AGENDA

JAMES CITY COUNTY BOARD OF SUPERVISORS

REGULAR MEETING

COUNTY GOVERNMENT CENTER BOARD ROOM

101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185

October 8, 2024

5:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

E. PUBLIC COMMENT

F. CONSENT CALENDAR

G. PUBLIC HEARING(S)

1. Z-23-0001/SUP-23-0031. Monticello Avenue Shops
2. SUP-24-0008. 135 Country Club Drive Two-Family Unit
3. SUP-24-0017. 8936 Croaker Road, Baker Family Subdivision
4. ORD-22-0001/Z-24-0008. Amendments for Scenic Roadway Protection
5. Disposal of County Property Located at 4601 Ironbound Road
6. Disposal of County Property Located at 3175 Ironbound Road

H. BOARD CONSIDERATION(S)

1. Plan of Finance - Capital Projects
2. Designation of Voting Delegate for VACo Annual Conference

I. BOARD REQUESTS AND DIRECTIVES

J. REPORTS OF THE COUNTY ADMINISTRATOR

K. CLOSED SESSION

1. Discussion of the award of a public contract involving the expenditure of public funds, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711(A)(29) of the Code of Virginia and pertaining to the contract for the joint operation of schools between the County and the City of Williamsburg.

2. Certification of Closed Session

L. ADJOURNMENT

1. Adjourn until 1 pm on October 22, 2024 for the Business Meeting

SUMMARY FACTS

Applicant:	Mr. Timothy Trant II, Kaufman & Canoles, P.C.
Landowners:	Mr. Larry Cooke Judy H. Ertl Trustee, Ms. Edith Ward Judy Hodges Ertl Trustee, Mr. Ed Ward
Proposal:	Rezoning of 4744 Old News Road, 3897 Ironbound Road, and 3905 Ironbound Road from R-8, Rural Residential to B-1, General Business with Proffers, and a Special Use Permit (SUP) to allow a total of 12,000 square feet of commercial development in three separate buildings, each 4,000 square feet in area.
Location:	4744 Old News Road 3897 Ironbound Road 3905 Ironbound Road
Tax Map/Parcel Nos.:	3830100002A 3830100004 3830100003
Property Acreage:	Total Acreage ± 2.75 acres
Zoning:	R-8, Rural Residential
Proposed Zoning:	B-1, General Business with Proffers
Comprehensive Plan:	Neighborhood Commercial
Primary Service Area:	Inside
Staff Contact:	Ben Loppacker, Planner

PUBLIC HEARING DATES

Planning Commission:	August 7, 2024, 6:00 p.m.
Board of Supervisors:	September 10, 2024, 5:00 p.m. (Postponed) October 8, 2024, 5:00 p.m.

CHANGES SINCE THE SEPTEMBER 10, 2024, BOARD OF SUPERVISORS MEETING

At its September 10, 2024, meeting, the Board of Supervisors (BOS) opened the public hearing and postponed action on this item until October 8, 2024, pursuant to the applicant's request. Since the September 10, 2024, Board Meeting, the applicant has modified the Master Plan (Attachment No. 6) to remove the proposed sidewalk on the southern side of the property along Ironbound Road.

STAFF RECOMMENDATION

With the proposed conditions and proffers, staff finds that impacts to adjacent properties would be mitigated. Staff recommends that the Board of Supervisors approve this application, subject to the proposed proffers and SUP conditions.

BL/ap
RZ23-1-SUP23-31MontDef

Attachments:
1. Ordinance
2. Resolution
3. Staff Report from the September 10, 2024, BOS Meeting
4. Signed Proffers

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

5. Location Map
6. Master Plan
7. Design Guidelines
8. Community Impact Statement
9. Traffic Impact Analysis
10. Citizen Comments
11. Approved Minutes of the August 7, 2024, Planning Commission Meeting

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE ZONING DISTRICT MAPS OF JAMES CITY COUNTY, VIRGINIA, TO REZONE APPROXIMATELY 2.75 ACRES FROM R-8, RURAL RESIDENTIAL TO B-1, GENERAL BUSINESS WITH PROFFERS.

WHEREAS, Mr. Timothy Trant II of Kaufman & Canoles P.C., on behalf of Mr. Brett Skinner of Verdad Real Estate Development, has applied to rezone approximately 2.75 acres from R-8, Rural Residential to B-1, General Business with Proffers; and

WHEREAS, the properties are located at 4744 Old News Road, 3897 Ironbound Road, and 3905 Ironbound Road and further identified as James City County Real Estate Tax Map Parcel Nos. 3830100002A, 3830100004, and 3830100003 (the "Properties") and shown on the Master Plan entitled "Monticello Avenue Shops" prepared by AES Consulting Engineers and dated July 12, 2024 (the "Master Plan"); and

WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing conducted on Case No. Z-23-0001; and

WHEREAS, the Planning Commission of James City County, Virginia, following its consideration on August 7, 2024, recommended approval of Case No. Z-23-0001 by a vote of 6-0; and

WHEREAS, the Board of Supervisors of James City County, Virginia, finds Case No. Z-23-0001 to be required by public necessity, convenience, general welfare, and good zoning practice.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of James City County, Virginia, that Case No. Z-23-0001 is hereby approved as described therein.

_____
Ruth M. Larson
Chair, Board of Supervisors

ATTEST:

_____
Teresa J. Saeed
Deputy Clerk to the Board

	VOTES			
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Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of October, 2024.

RZ23-1-SUP23-31Mont-ord

R E S O L U T I O N

CASE NO. SUP-23-0031. MONTICELLO AVENUE SHOPS

WHEREAS, the Board of Supervisors of James City County, Virginia (the "Board"), has adopted by Ordinance specific land uses that shall be subjected to a Special Use Permit (the "SUP") process; and

WHEREAS, Mr. Larry Cooke, Judy H. Ertl Trustee and Ms. Edith Ward, and Judy Hodges Ertl Trustee and Mr. Ed Ward (the "Owners") own properties located at 4744 Old News Road, 3897 Ironbound Road, and 3905 Ironbound Road and further identified as James City County Real Estate Tax Map Parcel Nos. 3830100002A, 3830100004, and 3830100003 (the "Properties"). The Properties are zoned R-8, Rural Residential; and

WHEREAS, Mr. Timothy Trant II of Kaufman & Canoles P.C., has applied on behalf of Mr. Brett Skinner of Verdad Real Estate Development, for a commercial SUP to allow for the development of more than 10,000 square feet of commercial use on a Master Plan entitled "Monticello Avenue Shops" prepared by AES Consulting Engineers and dated January 27, 2023, and revised September 12, 2024; and

WHEREAS, the Planning Commission, following its public hearing on August 7, 2024, recommended approval of the application by a vote of 6-0; and

WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing conducted on Case No. SUP-23-0031; and

WHEREAS, the Board of Supervisors of James City County, Virginia, finds this use to be consistent with good zoning practices and the Comprehensive Plan Land Use Map designation for the Property.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after consideration of the factors in Section 24-9 of the James City County Code (the "County Code"), does hereby approve the issuance of Case No. SUP-23-0031, as described herein with the following conditions:

1. *Master Plan.* This commercial SUP shall apply to property consisting of parcels located at 4744 Old News Road, 3897 Ironbound Road, and 3905 Ironbound Road and further identified as James City County Real Estate Tax Map Parcel Nos. 3830100002A, 3830100004, and 3830100003, respectively (together, the "Property"). The SUP shall be valid for up to 12,000 square feet of commercial development on the Property (the "Proposal"). All final development plans for the Proposal shall be consistent with the Master Plan entitled, "Monticello Avenue Shops" prepared by AES Consulting Engineers and dated January 27, 2023, and revised September 12, 2024 (the "Master Plan"), with any deviations considered per Section 24-23(a)(2) of the Zoning Ordinance, as amended.

2. *Architectural Review.* The design and materials of the Proposal shall be consistent with the design guidelines, titled "Design Guidelines for Monticello Shops," dated February 26, 2024, and submitted with Z-23-0001 (the "Design Guidelines"), as determined by the Director of Planning. Prior to site plan approval, the Director of Planning or designee, with consultation with the New Town Design Review Board, shall review the final design elements for consistency with the Design Guidelines.

3. *Site Access.* No vehicle entrance to the Property shall be constructed along Ironbound Road. Prior to preliminary site plan approval, the applicant shall, in a manner acceptable to the County Attorney's Office, provide permissions from the landowner of the property between Parcel ID Nos. 3830100002A and 3830100009C and commonly known as "Abandoned News Road" that the shared entrance on the western side can be constructed as shown on the Master Plan.

4. *Landscaping.* Prior to final approval of the site plan, the Director of Planning or designee shall review and approve the proposed landscaping plan for the Property. A minimum 35-foot-wide transitional landscape buffers shall be provided along the side and rear boundary lines of the Property and along Ironbound Road. A 20-foot-wide landscape buffer shall be provided along Monticello Avenue. The landscape buffers along Monticello Avenue and Ironbound Road shall contain enhanced landscaping as follows:

   - The perimeter buffer shall be landscaped to the provisions of Section 24-96 of the Zoning Ordinance for General Landscape Areas, except that the required evergreen tree and shrub mixture shall be increased from 35% to at least 45%.
   - Each buffer shall contain the following elements: (i) a minimum of two rows of deciduous shade trees, (ii) evergreen and ornamental understory plantings, and (iii) an evergreen hedgerow of a minimum height of three feet.

   In addition to the required buffers, street trees shall be provided along the Monticello Avenue right-of-way. Unless otherwise prohibited by the Virginia Department of Transportation ("VDOT"), the required street tree plantings may be located within the right of way; however, such plantings shall be privately maintained.

5. *Screening of Site Features.* All dumpsters and roof and ground-mounted HVAC and mechanical units located on the Property shall be screened by an enclosure composed of masonry, closed-cell PVC, prefinished metal, or cementitious panels, in detail and colors to blend with adjacent building materials. Such features and enclosures shall be shown on the site plan and shall be reviewed and approved by the Director of Planning or designee for consistency with this condition prior to final site plan approval. Trash collection shall be limited to no earlier than 7 a.m. and no later than 9 p.m.

6. *Traffic Improvements.* Prior to final site plan approval, the recommended 100-foot eastbound right-turn taper on Monticello Avenue identified in the Traffic Impact Analysis titled "Traffic Impact Analysis Monticello Avenue Commercial" prepared by Gorove Slade, sealed September 2023, shall be guaranteed in a manner acceptable to the County Attorney and installed prior to the issuance of any Certificate of Occupancy (CO) for the Proposal.

7. *Signage.* The Property shall have only one freestanding sign, which shall be a monument-style sign. Such sign shall be externally illuminated and shall not exceed eight feet in height from finished grade. The base of the sign shall be brick or shall use materials similar in type and color with the Proposal's architecture. The design of the sign shall be approved by the Director of Planning for consistency with this condition.

8. *Internal Access to Adjacent Property*. As shown on the Master Plan, the Proposal contemplates future access to the adjacent property to the east of the Property. Prior to the issuance of a CO for the initial building on the Property (unless other timing is approved by the Director of Planning in writing), an ingress/egress easement to the adjacent property from the Monticello Avenue entrance shall be recorded. Such easement shall provide for any improvements necessary on the Property to allow for the construction of the future access and all needed corollary improvements, including, but not limited to, reconstruction of the parking lot, and the relocation of required lighting and landscaping.

9. *Peak Hour Trips*. Development of the Property shall not exceed 48 AM or 72 PM peak hour trips as determined by the most recent edition of the Institute of Transportation Engineers Trip Generation Manual (the "ITE Manual"). Prior to any site plan approval, the applicant shall provide the AM and PM peak hour trips for the Property. Further, if any proposed use on the Property would cause cumulative peak hour trips from the Property to exceed 48 AM or 72 PM peak hour trips, then an SUP amendment shall be required prior to operating.

10. *Impervious Cover Capture*. All proposed impervious cover on the Property resulting from the proposed site improvements shall be captured and conveyed to on-site stormwater management facilities. Special Stormwater Criteria credit(s), for the capture and conveyance of existing impervious cover to proposed on-site stormwater management facilities, shall be determined by the Director of Stormwater and Resource Protection Division.

11. *Virginia Runoff Reduction Method*. The Forested Open Space land use category may not be used toward the required water quality associated with the proposed development, within or outside of the proposed VDOT right-of-way.

12. *Commencement for Construction*. If construction has not commenced on the Property within 36 months from the issuance of the SUP, the permit shall become void. Construction shall be defined as (i) obtaining permits for building construction, (ii) installation of footings and/or foundations, and (iii) passing the required inspections.

13. Severance Clause. This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

_____
Ruth M. Larson
Chair, Board of Supervisors

ATTEST:

_____
Teresa J. Saeed
Deputy Clerk to the Board

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Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of October, 2024.

RZ23-1-SUP23-31Mont-res

SUMMARY FACTS

Applicant:	Mr. Timothy Trant II, Kaufman & Canoles, P.C.
Landowners:	Mr. Larry Cooke Judy H. Ertl Trustee, Ms. Edith Ward Judy Hodges Ertl Trustee, Mr. Ed Ward
Proposal:	Rezoning of 4744 Old News Road, 3897 Ironbound Road, and 3905 Ironbound Road from R-8, Rural Residential to B-1, General Business with Proffers, and a Special Use Permit (SUP) to allow a total of 12,000 square feet of commercial development in three separate buildings, each 4,000 square feet in area.
Locations:	4744 Old News Road 3897 Ironbound Road 3905 Ironbound Road
Tax Map/Parcel Nos.:	3830100002A 3830100004 3830100003
Project Acreage:	Total Acreage ± 2.75 acres
Current Zoning:	R-8, Rural Residential
Proposed Zoning:	B-1, General Business with Proffers
Comprehensive Plan:	Neighborhood Commercial
Primary Service Area (PSA):	Inside
Staff Contact:	Ben Loppacker, Planner

PUBLIC HEARING DATES

Planning Commission: August 7, 2024, 6:00 p.m.

Board of Supervisors: September 10, 2024, 5:00 p.m.

FACTORS FAVORABLE

1. Staff finds the proposal consistent with *Our County, Our Shared Future: James City County 2045 Comprehensive Plan*.

2. With the proposed proffers and conditions, the proposal is compatible with surrounding zoning and development.

3. The applicant has proffered design guidelines that are generally consistent with the County's Character Design Guidelines (Attachment No. 6).

4. The proposal passes the Traffic Impact Analysis (TIA) Submittal Requirements Policy.

5. Impacts: Please see Impact Analysis on Pages 7-10.

FACTORS UNFAVORABLE

1. Impacts: Please see Impact Analysis on Pages 7-10.

SUMMARY STAFF RECOMMENDATION

Staff recommends that the Board of Supervisors approve this application, subject to the proposed proffers and SUP conditions.

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

PLANNING COMMISSION RECOMMENDATION

At its August 7, 2024, meeting, the Planning Commission voted to recommend approval of this application with the proposed proffers and conditions, by a vote of 6-0.

PROPOSED CHANGES MADE SINCE THE PLANNING COMMISSION MEETING

There have been no changes made since the Planning Commission meeting on August 7, 2024.

PROJECT DESCRIPTION

Mr. Tim Trant II of Kaufman & Canoles, P.C., on behalf of Mr. Brett Skinner of Verdad Real Estate Development, has applied for a rezoning and an SUP for the development of three parcels along Monticello Avenue and Ironbound Road (double frontage). The three parcels are located at 4744 Old News Road, 3897 Ironbound Road, and 3905 Ironbound Road. The current zoning of the properties is R-8, Rural Residential and the applicant is proposing to combine the parcels and rezone them to B-1, General Business with Proffers. The site is located within the New Town Community Character Area (CCA) and along the Monticello Avenue Community Character Corridor (CCC). The Master Plan proposes three 4,000-square-foot buildings fronting Monticello Avenue with shared parking. The applicant has indicated that there is no specific commercial or office user at this point in time. The applicant has included a proffer to restrict certain uses that would otherwise be permitted in the B-1, General Business District, by-right; however, a commercial SUP is required per Section 24-11 of the Zoning Ordinance to allow for any commercial building or group of buildings which exceeds 10,000 square feet of floor area.

The proposed site will include one egress/ingress off Monticello Avenue that will be shared with the existing Monticello Marketplace Shoppes. There are a total of 83 proposed shared parking spaces to serve the entire development. The parking is calculated based on the highest intensity use; however, the final parking calculations will be determined during site plan review. The proposed development will include shared parking for the entire site, sidewalks, and pedestrian connectivity to surrounding development.

The applicant is proposing a decrease in the building setbacks and the landscape buffers along Ironbound Road and Monticello Avenue, respectively, citing the relatively narrow depth of the site (200 feet), the desire for development of this site to have enhanced architecture, and other site elements that are generally consistent with the New Town form of development.

- The applicant is proposing the following building setback reduction:
  - Required 50-foot building setback to a 35-foot building setback along Ironbound Road.

- The applicant is proposing the following landscape buffer reductions:
  - Required 50-foot landscape buffer to a 20-foot landscape buffer along Monticello Avenue.

The applicant is offering site design standards which meet or exceed the Comprehensive Plan Development Standards through its proffered Design Guidelines and meets the County's Character Design Guidelines (Attachment No. 6). Staff also notes that the Monticello Marketplace Shoppes development to the west of the project also features a 20-foot landscape buffer along Monticello Avenue and a 35-foot building setback along Ironbound Road.

Based on a preliminary review of the setback and landscape buffer reduction requests and with the proposed SUP Condition No. 4 requiring enhanced landscaping along Monticello Avenue and Ironbound Road, staff and the Director of Planning are generally supportive of these requests. The proposed SUP conditions require that the Director of Planning review the final landscape plan during site plan review to ensure that the proposal meets the criteria found in Section 24-98(a)(3) and Section 24-392 of the Zoning Ordinance to support the requested reductions.

PUBLIC IMPACTS

The scale of this proposal requires the submittal of a TIA. The TIA examines the existing conditions of vehicular traffic, including Level of Service (LOS), with a focus on the roads and intersections serving and impacted by the proposed development.

Per the TIA Submittal Requirements Policy, all Rezoning and SUP applications are subject to the adequate transportation facilities test. A proposed Rezoning or SUP application will pass the test if:

- No off-site improvements are required by the TIA that is approved by both the Planning Director and the Virginia Department of Transportation (VDOT); or

- All off-site improvements recommended by a TIA that are approved by both the Planning Director and VDOT are guaranteed in a form approved by the Planning Director and the County Attorney.

The TIA (Attachment No. 8) analyzed the AM and PM peak hour traffic which estimates that this development will generate 662 total vehicle trips per day. There is an estimated 48 AM and 72 PM peak hour trips entering and exiting the site. The following intersections were included in the study:

Monticello Avenue and Windsormeade Way

The current LOS at the intersection of Monticello Avenue and Windsormeade Way is an overall LOS A in the AM peak hour and LOS B in the PM peak hour with some individual through or turn movements operating at LOS D or E. With the proposed development, the LOS overall would remain LOS A in the AM peak hour and LOS B in the PM peak hour, which is still considered to be an acceptable LOS. The through movements on Monticello Avenue remain LOS A and B; however, similar to existing conditions, most turning movements are projected to operate at LOS D or E, with no movements decreasing in LOS in the AM peak hour. In the PM peak hour, there are three turning movements, Eastbound Approach, Southbound Approach and Southbound Left, that would decrease in LOS. However, the LOS for Southbound Left and Southbound Approach will decrease from LOS D to LOS E in both the build and no build scenarios.

Monticello Avenue at Windsormeade Way LOS - AM/PM Peak Hour	2022 Existing Conditions		Projected 2024 ("No-build")		Projected 2024 with Monticello Shops ("Build")	
	Level Of Service AM/PM		Level Of Service AM/PM		Level Of Service AM/PM	
Overall Intersection	A	B	A	B	A	B
Eastbound Approach	A	A	A	A	A	B
Eastbound U/Left	A	E	E	E	E	E
Eastbound Through	A	A	A	A	A	A
Westbound Approach	A	B	A	B	A	B
Westbound Through/Right	A	B	A	B	A	B
Southbound Approach	D	D	D	E	D	E
Southbound Left	D	D	D	E	D	E
Southbound Right	C	D	C	D	C	D

Monticello Avenue and Monticello Marketplace

The current LOS at the intersection of Monticello Avenue and Monticello Marketplace is an overall LOS C in the AM peak hour and LOS D in the PM peak hour with multiple individual turning movements operating at LOS D or E. With the proposed development, the overall LOS would remain at LOS C in the AM peak hour and LOS D in the PM peak hour. Similar to existing conditions, most turning movements are projected to operate at LOS D or E. In the AM peak hour, four turn movements, Eastbound Approach, Eastbound Through, Westbound U/Left, and Westbound Through, decreasing in LOS. In the PM peak hour, two turning movements, Westbound U/Left and Northbound U/Left/Through, decreasing in LOS. However, in the AM peak hour, the LOS for Eastbound Approach and Westbound Through movements would decrease in LOS in both the build and no-build scenarios. In the PM peak hour, the LOS for Northbound U/Left/Through will decrease from LOS D to LOS E in both the build and no-build scenarios.

Monticello Avenue at Monticello Marketplace LOS - AM/PM Peak Hour	2022 Existing Conditions		Projected 2024 ("No-build")		Projected 2024 with Monticello Shops ("Build")	
	Level Of Service AM/PM		Level Of Service AM/PM		Level Of Service AM/PM	
Overall Intersection	C	D	C	D	C	D
Eastbound Approach	B	C	C	C	C	C
Eastbound U/Left	D	E	D	E	D	E
Eastbound Through	B	C	B	C	C	C
Eastbound Right	B	C	B	C	B	C
Westbound Approach	D	D	D	D	D	D
Westbound U/Left	C	D	C	D	D	E
Westbound Through	B	D	C	D	C	D
Westbound Right	F	E	F	E	F	E
Northbound Approach	D	D	D	D	D	D
Northbound U/Left/Through	D	D	D	E	D	E
Northbound Right	D	D	D	D	D	D
Southbound Approach	D	E	D	E	D	E
Southbound Left	D	E	D	E	D	E
Southbound Left/Through/Right	D	E	D	E	D	E

Monticello Avenue and Old News Road

With the proposed development and improvements, the right-in-right-out entrance and exit at Old News Road would continue to operate at an overall LOS B for both the AM and PM peak hour, with no change in the LOS for through or turning movements.

The TIA recommends the following improvements:

- Construct a 100-foot eastbound right-turn taper on Monticello Avenue.

At build-out, all three intersections in the study would operate at a LOS D or better at the AM and PM peak hour. Each of the traffic movements would operate at a LOS E or better.

Staff has conditioned that development of the property shall not exceed 48 AM and 72 PM peak hour trips (Proposed Condition No. 9).

VDOT and the Director of Planning have reviewed and approved the traffic study. The proposed Rezoning and SUP applications provide off-site improvements recommended by the TIA that are approved by VDOT and shall be constructed or bonded in a manner acceptable to the County Attorney prior to a Certificate of Occupancy for the initial building.

PLANNING AND ZONING HISTORY

- During the 2009 Comprehensive Plan update, all three properties, as well as the property immediately to the east, were designated Neighborhood Commercial. Previously, the parcels were designated Moderate Density Residential.

- In 2019, a Rezoning and SUP proposal was submitted for the subject parcels; however, it was withdrawn prior to the January 2020, Board of Supervisors meeting.

- During the 2020 Comprehensive Plan update, amending the land use from Neighborhood Commercial to Community Character Conservation, Open Space or Recreation was discussed for all three properties, as well as the property immediately to the east. Ultimately, the decision was made to retain the land use designation as Neighborhood Commercial.

SURROUNDING ZONING AND DEVELOPMENT

- The following table lists the information on the adjacent parcels:

	ZONING DESIGNATION	EXISTING LAND USE	FUTURE LAND USE DESIGNATION
NORTH	MU, Mixed Use District	Commercial	Mixed Use
SOUTH	R-2, General Residential District	Residential	Low Density Residential
EAST	R-8, Rural Residential District	Residential	Low Density Residential
WEST	R-4, Residential Planned Community District	Commercial	Neighborhood Commercial

Impacts/Potentially Unfavorable Conditions	**Status** *(No Mitigation Required/Mitigated/Not Fully Mitigated)*	**Considerations/Proposed Mitigation of Potentially Unfavorable Conditions**
Public Transportation: Vehicular	Mitigated	- The new development would take access from Monticello Avenue via a shared right-in-right-out ingress/egress with the adjacent Monticello Marketplace/Monticello Shops. - There shall be one shared ingress and egress with Monticello Marketplace as well as no vehicle access onto Ironbound Road (Proposed SUP Condition No. 3). - The improvements recommended in the final TIA as approved by both VDOT and the Director of Planning shall be constructed or bonded in a manner acceptable to the County Attorney prior to a Certificate of Occupancy for the initial building (Proposed SUP Condition No. 6). - Staff has conditioned that development of the property shall not exceed 48 AM and 72 PM peak hour trips (Proposed Condition No. 9). - The Eastbound Approach for the Monticello Avenue at Windsormeade Way intersection would decrease from a LOS A to LOS B in the PM peak hour due to this development. - The Eastbound Through and Westbound U/Left for the Monticello Avenue at Monticello Marketplace intersection would decrease from LOS B to C and C to D in the AM peak hour due to this development. - The Westbound U/Left for the Monticello Avenue at Monticello Marketplace intersection would decrease from LOS D to E in the PM peak hour due to this development. - The application passes the TIA Submittal Requirements Policy Test. - VDOT and the Director of Planning have reviewed and approved the traffic study.

Impacts/Potentially Unfavorable Conditions	**Status** *(No Mitigation Required/Mitigated/Not Fully Mitigated)*	**Considerations/Proposed Mitigation of Potentially Unfavorable Conditions**
Public Transportation: Bicycle/Pedestrian	Mitigated	- Per the Pedestrian Accommodation's Master Plan, a sidewalk is required along the north side of Ironbound Road and along Monticello Avenue. The adopted Regional Bikeways Master Plan specifies bike lanes along Monticello Avenue. The site is located within the New Town CCA Sidewalk Inclusion Zone and sidewalks shall be constructed on the north or east side of internal roads. A sidewalk is required along the north side of Ironbound Road. - There is an existing sidewalk and bike lane along Monticello Avenue. - The proposed Master Plan includes a sidewalk on the north side of Ironbound Road. - This property is within walking distance of a Williamsburg Area Transit Authority transit stop.
Public Safety	No Mitigation Required	- Fire Station 3 on John Tyler Highway serves this area of the County, approximately 2.3 miles from the proposed development. - Staff finds this project does not generate impacts that require mitigation to the County's Fire Department facilities or services.
Public Schools	No Mitigation Required	- N/A since no residential dwelling units are proposed.
Public Parks and Recreation	No Mitigation Required	- N/A since no residential dwelling units are proposed.
Public Libraries and Cultural Centers	No Mitigation Required	- Staff finds this project does not generate impacts that require mitigation.
Groundwater and Drinking Water Resources	Mitigated	- The property is served by public water and sewer. - James City Service Authority (JCSA) has reviewed the proposal and noted items that will need to be addressed at the development stage. - The applicant has proffered the development of water conservation standards to be submitted and approved by JCSA (Proposed Proffer No. 3).

Impacts/Potentially Unfavorable Conditions	**Status** *(No Mitigation Required/Mitigated/Not Fully Mitigated)*	**Considerations/Proposed Mitigation of Potentially Unfavorable Conditions**
Watersheds, Streams, and Reservoirs Project is located in the Powhatan Creek Watershed.	Mitigated	- This project will need to demonstrate full compliance with environmental regulations at the development plan stage and provide evidence that the development will not negatively affect the existing off-site facilities. - Stormwater and Resource Protection reviewed and approved the application with Proposed SUP Condition Nos. 10 and 11 to address impervious cover capture and runoff reduction.
Cultural/Historic	No Mitigation Required	- The Monticello Avenue Shops site is located in a moderate sensitivity area, which does not require a phase 1A archaeological study per Section 24-23 of the Zoning Ordinance. A study is required by the Zoning Ordinance at the time of site plan review.
Nearby and Surrounding Properties	Mitigated	- Staff finds that this proposal is generally consistent with the character of the existing surrounding development, which is generally commercial in nature. Proffered design guidelines for this project help ensure consistency with the character of the area. - Proposed SUP Condition No. 4 addresses the requirement for enhanced landscaping and proper screening from adjacent properties. - The design of the property shall be consistent with the proffered Design Guidelines and be approved by the Director of Planning and New Town Design Review Board (Proposed SUP Condition No. 2). - An SUP condition is proposed to mitigate any negative impacts from the proposed dumpster enclosures (Proposed SUP Condition No. 6).

Impacts/Potentially Unfavorable Conditions	**Status** *(No Mitigation Required/Mitigated/Not Fully Mitigated)*	**Considerations/Proposed Mitigation of Potentially Unfavorable Conditions**
Community Character The project is located along the Monticello Avenue CCC.	No Mitigation Required	- The Comprehensive Plan designates Monticello Avenue as a CCC. Monticello is characterized as an "Urban and Suburban" CCC. Urban and Suburban CCCs have high to moderate traffic, commercial, and some residential uses. The predominant visual character of these areas should be the built environment and the natural landscape, with parking and other auto-related areas as a secondary component. - This parcel also falls within the New Town CCA and the Sidewalk Inclusion Zone. - A discussion of the project buffer along Monticello Avenue is included in the Project Description above. The applicant has proffered design guidelines to help ensure consistency with the character of the area. Proposed SUP Condition No. 4 requires enhanced landscaping for the landscape buffers along Monticello Avenue and Ironbound Road.
Covenants and Restrictions	No Mitigation Required	- The applicant has verified that he is not aware of any covenants or restrictions on the property that prohibit the proposed use.

COMPREHENSIVE PLAN

The site is designated Neighborhood Commercial on the Comprehensive Plan Land Use Map.

- Lands designated Neighborhood Commercial are located in the PSA and serve the residents of the surrounding neighborhoods in the immediate area with limited impact on nearby development. Sites are generally small, take access from collector or arterial streets, preferably at intersections, and are served by public water and sewer. The sites shall have environmental features such as soils and topography suitable for compact development with adequate buffering by physical features to protect nearby residential development and preserve the natural and wooded character of the County.

- The primary uses include Neighborhood-Scale Commercial, professional and office uses such as individual medical offices, branch banks, small service establishments, daycare centers, places of public assembly, convenience stores with limited hours of operation, small restaurants, and smaller public facilities. Examples of uses which are considered unacceptable include fast-food restaurants, 24-hour convenience stores, and gas stations.

- The total building area within any area designated Neighborhood Commercial should generally be no more than 60,000 square feet in order to retain a small-scale neighborhood character. The maximum recommended floor to area ratio is 0.2.

  Staff finds this proposal satisfies the requirements in the Comprehensive Plan for the Neighborhood Commercial land use designation through the proffering of design guidelines, the Master Plan, and the restriction of certain uses that are otherwise permitted in the B-1 Zoning District. The floor area ratio for the project would be 0.1, which would not exceed the recommended floor area ratio in the Comprehensive Plan.

The property is located along the Richmond Road CCC, an Urban/Suburban CCC.

- Characterized as having high to moderate traffic, commercial uses, and some residential uses.

- Predominant visual character should be the built environment and natural landscape.

- Buffer treatments should incorporate existing and new vegetation, berms, and other desirable design features to complement and enhance the visual quality of the corridor.

- Vehicle-related activities such as parking lots, deliveries, and outdoor operations should be screened.

  Staff finds this proposal satisfies the requirements in the Comprehensive Plan for Urban/Suburban CCCs through the proffering of design guidelines to help ensure consistency with surrounding development.

The property is also located within the New Town CCA. The area designated as the New Town CCA is mostly the same area shown on the adopted Master Plan for New Town; however, some parcels located within the CCA are not part of the Master Plan or subject to the same proffers. For the parcels that are located within the New Town Master Plan area and which were rezoned, development must follow the standards provided by the adopted Design Guidelines. For the parcels that are in the New Town Master Plan area and referenced in the design guidelines but were not rezoned or bound by proffers, development is strongly encouraged to follow the design guidelines.

For parcels located outside the New Town Master Plan area, development is encouraged to follow New Town's architectural and design features in order to maintain a unifying look and feel to the area.

Staff finds this proposal satisfies the requirements in the Comprehensive Plan for the New Town CCA through the proffering of design guidelines, as well as Condition No. 2, which requires all architectural elevations, building materials, colors, signage, site lighting, and hardscapes to be approved by the Director of Planning and the New Town Design Review Board.

Staff finds the proposed project to be consistent with the elements of the Comprehensive Plan noted above. The project proposes 12,000 square feet of commercial development with uses consistent with the recommended primary uses, and which is also consistent with its location near the Route 199 interchange. For the CCC and CCA, the applicant has submitted design guidelines to address these standards. Condition No. 2 requires that the Director of Planning and the New Town Design Review Board review and approve all architectural elevations, building materials, colors, signage, and other project elements at the development stage.

STAFF RECOMMENDATION

With the proposed conditions and proffers, staff finds that impacts to adjacent properties would be mitigated. Staff recommends that the Board of Supervisors approve this application, subject to the proposed proffers and SUP conditions.

BL/ap
RZ23-1_SUP23-31Mont

Attachments:
1. Ordinance
2. Resolution
3. Signed Proffers
4. Location Map
5. Master Plan
6. Design Guidelines
7. Community Impact Statement
8. TIA
9. Citizen Comments
10. Unapproved Minutes from the August 7, 2024, Planning Commission Meeting

Tax Parcel Numbers 3830100002A, 3830100003, and 3830100004

PROFFERS

MONTICELLO AVENUE SHOPS

September 10, 2024

Prepared by:
Kaufman & Canoles, P.C.
4801 Courthouse Street, Suite 300
Williamsburg, Virginia 23188

MONTICELLO AVENUE SHOPS PROFFERS

THESE PROFFERS ("Proffers") are made this 10th day of September, 2024, by and between **VERDAD REAL ESTATE, INC.**, a Texas corporation, **LARRY R. COOKE**, and **CHERYL SUTHERLAND, AS SUCCESSOR TRUSTEE, OF THE HENRY NEAL ERTL FAMILY TRUST DATED JANUARY 1, 2011**, (collectively, "Owner") (to be indexed as grantor), and **THE COUNTY OF JAMES CITY, VIRGINIA**, a political subdivision of the Commonwealth of Virginia ("County") (to be indexed as grantee), provides as follows:

RECITALS

R-1. Owner is the owner of certain real property located in James City County, Virginia, being more particularly described on EXHIBIT A attached hereto and made a part hereof (the "Property").

R-2. The Property is now zoned R8 – Rural Residential. The Property is designated Neighborhood Commercial on the County's Comprehensive Plan Future Land Use Map.

R-3. Owner has applied to rezone the Property from R8 – Rural Residential to B1 – General Business, with proffers. The rezoning of the Property to B1, with proffers, is consistent both with the land use designation for the Property in the County's Comprehensive Plan and the statement of intent for the General Business zoning district set forth in Section 24-389 of the County Zoning Ordinance, Section 24-1 *et seq.* of the County Code of Ordinances, in effect on the date hereof (the "Zoning Ordinance").

R-4. A community impact study ("Community Impact Study") entitled "Community Impact Statement Rezoning of Monticello Avenue Shops" prepared by AES Consulting Engineers, dated January 2023 and last revised May 2024, has been submitted to the County Planning Director for review by the County in connection with this proposed rezoning. The Community Impact Study is on file in the office of the County Planning Director.

R-5. Developer has submitted to the County a traffic impact study ("Traffic Impact Study") entitled "Traffic Impact Analysis" prepared by Grove Slade, dated September 18, 2023, which has been prepared to address traffic associated with the Property. The Traffic Study is on file in the office of the County Planning Director.

R-6. Developer has submitted to the County a conceptual plan of development ("Master Plan") entitled "Master Plan for Rezoning and Special Use Permit for Monticello Avenue Shops", dated January 27, 2023 and last revised September 10, 2024, prepared by AES Consulting Engineers, for the Property in accordance with the County Zoning Ordinance. The Master Plan is on file in the office of the County Planning Director.

R-7. Developer has submitted to the County design guidelines for the proposed improvements to the Property ("Design Guidelines") entitled "Design Guidelines for Monticello Shops in James City County, Virginia", dated February 26, 2023, prepared by Hopke | Harrison, Inc. The Design Guidelines are on file in the office of the County Planning Director.

R-8. The County constitutes a high-growth locality as defined by Section 15.2-2298 of the Virginia Code.

R-9. The provisions of the Zoning Ordinance, may be deemed inadequate for protecting and enhancing orderly development of the Property. Accordingly, Owner, in furtherance of the above-described application for rezoning, desires to proffer certain conditions which are limited solely to those set forth herein in addition to the regulations provided for by the Zoning Ordinance for the protection and enhancement of the development of the Property, in accordance with the provisions of Sections 15.2-2303 and 15.2-2303.4(D)(1) of the Code of Virginia, as amended (the "Virginia Code"), Ordinance N0.31A-346 adopted by the James City County Board of Supervisors on October 8, 2019 and Sec 24-16 of the Zoning Ordinance.

NOW, THEREFORE, for and in consideration of the approval by the Board of Supervisors of the County of the rezoning set forth above and the Master Plan, and pursuant to Sections 15.2-

2303 and 15.2-2303.4(D)(1) of the Virginia Code, and Section 24-16 of the Zoning Ordinance, it is agreed that all of the following conditions shall be met and satisfied in developing the Property.

PROFFERS:

1. **Design**. The Property shall be developed generally in accordance with the Master Plan and Design Guidelines and with only changes thereto that the County or its duly authorized designee determines do not alter the basic concept or character of the development in accordance with Section 24-23(a)(2)(f) of the Zoning Ordinance in effect on the date hereof; provided, however, such development shall be expressly subject to such changes in configuration, composition and location as required by all other governmental authorities having jurisdiction over such development.

2. **Prohibited Uses.** The following uses shall be prohibited on the Property:

   a. Convenience Store with fuel sales;

   b. Grocery Store;

   c. Fast Food Restaurant with drive-through;

   d. Funeral Home;

   e. Machinery Sales and Service;

   f. New and Rebuilt Automotive Parts Sales;

   g. Vehicle Repair and Service; and

   h. Vehicle and Trailer Sales and Service.

3. **Water Conservation**. Water conservation standards for the Property shall be developed and submitted to and approved by the James City Service Authority ("JCSA") for general consistency with the terms of this Proffer prior to final site plan approval for development of the Property. The standards shall address such customary and reasonable water conservation measures as limitations on use of irrigation systems and irrigation wells, the use of approved landscaping materials and the use of water conserving fixtures and appliances to promote water

conservation and minimize the use of public water resources. Design features, including the use of drought tolerant grasses and plantings, a water conservation plan, and drought management plan shall be implemented to accomplish the limitation on use of public water and groundwater.

4. **Nutrient Management Plan**. The owner of any portion of the Property proposed for development shall be responsible for coordinating with an agent of the Colonial Soil and Water Conservation District ("CSWCD") or, if a CSWCD agent is unavailable, a soil scientist licensed in the Commonwealth of Virginia, or other qualified professional approved by the County's Director of Planning, to conduct soil tests and to develop, based upon the results of the soil tests, customized nutrient management plans (the "Nutrient Plans") for all turf areas within the portions of the Property proposed for development. A Nutrient Plan for each portion of the Property proposed for development shall be submitted to the County Stormwater & Resource Protection Director for review and approval prior to the issuance of a Certificate of Occupancy for each portion of the Property developed. Upon approval, the owner of such portion of the Property shall be responsible for ensuring that any nutrients applied to the turf areas on such portion of the Property be applied in accordance with the applicable Nutrient Plan or any updates or amendments thereto as may be approved by the County Stormwater & Resource Protection Director.

5. **Transportation.**

a. Traffic Improvements. Development of the Property shall include the construction of an 100 foot eastbound right-turn taper on Monticello Avenue at the entrance to the Property, which right-turn taper shall be installed (or guaranteed in accordance with Section 15.2-2299 of the Virginia Code, or such successor provision, and the applicable provisions of the County Code of Ordinances) by Owner when deemed warranted by the County and the Virginia Department of Transportation ("VDOT"), but in no event prior to final site plan approval for the first building to be constructed on the Property in accordance with the Master Plan.

b. Trip Generation. Development of the Property shall not exceed 72 PM peak hour trips as determined by the most recent edition of the Institute of Transportation Engineers Trip Generation Manual (the "ITE Manual") at the time of each site plan approval for the development of the Property. Accordingly, each site plan for the development of the Property shall, when submitted to the County for review, contain an accounting of the PM peak hour trip generation, as determined by the ITE Manual, associated with the development proposed by such site plan, all development shown on previously approved site plans for development of the Property (except to the extent the proposed site plan is in lieu of a previously approved site plan for development of the Property), and all development shown on site plans then under review by the County for development of the Property. No site plan for development of the Property shall be approved by the County which includes an amount of development that, together with all other development shown on previously approved site plans for development of the Property (except to the extent the proposed site plan is in lieu of a previously approved site plan for development of the Property), would generate more than 72 PM peak hour trips as determined by the ITE Manual. In determining and accounting for the foregoing PM peak hour trips: (i) internal and pass-by capture shall be determined in accordance with VDOT standards, and (ii) traffic counts for completed and occupied development on the Property may, with the approval of the County's Director of Planning, be substituted for ITE Manual estimated trips.

6. **Headings**. All section headings and subheadings of these Proffers are for convenience only and shall not be read as a part of these Proffers or utilized in interpretation thereof.

7. **Delegation of Subsequent Approvals**. The County Board of Supervisors by accepting these Proffers is exercising its legislative function. While these Proffers provide for subsequent approvals by the County or by its duly authorized designees appointed by the County,

such subsequent approvals by any duly authorized designee of the County shall not include the exercise of any legislative function.

8. **Severability**. In the event that any clause, sentence, paragraph, section or subsection of these Proffers shall be adjudged by any court of competent jurisdiction to be invalid or unenforceable for any reason, including a declaration that it is contrary to the Constitution of the Commonwealth of Virginia or of the United States, or if the application thereof to any owner of any portion of the Property or to any government agency is held invalid, such judgment or holding shall be confined in its operation to the clause, sentence, paragraph, section or subsection hereof, or the specific application thereof directly involved in the controversy in which the judgment or holding shall have been rendered or made, and shall not in any way affect the validity of any other clause, sentence, paragraph, section or provision hereof.

9. **Successors and Assigns**. These Proffers shall be binding upon and shall inure to the benefit of the parties hereto, and their respective heirs, successors and/or assigns; provided, however once a party ceases to own any portion of the Property, such party shall have no continuing liability hereunder.

10. **Void if Rezoning Not Approved**. In the event that any of the proposed rezoning sought by this application is not approved by the County as submitted or is overturned by subsequent judicial determination, these Proffers shall be null and void.

11. **Reasonable Proffers**. The Owner, as evidenced by its signature below, deems these proffers to be reasonable and appropriate.

[SIGNATURES APPEAR ON THE FOLLOWING PAGES]

[COUNTERPART SIGNATURE PAGE TO PROFFERS]

WITNESS the following signatures, thereunto duly authorized:

VERDAD REAL ESTATE, INC.

By: Johanna Lawrence
Name: Johanna Lawrence
Title: Chief Operating Officer

STATE OF TEXAS
COUNTY OF TARRANT

The foregoing instrument was acknowledged before me this 16 day of July, 2024, by Johanna Lawrence, COO of Verdad Real Estate, Inc., on its behalf.

Jacqueline Colt Herrera
Notary Public

My commission expires: 11-06-2027
My registration number is: 132241803

JACQUELINE COLT HERRERA
Notary Public, State of Texas
Comm. Expires 11-06-2027
Notary ID 132241803

[COUNTERPART SIGNATURE PAGE TO PROFFERS]

Larry R. Cooke

COMMONWEALTH OF VIRGINIA
AT LARGE, to-wit:

The foregoing instrument was acknowledged before me this 16 day of July, 2024, by Larry R. Cooke.

Kelly Renee Kishel Lovis
Notary Public

My commission expires: May 31, 2027
My registration number is: 8096050

Kelly Renee Kishel Lovis
NOTARY PUBLIC
REGISTRATION # 8096050
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES May 31, 2027

[COUNTERPART SIGNATURE PAGE TO PROFFERS]

Cheryl Sutherland, as Successor Trustee of the Henry Neal Ertl Family Trust Dated January 1, 2011

COMMONWEALTH OF VIRGINIA
AT LARGE, to-wit:

The foregoing instrument was acknowledged before me this 16 day of July, 2024, by Cheryl Sutherland, as Successor Trustee of the Henry Neal Ertl Family Trust Dated January 1, 2011.

Notary Public

My commission expires: July 31 2026
My registration number is: 7604557

Nettie M. Burrell-Warner
Notary Public
Commonwealth of Virginia
Reg. 7604557
My Commission Expires 7/31/26

EXHIBIT A

Parcel ID: 3830100002A
ALL THAT certain piece or parcel of land, together with all improvements thereon and appurtenances thereunto, containing 2.0 acres, more or less, situated in James City County, Virginia, shown and designated as Section No. 1 on a plat entitled, "Plat Showing Two Parcels of Land Surveyed for Carlton C. Casey", made by V.D. McManus October 23, 1950, said plat being duly of record in the Clerk's Office of the Circuit Court for the City of Williamsburg and County of James City in Plat Book 12 at page 20.

LESS AND EXCEPT that portion of the property conveyed to the Commonwealth of Virginia by deed dated April 15, 1966 and recorded in the Clerk's Office of the Circuit Court of James City County, Virginia in Deed Book 108 at page 564.

FURTHER LESS AND EXCEPT that portion of the property conveyed to the Commonwealth of Virginia by Certificate of Take recorded in the Clerk's Office of the Circuit Court of James City County, Virginia in Deed Book 792 at page 276, confirmed by Order recorded as Instrument Number 000003039, and further confirmed by Order recorded as Instrument Number 020006408.

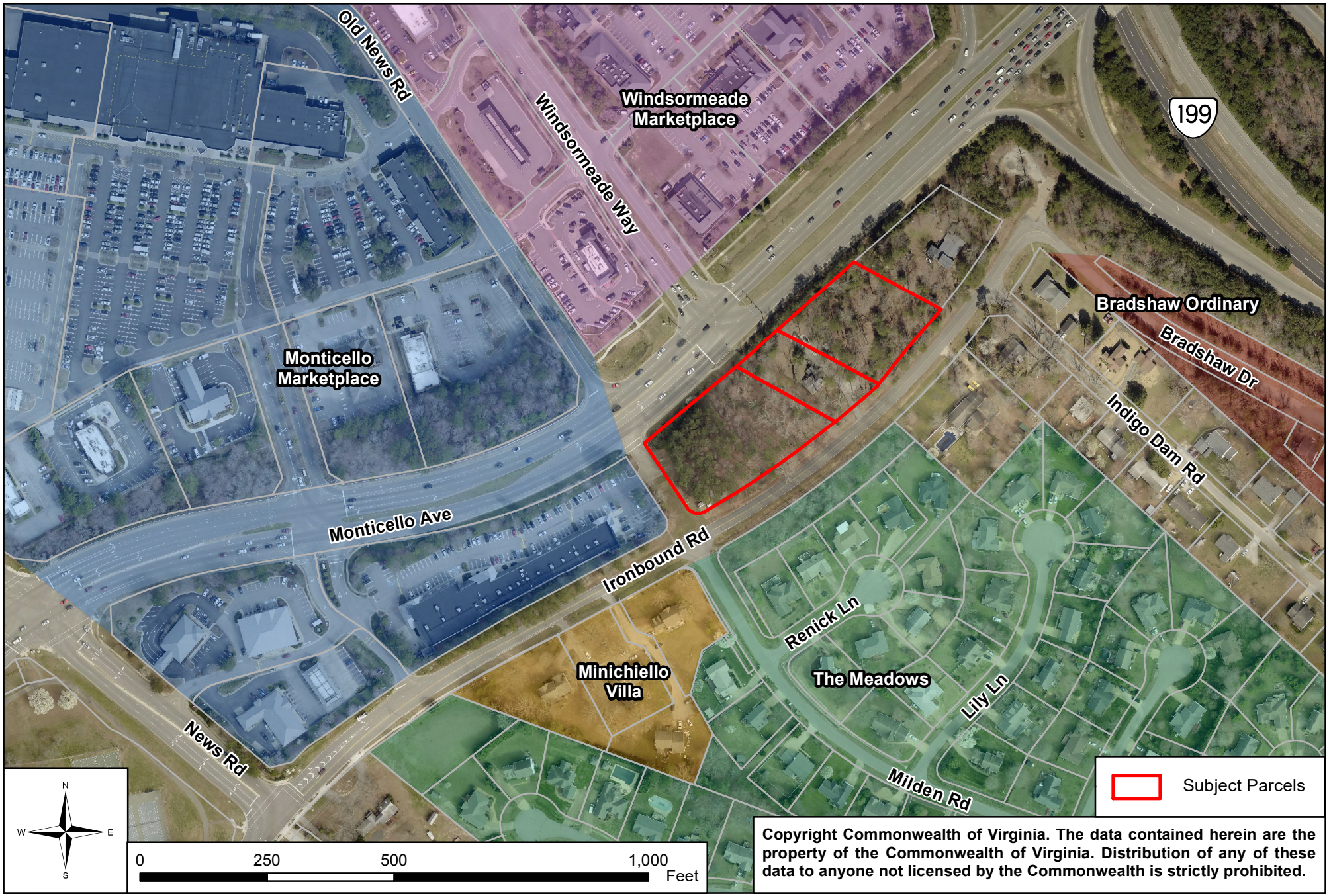
Parcel ID: 3830100004
All that certain piece or parcel of land, situate in Jamestown District, James City County, Virginia, bounded and described as follows: at an iron stake on the westerly side of Iron Bound Road on the dividing line between the land hereby conveyed and that of Drummond E. New; thence in a southwesterly direction along the said Road the distance of 105 feet to a point; the said parcel of land then extends back between parallel lines N 54 degrees 30' W the distance of 438.91' on its northeasterly side and the distance of 439 feet, more or less, on its southwesterly side, all four corners being marked by iron stakes.

LESS AND EXCEPT that portion of the property conveyed to the Commonwealth of Virginia by deed dated April 15, 1966 and recorded in the Clerk's Office of the Circuit Court of James City County, Virginia in Deed Book 109 at page 386.

FURTHER LESS AND EXCEPT that portion of the property conveyed to the Commonwealth of Virginia by deed dated May 3, 1996 and recorded in the Clerk's Office of the Circuit Court of James City County, Virginia in Deed Book 787 at page 487.

Parcel ID: 3830100003
All that tract, piece or parcel of land situate in James City County, Virginia and containing 1.83 acres, more or less, as shown on that certain plat of survey entitled "Survey of a parcel of land for conveyance from the Drummond E. New estate to Henry F. Ertl and Edith D. Ertl", dated September 22, 1977, made by Douglas E. White, C.LS., a copy of which plat is recorded in the Office of the Clerk of the Circuit Court of James City County, Virginia, in Deed Book 180 at page 243.

JCC Z-23-0001/SUP-23-0031,
Monticello Avenue Shops Rezoning



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MASTER PLAN FOR REZONING

FOR

MONTICELLO AVENUE SHOPS

JAMES CITY COUNTY VIRGINIA

AES PROJECT NUMBER W10509-01

ORIGINAL SUBMITTAL DATE: 1/27/2023

GENERAL NOTES

1. PROPERTY OWNERS: COOKE, LARRY R
4005 POWHATAN SECONDARY
WILLIAMSBURG, VA 23188

ERTL, JUDY HODGES TRUSTEE & WARD EDITH
140 OLD STAGE ROAD
TOANO, VA 23168

ERTL, JUDY HODGES TRUSTEE & WARD EDITH
140 OLD STAGE ROAD
TOANO, VA 23168

2. PARCEL IDENTIFICATIONS

PARCEL ID: 3830100002A
ADDRESS: 4744 OLD NEWS ROAD
WILLIAMSBURG, VA 23188

PARCEL ID: 3830100004
ADDRESS: 3897 IRONBOUND ROAD
WILLIAMSBURG, VA 23188

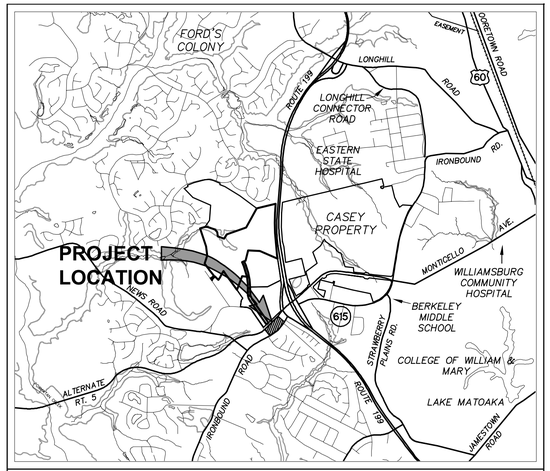
PARCEL ID: 3830100003
ADDRESS: 3905 IRONBOUND ROAD
WILLIAMSBURG, VA 23188

3. SITE IS ZONED RURAL RESIDENTIAL (R8). NO CURRENT PROFFERS OR CONDITIONS FOR APPROVAL ARE ASSOCIATED WITH THESE SITES.

4. SITE IS SITUATED IN SUBWATERSHED 210 OF THE POWHATAN CREEK WATERSHED. HYDROLOGIC UNIT CODE = JL31

5. BASED ON THE FEMA FLOOD INSURANCE RATE MAP FOR JAMES CITY COUNTY, VIRGINIA (MAP PANEL 51095C0119D) NO PORTIONS OF THIS PROPERTY FALL WITHIN THE 100-YEAR FLOODPLAIN.

6. SITE #1 AREA = 1.33 AC. ± (57,935 S.F.±)
SITE #2 AREA = 0.51 AC. ± (22,216 S.F.±)
SITE #3 AREA = 0.91 AC. ± (39,640 S.F.±)
TOTAL AREA = 2.75 AC. ± (119,790 S.F.±)



VICINITY MAP
(Approximate Scale: 1"=2,000')

Copyright ADC The Map People permitted use number 20905145

Monticello Ave Commercial

Trip Generation

Land Use	ITE Code	Size	Units	------ Weekday ------						
				AM Peak Hour			PM Peak Hour			Weekday
				In	Out	Total	In	Out	Total	Total
Medical Clinic	630	4,000	s.f.	14	3	17	5	12	17	178
Animal Hospital / Veterinary Clinic	640	4,000	s.f.	10	5	15	6	8	14	86
Strip Retail (<40ksf)	822	4,000	s.f.	9	7	16	20	21	41	398
Total Trips		**12,000**	**s.f.**	**33**	**15**	**48**	**31**	**41**	**72**	**662**

INDEX OF SHEETS

SHEET NO.	SHEET DESCRIPTION
MP1	COVER SHEET
MP2	EXISTING CONDITIONS
MP3	MASTER PLAN
MP4	CONCEPTUAL LANDSCAPE PLAN

DEVELOPER INFORMATION:

CONTACT: VERDAD REAL ESTATE
SOUTHLAKE, TX 76092

SITE DATA:

OWNERS: LARRY R. COOKE, JUDY HODGES TRUSTEE & EDITH WARD

PARCEL IDS: 3830100002A, 3830100004, 3830100003

SITE AREA: 2.75 AC.±; 119,790 S.F.± (TOTAL)
1.33 AC.±; 57,935 S.F.±
0.51 AC.±; 22,215 S.F.±
0.91 AC.±; 39,640 S.F.±

CURRENT ZONING: R8 - RURAL RESIDENTIAL

PROPOSED ZONING: B1 - GENERAL BUSINESS WITH PROFFERS

PROPOSED USES: OFFICE, RETAIL, MEDICAL OFFICE

*NOTE: SEE SHEET MP3 FOR PROPOSED PARCEL DATA.

Rev.	Date	Description	Revised By
6	9/11/24	SIDEWALK REVISED	JAG
5	6/7/24	REVISED PER COUNTY COMMENTS	JAG
4	5/16/24	REVISED PER COUNTY COMMENTS	JAG
3	2/22/24	REVISED PER COUNTY COMMENTS	JAG
2	10/19/23	REVISED PER COUNTY COMMENTS	JAG
1	7/13/23	REVISED PER COMMENTS	JAG

5248 Olde Towne Road, Suite 1
Williamsburg, Virginia 23188
Phone: (757) 253-0040
Fax: (757) 220-8994
www.aesva.com

AES CONSULTING ENGINEERS
Hampton Roads | Central Virginia | Middle Peninsula

MONTICELLO AVENUE SHOPS
MASTER PLAN
JAMES CITY COUNTY VIRGINIA

Project Contacts:	JAG
Project Number:	W10509-01
Scale: N/A	Date: 1/27/2023

Sheet Title:
COVER SHEET

Sheet Number
MP1

S:\Jobs\W10509 - Monticello Avenue Shops\01 - Monticello Avenue Shops Traditional\Planning\Master Planning\W10509Dsp01 cover.dwg, 9/12/2024 7:49:33 AM, jaeng

Rev.	Date	Description	Revised By
6	9/10/24	SIDEWALK REVISED	JAG
5	8/7/24	REVISED PER COUNTY COMMENTS	JAG
4	5/16/24	REVISED PER COUNTY COMMENTS	JAG
3	2/22/24	REVISED PER COUNTY COMMENTS	JAG
2	10/19/23	REVISED PER COUNTY COMMENTS	JAG
1	7/12/23	REVISED PER COMMENTS	JAG

GRAPHIC SCALE
30' 0' 30' 60'
SCALE: 1" = 30'

PARCEL ID 3831200002G
MONTICELLO MARKETPLACE ASSOCIATES
4700 MONTICELLO AVENUE
ZONED R4 RESIDENTIAL PLANNED COMMUNITY
2.47 AC.

PARCEL ID 3831800003A
SLN CASEY ASSOCIATES LLC
4800 MONTICELLO AVENUE
ZONED MU MIXED USE
1.32 AC.

PARCEL ID 3831800002A
SLN CASEY ASSOCIATES LLC
4940 MONTICELLO AVENUE
ZONED MU MIXED USE
1.31 AC.

PARCEL ID 3831800002B
SLN CASEY ASSOCIATES LLC
4950 MONTICELLO AVENUE
ZONED MU MIXED USE
1.08 AC.

OLD NEWS ROAD

WINDSOR MEADE WAY - RTE. 1299

MONTICELLO AVENUE - RTE. 321

20' LANDSCAPE BUFFER

PARCEL ID 3830100009C
MONTICELLO MARKETPLACE SHOPPES LLC
4655 MONTICELLO AVENUE
ZONED R4 RESIDENTIAL PLANNED COMMUNITY
3.06 AC.

1 STORY RETAIL/RESTAURANT BUILDING

IRF BENT

N45°12'39"W 18.86'

IRON ROD SET

N45°12'39"W 80.00'

TEL. PED

N45°09'07"W 43.14'

IRON ROD SET

10' LANDSCAPE BUFFER

25' LANDSCAPE BUFFER

EX. TREELINE

N44°29'52"E 291.10'

IRF N46°23'51"E 45.90'

IPF

N46°23'51"E 106.12'

BOLT

N43°39'E 208.52'

IPF

EX. TREELINE

PROPERTY LINES TO BE EXTINGUISHED

PARCEL ID 3830100004
ERTL, JUDY HODGES TRUSTEE & WARD, ED
3927 IRONBOUND ROAD
ZONED R8 RURAL RESIDENTIAL
0.51 AC.

EXISTING OUTBUILDING

PARCEL ID 3830100003
ERTL, JUDY HODGES TRUSTEE & WARD, ED
3905 IRONBOUND ROAD
ZONED R8 RURAL RESIDENTIAL
0.91 AC.

EXISTING OUTBUILDING

PARCEL ID 3840100024
SAZAKI LEONARD A TRUSTEE & DANUTA A TRUSTEE
3927 IRONBOUND ROAD
ZONED R8 RURAL RESIDENTIAL
0.99 AC.

EXISTING HOUSE

PARCEL ID 3830100002A
COOKE, LARRY R
4744 OLD NEWS ROAD
ZONED R8 RURAL RESIDENTIAL
1.33 AC.

EXISTING HOUSE (TO BE DEMOLISHED)

S56°55'53"E 202.56'

S62°09'59"E 204.19'

N62°21'27"W 188.21'

ALL EXISTING STRUCTURES AND DEBRIS SHALL BE REMOVED

15E

29B

19B

5

Δ=11°18'12"
R=1597.02'
L=315.06'
T=158.04'
C=314.55'
C.B.=N54°59'41"E

Δ=3°46'22"
R=1597.02'
L=105.16'
T=52.60'
C=105.14'
C.B.=N47°27'24"E

Δ=6°49'50"
R=1726.62'
L=205.84'
T=103.04'
C=205.72'
C.B.=N42°00'59"E

IRONBOUND ROAD - RTE. 615

EX. 5' SIDEWALK

PARCEL ID 3831900001
AVS 7 LLC
3848 IRONBOUND ROAD
ZONED R2 GENERAL RESIDENTIAL
0.58 AC.

PARCEL ID 3831900001A
MEADOWS II THE HOMEOWNERS ASSOCIATION
PO BOX 5425 WILLIAMSBURG, VA
ZONED R2 GENERAL RESIDENTIAL
0.98 AC.

PARCEL ID 3840100026
LIZZI, JOSEPH F II & AMBER
3904 IRONBOUND ROAD
ZONED R8 RURAL RESIDENTIAL
0.96 AC.

PARCEL ID 3841000002
ZUMBRUN, JOHN M & MIRIAM C
101 INDIGO DAM ROAD
ZONED R2 GENERAL RESIDENTIAL
0.46 AC.

SMH #39111A
RIM=90.67
INV OUT=85.81
DEPTH=4.86'

SOIL CHARACTERISTICS - JAMES CITY & YORK COUNTIES AND THE CITY OF WILLIAMSBURG, VA

SOILS NO.	SOIL NAME	HYDROLOGIC SOIL GROUP	TYPICAL SLOPES	EROSION FACTOR (K_w) WHOLE SOIL	EROSION FACTOR (T)
5	BETHERA SILT LOAM	C/D	0–2%	0.28–0.32	5
15E	EMPORIA COMPLEX	B	15–25%	0.24–0.28	4
19B	KEMPSVILLE–EMPORIA FINE SANDY LOAMS	A	2–6%	0.24–0.28	4
29B	SLAGLE FINE SANDY LOAM	C	2–6%	0.24–0.28	5

INFORMATION TAKEN FROM USDA NATURAL RESOURCES CONSERVATION SERVICE, SURVEY AREA VERSION: 17, SURVEY AREA VERSION DATED: 09/16/2019.

SOIL SUSCEPTIBILITY TO EROSION CLASSIFICATION (K)
0.23 AND LOWER – LOW ERODIBILITY
0.23 TO 0.36 – MODERATE ERODIBILITY
0.36 AND UP – HIGH ERODIBILITY

THE MAP SHOWN IS A "BEST FIT MODEL" OF THE SCS MAPS WITH EXISTING BASE INFORMATION.

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Middle Peninsula | Central Virginia | Hampton Roads

MONTICELLO AVENUE SHOPS
MASTER PLAN
VIRGINIA
JAMES CITY COUNTY

Project Contacts:	JAG
Project Number:	W10509-01
Scale: 1"=30'	Date: 1/27/2023

Sheet Title:
EXISTING CONDITIONS

Sheet Number
MP2

S:\aes\W10509- Monticello Avenue Shops\01- Monticello Avenue Shops Traffic\Planning\Master Planning\W10509001mp02.csv, cvandag, 9/12/2024 7:51:31 AM, jeremyjones

PARCEL ID 3831200002C
MONTICELLO MARKETPLACE ASSOCIATES
4700 MONTICELLO AVENUE
ZONED R4 RESIDENTIAL PLANNED COMMUNITY
2.47 AC.

PARCEL ID 3831800003A
SLN CASEY ASSOCIATES LLC
4800 MONTICELLO AVENUE
ZONED MU MIXED USE
1.32 AC.

WINDSOR MEADE WAY - RTE. 1299

MONTICELLO AVENUE - RTE. 321

RIGHT TURN TAPER TO BE PROVIDED

ACCESS OUT OF SITE TO BE RESTRICTED

EX 5-FT CONCRETE SIDEWALK

PARCEL ID 3830100009C
MONTICELLO MARKETPLACE SHOPPES LLC
4656 MONTICELLO AVENUE
ZONED R4 RESIDENTIAL PLANNED COMMUNITY
3.06 AC.

1 STORY RETAIL/RESTAURANT BUILDING

PROPOSED CONNECTION TO EXISTING STORM. UPSTREAM BMPS SHALL BE DESIGNED AND INSTALLED FOR COMPLIANCE WITH STORMWATER REGULATIONS.

MONUMENT SIGNAGE

PROPOSED FIRE HYDRANT

50' BUILDING SETBACK

20' LANDSCAPE BUFFER (REDUCED FROM 50' PER SEC. 24-98(a)(3))

35' TRANSITIONAL BUFFER PER SEC. 24-101(c)(3)

50' BUILDING SETBACK

PARCEL 1

20' BUILDING SETBACK

PARCEL 2

PARCEL 3

35' TRANSITIONAL BUFFER PER SEC. 24-91

ACCESS EASEMENT TO BE PROVIDED FOR FUTURE COMMERCIAL DEVELOPMENT

PARCEL ID 3840100024
SAZAKI LEONARD A TRUSTEE & DANUTA A TRUSTEE
3927 IRONBOUND ROAD
ZONED RB RURAL RESIDENTIAL
0.99 AC.

50' BUILDING SETBACK

±65'

±62'

OFFICE/RETAIL SPACE 4,000 S.F.

20' BUILDING SETBACK

35' BUILDING SETBACK (REDUCED FROM 50' PER SEC. 24-392(1)) (MATCH LANDSCAPE BUFFER)

PROPOSED 3" JCSA FORCEMAIN (EXTEND TO SERVICE 3-PARCELS TO EXISTING GRAVITY SEWER MANHOLE)

PEDESTRIAN SIDEWALK

SEWER PROVIDED BY FORCE MAIN

PROPOSED BOUNDARY LINE ADJUSTMENT

35' TRANSITIONAL BUFFER

IRONBOUND ROAD - RTE. 615

EX. 5' SIDEWALK

MILDEN ROAD - 50' PUBLIC RW

PARCEL ID 3831900001
AVS 7 LLC
3848 IRONBOUND ROAD
ZONED R2 GENERAL RESIDENTIAL
0.58 AC.

PARCEL ID 3839000001A
MEADOWS II THE HOMEOWNERS ASSOCIATION
PO BOX 5425 WILLIAMSBURG, VA
ZONED R2 GENERAL RESIDENTIAL
0.98 AC.

PARCEL ID 3841000002
ZUMBRUN, JOHN M & MIRIAM C
101 INDIGO DAM ROAD
ZONED R2 GENERAL RESIDENTIAL
0.46 AC.

PARCEL ID 3840100026
LIZZI, JOSEPH F II & AMBER
3904 IRONBOUND ROAD
ZONED RB RURAL RESIDENTIAL
0.96 AC.

SMH #39111A
RIM=90.67
INV OUT=85.81
DEPTH=4.86'

GRAPHIC SCALE
30' 0' 30' 60'
SCALE: 1" = 30'

STORMWATER NOTES:

(1): SITE SHALL COMPLY WITH CURRENT STATE AND JAMES CITY COUNTY STORMWATER REGULATIONS AT THE TIME OF SITE PLAN SUBMITTAL. IT IS ANTICIPATED THAT BOTH WATER QUALITY AND QUANTITY MEASURES WILL NEED TO BE IMPLEMENTED TO ACHIEVE COMPLIANCE. POTENTIAL UPGRADES AND ANALYSIS WOULD BE NECESSARY TO UTILIZE THE DOWNSTREAM REGIONAL BMP. THIS LIKELY WILL REQUIRE SURFACE AND SUBSURFACE FEATURES IN A LINKED TREATMENT TRAIN. IF THE DEVELOPMENT IS PHASED, A MASTER PLAN NOTING COMPLIANCE FOR THE ENTIRE PROJECT SHALL BE SUBMITTED AS PART OF THE INITIAL PLAN OF DEVELOPMENT SHOWING HOW COMPLIANCE CAN BE OBTAINED FOR THE ENTIRE PROJECT.

(2): SITE SHALL PROVIDE SPECIAL STORMWATER CRITERIA (SSC) MEASURES AS APPROVED BY JAMES CITY COUNTY STORMWATER DIVISION AT THE TIME OF SITE PLAN SUBMISSION.

SITE DATA:

SITE IMPERVIOUS COVER:

PROPOSED:	1.35 AC.±; 58,722 S.F.±	(49.10% OF SITE)
EXISTING:	0.05 AC.±; 2,211 S.F.±	(1.82% OF SITE)
PARCEL 1:	**± 43,000 S.F.,**	**± 1.0 AC.**
USES:	USE GROUPS E + G; COMMERCIAL AND OFFICE	
PROPOSED FLOOR AREA(4):	4,000 S.F. (MAX PERMITTED: ± 13K S.F.)	
PROPOSED PARKING(3):	27 SPACES (INCLUDING 2 H.C.)	
PROPOSED IMPERVIOUS:	0.54 AC.±; 23,618 S.F.±	(54.93% OF SITE)
PARCEL 2:	**± 30,000 S.F.,**	**± 0.7 AC.**
USES:	USE GROUPS E + G; COMMERCIAL AND OFFICE	
PROPOSED FLOOR AREA(4):	4,000 S.F. (MAX PERMITTED: ± 9K S.F.)	
PROPOSED PARKING(3):	28 SPACES (INCLUDING 2 H.C.)	
PROPOSED IMPERVIOUS:	0.42 AC.±; 18,380 S.F.±	(61.23% OF SITE)
PARCEL 3:	**±34,500 S.F.,**	**±0.8 AC.**
USES:	USE GROUPS E + G; COMMERCIAL AND OFFICE	
PROPOSED FLOOR AREA(4):	4,000 S.F. (MAX PERMITTED: ± 10K S.F.)	
PROPOSED PARKING(3):	28 SPACES (INCLUDING 2 H.C.)	
PROPOSED IMPERVIOUS:	0.38 AC.±; 16,724 S.F.±	(48.48% OF SITE)

SITE NOTES:

(1): PARKING AS NOTED ON THE MASTER PLAN IS FOR REFERENCE ONLY. FINAL PARKING SHALL BE PROVIDED BASED UPON PARKING REQUIREMENTS FOR THE PROPOSED USE(S); NOT TO EXCEED 120% OF ORDINANCE REQUIREMENT.

(2): MAXIMUM FLOOR AREA AND BUILDING COVERAGE SHALL NOT EXCEED THOSE OUTLINED IN THE JAMES CITY COUNTY ORDINANCE. COVERAGE LIMITS WILL DEPEND ON FINAL PLATTED LOT AREAS.

LEGEND

PROPOSED PEDESTRIAN CIRCULATION

EXISTING VEHICULAR ACCESS

Rev.	Date	Description	Revised By
6	9/1/2024	SIDEWALK REVISED	JAG
5	6/7/24	REVISED PER COUNTY COMMENTS	JAG
4	5/16/24	REVISED PER COUNTY COMMENTS	JAG
3	2/22/24	REVISED PER COUNTY COMMENTS	JAG
2	10/19/23	REVISED PER COUNTY COMMENTS	JAG
1	7/12/23	REVISED PER COMMENTS	JAG

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MONTICELLO AVENUE SHOPS
MASTER PLAN

VIRGINIA

JAMES CITY COUNTY

Project Contacts:	JAG
Project Number:	W10509-01
Scale: 1"=30'	Date: 1/27/2023
Sheet Title:	MASTER PLAN
Sheet Number	MP3

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CONCEPT_PLANT_SCHEDULE

ORNAMENTAL TREES
6` HT.
CELTIS OCCIDENTALIS / COMMON HACKBERRY
SINGLE STEM
JUNIPERUS CHINENSIS 'KAIZUKA' / HOLLYWOOD JUNIPER
SINGLE STEM
LAGERSTROEMIA X `TONTO` / JAPANESE CRAPE MYRTLE
MULTI-STEM
MAGNOLIA X `JANE` / JANE MAGNOLIA
SINGLE STEM
PRUNUS X YEDOENSIS / YOSHINO CHERRY
SINGLE STEM

DECIDUOUS TREES
SINGLE STEM
2.5" CAL.
ACER RUBRUM 'OCTOBER GLORY" / OCTOBER GLORY RED MAPLE
NYSSA SYLVATICA / TUPELO
QUERCUS HEMISPHAERICA / LAUREL OAK
ULMUS PARVIFOLIA 'ALLEE' / ALLEE® LACEBARK ELM
ZELKOVA SERRATA 'GREEN VASE' / GREEN VASE JAPANESE ZELKOVA

EVERGREEN SHRUBS
18" HT./W.
DISTYLIUM X 'PIDIST-III' / COPPERTONE™ DISTYLIUM
ILEX CRENATA `COMPACTA` / DWARF JAPANESE HOLLY
18"-24" HT./W.
ILEX VOMITORIA `BORDEAUX` / BORDEAUX HOLLY
NANDINA DOMESTICA `HARBOUR DWARF` / DWARF HEAVENLY BAMBOO
18"-24" HT./W.
PRUNUS LAUROCERASUS `OTTO LUYKEN` / LUYKENS LAUREL

DECIDUOUS SHRUBS
30" HT./W.
CORNUS SERICEA `BAILEY`S REDTWIG` / RED TWIG DOGWOOD
DENSE, FULL
HYDRANGEA MACROPHYLLA `NIKKO BLUE` / NIKKO BLUE HYDRANGEA
ROSA X `KNOCKOUT` TM / ROSE
DENSE, FULL
SPIRAEA JAPONICA `ANTHONY WATERER` / JAPANESE SPIREA
VIBURNUM DENTATUM `BLUE MUFFIN` / SOUTHERN ARROWWOOD
DENSE, FULL

LARGE EVERGREEN SHRUBS
30" HT./W.
CLEYERA JAPONICA 'BRONZE BEAUTY' / BRONZE BEAUTY CLEYERA
DENSE, FULL
ILEX CRENATA `STEEDS` / STEEDS JAPANESE HOLLY
DENSE, FULL
MYRICA CERIFERA / WAX MYRTLE
DENSE, FULL
PYRACANTHA X `MOHAVE` / MOHAVE PYRACANTHA
VIBURNUM AWABUKI `CHINDO` / CHINDO SWEET VIBURNUM
DENSE, FULL

Rev.	Date	Description	Revised By
6	9/10/24	SIDEWALK REVISED	JAG
5	6/7/24	REVISED PER COUNTY COMMENTS	JAG
4	5/16/24	REVISED PER COUNTY COMMENTS	JAG
3	2/22/24	REVISED PER COUNTY COMMENTS	JAG
2	10/19/23	REVISED PER COUNTY COMMENTS	JAG
1	7/12/23	REVISED PER COMMENTS	JAG

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MONTICELLO AVENUE SHOPS
MASTER PLAN
JAMES CITY COUNTY VIRGINIA

Project Contacts:	JAG
Project Number:	W10509-01
Scale:	1"=30'
Date:	1/27/2023
Sheet Title:	CONCEPTUAL LANDSCAPE PLAN
Sheet Number	MP4

GRAPHIC SCALE
30' 0' 30' 60'
SCALE: 1" = 30'

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Design Guidelines

for the

Monticello Shops

in

James City County, Virginia

Draft: 26 Feb 2024



Prepared for

Verdad Real Estate, Inc.
and Verdad Construction Services LLC.
1211 South White Chapel Blvd.
Southlake, TX, 76092

Provided by

HOPKE|HARRISON, Inc.
1156 Jamestown Road, Suite C
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www.hopke.com

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Introduction

1. The Monticello Shops will be a mix of commercial uses located in James City County along the south Side of the Monticello Avenue corridor, near the intersection with Route 199 and in proximity to the New Town development and other properties which have been developed in a cooperative spirit.

2. These design guidelines function to provide architectural design guidance to the developer and designers and/or subsequent owners of the property. Although this property is not a part of New Town, it is instructive to reference the following, from the New Town Guidelines:

> *The more urban centers of New Town are appropriately located at the [through-] intersection of Monticello and Ironbound, while more regionally targeted development occurs near Monticello's intersection with Route 199. These commercial centers establish the first image and impression of New Town to those who pass by or visit from other areas in the region. The planning and design of these sites, then, becomes paramount in setting the desired character for all of the neighborhoods located in the town. [Cooper Robertson, quoted from design guidelines for Windsor Meade Shopping Center].*

3. Given that the character, rhythm and quality of the corridor is now well established, development of this property should be consistent -- addressing arrival by automobile, with adequate, convenient and logical on-site parking, while also promoting movement within the project and between adjacent parcels by foot.



1 Area Map

4. The following guidelines are written in that spirit, along with certain unique site constraints and opportunities:

- The geometry of the land parcel is long but narrow, with its long dimension along Monticello Avenue. Its shallowness in depth creates a challenge in accommodating a customary retail building shell with adequate showroom depth and service access.



- Access to the site by automobile is dictated by existing intersections. The only vehicular access to the site from Monticello Avenue will be through a right-in-right out intersection that aligns with Old News Road. This necessitates a considerable amount of land consumed by the geometry of vehicular movement. It also limits options for the positioning of buildings. Reasonable development of the property thus requires relief of rear building buffers.
- Properties to the south of the parcel are residential and should be screened from the proposed development and building with appropriately selected and sized landscaping.
- The site can also be seen as an extension of the successful, narrow retail sites already developed along



2 (Adjacent) Marketplace Shoppes

the south side of Monticello. Thus, pedestrian access from and to those sites should be accommodated.

- Architecturally, the development should also extend the current quality of building forms that give the appearance of smaller buildings assembled to create a “village-scape” along Monticello. This is to be accomplished by breaking large building footprints into smaller footprints with offsets and architectural features that address the human scale.



4 Courthouse Commons



3 Settlers Market

Site Features and Opportunities

1. This site features a long but narrow geometry, with its long dimension along Monticello Avenue. With this location, the site can be seen as an extension of the successful, narrow retail sites already developed along the south side of Monticello and adjacent to the subject site. With carefully designed vehicular and pedestrian access to and from these established sites, these established retail projects will benefit from the new development.

2. The middle of the property is on-axis with Windsor Meade Way, providing the opportunity for a building to serve as a terminus to that important street in New Town.



5 Preliminary Site Plan provided by AES, Consulting Engineers

3. Access to the site by automobile is dictated by existing intersections. The only vehicular access to the site will be through a right-in-right out intersection that aligns with Old News Road. This necessitates a considerable amount of land be consumed by the geometry of vehicular movement. It also limits options for the positioning of buildings. Reasonable development of the property thus requires relief of rear building buffers.

4. Parking access and organization will be designed to limit the amount of curb, gutter and asphalt on the site and promote the ease of movement about the site by pedestrians. To that end, raised or surface patterned crosswalks, shade trees, building-mounted pedestrian lights and/or formal sidewalk geometries should be incorporated to emphasize the primacy of the pedestrian over the automobile.

5. Arrival by bicycle and by foot will also be anticipated and promoted. Natural connectivity with adjacent pedestrian ways is to be a part of the landscape/hardscape plan. As well, a bike rack is to be included at a location convenient to appropriate services and retailers and within 50' of the main entrance of each building. Bicycle racks should be an ornamental design that will support the bicycle in two places, is durable and securely anchored. Paths should be provided to and from bicycle storage to ensure safe travel throughout the site.

Pedestrian Circulation

Pedestrian circulation is to be promoted as an organizing planning objective. Following are specific concepts and measures which shall be drawn from in the specific site design:

1. Curb design should accommodate pedestrian safety and reduce pedestrian conflicts with vehicles. Where sidewalks cross a drive lane, a demarcated and ADA accessible crosswalk shall be provided. Pedestrian circulation routes shall be physically separated from the flow of vehicular traffic. Protection from weather elements is also encouraged. Methods and techniques include:

- Arcades, porticos, or other shade structures;
- Pedestrian light features;
- Curbs or curbing;
- Bollards;
- Seat walls or benches;
- Drinking water fountains; or
- Landscape planters.

2. Pedestrian walkways shall be a minimum width of five feet in width and connect to:

- Entrances to each building on the site;
- Focal points of pedestrian activity such as, but not limited to, street crossings, buildings and stores;
- Sidewalks located on the perimeter of the site.

3. When located within a parking area or vehicle right of way, clearly demarcate pedestrian walkways and crosswalks. Methods and techniques include:

- Changing paving material, patterns, or color;
- Changing paving height;
- Decorative bollards;
- Raised median walkways with landscaped buffers; or
- Stamped asphalt.

4. Pedestrian circulation routes shall be physically separated from the flow of vehicular traffic. Protection from weather elements is also encouraged. Methods and techniques include:

- Arcades, porticos, or other shade structures;
- Pedestrian light features;
- Curbs or curbing;
- Bollards;
- Seat walls or benches;
- Drinking water fountains; or
- Landscape planters.

5. Where space is adequate and not in conflict with vehicular travel and parking, gathering spaces are to be provided between buildings, with pedestrian amenities (e.g. benches, pedestrian-scale decorative lighting, and landscaping) and have direct access to the site's pedestrian network.

Building Placement and Massing

1. Buildings should be organized to anticipate vehicular and pedestrian arrival to the site. Thus, buildings, including their main façade, will be oriented to Monticello Avenue. Where parking must be behind or to the side of a building, a secondary entrance more convenient to vehicle access is acceptable.



6 Example of Massing and Entries (prospective building, by Verdad)

2. Fundamentally, building masses are to be broken down into smaller, pedestrian scaled elements. Architectural elements, businesses and services with street activities such as sidewalk-dining and balcony overlooks are strongly encouraged. There should be a mix of sloped roof elements and/or parapet-roofed facades. Buildings are to have a predominantly 1-1/2 story expression.

3. The sense of scale of the proposed buildings shall be in keeping with existing adjacent developments. The total square footage of buildings will be limited to 12,000 sf (gross), comprised in two to four separate buildings. Large floor plates (exceeding 10,000 sf) are generally not preferred, but if such a use is offered requiring a larger floor plate, building masses are to be visually broken down into smaller elements to give the appearance of an assembly of multiple smaller buildings.



7 Courthouse Commons: example of arcade use



8 Courthouse Commons: example of desired massing

4. Front building façades of more than 50 feet in length shall be articulated into a series of evenly-spaced storefronts to increase visual interest and pedestrian orientation. Incorporate two or more of the following



9 Settlers Market

design elements on each façade visible from a street:

- Changes in wall plane (such as projections or recesses) with an offset or depth of at least one foot, a width of at least ten feet, located a minimum of every 25 feet;
- Distinct changes in texture and color of wall surfaces;
- Variations in roof form and parapet heights;
- Vertical accents or focal points; or
- Features such as arcades, display windows, entry areas, or awnings.

5. Building massing shall prioritize human scale. Building massing shall not detract from the pedestrian experience, but rather enhance it. Visual rhythm of massing shall relate as closely as possible to existing massing, creating similar visual masses throughout the development. This rhythm and articulation across the massing helps relate to both the people that use the buildings and the other adjacent buildings.

6. Building materials for walls shall promote visual interest. Large, monolithic structures with a single material should be avoided. Building walls shall prioritize the use of brick, wood, stucco, and glazing.

Architectural Character

1. Architectural Style:

These guidelines are not intended to require a specific architectural style. Rather, once chosen, there should be a consistency of architectural style and character throughout the site. The following visual design criteria are meant to be style-independent, although they clearly lend themselves to existing similar examples in New Town.

2. Edge Definition and Screening:

Fences and walls shall be architecturally consistent with the building designs. Walls are to be made of a combination of materials, including brick, decorative cmu, siding, stone, and to a limited extent, stucco. Fences and privacy screens are to be made of wood pickets, pvc lumber, wrought iron, vinyl board on board fencing, or painted metal. Chain link fences are not permitted. Landscaping may be used in conjunction with fences and walls to better define edges or screen views and activities.

Dumpsters are to be screened by a fully enclosing wall and/or opaque fencing.



Figure 10: Example of acceptable dumpster screen

3. Scale and Articulation:

Scale is the relationship in size between buildings and the human form. Articulation is the way in which architectural elements are used to reduce the scale of the masses that compose the building form. Buildings shall be designed to appear smaller through the articulation of the overall massing and being organized as a collection of smaller component masses.

The building designs will use of architectural elements which add interest to building facades and aid in relating the scale of any building to human dimensions, such as canopies, columns, pilasters and reveals. Roofs may be articulated through the use of varying parapet heights, mansard roofs, and/or other building forms. Such devices are intended to add character and interest to the buildings of the development which, in turn, will reinforce the site character envisioned by these guidelines.

All buildings should conform to the nature of the streets and/or open spaces which they front. Variations in the building facades are required to express multi-tenant occupancies. Each building shall be designed to look attractive from all “public” sides – i.e. facades visible from Monticello Avenue. Building facades not exposed to Monticello shall nevertheless be articulated by architectural relief, material changes and landscape screening.

4. Roofs and Parapets

Roof forms shall be evocative of a traditional small-town commercial quality.

Buildings with parapets are acceptable, but must be broken up to appear as an assembly of smaller buildings. Utilizing some pitched-roof elements to relate to the scale and quality of the residential district are encouraged.

Articulations in the roof form should follow the form of the façade, breaking roof spans over 50 feet in length into a series of roofs with variations in shape, size, and height to create visual interest and better integrate with surrounding building masses.

Flat roofs are to have horizontal parapets. Roofing shall be designed to drain efficiently without water pooling on the surface of the roof. Parapets shall be used to create cohesion between masses.

Building materials for roofs shall match context. Buildings with fat roofs shall prioritize the use of reflective colored roofing materials to help reduce the heat absorbed into the buildings from the roof. These include light colored roofing membranes such as EPDM or TPO. Building with pitched roofs shall prioritize the use of asphalt or slate, both of which exemplify the traditional and historic character of the massing.

Sloped roofs can be gabled, hipped, hipped gables, gabled hips or gambrel in a symmetrical fashion with a slope of 4:12 to 8:12. Secondary sloped roofs shall be a shed shape with minimum slope of 2:12.

Special roof-top elements shall be symmetrically situated or aligned with the rhythm of structural bays and fenestration. Roof-top mechanical enclosures must be concealed from view by sloped roofs or parapets.

5. Storefront windows and doors

Windows and doors shall help dictate the organization of masses, articulating entries, pedestrian pathways, and other massing features.

- Retail Windows shall have storefront elements that break up glazing into panes of no more than 16 square feet or otherwise articulate the surface with other architectural devices.
- Office Windows shall be rectangular with a minimum proportion of 1.5 vertical to 1 horizontal.
- Bay windows may be rectangular or chamfered.
- Doors shall be rectangular with rectangular transoms, if used. Glazing within doors shall be consistent with window glazing.

6. Frontage and Façade Treatments

Frontage conditions shall prioritize a pedestrian scale on the ground floor. Front façades and entrances shall be scaled appropriately for pedestrian use. If the height or width of a front façade is too large, the façade shall be broken up into smaller façades, which can relate much better to pedestrians who use them. Provide one or more of the following elements at the primary facade:

- Plaza;
- Placement of primary pedestrian entry;

- Distinctive roof form; or
- Other architectural features.

7. The building façade containing the primary entrance is considered as the primary façade and shall face a public street, parking court or courtyard. Public entrances shall feature no less than three of the following:

- Canopies or porticos;
- Overhangs;
- Recesses/projections;
- Arcades;
- Raised corniced parapets over the door;
- Peaked roof forms;
- Arches;
- Outdoor patios;
- Display windows;
- Architectural detail such as tile work and moldings integrated into the building structure and design; or
- Integral planters that incorporate landscaped areas and places for siting.

8. The front façade of buildings shall have high fenestration. Include glazing for at least 40 percent of the ground floor façade area between 2 feet above grade to 8 feet above grade towards the street that the front façade faces.

9. All street-level widows shall be visually permeable between a height of three feet and eight feet above the walkway grade. Reflective or tinted glass that obstructs views into the building should not be used on 1st floor building façades adjacent to sidewalks.

Allowable Materials

All buildings are to use a similar or complementary palette of materials on this site. Fitting with a desire to respect the existing architectural fabric, this material palette will require the use of exterior finishes already in heavy use along the Monticello corridor. Specifically:

1. Walls:
- Brick veneer
- Fiber Cement Panel (rain screen) siding systems
- Stucco (EIFS) siding.
- Wood or Cementitious Siding (with 5/8" or greater relief in profile or overlap)
- Cast Stone Trim, Veneer, and/or Coping
- Wood or Cellular PVC for Trim
- Fiberglass, Aluminum, or EIFS Cornice and Fascia
- Pigmented, Textured Concrete Block is acceptable on rear and non-public facades
- Horizontal vinyl clapboard siding is not acceptable.
- Textured concrete block as a primary building element of the public facades is not acceptable.
- Thin-stone or cultured stone veneer is also acceptable if corner units are utilized to wrap the corners to give the appearance of a depth of 4 inches or more.
- Each façade shall have a balance of two or three siding materials. One material, such as lapped weatherboard shall be primary to establish consistency while the others are secondary and utilized to provide interest and variation.

2. Roofing:
- Sloped roofing may be: Slate, Simulated Slate (rubber); fiberglass asphalt roofing (300# or better); standing seam Metal (aluminum, copper, or steel).
- Gutters and Downspouts: copper or aluminum, round or box (residential Ogee shape is not acceptable).
- Flat or Low-sloped roofs may be of metal or synthetic membrane, where concealed from public view by a parapet.

3. Building Elements:
- Columns may be pre-fabricated synthetic, or field-fabricated wood or masonry. Chimneys are to be of brick or stucco.
- Posts, spindles, balusters may be of painted wood or metal. Synthetics such as hard foam or cellular PVC may be utilized if adequately heavy in dimension and anchored and painted.
- Stoops and exterior steps: brick or stone (concrete may be utilized for non-public entrances where screened or not visible to the general public).
- Awnings and Canopies: canvas covered with metal support structure.
- Chimneys: brick or stucco
- Arcades and colonnades: brick, stucco, wood
- Posts, spindles, balusters: pained wood, painted metal,
- Stoops, exterior stairs: brick, concrete
- Decks: wood
- Signs: Wood, painted metal, hard foam, or as otherwise allowed by James City County ordinances.

4. Fenestration:

- Windows may be wood or metal
- Storefront window mullions should not exceed 48" in the horizontal dimension or should be mullion-less “all glass” window systems.
- Bay windows: wood or metal with metal roofing.
- Shutters: wood, fiberglass resin or cellular pvc; shutters should be equipped with shutter hardware and be operable or give the appearance of being operable.
- Doors: wood, metal, or glass; utility doors should be metal or fiberglass.
- Where clear windows are not useful to the function with portions of buildings, a false window (with “spandrel glass”, for example), closed shutters, or masonry recesses may be utilized to add interest to a façade’s fenestration.
- Ground story fenestration shall comprise 40% to 90% of the surface area on public facing walls of retail buildings. Upper stories and other uses shall have fenestration comprising 20% to 70% of the surface area of public facing walls.
- Windows shall appear as “punched openings” in façades. The horizontal dimension of the opening may not exceed the vertical dimension. Windows may be ganged horizontally if each grouping (maximum five per group) is separated by a mullion, column, pier or wall section that is at least seven inches wide.
- Windows may be no closer than 30 inches to building corners (excluding bay windows and storefronts).
- For storefront windows, a minimum of 80% of the window surface shall allow a view into the building for a depth of at least 15 feet.

5. Stylistically, all buildings within the development are to retain a common identity, incorporating the use of brick and cast stone or cast stone-like elements. The use of porches, balconies, bays, loggias, arcades, chimneys, cupolas, dormers, and operable windows are encouraged as devices that help reduce the scale of buildings, making them more approachable and village-like. The principal roof forms are to be parapeted. Where slope roofs are incorporated, gabled or hipped and may range between 4/12 and 12/12. Shed roofs should be 2/12 to 6/12 in slope.

6.

Mechanical units and building utilities, such as electrical meters and panels, are to be located so as not to detract from the architecture and are to be screened. Roof-top equipment should be architecturally screened and not visible from major roads, except for reasonable exception to the elevated portions of Rte 199. Generally, screens should be constructed of permanent materials that relate to the building architecture, such as stone and stucco. Where located against the property buffers, or otherwise not plainly visible from adjacent streets, utilities and mechanical units may be screened with landscaping alone. Drainage from building roofs should be channeled underground to the storm water system unless "spilling at grade" can be engineered without compromising landscaping or pedestrian areas.

Landscape, Hardscape and Planting

1. Building Perimeters - Landscaping at buildings shall meet or exceed the requirements as specified in the James City County Zoning Ordinance, Section 24-97. The use of trellis and landscape structures to facilitate the growth of live plant material immediately in front of or on the buildings is encouraged.

2. Landscaped open spaces, parking areas and pedestrian ways shall have emphasis placed on their edges either with buildings or plantings to create the effect of "outdoor rooms." Walk-ways adjacent to buildings shall reinforce the sense of a public street. Walk-ways adjacent to open spaces shall be lined with trees or plants to reinforce the edge of the open space. Landscaping along residential areas should provide visibility into the development while creating an effective buffer for parking and "back of house" building elements. Other property edges should retain natural buffers, to the extent practical, to maintain a character consistent with the surrounding area
3. Landscape plantings shall be selected to reinforce a purpose, based on their location:

    - Plantings for the purpose screening will occur to screen the building and parking areas from the adjacent residential properties to the south. These planting are to be primarily evergreen with the intent of screening the view of automobiles and reduce the scale of the rear building façade. Evergreen hedges are to be used adjacent to parking spaces which face Monticello Avenue or Ironbound Road.
    - Foundation plantings will be selected and provide a natural base to the service side facade of the building and enhance the public facades. Public side plantings will be chosen to complement the architecture without limiting visibility of building face signage.
    - Transitional landscaping will occur along the east and west property lines to augment existing natural landscaping, or replace existing landscaping which must be removed to accommodate construction.
    - Street-side landscape will be provided along Monticello Avenue, selected to create a lush setting for the building, while promoting the pedestrian character of the corridor and ensuring adequate visibility into the development from the street, similar to the nearby Wendy's property (see below).
    - Landscaping with vertical elements of a minimum 10 feet high should be included on sides adjacent to residential uses to provide screening. Tree rows or groups of trees are appropriate, and/or lower bushes and vegetation combined with berming, natural topographic features, and fencing. Fences should not occur within the front 10 feet of the lot so as to not impede pedestrian connectivity and visibility along the sidewalks between uses



11 View of existing Wendy's development from Monticello Avenue

4. Parking layout and landscaping is to comply with the requirements of the relevant landscape standards of the James City County Zoning Ordinance (Article II, Division 4). Hedges planted to screen the parking lots from the perimeter shall be planted at an installed height of 30". The predominant tree type used within parking lots shall be deciduous shade trees. Evergreen trees shall be provided where additional screening is desirable. All deciduous trees in parking lots shall be 2-1/2" caliper at installation.



12 Example of bike rack (New Town)

5. To further link the development to the New Town community, the developer is encouraged to incorporate similarly inspired design details used in New Town. For example, at pedestrian crossings and along streets, a combination of concrete pavers, brick pavers and gray concrete can be used to emphasize points of arrival and to create a sense of hierarchy among the site elements.



13 Example of street furnishings (New Town)

6. Street Furnishings, including street and parking lot light fixtures, benches, trash receptacles, bike racks and bollards, shall include selections from or comparable to those items identified and/or illustrated in the New Town Streetscape Package prepared by Cooper Robertson & Partners dated May 5, 2003 and/or present within the nearby Courthouse Commons development.

Site Lighting

1. Site Lighting shall consist of two different types of fixtures:

- Lighting for parking and security - this lighting is for general visibility and security and should be tall and pole-mounted (30’ maximum), delivering a general lighting level as required or recommended by local law enforcement or an end user’s specific site safety standards. These fixtures may be contemporary in nature and are not intended to be architectural elements in-and-of themselves, but rather deliver an ambient lighting level where critical.
- Lighting for pedestrians should consist of decorative building-mounted fixtures or bollard-type fixtures. These fixtures are intended to reinforce the overall architectural expression of the buildings and should be arranged to help guide pedestrian movement about the site.

2. Site light fixtures shall be selected so as to complement the building architecture, with the exception of the parking lot lighting which is expected to be taller and contemporary in character.

Signage

1. All signage recommendations shall be subject to the provisions of Article II, Division 3 of the James City County Zoning Ordinance.

2. Building mounted signs and free-standing signs will comply with the James City County Zoning Ordinance for sign location and construction. Wall mounted signage should be integrated with and/or be properly proportionate to the architecture of the building. They are to be mounted flat upon the facade or with “stand-offs” no greater than 6”.

3. A free-standing sign for the development, if provided, is to be located in accordance with the master plan accompanying these guidelines. This sign is to be monument style and designed to promote visual unity within the development. Individual letters in signs may be internally lit. Its size and scale should be in keeping with established monument signs on the corridor (e.g. Settlers Market and Courthouse Commons).

4. Other signs, when illuminated, must be externally lit. "Halo" lighting of individual letter signs (where the letters are opaque but an internal light washes the background of the letters) are acceptable as externally lit signage.

5. Way-finding signage is encouraged, but subject to regulation by the zoning administrator per James City County Zoning Ordinance, Section 24-73. Lettering and mounting height should be sized to assist the pedestrian in finding a building entrance, or a driver of a vehicle to find a parking space. Number and size of such signage is not specifically dictated but should be kept to the minimum number necessary and clearly subservient to other site signage. Generally, lettering should not be over 4" in height, and logos of that same size are permissible but shall not dominate the message of the sign. Street signs and traffic control signs within State right-of-way will utilize the New Town, Courthouse Commons or Settler’s Market models, subject to VDOT approval.



14 Example of acceptable street sign design (New Town)

Community Impact Statement

Rezoning

Of

Monticello Avenue Shops

Prepared For

Verdad Real Estate
1211 S. White Chapel Blvd
Southlake, TC 76092

January 2023
Revised May 2024

AES Project Number: W10509-03

Prepared by:

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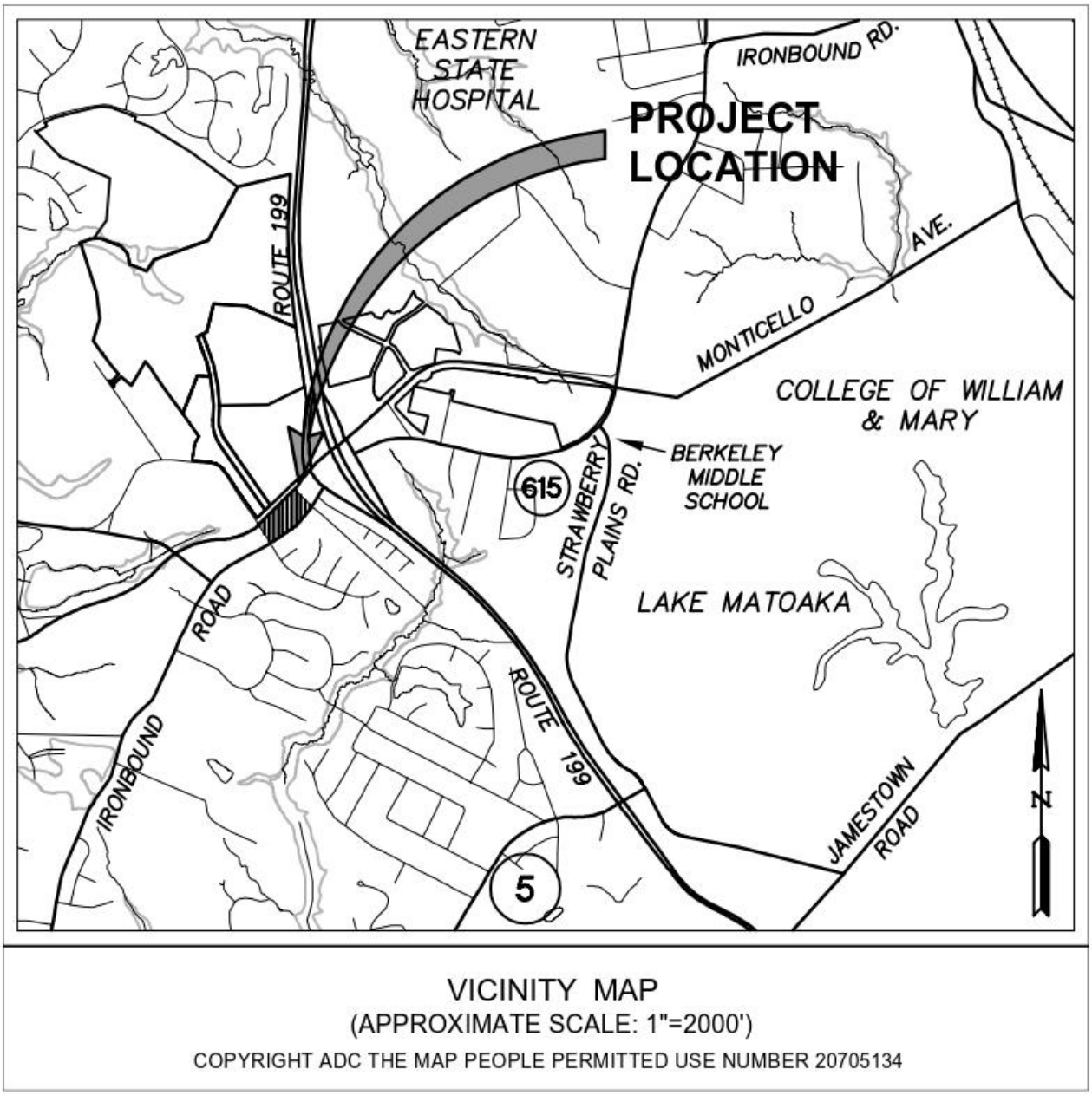
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I. INTRODUCTION

On behalf of Mr. Brett Skinner of Verdad Real Estate, we are applying to rezone three parcels located at 4744 Old News Road, 3905 Ironbound Road and 3897 Ironbound Road (the "Property") in the Jamestown District from R-8 (Rural Residential) to B-1 (General Business), with proffers. The project is to be called the Monticello Avenue Shops. These Properties are approximately 2.75 acres total, are designated Neighborhood Commercial on the Comprehensive Plan and is located within the Primary Service Area (PSA). The property is located on the South-Eastern side of Monticello Avenue, Rte. 321, and accessible on the North-Western side by Monticello Avenue. The proposal includes up to 12,000 square feet of commercial development. The proposed proffers will limit the permitted uses of the site consistent with its Comprehensive Plan designation, provide for required traffic improvements and establish Design Guidelines for the project to ensure the project will be consistent in appearance with surrounding development.

Exhibit 1 – Location Map



II. THE PROJECT TEAM

The organizations that participated in the preparation of the information provided in this impact study are as follows:

- Developer - Verdad Real Estate
- Legal - Kaufman & Canoles, P.C.
- Land Planning - AES Consulting Engineers
- Civil Engineering - AES Consulting Engineers
- Traffic - Grove Slade Associates
- Architecture - Hopke and Associates

III. PROJECT DESCRIPTION AND PLANNING CONSIDERATIONS

Project Description

The developer is proposing to rezone three parcels from R-8 to B-1 for the purpose of developing a project to include a medical office and retail/commercial on approximately 2.75 acres in the Jamestown District in James City County.

Planning Considerations

The Monticello Avenue Shops lies within the New Town Community Character Area, the Primary Service Area (PSA) of the County, is designated Neighborhood Commercial in the JCC Comprehensive Plan and is bounded by Monticello Avenue (US Rte. 321), which is identified by James City County as a Community Character Corridor.

The property falls within the New Town Community Character Area and is intended to be complimentary to the surrounding development within the New Town master plan. The architectural guidelines submitted for this project intend to be consistent with the surrounding developments, creating a “village-scape” along Monticello and the residential development to the rear. The “village-scape” is created by having smaller residential scale buildings with smaller parking fields and architectural significance on multiple sides of the buildings.

The Primary Service Area (PSA) is an important planning tool within James City County and it encourages efficient use of public facilities and services, avoids overburdening such facilities and services, helps ensure facilities are available where and when needed, increases public benefit per dollar spent, promotes public health and safety through improved emergency response time, and minimizes well and septic failures. As this Site is within the PSA it has been identified as one where James City County has planned for growth with the knowledge that services can be brought to the site and that there is ample capacity in these systems to support

this project.

The project frontage along Monticello Avenue (US Rte. 321) is designated as a Community Character Corridor classification. It is the intent to create an enhancement with the installation of a project that matches the character of this area of the County and do so by implementation of Design Guidelines. The site is designated as Neighborhood Commercial on the Comprehensive Plan and is suitable for business development, physical attributes and density of the property being planned, and the degree of the project's consistency with the Comprehensive Plan.

IV. ANALYSIS OF IMPACTS TO PUBLIC FACILITIES AND SERVICES

Public water and public sanitary sewer services (and other public services such as police, fire and life rescue, and transportation) are presently provided to parcels within the Primary Service Area.

