

**RESOLUTION**

**INITIATION OF CONSIDERATION OF AMENDMENTS TO SECTION 24-16**

**OF THE ZONING ORDINANCE TO ACCEPT RESIDENTIAL PROFFERS**

WHEREAS, the Code of Virginia Section 15.2-2286 and County Code Section 24-13 permit the Board of Supervisors of James City County, Virginia (the "Board") to, by resolution, initiate amendments to the regulations of the Zoning Ordinance that the Board finds to be prudent; and

WHEREAS, during its 2016 Session, the General Assembly revised the zoning laws in the Code of Virginia in such a manner that on September 13, 2016, the Board adopted Ordinance No. 31A-304 amending James City County Code Section 24-16 to no longer accept proffers for certain applications for residential rezoning; and

WHEREAS, on March 5, 2019, changes to Section 15.2-2303.4 of the Code of Virginia by the General Assembly were approved by the Governor of Virginia and enacted as Chapter 245 of the Acts of Assembly ("Chapter 245"); and

WHEREAS, Chapter 245 appears to address many of the concerns stated by the Board when it adopted Ordinance No. 31A-304; and

WHEREAS, the Board desires that staff consider the effects of Chapter 245 and recommend any warranted changes to James City County Code Section 24-16 to accept proffers associated with any new residential rezoning or zoning map amendment, or any new residential component of a multi-use district rezoning or zoning map amendment; and

WHEREAS, the Board is of the opinion that the public necessity, convenience, general welfare, and good zoning practice warrant the consideration of amendments to the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby initiate staff review of Section 24-16 of the James City County Code to accept proffers associated with any new residential rezoning or zoning map amendment, or any new residential component of a multi-use district rezoning or zoning map amendment and further directs staff to review and prepare any recommended revisions to current or rescinded proffer policies. The Planning Commission shall hold at least one public hearing on the consideration of amendment of said Ordinance and policies and shall forward its recommendation thereon to the Board of Supervisors in accordance with the law.

*James O. Icenhour, Jr.*

James O. Icenhour, Jr.  
Chairman, Board of Supervisors

ATTEST:

*Teresa J. Fellows*

Teresa J. Fellows  
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
HIPPLE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LARSON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SADLER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MCGLENNON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ICENHOUR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of April, 2019.

24-16Initiating-res