

**A G E N D A**  
**JAMES CITY COUNTY POLICY COMMITTEE**  
**REGULAR MEETING**  
**Building A Large Conference Room**  
**101 Mounts Bay Road, Williamsburg, VA 23185**  
**January 14, 2016**  
**4:00 PM**

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**A. CALL TO ORDER**

**B. ROLL CALL**

**C. MINUTES**

1. November 12, 2015 Minutes

**D. OLD BUSINESS**

**E. NEW BUSINESS**

1. FY17-FY21 Capital Improvement Program (CIP) Kickoff
2. Ordinance Amendment to amend and reordain Chapter 19, Subdivisions, Section 19-12, Vacation of recorded plat
3. Event Facilities in Rural Lands

**F. ADJOURNMENT**

**ITEM SUMMARY**

DATE: 1/14/2016  
TO: Policy Committee  
FROM: Alex Baruch  
SUBJECT: Minutes from the November 12th Policy Committee meeting.

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**ATTACHMENTS:**

	Description	Type
▣	November 12, 2015 Minutes	Minutes

**REVIEWERS:**

Department	Reviewer	Action	Date
Policy Secretary	Secretary, Policy	Approved	12/31/2015 - 1:38 PM

**POLICY COMMITTEE MEETING**

November 12, 2015

4:00 p.m.

County Government Center, Building A

**1.) Roll Call**

**Present**

Mr. John Wright III

Mr. Tim O'Connor

Ms. Robin Bledsoe

Mr. Rich Krapf

Mr. Heath Richardson

**Staff Present**

Mr. Paul Holt

Ms. Cay Pittman

Mr. Alex Baruch

**Others Present**

Mr. Chris Basic

Mr. George Drummond was absent.

Mr. John Wright called the meeting to order at 4:00 p.m.

**2.) Minutes**

a. October 15, 2015

Ms. Robin Bledsoe moved to approve the October 15, 2015 minutes.

In a unanimous voice vote, the minutes were approved as submitted 5-0.

**3.) New Business**

a. NOVUS Agenda Training

Ms. Cay Pittman gave a presentation on NOVUS Agenda, an online platform for organizing and publishing meeting materials. Ms. Pittman showed the Commissioners how to use the software and answered questions pertaining to the software's functionality.

**4.) Adjournment**

Mr. Heath Richardson moved to adjourn (5-0).

The meeting was adjourned at approximately 4:56 p.m.

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John Wright III

**ITEM SUMMARY**

DATE: 1/14/2016  
TO: Policy Committee  
FROM: Staff  
SUBJECT: FY17-FY21 Capital Improvement Program (CIP) Kickoff.

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**REVIEWERS:**

Department	Reviewer	Action	Date
Policy Secretary	Secretary, Policy	Approved	1/6/2016 - 3:52 PM

**ITEM SUMMARY**

DATE: 1/14/2016

TO: Policy Committee

FROM: Jose Ribeiro

SUBJECT: Ordinance Amendment to amend and reordain Chapter 19, Subdivisions, Section 19-12, Vacation of recorded plat.

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**ATTACHMENTS:**

	Description	Type
▣	memo	Cover Memo
▣	draft ord	Ordinance

**REVIEWERS:**

Department	Reviewer	Action	Date
Policy	Rosario, Tammy	Approved	1/7/2016 - 8:15 AM
Policy	Holt, Paul	Approved	1/7/2016 - 8:40 AM
Publication Management	Burcham, Nan	Approved	1/7/2016 - 10:07 AM
Policy Secretary	Secretary, Policy	Approved	1/7/2016 - 1:14 PM

**MEMORANDUM**

DATE: January 14, 2016

TO: Policy Committee

FROM: Liz Young, Legal Technician  
Jose Ribeiro, Senior Planner II

SUBJECT: Ordinance Amendment to amend and reordain Chapter 19, Subdivisions, Section 19-12, Vacation of recorded plat

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At the Board of Supervisors work session on August 11, 2015, discussion was held about updating and revising certain sections and chapters of the County Code. The attached ordinance continues the process by proposing amendments to Section 19-12, Vacation of recorded plat.

Currently, the James City County Code Section 19-12 allows a recorded plat to be vacated pursuant to Code of Va. §§ 15.2-2271-15.2-2276, as amended. This code section was originally adopted in 1989 and has only been updated once for grammatical consistency.