A. Public Water Facilities

The subject property will be served with public drinking water by the existing JCSA water distribution system in the area. JCSA currently maintains a 12" water line in the right of way of Monticello Avenue (Rte. 321). Discussions with representatives of the James City Service Authority have not revealed any concerns on the ability of the current water system to meet the demands of this proposed project.

The project's internal water system will likely consist of 8-inch water mains, thus providing the project adequate volumes and pressures for consumption and fire protection. Verification of the adequacy of the JCSA existing water system and design of the on-site water main extensions will be further analyzed with modeling techniques during development of construction plans for the project.

Water consumption for the proposed project is estimated at a Daily Water Demand of 2,400 gallons per day. Peak Hour Water Demand for this project is estimated at approximately 13.3 gallons per minute.

TABLE 1 - PROJECTED WATER USAGE

Type of Use	Design Units	Flow (GPD/Unit)	Total Flow (GPD)	Duration (hrs)	Avg Flow (GPM)	Peak Flow (GPM)
Shopping Center	12,000 SF	0.2	2,400	12	3.33	13.33
Total			**2,400**		**3.33**	**13.33**

B. Public Sewer Facilities

This project is to serve as a commercial development including uses such as retail shops, restaurant, and a quick service automotive facility. The properties and buildings in the development are anticipated to be served by two sanitary private package stations which will flow into the adjacent JCSA gravity sewer. The estimated average daily flow generated from the proposed development is 2,400 gallons per day (GPD) with a peak flow rate of 10.0 gallons per minute (GPM). See Table 2 below for details of projected wastewater flows.

Table 2 – Wastewater Flows

Type of Use	Design Units	Flow (GPD/Unit)	Total Flow (GPD)	Duration (hrs)	Avg Flow (GPM)	Peak Flow (GPM)
Shopping Center	12,000 SF	0.2	2,400	12	3.33	10.00
Total			**2,400**		**3.33**	**10.00**

C. Fire Protection and Emergency Services

There are currently five fire stations providing fire protection and Emergency Medical Service (EMS) to James City County. Each station is situated within the County in such a way as to help achieve the response goal of six minutes or less. Every station is staffed by three shifts of career and volunteer Firefighters. Station crews are responsible for the pre-planning of target hazards in their area as well as safety inspections of private businesses within the response district.

In addition, there exists a mutual aid agreement with the York County and City of Williamsburg for backup assistance. The location of the project allows for coverage by two of the county's five stations: James City County Station 5, located on Monticello Avenue; James City County Station 3, located on John Tyler Highway; and the City of Williamsburg as a third backup all will be within reasonable response times of the project.

D. Solid Waste

The proposed development on the subject property will generate solid wastes that will require collection and disposal to promote a safe and healthy environment. Reputable, private contractors will handle the collection of solid waste. Both commercial trash and recyclable material will be removed from this site to a solid waste transfer station. Locations of dumpster enclosures are indicated on the master plan.

E. Franchise Utility Service Providers

Virginia Natural Gas, Dominion Enginery, Cox Communications, and Verizon Communications provide, respectively, natural gas, electricity, cable TV/ Internet service, and telephone service to this area. The current policy of these utility service providers is to extend service to new development at no cost to the developer when positive revenue is identified; plus, with new land development, these utility service providers are required to place all new utility service underground.

F. Transit

The Monticello Avenue Shops site is located along the Monticello route of the Williamsburg Area Transit Authority (WATA). Stop 1225, Monticello Ave. (at Marketplace Shoppes) is the nearest bus stop to the proposed site.

V. ANALYSIS OF ENVIRONMENTAL IMPACTS

Initial evaluation of the property determined that there were no environmentally sensitive areas associated with these properties. There is an existing residential home and several outbuildings located on the properties that will require demolition. Through an onsite investigation, review of JCC GIS and National Wetlands inventory there appear to be no wetlands, surface waters or potential locations for these to exist on the property.

VI. ANALYSIS OF STORMWATER MANAGEMENT

AES reviewed the requirements for the site in accordance with the general criteria of the Commonwealth of Virginia and James City County's stormwater requirements and noted the following items:

- The property currently drains to an existing regional BMP (BMP PC140) via drainage within Monticello Avenue
- The existing sites are mostly forested with a couple of residential homes and out-buildings
- The project site largely consists of flatter site grades with 0 to 6% slopes, there are steeper slopes just outside the property which are 3:1 within the existing ditches.

In evaluating the stormwater management needs of the proposed development we understand that the site will need to be approved to handle the necessary water quality and quantity needs as outlined in the current state stormwater standards. In discussions with JCC, it is understood that the existing BMP PC140 will not be able to be utilized (in its current status) to provide stormwater benefits from this site. As part of the site plan process, the site will need to

show compliance with the state regulations and additionally will need to provide Special Stormwater Citeria measures per the regulations at the time the site plan is prepared. It is anticipated that bioretention and similar treatment devices will be utilized for water quality and that potential retention measures will be utilized to ensure compliance for offsite discharge. Any stormwater measures proposed with the site will be designed and installed in accordance with all current applicable standards.

We would note that the existing downstream regional BMP that was originally designed to handle the drainage from this parcel has been identified to require upgrades as part of the 2023 Powhatan Creek Watershed Management Plan. Changes or upgrades to that facility would be outside of the ability of this project to handle.

VII. ANALYSIS OF IMPACTS TO TRAFFIC

The traffic impacts for the proposed development have been reviewed and improvements shown on the master plan to address those impacts. A traffic analysis was prepared by Groove Slade Associates. The project has undergone extensive review from previous applications and the current plan avoids additional access breaks along Monticello and does not impact the current Monticello and WindsorMeade intersection. The access between the existing adjoining shopping center is restricted to prevent cut through traffic and a new right turn taper will be added at the existing entrance to the development in accordance with the traffic analysis.

X. CONCLUSION

In summary, The Monticello Avenue Shops are being planned as a neighborhood commercial center generally matching the aesthetics of the surrounding centers as a commercial development. The Community Impact Statement for The Monticello Avenue Shops development concludes that the County and the community would realize the tangible public benefits to include the following:

- The proposed use is consistent with the intended land use designated on the current Comprehensive Plan for this area
- The Master Plan and proffered Design Guidelines will provide a high standard of architecture and layout to enhance this area of the County for decades to come
- The development provides a tax benefit to the County
- There is adequate capacity in the roadway network serving this project, with limited impacts on existing traffic patterns
- The stormwater management will be performed in such a way as to add water quality benefits for the site through the use of Special Stormwater Criteria measures, in

addition to State stormwater requirements.

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Traffic Impact Analysis

Monticello Avenue Commercial

James City County, Virginia

September 2023



Prepared for:

Verdad Real Estate
1211 S. White Chapel Boulevard
Southlake, TX 76092

GOROVE SLADE
Transportation Planners and Engineers

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TRAFFIC IMPACT ANALYSIS

To:	John Risinger	James City County
CC:	Brett Skinner	Verdad Real Estate, Inc.
From:	Mike Bailey, P.E.	Gorove Slade Associates
Subject:	**Monticello Avenue Commercial** – Traffic Impact Analysis (TIA)	
Date:	September 14, 2023	

Introduction

Verdad Real Estate is proposing to construct a commercial development on the south side of Monticello Avenue, directly across from Windsormeade Way. The proposed development plan includes 12,000 square feet (s.f.) of commercial space, and the proposed access plan includes utilizing the existing right-in / right out access east of the Monticello Marketplace shopping center.

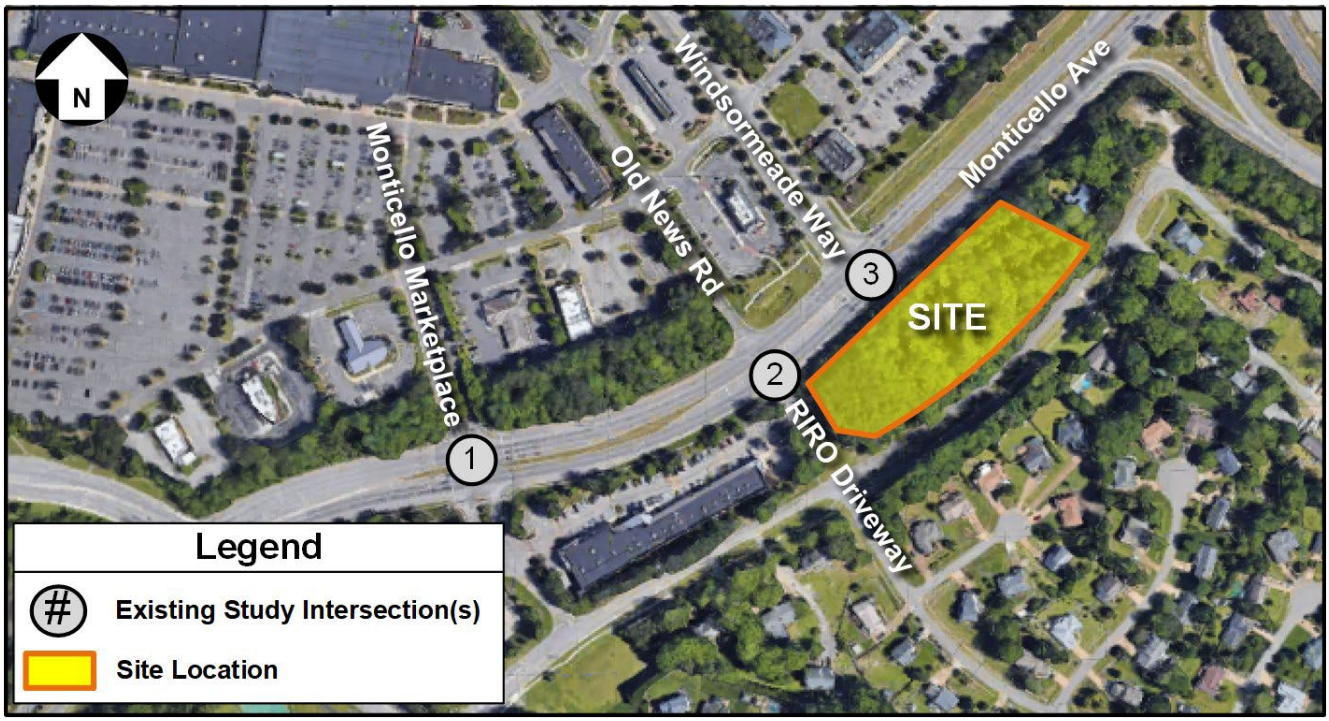
The purpose of this letter is to provide a Traffic Impact Analysis (TIA) for the existing site driveways. This analysis was developed in accordance with County and VDOT standards.

Scope of the Traffic Impact Analysis

The objective of this analysis is to identify potential impacts to the transportation network due to the proposed development. The study area includes the following intersections:

- Monticello Avenue at Monticello Marketplace
- Monticello Avenue at Old News Road / Right-In/Right Out Driveway (Turn Lane Warrant analysis)
- Monticello Avenue at Windsormeade Way

Figure 1 shows the site location and study intersections, and the site plan is shown in Figure 2.



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Figure 1: Site Location and Study Intersections

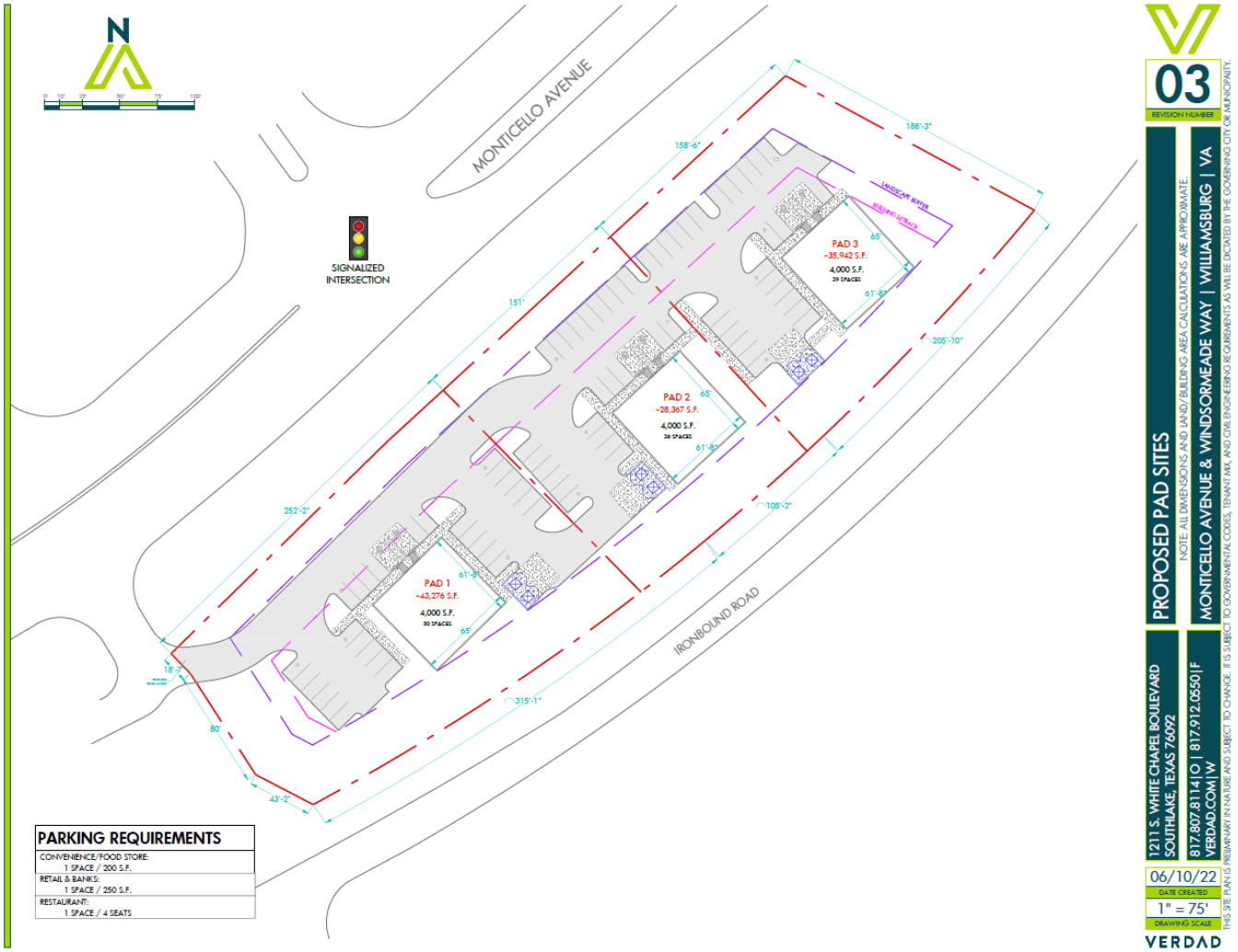


Figure 2: Site Plan (Provided by Verdad)

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Existing Conditions (2022)

Existing Roadway Network

A description of the major roadways within the study area is provided in Table 1. The AADT's shown are based on published 2019 VDOT data.

Table 1: Existing Roadway Network

Roadway	RTE #	VDOT Classification	Legal / Design Speed Limit (mph)	AADT (vpd)	Road Segment Between:	
Monticello Avenue	321	Minor Arterial	45	41,000	News Road	SR-199
Windsormeade Way	1299	Local	40	1,300	Monticello Ave	Cul-de-sac

The existing lane configuration is shown in Figure 3.

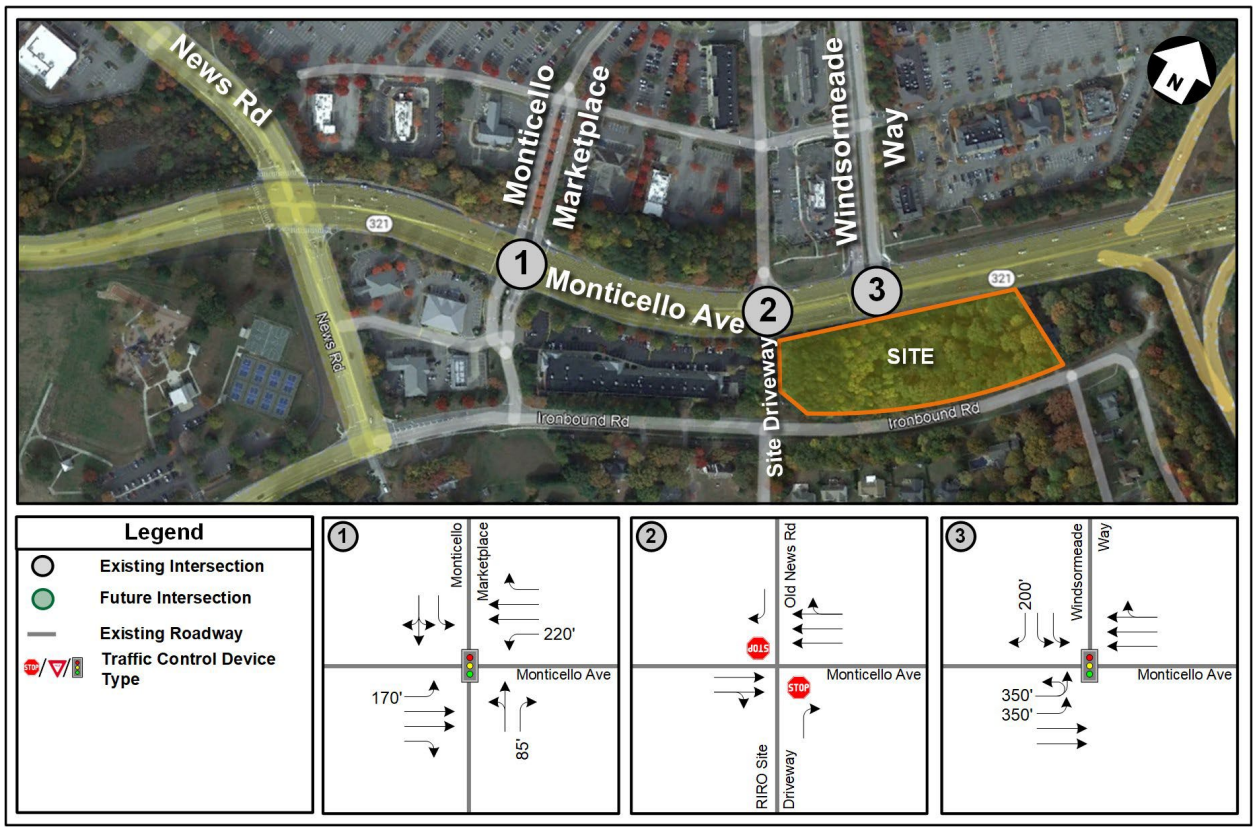


Figure 3: Existing Lane Configuration

Existing Traffic Volumes

Turning movement counts were conducted during the AM peak hour (7:00 to 9:00 AM) and PM peak hour (4:00 to 6:00 PM) by Burns Services Inc. (BSI), during the week of October 10, 2022, at the following intersections:

- Monticello Avenue at Monticello Marketplace
- Monticello Avenue at Old News Road / Right-In/Right Out Driveway

Additional peak hour turning movement count data was collected by BSI on June 7 at the intersection of Monticello Avenue at Windsormeade Way. Traffic volumes from the 2023 count were decreased by the annual growth rate to estimate the 2022 turning movement count volumes. Finally, some movements were increased as necessary to balance between study intersections to be conservative. Figure 4 shows the existing 2022 AM and PM peak hour traffic volumes.

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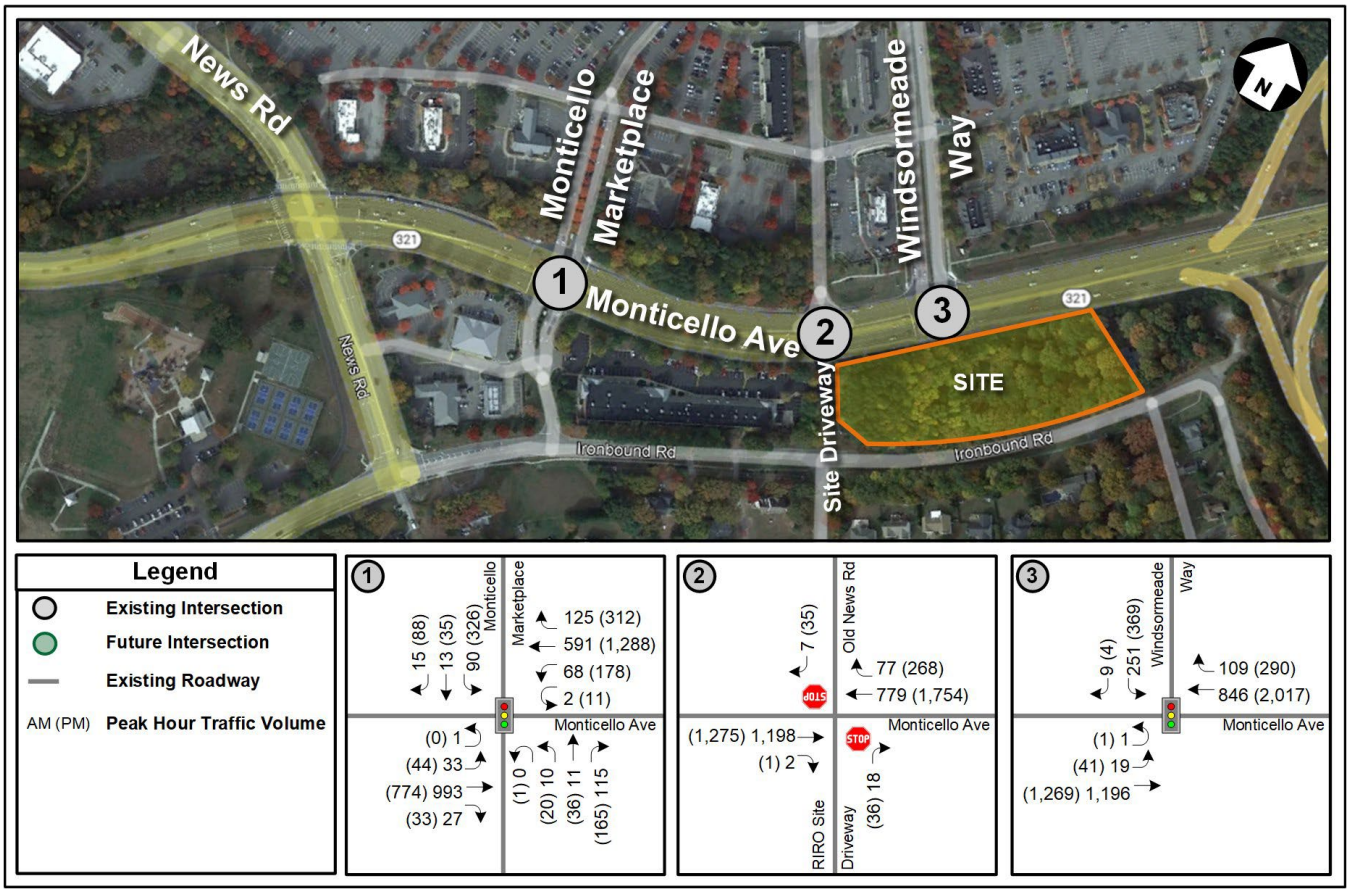


Figure 4: Existing (2022) Peak Hour Traffic Volumes

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No-Build Conditions (2024)

Approved Developments

Based on discussion with the development team, we understand there are no approved developments in the vicinity of the site that will have a significant impact on the study intersections.

No-Build (2024) Traffic Volumes

An annual growth rate of 2.0% was applied to the existing traffic volumes to estimate the No-Build (2024) peak hour traffic volumes, which are shown in Figure 5.

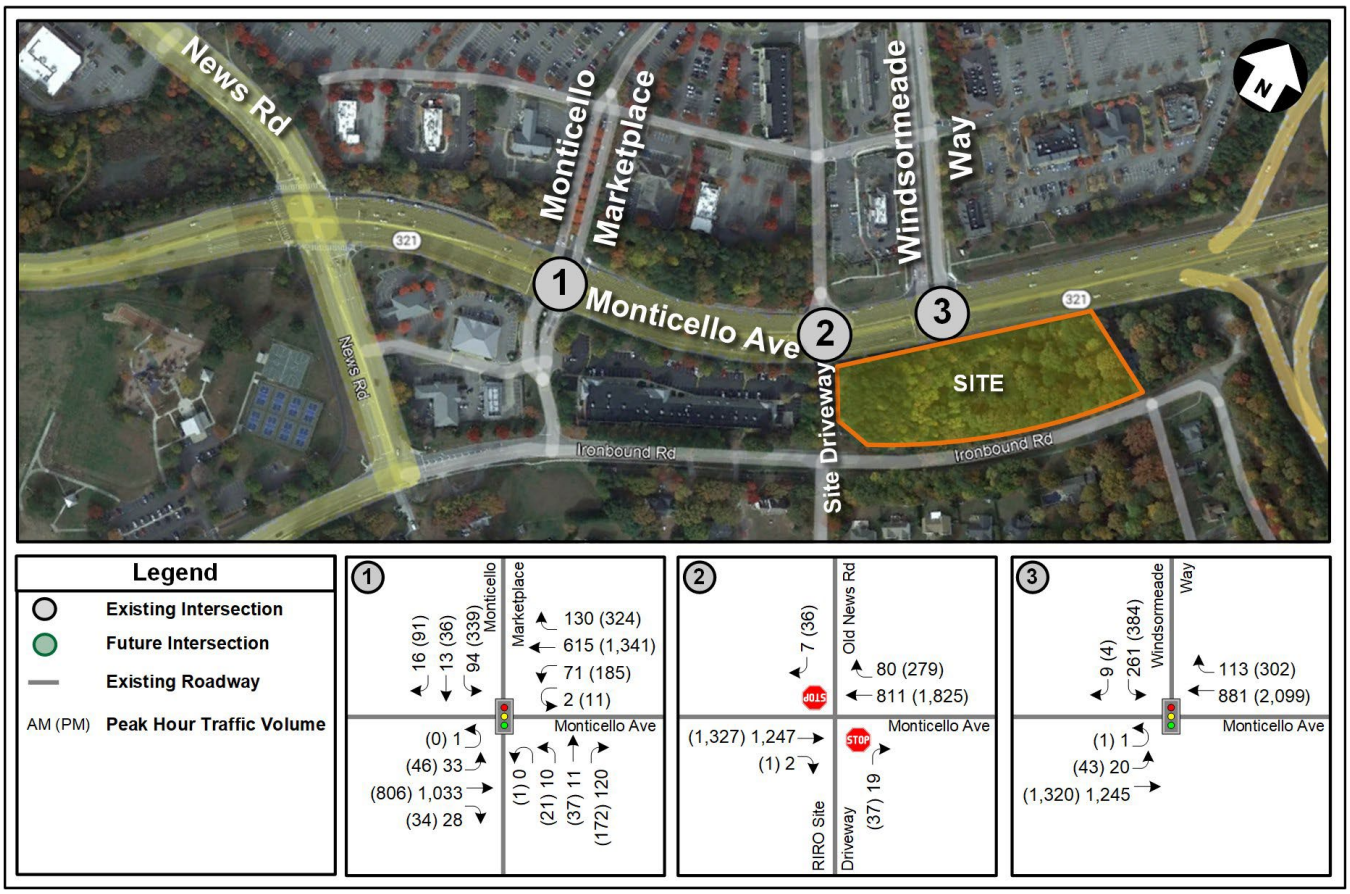


Figure 5: No-Build (2024) Peak Hour Traffic Volumes

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Build Conditions (2024)

Site Generated Volumes

Table 2 shows the trip generation potential of the proposed development based on the Institute of Traffic Engineers (ITE) *Trip Generation Manual 11th Edition*.

Table 2: ITE Trip Generation – Typical Weekday – 11th Edition

Land Use	ITE Code	Size	Units	------ Weekday ------						
				AM Peak Hour			*PM Peak Hour*			*Weekday*
				In	Out	Total	In	Out	Total	Total
Medical Clinic	630	4,000	s.f.	14	3	17	5	12	17	178
Animal Hospital / Veterinary Clinic	640	4,000	s.f.	10	5	15	6	8	14	86
Strip Retail (<40ksf)	822	4,000	s.f.	9	7	16	20	21	41	398
Total Trips		**12,000**	**s.f.**	**33**	**15**	**48**	**31**	**41**	**72**	**662**

Site Traffic Distribution

The site trip distribution was determined based on the proposed land uses, a review of existing traffic patterns, and engineering judgement. The following site trip distribution was applied:

- 60% to / from the east on Monticello Avenue
- 40% to / from the west on Monticello Avenue

Figure 6 shows the site trip distribution and Figure 7 shows site trip assignment. The Build 2024 peak hour volumes are shown in Figure 8.

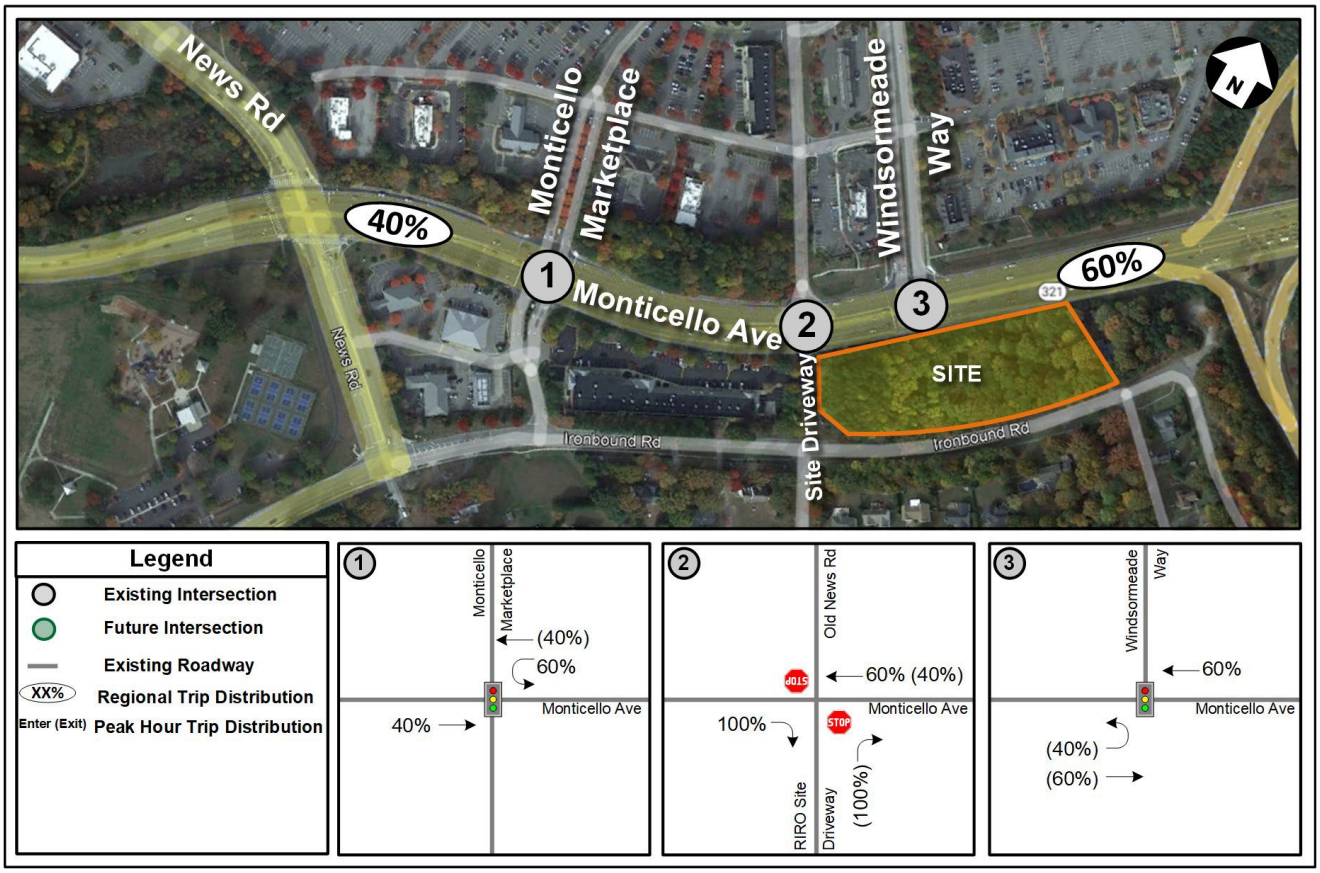


Figure 6: Site Trip Distribution

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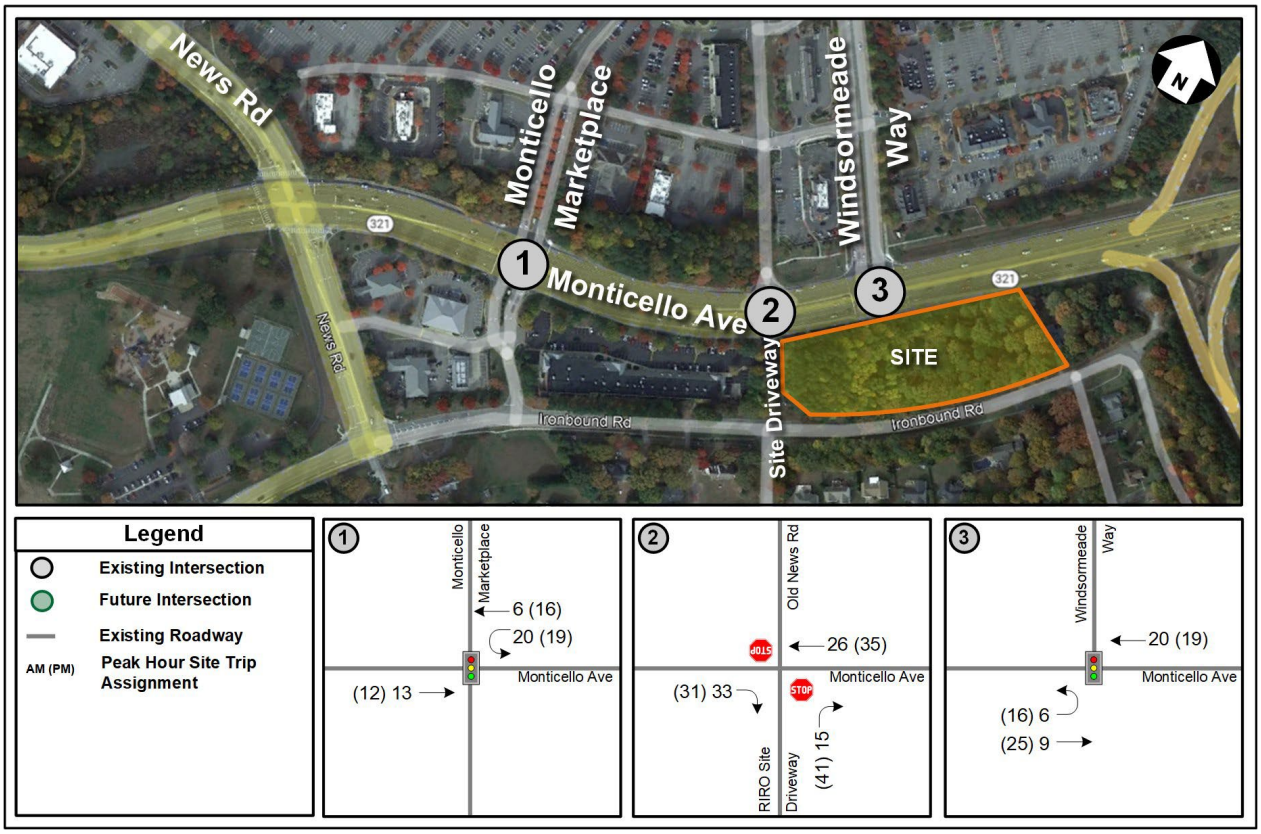


Figure 7: Site Trip Assignment

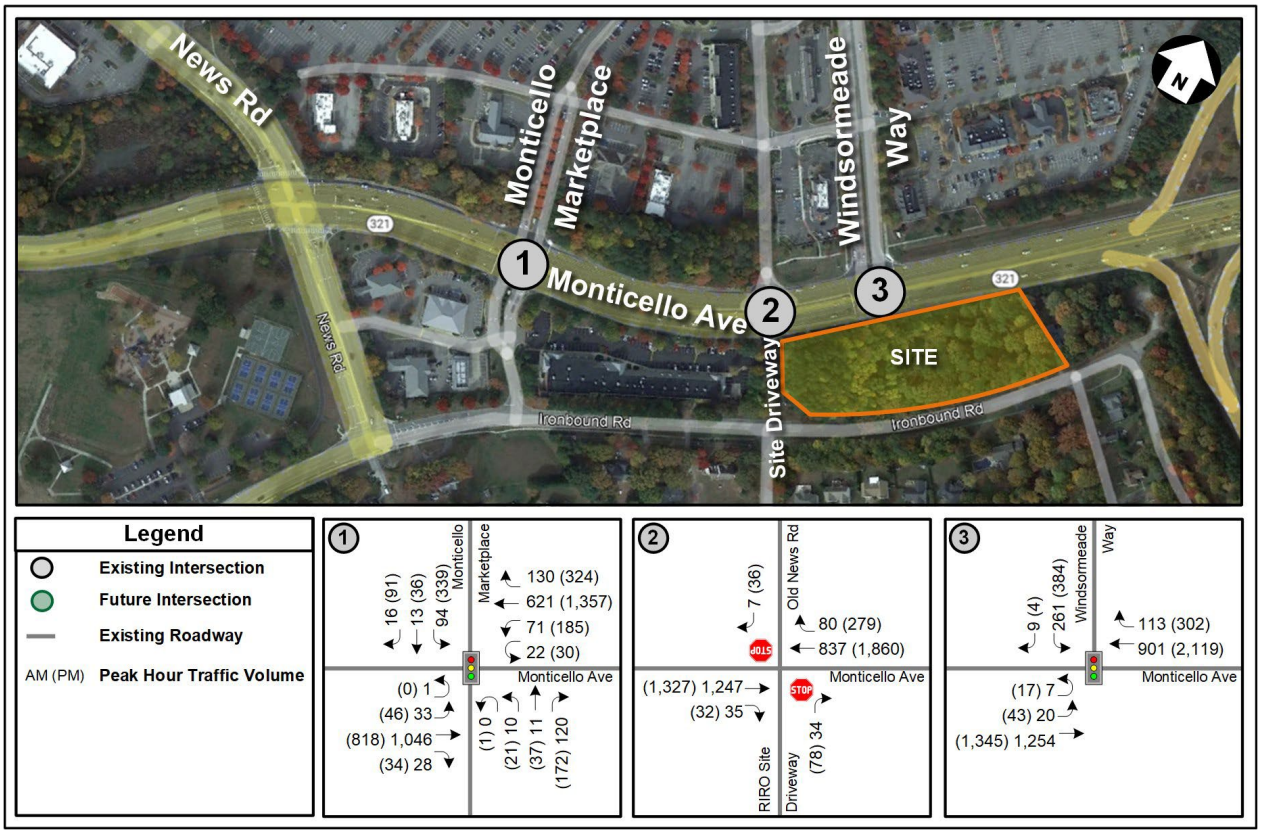


Figure 8: Build (2024) Peak Hour Traffic Volumes

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Traffic Capacity Analysis

Capacity analysis was performed at the study intersection during the weekday AM and PM peak hours. *Synchro, Version 11* was used to analyze the study intersection based on the *Highway Capacity Manual* (HCM) 2000 Edition methodology and includes level of service (LOS) and delay comparisons for the turning movements analyzed. HCM 2000 methodology was used because HCM 6th Edition is unable to process U-turn movements, which were present in the existing traffic counts. Queue lengths were generated using SimTraffic and were based on the maximum of an average of 10 microsimulation runs. The capacity analysis results are summarized in Table 3 through Table 5 and the Synchro / SimTraffic output reports are included in the attachments.

Table 3: Level-of-Service Summary for Monticello Avenue at Monticello Marketplace

Analysis Scenario	Intersection (Movement)	Effective Storage Length (ft.)	AM Peak Hour			PM Peak Hour		
			LOS	Delay (sec/veh)	Ave. Max Queue (ft.)	LOS	Delay (sec/veh)	Ave. Max Queue (ft.)
			Synchro		SimTraffic	Synchro		SimTraffic
Existing (2022) Conditions	**Overall Intersection**		**C**	**33.9**		**D**	**46.5**	
	Eastbound Approach		***B***	***19.4***		***C***	***28.8***	
	Eastbound U/Left	170	D	42.7	174	E	56.2	194
	Eastbound Through		B	18.8	294	C	27.6	351
	Eastbound Right		B	12.2	41	C	20.5	41
	Westbound Approach		***D***	***51.3***		***D***	***48.3***	
	Westbound U/Left	220	C	32.7	121	D	48.9	245
	Westbound Through		B	17.7	198	D	42.6	605
	Westbound Right		F	220.8	48	E	71.2	90
	Northbound Approach		***D***	***39.8***		***D***	***53.3***	
	Northbound U/Left/Through		D	40.2	48	D	55.0	112
	Northbound Right	85	D	39.7	64	D	52.7	103
	Southbound Approach		***D***	***40.7***		***E***	***69.3***	
	Southbound Left		D	41.0	114	E	74.5	258
	Southbound Left/Through/Right		D	40.4	83	E	63.8	245
No-Build (2024) Conditions	**Overall Intersection**		**C**	**34.2**		**D**	**48.0**	
	Eastbound Approach		***C***	***20.1***		***C***	***31.5***	
	Eastbound U/Left	170	D	42.8	150	E	59.7	194
	Eastbound Through		B	19.6	321	C	30.3	396
	Eastbound Right		B	12.3	45	C	21.8	53
	Westbound Approach		***D***	***51.2***		***D***	***49.5***	
	Westbound U/Left	220	C	34.6	148	D	50.9	245
	Westbound Through		C	21.1	218	D	44.9	630
	Westbound Right		F	203.1	60	E	67.5	195
	Northbound Approach		***D***	***39.7***		***D***	***54.2***	
	Northbound U/Left/Through		D	40.1	60	E	56.9	145
	Northbound Right	85	D	39.6	82	D	53.2	108
	Southbound Approach		***D***	***40.7***		***E***	***70.4***	
	Southbound Left		D	41.0	122	E	72.0	304
	Southbound Left/Through/Right		D	40.3	89	E	68.7	284
Build (2024) Conditions	**Overall Intersection**		**C**	**34.3**		**D**	**48.3**	
	Eastbound Approach		***C***	***20.8***		***C***	***32.4***	
	Eastbound U/Left	170	D	42.8	167	E	59.7	194
	Eastbound Through		C	20.3	327	C	31.3	381
	Eastbound Right		B	12.6	40	C	22.3	45
	Westbound Approach		***D***	***50.2***		***D***	***49.6***	
	Westbound U/Left	220	D	37.5	151	E	55.1	245
	Westbound Through		C	20.9	215	D	45.0	636
	Westbound Right		F	199.8	58	E	65.3	320
	Northbound Approach		***D***	***39.7***		***D***	***54.2***	
	Northbound U/Left/Through		D	40.1	58	E	56.9	133
	Northbound Right	85	D	39.6	84	D	53.2	108
	Southbound Approach		***D***	***40.7***		***E***	***70.4***	
	Southbound Left		D	41.0	111	E	72.0	292
	Southbound Left/Through/Right		D	40.3	84	E	68.7	278

Capacity analysis indicates that the intersection currently operates at LOS C during the AM peak hour and at LOS D during the PM peak hour. Under no-build conditions, the intersection is expected to continue to operate at LOS C during the AM peak hour and at LOS D during the PM peak hour.

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Under build conditions, the intersection is expected to continue to operate at LOS C during the AM peak hour and at LOS D during the PM peak hour, with all movements operating at LOS E or better.

No improvements are warranted or recommended at this intersection at build-out of the proposed commercial center.

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Table 4: Level-of-Service for Monticello Avenue at Right-in/Right-out Site Driveway

Analysis Scenario	Intersection (Movement)	Effective Storage Length (ft.)	AM Peak Hour			PM Peak Hour		
			LOS	Delay (sec/veh)	Ave. Max Queue (ft.)	LOS	Delay (sec/veh)	Ave. Max Queue (ft.)
			Synchro		SimTraffic	Synchro		SimTraffic
Existing (2022) Conditions	**Eastbound Approach**		-	-		-	-	
	Eastbound Through/Right		-	-	-	-	-	-
	Westbound Approach		-	-		-	-	
	Westbound Through/Right		-	-	-	-	-	-
	Northbound Approach		***B***	***10.4***		***B***	***10.7***	
	Northbound Right		B	10.4	38	B	10.7	62
	Southbound Approach		***A***	***8.6***		***B***	***10.1***	
	Southbound Right		A	8.6	28	B	10.1	54
No-Build (2024) Conditions	**Eastbound Approach**		-	-		-	-	
	Eastbound Through/Right		-	-	-	-	-	-
	Westbound Approach		-	-		-	-	
	Westbound Through/Right		-	-	-	-	-	-
	Northbound Approach		***B***	***10.6***		***B***	***11.0***	
	Northbound Right		B	10.6	45	B	11.0	60
	Southbound Approach		***A***	***8.7***		***B***	***10.3***	
	Southbound Right		A	8.7	26	B	10.3	54
Build (2024) Conditions	**Eastbound Approach**		-	-		-	-	
	Eastbound Through/Right		-	-	-	-	-	-
	Westbound Approach		-	-		-	-	
	Westbound Through/Right		-	-	-	-	-	-
	Northbound Approach		***B***	***10.9***		***B***	***11.6***	
	Northbound Right		B	10.9	59	B	11.6	92
	Southbound Approach		***A***	***8.7***		***B***	***10.4***	
	Southbound Right		A	8.7	28	B	10.4	56

The minor street right-turn movements currently operate with short delays during the AM and PM peak hours. Under no-build conditions, the minor street right-turn movements are expected to continue to operate with short delays during both peak hours.

Under build conditions, the minor street right-turn movements are expected to continue to operate with short delays during the AM and PM peak hours with queue lengths of four vehicles or less with the following improvement:

- Construct a 100-foot eastbound right-turn taper on Monticello Avenue

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Table 5: Level-of-Service Summary for Monticello Avenue at Windsormeade Way

Analysis Scenario	Intersection (Movement)	Effective Storage Length (ft.)	AM Peak Hour			PM Peak Hour		
			LOS	Delay (sec/veh)	Ave. Max Queue (ft.) [2]	LOS	Delay (sec/veh)	Ave. Max Queue (ft.) [2]
			Synchro		SimTraffic	Synchro		SimTraffic
Existing (2022) Conditions	**Overall Intersection**		**A**	**10.0**		**B**	**16.0**	
	Eastbound Approach		***A***	***5.3***		***A***	***4.9***	
	Eastbound U/Left	350	E	55.2	54	E	72.6	75
	Eastbound Thru		A	4.5	223	A	2.7	228
	Westbound Approach		***A***	***8.0***		***B***	***16.0***	
	Westbound Through/Right		A	8.0	187	B	16.0	502
	Southbound Approach		***D***	***39.0***		***D***	***54.7***	
	Southbound Left		D	39.1	191	D	54.8	280
	Southbound Right	200	C	34.4	28	D	43.7	25
No-Build (2024) Conditions	**Overall Intersection**		**A**	**9.2**		**B**	**17.8**	
	Eastbound Approach		***A***	***3.7***		***A***	***9.5***	
	Eastbound U/Left	350	E	62.9	62	E	62.3	72
	Eastbound Thru		A	2.7	220	A	7.8	224
	Westbound Approach		***A***	***8.1***		***B***	***16.2***	
	Westbound Through/Right		A	8.1	189	B	16.2	500
	Southbound Approach		***D***	***39.1***		***E***	***56.9***	
	Southbound Left		D	39.2	200	E	57.0	276
	Southbound Right	200	C	34.3	26	D	43.7	25
Build (2024) Conditions	**Overall Intersection**		**A**	**9.5**		**B**	**18.2**	
	Eastbound Approach		***A***	***3.9***		***B***	***10.3***	
	Eastbound U/Left	350	E	59.4	63	E	61.9	71
	Eastbound Thru		A	2.6	228	A	8.0	233
	Westbound Approach		***A***	***8.8***		***B***	***16.5***	
	Westbound Through/Right		A	8.8	209	B	16.5	523
	Southbound Approach		***D***	***39.1***		***E***	***56.9***	
	Southbound Left		D	39.2	207	E	57.0	284
	Southbound Right	200	C	34.3	32	D	43.7	27

Capacity analysis indicates that the intersection currently operates at LOS A during the AM peak hour and at LOS B during the PM peak hour. Under no-build conditions, the intersection is expected to continue to operate at LOS A during the AM peak hour and at LOS B during the PM peak hour.

Under build conditions, the intersection is expected to continue to operate at LOS A during the AM peak hour and at LOS B during the PM peak hour, with all movements operating at LOS E or better.

No improvements are warranted or recommended at this intersection at build-out of the proposed commercial center.

Turn Lane Warrant Analysis

A right turn lane warrant analysis was performed for the existing right-in / right-out site driveway based on the Build (2024) peak hour traffic volumes. The results of the analysis are shown in Table 6 below, and the turn lane warrant diagram is included in the attachments.

Table 6: Turn Lane Warrant Summary

Study Scenario	Approach Volume	Right Turn Volume	Minimum Right Turn Taper Threshold	Minimum Right Turn Full Lane Threshold	Treatment
INT 1 - EBR - 2024 Build AM Peak	1,282	35	10	40	Taper Required
INT 1 - EBR - 2024 Build PM Peak	1,359	32	10	40	Taper Required

As shown in Table 6, a right-turn taper is warranted during both peak hours.

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Conclusions

Based on the capacity analysis, all study intersections will operate with acceptable delay and queueing with the following recommendations:

Monticello Avenue at Right-In / Right-Out Site Driveway:

- Construct an eastbound right-turn taper on Monticello Avenue with 100 feet of taper length

The recommended lane configuration is shown in Figure 9.

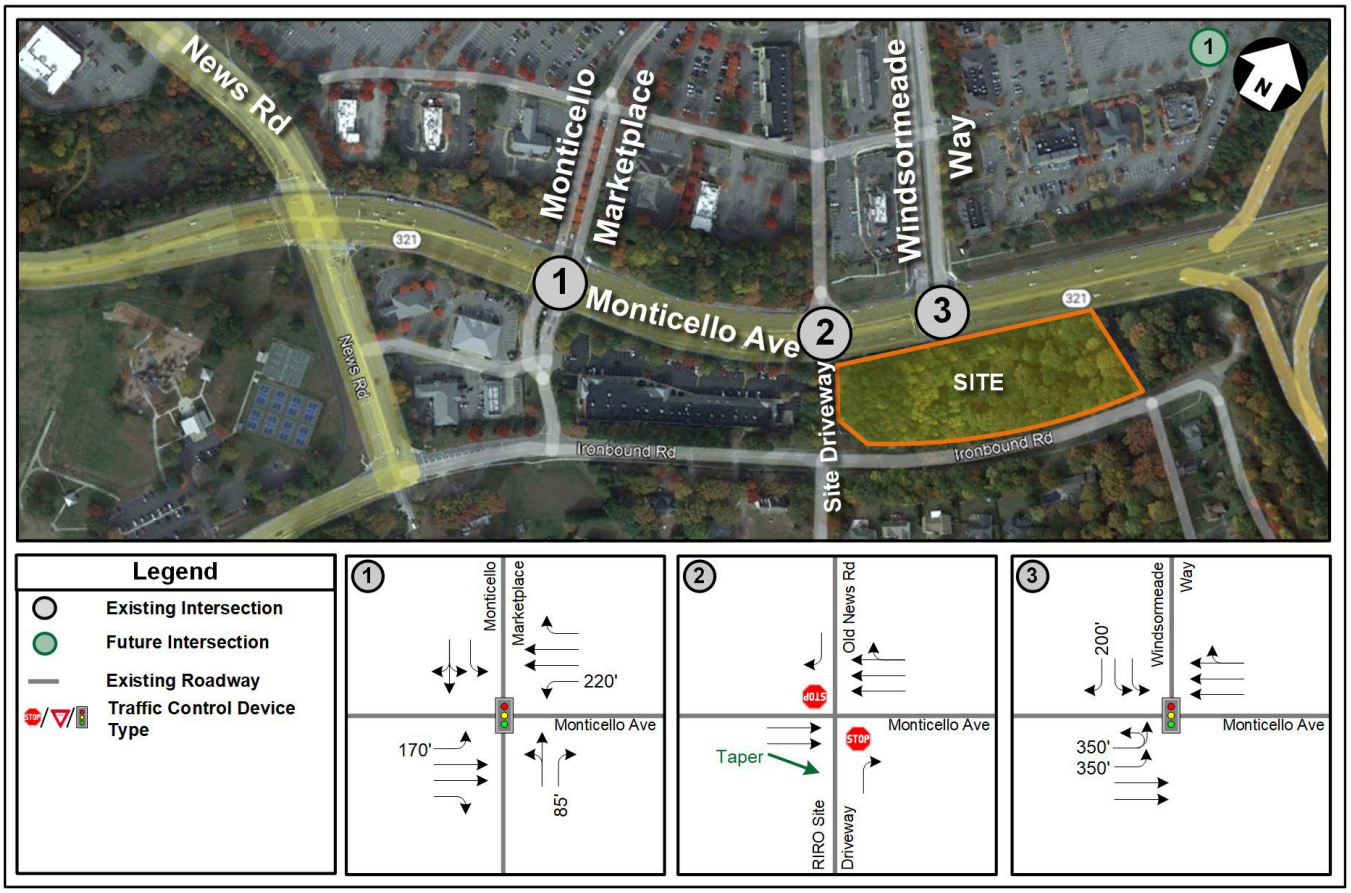


Figure 9: Recommended Lane Configuration

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TECHNICAL APPENDIX

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TECHNICAL APPENDIX

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APPENDIX F

Turn Lane Warrant Assessment

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APPENDIX A

Turning Movement Count Data and Signal Timing Plans

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Groups Printed- Cars + - Trucks

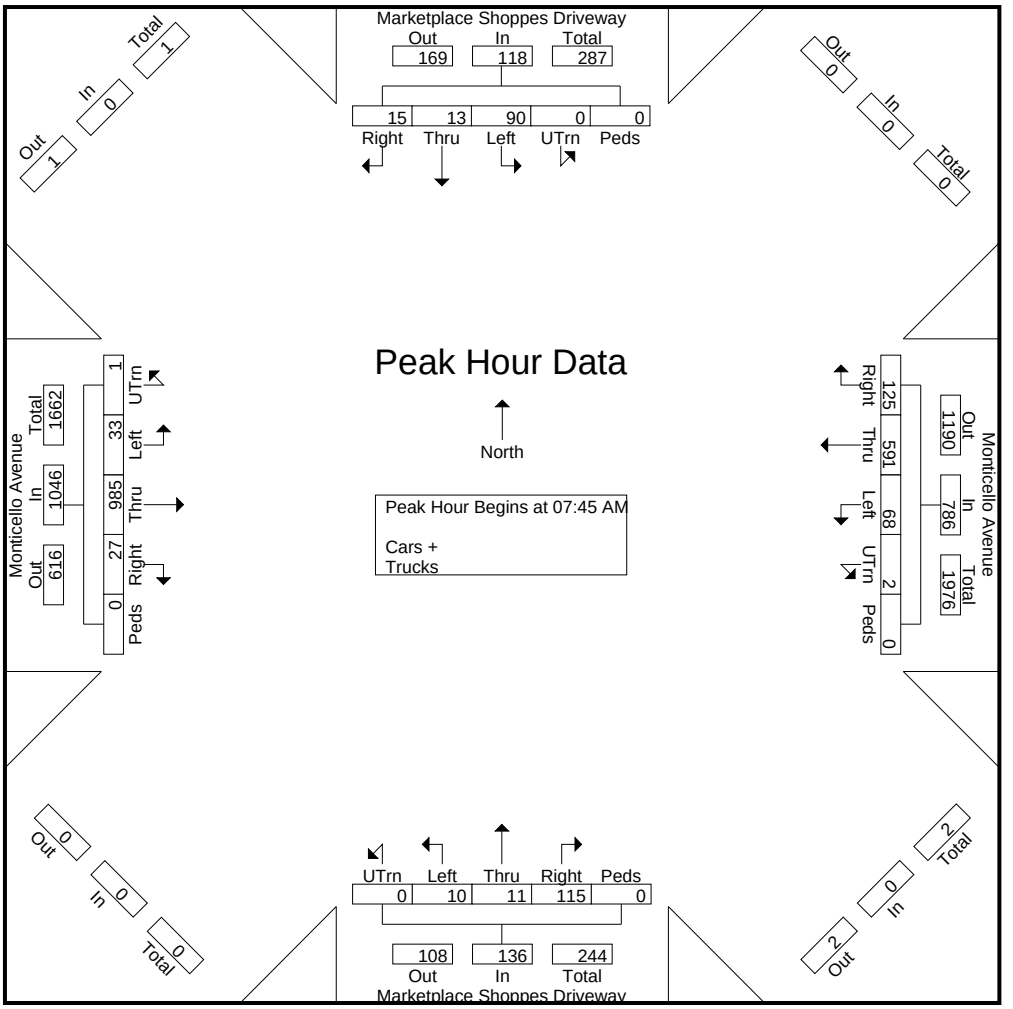
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07:00 AM	2	2	12	0	0	16	18	93	5	1	0	117	30	0	0	0	0	30	12	146	1	0	0	159	322
07:15 AM	5	1	8	0	0	14	11	86	12	0	0	109	27	1	2	0	0	30	3	250	2	0	0	255	408
07:30 AM	1	3	10	0	0	14	25	88	13	1	0	127	42	4	0	0	0	46	5	258	4	0	0	267	454
07:45 AM	4	1	24	0	0	29	24	154	18	0	0	196	35	6	0	0	0	41	9	274	7	0	0	290	556
Total	12	7	54	0	0	73	78	421	48	2	0	549	134	11	2	0	0	147	29	928	14	0	0	971	1740
08:00 AM	3	5	19	0	0	27	38	121	13	1	0	173	32	0	5	0	0	37	7	227	11	1	0	246	483
08:15 AM	3	4	18	0	0	25	29	154	21	1	0	205	20	2	3	0	0	25	3	247	9	0	0	259	514
08:30 AM	5	3	29	0	0	37	34	162	16	0	0	212	28	3	2	0	0	33	8	237	6	0	0	251	533
08:45 AM	9	2	31	0	0	42	41	148	23	3	0	215	36	3	5	0	0	44	6	236	6	0	0	248	549
Total	20	14	97	0	0	131	142	585	73	5	0	805	116	8	15	0	0	139	24	947	32	1	0	1004	2079
Grand Total	32	21	151	0	0	204	220	1006	121	7	0	1354	250	19	17	0	0	286	53	1875	46	1	0	1975	3819
Apprch %	15.7	10.3	74	0	0		16.2	74.3	8.9	0.5	0		87.4	6.6	5.9	0	0		2.7	94.9	2.3	0.1	0		
Total %	0.8	0.5	4	0	0	5.3	5.8	26.3	3.2	0.2	0	35.5	6.5	0.5	0.4	0	0	7.5	1.4	49.1	1.2	0	0	51.7	
Cars +	26	21	151	0	0	198	217	964	121	7	0	1309	249	19	17	0	0	285	51	1838	46	1	0	1936	3728
% Cars +	81.2	100	100	0	0	97.1	98.6	95.8	100	100	0	96.7	99.6	100	100	0	0	99.7	96.2	98	100	100	0	98	97.6
Trucks	6	0	0	0	0	6	3	42	0	0	0	45	1	0	0	0	0	1	2	37	0	0	0	39	91
% Trucks	18.8	0	0	0	0	2.9	1.4	4.2	0	0	0	3.3	0.4	0	0	0	0	0.3	3.8	2	0	0	0	2	2.4

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Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																									
Peak Hour for Entire Intersection Begins at 07:45 AM																									
07:45 AM	4	1	24	0	0	29	24	154	18	0	0	196	**35**	**6**	0	0	0	**41**	**9**	**274**	7	0	0	**290**	**556**
08:00 AM	3	**5**	19	0	0	27	**38**	121	13	**1**	0	173	32	0	**5**	0	0	37	7	227	**11**	**1**	0	246	483
08:15 AM	3	4	18	0	0	25	29	154	**21**	1	0	205	20	2	3	0	0	25	3	247	9	0	0	259	514
08:30 AM	**5**	3	**29**	0	0	**37**	34	**162**	16	0	0	**212**	28	3	2	0	0	33	8	237	6	0	0	251	533
Total Volume	15	13	90	0	0	118	125	591	68	2	0	786	115	11	10	0	0	136	27	985	33	1	0	1046	2086
% App. Total	12.7	11	76.3	0	0		15.9	75.2	8.7	0.3	0		84.6	8.1	7.4	0	0		2.6	94.2	3.2	0.1	0		
PHF	.750	.650	.776	.000	.000	.797	.822	.912	.810	.500	.000	.927	.821	.458	.500	.000	.000	.829	.750	.899	.750	.250	.000	.902	.938



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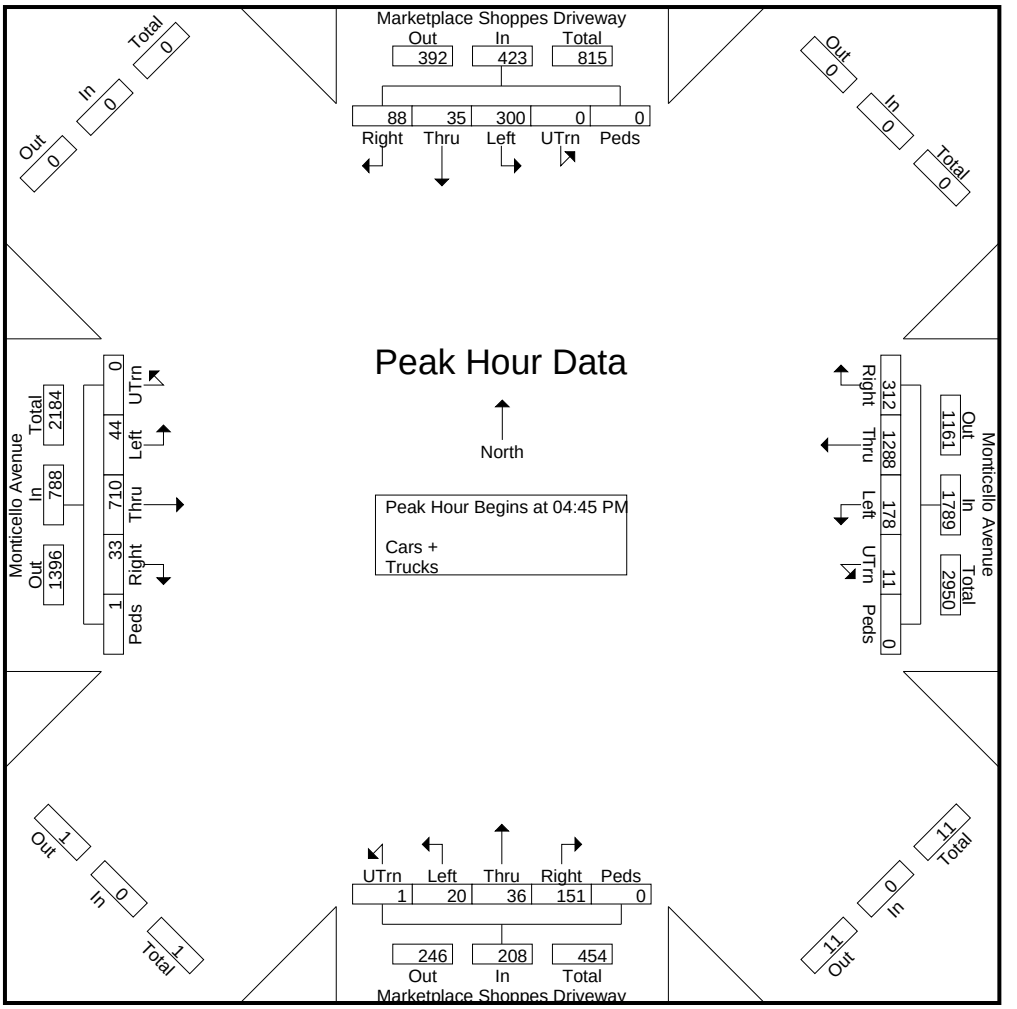
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04:00 PM	19	9	84	0	0	112	86	238	27	5	0	356	39	5	3	0	0	47	7	173	6	0	0	186	701
04:15 PM	24	7	85	0	0	116	60	294	42	2	0	398	55	5	5	0	0	65	12	202	11	0	0	225	804
04:30 PM	21	6	74	0	0	101	86	268	36	5	0	395	33	6	7	0	0	46	11	182	10	0	0	203	745
04:45 PM	28	7	70	0	0	105	74	351	51	1	0	477	42	4	7	0	0	53	9	167	13	0	0	189	824
Total	92	29	313	0	0	434	306	1151	156	13	0	1626	169	20	22	0	0	211	39	724	40	0	0	803	3074
05:00 PM	17	9	82	0	0	108	82	278	38	5	0	403	34	8	6	1	0	49	10	190	10	0	1	211	771
05:15 PM	15	10	76	0	0	101	80	348	46	2	0	476	43	13	2	0	0	58	9	179	12	0	0	200	835
05:30 PM	28	9	72	0	0	109	76	311	43	3	0	433	32	11	5	0	0	48	5	174	9	0	0	188	778
05:45 PM	26	12	52	0	0	90	54	285	53	1	0	393	29	5	6	0	0	40	5	184	13	0	0	202	725
Total	86	40	282	0	0	408	292	1222	180	11	0	1705	138	37	19	1	0	195	29	727	44	0	1	801	3109
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Apprch %	21.1	8.2	70.7	0	0		18	71.2	10.1	0.7	0		75.6	14	10.1	0.2	0		4.2	90.5	5.2	0	0.1		
Total %	2.9	1.1	9.6	0	0	13.6	9.7	38.4	5.4	0.4	0	53.9	5	0.9	0.7	0	0	6.6	1.1	23.5	1.4	0	0	25.9	
Cars +	178	69	594	0	0	841	598	2355	336	24	0	3313	305	57	41	1	0	404	68	1430	84	0	1	1583	6141
% Cars +	100	100	99.8	0	0	99.9	100	99.2	100	100	0	99.5	99.3	100	100	100	0	99.5	100	98.6	100	0	100	98.7	99.3
Trucks	0	0	1	0	0	1	0	18	0	0	0	18	2	0	0	0	0	2	0	21	0	0	0	21	42
% Trucks	0	0	0.2	0	0	0.1	0	0.8	0	0	0	0.5	0.7	0	0	0	0	0.5	0	1.4	0	0	0	1.3	0.7

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	Marketplace Shoppes Driveway Southbound						Monticello Avenue Westbound						Marketplace Shoppes Driveway Northbound						Monticello Avenue Eastbound						
Start Time	Right	Thru	Left	UTrn	Peds	App. Total	Right	Thru	Left	UTrn	Peds	App. Total	Right	Thru	Left	UTrn	Peds	App. Total	Right	Thru	Left	UTrn	Peds	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																									
Peak Hour for Entire Intersection Begins at 04:45 PM																									
04:45 PM	**28**	7	70	0	0	105	74	**351**	**51**	1	0	**477**	42	4	**7**	0	0	53	9	167	**13**	0	0	189	824
05:00 PM	17	9	**82**	0	0	108	**82**	278	38	**5**	0	403	34	8	6	**1**	0	49	**10**	**190**	10	0	**1**	**211**	771
05:15 PM	15	**10**	76	0	0	101	80	348	46	2	0	476	**43**	**13**	2	0	0	**58**	9	179	12	0	0	200	**835**
05:30 PM	28	9	72	0	0	**109**	76	311	43	3	0	433	32	11	5	0	0	48	5	174	9	0	0	188	778
Total Volume	88	35	300	0	0	423	312	1288	178	11	0	1789	151	36	20	1	0	208	33	710	44	0	1	788	3208
% App. Total	20.8	8.3	70.9	0	0		17.4	72	9.9	0.6	0		72.6	17.3	9.6	0.5	0		4.2	90.1	5.6	0	0.1		
PHF	.786	.875	.915	.000	.000	.970	.951	.917	.873	.550	.000	.938	.878	.692	.714	.250	.000	.897	.825	.934	.846	.000	.250	.934	.960



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File Name : James City(Monticello and Old News)
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Groups Printed- Cars + - Trucks

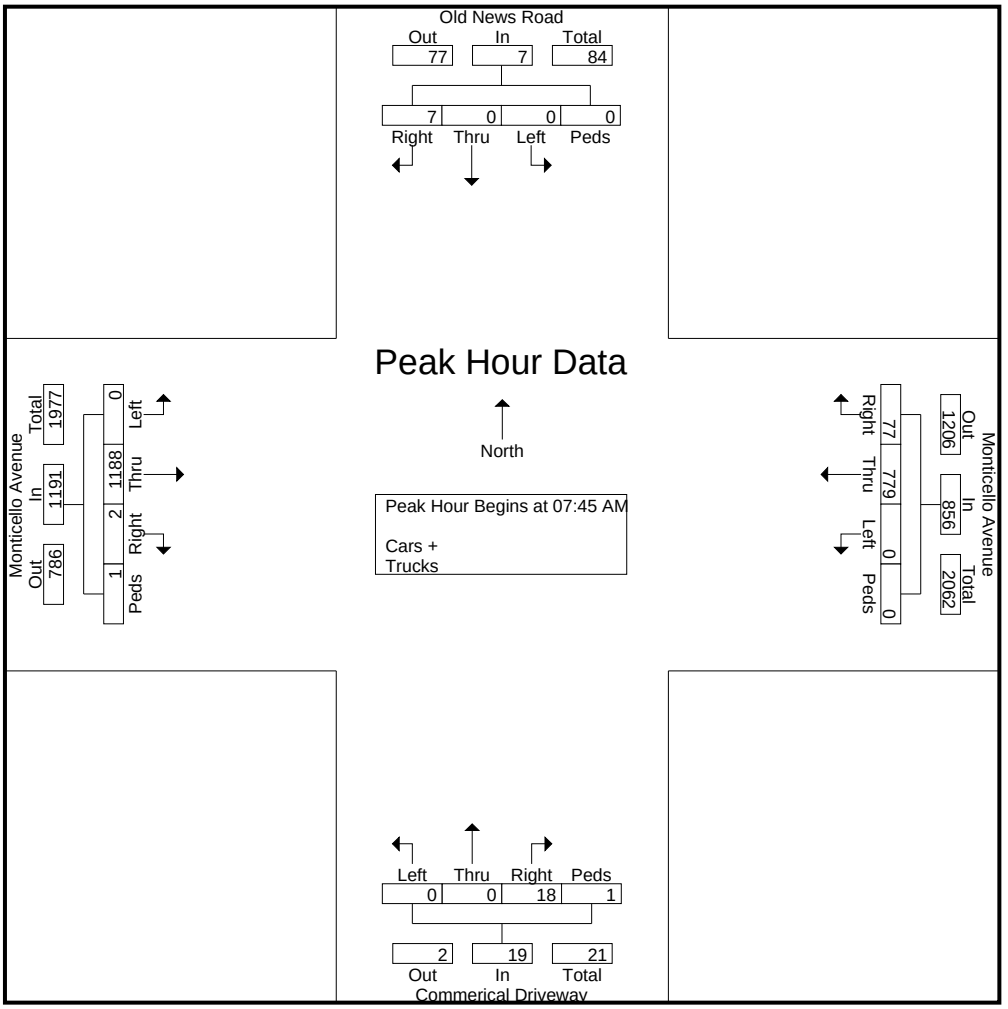
	Old News Road Southbound					Monticello Avenue Westbound					Commerical Driveway Northbound					Monticello Avenue Eastbound					
Start Time	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Int. Total
07:00 AM	2	0	0	0	2	13	114	0	0	127	1	0	0	0	1	0	189	0	0	189	319
07:15 AM	0	0	0	0	0	14	109	0	0	123	2	0	0	0	2	0	279	0	0	279	404
07:30 AM	0	0	0	0	0	18	129	0	0	147	3	0	0	0	3	1	308	0	0	309	459
07:45 AM	2	0	0	0	2	14	196	0	0	210	7	0	0	0	7	0	332	0	1	333	552
Total	4	0	0	0	4	59	548	0	0	607	13	0	0	0	13	1	1108	0	1	1110	1734
08:00 AM	1	0	0	0	1	20	171	0	0	191	4	0	0	0	4	1	274	0	0	275	471
08:15 AM	2	0	0	0	2	18	200	0	0	218	4	0	0	1	5	0	289	0	0	289	514
08:30 AM	2	0	0	0	2	25	212	0	0	237	3	0	0	0	3	1	293	0	0	294	536
08:45 AM	2	0	0	0	2	31	206	0	0	237	3	0	0	1	4	0	307	0	0	307	550
Total	7	0	0	0	7	94	789	0	0	883	14	0	0	2	16	2	1163	0	0	1165	2071
Grand Total	11	0	0	0	11	153	1337	0	0	1490	27	0	0	2	29	3	2271	0	1	2275	3805
Apprch %	100	0	0	0		10.3	89.7	0	0		93.1	0	0	6.9		0.1	99.8	0	0		
Total %	0.3	0	0	0	0.3	4	35.1	0	0	39.2	0.7	0	0	0.1	0.8	0.1	59.7	0	0	59.8	
Cars +	10	0	0	0	10	140	1293	0	0	1433	27	0	0	2	29	3	2233	0	1	2237	3709
% Cars +	90.9	0	0	0	90.9	91.5	96.7	0	0	96.2	100	0	0	100	100	100	98.3	0	100	98.3	97.5
Trucks	1	0	0	0	1	13	44	0	0	57	0	0	0	0	0	0	38	0	0	38	96
% Trucks	9.1	0	0	0	9.1	8.5	3.3	0	0	3.8	0	0	0	0	0	0	1.7	0	0	1.7	2.5

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	Old News Road Southbound					Monticello Avenue Westbound					Commerical Driveway Northbound					Monticello Avenue Eastbound					
Start Time	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 07:45 AM																					
07:45 AM	**2**	0	0	0	**2**	14	196	0	0	210	**7**	0	0	0	**7**	0	**332**	0	**1**	**333**	**552**
08:00 AM	1	0	0	0	1	20	171	0	0	191	4	0	0	0	4	**1**	274	0	0	275	471
08:15 AM	2	0	0	0	2	18	200	0	0	218	4	0	0	**1**	5	0	289	0	0	289	514
08:30 AM	2	0	0	0	2	**25**	**212**	0	0	**237**	3	0	0	0	3	1	293	0	0	294	536
Total Volume	7	0	0	0	7	77	779	0	0	856	18	0	0	1	19	2	1188	0	1	1191	2073
% App. Total	100	0	0	0		9	91	0	0		94.7	0	0	5.3		0.2	99.7	0	0.1		
PHF	.875	.000	.000	.000	.875	.770	.919	.000	.000	.903	.643	.000	.000	.250	.679	.500	.895	.000	.250	.894	.939



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Groups Printed- Cars + - Trucks

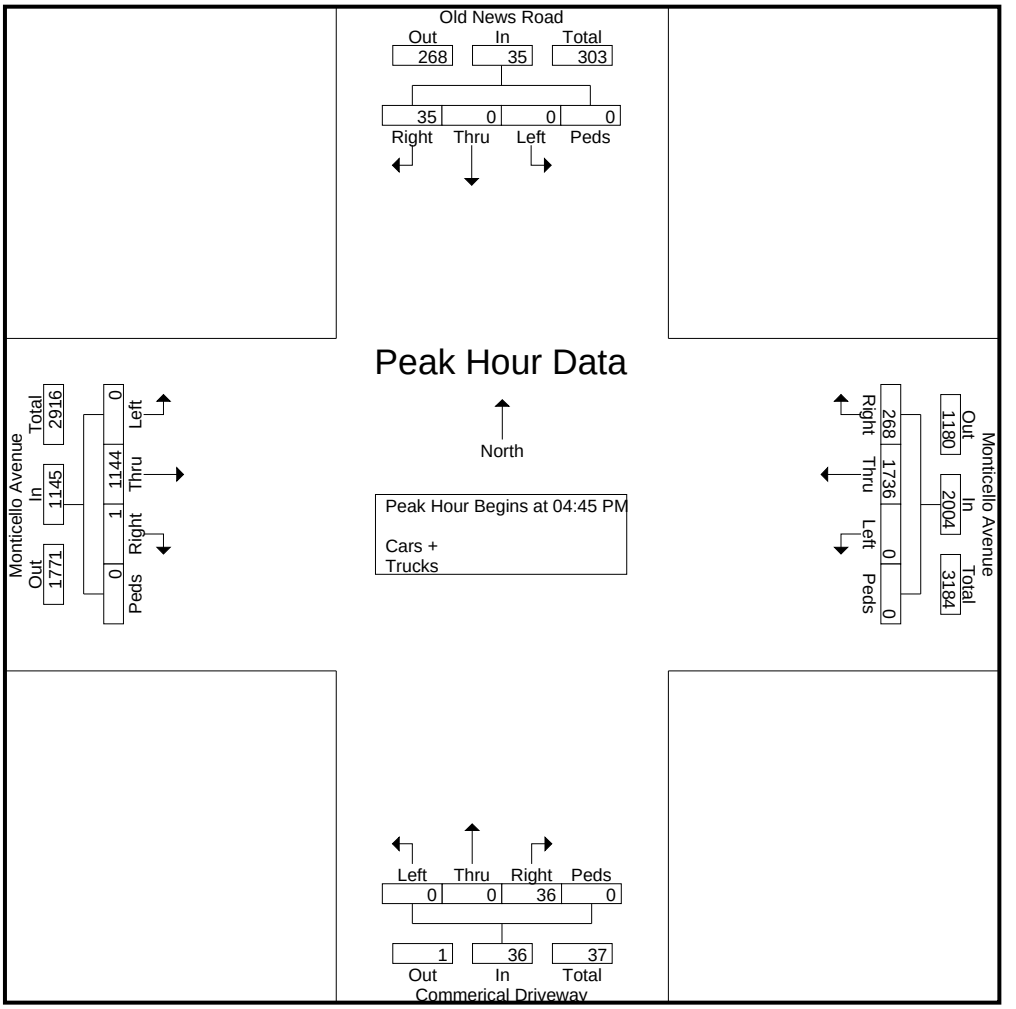
	Old News Road Southbound					Monticello Avenue Westbound					Commerical Driveway Northbound					Monticello Avenue Eastbound					
Start Time	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Int. Total
04:00 PM	4	0	0	0	4	64	350	0	0	414	7	0	0	0	7	1	291	0	0	292	717
04:15 PM	4	0	0	0	4	49	389	0	0	438	10	0	0	0	10	1	341	0	0	342	794
04:30 PM	7	0	0	0	7	64	385	0	0	449	10	0	0	0	10	2	285	0	0	287	753
04:45 PM	4	0	0	0	4	66	461	0	0	527	10	0	0	0	10	1	274	0	0	275	816
Total	19	0	0	0	19	243	1585	0	0	1828	37	0	0	0	37	5	1191	0	0	1196	3080
05:00 PM	15	0	0	0	15	74	395	0	0	469	10	0	0	0	10	0	297	0	0	297	791
05:15 PM	7	0	0	0	7	64	458	0	0	522	7	0	0	0	7	0	297	0	0	297	833
05:30 PM	9	0	0	0	9	64	422	0	0	486	9	0	0	0	9	0	276	0	0	276	780
05:45 PM	5	0	0	0	5	54	383	0	0	437	8	0	0	0	8	0	264	0	0	264	714
Total	36	0	0	0	36	256	1658	0	0	1914	34	0	0	0	34	0	1134	0	0	1134	3118
Grand Total	55	0	0	0	55	499	3243	0	0	3742	71	0	0	0	71	5	2325	0	0	2330	6198
Apprch %	100	0	0	0		13.3	86.7	0	0		100	0	0	0		0.2	99.8	0	0		
Total %	0.9	0	0	0	0.9	8.1	52.3	0	0	60.4	1.1	0	0	0	1.1	0.1	37.5	0	0	37.6	
Cars +	55	0	0	0	55	496	3226	0	0	3722	71	0	0	0	71	5	2301	0	0	2306	6154
% Cars +	100	0	0	0	100	99.4	99.5	0	0	99.5	100	0	0	0	100	100	99	0	0	99	99.3
Trucks	0	0	0	0	0	3	17	0	0	20	0	0	0	0	0	0	24	0	0	24	44
% Trucks	0	0	0	0	0	0.6	0.5	0	0	0.5	0	0	0	0	0	0	1	0	0	1	0.7

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TRAFFIC DATA COLLECTION

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	Old News Road Southbound					Monticello Avenue Westbound					Commerical Driveway Northbound					Monticello Avenue Eastbound					
Start Time	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 04:45 PM																					
04:45 PM	4	0	0	0	4	66	**461**	0	0	**527**	**10**	0	0	0	**10**	**1**	274	0	0	275	816
05:00 PM	**15**	0	0	0	**15**	**74**	395	0	0	469	10	0	0	0	10	0	**297**	0	0	**297**	791
05:15 PM	7	0	0	0	7	64	458	0	0	522	7	0	0	0	7	0	297	0	0	297	**833**
05:30 PM	9	0	0	0	9	64	422	0	0	486	9	0	0	0	9	0	276	0	0	276	780
Total Volume	35	0	0	0	35	268	1736	0	0	2004	36	0	0	0	36	1	1144	0	0	1145	3220
% App. Total	100	0	0	0		13.4	86.6	0	0		100	0	0	0		0.1	99.9	0	0		
PHF	.583	.000	.000	.000	.583	.905	.941	.000	.000	.951	.900	.000	.000	.000	.900	.250	.963	.000	.000	.964	.966



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Groups Printed- Cars + - Trucks

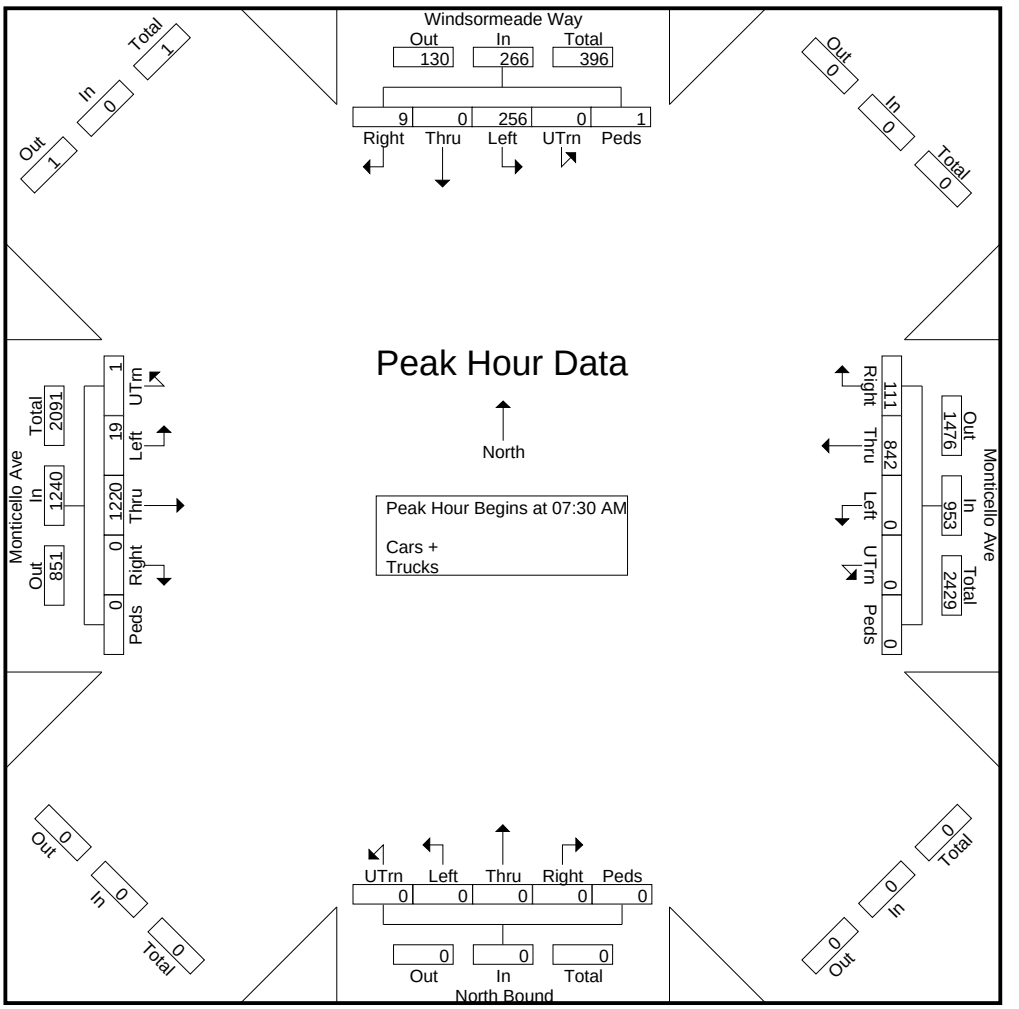
	Windsormeade Way Southbound						Monticello Ave Westbound						North Bound Northbound						Monticello Ave Eastbound						
Start Time	Right	Thru	Left	UTrn	Peds	App. Total	Right	Thru	Left	UTrn	Peds	App. Total	Right	Thru	Left	UTrn	Peds	App. Total	Right	Thru	Left	UTrn	Peds	App. Total	Int. Total
07:00 AM	2	0	32	0	1	35	19	133	0	0	0	152	0	0	0	0	0	0	0	219	1	0	0	220	407
07:15 AM	6	0	56	0	0	62	18	168	0	0	0	186	0	0	0	0	0	0	0	253	1	0	0	254	502
07:30 AM	5	0	73	0	0	78	21	161	0	0	0	182	0	0	0	0	0	0	0	335	3	1	0	339	599
07:45 AM	1	0	66	0	0	67	33	234	0	0	0	267	0	0	0	0	0	0	0	340	7	0	0	347	681
Total	14	0	227	0	1	242	91	696	0	0	0	787	0	0	0	0	0	0	0	1147	12	1	0	1160	2189
08:00 AM	0	0	67	0	0	67	32	223	0	0	0	255	0	0	0	0	0	0	0	271	2	0	0	273	595
08:15 AM	3	0	50	0	1	54	25	224	0	0	0	249	0	0	0	0	0	0	0	274	7	0	0	281	584
08:30 AM	4	0	70	0	0	74	22	215	0	0	0	237	0	0	0	0	0	0	0	261	4	0	0	265	576
08:45 AM	2	0	61	0	0	63	41	266	0	0	0	307	0	0	0	0	0	0	0	294	3	0	0	297	667
Total	9	0	248	0	1	258	120	928	0	0	0	1048	0	0	0	0	0	0	0	1100	16	0	0	1116	2422
Grand Total	23	0	475	0	2	500	211	1624	0	0	0	1835	0	0	0	0	0	0	0	2247	28	1	0	2276	4611
Apprch %	4.6	0	95	0	0.4		11.5	88.5	0	0	0		0	0	0	0	0		0	98.7	1.2	0	0		
Total %	0.5	0	10.3	0	0	10.8	4.6	35.2	0	0	0	39.8	0	0	0	0	0	0	0	48.7	0.6	0	0	49.4	
Cars +	22	0	469	0	1	492	207	1573	0	0	0	1780	0	0	0	0	0	0	0	2202	26	1	0	2229	4501
% Cars +	95.7	0	98.7	0	50	98.4	98.1	96.9	0	0	0	97	0	0	0	0	0	0	0	98	92.9	100	0	97.9	97.6
Trucks	1	0	6	0	1	8	4	51	0	0	0	55	0	0	0	0	0	0	0	45	2	0	0	47	110
% Trucks	4.3	0	1.3	0	50	1.6	1.9	3.1	0	0	0	3	0	0	0	0	0	0	0	2	7.1	0	0	2.1	2.4

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TRAFFIC DATA COLLECTION

File Name : Williamsburg(Windsormeade Way and Monticello Ave)
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	Windsormeade Way Southbound						Monticello Ave Westbound						North Bound Northbound						Monticello Ave Eastbound						
Start Time	Right	Thru	Left	UTrn	Peds	App. Total	Right	Thru	Left	UTrn	Peds	App. Total	Right	Thru	Left	UTrn	Peds	App. Total	Right	Thru	Left	UTrn	Peds	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																									
Peak Hour for Entire Intersection Begins at 07:30 AM																									
07:30 AM	**5**	0	**73**	0	0	**78**	21	161	0	0	0	182	0	0	0	0	0	0	0	335	3	**1**	0	339	599
07:45 AM	1	0	66	0	0	67	**33**	**234**	0	0	0	**267**	0	0	0	0	0	0	0	**340**	**7**	0	0	**347**	**681**
08:00 AM	0	0	67	0	0	67	32	223	0	0	0	255	0	0	0	0	0	0	0	271	2	0	0	273	595
08:15 AM	3	0	50	0	**1**	54	25	224	0	0	0	249	0	0	0	0	0	0	0	274	7	0	0	281	584
Total Volume	9	0	256	0	1	266	111	842	0	0	0	953	0	0	0	0	0	0	0	1220	19	1	0	1240	2459
% App. Total	3.4	0	96.2	0	0.4		11.6	88.4	0	0	0		0	0	0	0	0		0	98.4	1.5	0.1	0		
PHF	.450	.000	.877	.000	.250	.853	.841	.900	.000	.000	.000	.892	.000	.000	.000	.000	.000	.000	.000	.897	.679	.250	.000	.893	.903



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Groups Printed- Cars + - Trucks

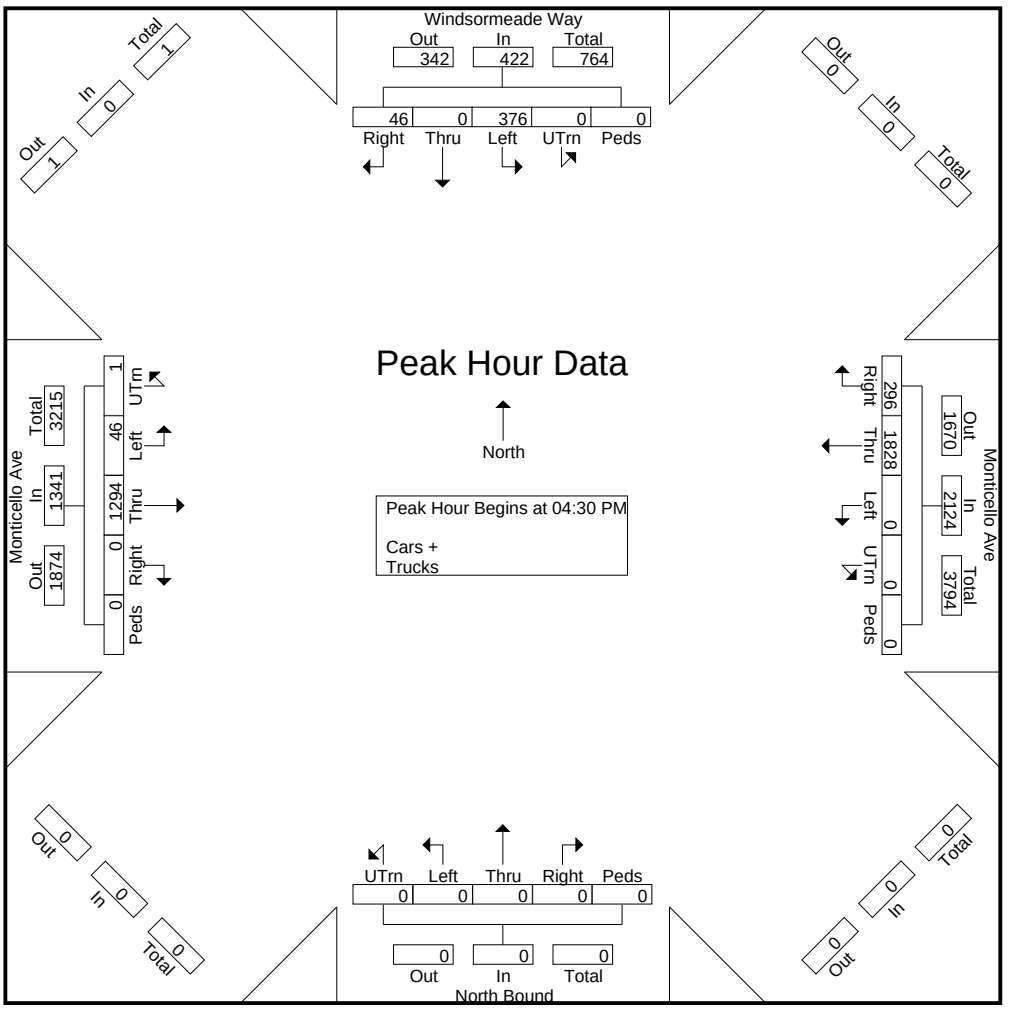
	Windsormeade Way Southbound						Monticello Ave Westbound						North Bound Northbound						Monticello Ave Eastbound						
Start Time	Right	Thru	Left	UTrn	Peds	App. Total	Right	Thru	Left	UTrn	Peds	App. Total	Right	Thru	Left	UTrn	Peds	App. Total	Right	Thru	Left	UTrn	Peds	App. Total	Int. Total
04:00 PM	4	0	86	0	0	90	71	441	0	0	0	512	0	0	0	0	0	0	0	290	7	0	0	297	899
04:15 PM	7	0	85	0	0	92	61	411	0	0	0	472	0	0	0	0	0	0	0	336	8	1	0	345	909
04:30 PM	13	0	76	0	0	89	70	419	0	0	0	489	0	0	0	0	0	0	0	347	6	0	0	353	931
04:45 PM	9	0	110	0	0	119	77	433	0	0	0	510	0	0	0	0	0	0	0	321	13	0	0	334	963
Total	33	0	357	0	0	390	279	1704	0	0	0	1983	0	0	0	0	0	0	0	1294	34	1	0	1329	3702
05:00 PM	10	0	98	0	0	108	81	475	0	0	0	556	0	0	0	0	0	0	0	294	11	1	0	306	970
05:15 PM	14	0	92	0	0	106	68	501	0	0	0	569	0	0	0	0	0	0	0	332	16	0	0	348	1023
05:30 PM	12	0	88	0	0	100	71	422	0	0	0	493	0	0	0	0	0	0	0	295	20	0	0	315	908
05:45 PM	17	0	91	0	0	108	58	396	0	0	0	454	0	0	0	0	0	0	0	289	8	1	0	298	860
Total	53	0	369	0	0	422	278	1794	0	0	0	2072	0	0	0	0	0	0	0	1210	55	2	0	1267	3761
Grand Total	86	0	726	0	0	812	557	3498	0	0	0	4055	0	0	0	0	0	0	0	2504	89	3	0	2596	7463
Apprch %	10.6	0	89.4	0	0		13.7	86.3	0	0	0		0	0	0	0	0		0	96.5	3.4	0.1	0		
Total %	1.2	0	9.7	0	0	10.9	7.5	46.9	0	0	0	54.3	0	0	0	0	0	0	0	33.6	1.2	0	0	34.8	
Cars +	86	0	722	0	0	808	555	3480	0	0	0	4035	0	0	0	0	0	0	0	2483	88	3	0	2574	7417
% Cars +	100	0	99.4	0	0	99.5	99.6	99.5	0	0	0	99.5	0	0	0	0	0	0	0	99.2	98.9	100	0	99.2	99.4
Trucks	0	0	4	0	0	4	2	18	0	0	0	20	0	0	0	0	0	0	0	21	1	0	0	22	46
% Trucks	0	0	0.6	0	0	0.5	0.4	0.5	0	0	0	0.5	0	0	0	0	0	0	0	0.8	1.1	0	0	0.8	0.6

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	Windsormeade Way Southbound						Monticello Ave Westbound						North Bound Northbound						Monticello Ave Eastbound						
Start Time	Right	Thru	Left	UTrn	Peds	App. Total	Right	Thru	Left	UTrn	Peds	App. Total	Right	Thru	Left	UTrn	Peds	App. Total	Right	Thru	Left	UTrn	Peds	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																									
Peak Hour for Entire Intersection Begins at 04:30 PM																									
04:30 PM	13	0	76	0	0	89	70	419	0	0	0	489	0	0	0	0	0	0	0	**347**	6	0	0	**353**	931
04:45 PM	9	0	**110**	0	0	**119**	77	433	0	0	0	510	0	0	0	0	0	0	0	321	13	0	0	334	963
05:00 PM	10	0	98	0	0	108	**81**	475	0	0	0	556	0	0	0	0	0	0	0	294	11	**1**	0	306	970
05:15 PM	**14**	0	92	0	0	106	68	**501**	0	0	0	**569**	0	0	0	0	0	0	0	332	**16**	0	0	348	**1023**
Total Volume	46	0	376	0	0	422	296	1828	0	0	0	2124	0	0	0	0	0	0	0	1294	46	1	0	1341	3887
% App. Total	10.9	0	89.1	0	0		13.9	86.1	0	0	0		0	0	0	0	0		0	96.5	3.4	0.1	0		
PHF	.821	.000	.855	.000	.000	.887	.914	.912	.000	.000	.000	.933	.000	.000	.000	.000	.000	.000	.000	.932	.719	.250	.000	.950	.950



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VDOT Virginia Department of Transportation

Traffic Engineering

VDOT Yellow Change & Red Clearance Interval Calculator

COMMONWEALTH OF VIRGINIA
JOHN LAWRENCE BISNETT JR.
Lic. No. 054261
PROFESSIONAL ENGINEER

VDOT-ERO
Suffolk, Virginia
Installation & Maintenance

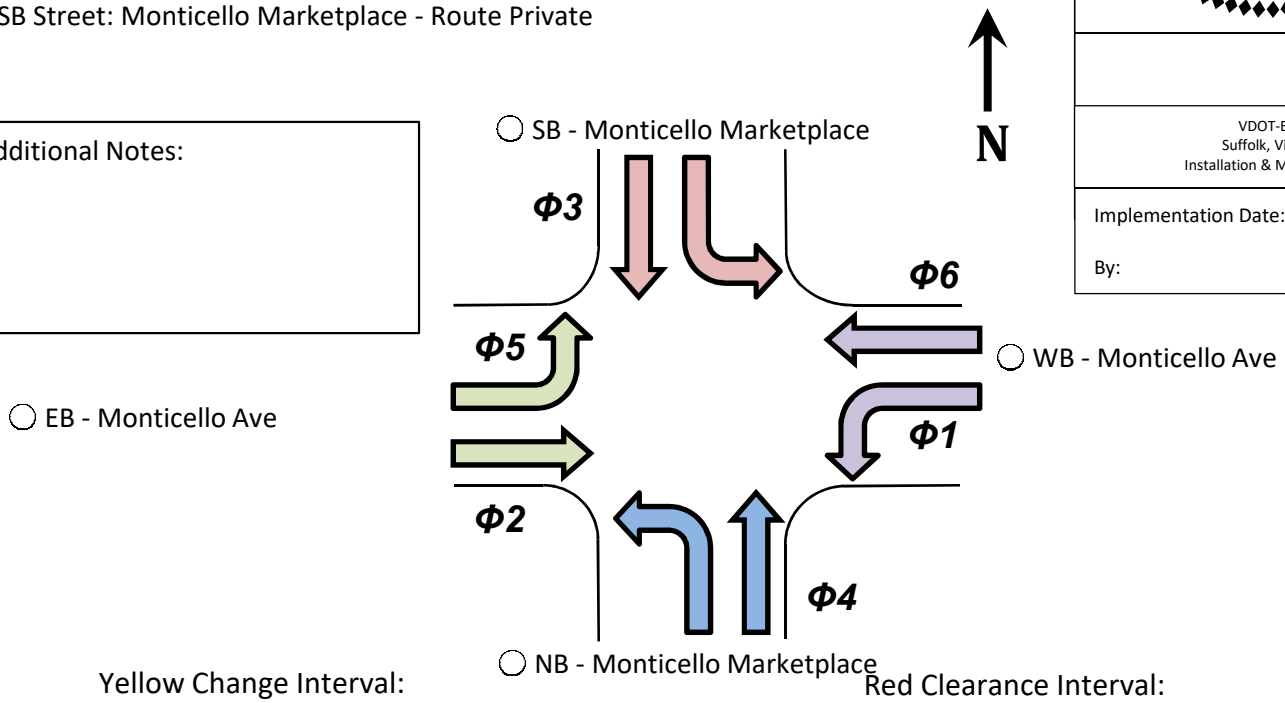
Implementation Date:

By:

Intersection Information:

Operations Region: Eastern
Locality: James City County
Intersection Node: N/A
Reference #: 095016
EB/WB Street: Monticello Ave - Route 321
NB/SB Street: Monticello Marketplace - Route Private

Additional Notes:



Yellow Change Interval:

$$Y = t + \frac{1.47 * V}{2a + 64.4g} \qquad a = 10\ ft/s^2 \qquad t = 1\ s$$

Red Clearance Interval:

$$R = \frac{w + L}{1.47 * V} - 1$$

V_{lts} is used in place of V for calculation of R_{lt}

Approach - Street - Movement	*V* (mph)*	*V data*	*g*	V_{LTS} (mph)*	*L* (ft)*	*w* (ft)*	*Y* (s)**	*R* (s)**
EB - Monticello Ave - Through	42	SL + 7	0.00		20	100	4.1	0.9 (1.0)
EB - Monticello Ave - Left	30	SL - 5	0.00	20	20	85	3.2	2.6
WB - Monticello Ave - Through	42	SL + 7	0.00		20	100	4.1	0.9 (1.0)
WB - Monticello Ave - Left	30	SL - 5	0.00	20	20	125	3.2	3.9
NB - Monticello Marketplace - Through	*32*	Engr Jgmt	0.00		20	120	3.4	2.0
NB - Monticello Marketplace - Left	*20*	Engr Jgmt	0.00	20	20	125	2.5 (3.0)	3.9
SB - Monticello Marketplace - Through	*32*	Engr Jgmt	0.00		20	120	3.4	2.0
SB - Monticello Marketplace - Left	*20*	Engr Jgmt	0.00	20	20	125	2.5 (3.0)	3.9

Engineering judgment applied for all numbers in red and italics. Provide supporting documentation.
** Calculated intervals in blue indicate values below the minimum required time. **

Phase | Street - Movement	Right Turn Overlap	Left Turn Phase Type	*Y* Output Phase Adjusted	*R* Output Phase Adjusted	Controller Input *Y*	Controller Input *R*
1 | WB - Monticello Ave - Left		Protected	3.2	3.9	**3.2**	**3.9**
2 | EB - Monticello Ave - Through			4.1	1.0	**4.1**	**1.0**
3 | SB - Monticello Marketplace - Through + Left		Split - Shared Signal	3.4	3.9	**3.4**	**3.9**
4 | NB - Monticello Marketplace - Through + Left		Split - Shared Signal	3.4	3.9	**3.4**	**3.9**
5 | EB - Monticello Ave - Left		Protected	3.2	2.6	**3.2**	**2.6**
6 | WB - Monticello Ave - Through			4.1	1.0	**4.1**	**1.0**

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Variables Requiring Additional Documentation

Approach	Variable	Value
NB - Monticello Marketplace - Through	Approach Speed (V)	32
NB - Monticello Marketplace - Left	Approach Speed (V)	20
SB - Monticello Marketplace - Through	Approach Speed (V)	32
SB - Monticello Marketplace - Left	Approach Speed (V)	20

**All values shown in red and italics on Page 1 require additional documentation in order to support the decision to use engineering judgment en lieu of parameters specified in TE 306.1.*

**Yellow and Red Intervals shown in blue on Page 1 illustrate calculated values that were below the minimum required values. The calculated value is shown outside the parentheses with the minimum required value enclosed in parentheses.

Additional Notes:

- No posted speed limit exists for the SB or NB approaches. Based on the characteristics of the roadway it is assumed speed limit of 45 mph. This is consistent with the clearance interval deployed in 2013.
- This Clearance Interval is being developed as a phasing update for the mainline left turns. All the data for these calculations are obtained from the original clearance interval dated 2013. This would include grades, crossing distances, and speed limits.
- Rounded values per the TE-306.1 rounding conversion.

User Agreement:

This Yellow & Red Interval Calculation Tool (YRIC Tool) is provided to supplement but not replace or serve as a substitute for the exercise of Engineering Judgment, or any aspect thereof, in determining appropriate traffic signal interval calculations. Use of this YRIC Tool does not negate or eliminate the requirements or methodologies for calculating Yellow Change Red Clearance Intervals as specified in TE-306.1 or for Sealing and Signing of Plans and Documents by Licensed Professional Engineers as specified in TE-362.1.

The independent exercise of Engineering Judgment is expected and must be documented at all times while using this YRIC Tool.

