

POLICY COMMITTEE MEETING

April 11, 2013

3:00 p.m.

County Government Center, Building A

1) Roll Call

Present

Ms. Robin Bledsoe

Mr. Al Woods

Mr. Tim O'Connor

Mr. Rich Krapf

Staff Present

Mr. Paul Holt

Ms. Tammy Rosario

Ms. Ellen Cook

Mr. Jason Purse

Ms. Robin Bledsoe called the meeting to order at 3:00 p.m.

2) Minutes

Mr. Al Woods requested clarification on the acronym FMS. Staff stated that it stands for the Division of Financial and Management Services. The minutes from the March 14, 2013 meeting were approved as corrected by unanimous voice vote.

3) Old Business

Mr. Woods noted the suggestion made at the March 14 meeting to have FMS present a budget primer at a future meeting in advance of the next round of CIP (Capital Improvement Program) discussions and recommended that the Committee establish a list of questions and subjects for discussion.

Mr. Paul Holt noted that he would provide the Committee with the state code sections that apply to the role of planning commissions in the CIP process.

Mr. Tim O'Connor requested that the Committee also receive a copy of the CIP application form.

4) New Business

a) Update on Coordinated Regional Comprehensive Planning Process

Ms. Tammy Rosario noted that the objective is to bring the Coordinated Regional Comprehensive Planning Process to a successful conclusion. In order to accomplish this, it is necessary to look back at the process as well as the work products that resulted from the process. Ms. Rosario also noted that it is necessary to address the role of the work products now and for the County's upcoming Comprehensive Plan Review.

1. Disposition of Summary Document, Regional Bikeways Map, Transportation Study

Ms. Rosario requested that the Committee consider the individual work product documents and determine for each whether it should be used for informational purposes or more formally adopted.

Ms. Bledsoe asked how the other localities addressed the documents.

Ms. Rosario responded that the other localities have used the documents as a springboard for their revisions and are reflected in the Comprehensive Plans going forth for adoption. Ms. Rosario noted that the Summary Document was being used in the other localities for informational purposes.

Mr. Rich Krapf noted that the reason the other localities chose to use the Summary Document for informational purposes was because they were conducting a complete five-year update of their Comprehensive Plans and they incorporated much of the wording and material in the Comprehensive Plan. Mr. Krapf noted that the County is on a different schedule and that the County should carefully consider the weight given to each document in its Comprehensive Plan review process.

The Committee and staff discussed options for when and how the County might incorporate the work products in a Comprehensive Plan review.

Ms. Bledsoe inquired whether there was anything that the Committee absolutely needed to act on at this time.

Ms. Rosario responded that the Regional Bikeways Map would be the most urgent because the other jurisdictions will have formally adopted it and will be using it as the basis for decision making. Ms. Rosario noted that County staff would want to see it adopted in order to be able to use it in the development review process.

The Committee asked staff to differentiate between endorsing and adopting the documents.

Mr. Holt noted that an endorsed document would be consulted and reviewed much like an adopted document. The example was given of the *Shaping Our Shores Master Plan* which was endorsed by the Board of Supervisors and formed the basis of the recent Jamestown Beach rezoning.

Ms. Rosario further noted that there might be a greater distinction between accepting and endorsing/adopting a document. The action of accepting a document would indicate taking it for informational purposes and acknowledging that staff would be acting on portions of it.

Mr. Krapf noted that adopting the Summary Document might be too aggressive; however, endorsing the document might be a more appropriate.

Mr. Holt stated that endorsing the work products that were always envisioned to come out of the Regional Comprehensive Planning Process would serve as a nice conclusion to the process. Mr. Holt noted when the process began, there were some hopes for where the process would lead but there was not universal consensus on where all three localities would end up. Mr. Holt stated that it became apparent during the process that the end product did not want to create new text; did not want to create mutual goals, strategies and actions; did not want to language similar to all three jurisdictions. Mr. Holt further noted that there is no new text for James City County, but the Summary Document discusses areas of common interest as well as the dissimilarities for these mutual geographic areas.

Mr. Holt noted that the policy basis for adopting the Regional Bikeways Map is because it has been substantively updated. Mr. Holt further noted that there could be a hybrid recommendation which would allow flexibility in how the recommendations are implemented and policies established.

