the Comprehensive Plan was a long-range plan and the EO zone development could be expected to develop over time.

Ms. Jones commented on an opportunity for regionalism with York County with its adjoining EO zone.

Mr. Kennedy asked if the other two identified possible EO zones were anticipated to receive similar designation.

Mr. Krapf stated only the Hill Pleasant Farm had the support to be designated as an EO zone. He commented that it may be difficult to encourage the development of three major economic areas at the same time. He commented on the necessity to limit stress on the PSA by refraining from bringing two additional areas into the PSA.

Mr. Icenhour asked about discussion to bring the Hill Pleasant Farm property into the PSA.

Mr. Fraley stated he proposed that the property not come into the PSA until the master plan process to keep the property from being developed by-right before it could be developed as an economic area.

Mr. Icenhour and Mr. Fraley discussed the possibility of by-right development of rural lands.

Mr. Icenhour stated that he did not wish to bring the Hill Pleasant Farm property into the PSA, but he felt the designation should be reserved for land that is already inside the PSA. He stated he was unsure of the process being followed and he did not want to bring lands outside the PSA just for this designation.

Ms. Rosario commented that less than one-third of the property was inside the PSA.

Discussion was held about the possible economic impacts of the zoning.

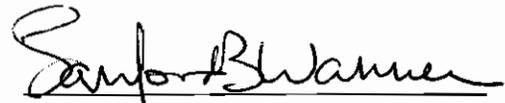
Mr. Wanner commented on the public-private master planning process and the long-range concept of the EO zone. He commented that housing was a major component in the EO zone and a catalyst for support from York County for development in this corridor.

Discussion was held about the amount of housing and density of residential development in the EO zones and the employment opportunities that would meet the needs of the citizens.

Discussion was held about the vision for the EO zones and attracting quality employers into these areas.

**D. BREAK**

At 5:59 p.m., the Board took a break.



Sanford B. Wanner  
Clerk to the Board