In using this YRIC Tool, you acknowledge that you will:

- Adhere to all the requirements of TE-306.1 and TE-362.1;
- Validate the applicability of the location(s) being studied for use with the YRIC Tool;
- Exercise independent Engineering Judgment in calculating traffic signal intervals, and provide written justification for any deviations from the standard inputs for traffic signal interval calculations; and,
- Agree that it is your responsibility to understand fully the limitations of and assumptions underlying the YRIC tool and that you will not use it without the assistance of personnel with appropriate expertise.
- Accept all responsibility for review, application, and the use of the program output; and,
- Accept all responsibility for certification that said output meets provisions of any applicable design code, standard or any project specification.

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VDOT Virginia Department of Transportation

Traffic Engineering

VDOT Yellow Change & Red Clearance Interval Calculator

COMMONWEALTH OF VIRGINIA
JOHN LAWRENCE BISNETT JR.
Lic. No. 054261
PROFESSIONAL ENGINEER

Intersection Information:

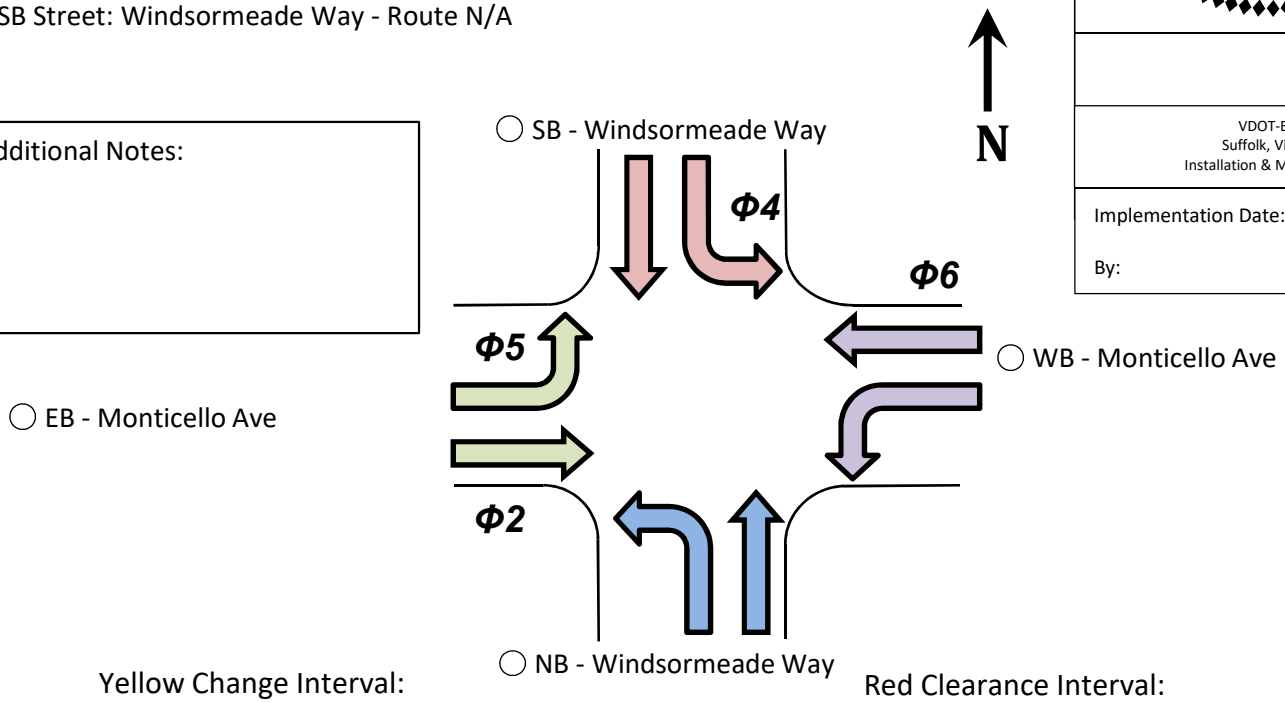
Operations Region: Eastern
Locality: James City County
Intersection Node: N/A
Reference #: 095017
EB/WB Street: Monticello Ave - Route 321
NB/SB Street: Windsormeade Way - Route N/A

VDOT-ERO
Suffolk, Virginia
Installation & Maintenance

Implementation Date:

By:

Additional Notes:



Yellow Change Interval:

$$Y = t + \frac{1.47 * V}{2a + 64.4g} \qquad a = 10\ ft/s^2 \qquad t = 1\ s$$

Red Clearance Interval:

$$R = \frac{w + L}{1.47 * V} - 1$$

V_{lts} is used in place of V for calculation of R_{lt}

Approach - Street - Movement	*V* (mph)*	*V data*	*g*	V_{LTS} (mph)*	*L* (ft)*	*w* (ft)*	*Y* (s)**	*R* (s)**
EB - Monticello Ave - Through	52	SL + 7	0.01		20	82	4.7	0.3 (1.0)
EB - Monticello Ave - Left	40	SL - 5	0.01	20	20	103	3.8	3.2
WB - Monticello Ave - Through	52	SL + 7	-0.01		20	107	4.9	0.7 (1.0)
WB - Monticello Ave - Left								
NB - Windsormeade Way - Through								
NB - Windsormeade Way - Left								
SB - Windsormeade Way - Through								
SB - Windsormeade Way - Left	35	SL - 5	0.01	20	20	107	3.5	3.3

Engineering judgment applied for all numbers in red and italics. Provide supporting documentation.
** Calculated intervals in blue indicate values below the minimum required time. **

Phase | Street - Movement	Right Turn Overlap	Left Turn Phase Type	*Y* Output Phase Adjusted	*R* Output Phase Adjusted	Controller Input *Y*	Controller Input *R*
2 | EB - Monticello Ave - Through			4.7	1.0	**4.7**	**1.0**
4 | SB - Windsormeade Way - Left		Protected	3.5	3.3	**3.5**	**3.3**
5 | EB - Monticello Ave - Left		Protected	3.8	3.2	**3.8**	**3.2**
6 | WB - Monticello Ave - Through			4.9	1.0	**4.9**	**1.0**

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Variables Requiring Additional Documentation		
Approach	**Variable**	**Value**

**All values shown in red and italics on Page 1 require additional documentation in order to support the decision to use engineering judgment en lieu of parameters specified in TE 306.1.*

**Yellow and Red Intervals shown in blue on Page 1 illustrate calculated values that were below the minimum required values. The calculated value is shown outside the parentheses with the minimum required value enclosed in parentheses.

Additional Notes:

User Agreement:

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The independent exercise of Engineering Judgment is expected and must be documented at all times while using this YRIC Tool.

In using this YRIC Tool, you acknowledge that you will:

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- Validate the applicability of the location(s) being studied for use with the YRIC Tool;
- Exercise independent Engineering Judgment in calculating traffic signal intervals, and provide written justification for any deviations from the standard inputs for traffic signal interval calculations; and,
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- Accept all responsibility for review, application, and the use of the program output; and,
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APPENDIX B

Level of Service Definitions

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TECHNICAL MEMORANDUM

Subject: Level of Service Definitions

Introduction

The purpose of this memorandum is to define the level of service (LOS) metric that commonly used as a measure of effectiveness (MOE) for traffic operations.

All capacity analyses are based on the procedures specified by the Transportation Research Board's (TRB) Highway Capacity Manual (HCM), which is currently on its sixth edition. Level of service ranges from A to F. A brief description of each level of service for signalized and unsignalized intersections is provided below.

Signalized Intersections

Level of service is based upon the traffic volume present in each lane on the roadway, the capacity of each lane at the intersection and the delay associated with each directional movement. The levels of service for signalized intersections are defined below:

- **Level of Service A** describes operations with very low average delay per vehicle, i.e., less than 10.0 seconds. This occurs when progression is extremely favorable, and most vehicles arrive during the green phase. Most vehicles do not stop. Short signal cycle lengths may also contribute to low delay.
- **Level of Service B** describes operations with average delay in the range of 10.1 to 20.0 seconds per vehicle. This generally occurs with good progression and/or short cycle lengths. More vehicles stop than for LOS A, causing higher levels of average delay.
- **Level of Service C** describes operations with delay in the range of 20.1 to 35.0 seconds per vehicle. These higher delays may result from fair progression and/or longer cycle lengths. Individual cycle failures may begin to appear at this level. The number of vehicles stopping is significant at this level although many still pass through the intersection without stopping. This is generally considered the lower end of the range of the acceptable level of service in rural areas.
- **Level of Service D** describes operations with delay in the range of 35.1 to 55.0 seconds per vehicle. At LOS D, the influence of congestion becomes more noticeable. Longer delays may result from some combination of unfavorable progression, long cycle lengths, and/or high traffic volumes as compared to the roadway capacity. Many vehicles are required to stop and the number of vehicles that do not have to stop declines. Individual signal cycle failures, where all waiting vehicles do not clear the intersection during a single green time, are noticeable. This is generally considered the lower end of the range of the acceptable level of service in urban areas.
- **Level of Service E** describes operations with delay in the range of 55.1 to 80.0 seconds per vehicle. These higher delay values generally indicate poor progression, long cycle lengths, and high traffic volumes. Individual cycle failures are frequent occurrences. LOS E has been set as the limit of acceptable conditions.
- **Level of Service F** describes operations with average delay in excess of 80.0 seconds per vehicle. This is considered to be unacceptable to most drivers. This condition often occurs with over-saturation, i.e., when traffic arrives at a flow rate that exceeds the capacity of the intersection. It may also occur at high volumes with many individual cycle failures. Poor progression and long cycle lengths may also contribute to such delays.

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Unsignalized Intersections

At an unsignalized intersection, the major street through traffic and right-turns are assumed to operate unimpeded and therefore receive no level of service rating. The level of service for the minor street and the major street left-turn traffic is dependent on the volume and capacity of the available lanes, and, the number and frequency of acceptable gaps in the major street traffic to make a conflicting turn. The level of service grade is provided for each conflicting movement at an unsignalized intersection and is based on the total average delay experienced by each vehicle. The delay includes the time it takes a vehicle to move from the back of a queue through the intersection.

The unsignalized intersection level of service analysis does not account for variations in driver behavior or the effects of nearby traffic signals. Therefore, the results from this analysis usually indicate worse levels of service than may be experienced in the field. The unsignalized intersection level of service descriptions are provided below:

- **Level of Service A** describes operations where there is very little to no conflicting traffic for a minor side street movement, i.e., an average total delay of less than 10.0 seconds per vehicle.
- **Level of Service B** describes operations with average total delay in the range of 10.1 to 15.0 seconds per vehicle.
- **Level of Service C** describes operations with average total delay in the range of 15.1 to 25.0 second per vehicle.
- **Level of Service D** describes operations with average total delay in the range of 25.1 to 35.0 seconds per vehicle.
- **Level of Service E** describes operations with average total delay in the range of 35.1 to 50.0 seconds per vehicle.
- **Level of Service F** describes operations with average total delay of 50 seconds per vehicle. LOS F exists when there are insufficient gaps of suitable size to allow a side street demand to cross safely through or enter a major street traffic stream. This level of service is generally evident from extremely long total delays experienced by side street traffic and by queuing on the minor approaches. It is important to note that LOS F may not always result in long queues but may result in adjustments to normal driver behavior.

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APPENDIX C

Intersection Capacity Analysis Results – Existing Conditions (2022)

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Movement	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL
Lane Configurations												
Traffic Volume (vph)	1	33	993	27	2	68	591	125	10	11	115	90
Future Volume (vph)	1	33	993	27	2	68	591	125	10	11	115	90
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		5.8	5.1	5.1		7.1	5.1	5.1		7.3	7.3	7.3
Lane Util. Factor		1.00	0.95	1.00		1.00	0.95	1.00		1.00	1.00	0.95
Frt		1.00	1.00	0.85		1.00	1.00	0.85		1.00	0.85	1.00
Flt Protected		0.95	1.00	1.00		0.95	1.00	1.00		0.98	1.00	0.95
Satd. Flow (prot)		1805	3539	1553		1805	3471	1599		1856	1615	1715
Flt Permitted		0.95	1.00	1.00		0.95	1.00	1.00		0.98	1.00	0.95
Satd. Flow (perm)		1805	3539	1553		1805	3471	1599		1856	1615	1715
Peak-hour factor, PHF	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Adj. Flow (vph)	1	35	1056	29	2	72	629	133	11	12	122	96
RTOR Reduction (vph)	0	0	0	15	0	0	0	63	0	0	114	0
Lane Group Flow (vph)	0	36	1056	14	0	74	629	70	0	23	8	63
Heavy Vehicles (%)	0%	0%	2%	4%	0%	0%	4%	1%	0%	0%	0%	0%
Turn Type	Prot	Prot	NA	Perm	Prot	Prot	NA	Perm	Split	NA	Perm	Split
Protected Phases	5	5	2		1	1	6		4	4		3
Permitted Phases				2				6			4	
Actuated Green, G (s)		4.4	43.5	43.5		7.1	47.5	47.5		5.8	5.8	6.8
Effective Green, g (s)		4.4	43.5	43.5		7.1	47.5	47.5		5.8	5.8	6.8
Actuated g/C Ratio		0.05	0.48	0.48		0.08	0.53	0.53		0.06	0.06	0.08
Clearance Time (s)		5.8	5.1	5.1		7.1	5.1	5.1		7.3	7.3	7.3
Vehicle Extension (s)		2.0	4.0	4.0		2.0	4.0	4.0		2.0	2.0	2.0
Lane Grp Cap (vph)		88	1710	750		142	1831	843		119	104	129
v/s Ratio Prot		0.02	c0.30			c0.04	c0.18			c0.01		c0.04
v/s Ratio Perm				0.01				0.04			0.00	
v/c Ratio		0.41	0.62	0.02		0.52	0.34	0.08		0.19	0.08	0.49
Uniform Delay, d1		41.5	17.1	12.1		39.8	12.3	10.5		39.9	39.6	39.9
Progression Factor		1.00	1.00	1.00		0.78	1.40	21.01		1.00	1.00	1.00
Incremental Delay, d2		1.1	1.7	0.0		1.5	0.5	0.2		0.3	0.1	1.1
Delay (s)		42.7	18.8	12.2		32.7	17.7	220.8		40.2	39.7	41.0
Level of Service		D	B	B		C	B	F		D	D	D
Approach Delay (s)			19.4				51.3			39.8		
Approach LOS			B				D			D		

Intersection Summary

HCM 2000 Control Delay	33.9	HCM 2000 Level of Service	C
HCM 2000 Volume to Capacity ratio	0.56		
Actuated Cycle Length (s)	90.0	Sum of lost time (s)	26.8
Intersection Capacity Utilization	64.9%	ICU Level of Service	C
Analysis Period (min)	15		

c Critical Lane Group

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Movement	SBT	SBR
Lane Configurations		
Traffic Volume (vph)	13	15
Future Volume (vph)	13	15
Ideal Flow (vphpl)	1900	1900
Total Lost time (s)	7.3	
Lane Util. Factor	0.95	
Frt	0.96	
Flt Protected	0.97	
Satd. Flow (prot)	1614	
Flt Permitted	0.97	
Satd. Flow (perm)	1614	
Peak-hour factor, PHF	0.94	0.94
Adj. Flow (vph)	14	16
RTOR Reduction (vph)	15	0
Lane Group Flow (vph)	48	0
Heavy Vehicles (%)	0%	19%
Turn Type	NA	
Protected Phases	3	
Permitted Phases		
Actuated Green, G (s)	6.8	
Effective Green, g (s)	6.8	
Actuated g/C Ratio	0.08	
Clearance Time (s)	7.3	
Vehicle Extension (s)	2.0	
Lane Grp Cap (vph)	121	
v/s Ratio Prot	0.03	
v/s Ratio Perm		
v/c Ratio	0.40	
Uniform Delay, d1	39.7	
Progression Factor	1.00	
Incremental Delay, d2	0.8	
Delay (s)	40.4	
Level of Service	D	
Approach Delay (s)	40.7	
Approach LOS	D	

Intersection Summary

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Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	0	1198	2	0	779	77	0	0	18	0	0	7
Future Volume (Veh/h)	0	1198	2	0	779	77	0	0	18	0	0	7
Sign Control		Free			Free			Stop			Stop	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Hourly flow rate (vph)	0	1274	2	0	829	82	0	0	19	0	0	7
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type		None			None							
Median storage veh)												
Upstream signal (ft)		626			245							
pX, platoon unblocked	0.91						0.91	0.91		0.91	0.91	0.91
vC, conflicting volume	911			1276			1558	2186	320	1208	2146	317
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	559			1276			1270	1959	320	885	1915	0
tC, single (s)	4.1			4.1			7.5	6.5	6.9	7.5	6.5	6.9
tC, 2 stage (s)												
tF (s)	2.2			2.2			3.5	4.0	3.3	3.5	4.0	3.3
p0 queue free %	100			100			100	100	97	100	100	99
cM capacity (veh/h)	931			551			115	59	682	215	62	993

Direction, Lane #	EB 1	EB 2	EB 3	EB 4	WB 1	WB 2	WB 3	NB 1	SB 1
Volume Total	364	364	364	184	332	332	248	19	7
Volume Left	0	0	0	0	0	0	0	0	0
Volume Right	0	0	0	2	0	0	82	19	7
cSH	1700	1700	1700	1700	1700	1700	1700	682	993
Volume to Capacity	0.21	0.21	0.21	0.11	0.20	0.20	0.15	0.03	0.01
Queue Length 95th (ft)	0	0	0	0	0	0	0	2	1
Control Delay (s)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	10.4	8.6
Lane LOS								B	A
Approach Delay (s)	0.0				0.0			10.4	8.6
Approach LOS								B	A

Intersection Summary				
Average Delay	0.1			
Intersection Capacity Utilization	27.4%	ICU Level of Service		A
Analysis Period (min)	15			

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Movement	EBU	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations							
Traffic Volume (vph)	1	19	1196	846	109	251	9
Future Volume (vph)	1	19	1196	846	109	251	9
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		7.0	5.7	5.9		6.8	6.8
Lane Util. Factor		0.97	0.95	0.91		0.97	1.00
Frt		1.00	1.00	0.98		1.00	0.85
Flt Protected		0.95	1.00	1.00		0.95	1.00
Satd. Flow (prot)		3282	3539	4955		3467	1553
Flt Permitted		0.95	1.00	1.00		0.95	1.00
Satd. Flow (perm)		3282	3539	4955		3467	1553
Peak-hour factor, PHF	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Adj. Flow (vph)	1	21	1329	940	121	279	10
RTOR Reduction (vph)	0	0	0	12	0	0	0
Lane Group Flow (vph)	0	22	1329	1049	0	279	10
Heavy Vehicles (%)	0%	7%	2%	3%	2%	1%	4%
Turn Type	Prot	Prot	NA	NA		Prot	Perm
Protected Phases	5	5	2	6		4	
Permitted Phases							4
Actuated Green, G (s)		2.3	65.9	56.4		11.6	11.6
Effective Green, g (s)		2.3	65.9	56.4		11.6	11.6
Actuated g/C Ratio		0.03	0.73	0.63		0.13	0.13
Clearance Time (s)		7.0	5.7	5.9		6.8	6.8
Vehicle Extension (s)		2.0	4.0	4.0		2.0	2.0
Lane Grp Cap (vph)		83	2591	3105		446	200
v/s Ratio Prot		0.01	c0.38	0.21		c0.08	
v/s Ratio Perm							0.01
v/c Ratio		0.27	0.51	0.34		0.63	0.05
Uniform Delay, d1		43.0	5.2	8.0		37.1	34.4
Progression Factor		1.27	0.74	1.00		1.00	1.00
Incremental Delay, d2		0.5	0.6	0.1		2.0	0.0
Delay (s)		55.2	4.5	8.0		39.1	34.4
Level of Service		E	A	A		D	C
Approach Delay (s)			5.3	8.0		39.0	
Approach LOS			A	A		D	

Intersection Summary

HCM 2000 Control Delay	10.0	HCM 2000 Level of Service	A
HCM 2000 Volume to Capacity ratio	0.58		
Actuated Cycle Length (s)	90.0	Sum of lost time (s)	19.7
Intersection Capacity Utilization	50.6%	ICU Level of Service	A
Analysis Period (min)	15		

c Critical Lane Group

DocuSign Envelope ID: 3233FEB5-DD0A-4AEA-938C-BF562FBDE88A

Intersection: 101: Monticello Mktplc & Monticello Ave

Movement	EB	EB	EB	EB	WB	WB	WB	NB	NB	SB	SB
Directions Served	UL	T	T	R	UL	T	T	LT	R	UL	LTR
Maximum Queue (ft)	174	294	261	41	121	198	184	48	64	114	83
Average Queue (ft)	35	170	120	8	52	88	75	11	25	55	26
95th Queue (ft)	104	265	225	30	98	175	161	33	51	100	64
Link Distance (ft)		554	554	554		554	554	493		332	332
Upstream Blk Time (%)											
Queuing Penalty (veh)											
Storage Bay Dist (ft)	170				220				85		
Storage Blk Time (%)	0	6				0			0		
Queuing Penalty (veh)	0	2				0			0		

Intersection: 102: Existing Site Driveway/Old News Rd & Monticello Ave

Movement	EB	EB	WB	WB	NB	SB
Directions Served	T	TR	T	TR	R	R
Maximum Queue (ft)	27	29	1	5	38	28
Average Queue (ft)	2	2	0	0	14	5
95th Queue (ft)	15	19	1	5	39	21
Link Distance (ft)	554	554	167	167	371	400
Upstream Blk Time (%)						
Queuing Penalty (veh)						
Storage Bay Dist (ft)						
Storage Blk Time (%)						
Queuing Penalty (veh)						

Intersection: 103: Monticello Ave & Windsormeade Way

Movement	EB	EB	EB	EB	WB	WB	WB	SB	SB	SB
Directions Served	UL	L	T	T	T	T	TR	L	L	R
Maximum Queue (ft)	33	54	215	223	187	128	154	191	156	28
Average Queue (ft)	3	16	84	103	88	36	55	105	41	5
95th Queue (ft)	19	43	184	203	154	90	116	169	120	20
Link Distance (ft)	167	167	167	167	580	580	580	410	410	
Upstream Blk Time (%)			1	2						
Queuing Penalty (veh)			3	6						
Storage Bay Dist (ft)										200
Storage Blk Time (%)									0	
Queuing Penalty (veh)									0	

Network Summary

Network wide Queuing Penalty: 11

DocuSign Envelope ID: 3233FEB5-DD0A-4AEA-938C-BF562FBDE88A

Movement	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBL
Lane Configurations												
Traffic Volume (vph)	44	774	33	11	178	1288	312	1	20	36	165	326
Future Volume (vph)	44	774	33	11	178	1288	312	1	20	36	165	326
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	5.8	5.1	5.1		7.1	5.1	5.1			7.3	7.3	7.3
Lane Util. Factor	1.00	0.95	1.00		1.00	0.95	1.00			1.00	1.00	0.95
Frt	1.00	1.00	0.85		1.00	1.00	0.85			1.00	0.85	1.00
Flt Protected	0.95	1.00	1.00		0.95	1.00	1.00			0.98	1.00	0.95
Satd. Flow (prot)	1805	3574	1615		1805	3574	1615			1866	1615	1715
Flt Permitted	0.95	1.00	1.00		0.95	1.00	1.00			0.98	1.00	0.95
Satd. Flow (perm)	1805	3574	1615		1805	3574	1615			1866	1615	1715
Peak-hour factor, PHF	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96
Adj. Flow (vph)	46	806	34	11	185	1342	325	1	21	38	172	340
RTOR Reduction (vph)	0	0	20	0	0	0	130	0	0	0	160	0
Lane Group Flow (vph)	46	806	14	0	196	1342	195	0	0	60	12	238
Heavy Vehicles (%)	0%	1%	0%	0%	0%	1%	0%	0%	0%	0%	0%	0%
Turn Type	Prot	NA	Perm	Prot	Prot	NA	Perm	Split	Split	NA	Perm	Split
Protected Phases	5	2		1	1	6		4	4	4		3
Permitted Phases			2				6				4	
Actuated Green, G (s)	6.6	50.2	50.2		15.9	60.8	60.8			8.1	8.1	19.0
Effective Green, g (s)	6.6	50.2	50.2		15.9	60.8	60.8			8.1	8.1	19.0
Actuated g/C Ratio	0.05	0.42	0.42		0.13	0.51	0.51			0.07	0.07	0.16
Clearance Time (s)	5.8	5.1	5.1		7.1	5.1	5.1			7.3	7.3	7.3
Vehicle Extension (s)	2.0	4.0	4.0		2.0	4.0	4.0			2.0	2.0	2.0
Lane Grp Cap (vph)	99	1495	675		239	1810	818			125	109	271
v/s Ratio Prot	0.03	0.23			c0.11	c0.38				c0.03		c0.14
v/s Ratio Perm			0.01				0.12				0.01	
v/c Ratio	0.46	0.54	0.02		0.82	0.74	0.24			0.48	0.11	0.88
Uniform Delay, d1	55.0	26.2	20.5		50.7	23.4	16.6			53.9	52.6	49.4
Progression Factor	1.00	1.00	1.00		0.69	1.74	4.26			1.00	1.00	1.00
Incremental Delay, d2	1.3	1.4	0.1		13.8	1.9	0.5			1.1	0.2	25.2
Delay (s)	56.2	27.6	20.5		48.9	42.6	71.2			55.0	52.7	74.5
Level of Service	E	C	C		D	D	E			D	D	E
Approach Delay (s)		28.8				48.3				53.3		
Approach LOS		C				D				D		

Intersection Summary

HCM 2000 Control Delay	46.5	HCM 2000 Level of Service	D
HCM 2000 Volume to Capacity ratio	0.79		
Actuated Cycle Length (s)	120.0	Sum of lost time (s)	26.8
Intersection Capacity Utilization	77.0%	ICU Level of Service	D
Analysis Period (min)	15		

c Critical Lane Group

DocuSign Envelope ID: 3233FEB5-DD0A-4AEA-938C-BF562FBDE88A

Movement	SBT	SBR
Lane Configurations		
Traffic Volume (vph)	35	88
Future Volume (vph)	35	88
Ideal Flow (vphpl)	1900	1900
Total Lost time (s)	7.3	
Lane Util. Factor	0.95	
Frt	0.94	
Flt Protected	0.98	
Satd. Flow (prot)	1660	
Flt Permitted	0.98	
Satd. Flow (perm)	1660	
Peak-hour factor, PHF	0.96	0.96
Adj. Flow (vph)	36	92
RTOR Reduction (vph)	20	0
Lane Group Flow (vph)	210	0
Heavy Vehicles (%)	0%	0%
Turn Type	NA	
Protected Phases	3	
Permitted Phases		
Actuated Green, G (s)	19.0	
Effective Green, g (s)	19.0	
Actuated g/C Ratio	0.16	
Clearance Time (s)	7.3	
Vehicle Extension (s)	2.0	
Lane Grp Cap (vph)	262	
v/s Ratio Prot	0.13	
v/s Ratio Perm		
v/c Ratio	0.80	
Uniform Delay, d1	48.7	
Progression Factor	1.00	
Incremental Delay, d2	15.1	
Delay (s)	63.8	
Level of Service	E	
Approach Delay (s)	69.3	
Approach LOS	E	

Intersection Summary

DocuSign Envelope ID: 3233FEB5-DD0A-4AEA-938C-BF562FBDE88A

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	0	1275	1	0	1754	268	0	0	36	0	0	35
Future Volume (Veh/h)	0	1275	1	0	1754	268	0	0	36	0	0	35
Sign Control		Free			Free			Stop			Stop	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97
Hourly flow rate (vph)	0	1314	1	0	1808	276	0	0	37	0	0	36
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type		None			None							
Median storage veh)												
Upstream signal (ft)		626			245							
pX, platoon unblocked	0.67						0.67	0.67		0.67	0.67	0.67
vC, conflicting volume	2084			1315			1953	3398	329	2312	3261	741
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	919			1315			726	2868	329	1257	2664	0
tC, single (s)	4.1			4.1			7.5	6.5	6.9	7.5	6.5	6.9
tC, 2 stage (s)												
tF (s)	2.2			2.2			3.5	4.0	3.3	3.5	4.0	3.3
p0 queue free %	100			100			100	100	94	100	100	95
cM capacity (veh/h)	506			533			203	11	673	83	15	736

Direction, Lane #	EB 1	EB 2	EB 3	EB 4	WB 1	WB 2	WB 3	NB 1	SB 1
Volume Total	375	375	375	189	723	723	638	37	36
Volume Left	0	0	0	0	0	0	0	0	0
Volume Right	0	0	0	1	0	0	276	37	36
cSH	1700	1700	1700	1700	1700	1700	1700	673	736
Volume to Capacity	0.22	0.22	0.22	0.11	0.43	0.43	0.38	0.06	0.05
Queue Length 95th (ft)	0	0	0	0	0	0	0	4	4
Control Delay (s)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	10.7	10.1
Lane LOS								B	B
Approach Delay (s)	0.0				0.0			10.7	10.1
Approach LOS								B	B

Intersection Summary				
Average Delay	0.2			
Intersection Capacity Utilization	49.9%	ICU Level of Service		A
Analysis Period (min)	15			

DocuSign Envelope ID: 3233FEB5-DD0A-4AEA-938C-BF562FBDE88A

Movement	EBU	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations							
Traffic Volume (vph)	1	41	1269	2017	290	369	4
Future Volume (vph)	1	41	1269	2017	290	369	4
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		7.0	5.7	5.9		6.8	6.8
Lane Util. Factor		0.97	0.95	0.91		0.97	1.00
Frt		1.00	1.00	0.98		1.00	0.85
Flt Protected		0.95	1.00	1.00		0.95	1.00
Satd. Flow (prot)		3468	3574	5045		3467	1615
Flt Permitted		0.95	1.00	1.00		0.95	1.00
Satd. Flow (perm)		3468	3574	5045		3467	1615
Peak-hour factor, PHF	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Adj. Flow (vph)	1	43	1336	2123	305	388	4
RTOR Reduction (vph)	0	0	0	12	0	0	0
Lane Group Flow (vph)	0	44	1336	2416	0	388	4
Heavy Vehicles (%)	0%	1%	1%	1%	0%	1%	0%
Turn Type	Prot	Prot	NA	NA		Prot	Perm
Protected Phases	5	5	2	6		4	
Permitted Phases							4
Actuated Green, G (s)		5.1	89.8	77.5		17.7	17.7
Effective Green, g (s)		5.1	89.8	77.5		17.7	17.7
Actuated g/C Ratio		0.04	0.75	0.65		0.15	0.15
Clearance Time (s)		7.0	5.7	5.9		6.8	6.8
Vehicle Extension (s)		2.0	4.0	4.0		2.0	2.0
Lane Grp Cap (vph)		147	2674	3258		511	238
v/s Ratio Prot		0.01	c0.37	c0.48		c0.11	
v/s Ratio Perm							0.00
v/c Ratio		0.30	0.50	0.74		0.76	0.02
Uniform Delay, d1		55.7	6.1	14.4		49.1	43.7
Progression Factor		1.30	0.35	1.00		1.00	1.00
Incremental Delay, d2		0.3	0.6	1.6		5.7	0.0
Delay (s)		72.6	2.7	16.0		54.8	43.7
Level of Service		E	A	B		D	D
Approach Delay (s)			4.9	16.0		54.7	
Approach LOS			A	B		D	

Intersection Summary

HCM 2000 Control Delay	16.0	HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio	0.75		
Actuated Cycle Length (s)	120.0	Sum of lost time (s)	19.7
Intersection Capacity Utilization	66.5%	ICU Level of Service	C
Analysis Period (min)	15		

c Critical Lane Group

DocuSign Envelope ID: 3233FEB5-DD0A-4AEA-938C-BF562FBDE88A

Intersection: 101: Monticello Mktplc & Monticello Ave

Movement	EB	EB	EB	EB	WB	WB	WB	WB	NB	NB	SB	SB
Directions Served	UL	T	T	R	UL	T	T	R	ULT	R	UL	LTR
Maximum Queue (ft)	194	351	316	41	245	605	595	90	112	103	258	245
Average Queue (ft)	59	220	174	14	200	394	383	3	36	42	170	144
95th Queue (ft)	152	316	273	38	303	580	557	70	85	88	243	224
Link Distance (ft)		554	554	554		554	554	554	493		332	332
Upstream Blk Time (%)						1	1					
Queuing Penalty (veh)						8	6					
Storage Bay Dist (ft)	170				220					85		
Storage Blk Time (%)	0	17			3	22			3	1		
Queuing Penalty (veh)	0	8			20	42			5	0		

Intersection: 102: Existing Site Driveway/Old News Rd & Monticello Ave

Movement	EB	EB	WB	WB	WB	NB	SB
Directions Served	T	TR	T	T	TR	R	R
Maximum Queue (ft)	59	62	20	28	2	62	54
Average Queue (ft)	3	4	1	1	0	23	20
95th Queue (ft)	26	30	13	17	3	48	46
Link Distance (ft)	554	554	167	167	167	371	400
Upstream Blk Time (%)							
Queuing Penalty (veh)							
Storage Bay Dist (ft)							
Storage Blk Time (%)	0						
Queuing Penalty (veh)	0						

Intersection: 103: Monticello Ave & Windsormeade Way

Movement	EB	EB	EB	EB	WB	WB	WB	SB	SB	SB
Directions Served	UL	L	T	T	T	T	TR	L	L	R
Maximum Queue (ft)	51	75	220	228	414	458	502	280	235	25
Average Queue (ft)	12	30	55	74	258	224	252	178	134	2
95th Queue (ft)	39	63	172	189	378	390	425	244	222	13
Link Distance (ft)	167	167	167	167	580	580	580	410	410	
Upstream Blk Time (%)			1	2		0	0			
Queuing Penalty (veh)			4	6		0	0			
Storage Bay Dist (ft)										200
Storage Blk Time (%)									0	
Queuing Penalty (veh)									0	

Network Summary

Network wide Queuing Penalty: 99

DocuSign Envelope ID: 3233FEB5-DD0A-4AEA-938C-BF562FBDE88A

APPENDIX D

Intersection Capacity Analysis Results – No-Build Conditions (2024)

DocuSign Envelope ID: 3233FEB5-DD0A-4AEA-938C-BF562FBDE88A

Movement	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL
Lane Configurations												
Traffic Volume (vph)	1	33	1033	28	2	71	615	130	10	11	120	94
Future Volume (vph)	1	33	1033	28	2	71	615	130	10	11	120	94
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		5.8	5.1	5.1		7.1	5.1	5.1		7.3	7.3	7.3
Lane Util. Factor		1.00	0.95	1.00		1.00	0.95	1.00		1.00	1.00	0.95
Frt		1.00	1.00	0.85		1.00	1.00	0.85		1.00	0.85	1.00
Flt Protected		0.95	1.00	1.00		0.95	1.00	1.00		0.98	1.00	0.95
Satd. Flow (prot)		1770	3539	1553		1770	3471	1583		1819	1583	1681
Flt Permitted		0.95	1.00	1.00		0.95	1.00	1.00		0.98	1.00	0.95
Satd. Flow (perm)		1770	3539	1553		1770	3471	1583		1819	1583	1681
Peak-hour factor, PHF	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Adj. Flow (vph)	1	35	1099	30	2	76	654	138	11	12	128	100
RTOR Reduction (vph)	0	0	0	16	0	0	0	66	0	0	120	0
Lane Group Flow (vph)	0	36	1099	14	0	78	654	72	0	23	8	66
Heavy Vehicles (%)	2%	2%	2%	4%	2%	2%	4%	2%	2%	2%	2%	2%
Turn Type	Prot	Prot	NA	Perm	Prot	Prot	NA	Perm	Split	NA	Perm	Split
Protected Phases	5	5	2		1	1	6		4	4		3
Permitted Phases				2				6			4	
Actuated Green, G (s)		4.4	43.2	43.2		7.1	47.2	47.2		5.9	5.9	7.0
Effective Green, g (s)		4.4	43.2	43.2		7.1	47.2	47.2		5.9	5.9	7.0
Actuated g/C Ratio		0.05	0.48	0.48		0.08	0.52	0.52		0.07	0.07	0.08
Clearance Time (s)		5.8	5.1	5.1		7.1	5.1	5.1		7.3	7.3	7.3
Vehicle Extension (s)		2.0	4.0	4.0		2.0	4.0	4.0		2.0	2.0	2.0
Lane Grp Cap (vph)		86	1698	745		139	1820	830		119	103	130
v/s Ratio Prot		0.02	c0.31			c0.04	c0.19			c0.01		c0.04
v/s Ratio Perm				0.01				0.05			0.01	
v/c Ratio		0.42	0.65	0.02		0.56	0.36	0.09		0.19	0.08	0.51
Uniform Delay, d1		41.6	17.7	12.3		39.9	12.5	10.7		39.8	39.5	39.8
Progression Factor		1.00	1.00	1.00		0.79	1.64	19.02		1.00	1.00	1.00
Incremental Delay, d2		1.2	1.9	0.0		3.0	0.5	0.2		0.3	0.1	1.1
Delay (s)		42.8	19.6	12.3		34.6	21.1	203.1		40.1	39.6	41.0
Level of Service		D	B	B		C	C	F		D	D	D
Approach Delay (s)			20.1				51.2			39.7		
Approach LOS			C				D			D		

Intersection Summary

HCM 2000 Control Delay	34.2	HCM 2000 Level of Service	C
HCM 2000 Volume to Capacity ratio	0.59		
Actuated Cycle Length (s)	90.0	Sum of lost time (s)	26.8
Intersection Capacity Utilization	66.5%	ICU Level of Service	C
Analysis Period (min)	15		

c Critical Lane Group

DocuSign Envelope ID: 3233FEB5-DD0A-4AEA-938C-BF562FBDE88A

Movement	SBT	SBR
Lane Configurations		
Traffic Volume (vph)	13	16
Future Volume (vph)	13	16
Ideal Flow (vphpl)	1900	1900
Total Lost time (s)	7.3	
Lane Util. Factor	0.95	
Frt	0.96	
Flt Protected	0.97	
Satd. Flow (prot)	1588	
Flt Permitted	0.97	
Satd. Flow (perm)	1588	
Peak-hour factor, PHF	0.94	0.94
Adj. Flow (vph)	14	17
RTOR Reduction (vph)	15	0
Lane Group Flow (vph)	50	0
Heavy Vehicles (%)	2%	19%
Turn Type	NA	
Protected Phases	3	
Permitted Phases		
Actuated Green, G (s)	7.0	
Effective Green, g (s)	7.0	
Actuated g/C Ratio	0.08	
Clearance Time (s)	7.3	
Vehicle Extension (s)	2.0	
Lane Grp Cap (vph)	123	
v/s Ratio Prot	0.03	
v/s Ratio Perm		
v/c Ratio	0.41	
Uniform Delay, d1	39.5	
Progression Factor	1.00	
Incremental Delay, d2	0.8	
Delay (s)	40.3	
Level of Service	D	
Approach Delay (s)	40.7	
Approach LOS	D	

Intersection Summary

DocuSign Envelope ID: 3233FEB5-DD0A-4AEA-938C-BF562FBDE88A

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	0	1247	2	0	811	80	0	0	19	0	0	7
Future Volume (Veh/h)	0	1247	2	0	811	80	0	0	19	0	0	7
Sign Control		Free			Free			Stop			Stop	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Hourly flow rate (vph)	0	1327	2	0	863	85	0	0	20	0	0	7
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type		None			None							
Median storage veh)												
Upstream signal (ft)		626			245							
pX, platoon unblocked	0.91						0.91	0.91		0.91	0.91	0.91
vC, conflicting volume	948			1329			1623	2276	333	1257	2234	330
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	582			1329			1326	2047	333	923	2001	0
tC, single (s)	4.1			4.1			7.5	6.5	6.9	7.5	6.5	6.9
tC, 2 stage (s)												
tF (s)	2.2			2.2			3.5	4.0	3.3	3.5	4.0	3.3
p0 queue free %	100			100			100	100	97	100	100	99
cM capacity (veh/h)	909			515			102	51	663	200	55	989

Direction, Lane #	EB 1	EB 2	EB 3	EB 4	WB 1	WB 2	WB 3	NB 1	SB 1
Volume Total	379	379	379	192	345	345	258	20	7
Volume Left	0	0	0	0	0	0	0	0	0
Volume Right	0	0	0	2	0	0	85	20	7
cSH	1700	1700	1700	1700	1700	1700	1700	663	989
Volume to Capacity	0.22	0.22	0.22	0.11	0.20	0.20	0.15	0.03	0.01
Queue Length 95th (ft)	0	0	0	0	0	0	0	2	1
Control Delay (s)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	10.6	8.7
Lane LOS								B	A
Approach Delay (s)	0.0				0.0			10.6	8.7
Approach LOS								B	A

Intersection Summary				
Average Delay	0.1			
Intersection Capacity Utilization	28.1%	ICU Level of Service		A
Analysis Period (min)	15			

DocuSign Envelope ID: 3233FEB5-DD0A-4AEA-938C-BF562FBDE88A

Movement	EBU	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations							
Traffic Volume (vph)	1	20	1245	881	113	261	9
Future Volume (vph)	1	20	1245	881	113	261	9
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		7.0	5.7	5.9		6.8	6.8
Lane Util. Factor		0.97	0.95	0.91		0.97	1.00
Frt		1.00	1.00	0.98		1.00	0.85
Flt Protected		0.95	1.00	1.00		0.95	1.00
Satd. Flow (prot)		3282	3539	4955		3467	1553
Flt Permitted		0.95	1.00	1.00		0.95	1.00
Satd. Flow (perm)		3282	3539	4955		3467	1553
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	1	22	1353	958	123	284	10
RTOR Reduction (vph)	0	0	0	14	0	0	0
Lane Group Flow (vph)	0	23	1353	1067	0	284	10
Heavy Vehicles (%)	0%	7%	2%	3%	2%	1%	4%
Turn Type	Prot	Prot	NA	NA		Prot	Perm
Protected Phases	5	5	2	6		4	
Permitted Phases							4
Actuated Green, G (s)		2.3	65.8	56.3		11.7	11.7
Effective Green, g (s)		2.3	65.8	56.3		11.7	11.7
Actuated g/C Ratio		0.03	0.73	0.63		0.13	0.13
Clearance Time (s)		7.0	5.7	5.9		6.8	6.8
Vehicle Extension (s)		2.0	4.0	4.0		2.0	2.0
Lane Grp Cap (vph)		83	2587	3099		450	201
v/s Ratio Prot		0.01	c0.38	0.22		c0.08	
v/s Ratio Perm							0.01
v/c Ratio		0.28	0.52	0.34		0.63	0.05
Uniform Delay, d1		43.0	5.3	8.0		37.1	34.3
Progression Factor		1.45	0.39	1.00		1.00	1.00
Incremental Delay, d2		0.6	0.6	0.1		2.1	0.0
Delay (s)		62.9	2.7	8.1		39.2	34.3
Level of Service		E	A	A		D	C
Approach Delay (s)			3.7	8.1		39.1	
Approach LOS			A	A		D	

Intersection Summary			
HCM 2000 Control Delay	9.2	HCM 2000 Level of Service	A
HCM 2000 Volume to Capacity ratio	0.59		
Actuated Cycle Length (s)	90.0	Sum of lost time (s)	19.7
Intersection Capacity Utilization	52.3%	ICU Level of Service	A
Analysis Period (min)	15		

c Critical Lane Group

DocuSign Envelope ID: 3233FEB5-DD0A-4AEA-938C-BF562FBDE88A

Intersection: 101: Monticello Mktplc & Monticello Ave

Movement	EB	EB	EB	EB	WB	WB	WB	NB	NB	SB	SB
Directions Served	UL	T	T	R	UL	T	T	LT	R	UL	LTR
Maximum Queue (ft)	150	321	292	45	148	218	202	60	82	122	89
Average Queue (ft)	36	176	127	11	55	94	81	12	29	55	27
95th Queue (ft)	110	286	241	36	112	187	176	41	65	103	70
Link Distance (ft)		554	554	554		554	554	493		332	332
Upstream Blk Time (%)											
Queuing Penalty (veh)											
Storage Bay Dist (ft)	170				220				85		
Storage Blk Time (%)		8				0		0	0		
Queuing Penalty (veh)		3				0		0	0		

Intersection: 102: Existing Site Driveway/Old News Rd & Monticello Ave

Movement	EB	EB	WB	NB	SB
Directions Served	T	TR	TR	R	R
Maximum Queue (ft)	23	31	4	45	26
Average Queue (ft)	1	1	0	16	6
95th Queue (ft)	12	16	0	42	23
Link Distance (ft)	554	554	167	371	400
Upstream Blk Time (%)					
Queuing Penalty (veh)					
Storage Bay Dist (ft)					
Storage Blk Time (%)					
Queuing Penalty (veh)					

Intersection: 103: Monticello Ave & Windsormeade Way

Movement	EB	EB	EB	EB	WB	WB	WB	SB	SB	SB
Directions Served	UL	L	T	T	T	T	TR	L	L	R
Maximum Queue (ft)	39	62	200	220	189	144	143	200	160	26
Average Queue (ft)	5	20	66	90	90	38	56	114	45	5
95th Queue (ft)	24	53	157	188	155	96	109	177	128	20
Link Distance (ft)	167	167	167	167	580	580	580	410	410	
Upstream Blk Time (%)			1	1						
Queuing Penalty (veh)			2	5						
Storage Bay Dist (ft)										200
Storage Blk Time (%)										
Queuing Penalty (veh)										

Network Summary

Network wide Queuing Penalty: 10

DocuSign Envelope ID: 3233FEB5-DD0A-4AEA-938C-BF562FBDE88A

Movement	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBL
Lane Configurations												
Traffic Volume (vph)	46	806	34	11	185	1341	324	1	21	37	172	339
Future Volume (vph)	46	806	34	11	185	1341	324	1	21	37	172	339
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	5.8	5.1	5.1		7.1	5.1	5.1			7.3	7.3	7.3
Lane Util. Factor	1.00	0.95	1.00		1.00	0.95	1.00			1.00	1.00	0.95
Frt	1.00	1.00	0.85		1.00	1.00	0.85			1.00	0.85	1.00
Flt Protected	0.95	1.00	1.00		0.95	1.00	1.00			0.98	1.00	0.95
Satd. Flow (prot)	1770	3539	1553		1770	3471	1583			1829	1583	1681
Flt Permitted	0.95	1.00	1.00		0.95	1.00	1.00			0.98	1.00	0.95
Satd. Flow (perm)	1770	3539	1553		1770	3471	1583			1829	1583	1681
Peak-hour factor, PHF	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Adj. Flow (vph)	49	857	36	12	197	1427	345	1	22	39	183	361
RTOR Reduction (vph)	0	0	22	0	0	0	139	0	0	0	171	0
Lane Group Flow (vph)	49	857	14	0	209	1427	206	0	0	62	12	253
Heavy Vehicles (%)	2%	2%	4%	2%	2%	4%	2%	2%	2%	2%	2%	2%
Turn Type	Prot	NA	Perm	Prot	Prot	NA	Perm	Split	Split	NA	Perm	Split
Protected Phases	5	2		1	1	6		4	4	4		3
Permitted Phases			2				6				4	
Actuated Green, G (s)	6.1	48.1	48.1		16.8	60.1	60.1			7.6	7.6	20.7
Effective Green, g (s)	6.1	48.1	48.1		16.8	60.1	60.1			7.6	7.6	20.7
Actuated g/C Ratio	0.05	0.40	0.40		0.14	0.50	0.50			0.06	0.06	0.17
Clearance Time (s)	5.8	5.1	5.1		7.1	5.1	5.1			7.3	7.3	7.3
Vehicle Extension (s)	2.0	4.0	4.0		2.0	4.0	4.0			2.0	2.0	2.0
Lane Grp Cap (vph)	89	1418	622		247	1738	792			115	100	289
v/s Ratio Prot	0.03	0.24			c0.12	c0.41				c0.03		c0.15
v/s Ratio Perm			0.01				0.13				0.01	
v/c Ratio	0.55	0.60	0.02		0.85	0.82	0.26			0.54	0.12	0.88
Uniform Delay, d1	55.6	28.4	21.7		50.3	25.4	17.2			54.5	53.0	48.4
Progression Factor	1.00	1.00	1.00		0.70	1.65	3.90			1.00	1.00	1.00
Incremental Delay, d2	4.1	1.9	0.1		15.6	3.1	0.5			2.4	0.2	23.6
Delay (s)	59.7	30.3	21.8		50.9	44.9	67.5			56.9	53.2	72.0
Level of Service	E	C	C		D	D	E			E	D	E
Approach Delay (s)		31.5				49.5				54.2		
Approach LOS		C				D				D		

Intersection Summary

HCM 2000 Control Delay	48.0	HCM 2000 Level of Service	D
HCM 2000 Volume to Capacity ratio	0.85		
Actuated Cycle Length (s)	120.0	Sum of lost time (s)	26.8
Intersection Capacity Utilization	79.2%	ICU Level of Service	D
Analysis Period (min)	15		

c Critical Lane Group

DocuSign Envelope ID: 3233FEB5-DD0A-4AEA-938C-BF562FBDE88A

Movement	SBT	SBR
Lane Configurations		
Traffic Volume (vph)	36	91
Future Volume (vph)	36	91
Ideal Flow (vphpl)	1900	1900
Total Lost time (s)	7.3	
Lane Util. Factor	0.95	
Frt	0.94	
Flt Protected	0.98	
Satd. Flow (prot)	1526	
Flt Permitted	0.98	
Satd. Flow (perm)	1526	
Peak-hour factor, PHF	0.94	0.94
Adj. Flow (vph)	38	97
RTOR Reduction (vph)	21	0
Lane Group Flow (vph)	222	0
Heavy Vehicles (%)	2%	19%
Turn Type	NA	
Protected Phases	3	
Permitted Phases		
Actuated Green, G (s)	20.7	
Effective Green, g (s)	20.7	
Actuated g/C Ratio	0.17	
Clearance Time (s)	7.3	
Vehicle Extension (s)	2.0	
Lane Grp Cap (vph)	263	
v/s Ratio Prot	0.15	
v/s Ratio Perm		
v/c Ratio	0.85	
Uniform Delay, d1	48.1	
Progression Factor	1.00	
Incremental Delay, d2	20.6	
Delay (s)	68.7	
Level of Service	E	
Approach Delay (s)	70.4	
Approach LOS	E	

Intersection Summary

DocuSign Envelope ID: 3233FEB5-DD0A-4AEA-938C-BF562FBDE88A

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	0	1327	1	0	1825	279	0	0	37	0	0	36
Future Volume (Veh/h)	0	1327	1	0	1825	279	0	0	37	0	0	36
Sign Control		Free			Free			Stop			Stop	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.97	0.94	0.94	0.94	0.94	0.97	0.94	0.97	0.94	0.97	0.97	0.97
Hourly flow rate (vph)	0	1412	1	0	1941	288	0	0	39	0	0	37
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type		None			None							
Median storage veh)												
Upstream signal (ft)		626			245							
pX, platoon unblocked	0.65						0.65	0.65		0.65	0.65	0.65
vC, conflicting volume	2229			1413			2096	3642	354	2477	3498	791
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	1019			1413			816	3184	354	1400	2964	0
tC, single (s)	4.1			4.1			7.5	6.5	6.9	7.5	6.5	6.9
tC, 2 stage (s)												
tF (s)	2.2			2.2			3.5	4.0	3.3	3.5	4.0	3.3
p0 queue free %	100			100			100	100	94	100	100	95
cM capacity (veh/h)	449			478			166	7	643	62	10	712

Direction, Lane #	EB 1	EB 2	EB 3	EB 4	WB 1	WB 2	WB 3	NB 1	SB 1
Volume Total	403	403	403	203	776	776	676	39	37
Volume Left	0	0	0	0	0	0	0	0	0
Volume Right	0	0	0	1	0	0	288	39	37
cSH	1700	1700	1700	1700	1700	1700	1700	643	712
Volume to Capacity	0.24	0.24	0.24	0.12	0.46	0.46	0.40	0.06	0.05
Queue Length 95th (ft)	0	0	0	0	0	0	0	5	4
Control Delay (s)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	11.0	10.3
Lane LOS								B	B
Approach Delay (s)	0.0				0.0			11.0	10.3
Approach LOS								B	B

Intersection Summary				
Average Delay	0.2			
Intersection Capacity Utilization	51.5%	ICU Level of Service		A
Analysis Period (min)	15			

DocuSign Envelope ID: 3233FEB5-DD0A-4AEA-938C-BF562FBDE88A

Movement	EBU	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations							
Traffic Volume (vph)	1	43	1320	2099	302	384	4
Future Volume (vph)	1	43	1320	2099	302	384	4
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		7.0	5.7	5.9		6.8	6.8
Lane Util. Factor		0.97	0.95	0.91		0.97	1.00
Frt		1.00	1.00	0.98		1.00	0.85
Flt Protected		0.95	1.00	1.00		0.95	1.00
Satd. Flow (prot)		3468	3574	5045		3467	1615
Flt Permitted		0.95	1.00	1.00		0.95	1.00
Satd. Flow (perm)		3468	3574	5045		3467	1615
Peak-hour factor, PHF	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Adj. Flow (vph)	1	45	1389	2209	318	404	4
RTOR Reduction (vph)	0	0	0	15	0	0	0
Lane Group Flow (vph)	0	46	1389	2512	0	404	4
Heavy Vehicles (%)	0%	1%	1%	1%	0%	1%	0%
Turn Type	Prot	Prot	NA	NA		Prot	Perm
Protected Phases	5	5	2	6		4	
Permitted Phases							4
Actuated Green, G (s)		4.3	89.8	78.3		17.7	17.7
Effective Green, g (s)		4.3	89.8	78.3		17.7	17.7
Actuated g/C Ratio		0.04	0.75	0.65		0.15	0.15
Clearance Time (s)		7.0	5.7	5.9		6.8	6.8
Vehicle Extension (s)		2.0	4.0	4.0		2.0	2.0
Lane Grp Cap (vph)		124	2674	3291		511	238
v/s Ratio Prot		0.01	c0.39	c0.50		c0.12	
v/s Ratio Perm							0.00
v/c Ratio		0.37	0.52	0.76		0.79	0.02
Uniform Delay, d1		56.5	6.2	14.4		49.4	43.7
Progression Factor		1.09	1.16	1.00		1.00	1.00
Incremental Delay, d2		0.5	0.6	1.7		7.6	0.0
Delay (s)		62.3	7.8	16.2		57.0	43.7
Level of Service		E	A	B		E	D
Approach Delay (s)			9.5	16.2		56.9	
Approach LOS			A	B		E	

Intersection Summary

HCM 2000 Control Delay	17.8	HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio	0.78		
Actuated Cycle Length (s)	120.0	Sum of lost time (s)	19.7
Intersection Capacity Utilization	68.8%	ICU Level of Service	C
Analysis Period (min)	15		

c Critical Lane Group

DocuSign Envelope ID: 3233FEB5-DD0A-4AEA-938C-BF562FBDE88A

Intersection: 101: Monticello Mktplc & Monticello Ave

Movement	EB	EB	EB	EB	WB	WB	WB	WB	NB	NB	SB	SB
Directions Served	UL	T	T	R	UL	T	T	R	ULT	R	UL	LTR
Maximum Queue (ft)	194	396	358	53	245	630	620	195	145	108	304	284
Average Queue (ft)	64	232	188	16	203	418	413	12	38	45	183	154
95th Queue (ft)	164	345	305	42	298	622	599	132	94	92	263	244
Link Distance (ft)		554	554	554		554	554	554	493		332	332
Upstream Blk Time (%)		0				3	2	0			0	0
Queuing Penalty (veh)		0				17	12	0			0	0
Storage Bay Dist (ft)	170				220					85		
Storage Blk Time (%)	0	19			3	22			2	1		
Queuing Penalty (veh)	0	9			21	44			4	1		

Intersection: 102: Existing Site Driveway/Old News Rd & Monticello Ave

Movement	EB	EB	WB	WB	WB	NB	SB
Directions Served	T	TR	T	T	TR	R	R
Maximum Queue (ft)	29	41	50	45	5	60	54
Average Queue (ft)	1	2	3	2	0	23	22
95th Queue (ft)	14	22	29	20	5	50	47
Link Distance (ft)	554	554	167	167	167	371	400
Upstream Blk Time (%)							
Queuing Penalty (veh)							
Storage Bay Dist (ft)							
Storage Blk Time (%)							
Queuing Penalty (veh)							

Intersection: 103: Monticello Ave & Windsormeade Way

Movement	EB	EB	EB	EB	WB	WB	WB	SB	SB	SB
Directions Served	UL	L	T	T	T	T	TR	L	L	R
Maximum Queue (ft)	48	72	217	224	414	459	500	276	230	25
Average Queue (ft)	13	32	76	100	262	225	251	178	131	2
95th Queue (ft)	39	65	190	206	380	378	413	246	227	14
Link Distance (ft)	167	167	167	167	580	580	580	410	410	
Upstream Blk Time (%)			1	2		0	0			
Queuing Penalty (veh)			3	5		0	0			
Storage Bay Dist (ft)										200
Storage Blk Time (%)									0	
Queuing Penalty (veh)									0	

Network Summary

Network wide Queuing Penalty: 116

DocuSign Envelope ID: 3233FEB5-DD0A-4AEA-938C-BF562FBDE88A

APPENDIX E

Intersection Capacity Analysis Results – Build Conditions (2024)

DocuSign Envelope ID: 3233FEB5-DD0A-4AEA-938C-BF562FBDE88A

Movement	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL
Lane Configurations												
Traffic Volume (vph)	1	33	1046	28	22	71	621	130	10	11	120	94
Future Volume (vph)	1	33	1046	28	22	71	621	130	10	11	120	94
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		5.8	5.1	5.1		7.1	5.1	5.1		7.3	7.3	7.3
Lane Util. Factor		1.00	0.95	1.00		1.00	0.95	1.00		1.00	1.00	0.95
Frt		1.00	1.00	0.85		1.00	1.00	0.85		1.00	0.85	1.00
Flt Protected		0.95	1.00	1.00		0.95	1.00	1.00		0.98	1.00	0.95
Satd. Flow (prot)		1770	3539	1553		1770	3471	1583		1819	1583	1681
Flt Permitted		0.95	1.00	1.00		0.95	1.00	1.00		0.98	1.00	0.95
Satd. Flow (perm)		1770	3539	1553		1770	3471	1583		1819	1583	1681
Peak-hour factor, PHF	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Adj. Flow (vph)	1	35	1113	30	23	76	661	138	11	12	128	100
RTOR Reduction (vph)	0	0	0	16	0	0	0	66	0	0	120	0
Lane Group Flow (vph)	0	36	1113	14	0	99	661	72	0	23	8	66
Heavy Vehicles (%)	2%	2%	2%	4%	2%	2%	4%	2%	2%	2%	2%	2%
Turn Type	Prot	Prot	NA	Perm	Prot	Prot	NA	Perm	Split	NA	Perm	Split
Protected Phases	5	5	2		1	1	6		4	4		3
Permitted Phases				2				6			4	
Actuated Green, G (s)		4.4	42.6	42.6		7.7	47.2	47.2		5.9	5.9	7.0
Effective Green, g (s)		4.4	42.6	42.6		7.7	47.2	47.2		5.9	5.9	7.0
Actuated g/C Ratio		0.05	0.47	0.47		0.09	0.52	0.52		0.07	0.07	0.08
Clearance Time (s)		5.8	5.1	5.1		7.1	5.1	5.1		7.3	7.3	7.3
Vehicle Extension (s)		2.0	4.0	4.0		2.0	4.0	4.0		2.0	2.0	2.0
Lane Grp Cap (vph)		86	1675	735		151	1820	830		119	103	130
v/s Ratio Prot		0.02	c0.31			c0.06	c0.19			c0.01		c0.04
v/s Ratio Perm				0.01				0.05			0.01	
v/c Ratio		0.42	0.66	0.02		0.66	0.36	0.09		0.19	0.08	0.51
Uniform Delay, d1		41.6	18.2	12.6		39.9	12.6	10.7		39.8	39.5	39.8
Progression Factor		1.00	1.00	1.00		0.76	1.62	18.71		1.00	1.00	1.00
Incremental Delay, d2		1.2	2.1	0.0		7.3	0.5	0.2		0.3	0.1	1.1
Delay (s)		42.8	20.3	12.6		37.5	20.9	199.8		40.1	39.6	41.0
Level of Service		D	C	B		D	C	F		D	D	D
Approach Delay (s)			20.8				50.2			39.7		
Approach LOS			C				D			D		

Intersection Summary

HCM 2000 Control Delay	34.3	HCM 2000 Level of Service	C
HCM 2000 Volume to Capacity ratio	0.61		
Actuated Cycle Length (s)	90.0	Sum of lost time (s)	26.8
Intersection Capacity Utilization	68.0%	ICU Level of Service	C
Analysis Period (min)	15		

c Critical Lane Group

DocuSign Envelope ID: 3233FEB5-DD0A-4AEA-938C-BF562FBDE88A

Movement	SBT	SBR
Lane Configurations		
Traffic Volume (vph)	13	16
Future Volume (vph)	13	16
Ideal Flow (vphpl)	1900	1900
Total Lost time (s)	7.3	
Lane Util. Factor	0.95	
Frt	0.96	
Flt Protected	0.97	
Satd. Flow (prot)	1588	
Flt Permitted	0.97	
Satd. Flow (perm)	1588	
Peak-hour factor, PHF	0.94	0.94
Adj. Flow (vph)	14	17
RTOR Reduction (vph)	15	0
Lane Group Flow (vph)	50	0
Heavy Vehicles (%)	2%	19%
Turn Type	NA	
Protected Phases	3	
Permitted Phases		
Actuated Green, G (s)	7.0	
Effective Green, g (s)	7.0	
Actuated g/C Ratio	0.08	
Clearance Time (s)	7.3	
Vehicle Extension (s)	2.0	
Lane Grp Cap (vph)	123	
v/s Ratio Prot	0.03	
v/s Ratio Perm		
v/c Ratio	0.41	
Uniform Delay, d1	39.5	
Progression Factor	1.00	
Incremental Delay, d2	0.8	
Delay (s)	40.3	
Level of Service	D	
Approach Delay (s)	40.7	
Approach LOS	D	

Intersection Summary

DocuSign Envelope ID: 3233FEB5-DD0A-4AEA-938C-BF562FBDE88A

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	0	1247	35	0	837	80	0	0	34	0	0	7
Future Volume (Veh/h)	0	1247	35	0	837	80	0	0	34	0	0	7
Sign Control		Free			Free			Stop			Stop	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Hourly flow rate (vph)	0	1327	37	0	890	85	0	0	36	0	0	7
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type		None			None							
Median storage veh)												
Upstream signal (ft)		626			245							
pX, platoon unblocked	0.90						0.90	0.90		0.90	0.90	0.90
vC, conflicting volume	975			1364			1649	2320	350	1300	2296	339
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	583			1364			1332	2078	350	945	2052	0
tC, single (s)	4.1			4.1			7.5	6.5	6.9	7.5	6.5	6.9
tC, 2 stage (s)												
tF (s)	2.2			2.2			3.5	4.0	3.3	3.5	4.0	3.3
p0 queue free %	100			100			100	100	94	100	100	99
cM capacity (veh/h)	901			500			100	49	646	187	51	982

Direction, Lane #	EB 1	EB 2	EB 3	EB 4	WB 1	WB 2	WB 3	NB 1	SB 1
Volume Total	379	379	379	227	356	356	263	36	7
Volume Left	0	0	0	0	0	0	0	0	0
Volume Right	0	0	0	37	0	0	85	36	7
cSH	1700	1700	1700	1700	1700	1700	1700	646	982
Volume to Capacity	0.22	0.22	0.22	0.13	0.21	0.21	0.15	0.06	0.01
Queue Length 95th (ft)	0	0	0	0	0	0	0	4	1
Control Delay (s)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	10.9	8.7
Lane LOS								B	A
Approach Delay (s)	0.0				0.0			10.9	8.7
Approach LOS								B	A

Intersection Summary				
Average Delay	0.2			
Intersection Capacity Utilization	28.7%	ICU Level of Service		A
Analysis Period (min)	15			

DocuSign Envelope ID: 3233FEB5-DD0A-4AEA-938C-BF562FBDE88A

Movement	EBU	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations							
Traffic Volume (vph)	7	20	1254	901	113	261	9
Future Volume (vph)	7	20	1254	901	113	261	9
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		7.0	5.7	5.9		6.8	6.8
Lane Util. Factor		0.97	0.95	0.91		0.97	1.00
Frt		1.00	1.00	0.98		1.00	0.85
Flt Protected		0.95	1.00	1.00		0.95	1.00
Satd. Flow (prot)		3331	3539	4957		3467	1553
Flt Permitted		0.95	1.00	1.00		0.95	1.00
Satd. Flow (perm)		3331	3539	4957		3467	1553
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	8	22	1363	979	123	284	10
RTOR Reduction (vph)	0	0	0	14	0	0	0
Lane Group Flow (vph)	0	30	1363	1088	0	284	10
Heavy Vehicles (%)	0%	7%	2%	3%	2%	1%	4%
Turn Type	Prot	Prot	NA	NA		Prot	Perm
Protected Phases	5	5	2	6		4	
Permitted Phases							4
Actuated Green, G (s)		3.5	65.8	55.1		11.7	11.7
Effective Green, g (s)		3.5	65.8	55.1		11.7	11.7
Actuated g/C Ratio		0.04	0.73	0.61		0.13	0.13
Clearance Time (s)		7.0	5.7	5.9		6.8	6.8
Vehicle Extension (s)		2.0	4.0	4.0		2.0	2.0
Lane Grp Cap (vph)		129	2587	3034		450	201
v/s Ratio Prot		0.01	c0.39	0.22		c0.08	
v/s Ratio Perm							0.01
v/c Ratio		0.23	0.53	0.36		0.63	0.05
Uniform Delay, d1		41.9	5.3	8.7		37.1	34.3
Progression Factor		1.41	0.37	1.00		1.00	1.00
Incremental Delay, d2		0.3	0.7	0.1		2.1	0.0
Delay (s)		59.4	2.6	8.8		39.2	34.3
Level of Service		E	A	A		D	C
Approach Delay (s)			3.9	8.8		39.1	
Approach LOS			A	A		D	

Intersection Summary			
HCM 2000 Control Delay	9.5	HCM 2000 Level of Service	A
HCM 2000 Volume to Capacity ratio	0.60		
Actuated Cycle Length (s)	90.0	Sum of lost time (s)	19.7
Intersection Capacity Utilization	52.5%	ICU Level of Service	A
Analysis Period (min)	15		

c Critical Lane Group

DocuSign Envelope ID: 3233FEB5-DD0A-4AEA-938C-BF562FBDE88A

Intersection: 101: Monticello Mktplc & Monticello Ave

Movement	EB	EB	EB	EB	WB	WB	WB	NB	NB	SB	SB
Directions Served	UL	T	T	R	UL	T	T	LT	R	UL	LTR
Maximum Queue (ft)	167	327	273	40	151	215	210	58	84	111	84
Average Queue (ft)	35	181	135	9	65	97	88	12	28	51	27
95th Queue (ft)	104	295	254	32	123	187	181	38	61	95	65
Link Distance (ft)		554	554	554		554	554	493		332	332
Upstream Blk Time (%)											
Queuing Penalty (veh)											
Storage Bay Dist (ft)	170				220				85		
Storage Blk Time (%)		8				0			0		
Queuing Penalty (veh)		3				0			0		

Intersection: 102: Existing Site Driveway/Old News Rd & Monticello Ave

Movement	EB	EB	WB	WB	NB	SB
Directions Served	T	TR	T	TR	R	R
Maximum Queue (ft)	42	61	6	3	59	28
Average Queue (ft)	2	3	0	0	22	4
95th Queue (ft)	21	25	6	4	51	20
Link Distance (ft)	554	554	167	167	371	400
Upstream Blk Time (%)						
Queuing Penalty (veh)						
Storage Bay Dist (ft)						
Storage Blk Time (%)	0					
Queuing Penalty (veh)	0					

Intersection: 103: Monticello Ave & Windsormeade Way

Movement	EB	EB	EB	EB	WB	WB	WB	SB	SB	SB
Directions Served	UL	L	T	T	T	T	TR	L	L	R
Maximum Queue (ft)	46	63	208	228	209	167	159	207	164	32
Average Queue (ft)	8	18	68	93	103	43	61	119	48	6
95th Queue (ft)	32	51	166	192	180	114	120	186	136	22
Link Distance (ft)	167	167	167	167	580	580	580	410	410	
Upstream Blk Time (%)			1	1						
Queuing Penalty (veh)			2	5						
Storage Bay Dist (ft)										200
Storage Blk Time (%)									0	
Queuing Penalty (veh)									0	

Network Summary

Network wide Queuing Penalty: 10

DocuSign Envelope ID: 3233FEB5-DD0A-4AEA-938C-BF562FBDE88A

Movement	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBL
Lane Configurations												
Traffic Volume (vph)	46	818	34	30	185	1357	324	1	21	37	172	339
Future Volume (vph)	46	818	34	30	185	1357	324	1	21	37	172	339
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	5.8	5.1	5.1		7.1	5.1	5.1			7.3	7.3	7.3
Lane Util. Factor	1.00	0.95	1.00		1.00	0.95	1.00			1.00	1.00	0.95
Frt	1.00	1.00	0.85		1.00	1.00	0.85			1.00	0.85	1.00
Flt Protected	0.95	1.00	1.00		0.95	1.00	1.00			0.98	1.00	0.95
Satd. Flow (prot)	1770	3539	1553		1770	3471	1583			1829	1583	1681
Flt Permitted	0.95	1.00	1.00		0.95	1.00	1.00			0.98	1.00	0.95
Satd. Flow (perm)	1770	3539	1553		1770	3471	1583			1829	1583	1681
Peak-hour factor, PHF	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Adj. Flow (vph)	49	870	36	32	197	1444	345	1	22	39	183	361
RTOR Reduction (vph)	0	0	22	0	0	0	138	0	0	0	171	0
Lane Group Flow (vph)	49	870	14	0	229	1444	207	0	0	62	12	253
Heavy Vehicles (%)	2%	2%	4%	2%	2%	4%	2%	2%	2%	2%	2%	2%
Turn Type	Prot	NA	Perm	Prot	Prot	NA	Perm	Split	Split	NA	Perm	Split
Protected Phases	5	2		1	1	6		4	4	4		3
Permitted Phases			2				6				4	
Actuated Green, G (s)	6.1	47.3	47.3		17.6	60.1	60.1			7.6	7.6	20.7
Effective Green, g (s)	6.1	47.3	47.3		17.6	60.1	60.1			7.6	7.6	20.7
Actuated g/C Ratio	0.05	0.39	0.39		0.15	0.50	0.50			0.06	0.06	0.17
Clearance Time (s)	5.8	5.1	5.1		7.1	5.1	5.1			7.3	7.3	7.3
Vehicle Extension (s)	2.0	4.0	4.0		2.0	4.0	4.0			2.0	2.0	2.0
Lane Grp Cap (vph)	89	1394	612		259	1738	792			115	100	289
v/s Ratio Prot	0.03	0.25			c0.13	c0.42				c0.03		c0.15
v/s Ratio Perm			0.01				0.13				0.01	
v/c Ratio	0.55	0.62	0.02		0.88	0.83	0.26			0.54	0.12	0.88
Uniform Delay, d1	55.6	29.2	22.2		50.2	25.6	17.2			54.5	53.0	48.4
Progression Factor	1.00	1.00	1.00		0.70	1.63	3.76			1.00	1.00	1.00
Incremental Delay, d2	4.1	2.1	0.1		20.0	3.2	0.5			2.4	0.2	23.6
Delay (s)	59.7	31.3	22.3		55.1	45.0	65.3			56.9	53.2	72.0
Level of Service	E	C	C		E	D	E			E	D	E
Approach Delay (s)		32.4				49.6				54.2		
Approach LOS		C				D				D		

Intersection Summary

HCM 2000 Control Delay	48.3	HCM 2000 Level of Service	D
HCM 2000 Volume to Capacity ratio	0.86		
Actuated Cycle Length (s)	120.0	Sum of lost time (s)	26.8
Intersection Capacity Utilization	80.6%	ICU Level of Service	D
Analysis Period (min)	15		

c Critical Lane Group

DocuSign Envelope ID: 3233FEB5-DD0A-4AEA-938C-BF562FBDE88A

Movement	SBT	SBR
Lane Configurations		
Traffic Volume (vph)	36	91
Future Volume (vph)	36	91
Ideal Flow (vphpl)	1900	1900
Total Lost time (s)	7.3	
Lane Util. Factor	0.95	
Frt	0.94	
Flt Protected	0.98	
Satd. Flow (prot)	1526	
Flt Permitted	0.98	
Satd. Flow (perm)	1526	
Peak-hour factor, PHF	0.94	0.94
Adj. Flow (vph)	38	97
RTOR Reduction (vph)	21	0
Lane Group Flow (vph)	222	0
Heavy Vehicles (%)	2%	19%
Turn Type	NA	
Protected Phases	3	
Permitted Phases		
Actuated Green, G (s)	20.7	
Effective Green, g (s)	20.7	
Actuated g/C Ratio	0.17	
Clearance Time (s)	7.3	
Vehicle Extension (s)	2.0	
Lane Grp Cap (vph)	263	
v/s Ratio Prot	0.15	
v/s Ratio Perm		
v/c Ratio	0.85	
Uniform Delay, d1	48.1	
Progression Factor	1.00	
Incremental Delay, d2	20.6	
Delay (s)	68.7	
Level of Service	E	
Approach Delay (s)	70.4	
Approach LOS	E	

Intersection Summary

DocuSign Envelope ID: 3233FEB5-DD0A-4AEA-938C-BF562FBDE88A

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	0	1327	32	0	1860	279	0	0	78	0	0	36
Future Volume (Veh/h)	0	1327	32	0	1860	279	0	0	78	0	0	36
Sign Control		Free			Free			Stop			Stop	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.97	0.94	0.94	0.94	0.94	0.97	0.94	0.97	0.94	0.97	0.97	0.97
Hourly flow rate (vph)	0	1412	34	0	1979	288	0	0	83	0	0	37
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type		None			None							
Median storage veh)												
Upstream signal (ft)		626			245							
pX, platoon unblocked	0.64						0.64	0.64		0.64	0.64	0.64
vC, conflicting volume	2267			1446			2126	3696	370	2559	3569	804
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	1038			1446			819	3253	370	1491	3057	0
tC, single (s)	4.1			4.1			7.5	6.5	6.9	7.5	6.5	6.9
tC, 2 stage (s)												
tF (s)	2.2			2.2			3.5	4.0	3.3	3.5	4.0	3.3
p0 queue free %	100			100			100	100	87	100	100	95
cM capacity (veh/h)	437			465			163	6	627	49	8	704

Direction, Lane #	EB 1	EB 2	EB 3	EB 4	WB 1	WB 2	WB 3	NB 1	SB 1
Volume Total	403	403	403	236	792	792	684	83	37
Volume Left	0	0	0	0	0	0	0	0	0
Volume Right	0	0	0	34	0	0	288	83	37
cSH	1700	1700	1700	1700	1700	1700	1700	627	704
Volume to Capacity	0.24	0.24	0.24	0.14	0.47	0.47	0.40	0.13	0.05
Queue Length 95th (ft)	0	0	0	0	0	0	0	11	4
Control Delay (s)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	11.6	10.4
Lane LOS								B	B
Approach Delay (s)	0.0				0.0			11.6	10.4
Approach LOS								B	B

Intersection Summary				
Average Delay	0.4			
Intersection Capacity Utilization	52.2%	ICU Level of Service		A
Analysis Period (min)	15			

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Movement	EBU	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations							
Traffic Volume (vph)	17	43	1345	2118	302	384	4
Future Volume (vph)	17	43	1345	2118	302	384	4
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		7.0	5.7	5.9		6.8	6.8
Lane Util. Factor		0.97	0.95	0.91		0.97	1.00
Frt		1.00	1.00	0.98		1.00	0.85
Flt Protected		0.95	1.00	1.00		0.95	1.00
Satd. Flow (prot)		3477	3574	5046		3467	1615
Flt Permitted		0.95	1.00	1.00		0.95	1.00
Satd. Flow (perm)		3477	3574	5046		3467	1615
Peak-hour factor, PHF	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Adj. Flow (vph)	18	45	1416	2229	318	404	4
RTOR Reduction (vph)	0	0	0	14	0	0	0
Lane Group Flow (vph)	0	63	1416	2533	0	404	4
Heavy Vehicles (%)	0%	1%	1%	1%	0%	1%	0%
Turn Type	Prot	Prot	NA	NA		Prot	Perm
Protected Phases	5	5	2	6		4	
Permitted Phases							4
Actuated Green, G (s)		4.5	89.8	78.1		17.7	17.7
Effective Green, g (s)		4.5	89.8	78.1		17.7	17.7
Actuated g/C Ratio		0.04	0.75	0.65		0.15	0.15
Clearance Time (s)		7.0	5.7	5.9		6.8	6.8
Vehicle Extension (s)		2.0	4.0	4.0		2.0	2.0
Lane Grp Cap (vph)		130	2674	3284		511	238
v/s Ratio Prot		0.02	c0.40	c0.50		c0.12	
v/s Ratio Perm							0.00
v/c Ratio		0.48	0.53	0.77		0.79	0.02
Uniform Delay, d1		56.6	6.3	14.7		49.4	43.7
Progression Factor		1.08	1.19	1.00		1.00	1.00
Incremental Delay, d2		0.8	0.6	1.8		7.6	0.0
Delay (s)		61.9	8.0	16.5		57.0	43.7
Level of Service		E	A	B		E	D
Approach Delay (s)			10.3	16.5		56.9	
Approach LOS			B	B		E	

Intersection Summary

HCM 2000 Control Delay	18.2	HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio	0.79		
Actuated Cycle Length (s)	120.0	Sum of lost time (s)	19.7
Intersection Capacity Utilization	69.2%	ICU Level of Service	C
Analysis Period (min)	15		

c Critical Lane Group

DocuSign Envelope ID: 3233FEB5-DD0A-4AEA-938C-BF562FBDE88A

Intersection: 101: Monticello Mktplc & Monticello Ave

Movement	EB	EB	EB	EB	WB	WB	WB	WB	NB	NB	SB	SB
Directions Served	UL	T	T	R	UL	T	T	R	ULT	R	UL	LTR
Maximum Queue (ft)	194	381	332	45	245	636	626	320	133	108	292	278
Average Queue (ft)	61	236	191	14	214	433	424	14	38	47	181	161
95th Queue (ft)	158	343	297	40	299	649	624	149	94	95	264	252
Link Distance (ft)		554	554	554		554	554	554	493		332	332
Upstream Blk Time (%)						4	3	0			0	0
Queuing Penalty (veh)						28	21	1			0	0
Storage Bay Dist (ft)	170				220					85		
Storage Blk Time (%)	0	21			9	20			2	2		
Queuing Penalty (veh)	0	10			58	42			4	1		

Intersection: 102: Existing Site Driveway/Old News Rd & Monticello Ave

Movement	EB	EB	WB	WB	WB	NB	SB
Directions Served	T	TR	T	T	TR	R	R
Maximum Queue (ft)	17	45	119	97	24	92	56
Average Queue (ft)	1	3	8	5	0	42	22
95th Queue (ft)	11	22	54	45	7	77	48
Link Distance (ft)	554	554	167	167	167	371	400
Upstream Blk Time (%)			0	0	0		
Queuing Penalty (veh)			1	1	0		
Storage Bay Dist (ft)							
Storage Blk Time (%)							
Queuing Penalty (veh)							

Intersection: 103: Monticello Ave & Windsormeade Way

Movement	EB	EB	EB	EB	WB	WB	WB	SB	SB	SB
Directions Served	UL	L	T	T	T	T	TR	L	L	R
Maximum Queue (ft)	71	67	204	233	469	523	514	284	251	27
Average Queue (ft)	24	28	66	96	276	237	254	189	145	3
95th Queue (ft)	59	59	171	203	407	409	419	262	234	16
Link Distance (ft)	167	167	167	167	580	580	580	410	410	
Upstream Blk Time (%)			1	2	0	0	0			
Queuing Penalty (veh)			3	6	0	0	0			
Storage Bay Dist (ft)										200
Storage Blk Time (%)									1	
Queuing Penalty (veh)									0	

Network Summary

Network wide Queuing Penalty: 175

DocuSign Envelope ID: 3233FEB5-DD0A-4AEA-938C-BF562FBDE88A

APPENDIX F

Turn Lane Warrant Assessment

DocuSign Envelope ID: 3233FEB5-DD0A-4AEA-938C-BF562FBDE88A

Right Turn Lane Warrant Assessment

Four-Lane Highways

Based on NCHRP Report 279 / VDOT RDM Appendix F
"Intersection Channelization Guide"

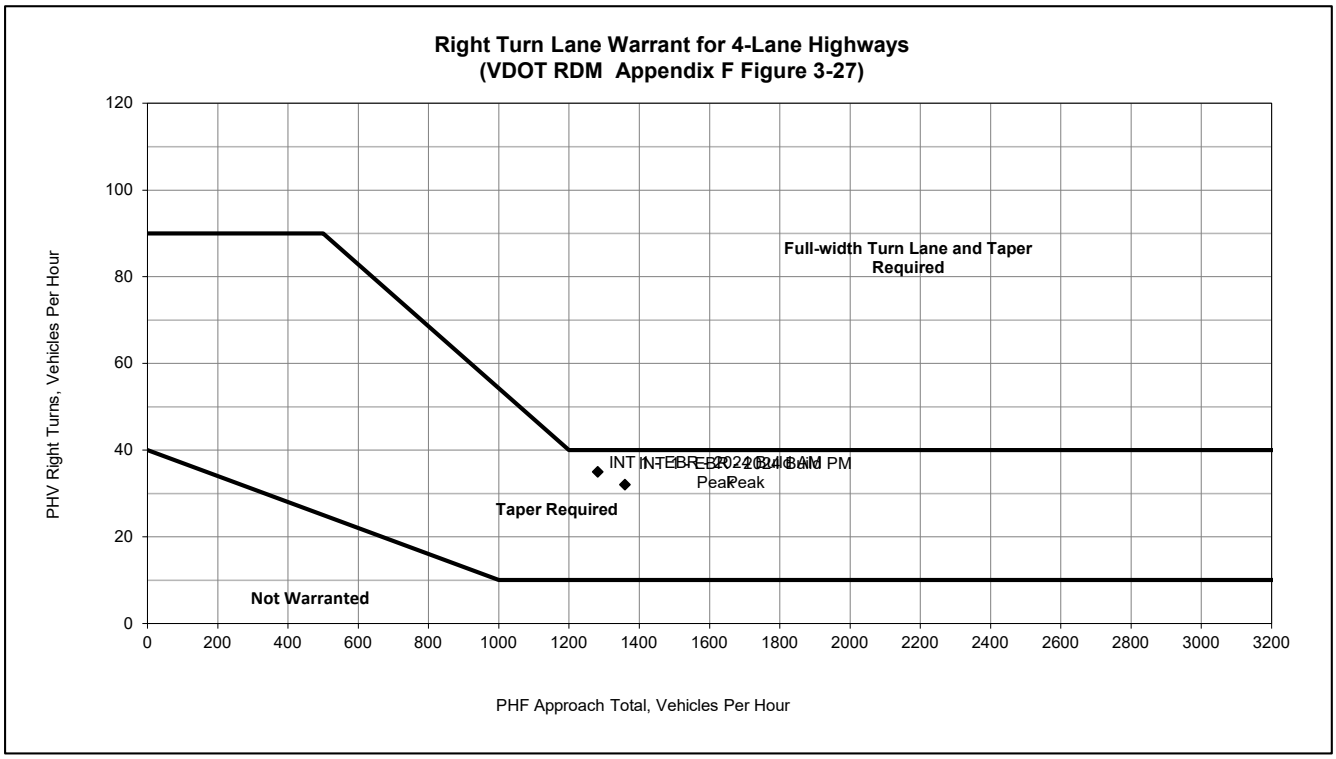
Background:

Warrants for right-turn storage lanes on four-lane highways at unsignalized intersections are based on Figure 3-27 in Appendix F of the Virginia Department of Transportation's (VDOT) ***Road Design Manual*** (RDM). This figure provides a graphical representation for determining the necessity of a right turn lane and / or taper by comparing the total volumes of a given approach with their respective right turn volumes.

Project Information:

Project:	Monticello Avenue Commercial
Project ID:	
Intersection(s) and Movement(s):	1 - Monticello Avenue at Site Driveway
Scenario:	Build (2024) Conditions
Analyst:	Gorove Slade

Study Scenario	Approach Volume	Right Turn Volume	Minimum Right Turn Taper Threshold	Minimum Right Turn Full Lane Threshold	Treatment
INT 1 - EBR - 2024 Build AM Peak	1,282	35	10	40	Taper Required
INT 1 - EBR - 2024 Build PM Peak	1,359	32	10	40	Taper Required



Ben Loppacker

From: Amanda Frazier
Sent: Tuesday, January 9, 2024 1:16 PM
To: Ben Loppacker
Subject: FW: [External]Re: SUP-23-0031 - Monticello Redevelopment

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From: WDTP Info <info@wdtp.com>
Sent: Tuesday, January 9, 2024 12:11 PM
To: Amanda Frazier <Amanda.Frazier@jamescitycountyva.gov>
Cc: Frank Polster <Frank.Polster@jamescitycountyva.gov>; Richard Krapf <Richard.Krapf@jamescitycountyva.gov>; Tim OConnor <Tim.OConnor@jamescitycountyva.gov>; Steve Rodgers <Steve.Rodgers@jamescitycountyva.gov>; Rob Rose <Rob.Rose@jamescitycountyva.gov>; Barbara Null <Barbara.Null@jamescitycountyva.gov>
Subject: [External]Re: SUP-23-0031 - Monticello Redevelopment

Amanda,

I'm curious as to why this is listed as Monticello Avenue shops rezoning when it appears to be a residential rezoning to business.

This area has been up for discussion a few times over the years with rezoning having been denied in the past due to traffic concerns by VDOT and planning commission members. See articles/videos below:

https://www.youtube.com/watch?v=D3GLIvxH9Sc&t=3327s

https://www.ipetitions.com/petition/stop-building-on-monticello-avenue-in

https://www.13newsnow.com/article/news/local/virginia/williamsburg/petition-circulating-to-stop-building-on-monticello-avenue-in-williamsburg/291-c35321b8-3af4-46ea-926b-775b95630087

https://wydaily.com/news/local/2020/01/22/no-go-for-new-retail-shops-on-monticello-avenue/

Community members have spoken out agains an SUP or rezoning for this area due to traffic concerns and it has only gotten worse over the past four years. **Is there new information the planning commission is considering with regards to development at this intersection? The county is currently flush with VACANT commercial space.**

The introduction statement made by Verdad Real Estate (Community Impact Statement_Nov 2023.pdf) states that the parcels located at 3897 IRONBOUND RD and 3905 IRONBOUND RD are designated Neighborhood Commercial on the Comprehensive Plan. According to James City County Property information system, this not the case for these residential properties. They are designated R8.

Will this be voted on by planning commission members during the February meeting? I haven't seen any physical signs located on this property of upcoming zoning hearings.

Susan Tisdale

Approved Minutes of the August 7, 2024, Planning Commission Regular Meeting

Z-23-0001/SUP-23-0031. Monticello Avenue Shops

Mr. Ben Loppacker, Planner, stated that Mr. Tim Trant, Kaufman & Canoles, P.C. on behalf of Mr. Brett Skinner of Verdad Real Estate Development, applied for a Rezoning and a commercial SUP for the development of three properties located at 4744 Old News Road, 3897 Ironbound Road, and 3905 Ironbound Road. The three parcels are currently zoned R-8, Rural Residential, and are designated Neighborhood Commercial by the Comprehensive Plan Land Use Map.

Mr. Loppacker stated that the proposal is to rezone 2.75 acres from R-8, Rural Residential, to B-1, General Business, with Proffers. The commercial SUP is to permit more than 10,000 square feet of commercial development of three 4,000-square-foot buildings fronting Monticello Avenue with shared parking. Mr. Loppacker noted that the applicant has indicated there is no specific commercial or office user at this point and the proposed site would take access from the existing right-in/right-out intersection located between the project area and Monticello Marketplace Shoppes.

Mr. Loppacker stated that the proposed site is located along the Monticello Community Character Corridor and is within the New Town Community Character Area. Mr. Loppacker stated that the applicant provided proffered design guidelines to ensure consistency with the character of the area.

Mr. Loppacker stated that staff finds this proposal to be compatible with surrounding development and consistent with the Comprehensive Plan and Zoning Ordinance. He stated that staff recommends that the Planning Commission recommend approval to the Board of Supervisors subject to the proposed proffers and SUP conditions. He further stated that staff also recommend modifying Condition No. 2 to require architectural elevations to be approved by the Director of Planning with consultation from the New Town Design Review Board (DRB).

Mr. Polster asked if the condition regarding maximum vehicle trips of 72 PM peak hour trips for this site would restrict the approval of the development of the adjoining parcel to the east if the potential new project led to an estimated PM peak hour trip count of over 72 for both sites.

Mr. Loppacker stated that the condition only applies to the three parcels included in this case. He further stated that the intent of the condition is that if a future proposed commercial use at the adjoining site were to cause the combined site to exceed 72 PM or 48 AM peak hour trips staff would be able to enforce that limit upon the submittal of a site plan. Mr. Loppacker further noted that not all changes of use on this site would require a site plan.

Mr. Polster stated he was concerned about how or if the condition in this SUP regarding vehicle trips would affect a potential future SUP for the adjoining parcel to the east of this site.

Mr. Loppacker stated that any future commercial use on that property would likely require a rezoning which would need to go before the Planning Commission and receive Board approval. He stated that he would have to double check if the vehicle trip cap condition for this SUP would apply to the adjoining parcel.

Mr. O'Connor opened the Public Hearing.

Mr. Trant, Kaufman & Canoles P.C., 4801 Courthouse Street, Suite 300, made a presentation to the Commission in support of the project.

Mr. Haldeman noted his concern about the required sidewalk on the southern side of the site.

Mr. Trant stated that the applicant was willing for that to not be included but his understanding was that it is required by the Ordinance and cannot be waived.

Mr. Polster stated he had concerns regarding the traffic impacts that this project would have. He referred to Table 3 on Page 8 of the project's Traffic Impact Analysis (TIA) which shows many traffic movements after the project is built with Level of Service ratings of D, E, and F. He noted that the County's Comprehensive Plan calls for ratings of C and above.

Mr. Trant stated that the ratings describe measures or ranges of delay at specific intersections. Mr. Trant stated that at the Monticello Avenue and Monticello Marketplace intersection the AM rating is C and the PM rating is D in both the build and no-build projections. Mr. Trant stated that he believes the only traffic movement that is notably impacted in the TIA is the westbound left turn lane on Monticello Avenue at the Monticello Avenue and Monticello Marketplace intersection. He stated that he believed this was because the entrance to the site was right-in/right-out and could not be directly entered from the west. He stated that the impact on that movement from the build to no-build projection was 34.6 seconds in the no-build projection to 37.5 seconds which he noted was less than 3 seconds.

Mr. Rodgers asked what was the maximum peak hour trips generated by the existing site to the west of this case's site.

Mr. Trant stated it was significantly more than 72 but he did not know the specific number.

Mr. Haldeman asked if Mr. Trant knew if any of these three parcels were previously taken to expand Monticello Avenue.

Mr. Trant stated that he did not know the answer but that Ms. Sutherland, who is a member of the family that owns two of the parcels, intends to speak to the Commission and that she may know the answer.

Mr. O'Connor asked if vape shops or CBD shops would be a permitted use if this case is approved with the proposed proffers and conditions.

Mr. Trant stated that he did not see either of those uses in the prohibited use list in the proffers but that it was not an intentional omission.

Mr. O'Connor stated that he views those uses as inconsistent with the Neighborhood Commercial designation.

Mr. Loppacker stated that vape shops and CBD shops would require a SUP to operate in the B-1 District which the applicant has requested for the rezoning of the properties.

Mr. O'Connor thanked Mr. Loppacker.

Mr. Polster asked Mr. Jason Grimes about the planned stormwater management measures for the site.

Mr. Grimes, AES Consulting Engineers, 5248 Olde Towne Road, Suite 1, stated that the intent was to manage the stormwater on-site as opposed to directing or sending it to any nearby sites. He further stated that the stormwater management for the site has not been fully designed and that it was purposefully not depicted on the Master Plan for this case because of the present state of flux that the State and County stormwater regulations were in. Mr. Grimes noted that if it were included there was the possibility that what was shown might not comply with the new regulations which would require an amendment to the Master Plan. Mr. Grimes stated that some of the stormwater management concepts they are considering are underground storage, manufactured treatment devices built for smaller footprints, and small rain gardens.

Mr. Polster asked if the drainage of any stormwater would go to the nearby VDOT drainage area.

Mr. Grimes stated yes and further described the current stormwater flow on the property.

Ms. Miriam Zumbrum, 101 Indigo Dam Road, spoke about her thoughts and concerns regarding the application.

Ms. Cheryl Ertl Sutherland, 1010 Brandon Court, Danville, VA, spoke in support of the application.

Mr. Leonard Sazaki, 3927 Ironbound Road, spoke about his thoughts on the application.

As no one else wished to speak, Mr. O'Connor closed the Public Hearing.

Mr. Polster spoke about the history of a similar project at this property and the traffic conditions and projections on Monticello Avenue near the project site. Mr. Polster stated that the Powhatan Creek subwatershed is rated suboptimal by the Powhatan Creek Watershed Management Plan due to the amount of impervious surface and that this project would compound the issue. He stated his wish that the forest area be preserved while compensating the landowners for the commercial value of the property. He recognized that option carries its own issues.

Mr. Everson inquired about how projected traffic impacts factor into the recommendation made by staff.

Mr. Loppacker stated that staff is guided by the Traffic Impact Analysis Submittal Requirements Policy which describes the Adequate Transportation Facilities Test for rezonings and SUPs. He stated that this test

is passed if either no off-site improvements are required by the TIA approved by VDOT and the Planning Director, which he noted is not the case for this project, or all off-site improvements that are recommended by the approved TIA report are guaranteed in a form approved by the Planning Director and the County Attorney. Mr. Loppacker stated that the only warranted improvement by the TIA report was the construction of a 100-foot eastbound right turn taper at the right-in/right-out intersection that accesses the site. Mr. Loppacker stated that the improvement was shown on the Master Plan, which means that the Adequate Transportation Facilities Test was passed. Mr. Loppacker noted that the passing of the test was noted in the Factors Favorable section of the staff report.

Mr. Polster asked if it was correct that the Comprehensive Plan has a traffic service goal of a C rating.

Mr. Loppacker stated yes.

Mr. Haldeman asked if it was correct that the intersections would not pass the test regardless of whether the project is built.

Mr. Loppacker stated yes.

Mr. Everson stated that the previous application for this property was the last case he voted on during his previous time on the Planning Commission and that he regretted his vote. He stated that the area surrounding the project was prone to high traffic due to its somewhat urban nature. He stated the area is roughly the same size as the commercial area near Patrick Henry Mall and Oyster Point Road in Newport News. Mr. Everson stated that at the time the area surrounding the project site was developed the high traffic was expected to be a result. He stated he saw two options for this property; either the County purchases the site or a project like this one is approved because he believes nothing would be made worse. He stated that he thought the required sidewalk did not make sense and asked if there was any possibility to waive it.

Mr. Loppacker stated that it is a requirement in the County's Ordinance but that there were specific exceptions and exemptions in Section 24-35 that he would double check to ensure they were not possible.

Mr. Haldeman spoke about the previous application for this property. He noted that he supported the previous application. He stated that the current traffic conditions on Monticello Avenue are the result of James City County's Land Use policies of the last 50 years. He stated that the intent of New Town and the Monticello Avenue corridor was to concentrate commercial and residential development to create a close-knit community without sprawl. He noted that sprawl developed nonetheless and has added to traffic issues in the area. He noted the Comprehensive Plan's TIA from 2017 found that on Monticello Avenue from News Road to Ironbound Road there were 43,254 average daily trips and it projected 69,000 average daily trips for that same area in 2045 which is a 60% increase. He stated that on Ironbound Road from John Tyler Highway to Monticello Avenue the average daily trips were 13,700 in 2017 while projecting 18,436 for 2045 which is a 40% increase. He noted that both of those projections would lead to a rating of severe for those roads and that the scope of these projections outweigh the traffic impacts of this application. He stated his belief that the owners of the properties in the application have been treated unfairly and that they deserve an opportunity to sell their properties. He noted his support for the application.

Mr. O'Connor noted his agreement with Mr. Haldeman about the responsibility of finding a way for the project to make sense for the property owners as well as the community. He thanked the applicant for the thoughtful nature of the application. He noted his preference for an exit onto Ironbound Road while acknowledging the benefits of the right-in/right-out on Monticello Avenue. He stated that he felt this was a smart use for the properties.

Mr. Rodgers stated that he felt this application was a no brainer due to its proximity to Route 199 and Monticello Avenue. He stated that since these are low density businesses this project would be the lesser of evils.

Mr. O'Connor asked for disclosures and apologized for not asking sooner.

Mr. Haldeman, Mr. Polster, and Mr. Maye each stated that they spoke with Mr. Trant earlier in the day.

Mr. Rodgers made a motion to approve Z-23-0001/SUP-23-0031. Monticello Avenue Shops with the attached conditions.

The motion passed 6-0.

SUMMARY FACTS

Applicant:	Mr. Benming Zhang of Kaufman & Canoles, P.C.
Landowners:	Mr. Joseph M. and Ms. Rita M. Roney
Proposal:	To allow for a two-family dwelling; to request approval for a waiver requiring the dwelling connect to public sewer.
Location:	135 Country Club Drive
Tax Map/Parcel No.:	3810200033
Property Acreage:	± .35 acres
Zoning:	R-2, General Residential
Comprehensive Plan:	Low Density Residential
Primary Service Area (PSA):	Inside
Staff Contact:	Terry Costello, Senior Planner

PUBLIC HEARING DATES

Planning Commission:	July 2, 2024, 6:00 p.m.
Board of Supervisors:	October 8, 5:00 p.m.

FACTORS FAVORABLE

1. There is adequate off-street parking provided.
2. With the proposed conditions, staff finds the proposal compatible with the surrounding zoning and development.
3. With the proposed conditions, staff finds the proposal consistent with the recommendations of the Comprehensive Plan.
4. Impacts: See Impact Analysis on Pages 5-6.
5. See Comprehensive Plan Analysis on Page 7.

FACTORS UNFAVORABLE

1. Impacts: See Impact Analysis on Pages 5-6.
2. See Comprehensive Plan Analysis on Page 7.

SUMMARY STAFF RECOMMENDATION

Staff recommends approval of this application, subject to the proposed conditions. Staff also recommends approval of the waiver to connect to public sewer as required per Section 24-260 of the James City County Zoning Ordinance.

PLANNING COMMISSION RECOMMENDATION

At its July 2, 2024, meeting, the Planning Commission recommended approval of this Special Use Permit (SUP) application by a vote of 6-1. The Planning Commission also recommended approval of the waiver to connect to public sewer as required per Section 24-260 of the James City County Zoning Ordinance by a vote of 7-0.

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

PROPOSED CHANGES MADE SINCE THE PLANNING COMMISSION MEETING

None.

PROJECT DESCRIPTION

Mr. Benming Zhang of Kaufman & Canoles, P.C. has applied on behalf of Ms. Rita M. Roney for an SUP to allow for a multifamily dwelling, specifically a two-family dwelling. An SUP is required for multifamily dwellings in the R-2 Zoning District.

A building permit was issued on September 2, 2022, to add an attached accessory apartment to a three-bedroom residence. The accessory apartment is approximately 648 square feet which brings the total square footage of the home to 3,205 square feet.

Zoning staff worked with the owner during the review of the building permit to ensure the design of the apartment appeared consistent with the existing single-family dwelling, a requirement of the Zoning Ordinance. As such, a screen wall concealing the stairs leading to the apartment facing the adjacent property and visible from Country Club Drive was required. A door was proposed on the front of the house facing the right-of-way, providing access to the stairs.

R-2, General Residential, allows attached accessory apartments as a permitted use in accordance with Section 24-32(a) of the Zoning Ordinance, which states that attached accessory apartments shall comply with the following requirements (staff comments in *italics*):

1. Only one accessory apartment shall be created within a single-family dwelling.

   Only one accessory apartment was constructed.

2. The accessory apartment shall be designed so that the appearance of the building remains that of a single-family residence. New entrances shall be located on the side or rear of the building and the apartment may not occupy more than 35% of the floor area of the dwelling.

   The stairs to the accessory apartment were enclosed by a screen wall facing the right-of-way and adjacent property giving the appearance of a single-family dwelling. The accessary apartment occupies approximately 20% of the total square foot area of the residence (3,205 square feet).

3. For purposes of location and design, the accessory apartment is part of the main structure and shall meet all setback, yard, and height regulations applicable to main structures in the zoning district in which it is located.

   The accessory apartment is part of the main structure and meets all regulations applicable to main structures in the R-2, General Residential Zoning District.

4. Off-street parking shall be required in accordance with Section 24-54 of the Zoning Ordinance.

   Section 24-59 states that the minimum off-street parking required for a single-family unit with an accessory apartment is three parking spaces. The residence has a two-car garage as well as a driveway, which meets the Ordinance requirements for three parking spaces.

Therefore, the building permit as submitted and approved met the requirements of the Zoning Ordinance.

On April 27, 2023, Zoning staff performed a site visit to confirm setbacks and it was noted at that time that the screen wall and door

were not installed per the approved plans. Staff informed the builder that in order to be compliant with the Ordinance for accessory apartments these items needed to be completed prior to the issuance of a Certificate of Occupancy.

The builder and owner then initiated discussions with Zoning staff about changing the previously approved plans to allow the stairs to remain as is (not enclosed). The Zoning Administrator then informed the owner and builder that at the time of permit approval, the wall concealing the stairway from the front of the existing house was necessary to ensure that the appearance of the building remained that of a single-family dwelling.

Staff has determined that the current attached accessory apartment with the unenclosed stairs does not meet the Zoning Ordinance requirements for attached accessary apartments. Therefore, it is considered a two-family dwelling. The property owner, Ms. Rita Roney, is seeking approval of a two-family dwelling through the SUP process.

According to Section 24-260, Special Provisions for multifamily up to two units require the following (staff comments in *italics*):

1. Served by a public water system;

   The property is connected to public water.

2. Served by a public sewer system;

   The property has a private sewer system (i.e., septic system).

3. Required to have a minimum lot size of 15,000 square feet;

   The lot size is 15,246 square feet.

4. Required to meet all other requirements of the R-2, General Residential District.

   The second dwelling unit meets all the requirements of the District.

The applicant does not wish to connect to the James City Service Authority (JCSA) sewer system and has, therefore, also requested a waiver be approved by the Board of Supervisors. Per the Zoning Ordinance, upon application, the Board of Supervisors may grant a waiver from the public sewer connection requirement referenced above upon finding (staff comments in *italics*):

1. The development site is a single lot recorded or legally in existence prior to the date of adoption of this section;

   The lot was platted on November 29, 1967, and re-platted on June 28, 1968. Section 24-260 was adopted on April 8, 1985.

2. The Virginia Department of Health (VDH) has approved the location and adequacy of the proposed septic drain fields;

   The VDH has approved the application.

3. The proposed multifamily units are located inside the PSA and are in accord with the JCSA Regulations Governing Utility Service.

   The property is located inside the PSA and JCSA has approved the application.

Staff finds that the proposal meets all the requirements of Section 24-260.

PLANNING AND ZONING HISTORY

- There have been no legislative cases associated with the property.

SURROUNDING ZONING AND DEVELOPMENT

- The property is located within the Williamsburg West Subdivision.