Ms. Bledsoe inquired if it would be reasonable to recommend adoption of the Regional Bikeway Map and endorse the Summary Document.

Mr. Krapf noted that he felt it would be appropriate to adopt the Regional Bikeway Plan and possibly the Transportation Study and to endorse the Summary Document.

Ms. Bledsoe inquired if the Committee was in agreement that at minimum they would recommend endorsing the Summary Document.

Mr. O'Connor noted that the recommendation would be driven by the Comprehensive Plan Update. If the Comprehensive Plan is not being revised in 2013, then it would be appropriate to accept or endorse the Summary Document and potentially adopt it during a later review.

Mr. O'Connor noted that despite the sentiment against regionalism, it is necessary to recognize that what occurs in one jurisdiction has an impact on the neighboring localities.

Mr. Woods asked if it was correct that the opportunity to consider revising the Comprehensive Plan at this time had passed.

Ms. Rosario stated that the Board of Supervisors felt strongly that since so much effort had been expended to complete the 2009 Comprehensive Plan and in such a recent timeframe, they did not immediately want to revise it in a substantive way.

Mr. O'Connor stated that he felt the appropriate weight for the Summary Document would be acceptance.

Ms. Bledsoe inquired what message endorsing the Summary Document would send to the Board of Supervisors and staff.

Ms. Rosario stated that it would acknowledge the work had been done and give staff the ability to rely on it as a technical resource and foundational document for future years.

Mr. Krapf stated that his preference would be to endorse the Summary Document and the Transportation Study and adopt the Regional Bikeways Map.

Mr. Holt noted that the endorsement of the Summary Document validates the efforts involved in the Community Conversations and the information that was generated.

Ms. Bledsoe inquired what effect the Transportation Study would have on the Governor's transportation plan.

Ms. Rosario responded that the Governor's transportation plan deals with finances, which affects the viability of some projects.

Ms. Bledsoe inquired if endorsing the Transportation Study would give validity to future transportation projects when funding becomes available.

Mr. Holt responded that staff would be able to use it as a technical resource for justification of future transportation improvement projects.

Mr. O'Connor inquired how the Transportation Study would be presented to the Board of Supervisors.

Ms. Rosario noted that staff envisions presenting it to the Board of Supervisors as part of the Work Session materials. Should the Board require an in-depth presentation, then staff would arrange for a representative from the Hampton Roads Transportation Planning Organization to facilitate the conversation on a separate occasion.

Mr. Krapf inquired if the components of the current discussion would form the basis of the Work Session agenda.

Mr. Holt noted that the Policy Committee would most likely want to discuss their conclusions with the full Planning Commission at the May 1, 2013 Planning Commission meeting. Mr. Holt further noted that one of Work Session agenda items would be a discussion on how to formally conclude the Coordinated Regional Comprehensive Planning Process.

Mr. O'Connor recommended that once the full Planning Commission has considered the recommendations of the Policy Committee, an outline paper or talking points be prepared for the joint work session.

Ms. Bledsoe inquired who would make the presentation to the Board of Supervisors.

Ms. Rosario noted that staff would prepare the documentation and would assist the Commissioners in the dialogue with the Board.

Mr. O'Connor inquired whether the Committee wanted to consider adopting the Transportation Study to lend it more weight.

Ms. Rosario noted that the other localities have been using it as a technical reference for developing the transportation element of their comprehensive plans.

Mr. Holt clarified that the consensus of the Committee was to formally adopt the Regional Bikeways Map as part of the Comprehensive Plan to give it the weight of policy in terms of future land use decisions; endorse the Summary Document which would conclude that process; and adopt the Transportation Study a technical appendix or endorse it as a technical resource to the Comprehensive Plan.

Ms. Bledsoe inquired if the Committee was in favor of adopting the Transportation Study.

Mr. O'Connor inquired if the Transportation Study would be updated before the FY14 Comprehensive Plan Review.

Mr. Holt added that the substantive value of the technical work in Transportation Study will remain valid for the County's 2014 Comprehensive Plan review.

Mr. Woods suggested endorsing the Transportation Study as a reference document.

Mr. O'Connor stated that he wanted to ensure the Transportation Study would be a useful tool for staff moving forward with the 2014 Comprehensive Plan Update.

Ms. Bledsoe stated that it appeared to be the consensus of the Committee to endorse the Summary Document, endorse the Transportation Study as a reference document and adopt the Regional Bikeways map.

