

**AT A WORK SESSION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY,
VIRGINIA, HELD ON THE 23RD DAY OF MARCH 2010, AT 4:00 P.M. IN THE COUNTY
GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY,
VIRGINIA.**

A. ROLL CALL

James G. Kennedy, Chairman, Stonehouse District
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

B. BOARD DISCUSSIONS

1. Joint Work Session with the Planning Commission – Zoning Ordinance Update Process

Mr. Reese Peck called the Planning Commission to order. In attendance from the Planning Commission were Mr. Al Woods, Mr. Jack Fraley, Mr. Reese Peck, Mr. Rich Krapf, Mr. Joe Poole, Mr. Chris Henderson, and Mr. Mike Maddocks.

Mr. Allen Murphy, Planning Director, gave an overview of the Zoning Ordinance update methodology draft and process. He noted that after several options were presented for an update methodology process for budgeting purposes and the Board chose Option B as the best alternative. He commented that staff responded to feedback from the Planning Commission and focused on community input during the ordinance update process. He stated that in order to accommodate ordinance review during Policy Committee meetings, the timeline for the ordinance update process was extended two additional months to 20 months. Mr. Murphy commented that the draft methodology distributed to the Board and Commission for the work session meeting comprised of implementation plans over the next 24 months. He noted that additional implementation actions would take place outside of that time frame. He stated that the purpose of the methodology was to ensure that the zoning ordinance updates reflected the Comprehensive Plan, that the ordinance was organized effectively, that clear standards were incorporated, that best practices were used, and that the ordinance links to other sections of the Code. He indicated that staff had asked the Policy Committee to select a smaller number of high-priority items to move forward in advance of other items if needed. He stated the Policy Committee met on March 17, 2010, and recommended the following priorities: cumulative impact database setup, a sustainability audit, a review of all development standards, including the sign ordinance, commercial and business districts, and the new Economic Opportunity designation. Mr. Murphy stated that the goal of this stage in the process was to come up with a comprehensive list of issues to identify options for consideration, which would come before the Policy Committee, Planning Commission, and Board of Supervisors for guidance. He noted that community input would be available at this stage in the process through two public forums and a joint work session. He noted there would also be public meetings in the eight-month period of Stage One that would allow public input. He commented that Stage Two would take about nine months, during which guidance would be considered while drafting proposed ordinance language. He commented that work sessions would be held during this time frame. He concluded that the final stage consisted of adoption of

the ordinance language and estimated that to take approximately four months. He stated that the process would allow for priority items to move forward as they were completed. He noted that a summary of recommendations included in the package would be discussed by Mr. Fraley.

Ms. Tammy Rosario, Principal Planner, discussed transparency and community input strategies related to the updates. She commented that various resources would be used to incorporate citizens into the process including publications and public notice advertisements for meetings, JCCTV48 broadcasting, educational pieces on zoning topics, televising Board of Supervisors and Policy Committee meetings, and a web presence on the County website. She noted that regular communication with the public was part of the timeline and that staff would post meeting and educational materials online. She commented that the outreach program was intended to be broad-based, varied, and frequent; and everyone was encouraged to provide input at the two Planning Commission forums. She noted additional opportunities to speak during public comment periods and the possibility of guest speakers at Policy Committee meetings for more focused discussion and the availability of web forms and email postal addresses for written comments.

Mr. Jack Fraley discussed more opportunities for community input. He commented that the Planning Commission and staff were aligned on the priorities that were presented. Mr. Fraley also noted that a majority of the costs would go toward the consulting work for the cumulative impact modeling and transfer of development rights information. He also commented that the Planning Commission and staff should ensure that there is a proper understanding about Board guidance in relation to rural lands.

Mr. Goodson stated that he felt that the Board should do additional work to provide proper guidance on rural lands in relation to the transfer of development rights and the cluster ordinance. He stated that the Board members should confer to give guidance to the Policy Committee and staff on these issues. He stated that rural lands matter in relation to residential by-right uses should be deferred and revisited later in the process for more specific guidance. He commented that the Board should have additional discussion about commercial operations in rural lands.

Mr. McGlennon commented that he did not agree with removing a portion of rural lands.

Mr. Goodson clarified that he meant to give more specific guidance on these particular parts.

Mr. Icenhour expressed concern about key points from Option A that were not included in this option due to funding. He asked for information about what was going to be eliminated or deferred from an extended time period.

Discussion was held on the scope of work to be covered over the next two fiscal years and the possibility of accessing modeling and simulation software to assist staff with cumulative impact assessment. The Board and Commission discussed how to address pertinent issues that were not part of the scope. Discussion was held about wireless communication facilities and various technologies that could be used.

Discussion was held about when the process would begin. Mr. Murphy explained that the methodology would be presented to the full Planning Commission before the process could begin.

Discussion was held about how sustainability would be implemented into the ordinance updates.

Mr. Kennedy recessed the Board for a brief break at 4:53 p.m.

At 5:03 p.m. Mr. Kennedy reconvened the Board.

2. Secondary Street Acceptance Requirements

Mr. Steven Hicks, Manager, Development Management, reviewed the Virginia Department of Transportation (VDOT) Secondary Street Acceptance Requirements which took effect July 1, 2009. He reviewed the major changes including area changes, connectivity requirements, network additions, pedestrian facility requirements, and the option for third-party inspection. He reviewed the connectivity index and challenges for access and connectivity.

Discussion was held about how the exceptions for the new requirements, such as conservation easements, and investigating how some County conservation easements, including Purchase of Development Rights properties, could be arranged to qualify. Discussion was held regarding how the new requirements would affect neighborhoods and possibly cause unwanted connections in order to be part of the VDOT roadway network and maintenance. Discussion was held about the need to pave roads in order for developers to meet the requirements.

Mr. Hicks noted that there was an advisory committee which discusses implementation of the standards for specific cases.

Mr. Goodson emphasized the need for public awareness of the future interconnectivity of the streets.

Mr. Hicks stated that it would be made apparent.

Discussion was held about the possibility of roads reverting back to private roads.

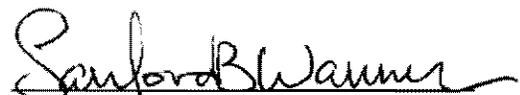
Mr. Rogers commented on the difficulty in maintaining a surety from a developer until a connection road was built.

Discussion was held regarding the protections provided for the County in the subdivision ordinance and the design requirements for public streets based on VDOT standards for acceptance. Discussion was held about the possible implications or culpability for using third-party inspections due to reduced VDOT permitting staff if a road was faulty.

Discussion was held about the steps being taken to gradually devolve maintenance and construction responsibilities for secondary roads by local governments and about an education program for residents related to this program.

C. **BREAK**

At 5:34 p.m. the Board broke for dinner.



Sanford B. Wanner
Clerk to the Board