- The following table lists the information on the adjacent parcels:

	ZONING DESIGNATION	EXISTING LAND USE	FUTURE LAND USE DESIGNATION
NORTH	R-2, General Residential	Residential - Williamsburg West Subdivision	Low Density Residential
SOUTH	R-2, General Residential	Residential - Williamsburg West Subdivision	Low Density Residential
EAST	R-2, General Residential	Residential - Williamsburg West Subdivision	Low Density Residential
WEST	R-4, Residential Planned Community	Residential - Ford's Colony Subdivision	Low Density Residential

Impacts/Potentially Unfavorable Conditions	**Status** *(No Mitigation Required/Mitigated/Not Fully Mitigated)*	**Considerations/Proposed Mitigation of Potentially Unfavorable Conditions**

Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

Public Transportation: Vehicular	No Mitigation Required	- The proposal is not anticipated to generate traffic exceeding a typical residential use. - The subject property is located on a local road. However, staff believes that the road is adequate for this use.
Public Transportation: Bicycle/Pedestrian	No Mitigation Required	- There are no changes to the existing footprint of the building and bicycle and pedestrian accommodations are not required per Section 24-35(c)(2) of the Zoning Ordinance.
Public Safety	No Mitigation Required	- Fire Station 3 on John Tyler Highway serves this area of the County and is approximately four miles from the property. - Staff finds this project does not generate impacts that require mitigation to the County's Fire Department facilities or services.
Public Schools	No Mitigation Required	- Staff finds this project does not generate impacts that require mitigation.
Public Parks and Recreation	No Mitigation Required	- Staff finds this project does not generate impacts that require mitigation.
Public Libraries and Cultural Centers	No Mitigation Required	- Staff finds this project does not generate impacts that require mitigation.
Groundwater and Drinking Water Resources	No Mitigation Required	- The property is served by public water and private sewer. - The proposal does not generate impacts that require mitigation to groundwater or drinking water resources. - The VDH has issued a Conditional Use Permit (CUP) that restricts the number of occupants, to include both dwellings, to a total of six occupants.
Watersheds, Streams, and Reservoirs Project is located in the Mill Creek Watershed.	No Mitigation Required	- The Stormwater and Resource Protection Division has reviewed this application and had no objections. No new impervious surface is proposed as part of this SUP request. Should exterior site improvements be made in the future, those improvements would be subject to plan approval and additional environmental review at that time.
Impacts/Potentially Unfavorable Conditions	**Status** *(No Mitigation Required/Mitigated/Not Fully Mitigated)*	- **Considerations/Proposed Mitigation of Potentially Unfavorable Conditions**

Cultural/Historic	No Mitigation Required	- The subject property has been previously disturbed and has no known cultural resources on-site.
Nearby and Surrounding Properties	Mitigated	- The proposal includes no new associated development. Future expansions of the use would require an SUP amendment. - Condition No. 4 limits the size of the additional dwelling.
Community Character	No Mitigation Required	- Country Club Drive is not designated as a Community Character Corridor and this parcel is not located within a Community Character Area.
Covenants and Restrictions	No Mitigation Required	- There is a CUP issued by the VDH that limits the number of occupants for both dwellings to six occupants.

COMPREHENSIVE PLAN

The site is designated Low Density Residential on the Comprehensive Plan Land Use Map. All surrounding properties are designated Low Density Residential. For Low Density Residential, appropriate primary uses recommended by the Comprehensive Plan include single-family homes, multifamily units, accessory units, and cluster housing.

Staff finds the proposal consistent with the recommendations of the Comprehensive Plan.

STAFF RECOMMENDATION

Staff finds the proposal compatible with surrounding zoning and development and consistent with the recommendations of the Comprehensive Plan. Staff, therefore, recommends approval of this application, subject to the proposed conditions. Staff also recommends that the Board of Supervisors approve the waiver for public sewer as required in Section 24-260 of the Zoning Ordinance.

TC/md
SUP24-8_135CClub

Attachments:
1. Resolution
2. Location Map
3. Master Plan
4. Applicant Narrative
5. Applicant's Waiver Request for Sewer Connection
6. BLDR-22-0250 - Construction Drawings
7. Citizen Comments
8. Approved Minutes of the July 2, 2024, Planning Commission Meeting

R E S O L U T I O N

CASE NO. SUP-24-0008. 135 COUNTRY CLUB DRIVE TWO-FAMILY UNIT

WHEREAS, the Board of Supervisors of James City County, Virginia (the "Board"), has adopted by Ordinance specific land uses that shall be subjected to a Special Use Permit ("SUP") process; and

WHEREAS, Mr. Benming Zhang of Kaufman & Canoles, P.C., has applied on behalf of Ms. Rita Roney, for an SUP to allow for a two-family dwelling located at 135 Country Club Drive and further identified as James City County Real Estate Tax Map Parcel No. 3810200033 (the "Property"); and

WHEREAS, the Planning Commission, following its public hearing on July 2, 2024, recommended approval of Case No. SUP-24-0008 by a vote of 6-1; and

WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing conducted on Case No. SUP-24-0008; and

WHEREAS, the Board finds this use to be consistent with good zoning practices and the Comprehensive Plan Land Use Map designation for the Property; and

WHEREAS, the Planning Commission also recommended approval of a waiver from the public sewer connection requirement of County Code Section 24-260 by a vote of 7-0; and

WHEREAS, the Board finds: (1) the development site is a single lot recorded or legally in existence prior to the date of adoption of County Code Section 24-260; and (2) the state health department has approved the location and adequacy of the proposed septic drain fields; and (3) the proposed multifamily unit is located in the Primary Service Area and is in accord with the James City Service Authority Regulations Governing Utility Service.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after consideration of the factors in Section 24-9 of the James City County Code (the "County Code"), does hereby approve the issuance of Case No. SUP-24-0008, as described herein with the following conditions:

1. *Master Plan*. This SUP shall be valid for a two-family dwelling unit (the "Project") located at 135 Country Club Drive and further identified as James City County Real Estate Tax Map Parcel No. 3810200033 (the "Property"). Development of the Project on the Property shall be in accordance with Section 24-32(b) of the James City County Code (the "County Code"), as amended, and shall occur generally as shown on the document entitled, "SUP-24-0008, 135 Country Club Drive Two-Family Unit," dated June 7, 2023 (the "Master Plan"), with any deviations considered pursuant to Section 24-23(a)(2) of the County Code, as amended.

2. *Recordation*. A certified copy of the Board of Supervisors' SUP resolution shall be recorded against the Property in the Williamsburg/James City County Circuit Court prior to issuance of any Certificate of Occupancy (CO) for the Project. Proof of recordation shall be provided to the Zoning Administrator.

3. *Dwelling Occupied*. An updated CO shall be provided to the Director of Planning within 12 months from the issuance of the SUP, or this SUP shall automatically be void.

4. *Square Footage*. The second dwelling unit built pursuant to the building permit issued on September 2, 2022, shall be no more than 650 square feet.

5. *Access*. No new ingress/egress points, driveways, or access paths shall be created to Country Club Drive.

6. *Severance Clause*. This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, after consideration of the factors found in County Code Section 24-260(c), does hereby approve a waiver from the public sewer connection requirement of County Code Section 24-260.

_____
Ruth M. Larson
Chair, Board of Supervisors

ATTEST:

_____
Teresa J. Saeed
Deputy Clerk to the Board

	VOTES			
	AYE	NAY	ABSTAIN	ABSENT
NULL	____	____	____	____
HIPPLE	____	____	____	____
MCGLENNON	____	____	____	____
ICENHOUR	____	____	____	____
LARSON	____	____	____	____

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of October, 2024.

SUP24-8_135CClub-res

SUP-24-0008, 135 Country Club Drive Two-Family Unit



SUP-24-0008, 135 Country Club Drive Two-Family Unit

Property Information

Tax Map ID: 3810200033
Roney, Joseph M. & Rita M.
135 Country Club Drive
Williamsburg, VA 23188
Zoning: R2 General Residential
2045 Comp Plan: Low Density Residential
Legal Acreage: .35 acres

General Notes

1. Site is served by public water and private sewer.
2. Property is not located in a FEMA Flood zone.
3. Property does not contain Resource Protected Area.
4. Property has an existing driveway.
5. A minimum of two parking spaces shall be provided for each unit.

Sheet Index

1. Cover Page
2. Location Page
3. Site Details

June 7, 2024



Maps Not to Scale

Adjacent Properties

3810200034
Laughner, Ginger
100 Lexington Drive
Williamsburg, VA 23188-1529
R-2, General Residential

3810200035
Miller, Zachary J.
102 Lexington Drive
Williamsburg, VA 23188-1529
R-2, General Residential

3811200001A
Ford's Colony at Williamsburg
Homeowners Association
100 Manchester
Williamsburg, VA 23188-7404
R-4, Residential Planned Community

3810200032
Berryhill, Tammy L.
137 Country Club Drive
Williamsburg, VA 23188-1567
R-2, General Residential

3810200017
Merkely, Donald J. Trustee & Ann M. Trustee
136 Country Club Drive
Williamsburg, VA 23188-1516
R-2, General Residential

3810200016
Garves, John C. & Carrie L.
134 Country Club Drive
Williamsburg, VA 23188-1516
R-2, General Residential

SUP-24-0008, 135 Country Club Drive Two-Family Unit



SUP-24-0008, 135 Country Club Drive Two-Family Unit















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Benming Zhang
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bzhang@kaufcan.com

April 24, 2024

HAND DELIVERED AND ELECTRONICALLY SUBMITTED

James City County Planning Division
Attention: Ms. Susan Istenes
101 Mounts Bay Road, Building A
Williamsburg, Virginia 23185

Re: Special Use Permit Application
My Client: Rita Roney
Subject Property: 135 Country Club Drive, Williamsburg, VA 23188
Parcel ID: 3810200033

Dear Ms. Istenes:

I represent Ms. Roney relative to the special use permit application on the above-referenced subject property located at 135 Country Club Drive, Williamsburg, VA (the "Property") for a duplex use. The Property contains approximately 0.35 acres and is zoned R2 General Residential. Furthermore, the Property is currently improved by a two-story single-family detached home. The purpose of this letter is to provide background information regarding proposed development of the Property, as well as to request waivers of certain submittal requirements under the James City County Zoning Ordinance.

BACKGROUND

Ms. Roney initially sought construction of an attached accessory apartment pursuant to Section 24-32 of the James City County Zoning Ordinance to allow for her daughter to reside in the house with some privacy. Because attached accessory apartments are permitted under the R2 General Residential zoning district as by-right, Ms. Roney's representative submitted a detailed construction rendering and site plan (the "Plan") to James City County Community Development ("Staff") on or about January 11, 2022. The Plan underwent at least three rounds of revisions responsive to Staff's comments before approval, and the Property underwent construction with the appropriate permit(s).

PROPOSED TWO-UNIT MULTI-FAMILY USE

Ms. Roney seeks by special use permit a multi-family dwelling unit specifically for the purposes of leaving the external staircase in front of the existing house unenclosed. Under her previous submission made pursuant to Section 24-32 of the James City County Zoning Ordinance, she would have been required to install walls hiding the stairway to ensure the appearance of the residence remained that of a single-

family dwelling. Upon productive conversations with the James City County Zoning Administrator, Ms. Roney has decided to seek approval of leaving her stairway unenclosed through the legislative process by seeking approval for a multi-family dwelling unit use. Her overall goal remains the same: to provide for a secure and private space for her daughter to reside within the same building.

Ms. Roney submitted a conceptual plan (C-23-0065) which was reviewed by Staff on a proposed SUP application. From the various departmental feedback and review, Ms. Roney retained Adam Herman, AOSE, to review, update (as necessary) and conduct a condition assessment for a proposed multi-family use for the Hampton and Peninsula Health Districts of the Virginia Department of Health ("VDH") review and approval. On March 14, 2024, VDH provided its approval letter dated March 14, 2024 subject to the conditions of approval, and most notably a maximum of 6 occupants.

SUBMITTAL WAIVER REQUESTS

Additionally, Ms. Roney requests a waiver from the following submittal requirements, which are not applicable to the project:

1) Traffic impact study – The project is not expected to generate 100 or more weekday peak hour trips to and from the site;

2) Environmental information – This project is not expected to create any significant environmental impacts; stormwater management will be addressed at the site plan stage;

3) Phase IA archaeological study – The property is not identified as being an ultra- or highly-sensitive area on the James City County archaeological assessment;

4) Preliminary natural resource inventory – This can be addressed in SUP conditions if staff identifies the Property as being in a B1, B2, or B3 district;

5) Fiscal impact analysis – No residential dwelling units are included in the proposal; and

6) Parks and recreation information – The proposal does not implicate the parks and recreation master plan proffer guidelines.

Thank you for your consideration and attention to this proposal.

Very truly yours,

Benming Zhang

BZ:
Enclosures

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attorneys at law

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Benming Zhang
(757) 259.3822
bzhang@kaufcan.com

June 13, 2024

ELECTRONICALLY SUBMITTED

James City County Planning Division
Attention: Ms. Terry Costello
101 Mounts Bay Road, Building A
Williamsburg, Virginia 23185

Re: SUP-24-0008
135 Country Club Drive Two-Family SUP
Request for Waiver from Public Sewer Connection Requirement

Dear Terry:

I represent Ms. Roney relative to the special use permit application on the subject property located at 135 Country Club Drive, Williamsburg, VA (the "Property") for a duplex use. The purpose of this letter is to request a waiver of the public sewer connection requirements under Section 24-260(c) of the James City County Code (the "Zoning Ordinance").

Pursuant to the Zoning Ordinance, "[u]pon application, the board of supervisors may grant a waiver from the sewer connection" based on the finding of three factors. The Property meets the waiver requirements because: (1) the Property was platted and recorded prior to the date of the adoption of Section 24-260(c) of the Zoning Ordinance; and (2) the Hampton and Peninsula Health Districts of the Virginia Department of Health provided its approval of the location and adequacy of the existing septic drainfield(s) for the proposed SUP; and (3) the Property is located in the primary service area and are in accord with the James City Service Authority Regulations Governing Utility Service.

Accordingly, we respectfully request that Staff recommend and the Board of Supervisors approve my client's waiver request from the public sewer connection requirement under Section 24-260(c) of the Zoning Ordinance.

Very truly yours,

Benming Zhang

RONEY ACCESSORY DWELLING UNIT ADDITION

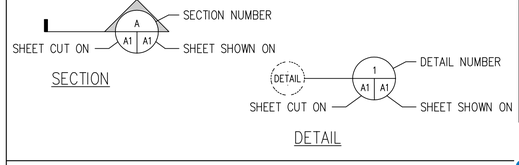
135 COUNTRY CLUB DRIVE

JAMES CITY COUNTY VIRGINIA

ABBREVIATION INDEX

&	AND	FT.	FOOT	Q.T.	QUARRY TILE
@	AT	FURN.	FURNITURE	QTY.	QUANTITY
A/C	AIR CONDITIONING	GA.	GAUGE	R.A.	ALLIED DOMECQ
A.D.	AREA DRAIN	GALV.	GALVANIZED	RAD.	RADIUS
A.F.F.	ABOVE FINISH FLOOR	GYP. BD.	GYPSUM BOARD	REF.	REFRIGERATOR
ALUM.	ALUMINUM	HDWD.	HARDWOOD	REINF.	REINFORCING
ALT.	ALTERNATE	HDR.	HEADER	REV.	REVISION
APPROX.	APPROXIMATE	H.M.	HOLLOW METAL	REQ'D	REQUIRED
BD.	BOARD	HORIZ.	HORIZONTAL	RESIL.	RESILIENT
BLDG.	BUILDING	HGT.	HEIGHT	RM.	ROOM
BM.	BEAM	I.D.	INSIDE DIAMETER	R.O.	ROUGH OPENING
BSMT.	BASEMENT	INSUL.	INSULATION	SCHED.	SCHEDULE
BTWN.	BETWEEN	INT.	INTERIOR	SEC.	SECTION
BOT.	BOTTOM	JT.	JOINT	S.F.	SQUARE FOOT
C.L.	CENTER LINE	KIT.	KITCHEN	SHT.	SHEET
C.T.	CERAMIC TILE	LAM.	LAMINATE	SIM.	SIMILAR
CLG.	CEILING	LAV.	LAVATORY	SPEC.	SPECIFICATION
CLOS.	CLOSET	LT.	LIGHT	SQ.	SQUARE
CM	CONSTRUCTION MGR.	MAS.	MASONRY	S.S.	STAINLESS STEEL
CMU	CONC. MASONRY UNIT	MAX.	MAXIMUM	STD.	STANDARD
COL.	COLUMN	MECH.	MECHANICAL	STL.	STEEL
CONC.	CONCRETE	MTL.	METAL	STRUCT.	STRUCTURAL
CONT.	CONTINUOUS	MFR.	MANUFACTURER	SUSP.	SUSPENDED
CONST.	CONSTRUCTION	MIN.	MINIMUM	TEL.	TELEPHONE
(D) BEAM	DROP BEAM	MISC.	MISCELLANEOUS	THK.	THICK
DEPT.	DEPARTMENT	M.O.	MASONRY OPENING	THRU	THROUGH
DTL.	DETAIL	MTD.	MOUNTED	T.O.P.	TOP OF PLATE
D.F.	DRINKING FOUNTAIN	N.I.C.	NOT IN CONTRACT	T.O.S.	TOP OF STEEL
DIA.	DIAMETER	NO.	NUMBER	T.O.SL.	TOP OF SLAB
DIM.	DIMENSION	NOM.	NOMINAL	TRT.	TREATED
DISP.	DISPENSER	N.T.S.	NOT TO SCALE	TYP.	TYPICAL
DN.	DOWN	O.A.	OVERALL	V.C.B.	VINYL COMPOSITION BASE
DR.	DOOR	O.C.	ON CENTER	V.C.T.	VINYL COMPOSITION TILE
D.S.	DOWN SPOUT	O.D.	OUTSIDE DIAMETER	VERT.	VERTICAL
DWG.	DRAWING	OPNG.	OPENING	V.I.F.	VERIFY IN FIELD
EA.	EACH	OPT.	OPTIONAL	V.W.C.	VINYL WALL COVERING
EL.	ELEVATION	PL.	PLATE	W/	WITH
ELEC.	ELECTRICAL	P.LAM.	PLASTIC LAMINATE	W.C.	WATER CLOSET
EQ.	EQUAL	PLUMB.	PLUMBING	WD.	WOOD
EQUIP.	EQUIPMENT	PLYWD.	PLYWOOD	W/O	WITHOUT
EXIST.	EXISTING	PR.	PAIR	WP.	WATERPROOFING
EXT.	EXTERIOR	PROP.	PROPERTY	WT.	WEIGHT
(F) BEAM	FLUSH BEAM	P.S.F.	PER SQUARE FOOT	WWM.	WELDED WIRE MESH
F.D.	FLOOR DRAIN	P.S.I.	PER SQUARE INCH		
F.S.	FLOOR SINK	PTD.	PAINTED		
FIN.	FINISH	P.V.C.	POLY VINYL CHLORIDE		
FL.	FLOOR				
F.O.	FACE OF				

GRAPHIC SYMBOLS



LEGEND

SYM.	DESCRIPTION	SYM.	DESCRIPTION
	EXIST. 2x4 STUD WALL	1/23	ROOM NUMBER
	2x4 STUD WALL	1	DOOR NUMBER
	2x4 LOAD BEARING WALLS	A	WINDOW MARK
	BRICK VENEER		POST
	CONCRETE MASONRY UNIT (CMU)		POST (ABOVE)
	CONCRETE		MECHANICAL VENTILATION

INDEX OF DRAWINGS

1	COVER SHEET, BUILDING DATA & INDEXES
2	GENERAL NOTES
3	PLAN VIEWS
4	PLAN VIEWS
5	WALL BRACING & FRAMING PLANS
6	ELEVATION VIEWS
7	SECTIONAL VIEW & MISCELLANEOUS DETAILS

PROJECT DATA

DESCRIPTION	SQ. FOOTAGE
1ST FLOOR LIVING:	664
2ND FLOOR DECK:	100
TOTAL PROJECT:	764

ROOF VENTILATION ADDITION

896 / 150 SQUARE FEET = 5.9733 SQUARE FEET "REQUIRED"

PROVIDED MINIMUM OF FOLLOWING:

40.0 = LINEAR FEET RIDGE VENT FOR 5.00 SQ. FT. NET FREE AREA
64.0 = LINEAR FEET CONTINUOUS SOFFIT VENT FOR 4.00 SQ. FT. NET FREE AREA
0 = (NO.) INDIVIDUAL ROOF VENTS AT 0 SQ. FT. EACH NET FREE AREA
0 = (NO.) INDIVIDUAL GABLE END VENTS AT 0 SQ. FT. EACH NET FREE AREA

TOTAL = 9.00 SQUARE FEET.

DESIGN CODES

1. JURISDICTION:
JAMES CITY COUNTY, VIRGINIA

2. BUILDING CODES:
A. THE VIRGINIA STATEWIDE BUILDING CODE; 2018

B. THE INTERNATIONAL RESIDENTIAL CODE; 2018 EDITION AS AMENDED
1.) ACCESSORY DWELLING UNITS IN SECTION R302.3, EXCEPTION 3.

C. ALL APPLICABLE STATE AND LOCAL CODES, ORDINANCES AND REGULATIONS

1.) ELECTRICAL: 2018 INTERNATIONAL RESIDENTIAL CODE, SECTION E3301.2
2.) MECHANICAL: 2018 INTERNATIONAL RESIDENTIAL CODE, SECTION M1201.1
3.) GAS PLUMBING: 2018 INTERNATIONAL RESIDENTIAL CODE, SECTION G2402.1
4.) PLUMBING: 2018 INTERNATIONAL RESIDENTIAL CODE, SECTION P2501.2
5.) ENERGY EFFICIENCY: 2018 IRC, SECTION N1101.1
6.) SMOKE DETECTORS: 2018 IRC, SECTION 314.1
7.) CARBON MONOXIDE ALARMS: 2018 IRC, SECTION 315.1
8.) FIRE EXTINGUISHERS: 2018 IRC, SECTION 329.1
9.) ROOF DRAINAGE: 2018 IRC, SECTION 801.3

3. DESIGN LOADS:
A. WIND SPEED..... 115 MPH
EXPOSURE=..... B
IMPORTANCE FACTOR, I=..... 1.0
B. ROOF LIVE LOAD..... 20 PSF
ROOF DEAD LOAD..... 15 PSF
SNOW LOAD..... 20 PSF
C. FLOOR LIVE LOAD..... 40 PSF
FLOOR DEAD LOAD..... 10 PSF
D. SLAB ON GRADE ..... 100 PSF
E. ATTICS (w/ STORAGE)..... 20 PSF
(w/out STORAGE)..... 10 PSF

4. SOILS INFORMATION:
A. BEARING CAPACITY..... 1,500 PSF
B. SHRINK SWELL POTENTIAL..... LOW
C. MINIMUM FOOTING EMBEDMENT..... 18 INCH DEPTH

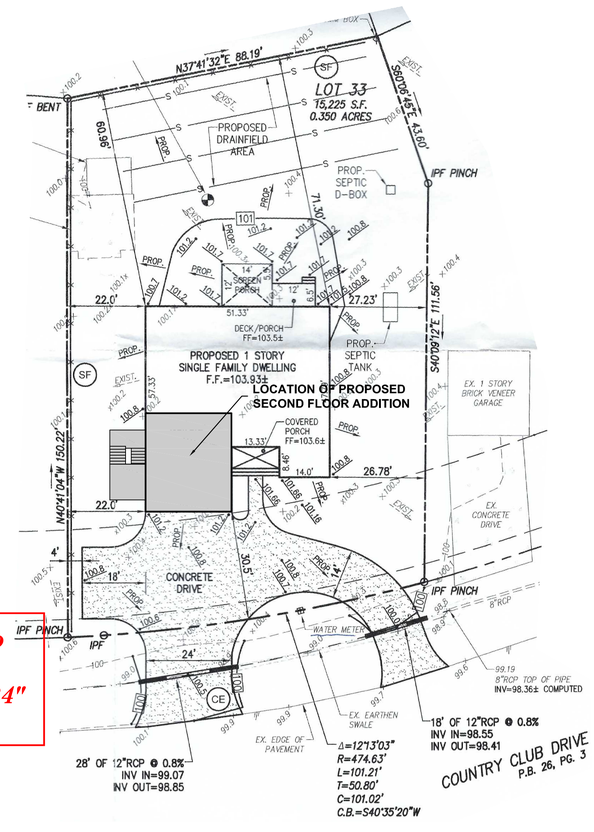
FINISH SCHEDULE

NO.	ROOM	FLOOR	WALLS	CEILING	CLG HT	REMARKS
100	GARAGE	CONC.	1/2" GYP.	5/8" TYPE "X"	±9'-1"	
200	COVERED DECK	5/4 DECKING	RAILING	VINYL SOFFIT	9'-1"	
201	LIVING ROOM	WOOD	1/2" GYP	1/2" GYP	9'-1"	
202	KITCHEN	WOOD	1/2" GYP	1/2" GYP	9'-1"	
203	BATHROOM	VCT.	1/2" GYP	1/2" GYP	9'-1"	
204	BEDROOM	WOOD	1/2" GYP	1/2" GYP	9'-1"	
205	STUDY	WOOD	1/2" GYP	1/2" GYP	9'-1"	

NOTES: AS NOTED

SITE PLAN

SCALE: 1" = 20'



Job Site plans must be printed to scale & legible. Minimum size allowed on site for inspections is 24" x 36"

Approved for general conformance to the 2018 USBC. The approval of these plans does not relieve the contractor from complying with all of the applicable provisions of the Virginia Uniform Statewide Building Code. Any change made to the plans or in the field including changes in the engineered products must be approved through JCC Code Compliance. Failure to build what is documented and approved is cause for inspection rejection

Revision Approved by SLM

11/04/2022 1:24:22 PM

NOTES:
BUILDER AT BUILDER'S DISCRETION MAY SUBSTITUTE BRAND NAMES, MATERIALS & SPECIFICATIONS, PROVIDED CHANGES MEET BUILDING CODE REQUIREMENTS.

SITE PLAN IS FOR ILLUSTRATION PURPOSES ONLY, THE EXISTING SITE PLAN CREATED BY AES CONSULTING ENGINEERS

JOB SITE COPY

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Drafting services provided by R.J.H. Drafting & Designs, Inc.
CONTACT INFORMATION:
RONALD HUDIK PHONE: 757 876 1882
P.O. BOX 3683 WILLIAMSBURG, VA 23187

NOTES:
ALL DRAFTING & DESIGNS, INC., ASSUMES NO LIABILITY FOR ANY DWELLING CONSTRUCTED FROM THESE PLANS. IT IS THE RESPONSIBILITY OF THE BUILDER TO VERIFY ALL DIMENSIONS AND CONDITIONS PRIOR TO CONSTRUCTION. ANY DISCREPANCIES SHALL BE REPORTED TO R.J.H. DRAFTING & DESIGNS, INC., BEFORE ANY CONSTRUCTION BEGINS. R.J.H. DRAFTING & DESIGNS, INC., WILL NOT BE RESPONSIBLE FOR ANY CONSTRUCTION PERFORMED FROM THESE CONSTRUCTION DOCUMENTS. THE BUILDER IS RESPONSIBLE FOR ALL CONSTRUCTION METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES AND FOR COORDINATING ALL PORTIONS OF THE WORK. ANY CHANGES MADE IN THE PLANS, INCLUDING ANY STRUCTURAL CHANGES, MUST BE APPROVED BY A LICENSED PROFESSIONAL ENGINEER. R.J.H. DRAFTING & DESIGNS, INC., DOES NOT ASSUME RESPONSIBILITY FOR ANY STRUCTURAL CHANGES MADE TO THESE PLANS. ALL CONSTRUCTION SHALL COMPLY WITH ALL APPLICABLE CODES AND ORDINANCES. CONSTRUCTION DRAWINGS ARE NOT TO BE USED FOR BIDDING PURPOSES. CONSTRUCTION DRAWINGS ARE PROTECTED BY COPYRIGHT LAWS AND MAY NOT BE REPRODUCED IN ANY MANNER WHATSOEVER.

Drawn By:	Scale: AS NOTED	Date: 01/11/22	File Name: 22003

No.	Revision	App. Date
1	REV PER JCC ZONING COMMENTS DATED 05.04.22	06.14.22
2	REV PER JCC ZONING COMMENTS DATED 06.21.22 (STAIRS)	06.24.22
3	REV PER JCC ZONING COMMENTS DATED 06.27.22 (STAIRS)	07.06.22
4	REV LAYOUT/DECK/STAIR PEREQXISTING UTILITIES	09.29.22

RONEY ADDITION
135 COUNTRY CLUB DRIVE
WILLIAMSBURG WEST
COVER SHEET, BUILDING DATA & INDEXES
JAMES CITY COUNTY VIRGINIA

Job Number	Sheet No.
22003	1

C:\Users\ronal\Desktop\2022\22003 RONEY\22003 Layouts 09.29.22.dwg

GENERAL NOTES AND REQUIREMENTS

R.J.H. DRAFTING & DESIGNS, INC. ASSUMES NO LIABILITY FOR ANY HOME CONSTRUCTED FROM THIS PLAN. IT IS THE RESPONSIBILITY OF THE PURCHASER OF THIS PLAN TO PERFORM THE FOLLOWING BEFORE BEGINNING ACTUAL CONSTRUCTION. ALL QUESTIONS PERTAINING TO THE ARCHITECTURAL AND STRUCTURAL ELEMENTS SHOWN ON THESE PLANS SHOULD BE ADDRESSED TO THE CONTRACTOR.

1. BUILDER OR CONTRACTOR MUST VERIFY ALL DIMENSIONS PRIOR TO PROCEEDING WITH CONSTRUCTION.

2. THESE PLANS MAY NOT COMPLY WITH SOME LOCAL CODES REGARDING THE SUPPORT OF MASONRY ON COMBUSTIBLE CONSTRUCTION. USE NON-COMBUSTIBLE SUPPORT WHERE REQUIRED BY CODE. CONTRACTOR MUST VERIFY COMPLIANCE WITH ALL LOCAL BUILDING CODES IN THE AREA WHERE THE HOME IS TO BE CONSTRUCTED.

3. THESE PLANS HAVE NOT BEEN SEALED BY A PROFESSIONAL ENGINEER. CONTACT A LOCAL PROFESSIONAL ENGINEER OR DESIGN TRADITIONS IF THIS IS REQUIRED. PLANS INDICATE LOCATIONS ONLY; ENGINEERING ASPECTS SHOULD INCORPORATE ACTUAL SITE CONDITIONS.

4. CONTACT A PROFESSIONAL ENGINEER IF CHANGES ARE NECESSARY TO THESE DRAWINGS, WITH RESPECT TO SIZE, SPANS, HEIGHT, MATERIALS, CONFIGURATION, OR LOADING.

5. THE MECHANICAL, ELECTRICAL AND PLUMBING CONTRACTORS SHALL ABIDE BY ALL LOCAL BUILDING CODES.

CAUTION MUST BE EXERCISED IN MAKING ANY CHANGES IN THIS PLAN. ONLY QUALIFIED DESIGNER, ARCHITECT, CONTRACTOR, OR STRUCTURAL ENGINEER SHOULD ATTEMPT MODIFICATIONS, AS EVEN MINOR CHANGES IN ONE AREA OF THE HOUSE COULD LEAD TO MAJOR PROBLEMS IN ANOTHER AREA.

FOUNDATION NOTES
1. FOUNDATIONS ARE DESIGNED TO BEAR ON RESIDUAL SOIL OR ENGINEERED COMPACTED FILL WITH AN ALLOWABLE BEARING PRESSURE OF 2,000 PSF. VERIFY SOIL CAPACITY AT TIME OF EXCAVATION. IF A LESSER CAPACITY IS DISCOVERED, THIS FOUNDATION SYSTEM IS VOID AND MUST BE RE-DESIGNED.

2. SOILS UNDER FOOTINGS TO BE AT 98 % STANDARD PROCTOR DENSITY; SOILS UNDER SLABS TO BE AT 95 % STANDARD PROCTOR DENSITY.

3. PROVIDE 12" MINIMUM COVER OVER FOOTINGS, UNLESS LOCAL FROST DEPTH WARRANTS A GREATER DEPTH.

ALL CONSTRUCTION ON FILL SOILS SHALL BE REVIEW BY A REGISTERED GEOTECHNICAL ENGINEER.

GENERAL CONCRETE NOTES
1. ALL MATERIAL AND WORKMANSHIP SHALL CONFORM TO ACI 318. ALL DETAILING, FABRICATION, ACCESSORIES, AND PLACEMENT OF REINFORCING SHALL CONFORM TO THE ACI MANUAL OF STANDARD PRACTICE FOR DETAILING REINFORCED CONCRETE STRUCTURES.

2. CONCRETE FOR THE FOOTINGS SHALL BE NORMAL WEIGHT GRAY CONCRETE AND DEVELOP A MINIMUM COMPRESSIVE STRENGTH OF 3,000 PSI AT 28 DAYS.

3. REINFORCING BARS SHALL BE DEFORMED BARS CONFORMING TO ASTM A615: GRADE 40 FOR #3 BARS, GRADE 60 FOR #4 AND LARGER BARS.

4. LAP ALL REINFORCING BARS 30 BAR DIAMETERS, MINIMUM.

5. WHERE PIPE PASSES THROUGH A FOUNDATION WALL, DROP THE WALL FOOTING TO PASS BELOW THE PIPE (REFER TO STEPPED FOOTING DETAIL). PROVIDE 1" THICK COMPRESSIBLE MATERIAL AROUND PIPE.

6. ALL CONSTRUCTION JOINTS SHALL BE ROUGH-SURFACE AND CLEANED BEFORE THE NEXT POUR. NO HORIZONTAL CONSTRUCTION JOINTS ARE PERMITTED IN WALLS OR SLABS.

7. USE SAWN OR FORMED CONTROL JOINTS IN ALL SLABS. LOCATE JOINTS SO THAT THE MAXIMUM AREA BOUNDED WITH THE JOINTS IS 600 SQUARE FEET, AND THE RATIO OF THE SIDES IS NOT MORE THAN 2:1.

8. ANCHOR BOLTS FOR SILL PLATE ATTACHMENT TO CONFORM TO ASTM A307.ANCHOR BOLTS OF THE SILL PLATES TO FOUNDATION FOR ALL EXTERIOR WALLS AND AS WELL AS INTERIOR WALLS THAT ARE COMMON TO FOUNDATION WALLS SHALL BE SPACED 60" ON CENTER MAX. AND WITHIN 12" OF EACH CORNER OF EACH WALL LINE. THERE SHALL BE A MINIMUM OF TWO (2) ANCHOR BOLTS PER PLATE SECTION. ANCHOR BOLTS SHALL EXTEND A MINIMUM OF 7" INTO CONCRETE OF GROUTED CELLS OF CONCRETE MASONRY UNITS. ANCHOR BOLTS SHALL BE LOCATED WITHIN THE MIDDLE THIRD OF THE WIDTH OF THE PLATE. INSTALL WITH WASHERS OR BEARING PLATES SUCH AS SIMPSON BP/LBP OR EQUIVALENT.

STRUCTURAL WOOD FRAMING NOTES
1. THE TERMITE METHOD THAT IS TO BE APPLIED TO THIS PROJECT WILL BE A WOOD BORATE APPLICATION.

2. ALL WORKMANSHIP AND MATERIALS SHALL CONFORM WITH THE NATIONAL DESIGN SPECIFICATION FOR WOOD CONSTRUCTION, PUBLISHED BY THE NATIONAL FOREST PRODUCTS ASSOCIATION.

3. LUMBER FOR BEAMS, HEADERS, JOISTS, AND RAFTERS SHALL BE SOUTHERN PINE NO. 2, OR EQUAL, UNLESS NOTED OTHERWISE.

4. LAMINATED VENEER LUMBER BEAMS SHALL BE MICRO-LAM BEAMS, MANUFACTURED BY TRUS-JOIST MACMILIAN, OR EQUAL. FINAL DESIGN OF FLOOR SYSTEM TO BE PROVIDED BY FLOOR SYSTEM MANUFACTURE.

5. ALL GIRDERS ARE TO BE CONSTRUCTED OF A TRIPLE 2x10 UNLESS NOTED OTHERWISE. ALL TRIPLE (3) PLY 2x10 GIRDERS SHALL BE FASTENED TOGETHER WITH (3) ROWS OF 16d NAILS @ 16" O.C. OR (2) ROWS OF SIMPSON SDS25412 SCREWS @ 24" O.C.. ALL FOUR (4) PLY 2x10 GIRDERS SHALL BE FASTENED TOGETHER TOGETHER WITH (2) ROWS OF 1/2" DIA. THRU. BOLTS @ 24" O.C. OR (2) ROWS OF SIMPSON SDS25600 SCREWS @ 24" O.C.. ALL GIRDERS TO BE SHIMMED WITH MTL. SHIMS AS REQUIRED.

6. PROVIDE DOUBLE JOISTS UNDER ALL NON-LOAD BEARING PARTITIONS PARALLEL TO THE SPAN OF THE FLOOR JOISTS.

7. DO NOT CUT FRAMING MEMBERS FOR PLUMBING, ELECTRICAL, OR MECHANICAL WITHOUT REINFORCING THE MEMBER TO ITS ORIGINAL CAPACITY.

8. LUMBER FOR THE 2 X 4 AND 2 X 6 STUDS SHALL BE STUD GRADE SPRUCE-PINE-FIR, OR EQUAL, UNLESS NOTED OTHERWISE.

9. STUD WALLS SUPPORTING FLOORS, CEILING, AND ROOF LOADS SHALL BE 2 X 4 AT 16" ON CENTER; ALL OTHER WALLS TO BE 2 X 4 AT 16" ON CENTER, UNLESS OTHERWISE NOTED. STUD WALLS 9'-2 OR TALLER TO BE BLOCKED SOLID AT MID-HEIGHT. TALLER WALLS TO BE BLOCKED SOLID AT THIRD POINTS.

10. ALL HEADERS AND BEAMS TO BE SUPPORTED BY BUILT-UP 2 X'S OR COLUMNS AS SHOWN ON THE PLANS. SUPPORT TO BE CONTINUOUS TO FOUNDATION OR OTHER SUPPORT BELOW.

11. ALL COLUMN/JACK STUDS ARE TO NO. 2 SPF UNLESS NOTED OTHERWISE.

12. BEARING-TYPE CONNECTIONS MAY BE TOW-NAILED. ALL OTHER CONNECTIONS OF STRUCTURAL MEMBERS TO BE MADE USING METAL JOIST HANGERS.

13. PROVIDE SIMPSON HURRICANE CLIPS MODEL# H2.5A ON EACH RAFTER TYP.

14. PROVIDE BLIND FLASHING AT ALL HIPS, VALLEYS & ROOF CONNECTIONS TYP. ROOF AREAS WITH A PITCH OF 4/12 OR LESS WILL BE REQUIRE TO INSTALL AN ADDITIONAL LAYER OF UNDERLAYMENT PER R905.2.2

15. ICE AND WATER SHIELD TYPE MEMBRANE SHALL BE INSTALLED AT THE FIRST COURSE OF THE EAVES, RAKES VALLEYS AND WHERE A ROOF LINE MEETS A WALL. ROOF FLASHING SHALL BE INSTALLED PER THE 2015 IRC AND STATE WIDE BUILDING CODE AND ALSO PER MANUF. SPECS.

16. ALL LUMBER IN CONTACT WITH MASONRY OR CONCRETE TO BE PRESSURE TREATED. PROVIDE PRESSURE TREATED LUMBER AT ALL OTHER LOCATIONS SHOWN ON THE PLANS.

17. THE FIRE BLOCKING MATERIALS FOR ALL PENETRATION OF CABLE WIRES, DUCTS AND PLUMBING WILL CONSIST OF 3M FIRE CAULK & DRAFT STOP OR FIRESTOP 814 PLUS. PROVIDE FIRE BLOCKING IN WALLS AT CEILING ELEVATION CHANGES WHERE DOUBLE TOP-PLATE IS NOT PRESENT, AT WALLS EXCEEDING 10'-0" IN HEIGHT, AND AT OTHER LOCATIONS NOTES IN R302.11.

INSULATION NOTES
INSULATION TO BE INSTALLED BE SECTION N1102 (R402). INSULATION CHANGER BY INSULATION CONTRACTOR
CEILINGS - R49, WALL PLATE - R38, VAULTED CEILING - R30, WALLS - R15, CRAWL - R19, WALL CORNER CAVITIES - R3,
ATTIC ACCESS DOORS & PULL DOWN STAIRS R-5

THESE R FACTORS DO NOT INCLUDE A FACTOR PICKED UP IN FRAMING MATERIALS.

MEP NOTES AND REQUIREMENTS

RESIDENTIAL ELECTRICAL GENERAL NOTES

1. ELECTRICAL INSTALLATIONS SHALL BE GOVERNED BY 2018 INTERNATIONAL RESIDENTIAL CODE.
2. ALL ELECTRICAL MATERIALS, COMPONENTS, DEVICES, FIXTURES AND EQUIPMENT SHALL BE LISTED AND LABELED FOR THE APPLICATION AND BE INSTALLED.
3. IN LOCATIONS WHERE ELECTRICAL EQUIPMENT LIKELY TO BE EXPOSED TO PHYSICAL DAMAGE, GUARDS OR ENCLOSURES SHALL BE PROVIDED.
4. RECEPTACLES SHALL BE SPACED SO THAT NO POINT ALONG THE FLOOR LINE IS MORE THAN 6'-0" FROM A RECEPTACLES.
5. AT LEAST ONE (1) WALL SWITCHED LIGHTING OUTLET SHALL BE PROVIDED IN EACH ROOM.
6. GROUND FAULT CIRCUIT INTERRUPTER PROTECTION SHALL BE PROVIDED AT BATHROOMS, OUTDOOR UNFINISHED BASEMENTS, COUNTER TOPS AND SINKS.
7. A LIGHTING OUTLET SHALL BE PROVIDED IN ATTICS, UNDER FLOOR STORAGE SPACES, UTILITY ROOMS AND BASEMENTS WHERE THE AREA IS USED FOR STORAGE OR CONTAINS EQUIPMENT REQUIRING SERVICE.
8. THE ELECTRICAL CONTRACTOR SHALL PROVIDE A WRITTEN WARRANTY STATING THAT ALL MATERIALS AND WORKMANSHIP ARE FREE FROM DEFECTS FOR A PERIOD OF 12 MONTHS FROM DATE OF FINAL ACCEPTANCE.

RESIDENTIAL MECHANICAL GENERAL NOTES

1. GAS PIPING: GAS WORK SHALL BE INSTALLED, SUPPORTED, AND TESTED IN COMPLIANCE WITH 2018 INTERNATIONAL RESIDENTIAL CODE.
2. THE CONTRACTOR SHALL COORDINATE THE CONNECTION OF GAS SERVICE WITH THE VIRGINIA NATURAL GAS REPRESENTATIVE PRIOR TO INSTALLATION.
3. ALL MECHANICAL EQUIPMENT SHALL BE LABELED FOR THE APPLICATION AND BEAR THE MANUFACTURER'S NAMEPLATE.
4. SUFFICIENT ACCESS SHALL BE PROVIDED FOR MAINTENANCE INSPECTIONS AND SERVICE WITHOUT REMAINING PERMIT CONSTRUCTION.
5. HVAC: ALL WORK SHALL COMPLY WITH THE 2018 INTERNATIONAL RESIDENTIAL CODE.
6. PROVIDE AUXILIARY DRAIN PANS UNDER ALL UNITS INSTALLED OVER AN OCCUPIED SPACE. A SEPARATE DRAIN LINE SHALL BE EXTENDED FROM THIS PAN TERMINATING AT A CONSPICUOUS POINT.

RESIDENTIAL PLUMBING GENERAL NOTES

1. ALL PLUMBING FIXTURES AND PIPING SHALL BE INSTALLED, SUPPORTED, AND TESTED PER THE 2018 INTERNATIONAL RESIDENTIAL CODE.
2. WATER SUPPLY PIPING SHALL BE EQUIPPED WITH FITTINGS SPECIFIC TO PIPE MATERIALS AND INSTALLATION AS PROVIDED IN 2018 INTERNATIONAL RESIDENTIAL CODE.
3. FUEL FIRED WATER HEATER LOCATED IN GARAGES SHALL HAVE AN IGNITION SERVICE A MINIMUM OF 18" ABOVE THE FINISH FLOOR AND SHALL HAVE A GUARD TO PREVENT IMPACT.

TABLE R602.3 (1)
FASTENER SCHEDULE FOR STRUCTURAL MEMBERS

DESCRIPTION OF BUILDING ELEMENTS	NUMBER AND TYPE OF FASTNER a,b,c,d	SPACING OF FASTNERS
Roof		
Blocking between joists or rafters to top plate	4-8d box (2-1/2" x 0.113"); or 3-8d common (2-1/2" x 0.131"); or 3-10d box (3" x 0.128"); or 3-3" x 0.131" nails	Toe nail
Ceiling joists to plate	4-8d box (2-1/2" x 0.113"); or 3-8d common (2-1/2" x 0.131"); or 3-10d box (3" x 0.128"); or 3-3" x 0.131" nails	Per joiste, toe nail
Ceiling joists not attached to parallel rafter, laps over partitions [see Sections R802.3.1, R802.3.2 and Table R802.5.1(9)]	4-10d box (3" x 0.128"); or 3-16d common (3-1/2" x 0.162"); or 4-3" x 0.131" nails	Face nail
Ceiling joists attached to parallel rafter (heel joint) [see Sections R802.3.1, R802.3.2 and Table R802.5.1(9)]	Table R802.5.1(9)	Face nail
Collar tie rafter, face nail or 1-1/4" x 20 ga. ridge strap to rafter	4-10d box (3" x 0.128"); or 3-16d common (3-1/2" x 0.162"); or 4-3" x 0.131" nails	Face nail each rafter
Rafter or roof truss to plate	3-16d box nails (3-1/2" x 0.135"); or 3-10d common nails (3" x 0.148"); or 4-10d box (3" x 0.128"); or 4-3" x 0.131" nails	2 toe nails on one side and 1 toe nail on opposite side of each rafter or truss
Roof rafters to ridge, valley or hip rafters or roof rafter to minimum 2" ridge beam	4-16d (3-1/2" x 0.135"); or 3-10d common (3-1/2" x 0.148"); or 4-10d box (3" x 0.128"); or 4-3" x 0.131" nails	Toe nail
	3-16d (3-1/2" x 0.135"); or 2-16d common (3-1/2" x 0.162"); or 3-10d box (3" x 0.128"); or 3-3" x 0.131" nails	End nail
Wall		
Stud to stud (not at braced wall panels)	16d common (3-1/2" x 0.162")	24" O.C. face nail
	3-10d box (3" x 0.128"); or 3" x 0.131" nails	16" O.C. face nail
Stud to stud and abutting studs at intersecting wall corners (at braced wall panels)	16d common (3-1/2" x 0.135"); or 3" x 0.131" nails	12" O.C. face nail
	16d common (3-1/2" x 0.162")	16" O.C. face nail
Built-up header (2" to 2" header with 1/2" spacer)	16d box (3-1/2" x 0.135")	16" O.C. each edge face nail
	16d box (3-1/2" x 0.135")	12" O.C. each edge face nail
Continuous header to stud	5-8d box (3" x 0.113"); or 4-8d common (2-1/2" x 0.131"); or 4-10d box (3" x 0.128")	Toe nail
Top plate to top plate	16d common (3-1/2" x 0.162")	16" O.C. face nail
	3-10d box (3" x 0.128"); or 3" x 0.131" nails	12" O.C. face nail
Double top plates splice for SDCs A-D2 with seismic braced wall line spacing less than 25'	8-16d common (3-1/2" x 0.162"); or 12-16d box (3-1/2" x 0.135"); or 12-10d box (3" x 0.128"); or 12-3" x 0.131" nails	Face nail on each side of end joint (minimum 24" lap splice length each side of end joint)
Double top plates splice for SDCs D0, D1, or D2; and braced wall line spacing greater than or equal to 25'	12-16d (3-1/2" x 0.135")	
Bottom plate to joist, rim joist, band joist or blocking (not at braced wall panels)	16d common (3-1/2" x 0.162")	16" O.C. face nail
	16d box (3" x 0.135"); or 3" x 0.131" nails	12" O.C. face nail
Bottom plate to joist, rim joist, band joist or blocking (at braced wall panels)	3-16d box (3-1/2" x 0.135"); or 2-16d common (3-1/2" x 0.162"); or 4-3" x 0.131" nails	3 each 16" O.C. face nail 2 each 16" O.C. face nail 4 each 16" O.C. face nail
Top or bottom plate to stud	4-8d box (2-1/2" x 0.113"); or 3-16d box (3-1/2" x 0.135"); or 4-8d common (2-1/2" x 0.131"); or 4-10d box (3" x 0.128"); or 2 staples 1-3/4	Face nail
	3-16d (3-1/2" x 0.135"); or 2-16d common (3-1/2" x 0.162"); or 3-10d box (3" x 0.128"); or 3-3" x 0.131" nails	End nail
Top plates, laps at corners and intersections, face nail	3-16d (3-1/2" x 0.135"); or 2-16d common (3-1/2" x 0.162"); or 3-3" x 0.131" nails	Face nail
1" brace to each stud and plate, face nail	3-8d box (2-1/2" x 0.113"); or 2-8d common (2-1/2" x 0.131"); or 2-10d box (3" x 0.128"); or 2 staples 1-3/4"	Face nail
1" x 6" sheathing to each bearing	3-8d box (2-1/2" x 0.113"); or 2-8d common (2-1/2" x 0.131"); or 2-10d box (3" x 0.128"); or 2 staples, 1" crown, 16 ga., 1-3/4" long	Face nail
1"x8" and wider sheathing to each bearing	3-8d box (2-1/2" x 0.113"); or 3-8d common (2-1/2" x 0.131"); or 3-10d box (3" x 0.128"); or 3 staples, 1" crown, 16 ga., 1-3/4" long Wider than 1" x 8" 4-8d box (2-1/2" x 0.113"); or 3-8d common (2-1/2" x 0.131"); or 3-10d box (3" x 0.128"); or 4 staples, 1" crown, 16 ga., 1-3/4" long	Face nail
Floor		
Joist to sill, top plate or girder	4-8d box (2-1/2" x 0.113"); or 3-8d common (2-1/2" x 0.131"); or 3-10d box (3" x 0.128"); or 3-3" x 0.131" nails	Toe nail
	8d box (2-1/2" x 0.113")	4" O.C. Toe nail
Rim joist, band joist or blocking to sill or top plate (roof applications also)	8d common (2-1/2" x 0.131"); or 10d box (3" x 0.128"); or 3" x 0.131" nails	6" O.C. Toe nail
1" x 6" subfloor or less to each joist	3-8d box (2-1/2" x 0.113"); or 2-8d common (2-1/2" x 0.131"); or 3-10d box (3" x 0.128"); or 2 staples, 1" crown, 16 ga., 1-3/4" long	Face nail
2" subfloor to joist or girder	3-10d box (3" x 0.128"); or 2-16d common (3-1/2" x 0.162")	Blind and face nail
2" planks (plank & beam - floor & roof)	3-10d box (3" x 0.128"); or 2-16d common (3-1/2" x 0.162")	At each bearing , face nail
Band or rim joist to joist	3-16d common (3-1/2" x 0.162"); or 4-10d box (3" x 0.128"); or 4-3" x 0.131" nails; or 4-3" x 14 ga. staples, 7/16" crown	End nail

TABLE R602.3 (1)—CONTINUED
FASTENER SCHEDULE FOR STRUCTURAL MEMBERS

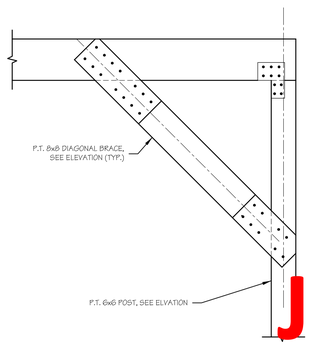
DESCRIPTION OF BUILDING MATERIALS	DESCRIPTION OF FASTNERS a,b,c	SPACING OF FASTENERS: Edge (inches) h	SPACING OF FASTENERS: Intermediate supports e,e (inches)
Wood structural panels, subfloor, roof and interior wall sheathing to framing, and particleboard wall sheathing to framing [see Table R602.3(3) for wood structural panel exterior wall sheathing to wall framing]			
3/8"-1/2"	6d common (2" x 0.113") nail (subfloor-wall) i 8d common (2-1/2" x 0.131") nail (roof)	6	12f
19/32"-1"	8d common nail (3" x 0.131")	6	12f
1 1/8"-1 1/4"	10d common (3" x 0.148") nail; or 8d (2-1/2" x 0.151") deformed nail	6	12
Other wall sheathing g			
1/2" structural cellulosic fiberboard sheathing	1/2" galvanized roofing nail, 7/16" head diameter, or 1" crown staple 16 ga., 1-1/4" long	3	6
25/32" structural cellulosic fiberboard sheathing	1-3/4" galvanized roofing nail, 7/16" head diameter, or 1" crown staple 16 ga., 1-1/2" long	3	6
1/2" gypsum sheathing d	1-1/2" galvanized roofing nail; staple galvanized, 1-1/2" long; 1-1/4" screws, Type W or S	7	7
5/8 gypsum sheathing d	1-3/4" galvanized roofing nail; staple galvanized, 1-5/8" long; 1-5/8" screws, Type W or S	7	7
Wood structural panels, combination subfloor underlayment to framing			
3/4" and less	6d deformed (2" x 0.120") nail or 8d common (2-1/2" x 0.131") nail	6	12
7/8" - 1"	8d common (2-1/2" x 0.131") nail or 8d deformed (2-1/2" x 0.120")nail	6	12
1-1/8" - 1-1/4"	10d common (3" x 0.148") nail or 8d deformed (2-1/2" x 0.120") nail	6	12

For SI: 1 inch = 25.4 mm, 1 foot= 304.8 mm, 1 mile per hours= 0.447 m/s; ksi = 6.895 MPa.

a. All nails are smooth-common, box or deformed shanks except where otherwise stated. Nails used for framing and sheathing connections shall have minimum average bending yield strengths as shown: 80 ksi (551 MPa) for shank diameter of 0.192 inch (20d common nail). 90 ksi (620 MPa) for shank diameter larger than 0.142 inch but not larger than 0.177 inch, and 100 ksi (689 MPa) for shank diameter of 0.142 inch or less.
b. Staples are 16 gage wire and have a minimum 7/16-inch on diameter crown width.
c. Nails shall be spaced at not more than 6 inches on center at all supports where spans are 48 inches or greater.
d. Four-foot-by-8-foot or 4-foot-by-9-foot panels shall be applied vertically.
e. Spacing for fasteners not included in this table shall be based on Table R602.3(2).
f. Where the ultimate design wind speeds of 130 mph or less, nails for attaching wood structural panel roof sheathing to gable end wall framing shall be spaced 6 inches on center. Where the ultimate design wind speed is greater than 130 mph, nails for attaching panel roof sheathing to intermediate supports shall be spaced 6 inches on center for minimum 48-inch distance from ridges, eaves and gable end walls; and 4 inches on center to gable end wall framing.
g. Gypsum sheathing shall conform to ASTM C 1396 and shall be installed in accordance with GA 253. Fiberboard sheathing shall conform to ASTM C 208.
h. Spacing of fasteners on floor sheathing panel edges applies to panel edges supported by framing members and at all floor perimeter only. Spacing of fasteners on roof sheathing panel edges applies to panel edges supported by framing members and at all roof plane perimeter. Blocking of roof or floor sheathing panel edges perpendicular to the framing members shall not be required except at intersection of adjacent roof planes. Floor and roof perimeter shall be supported by framing members or solid blocking.
i. Where a rafter is fastened to an adjacent parallel ceiling joist in accordance with this schedule, provide two toe nails on one side of the rafter and toe nails from the ceiling joist to top plate in accordance with this schedule. The toe nail on the opposite side of the rafter shall not be required.

TABLE R602.3.2
SINGLE TOP-PLATE SPLICE CONNECTION DETAILS

CONDITION	Corners and intersecting walls: Splice plate size	Corners and intersecting walls: Minimum nails each side of joint	Butt joints in straight walls: Splice plate size	Butt joints in straight walls: Minimum nails each side of joint
Structures in SDC A-C and in SDC D0, D1, and D2 with braced wall line spacing less than 25 feet	3" x 6" x 0.036" galvanized steel plate or equivalent	(6) 8d box (2-1/2" x 0.113") nails	3" x 12" x 0.036" galvanized steel plate or equivalent	(12) 8d box (2-1/2" x 0.113") nails
Structures in SDC D0, D1, and D2, with braced wall line spacing greater than or equal to 25 feet	3" x 8" x 0.036" galvanized steel plate or equivalent	(9) 8d box (2-1/2" x 0.113") nails	3" x 16" x 0.036" galvanized steel plate or equivalent	(18) 8d box (2-1/2" x 0.113") nails



FOR DETAILS NOT NOTED SEE DETAIL 4 ON THIS SHEET

3 / 6 | 2 DIAGONAL BRACING DETAIL
SCALE: 3/4"=1'-0"

TABLE R602.3 (2)
ALTERNATE ATTACHMENTS

NOMINAL MATERIAL THICKNESS (inches)	DESCRIPTION a,b OF FASTENER AND LENGTH (inches)	SPACING c OF FASTENERS: Edges (inches)	SPACING c OF FASTENERS: Intermediate supports (inches)
Wood structural panels subfloor, roof and wall sheathing to framing and particleboard wall sheathing to framing r			
up to 1/2"	Staple 15 ga. 1-3/4"	4	8
	0.097 - 0.099 Nail 2-1/4"	3	6
	Staple 16 ga. 1-3/4"	3	6
19/32" and 5/8"	0.113 Nail 2"	3	6
	Staple 15 and 16 ga. 2"	4	8
	0.097 - 0.099 Nail 2-1/4"	4	8
23/32" and 3/4"	Staple 14 ga. 2"	4	8
	Staple 15 ga. 1-3/4"	3	6
	0.097 - 0.099 Nail 2-1/4"	4	8
1"	Staple 16 ga. 2"	4	8
	Staple 14 ga. 2-1/4"	4	8
	0.113 Nail 2-1/4"	3	6
	Staple 15 ga. 2-1/4"	4	8
	0.097 - 0.099 Nail 2-1/2"	4	8
NOMINAL MATERIAL THICKNESS (inches)	DESCRIPTION a,b OF FASTENER AND LENGTH (inches)	SPACING c OF FASTENERS: Edges (inches)	SPACING c OF FASTENERS: Body of panel d (inches)
For underlayment; plywood—hardboard—particleboard r			
Fiber—cement			
1/4"	3d, corrosion-resistant, ring shank nails (finished flooring other than tile)	3	6
	Staple 18 ga., 7/8" long, 1/4" crown (finished flooring other than tile)	3	6
	1-1/4" long x .121" shank x .375" head diameter corrosion-resistant (galvanized or stainless steel) roofing nails (for tile finish)	8	8
	1-1/4" long, No. 8 x .375 head diameter, ribbed wafer-head screws (for tile finish)	8	8
Plywood			
1/4" and 5/16"	1-1/4" ring or screw shank nail - minimum 12-1/2 ga. (0.099") shank diameter	3	6
	Staple 18 ga., 7/8", 3/16" crown width	2	5
11/32", 3/8", 15/32" and 1/2"	1-1/4" ring or screw shank nail - minimum 12-1/2 ga. (0.099") shank diameter	6	8e
19/32", 5/8", 23/32" and 3/4"	1-1/2" ring or screw shank nail - minimum 12-1/2 ga. (0.099") shank diameter	6	8
	Staple 16 ga. 1-1/2"	6	8
Hardboard r			
0.200"	1-1/2" long ring-grooved underlayment nail	6	6
	4d cement-coated sinker nail	6	6
	Staple 18 ga., 7/8" long (plastic coated)	3	6
Particleboard			
1/4"	4d ring-grooved underlayment nail	3	6
	Staple 18 ga., 7/8" long, 3/16" crown	3	6
3/8"	6d ring-grooved underlayment nail	6	10
	Staple 16 ga., 1-1/8" long, 3/8" crown	3	6
1/2", 5/8"	6d ring-grooved underlayment nail	6	10
	Staple 16 ga., 1-5/8" long, 3/8" crown	3	6

For SI: 1 inch = 25.4 mm.
a. Nail is a general description and shall be permitted to be T-head, modified round head or round head.
b. Staples shall have a minimum crown width of 7/16-inch on diameter except as noted.
c. Nails or staples shall be spaced at not more than 6 inches on center at all supports where spans are 48 inches or greater. Nails or staples shall be spaced at not more than 12 inches on center at intermediate supports for floors.
d. Fasteners shall be placed in a grid pattern throughout the body of the panel.
e. For 5-ply panels, intermediate nails shall be spaced not more than 12 inches on center each way.
f. Hardboard underlayment shall conform to CPA/ANSI A135.4
g. Specified alternate attachments for roof sheathing shall be permitted where the ultimate design wind speed is less than 130 mph. Fasteners attaching wood structural panel roof sheathing to gable end wall framing shall be installed using the spacing listed for panel edges.
h. Fiber-cement underlayment shall conform to ASTM C 1288 or ISO 8336, Category C.

TABLE R602.3 (3)
REQUIREMENTS FOR WOOD STRUCTURAL PANEL WALL SHEATHING USED TO RESIST WIND PRESSURES a,b,c

MINIMUM NAIL: Size	MINIMUM NAIL: Penetration (inches)	MINIMUM WOOD STRUCTURAL PANEL SPAN RATING	MINIMUM NOMINAL PANEL THICKNESS (inches)	MAXIMUM WALL STUD SPACING (inches)	PANEL NAIL SPACING: Edges (inches O.C.)	PANEL NAIL SPACING: Field (inches O.C.)	MAXIMUM WIND SPEED (mph): Wind exposure category B	C	D
6d common (2" x 0.113")	1.5	24/0	3/8	16	6	12	140	115	110
8d common (2.5" x 0.131")	1.75	24/16	7/16	16	6	12	170	140	135
				24	6	12	140	115	110

For SI: 1 inch = 25.4 mm, 1 mile per hour = 0.447 m/s.
a. Panel strength axis parallel or perpendicular to supports. Three-ply plywood sheathing with studs spaced more than 16 inches on center shall be applied with panel strength axis perpendicular to supports.
b. Table is based on wind pressures acting toward and away from building surfaces per Section R301.2. Lateral bracing requirements shall be in accordance with Section R602.10.
c. Wood Structural Panels with span ratings of Wall-16 or Wall-24 shall be permitted as an alternate to panels with a 24/0 span rating. Plywood siding rated 16 oc or 24 oc shall be permitted as an alternate to panels with a 24/16 span rating. Wall-16 and plywood siding 16 oc shall be used with studs spaced a maximum of 16 inches on center.

TABLE R602.3 (4)
ALLOWABLE SPANS FOR PARTICLEBOARD WALL SHEATHING a

THICKNESS (inches)	GRADE	STUD SPACING (inches): When siding is nailed to studs	STUD SPACING (inches): When siding is nailed to sheathing
3/8	M-1 Exterior glue	16	——
1/2	M-2 Exterior glue	16	16

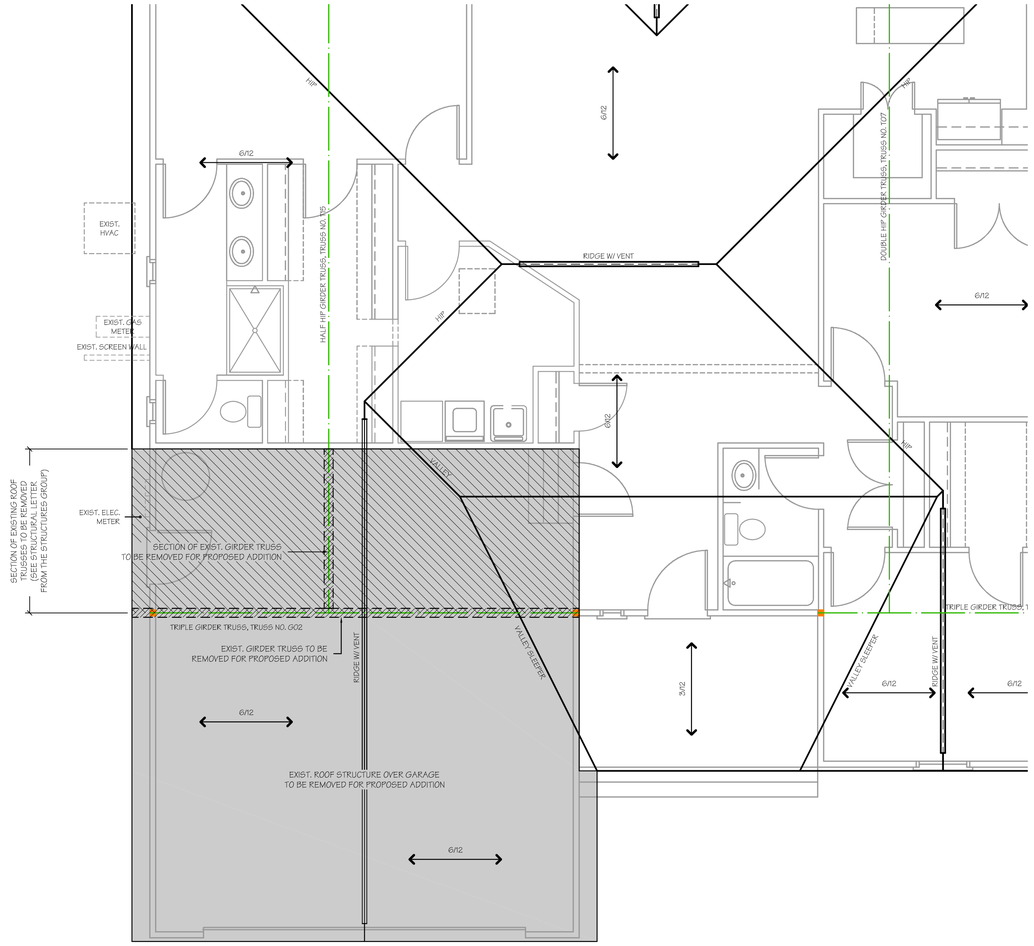
For SI: 1 inch = 25.4 mm.
a. Wall sheathing not exposed to the weather. If the panels are applied horizontally, the end joints of the panel shall be offset so that four panels corners will not meet. All panels edges must be supported. Leave a 1/16 inch gap between panels and nail no closer than 3/8 inch from panel edges.

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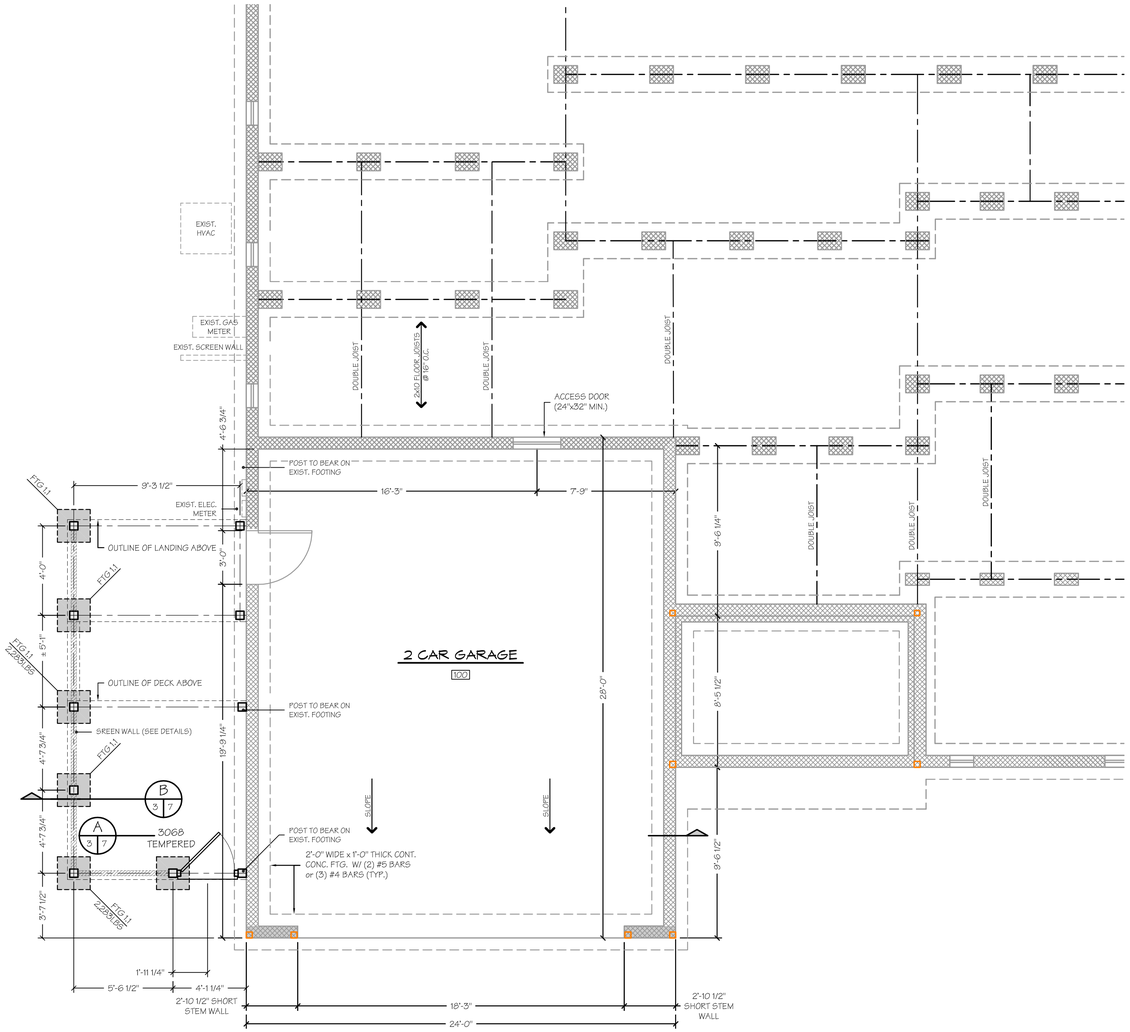
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CONTACT INFORMATION:
RONALD HUDIK PHONE: 757.876.1682
P.O. BOX 3603
WILLIAMSBURG, VA 23187

NOTES:
R.J.H. DRAFTING & DESIGNS, INC. ASSUMES NO LIABILITY FOR ANY HOME CONSTRUCTED FROM THESE PLANS. IT IS THE RESPONSIBILITY OF THE PURCHASER OF THESE PLANS TO PERFORM THE FOLLOWING BEFORE BEGINNING ACTUAL CONSTRUCTION. ALL QUESTIONS PERTAINING TO THE ARCHITECTURAL AND STRUCTURAL ELEMENTS SHOWN ON THESE PLANS SHOULD BE ADDRESSED TO THE CONTRACTOR. 1. BUILDER OR CONTRACTOR MUST VERIFY ALL DIMENSIONS PRIOR TO PROCEEDING WITH CONSTRUCTION. 2. THESE PLANS MAY NOT COMPLY WITH SOME LOCAL CODES REGARDING THE SUPPORT OF MASONRY ON COMBUSTIBLE CONSTRUCTION. USE NON-COMBUSTIBLE SUPPORT WHERE REQUIRED BY CODE. CONTRACTOR MUST VERIFY COMPLIANCE WITH ALL LOCAL BUILDING CODES IN THE AREA WHERE THE HOME IS TO BE CONSTRUCTED. 3. THESE PLANS HAVE NOT BEEN SEALED BY A PROFESSIONAL ENGINEER. CONTACT A LOCAL PROFESSIONAL ENGINEER OR DESIGN TRADITIONS IF THIS IS REQUIRED. PLANS INDICATE LOCATIONS ONLY; ENGINEERING ASPECTS SHOULD INCORPORATE ACTUAL SITE CONDITIONS. 4. CONTACT A PROFESSIONAL ENGINEER IF CHANGES ARE NECESSARY TO THESE DRAWINGS, WITH RESPECT TO SIZE, SPANS, HEIGHT, MATERIALS, CONFIGURATION, OR LOADING. 5. THE MECHANICAL,



FOUNDATION PLAN

SCALE: 1/4" = 1'-0"



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FOOTING SCHEDULE		
Footing Number	**Footing Size**	**Reinforcing**
FTG. F1.1	2'-0" x 2'-0" x 12" Thk.	(3) #4 Bars spaced equally spaced each way

FOUNDATION PLAN

SCALE: 1/4" = 1'-0"

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PHONE: 757-876-1882

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IT IS THE DUTY OF CONTRACTOR TO NOTIFY THE R.J.H. DRAFTING & DESIGNS, INC. OF ANY DISCREPANCIES IN THE PLANS BEFORE CONSTRUCTION.
ALL CONSTRUCTION SHALL COMPLY WITH THE 2018 VIRGINIA RESIDENTIAL CODE AND ALL OTHER APPLICABLE CODES AND REGULATIONS.
CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CONSTRUCTION METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES AND FOR COORDINATING ALL PORTIONS OF THE WORK.
CONTRACTOR SHALL BE RESPONSIBLE FOR ALL SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THE WORK.
ALL CONSTRUCTION SHALL COMPLY WITH ALL LOCAL, STATE AND FEDERAL LAWS, ORDINANCES, RULES AND REGULATIONS.
CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CONSTRUCTION METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES AND FOR COORDINATING ALL PORTIONS OF THE WORK.
CONTRACTOR SHALL BE RESPONSIBLE FOR ALL SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THE WORK.
ALL CONSTRUCTION SHALL COMPLY WITH ALL LOCAL, STATE AND FEDERAL LAWS, ORDINANCES, RULES AND REGULATIONS.
EXISTING STRUCTURES AND UTILITIES SHOWN ON THE PLANS ARE BASED ON EXISTING RECORDS AND/OR VISUAL OBSERVATIONS. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL EXISTING STRUCTURES AND UTILITIES PRIOR TO CONSTRUCTION AND SHALL NOTIFY THE ENGINEER OF ANY DISCREPANCIES THAT MIGHT AFFECT THE WORK PROPOSED HEREIN. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING UTILITIES OR ANOTHER'S WORK.

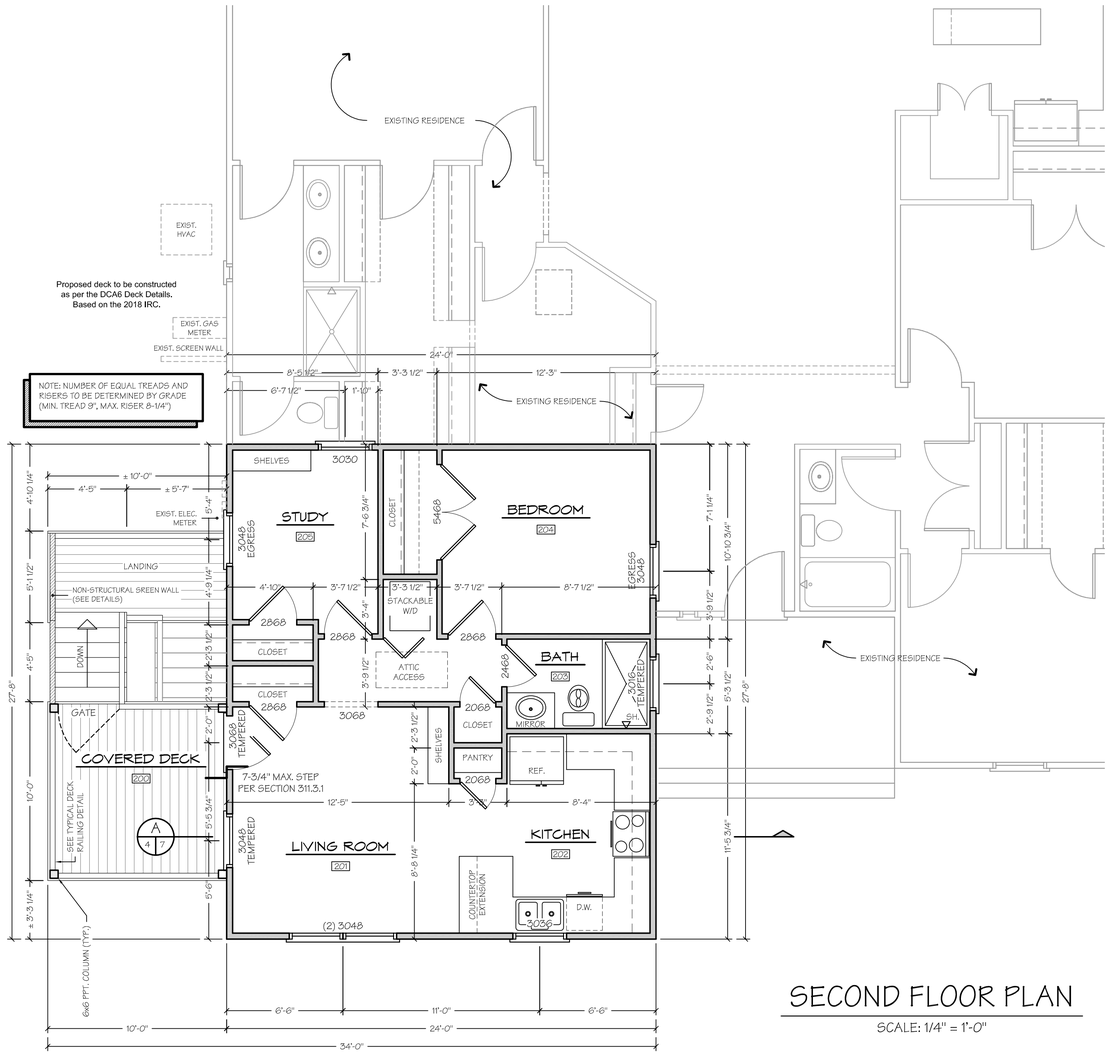
Drawn By: | Scale: AS NOTED | Date: 01/11/22 | File Name: 22003

No.	By	Revision	App.	Date
4		REV LAYOUT/DECK/STAIR PEREXISTING UTILITIES		09.29.22
3		REV PER JCC ZONING COMMENTS DATED 06.27.22 (STAIRS)		07.06.22
2		REV PER JCC ZONING COMMENTS DATED 06.21.22 (STAIRS)		06.24.22
1		REV PER JCC ZONING COMMENTS DATED 05.04.22		06.14.22

RONEY ADDITION
135 COUNTRY CLUB DRIVE
JAMES CITY COUNTY VIRGINIA
PLAN VIEWS

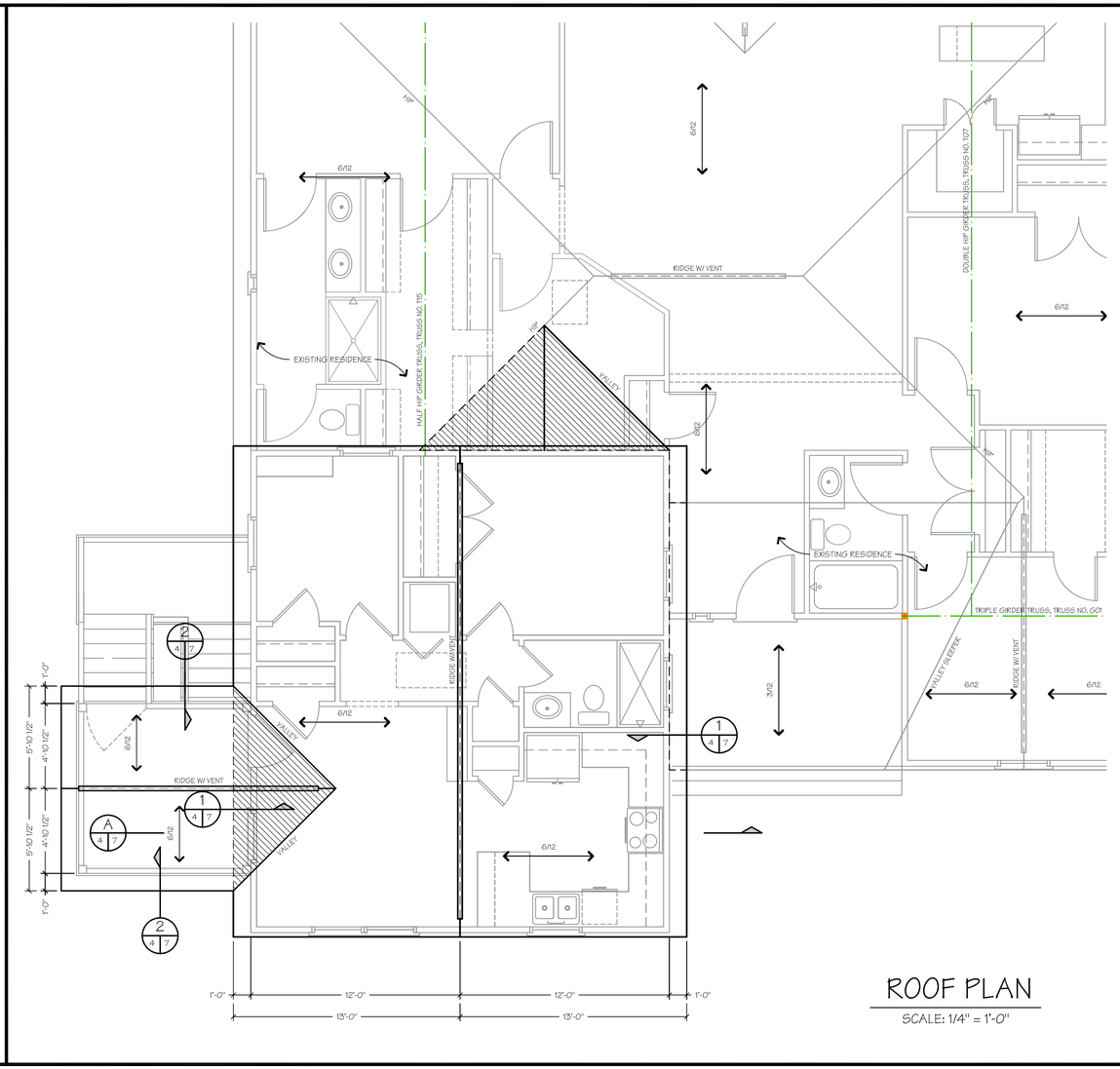
Job Number 22003 | Sheet No. 3

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SECOND FLOOR PLAN

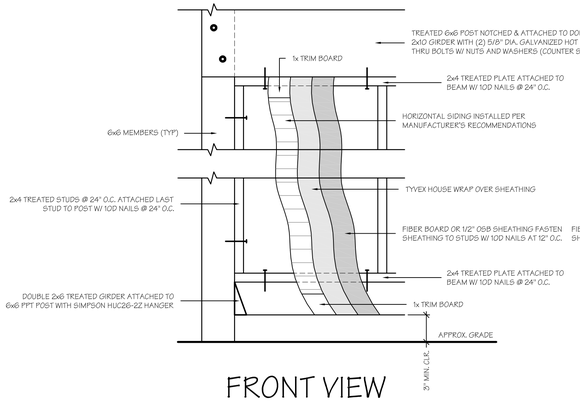
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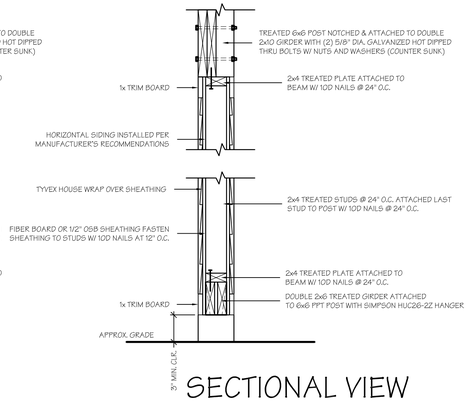
ROOF PLAN

SCALE: 1/4" = 1'-0"

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FRONT VIEW



SECTIONAL VIEW

NON-STRUCTURAL SCREEN WALL DETAIL

SCALE: 1"=1'-0"

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NOTES:
PLAN DRAWN & DESIGNED IN ACCORDANCE WITH 2018 VRC. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CONSTRUCTION METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES AND FOR COORDINATING ALL PORTIONS OF THE WORK UNDER THE CONTRACT. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS AT THE JOB SITE. ANY DISCREPANCIES SHALL BE REPORTED TO THE DESIGNER BEFORE PROCEEDING WITH THE WORK. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES AND FOR COORDINATING ALL PORTIONS OF THE WORK UNDER THE CONTRACT. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS AT THE JOB SITE. ANY DISCREPANCIES SHALL BE REPORTED TO THE DESIGNER BEFORE PROCEEDING WITH THE WORK. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES AND FOR COORDINATING ALL PORTIONS OF THE WORK UNDER THE CONTRACT. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS AT THE JOB SITE. ANY DISCREPANCIES SHALL BE REPORTED TO THE DESIGNER BEFORE PROCEEDING WITH THE WORK.

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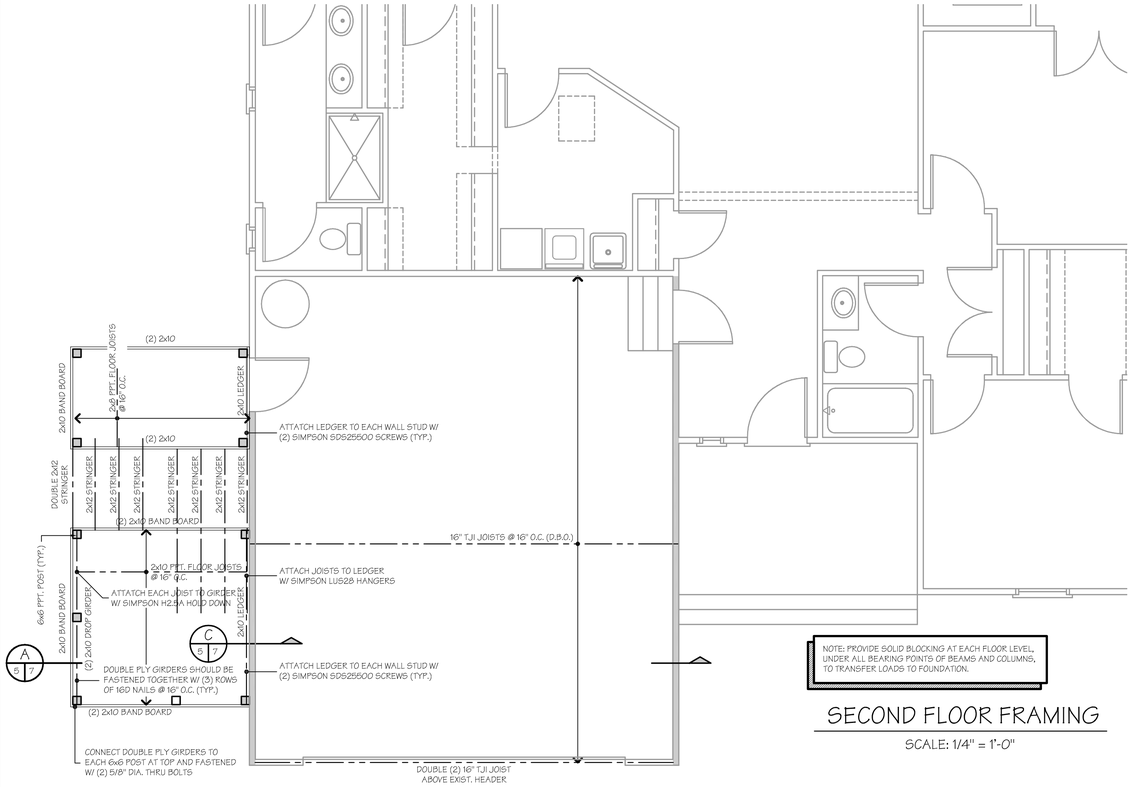
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RONEY ADDITION
135 COUNTRY CLUB DRIVE
JAMES CITY COUNTY VIRGINIA

PLAN VIEWS

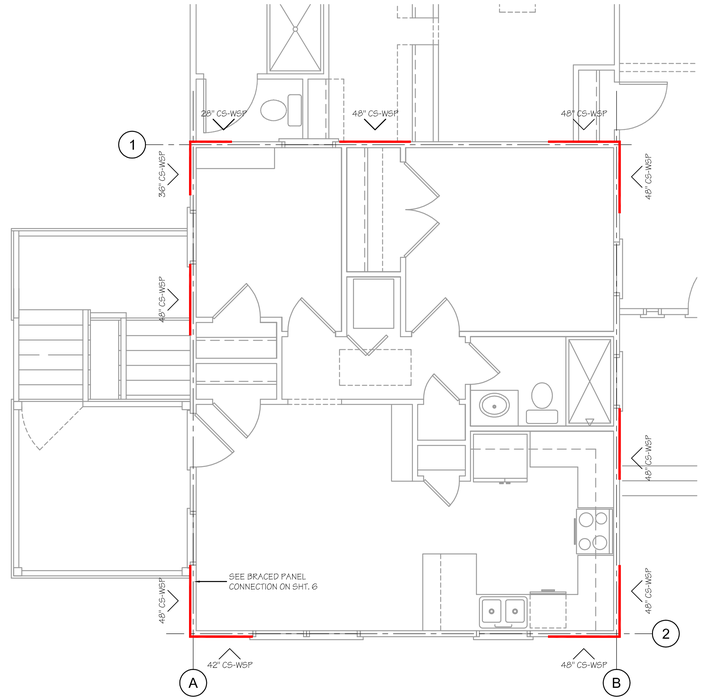
Job Number 22003 | Sheet No. 4

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SECOND FLOOR FRAMING

SCALE: 1/4" = 1'-0"



WALL BRACING

SCALE: 1/4" = 1'-0"

BRACING NOTES

1. EXTERIOR LATERAL WALL BRACING OF THE RESIDENCE IS BASED ON THE MINIMUM REQUIREMENTS OF SECTION OR 602.10 OUT THE 2015 IRC. THE PROPOSED CONSTRUCTION OF THE RESIDENCE ADDITIONS EXTERIOR WALLS ARE TO BE CONTINOUSLY SHEATHED USING 7/16" PLYWOOD OR OSB SHEATHING. THEREFORE, THE CONTINUOUSLY BRACE WALL PANELS MUST MEET THE REQUIREMENTS OF SECTION OR 602.1 0.4.

THE FIRST FLOOR WALLS ARE DENOTED AS APPROXIMATELY 8'-0" TALL. BASED ON SECTION R602.10 A MINIMUM OF A 2'-0" WIDE SOLID PANELS ARE REQUIRED FOR 8'-0" TALL WALLS.

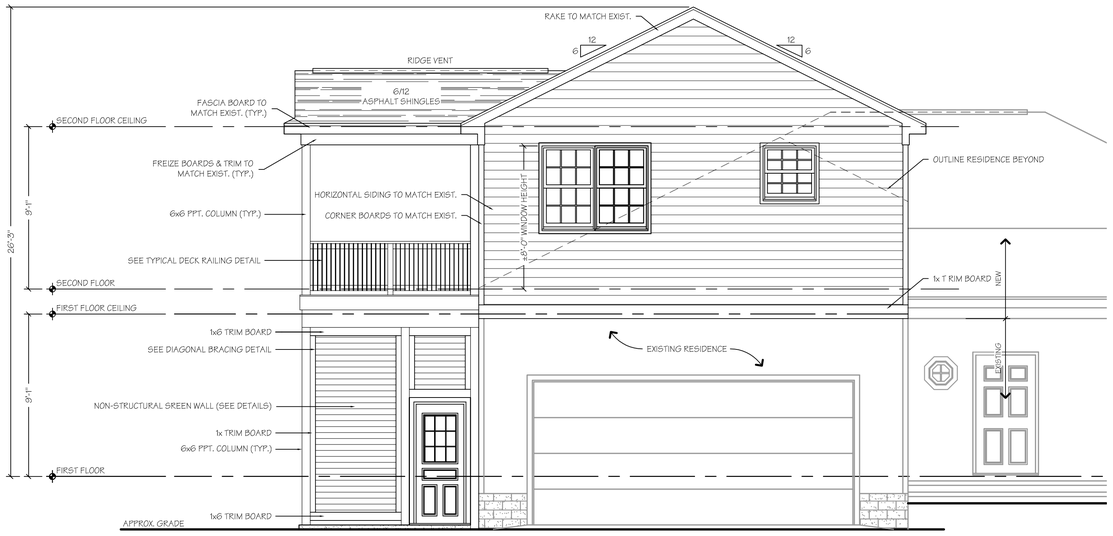
THESE SOLID WALL PANELS MUST BE LOCATED AT EACH CORNER OF THE EXTERIOR WALL OR WITHIN 10'-0" OF THE CORNER OF THE END OF THE WALL BRACE LINES. ADDITIONALLY SOLID PANELS ARE REQUIRED AT A MAXIMUM SPACING OF 20'-0" BETWEEN EACH PANEL ALONG THE LENGTH OF THE WALL. FURTHER PER TABLE OR 602.1 0.1.3, BRACED WALL LINES SHOULD BE SPACED AT A MAXIMUM OF 60'-0" APART. IT SHOULD ALSO BE NOTED THAT BRACE WALL LINES CAN BE OFFSET 4'-0" FROM THE EXTERIOR WALLS, AND BRACED WALL PANELS CONTRIBUTE TO THE WALL LINE PROVIDED THAT THEY ARE LOCATED WITHIN 4'-0" OF EITHER SIDE OF THE BRACED WALL LINE.

WALL BRACING METHODS		
METHOD	MATERIAL	CONNECTION CRITERIA
WSP (WOOD STRUCTURAL PANEL)	3/8" MINIMUM PLYWOOD OR OSB	6d COMMON NAILS @ 6" EDGE SPACING I 2" FIELD SPACING
GB1 (GYPSUM BOARD, 1 SIDE)	1/2" THICK	5d COOLER NAIL, 1-5/8" LONG @ 4" O.C. @ EDGE, 8" O.C. @ FIELD, OR SCREWS TYPE S OR W PER ASTM C1002 PENETRATE WOOD NOT LESS THAN 5/8"
GB2 (GYPSUM BOARD, BOTH SIDES)	1/2" THICK	5d COOLER NAIL, 1-5/8" LONG @ 4" O.C. @ EDGE, 8" O.C. @ FIELD, OR SCREWS TYPE S OR W PER ASTM C1002 PENETRATE WOOD NOT LESS THAN 5/8"
CS-PF (CONTINUOS PORTAL FRAME)	3/8" MINIMUM PLYWOOD OR OSB	6d COMMON NAILS @ 6" EDGE SPACING, 12" FIELD SPACING REQUIRES 24" RETURN WALL OR 800 LB. HOLD DOWN (REF. DETAIL THIS SHEET)

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PHONE: 757 876 1682

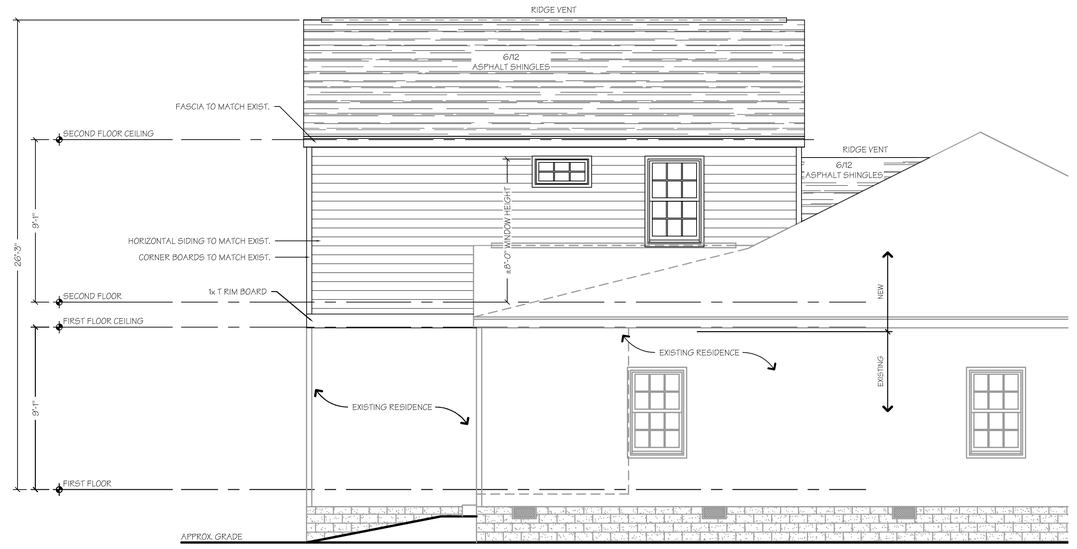
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R.J.H. DRAFTING & DESIGNS, INC. SHALL NOT BE RESPONSIBLE FOR ANY CONSTRUCTION METHODS, TECHNIQUES, SEQUENCES OR PROCEDURES, OR FOR SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THE CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CONSTRUCTION METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES, AND



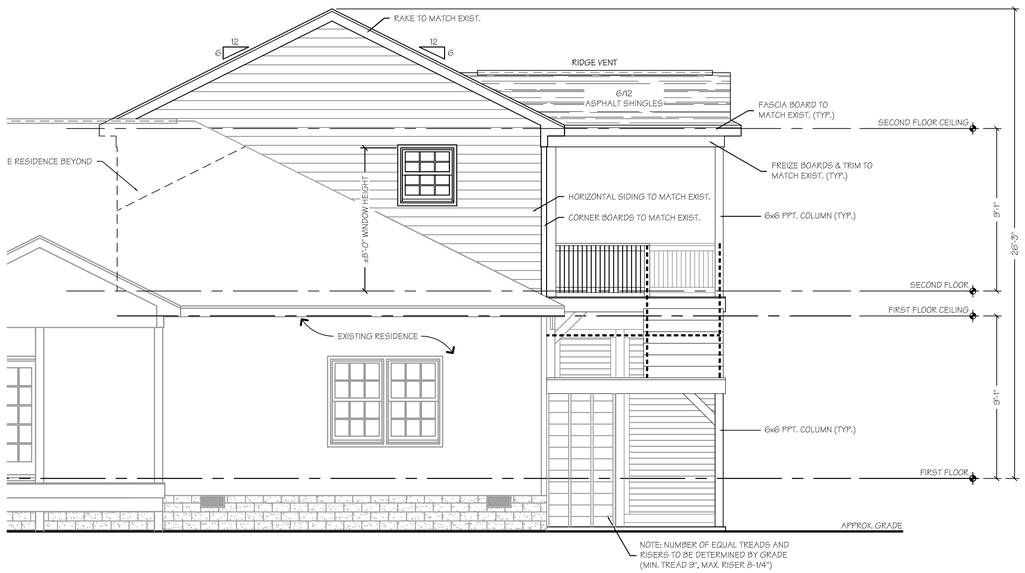
FRONT ELEVATION

SCALE: 1/4" = 1'-0"



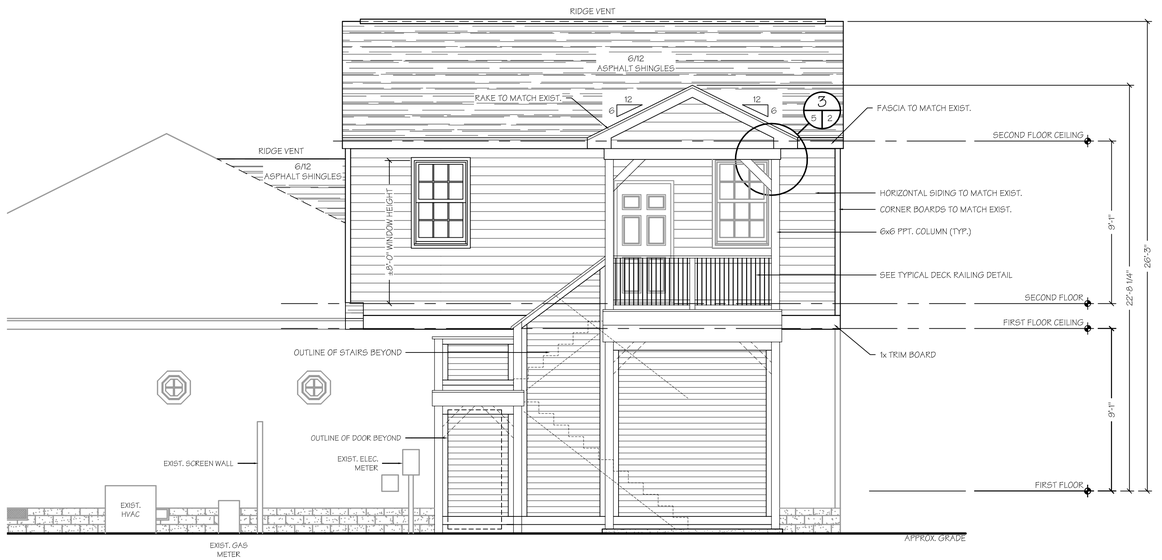
RIGHT SIDE ELEVATION

SCALE: 1/4" = 1'-0"



REAR ELEVATION

SCALE: 1/4" = 1'-0"



LEFT SIDE ELEVATION

SCALE: 1/4" = 1'-0"

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ALL CONSTRUCTION SHALL COMPLY WITH ALL APPLICABLE CODES, ORDINANCES AND REGULATIONS. ALL CONSTRUCTION SHALL BE CONSTRUCTED, ERECTED & INSTALLED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS AND RECOMMENDATIONS. ALL CONSTRUCTION SHALL BE PERFORMED BY EXPERIENCED PERSONNEL. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH GOOD CONSTRUCTION PRACTICES. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THE WORK. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CONSTRUCTION SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THE WORK. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CONSTRUCTION SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THE WORK. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CONSTRUCTION SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THE WORK. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CONSTRUCTION SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THE WORK.

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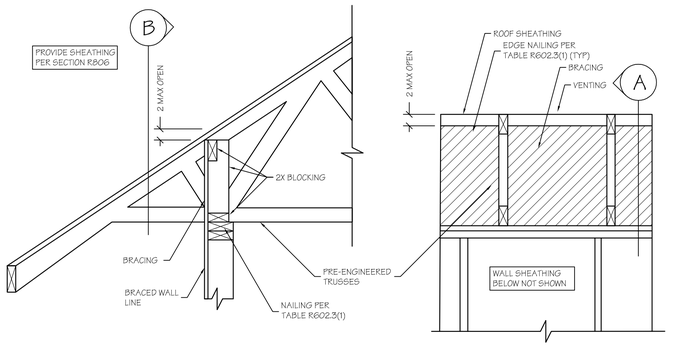
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RONEY ADDITION
135 COUNTRY CLUB DRIVE

ELEVATIONS

JAMES CITY COUNTY VIRGINIA

Job Number	Sheet No.
22003	6



METHODS OF BRACING SHALL BE AS DESCRIBED IN SECTION R602.10.2 METHODS DWB, WSP, SFB, GB, PBS, PCP OR HPS

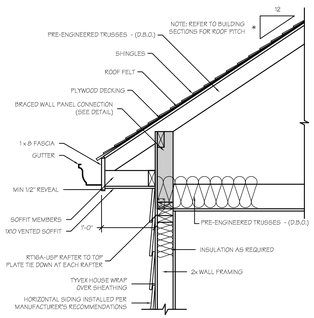
A SECTION

B ELEVATION

BRACED WALL PANEL CONNECTION OPTION TO PERPENDICULAR RAFTS OR ROOF TRUSSES

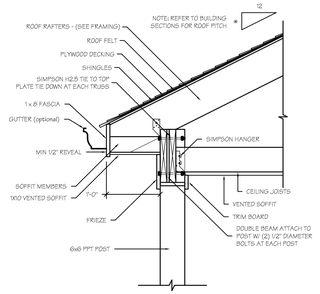
FIGURE R602.10.6.2(3)

NOT TO SCALE



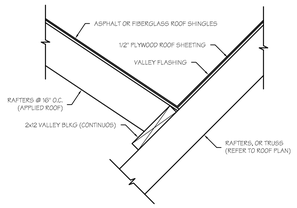
1/4|7 CORNICE DETAIL

SCALE: 3/4"=1'-0"



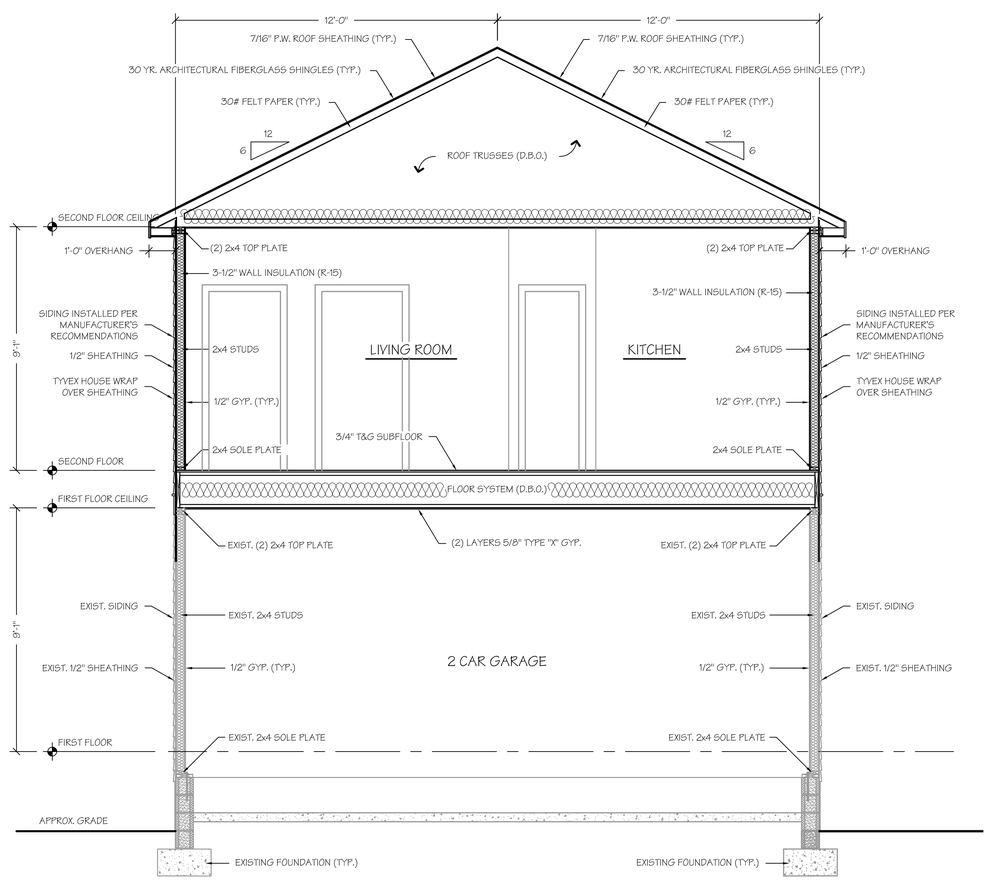
2|4|7 CORNICE DETAIL

SCALE: 3/4"=1'-0"



APPLIED ROOF DETAIL

SCALE: 3/4"=1'-0"



A|7 SECTION

SCALE: 1/4"=1'-0"

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TOP VIEW

NOTE:

1. ALL DECK MATERIAL TO BE PRESSURE TREATED (MIN SPEC).
2. DIAGONAL BRACING REQUIRED ON ALL OUTSIDE CORNER POSTS 2'-0" OR GREATER IN HEIGHT.
3. A MINIMUM OF (4) FOUR 750 LB. LATERAL LOAD DEVICES ARE REQUIRED TO CONNECT DECK JOISTS TO THE PRIMARY TRUCTURE. THIS REQUIREMENT APPLIES TO LEDGER AND NON-LEDGER DECKS.