The ordinance amendment is being proposed because there are a variety of plat vacation situations that require different processes under Virginia Code. The plat vacation process described in the Code of Va. §§ 15.2-2271-15.2-2276, is typically utilized in cases when a boundary line is adjusted and lot lines are to be extinguished, or if a property is sold with a designation that is no longer applicable, such as disused recreation lot or well lot. The plat vacation process described in the proposed amendment, Code of Va. §§ 15.2-2006-15.2-2008, is useful for vacating right-of-way on a plat which has been designated, but not utilized, such as alleys or “paper streets.” The proposed amendment would allow flexibility in applying the two processes as they are applicable. Staff has practiced using both of these processes as necessary, so the proposed amendment aligns the County Code with the current procedure.

On January 6, 2016, the Planning Commission adopted a resolution to initiate consideration of such amendment to the subdivision ordinance and referred this matter to the Policy Committee.

Staff recommends that the Policy Committee recommend approval of the proposed subdivision ordinance amendment to the Planning Commission.

LY/JR/nb  
Ch19SubdivisionAmend-mem

Attachment

ORDINANCE NO. \_\_\_\_\_

Chapter 19. Subdivision

Article I. General Provisions

**Sec. 19-12. - Vacation of recorded plat.**

Any recorded plat, or part thereof, may be vacated by the governing body pursuant to Code of Va., § 15.2-2271 through § 15.2-2276, as amended *or Code of Va., §15.2-2006 through § 15.2-2008, as amended, as applicable.*

~~Any such vacation shall operate to destroy the force and effect of the recording of the plat so vacated and to divest all public rights in, and to reinvest to the owners, proprietors and trustee, if any, the title to the streets, alleys, easements for public passage and other public areas laid out or described in such plat.~~

**ITEM SUMMARY**

DATE: 1/14/2016  
TO: The Policy Committee  
FROM: Leanne Pollock and Ellen Cook  
SUBJECT: Event Facilities in Rural Lands

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**ATTACHMENTS:**

	Description	Type
▣	memorandum	Cover Memo
▣	Attachment 1. Sample list of event venues	Backup Material

**REVIEWERS:**

Department	Reviewer	Action	Date
Policy	Rosario, Tammy	Approved	1/4/2016 - 12:10 PM
Policy	Holt, Paul	Approved	1/4/2016 - 1:24 PM
Publication Management	Burcham, Nan	Approved	1/4/2016 - 3:43 PM
Policy Secretary	Secretary, Policy	Approved	1/5/2016 - 4:59 PM



## M E M O R A N D U M

DATE: January 14, 2016

TO: The Board of Supervisors

FROM: Leanne Pollock, Senior Planner II  
Ellen Cook, Senior Planner II

SUBJECT: Event Facilities in Rural Lands

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### **BACKGROUND**

Over the past year, staff has received a number of inquiries from citizens who are interested in starting privately run for-profit event facility businesses on parcels in the County designated as Rural Lands. Two of the inquiries were for stand-alone event facilities, while another was a possible secondary use in combination with a tourist home (bed and breakfast). All of the inquiries included weddings among the possible events and several mentioned the desire to have other types of events as well, such as corporate parties or charity events. These businesses could include up to several hundred people traveling to and from the event facility, music or other amplified sound (possibly in an outdoor setting), lighting, food preparation/disposal and sanitary waste considerations.

There are some examples of similar facilities located inside the County's Primary Service Area (PSA), including Legacy Hall in New Town, the Williamsburg Winery and clubhouses in planned communities (Kingsmill, Ford's Colony, Colonial Heritage, Governor's Land, etc.), but adjacent localities have more facilities in a rural setting. For example, New Kent is home to the Vintager Inn, Jasmine Plantation, Cousiac Manor and New Kent Winery. Some of these can also accommodate overnight guests or have other primary uses on the property, such as a farm or winery. Attachment No. 1 includes a quick overview of some of these facilities to help visualize the sort of businesses for which the Planning Division has received recent requests.

Updating the zoning ordinance to account for private special events and event facilities as a principal use was proposed as part of the Planning Division's 2015-2016 work program at the October 2015 Policy Committee meeting. Staff is proposing to evaluate this item in a multiple stage process similar to review of ordinance amendments proposed after adoption of the 2009 Comprehensive Plan. In Stage I (the subject of this staff memorandum), staff will identify issues and possible directions for the proposed amendment. Later, following the January 14 meeting, in Stage II, staff will provide the Policy Committee with a proposed draft ordinance for discussion. Lastly, in Stage III, staff will draft the final ordinance accounting for any Policy Committee comments.