Mr. Woods inquired if the Regional Bikeways map was spiritually consistent with the existing Comprehensive Plan.

Ms. Rosario noted that there are substantive changes; however, it will still provide adequate access for citizens to have meaningful bicycle experiences in the County.

Mr. O'Connor noted that it was necessary to adopt the Regional Bikeways Map so that it would become the guiding policy and be consistent with the other localities.

Ms. Bledsoe inquired if it was necessary for the Committee to take a vote.

Mr. Holt stated that a vote was not required.

2. Focus and Scale of the 2014 Comprehensive Plan Update

Ms. Rosario noted that this discussion was to confirm that the Comprehensive Plan Update would commence in FY14 and to ensure that the staff is in step with the Planning Commission and Board of Supervisors as to the scope of the process.

Ms. Rosario requested that the Committee provide input on the on the elements of the Comprehensive Plan that should be examined during the process. Items outlined in the staff memo were: follow-up from the Coordinated Regional Comprehensive Planning Process; major elements such as the Land Use Section, confirmation of the Goals, Strategies and Action; other elements typically part of the plan, such as the Environmental Section, Economic Development, and Community Character.

Mr. Krapf noted that the 2009 Comprehensive Plan was a thorough examination of all elements and that the next update should be smaller in scale, focusing only on key elements.

Mr. Holt noted that staff did not perceive a need to revisit all sections of the Comprehensive Plan in depth.

Ms. Bledsoe inquired if the Committee felt there were any items from the staff report that should be taken out or that should be added.

Mr. Krapf inquired why Housing was not included.

Ms. Rosario responded that staff differentiated between the Land Use section, which is the core of the Comprehensive Plan and other elements. Ms. Rosario further noted that certain elements had been listed as examples but all elements are open for consideration.

Ms. Bledsoe stated that it appeared there was a consensus to thoroughly review the Land Use section.

Ms. Rosario noted that Transportation would also be reviewed.

Ms. Bledsoe noted that she would like to see a substantial review of the Economic Development section.

Ms. Rosario noted that the base elements of each section would be updated. Ms. Rosario further noted that staff wanted to know if the Committee envisioned refinements or major policy changes.

Ms. Bledsoe inquired if staff anticipated a broader discussion about larger issues or more focus on the specifics of the update.

Ms. Rosario stated that staff wanted to know if the Committee was already aware of major issues that would need to be examined during the Comprehensive Plan update or did the

Committee feel that the current Comprehensive Plan was largely heading in the right direction.

There was a consensus from the Committee that the Comprehensive Plan was substantially moving in the right direction; however, certain topics might need extensive review.

Mr. Krapf noted that the extensive work done by Parks and Recreation with the *Shaping Our Shores* Master Plan could be incorporated by reference.

Mr. Woods inquired which areas the Bikeways Map would impact.

Mr. Holt noted that it would be Land Use, Community Character and Transportation.

Ms. Bledsoe inquired whether the Comprehensive Plan would be affected by citizen sentiment against issuing development bonds.

Mr. Holt noted that the Comprehensive Plan should not be affected and strongly encouraged the Committee to distinctly separate the cost of implementing the Comprehensive Plan goals, strategies and actions from the establishment of a 30-year vision for the County.

Mr. Krapf stated that it might be beneficial to commission a large scale community survey to ensure that all voices are heard and not just the most vocal groups.

Ms. Rosario noted that there had been a survey in 2003 through Virginia Tech which measured citizen responses to a series of land use questions. The survey was replicated for the 2009 Comprehensive Plan. Ms. Rosario noted that staff anticipated doing a similar survey for the next Comprehensive Plan review.

Ms. Bledsoe concurred that a citizen survey would be important.

Ms. Bledsoe confirmed that the Committee was in agreement with the items for review proposed by staff.

3. Future of the Regional Comprehensive Planning Process

Ms. Rosario inquired if the Committee would conclude that there were enough successes/positives to the process over the last two years to make another regional process desirable in future years.

Mr. Woods noted that you had to stay the course to see the long-term benefits.

Ms. Bledsoe stated that from the Planning Commission perspective, the Regional Comprehensive Planning Process makes sense because you are working with the adjacent localities to ensure the best possible stewardship of the land.