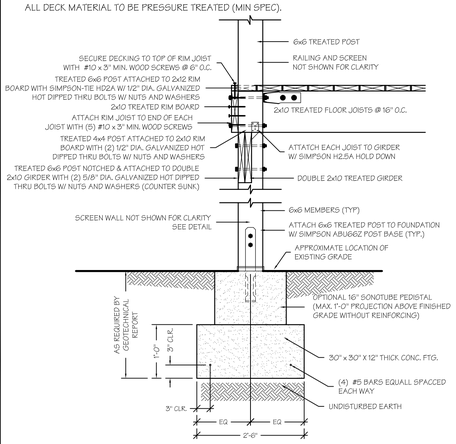
SECTION BB

TYPICAL RAILING DETAIL

SCALE: 1"=1'-0"

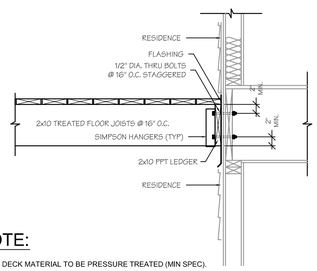
NOTE:

ALL DECK MATERIAL TO BE PRESSURE TREATED (MIN SPEC).



B|3|7 FOOTING SECTION

SCALE: 3/4"=1'-0"

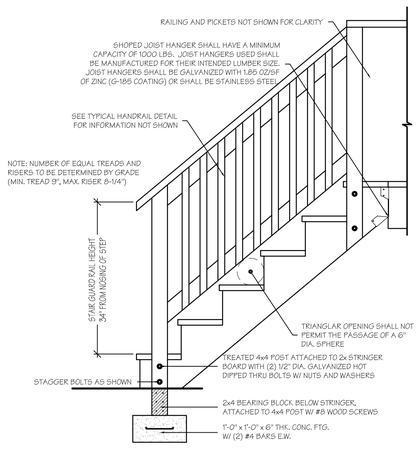


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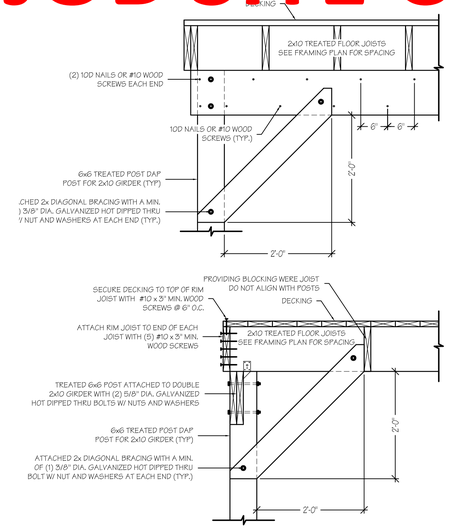
C|5|7 TYPICAL LEDGER DETAIL

SCALE: 3/4"=1'-0"



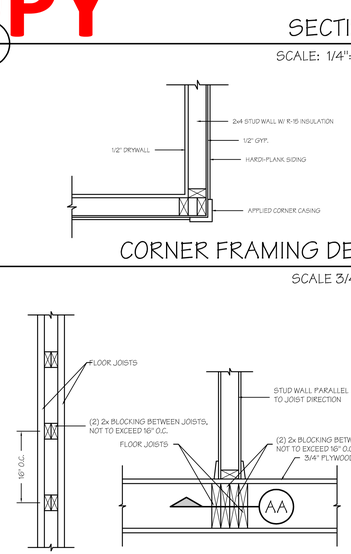
TYPICAL RISER DETAIL

SCALE 3/4" = 1'-0"



DIAGONAL BRACING DETAIL

SCALE: 3/4"=1'-0"



CORNER FRAMING DETAIL

SCALE 3/4" = 1'-0"

SECTION AA

DOUBLE JOIST DETAIL

SCALE 3/4" = 1'-0"

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ALL SECTION OF CONSTRUCTION MUST COMPLY TO ALL OBRC CODES AND ALL PROVISIONS MUST BE CONSTRUCTED, ERECTED & MAINTAINED IN ACCORDANCE WITH THE OBRC. ALL DIMENSIONS SHALL BE VERIFIED BY CONTRACTOR. ANY DISCREPANCIES SHALL BE REPORTED TO THE DESIGNER BEFORE CONSTRUCTION. CONTRACTOR SHALL COORDINATE ALL STRUCTURAL, MECHANICAL, ELECTRICAL AND PLUMBING DRAWINGS AND EXISTING CONDITIONS BEFORE CONSTRUCTION. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS. CONTRACTOR SHALL NOTIFY DESIGNER OF ANY DISCREPANCIES BEFORE CONSTRUCTION. ANY CHANGES FROM THE PLANS MUST BE APPROVED BY DESIGNER PRIOR TO CONSTRUCTION. NOTIFY DESIGNER OF ANY CONFLICTS BETWEEN THESE AND OTHER SHEETS OF THE PLANS.

Drawn By:	Scale:	Date:	File Name:
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3		REV PER JCC ZONING COMMENTS DATED 06.27.22 (STAIRS)	07.06.22
2		REV PER JCC ZONING COMMENTS DATED 06.21.22 (STAIRS)	06.24.22
1		REV PER JCC ZONING COMMENTS DATED 05.04.22	06.14.22

RONEY ADDITION
135 COUNTRY CLUB DRIVE
SECTIONAL VIEW & MISCELLANEOUS DETAILS
JAMES CITY COUNTY VIRGINIA

Job Number	Sheet No.
22003	7

June 2024

Terry Costello
Senior Planner
Community Development
101-A Mounts Bay Road
P.O. Box 8784 Williamsburg, VA 23187-8784

In reference to:
Special Use Permit
SUP-24-0008 135 Country Club Road Two-Family Unit SUP
IVR Number 146233

We live further down the street and drive past the Roney house several times a day and are very pleased with the appearance of the frontage and the new addition.

The wall/cover-up would give the home a less-than-desirable look, producing an inner-city atmosphere.

I advocate for *no* wall.

With much respect,

Brian & Keira Reese
100 Country Club Court
Williamsburg, VA 23188

June 2024

Terry Costello
Senior Planner
Community Development
101-A Mounts Bay Road
P.O. Box 8784 Williamsburg, VA 23187-8784

In reference to:
Special Use Permit
SUP-24-0008 135 Country Club Road Two-Family Unit SUP
IVR Number 146233

My home is located diagonally from 135 Country Club Drive.

I spend quite a bit of time outdoors and am quite pleased with the look of their home. If they were required to build a wall, it would definitely take away from the suburban look that exists now.

It is my preference that the wall not be built.

Respectfully,

Carrie Graves

Carrie Graves
134 Country Club Dr.
Williamsburg, VA 23188

June 2024

Terry Costello
Senior Planner
Community Development
101-A Mounts Bay Road
P.O. Box 8784 Williamsburg, VA 23187-8784

In reference to:
Special Use Permit
SUP-24-0008 135 Country Club Road Two-Family Unit SUP
IVR Number 146233

We live at 136 Country Club Drive, directly across the street from the Roney house and completely in line with the area of the house that has the new addition. We weren't sure how it would look while it was under construction, but now that it is finished, we actually prefer the new dwelling to the original home. We feel that a wall covering the steps would detract from the property and give it an awkward look, especially with *two* front doors and the garage door. If anything, it would emphasize that there is a second unit.

Please allow the view to remain as it is – no wall. I look at this home every day and I love the appearance of it with this current view.

Thank you so much for taking this into consideration.

Sincerely,



Donald & Ann Merkely
136 Country Club Drive
Williamsburg, VA 23188

June 2024

Terry Costello
Senior Planner
Community Development
101-A Mounts Bay Road
P.O. Box 8784 Williamsburg, VA 23187-8784

In reference to:
Special Use Permit
SUP-24-0008 135 Country Club Road Two-Family Unit SUP
IVR Number 146233

I am the Roney's next door neighbor, and when I get in and out of my car or take walks, the first thing I see when exiting my home is the new addition and the steps.

If they were required to build a wall on the front and side (my side), the residence would look "boxy" and unattractive. And I believe the safety aspect could become a concern, as someone could lurk behind the three-sided enclosure.

I request that the house remain as it is now with no wall.

Thank you,

Tammy L Berryhill

Tammy Berryhill
137 Country Club Dr
Williamsburg, VA 23188

June 2024

Terry Costello
Senior Planner
Community Development
101-A Mounts Bay Road
P.O. Box 8784 Williamsburg, VA 23187-8784

In reference to:
Special Use Permit
SUP-24-0008 135 Country Club Road Two-Family Unit SUP
IVR Number 146233

We live kitty-corner to the house being discussed and have a direct view of the newly constructed area.

We have no issues with the look of the house and think that a solid wall with a front door would look strange.

We request that there be no wall.

Thank you for your time.

138 Country Club Drive
Williamsburg, VA 23188

June 2024

Terry Costello
Senior Planner
Community Development
101-A Mounts Bay Road
P.O. Box 8784 Williamsburg, VA 23187-8784

In reference to:
Special Use Permit
SUP-24-0008 135 Country Club Road Two-Family Unit SUP
IVR Number 146233

We live two doors down and drive and/or walk past this house every day. We believe that a wall which would include another front door would degrade the pleasant look. A wall (for the purpose of concealing the steps) would not elevate the home, but rather would yield a substandard appearance.

I support the Roney's request that the house to remain the way it is, with no wall, please.

Thank you so much for taking this into consideration.

Heather & Brian Sellers
139 Country Club Drive
Williamsburg, VA 23188

Approved Minutes of the July 2, 2024,
Planning Commission Regular Meeting

Ms. Terry Costello, Senior Planner, stated that Mr. Benming Zhang of Kaufman & Canoles, P.C. had applied on behalf of Ms. Rita Roney for a Special Use Permit (SUP) to allow for a two-family dwelling at 135 Country Club Drive. Ms. Costello stated that the property is zoned R-2, General Residential, is designated Low Density Residential on the Comprehensive Plan Land Use Map, and is located inside the Primary Service Area (PSA). Ms. Costello further stated that the property is served by public water and private sewer.

Ms. Costello stated that the three-bedroom residence is approximately 2,557 square feet. Ms. Costello stated that the second dwelling is approximately 648 square feet, bringing the total square footage to 3,205 square feet.

Ms. Costello stated that at the time the building permit was issued in September of 2022, the second unit was proposed to be an attached accessory apartment. Ms. Costello stated that the proposal met all the criteria set forth in Section 24-32(a) of the Zoning Ordinance for accessory apartments. Ms. Costello stated that the intent of the Ordinance was to ensure that the dwelling appeared to be a single-family residence.

Ms. Costello stated that during an inspection, it was noted that the accessory apartment did not meet the criteria stated in the Ordinance. Ms. Costello stated that the owner and builder initiated discussions with staff about changing the plans to allow the addition to remain as is. Ms. Costello stated that staff determined that the appearance was not that of a single-family residence and would be considered a two-family dwelling.

Ms. Costello noted that Section 24-260 states the special provisions for two-family dwellings. Ms. Costello stated that the dwelling at 135 Country Club Drive meets three of the four criteria, the one being the connection to public sewer. Ms. Costello stated that the Board of Supervisors may grant a waiver from the public sewer connection if the lot was legally in existence before the date of the adoption of this section of the Ordinance, the Virginia Department of Health had approved the application, the property is in the PSA, and the James City Services Authority has approved the application. Ms. Costello stated that all these criteria have been met.

Ms. Costello stated that with the proposed conditions, staff found this proposal to be compatible with surrounding development and consistent with the 2045 Comprehensive Plan and Zoning Ordinance. Ms. Costello stated that staff recommends that the Planning Commission recommend approval of this application to the Board of Supervisors, subject to the proposed conditions. Ms. Costello stated that staff also recommends that the Planning Commission recommend approval of the waiver to connect to public sewer.

Mr. Maye asked for clarification regarding the structure of the dwelling and the need for the SUP.

Mr. O'Connor opened the Public Hearing.

Mr. Benming Zhang, Kaufman & Canoles, P.C., 4801 Courthouse Street, Suite 300, applicant, addressed the Commission in support of the application.

Ms. Ann Merkley, 136 Country Club Drive, addressed the Commission in support of the application.

As no one further wished to speak, Mr. O'Connor closed the Public Hearing.

Mr. Polster requested clarification regarding the structure and the original building permit for an attached accessory apartment.

Ms. Costello stated that the building permit could not be approved administratively as an attached accessory apartment.

Mr. Haldeman made a motion to recommend approval of the application.

On a roll call vote, the Planning Commission voted to recommend approval of SUP-24-0008. 135 Country Club Road Two-Family Unit. (6-1)

Mr. Haldeman made a motion to recommend approval of the waiver for the residence to connect to public sewer.

On a roll call vote, the Planning Commission voted to recommend approval of the waiver for the residence to connect to public sewer. (7-0)

SUMMARY FACTS

Applicant:	Ms. Dianne Newman, P.W. Development, Inc.
Landowner:	Mr. James F. Baker and Ms. Linda H. Baker
Proposal:	Family subdivision to create one new parcel of ± 1.5 acres with one remainder parcel of ± 1.5 acres.
Location:	8936 Croaker Road
Tax Map/Parcel No.:	1420100006
Current Zoning:	A-1, General Agricultural
Project Acreage:	± 3 acres
Comprehensive Plan:	Rural Lands
Primary Service Area (PSA):	Outside
Staff Contact:	Terry Costello, Senior Planner

PUBLIC HEARING DATES

Planning Commission:	Not Applicable
Board of Supervisors:	October 8, 2024, 5:00 p.m.

FACTORS FAVORABLE

1. With the proposed conditions, staff finds the proposal compatible with the surrounding zoning and development.

2. Impacts: See Impact Analysis on Page 3.

FACTORS UNFAVORABLE

1. Impacts: See Impact Analysis on Page 3.

SUMMARY STAFF RECOMMENDATION

Approval, subject to the conditions listed in the attached resolution.

PROJECT DESCRIPTION

Ms. Dianne Newman, of P.W. Development, Inc., has applied for a Special Use Permit (SUP) on behalf of Mr. James F. Baker and Ms. Linda H. Baker, for a family subdivision creating one new single-family residential parcel consisting of ± 1.5 acres. The remainder parcel will be ± 1.5 acres. The new parcel will be owned by Mr. Randall Hoeffer and Ms. On T. Hoeffer, parents of Ms. Linda H. Baker, in accordance with family subdivision regulations. An SUP is required because the new parcel is between one and three acres in the A-1, General Agricultural District.

Staff has reviewed a preliminary plat and found that the proposal can meet Ordinance requirements. The property is located outside of the PSA and will require private well and septic systems. The Virginia Department of Health (VDH) has confirmed that the soils can adequately accommodate these systems. Should this application be approved, the applicant will need to complete the subdivision plat process. A family subdivision affidavit and subdivision agreement have already been received.

PLANNING AND ZONING HISTORY

- There have been no legislative cases associated with the property.

SURROUNDING ZONING AND DEVELOPMENT

- The parcel was approved as part of a minor subdivision in August 2003.

- The following table lists the information on the adjacent parcels:

	ZONING DESIGNATION	EXISTING LAND USE	FUTURE LAND USE DESIGNATION
NORTH	A-1, General Agricultural	Residential	Rural Lands
SOUTH	A-1, General Agricultural	Residential	Rural Lands
EAST	A-1, General Agricultural	Residential	Rural Lands
WEST	A-1, General Agricultural	Residential	Rural Lands

Impacts/Potentially Unfavorable Conditions	**Status** *(No Mitigation Required/Mitigated/Not Fully Mitigated)*	**Considerations/Proposed Mitigation of Potentially Unfavorable Conditions**
Public Transportation: Vehicular	No Mitigation Required	- The proposal is not anticipated to generate traffic exceeding a typical single-family residential unit. - This portion of Croaker Road is classified as a local road.
Public Transportation: Pedestrian/Bicycle	No Mitigation Required	- The proposal does not generate impacts that require mitigation for pedestrian/bicycle accommodations.
Public Safety	No Mitigation Required	- The proposal does not generate impacts that require mitigation for emergency services or facilities.
Public Schools	No Mitigation Required	- The proposal does not generate impacts that require mitigation for public schools.
Public Parks and Recreation	No Mitigation Required	- The proposal does not generate impacts that require mitigation for parks and recreation services or facilities.
Public Libraries and Cultural Centers	No Mitigation Required	- The proposal does not generate impacts that require mitigation for public libraries or cultural centers.
Groundwater and Drinking Water Resources	No Mitigation Required	- The proposal does not generate impacts that require mitigation for groundwater and drinking water resources. - VDH has confirmed that the on-site soils can adequately accommodate private well and septic systems.
Watersheds, Streams, and Reservoirs Located in the Skimino Creek Watershed	No Mitigation Required	- The proposal does not generate impacts that require mitigation to watersheds, streams, and reservoirs. - Erosion and sediment control measures and/or stormwater mitigation would be reviewed as part of the building permit for single-family dwellings.
Cultural/Historic Resources	No Mitigation Required	- The proposal does not generate impacts that require mitigation for cultural or historic resources.
Nearby and Surrounding Properties	No Mitigation Required	- The proposal does not generate impacts that are anticipated to negatively affect adjacent properties.
Community Character	No Mitigation Required	- The proposal does not generate impacts that require mitigation for community character.
Covenants and Restrictions	No Mitigation Required	- The applicant has verified that she is not aware of any covenants or restrictions on the property that prohibit the proposed use.

COMPREHENSIVE PLAN

The property is designated Rural Lands in the Comprehensive Plan. Recommended uses for Rural Lands include traditional agricultural and forestal activities, residences associated with agricultural and forestal activities, and certain uses which require very low intensity settings located in a manner that minimizes effects on agricultural and forestal activities. Recommended density is one unit per 20 acres.

This proposal has a gross density of approximately one unit per two acres, which exceeds the recommended density; however, staff finds that this family subdivision is not intensive enough to negatively impact the rural character of the street and is in conformance with Ordinance requirements for family subdivisions in the A-1, General Agricultural Zoning District.

PROPOSED SUP CONDITIONS

Proposed conditions are provided as Attachment No. 1.

STAFF RECOMMENDATION

Staff finds that the proposed family subdivision is compatible with the surrounding development and consistent with the intent of the Comprehensive Plan. Staff recommends that the Board of Supervisors approve the application, subject to the conditions listed in the attached resolution.

TC/ap
SUP24-17_8936CrkrRd

Attachments:
1. Resolution
2. Location Map
3. Master Plan (Preliminary Subdivision Plat)

R E S O L U T I O N

CASE NO. SUP-24-0017. 8936 CROAKER ROAD, BAKER FAMILY SUBDIVISION

WHEREAS, the Board of Supervisors of James City County, Virginia (the "Board"), has adopted by Ordinance specific land uses that shall be subjected to a Special Use Permit ("SUP") process; and

WHEREAS, Ms. Dianne Newman of P. W. Development, Inc., has applied on behalf of Mr. James F. Baker and Ms. Linda H. Baker, for an SUP to allow for a family subdivision creating one parcel of 1.5 acres and one remainder parcel of 1.5 acres in the A-1, General Agricultural District, located at 8936 Croaker Road and further identified as James City County Real Estate Tax Map Parcel No. 1420100006 (the "Property"); and

WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing conducted on Case No. SUP-24-0017; and

WHEREAS, the Board of Supervisors of James City County, Virginia, finds this use to be consistent with good zoning practices and the Comprehensive Plan Land Use Map designation for the Property.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after consideration of the factors in Section 24-214 and Section 19-17 of the James City County Code (the "County Code"), does hereby approve the issuance of Case No. SUP-24-0017, as described herein with the following conditions:

1. *Master Plan*. This SUP shall be valid for a family subdivision for the creation of no more than one new lot of approximately 1.5 acres and on remainder parcel of approximately 1.5 acres (the "Subdivision") on property located at 8936 Croaker Road and further identified as James City County Real Estate Tax Map Parcel No. 1420100006 (the "Property"). Development of the Property shall occur generally as shown on the Master Plan entitled "Plat of Family Subdivision Being Part of Lot 3, P.W. Development, Inc. Subdivision, Standing in the Name of Baker," dated April 16, 2024 (the "Master Plan"), with any deviations considered pursuant to Section 24-23(a)(2) of the County Code, as amended.

2. *Commencement.* Final subdivision approval must be received from the County within 24 months from the issuance of the SUP, or the SUP shall become void. The final subdivision shall be recorded within 180 days of final subdivision approval.

3. *Severance Clause*. This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

_____
Ruth M. Larson
Chair, Board of Supervisors

ATTEST:

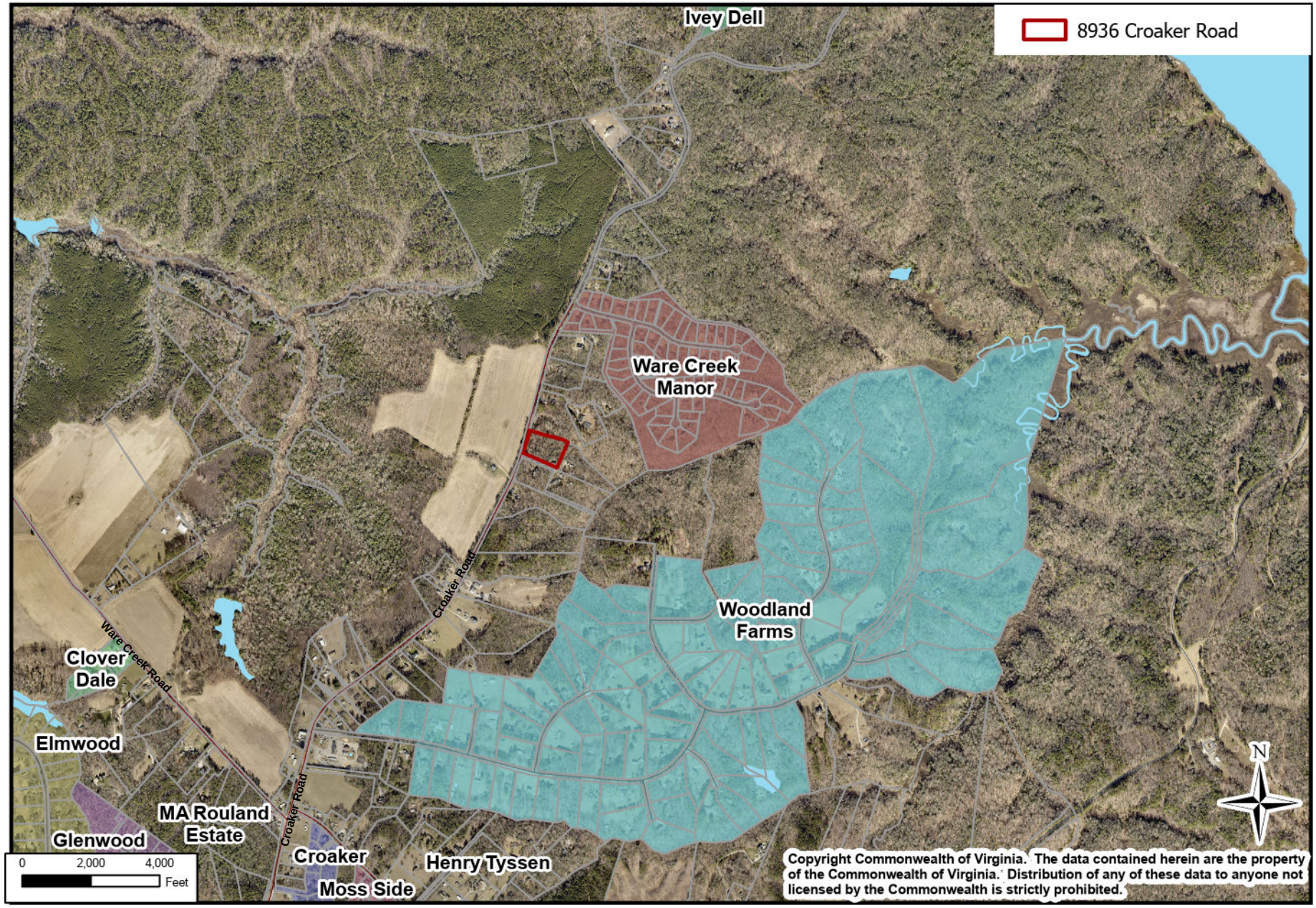
_____
Teresa J. Saeed
Deputy Clerk to the Board

	VOTES			
	AYE	NAY	ABSTAIN	ABSENT
NULL	____	____	____	____
HIPPLE	____	____	____	____
MCGLENNON	____	____	____	____
ICENHOUR	____	____	____	____
LARSON	____	____	____	____

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of October, 2024.

SUP24-17_8936CrkrRd-res

SUP-24-0017 8936 Croaker Road Family Subdivision



CERTIFICATE OF SOURCE OF TITLE

THE PROPERTY SHOWN ON THIS PLAT WAS CONVEYED BY P.W. DEVELOPMENT, INC TO JAMES F. AND LINDA H. BAKER (HUSBAND & WIFE) BY DEED, DATED 04/19/2004 AND RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF THE COUNTY OF JAMES CITY AS INSTRUMENT NO. 040010768.

OWNERS CERTIFICATE

THE SUBDIVISION OF PROPERTY SHOWN ON THIS PLAT IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE UNDERSIGNED OWNERS, PROPRIETORS AND/OR TRUSTEES.

SIGNATURE: _____ _____
JAMES F. BAKER DATE

SIGNATURE: _____ _____
LINDA H. BAKER DATE

CERTIFICATE OF NOTARIZATION

STATE OF VIRGINIA

CITY/COUNTY OF _____ I, _____,
A NOTARY PUBLIC IN AND FOR THE CITY/COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT THE PERSON(S) WHOSE NAME(S) ARE SIGNED TO THE FOREGOING WRITING HAVE ACKNOWLEDGED THE SAME BEFORE ME IN THE CITY/COUNTY AFORESAID.

GIVEN UNDER MY HAND THIS ___ DAY OF _____, 20___.

MY COMMISSION EXPIRES _____, 20___

SIGNATURE: _____

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS PLAT COMPLIES WITH ALL OF THE REQUIREMENTS OF THE BOARD OF SUPERVISORS AND ORDINANCES OF THE COUNTY OF JAMES CITY, VIRGINIA REGARDING THE PLATTING OF SUBDIVISIONS WITHIN THE COUNTY.

A.D. SEBERT, L.S. — 04/16/2024 DATE

GENERAL NOTES:

1. THE PROPERTY SHOWN HEREON IS ALL OF ASSESSOR'S PARCEL 1420100006 WITH AN ADDRESS OF 8936 CROAKER ROAD.
2. THE PROPERTY DOES NOT LIE WITHIN THE PRIMARY SERVICE AREA.
3. THE PROPERTY IS CURRENTLY ZONED A1 GENERAL AGRICULTURE.
4. THIS PROPERTY APPEARS TO LIE WITHIN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN. PER F.I.R.M. #51095C0061D DATED 12/16/2015.
5. THE TOTAL AREA IS 3.001 AC.±
6. MINIMUM BUILDING SETBACK LINES:
   FRONT = 100' FROM C/L ROAD OR AS SHOWN
   SIDE = 15
   REAR = 35'
7. ALL FUTURE UTILITIES SHALL BE PLACED UNDERGROUND IN ACCORDANCE WITH SECTION 19-33 OF THE JAMES CITY COUNTY SUBDIVISION ORDINANCE.
8. ANY EXISTING UNUSED WELLS SHALL BE ABANDONED IN ACCORDANCE WITH STATE PRIVATE WELL REGULATIONS AND JAMES CITY CODE.
10. THIS PLAT PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT. EASEMENTS ARE SHOWN PER AVAILABLE INFORMATION. OTHER EASEMENTS MAY EXIST. THIS IS NOT A BOUNDARY SURVEY.
11. WETLANDS AND LAND WITHIN RESOURCE PROTECTION AREAS SHALL REMAIN IN A NATURAL UNDISTURBED STATE EXCEPT THOSE ACTIVITIES PERMITTED BY SECTION 23-7(c)(1) OF THE JAMES CITY COUNTY CODE.
12. UNLESS OTHERWISE NOTED, ALL DRAINAGE EASEMENTS DESIGNATED ON THIS PLAT SHALL REMAIN PRIVATE.
13. IN ACCORDANCE WITH SECTION 19-29H OF THE JAMES CITY COUNTY SUBDIVISION ORDINANCE, ANY NATURAL OPEN SPACE EASEMENTS SHALL REMAIN IN A NATURAL, UNDISTURBED STATE EXCEPT FOR THOSE ACTIVITIES REFERENCED ON THE DEED
14. ON-SITE SEWAGE DISPOSAL SYSTEM INFORMATION AND SOILS INFORMATION SHOULD BE VERIFIED AND REEVALUATED BY THE HEALTH DEPARTMENT PRIOR TO ANY NEW CONSTRUCTION.
15. ON-SITE SEWAGE DISPOSAL SYSTEMS SHALL BE PUMPED OUT AT LEAST ONCE EVERY FIVE YEARS PER SECTION 23-9(b)(6) OF THE JAMES CITY COUNTY CODE.
16. MONUMENTS SHALL BE SET IN ACCORDANCE WITH SECTIONS 19-34 THROUGH 19-36 OF THE COUNTY CODE.

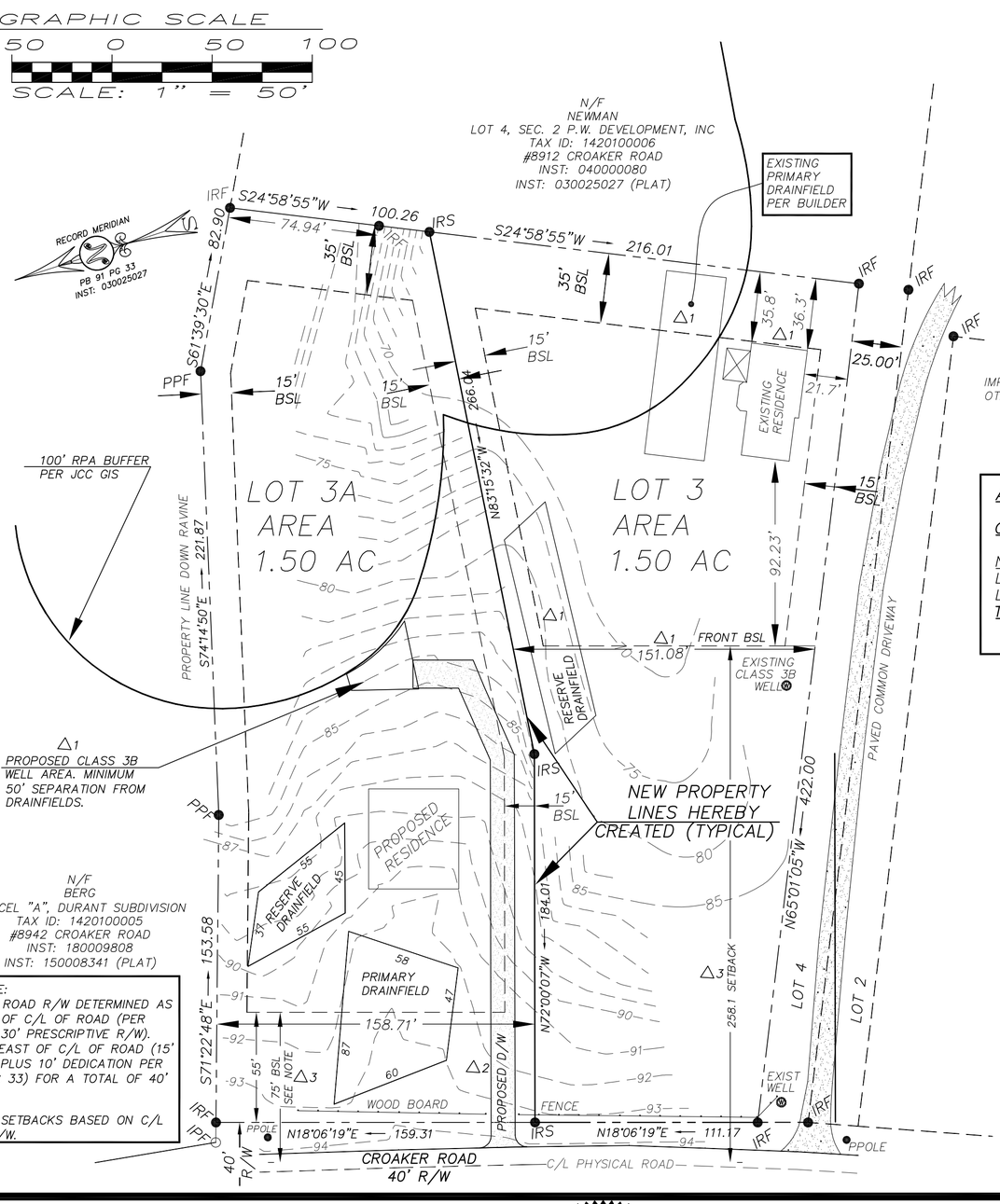
NO LAND DISTURBANCE ALLOWED WITHIN THE 100' RPA BUFFER WITHOUT APPROVAL OF JCC

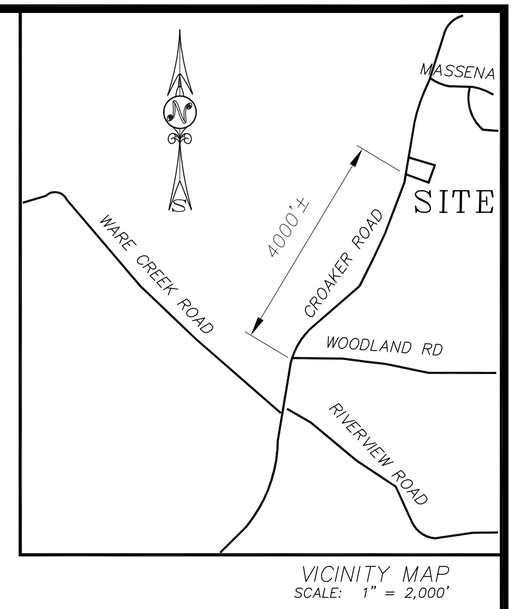
THIS SUBDIVISION IS APPROVED FOR INDIVIDUAL ONSITE SEWAGE SYSTEMS IN ACCORDANCE WITH THE PROVISIONS OF THE CODE OF VIRGINIA, AND THE SEWAGE HANDLING AND DISPOSAL REGULATIONS (12 VAC 5-610-10 ET SEQ., THE "REGULATIONS").

THIS SUBDIVISION WAS SUBMITTED TO THE HEALTH DEPARTMENT FOR REVIEW PURSUANT TO 32.1-163.5 OF THE CODE OF VIRGINIA WHICH REQUIRES THE HEALTH DEPARTMENT TO ACCEPT PRIVATE SOIL EVALUATIONS AND DESIGNS FROM AN AUTHORIZED ONSITE SOIL EVALUATOR (AOSE) OR A PROFESSIONAL ENGINEER WORKING IN CONSULTATION WITH AN AOSE FOR RESIDENTIAL DEVELOPMENT. THE DEPARTMENT IS NOT REQUIRED TO PERFORM A FIELD CHECK OF SUCH EVALUATIONS. THIS SUBDIVISION WAS CERTIFIED AS BEING IN COMPLIANCE WITH THE BOARD OF HEALTH'S REGULATIONS BY: BARRETT HOFFMAN AOSE# 1940001205. THIS SUBDIVISION APPROVAL IS ISSUED IN RELIANCE UPON THAT CERTIFICATION.

PURSUANT TO SECTION 360 OF THE REGULATIONS THIS APPROVAL IS NOT AN ASSURANCE THAT SEWAGE DISPOSAL SYSTEM CONSTRUCTION PERMITS WILL BE ISSUED FOR ANY LOT IN THE SUBDIVISION UNLESS THAT LOT IS SPECIFICALLY IDENTIFIED AS HAVING AN APPROVED SITE FOR AN ONSITE SEWAGE DISPOSAL SYSTEM, AND UNLESS ALL SITE CONDITIONS AND CIRCUMSTANCES ARE PRESENT AT THE TIME OF APPLICATION FOR A PERMIT AS ARE PRESENT AT THE TIME OF THIS APPROVAL. THIS SUBDIVISION MAY CONTAIN LOTS THAT DO NOT HAVE APPROVED SITES FOR ONSITE SEWAGE SYSTEMS.

THIS SUBDIVISION APPROVAL IS ISSUED IN RELIANCE UPON THE CERTIFICATION THAT THE APPROVED LOTS ARE SUITABLE FOR GENERALLY APPROVED SYSTEMS, HOWEVER ACTUAL SYSTEM DESIGNS MAY BE DIFFERENT AT THE TIME CONSTRUCTION PERMITS ARE ISSUED.





VICINITY MAP
SCALE: 1" = 2,000'

AREA TABLE:

ORIGINAL AREA:	130,742 SF±	3.001 AC±
NEW AREAS:		
LOT 3	65,371 SF±	1.50 AC±
LOT 3A	65,371 SF±	1.50 AC±
TOTAL NEW AREA	130,742 SF±	3.001 AC±

LOT 3A HEREBY CREATED AS A "FAMILY SUBDIVISION" PER SECTION 19-17 OF THE JAMES CITY COUNTY CODE

CERTIFICATE OF APPROVAL

THIS PLAT OF FAMILY SUBDIVISION IS APPROVED BY THE UNDERSIGNED IN ACCORDANCE WITH EXISTING SUBDIVISION REGULATIONS AND MAY BE ADMITTED TO RECORD.

_____ _____
DATE VIRGINIA DEPARTMENT OF TRANSPORTATION

_____ _____
DATE VIRGINIA DEPARTMENT OF HEALTH

_____ _____
DATE SUBDIVISION AGENT OF JAMES CITY COUNTY

JCC PROJECT NO. S-24-0010

\J142-3 BAKER FAM SUBDIV.DWG 8/15/2024 4:25:40 PM EDT

SEBERT SURVEYING & LAYOUT, LLC
8675 BARNES ROAD
LANEXA, VA 23089
CELL: (757) 784-2413
asebert@sebertsurveying.com

PLAT OF FAMILY SUBDIVISION
BEING PART OF LOT 3
P.W. DEVELOPMENT, INC SUBDIVISION
STANDING IN THE NAME OF BAKER

STONEHOUSE DISTRICT JAMES CITY COUNTY VIRGINIA

COMMONWEALTH OF VIRGINIA
04/16/2024
A.D. SEBERT
LIC. NO. 2221
LAND SURVEYOR

LEGEND:

N/F	NOW OR FORMERLY
IRF	IRON ROD FOUND
IPF	IRON PIPE FOUND
NL/S	NAIL SET
BSL	BUILDING SETBACK LINE
R/W	RIGHT-OF-WAY
SMH	SANITARY MANHOLE
CO	SANITARY CLEANOUT
WM	WATER METER
WV	WATER VALVE
X 98.2	EXISTIING SPOT ELEVATION
• 98.2	PROPOSED SPOT ELEVATION

DATE: 04/16/2024

REVISIONS:

△1	PER JCC COMMENTS	06/24/24
△2	PER JCC COMMENTS	07/10/24
△3	SETBACK REVISION	08/08/24
△4	REVISE TITLE BLOCK	08/15/24

DESIGNED BY: ADS
SCALE: 1"= 50'
PROJECT NO. J142-3
DRAWING NO. 1 OF 1

M E M O R A N D U M

DATE: October 8, 2024

TO: The Board of Supervisors

FROM: Morgan Risinger, Senior Planner

SUBJECT: ORD-22-0001/Z-24-0008. Amendments for Scenic Roadway Protection

---

Introduction

At its meeting on October 26, 2021, the Board of Supervisors unanimously adopted the 2045 James City County Comprehensive Plan: *Our County, Our Shared Future*. The adopted plan includes the following strategy within the Goals, Strategies, and Actions (GSA) portion of the Land Use Chapter that focuses on preserving scenic roadways:

> *LU 6.3 - To help retain the character of Rural Lands, develop additional zoning and subdivision tools (e.g., scenic easement dedication requirements, increased minimum lot sizes, increased setbacks, and/or overlay districts) to protect and preserve scenic roadways such as Forge Road. Consider 400-foot setbacks along Community Character Corridors outside the PSA.*

In accordance with the Initiating Resolution adopted by the Board of Supervisors at its November 23, 2021, meeting (Attachment No. 1), Planning staff attended multiple Policy Committee, Planning Commission, and Board meetings to discuss potential zoning text amendments to fulfill this GSA. At its January 9, 2024, meeting, the Board requested additional time to consider the proposed amendments due to concerns regarding how the proposed regulations would be applied. During its February 27, 2024, and March 26, 2024, meetings, the Board indefinitely deferred the proposed amendments and directed staff to prepare materials to create an Overlay District to apply setback regulations to parcels which are at least 40 acres in size and located outside of the Primary Service Area (PSA) along Forge Road, North Riverside Drive, and Diascund Road (from Forge Road to the CSX railroad right-of-way). Subsequently, at its May 14, 2024, meeting, the Board adopted an Initiating Resolution directing staff to prepare an amendment to the Zoning Ordinance which would create an Overlay District to protect and preserve scenic roadways and to include the parcels identified on the exhibit titled "Parcels over 40 acres outside the PSA with road frontage" and dated March 12, 2024, in a rezoning to the Overlay District (Attachment No. 2).

Scenic Road Overlay District

Staff has prepared draft Ordinance language to create the Scenic Roadway (SR) Overlay District (Attachment Nos. 3 and 4). The Overlay District would include language establishing a tiered setback of up to 400 feet for structures to be applied to existing parcels rezoned to the district. This tiered approach would specify that unimproved parcels with a depth greater than 500 feet would have a setback requirement of 400 feet, unimproved parcels with a depth greater than 300 feet and up to and including 500 feet would have a setback requirement of 200 feet, and unimproved parcels with a depth of 300 feet or less and flag lots would continue to have setbacks determined by the underlying zoning district. This tiered setback is the same approach previously presented to the Planning Commission at its November 1, 2023, meeting, and to the Board at its January 9, 2024, meeting. In addition to the tiered setback approach for existing parcels, the draft Ordinance language specifies that any new parcels created after the effective date of the Ordinance would have a setback requirement of 400 feet. For context, staff has included an analysis of setback distances from Forge Road used in the development of the tiered approach (Attachment No. 5). As the setback is the only proposed regulation in the draft Ordinance language, the underlying zoning district regulations would remain in effect for parcels within the Overlay District.

At its July 11, 2024, meeting, the Policy Committee voted 4-0 to recommend that the full Planning Commission recommend denial of the Ordinance to the Board of Supervisors.

Should the draft Ordinance language be approved to create the SR Overlay District, staff has prepared an Ordinance to rezone the parcels identified within the map referenced in the Initiating Resolution so that they are included within the Overlay District (Attachment No. 6). As shown in the map referenced within the Initiating Resolution, the parcels identified to be rezoned are at least 40 acres in size and located outside of the PSA along Forge Road, North Riverside Drive, and Diascund Road (from Forge Road to the CSX railroad right-of-way). These parcels are currently zoned A-1, General Agricultural, and designated Rural Lands on the Comprehensive Plan Land Use Map. Should the rezoning be approved, the parcels would continue to follow the regulations of the A-1 Zoning District except that the building setback requirement along these roadways would be regulated by the Overlay District. As requested by the Policy Committee, staff has included a map which visualizes the anticipated effect of the Overlay District setback regulations on the parcels included within the rezoning based on the parcels' improvement status (Attachment No. 7). It should be noted that this map depicts the tiered setbacks that would be applied to the existing unimproved parcels but does not depict the potential 400-foot setback for new parcels created as the setbacks would need to be evaluated during the subdivision review process.

At its September 4, 2024, meeting, the Planning Commission voted 7-0 to recommend denial of the proposed Overlay District Ordinance and the proposed rezoning of parcels to the Overlay District.

Timber Setback and Buffering Requirements

As previously presented to the Planning Commission at its November 1, 2023, meeting, and to the Board at its January 9, 2024, Regular Meeting, staff has prepared draft Ordinance language of proposed amendments to the Zoning Ordinance to provide additional timber setback and landscape buffer requirements along Wooded Community Character Corridors (CCCs). The Comprehensive Plan states that Wooded CCCs are intended to preserve natural wooded areas and encourage supplementary planting to ensure that buffers visually screen development from the road, which is best accomplished by establishing setbacks for timbering and landscape buffers, rather than building setbacks. The draft language includes the following provisions to align with the Comprehensive Plan guidance:

- Propose landscape buffer requirements along Wooded CCCs located outside the PSA to include a 100-foot-wide buffer average for commercial projects.
- Propose a 200-foot-wide buffer average requirement for major residential developments along Wooded CCCs located outside the PSA.
- Propose a timbering setback of at least 50 feet on properties along Wooded CCCs outside the PSA.

Staff has combined these provisions within a singular Ordinance (Attachment Nos. 8 and 9) but has otherwise made no changes from the language presented to the Board at its January 9, 2024, Regular Meeting.

This Ordinance is also accompanied by an Ordinance (Attachment Nos. 10 and 11) which would create a new section in the Subdivision Ordinance to implement the buffer requirement for major subdivisions as a requirement of the subdivision review process. Staff has made no changes to this proposed Ordinance language.

At its September 4, 2024, meeting, the Planning Commission voted 6-1 to recommend approval of the proposed amendments to the Zoning Ordinance and Subdivision Ordinance regarding the timber setback and landscape buffer requirements along Wooded CCCs outside the PSA.

Changes Since the Planning Commission Meeting

Following the September 4, 2024, Planning Commission meeting, staff revised the proposed Overlay District Ordinance (Attachment Nos. 3 and 4) to further specify that the setbacks shall apply only to residential dwellings. In effect, this change allows non-residential structures, such as agricultural support structures, to continue to follow the setback regulations currently prescribed by the A-1 Zoning District.

Additionally, minor subdivision plats creating seven new parcels out of the 2724 Forge Road Property (James City County Real Estate Tax Map Parcel No. 1140100002) have been recorded at the Williamsburg/James City County Courthouse. As the Board's Initiating Resolution for the Overlay District rezoning was for the entire acreage of the included parcels at that time, staff has accordingly revised the rezoning Ordinance (Attachment No. 6) to include the seven new parcels. This brings the total number of parcels proposed for rezoning to 29.

Staff Recommendation

Staff finds that the proposed amendments will fulfill the intent of the Initiating Resolutions and recommends the Board of Supervisors approve the attached Ordinances.

MR/ap
ORD22-1_Z24-8AmendScRP-mem

Attachments:
1. Initiating Resolution
2. Overlay District Initiating Resolution and Map
3. Overlay District Ordinance Strikethrough
4. Overlay District Ordinance Clean Copy
5. Setback Exhibits
6. Overlay District Rezoning Ordinance
7. Overlay District Rezoning Setback Map
8. Timber Setback and Landscape Buffer Ordinance Strikethrough
9. Timber Setback and Landscape Buffer Ordinance Clean Copy
10. Subdivision Buffering Ordinance Strikethrough
11. Subdivision Buffering Ordinance Clean Copy
12. Approved Minutes of the November 1, 2023, Planning Commission Regular Meeting
13. Approved Minutes of the January 9, 2024, Board of Supervisors Regular Meeting
14. Approved Minutes of the February 27, 2024, Board of Supervisors Business Meeting
15. Approved Minutes of the March 26, 2024, Board of Supervisors Business Meeting
16. Draft Minutes of the July 11, 2024, Policy Committee Regular Meeting
17. Draft Minutes of the September 4, 2024, Planning Commission Regular Meeting
18. Citizen Correspondence

RESOLUTION

INITIATION OF CONSIDERATION OF AMENDMENTS TO THE ZONING ORDINANCE AND SUBDIVISION ORDINANCE TO PROVIDE ADDITIONAL REQUIREMENTS TO PROTECT AND PRESERVE SCENIC ROADWAYS SUCH AS FORGE ROAD

WHEREAS, section 15.2-2286(A)(7) of the Code of Virginia, 1950, as amended (the "Virginia Code"), and County Code Section 24-13 authorize 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 required by public necessity, convenience, general welfare, or good zoning practice; and

WHEREAS, section 15.2-2253 of the Virginia Code and County Code Section 19-10 authorize the Board to request the Planning Commission to prepare and recommend amendments to the Subdivision Ordinance; and

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

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby initiate amendment of the James City County Code, Chapter 24, Zoning in order to consider additional requirements to protect and preserve scenic roadways such as Forge Road. The Planning Commission shall hold at least one public hearing on the consideration of amendments to said Zoning Ordinances and shall forward its recommendation to the Board of Supervisors in accordance with the law.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby request the Planning Commission to prepare and recommend amendments to Chapter 19, Subdivisions, in order to consider additional requirements to protect and preserve scenic roadways such as Forge Road. The Planning Commission shall hold at least one public hearing on the consideration of amendments to said Subdivision Ordinances and shall forward its recommendation to the Board of Supervisors in accordance with the law.

Michael J. Hipple
Chairman, Board of Supervisors

ATTEST:

Teresa J. Saeed
Deputy Clerk to the Board

	VOTES			
	AYE	NAY	ABSTAIN	ABSENT
SADLER	✓	___	___	___
ICENHOUR	✓	___	___	___
LARSON	✓	___	___	___
MCGLENNON	✓	___	___	___
HIPPLE	✓	___	___	___

Adopted by the Board of Supervisors of James City County, Virginia, this 23rd day of November, 2021.

InitConsdForgeRd-res

RESOLUTION

INITIATION OF CONSIDERATION OF AMENDMENTS TO THE ZONING ORDINANCE

TO CREATE AN OVERLAY DISTRICT TO PROTECT AND PRESERVE SCENIC ROADWAYS

AND INITIATION OF REZONING OF IDENTIFIED PARCELS TO THE

NEW OVERLAY DISTRICT

WHEREAS, Section 15.2-2286(A)(7) of the Code of Virginia, 1950, as amended (the "Virginia Code"), and County Code Section 24-13 authorize the Board of Supervisors of James City County, Virginia (the "Board"), to, by resolution, initiate amendments to the boundaries of the districts or the regulations of the Zoning Ordinance that the Board finds to be prudent and required by public necessity, convenience, general welfare, or good zoning practice; and

WHEREAS, at its November 23, 2021, meeting, the Board initiated consideration of amendments to the regulations of the Zoning Ordinance and Subdivision Ordinance to provide additional requirements to protect scenic roadways such as Forge Road; and

WHEREAS, at its February 27, 2024, meeting, the Board requested staff to prepare materials for the creation of a new Overlay District that includes additional requirements to protect and preserve scenic roadways; and

WHEREAS, at its March 26, 2024, meeting, the Board directed staff to include the 22 parcels identified on the exhibit titled "Parcels over 40 acres outside the PSA with road frontage" and dated March 12, 2024, in a rezoning to the new Overlay District; and

WHEREAS, the Board is of the opinion that the public necessity, convenience, general welfare, or 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 amendment of the James City County Code, Chapter 24, Zoning, for the creation of a new Overlay District to protect and preserve scenic roadways. The Planning Commission shall hold at least one public hearing on the consideration of amendments to said Zoning Ordinance and shall forward its recommendation to the Board of Supervisors in accordance with the law.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby initiate the rezoning of the 22 parcels identified on the exhibit titled "Parcels over 40 acres outside the PSA with road frontage" and dated March 12, 2024, and any other parcels deemed to require inclusion in the Overlay District, so that they are included within the new Overlay District. The Planning Commission shall hold at least one public hearing on the consideration of the rezoning and shall forward its recommendation to the Board of Supervisors in accordance with the law.

Ruth M. Larson
Chair, Board of Supervisors

ATTEST:

Teresa J. Saeed
Deputy Clerk to the Board

	VOTES			
	AYE	NAY	ABSTAIN	ABSENT
NULL	✓			
HIPPLE	✓			
MCGLENNON	✓			
ICENHOUR	✓			
LARSON	✓			

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of May, 2024.

ScenicRPOvrlyDis-res

James City County
Parcels over 40 acres outside the PSA with road frontage

0 1,000 2,000 Feet

This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information,and data obtained from various sources, and James City County is not responsible for its accuracy or how current it may be.

Copyright James City County GIS Office 3/12/2024M:\Departments\Planning\Paul\Forge_Rd\Forge_Rd.aprx

Barnes Rd
Diascund Rd
N Riverside Dr
Little Creek Dam Rd
Forge Rd
Richmond Rd
ckahominy Rd

8285
3356
3408
3406
8091
3298
8000-A
8000
7829
7808-B
1928-A
7808-A
7808
1928
2016
1812
7400
1701
1827
2406
2526
2116
2822-A
2902
2918
2724
2875

Parcel Lines
Building
PSA Line
Forge and Diascund Rd

ORDINANCE NO._____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 24, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE VI, OVERLAY DISTRICTS, BY ADDING NEW DIVISION 2, SCENIC ROADWAY OVERLAY DISTRICT, SR; BY ADDING NEW SECTION 24-564, STATEMENT OF INTENT; BY ADDING NEW SECTION 24-565, APPLICABILITY; BY ADDING NEW SECTION 24-566, SCENIC ROADWAYS DEFINED; AND BY ADDING NEW SECTION 24-567, SETBACK REQUIREMENTS.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 24, Zoning, is hereby amended and reordained by amending Article VI, Overlay Districts, by adding new Division 2, Scenic Roadway Overlay District, SR; by adding new Section 24-564, Statement of intent; by adding new Section 24-565, Applicability; by adding new Section 24-566, Scenic roadways defined; and by adding new Section 24-567, Setback requirements.

Chapter 24. Zoning

Article VI. Overlay Districts

Division 2. Scenic Roadway Overlay District, SR

Sec. 24-564. Statement of intent.

The Scenic Roadway Overlay District is intended to protect and preserve the viewshed of scenic roadways. The district establishes an increased dwelling setback to maintain the existing rural character along the roadways. The district is intended to impose special requirements in addition to the regulations of the principal zoning district where it applies.

Sec. 24-565. Applicability.

The governing body of James City County, Virginia, hereby establishes and delineates on the zoning district map the Scenic Roadway Overlay District, to be referred to on the zoning district map by the symbol SR. Unless otherwise stated herein, the permitted uses and other regulations of the underlying zoning districts and all other sections of this Zoning Ordinance shall continue to apply.

Sec. 24-566. Scenic roadways defined.

A "scenic roadway," for the purposes of this district, shall include State Route 610 (Forge Road), State Route 603 (Diascund Road), and State Route 715 (North Riverside Drive).

Sec. 24-567. Setback requirements.

(a) Any unimproved parcel or lot in existence as of **[insert date of adoption]**, shall adhere to the following setback requirements:

1. For those parcels or lots containing a lot depth of greater than 500 feet, dwellings shall be located a minimum of 400 feet from the street right-of-way of a scenic roadway.

2. For those parcels or lots containing a lot depth of greater than 300 feet but less than or equal to 500 feet, dwellings shall be located a minimum of 200 feet from the street right-of-way of a scenic roadway.

3. For those parcels or lots containing a lot depth of 300 feet or less or those parcels approved as a flag lot, the applicable setback shall be determined by the underlying zoning district regulations.

An unimproved parcel or lot shall mean any parcel or lot which does not have a building placed upon or affixed to land. Any change in a recorded subdivision plat as defined in section 19-11 of the subdivision ordinance to circumvent the above requirements shall not be permitted.

(b) For any parcel or lot created after **[insert date of adoption],** dwellings shall be located a minimum of 400 feet from the street right-of-way of a scenic roadway. For the purposes of a flag lot, the required minimum 400 feet from a scenic roadway may include the distance of the flag stem, however, no dwelling shall be located less than 75 feet from the front lot line nearest and parallel or approximately parallel to the street to which the lot has access as shown in section 19-41 of the subdivision ordinance.

_____
Ruth M. Larson
Chair, Board of Supervisors

ATTEST:

_____
Teresa J. Saeed
Deputy Clerk to the Board

	VOTES			
	AYE	NAY	ABSTAIN	ABSENT
NULL	____	____	____	____
HIPPLE	____	____	____	____
MCGLENNON	____	____	____	____
ICENHOUR	____	____	____	____
LARSON	____	____	____	____

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of October, 2024.

ORD22-1AmendScRP-ord

ORDINANCE NO._____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 24, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE VI, OVERLAY DISTRICTS, BY ADDING NEW DIVISION 2, SCENIC ROADWAY OVERLAY DISTRICT, SR; BY ADDING NEW SECTION 24-564, STATEMENT OF INTENT; BY ADDING NEW SECTION 24-565, APPLICABILITY; BY ADDING NEW SECTION 24-566, SCENIC ROADWAYS DEFINED; AND BY ADDING NEW SECTION 24-567, SETBACK REQUIREMENTS.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 24, Zoning, is hereby amended and reordained by amending Article VI, Overlay Districts, by adding new Division 2, Scenic Roadway Overlay District, SR; by adding new Section 24-564, Statement of intent; by adding new Section 24-565, Applicability; by adding new Section 24-566, Scenic roadways defined; and by adding new Section 24-567, Setback requirements.

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The Scenic Roadway Overlay District is intended to protect and preserve the viewshed of scenic roadways. The district establishes an increased building setback to maintain the existing rural character along the roadways. The district is intended to impose special requirements in addition to the regulations of the principal zoning district where it applies.

Sec. 24-565. Applicability.

The governing body of James City County, Virginia, hereby establishes and delineates on the zoning district map the Scenic Roadway Overlay District, to be referred to on the zoning district map by the symbol SR. Unless otherwise stated herein, the permitted uses and other regulations of the underlying zoning districts and all other sections of this Zoning Ordinance shall continue to apply.

Sec. 24-566. Scenic roadways defined.

A “scenic roadway,” for the purposes of this district, shall include State Route 610 (Forge Road), State Route 603 (Diascund Road), and State Route 715 (North Riverside Drive).

Sec. 24-567. Setback requirements.

(a) Any unimproved parcel or lot in existence as of [insert date of adoption], shall adhere to the following setback requirements:

1. For those parcels or lots containing a lot depth of greater than 500 feet, structures shall be located a minimum of 400 feet from the street right-of-way of a scenic roadway.

2. For those parcels or lots containing a lot depth of greater than 300 feet but less than or equal to 500 feet, structures shall be located a minimum of 200 feet from the street right-of-way of a scenic roadway.

3. For those parcels or lots containing a lot depth of 300 feet or less or those parcels approved as a flag lot, the applicable setback shall be determined by the underlying zoning district regulations.

An unimproved parcel or lot shall mean any parcel or lot which does not have a building placed upon or is affixed to land. Any change in a recorded subdivision plat as defined in section 19-11 of the subdivision ordinance to circumvent the above requirements shall not be permitted.

(b) For any parcel or lot created after [insert date of adoption], dwellings shall be located a minimum of 400 feet from the street right-of-way of a scenic roadway. For the purposes of a flag lot, the required minimum 400 feet from a scenic roadway may include the distance of the flag stem, however, no dwelling shall be located less than 75 feet from the front lot line nearest and parallel or approximately parallel to the street to which the lot has access as shown in section 19-41 of the subdivision ordinance.

ENGAGE 2045
SHARE your ideas SHAPE our community
JAMES CITY COUNTY

Rural Roadway Preservation



James City County Zoning Update

DRAFT August 2, 2022

Prepared by EPR,PC

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Rural Roadway Preservation

Part 1. Visual Analysis of Viewsheds

Introduction

In 2021, the James City County Board of Supervisors approved a Resolution to initiate the amendment of the James City Zoning and Subdivision ordinances in order to consider additional requirements to protect and preserve scenic roadways such as Forge Road. As part of an analysis to consider new standards for protection of these scenic roadways, EPR, PC was asked to develop analytic visualizations of the visual impacts of the viewshed on Forge Road.

The results of this analysis are presented here in two parts:

1. Ground Level Visualizations - The first part is a series of photomontages that were developed based on alternative measured distances from the road.
2. Aerial Visualizations – The second part is a series of aerial photographs of the Forge Road corridor showing different distances from the road as colored buffers along the roadway, with existing structures highlighted to show where they fall within the distance buffers.

It is important to note that, even though these are illustrative visualizations, they are based on actual measured dimensions using computer mapping for the distances so they represent a reasonably accurate representation of what potential distance standards could look like in reality.

Ground Level Visualizations

Methodology

For the purposes of the visualizations, a photograph of a segment of Forge Road was used that represents a typical "view from the road" on a relatively level portion of the road without any existing screening or buffering along the roadway. Using computer mapping, house sites were located at the following distances from the edge of the roadway (which is also the edge of the Right of Way):

- 100 feet
- 200 feet
- 300 feet
- 400 feet



Figure 1. Existing photo of Forge Road with computer mapping of different setback distances

Secondly, photographs of two typical houses were selected at the same view angle as the "view from the road" photograph to be used in composing the photomontages. House A was a simple one story brick home with attached garage and minimal landscaping and House B was a more elaborate house with detached garage and extensive landscaping in the front yard.

These houses were then photo montaged into the existing Forge Road photograph precisely at each of the distance points to show a reasonably realistic view of the visual impact of the houses at each distance parameter.

Results

The images below show the final photomontages with each house at each of the distances from the road.

House A:



Figure 2. House A. 100 ft. distance



Figure 4. House A. 200 ft. distance



Figure 3. House A. 300 ft. distance



Figure 5. House A. 400 ft. distance

House B.



Figure 6. House B. 100 ft. distance



Figure 7. House B. 200 ft. distance



Figure 8. House B. 300 ft. distance



Figure 9. House B. 400 ft. distance

Conclusions

The use of computer aided photomontage visualizations is a practical way to assess the potential visual impacts of alternative provisions for distances from the road. However, it is important to recognize that many other factors can influence the perception of different distances to houses when viewed from the road. These include topography, the presence of existing vegetation, and the general architectural character of structures. The above visualizations are of course open to different interpretations regarding what distance standards should be developed. From the consultant's perspective, a few observations are offered for consideration from a professional planning perspective:

- The visual impact of both houses at the 100 foot distance is considerable. This scale of this distance is more reminiscent of a suburban development pattern than what is typically seen in a rural, farming based landscape.
- 300 to 400 foot distances are more similar to a typically rural context and view from the road, although houses on large lots are frequently set back even more than that. Often, homeowners who purchased large lots prefer a wide set back from the road to maintain their sense of private space and rural character.
- Particularly at the 400 foot distance line, there is an opportunity to create buffering and screening around the houses with vegetation that would be more reminiscent of a rural farm scape rather than a suburban landscape pattern.
- The architecture and landscaping around the house also influence the character of the view from the road. Large suburban houses with tall roofs and suburban style landscaping create more of a discontinuity with the rural landscape than a low ranch house with an attached garage.

Aerial Visualizations

Methodology

Based on County staff request, EPR developed an aerial mapping analysis of different distance widths applied to a section of Forge Road located outside of the PSA. The maps were presented as aerial photos with the distances shown as colored buffers on the photos and as oblique aerial views of segments of Forge Road showing existing structures.

The following maps were developed:

- Baseline Setback Map. This map shows the setback that currently applies under the existing zoning requirements for A-1.
- Potential Alternate Distance Analysis Map: This maps shows potential distances of 100', 200', 300' and 400'.
- Oblique Aerials of Segments of Forge Road. These maps show detailed oblique views of five segments of Forge Road with the potential distance ranges from 100' to 400' and highlight existing structures.

Results:

JAMES CITY COUNTY ZONING ANALYSIS | Forge Rd. Basemap (Existing Setback)

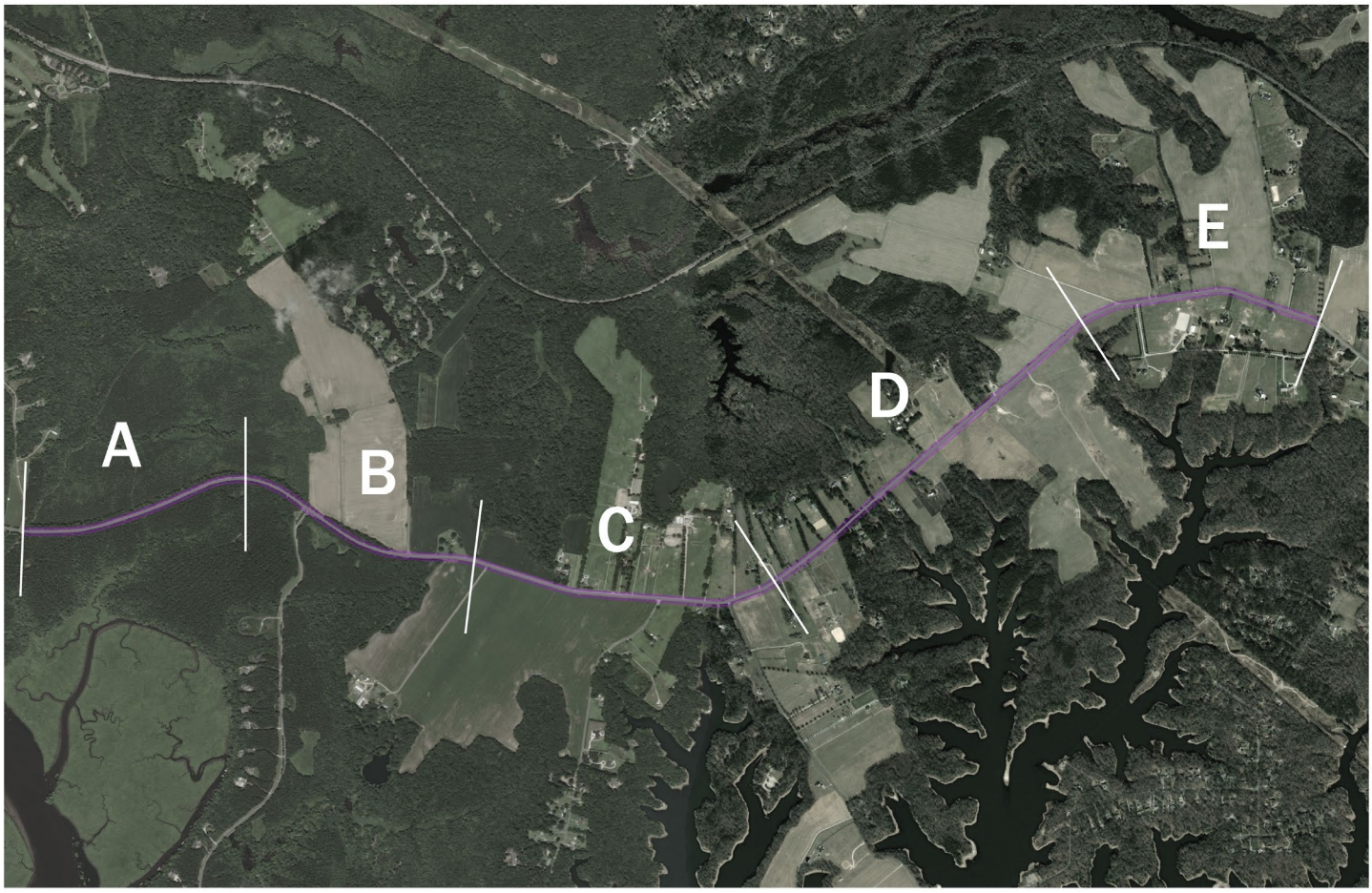


Figure 10. Base Map showing Existing Setback for A1 Zone

JAMES CITY COUNTY ZONING ANALYSIS | Forge Rd. Basemap (Proposed Setbacks)

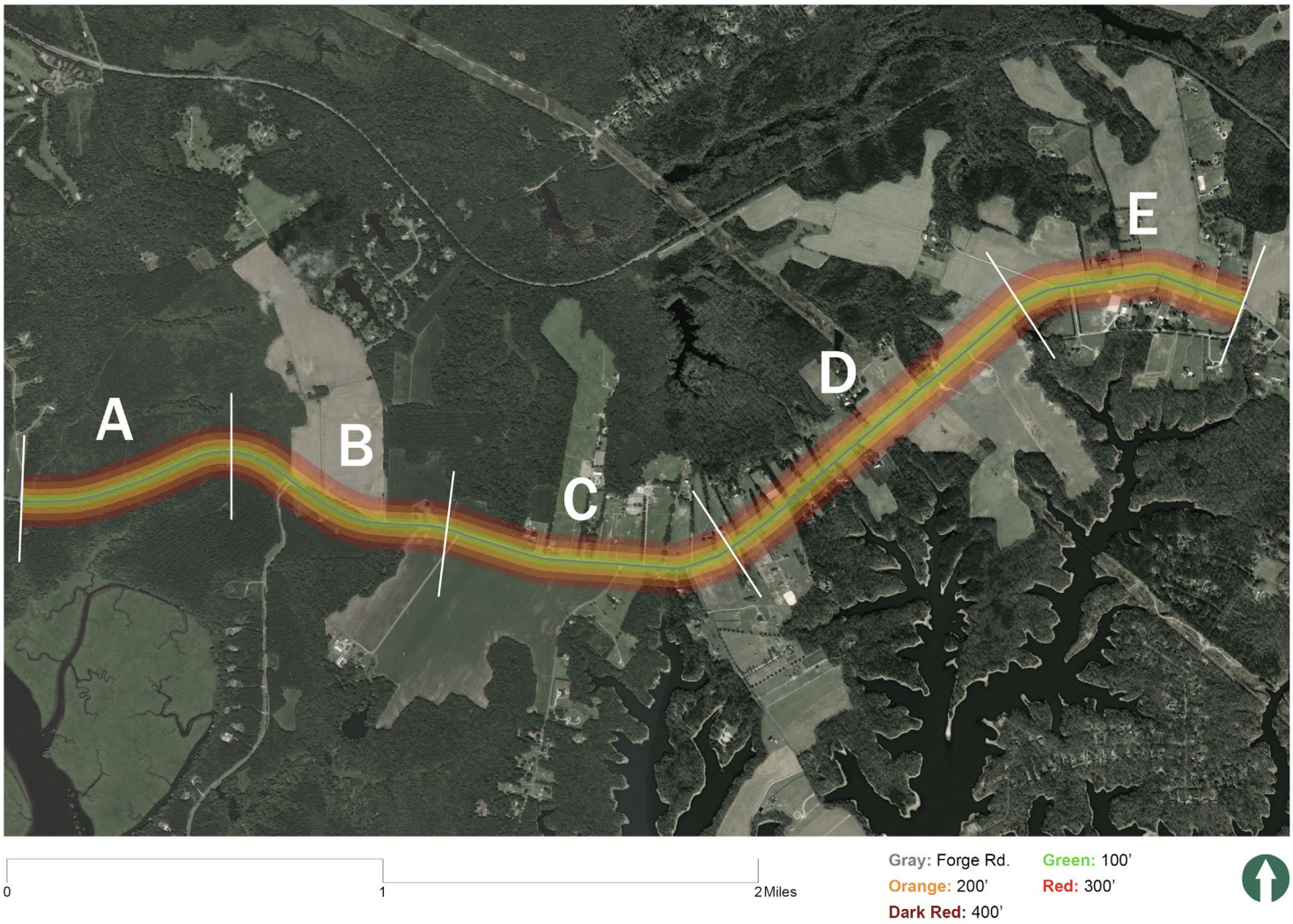


Figure 11. Base map showing alternate distances from the roadway

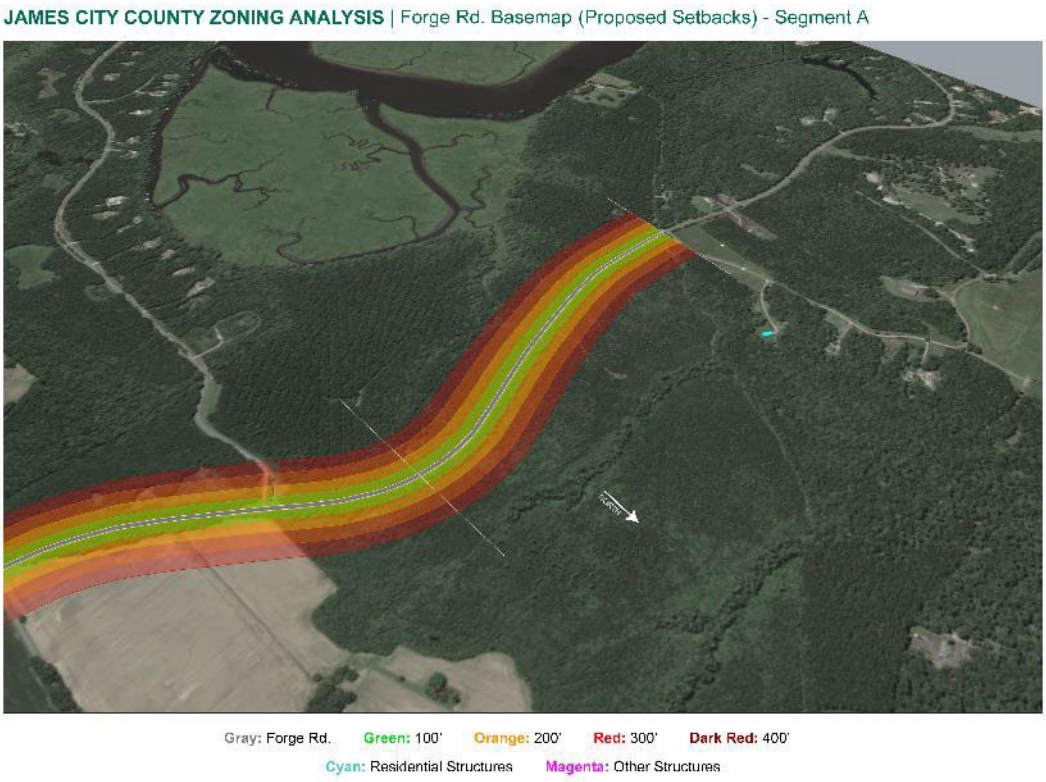


Figure 13. Potential distances - Segment A.

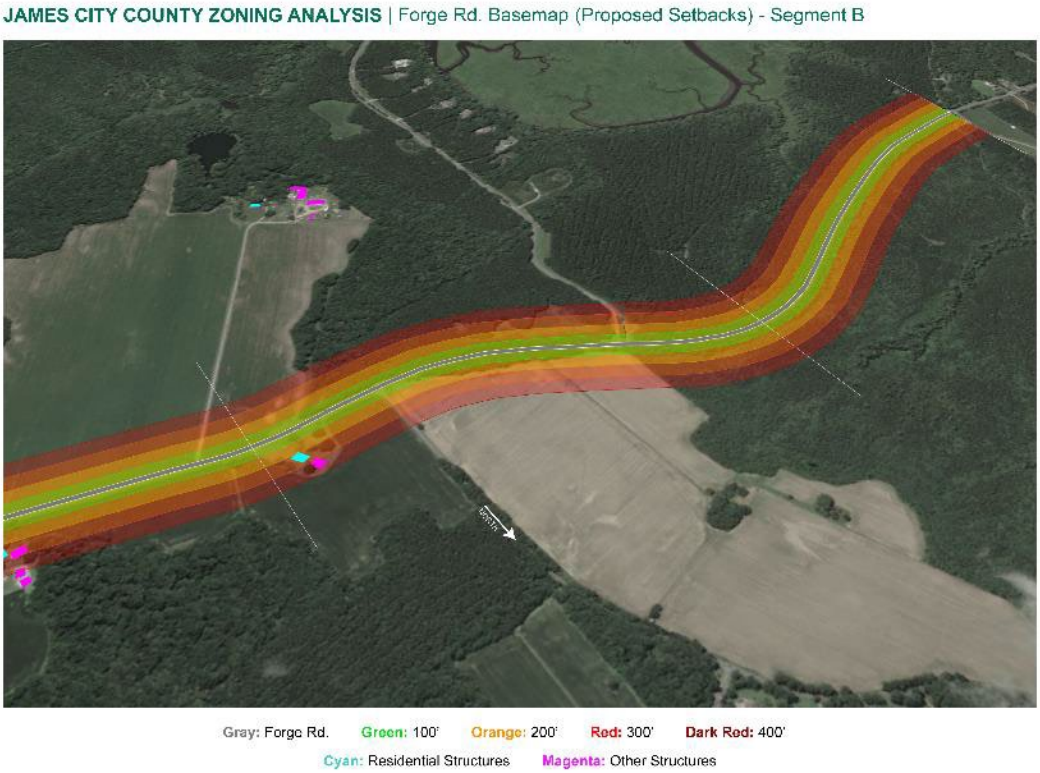


Figure 12. Potential distances - Segment B.

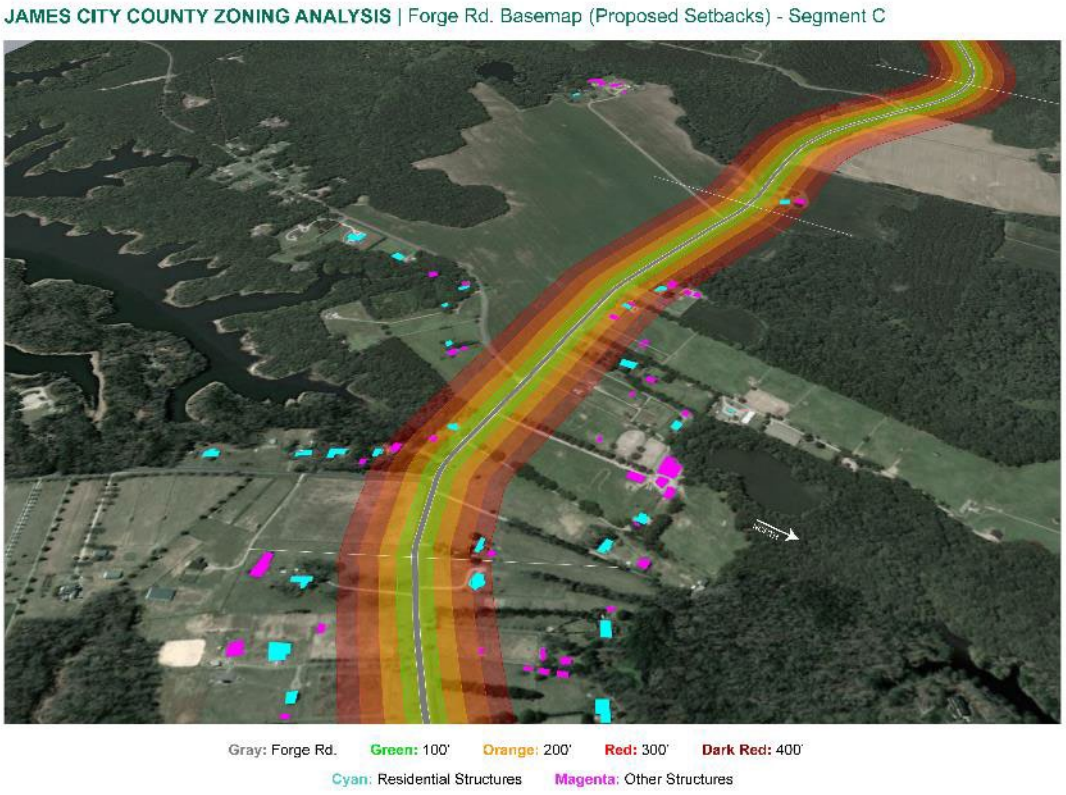


Figure 15. Potential distances - Segment C.

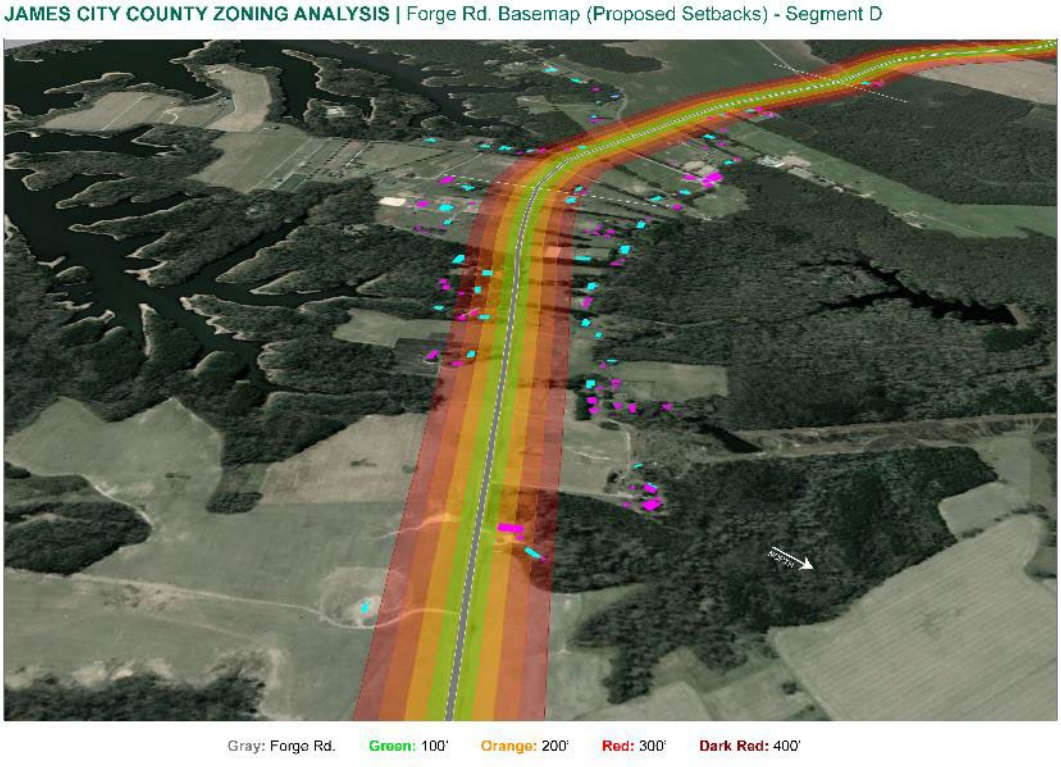


Figure 14. Potential distances - Segment D.

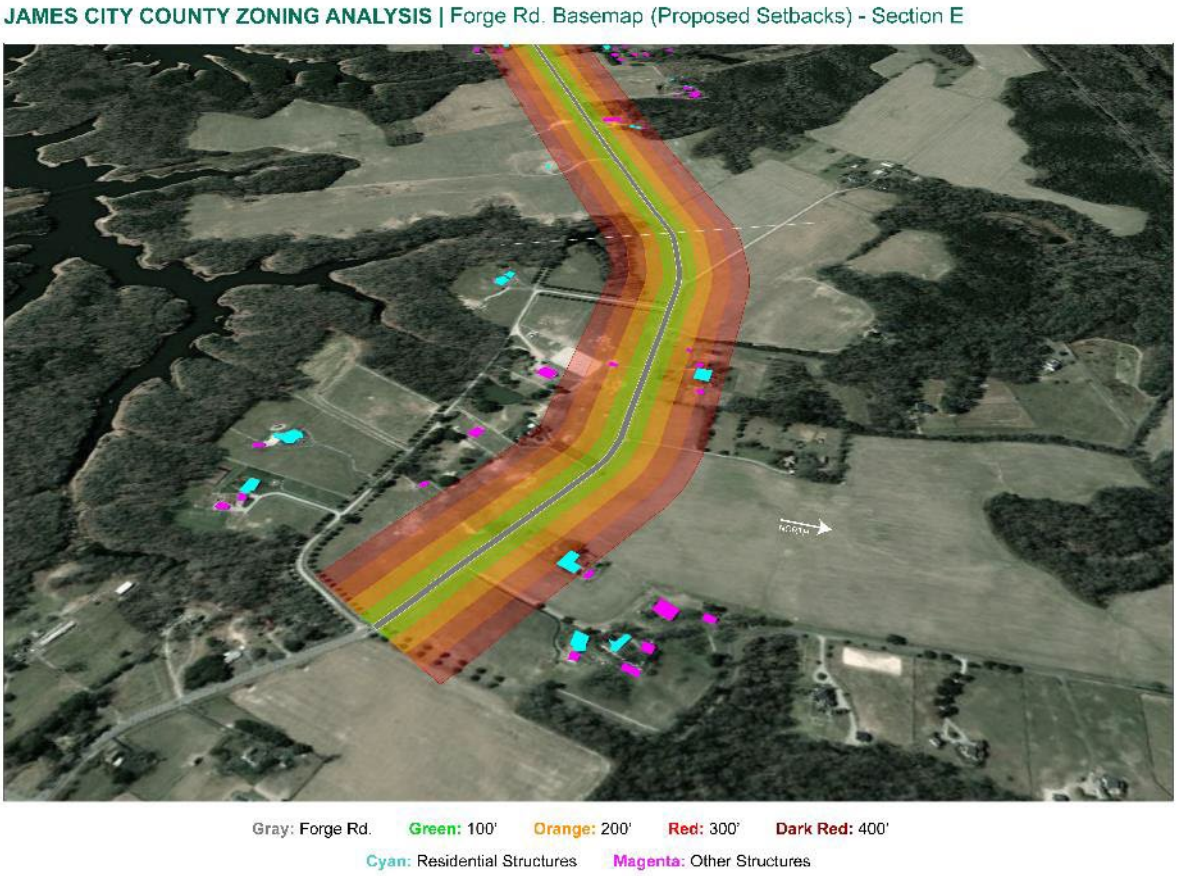


Figure 16. Potential distances - Segment E.

Conclusions

The analysis of existing and potential distances through aerial photography provides a useful assessment of the existing conditions along Forge Rd and the existing setbacks of existing structures. A few summary findings from this analysis include:

- Very few existing structures are built right up to the existing setback line of 75 feet for the A1 zoning district.
- Only one residential structure in segment C and one residential structure in segment D approach the 100 foot distance line. Also, one nonresidential structure in segment D is also built at the 100 foot distance line.
- The majority of structures that fall within the potential distance buffers range from 200 to 400 foot distances.
- a great number of structures are set back well beyond the 400 foot distance line. Segments C and D show a wide variety of structures set well back from the road up to 1000 feet or more.
- In general, both the diversity of setbacks of existing structures and the extensive average distance from the road contribute to the scenic character of Forge Rd and ensure that view sheds are not dominated by views of houses or other structures.
- In addition, the rolling terrain and pattern of existing trees and vegetation break up the views of the structures and contribute to the overall pastoral viewsheds from the road.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE ZONING DISTRICT MAPS OF JAMES CITY COUNTY, VIRGINIA, TO REZONE APPROXIMATELY 2,671.354 ACRES FROM A-1, GENERAL AGRICULTURAL, TO A-1/SR, GENERAL AGRICULTURAL/SCENIC ROADWAY OVERLAY.

CASE NO. Z-24-0008 SCENIC ROAD OVERLAY DISTRICT

WHEREAS, on May 14, 2024, the Board adopted a resolution initiating the consideration of rezoning of approximately 2,671.354 acres from A-1, General Agricultural to A-1/SR, General Agricultural/Scenic Roadway Overlay; and

WHEREAS, the properties are located at the following James City County (JCC) Real Estate Tax Map Parcel Nos. and address:

1. JCC Tax Map No. 940100002, 8285 Diascund Road
2. JCC Tax Map No. 0940100008E, 3298 North Riverside Drive
3. JCC Tax Map No. 0940100008G, 3356 North Riverside Drive
4. JCC Tax Map No. 0940100008H, 3408 North Riverside Drive
5. JCC Tax Map No. 0940100008N, 3406 North Riverside Drive
6. JCC Tax Map No. 1030100019, 8091 Diascund Road
7. JCC Tax Map No. 1040100003, 8000 Diascund Road
8. JCC Tax Map No. 1040100005, 7829 Diascund Road
9. JCC Tax Map No. 1040100006, 7808 Diascund Road
10. JCC Tax Map No. 1130100028, 2406 Forge Road
11. JCC Tax Map No. 1140100002, 2724 Forge Road
12. JCC Tax Map No. 1140100005, 2526 Forge Road
13. JCC Tax Map No. 1140100011, 2640 Forge Road
14. JCC Tax Map No. 1140100012, 2652 Forge Road
15. JCC Tax Map No. 1140100013, 2664 Forge Road
16. JCC Tax Map No. 1140100014, 2676 Forge Road
17. JCC Tax Map No. 1140100015, 2688 Forge Road
18. JCC Tax Map No. 1140100016, 2700 Forge Road
19. JCC Tax Map No. 1140100017, 2712 Forge Road
20. JCC Tax Map No. 1140200006, 2875 Forge Road
21. JCC Tax Map No. 1230100018B, 2902 Forge Road
22. JCC Tax Map No. 1230100018C, 2918 Forge Road
23. JCC Tax Map No. 2010200001A, 7400 Uncles Neck
24. JCC Tax Map No. 2020100002, 1812 Forge Road
25. JCC Tax Map No. 2020100003, 1928 Forge Road
26. JCC Tax Map No. 2020100005, 1827 Forge Road
27. JCC Tax Map No. 2020100006, 1701 Forge Road
28. JCC Tax Map No. 2110100001, 2016 Forge Road
29. JCC Tax Map No. 2110100005, 2116 Forge Road

WHEREAS, in accordance with Section 15.2-2204 of the Code of Virginia, 1950, as amended, and Section 24-13 of the James City County Zoning Ordinance, a public hearing was advertised, adjoining property owners notified, and a public hearing scheduled on Case No. Z-24-0008; and

WHEREAS, the Planning Commission of James City County, Virginia, following its public hearing on September 4, 2024, recommended denial of Case No. Z-24-0008 by a vote of 7-0; and

WHEREAS, the Board of Supervisors of James City County, Virginia, finds Case No. Z-24-0008 to be required by public necessity, convenience, general welfare, and good zoning practice.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, that Case No. Z-24-0008 is hereby approved as described herein.

_____
Ruth M. Larson
Chair, Board of Supervisors

ATTEST:

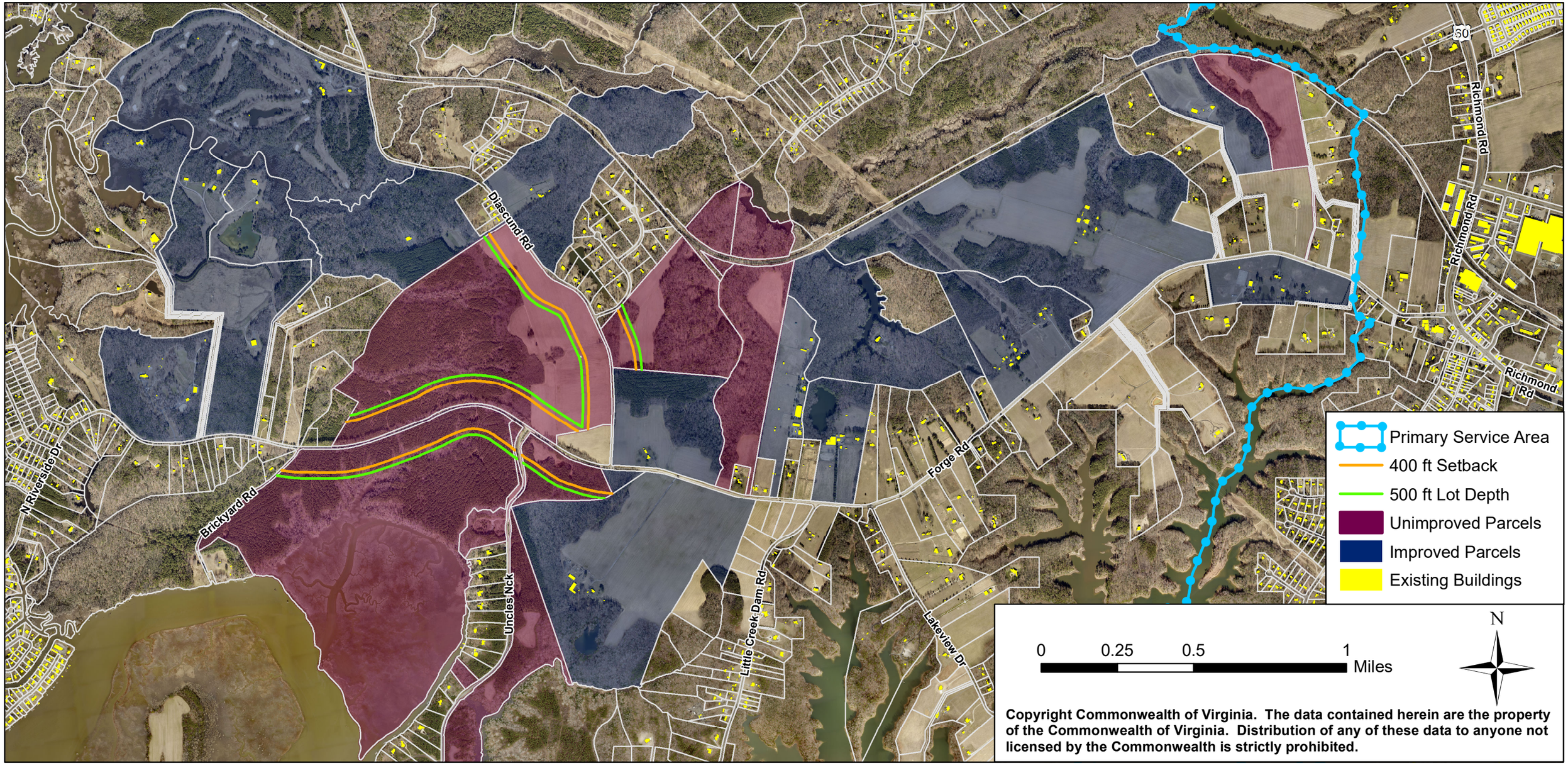
_____
Teresa J. Saeed
Deputy Clerk to the Board

	VOTES			
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HIPPLE	____	____	____	____
MCGLENNON	____	____	____	____
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LARSON	____	____	____	____

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of October, 2024.

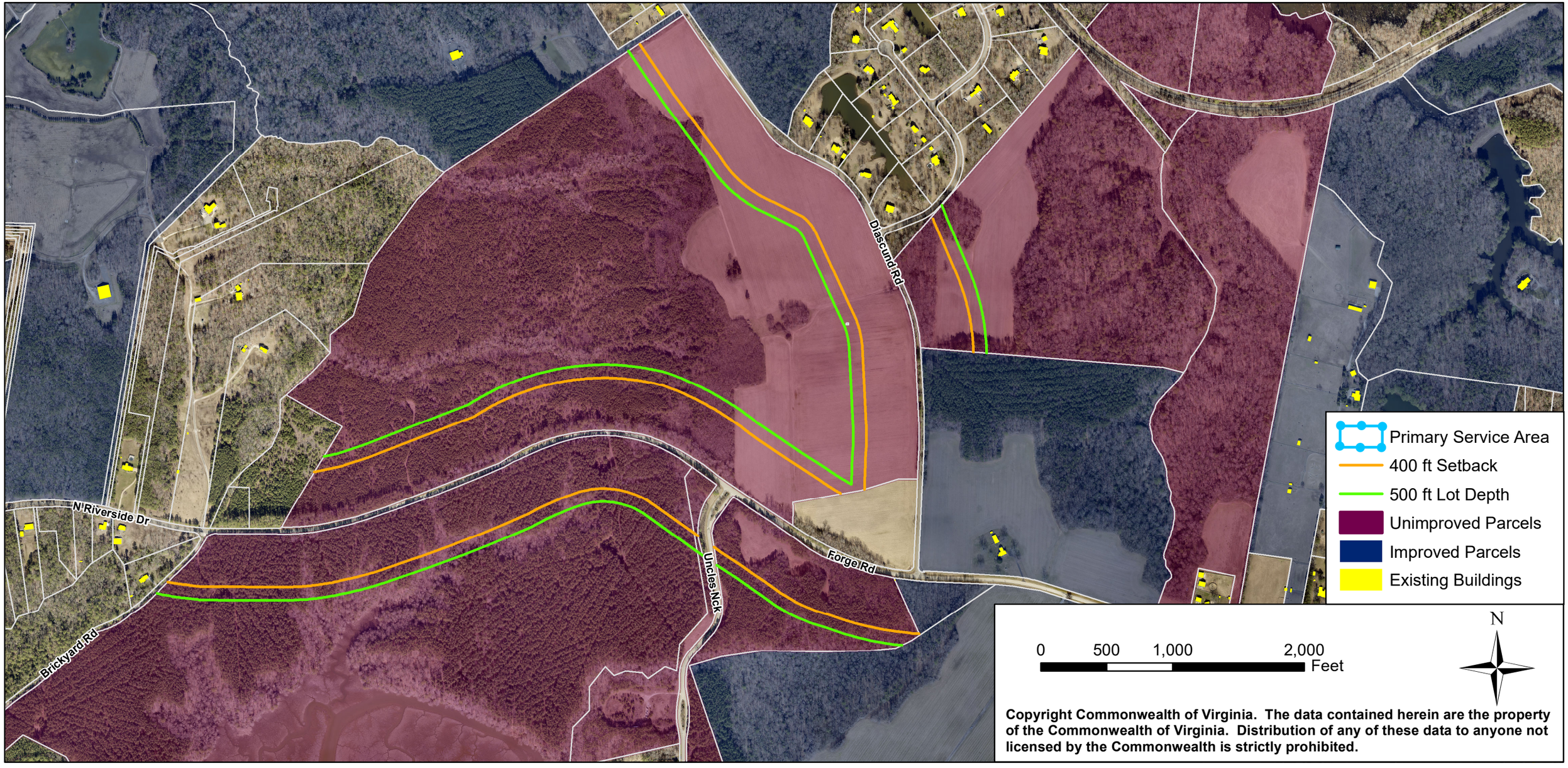
ORD22-1ScRdOvrlyDist-ord

JCC ORD-22-0001, Amendments for Scenic Roadway Protection.



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JCC ORD-22-0001, Amendments for Scenic Roadway Protection.



Copyright Commonwealth of Virginia. The data contained herein are the property of the Commonwealth of Virginia. Distribution of any of these data to anyone not licensed by the Commonwealth is strictly prohibited.

ORDINANCE NO._____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 24, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE II, SPECIAL REGULATIONS, BY AMENDING DIVISION 1, IN GENERAL, SECTION 24-43, BUFFER AND SETBACK REQUIREMENTS FOR TIMBERING ACTIVITIES; AND BY AMENDING DIVISION 4, LANDSCAPING, SECTION 24-98, LANDSCAPE AREA(S) ALONG RIGHT(S)-OF-WAY; AND BY AMENDING ARTICLE V, DISTRICTS, DIVISION 2, GENERAL AGRICULTURAL DISTRICT, A-1, BY ADDING NEW SECTION 24-223, BUFFER REQUIREMENTS.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 24, Zoning, is hereby amended and reordained by amending Article II, Special Regulations, by amending Division 1, In General, Section 24-43, Buffer and setback requirements for timbering activities; and by amending Division 4, Landscaping, Section 24-98, Landscape area(s) along right(s)-of-way; and by amending Article V, Districts, Division 2, General Agricultural District, A-1, by adding new Section 24-223, Buffer requirements.

Chapter 24. Zoning

Article II. Special Regulations

Division 1. In General

Sec. 24-43. Buffer and setback requirements for timbering activities.

The requirements in this section shall apply to timbering activities located in all districts. This section shall not apply to tree removal activities conducted as part of a site plan, subdivision plan, or building permit that is currently under review by the county or has received final approval. Approval of site plans, subdivision plans, or building permits shall be in accordance with other provisions of the zoning ordinance and shall not be governed or guided by the provisions of this section. This section shall also not apply to timbering activities where all timbering is conducted outside of the buffers or setback for timbering listed in paragraph (1), (2) or (3) or for timbering within such buffers or setback for timbering to construct access drives having a maximum width of 30 feet. The following provisions shall apply to all timbering activities subject to this section except as otherwise noted:

(1) *Buffer along public roads.* This paragraph shall not apply to the General Agricultural District, A-1. An undisturbed buffer at least 75 feet wide shall be maintained along all public roads. No trees or other vegetation shall be removed from this buffer except as permitted under this section.

(2) *Buffer along community character corridor.* This paragraph shall not apply to the General Agricultural District, A-1. On all other property fronting on roads that are identified as community character corridors on the comprehensive plan, an undisturbed buffer at least 150 feet wide shall be maintained along the community character corridor on properties that are zoned residential. No trees or other vegetation shall be removed from this buffer except as permitted under this section.

(3) *Setback for timbering.* In the General Agricultural District, A-1, for properties that are in the primary service area, all timbering activities shall be located a minimum of 50 feet from any public road right-of-way unless done in accordance with other provisions in section 24-43. This distance shall be known as the setback for timbering. In the general agricultural district, A-1, for properties outside the primary service area, there shall be no setback for timbering except that those parcels adjacent to Wooded Community Character Corridors shall have a 50-foot-wide setback for timbering.

(4) *Buffer and setback for timbering measurement and determinations.* The width of required buffers and setbacks for timbering shall exclude any planned future right-of-way as designated on the Six-Year Primary or Secondary Road Plan.

(5) *Tree protection.* Required buffer areas and setbacks for timbering shall be marked by painting trees along the interior edge of the buffer. Equipment, timber, or other materials shall not be placed within the buffer or setback for timbering area.

(6) *Processing requirements.* Prior to commencing any timbering activities within a buffer or setback for timbering except for a 30-foot access drive, the property owner or agent shall complete a timber buffer modification application and submit it along with a James City County Tax Map (with topography) to the planning director that shows the site's property lines, any existing and proposed driveway entrances, required buffer areas, and setbacks for timbering, and tree protection measures. The planning director shall determine whether to permit timbering activities within a buffer or setback for timbering in accordance with paragraphs (7) and (8) below. Upon approval of the application by the planning director, timbering activities within a buffer or setback for timbering may proceed. All timbering activities within a buffer or setback for timbering including location of driveways or any other land disturbing activities, shall take place only in those areas indicated on the approved map and in accordance with the methods approved by the planning director. The planning director shall have no more than ten working days from the filing of such application to approve or disapprove the application. If disapproved, the planning director shall write a letter to the applicant identifying the revisions to be made to gain approval.

(7) *Modifications.* The planning director may grant modifications to the buffer, setback for timbering, and tree protection requirements when, in the opinion of the planning director, an alternative design provides equivalent measures, or retains the rural character of the property, or when buffers, setbacks for timbering, or tree protection are unnecessary due to a site's physical conditions such as topography or presence of streambeds, wetlands or other natural features. The planning director may also permit tree removal within the buffer or setback for timbering when trees are weakened, dying, diseased, or insect damaged, or, in the opinion of the state forester or a certified horticulturalist, unlikely to survive or such removal will enhance the long-term effectiveness of the buffer or setback for timbering as a visual barrier.

(8) *Partial timbering within a buffer or setback for timbering.* The planning director may approve partial timbering of buffer areas and setback for timbering and the use and type of equipment for partial timbering, after considering the following:

a. The effect of the timbering on the long-term effectiveness of the buffer area, or setback for timbering and on adjacent roads and properties;

b. The anticipated development of the property and the surrounding area;

c. The condition of any adjacent dwelling or subdivision including whether the structures are abandoned or dilapidated;

d. Any recommendations of the state forester or a certified horticulturalist, including recommendations on the use and type of equipment for partial timbering;

e. The health and diversity of trees with emphasis on protection of mixed hardwood trees, and the reforestation of the buffer or setback for timbering; and

f. The market value of the timber in the buffer or setback for timbering and the timber to be removed, and the market value of the timber on the balance of the property.

(9) *Development review committee review.* The development review committee shall consider the timber buffer modification application if there are unresolved problems between the applicant and the planning director.

(10) *Tree Replacement.* If timbering occurs within the buffers or setbacks for timbering described above in paragraphs (1), (2) and (3) and such timbering is not approved in accordance with paragraphs (7) and (8) above, trees shall be replaced at a ratio of one tree for each 800 square feet of area timbered. All replacement trees shall be of a species native to eastern Virginia. Such trees shall meet the standards for trees stated in section 24-2. The number and type of trees and their placement shall be approved by the planning director.