### **CURRENT CODE**

Such event facilities currently fall under the use category "places of public assembly" in the list of permitted and specially permitted uses in the Zoning Ordinance. During the ordinance update process in 2011/2012, most of the zoning districts were updated to include the "places of public assembly" use, which incorporated the previously separate listed uses of "houses of worship" and "lodges, civic clubs, fraternal organizations or service clubs." However, since the A-1 district was not thoroughly updated at that time, these uses are still listed separately, with "houses of worship" as a permitted use and the "lodges, civic clubs, fraternal organizations or service clubs" as a specially permitted use.

In order to accommodate citizen interest and implement the previously completed Strategy for Rural Economic Development, the A-1 ordinance could be updated to include the “places of public assembly” use terminology consistent with the other updated districts in the Zoning Ordinance. If updated, a determination would need to be made whether to list it as a permitted or specially permitted use. “Places of public assembly” is currently a permitted use in R-3, R-4, R-5, LB, B-1, M-1, PUD, MU and EO; a specially permitted use in R-1 and R-2; and not listed (and therefore not permitted) in the M-2, RT, R-8 and A-1 districts. The use is classified as a “public meeting hall” in the PL district. “Public meeting halls under 30,000 square feet” are permitted in PL while those over 30,000 square feet are specially permitted. Note that in looking at this use, it is not staff’s intention to have any changes apply to a private landowner wishing to hold a private event on their own property (such as a graduation party or family wedding) that is not for a profit or commercial business. These types of private and personal events are currently permitted and would continue to be permitted.

County Code also has a section specific to Outdoor Gatherings, Parades and Road Races ([Chapter 14](#)) which outlines permitting for special events. Generally, this section applies to any public event of festival that is held in a non-permanent installation where members of the public are invited and attendance is more than 200 persons. This currently applies to charity events and fundraisers where tickets are sold to the public, but does not cover private weddings or invitation-only parties held in for-profit venues. If a facility like Legacy Hall, which was permitted under the “places of public assembly use,” wishes to hold a special event meeting the above definition, the user must still apply for an outdoor gathering permit.

#### **ADDITIONAL GUIDANCE**

As mentioned above, the County has adopted a Strategy for Rural Economic Development that encourages allowing rural land owners to pursue appropriate commercial uses that would complement the property’s rural character and also expand its income-generating potential. Event venues in rural areas have become very popular lately; however, their permitting merits careful consideration since the supporting infrastructure (roads, utilities) is not as robust as areas inside the PSA and the Rural Lands character can be affected by the scale and placement of uses.

The 2035 Comprehensive Plan also lends support to this possible ordinance amendment through goals, strategies and actions in the Economic Development and Land Use sections. ED 1.2.1 notes that the County should “encourage the creation of new and retention of existing small businesses, home-based businesses, and entrepreneurial efforts.” ED 8.8 also states the County should “identify opportunities for non-traditional agricultural and forestal uses, agri-tourism and eco-tourism, such as those identified in the Rural Economic Development Committee report, and evaluate obstacles to and incentives for their private sector formation and/or expansion within the County.” Finally LU 6.1.3 notes that the County should “amend the Zoning Ordinance after re-evaluating the list of permitted and specially permitted uses in Rural Lands. Investigate adding a development standards policy for those uses that might benefit from a rural location. Specifically look at non-residential uses and development standards that may be appropriate, such as agri-business, eco-tourism, or green energy uses, and uses related to projects that are identified by the Strategy for Rural Economic Development.”

#### **DISCUSSION ITEMS**

Staff would like to discuss with the Policy Committee the idea of possibly amending the Zoning ordinance to allow for more flexibility in developing dedicated commercial event venues in areas designated Rural Lands. Staff has conducted research on other localities regarding special event and wedding venues and each locality has a different process. Some localities (such as New Kent County and Charles City County) do not address these specifically as a stand-alone use, other localities (such as the City of Williamsburg and Frederick County) consider them accessory to a primary use (like a winery or bed and breakfast), some (such as Rockingham County) allow them as a stand-alone primary use either by-right or as a specially permitted use and some

localities (such as Frederick, MD) issue annual event or festival permits. Localities (such as Loudoun County and Albemarle County) have also used thresholds like event size, parcel or venue size and event frequency to categorize such facilities and have different ways of permitting them.

