

## RESOLUTION


### OWNER APPLICATIONS

- WHEREAS, the James City County Code (the “County Code”) permits any property owner, contract purchaser with the owner's written consent, or the owner's agent to apply to amend, supplement, or change by Ordinance the boundaries of zoning districts or the regulations established in the James City County Zoning Ordinance (the “Zoning Ordinance”), including zoning map amendments (collectively, “Owner Applications”); and
- WHEREAS, Owner Applications are regularly submitted for consideration by the Board of Supervisors (the “Board”), all of which are given thorough consideration by staff and the James City County Planning Commission (the “Commission”) prior to transmittal to the Board; and
- WHEREAS, a major factor for the consideration of any amendment to the Zoning Ordinance, including Owner Applications, is whether staff, the Commission, and the Board believe that the proposed amendment is consistent with the James City County Comprehensive Plan (the “Comprehensive Plan”); and
- WHEREAS, the process to review and update the Comprehensive Plan, including extensive input from the citizens of the County, is currently underway and is anticipated to be complete by December 2021; and
- WHEREAS, at the January 4, 2021 Board meeting, members of the Board expressed concern that its consideration of any Owner Applications in 2021 would be based in part on analysis of the proposal’s consistency with a soon-to-be-outdated Comprehensive Plan; and
- WHEREAS, the Board finds that it promotes the health, safety, and welfare of the citizens of the County and good zoning practice to ensure that all Owner Applications are considered with analysis based upon consistency with the updated 2045 Comprehensive Plan; and
- WHEREAS, the Code of Virginia allows the Board up to 12 months to act upon any Owner Applications forwarded to it by the Commission; and
- WHEREAS, it is the Board’s desire to delay its consideration of any Owner Applications until its first regular meeting in January 2022 to allow time for the Comprehensive Plan update to be completed.
- NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby state its intention to not consider any Owner Applications that propose: (1) any new residential units beyond that which is permitted as a matter of right; (2) any reconfiguration of any previously-approved residential units within a residential, mixed-use, or planned unit development; (3) any material reconfiguration of a previously-approved Master Plan; or (4) any proffer amendment that increases residential unit count or density until such time as the updated 2045 Comprehensive Plan has been adopted and further directs staff to not place any such application on the Board’s 2021 calendar, or at such earlier time as the Board may determine; provided, however,

that any complete Owner Application received by the Planning Division on or before December 1, 2020 and/or any Owner Applications concerning real property owned by a government or governmental entity may be placed on the Board's 2021 calendar upon prior approval of the Chair of the Board.

  
Michael J. Hipple  
Chairman, Board of Supervisors

ATTEST:

  
Teresa J. Fellows  
Deputy Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 4th day of January, 2021.

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