All trees shall be planted within 30 days from the date the trees were removed from the buffer or setback unless such period does not fall within the planting season. In such cases, their replacement in the next planting season (October 1 through March 31) shall be guaranteed by entering into a written agreement with the county and furnishing to the county a certified check, bond with surety satisfactory to the county, or a letter of credit in an amount to cover all costs of the plantings and their installation as estimated by the planning director. Such written agreement shall be entered into and such financial guarantee shall be provided to the county within 30 days from the date the trees were removed. The form of the agreement, financial guarantee, or type of surety shall be to the satisfaction of and approved by the county attorney. If the improvements are not completed in a timely manner, the planning director shall proceed to complete the improvements by calling on the surety or financial guarantee. After the first full growing season (February 1 to November 30) after planting, any trees not in a healthy growing condition or determined to be dead, diseased, or dying, shall be replaced as determined by the planning director. Thereafter, all trees shall be maintained in a healthy growing environment and in a healthy growing condition.

The planning director may allow some or all of the trees required by this paragraph to be planted outside the buffer or off-site when, if in the opinion of the planning director, such an alternative mitigates the environmental, buffering, or wildlife habitat impacts of the tree removal.

(11) *Violations and penalties.* Prior to any criminal or civil enforcement under this section, the administrator or designee shall give five days written notice of the violation to the owner of the property prior to commencing enforcement. The violation of any provision of this section concerning tree replacement in paragraph 10 above is subject to a civil fine pursuant to section 24-22. The violation of any other provisions in this section is subject to a criminal sanction under section 24-22.

Division 4. Landscaping

Sec. 24-98. Landscape area(s) along right(s)-of-way.

(a) *Width requirements.* A landscape area having an average width as specified in the following chart shall be provided adjacent to any existing or planned road right-of-way.

Width Requirements for Landscape Areas along Right(s)-of-Way.			
(1) Community Character Corridors			
	Standard	Minimum width conditioned upon approval of planning director. Reference section 24-98(e) for the criteria.	Reduction for lots less than 1.5 acres which were recorded or legally in existence prior to July 3, 1990.
Average Width	50-feet	30-feet	20-feet or 10% of the average lot depth, whichever is greater.
Minimum Width	25-feet	20-feet	15-feet
(2) Wooded Community Character Corridors Outside the Primary Service Area			
	Standard		Reduction for lots less than 1.5 acres which were recorded or legally in existence prior to July 3, 1990.
Average Width	100-feet		20-feet or 10% of the average lot depth, whichever is greater.
Minimum Width	50-feet		15-feet
(23) All Other Roads			
	Standard		Reduction for lots less than 1.5 acres which were recorded or legally in existence prior to July 3, 1990.
Average Width	30-feet		20-feet or 10% of the average lot depth, whichever is greater.
Minimum Width	15-feet		15-feet
(34) Further Reductions for Master Planned Communities with Approved Design Guidelines.			
The standards provided above can be further reduced for developments that are part of an approved master-planned community and have a governing set of design guidelines approved by the county. The design guidelines shall specify architectural standards, building placement and massing, parking location, sidewalks, street-lighting, streetscape standards, landscaping, signage, and other important community aesthetic features.			

(b) *Square footage calculation for landscape areas.* All landscape areas along a right-of-way shall contain a minimum amount of square footage which shall be equal to:

Square Footage Calculation
Square Footage = [Applicable Average Width Requirement] * [Length of Right-of-Way Frontage]

In no case shall any portion of any landscape area located more than 125 feet from the right-of-way of a Wooded Community Character Corridor outside the Primary Service Area, 65 feet from the right-of-way of all other Community Character Corridors or 45 feet from the right-of-way along all other roads be counted toward meeting the requirements of this paragraph. All required square footage shall be contiguous and located in an area that is directly adjacent to the right-of-way except as provided for in section 24-98 (f)(1).

(c) *Outdoor operations and storage.*

Any commercial or industrial operation or storage conducted in whole or in part out-of-doors shall:

(1) Be screened from the right of way and conform to the landscape requirements in section 24-98 and 24-100 (a) of the zoning ordinance. Evergreen tree and shrub mixture requirements of section 24-94 (b) shall be used to screen the outdoor operations from the public right-of-way; and

(2) Be well drained with adequate provisions to control storm drainage and erosion; and

(3) Where the ground cover would be routinely disturbed because of the nature of the activity to be conducted or because of vehicular traffic, the area shall be maintained in an all-weather surface; and

(4) Be screened from adjacent property by landscaping and fencing, except that outdoor displays for sale of vehicles, equipment, machinery and/or plant materials shall be exempt from the screening requirements where such screening would materially interfere with the visibility of the items for sale from a public road; and

(5) Be limited to uses and items to be stored which do not create noise, odor, dust or other objectionable effects. The effects of an activity shall be assessed at the nearest property line.

(d) *"Construction zone" setback for structures.*

(1) All structures shall be setback a minimum of 15-feet from the perimeter of the landscape area buffer required in section 24-98 (a). For example, if the required landscape area buffer measures 50-feet in width from the right-of-way, then the structure(s) shall be no closer than 65-feet from the right-of-way.

(2) The "construction zone" setback shall be clearly delineated on the site plan.

(3) This "construction zone" setback shall not apply to parking lots. Parking lots may be constructed up to the edge of the required landscape buffer provided no grading, tree removal, or land disturbance occurs within the required landscape buffer.

(e) *Waiver criteria for landscape areas along Community Character Corridors.* The average width requirement of the required landscape areas along Community Character Corridors may be reduced by the planning director if subsection(s) (1) and/or (2) provided below is satisfied. In no case shall the total reduction exceed 20 feet. In deciding whether a reduction in the standard landscape area width is warranted, the planning director shall consider the impact of proposed road and/or utility improvements on existing trees and vegetation. Planned road and/or utility improvements that will remove existing trees and vegetation will reduce the likelihood of a reduction in landscape area required. In approving a reduction request, the planning director may require additional plantings beyond the minimum ordinance requirements, alter the mixture of plantings provided, and/or specify the types of plantings to be used.

(1) The applicant may achieve a maximum reduction of 10 feet by providing superior site design with a combination of elements such as:

a. Parking located away from public view behind buildings or screened by other architectural features (i.e. decorative brick walls);

b. Innovative use of grading and topography to minimize visual impacts of parking and other unsightly features (i.e. dumpsters, HVAC equipment, loading areas, etc.);

c. Provision of pedestrian amenities beyond what the ordinance requires. Examples may include brick pavers to connect existing and planned pedestrian walkways, lighting, and benches; or

d. The use of monument style signs that are of a scale and type that complement the positive features of the surrounding architecture and streetscape. The use of wood, brick, or other natural features is recommended.

(2) The applicant may achieve a maximum reduction of 15 feet by providing superior architecture and building materials that meet the following standards.

a. The building architecture and materials complement the positive features of nearby existing or planned development and/or the character of Colonial Williamsburg and James City County;

b. Architecture and materials should be unique and not replicate standard and/or conventional prototypes; and

c. The proposed location of the building and parking areas shall not require the removal of specimen trees or large stands of viable mature trees.

(f) *Right-of-way landscape area performance standards.*

(1) Permitted breaks in landscape areas.

a. All landscape areas along rights-of-way shall be continuous along the road right-of-way frontage, except where driveway, utility or other breaks running perpendicular to the right-of-way are necessary, and shall be designed in a manner that achieves the intent of this division.

b. No new utilities, outside of those running parallel to permitted breaks in the required landscape areas, shall be located within the required landscape area(s) unless a waiver is granted by the planning director. The planning director shall grant a waiver only if the applicant can sufficiently demonstrate that there are unavoidable physical or regulatory constraints that warrant an intrusion into the landscape area.

(2) Tree preservation and criteria for tree removal.

a. All existing viable mature trees (eight inches or greater diameter at breast height (DBH)) and specimen trees (24 inches or greater DBH) shall be preserved within the required right-of-way landscape area. All understory trees of two inches or greater DBH shall be preserved.

b. The planning director or his designee may permit the removal of understory and overstory trees exceeding these size thresholds after an on-site inspection. The trees must be tagged to allow for easy identification. The planning director or his designee shall authorize removal of the tagged trees only if they are of poor quality, diseased, not consistent with the existing or planned plant species and design, poorly situated so as to interfere with the growth of other viable trees and/or shrubs, compromise safety, or interfere with other planned site improvements such as sidewalks and/or signs.

(3) Buffer grooming and enhancement.

a. Trees below the size thresholds stated above in paragraph (2) and underbrush may be hand-removed from the landscape area. No grading shall be permitted; however, hand grooming is permitted.

b. Overstory tree limbs may be removed/"limbed-up" to a maximum height of ten feet above the base of the tree. Understory tree limbs may be removed/"limbed-up" to a maximum height of six feet. These height limitations shall not restrict the removal of dead, diseased, or injured tree limbs above the height limits mentioned above.

(4) Tree protection required. The required landscape area shall be fully protected by a substantial, temporary fence or barrier with a minimum height of 40-inches. The location, type, and installation standards for this fence shall be clearly shown on the site plan. This fence shall be installed prior to the issuance of a land disturbance permit and shall remain standing until all construction activities on site have been completed.

(5) Landscaping required. Required landscape areas shall be supplemented where necessary with planted trees and shrubs to achieve the minimum number of trees and shrubs specified in section 24-96.

(6) Landscaping treatments of community character corridor buffers. Right-of-way landscape areas along community character corridors as designated on the Community Character Corridor Buffer Designation and Treatment Map shall be designed to meet the design standards found in the Community Character Corridor Buffer Treatment Guidelines as determined by the planning director.

Article V. Districts

Division 2. General Agricultural District, A-1

Sec. 24-223. Buffer requirements.

(a) Right-of-way buffer. Within any major subdivision approved under this division, there shall be planned and maintained buffers along all external existing and planned road rights-of-way, as follows:

(1) The minimum right-of-way buffer on Wooded Community Character Corridors located outside the primary service area as defined in the comprehensive plan shall be 200 feet.

(2) The right-of-way buffer shall be planted in accordance with section 24-96, General landscape area standards and shall also adhere to the Community Character Corridor Buffer Treatment Guidelines and Map.

(3) Waiver provisions. The planning director may reduce the buffer depth requirements specified in (1) of this section for residential developments when:

(i) The developer demonstrates that due to natural or protected features, or due to adjoining physical features, a reduced buffer will screen the development as effectively as a full buffer; or

(ii) The developer demonstrates that the development will be adequately screened and buffered from the road using berms and landscaping. Such a request shall be supplemented with a landscaping plan and/or planting plan with photos of the existing site.

In no case shall the right-of-way buffer be reduced by a waiver provision to less than 100 feet. The planning director may also, in the event of granting a waiver, require additional landscaping as determined on a case-by-case basis.

(b) Requirements for buffers. All required buffers shall be exclusive of lots, remain free of structures and parking, and remain undisturbed, except for additional plantings and selective clearing approved by the planning director or designee. Soil stockpiles and staging areas shall not be permitted within any buffer, except that temporary soil stockpiles may be allowed upon approval by the planning director under the following circumstances:

(1) The buffer in which the temporary stockpile is to occur is non-wooded, defined as having no mature trees.

(2) The stockpile shall not be visible from a Community Character Corridor or Community Character Area unless the soil stockpiling is needed for approved berming in that buffer.

(3) Stockpiles shall not exceed 35 feet in height.

(4) Stockpiles shall be temporary, with a time limit of six months.

(5) Once the use of the temporary soil stockpiles is completed, the ground must be adequately prepared for planting and revegetated in a manner that meets or exceeds the amount and quality of vegetation on the site previously.

(6) Stockpiling shall conform with any applicable requirements of the Virginia erosion and sediment control regulations, the Virginia erosion and sediment control handbook and county erosion and sediment control program policies.

(c) Limitations on buffers. Structural BMPs such as wet and dry ponds shall not generally be permitted in the buffers, except that the planning director may approve them under the following circumstances:

(1) The need is necessitated by site conditions rather than economic factors; and

(2) The screening/buffering effect of the buffer has been retained by the design of the BMP and any degradation has been mitigated with additional plantings or berms as necessary.

(d) Improvements allowable within buffers. An entrance road, community and directional signage, bicycle and/or pedestrian paths, and utility connections and drainage improvements shall be permitted within the buffer with approval of the planning director. Permitted utilities and constructed drainage conveyance systems shall cross the buffer at or near a perpendicular angle to the property line, with clearing kept to a minimum necessary to accommodate the utilities, except that minor improvements to natural drainage channels may be permitted at a different angle to the property line upon approval of the planning director.

(e) Roads within buffers. Entrance roads through these buffers shall be built to the narrowest cross-section possible. Roads and open space shall be located and designed in a manner that minimizes views of structures within the development from the adjoining primary or secondary road as determined by the planning director.

(f) Appeals. In the event the planning director disapproves the items specified in this section or recommends conditions or modifications that are unacceptable to the applicant, the applicant may appeal the decision of the planning director to the development review committee which shall forward a recommendation to the planning commission. Any appeal shall be in writing and may be subject to fees as specified in article I of this chapter.

_____
Ruth M. Larson
Chair, Board of Supervisors

ATTEST:

_____
Teresa J. Saeed
Deputy Clerk to the Board

	VOTES			
	AYE	NAY	ABSTAIN	ABSENT
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LARSON	____	____	____	____

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of October, 2024.

ORD22-1AmendTmbrStbk-ord

ORDINANCE NO._____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 24, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE II, SPECIAL REGULATIONS, BY AMENDING DIVISION 1, IN GENERAL, SECTION 24-43, BUFFER AND SETBACK REQUIREMENTS FOR TIMBERING ACTIVITIES; AND BY AMENDING DIVISION 4, LANDSCAPING, SECTION 24-98, LANDSCAPE AREA(S) ALONG RIGHT(S)-OF-WAY; AND BY AMENDING ARTICLE V, DISTRICTS, DIVISION 2, GENERAL AGRICULTURAL DISTRICT, A-1, BY ADDING NEW SECTION 24-223, BUFFER REQUIREMENTS.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 24, Zoning, is hereby amended and reordained by amending Article II, Special Regulations, by amending Division 1, In General, Section 24-43, Buffer and setback requirements for timbering activities; and by amending Division 4, Landscaping, Section 24-98, Landscape area(s) along right(s)-of-way; and by amending Article V, Districts, Division 2, General Agricultural District, A-1, by adding new Section 24-223, Buffer requirements.

Chapter 24. Zoning

Article II. Special Regulations

Division 1. In General

Sec. 24-43. Buffer and setback requirements for timbering activities.

The requirements in this section shall apply to timbering activities located in all districts. This section shall not apply to tree removal activities conducted as part of a site plan, subdivision plan, or building permit that is currently under review by the county or has received final approval. Approval of site plans, subdivision plans, or building permits shall be in accordance with other provisions of the zoning ordinance and shall not be governed or guided by the provisions of this section. This section shall also not apply to timbering activities where all timbering is conducted outside of the buffers or setback for timbering listed in paragraph (1), (2) or (3) or for timbering within such buffers or setback for timbering to construct access drives having a maximum width of 30 feet. The following provisions shall apply to all timbering activities subject to this section except as otherwise noted:

(1) *Buffer along public roads*. This paragraph shall not apply to the General Agricultural District, A-1. An undisturbed buffer at least 75 feet wide shall be maintained along all public roads. No trees or other vegetation shall be removed from this buffer except as permitted under this section.

(2) *Buffer along community character corridor*. This paragraph shall not apply to the General Agricultural District, A-1. On all other property fronting on roads that are identified as

community character corridors on the comprehensive plan, an undisturbed buffer at least 150 feet wide shall be maintained along the community character corridor on properties that are zoned residential. No trees or other vegetation shall be removed from this buffer except as permitted under this section.

(3) *Setback for timbering*. In the General Agricultural District, A-1, for properties that are in the primary service area, all timbering activities shall be located a minimum of 50 feet from any public road right-of-way unless done in accordance with other provisions in section 24-43. This distance shall be known as the setback for timbering. In the general agricultural district, A-1, for properties outside the primary service area, there shall be no setback for timbering except that those parcels adjacent to Wooded Community Character Corridors shall have a 50-feet-wide setback for timbering.

(4) *Buffer and setback for timbering measurement and determinations*. The width of required buffers and setbacks for timbering shall exclude any planned future right-of-way as designated on the Six-Year Primary or Secondary Road Plan.

(5) Tree protection. Required buffer areas and setbacks for timbering shall be marked by painting trees along the interior edge of the buffer. Equipment, timber, or other materials shall not be placed within the buffer or setback for timbering area.

(6) Processing requirements. Prior to commencing any timbering activities within a buffer or setback for timbering except for a 30-foot access drive, the property owner or agent shall complete a timber buffer modification application and submit it along with a James City County Tax Map (with topography) to the planning director that shows the site's property lines, any existing and proposed driveway entrances, required buffer areas, and setbacks for timbering, and tree protection measures. The planning director shall determine whether to permit timbering activities within a buffer or setback for timbering in accordance with paragraphs (7) and (8) below. Upon approval of the application by the planning director, timbering activities within a buffer or setback for timbering may proceed. All timbering activities within a buffer or setback for timbering including location of driveways or any other land disturbing activities, shall take place only in those areas indicated on the approved map and in accordance with the methods approved by the planning director. The planning director shall have no more than ten working days from the filing of such application to approve or disapprove the application. If disapproved, the planning director shall write a letter to the applicant identifying the revisions to be made to gain approval.

(7) Modifications. The planning director may grant modifications to the buffer, setback for timbering, and tree protection requirements when, in the opinion of the planning director, an alternative design provides equivalent measures, or retains the rural character of the property, or when buffers, setbacks for timbering, or tree protection are unnecessary due to a site's physical conditions such as topography or presence of streambeds, wetlands or other natural features. The planning director may also permit tree removal within the buffer or setback for timbering when trees are weakened, dying, diseased, or insect damaged, or, in the opinion of the state forester or a certified horticulturalist, unlikely to survive or such removal will enhance the long-term effectiveness of the buffer or setback for timbering as a visual barrier.

(8) Partial timbering within a buffer or setback for timbering. The planning director may approve partial timbering of buffer areas and setback for timbering and the use and type of equipment for partial timbering, after considering the following:

a. The effect of the timbering on the long-term effectiveness of the buffer area, or setback for timbering and on adjacent roads and properties;

b. The anticipated development of the property and the surrounding area;

c. The condition of any adjacent dwelling or subdivision including whether the structures are abandoned or dilapidated;

d. Any recommendations of the state forester or a certified horticulturalist, including recommendations on the use and type of equipment for partial timbering;

e. The health and diversity of trees with emphasis on protection of mixed hardwood trees, and the reforestation of the buffer or setback for timbering; and

f. The market value of the timber in the buffer or setback for timbering and the timber to be removed, and the market value of the timber on the balance of the property.

(9) Development review committee review. The development review committee shall consider the timber buffer modification application if there are unresolved problems between the applicant and the planning director.

(10) Tree Replacement. If timbering occurs within the buffers or setbacks for timbering described above in paragraphs (1), (2) and (3) and such timbering is not approved in accordance with paragraphs (7) and (8) above, trees shall be replaced at a ratio of one tree for each 800 square feet of area timbered. All replacement trees shall be of a species native to eastern Virginia. Such trees shall meet the standards for trees stated in section 24-2. The number and type of trees and their placement shall be approved by the planning director.

All trees shall be planted within 30 days from the date the trees were removed from the buffer or setback unless such period does not fall within the planting season. In such cases, their replacement in the next planting season (October 1 through March 31) shall be guaranteed by entering into a written agreement with the county and furnishing to the county a certified check, bond with surety satisfactory to the county, or a letter of credit in an amount to cover all costs of the plantings and their installation as estimated by the planning director. Such written agreement shall be entered into and such financial guarantee shall be provided to the county within 30 days from the date the trees were removed. The form of the agreement, financial guarantee, or type of surety shall be to the satisfaction of and approved by the county attorney. If the improvements are not completed in a timely manner, the planning director shall proceed to complete the improvements by calling on the surety or financial guarantee. After the first full growing season (February 1 to November 30) after planting, any trees not in a healthy growing condition or determined to be dead, diseased, or dying, shall be replaced as determined by the planning director. Thereafter, all trees shall be maintained in a healthy growing environment and in a healthy growing condition.

The planning director may allow some or all of the trees required by this paragraph to be planted outside the buffer or off-site when, if in the opinion of the planning director, such an alternative mitigates the environmental, buffering, or wildlife habitat impacts of the tree removal.

(11) Violations and penalties. Prior to any criminal or civil enforcement under this section, the administrator or designee shall give five days written notice of the violation to the owner of the

property prior to commencing enforcement. The violation of any provision of this section concerning tree replacement in paragraph 10 above is subject to a civil fine pursuant to section 24-22. The violation of any other provisions in this section is subject to a criminal sanction under section 24-22.

Division 4. Landscaping

Sec. 24-98. Landscape area(s) along right(s)-of-way.

(a) *Width requirements.* A landscape area having an average width as specified in the following chart shall be provided adjacent to any existing or planned road right-of-way.

Width Requirements for Landscape Areas along Right(s)-of-Way.			
(1) Community Character Corridors			
	Standard	Minimum width conditioned upon approval of planning director. Reference section 24-98(e) for the criteria.	Reduction for lots less than 1.5 acres which were recorded or legally in existence prior to July 3, 1990.
Average Width	50-feet	30-feet	20-feet or 10% of the average lot depth, whichever is greater.
Minimum Width	25-feet	20-feet	15-feet
(2) Wooded Community Character Corridors Outside the Primary Service Area			
	Standard		Reduction for lots less than 1.5 acres which were recorded or legally in existence prior to July 3, 1990.
Average Width	100-feet		20-feet or 10% of the average lot depth, whichever is greater.
Minimum Width	50-feet		15-feet
(3) All Other Roads			
	Standard		Reduction for lots less than 1.5 acres which were recorded or legally in existence prior to July 3, 1990.
Average Width	30-feet		20-feet or 10% of the average lot depth, whichever is greater.
Minimum Width	15-feet		15-feet
(4) Further Reductions for Master Planned Communities with Approved Design Guidelines.			
The standards provided above can be further reduced for developments that are part of an approved master-planned community and have a governing set of design guidelines approved by the county. The design guidelines shall specify architectural standards, building placement and massing, parking location, sidewalks, street-lighting, streetscape standards, landscaping, signage, and other important community aesthetic features.			

(b) *Square footage calculation for landscape areas*. All landscape areas along a right-of-way shall contain a minimum amount of square footage which shall be equal to:

Square Footage Calculation
Square Footage = [Applicable Average Width Requirement] * [Length of Right-of-Way Frontage]

In no case shall any portion of any landscape area located more than 125 feet from the right-of-way of a Wooded Community Character Corridor outside the Primary Service Area, 65 feet from the right-of-way of all other Community Character Corridors or 45 feet from the right-of-way along all other roads be counted toward meeting the requirements of this paragraph. All required square footage shall be contiguous and located in an area that is directly adjacent to the right-of-way except as provided for in section 24-98 (f)(1).

(c) *Outdoor operations and storage*.

Any commercial or industrial operation or storage conducted in whole or in part out-of-doors shall:

(1) Be screened from the right of way and conform to the landscape requirements in section 24-98 and 24-100 (a) of the zoning ordinance. Evergreen tree and shrub mixture requirements of section 24-94 (b) shall be used to screen the outdoor operations from the public right-of-way; and

(2) Be well drained with adequate provisions to control storm drainage and erosion; and

(3) Where the ground cover would be routinely disturbed because of the nature of the activity to be conducted or because of vehicular traffic, the area shall be maintained in an all-weather surface; and

(4) Be screened from adjacent property by landscaping and fencing, except that outdoor displays for sale of vehicles, equipment, machinery and/or plant materials shall be exempt from the screening requirements where such screening would materially interfere with the visibility of the items for sale from a public road; and

(5) Be limited to uses and items to be stored which do not create noise, odor, dust or other objectionable effects. The effects of an activity shall be assessed at the nearest property line.

(d) *"Construction zone" setback for structures*.

(1) All structures shall be setback a minimum of 15-feet from the perimeter of the landscape area buffer required in section 24-98 (a). For example, if the required landscape area buffer measures 50-feet in width from the right-of-way, then the structure(s) shall be no closer than 65-feet from the right-of-way.

(2) The "construction zone" setback shall be clearly delineated on the site plan.

(3) This "construction zone" setback shall not apply to parking lots. Parking lots may be constructed up to the edge of the required landscape buffer provided no grading, tree removal, or land disturbance occurs within the required landscape buffer.

(e) *Waiver criteria for landscape areas along Community Character Corridors*. The average width requirement of the required landscape areas along Community Character Corridors may be reduced by the planning director if subsection(s) (1) and/or (2) provided below is satisfied. In no case shall the total reduction exceed 20 feet. In deciding whether a reduction in the standard landscape area width is warranted, the planning director shall consider the impact of proposed road and/or utility improvements on existing trees and vegetation. Planned road and/or utility improvements that will remove existing trees and vegetation will reduce the likelihood of a reduction in landscape area required. In approving a reduction request, the planning director may require additional plantings beyond the minimum ordinance requirements, alter the mixture of plantings provided, and/or specify the types of plantings to be used.

(1) The applicant may achieve a maximum reduction of 10 feet by providing superior site design with a combination of elements such as:

a. Parking located away from public view behind buildings or screened by other architectural features (i.e. decorative brick walls);

b. Innovative use of grading and topography to minimize visual impacts of parking and other unsightly features (i.e. dumpsters, HVAC equipment, loading areas, etc.);

c. Provision of pedestrian amenities beyond what the ordinance requires. Examples may include brick pavers to connect existing and planned pedestrian walkways, lighting, and benches; or

d. The use of monument style signs that are of a scale and type that complement the positive features of the surrounding architecture and streetscape. The use of wood, brick, or other natural features is recommended.

(2) The applicant may achieve a maximum reduction of 15 feet by providing superior architecture and building materials that meet the following standards.

a. The building architecture and materials complement the positive features of nearby existing or planned development and/or the character of Colonial Williamsburg and James City County;

b. Architecture and materials should be unique and not replicate standard and/or conventional prototypes; and

c. The proposed location of the building and parking areas shall not require the removal of specimen trees or large stands of viable mature trees.

(f) *Right-of-way landscape area performance standards*.

(1) Permitted breaks in landscape areas.

a. All landscape areas along rights-of-way shall be continuous along the road right-of-way frontage, except where driveway, utility or other breaks running perpendicular to the right-of-way are necessary, and shall be designed in a manner that achieves the intent of this division.

b. No new utilities, outside of those running parallel to permitted breaks in the required landscape areas, shall be located within the required landscape area(s) unless a waiver is granted by the planning director. The planning director shall grant a waiver only if the applicant can sufficiently demonstrate that there are unavoidable physical or regulatory constraints that warrant an intrusion into the landscape area.

(2) Tree preservation and criteria for tree removal.

a. All existing viable mature trees (eight inches or greater diameter at breast height (DBH)) and specimen trees (24 inches or greater DBH) shall be preserved within the required right-of-way landscape area. All understory trees of two inches or greater DBH shall be preserved.

b. The planning director or his designee may permit the removal of understory and overstory trees exceeding these size thresholds after an on-site inspection. The trees must be tagged to allow for easy identification. The planning director or his designee shall authorize removal of the tagged trees only if they are of poor quality, diseased, not consistent with the existing or planned plant species and design, poorly situated so as to interfere with the growth of other viable trees and/or shrubs, compromise safety, or interfere with other planned site improvements such as sidewalks and/or signs.

(3) Buffer grooming and enhancement.

a. Trees below the size thresholds stated above in paragraph (2) and underbrush may be hand-removed from the landscape area. No grading shall be permitted; however, hand grooming is permitted.

b. Overstory tree limbs may be removed/"limbed-up" to a maximum height of ten feet above the base of the tree. Understory tree limbs may be removed/"limbed-up" to a maximum height of six feet. These height limitations shall not restrict the removal of dead, diseased, or injured tree limbs above the height limits mentioned above.

(4) Tree protection required. The required landscape area shall be fully protected by a substantial, temporary fence or barrier with a minimum height of 40-inches. The location, type, and installation standards for this fence shall be clearly shown on the site plan. This fence shall be installed prior to the issuance of a land disturbance permit and shall remain standing until all construction activities on site have been completed.

(5) Landscaping required. Required landscape areas shall be supplemented where necessary with planted trees and shrubs to achieve the minimum number of trees and shrubs specified in section 24-96.

(6) Landscaping treatments of community character corridor buffers. Right-of-way landscape areas along community character corridors as designated on the Community Character Corridor Buffer Designation and Treatment Map shall be designed to meet the design standards found in the Community Character Corridor Buffer Treatment Guidelines as determined by the planning director.

Article V. Districts

Division 2. General Agricultural District, A-1

Sec. 24-223. Buffer requirements.

(a) *Right-of-way buffer*. Within any major subdivision approved under this division, there shall be planned and maintained buffers along all external existing and planned road rights-of-way, as follows:

1. The minimum right-of-way buffer on Wooded Community Character Corridors located outside the primary service area as defined in the comprehensive plan shall be 200 feet.

2. The right-of-way buffer shall be planted in accordance with section 24-96, General landscape area standards and shall also adhere to the Community Character Corridor Buffer Treatment Guidelines and Map.

3. Waiver provisions. The planning director may reduce the buffer depth requirements specified in (1) of this section for residential developments when:

    i. The developer demonstrates that due to natural or protected features, or due to adjoining physical features, a reduced buffer will screen the development as effectively as a full buffer; or

    ii. The developer demonstrates that the development will be adequately screened and buffered from the road using berms and landscaping. Such a request shall be supplemented with a landscaping plan and/or planting plan with photos of the existing site.

    In no case shall the right-of-way buffer be reduced by a waiver provision to less than 100 feet. The planning director may also, in the event of granting a waiver, require additional landscaping as determined on a case-by-case basis.

(b) *Requirements for buffers*. All required buffers shall be exclusive of lots, remain free of structures and parking, and remain undisturbed, except for additional plantings and selective clearing approved by the planning director or designee. Soil stockpiles and staging areas shall not be permitted within any buffer, except that temporary soil stockpiles may be allowed upon approval by the planning director under the following circumstances:

1. The buffer in which the temporary stockpile is to occur is non-wooded, defined as having no mature trees.

2. The stockpile shall not be visible from a Community Character Corridor or Community Character Area unless the soil stockpiling is needed for approved berming in that buffer.

3. Stockpiles shall not exceed 35 feet in height.

4. Stockpiles shall be temporary, with a time limit of six months.

5. Once the use of the temporary soil stockpiles is completed, the ground must be adequately prepared for planting and revegetated in a manner that meets or exceeds the amount and quality of vegetation on the site previously.

6. Stockpiling shall conform with any applicable requirements of the Virginia erosion and sediment control regulations, the Virginia erosion and sediment control handbook and county erosion and sediment control program policies.

(c) *Limitations on buffers*. Structural BMPs such as wet and dry ponds shall not generally be permitted in the buffers, except that the planning director may approve them under the following circumstances:

1. The need is necessitated by site conditions rather than economic factors; and

2. The screening/buffering effect of the buffer has been retained by the design of the BMP and any degradation has been mitigated with additional plantings or berms as necessary.

(d) *Improvements allowable within buffers*. An entrance road, community and directional signage, bicycle and/or pedestrian paths, and utility connections and drainage improvements shall be permitted within the buffer with approval of the planning director. Permitted utilities and constructed drainage conveyance systems shall cross the buffer at or near a perpendicular angle to the property line, with clearing kept to a minimum necessary to accommodate the utilities, except that minor improvements to natural drainage channels may be permitted at a different angle to the property line upon approval of the planning director.

(e) *Roads within buffers*. Entrance roads through these buffers shall be built to the narrowest cross-section possible. Roads and open space shall be located and designed in a manner that minimizes views of structures within the development from the adjoining primary or secondary road as determined by the planning director.

(f) *Appeals*. In the event the planning director disapproves the items specified in this section or recommends conditions or modifications that are unacceptable to the applicant, the applicant may appeal the decision of the planning director to the development review committee which shall forward a recommendation to the planning commission. Any appeal shall be in writing and may be subject to fees as specified in article I of this chapter.

ORDINANCE NO._____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 19, SUBDIVISIONS, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE III, REQUIREMENTS FOR DESIGN AND MINIMUM IMPROVEMENTS, SECTION 19-73.2, BUFFER REQUIREMENT.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 19, Subdivision, is hereby amended and reordained by amending Article III, Requirements for Design and Minimum Improvements, Section 19-73.2, Buffer requirement.

Chapter 19. Subdivisions

Article III. Requirements for Design and Minimum Improvements

Sec. 19-73.2. Buffer requirement.

Buffering shall be required for all major subdivisions abutting a roadway designated a Wooded Community Character Corridor and located outside the primary service area, as identified on the Land Use Plan Map in the Comprehensive Plan in accordance with section 24-223 of the zoning ordinance.

_____
Ruth M. Larson
Chair, Board of Supervisors

ATTEST:

_____
Teresa J. Saeed
Deputy Clerk to the Board

	VOTES			
	AYE	NAY	ABSTAIN	ABSENT
NULL	____	____	____	____
HIPPLE	____	____	____	____
MCGLENNON	____	____	____	____
ICENHOUR	____	____	____	____
LARSON	____	____	____	____

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of October, 2024.

ORD22-1AmdBffrReq-ord

ORDINANCE NO._____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 19, SUBDIVISIONS, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE III, REQUIREMENTS FOR DESIGN AND MINIMUM IMPROVEMENTS, SECTION 19-73.2, BUFFER REQUIREMENT.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 19, Subdivision, is hereby amended and reordained by amending Article III, Requirements for Design and Minimum Improvements, Section 19-73.2, Buffer requirement.

Chapter 19. Subdivisions

Article III. Requirements for Design and Minimum Improvements

Sec. 19-73.2. Buffer requirement.

Buffering shall be required for all major subdivisions abutting a roadway designated a Wooded Community Character Corridor and located outside the primary service area, as identified on the Land Use Plan Map in the Comprehensive Plan in accordance with section 24-223 of the zoning ordinance.

ORD22-1AmdBffrReq-ord-final

MINUTES

JAMES CITY COUNTY PLANNING COMMISSION

REGULAR MEETING

COUNTY GOVERNMENT CENTER BOARD ROOM

101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185

November 1, 2023

6:00 PM

A. CALL TO ORDER

Mr. Polster called the meeting to order at 6 p.m.

B. ROLL CALL

Planning Commissioners Present:
Frank Polster
Rich Krapf
Tim O'Connor
Jack Haldeman
Rob Rose
Barbara Null
Stephen Rodgers

Staff Present:
Susan Istenes, Director of Planning
Liz Parman, Deputy County Attorney
Josh Crump, Principal Planner
Thomas Wysong, Senior Planner II
John Risinger, Senior Planner
Tess Lynch, Planner II

Mr. Polster noted if anyone in attendance was present for Case No. Z-22-0004 and SUP-22-0026. 8290 Richmond Road Hankins-Dunn Rezoning and Residential Cluster Development, that item (Public Hearing Item No. 1) had been withdrawn. He added that item would not be heard.

Ms. Null thanked Mr. Polster for that announcement, adding her initial and current opposition to the project.

C. PUBLIC COMMENT

Mr. Polster opened Public Comment.

As no one wished to speak, Mr. Polster closed Public Comment.

D. REPORTS OF THE COMMISSION

Mr. Haldeman stated that the Policy Committee met on October 12, 2023. He noted staff attendees included Mr. Crump, Mr. Risinger, Mr. Wysong, and Ms. Istenes. Mr. Haldeman further noted the Committee's continued discussion on scenic roadway protection according to the Board of Supervisors' Initiating Resolution and the 2045 Comprehensive Plan's Goals, Strategies, and Actions (GSA) 6.3. He cited the details of staff's draft language per the Board's guidance and the Committee's 3-1 vote in favor of approval. Mr. Haldeman noted clarification

on small farm sheds as restricted structures in setbacks was confirmed by staff. He highlighted additional points discussed during the Policy Committee meeting which included Community Character Corridors (CCCs). Mr. Haldeman noted the portion of Old Stage Road outside of the Primary Service Area (PSA) would no longer be classified as a CCC. He further noted Old Stage Road and Barhamsville Road (at the intersection of Routes 30 and 60 - Anderson's Corner) and the intersection of Barnes Road and Route 30 be reclassified from Open Agricultural to Wooded CCC at the next Comprehensive Plan update. Mr. Haldeman referenced removal of the development standard for the short-term rental requirement to have the owner live on-site in the home during the rental period. He noted the Policy Committee voted unanimously not to remove that standard.

E. CONSENT AGENDA

1. Minutes of the October 4, 2023, Regular Meeting

Mr. Krapf made a motion to approve the Consent Agenda.

On a voice vote, the Commission approved the Consent Agenda. (7-0)

F. PUBLIC HEARING(S)

Item No. 1 was removed as noted previously in the meeting.

1. Z-22-0004 and SUP-22-0026. 8290 Richmond Road Hankins-Dunn Rezoning and Residential Cluster Development

2. SUP-23-0027. 118 Winston Drive Short Term Rental

Mr. Polster welcomed Ms. Tess Lynch, Planner, to her first Planning Commission meeting.

Ms. Tess Lynch, Planner II, cited the details of the Special Use Permit (SUP) requested by L&A Renovation, LLC, for short-term rental of property at 118 Winston Drive. She noted staff had not recommended approval, adding proposed conditions had been attached if the Planning Commission approved this SUP application. Ms. Lynch further noted the applicant was present if the Commission had any questions.

Mr. Polster opened the Public Hearing.

Ms. Julia Holland, 118 Winston Drive, the applicant, addressed the Board noting she was available for questions.

Mr. Haldeman asked Ms. Holland if she resided at 118 Winston Drive.

Ms. Holland replied no, adding she and her family lived approximately five miles away. She noted possibilities for various uses for the property.

Mr. Polster closed the Public Hearing as there were no additional speakers.

Mr. Haldeman stated a number of rentals were in this particular neighborhood, adding he thought most of the renters were college students. He referenced the four criteria regarding short-term rentals and the difficulty with this particular SUP as it failed to fit any of those criteria. Mr. Haldeman stated he was not in support of the SUP application.

Mr. Krapf echoed Mr. Haldeman's sentiments. He noted he was not in support either.

Ms. Null noted she was not supportive of short-term rentals, but felt a long-term rental, which required no SUP, could be a better option.

Mr. Haldeman concurred.

Mr. O'Connor noted his stance against Airbnb rentals was twofold. He further noted for the local community, it reduced available housing stock for the workforce and the affordable housing group. Mr. O'Connor stated the Airbnb rentals also increased the costs of adjacent properties which increased the affordability component. He cited additional factors and stated his opposition to this application.

Mr. Rodgers stated his agreement with his fellow Commissioners. He noted the guiding principles in the Comprehensive Plan and maintaining good stewardship to County properties. Mr. Rodgers further noted the outcome if all four criteria were waived and its future impact, particularly on a property internal to a neighborhood. He stated he was not in support of the short-term rental application.

Mr. Krapf made a motion to deny SUP-23-0027.

On a roll call vote, the Commission voted to deny SUP-23-0027. 118 Winston Drive Short-Term Rental. (7-0)

3. ORD-22-0001. Amendments for Scenic Roadway Protection

Mr. Thomas Wysong, Senior Planner II, addressed the Board citing specifics of the adopted 2045 Comprehensive Plan regarding land use criteria for preservation of County scenic roadways. He noted the Board of Supervisors adopted an Initiating Resolution that pertained to the Zoning Ordinance and Subdivision Ordinance in 2021. Mr. Wysong further noted the Initiating Resolution directed staff to consider additional requirements in both the Zoning and Subdivision Ordinances to preserve scenic roadways such as Forge Road. He stated the term scenic roadway was not defined in the County Code, but with the Comprehensive Plan as guidance, the Policy Committee identified a portion of the CCC, outside the PSA, such as Forge Road, for the sake of this Ordinance. Mr. Wysong noted Forge Road, Old Stage Road, Richmond Road, Monticello Avenue, John Tyler Memorial Highway, and Riverview Road with the latter four classified as Wooded CCCs. He cited classifications and specifics for CCCs, adding the Policy Committee had recommended preservation tools specific to the road types. Mr. Wysong noted the setback requirements in the draft Ordinance before the Commission. He further noted a proposed amendment to the Comprehensive Plan was slated for presentation later in the meeting which proposed removal of a portion of Old Stage Road outside the PSA from the Agricultural CCC category. Mr. Wysong stated he would speak in more detail on that point later. He continued noting additional criteria regarding tiered setback requirements. He added the tiered system was specifically recommended by the Board of Supervisors. Mr. Wysong noted the specific draft language as directed by the Policy Committee regarding landscape buffering along Wooded CCCs, outside the PSA, for inclusion of a 100-foot buffer average for commercial projects. He continued noting a 200-foot-wide buffer average for major residential projects along Wooded CCCs, outside the PSA and a proposed minimum 50-foot timbered setback on properties located along Wooded CCCs, outside the PSA. Mr. Wysong stated the Policy Committee voted in favor 3-1 of the draft language at its October 12, 2023, meeting. He noted a post-meeting amendment for authorization to the major subdivision buffering. Mr. Wysong stated staff recommended the Planning Commission approve the draft language to the Board of Supervisors for approval at its December 12, 2023, Regular Meeting.

Mr. O'Connor referenced the 400-foot setback with 40 nonconforming structures and four exempt parcel structures. He questioned the exemption.

Mr. Wysong explained no tiered system was used initially and the structures nonconforming to the 400-foot setback were removed. He explained 14 residents were nonconforming with 22 nonconforming structures for a total of 36.

Mr. O'Connor questioned if a barn, a stable, shed, greenhouse, and roadside vegetable stand would be considered as structures and not allowed within the 400-foot setback.

Mr. Wysong confirmed yes.

Mr. Polster opened the Public Hearing.

Mr. Polster closed the Public Hearing as there were no speakers.

Mr. O'Connor noted his initial and continued opposition to this point. He further noted the preservation of the rural character of Forge Road, in particular, was impacted by restrictions to a number of permitted uses. Mr. O'Connor stated unwanted uses had been incorporated into SUPs. He noted the impact of the 400-foot buffer to a horse owner who wanted a paddock and referenced other diminishments to landowners. Mr. O'Connor stated he would not support this Ordinance amendment nor the Comprehensive Plan amendment (Item No. 4).

Mr. Krapf noted his support of the 400-foot setback for numerous reasons. He cited community citizen surveys during the Comprehensive Plan revisions, adding the highest scoring item was preservation of the rural lands and viewsheds within those lands. Mr. Krapf stated the importance as a visual component of the beauty and its desirability to live in James City County. He noted the agricultural use of the land and local farmer markets, adding this action preserved a significant feature of the County. Mr. Krapf further noted the new construction at the 400-foot setback along Forge Road. He referenced the Photoshop analysis of properties at the various setbacks and the visual impact. Mr. Krapf addressed several points including the potential for future compensation for the 400-foot setbacks or other factors. He noted his support of this item.

Mr. Haldeman stated his strong support of the Wooded character buffering. He noted he was amenable to a smaller setback of 250 feet versus 400 feet but concurred with Mr. Krapf's comment on the Photoshop depictions at those setbacks. He noted his support of this item in its entirety.

Mr. O'Connor addressed the question of open lands in a rural landscape or promotion of agricultural uses. He noted if agricultural uses were wanted then why were solar farms being placed on agricultural land. Mr. O'Connor questioned the intent.

Mr. Polster concurred with Mr. Haldeman on the Wooded character buffering. He noted review of Barhamsville Road as Wooded and not Agricultural at the next Comprehensive Plan review. Mr. Polster further noted he had no objection to the 400-foot setback but rather the unintended consequences. He cited Old Hickory Church on Forge Road as an example.

Several Commissioners noted it was St. John Baptist Church.

Mr. Polster noted if St. John Baptist Church had wanted to put in a paved parking lot they would not be allowed to do so. He added the preacher had a mobile home and if he wanted a permanent one he would be able to do so. Mr. Polster noted if anything happened to the church and the congregation could not start rebuilding within a year then they would not be able to do so due to the lack of the 400-foot setback. He referenced accessory structures outside of the feeding areas at horse farms along the beginning of Forge Road. Mr. Polster noted if those structures were wooden and older then they were not replaceable if they collapsed. He further noted these were unintended consequences. Mr. Polster stated he was not in support, but not

based on the 400-foot setback, but rather the unintended consequences. He noted other points such as the accessory structures for consideration.

Mr. Krapf stated the accessory structures were not detriments to the rural vista in his opinion and they served a practical use. He noted Policy Committee discussion on several of these points. He cited reference to concern of an overlay district. Mr. Krapf stated the draft Ordinance language was good, but added there were valid revisions to consider in the future, particularly in reference to Mr. Polster's points.

Discussion ensued on legally nonconforming uses.

Mr. Rose noted he aligned with the majority of the Commissioners' comments with the exception of the solar farm use. He stated he felt solar farms were a totally appropriate use in agricultural land. Mr. Rose noted the definition and interpretation of rural vista and the Comprehensive Plan and the varied responses to that phrase. He further noted allowing landowners to use their land accordingly. Mr. Rose stated he felt the 400-foot setback was excessive in this case, adding he felt this was a flawed plan that may not have these necessary issues addressed. Mr. Rose stated he was not in support.

Ms. Null commented on rural lands and corridors and how they looked. She noted this language limited a landowner's ability to put up a roadside vegetable stand. Ms. Null stated she was not in support as she felt this language lacked leeway for change.

Mr. Rodgers stated he felt 400 feet was an excessive amount. He noted he was not in support as the Ordinance was drafted.

Mr. Krapf made a motion to approve the draft language of ORD-22-0001.

Mr. Polster asked Ms. Istenes to verify the yes and no vote designations.

Ms. Istenes stated a vote of yes for the motion would show support of the amendments as presented by staff.

On a roll call vote, the motion failed. (2-5)

Mr. Haldeman noted the Board of Supervisors had requested a draft Ordinance amendment to protect scenic viewsheds. He asked if the Policy Committee reworked this language to a more acceptable form or was this forwarded to the Board in its current language.

Ms. Istenes noted the Commission would be making a recommendation to the Board based on the language presented at the current meeting. She further noted this item would continue to move forward to the Board with the Planning Commission's recommendation not to support the amendments. Ms. Istenes added the Board would then consider the amendments at the Public Hearing during its meeting for a final vote.

Ms. Parman noted a motion to recommend denial would be appropriate on the Planning Commission's decision.

Mr. Rodgers made a motion to deny the draft language of ORD-22-0001.

Mr. Polster noted the importance of conveying to the Board where the Planning Commission was on the language. He further noted three to four Commissioners were accepting of the 400-foot setback of which the unintended consequences are a part. Mr. Polster added there were no issues with the Wooded component as that piece had been supported all along. He wanted the Board to know the Commission's areas of concern. He asked if there were other exceptions for consideration as part of this motion or leave the matter as currently presented.

Mr. Krapf questioned language to address accessory structures.

Mr. Polster concurred. He noted with the denial motion, he wanted the motion to convey the consensus was for the Wooded piece and for the possibility of the accessory facilities. Mr. Polster asked if the Commissioners were in agreement on those points.

Mr. O'Connor noted the Commission was mixed on the 400-foot setback piece.

Discussion ensued.

On a roll call vote, the motion to deny was approved. (5-2)

4. Comprehensive Plan Amendment: Community Character Corridor and Short-Term Rental Development Standards Revision

Mr. Wysong addressed the Commission with the details of the September 12, 2023, Board of Supervisors meeting where Planning staff was directed to prepare a very focused and very limited amendment to the Comprehensive Plan to include only these two items. He noted the first item was the revision of the CCC table list that included the portion of Old Stage Road, outside of the PSA, would no longer be classified as a CCC. Mr. Wysong further noted the second item was removal of the recommended development standard for short-term rentals regarding the property owner living and residing on the property during rental. He stated the other three criteria would remain in effect for staff's use in evaluating applications. Mr. Wysong noted staff's review process would remain unchanged with this amendment. He stated the Policy Committee, at its October 12, 2023, meeting, recommended approval of the amendment to the CCC table by a 3-1 vote. Mr. Wysong noted the development standard for short-term rentals was unanimously recommended for denial by a 4-0 vote. He further noted Planning staff recommended the Planning Commission recommend approval of both revisions to the Board.

Mr. O'Connor questioned if the CCC revision would allow the Board to remove Forge Road and allow for the 400-foot setback.

Mr. Wysong noted the revision would remove Old Stage Road.

Mr. O'Connor questioned if it would preserve the 400-foot setback on Forge Road.

Mr. Wysong responded essentially yes. He added the category revision would only include Forge Road. Mr. Wysong noted if the Board approved the revision, then the 400-foot setback would only apply to Forge Road as it was the only road in this category.

Mr. O'Connor questioned if that point was due to the 400-foot setback not working for both Old Stage Road and Forge Road.

Mr. Wysong confirmed yes. He added the setback would work, but noted the Board saw no value in doing that.

Mr. Polster opened the Public Hearing.

Mr. Polster closed the Public Hearing as there were no speakers.

Mr. O'Connor reiterated some earlier points of revisions to the Comprehensive Plan and unintended consequences. He noted he was not in support of this amendment for two reasons: the 400-foot setback on Forge Road and intermittent, spot amendments to the Comprehensive Plan.

Mr. Haldeman noted he had no objections to spot amendments as it was difficult to see everything. He further noted he had no objections to Old Stage Road's removal from the CCC designation. Mr. Haldeman indicated his support of the revision.

Mr. Krapf commented the Comprehensive Plan was not stagnant but evolved where necessary for particular situations. He noted his support of the amendment revision.

Mr. Rose indicated he was not in support of the revision.

Mr. Rodgers noted he was in favor of the ability to spot fix the Comprehensive Plan.

Mr. Polster noted the 400-foot setback in the CCC. He further noted he was in favor of removal of the area outside the PSA and not in the CCC. Mr. Polster concurred with Mr. Haldeman on the point regarding the intersection of Anderson's Corner to Interstate 64 and its reclassification from Open Agricultural to Wooded CCC at the next Comprehensive Plan update. He noted a 100-foot setback was already included in the property at that location. Mr. Polster addressed the second piece of this item which referenced the short-term rental criteria. He asked Ms. Parman about the reasoning behind the decision.

Ms. Parman noted this recommendation was to remove one of the performance standards for short-term rentals which required owners to live on-site. She cited a recent opinion from the 5th Circuit that a residency requirement such as that discriminates against interstate commerce. Ms. Parman noted while James City County was not in the 5th Circuit jurisdiction, it was a persuasive opinion that could potentially be applied in the County's circuit. She further noted the County Attorney's Office felt that performance standard should be omitted.

Mr. Polster asked the location of the 5th Circuit.

Ms. Parman responded Louisiana was the appeal location.

Mr. Polster asked if any other Virginia localities had been considered in this performance standard decision. He questioned if Hampton, Newport News, Danville, or the City of Richmond had issues and what policies these localities implemented. Mr. Polster also inquired if these localities had policies which were in conflict with the recent 5th Circuit opinion.

Ms. Parman stated she had not reviewed those localities' policies, but she would obtain that information.

Mr. Polster noted he had seen recent articles which addressed that same requirement. He further noted references to a sign-in addition to fire and safety inspections which were not currently required. Mr. Polster addressed decisions over the past few years regarding the on-site criteria. He noted he was not in support of the short-term rental change but was in support of the CCC.

Discussion ensued.

Mr. Krapf asked Mr. Polster to clarify that his comment was to retain the residency requirement in the performance factors.

Mr. Polster confirmed yes. He noted a better solution and language were needed. Mr. Polster further noted other comparable localities were experiencing this same situation and he recommended reviewing their policies on this point.

Mr. Krapf stated his viewpoint, adding the on-site residency component created a filter on short-term rentals. He discussed that point in more depth.

Mr. O'Connor asked for a point of clarification regarding an approval or denial motion.

Ms. Istenes suggested two votes as the topics were distinctly separate.

Mr. Polster requested a motion on the CCC component.

Mr. Haldeman made a motion for recommendation of approval for the Comprehensive Plan amendment for Community Character Corridor revision.

On a voice vote, the Commission approved the motion. (6-1)

Mr. Polster sought a motion on the short-term rental piece.

Mr. Haldeman made a motion for recommendation of approval for the short-term rental development standards revision.

Mr. O'Connor questioned if the motion was to remove the performance standard.

Mr. Haldeman confirmed yes.

Mr. Polster asked that the motion be restated.

Mr. Haldeman made a motion to deny the short-term rental development standards revision.

On a voice vote, the Commission approved the denial motion. (6-1)

G. PLANNING COMMISSION CONSIDERATIONS

1. Yarmouth Creek Watershed Management Plan Update

Ms. Toni Small, Director of Stormwater and Resource Protection, noted the Division was working with a consultant for updates on the Yarmouth Creek Watershed Management Plan, originally approved by the County in 2003. She further noted two public meetings were held and the draft plan was available on the County's website until November 9 for review and public comments. Ms. Small stated final revisions and draft plan would then be presented to the Board of Supervisors for consideration. She introduced Mr. Daniel Proctor and Mr. Ari Daniels from Stantec, consultants on the plan, who would provide an update and answer any questions.

Mr. Proctor, Principal Water Resources Engineer, addressed the Board noting this update was similar to the Powhatan Creek Watershed Management Plan presented to the Planning Commission earlier in the year. He noted a brief presentation highlighting the plan's components would be presented with a three-part approach to the plan. Mr. Proctor further noted the three components were review of past information, field-level reconnaissance, and desktop-level analysis and modeling. He continued the presentation with key findings regarding water quality, flood risk, and other factors. Mr. Proctor stated overall much of the watershed was very healthy despite some impairments. He added development along the Route 60 corridor could impact the watershed health if left unmitigated. Mr. Proctor highlighted the type of recommendations in the presentation. He continued the presentation highlighting public engagement elements.

Mr. O'Connor questioned Mr. Proctor's reference to Route 60 development and future impacts if unmitigated. He inquired if the impact was due to older development without stormwater infrastructure or failing stormwater infrastructure. Mr. O'Connor questioned if the current work was part of the mitigation plan and were benefits expected as part of that plan.

Mr. Proctor replied it was a variety of issues with some older development with little stormwater controls in place. He added that a fair amount of development had occurred since stormwater requirements. Mr. Proctor noted the modeling systems accounted for some system failures.

Mr. O'Connor questioned if the runoff was nutrient loaded from fertilizer. He also asked about the downstream effects.

Mr. Proctor responded it was nutrient runoff and bacteria load from pet waste and agricultural uses. He added those factors were accounted for in the analysis.

Mr. Haldeman referenced page 5 of the presentation and the field assessment note on 30% of field channels being classified as poor or marginal condition. He asked if that point referenced erosion.

Mr. Proctor noted erosion was one aspect. He further noted a variety of factors were considered and accounted for in the analysis.

Mr. Haldeman asked if this was pollution.

Mr. Proctor responded it was the health of the stream and not just pollution itself.

Ms. Small noted that 30% reflected the percentage of stream channels evaluated as all the stream channels could not be accessed. She further noted some stream channels could not be evaluated as the property owners had not granted permission.

Mr. Proctor highlighted the stream assessment in the PowerPoint that Ms. Small referenced.

Mr. Polster questioned improvements and developer involvement to address stormwater issues. He noted the upstream impact to people downstream.

Mr. Proctor noted the suggestions for upstream improvement were in the plan.

Mr. Polster noted the funding to fix the watersheds. He addressed the missing hydrology component in this plan as identified in the Powhatan Creek plan. Mr. Polster asked if that impact was known or was modeling required.

Mr. Proctor noted the modeling would need to be reviewed.

Mr. Polster noted upcoming Capital Improvements Program (CIP) budget projects. He asked Ms. Small if the CIP would include the hydrology issue for Diascund Creek, Powhatan Creek, and Yarmouth Creek.

Ms. Small noted that was a logical next step as these plans moved forward.

Discussion ensued.

Mr. Haldeman asked if development was accounted for in projections.

Mr. Proctor confirmed yes based on known future development.

Mr. Haldeman addressed headwater pollution and erosion and that impact downstream as development continued along Route 60.

Mr. Proctor confirmed yes.

Discussion ensued on these points.

Mr. Polster thanked Mr. Proctor for the presentation.

H. PLANNING DIRECTOR'S REPORT

1. Planning Director's Report - November 2023

Ms. Istenes stated she did not have anything in addition to what was provided in the Agenda Packet.

Mr. Polster noted Mr. Rodgers was the Planning Commission representative for the Board of Supervisors November meeting.

Mr. Haldeman expressed concern with the Commission's advance reading format and difficulties accessing parts of the Agenda Packet.

Mr. Polster noted some issues when files were downloaded.

Discussion ensued.

Ms. Istenes noted she would investigate those concerns.

Mr. Rose addressed light pollution in the County, adding it was possibly a statewide problem also. He noted Dominion Energy was replacing streetlights with high-intensity LEDs with no shielding. Mr. Rose further noted the LEDs were harmful to birds and bird migrations. He stated he had checked with the County and had been notified there were no regulations on Dominion Energy regarding the lights.

Ms. Null referenced Dominion Energy's program to replace the bulbs in homes and the intensity of those lights. She noted Colonial Heritage's lanterns and regulations on lumens there in reference to the LEDs.

Mr. O'Connor noted this trend was prevalent in Northern Virginia. He further noted the removal of the shield around streetlights.

I. PLANNING COMMISSION DISCUSSION AND REQUESTS

Mr. O'Connor noted there was no policy regarding affordable housing and workforce housing. He further noted the cost of local rent and looking in surrounding localities for affordable housing. Mr. O'Connor stated those were the reasons he felt so strongly about some of these issues.

Mr. Crump addressed some of Mr. O'Connor's concerns. He noted staff had been working with Mr. Vaughn Poller, Neighborhood Development Administrator, and Ms. Marion Paine, Neighborhood Development Assistant Administrator, to review State Code and development of a County affordable housing policy in the future.

Mr. Rose noted the challenges of housing within the County. He stated the frustration of hiring yet there was no good solution for housing rentals or purchases for the employees. Mr. Rose noted a County-wide policy was important and questioned if the occasional short-term rentals had much impact.

Discussion ensued on growth, density, and affordable housing.

J. ADJOURNMENT

Ms. Null made a motion to adjourn.

The meeting was adjourned at approximately 7:43 p.m.

_____ _____

Susan Istenes, Secretary Frank Polster, Chair

MINUTES

JAMES CITY COUNTY BOARD OF SUPERVISORS

REGULAR MEETING

COUNTY GOVERNMENT CENTER BOARD ROOM

101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185

January 9, 2024

5:00 PM

A. CALL TO ORDER

ADOPTED

FEB 27 2024

Board of Supervisors
James City County, VA

B. ROLL CALL

Barbara E. Null, Stonehouse District
Michael J. Hipple, Powhatan District
John J. McGlennon, Roberts District
James O. Icenhour, Jr., Vice Chair, Jamestown District
Ruth M. Larson, Chair, Berkeley District

Scott A. Stevens, County Administrator
Adam R. Kinsman, County Attorney

Ms. Larson introduced the Pledge Leader Charlotte "Charlie" Jenkins, a 5th grade student at Matthew Whaley Elementary School. She noted Supervisor Icenhour would provide further information.

Mr. Icenhour gave highlights of Charlotte's various interests and activities.

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

Charlotte led the Board and citizens in the Pledge of Allegiance.

Ms. Larson noted Mr. Stevens desired to make an announcement.

Mr. Stevens requested Ms. Barbara Watson, Director of Social Services, come to the podium. He formally recognized Ms. Watson as the new Director of Social Services. Mr. Stevens stated Ms. Watson had resided in the County since 1967, she graduated from Lafayette High School, and had worked for the County for 37 years. He further stated Ms. Watson had served in the leadership capacity in James City County (JCC) since 2001 when she began working as the Director of Neighborhood Connections. Mr. Stevens added since 2006, Ms. Watson had served as the Assistant Director of Social Services. He highlighted Ms. Watson's qualifications and experience. Mr. Stevens expressed positive remarks of Ms. Watson's work ethic, experience, and robust relationships within the community. He turned the discussion over to Ms. Watson.

Ms. Watson addressed the Board and citizens noting she was really excited about her new role and eager to lead the talented group of professionals in the Social Services Department into the future. She mentioned she loved working for JCC. Ms. Watson stated she took her job very seriously, adding Social Services work was very challenging but vital. She mentioned she

looked forward to continuing to meet the needs of the most vulnerable of JCC.

The Board and citizens applauded.

Ms. Larson expressed her desire to thank her Board colleagues for entrusting her as the Board's Chair and thanked Mr. Hipple for serving as the Board's Chair last year, adding he did an outstanding job.

The Board and citizens applauded.

E. PRESENTATION(S)

1. James City County's FY2023 Audit Presentation

Mr. Rob Churchman, partner with Cherry Bekaert, LLP, addressed the Board noting he recently conducted the audit for the James City Service Authority (JCSA). He noted global standards he was required to identify for the Board at the beginning and end of each audit. Mr. Churchman provided a brief overview of the Audit Agenda on the PowerPoint presentation. He began the presentation highlighting the members of the Client Service Team displayed on the PowerPoint presentation. Mr. Churchman stated the audit issued a clean unmodified opinion. He touched on significant percentage increases regarding the County's net position, General Fund, and Unassigned Fund Balance. Mr. Churchman noted the audit showed no instances of noncompliance to be reported under *Government Auditing Standards* or the *Specifications for Audits of Counties, Cities, and Towns*, issued by the Auditor of Public Accounts of the Commonwealth of Virginia. He further noted the audit reported a material weakness in internal control over financial reporting related to the restatement of fiduciary activities' beginning net position, adding discussion on that point would be forthcoming on an upcoming PowerPoint slide. Mr. Churchman discussed the results of the single audit noting a clean unmodified opinion on the County's compliance with each major federal program, adding no material weaknesses were identified in internal control over compliance in accordance with the Uniform Guidance. He touched on corrected and uncorrected misstatements, adding the County had one misstatement which had been corrected. Mr. Churchman elaborated on that point in further detail. He spoke about changes in policies in relation to Governmental Accounting Standards Board (GASB). Mr. Churchman stated the County adopted accounting policies related to its accounting for conduit debt by adopting GASB Statement No. 91, *Conduit Debt Obligations* and leases by adopting GASB Statement No. 96, *Subscription-Based Information Technology Arrangements*. He spoke to that point in further detail. Mr. Churchman discussed related party relationships and transactions and reported no issues. He noted there were no significant unusual transactions found during the audit. Mr. Churchman further noted there were no unusual financial estimates found; in addition, the County's financial statement disclosures were considered neutral, consistent, and clear. He highlighted nonattest services and auditor independence aspects of the audit on the PowerPoint presentation. Mr. Churchman discussed required communications: difficulties encountered, disagreements with management, auditor consultations, and management representations. He noted those areas were all positive. Mr. Churchman highlighted some additional required communications: management consultations, other findings or issues, fraud and illegal acts, and ongoing concern. He reported no negative results were noted on those points. Mr. Churchman specified other information found in the audit report and highlighted some financial reporting and auditing changes forthcoming in upcoming years. He concluded the presentation and welcomed any questions the Board might have.

Ms. Larson asked if any Board members had questions.

Ms. Larson thanked Mr. Churchman.

F. PUBLIC COMMENT

None.

G. CONSENT CALENDAR

None.

H. PUBLIC HEARING(S)

Ms. Larson acknowledged Mr. Frank Polster, the Planning Commission representative, at the meeting.

1. Pre-Budget Public Hearing

Ms. Sharon McCarthy, Director of Financial and Management Services, addressed the Board noting this meeting offered public comment opportunity on the upcoming budget. She added the citizen input would provide guidance to aid staff during the budget process. Ms. McCarthy indicated there was no Board action required at this time.

Ms. Larson thanked Ms. McCarthy.

Ms. Larson opened the Public Hearing.

1. Mr. Paul Scott, 150 Point O Woods, addressed the Board noting he was present on behalf of Child Development Resources (CDR). He advised CDR was a nonprofit organization that originated in JCC in 1965. Mr. Scott stated CDR's mission was to inspire and empower children, families, and early childhood professionals to reach their full potential. Mr. Scott noted in 1965 CDR served five children, adding to date the organization served over 2,000 children annually. He further noted CDR was currently serving 248 families in the County. Mr. Scott mentioned CDR had expanded significantly over the years and the current sites utilized CDR had outgrown. He remarked thorough consideration and opportunity had been given to consolidate all locations to one centralized facility located at 312 Waller Mill Road. Mr. Scott stated the CDR Board had confirmed the site would be suitable after considerable renovations, adding it would allow for service enhancement and expansion. He remarked based on the design concept it would allow for partner agencies to utilize the facility and hoped to utilize the open space within the facility for community events. Mr. Scott requested Board consideration on a more formal discussion and support regarding this new milestone. He thanked the Board for its continued support.

Ms. Larson thanked Mr. Scott.

Ms. Larson closed the Public Hearing as there were no additional speakers.

2. AFD-23-0001. 1105 Stewarts Road Barnes Swamp AFD Addition

A motion to Approve was made by Michael Hipple, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

Mr. Ben Loppacker, Planner, addressed the Board noting Mr. Taylor Pruitt had applied to enroll approximately 46.95 acres of land located at 1105 Stewarts Road into the Barnes Swamp Agricultural and Forestal District (AFD). He cited the specifics of the Special Use Permit (SUP) application included in the staff report in the Agenda Packet. Mr. Loppacker stated the applicant intended to utilize the property for recreational purposes and potential tenant farming on the

cleared portion of the property. He added the applicant did not plan to pursue any timbering activities. Mr. Loppacker noted at its October 19, 2023, meeting, the AFD Advisory Committee recommended approval of the application by a vote of 7-0. He further noted at its December 6, 2023, meeting, the Planning Commission recommended approval of the application by a vote of 7-0. He stated staff recommended approval of the application, adding the applicant was not in attendance; however, he welcomed any questions the Board might have for staff.

Ms. Larson asked if any Board members had questions.

Mr. Polster addressed the Board noting there were no speakers during Public Comment and no Planning Commission discussion. He stated the Planning Commission voted 7-0 to recommend approval of the application. Mr. Polster welcomed any questions the Board might have.

Ms. Larson asked if any Board members had questions.

Ms. Larson opened the Public Hearing.

Ms. Larson closed the Public Hearing as there were no speakers.

3. SUP-23-0026. 206 The Maine Detached Accessory Apartment

A motion to Defer the application until the Board's February 13, 2024, Regular Meeting, was made by Barbara Null, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

Ms. Tess Lynch, Planner II, addressed the Board noting Mr. Jason Buckley, Promark Custom Homes, Inc., had applied for a SUP to build a detached garage to include a 365-square-foot accessory apartment. She cited the specifics of the SUP application included in the staff report in the Agenda Packet. Ms. Lynch advised that staff had reviewed the proposed design and found that most requirements had been met. She noted the property owners currently did not reside on the property, adding an SUP condition required the property owners or an immediate family member to reside in the single-family dwelling or the accessory apartment within 12 months from the issuance of the Certificate of Occupancy. Ms. Lynch further noted staff found the proposal to be compatible with surrounding development and consistent with the 2045 Comprehensive Plan and Zoning Ordinance. She stated at its December 6, 2023, meeting, the Planning Commission recommended approval of this application by a vote of 7-0. She stated staff recommended approval, subject to the proposed conditions. Ms. Lynch welcomed any questions the Board might have, adding the applicant was available as well.

Ms. Larson asked if any Board members had questions.

Ms. Larson asked if there were other detached accessory apartments in the surrounding area.

Ms. Lynch responded not that she was aware of.

Mr. Polster addressed the Board noting there were no speakers during Public Comment and no Planning Commission discussion. He noted the Planning Commission recommended approval by a vote of 7-0.

Ms. Larson asked if any Board members had questions.

Ms. Larson opened the Public Hearing.

Ms. Larson closed the Public Hearing as there were no speakers.

Mr. McGlennon requested staff provide data regarding the number of detached accessory apartment applications in the past several years.

Mr. Paul Holt, Director of Community Development, addressed the Board noting approximately two to four within the past four or five years.

Mr. McGlennon replied the Board recently approved an application for Kingspoint.

Mr. Holt confirmed yes and referenced another previous application for Centerville Road.

Mr. Icenhour mentioned there was one in Ford's Colony as well.

Mr. Holt replied to his knowledge that particular application was by-right as it was part of the main single-family dwelling versus being detached.

Mr. Icenhour asked if the detached accessory apartment could be rented out.

Mr. Holt replied long-term rental was possible; however, a short-term rental required a separate SUP. He noted this particular SUP would not allow short-term rental opportunities.

Mr. Icenhour asked if the detached accessory apartment could be leased to non-family members long-term.

Mr. Holt replied that was correct based on verbiage included in the County Ordinance.

Ms. Larson expressed her concern with the rental of the detached accessory apartment. She mentioned a previous instance in the neighborhood in relation to an ownership change that had caused a lot of discontent regarding surrounding neighbors. Ms. Larson noted some neighborhoods with no homeowners association created potential County involvement. She asked if the applicant could speak to the objective of the detached accessory apartment.

Mr. Buckley addressed the Board noting the property owners had planned to utilize the detached accessory apartment for their son who currently attended college at the College of William & Mary. He mentioned the landowners had no intent of renting the dwelling.

Ms. Larson expressed her concern for future use.

Mr. Buckley offered the possibility of the property owners signing written correspondence indicating no desire for rental opportunities for the detached accessory apartment.

Ms. Larson thanked Mr. Buckley. She asked Mr. Kinsman if there was a sunset clause that could be incorporated into the SUP.

Mr. Kinsman indicated the SUP ran with the land opposed to with the property owner(s). He noted a potential recorded affidavit could be submitted to confirm only family members would reside within the detached accessory apartment.

Ms. Larson asked if ownership changed the next property owner would be allowed to rent the detached accessory apartment.

Mr. Kinsman confirmed yes, adding an SUP condition could be incorporated; however, from a zoning standpoint there were challenges regarding that point.

Ms. Larson questioned the support for her request.

Mr. Icenhour asked if Ms. Larson desired extra time prior to a vote on this application.

Ms. Larson confirmed yes, if her fellow colleagues supported her request. She asked Mr. Buckley if the Board postponed action on the application if it would affect his construction timeline.

Mr. Buckley replied a building permit had not yet been acquired.

Ms. Larson thanked Mr. Buckley. She asked her fellow Board members to support her request.

Mr. McGlennon asked about the anticipated timeframe to address at a future Board meeting.

Ms. Larson replied the first meeting in February. She requested a deferral on this application. Ms. Larson asked if she could make that motion.

Mr. Kinsman stated Ms. Null's motion was currently on the floor for approval, adding Ms. Null would either need to amend or pull the motion.

Ms. Null made an amendment to the motion to defer the application until the Board's February 13, 2024, Regular Meeting.

4. SUP-23-0028. 9273 Richmond Road Contractor's Office and Warehouse

A motion to Approve was made by James Icenhour, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

Ms. Suzanne Yeats, Planner, addressed the Board noting Ms. Erin Martin, Crossroad Custom Builders, Inc., had applied for an SUP to allow for the construction of an approximately 6,000-square-foot building to be used as a contractor's office and warehouse. She cited the specifics of the SUP application included in the staff report in the Agenda Packet. Ms. Yeats stated the existing residence was currently occupied by a tenant and would remain as such. She mentioned the existing operation was a professional contractor's business that specialized in the building of custom homes, additions, or interior improvements. Ms. Yeats stated at its December 6, 2023, meeting, the Planning Commission voted 7-0 to recommend approval of the application with a motion to amend SUP Condition No. 8. She remarked staff found that the proposed conditions would mitigate impacts to the surrounding properties and development; in addition the proposal was compatible with surrounding zoning and development, and consistent with the 2045 Comprehensive Plan and Zoning Ordinance. Ms. Yeats noted staff recommended approval, subject to the proposed conditions. She welcomed any questions the Board might have, adding the applicant was available as well.

Ms. Larson asked if any Board members had questions.

Mr. Polster addressed the Board noting there was one speaker during Public Comment who had questioned SUP Condition Nos. 8 and 15, noise, and traffic concerns on Richmond Road in addition to future use. He spoke to that point in further detail. Mr. Polster indicated there was much discussion on SUP Condition No. 8 in relation to outdoor storage of heavy equipment. Mr. Polster discussed that point in further detail. He stated at its December 6, 2023, meeting, the Planning Commission voted 7-0 to recommend approval of the application with a motion to amend SUP Condition No. 8. Mr. Polster welcomed any questions the Board might have.

Mr. McGlennon asked about the number of residents on the property.

Ms. Yeats stated the property use consisted of 11 nonconforming units.

Mr. McGlennon asked the type of these units.

Ms. Yeats replied apartments.

Mr. McGlennon asked if all the units were currently occupied.

Ms. Yeats replied she was unsure; however, she could obtain that information for him.

Ms. Larson opened the Public Hearing.

Ms. Larson closed the Public Hearing as there were no speakers.

Mr. Icenhour expressed his concern regarding increased impervious cover on the property. He anticipated that the stormwater facilities would be able to mitigate and manage that. Mr. Icenhour noted the importance of Watershed Management Plans to determine the impacts on a larger scale.

5. ORD-22-0001. Amendments for Scenic Roadway Protection

A motion to Defer Agenda Item Nos. 5 and 6 until the Board's April 9, 2024, Regular Meeting, was made by Michael Hipple, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

Ms. Larson indicated Agenda Item Nos. 5 and 6 would be discussed and voted on together.

Mr. Thomas Wysong, Principal Planner, addressed the Board stating at its October 26, 2021, meeting, the Board of Supervisors unanimously adopted the 2045 James City County Comprehensive Plan: *Our County, Our Shared Future*. He noted the adopted plan included various strategies within the Goals, Strategies, and Actions (GSAs) portion of the Land Use (LU) Chapter that focused on preserving scenic roadways. Mr. Wysong referenced and cited LU 6.3. He stated at its November 23, 2021, meeting, the Board adopted an Initiating Resolution pertaining to the Zoning Ordinance and Subdivision Ordinance. He advised the Initiating Resolution directed staff to consider additional requirements in both the Zoning Ordinance and Subdivision Ordinance to preserve scenic roadways such as Forge Road. Mr. Wysong highlighted the scenic roadways referenced in GSA LU 6.3 and their classifications. He discussed the proposed setback requirements for Wooded Community Character Corridors (CCCs). Mr. Wysong indicated to provide flexibility regarding structures made nonconforming by this proposed setback, staff had prepared language that permitted those nonconforming structures to expand as long as the expansion was not further within the setback. He touched on that point in greater detail. Mr. Wysong asked the Board if he could grab his materials for Agenda Item No. 6.

The Board agreed.

Mr. Wysong continued his presentation noting that the 2045 Comprehensive Plan amendment would be to revise the CCC list so that the portion of Old Stage Road located outside the Primary Service Area (PSA) would no longer be included on the list. He further noted per the County Attorney's recommendation and the Board's Initiating Resolution the removal of the following development standard for short-term rentals: "Be operated in such a manner that the property owner will continue to live and reside on the property during the rental." He stated the other three criteria would remain and continue to be used in staff's evaluation of these applications. Mr. Wysong stated at its November 1, 2023, meeting, the Planning Commission recommended denial of the proposed amendment regarding the proposed setbacks by a vote of 5-2. He further stated the Planning Commission recommended denial of the proposed Comprehensive Plan amendment in relation to short-term rental development standards revisions by a vote of 6-1. He concluded the presentation and welcomed any questions the

Board might have.

Mr. Hipple asked if the short-term rental development standard for the property owner to live on-site would be removed.

Mr. Wysong confirmed yes.

Mr. Hipple asked about the major road criteria.

Mr. Wysong replied that standard would remain in place.

Mr. Hipple asked what the County considered a major road.

Mr. Wysong deferred that question to Mr. Holt.

Mr. Holt replied the way it had been enforced was by the Virginia Department of Transportation definition which was essentially the minor and major arterials and collector streets. He added roads that were not considered subdivision-level streets.

Mr. Hipple questioned the major road criteria based on the rural lands aspect.

Mr. Holt replied those were the standards adopted as part of the most recent update to the Comprehensive Plan in 2021.

Mr. Hipple mentioned the County had a lot of rural lands that were not connected to a major road, adding that would create significant limitations. He mentioned unique property and the major road aspect. Mr. Hipple recommended the major road criteria be on a case-by-case basis.

Mr. Holt replied in practice since 2021, there had been quite a few applications that had come through. He noted that staff was very upfront with applicants and the recommendations Planning included in the staff reports were based on the 2045 Comprehensive Plan criteria for short-term rentals, adding it was policy guidance for the Planning Commission and the Board of Supervisors. Mr. Holt further noted each site was considered unique and evaluated as such. He elaborated on that point in further detail.

Mr. Hipple expressed his concerns with the property owner must live on-site during the rental period criteria in addition to the major road criteria. He reiterated his recommendation of the major road criteria being on a case-by-case basis.

Ms. Larson mentioned it was currently 6:25 p.m. and potential inclement weather was projected for 7 p.m. She asked the Board if she could open the Public Hearing as there was a public speaker for this item and she wanted to ensure for safety purposes individuals were able to leave in a timely manner.

Mr. Hipple mentioned his desire to postpone action on this item.

Ms. Larson replied ok.

Ms. Larson noted based on the deferral request vote the Public Hearing would remain open. She advised any individual who signed up to speak this evening would be allowed to do so, but only one opportunity to speak during the Public Hearing process was allowed.

Mr. Holt desired to speak prior to opening the Public Hearing for staff guidance on these items.

Mr. Hipple requested a deferral for both items for further evaluation purposes. He spoke to that point in further detail.

Ms. Larson opened the Public Hearing for Agenda Item No. 5.

Ms. Larson continued the Public Hearing.

Ms. Larson opened the Public Hearing for Agenda Item No. 6.

Ms. Larson continued the Public Hearing.

Mr. Polster addressed the Board regarding Agenda Item No. 5 noting there were no speakers at the Public Hearing. He noted the ongoing challenges regarding the subject matter. Mr. Polster stated the Planning Commission had separated the Old Stage Road component with a consensus reached among the Planning Commission members with the exception of Forge Road. He noted some of the Planning Commission members thought the 400-foot setback was excessive and the various potential restrictions this amendment would pose on the surrounding area and development. Mr. Polster provided examples to the Board. He stated in summary the Planning Commission desired to convey to the Board the concern on the language to address accessory structures, adding a consensus on the Wooded CCC component in relation to Agenda Item No. 5. Mr. Polster stated three to four Planning Commission members were in acceptance of the 400-foot setback despite the unintended consequences. He stated the Planning Commission recommended denial to the Board of Supervisors by a vote of 5-2.

Mr. Polster addressed the Board regarding Agenda Item No. 6 noting there were no speakers at the Public Hearing. He further noted Planning Commission discussion on the CCCs and the 400-foot setback on Forge Road. Mr. Polster stated the Planning Commission members were supportive of the revisions to the CCCs and the modifications to Old Stage Road. He spoke about the short-term rental development standards and the progress made. Mr. Polster noted Planning Commission members had raised concern regarding the elimination of one of the short-term rental development standards for short-term rentals which required owners to live on-site during the rental period, adding that only left three determining factors for review and evaluation purposes. Mr. Polster mentioned a recent opinion from the 5th Circuit that a residency requirement such as that discriminated against interstate commerce. He added while JCC was not in the 5th Circuit jurisdiction, it was a persuasive opinion that could potentially be applied in the County's circuit. Mr. Polster stated the County Attorney's Office felt that development standard should be omitted. He noted the Planning Commission recommended approval to the Board of Supervisors on the Comprehensive Plan amendment for CCC standards revision by a vote of 6-1. Mr. Polster further noted the Planning Commission recommended denial to the Board of Supervisors regarding the short-term rental development standards revision by a vote of 6-1. He welcomed any questions the Board might have.

Ms. Larson asked if any Board members had questions.

Mr. Holt addressed the Board seeking guidance on next steps. He noted these Agenda items would need to be postponed for a particular date due to being Public Hearing items. Mr. Holt asked if he should bring materials to the future meeting for both Forge Road and Old Stage Road.

Mr. Icenhour expressed he felt the Board was pretty certain regarding the Old Stage Road component, adding he preferred just the Forge Road materials. He stated his concern was not with the 400-foot setback itself, but the ability to mitigate the adverse impacts to the individuals who essentially would be made nonconforming by the setback requirement. Mr. Icenhour added he was unsure of the legal flexibility to that point and recommended discussion to ensure protection to those individuals who would be impacted. He asked the Board if that was a fair assessment.

Mr. Hipple confirmed yes, adding it was imperative if the setback requirement were to be

approved that the individuals or businesses impacted would not have restrictions and/or limitations. He recommended time for further evaluation, adding he preferred to hold off on applications regarding these areas until the Board was able to work through the subject matter. Mr. Hipple looked to Mr. Kinsman on guidance in relation to that point.

Mr. Kinsman addressed the Board noting it depended on the timeframe aspect of things. He referenced the Comprehensive Plan update as an example, adding a formal resolution was required due to the lengthy timeframe. He recommended if the Board needed six months to a year on this item he would suggest a formal resolution to notify applicants.

Mr. Hipple asked Mr. Holt on the timeframe aspect.

Mr. Holt replied the only other option aside from the options presented this evening from a legal standpoint would be the idea of rezoning specific properties and an overlay district. He advised requested Board materials could be ready as early as the Board's February 27, 2024, Business Meeting. Mr. Holt mentioned if potential amendments, readvertisements, etc. were needed he would recommend postponing this item until the Board's April 9, 2024, Regular Meeting.

Mr. Hipple requested that Agenda Item Nos. 5 and 6 were postponed until the Board's April 9, 2024, Regular Meeting.

6. Comprehensive Plan Amendment: Community Character Corridor and Short-Term Rental Development Standards Revision

As Ms. Larson mentioned Agenda Item Nos. 5 and 6 would be discussed and voted on collectively. Refer to Agenda Item No. 5 for discussion.

7. Ordinance to Amend and Reordain Chapter 20, Taxation, of the Code of the County of James City, Virginia, by Amending Article I, Exemption of Certain Persons From Real Estate Taxes, Section 20-10, Qualifications for Exemption and Section 20-11, Amount of Exemption

A motion to Approve was made by James Icenhour, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

Mr. Richard Bradshaw, Commissioner of the Revenue, addressed the Board noting the County had provided tax relief to its elderly and disabled homeowners since 1973. He further noted the program was designed to assist those individuals with limited resources to remain in their homes without having undue tax burden. He indicated the program did require an annual application including documentation to verify qualifying assets and income. Mr. Bradshaw advised before the Board were two Ordinances, adding one would modify the income eligibility requirements and the other would modify the benefits to the taxpayer. He advised based on changing conditions he recommended the following changes to go into effect starting next fiscal year: raising the qualifying income to $55,000; and raising the exemption to cover the first $150,000. Mr. Bradshaw spoke to that point in further detail and welcomed any questions the Board might have.

Ms. Larson asked if any Board members had questions.

Ms. Larson opened the Public Hearing.

Ms. Larson closed the Public Hearing as there were no speakers.

Mr. Icenhour questioned the net combined financial worth total referenced in the Chapter 20 Taxation Ordinance for Section 20-10 (b) included in the Board's Agenda Packet. He asked if

the $200,000 net combined financial worth went from $200,000 to $150,000.

Mr. Bradshaw replied no, adding the total assets should remain at $200,000.

Mr. Icenhour requested Mr. Jason Purse, Assistant County Administrator, to verify that.

Mr. Purse clarified that the strikethrough seen in the Ordinance Chapter 20 Taxation Ordinance for Section 20-10 (b) should remain $200,000 not decrease to $150,000. He noted those changes would be made to reflect accuracy.

Ms. Larson thanked Mr. Bradshaw.

I. BOARD CONSIDERATION(S)

None.

J. BOARD REQUESTS AND DIRECTIVES

Mr. McGlennon mentioned he attended the dedication of new and expanded space at The Martha W. Goodson Center in McLaws Circle. He advised this facility provided support for individuals affected by memory disorders and other neurological disorders. He elaborated on that point in greater detail. Mr. McGlennon noted he attended JCC's Emerging Leaders Academy Graduation Ceremony. He mentioned positive remarks about the program.

Mr. Icenhour expressed his desire to share a photo with the community. He mentioned the Home for the Holidays Program noting this past year the program raised enough money to provide 43 Enlisted service members a $300 stipend to travel home for the holidays. He recognized Captain Scott Rae, Command Officer, United States Coast Guard Training Center Yorktown. Mr. Icenhour displayed a photo of the service members who were not able to travel home for Christmas. Mr. Icenhour noted on Christmas Day those service members attended Sentara Williamsburg Regional Medical Center to serve meals to patients and staff. He expressed his sincerest gratitude to those service members.

Ms. Larson thanked Mr. Icenhour for all his efforts regarding the Home for the Holidays Program. She extended positive remarks to the newly elected Supervisor Null for her role and participation at her first meeting for the Board of Supervisors and the JCSA Board of Directors. Ms. Larson noted she was the Chair of Visit Williamsburg, adding Ms. Victoria Cimino, CEO of Visit Williamsburg, had decided to step down. She further noted Ms. Julia Smyth-Young had been selected as the Interim CEO of Visit Williamsburg. Ms. Larson indicated a national search would be conducted next week. She extended thanked to Ms. Cimino for her significant efforts during her tenure as CEO of Visit Williamsburg. Ms. Larson noted she attended the Visit Williamsburg Finance meeting earlier in the day and reported positive trends.

K. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Stevens advised a Community Conversation would be held on Wednesday, January 31, 2024, at 6 p.m. at Legacy Hall in New Town. He highlighted topics for discussion included: the regional sports complex, trash consolidation, the proposed government center, and Police Chief Mark Jamison would provide a public safety update. Mr. Stevens encouraged County citizens to attend.

L. CLOSED SESSION

A motion to Enter a Closed Session was made by Barbara Null, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

At approximately 6:43 p.m., the Board entered Closed Session.

At approximately 6:56 p.m., the Board re-entered Open Session.

1. Consideration of a personnel matter, the appointment of individuals to County Boards and/or Commissions pursuant to Section 2.2-3711(A)(1) of the Code of Virginia

a. Appointment - Williamsburg Area Transit Authority Board of Directors

A motion to Appoint Ms. Diane Finney as an Alternate Member (no term limit) was made by James Icenhour, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

b. Appointments - VPPSA Board of Directors

A motion to Appoint Ms. Grace Boone and Mr. Bob Dittman for terms to December 31, 2026, was made by James Icenhour, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

c. Appointments - Historic Triangle Bicycle Advisory Committee

A motion to Appoint Ms. Grace Bascetta for a term to expire December 31, 2025, was made by James Icenhour, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

d. Appointments - Board of Equalization

A motion to make recommendations to the Circuit Court Judge for four individuals for the Board of Equalization: Mr. Michael Grimes, Ms. Vickie Nase, Mr. Christopher Hedrick, and Mr. Robert Singley, Jr. for terms to expire December 31, 2027, was made by James Icenhour, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

e. Appointments - Planning Commission

A motion to Appoint Mr. Michael Scott Maye - Powhatan District for a term to expire January 31, 2026, and Mr. Jay Everson - Stonehouse District for a term to expire January 31, 2028, was made by James Icenhour, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

f. Appointment - Williamsburg Regional Library Board of Trustees

A motion to Appoint Mr. Eugene Bruss for a term to expire June 30, 2025, was made by James Icenhour, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

2. Certification of Closed Session

M. ADJOURNMENT

1. Adjourn until ___1__ pm on January __23___, 2024 for the Business Meeting

A motion to Adjourn was made by Michael Hipple, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

At approximately 6:58 p.m., Mr. Hipple adjourned the Board of Supervisors.

Teresa J. Saeed

Deputy Clerk

MINUTES

JAMES CITY COUNTY BOARD OF SUPERVISORS

BUSINESS MEETING

COUNTY GOVERNMENT CENTER BOARD ROOM

101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185

February 27, 2024

1:00 PM

A. CALL TO ORDER

ADOPTED

MAR 26 2024

Board of Supervisors
James City County, VA

B. ROLL CALL

Barbara E. Null, Stonehouse District
Michael J. Hipple, Powhatan District
John J. McGlennon, Roberts District
James O. Icenhour, Vice Chair, Jamestown District
Ruth M. Larson, Chair, Berkeley District

Scott A. Stevens, County Administrator
Adam R. Kinsman, County Attorney

C. PRESENTATION(S)

1. Clean County Commission Annual Report

Ms. Peg Boarman, Chair of the Clean County Commission, addressed the Board with the Commission's Annual Report. She began the PowerPoint presentation with an introduction of the Clean County Commission's members. Ms. Boarman added Powhatan District still needed a representative as well as a second Commissioner for Roberts District. She highlighted the Great American Cleanup, which occurred in March 2023, in the PowerPoint. Ms. Boarman provided statistics for the event which included the number of volunteers, volunteer hours, and other data. She expressed appreciation for the volunteers and their work. Ms. Boarman continued the PowerPoint highlighting the 45th Annual County-wide Litter Cleanup which was held April 2023 and the Arbor Day Plant-A-Tree Ceremony at Freedom Park. She noted another event held was the Clean the Bay Day in June 2023. Ms. Boarman stated the Clean County Commission also participated in educational events such as the Fido Fest, the Family Fun Fest, and the Harvest Fest. She noted one highlight of the year centered on the Repair Fair and Recycling Expo. Ms. Boarman provided details on the event, adding it was well received by the community. She noted the Clean County Commission partnered with the Water Wise Garden and Human Services Center on programming. Ms. Boarman added the Clean County Commission also partnered with the Pollinator Garden at Veterans Park and the James City Lions Club. She noted the Volunteer Appreciation Will Barnes Day Picnic, held annually in June, in recognition of his legacy to the County. Ms. Boarman provided additional information on the event. She addressed the Good Neighbor Grants program and its beautification projects in the community. Ms. Boarman continued the presentation providing details on the Virginia Peninsula Clean Business Forum Awards. She noted the forum was sponsored by James City County, the Cities of Hampton and Newport News, and York County. Ms. Boarman noted several Stonehouse District businesses had been recognized previously. She encouraged businesses active in environmentally-friendly practices with adopted green initiatives from the

other districts to submit applications. Ms. Boarman thanked all the volunteers, adding 922 volunteer hours at 256 events had been logged. She provided information for community involvement with the Clean County Commission. Ms. Boarman announced Ms. Rachel West as the new Chair for the Clean County Commission in the upcoming year. Ms. Boarman noted she would be stepping down, adding it had been a difficult decision. She continued the presentation highlighting upcoming events. Ms. Boarman shared a video of Clean County Commission members and various events that had been attended. She noted Ms. West was unable to attend the meeting but wanted to share her thoughts via the video.

Ms. Larson asked if the Board had any questions for Ms. Boarman.

Ms. Boarman noted she would be back to still talk trash to the Board.

Mr. Hipple stated he had a question, adding he was very appreciative of all of Ms. Boarman's hard work over the years. He referenced the presentation highlighting the total volunteer hours, adding if those hours were paid then that information could be incorporated to show citizens the savings generated by the work of the Clean County Commission and its efforts. Mr. Hipple noted the savings to the community with the volunteer hours and not paid staff to pick up trash.

Ms. Boarman responded she had done that once previously but would work on incorporating that information into future presentations.

Mr. Hipple thanked Ms. Boarman.

Mr. McGlennon noted he had no questions, but he congratulated Ms. Boarman on her leadership during her tenure. He referenced the annual award in Ms. Boarman's name that was given in recognition of volunteers in the community. Mr. McGlennon commended the Clean County Commission for its work at many events and throughout the area.

Ms. Boarman thanked Mr. McGlennon. She commended Ms. Andrea Case and Ms. Regina Jackson as County staff members who assisted with the many events.

Mr. Icenhour extended his appreciation to Ms. Boarman. He noted the significance of the Will Barnes Picnic.

Ms. Boarman noted Board member attendance at the picnic and other events was greatly appreciated.

Ms. Larson asked when Ms. West would begin as the Chair of the Clean County Commission.

Ms. Boarman responded at the March 7, 2024, Clean County Commission meeting.

Ms. Larson asked Ms. Boarman how long she had been the Clean County Commission's Chair.

Ms. Boarman responded she had co-chaired with Mr. Barnes from 2010-2016. She added she moved into the Chair position in 2016. She cited some historical points of her time as originally it was a committee and then later became a commission in 1981. Ms. Boarman noted she had volunteered since 1979.

Ms. Larson noted that was tremendous and she extended her thanks to the Clean County Commission members. She expressed her appreciation of Ms. Boarman's educational and informative updates to address litter in the County. Ms. Larson noted Ms. Boarman's influence on her regarding personal attention to trash in the County. She thanked Ms. Boarman for her education and influence and the longevity of her volunteering commitment.

Ms. Boarman noted trash was a continual problem. She thanked the Board members for their

kind words.

Ms. Larson thanked Ms. Boarman.

2. VDOT Quarterly Update

Mr. Rossie Carroll, Virginia Department of Transportation (VDOT) Williamsburg Residency Administrator, addressed the Board noting his quarterly update covered the last quarter of 2023. He noted 442 of 510 maintenance work orders were completed, adding that was an 87% completion rate. Mr. Carroll stated some highlights included Norge Lane drop-in repair off Route 60, sinkhole and pipe repair at Nature's Way, Mount Laurel Road ditch repair, Route 60 pipe repairs, ditching in Brookhaven and several other locations, and tree and shrub clearing on Jamestown Road near the County-side of the Jamestown-Scotland Ferry. Mr. Carroll noted current project highlights included hit guardrail repairs. He added 95 of 97 identified hit repairs were completed. He further noted improvements to the Richmond Road bicycle path and sidewalk improvements with a projected completion date of the end of October 2024. Mr. Carroll stated the bridge project over Diascund Creek, adding many people referenced that area as the Hicks Island area, was ahead of schedule. He noted the pipe replacement on Route 60 between Route 30 and the New Kent County line prior to the unbonded concrete project for that area. Mr. Carroll addressed the completed projects in the closeout process. He noted upcoming projects included the Longhill Road Shared Use Path, Croaker Lane four-lane widening, Pocahontas Trail Reconstruction Phase One, a new hydraulic system on the Jamestown side of the Jamestown-Scotland Ferry pier, asphalt work, and others. Mr. Carroll referenced the PM5V, plant mix schedule, for various James City County roads this summer. He added the PM5V schedule was approximately double lane paving and cost as last year in the County. Mr. Carroll stated the Interstate 64 four-to-six lane widening project from the New Kent County line back to James City County was included in upcoming projects. He added the estimated completion date for that project was fall 2027. Mr. Carroll continued the update for County safety projects and provided details. He noted 2025 projects included work at Route 5, Greensprings Road, and the Centerville Road junction, as well as Old Stage Road and Route 30 across from School House Lane. Mr. Carroll stated those projects were currently in the Secondary Six-Year Plan and collaboration between County and VDOT staff would occur regarding project funding. He provided additional details on the projects. Mr. Carroll noted several traffic studies had occurred and he detailed the locations and results.

Ms. Larson thanked Mr. Carroll and asked the Board if there were any questions.

Mr. Icenhour asked for an update on Airport Road and Old Mooretown Road. He noted implementation of a potential traffic circle rather than a traffic light.

Mr. Carroll noted VDOT was currently in the pre-scoping phase of that intersection. He stated that project was funded through VDOT's SMART SCALE program, but it would not go to construction in the next year or two.

Mr. Icenhour noted it would be several more years before construction.

Mr. Carroll confirmed yes.

Mr. Icenhour stated it was fully funded.

Mr. Carroll confirmed yes, adding it was in the Secondary Six-Year Plan.

Mr. Icenhour thanked Mr. Carroll.

Mr. Hipple referenced the new curb on Route 60 in Toano near the former McKown's Store. He

noted the left turning issue at that location but stated the curb at Church Lane allowed for more turning access. Mr. Hipple asked Mr. Carroll to check the McKown's Store area. He thanked Mr. Carroll and VDOT for the Route 60 project, adding residents in that area of the County were pleased with the road raising project.

Mr. Carroll noted that much work had been done along Route 60.

Mr. Hipple agreed and noted it was very helpful.

Discussion ensued.

Mr. Hipple referenced the sound barriers coming down Route 60 near Rochambeau Drive. He noted he had received citizen concerns regarding the sound barriers.

Inaudible comments.

Mr. Carroll noted the contractor was also required to complete a sound study as part of the design-build project. He further noted those results could potentially impact the sound barrier locations.

Mr. Hipple asked if the design-build team would hold a public hearing to gather public input.

Mr. Carroll noted a public hearing was typically held initially. He added that once design began if issues arose that pertained to a certain area, then a meeting would be held with those communities. Mr. Carroll noted he would review that design-build to see if another public hearing would be available.

Mr. Hipple thanked Mr. Carroll. Mr. Hipple noted the two traffic lights near the Williamsburg Pottery. He further noted one was unnecessary and questioned if traffic lights were ever removed.

Mr. Carroll responded not generally, adding removal could be done.

Mr. Hipple asked if the traffic light could be repurposed to another location.

Mr. Carroll said no to relocation. He noted he was unsure who would pay for it. Mr. Carroll stated that traffic light was included as part of the development and agreement from the development would be needed. He noted future plans and development for that area were also factors. Mr. Carroll favored a blinking light status but added a large number of U-turns off Route 199 in that area. He noted the blinking light would eliminate the U-turn phase.

Discussion ensued.

Mr. Hipple asked if VDOT could review the first light coming out of Lightfoot to become a blinking light. He noted the second light could then be an actual working traffic light.

Mr. Carroll noted a need for the light at that location but that he would work with the County.

Mr. Icenhour stated as part of the need assessment there should be a study to identify the number of times traffic cones have that entrance to the Williamsburg Pottery blocked off. He noted approximately 90% of the time he traveled that way, traffic was blocked off from entering or exiting at that traffic light. Mr. Icenhour stated the owner had placed the barricade there so it was not a useful entrance or exit.

Mr. Carroll noted VDOT was the owner/operator. He stated after the development was built, then VDOT maintained the traffic light. He added the entrance from Lightfoot, though currently

coned off, was the entrance for access behind the Williamsburg Pottery. Mr. Carroll noted he was unsure of long-range plans for that area.

Ms. Null addressed the left turn heading north or west and the property there. She noted the property was under contract for an assisted living facility and the commercial use would have access with that traffic light. She cited some specifics to the road and the property.

Mr. Carroll suggested the flashing yellow and red sequence for the traffic light.

Ms. Null concurred that option was great.

Mr. McGlennon asked if the Gate House Farms issue off Neck-O-Land Road had been resolved. He added it focused on the intersection between Gate House Boulevard and Neck-O-Land Road.

Mr. Carroll asked if Mr. McGlennon was referencing the drainage test.

Mr. McGlennon confirmed yes.

Mr. Carroll replied he was unsure but he would look into that issue.

Mr. McGlennon asked Mr. Carroll to contact him regarding a final resolution. He added he was pleased with the Pocahontas Trail Phase One plans. Mr. McGlennon noted the start date for those plans was approximately two years out.

Mr. Carroll confirmed the May date was the award date.

Mr. McGlennon questioned the timeline and relaying information to citizens. He noted citizens were hoping for another public meeting for updates. Mr. McGlennon questioned if any property acquisition would be involved prior to advertisement or related matters.

Mr. Carroll noted he would get back with Mr. McGlennon on those points.

Mr. McGlennon thanked Mr. Carroll.

Ms. Larson asked about some trees closely bordering Route 5. She noted due to beaver damage there was concern the trees would fall into the road, adding she thought that area was VDOT property.

Mr. Carroll noted that was VDOT property and VDOT was aware of the issue.

Ms. Larson stated she had received concerns from several people. She requested an update on the bicycle path cleanup schedule. Ms. Larson added the County was checking pond levelers near Route 5 due to beaver activity.

Mr. Carroll noted the ongoing struggle with that point.

Ms. Larson thanked Mr. Carroll.

Mr. Carroll thanked the Board.

D. CONSENT CALENDAR

Ms. Larson asked if any Board member wished to pull any item(s).

1. Board Appropriation - Chesapeake Bay Mitigation Fund - 4113 South Riverside Drive - $21,125

A motion to Approve was made by Michael Hipple, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

2. Compensation Plan and Personnel Policies Agreement with Clerk

A motion to Approve was made by Michael Hipple, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

3. Contract Award - $123,750 - Replacement Emergency Medical Services Supervisor Vehicle

A motion to Approve was made by Michael Hipple, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

4. Dedication of the Streets in Phase 2 of the Landfall at Jamestown Subdivision

A motion to Approve was made by Michael Hipple, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

5. Grant Award - $1,500 - LOVE Sign

A motion to Approve was made by Michael Hipple, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

6. Minutes Adoption

A motion to Approve was made by Michael Hipple, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

The Minutes Approved for Adoption included the following meetings:

- December 1, 2023, James City County Board of Supervisors Joint Meeting with Williamsburg City Council and Williamsburg-James City County School Board
- January 9, 2024, Regular Meeting
- January 23, 2024, Business Meeting

Ms. Larson noted she wanted to draw attention to two items. She stated the first was the dedication of the streets in Phase 2 of the Landfall at Jamestown subdivision. Ms. Larson noted the subdivision was in Mr. McGlennon's district but had previously been in the Berkeley District for many years. She inquired if these roads were the last ones for dedication. Ms. Larson noted Ms. Toni Small, Director of Stormwater and Resource Protection Division, acknowledged yes with a head nod. Ms. Larson thanked Ms. Small for the confirmation. Ms. Larson then asked Ms. Elizabeth O'Connor, Clerk of the Circuit Court, if she would come forward for an introduction. She noted Ms. O'Connor had served as the Acting Clerk when Ms. Mona Foley, former Clerk of the Circuit Court, retired prior to Ms. O'Connor's election in November 2023. Ms. Larson stated Item No. 2 regarding the Compensation Plan and Personnel Policies Agreement was for the Clerk of the Circuit Court.

Ms. O'Connor confirmed yes.

Ms. Larson inquired if all the necessary parties had worked with Ms. O'Connor to establish the compensation plan and personnel policies.

Ms. O'Connor confirmed yes, adding Mr. Kinsman and Mr. Brad Rinehimer, Assistant County Administrator, had been very helpful. She thanked the Board for its review and support of the materials.

Ms. Larson thanked Ms. O'Connor for the opportunity to introduce her.

Ms. O'Connor thanked Ms. Larson.

E. BOARD DISCUSSIONS

Ms. Larson asked if Mr. Stevens would address Item No. 1.

Mr. Stevens noted he would introduce Mr. Dayle Gallagher, Director of Real Estate Assessments Division, to address the reassessment process. He stated Mr. Gallagher had a short presentation followed by any questions from the Board.

1. Real Estate Assessments

Mr. Gallagher addressed the Board stating one responsibility of the Real Estate Assessments Division was to determine fair market value. He began the PowerPoint presentation identifying fair market value. Mr. Gallagher detailed the components of a mass appraisal. He noted the analysis began with recent sales and provided criteria used. He stated the goal was to ensure the database contained sufficient information for verification of an arm's-length sale transaction and that the sale price reflected the market value of the real property. Mr. Gallagher noted many steps were taken by real estate assessors when sales occurred. He highlighted the number of residential sales used over the past two years, adding James City County performed biennial reassessments. Mr. Gallagher noted all sales were required to be submitted to the state. He added that disqualified sales were coded with an explanation as to the reason and the analysis was based on the remaining sales.

Mr. McGlennon referenced the biennial total of 2,488 and asked if that number was representative of approximately 7.5% of residential properties in the County as turnover in the past two years.

Mr. Gallagher responded possibly. He continued the presentation highlighting the preliminary results of the reassessment based on property classes. Mr. Gallagher noted the property classes were agricultural, commercial, residential, and multifamily. He further noted the residential results were based on valuation not revenue, adding the overall County residential increased 21%. Mr. Gallagher used four County neighborhoods as examples for the changes in median sales price and median assessed value. He cited factors that drove the market were location and price range. Mr. Gallagher displayed an example of the reassessment impact for years 2023 and 2024 using the median value at the $0.83 tax rate.

Mr. Icenhour asked if the median value for a home in the County was $411,000.

Mr. Gallagher replied that it was now. He continued the presentation displaying the reassessment notice postcard and the breakdown for the property.

Mr. Icenhour questioned the mail date for the postcards.

Mr. Gallagher noted the postcards would be mailed on February 29, 2024. He stated upon receipt of the postcard, homeowners would question the increase. Mr. Gallagher addressed options available to homeowners which included appealing the reassessment to the Board of Equalization (BOE).