Mr. Krapf noted that the three adjacent localities, while remaining separate entities, are

dependent on each other to an extent and have overlapping impacts and resources. Although it was initially awkward, the process must be repeated to gain the most benefit. Mr. Krapf further noted that public engagement was essential to the success of the process.

Ms. Bledsoe confirmed that the Committee agreed that the Regional Comprehensive Planning Process should be repeated in the future.

4. Methodology for Future Regional Comprehensive Planning Processes

Mr. Woods inquired if this question needed to be addressed at this time.

Mr. Holt responded that there is a tentative agenda item for the July Regional Issues Committee which anticipates a report from each locality to benchmark the process.

Mr. Woods noted that many similar processes are done over two days to provide for activities to break the ice so the remainder of the discussions will be productive.

Ms. Bledsoe noted that the success of the joint Planning Commission meetings depends on how well staff prepares the Commissioners for the discussion. Ms. Bledsoe further noted that the James City County Planning Commission is always well prepared thanks to the research and briefings by staff.

Mr. Krapf suggested a different format such as day-long event with a concentration on small focus groups which would each discuss the various topics.

Mr. O'Connor recommended narrowing the scope of the questions posed at the public forums to focus the responses.

Ms. Rosario asked for confirmation that the Committee wanted to retain the Community Conversations as part of the process.

The Committee confirmed.

Mr. Woods stated that it would be beneficial to have an impartial professional facilitator lead the joint Planning Commission meetings.

Mr. Krapf suggested that the facilitator might handle the public forums and keep the discussion more focused.

Mr. Holt requested that the Committee consider whether the large scale public forum would be effective going forward or whether smaller groups would be better.

Mr. Wood noted that the large meeting would be more effective if the attendees were divided into small focus groups to discuss each topic.

Mr. Krapf noted that that format was used by the County for the 2009 Comprehensive Plan

with good results.

Mr. Woods noted that the smaller focus groups would require more staff to facilitate the discussion.

Ms. Bledsoe noted that whatever format would be used for future public forums, it would be necessary to ensure that all voices are heard.

Mr. O'Connor noted that the choice of venue for the joint Planning Commission meeting would be important to allow the public to better hear the discussion.

Ms. Rosario thanked the Commissioners for their comments on the items posed for discussion.

b) Planning Division Work Program

Mr. Holt requested that the Committee provide feedback on the priority for six potential Zoning Ordinance amendment components: Rural Lands public engagement; chickens in residential districts; accessory apartment requirements; fast food restaurant standards; wind and solar production/ electric vehicle charging; and housekeeping items related to parking, wireless communication facilities, and the R-4 district.

Mr. Holt noted that Mr. Jason Purse, Zoning Administrator, was also present to assist with any questions the Committee might have.

Mr. Woods requested a brief explanation of the issues.

Mr. Purse stated that the question of keeping of chickens in residential districts had been brought forward last year by the Board of Supervisors in response citizen inquiries. Currently chickens are only allowed in the A-1 and R-8 districts which comprise approximately 48% of the County.

Mr. Purse further noted that staff had done a substantial amount of research on how other localities address the issue in their ordinances and that it is a complicated issue which is why it had not been part of the recent ordinance revisions.

Mr. Purse noted that there were currently a number of reports of people are keeping chickens in residential districts in violation of the Zoning Ordinance. These violations have not been addressed to date, pending any revisions to the Zoning Ordinance. If no revisions are made, staff will need to begin enforcement actions.

Mr. O'Connor noted that it was necessary for the benefit of the community to determine whether a revision to the ordinance was appropriate.

Mr. Holt noted that revising the Zoning Ordinance would also require consideration of other aspects such as conflicts with neighborhood covenants and the keeping of other types of animals.

Mr. Krapf stated that he is in favor of leaving the Zoning Ordinance as it currently stands related to the keeping of chicks due to the time and effort required to address all the ancillary issues.

The Committee concluded that it would not recommend pursuing amendments related to the keeping of chickens, meaning that the current ordinance standards remain in effect and enforcement of those standards would resume.

Mr. Holt noted that the Zoning ordinance currently allows accessory apartments with the restriction that they must be attached to the main structure; look like they are part of the main structure. Mr. Holt noted that the ordinance did not provide for any architectural flexibility.