In light of this research and based on internal discussions, staff has identified two possible routes should the Planning Commission and Board of Supervisors wish to add “places of public assembly” to the A-1 district:

- 1) List the use as a specially permitted use, whereby each application could be reviewed on a case-by-case basis and an individualized judgment could be made on the scale of the proposal (maximum number of attendees, square footage of buildings, area of parking lot and other improvements, etc.) compared with the parcel size and availability infrastructure. The Special Use Permit conditions could be tailored to address any particular issues. This process may be more time consuming and costly for applicants and less predictable, but gives more flexibility to considering and addressing case-specific impacts.

OR

- 2) List the use as a permitted use, but include performance standards in the special regulations section of the district designed to specifically address the event facility component of the “places of public assembly” use. Staff anticipates that performance criteria could frame items such as: relationship between the maximum number of attendees to the parcel size and capacity of the Virginia Department of Transportation (VDOT) road the parcel fronts on and standards for noise, setbacks, event duration and compliance with other agency requirements (such as VDOT, Health Department, Building Safety and Permits, etc.). It could be difficult to fully anticipate and mitigate all impacts and scenarios with performance standards and the ordinance may require adjustments in the early stages of enforcement. However, having the use as a permitted use with performance standards could reduce the costs and time for applicants to get permitted, make the process more predictable and may be appropriate given that many of these facilities will likely involve temporary structures (tents) or conversion of existing structures (barns) rather than major new commercial buildings and associated site improvements.

Staff is seeking Policy Committee guidance on the best way to include “places of public assembly” in the A-1 district and requests input on these two possible routes or other suggestions. Staff would also like to have a general discussion with the Committee regarding scale and appropriateness of facilities in the Rural Lands. Based on input received at this meeting, staff will do additional research and bring a more detailed proposal to the Policy Committee in March.

LP/EC/nb

RL-EventFac-mem

Attachment

1. Sample list of event venues

Examples of special event facilities

Name	Locality	Address	Parcel size	Capacity	Parking	Notes	Website
Legacy Hall	James City County	4301 New Town Avenue	0.23 ac (building), 1 ac (lawn)	299 (possible additional lawn capacity)	New Town shared parking	Can set up a tent and seating on lawn area	<a href="http://www.jamescitycountyva.gov/recreation/legacyhall/index.html">http://www.jamescitycountyva.gov/recreation/legacyhall/index.html</a>
Williamsburg Winery	James City County	5800 Wessex Hundred	7.3 ac (building), 274 (vineyards)	370 (indoor and outdoor, multiple venues)	Dirt with gravel overflow	Has a farm, inn, winery and restaurant on-site	<a href="http://williamsburgwinery.com/">http://williamsburgwinery.com/</a>
Vintager Inn	New Kent County	6800 New Kent Highway	65 acres	300 indoors, 600 outdoors	Claim to have ample parking on website (grass)	Also a B&B, indoor and outdoor facilities, has small parking area with gravel drive and grass stalls	<a href="http://thevintagerinn.com/weddings-events/">http://thevintagerinn.com/weddings-events/</a>
Historic Jasmine Plantation	New Kent County	4500 N Courthouse Rd, Providence Forge	42 acres	350 (indoors and outdoors)	Grass, "plenty"	Also a B&B, indoor, tent and outdoor facilities	<a href="http://www.jasmineplantation.com/">http://www.jasmineplantation.com/</a>
Cousiac Manor	New Kent County	9960 Old Sweet Hall Ferry Crossing, Lanexa	1285 acres	300	Larged paved parking area	Also include accommodations	<a href="http://www.cousiacmanor.com/">http://www.cousiacmanor.com/</a>
New Kent Winery	New Kent County	8400 Old Church Rd, New Kent	20 acres (vineyard)	200 (indoors and outdoors)	38 paved spaces, other grass area	Winery on-site, no info on website	<a href="http://newkentwinery.com/">http://newkentwinery.com/</a>
Berkeley Plantation	Charles City County	12602 Harrison Landing Rd	Not sure	400	Gravel and grass spaces	Also a museum and garden	<a href="http://www.berkeleyplantation.com/weddings---events.html">http://www.berkeleyplantation.com/weddings---events.html</a>
Apple Blossom Plantation	Charles City County	6311 S Courthouse Rd, Providence Forge	30 acres	200 (tent), more outside	Small paved, larger grass area	Also an inn	<a href="http://www.ablossomplantation.com/">http://www.ablossomplantation.com/</a>