Ms. Vickie Hogg Nase, a real estate broker for 43 years and an appraiser for 21 years, addressed the Board. She noted she had served on the BOE since 2014. Ms. Nase stated assessments were mailed to homeowners in February. She detailed the steps of the assessment process if a homeowner had questions. Ms. Nase noted the appraiser reviewed square footage, number of bedrooms, number of bathrooms, fireplaces, and other features that impacted the appraisal. She further noted if the homeowner was still dissatisfied with the review, then the homeowner received the BOE forms for completion within 30 days. She noted those forms were required to be returned to the Real Estate Assessor's Office by April 30. Ms. Nase explained that the appraiser from the Assessor's Office requested the homeowner select three properties within the homeowner's neighborhood to use as the basis for the assessment number. She added questions usually involved why the assessment number was lower. Ms. Nase stated homeowners were aware of neighboring home prices when sold but were unaware of the components of an assessment. She cited the specific details as mandated by federal law for assessments. Ms. Nase noted the homeowner(s) present their specific data and the assessors present their data. She addressed homeowners understanding the assessment process. Ms. Nase also addressed commercial property assessments. She noted the next step after the Assessor's Office and the BOE was court. Ms. Nase referenced her research was based on the Williamsburg Multiple Listing Service (WMLS) which was statistically updated monthly. She noted supply was low with a high demand and that pattern had led since the COVID-19 pandemic. Ms. Nase cited statistics for a variety of multiple listings since January 2024, adding the median home price in the County was $587,500 with 29 days on the market. She noted in January 2023, the price was $400,950 with 19 days on the market, adding that was a major difference. Ms. Nase stated these numbers reflected the median value and included condominiums, townhouses, and other specific criteria. She referenced statistics from one day and the bidding wars on property. Ms. Nase provided insight and past experience with sales, adding buyers were very savvy as 98% of homes were sold on the internet prior to actually being present on the property. She noted the use of Realtor.com and principles applied to listings on that site.

Mr. Gallagher continued the presentation highlighting some important dates. He noted the dates included the reassessment notice mailings, proposed budget release, community meetings with Supervisors, public hearing, and the Board meetings for the budget followed by its adoption.

Mr. McGlennon noted the average value price of a home. He asked about the average median sale price of a home and the difference between the two prices.

Ms. Nase noted the difference was vast.

Mr. Gallagher noted assessors used the number from sales and Ms. Nase was using WMLS numbers.

Mr. McGlennon asked if Mr. Gallagher was looking at all homes while Ms. Nase was looking at actual sales within the specified time period. Mr. McGlennon noted homes that were being reassessed versus home prices for those properties on the market. He further noted Mr. Gallagher's numbers were reflective of the County's housing stock.

Mr. Gallagher and Ms. Nase confirmed that point.

Mr. Hipple noted the reassessments were not based on the selling price.

Discussion ensued.

Ms. Sharon McCarthy, Director of Financial and Management Services, addressed the Board noting she worked closely with Mr. Gallagher. She noted the assessments were done every two years with Ms. Nase's numbers were based on the January data of each year. Ms. McCarthy stated the home values continued to escalate. She noted the values were based County-wide over the 2,500 sales which equated to approximately 7.5% of total taxable parcels over a two-year period. Ms. McCarthy stated median sales meant half of the sales were below that number while the other half were above it, adding mean represented the average.

Mr. Hipple noted the assessments were based on market values from two years prior and not current market values.

Ms. McCarthy noted calendar year 2022 and calendar year 2023.

Discussion ensued.

Mr. Gallagher noted the County podcast on the Real Estate Assessments process that was currently on the County website. He noted a sales statistic for 2022 that reflected sales were at 100% or more due to the market rise in 2023. Mr. Gallagher stated the impact on current reassessment values.

Mr. Hipple suggested citizens listen to the podcast. He stated it was very informative about the reassessment process.

Ms. Larson thanked Mr. Gallagher, Ms. Nase, and Ms. McCarthy. She noted if the Board members had additional questions, they could ask them at the Retreat though reassessments were not a topic. Ms. Larson stated Mr. Stevens would be available and other questions could be forwarded to Mr. Gallagher.

2. Financial Update, FY2024 Second Quarter

Ms. Cheryl Holland, Budget Manager, addressed the Board noting she would provide updates for Fiscal Year 2024 second quarter, which ended December 31, 2023. She stated the presentation would only focus on the General Fund and not covering the Capital Improvements Program, American Rescue Plan Act, or other grant funding. She highlighted the County's General Fund revenues in the PowerPoint presentation with a comparison to the prior year. Ms. Holland noted the General Property Taxes category was the largest revenue source at two-thirds of total revenue. She added the category included real estate and personal property taxes. Ms. Holland noted General Property Taxes reflected an increase primarily related to personal property with new vehicle purchases and a higher retention level of value for older vehicles. She added the other revenue types did not have the same billing or collection frequency as General Property Taxes. Ms. Holland provided details on the other categories depicted in the PowerPoint presentation. She continued with a breakdown of the General Fund Spending categories. Ms. Holland noted the Actual data reflected both expenditures and encumbrances. She continued the presentation with a departmental breakdown of the percentage of the budget use. Ms. Holland stated that departments with expenses over 50% reflected that not all expenses were incurred evenly during the year. She added the Information Technology Department had the majority of its contracts, licensing, and other factors due at the beginning of the year. Ms. Holland noted the Contribution & Transfers category reflected funding to outside services which typically occurred at the beginning of the fiscal year.

Ms. Larson thanked Ms. Holland for the update.

3. ORD-22-0001. Amendments for Scenic Roadway Protection
Comprehensive Plan Amendment: Community Character Corridor and Short-Term Rental Development Standards Revision

Mr. Thomas Wysong, Principal Planner, addressed the Board regarding the specifics of this case. He noted the Board had requested more time for consideration regarding the proposed setback impact on existing structures along affected roadways and additional discussion on short-term rental standards. Mr. Wysong addressed the proposed amendments to the Zoning Ordinance regarding certain scenic roadways. He provided details regarding setbacks and highlighted the Forge Road Corridor in a PowerPoint presentation. Mr. Wysong noted only Forge Road would be affected if the Comprehensive Plan amendment were approved. He addressed the creation of the Overlay District regarding setback standards, adding in the absence of an Overlay District with varying setback standards was advised against by the County Attorney's Office. Mr. Wysong added that advice was based on uniformity of zoning regulations for each class or kind of building and use throughout each district and must treat similarly situated property similarly. He noted a limited Comprehensive Plan amendment regarding the Community Character Corridor (CCC) and revisions to the County's CCC Table designations list for a portion of Old Stage Road located outside of the Primary Service Area which would no longer be classified as a CCC. Mr. Wysong further noted that the proposed setback requirements would then only apply to Forge Road. He continued stating the second issue addressed the recommendation for removal of development standards for short-term rentals regarding the property owner continuing to live and reside on the property during the rental. Mr. Wysong noted the following standards, based on the Comprehensive Plan as adopted on October 26, 2021, would still be retained regarding short-term rentals: located on lands designated Rural Lands, Neighborhood Commercial, Community Commercial, Mixed Use, or Economic Opportunity; located on the edge or corner of an existing platted subdivision, rather than internal to it; and located on a major road. Mr. Wysong stated staff looked forward to the Board's feedback and guidance. He added a map was created to represent the affected lots by the setback concept.

Ms. Larson thanked Mr. Wysong. She looked to the Board for discussion.

Mr. Hipple noted he was fine with the removal of Old Stage Road. He added he was in favor of protecting Forge Road. He noted existing structures and application regarding new structures. Mr. Hipple discussed this point in detail adding the County needed to work with property owners who had limited amounts of land. He noted he was concerned for houses built on the roadside and losing the current look of the Forge Road corridor. Mr. Hipple added he did not want Forge Road crowded like other roads in the County. He noted his original proposal was to protect the existing corridor, protect the existing structures, and limit the proximity of new structures to the road. Mr. Hipple stated a compromise for corridor preservation and landowner rights was needed.

Ms. Null stated her agreement.

Mr. Icenhour addressed nonconformity and setbacks. He noted the use of the Overlay District and the ability to target particular areas for designation without arbitrary setbacks. Mr. Icenhour questioned staff if an Overlay District was created would Old Stage Road need to be removed from the CCC designation. He stated if Old Stage Road remained a CCC with an Overlay District then that designation would only apply to the areas identified for protection.

Mr. Hipple stated he wanted to focus on Forge Road first. He noted any knowledge learned in the process could later be applied to other areas.

Mr. Icenhour noted Overlay Districts could be applied to additional CCCs. He questioned the need then to remove Old Stage Road from the CCC designation if the Overlay District addressed concerns.

Mr. Hipple agreed.

Mr. Icenhour questioned staff on the timeline, workload, and other factors regarding these points.

Mr. Paul Holt, Director of Community Development, addressed the Board noting the public hearing on this item had been formally postponed until the Board's April 9, 2024, Regular Meeting. He noted one option was an indefinite postponement while staff worked on the Board's input. Mr. Holt stated the public hearing could be readvertised at a later date. He noted obtaining Board consensus on particular properties without reconsidering the varied setbacks was another factor. Mr. Holt stated he would review the timeline with staff and get that schedule to the Board.

Mr. Hipple cited the various criteria for the Overlay District and the setbacks while still protecting and preserving the land. He noted the Board would work on finding a happy medium that was beneficial to citizens.

The Board thanked Mr. Holt.

Mr. Holt noted at the April 9, 2024, Regular Meeting, this item would be on the Agenda but that it be deferred indefinitely pending Board consideration. He further noted that status would apply to both the Ordinance amendment and the Comprehensive Plan amendment. Mr. Holt stated at the time for those items to be presented, a public hearing would be readvertised.

Ms. Larson and Mr. Hipple thanked Mr. Holt.

Ms. Larson thanked Mr. Wysong.

F. BOARD CONSIDERATION(S)

None.

G. BOARD REQUESTS AND DIRECTIVES

Ms. Null noted she had no comments.

Mr. Hipple noted he had one, but he thought it would be discussed at the Board's upcoming Retreat. He stated a review of the $0.83 per $100 tax rate particularly in light of increased revenue.

Mr. McGlennon noted he would pass.

Mr. Icenhour noted on February 16, he and Mr. Hipple spoke to Ford's Colony newcomers. He stated the event was well attended with many good questions and answers. Mr. Icenhour added that opportunity was an enjoyable way to meet the public. He stated the Hampton Roads Workforce Council (HRWC) met on February 21, adding its annual budget was approximately $38 million currently. Mr. Icenhour noted a major driver was the United States Navy contracts dealing with maritime trades. He added the HRWC Board was very productive in getting many things done for the region. Mr. Icenhour noted he had spoken with his fellow Board members and staff regarding upcoming changes to the County Code regarding stormwater management and erosion and sediment control. He further noted the state had issued a new model Ordinance to be effective July 1, 2024. Mr. Icenhour stated during the Board's consideration of these changes, opportunities for consideration of other amendments of interest to the County would be available. He noted the areas of special stormwater criteria and implementation of County

watershed management plans. Mr. Icenhour stated earlier watershed management plans had been based on rainfall and were very outdated. He noted the numbers were higher based on climate changes, adding many facilities were undersized and not performing well which would significantly impact future development. Mr. Icenhour indicated with upcoming changes that the Board had directed staff to draft a resolution to not schedule items for legislative consideration until after adoption of the changes. He noted additionally that staff was to inform applicants of the Board's expectation that forthcoming applications incorporate these changes. Mr. Icenhour asked his fellow Board members for support in requesting staff present at the March 26, 2024, Business Meeting, a resolution stating new legislative applications be postponed for Board consideration until the adoption of new Stormwater Ordinances with staff informing applicants of the anticipated changes. Mr. Icenhour noted these changes would significantly affect Eastern State properties around New Town, Chanco's Grant, and the White Hall development. He further noted these changes would ensure the proper size stormwater facilities were in place for these developments.

Mr. Hipple asked about the date.

Mr. Icenhour noted the resolution would be presented at the March 12, 2024, Regular Meeting. He further noted year-end for the study.

Discussion ensued.

Ms. Larson noted recent plans for a family whale watching trip in Virginia Beach. She further noted the event was cancelled due to high winds, so she and her family attended the Virginia Aquarium & Marine Science Center. Ms. Larson stated the Aquarium was very busy and lots of educational activities were available. She noted Hampton Roads Sanitation District was on-site doing a Sustainable Water Initiative for Tomorrow (SWIFT) presentation. Ms. Larson further noted the City of Virginia Beach's Department of Parks & Recreation was also there with numerous educational and informational games and exhibits. She provided details on the various presentations. Ms. Larson stated the opening of the sports complex would present a wonderful opportunity for regional education of local points of interest and programs like those for the Chesapeake Bay and area waterways.

H. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Stevens noted he would defer on his report due to the Closed Session Agenda.

I. CLOSED SESSION

A motion to Enter a Closed Session was made by Michael Hipple, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

At approximately 2:50 p.m., the Board of Supervisors entered a Closed Session.

At approximately 4:32 p.m., the Board re-entered Open Session.

A motion to Certify the Board only spoke about those matters indicated that it would speak about in Closed Session was made by John McGlennon, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

1. Discussion of reports or plans related to the security of any governmental facility, building or structure, or the safety of persons using such facility, building or structure, pursuant to Section 2.2-3711(A)(19) of the Code of Virginia

2. Discussion of the award of a public contract involving the expenditure of public funds, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711(A)(29) of the Code of Virginia and pertaining to the contract for the joint operation of schools between the County and the City of Williamsburg.

3. Consideration of a personnel matter, the appointment of individuals to County Boards and/or Commissions pursuant to Section 2.2-3711(A)(1) of the Code of Virginia

A motion for the following Appointments was made by James Icenhour, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

a. Board of Zoning Appeals Appointment

Mr. Icenhour noted Mr. Andrew Franck was recommended for an appointment to the Circuit Court Judge for a five-year term that expires on March 31, 2029.

b. Wetlands Board and Chesapeake Bay Board

Mr. Icenhour noted appointment of Mr. Mark McElroy as an alternate for a term that should begin March 1, 2024, and expire December 31, 2030.

c. Historical Commission Appointment

Mr. Icenhour noted appointment of Mr. William Fox to a term that will expire June 30, 2026.

d. Agricultural and Forestal District Advisory Committee Appointment

Mr. Icenhour noted appointment of Mr. Will McElfresh with no expiration date listed.

4. Certification of Closed Session

J. ADJOURNMENT

1. Adjourn until 8 am on March 2, 2024 for the Board Retreat

A motion to Adjourn was made by Michael Hipple, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

At approximately 4:33 p.m., Ms. Larson adjourned the Board of Supervisors.

Teresa J. Saeed

Deputy Clerk

MINUTES

JAMES CITY COUNTY BOARD OF SUPERVISORS

BUSINESS MEETING

COUNTY GOVERNMENT CENTER BOARD ROOM

101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185

March 26, 2024

1:00 PM

A. CALL TO ORDER

ADOPTED

APR 23 2024

Board of Supervisors
James City County, VA

B. ROLL CALL

Barbara E. Null, Stonehouse District
Michael J. Hipple, Powhatan District
John J. McGlennon, Roberts District
James O. Icenhour, Vice Chair, Jamestown District
Ruth M. Larson, Chair, Berkeley District

Scott A. Stevens, County Administrator
Adam R. Kinsman, County Attorney

C. PRESENTATION(S)

1. Proclamation Celebrating 100 years of Boy Scout Troop 103

Ms. Larson noted the Scout Master unfortunately was unable to attend, but she read several excerpts from the Proclamation. She added the Proclamation would be delivered to Troop 103 and its leaders.

2. Retiree Recognition - Bernadette Williams

Fire Chief Ryan Ashe addressed the Board noting he had two retirees being recognized. He stated Ms. Williams was present. Chief Ashe provided details regarding Ms. Williams' service years with the County's Fire Department. He noted during the early stages of the COVID-19 pandemic, Ms. Williams was instrumental in tracking the firefighters' protective gear, masks, and other necessities. Chief Ashe further noted Ms. Williams' work in tracking the necessary equipment and supplies for various County departments as well. He stated her dedication to also ensuring firefighters had drinks and food even during the early hour shifts. Chief Ashe thanked Ms. Williams and wished her well in her retirement.

Ms. Williams thanked Chief Ashe. She noted her 30-year tenure had been a fantastic time. She noted the exemplary work of the County staff and Fire Department toward citizens. Ms. Williams extended her thanks to the Board and the Fire Department.

3. Retiree Recognition - Eric Smith

Chief Ashe noted another retiree was to be recognized, but he was unable to attend. Chief Ashe presented details on Mr. Smith's 25-year tenure with the County's Fire Department. He added Mr. Smith's responsibility over the past 15 years as a primary Self-Contained Breathing Apparatus (SCBA) technician, adding SCBA units were the air packs firefighters wore on their

backs. Chief Ashe noted the SCBA maintenance performed by Mr. Smith was in addition to his firefighter duties. He extended well wishes to Mr. Smith in his retirement.

Ms. Larson asked Chief Ashe to extend the Board's thanks to Mr. Smith for his service to the County, adding she was sorry he was unable to attend. She thanked Chief Ashe for his comments regarding Mr. Smith.

4. Update from Virginia Peninsula Community College

Ms. Larson welcomed Mr. Todd Estes, Vice President of Workforce Development and Innovation and Mr. Joe Fairchild, Associate Vice President for Academic Affairs from Virginia Peninsula Community College (VPCC).

Mr. Estes addressed the Board and highlighted VPCC's 2022-2023 enrollment numbers in a PowerPoint presentation. He noted enrollment included 8,676 academic credit students and 1,530 non-credit students. Mr. Estes explained the credit category reflected traditional post-secondary college courses while the non-credit category reflected primarily the workforce training. He stated skilled trades, Allied Health, and Information Technology were included in the latter category. Mr. Estes continued the presentation to address the growth of VPCC. He stated the increased enrollment reflected reversal of a trend where VPCC's enrollment had been declining for a while. He added that point was consistent with the national trend for community colleges since 2012. Mr. Estes cited some of the driving factors impacting that trend, adding VPCC had now entered a growth phase. He noted a 27% increase in dual enrollment and provided additional statistics on other areas. Mr. Estes further noted of the 23 community colleges in the system, VPCC was ranked fourth in the number of workforce industry credential trainings. He stated Mr. Fairchild would address the next section of the presentation.

Mr. Fairchild addressed the Board highlighting the dual enrollment breakdown. He noted categorical increases throughout VPCC with improved retention rates and graduation rates. Mr. Fairchild further noted these increases reflected more students returning to VPCC, more students successfully graduating, and more short-term certificate completions. He provided details on the Passport and Uniform Certificate of General Studies (UCGS) Program, adding the Passport and UCGS Program greatly benefited dual enrollment students.

Mr. Estes noted the importance of those pathway transfers and the university partnerships involved in the program. He continued the presentation highlighting employment statistics after program completion. Mr. Estes noted the return on investment to students and the community. He further noted workforce training was a vehicle to employment and VPCC was highly cognizant of that fact. Mr. Estes addressed the economic impact analysis factor which included approximately $30 million in operational spending, $5.5 million in student impact, and $211.6 million in alumni impact. He continued the presentation with three perspectives for investment analysis: student, taxpayer, and social. Mr. Estes noted the positive outcome of the investment analysis findings. He stated VPCC was growing and addressed expansion projects that included rebuild of the Performing Arts Theater (Hampton campus), Student Success and Campus Administration Building (Hampton campus), the Center for Excellence in Childhood Development, and a New Skilled Trades Center with the latter two projects in the City of Newport News Southeast Center, near the Marshall-Ridley neighborhood. Mr. Estes noted the February 2023 opening of the Toano Trades Center emphasizing its welding and carpentry programs.

Mr. Fairchild addressed new academic programming was launching and would be housed at the Historic Triangle Campus. He provided details on the licensed practical nurse program, which would be accepting students in the fall semester. Mr. Fairchild noted the Passport and UCGS program would be available at the Historic Triangle Campus. He added VPCC was also reimagining its Dental Hygiene Assistant Program due to cost challenges. Mr. Fairchild provided details on the reimagining plan. He addressed other areas of increased future

community impact which included the Center for Career, Internship, and Transfer Services (Hampton campus), the Healthcare Training Center, and the Educational Programming and Innovation Center. Mr. Fairchild thanked the Board.

Ms. Larson asked the Board if any member had questions.

Mr. McGlennon noted increased community outreach from VPCC over the past months. He commended VPCC for its efforts particularly in the workforce area.

Ms. Larson referenced the Williamsburg-James City County (WJCC) School dual enrollment numbers. She questioned the reduction and if it was fewer students or program slots.

Mr. Fairchild responded that 218 students participated in dual enrollment in fall 2022.

Ms. Larson asked if the 218 was total or only WJCC students.

Mr. Fairchild stated 218 was students from Jamestown, Lafayette, and Warhill High Schools. He provided additional statistics on dual enrollment. Mr. Fairchild noted VPCC's concerted effort to work with school agencies regarding dual enrollment, adding challenges existed in matching programs to school systems and credentials for high school faculty regarding the college courses.

Ms. Larson thanked Mr. Fairchild. She cited personal experience with her youngest daughter in the dual enrollment program. Ms. Larson expressed her support of dual enrollment. She extended her appreciation to Mr. Estes and Mr. Fairchild.

D. CONSENT CALENDAR

Ms. Larson asked if any Board member wished to pull any item.

1. Authorization to Continue Leasing Flock Safety LPR Cameras

A motion to Approve was made by John McGlennon, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

2. Grant Award - $7,974 - Circuit Court Records Preservation Program

A motion to Approve was made by John McGlennon, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

3. Grant Award - $15,000 - Virginia DEQ CBPA Support Grant 2024

A motion to Approve was made by John McGlennon, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

4. Grant Award $9,164 - Virginia Conservation Assistance Program Funding - Brickyard Landing Park

A motion to Approve was made by John McGlennon, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

5. Minutes Adoption

A motion to Approve was made by John McGlennon, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

The Minutes Approved for Adoption included the following meetings:

- o February 13, 2024, Regular Meeting
- o February 27, 2024, Business Meeting
- o March 2, 2024, Board of Supervisors Retreat

6. Resolution of Chesapeake Bay Preservation Ordinance Violation at 156 Spencer's Grant

A motion to Approve was made by John McGlennon, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

E. BOARD DISCUSSIONS

1. Forge Road Scenic Roadway Protection

Mr. Jason Purse, Assistant County Administrator, stated the Board had discussed this item several times over the past few months. He noted concern regarding the Community Character Corridor focus and potential regulatory impacts to additional properties which may be unwanted. Mr. Purse stated staff was reviewing the best option for addressing that point and the possibility of an Overlay District along Forge Road. He noted Agenda Packet material identified properties of 40 acres or more along Forge Road. Mr. Purse further noted the properties in a PowerPoint presentation. He asked if the Board could support this configuration and if so then staff could present it to the Policy Committee for additional discussion.

Mr. Hipple indicated he was fine with that point and ready to move forward.

As the Board had no questions or concerns, Ms. Larson thanked Mr. Purse.

2. Government Center Update

Mr. Brad Rinehimer, Assistant County Administrator, addressed the Board reiterating his commitment to provide updates on the Government Center at the Board's Business Meetings. He referenced a recent large staff meeting consisting of County leadership that offered the group an opportunity to provide input on their needs for the facility. Mr. Rinehimer provided additional details on that meeting. He added a list had been compiled for a stakeholder group comprised of citizens and business owners who lived or worked in the County. Mr. Rinehimer noted invitations had been extended to the stakeholder group for additional input. He further noted the timeline for the stakeholder meeting. Mr. Rinehimer stated the bi-weekly meetings with the builder group continued and added a tour of the Law Enforcement Center was slated for the group on March 27. He noted the tour offered the group the opportunity to see firsthand implementation of security and safety features. Mr. Rinehimer stated work continued on the programming phase. He added that the architects were currently meeting with department directors regarding space needs and addressing reduction of the total square footage. Mr. Rinehimer noted scheduling time with the Board for its input also. He further noted tours of the Virginia Beach Municipal Center and the Suffolk Municipal Building were being scheduled toward the end of April and welcomed any Board members who were available to attend. Mr. Rinehimer noted he would provide a definitive date to the Board for the tours.

Ms. Larson stated her appreciation for the large staff meeting and the safety and security

concerns from staff. She noted the many requests and varied ideas from staff for consideration, adding she thought the exercise had gone very well.

3. Appointment - Eastern Virginia Regional Industrial Facilities Authority

A motion to Appoint Ms. Null was made by Michael Hipple, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

Ms. Larson noted Board discussion on an appointment to the Eastern Virginia Regional Industrial Facilities Authority (EVRIFA).

Mr. Stevens stated Ms. Sue Sadler, former Supervisor, had been appointed to EVRIFA. He noted Mr. Chris Johnson, Director of Economic Development, had discussed the EVRIFA appointment with Ms. Null. Mr. Stevens added this was an elected official position and alternates were available if schedule conflicts arose. Mr. Stevens noted this appointment was therefore being brought to the Board's attention.

Ms. Larson thanked Mr. Stevens. She asked Ms. Null if she would serve on the EVRIFA.

Ms. Null stated she was willing and happy to take the appointment.

Ms. Larson asked if a roll call was necessary.

Mr. Stevens confirmed yes to make the appointment official.

F. BOARD CONSIDERATION(S)

None.

G. BOARD REQUESTS AND DIRECTIVES

Both Ms. Null and Mr. Hipple noted they had no comments.

Mr. McGlennon noted he had taken a tour of Jamestown High School on March 13. He stated he was joined by Ms. Amy Chen, a newly selected member of the Williamsburg City Council for the WJCC School Board. He provided details of the tour and expressed his appreciation of the opportunity to visit two classrooms and experience the teacher-student interaction. Mr. McGlennon referenced the Joint Meeting with the Williamsburg City Council and the WJCC School Board on March 15 and the budget requests.

Mr. Icenhour thanked Mr. Purse for his assistance with a constituent concern regarding abandoned vehicles in one of the neighborhoods in his district. Mr. Icenhour noted Mr. Purse had the situation quickly resolved. He added a nice thank you had been received and he wanted to be sure to direct the appreciation to Mr. Purse and staff on the matter. Mr. Icenhour stated he recently attended the Greater Williamsburg Chamber of Commerce Board meeting, adding the Chamber met every other month. He noted the meeting was held at the Yorktown Naval Weapons Station Training Center. Mr. Icenhour provided details of the meeting. He noted he was joined by Ms. Larson at a recent monthly breakfast group meeting.

Ms. Null noted she had attended the graduation at the Virginia Peninsula Regional Jail for the five women who had completed their class for getting off drugs. She further noted she was joined by the Honorable Virginia Delegate Amanda Batten and other dignitaries. Ms. Null provided additional details on the program and graduation.

Ms. Larson noted attendance at the Joint Meeting with the Williamsburg City Council and the WJCC School Board. She stated shortly after that meeting, she went to the Williamsburg Community Chapel where the Williamsburg Symphony was presenting a program for local elementary students. Ms. Larson noted the presentation was on Ellis Island and she provided additional details, adding it was an excellent program. She stated later that day she was joined by Mr. McGlennon, Williamsburg City Council Member Mr. Caleb Rogers, and Assistant County Administrator Brad Rinehimer for the local government talk with the Sorensen Institute for Political Leadership's Political Leaders Program (PLP) class for this year. She extended her thanks to Mr. McGlennon and Mr. Rinehimer. Ms. Larson noted her participation on a panel at the Williamsburg Landing and extended her thanks to the group. She stated she and Ms. Sarah Ortego, Chair of the WJCC School Board, participated in a webinar with the Virginia Association of Counties (VACo) about School Board and Board of Supervisor relations. Ms. Larson noted Ms. Null was in the VACo class for the Virginia Certified County Supervisors' Program certification. Ms. Larson further noted meeting with the owner of Muddy Marley's Dog Wash, Ms. Rebecca Mulvain, a Director on the County's Economic Development Authority. Ms. Larson provided information on an upcoming dog event coordinated by Ms. Mulvain. She noted she would provide additional details at a later date. Ms. Larson stated she and Mr. Stevens attended the Hampton Roads Transportation Planning Organization (HRTPO) and Hampton Roads Planning District Commission (HRPDC) meetings in Chesapeake on March 21. She noted a recap of the meetings should be available to Board members and to notify her if members were not receiving the recaps.

Mr. Hipple noted he had received notice of Ms. Larson's good comments made during the meetings.

Ms. Larson thanked Mr. Hipple.

H. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Stevens noted the 46th Annual County-wide Spring Cleanup will take place on Saturday, April 27. He further noted the Clean County Commission would provide equipment, location, and other details for volunteers. Mr. Stevens stated groups and individuals were welcome and more information was available by calling 757-259-5375. He noted the Real Estate Assessments Division had been fielding numerous calls related to the real estate assessments that had been sent in late February. Mr. Stevens asked for patience as staff returned calls. He added the assessment process was driven by State Code and if citizens felt their assessment value was wrong to contact the Real Estate Assessments Office at 757-253-6650. Mr. Stevens noted the staff deadline regarding assessments was the end of March while the Board of Equalization appeal deadline was April 29, adding there was still time for citizens to appeal their assessments if they felt they were in error. He further noted the Fiscal Year 2025-2026 Proposed Budget would be released March 29. Mr. Stevens encouraged residents to learn more about the budget, adding Board members would be hosting a public meeting in their respective districts regarding the proposed budget. He noted residents were welcome to attend any meeting regardless of the district. Mr. Stevens stated the schedule for the Community Budget Meetings included the following dates: Berkeley District, April 3 at Legacy Hall at 6 p.m., Jamestown District, April 4 at the James City County (JCC) Recreation Center at 6 p.m., Stonehouse District, April 8 at Toano Middle School at 6 p.m., Powhatan District, April 10 at Lois S. Hornsby Middle School at 6 p.m., and Roberts District, April 11 at the JCC Government Center, Building F at 4 p.m. Mr. Stevens noted the Public Hearing for the Proposed Budget would be held at the Board's April 9, 2024, Regular Meeting sometime after the 5 p.m. start of the meeting. He stated he and Ms. Sharon McCarthy, Director of Financial and Management Services, would participate in a budget podcast that would appear prior to April 5. Mr. Stevens noted the primary need for increased revenue was for staff, both County and WJCC School staff. He further noted the pay was not competitive in many areas and addressed those points. Mr. Stevens stated May 14 was slated for the Board to adopt the budget.

Ms. Larson referenced the 3% rate increase for WJCC School staff, but the WJCC School Board requested a 4.5% rate increase.

Mr. Stevens confirmed yes.

Ms. Larson asked if the Proposed Budget reflected the 4.5% rate increase.

Mr. Stevens confirmed yes. He stated if the School Division went with a 1% rate increase, particularly if above the state amount, then the difference was on the localities and would be a significant amount for the County and the City of Williamsburg. Mr. Stevens noted the cost of salaries and benefits and its impact on the budget.

Ms. Larson thanked Mr. Stevens. She noted the dog event was chesapeakedockdogs.org and sponsorships were available. Ms. Larson also extended thanks to the General Services Department with its assistance when a motorist hit a sign across from Jamestown High School. She noted no one claimed ownership on the sign, but General Services and Mr. Kinsman were very helpful on that point. Ms. Larson added a search for the party to assist with payment was underway.

I. CLOSED SESSION

A motion to Enter a Closed Session was made by Michael Hipple, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

At approximately 1:52 p.m., the Board of Supervisors entered a Closed Session.

At approximately 2:23 p.m., the Board re-entered Open Session.

A motion to Certify the Board only spoke about those matters indicated that it would speak about in Closed Session was made by John McGlennon, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

1. Consultation with the County Attorney regarding specific legal matters requiring the provision of legal advice by the County Attorney; in particular, ownership and road maintenance status of the road known as Route 1101, Shellbank Drive, pursuant to Section 2.2-3711(A)(8) of the Code of Virginia

2. Certification of Closed Session

Ms. Larson asked if there were any other matters before the Board to address.

Mr. McGlennon referenced Board Requests and Directives. He noted over the past few years a constituent with a stormwater concern had contacted him. Mr. McGlennon further noted some concern between staff and the constituent over responsibility and stormwater erosion damage on the constituent's property. Mr. McGlennon stated the constituent was told by staff that no current funding for the erosion was earmarked, but that he would be put on a list for potential projects. He noted the constituent asked was there a list, where was he on the list, and was there any likelihood he would move on the list. Mr. McGlennon further noted despite several requests he had not received any answers. He questioned if any type of funding to address such issues was available and if not, should it be in the future. Mr. McGlennon also questioned

responsibility and a sense of direction on those points.

Ms. Larson noted that point was valid for both individuals as well as neighborhoods and ensuing development. She further noted grant funding but questioned if Mr. McGlennon's request could be addressed.

Mr. Stevens stated he had heard about a list but added with regard to stormwater the point to address the issue(s) needed to be determined. He referenced the Virginia Department of Transportation's (VDOT) criteria regarding drainage ditches.

Mr. Icenhour noted an earlier conversation with Mr. Stevens about the Meadows II neighborhood in his district. He stated the neighborhood had a homeowners association (HOA) that was responsible for a Best Management Practice (BMP) with a cost of approximately $100,000 in upcoming maintenance. Mr. Icenhour noted the neighborhood was comprised of approximately 135 homes. He added about half of the drainage area from the BMP came from non-HOA homes or VDOT right-of-way. Mr. Icenhour noted the inequity of some homeowners paying while others did not have to address the issue. He further noted direction on these types of situations.

Mr. Stevens noted discussion on general stormwater issues and existing concerns with the Board at a future meeting. He further noted then a direction could be established.

Mr. McGlennon agreed. He noted the possibility of adding the stormwater issues on the Legislative Agenda with reference to VDOT. Mr. McGlennon stated the stormwater issues also had potential consequences to the Chesapeake Bay and other areas.

Ms. Larson thanked Mr. McGlennon.

Mr. Icenhour referenced the previous discussion on the Utility-Scale Solar Facility applications and the incorporation of a policy rather than an Ordinance. He noted he was in favor of Mr. Kinsman's suggestion to use a policy. Mr. Icenhour stated he had drafted policy revisions that he had shared with Mr. Stevens and Mr. Kinsman. He added he would give Mr. Paul Holt, Director of Community Development, a copy and email copies to his fellow Board members. Mr. Icenhour asked each member to review it and include additional revisions. He stated a policy would allow staff to address the applications without presenting them to the Board.

Ms. Larson asked if staff feedback would be noted.

Inaudible response.

Ms. Larson asked if the Community meetings would remain open for each meeting or what procedure would be used.

Inaudible response.

Mr. Stevens noted some concern regarding the recent court ruling. He further noted the meeting was not being held for a roll call. He added Ms. Larson and the respective District representative would be present but he and staff would facilitate the majority of speaking at the meetings. Mr. Stevens stated the Board members would not be taking any action at these meetings, but the meetings were advertised per the interpretation of the current law where if three Board members were in attendance with or without action taken then advertisement was required.

Ms. Larson questioned adjournment and if the meetings should be called and other procedural questions.

Mr. Kinsman's response was inaudible.

Ms. Larson noted the current meeting would be adjourned with a call for the April 3, 2024, Community Meeting, if three or more Board members were present. She further noted that procedure would be done for each Community Meeting.

Mr. Kinsman's response was inaudible.

Mr. Hipple questioned the process.

Mr. Kinsman's response was inaudible.

J. ADJOURNMENT

1. Adjourn until 6 pm on April 3, 2024 for the Berkeley District Community Meeting

A motion to Adjourn was made by Michael Hipple, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

At approximately 2:33 p.m., Ms. Larson adjourned the Board of Supervisors.

Teresa J. Saeed

Deputy Clerk

MINUTES
JAMES CITY COUNTY POLICY COMMITTEE
REGULAR MEETING
BUILDING A LARGE CONFERENCE ROOM
101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185
July 11, 2024
3:00 PM

A. CALL TO ORDER

Mr. Jack Haldeman called the meeting to order at 3 p.m.

B. ROLL CALL

Committee Members Present:

Jack Haldeman
Frank Polster
Jay Everson
Kira Allmann

Staff Present:
Christy Parrish
Josh Crump
Thomas Wysong
Morgan Risinger

C. MINUTES

1. Minutes of the February 22, 2024, Regular Meeting

Mr. Everson stated that he would abstain from voting on the Minutes as he was not present for that meeting. Dr. Allmann stated that she would also abstain from voting.

Mr. Polster made a motion to approve the Minutes.

On a voice vote, the Minutes of the February 22, 2024, meeting were approved 2-2-0.

D. OLD BUSINESS

1. ORD-22-0001. Amendments for Scenic Roadway Protection

Ms. Risinger made a presentation to the Committee on the Board of Supervisors' directive to create an Overlay District to protect and preserve scenic roadways. Ms. Risinger noted that parcels included in the Overlay District would be those over 40 acres and outside the PSA, with frontage on Forge Road, Diascund Road, and North Riverside Drive. Ms. Risinger further noted that the Ordinance provides for tiered setbacks of up to 400 feet for structures to be applied to unimproved parcels that would be rezoned to the Overlay District. This tiered approach specifies that lots with a depth greater than 300 feet and up to and including 500 feet to have a setback requirement of 200 feet, and lots with a depth greater than 500 feet to have the 400-foot setback. Lots with a depth of 300 feet or less and flag lots would continue to have setbacks determined by the underlying zoning district.

After studying the maps and discussing the draft ordinance, the Committee decided that the limited benefit provided by the Ordinance was not worth the significant negative impact to the selected property holders, and the Committee, therefore, voted unanimously to recommend that the full Planning Commission recommend denial of the Ordinance to the Board of Supervisors.

The enhanced buffering for four Wooded Community Character Corridors, as unanimously recommended by the Policy Committee at its November 10, 2022, meeting, will be advanced to the Planning Commission for its consideration.

E. NEW BUSINESS

There was no new business.

F. ADJOURNMENT

Mr. Polster made a motion to adjourn.

The meeting was adjourned at 3:26 pm

_____ _____

Susan Istenes, Secretary Jack Haldeman, Chair

MINUTES

JAMES CITY COUNTY PLANNING COMMISSION

REGULAR MEETING

COUNTY GOVERNMENT CENTER BOARD ROOM

101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185

September 4, 2024

6:00 PM

A. CALL TO ORDER

Mr. O'Connor called the meeting to order at 6 p.m.

B. ROLL CALL

Planning Commissioners Present:
Tim O'Connor
Jack Haldeman
Frank Polster
Stephen Rodgers
Jay Everson
Scott Maye
Kira Allmann

Staff Present:
Susan Istenes, Director of Planning
Liz Parman, Deputy County Attorney
Christy Parrish, Zoning Administrator
Josh Crump, Principal Planner
Morgan Risinger, Senior Planner
Will Albiston, Community Development Assistant

C. PUBLIC COMMENT

Mr. O'Connor opened Public Comment.

As no one wished to speak, Mr. O'Connor closed Public Comment.

D. REPORTS OF THE COMMISSION

Mr. Rodgers noted the Development Review Committee (DRC) met on August 21. He stated the DRC discussed two New Business items. Mr. Rodgers noted C-24-0023. 6945 was a conceptual plan review for a proposal to rezone properties located at 6945 and 6951 Pocahontas Trail. He stated the rezoning would change the properties from B-1, General Business, to MU, Mixed Use. Mr. Rodgers noted the location was the site of the current Fort Magruder Hotel and Conference Center. He stated the properties were designated MU on the Comprehensive Plan Land Use Map and located in the Routes 60/143/199 Interchanges MU designated area. Mr. Rodgers noted details included conversion of the hotel property into 135 apartments with a breakdown of 47 one-bedroom units, 46 two-bedroom units, and 42 three-bedroom units which equated to a density of 14.75 units per acre. He stated the applicant also proposed 80,000 square feet of commercial space. Mr. Rodgers referenced the Comprehensive Plan in relation to the proposal, adding the properties were located inside the Primary Service Area (PSA) with an approximate size of 9.15 acres. He noted the DRC heard comments from both the applicant and

the project's architects. Mr. Rodgers stated various proposal aspects were discussed including workforce housing, school impacts, and other factors. He noted the DRC favored the project as an adaptive reuse project, adding there were also substantial obstacles for consideration. Mr. Rodgers stated no motion was made as the project was currently not ready and no public hearings were scheduled.

Mr. Rodgers noted the second New Business item was C-24-0040. 3026 Forge Road Subdivision/R-6 Rezoning Conceptual Plan. He stated this case also involved a conceptual plan review for proposed rezoning at 3026 Forge Road. Mr. Rodgers noted the property was currently zoned A-1, General Agricultural, designated Low Density Residential (LDR) on the Comprehensive Plan Land Use Map, within the PSA, and approximately 50.83 acres. He stated Forge Road was a Community Character Corridor (CCC) with a small portion of this property within the Toano Community Character Area. Mr. Rodgers noted the applicant's proposal for rezoning the property to R-6, LDR, was with the intent of creating a five-lot agricultural subdivision for preservation of existing farmland on the property. He provided additional details from staff regarding lot size and allowances with A-1, General Agricultural and R-6, LDR. Mr. Rodgers noted the DRC discussed the mandatory minimum lot differences between the two zoning districts, if this rezoning could set a precedent elsewhere in the County, and ownership and maintenance responsibilities for any shared driveway which could be a subdivision requirement. He noted a potential petition regarding rezoning to subdivide the property into 50 lots which was also consistent with the Comprehensive Plan's density recommendations regarding one unit per acre in LDR areas. Mr. Rodgers cited the DRC's concern regarding this scenario versus a denser proposal with the R-6 rezoning. He noted staff's response was the submittal of a master plan was required for approval along with the rezoning. Mr. Rodgers provided details on the applicant's agreement to the five-lot layout and other details of the master plan. He noted the DRC questioned staff if neighboring properties were similar in size and designation for consideration of a similar project and if staff's assessment would be the same as the current application being considered. Mr. Rodgers stated staff was unaware of other such properties within the PSA and designated LDR on the Comprehensive Plan Land Use Map. He noted the DRC's general support, but no motion was made as the proposal was still in discussion stage and no public hearings were scheduled.

Mr. O'Connor thanked Mr. Rodgers for the DRC report. He noted that he had asked Mr. Haldeman to recap the Policy Committee report as the Planning Commission considered the Ordinance rewrite.

Mr. Haldeman noted the Policy Committee met on July 11, 2024, and had no August meeting. He stated the Policy Committee had been directed by the Board of Supervisors to implement Comprehensive Plan Land Use Goals, Strategies, and Actions (GSA) 6.3 by amending the Zoning Ordinance with the creation of an Overlay District to protect and preserve scenic roadways. Mr. Haldeman noted parcels included in the Overlay District would be over 40 acres and outside the PSA with frontage on Forge Road, Diascund Road, and North Riverside Drive. He stated staff had prepared maps of the affected areas and created a draft Ordinance addressing tiered setbacks. Mr. Haldeman noted the tiered setbacks of up to 400 feet applied to unimproved parcels that would be rezoned to the Overlay District. He stated the lots with a depth greater than 300 feet and up to and including 500 feet would be required to have a 200-foot setback while lots with depths greater than 500 feet would have a 400-foot setback with the tiered approach. Mr. Haldeman stated that lots with a 300-foot depth or less as well as flag lots would continue to have setbacks determined by the underlying zoning district. He noted after discussion regarding the draft Ordinance and a study of the maps, the Committee deemed there was limited benefit of the Ordinance was not worth the significant negative impact to the selected property holders. Mr. Haldeman stated the entire Committee voted unanimously for recommendation to the entire Planning Commission to recommend denial to the Board of Supervisors. He noted the enhanced buffering for four Wooded CCCs which had been unanimously recommended to the Policy Committee at its November 10, 2022, meeting, would advance to the Planning Commission for consideration.

Mr. O'Connor inquired if any Commission members had questions. As there were none, Mr. O'Connor moved to the next item, the Consent Agenda.

E. CONSENT AGENDA

1. Minutes of the August 7, 2024, Regular Meeting

Mr. Haldeman made a motion to approve the Consent Agenda.

On a voice vote, the Commission approved the Consent Agenda with Dr. Allman voting absent as she was not at the August meeting. (6-0-1)

F. PUBLIC HEARING(S)

1. ORD-22-0001/Z-24-0008. Amendments for Scenic Roadway Protection

Mr. O'Connor asked the Commission prior to the presentation if one vote or two votes was preferred for this case.

Mr. Polster responded two votes with one for the Wooded CCCs and one for Forge Road.

The Commission concurred with Mr. Polster's suggestion of two votes.

Ms. Morgan Risinger, Senior Planner, addressed the Commission referencing the October 2021 adoption of the 2045 James City County Comprehensive Plan and details pertaining to the Plan's Land Use (LU) Chapter. Ms. Risinger noted LU 6.3 addressed preservation of scenic roadways such as Forge Road and other factors as well as consideration of 400-foot setbacks along CCCs outside the PSA. Ms. Risinger provided additional history on the Initiating Resolution and the Board of Supervisors' consideration of the creation of an Overlay District. She noted the Overlay District creation would apply setback regulations to parcels of at least 40 acres in size and located outside the PSA along Forge Road, North Riverside Drive, and Diascund Road from Forge Road to the CSX railroad. Ms. Risinger stated the Board directed staff to prepare amendments to the Zoning Ordinance in relation to the Overlay District creation in May 2024. She provided details on the tiered setback approach which specified unimproved parcels with depths greater than 500 feet would have a setback requirement of 400 feet, unimproved parcels with a depth greater than 300 feet and up to 500 feet would have a setback requirement of 200 feet, and unimproved parcels with a depth less than 300 feet or approval as a flag lot would continue to have a 75-foot setback per the A-1 Zoning District criteria. Ms. Risinger noted the Policy Committee at its July 11, 2024, meeting recommended the full Planning Commission recommend denial of the Ordinance to the Board with a 4-0 vote. Ms. Risinger referenced flag lots as consideration regarding suggested changes to the proposed Section 24-567(b) of the County Code as it pertained to Section 19-41 of the Subdivision Ordinance. She provided additional details to this point. Ms. Risinger noted staff had prepared a draft Rezoning Ordinance which specified the 22 parcels identified by the Board and as shown on the accompanying map in the Agenda Packet. She stated the parcels were zoned A-1, General Agricultural, designated Rural Lands, and outside the PSA. Ms. Risinger noted if approved, these parcels would still retain the A-1 zoning, but be governed by the Overlay District in terms of setback requirements.

Ms. Risinger noted staff had prepared draft Ordinance language regarding additional landscape buffering and timber setback requirements along Wooded CCCs outside the PSA. She noted a 100-foot average buffer width for commercial development, a 200-foot width for major

subdivisions, and a timbering setback of 50 feet was included in the language. Ms. Risinger noted staff found the proposed Ordinances (proposed Overlay District with language to Section 24-567(b), rezoning of the 22 identified parcels, and approval of the timber setback and buffering along Wooded CCCs) fulfilled the intent of the Board's Initiating Resolution and recommended the Planning Commission's approval recommendation to the Board of Supervisors.

Mr. Haldeman noted the Wooded CCCs had newly proposed 100-200-foot buffering requirements outside the PSA. He questioned if 200 feet was acceptable along John Tyler Highway, why was 400 feet required for Forge Road.

Ms. Risinger noted the difference was based on a structural setback where a building could be constructed versus landscape buffer requirements. She stated the landscape buffer addressed preservation of existing vegetation and if necessary, the location of additional landscape buffering. Ms. Risinger referenced additional points to Mr. Haldeman's question.

Mr. Polster noted the scenic road discussion had been ongoing for the past three years. He stated the discussions between the Policy Committee, the Planning Commission, and the Board of Supervisors had only focused on Forge Road and the Overlay District. Mr. Polster noted this latest draft language included 10 lots on Diascund Road and North Riverside Drive. He questioned the rationale for the 10-lot inclusion in this Ordinance.

Ms. Risinger noted the previous application focused on the established category of Open Agricultural CCC outside the PSA which only included Forge Road for that particular section. She stated the overlay approach allowed for expansion of the area with those 10 parcels included. Ms. Risinger replied that based on discussion some of those particular characteristics were noted in the areas of Diascund Road and North Riverside Drive. She noted inclusion also allowed greater protection for that part of the County.

Mr. Polster expressed his surprise, adding neither of those roads had been mentioned as scenic or rural during Comprehensive Plan discussions. He added that no mention of agricultural or wooded had been noted either. Mr. Polster questioned the rationale regarding the 10 parcels which had never been considered previously.

Mr. O'Connor opened the Public Hearing.

Mr. Michael Sim, 8000 Diascund Road, addressed the Commission noting he was a successor property owner under the Purchase of Development Rights program. He noted his contract stipulated he could not build any closer than 630 feet from the center line of Diascund Road. Mr. Sim noted his contract contained a buyout provision and he questioned the effect of the proposed Ordinance on his property value. He stated he had a contract with the County and would like answers on the value impact.

Ms. Patricia Hunter, 5801 Maple Green Circle, Richmond, VA, addressed the Commission noting she was a descendant of the Cowles family. She stated her family had three parcels which would be impacted by this action. Ms. Hunter noted specifics to her family's stewardship of the land. She questioned potential compensation for the 400 feet of land, and what, if any, advantages were obtained with the setbacks. Ms. Hunter noted excessive fencing, equipment and housing along the road, and no scenic view along Diascund Road. She stated negative points included no gathering place, no ecosystem, and no increased fiscal or human value. Ms. Hunter questioned if a traffic survey had been completed and if the number warranted the forfeiture of the landowners' property.

Ms. Harriet Meader, P.O. Box 138, Goochland, VA, addressed the Commission noting she was also a member of the Cowles family. She noted the Cowles family had owned the land for over 400 years and the scenic overlay would adversely affect the family as landowners. Ms. Meader

stressed the importance of equity highlighting two-acre parcels could be cluttered while the setback would adhere to the 40 acres. She noted the family had no development plans, adding these restrictions seemed very unfair. Ms. Meader echoed Ms. Hunter's comments regarding the lack of scenic views along Diascund Road and even parts of Forge Road. She addressed the family's consideration of placing some property into an easement conservation, but added the value of the land was a factor in that consideration with the proposed setback and land reduction. Ms. Meader stated additional points in more detail.

Mr. Greg Findlay, 3408 North Riverside Drive, addressed the Commission identifying himself as the property owner of one of the 20 properties listed on the proposed amendment. He noted only 10 properties should be highlighted as the remaining 10 properties either already had structures built on them or they had narrow stems that reached to the road. Mr. Findlay expressed his opposition to the amendment. He noted he traveled the three roads and used a range finder to count the number of properties within the 400 feet. Mr. Findlay stated Forge Road had approximately 50% of the properties less than 400 feet from the road in addition to four lots for potential building. He noted 58 of 60 homes or 96% on Diascund Road were in very close proximity to the road. Mr. Findlay commented the appearance of the road already seemed established with that percentage of homes on the road's edge. He noted on North Riverside Drive, from Diascund Drive to Otey Drive, 20 of 26 homes were less than 400 feet from the road. Mr. Findlay stated that number represented over 75% of the properties. He addressed the vacant lots across from his property which would be developed in the future, adding those homes could be built on the road while his property required a 400-foot setback. Mr. Findlay noted the majority of the homes on the discussed roads were less than 400 feet and he felt his property was unfairly restricted with the 400-foot setback requirement from the current 75-foot setback. He addressed additional points in more detail including compensation for the impact to affected property owners. Mr. Findlay reiterated his opposition to the amendment.

Mr. Steve Massie, 2406 Forge Road, addressed the Commission noting he owned one of the flag properties. He stated the amendment addressed issues with his property regarding the setback, but added that overall, he was against the concept. Mr. Massie noted the uniqueness of Forge Road and stipulations to roadside vegetable stands if the amendment was implemented. He expressed his appreciation to the Commissioners for their responsiveness to his calls, but added he was not in favor of the amendment.

Mr. Henry Branscome, 3298 North Riverside Drive, addressed the Commission noting he concurred with his neighbors' stance against the amendment. He stated that he felt the amendment affected property values. Mr. Branscome addressed several other points.

Mr. O'Connor closed the Public Hearing as there were no additional speakers. He looked to the Commissioners for discussion.

Mr. Maye disclosed he had spoken with Mr. Massie via telephone the previous week.

Mr. Everson disclosed he had also spoken with Mr. Massie previously.

Mr. Polster disclosed he had also spoken with Mr. Massie previously.

Mr. O'Connor noted while Mr. Massie was not the applicant, he was appreciative of the disclosure notifications.

Mr. Maye thanked staff for all its work. He noted the Agenda Packet was informative and very easy to navigate.

Mr. Haldeman echoed Mr. Maye's comments on the Agenda Packet material on this amendment for various committee and commission meetings.

Mr. Maye commented on the value of the scenic view and preservation of the rural nature. He stated he felt landowners had already experienced negative impact with the 20-lot subdivision criteria. Mr. Maye noted this amendment would create additional burden on the landowners without compensation. He added compensation could potentially be diminished regarding land value and the land use. Mr. Maye expressed concern about taking land from the owners.

Mr. Polster noted a three-year struggle had ensued over this proposed amendment. He addressed the unintended consequences of the various scenarios on the different Ordinances. Mr. Polster noted the large- and small-scale impacts. He acknowledged the good stewards of the land and spoke to that point in detail regarding the Cowles' property. Mr. Polster stated this proposed amendment really had no impact to Forge Road itself in terms of the properties which would be affected with this change. He noted he was not in support citing that point as well as the addition of the other two roads.

Mr. Haldeman noted he voted against this proposed amendment at the Policy Committee's July 11, 2024, Regular Meeting. He stated his vote was based primarily on the 400-foot setback. Mr. Haldeman cited the County's Comprehensive Plan and its designation regarding the A-1, General Agricultural District, adding residential development was specifically discouraged in that district. He stated 400 feet was unnecessary in addition to the use of 40-acre parcel versus the 20-acre parcel for consistency. Mr. Haldeman noted he could support a setback less than 400 feet that was also applicable to smaller parcels. He stated, however, as the proposed amendment currently stood, he would again vote against it.

Mr. Rodgers echoed similar comments regarding the 400-foot setback and the view. He noted he could not support the proposed amendment in its current version.

Mr. Everson noted he was not in support. He stated he visited the area and questioned how much more property would owners have to give up in reference to land changes.

Dr. Allman noted she was part of the Policy Committee's review of this proposal, adding she was not in favor then and still was not in support. She commented that the objectives were not aligned with the solution as presented. Dr. Allman stated an Overlay District presented many exclusions. She noted she did not envision a dramatic impact to the scenic quality of the road with the proposal. Dr. Allman stated the negative impact to the affected properties was also a consideration.

Mr. Polster asked how the voting would be divided.

Mr. O'Connor noted he was unsure. He expressed his appreciation for the Commissioners' input, adding this subject was an important community discussion. Mr. O'Connor addressed the importance of rural lands and understanding what comprises rural lands within the community. He cited Anderson's Corner as being viewed as rural land, but development was inevitable. Mr. O'Connor noted the struggle to find the right balance with rural land preservation and development. He noted he had not approved the 2045 Comprehensive Plan because he felt there was insufficient preservation evident for the larger stakeholders along Forge Road. Mr. O'Connor stated the importance of the preservation issue, adding he would not support the proposed amendment. He noted inequity and a number of competing pieces impacted his decision.

Ms. Istenes noted four Ordinances were attachments to the proposed amendment. She welcomed the Planning Commission's input as well as Ms. Risinger's on the voting piece. Ms. Istenes noted the four Ordinances were combined and included one for the Overlay District which determined the setbacks, and a Rezoning Ordinance which identified the properties affected by the Overlay District application. She stated the second set addressed the Timber Setback and Landscape Ordinance, and the Subdivision Buffering Ordinance. Ms. Istenes asked

if two votes would be taken which included two Ordinances each.

Ms. Risinger noted two motions could be done with one addressing the Overlay District and a second one for the other items related to buffering and timber setbacks.

Mr. Polster made a motion that the Planning Commission not recommend approval to the Board of Supervisors on the approval of ORD-22-0001/Z-24-0008 as it applied to the Forge Road Scenic Roadway Protection.

Mr. O'Connor asked if there would be a motion to deny.

Mr. Polster confirmed yes.

Mr. O'Connor stated there was a motion to deny on the overlay and rezoning. He noted a yes vote was affirmation of the denial.

On a roll call vote, the Commission voted to recommend denial. (7-0)

Mr. Polster made a motion that the Planning Commission recommend approval to the Board of Supervisors on the approval of ORD-22-0001 as it applied to the timber setback.

Mr. O'Connor asked if that motion included the subdivision setback.

Mr. Polster confirmed yes.

Mr. O'Connor stated there was a motion to approve ORD-22-0001 for the timber setback and the subdivision buffering.

On a roll call vote, the Commission voted to recommend approval. (6-1)

Mr. Polster thanked the meeting attendees for their feedback. He stated this case would go before the Board of Supervisors to be discussed again.

G. PLANNING COMMISSION CONSIDERATIONS

There were no items for Planning Commission consideration.

H. PLANNING DIRECTOR'S REPORT

1. Planning Director's Report - September 2024

Ms. Istenes stated that she did not have any additional information.

Mr. Everson asked if there was an upcoming Policy Committee meeting.

Ms. Istenes confirmed no.

Mr. Rodgers asked if a DRC meeting was upcoming.

Mr. Crump responded no.

I. PLANNING COMMISSION DISCUSSION AND REQUESTS

Mr. O'Connor noted Mr. Everson had duty for the September Board of Supervisors meeting. He noted Mr. Maye had duty for the October Board of Supervisors meeting. He asked the Planning Commission if there was additional discussion or any questions.

J. ADJOURNMENT

Mr. Rodgers made a motion to adjourn.

The meeting was adjourned at approximately 6:58 p.m.

_____ _____

Susan Istenes, Secretary Tim O'Connor, Chair

ORD-22-0001//Z-24-0008

Amendments for Scenic Roadway Protection

Mr. Chairman and Members of the Planning Commission:

Friends of Forge Road & Toano (FORT) would like to thank the BOS, Planning Commission and JCC Staff for recognizing the importance of our scenic rural vistas and initiating ordinance changes to protect this valuable resource. Accordingly, we support the protective ordinances under consideration.

We would also like to address several items that would make these protections more comprehensive while providing more latitude to landowners.

- The Overlay District Initiating Resolution specified the 22 parcels over 40 acres falling outside the PSA but also opened the door to "…and any other parcels deemed to require inclusion in the overlay district…"
    - Staff informed us that there are also approximately 25 unimproved lots under 40 acres fronting on overlay district roads. Assuming some of these are larger than 20 acres and able to be developed, their exclusion from the overlay district also precludes tiered setbacks. As such, you could end up with a "saw-tooth" setback of residential structures along scenic roadways.

  We therefore recommend further consideration be given to including unimproved lots under 40 acres in the ordinance.

- Agricultural Support Structures. Drive along Forge Road and you will see many properties with horses – some are privately owned and others are riding and boarding stables. These properties usually include small run-in sheds to provide protection but also adds to the scenic vista and maintains the existing rural character along the roadways. Produce stands could also provide an unobtrusive yet lucrative business for landowners. Accordingly, we recommend the overlay ordinance allow such support structures not to exceed a certain square footage.

We cannot overemphasize the importance of implementing the protective measures contained in these proposed ordinance revisions. One only has to look at the photo-shop pictures contained in Attachment 5, Setback Exhibits, prepared by EPR. That study shows the irreversible impacts of unregulated setbacks along our scenic roadways. We urge the Planning Commission to recommend approval of these ordinances to the BOS.

Respectfully,

Linda Rice, President
Friends of Forge Road & Toano

Morgan Risinger

Subject: RE: [External]Scenic Road Overlay

From: cccowles@aol.com <cccowles@aol.com>
Sent: Saturday, August 3, 2024 3:26 PM
To: Planning <planning@jamescitycountyva.gov>
Cc: cccowles@aol.com; harriet.meader@gmail.com; 1984uva@gmail.com
Subject: [External]Scenic Road Overlay

Ms. Istenes,

Ms. Harriet Meader and Ms. Patricia Hunter, managers of the three Cowles family LLC's, received letters from the County Planning Division regarding initiatives to create a Scenic Roadway Overlay District, which would include a 400-foot setback along roads in the District. Property in each of our three LLC's would be in the district and, therefore, affected by the setback requirement.

As a Cowles family and LLC member, while I applaud your ongoing efforts to maintain the aesthetic appeal of the Forge/Diascund road area, I question whether the 400-foot requirement is excessive. Would you share the criteria used in setting the setback distance at 400 feet?

Having stated the basic point of my letter, the remainder may seem anticlimactic but I'm including it to give you some perspective. The Cowles family has owned property in James City County for more than 400 years and was active in County government for many years. None of us currently reside in the County, but we actively manage our property and pay close attention to County activities.

The property in our three LLC's comprises almost 750 acres (560 useable acres if we exclude the marshland that is part of the Lobbs tract). We rent the land for farming and some types of hunting. Over the years we have been responsible and cooperative landowners as exemplified by our current Futures Committee, comprised of younger family members to plan for the future of our land, and by our interactions with neighbors to discuss offers we have entertained for a cell tower and a solar installation (both of which we voted against).

So, in summary, we think we have done right by the County and we ask that you do right by us.

Sincerely, Carter C. Cowles, III

DAVEY Resource Group

Letter in Opposition to the Proposed Scenic Roadway Overlay District Rezoning

James City County Board of Supervisors,

Davey Resource Group, Inc. is the owner of 210 acres located at 8285 Diascund Road. The proposed rezoning would directly affect our property. We are in opposition to the proposed rezoning for a multitude of reasons.

Primarily, the current zoning and by right determinations put forth recently by the County have already inequitably burdened properties in the western part of James City. The recent change to one lot per twenty acres for by-right subdivisions substantially reduces development pressure as is; dissuading even smaller developers from undertaking homebuilding projects. We feel that adding further development restrictions would completely strip current property owners affected by this potential rezoning of a substantial portion of the property owners potential future uses and or income that can be derived from the property.

Second, further restrictions to development value have serious implications to conservation value we feel that the board has not considered. A landowner contemplating a conservation easement (protecting the property from development in perpetuity) will be negatively impacted by this proposed rezoning.[1]

Last, landowners in our part of the county (as mentioned above), have already been disproportionally impacted by the county's desire to quell growth at an unmanageable rate via administrative action.[2] The county should approach protecting rural lands in western James City through other methods already in place such as the James City County PDR Program. At the very least, the county should consider purchasing the development rights associated with the corridor the county is trying to restrict now with administrative action wholly non-beneficial to the landowner.

Thank you,

PAtrick Link

[1] The amount of cash payment to, and tax incentives for, a landowner who places a Conservation Easement on their land is based on a basis of the highest and best use of the property. The proposed rezoning no doubt seriously negatively affects that basis.

[2] https://gicinc.org/wp-content/uploads/ConservationStrategies_JamesCityCounty.pdf (page 22)

M E M O R A N D U M

DATE: October 8, 2024

TO: The Board of Supervisors

FROM: Paul D. Holt, III, Director of Community Development

SUBJECT: Disposal of County Property Located at 4601 Ironbound Road

---

The property located at 4601 Ironbound Road shown on the attached Location Map is part of Eastern State Hospital and is an approximately 14-acre portion of the property that has been declared as surplus property by the Commonwealth of Virginia.

Regarding disposition of this property, the following language was included in the adopted 2023 Virginia State Budget:

> "The Department of General Services, in cooperation with the Department of Behavioral Health and Developmental Services, shall work with James City County to identify a minimum of 10 acres on the Eastern State Hospital site for the location of a new facility for Colonial Behavioral Health, which may or may not include a joint facility with Olde Towne Medical Center. The subject acres shall be transferred to James City County upon such terms and conditions as may be agreed to by the parties."

Colonial Behavioral Health (CBH) now has an identified need for the property and has requested its transfer. CBH was recently awarded a $12 million contract from the state to construct a Crisis Services Center. The new building will house CBH Emergency Services, many Crisis Intervention Team Assessment Center functions such as Mobile Crisis, a Crisis Receiving Center, and Crisis Stabilization Unit services. The remainder of the approximately 14-acre property will be developed at a later point as CBH continues to develop its long-term space needs assessment and its long-term facilities master plan.

Consistent with the requirements of the adopted State Budget language, staff recommends approval of the attached resolution authorizing the County Administrator to execute those documents necessary to transfer the property to CBH.

PDH/ap
Dispos4601Irnbd-mem

Attachments:
1. Resolution
2. Location Map

R E S O L U T I O N

DISPOSAL OF COUNTY PROPERTY LOCATED AT 4601 IRONBOUND ROAD

WHEREAS, the adopted 2023 Virginia State Budget states that "The Department of General Services, in cooperation with the Department of Behavioral Health and Developmental Services, shall work with James City County to identify a minimum of 10 acres on the Eastern State Hospital site for the location of a new facility for Colonial Behavioral Health, which may or may not include a joint facility with Olde Towne Medical Center. The subject acres shall be transferred to James City County upon such terms and conditions as may be agreed to by the parties."; and

WHEREAS, the Commonwealth of Virginia has transferred a 14-acre parcel of property to James City County (the "County") at no charge to the County with the intent that the County transfer it to Colonial Behavioral Health ("CBH"); and

WHEREAS, CBH was recently awarded a $12 million contract from the state to construct a Crisis Services Center on the property and has asked that the County transfer it to them as soon as possible so that it may begin construction upon it; and

WHEREAS, the Board of Supervisors, following a public hearing, is of the opinion that the County should transfer the property to CBH.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby authorize and direct the County Administrator to execute those documents necessary to transfer the property to CBH.

_____
Ruth M. Larson
Chair, Board of Supervisors

ATTEST:

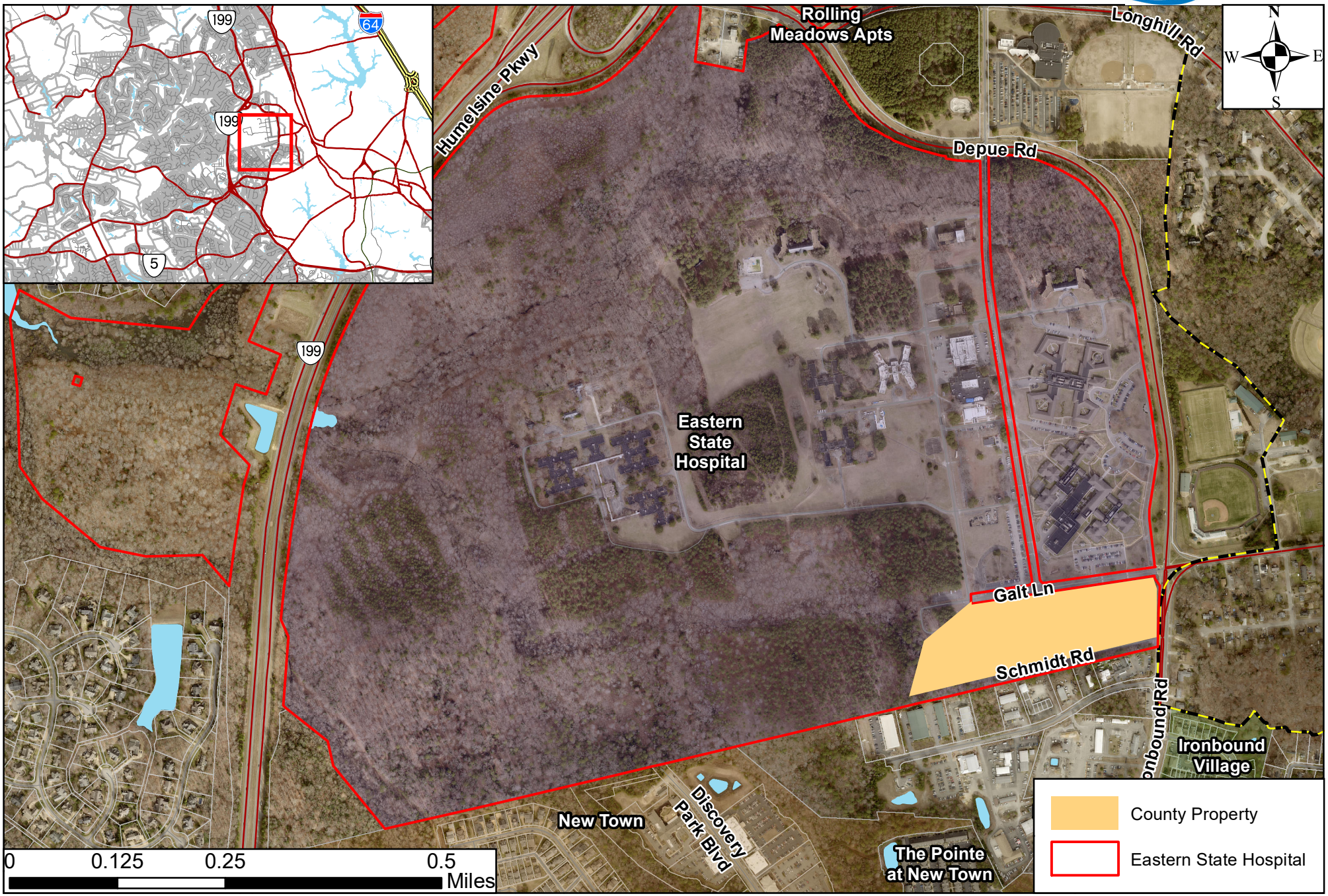
_____
Teresa J. Saeed
Deputy Clerk to the Board

	VOTES			
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LARSON	____	____	____	____

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of October, 2024.

Disps4601Irnbd-res

Disposal of County Property



M E M O R A N D U M

DATE: October 8, 2024

TO: The Board of Supervisors

FROM: Jason Purse, Assistant County Administrator

SUBJECT: Disposal of County Property Located at 3175 Ironbound Road

---

In October 2022, James City County purchased 1.98 acres of land located at 3175 Ironbound Road, also known as James City County Real Estate Tax Map Parcel No. 4710100057. The property was purchased because of the proximity to the existing Clara Byrd Baker Elementary School site and the potential for expansion.

On June 11, 2024, the Board of Supervisors approved the Special Use Permit and Rezoning applications for a 41,326-square-foot Pre-Kindergarten center on the property. As a condition of the approval, a subdivision plat is necessary to combine 3175 Ironbound and 3131 Ironbound Road into one property to accommodate this development.

Staff recommends approval of the attached resolution authorizing the County Administrator to execute those documents necessary to transfer the property to the Williamsburg-James City County School Board.

JP/md
PropDisp3175Irnbd-mem

Attachments:
1. Resolution
2. Location Map

R E S O L U T I O N

DISPOSAL OF COUNTY PROPERTY LOCATED AT 3175 IRONBOUND ROAD

WHEREAS, in October 2022, James City County purchased 1.98 acres of land located at 3175 Ironbound Road, also known as James City County Real Estate Tax Map Parcel No. 4710100057; and

WHEREAS, the property was purchased because of the proximity to the existing Clara Byrd Baker Elementary School site and the potential for expansion; and

WHEREAS, on June 11, 2024, the Board of Supervisors approved the Special Use Permit and Rezoning applications for a 41,326-square-foot Pre-Kindergarten center on the property; and

WHEREAS, as a condition of the approval, a subdivision plat is necessary to combine 3131 Ironbound and 3175 Ironbound into one property to accommodate this development; and

WHEREAS, the Board of Supervisors also finds that public access to the Powhatan Creek Trail is of the utmost importance and further finds that reservation of an access easement across the Property in favor of the County will ensure that this access is maintained in perpetuity; and

WHEREAS, the Board of Supervisors, following a public hearing, is of the opinion that the County should transfer the property to the Williamsburg-James City County School Board.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby authorize and direct the County Administrator to execute those documents necessary to transfer the property to the Williamsburg-James City County School Board, subject to the reservation of an access easement in favor of the County to allow citizens access to the Powhatan Creek Trail.

_____
Ruth M. Larson
Chair, Board of Supervisors

ATTEST:

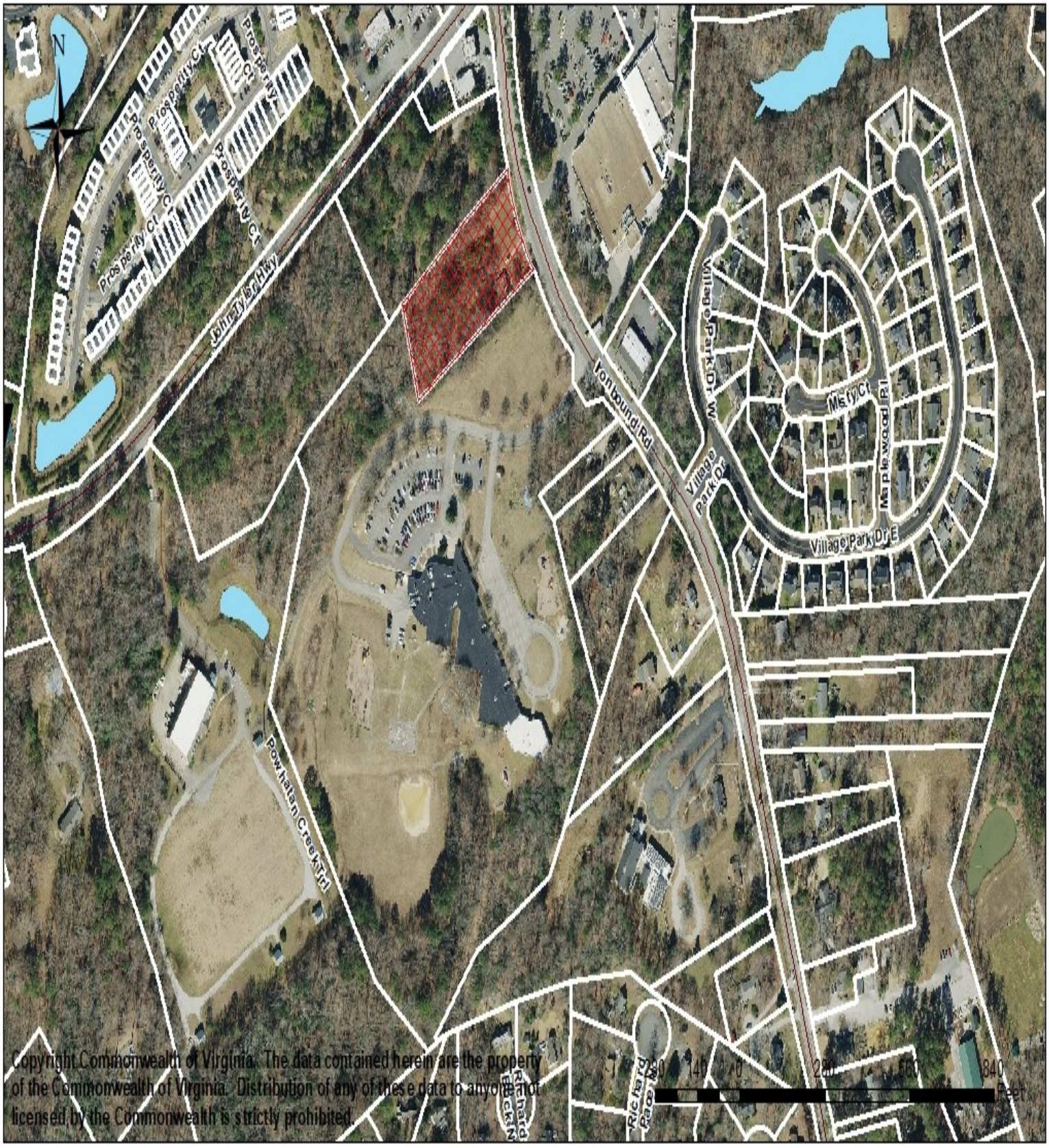
_____
Teresa J. Saeed
Deputy Clerk to the Board

	VOTES			
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HIPPLE	____	____	____	____
MCGLENNON	____	____	____	____
ICENHOUR	____	____	____	____
LARSON	____	____	____	____

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of October, 2024.

PropDisp3175Irnbd-res

3175 Ironbound Road
1.98 acres



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M E M O R A N D U M

DATE: October 8, 2024

TO: The Board of Supervisors

FROM: Sharon B. McCarthy, Director of Financial and Management Services

SUBJECT: Resolution Approving a Plan to Finance Certain Public Facilities Projects through the Issuance of Revenue Bonds by the Economic Development Authority of James City County, Virginia

---

The attached resolution requests that the Economic Development Authority (EDA) issue lease revenue bonds in the amount up to $75,785,000. The proceeds from these bonds will cover the related issuance and financing costs and to finance or reimburse the costs of certain capital improvements for public school facilities and general government buildings, including but not limited, to the construction, renovation, rehabilitation, and equipping of pre-kindergarten space, the Jamestown High School cafeteria expansion, the General Services Administration Building, and the Government Center.

A lease financing is a legal alternative to bonded indebtedness for Virginia counties in those cases where the County cannot commit to a General Obligation financing. Facilities are leased to the EDA which leases them back to the School Board or the County for a sum sufficient to pay the annual debt service. The value of the property covered by the lease should exceed the amount of lease revenue bonds issued to pay for the improvements.

The resolution was prepared by bond counsel and would authorize the sale of bonds for the amounts listed if the interest rate on the bonds does not exceed 5% and approve the financing documents.

SBM/md
BorrowFY25EDABd-mem

Attachment

R E S O L U T I O N

RESOLUTION APPROVING A PLAN TO FINANCE CERTAIN PUBLIC

FACILITIES PROJECTS THROUGH THE ISSUANCE OF REVENUE BONDS

BY THE ECONOMIC DEVELOPMENT AUTHORITY OF

JAMES CITY COUNTY, VIRGINIA

WHEREAS, the Economic Development Authority of James City County, Virginia (the "Authority"), pursuant to the Industrial Development and Revenue Bond Act (Chapter 49, Title 15.2 of the Code of Virginia of 1950, as amended) (the "Act") under which it is created, is authorized to exercise all the powers set forth in the Act, which include, among other things, the power to make loans to, among others, a county in furtherance of the purposes of the Act, to finance or refinance facilities for use by, among others, a county, to issue its revenue bonds, notes and other obligations from time to time for such purposes and to pledge all or any part of its revenues and receipts derived from payments received by the Authority in connection with its loans or from any source, as security for the payment of principal of and premium, if any, and interest on any such obligations; and

WHEREAS, the Board of Supervisors of James City County, Virginia (the "County Board"), desires to undertake, in conjunction with the Authority, the financing (including reimbursement) of the costs of certain capital improvements for public school facilities and general government buildings, including (but not limited to) the construction, renovation, rehabilitation and equipping of pre-kindergarten space, the Jamestown High School cafeteria expansion, the General Services Administration Building, and the Government Center (collectively, the "Series 2024 Projects"); and

WHEREAS, the County Board desires that the Authority issue its Public Facility Revenue Bonds (County Government Projects), Series 2024 (the "Bonds"), and use the proceeds to (a) finance or reimburse the costs of the Series 2024 Projects; and (b) pay the related issuance and financing costs; and

WHEREAS, the Bonds will be secured by payments appropriated from time to time by the County Board and payable to the Authority in accordance with the terms of the Financing Agreement (as hereinafter defined); and

WHEREAS, there have been circulated prior to this meeting drafts of the following documents (collectively, the "Documents"), proposed in connection with the issuance and sale of the Bonds:

(a) Fourth Supplemental Agreement of Trust (including as an exhibit the form of the Bonds), supplementing the Agreement of Trust dated as of June 1, 2016, both between the Authority and Wilmington Trust, National Association, as trustee (the "Trustee"), as previously supplemented (collectively, the "Trust Agreement"), all between the Authority and the Trustee, pursuant to which the Bonds are to be issued and which is to be acknowledged and consented to by the County;

(b) Third Supplemental Financing Agreement (the "Supplemental Financing Agreement"), supplementing a Financing Agreement dated as of June 1, 2016, as previously supplemented (together, the "Financing Agreement"), all between the Authority and the County, pursuant to which the Authority will loan the proceeds of the Bonds to the County and the County will undertake, subject to appropriation, to make payments to the Authority in amounts sufficient to pay the principal of and premium, if any, and interest on the Bonds and certain other related costs;

(c) Preliminary Official Statement of the Authority relating to the public offering of the Bonds (the "Preliminary Official Statement");

(d) Notice of Sale (the "Notice of Sale") (applicable only if the Bonds are sold through a competitive sale); and

(e) Continuing Disclosure Agreement (attached as Appendix F to the Preliminary Official Statement), pursuant to which the County agrees to undertake certain continuing disclosure obligations with respect to the Bonds.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia that:

1. The County Board hereby finds that the undertaking of the Series 2024 Projects and the financing thereof will be in the best interests of the County and its citizens and hereby authorizes the County, in collaboration with the Authority, to undertake the following financing plan to accomplish the same. The Authority will issue the Bonds in an aggregate principal amount not to exceed $75,785,000. The Authority will use the proceeds of the Bonds to (a) finance or reimburse the costs of the Series 2024 Projects; and (b) pay the related issuance and financing costs. Pursuant to the Financing Agreement, the County will undertake to make certain Basic Payments and Additional Payments (each as defined in the Financing Agreement) to the Authority in amounts sufficient to amortize the Bonds, to pay the fees or expenses of the Authority and the Trustee and to pay certain other related costs. The obligation of the Authority to pay principal of and premium, if any, and interest on the Bonds will be limited to the Basic Payments and Additional Payments received from the County. The Bonds will be secured by an assignment of the Basic Payments and certain Additional Payments due under the Financing Agreement, all for the benefit of the holders of the Bonds. The undertaking by the County to make Basic Payments and Additional Payments will be subject to the appropriation by the County Board from time to time of sufficient amounts for such purposes. The plan to issue the Bonds and to finance the Series 2024 Projects shall contain such additional requirements and provisions as may be approved by the County Administrator (which term for purposes of this Resolution shall include any Deputy County Administrator or any other designee of the County Administrator) and the Chair or Vice Chair of the Authority.

2. The County Board, while recognizing that it is not empowered to make any binding commitment to make appropriations beyond the current fiscal year, hereby states its intent to make appropriations in future fiscal years in amounts sufficient to make all payments due under the Financing Agreement, and hereby recommends that future County Boards do likewise during the term of the Financing Agreement. The County Board hereby confirms that the facilities and purposes of the Series 2024 Projects are either essential to the efficient operation of the County or important to the welfare or quality of life of County residents, and the County Board anticipates that such facilities and purposes will continue to be so during the term of the Financing Agreement.

3. The Chair of the County Board and the County Administrator, either of whom may act, are hereby authorized and directed to execute the Documents to which the County is a signatory, which shall be in substantially the forms circulated prior to this meeting, which forms are hereby approved, with such completions, omissions, insertions, and changes not inconsistent with this Resolution as may be approved by the officer signing such Documents, the execution and delivery thereof to constitute conclusive evidence of the officer's approval of any such completions, omissions, insertions, and changes.

4. In making completions to the Supplemental Financing Agreement, the County Administrator, in collaboration with Davenport & Company LLC, the County's financial advisor (the "Financial Advisor"), and the Authority, shall provide for Annual Payments in amounts equivalent to the payments on the Bonds, which shall be sold to the purchaser thereof on terms as shall be satisfactory to the County Administrator; provided that the Annual Payments shall be equivalent to the Bonds (a) maturing in installments or subject to mandatory sinking fund redemption ending not later than December 31, 2045; (b) having a true interest cost not exceeding 5% (taking into account any original issue discount or premium); (c) being subject to optional redemption, if at all, at a premium not to exceed 103% of their principal amount; and (d) being sold to the purchaser thereof at a purchase price not less than 98% of the aggregate principal amount thereof (without taking into account any original issue discount or premium). The County Administrator is also authorized to approve a lesser principal amount for the Bonds, a maturity schedule (including serial maturities and term maturities for the Bonds), and the redemptions provisions of the Bonds, all as the County Administrator shall determine to be in the best interest of the County.

5. (a) The County Board approves the following terms of the sale of the Bonds. The Bonds shall be sold through a competitive sale or a negotiated sale, as the County Administrator, in collaboration with the Financial Advisor and the Authority, determines to be in the best interests of the County.

(b) If the County Administrator determines that the Bonds shall be sold by competitive sale, the County Administrator is authorized to receive bids for such Bonds and award such Bonds to the bidder providing the lowest "true" or "Canadian" interest cost, subject to the limitations set forth in Section 4. Following a competitive sale, the County Administrator shall file a certificate with the Authority and the County Board setting forth the final terms of the Bonds. The actions of the County Administrator in selling the Bonds by competitive sale shall be conclusive, and no further action with respect to the sale and issuance of the Bonds shall be necessary on the part of the County Board.

(c) If the Bonds are sold by competitive bid, the County Administrator, in collaboration with the Financial Advisor, is authorized and directed to take all proper steps to advertise the Bonds for sale substantially in accordance with the form of Notice of Sale, which is hereby approved; provided that the County Administrator, in collaboration with the Financial Advisor, may make such changes in the Notice of Sale not inconsistent with this Resolution as he may consider to be in the best interest of the County.

(d) If the County Administrator determines that the Bonds shall be sold by negotiated sale, the County Administrator is authorized, in collaboration with the Financial Advisor and the Authority, to choose an investment bank or firm to serve as underwriter for the Bonds and to execute and deliver to the underwriter a bond purchase agreement (the "Bond Purchase Agreement") substantially in the form approved by the County Administrator and the County Attorney, in consultation with the County's bond counsel and Financial Advisor. Following a negotiated sale, the County Administrator shall file a copy of the Bond Purchase Agreement with the records of the County Board. The actions of the County Administrator in selling the Bonds by negotiated sale to the underwriter shall be conclusive, and no further action with respect to the sale and issuance of the Bonds shall be necessary on the part of the County Board.

6. The Preliminary Official Statement in the form circulated prior to this meeting is approved with respect to the information contained therein (excluding information pertaining to the Authority). The County hereby authorizes distribution of the Preliminary Official Statement to prospective purchasers of the Bonds in a form deemed to be "final," within the meaning of Rule 15c2-12 of the Securities and Exchange Commission (the "Rule"), with such completions, omissions, insertions, and changes not inconsistent with this Resolution as may be approved by the County Administrator. Such distribution shall constitute conclusive evidence that the County has deemed the Preliminary Official Statement to be final as of its date within the meaning of the Rule, with respect to the information therein pertaining to the County. The County Administrator is authorized and directed to approve such completions, omissions, insertions, and other changes to the Preliminary Official Statement that are necessary to reflect the terms of the sale of the Bonds, determined as set forth in paragraph 4, and the details thereof and that are appropriate to complete it as an official statement in final form (the "Official Statement") and distribution thereof to the purchaser of the Bonds shall constitute conclusive evidence that the County has deemed the Official Statement final as of its date within the meaning of the Rule.

7. The County covenants that it shall not take or omit to take any action the taking or omission of which shall cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"), and regulations thereunder, or otherwise cause interest on the Bonds to be includable in the gross income for Federal income tax purposes of the registered owners thereof under existing law. Without limiting the generality of the foregoing, the County shall comply with any provision of law that may require the County at any time to rebate to the United States of America any part of the earnings derived from the investment of the gross proceeds of the Bonds. The County shall pay from its legally available general funds any amount required to be rebated to the United States of America pursuant to the Code.

8. All costs and expenses in connection with the issuance of the Bonds and the financing of the Series 2024 Projects, including the Authority's fees and expenses and the fees and expenses of bond counsel, counsel for the Authority, and the Financial Advisor for the sale of the Bonds shall be paid from the proceeds of the Bonds or other legally available funds of the County. If for any reason the Bonds are not issued, it is understood that all such expenses shall be paid by the County from its legally available funds and that the Authority shall have no responsibility therefor.

9. Any authorization herein to execute a document shall include authorization to deliver it to the other parties thereto and to record such document where appropriate.

10. All other acts of the County Administrator and other officers of the County that are in conformity with the purposes and intent of this Resolution and in furtherance of the issuance and sale of the Bonds and the financing of the Series 2024 Projects are hereby approved and ratified.

11. This resolution shall take effect immediately.

_____
Ruth M. Larson
Chair, Board of Supervisors

ATTEST:

_____
Teresa J. Saeed
Deputy Clerk to the Board

	VOTES			
	AYE	NAY	ABSTAIN	ABSENT
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HIPPLE	____	____	____	____
MCGLENNON	____	____	____	____
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LARSON	____	____	____	____

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of October, 2024.

BorrowFY25EDABd-res

The undersigned Clerk of the Board of Supervisors of James City County, Virginia, hereby certifies that the foregoing constitutes a true and correct extract from the minutes of a meeting of the County Board held on October 8, 2024, and of the whole thereof so far as applicable to the matters referred to in such extract. I hereby further certify that such meeting was a regularly scheduled meeting and that, during the consideration of the foregoing resolution, a quorum was present.

Members present at the meeting were: _____

Members absent from the meeting were: _____.

Members voting in favor of the foregoing resolution were: _____

Members voting against the foregoing resolution were: _____.

Members abstaining from voting on the foregoing resolution were: _____.

WITNESS MY HAND and the seal of the Board of Supervisors of James City County, Virginia, this ___ day of _____, 2024.

_____
Deputy Clerk, Board of Supervisors of
James City County, Virginia

[SEAL]

DAVENPORT & COMPANY

James City County, Virginia

Series 2024 New Money Plan of Finance

October 8, 2024

Member NYSE | FINRA | SIPC

Background/Overview

- Davenport & Company, LLC ("Davenport"), in our capacity as Financial Advisor to James City County (the "County"), regularly assists the County with Multi-Year Capital Planning, Financial Policy Development /Review, and securing funding for Capital Projects, among other items.
- The County has identified the need to borrow approximately $75 million in the near future to fund County and School Capital Projects. These projects include:
  - School Projects:
    1) Pre-K Space; and
    2) Jamestown High School Cafeteria Expansion.
  - County Projects:
    1) General Services Administration Building; and,
    2) Government Center.
- County Staff have asked Davenport to prepare and present a plan of finance for securing the approximately $75 million in funding for these projects.
- Additionally, County Staff have asked Davenport to review the County's Fund Balance Policy, historical fund balance levels, and provide a fund balance comparison for similarly rated Virginia Counties.

Fund Balance Policy Review

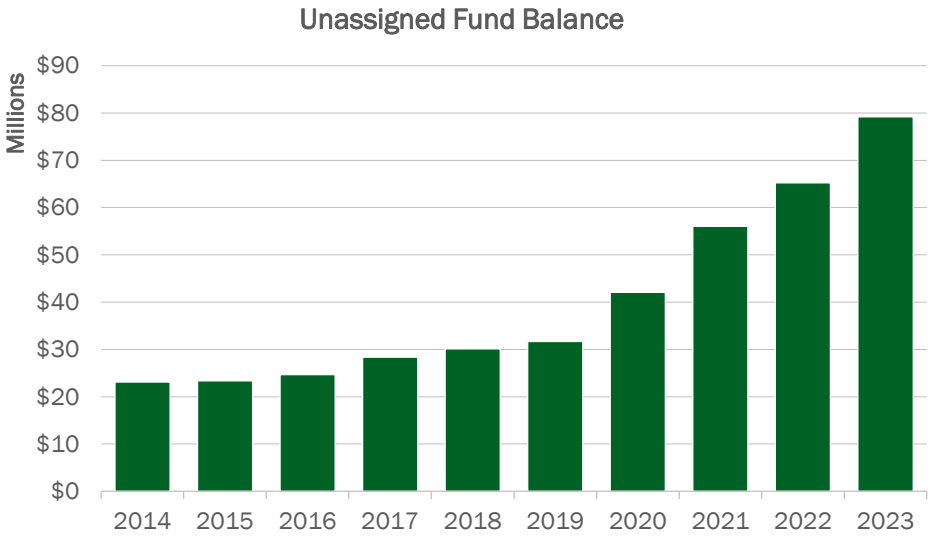
Background

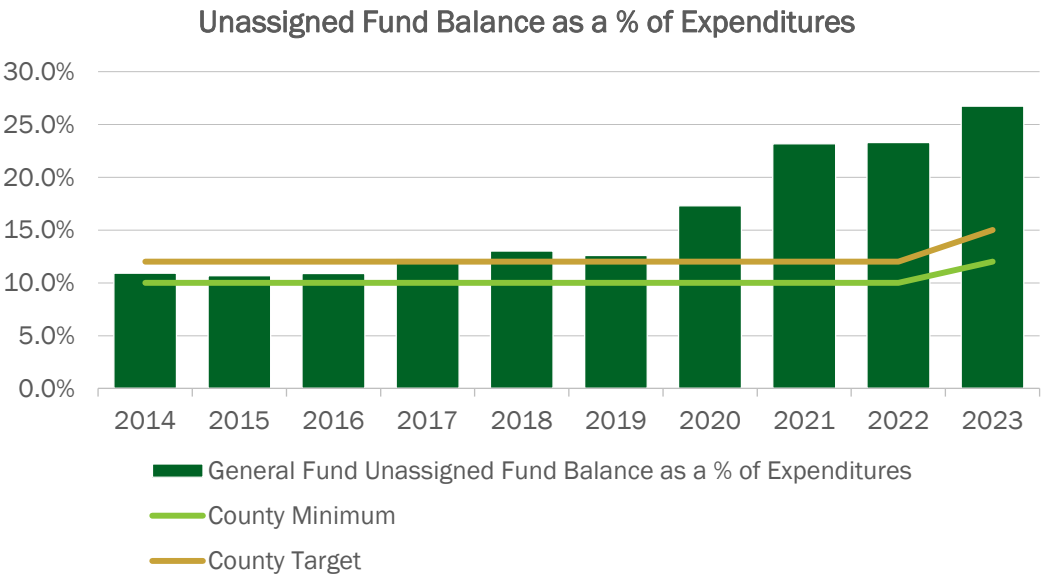
- Currently, the County has an established Unassigned Fund Balance Policy, which states:

> *The County shall maintain a General Fund Unassigned Fund Balance ("Fiscal Liquidity") at the end of the fiscal year in an amount equal to or greater than 12%, with a target of 15% of the total governmental expenditures, including the County's share of the WJCC School Division's operating expenditures.*

- Based on the County's FY 2023 Audited Financial Statements, the 15% target translates to approximately $44.4 million.
  - As of 6/30/2023, the County had approximately $79.2 million in its Unassigned Fund Balance (i.e., $34.8 million above the County's 15% target). A portion of this excess has been set aside in future budgets (i.e., to provide a $6.5M real estate tax credit in FY2025 and to assist in funding the 5-year CIP Plan).
- In addition to the Unassigned Fund Balance Policy, the County also maintains Capital Projects, Debt Service, and Health & Dental Care Cost reserve policies.

Historical Unassigned Fund Balance



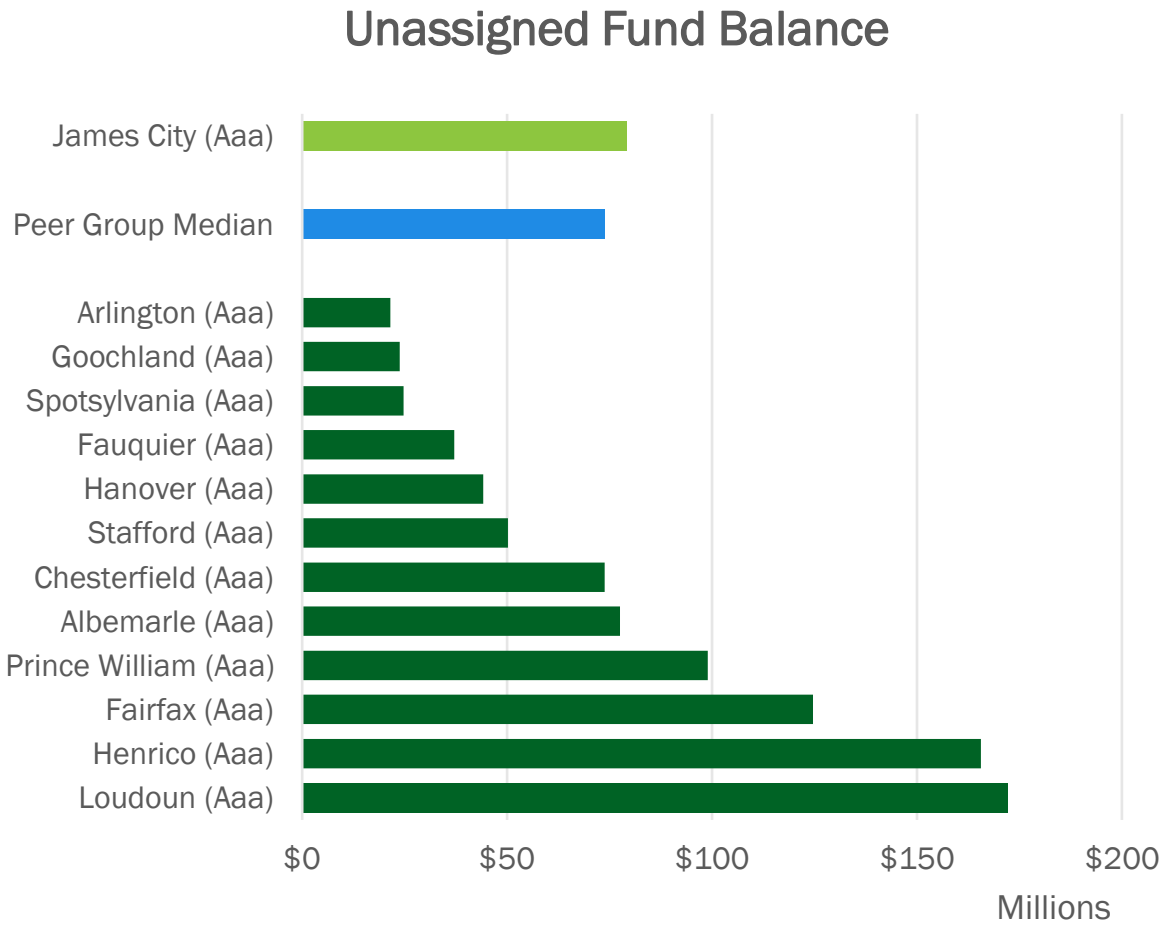


Fiscal Year	General Fund Unassigned Fund Balance	Total Operating Expenditures	General Fund Unassigned Fund Balance as a % of Expenditures	County Minimum	County Target
2014	$ 23,099,410	$ 211,866,777	10.9%	10.0%	12.0%
2015	23,360,679	218,984,810	10.7%	10.0%	12.0%
2016	24,681,548	226,845,449	10.9%	10.0%	12.0%
2017	28,339,753	231,072,402	12.3%	10.0%	12.0%
2018	30,119,197	231,635,241	13.0%	10.0%	12.0%
2019	31,693,639	251,898,565	12.6%	10.0%	12.0%
2020	42,058,054	243,309,721	17.3%	10.0%	12.0%
2021	56,029,027	241,887,289	23.2%	10.0%	12.0%
2022	65,248,514	280,172,584	23.3%	10.0%	12.0%
2023	79,210,200	296,230,822	26.7%	12.0%	15.0%

Effective for FY 2023, the County raised its General Fund Unassigned Fund Balance Policy Minimum from 10% to 12%, and its Target Policy from 12% to 15%

Unassigned Fund Balance Comparative ($)

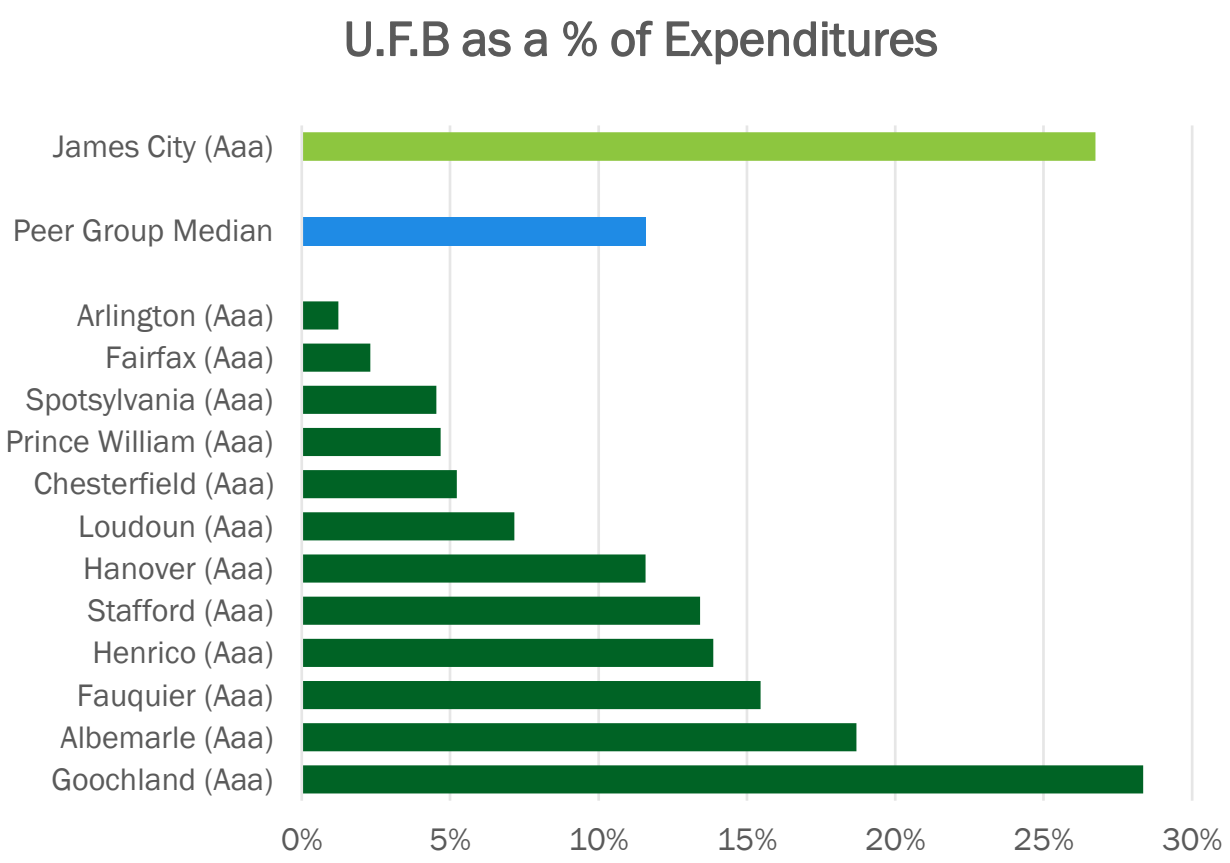
County	Unassigned Fund Balance
James City (Aaa)	$79,210,200
Peer Group Median	$73,800,400
Arlington (Aaa)	21,509,879
Goochland (Aaa)	23,832,293
Spotsylvania (Aaa)	24,775,719
Fauquier (Aaa)	37,127,188
Hanover (Aaa)	44,243,616
Stafford (Aaa)	50,195,619
Chesterfield (Aaa)	73,800,400
Albemarle (Aaa)	77,605,070
Prince William (Aaa)	98,971,000
Fairfax (Aaa)	124,675,080
Henrico (Aaa)	165,536,370
Loudoun (Aaa)	172,186,574



Note: Respective County FY 2023 ACFRs.

Unassigned Fund Balance Comparative (%)

County	U.F.B as a % of Expenditures
James City (Aaa)	26.74%
Peer Group Median	11.58%
Arlington (Aaa)	1.24%
Fairfax (Aaa)	2.30%
Spotsylvania (Aaa)	4.54%
Prince William (Aaa)	4.68%
Chesterfield (Aaa)	5.22%
Loudoun (Aaa)	7.16%
Hanover (Aaa)	11.58%
Stafford (Aaa)	13.42%
Henrico (Aaa)	13.87%
Fauquier (Aaa)	15.46%
Albemarle (Aaa)	18.69%
Goochland (Aaa)	28.36%



In the Appendix of this presentation, we have also provided a comparison of Fund Balance Policies for highly rated (i.e. Aaa) Virginia Counties.

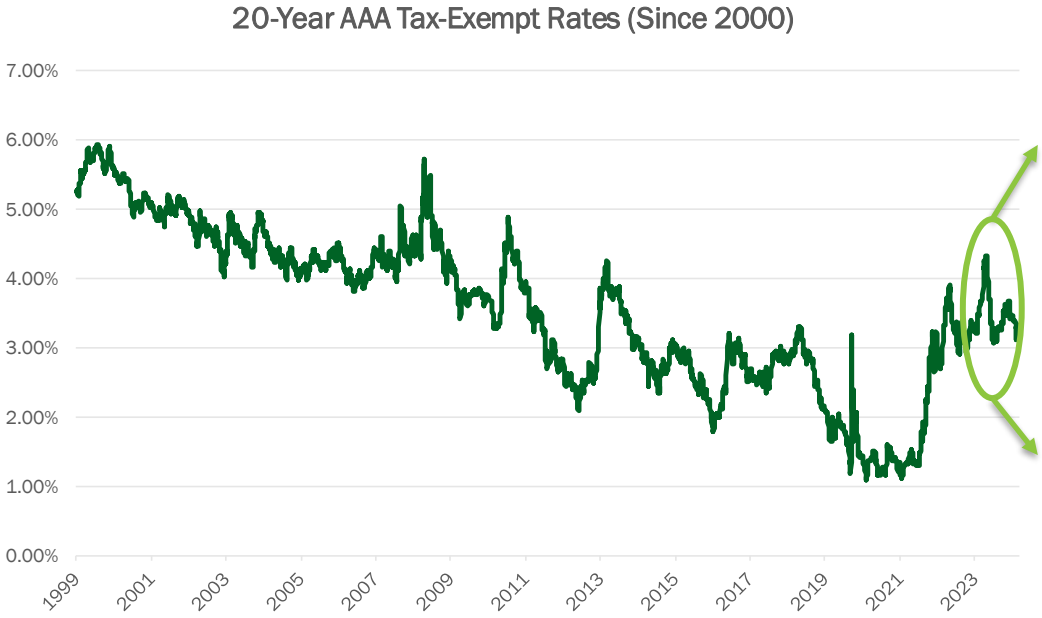
Note: Respective County FY 2023 ACFRs.