Mr. Purse noted that an accessory apartment could not be more than 35% of the floor area of the main structure.

Ms. Bledsoe inquired why this topic was being brought forward.

Mr. O'Connor stated that there was substantial citizen sentiment to allow more flexibility for creating an accessory apartment to accommodate individual needs. Mr. O'Connor further noted that allowing more flexibility would be beneficial to the community to address the needs of an ageing population.

Mr. Purse noted that the reason for requiring the accessory apartment to be part of the main structure was for related to determining development unit caps, proffer requirements, and parking requirements.

Mr. Krapf noted that the impacts would exist under any circumstances. Mr. Krapf concurred that review of accessory apartment requirements would be a high priority.

Ms. Bledsoe agreed that this was an important issue due to the nature of the community. Ms. Bledsoe further stated that addressing the issue now would be a proactive step to have updated requirements in place in advance of a time when there would be an increasing number of requests.

Mr. Holt noted that reviewing fast food restaurant requirements was an extension of some of the housekeeping items. Mr. Holt stated that the Zoning Ordinance is not clear on what actually constitutes fast food due to the nature of services provided by establishments such as Starbucks and Subway among others.

Mr. Holt stated that the final item for consideration was review of the effect of emerging technologies such as wind and solar production/ electric vehicle charging on the Zoning Ordinances.

Mr. Woods inquired if there was demand for the wind turbines and if they were viable source of energy.

Mr. Holt stated that there had been requests in the Hampton Roads area.

Mr. O'Connor noted that there were a substantial number of wind turbines in New Kent County.

The Committee concurred that emerging technologies should be reviewed.

The Committee discussed the options for assigning priority levels to the remaining amendment topics.

The Committee concluded that review of accessory apartment standards would be the highest priority followed by the Rural Lands public engagement process. Review of fast food restaurant standards and the housekeeping items would be a medium priorities and consideration of emerging technologies would be lowest priority.

Ms. Rosario clarified that the Rural Lands public engagement process is a first step to assist the Board of Supervisors in gauging the preference of the community.

Mr. Krapf noted that the success of the conversations about Rural Lands would be enhanced if the County is able to obtain the grant to review potentials for economic growth in the Rural Lands district.

Mr. Holt noted that the remaining items in the staff report related to transportation and special projects were provided for informational purposes so that the Committee is aware of projects and items that would be coming forward throughout the year.

Ms. Bledsoe stated appreciation for the efforts of the Committee in working through the discussion items.

Mr. Woods reminded Ms. Bledsoe that she had wanted to return to the CIP topic at the end of the meeting.

Mr. Holt noted that he had as an action item to send the Committee the state code sections related to planning commissions in the CIP process along with a blank application.

Ms. Bledsoe stated that this review was to establish what the boundaries are for the Committee's involvement in the process.

Mr. Holt noted that after the committee reviews the information there could be a discussion of any changes the Committee would like to see in the application process.

Mr. O'Connor inquired if other localities ask for operating budget impacts related to the CIP.

Mr. Holt stated that it was more typical for localities to review an application based on a checklist, point ranking system, consistency with the Comprehensive Plan or Strategic Plan and implementation of goals, strategies and actions.

Mr. Holt further noted that there had been an effort within the last two years to update the state code language which established new language to mandate that some of the operating budget components be included in the evaluation process.

Ms. Rosario noted that historically it has been natural for the various policy committees to want to review the CIP process to be sure they are comfortable with it.

Mr. Krapf noted that, if not prohibited by statute, the Committee might wish to review the weighted criteria and decide if there was anything that should be changed.

Mr. Holt stated that the intent written in the state code would reflect that the CIP review from a planning commission context is focused on land use and achievement of the Comprehensive Plan versus the fiscal analysis that is more traditionally done by the locality's CAO and financial management team.

Mr. Purse noted that the fiscal impact was one of the weighted criteria and having that information can assist with the larger land use decision.

Mr. Holt noted that the affordability and fiscal impact aspect of a CIP application is generally reviewed in depth at the Board of Supervisors level.

Ms. Bledsoe noted that it would be important to know what the Committee is charged with related to reviewing CIP applications.

5) Public Comment

No one was present to speak.

6) Other Business

There was no other business to discuss.

7) Adjournment

The meeting was adjourned at 5:54 p.m.



Robin Bledsoe, Chair of the Policy Committee