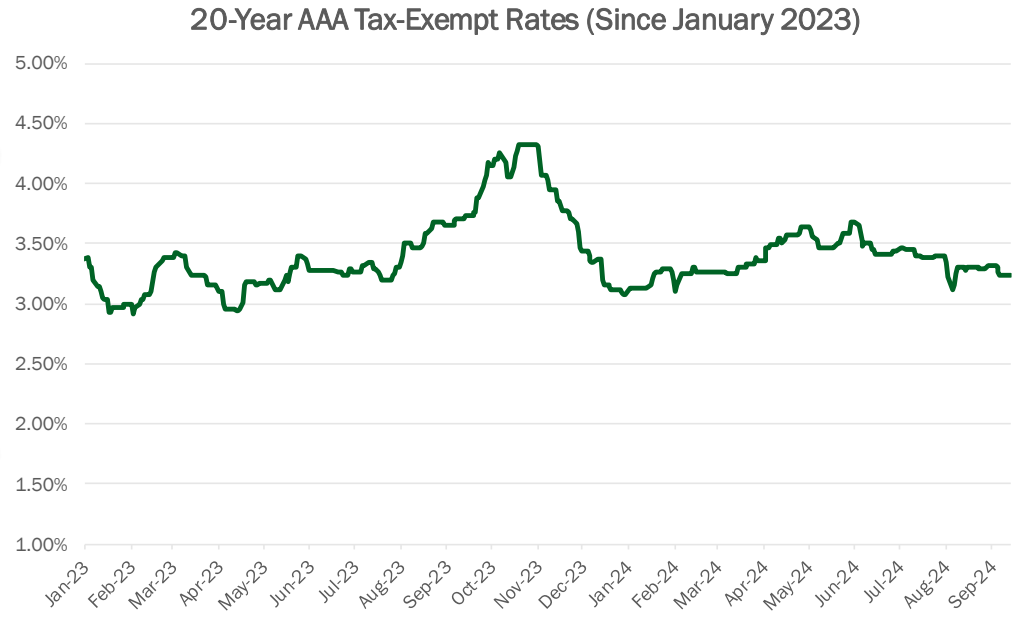
Fund Balance Policy Observations

- As of FY 2023, the County is above its Unassigned Fund Balance Policy Minimum and above its Unassigned Fund Balance Policy Target;
- The County's Unassigned Fund Balance (as a % of Expenditures) is above the Peer Group Median for similarly rated Virginia counties;
- Many of the Commonwealth's Aaa rated Counties have fund balance policies in the 10% to 15% of expenditures range. However, some designate or commit these funds and thus they don't show up in their Unassigned Fund Balance amounts;
  - As an example, Loudoun's policy is 10% but they have set this aside in their Committed Fund Balance;
- Local governments have been able to build up reserves for various reasons over the last several years;
- A question which is often asked is when should the reserves be utilized once they are over and above the policy. There is no industry wide standard. Davenport has one suggestion which is to create a fund balance policy that moves the dollars over a certain percentage into a capital fund to be used for capital purposes.
  - Our initial thought is to set the level at 25% so that reserves over the 25% mark would be automatically moved into the capital fund so that they could be used for one time project costs.

Series 2024 Plan of Finance

Recent Interest Rate Trends





Source: Thomson MMD Publication.

Recent Peer Bond Sales

Loudoun Co Econ Dev Auth
$11,950,000 Public Facility Revenue Refunding Bonds, Series 2024C (Loudoun County Public Facilities Project)

ıterest from the date of issue to the date of delivery. The Bonds are to bear interest at the followir

Maturity Date	Amount $	Coupon %	Yield %	Dollar Price
12/01/2025	1,215M	5.0000	2.6400	102.816
12/01/2026	1,215M	5.0000	2.5900	105.167
12/01/2027	1,210M	5.0000	2.5900	107.400
12/01/2028	1,205M	5.0000	2.5700	109.660
12/01/2029	1,200M	5.0000	2.5700	111.800
12/01/2030	1,195M	5.0000	2.6200	113.579
12/01/2031	1,185M	5.0000	2.7000	114.996
12/01/2032	1,180M	5.0000	2.7800	116.213
12/01/2033	1,175M	5.0000	2.8000	117.767
12/01/2034	1,170M	5.0000	2.8400	119.043

Total Interest Cost: $3,396,527.78
Premium: $1,369,728.31
Net Interest Cost: $2,026,799.47
TIC: 2.764007
Time Last Bid Received On:08/29/2024 10:57:16 EDST

Fauquier Co Eco Dev Auth
$45,690,000 Public Facility Revenue Bonds (Fauquier County Projects) Series 2024

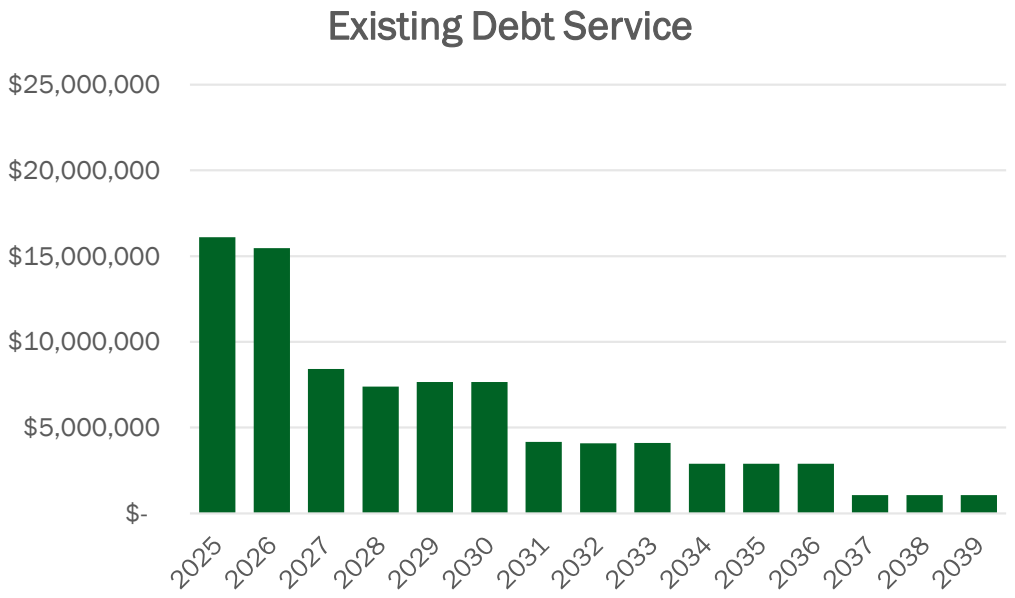
interest from the date of issue to the date of delivery. The Bonds are to bear interest at the followi

Maturity Date	Amount $	Coupon %	Yield %	Dollar Price
08/15/2025	380M	5.0000	2.6500	102.092
08/15/2026	1,390M	5.0000	2.6000	104.437
08/15/2027	1,460M	5.0000	2.5900	106.707
08/15/2028	1,535M	5.0000	2.5900	108.900
08/15/2029	1,615M	5.0000	2.5700	111.136
08/15/2030	1,700M	5.0000	2.6200	112.946
08/15/2031	1,785M	5.0000	2.7000	114.404
08/15/2032	1,875M	5.0000	2.7800	115.660
08/15/2033	1,970M	5.0000	2.8000	117.236
08/15/2034	2,070M	5.0000	2.8400	118.538
08/15/2035	2,185M	5.0000	2.9300	117.687
08/15/2036	2,295M	5.0000	3.0200	116.843
08/15/2037	2,410M	5.0000	3.0800	116.285
08/15/2038	2,530M	5.0000	3.1300	115.822
08/15/2039	2,660M	5.0000	3.2200	114.994
08/15/2040	2,800M	5.0000	3.3100	114.174
08/15/2041	2,940M	5.0000	3.4100	113.270
08/15/2042	3,080M	5.0000	3.4800	112.643
08/15/2043	3,200M	5.0000	3.5500	112.020
08/15/2044	3,335M	4.0000	4.0000	100.000
08/15/2045	2,475M	4.0000	4.0500	99.296

Total Interest Cost: $27,899,163.33
Premium: $5,255,540.39
Net Interest Cost: $22,643,622.94
TIC: 3.634289
Time Last Bid Received On:08/29/2024 10:28:57 EDST

Existing Debt Service

Existing Debt Service			
Fiscal Year	Principal	Interest	Total
2025	$ 13,337,023	$ 2,778,739	$ 16,115,762
2026	13,240,470	2,217,789	15,458,259
2027	6,755,064	1,654,244	8,409,308
2028	5,965,000	1,432,176	7,397,176
2029	6,410,000	1,255,938	7,665,938
2030	6,635,000	1,028,200	7,663,200
2031	3,410,000	759,150	4,169,150
2032	3,485,000	608,250	4,093,250
2033	3,605,000	495,900	4,100,900
2034	2,520,000	379,650	2,899,650
2035	2,605,000	295,600	2,900,600
2036	2,690,000	208,650	2,898,650
2037	950,000	118,800	1,068,800
2038	990,000	80,800	1,070,800
2039	1,030,000	41,200	1,071,200
Total	$ 73,627,557	$ 13,355,086	$ 86,982,643



The County's current 10-Year Payout Ratio is approximately 89% (i.e., within 10-years, 89% of the County's Outstanding Principal will be repaid) – above the County's Policy of 50%.

Estimated New Money Debt Service
Current Market Rates Plus 25 Basis Points

Estimated Series 2024 Debt Service			
Fiscal Year	Principal	Interest	Total
2025	$ 2,170,000	$ 1,777,318	$ 3,947,318
2026	2,170,000	3,259,050	5,429,050
2027	2,275,000	3,150,550	5,425,550
2028	2,390,000	3,036,800	5,426,800
2029	2,510,000	2,917,300	5,427,300
2030	2,635,000	2,791,800	5,426,800
2031	2,770,000	2,660,050	5,430,050
2032	2,905,000	2,521,550	5,426,550
2033	3,050,000	2,376,300	5,426,300
2034	3,205,000	2,223,800	5,428,800
2035	3,360,000	2,063,550	5,423,550
2036	3,530,000	1,895,550	5,425,550
2037	3,715,000	1,719,050	5,434,050
2038	3,895,000	1,533,300	5,428,300
2039	4,090,000	1,338,550	5,428,550
2040	4,295,000	1,134,050	5,429,050
2041	4,510,000	919,300	5,429,300
2042	4,730,000	693,800	5,423,800
2043	4,970,000	457,300	5,427,300
2044	5,220,000	208,800	5,428,800
Total	$ 68,395,000	$ 38,677,768	$ 107,072,768

Series 2024 Bonds Summary

Sale Date:	November 13, 2024
Closing Date:	December 5, 2024
Interest Rates as of:	September 30, 2024 *(Plus 25 Basis Points)*
Estimated All-In True Interest Cost:	3.74%
Estimated Total Debt Service:	$107,072,768
Estimated Maximum Annual Debt Service:	$5,434,050

Numbers assume current market tax-exempt rates as of 9/30/2024 Plus 25 Basis Points. Factors in underwriter's discount of $5 per bond.

Estimated Impact of New Money Debt Service
Current Market Rates Plus 25 Basis Points

Estimated Debt Service Impact of Series 2024 Bonds									
Existing Debt Service				Estimated Series 2024 Debt Service			Total Estimated Debt Service		
Fiscal Year	Principal	Interest	Total	Principal	Interest	Total	Principal	Interest	Total
2025	$ 13,337,023	$ 2,778,739	$ 16,115,762	$ 2,170,000	$ 1,777,318	$ 3,947,318	$ 15,507,023	$ 4,556,057	$ 20,063,080
2026	13,240,470	2,217,789	15,458,259	2,170,000	3,259,050	5,429,050	15,410,470	5,476,839	20,887,309
2027	6,755,064	1,654,244	8,409,308	2,275,000	3,150,550	5,425,550	9,030,064	4,804,794	13,834,858
2028	5,965,000	1,432,176	7,397,176	2,390,000	3,036,800	5,426,800	8,355,000	4,468,976	12,823,976
2029	6,410,000	1,255,938	7,665,938	2,510,000	2,917,300	5,427,300	8,920,000	4,173,238	13,093,238
2030	6,635,000	1,028,200	7,663,200	2,635,000	2,791,800	5,426,800	9,270,000	3,820,000	13,090,000
2031	3,410,000	759,150	4,169,150	2,770,000	2,660,050	5,430,050	6,180,000	3,419,200	9,599,200
2032	3,485,000	608,250	4,093,250	2,905,000	2,521,550	5,426,550	6,390,000	3,129,800	9,519,800
2033	3,605,000	495,900	4,100,900	3,050,000	2,376,300	5,426,300	6,655,000	2,872,200	9,527,200
2034	2,520,000	379,650	2,899,650	3,205,000	2,223,800	5,428,800	5,725,000	2,603,450	8,328,450
2035	2,605,000	295,600	2,900,600	3,360,000	2,063,550	5,423,550	5,965,000	2,359,150	8,324,150
2036	2,690,000	208,650	2,898,650	3,530,000	1,895,550	5,425,550	6,220,000	2,104,200	8,324,200
2037	950,000	118,800	1,068,800	3,715,000	1,719,050	5,434,050	4,665,000	1,837,850	6,502,850
2038	990,000	80,800	1,070,800	3,895,000	1,533,300	5,428,300	4,885,000	1,614,100	6,499,100
2039	1,030,000	41,200	1,071,200	4,090,000	1,338,550	5,428,550	5,120,000	1,379,750	6,499,750
2040	-	-	-	4,295,000	1,134,050	5,429,050	4,295,000	1,134,050	5,429,050
2041	-	-	-	4,510,000	919,300	5,429,300	4,510,000	919,300	5,429,300
2042	-	-	-	4,730,000	693,800	5,423,800	4,730,000	693,800	5,423,800
2043	-	-	-	4,970,000	457,300	5,427,300	4,970,000	457,300	5,427,300
2044	-	-	-	5,220,000	208,800	5,428,800	5,220,000	208,800	5,428,800
Total	$ 73,627,557	$ 13,355,086	$ 86,982,643	$ 68,395,000	$ 38,677,768	$ 107,072,768	$ 142,022,557	$ 52,032,854	$ 194,055,411

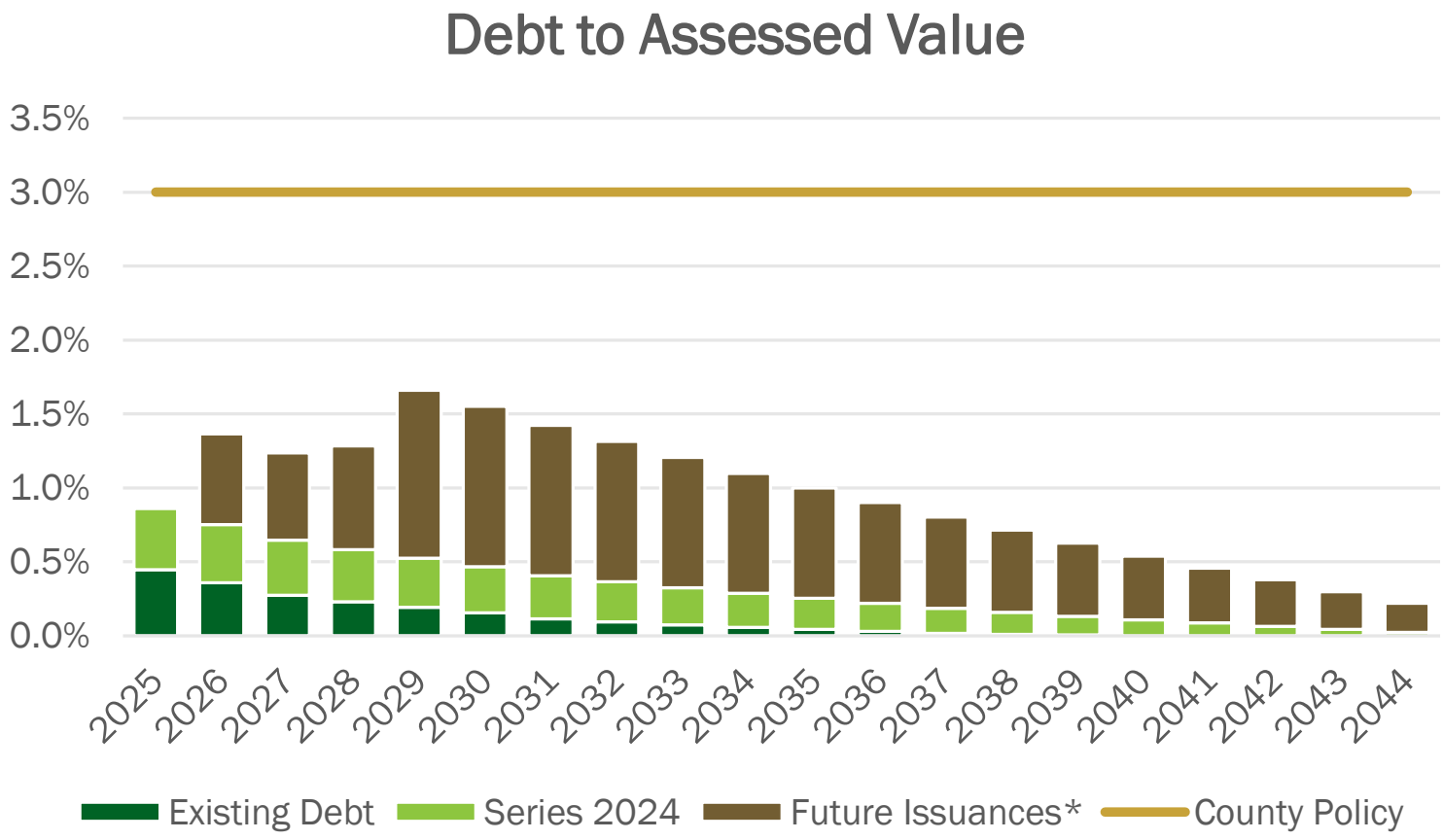
Estimated Impact of New Money on Debt Service Fund
Current Market Rates Plus 25 Basis Points

Debt Service Fund	2025	2026	2027	2028	2029
Revenues					
General Fund - County	$ 7,458,470	$ 8,063,190	$ 13,633,620	$ 13,688,740	$ 18,621,680
General Fund - Schools	13,941,530	13,836,810	9,366,380	10,311,260	8,678,320
Other(1)	42,500	42,500	42,500	42,500	42,500
Total Revenue	**$ 21,442,500**	**$ 21,942,500**	**$ 23,042,500**	**$ 24,042,500**	**$ 27,342,500**
Expenditures					
Existing Debt Service					
County	$ 3,329,623	$ 3,273,565	$ 838,608	$ 837,150	$ 3,310,502
Schools	11,432,928	11,184,638	6,570,643	6,560,027	4,355,436
Financed Purchases(2)	1,353,211	1,000,057	1,000,057	1,100,000	1,100,000
Total Existing Debt Service	$ 16,115,762	$ 15,458,260	$ 8,409,308	$ 8,497,177	$ 8,765,938
Proposed Debt Service					
*Series 2024**	*$ 3,947,318*	*$ 5,429,050*	*$ 5,425,550*	*$ 5,426,800*	*$ 5,427,300*
New Issuance 2026	-	3,958,162	7,916,321	7,916,321	7,916,321
New Issuance 2028	-	-	-	1,908,754	1,908,754
New Issuance 2029	-	-	-	-	4,227,110
Total Proposed Debt Service	$ 3,947,318	$ 9,387,212	$ 13,341,871	$ 15,251,875	$ 19,479,485
Other Expenditures/Contingency	75,000	75,000	958,683	75,000	75,000
Total Expenditures	**$ 20,138,080**	**$ 24,920,472**	**$ 22,709,862**	**$ 23,824,052**	**$ 28,320,423**
Contribution to / (Use) of Fund Balance	**$ 1,304,420**	**$ (2,977,972)**	**$ 332,638**	**$ 218,448**	**$ (977,923)**
Ending Fund Balance(3)	**$ 23,034,306**	**$ 20,056,334**	**$ 20,388,972**	**$ 20,607,420**	**$ 19,629,497**

(1) QSCB Subsidy
(2) Includes projected financed purchases.
(3) Assumes FY 2025 Starting Debt Service Fund Balance of $21,729,886
*Preliminary – subject to change. Assumes current market tax-exempt rates as of 9/30/2024 Plus 25 Basis Points.

Impact on Debt to Assessed Value

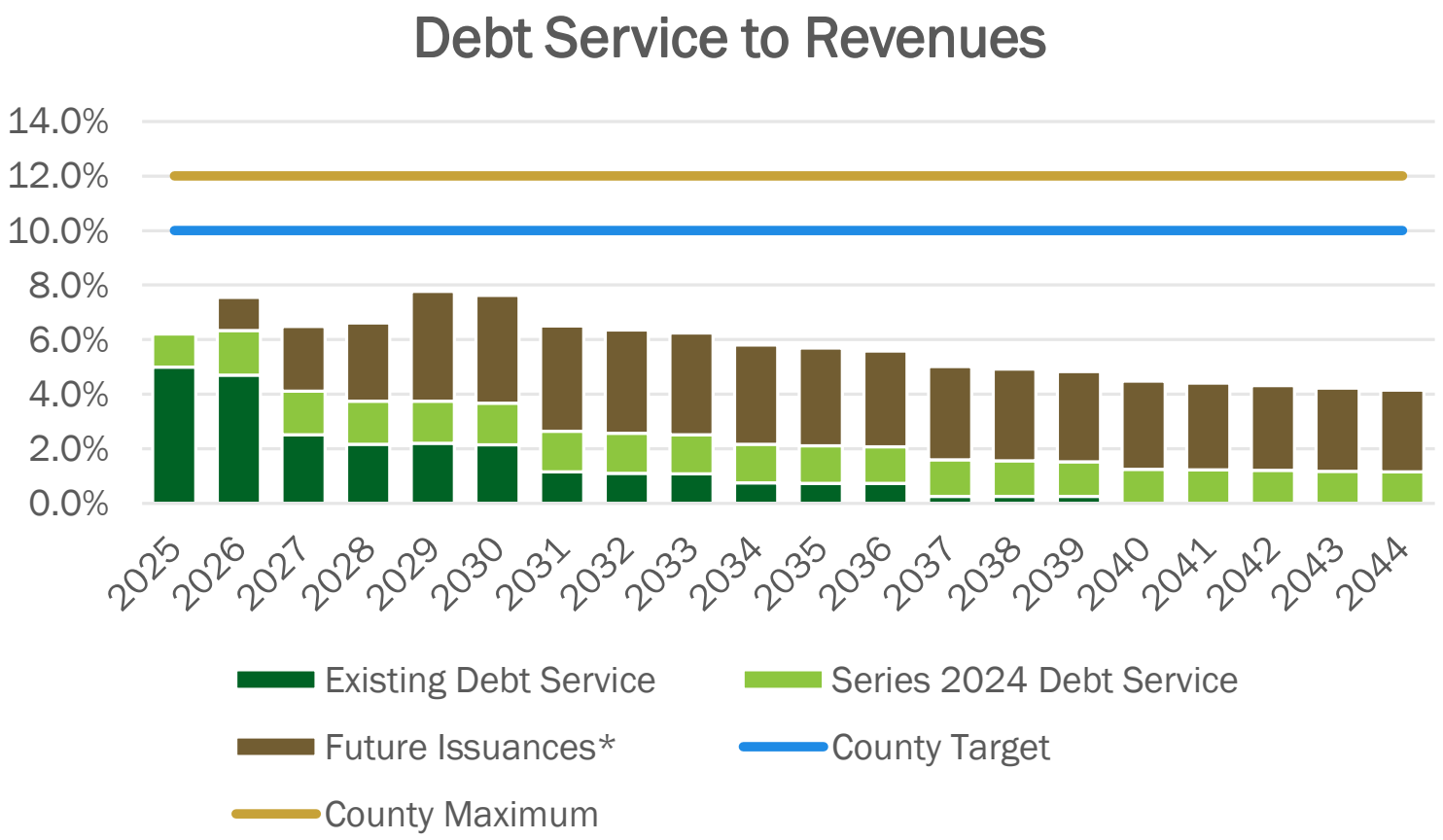
County Policy: Outstanding debt shall not exceed 3% of the assessed valuation of real and personal property.



*Includes FY 2026, FY 2028 and FY 2029 Planned Borrowings as outlined in the County CIP.
Note: Incorporates Assessed Value as of 6/30/2023 grown at 2% annually beginning in 2024.

Impact on Debt Service to Revenues

County Policy: Annual debt service requirements should target 10% or less and shall not exceed 12% of total operating revenues, including revenues allocated to the Williamsburg-James City County School Board for public education.

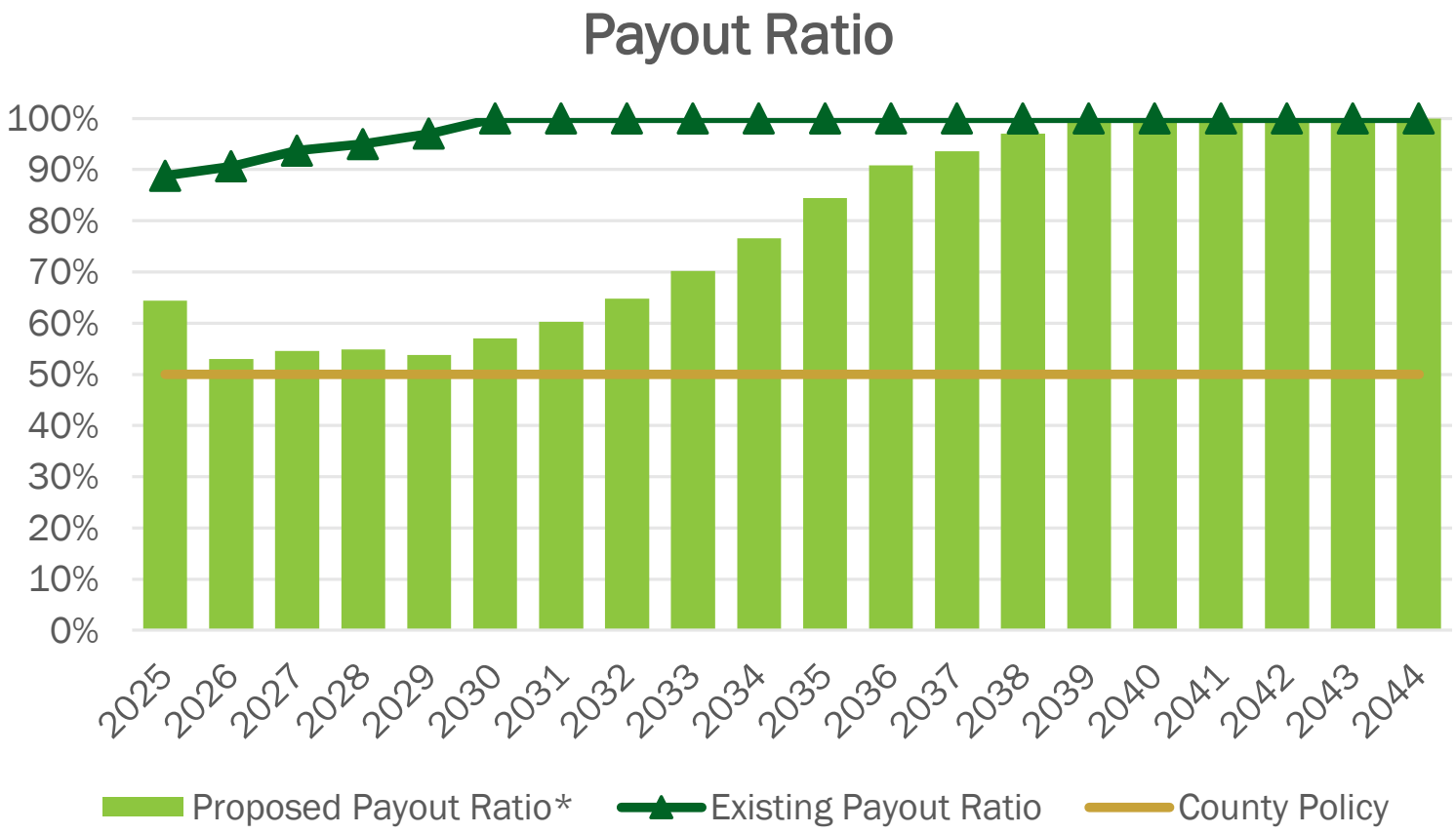


*Includes FY 2026, FY 2028 and FY 2029 Planned Borrowings as outlined in the County CIP.

Note: Incorporates General Fund Revenues as of 6/30/2023 grown at 2% annually beginning in 2024

Impact on Payout Ratio

County Policy: The 10-Year payout ratio for debt shall target a minimum of 50% of the total outstanding principal.



*Proposed Payout Ratio includes both Series 2024 and the Planned Borrowings as outlined in the County CIP.

Schedule/Next Steps

Date	Action
October 8	Board of Supervisors meeting to approve financing documents
October 15	Economic Development Authority meeting to approve financing documents
Week of October 28	Rating Agencies Meetings
November 5	Receive Ratings
November 5	Post Preliminary Official Statement
November 13	Bond Sale (final borrowing cost determined)
December 5	Close on Series 2024 Bonds (proceeds received)

Appendix

Not-to-Exceed Par Amount vs. Current Estimate

Series 2024 Not-to-Exceed Par Amount vs. Current Estimate		
Item	**Amount**	**Notes**
Project Fund	$ 74,902,150	Exact project fund
Cost of Issuance	500,000	Cost of Issuance including contingency
Underwriter's Discount	378,925	$5 per bond (i.e., $5 per $1,000 of Par)
Rounding	3,925	Rounding to $5,000 denomination
Not-to-Exceed Par Amount	**$ 75,785,000**	
Less: Estimated Bond Premium*	7,390,000	Subject to market change (i.e., not guaranteed)
Equals: Current Estimated Par Amount[1]	**$ 68,395,000**	

Note: The Current Estimated Par Amount included in this presentation is subject to change with market conditions. To provide the County the utmost flexibility, the Not-to-Exceed par amount in the Resolution has been sized assuming the County does not receive any premium on the Series 2024 Bonds.

Numbers assume current market tax-exempt rates as of 9/30/2024 Plus 25 Basis Points. Factors in underwriter's discount of $5 per bond.

Fund Balance Policy Comparative

Aaa/AAA/AAA Virginia Counties	Unassigned Fund Balance / Primary Reserve Policy	Budget/Revenue Stabilization Reserve	Other Major Operating Reserves
Albemarle	10.0% of Total Operating Revenues	2.0% of Total Operating Revenues	General Fund School Reserve - 2.0% of Public Schools Adopted Operating Revenues
Arlington	5.5% of General Fund Budget	1.0% of General Fund Budget	
Chesterfield	Minimum of 6.0% with a target of 8.0% of General Fund Expenditures		
Fairfax	4.0% of General Fund Disbursements	5.0% of General Fund Disbursements	Economic Opportunity Reserve -1.0% of General Fund Disbursements
Fauquier	12.0% of General Fund Revenues	3.0% of General Fund Revenues	
Goochland	Minimum of 20.0% with a target of 25.0% of Total Operating Revenues	3.0% of Total Operating Revenues	
Hanover	10.0% of General Fund Revenues		
Henrico	15.0% of General Fund Expenditures		
Loudoun	10.0% of General Fund Operating Revenues	10.0% of Data Center Industry Real Estate & Personal Prop. Tax Rev.	
Prince William	7.5% of General Fund Revenues	2.0% of General Fund Revenues	Capital Reserve - 2.0% of the current Capital Projects Funds Appropriation included in the Six-Year C.I.P.
Spotsylvania	11.0% of Total Operating Revenues	$5,000,000	Economic Opportunities Reserve - $2,000,000
Stafford	12.0% of General Fund Revenues, excluding transfers, reserves and grants	2.0% of General Fund Revenues	Capital Projects Reserve - $1,500,000

Note: Adopted Financial Policies for FY 2024.



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DRAFT 9/___/2024

FOURTH SUPPLEMENTAL AGREEMENT OF TRUST

between

ECONOMIC DEVELOPMENT AUTHORITY OF JAMES CITY COUNTY, VIRGINIA

and

WILMINGTON TRUST, NATIONAL ASSOCIATION, as Trustee

Dated as of December 1, 2024

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Exhibit A - Form of Series 2024 Bond A-1

THIS FOURTH SUPPLEMENTAL AGREEMENT OF TRUST dated as of the 1st day of December, 2024, by and between the **ECONOMIC DEVELOPMENT AUTHORITY OF JAMES CITY COUNTY, VIRGINIA**, a political subdivision of the Commonwealth of Virginia (the "Authority"), and **WILMINGTON TRUST, NATIONAL ASSOCIATION,** a national banking association, having a corporate trust office in Richmond, Virginia, as trustee (in such capacity, together with any successor in such capacity, herein called the "Trustee"), provides:

WHEREAS, the Authority and the Trustee have entered into an Agreement of Trust dated as of June 1, 2016 (the "Master Agreement of Trust"), pursuant to which the Authority has agreed to issue from time to time public facility revenue bonds or notes and use the proceeds thereof to finance and refinance costs incurred in connection with certain Projects (as hereinafter defined) for the benefit of James City County, Virginia (the "County"); and

WHEREAS, in compliance with the Master Agreement of Trust and pursuant to the terms of a First Supplemental Agreement of Trust dated as of June 1, 2016 (the "First Supplemental Trust Agreement"), the County requested the Authority to issue a series of public facility revenue bonds in the aggregate principal amount of $26,750,000 (the "Series 2016 Bonds") to finance the costs of the Series 2016 Project (as defined in the First Supplemental Trust Agreement); and

WHEREAS, in compliance with the Master Agreement of Trust and pursuant to the terms of a Second Supplemental Agreement of Trust dated as of November 1, 2018 (the "Second Supplemental Trust Agreement"), the County requested the Authority to issue a series of public facility revenue bonds in the aggregate principal amount of $21,015,000 (the "Series 2018 Bonds") (a) to refund the outstanding principal balance of the Series 2009 Bonds (as defined in the Second Supplemental Trust Agreement), (b) to finance the Series 2018 Project (as defined in the Second Supplemental Trust Agreement) and (c) to pay the financing and issuance costs related thereto; and

WHEREAS, in compliance with the Master Agreement of Trust and pursuant to the terms of a Third Supplemental Agreement of Trust dated as of May 1, 2021 (the "Third Supplemental Trust Agreement"), the County requested the Authority to issue a series of public facility revenue refunding bonds in the aggregate principal amount of $11,030,000 (the "Series 2021 Bonds") (a) to refund certain maturities of the outstanding principal balance of the Series 2012 Bonds (as defined in the Third Supplemental Trust Agreement) and (b) to pay the issuance and refunding costs related thereto; and

WHEREAS, at the request of the County, the Authority has determined to issue an additional Series of Bonds under the Master Agreement of Trust in the original aggregate principal amount of $_____ (as further described herein, the "Series 2024 Bonds"), the proceeds of which will be loaned to the County (a) to finance the Series 2024 Project and (b) to pay the issuance costs related thereto; and

WHEREAS, the Authority has agreed to issue the Series 2024 Bonds, secured by a pledge of the revenues and receipts derived from a Financing Agreement dated as of June 1, 2016, as previously supplemented and as further supplemented by a Third Supplemental Financing Agreement dated as of December 1, 2024 (collectively, the "Financing Agreement"), between the Authority and the County, and the County has undertaken, subject to the appropriation by the

County Board of Supervisors from time to time of sufficient amounts for such purposes, to make basic payments that will be sufficient to pay the principal of and premium, if any, and interest on the Series 2024 Bonds, the Series 2018 Bonds, the Series 2021 Bonds and the Series 2024 Bonds, as the same shall become due; and

WHEREAS, the Authority has taken all necessary action to make the Series 2024 Bonds, when authenticated by the Trustee and issued by the Authority, valid and binding limited obligations of the Authority and to constitute this Fourth Supplemental Trust Agreement a valid and binding agreement authorizing and providing for the details of the Series 2024 Bonds;

NOW THEREFORE, in consideration of the premises and the mutual covenants and agreements hereinafter contained, the parties hereto agree as follows:

ARTICLE I

FOURTH SUPPLEMENTAL TRUST AGREEMENT

Section 4.101 Authorization of Fourth Supplemental Trust Agreement.

This Fourth Supplemental Trust Agreement is authorized and executed by the Authority and delivered to the Trustee pursuant to and in accordance with Articles III and X of the Master Agreement of Trust. All terms, covenants, conditions and agreements of the Master Agreement of Trust shall apply with full force and effect to the Series 2024 Bonds and to the holders thereof, except as otherwise provided in this Fourth Supplemental Trust Agreement.

Section 4.102 Definitions.

Except as otherwise defined in this Fourth Supplemental Trust Agreement, words defined in the Master Agreement of Trust are used in this Fourth Supplemental Trust Agreement with the meanings assigned to them in the Master Agreement of Trust. In addition, the following words shall have the following meanings unless a different meaning clearly appears from the context:

"Closing Date" shall mean _____, 2024.

"First Supplemental Trust Agreement" shall mean the First Supplemental Agreement of Trust dated as of June 1, 2016, between the Authority and the Trustee, which supplements and amends the Master Agreement of Trust, including any supplements, amendments or modifications to the First Supplemental Trust Agreement as the parties may undertake.

"Fourth Supplemental Trust Agreement" shall mean the Fourth Supplemental Agreement of Trust between the Authority and the Trustee, which supplements and amends the Master Agreement of Trust, including any supplements, amendments or modifications to the Fourth Supplemental Trust Agreement as the parties may undertake.

"Letter of Representations" shall mean the Blanket Letter of Representations dated May 29, 2013, from the Authority to the Securities Depository and any amendments thereto or successor agreements between the Authority and any successor Securities Depository with respect to the Series 2024 Bonds. Notwithstanding any provision of the Master Agreement of Trust,

including Article X regarding amendments, the Trustee may enter into any such amendment or successor agreement without the consent of Bondholders.

"Second Supplemental Trust Agreement" shall mean the Second Supplemental Agreement of Trust between the Authority and the Trustee, which supplements and amends the Master Agreement of Trust, including any supplements, amendments or modifications to the Second Supplemental Trust Agreement as the parties may undertake.

"Securities Depository" shall mean The Depository Trust Company, a corporation organized and existing under the laws of the State of New York, and any other securities depository for the Series 2024 Bonds appointed pursuant to Section 4.204, and their successors.

"Series 2016 Bonds" shall mean the Authority's $26,750,000 Public Facility Revenue Bonds (James City County School Project), Series 2016, authorized to be issued pursuant to the First Supplemental Trust Agreement.

"Series 2018 Bonds" shall mean the Authority's $21,015,000 Public Facility Revenue and Refunding Bonds (County Government Projects), Series 2018, authorized to be issued pursuant to the Second Supplemental Trust Agreement.

"Series 2021 Bonds" shall mean the Authority's $11,030,000 Public Facility Revenue Refunding Bonds (County Government Projects), Series 2021, authorized to be issued pursuant to the Third Supplemental Trust Agreement.

"Series 2024 Bonds" shall mean the Authority's $_____ Public Facility Revenue Bonds (County Government Projects), Series 2024, authorized to be issued pursuant to this Fourth Supplemental Trust Agreement.

"Series 2024 Project" shall have the meaning set forth in the Financing Agreement.

"Series 2024 Project Account" shall mean the Series 2024 Project Account established in Section 4.501 of this Fourth Supplemental Trust Agreement.

"Third Supplemental Trust Agreement" shall mean the Third Supplemental Agreement of Trust between the Authority and the Trustee, which supplements and amends the Master Agreement of Trust, including any supplements, amendments or modifications to the Third Supplemental Trust Agreement as the parties may undertake.

Section 4.103 Rules of Construction.

The following rules shall apply to the construction of this Fourth Supplemental Trust Agreement unless the context otherwise requires:

(a) Words importing the singular number shall include the plural number and vice versa.

(b) Words importing the redemption or calling for redemption of Series 2024 Bonds shall not be deemed to refer to or connote the payment of Series 2024 Bonds at their stated maturity.

(c) Unless otherwise indicated, all references herein to particular Articles or Sections are references to Articles or Sections of this Fourth Supplemental Trust Agreement.

(d) The headings herein and Table of Contents to this Fourth Supplemental Trust Agreement herein are solely for convenience of reference and shall not constitute a part of this Fourth Supplemental Trust Agreement nor shall they affect its meaning, construction or effect.

(e) All references herein to payment of Series 2024 Bonds are references to payment of principal of and premium, if any, and interest on the Series 2024 Bonds.

ARTICLE II

AUTHORIZATION, DETAILS AND FORM OF SERIES 2024 BONDS

Section 4.201 Authorization of Series 2024 Bonds and Series 2024 Project.

There are hereby authorized to be issued the Series 2024 Bonds in an aggregate principal amount of $_____ to (a) finance the Cost of the Series 2024 Project and (b) finance costs incident to issuing the Series 2024 Bonds, in accordance with Article IV hereof.

Section 4.202 Details of Series 2024 Bonds.

(a) The Series 2024 Bonds shall be designated "Public Facility Revenue Bonds (County Government Projects), Series 2024," shall be dated the Closing Date, shall be issuable only as fully registered bonds in denominations of $5,000 and integral multiples thereof and shall be numbered R-1 upward. The Series 2024 Bonds shall bear interest at rates, payable semiannually on each June 15 and December 15, beginning June 15, 2025, and shall mature in installments on June 15 in years and amounts, as follows:

Year	Amount	Rate	Year	Amount	Rate

* Term Bond

(b) Each Series 2024 Bond shall bear interest (a) from its date, if such Series 2024 Bond is authenticated prior to the first interest payment date, or (b) otherwise from the interest payment date that is, or immediately precedes, the date on which such Series 2024 Bond is authenticated; provided, however, that if at the time of authentication of any Series 2024 Bond payment of interest is in default, such Series 2024 Bond shall bear interest from the date to which interest has been paid. Interest shall be calculated on the basis of a 360-day year of twelve 30-day months.

(c) Principal of the Series 2024 Bonds shall be payable to the registered holder(s) upon the surrender of Series 2024 Bonds at the designated corporate trust office of the Trustee in Richmond, Virginia, or such other office as the Trustee may designate in writing, from time to time. Interest on the Series 2024 Bonds shall be payable by check or draft mailed to the registered owners at their addresses as they appear on the registration books kept by the Trustee on the first day of the month in which each interest payment date occurs; provided, however, if the Series 2024 Bonds are registered in the name of a Securities Depository or its nominee as registered holder or at the option of a registered holder(s) of at least $1,000,000 of Series 2024 Bonds, payment shall be made by wire transfer pursuant to the wire instructions received by the Trustee from such registered holder(s). Principal and interest shall be payable in lawful money of the United States of America.

Section 4.203 Form of Series 2024 Bonds.

The Series 2024 Bonds shall be in substantially the form set forth in **Exhibit A**, with such appropriate variations, omissions and insertions as are permitted or required by the Master Agreement of Trust and this Fourth Supplemental Trust Agreement.

Section 4.204 Securities Depository Provisions.

Initially, one certificate for each maturity of the Series 2024 Bonds will be issued and registered to the Securities Depository, or its nominee. The Authority shall enter into a Letter of Representations relating to a book-entry system to be maintained by the Securities Depository with respect to the Series 2024 Bonds.

In the event that (a) the Securities Depository determines not to continue to act as a securities depository for the Series 2024 Bonds by giving notice to the Trustee and the Authority discharging its responsibilities hereunder or (b) the Authority, at the direction of the County, determines (1) that beneficial owners of Series 2024 Bonds shall be able to obtain certificated Series 2024 Bonds or (2) to select a new Securities Depository, then the Trustee shall, at the direction of the Authority, attempt to locate another qualified securities depository to serve as Securities Depository or authenticate and deliver certificated Series 2024 Bonds to the beneficial owners or to the Securities Depository participants on behalf of beneficial owners substantially in the form provided for in **Exhibit A**; provided, however, that such form shall provide for interest on the Series 2024 Bonds to be payable (i) from the Closing Date, if it is authenticated prior to June 15, 2025, or (ii) otherwise from the June 15 or December 15 that is, or immediately precedes, the date on which it is authenticated (unless payment of interest thereon is in default, in which case interest on such Series 2024 Bonds shall be payable from the date to which interest has been paid). In delivering certificated Series 2024 Bonds, the Trustee shall be entitled to rely conclusively on the records of the Securities Depository as to the beneficial owners or the records of the Securities Depository participants acting on behalf of beneficial owners. Such certificated Series 2024 Bonds will be registrable, transferable and exchangeable as set forth in Sections 204 and 205 of the Master Agreement of Trust.

So long as there is a Securities Depository for the Series 2024 Bonds (A) it or its nominee shall be the registered holder(s) of the Series 2024 Bonds, (B) notwithstanding anything to the contrary in this Agreement, determinations of persons entitled to payment of principal and interest, transfers of ownership and exchanges and receipt of notices shall be the responsibility of the Securities Depository and shall be effected pursuant to rules and procedures established by such Securities Depository, (C) the Authority and the Trustee shall not be responsible or liable for maintaining, supervising or reviewing the records maintained by the Securities Depository, its participants or persons acting through such participants, (D) references in this Agreement to registered holder(s) of the Series 2024 Bonds shall mean such Securities Depository or its nominee and shall not mean the beneficial owners of the Series 2024 Bonds and (E) in the event of any inconsistency between the provisions of this Agreement, other than those set forth in this paragraph and the preceding paragraph, and the provisions of the Letter of Representations such provisions of the Letter of Representations shall control.

Section 4.205 Delivery of Series 2024 Bonds.

The Trustee shall authenticate and deliver the Series 2024 Bonds when there have been filed with or delivered to it all items required by Section 303 of the Master Agreement of Trust.

ARTICLE III

REDEMPTION OF SERIES 2024 BONDS

Section 4.301 Redemption Date and Price.

The Series 2024 Bonds may not be called for redemption by the Authority except as follows:

(a) Optional Redemption. The Series 2024 Bonds maturing on and before June 15, _____, will not be subject to redemption prior to maturity. The Series 2024 Bonds maturing on and after June 15, ____, will be subject to redemption prior to maturity, at the option of the Authority upon the direction of the County, at any time on or after June 15, ____, in whole or in part (in $5,000 integrals), upon payment of 100% of the principal amount to be redeemed, plus interest accrued to the date fixed for redemption.

(b) Mandatory Redemption. The Series 2024 Bonds maturing on June 15, ____, are required to be redeemed prior to maturity in part upon payment of 100% of the principal amount thereof plus interest accrued to the redemption date on June 15 in years and amounts, as follows:

Year	Amount	Year	Amount

* Final maturity.

Section 4.302 Selection of Series 2024 Bonds for Redemption.

If less than all of the Series 2024 Bonds are called for redemption, the Series 2024 Bonds (or principal portions thereof) to be redeemed shall be selected by the Authority (at the direction of the County). If less than all of the Series 2024 Bonds of a particular maturity are called for redemption, DTC or any successor securities depository will select the particular Series 2024 Bonds within each maturity to be redeemed pursuant to its rules and procedures or, if the book-entry system is discontinued, the Series 2024 Bonds to be redeemed will be selected by the Trustee. The portion of any Series 2024 Bond to be redeemed shall be in the principal amount of $5,000 or some multiple thereof. In selecting Series 2024 Bonds for redemption, each Series 2024 Bond shall be considered as representing that number of Series 2024 Bonds which is obtained by dividing the principal amount of such Series 2024 Bond by $5,000. If a portion of a Series 2024 Bond shall be called for redemption, a new Series 2024 Bond in principal amount equal to the unredeemed portion thereof shall be issued to the registered owner upon the surrender thereof.

Section 4.303 Notice of Redemption.

Notice of redemption of Series 2024 Bonds shall be given in the manner set forth in Section 402 of the Master Agreement of Trust.

ARTICLE IV

APPLICATION OF PROCEEDS OF SERIES 2024 BONDS

Section 4.401 Application of Proceeds of Series 2024 Bonds.

The net proceeds of the Series 2024 Bonds ($_____) shall be paid to the Trustee and deposited in the Series 2024 Project Account in the Project Fund.

ARTICLE V

ESTABLISHMENT OF ACCOUNTS

Section 4.501 Series 2024 Project Account.

There shall be established within the Project Fund a special account entitled "Series 2024 Project Account." The portion of the proceeds of the Series 2024 Bonds specified in Section 4.401 shall be deposited in the Series 2024 Project Account. Money in the Series 2024 Project Account shall be used in accordance with the provisions of Section 503 of the Master Agreement of Trust to pay Costs of the Series 2024 Project.

Section 4.502 Debt Service Reserve Fund; No Series Account.

No Series account shall be established in the Debt Service Reserve Fund in connection with the Series 2024 Bonds and no monies in the Debt Service Reserve Fund (if later funded in connection with the issuance of Additional Bonds) shall secure the Series 2024 Bonds.

ARTICLE VI

SECURITY FOR SERIES 2024 BONDS

Section 4.601 Security for Series 2024 Bonds.

The Series 2024 Bonds shall be equally and ratably secured under the Master Agreement of Trust with any other series issued pursuant to Article III of the Master Agreement of Trust, without preference, priority or distinction of any Bonds over any other Bonds, except as provided in the Master Agreement of Trust.

ARTICLE VII

MISCELLANEOUS

Section 4.701 Limitations on Use of Proceeds.

The Authority intends that interest on the Series 2024 Bonds shall be excluded from gross income for Federal income tax purposes. The Authority covenants with the holders of the Series 2024 Bonds not to take any action that would adversely affect, and to take all action within its power necessary to maintain, the exclusion of interest on all Series 2024 Bonds from gross income for Federal income taxation purposes.

Section 4.702 Limitation of Rights.

With the exception of rights herein expressly conferred, nothing expressed or mentioned in or to be implied from this Fourth Supplemental Trust Agreement or the Series 2024 Bonds is intended or shall be construed to give to any person other than the parties hereto and the holders of Series 2024 Bonds any legal or equitable right, remedy or claim under or in respect to this Fourth Supplemental Trust Agreement or any covenants, conditions and agreements herein

contained since this Fourth Supplemental Trust Agreement and all of the covenants, conditions and agreements hereof are intended to be and are for the sole and exclusive benefit of the parties hereto and the holders of Bonds as herein provided.

Section 4.703 Severability.

If any provision of this Fourth Supplemental Trust Agreement shall be held invalid by any court of competent jurisdiction, such holding shall not invalidate any other provision hereof and this Fourth Supplemental Trust Agreement shall be construed and enforced as if such illegal provision had not been contained herein.

Section 4.704 Successors and Assigns.

This Fourth Supplemental Trust Agreement shall be binding upon, inure to the benefit of and be enforceable by the parties and their respective successors and assigns.

Section 4.705 Applicable Law.

This Fourth Supplemental Trust Agreement shall be governed by the applicable laws of the Commonwealth of Virginia.

Section 4.706 Counterparts.

This Fourth Supplemental Trust Agreement may be executed in several counterparts, each of which shall be an original and all of which together shall constitute but one and the same instrument.

Section 4.707 Freedom Act Requirements.

To help the government fight the funding of terrorism and money laundering activities, federal law requires all financial institutions to obtain, verify, and record information that identifies each person who opens an account. For a non-individual person such as a business entity, a charity, a trust, or other legal entity, the Trustee may ask for documentation to verify such non-individual person's formation and existence as a legal entity. The Trustee may also ask to see financial statements, licenses, identification and authorization documents from individuals claiming authority to represent the entity or other relevant documentation.

IN WITNESS WHEREOF, the Authority and the Trustee have caused this Fourth Supplemental Trust Agreement to be executed in their respective corporate names as of the date first above written.

ECONOMIC DEVELOPMENT AUTHORITY OF JAMES CITY COUNTY, VIRGINIA

By_____
Chair

WILMINGTON TRUST, NATIONAL ASSOCIATION,
as Trustee

By_____

Title_____

Acknowledged and Consented To:

BOARD OF SUPERVISORS OF JAMES CITY COUNTY, VIRGINIA, on behalf of JAMES CITY COUNTY, VIRGINIA

By:_____
County Administrator

EXHIBIT A

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to the issuer or its agent for registration of transfer, exchange, or payment, and any certificate is registered in the name of Cede & Co., or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

REGISTERED **REGISTERED**

R-1 **$_____**

UNITED STATES OF AMERICA

COMMONWEALTH OF VIRGINIA

ECONOMIC DEVELOPMENT AUTHORITY OF JAMES CITY COUNTY, VIRGINIA

Public Facility Revenue Bond (County Government Projects), Series 2024

INTEREST RATE	MATURITY DATE	DATED DATE	CUSIP
____%	June 15, ____	_____, 2024	47030T ___

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT: **DOLLARS**

The Economic Development Authority of James City County, Virginia, a political subdivision of the Commonwealth of Virginia (the "Authority"), for value received, hereby promises to pay upon surrender hereof at the designated corporate trust office of Wilmington Trust, National Association, Richmond, Virginia, as trustee, or its successor in trust (the "Trustee"), under the Agreement of Trust (as hereinafter defined) solely from the source and as hereinafter provided, to the registered owner hereof, or registered assigns or legal representative, the principal sum stated above on the maturity date stated above, subject to prior redemption as hereinafter provided, and to pay, solely from such source, interest hereon on each June 15 and December 15, beginning June 15, 2025, at the annual rate stated above, calculated on the basis of a 360-day year of twelve 30-day months. Interest is payable (a) from the Dated Date, if this bond is authenticated prior to June 15, 2025, or (b) otherwise from the June 15 or December 15 that is, or immediately precedes, the date on which this bond is authenticated (unless payment of interest hereon is in default, in which case this bond shall bear interest from the date to which interest has been paid). Interest is payable by check or draft mailed to the registered owner hereof at its address as it appears on the 1st day of the month in which an interest payment date occurs on registration books

kept by the Trustee; provided, however, that at the option of a registered owner of at least $1,000,000 of 2024 Bonds (as hereinafter defined), payment will be made by wire transfer pursuant to the most recent wire instructions received by the Trustee from such registered owner. If such interest payment date is not a Business Day (as defined in the Agreement of Trust), such payment shall be made on the next succeeding Business Day with the same effect as if made on the day such payment was due and no interest shall accrue hereon. Principal and interest are payable in lawful money of the United States of America.

Notwithstanding any other provision hereof, this bond is subject to book-entry form maintained by The Depository Trust Company ("DTC"), and the payment of principal and interest, the providing of notices and other matters shall be made as described in the Authority's Letter of Representations to DTC.

This bond is one of an issue of $_____ Public Facility Revenue Bonds (County Government Projects), Series 2024 (the "2024 Bonds"), authorized and issued pursuant to the Virginia Industrial Development and Revenue Bond Act, Chapter 49, Title 15.2, Code of Virginia of 1950, as amended. The 2024 Bonds are issued under and secured by an Agreement of Trust dated as of June 1, 2016, between the Authority and the Trustee, as previously supplemented and as further supplemented by a Fourth Supplemental Agreement of Trust dated as of December 1, 2024 (collectively, the "Agreement of Trust"). The Series 2024 Bonds will be secured on a parity with the outstanding principal amount of the Authority's $26,750,000 Public Facility Revenue Bonds (James City County School Project), Series 2016, its $21,015,000 Public Facility Revenue and Refunding Bonds (County Government Projects), Series 2018, and its $11,030,000 Public Facility Revenue Refunding Bonds (County Government Projects), Series 2021 (collectively, the "Existing Parity Bonds"). The Agreement of Trust assigns to the Trustee, as security for the Existing Parity Bonds, the 2024 Bonds, and any additional bonds to be issued under the Agreement of Trust, (a) the revenues and receipts derived from a Financing Agreement dated as of June 1, 2016, as previously supplemented and as further supplemented by a Third Supplemental Financing Agreement dated as of December 1, 2024 (together, the "Financing Agreement"), between the Authority and James City County, Virginia (the "County"), and (b) the Authority's rights under the Financing Agreement (except for the Authority's rights under the Financing Agreement to the payment of certain fees and expenses and the rights to notices).

Reference is hereby made to the Agreement of Trust for a description of the provisions, among others, with respect to the nature and extent of the security, the rights, duties and obligations of the Authority and the Trustee, the rights of the holders of the 2024 Bonds and the terms upon which the 2024 Bonds are issued and secured. Additional bonds secured by a pledge of revenues and receipts derived from the County under the Financing Agreement on a parity with the 2024 Bonds may be issued under the terms and conditions set forth in the Agreement of Trust. Terms not otherwise defined herein shall have the meaning assigned such terms in the Agreement of Trust.

The 2024 Bonds are issued to finance _____. Under the Financing Agreement, the County has agreed to make payments that will be sufficient to pay the principal of and interest on the 2024 Bonds as the same shall become due in accordance with their terms and the provisions and the terms of the Agreement of Trust; provided, however, that the obligation of the County to make such payments constitutes a current expense of the County that is subject to appropriation

by the County Board of Supervisors from time to time of sufficient monies for such purposes. The obligation of the County to make payments under the Financing Agreement does not constitute a debt of the County within the meaning of any constitutional or statutory limitation nor a liability of or a lien or charge upon funds or property of the County beyond any fiscal year for which the County has appropriated moneys to make such payments.

THE 2024 BONDS AND THE PREMIUM, IF ANY, AND THE INTEREST THEREON ARE LIMITED OBLIGATIONS OF THE AUTHORITY PAYABLE SOLELY FROM REVENUES AND RECEIPTS DERIVED FROM THE COUNTY RECEIVED BY THE AUTHORITY UNDER THE FINANCING AGREEMENT, AND FROM CERTAIN FUNDS, AND THE INVESTMENT INCOME THEREON, HELD UNDER THE AGREEMENT OF TRUST, WHICH REVENUES, RECEIPTS AND FUNDS HAVE BEEN PLEDGED AND ASSIGNED TO SECURE PAYMENT THEREOF. THE 2024 BONDS AND INTEREST THEREON SHALL NOT BE DEEMED TO CONSTITUTE A GENERAL OBLIGATION DEBT OR A PLEDGE OF THE FAITH AND CREDIT OF THE COMMONWEALTH OF VIRGINIA OR ANY POLITICAL SUBDIVISION THEREOF, INCLUDING THE AUTHORITY AND THE COUNTY. NEITHER THE COMMONWEALTH OF VIRGINIA NOR ANY POLITICAL SUBDIVISION THEREOF, INCLUDING THE AUTHORITY AND THE COUNTY, SHALL BE OBLIGATED TO PAY THE PRINCIPAL OF OR PREMIUM, IF ANY, OR INTEREST ON THE 2024 BONDS OR OTHER COSTS INCIDENT THERETO EXCEPT FROM THE REVENUES AND RECEIPTS PLEDGED AND ASSIGNED THEREFOR, AND NEITHER THE FAITH AND CREDIT NOR THE TAXING POWER OF THE COMMONWEALTH OF VIRGINIA, OR ANY POLITICAL SUBDIVISION THEREOF, INCLUDING THE AUTHORITY AND THE COUNTY, IS PLEDGED TO THE PAYMENT OF THE PRINCIPAL OF OR PREMIUM, IF ANY, OR INTEREST ON THE 2024 BONDS OR OTHER COSTS INCIDENT THERETO. THE AUTHORITY HAS NO TAXING POWER.

No covenant, condition or agreement contained herein shall be deemed to be a covenant, agreement or obligation of any present or future director, officer, employee or agent of the Authority in his individual capacity, and neither the Chair of the Authority nor any officer thereof executing this bond shall be liable personally on the 2024 Bonds or be subject to any personal liability or accountability by reason of the issuance thereof.

The 2024 Bonds may not be called for redemption by the Authority except as provided herein and in the Agreement of Trust.

Optional Redemption. The 2024 Bonds maturing on and before June 15, ____, will not be subject to redemption prior to maturity. The 2024 Bonds maturing on and after June 15, ____, will be subject to redemption prior to maturity, at the option of the Authority upon the direction of the County, at any time on or after June 15, ____, in whole or in part (in $5,000 integrals), upon payment of 100% of the principal amount to be redeemed, plus interest accrued to the date fixed for redemption.

The Series 2024 Bonds maturing on June 15, ____, are required to be redeemed prior to maturity in part upon payment of 100% of the principal amount thereof plus interest accrued to the redemption date on June 15 in years and amounts, as follows:

Year	Amount	Year	Amount

* Final maturity.

If less than all of the 2024 Bonds are called for redemption, the 2024 Bonds (or principal portions thereof) to be redeemed shall be selected by the Authority (at the direction of the County). If less than all of the 2024 Bonds of a particular maturity are called for redemption, DTC or any successor securities depository will select the particular 2024 Bonds within each maturity to be redeemed pursuant to its rules and procedures or, if the book-entry system is discontinued, the 2024 Bonds to be redeemed will be selected by the Trustee. The portion of any 2024 Bond to be redeemed shall be in the principal amount of $5,000 or some integral multiple thereof. In selecting 2024 Bonds for redemption, each 2024 Bond shall be considered as representing that number of 2024 Bonds which is obtained by dividing the principal amount of such Bond by $5,000.

If any of the 2024 Bonds or portions thereof are called for redemption, the Trustee shall send notice of the call for redemption, identifying the 2024 Bonds or portions thereof to be redeemed, not less than 30 nor more than 60 days prior to the redemption date, by facsimile, registered or certified mail or overnight express delivery, to the registered owner of the 2024 Bonds. Such notice may state that (1) it is conditioned upon the deposit of moneys, in an amount equal to the amount necessary to effect the redemption, with the Trustee no later than the redemption date or (2) the Authority retains the right to rescind such notice on or prior to the scheduled redemption date, and such notice and optional redemption shall be of no effect if such moneys are not so deposited or if the notice is rescinded. Provided funds for their redemption are on deposit at the place of payment on the redemption date, all Bonds or portions thereof so called for redemption shall cease to bear interest on such date, shall no longer be secured by the Agreement of Trust and shall not be deemed to be Outstanding under the provisions of the Agreement of Trust. If a portion of this bond shall be called for redemption, a new bond in principal amount equal to the unredeemed portion hereof will be issued to DTC or its nominee upon surrender hereof, or if the book-entry system is discontinued, to the registered owners of the 2024 Bonds.

The registered owner of this bond shall have no right to enforce the provisions of the Agreement of Trust or to institute action to enforce the covenants therein or to take any action with respect to any Event of Default under the Agreement of Trust or to institute, appear in or defend any suit or other proceedings with respect thereto, except as provided in the Agreement of Trust. Modifications or alterations of the Agreement of Trust or the Financing Agreement, or of any supplement thereto, may be made only to the extent and in the circumstances permitted by the Agreement of Trust.

The 2024 Bonds are issuable as registered bonds in the denomination of $5,000 and integral multiples thereof. Upon surrender for transfer or exchange of this bond at the designated corporate trust office of the Trustee in Richmond, Virginia, together with an assignment duly executed by the registered owner or its duly authorized attorney or legal representative in such form as shall be satisfactory to the Trustee, the Authority shall execute, and the Trustee shall authenticate and deliver in exchange, a new bond or bonds in the manner and subject to the limitations and conditions provided in the Agreement of Trust, having an equal aggregate principal amount, in

authorized denominations, of the same series, form and maturity, bearing interest at the same rate and registered in the name or names as requested by the then registered owner hereof or its duly authorized attorney or legal representative. Any such exchange shall be at the expense of the Authority, except that the Trustee may charge the person requesting such exchange the amount of any tax or other governmental charge required to be paid with respect thereto.

The Trustee shall treat the registered owner as the person exclusively entitled to payment of principal and interest and the exercise of all other rights and powers of the owner, except that interest payments shall be made to the person shown as holder on the first day of the month in which each interest payment date occurs.

All acts, conditions and things required to happen, exist or be performed precedent to and in the issuance of this bond have happened, exist and have been performed.

This bond shall not become obligatory for any purpose or be entitled to any security or benefit under the Agreement of Trust or be valid until the Trustee shall have executed the Certificate of Authentication appearing hereon and inserted the date of authentication hereon.

IN WITNESS WHEREOF, the Economic Development Authority of James City County, Virginia, has caused this bond to be signed by its Chair, its seal to be imprinted hereon and attested by its Secretary, and this bond to be dated the Dated Date.

ECONOMIC DEVELOPMENT AUTHORITY OF JAMES CITY COUNTY, VIRGINIA

(SEAL)

By_____
Chair

Attest:

_____
Secretary

CERTIFICATE OF AUTHENTICATION

Date Authenticated: _____

This bond is one of the 2024 Bonds described in the within mentioned Agreement of Trust.

WILMINGTON TRUST, NATIONAL ASSOCIATION,
as Trustee

By_____
Authorized Representative

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sell(s), assign(s) and transfer(s) unto

_____

_____

(please print or typewrite name and address, including zip code, of Transferee)

PLEASE INSERT SOCIAL SECURITY OR OTHER
IDENTIFYING NUMBER OF TRANSFEREE

_____
: :
: :
:_____:

the within Bond and all rights thereunder, hereby irrevocably constituting and appointing

_____

_____, Attorney, to transfer said Bond on the books kept for the registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed

_____
NOTICE: Signature(s) must be guaranteed by an Eligible Guarantor Institution such as a Commercial Bank, Trust Company, Securities Broker/Dealer, Credit Union, or Savings Association who is a member of a medallion program approved by The Securities Transfer Association, Inc.

_____
(Signature of Registered Owner

NOTICE: The signature above must correspond with the name of the registered owner as it appears on the front of this bond in every particular, without alteration or enlargement or any change whatsoever.

DRAFT 9/___/2024

THIRD SUPPLEMENTAL FINANCING AGREEMENT

between

ECONOMIC DEVELOPMENT AUTHORITY OF JAMES CITY COUNTY, VIRGINIA

and

BOARD OF SUPERVISORS OF JAMES CITY COUNTY, VIRGINIA, on behalf of JAMES CITY COUNTY, VIRGINIA

Dated as of December 1, 2024

NOTE: THIS THIRD SUPPLEMENTAL FINANCING AGREEMENT HAS BEEN ASSIGNED TO, AND IS SUBJECT TO A SECURITY INTEREST IN FAVOR OF, WILMINGTON TRUST, NATIONAL ASSOCIATION, AS TRUSTEE UNDER AN AGREEMENT OF TRUST DATED AS OF JUNE 1, 2016, AS PREVIOUSLY SUPPLEMENTED AND AS FURTHER SUPPLEMENTED BY A FOURTH SUPPLEMENTAL AGREEMENT OF TRUST DATED AS OF DECEMBER 1, 2024, WITH THE ECONOMIC DEVELOPMENT AUTHORITY OF JAMES CITY COUNTY, VIRGINIA, AS FURTHER AMENDED OR SUPPLEMENTED FROM TIME TO TIME. INFORMATION CONCERNING SUCH SECURITY INTEREST MAY BE OBTAINED FROM THE TRUSTEE AT ITS DESIGNATED CORPORATE TRUST OFFICE.

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THIS **THIRD SUPPLEMENTAL FINANCING AGREEMENT** dated as of December 1, 2024, by and between the **ECONOMIC DEVELOPMENT AUTHORITY OF JAMES CITY COUNTY, VIRGINIA,** a political subdivision of the Commonwealth of Virginia (the "Authority"), and the **BOARD OF SUPERVISORS OF JAMES CITY COUNTY, VIRGINIA,** on behalf of **JAMES CITY COUNTY, VIRGINIA**, a political subdivision of the Commonwealth of Virginia (the "County"), provides:

W I T N E S S E T H:

WHEREAS, the Authority is a political subdivision of the Commonwealth of Virginia duly created under the Industrial Development and Revenue Bond Act, Chapter 49, Title 15.2, Code of Virginia of 1950, as amended (the "Act");

WHEREAS, the Authority is authorized to exercise all the powers set forth in the Act, which include, among other things, the powers to make loans to, among others, a county in furtherance of the Act, to finance or refinance and lease facilities for use by, among others, a county, to issue its revenue bonds, notes and other obligations from time to time for such purposes and to pledge all or any part of its revenues and receipts derived from payments received by the Authority in connection with its loans or from the leasing by the Authority of such facilities or from any source, as security for the payment of principal of and interest on any such obligations;

WHEREAS, the County desires to undertake a program of financing and refinancing the acquisition, construction and equipping of various public facilities that the County determines to undertake from time to time;

WHEREAS, in furtherance of the purposes of the Act, the County has requested the Authority to undertake one or more series of Projects (as defined in the Financing Agreement, as hereinafter defined), and the Authority has determined to issue from time to time pursuant to the terms of an Agreement of Trust dated as of June 1, 2016, between the Authority and Wilmington Trust, National Association, Richmond, Virginia, as trustee (the "Trustee"), as previously supplemented and as further supplemented by a Fourth Supplemental Agreement of Trust dated as of December 1, 2024, between the Authority and the Trustee (collectively, the "Agreement of Trust"), its public facility revenue bonds and to loan the proceeds thereof to the County to finance and refinance costs incurred in connection with such Projects and costs of issuing such bonds;

WHEREAS, in furtherance of the purposes of the Act, the Authority and the County have entered into a Financing Agreement dated as of June 1, 2016 (the "Master Financing Agreement"), pursuant to which the Authority has agreed to loan from time to time such proceeds to the County and the County has agreed to repay such loans, subject to appropriation by the County Board of Supervisors from time to time of sufficient moneys for such purpose;

WHEREAS, within the limitations and in compliance with the Agreement of Trust, the County has requested the Authority to issue a series of Bonds in the aggregate principal amount of $_____ (the "Series 2024 Bonds") and to loan such proceeds to the County (a) to finance the cost of the Series 2024 Project (as hereinafter defined), and (b) to pay the issuance costs related thereto, all pursuant to the terms of this Third Supplemental Financing Agreement; and

WHEREAS, all acts, conditions and things required by law to happen, exist and be performed precedent to and in connection with the execution of and entering into this Third Supplemental Financing Agreement have happened, exist and have been performed in regular and

due time and in form and manner as required by law, and the parties hereto are now duly empowered to execute and enter into this Third Supplemental Financing Agreement;

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter contained and other valuable consideration, the parties hereto covenant and agree as follows:

ARTICLE I

DEFINITIONS AND RULES OF CONSTRUCTION

Section 1.1 Definitions.

Unless otherwise defined in this Third Supplemental Financing Agreement, all words used herein shall have the meanings assigned to such terms in the Agreement of Trust or the Master Financing Agreement. The following words as used in this Third Supplemental Financing Agreement shall have the following meanings unless a different meaning clearly appears from the context:

"Agreement of Trust" shall mean the Master Trust Agreement together with all supplemental agreements entered into by the Authority and the Trustee from time to time.

"Basic Agreements" shall mean the Agreement of Trust and the Financing Agreement.

"Financing Agreement" shall mean the Master Financing Agreement, as previously supplemented and as further supplemented by this Third Supplemental Financing Agreement.

"Fourth Supplemental Trust Agreement" shall mean the Fourth Supplemental Agreement of Trust dated as of December 1, 2024, between the Authority and the Trustee, which supplements the Agreement of Trust.

"Master Financing Agreement" shall mean the Financing Agreement dated as of June 1, 2016, between the Authority and the County.

"Master Trust Agreement" shall mean the Agreement of Trust dated as of June 1, 2016, between the Authority and the Trustee.

"Rebate Amount" shall mean the amount due under the rebate obligations of the Code.

"Rebate Amount Certificate" shall mean a certificate prepared or approved, at the expense of the County, by an independent certified public accountant or a firm of independent certified public accounts or rebate specialist of recognized standing setting forth the Rebate Amount determined to be due to the United States of America as of the applicable fifth anniversary date (under the Treasury Regulations) of the issuance of the Series 2024 Bonds, or as of the final payment date of the Series 2024 Bonds, and the computation thereof.

"Series 2024 Arbitrage Rebate Fund" shall mean the fund established in Section 6.1.

"Series 2024 Bonds" shall mean the Authority's $_____ Public Facility Revenue Bonds (County Government Projects), Series 2024, authorized to be issued pursuant to the Fourth Supplemental Trust Agreement.

"Series 2024 Project" shall mean _____.

"Third Supplemental Financing Agreement" shall mean this Third Supplemental Financing Agreement dated as of December 1, 2024, between the Authority and the County, which supplements the Master Financing Agreement, as previously supplemented, including any supplements, amendments or modifications to this Third Supplemental Financing Agreement.

Section 1.2 Rules of Construction.

The following rules shall apply to the construction of this Third Supplemental Financing Agreement unless the context otherwise requires:

(a) Words importing the singular number shall include the plural number and vice versa.

(b) Words importing the redemption or calling for redemption of Series 2024 Bonds shall not be deemed to refer to or connote the payment of Series 2024 Bonds at their stated maturity.

(c) Unless otherwise indicated, all references herein to particular Articles or Sections are references to Articles or Sections of this Third Supplemental Financing Agreement.

(d) The headings herein and the Table of Contents herein are solely for convenience of reference and shall not constitute a part of this Third Supplemental Financing Agreement and shall not affect its meaning, construction or effect.

(e) All references herein to payment of Series 2024 Bonds are references to payment of principal of and premium, if any, and interest on the Series 2024 Bonds.

ARTICLE II

REPRESENTATIONS

Section 2.1 Representations by Authority.

The Authority makes the following representations:

(a) The Authority is a political subdivision of the Commonwealth of Virginia duly created under the Act;

(b) Pursuant to the Act, the Authority has full power and authority to enter into the Basic Agreements and to perform the transactions contemplated thereby and to carry out its obligations thereunder and, by proper action, has duly authorized, executed and delivered the Basic Agreements;

(c) The execution, delivery and compliance by the Authority with the terms and conditions of the Basic Agreements will not conflict with or constitute or result in a default under

or violation of (1) any existing law, rule or regulation applicable to the Authority or (2) any trust agreement, mortgage, deed of trust, lien, lease, contract, note, order, judgment, decree or other agreement, instrument or other restriction of any kind to which the Authority or any of its assets is subject;

(d) No further approval, consent or withholding of objection on the part of any regulatory body or any official, federal, state or local, is required in connection with the execution or delivery of or compliance by the Authority with the terms and conditions of the Basic Agreements, except that no representation is made as to the applicability of any federal or state securities laws; and

(e) There is no litigation at law or in equity or any proceeding before any governmental agency involving the Authority pending or, to the knowledge of the Authority, threatened with respect to (1) the creation and existence of the Authority, (2) its authority to execute and deliver the Basic Agreements, (3) the validity or enforceability of the Basic Agreements or the Authority's performance of its obligations thereunder, (4) the title of any officer of the Authority executing the Basic Agreements or (5) the ability of the Authority to issue and sell its bonds.

Section 2.2 Representations by County.

The County makes the following representations:

(a) The County is a political subdivision of the Commonwealth of Virginia;

(b) The County has full power and authority to enter into the Basic Agreements to which it is a party and to perform the transactions contemplated thereby and to carry out its obligations thereunder and, by proper action, has duly authorized, executed and delivered the Basic Agreements;

(c) The County is not in default in the payment of the principal of or interest on any of its indebtedness for borrowed money and is not in default under any instrument under or subject to which any indebtedness for borrowed money has been incurred, and no event has occurred and is continuing that, with the lapse of time or the giving of notice, or both, would constitute or result in an event of default thereunder;

(d) The County is not in default under or in violation of, and the execution, delivery and compliance by the County with the terms and conditions of the Basic Agreements to which it is a party will not conflict with or constitute or result in a default under or violation of, (1) any existing law, rule or regulation applicable to the County or (2) any trust agreement, mortgage, deed of trust, lien, lease, contract, note, order, judgment, decree or other agreement, instrument or restriction of any kind to which the County or any of its assets is subject, and no event has occurred and is continuing that, with the lapse of time or the giving of notice, or both, would constitute or result in such a default or violation;

(e) No further approval, consent or withholding of objection on the part of any regulatory body or any official, federal, state or local, is required in connection with the execution or delivery of or compliance by the County with the terms and conditions of the Basic Agreements to which it is a party; and

(f) There is no litigation at law or in equity or any proceeding before any governmental agency involving the County pending or, to the knowledge of the County, threatened with respect to (1) the authority of the County to execute and deliver the Basic Agreements to which it is a party, (2) the validity or enforceability of the Basic Agreements or the County's performance of its obligations thereunder, (3) the title of any officer of the County executing the Basic Agreements or (4) the ability of the County to undertake with the Authority to finance the Series 2024 Project.

ARTICLE III

AGREEMENT TO MAKE LOANS AND ISSUE BONDS

Section 3.1 Agreement to Make Loan to Finance the Series 2024 Project.

The Authority hereby agrees to make, but solely from the proceeds of the Series 2024 Bonds, and the County hereby agrees to accept, a loan to finance the Costs of the Series 2024 Project. Subject to the limitation of Section 4.4 of the Master Financing Agreement, the County agrees to make all Basic Payments and Additional Payments when and as the same shall become due and payable to repay such loan.

Section 3.2 Agreement to Issue Series 2024 Bonds.

In order to provide funds for making the loan described in Section 3.1, the Authority shall contemporaneously with the execution and delivery hereof proceed with the issuance and sale of the Series 2024 Bonds bearing interest, maturing and having the other terms and provisions set forth in the Agreement of Trust.

ARTICLE IV

PAYMENT OBLIGATIONS

Section 4.1 Amounts Payable.

The Master Financing Agreement is hereby amended to replace in its entirety the Exhibit A attached thereto with the new schedule of payments attached hereto as Exhibit A. Pursuant to Article IV of the Master Financing Agreement and subject specifically to the limitation of Section 4.4 thereof, the County shall pay to the Authority or its assignee, the Basic Payments specified in Exhibit A attached. The Basic Payments shall be payable without notice or demand at the designated corporate trust office of the Trustee.

ARTICLE V

PREPAYMENT AND REDEMPTION

Section 5.1 Prepayment and Redemption.

The County shall have the option to prepay any Basic Payment at the times and in the amounts as necessary to exercise its option to cause the Series 2024 Bonds to be redeemed as set forth in such Series 2024 Bonds. Such prepayments of Basic Payments shall be made at the times and in the amounts as necessary to accomplish the optional redemption of the Series 2024 Bonds as set forth in Section 4.301 of the Fourth Supplemental Trust Agreement. The Series 2024 Bonds

shall be prepaid or redeemed in the manner and at the times set forth in Article III of the Fourth Supplemental Trust Agreement. Upon the exercise of such option, the County shall also pay as Additional Payments, the amounts necessary to pay the premium, if any, due on such Series 2024 Bonds on the date or dates of their redemption.

The County shall give the Trustee notice of any redemption of such Series 2024 Bonds at least five days prior to the latest date that notice of redemption may be given pursuant to Section 402 of the Master Trust Agreement, such notice to the Trustee to specify the redemption date, the principal amount of Series 2024 Bonds to be redeemed, the premium, if any, and the section of the Agreement of Trust pursuant to which such redemption is to be made.

ARTICLE VI

ARBITRAGE REBATE FUND

Section 6.1 Series 2024 Arbitrage Rebate Fund.

There is hereby established the James City County, Virginia, Series 2024, Public Facility Revenue Bond Arbitrage Rebate Fund (the "Series 2024 Arbitrage Rebate Fund") to be held by or on behalf of the County. Subject to the limitation in Section 4.4 of the Master Financing Agreement, the County shall deposit moneys in the Series 2024 Arbitrage Rebate Fund from time to time for payment of the Rebate Amount. The County may establish separate accounts in the Series 2024 Arbitrage Rebate Fund for such payments.

Section 6.2 Rebate Requirement.

Except with respect to earnings on funds and accounts qualifying for exceptions to the rebate requirement of Section 148 of the Code, the County shall pay, but solely from amounts in the Series 2024 Arbitrage Rebate Fund, the Rebate Amount to the United States of America, as and when due, in accordance with Section 148(f) of the Code, as provided in this Article, and shall retain records of all such determinations until six years after payment of the Series 2024 Bonds.

Section 6.3 Calculation and Payment of Series 2024 Rebate Obligation.

(a) The County selects June 15 as the end of the bond year with respect to the Series 2024 Bonds pursuant to Treasury Regulation Section 1.148-1. The County acknowledges that the first bond year will be short.

(b) Not later than 30 days after each fifth anniversary date of the issuance of the Series 2024 Bonds, the County shall deliver to the Authority and the Trustee a Rebate Amount Certificate, and the County shall pay from legally available funds to the United States of America an amount equal to not less than 90% of the Rebate Amount set forth in such Rebate Amount Certificate.

(c) Not later than 45 days after final payment of the Series 2024 Bonds, the County shall deliver to the Authority and the Trustee a final Rebate Amount Certificate, and the County shall pay from legally available funds to the United States of America the amount, if any, by which 100% of the Rebate Amount set forth in such Rebate Amount Certificate exceeds the aggregate of all payments theretofore made pursuant to subsection (b).

(d) Notwithstanding any provision of this Article to the contrary, no such calculation or payment shall be made if the County receives and delivers to the Authority and the Trustee an opinion of Bond Counsel to the effect that (1) such payment is not required under the Code in order to prevent the Series 2024 Bonds from becoming "arbitrage bonds" within the meaning of Section 148 of the Code or (2) such payment should be calculated and paid on some alternative basis under the Code, and the County complies with such alternative basis.

(e) The Authority covenants that, if so requested by the County, it shall execute any form required to be signed by an issuer of tax-exempt bonds in connection with the payment of any Rebate Amount (including Internal Revenue Service Form 8038-T) based on information supplied to the Authority by the County. The County shall supply all information required to be stated on such form and shall prepare such form. Except for the execution and delivery of such form upon timely presentation by the County, the Authority shall have no responsibility for such form or the information stated thereon.

Section 6.4 Reports by Trustee.

The Trustee shall provide the County within 30 days after each June 15 and within 30 days after the final payment of the Series 2024 Bonds with such reports and information with respect to earnings of amounts held under the Agreement of Trust as may be reasonably requested by the County in order to comply with the provisions of this Article.

Section 6.5 Disposition of Balance in Series 2024 Arbitrage Rebate Fund.

After each payment required in Section 6.3 is made and any additional amount necessary to pay the full rebate obligation is retained, the remaining amount in the Series 2024 Arbitrage Rebate Fund shall be retained by the County and used for any lawful purpose.

ARTICLE VII

MISCELLANEOUS

Section 7.1 Severability.

If any provision of this Third Supplemental Financing Agreement shall be held invalid by any court of competent jurisdiction, such holding shall not invalidate any other provision hereof.

Section 7.2 Successors and Assigns.

This Third Supplemental Financing Agreement shall be binding upon, inure to the benefit of and be enforceable by the parties and their respective successors and assigns.

Section 7.3 Counterparts.

This Third Supplemental Financing Agreement may be executed in any number of counterparts, each of which shall be an original and all of which together shall constitute but one and the same instrument.

Section 7.4 Governing Law.

This Third Supplemental Financing Agreement shall be governed by and construed in accordance with the laws of the Commonwealth of Virginia.

Section 7.5 Freedom Act Requirements.

To help the government fight the funding of terrorism and money laundering activities, federal law requires all financial institutions to obtain, verify, and record information that identifies each person who opens an account. For a non-individual person such as a business entity, a charity, a trust, or other legal entity, the Trustee may ask for documentation to verify such non-individual person's formation and existence as a legal entity. The Trustee may also ask to see financial statements, licenses, identification and authorization documents from individuals claiming authority to represent the entity or other relevant documentation.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, the parties have caused this Third Supplemental Financing Agreement to be duly executed as of the date first above written, by their duly authorized representatives.

ECONOMIC DEVELOPMENT AUTHORITY OF JAMES CITY COUNTY, VIRGINIA

By:_____
Chair

BOARD OF SUPERVISORS OF JAMES CITY COUNTY, VIRGINIA, ON BEHALF OF JAMES CITY COUNTY, VIRGINIA

By:_____
County Administrator

Seen and agreed to:

WILMINGTON TRUST, NATIONAL ASSOCIATION,
as Trustee

By:_____
Vice President

RECEIPT OF TRUSTEE

Receipt of the foregoing original counterpart of the Third Supplemental Financing Agreement dated as of December 1, 2024, between the Economic Development Authority of James City County, Virginia, and the Board of Supervisors of James City County, Virginia, on behalf of James City County, Virginia, is hereby acknowledged.

WILMINGTON TRUST,
NATIONAL ASSOCIATION, as Trustee

By:_____
Vice President

EXHIBIT A

Series 2016 Bonds

Payment Date	Principal Component	Interest Component	Total
12/01/2024		$280,468.75	$280,468.75
06/01/2025	$1,270,000.00	280,468.75	1,550,468.75
12/01/2025		248,718.75	248,718.75
06/01/2026	1,330,000.00	248,718.75	1,578,718.75
12/01/2026		215,468.75	215,468.75
06/01/2027	1,400,000.00	215,468.75	1,615,468.75
12/01/2027		201,468.75	201,468.75
06/01/2028	1,425,000.00	201,468.75	1,626,468.75
12/01/2028		187,218.75	187,218.75
06/01/2029	1,455,000.00	187,218.75	1,642,218.75
12/01/2029		170,850.00	170,850.00
06/01/2030	1,485,000.00	170,850.00	1,655,850.00
12/01/2030		148,575.00	148,575.00
06/01/2031	1,530,000.00	148,575.00	1,678,575.00
12/01/2031		125,625.00	125,625.00
06/01/2032	1,575,000.00	125,625.00	1,700,625.00
12/01/2032		102,000.00	102,000.00
06/01/2033	1,625,000.00	102,000.00	1,727,000.00
12/01/2033		77,625.00	77,625.00
06/01/2034	1,675,000.00	77,625.00	1,752,625.00
12/01/2034		52,500.00	52,500.00
06/01/2035	1,725,000.00	52,500.00	1,777,500.00
12/01/2035		26,625.00	26,625.00
06/01/2036	1,775,000.00	26,625.00	1,801,625.00
	$18,270,000.00	**$3,674,287.50**	**$21,944,287.50**

Series 2018 Bonds

Payment Date	Principal Component	Interest Component	Total
12/01/2024		$358,250.00	$358,250.00
06/01/2025	$1,175,000.00	358,250.00	1,533,250.00
12/01/2025		328,875.00	328,875.00
06/01/2026	1,230,000.00	328,875.00	1,558,875.00
12/01/2026		298,125.00	298,125.00
06/01/2027	1,295,000.00	298,125.00	1,593,125.00
12/01/2027		265,750.00	265,750.00
06/01/2028	1,355,000.00	265,750.00	1,620,750.00
12/01/2028		231,875.00	231,875.00
06/01/2029	1,420,000.00	231,875.00	1,651,875.00
12/01/2029		196,375.00	196,375.00
06/01/2030	1,495,000.00	196,375.00	1,691,375.00
12/01/2030		159,000.00	159,000.00
06/01/2031	750,000.00	159,000.00	909,000.00
12/01/2031		144,000.00	144,000.00
06/01/2032	780,000.00	144,000.00	924,000.00
12/01/2032		128,400.00	128,400.00
06/01/2033	810,000.00	128,400.00	938,400.00
12/01/2033		112,200.00	112,200.00
06/01/2034	845,000.00	112,200.00	957,200.00
12/01/2034		95,300.00	95,300.00
06/01/2035	880,000.00	95,300.00	975,300.00
12/01/2035		77,700.00	77,700.00
06/01/2036	915,000.00	77,700.00	992,700.00
12/01/2036		59,400.00	59,400.00
06/01/2037	950,000.00	59,400.00	1,009,400.00
12/01/2037		40,400.00	40,400.00
06/01/2038	990,000.00	40,400.00	1,030,400.00
12/01/2038		20,600.00	20,600.00
06/01/2039	1,030,000.00	20,600.00	1,050,600.00
	$15,920,000.00	**$5,032,500.00**	**$20,952,500.00**

Series 2021 Bonds

Payment Date	Principal Component	Interest Component	Total
12/01/2024		$198,375	$198,375
06/01/2025	$805,000	198,375	1,003,375
12/01/2025		178,250	178,250
06/01/2026	845,000	178,250	1,023,250
12/01/2026		157,125	157,125
06/01/2027	890,000	157,125	1,047,125
12/01/2027		134,875	134,875
06/01/2028	935,000	134,875	1,069,875
12/01/2028		111,500	111,500
06/01/2029	980,000	111,500	1,091,500
12/01/2029		87,000	87,000
06/01/2030	1,025,000	87,000	1,112,000
12/01/2030		61,375	61,375
06/01/2031	1,075,000	61,375	1,136,375
12/01/2031		34,500	34,500
06/01/2032	1,130,000	34,500	1,164,500
12/01/2032		17,550	17,550
06/01/2033	1,170,000	17,550	1,187,550
	$8,855,000	**$1,961,100**	**$10,816,100**

Series 2024 Bonds

Payment Date	Principal Component	Interest Component	Total
12/01/2024			
06/01/2025			
12/01/2025			
06/01/2026			
12/01/2026			
06/01/2027			
12/01/2027			
06/01/2028			
12/01/2028			
06/01/2029			
12/01/2029			
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12/01/2035			
06/01/2036			
12/01/2036			
06/01/2037			
12/01/2037			
06/01/2038			
12/01/2038			
06/01/2039			

Total Debt Service – Series 2016, 2018, 2021 and 2024 Bonds

Payment Date	Principal Component	Interest Component	Total
12/01/2024			
06/01/2025			
12/01/2025			
06/01/2026			
12/01/2026			
06/01/2027			
12/01/2027			
06/01/2028			
12/01/2028			
06/01/2029			
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06/01/2036			
12/01/2036			
06/01/2037			
12/01/2037			
06/01/2038			
12/01/2038			
06/01/2039			

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INTRODUCTION

James City County, Virginia (the "County"), is the site of Jamestown, which in 1607 became the first permanent English settlement in the New World. The United States Congress called Jamestown the birthplace of Virginia and American government.

The County is conveniently located between the major metropolitan areas of Richmond and Norfolk. Adjacent to the County is the City of Williamsburg, Virginia (the "City"), home to historic Colonial Williamsburg and the College of William and Mary. As of July 1, 2023, the County is home to approximately 80,678 residents and encompasses 147 square miles, the largest land area on the Virginia peninsula. Services provided by the County include a transit system, law enforcement, fire protection, parks and a recreation center, public-private health center, and social services that promote self-sufficiency.

Government Services and Facilities

The County provides a comprehensive range of local government services characteristic of its form of government under Virginia law. Although legally separate and independent, the City and the County are closely linked. The City is the County seat and the two jurisdictions share an elected Treasurer, Clerk of the Circuit Court, Commonwealth's Attorney and Sheriff. The County and the City share a public school system and courts. The County is also a partner in many regional entities such as the jail, library system, transit authority, public health department and behavioral health system. Cooperative agreements exist for fire, emergency medical, social services and recreation.

Form and Organization of Government

The County is governed by a five-member Board of Supervisors (the "Board"). Each member is elected by the voters in his or her district for a term of four years. Terms are staggered with representatives from two districts being elected one year and the other three representatives being elected two years later. At its annual organizational meeting, the Board elects a chairman and vice chairman from among the five supervisors. The Board passes all local ordinances and determines all local policies that govern the County. It appoints a County Administrator as well as most boards and commissions. It also appropriates funds for County operations and generally oversees all County functions.

The County Administrator is the chief administrative officer of the County and is responsible to the Board for executing policies established by the Board. The County Administrator acts as Clerk to the Board and handles the daily administrative operations of the County as well as its strategic planning.

In addition to the elected members of the Board, five constitutional officers are elected. These officers are the Commissioner of the Revenue, the Treasurer, the Clerk of the Circuit Court, the Commonwealth's Attorney and the Sheriff. The Treasurer, the Clerk of Circuit Court, the Commonwealth's Attorney and the Sheriff are elected jointly by the voters of the County and the City. The County and the City courts are part of the 9th Judicial District. The three judges serving the area represent Juvenile, District and Circuit Courts and are appointed by the General Assembly of Virginia. The Circuit Court Judge appoints the members of the County's Board of Zoning Appeals and members of the County's Electoral Board which, in turn, appoints the General Registrar.

The County's schools are operated by the Williamsburg-James City County School Board, which consists of two at-large members appointed by the City and five members elected by the voters of the County. Each of the County members are elected by the voters in his or her district for a term of four years, and the terms are staggered with representatives from two districts being elected one year and the other three representatives being elected two years later. [Update as necessary if vote to split]

Economic Development

The Office of Economic Development's mission is to foster development and expansion of a diversified and sustainable base of primary business and industry that will better balance the tax base, increase job opportunities and contribute positively to both the quality and standard of living in the County. The department focuses on the retention and expansion of the County's existing primary businesses and industries as well as the diversification of the local economy through the recruitment of new businesses and industries.

The Economic Development Authority of James City County, Virginia (the "Economic Development Authority") assists and supports James City County and the Office of Economic Development in fostering its goals and objectives and performs required statutory roles. The Economic Development Authority works in collaboration with a variety of organizations to strengthen the economic base in the County through efforts supporting regional business attraction and entrepreneurship. The Economic Development Authority owns property in the James River Commerce Center (a 219-acre industrial park) and Stonehouse Commerce Park, and leases space to a business at the James City County Marina.

ECONOMIC AND DEMOGRAPHIC FACTORS

Population

According to estimates by the County, the County's 2023 population was approximately 80,678. The following table presents the population figures for selected years.

POPULATION AND RATES OF CHANGE
JAMES CITY COUNTY, THE COMMONWEALTH OF VIRGINIA AND THE UNITED STATES
SELECTED YEARS

Year	County	Commonwealth of Virginia	United States
2000	48,102	7,079,030	281,421,906
2010	67,009	8,001,024	308,745,538
2015	72,099	8,394,902	321,418,821
2016	73,189	8,449,049	323,127,515
2017	74,309	8,506,433	325,719,178
2018	75,444	8,549,345	327,167,439
2019	76,633	8,598,513	328,239,523
2020	78,256	8,644,727	331,449,281
2021	78,567	8,655,608	331,893,745
2022	79,488	8,696,955	333,287,562
2023	80,678	8,729,032	334,914,896

Sources: 2015 -2019 and 2021 – 2023 population figures for James City County and the Commonwealth of Virginia are from Weldon Cooper Center for Public Service; all other years are from the U.S. Department of Commerce, Bureau of the Census.

Income

Presented below are comparative tables on per capita income and median household income for selected years.

PER CAPITA INCOME

	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022[2]
James City County[1]	$55,418	56,377	$59,126	$60,952	$62,192	$61,913	$63,928	$67,364	$73,332	$75,891
Commonwealth of Virginia	48,198	49,764	51,620	52,659	54,380	56,133	58,368	61,474	66,838	68,985
United States	44,401	46,287	48,060	48,971	51,004	53,309	55,547	59,153	64,430	65,470

Source: U.S. Department of Commerce, Bureau of Economic Analysis.
[1] Numbers are for the County and the City of Williamsburg combined.
[2] Latest information available.

MEDIAN HOUSEHOLD INCOME

	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022[2]
James City County[1]	$75,806	$76,705	$75,710	$80,226	$80,772	$83,048	$87,678	$91,675	$94,907	$100,711
Commonwealth of Virginia	62,745	64,792	65,015	66,149	68,766	71,564	74,222	76,398	80,615	87,249
United States	52,250	53,482	53,889	55,322	57,652	60,293	62,843	64,994	69,021	75,149

Source: James City County Annual Comprehensive Financial Report, U.S. Census Bureau.
[1] Numbers are for the County alone; they do not include the City of Williamsburg.
[2] Latest information available.

Housing and Construction Activity

As of December 31, 2023, the total number of dwelling units in the County was estimated to be [_____], an increase of approximately [____]% from December 31, 2014.

TOTAL DWELLING UNITS

Calendar Year	Total Unit Count
2014	30,943
2015	31,392
2016	31,835
2017	32,357
2018	32,838
2019	33,284
2020	33,699
2021	33,771
2022	34,104
2023	[]

Source: U.S. Census Bureau.

Selected data is presented below to illustrate the level of new construction that has occurred in the County.

TOTAL NUMBER OF BUILDING PERMITS ISSUED AND VALUE

	Commercial/Industrial		Residential		Total	
Fiscal Year	Number of Permits	Value	Number of Permits	Value	Number of Permits	Value
2014	166	$33,169,762	741	$123,841,836	907	$157,011,598
2015	147	16,449,776	822	126,526,342	969	142,976,118
2016	227	35,201,616	759	113,133,643	986	148,335,259
2017	196	78,253,358	868	127,815,408	1,064	206,068,766
2018	178	31,474,968	881	115,365,412	1,059	146,840,380
2019*	311	71,776,009	1,022	105,656,969	1,333	177,432,978
2020**	178	24,653,454	946	93,085,004	1,124	117,738,458
2021	104	13,110,342	1,045	110,462,392	1,149	123,572,734
2022	[ ]					
2023***						

Source: James City County Building and Safety Permits Division

* A new permit system was put in place in fiscal year 2019 that captured additional data on permits and reviews not captured in the prior system. As a result, the number of permits and values show an increase related to this new system.

** The number of permits and related values in fiscal year 2020 reflect the economic impacts of COVID-19.

*** Data available for fiscal year 2023 through [ ].

Employment

The following table presents the employment and average weekly wages in the County for the first quarter of 2024.

AVERAGE EMPLOYMENT AND AVERAGE WEEKLY WAGE
First Quarter 2024

Industry Group	Average Employment For Quarter[(1)]	Percent of Total	Weekly Wage Per Employee
Private			
Health Care and Social Assistance	4,483	19.4%	$1,133
Retail Trade	3,561	15.4	607
Accommodation and Food Services	2,931	12.7	549
Arts, Entertainment, and Recreation	2,245	9.7	439
Manufacturing	1,782	7.7	1,707
Professional, Scientific, and Technical Service	1,710	7.4	1,433
Construction	1,576	6.8	1,374
Administrative and Support and Waste Management	1,237	5.4	926
Other Services (except Public Administration)	907	3.9	827
Wholesale Trade	740	3.2	1,335
Real Estate and Rental and Leasing	730	3.2	1,109
Finance and Insurance	552	2.4	2,332
Management of Companies and Enterprises	218	0.9	3,104
Educational Services	206	0.9	586
Information	139	0.6	1,340
Unclassified	70	0.2	1,165
Agriculture, Forestry, Fishing and Hunting	42	0.2	463
Total Private	**23,095**	**100.0%**	
Public			
Local Government	3,544	77.0%	$ 981
State Government	978	21.2	1,178
Federal Government	81	1.8	1,228
Total Public	**4,603**	**100.00%**	
Total	**27,698**		

Source: Virginia Employment Commission.

(1) Data excludes self-employed persons and non-disclosed data for the following industries: Mining, Quarrying and Oil and Gas Extraction; Transportation and Warehousing; and Utilities.

The average annual unemployment rates for the County, the Commonwealth and the United States for recent years are set forth in the following table.

AVERAGE ANNUAL UNEMPLOYMENT RATES
Calendar Year

	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
James City County	4.8%	4.3%	3.8%	3.5%	2.9%	2.6%	7.1%	3.9%	2.8%	2.8
Commonwealth of Virginia	5.1	4.4	4.0	3.7	3.0	2.8	6.4	3.9	2.8	2.9
United States	6.2	5.3	4.9	4.4	3.9	3.7	8.1	5.3	3.6	3.6

Source: Bureau of Labor Statistics.

A variety of industrial and commercial service employers are located within the County. The table below presents data regarding the major employers in the County, including the products and services they provide and the approximate number of employees.

MAJOR PRINCIPAL EMPLOYERS
Fiscal Year Ended June 30, 2023

Firm	Type of Business	Approximate Number of Employees
Williamsburg-James City County Public Schools	Educational Institution	1,000+
James City County	Local Government	1,000+
Busch Entertainment	Theme Parks	500-999
Eastern State Hospital	Hospital	500-999
Wal-Mart Distribution Center	Distribution	500-999
Riverside Regional Medical Center	Healthcare	500-999
Anheuser-Busch Inbev	Manufacturing	500-999
Williamsburg Landing	Retirement Community/Assisted Living Facility	250-499
Owens & Minor/AVID Medical	Healthcare Logistics	250-499
Ball Metal	Manufacturing	100-249

Source: James City County Annual Comprehensive Financial Report.

The table presented below is a summary of County taxable sales for the last ten years.

TAXABLE SALES

Fiscal Year	Taxable Sales
2014	$ 944,881,285
2015	968,747,933
2016	1,012,137,939
2017	984,305,831
2018	971,269,532
2019	965,106,640
2020	955,039,338
2021	877,233,336
2022	1,060,780,715
2023	1,127,882,325

Source: James City County Annual Comprehensive Financial Report.

Tourism [UPDATE]

The tourism industry makes a substantial contribution to the County's and Virginia's economy. According to the Virginia Tourism Corporation, in 2019, Greater Williamsburg area visitors contributed approximately $457 million to the James City County economy and almost $1.3 billion to the economy of the Greater Williamsburg area. The current hotel room inventory in the Greater Williamsburg area is approximately 8,000 with an inventory of 2,300 in the County. In addition, there are multiple timeshare properties representing nearly 5,000 additional rooms in the region, with an inventory of approximately 2,000 in the County.

HOTEL ROOMS TAX RECEIPTS
Fiscal Year 2014 to Fiscal Year 2023

Fiscal Year	Total Hotel Room Tax Receipts
2014	$3,149,512
2015	3,350,328
2016	3,472,440
2017	3,628,872
2018	3,748,977
2019	3,715,256
2020	2,761,831*
2021	[_____]
2022	[_____]
2023	[_____]

Source: James City County Department of Financial Management Services.
* Reduction in fiscal year 2020 receipts relates to the impact of COVID-19 on the local economy and travel.

Health Care

Located in upper York County is Sentara Williamsburg Regional Medical Center, a comprehensive medical center with an Emergency Department, all private patient rooms, and an array of inpatient and outpatient services. The hospital has a cardiac catheterization lab and advanced imaging services that feature a 32-slice Computed Tomography (CT) scanner. This five-story, approximately 339,000 square foot facility adjoins the existing Geddy Outpatient Center via an enclosed connector on the first and second floors.

Riverside Doctors Hospital opened in the City of Williamsburg in May of 2013. This two story, 100,000 square foot facility includes an emergency department and is certified as a primary stroke center.

The largest non-military medical provider on the peninsula is Riverside Regional Medical Center in the City of Newport News, Virginia. This 576-bed facility offers comprehensive medical care in 29 specialties, Level II trauma care, complete cardiac care, complete cancer treatment, laser surgeries, hospice, neonatal ICU, home care and health education programs.

Other hospitals located in the area are Sentara Hampton General Hospital, Mary Immaculate Hospital, Newport News General Hospital, Riverside Rehabilitation Institute, Veteran's Administration Medical Center, McDonald Army Hospital, Langley Air Force Base Hospital, Riverside Psychiatric Institute and Eastern State Hospital. For specialized needs, such as acute care for children, serious trauma or burns, peninsula area citizens can go to Norfolk to the Children's Hospital of the King's Daughters, devoted exclusively to children, and Sentara Norfolk General Hospital, which features a Level I trauma center and Nightingale helicopter service. Virginia Commonwealth University Health System in Richmond is located just an hour's drive northwest.

Education [TO BE UPDATED – DEPENDING ON VOTE TO SPLIT]

The Williamsburg-James City County Public Schools Division (the "Public Schools") was formed in 1954 as a joint venture of the City and County to provide quality public education to the children within the two localities. Local financing for its operating and capital budgets is governed by a contract between the two localities.

The Public Schools are managed by a School Board consisting of seven members. There are five County members who are elected by County voters for four-year terms. There are two City members of the School Board who are appointed for three-year terms by the City Council.

The School Board has the power and responsibility to set policy and ensure that the Public Schools follow state and federal guidelines. The School Board appoints the superintendent; establishes goals and adopts policies that

become the basis for instructional programs in accordance with state regulations and local needs; sets student policies; manages school facilities and identifies additional facility requirements; and maintains public relations.

There are nine elementary schools, four middle schools and three high schools for the 2024-2025 school year. Summarized in the following tables are selected items of information concerning the total annual school membership (enrollment) and the percentage change.

PUBLIC SCHOOLS STUDENT POPULATION

School Year	Number of Students	Percent Change
2014-2015	11,389	0.9%
2015-2016	11,597	1.8
2016-2017	11,775	1.5
2017-2018	11,853	0.7
2018-2019	11,813	(0.3)
2019-2020	11,805	(0.1)
2020-2021	11,152	(5.9)*
2021-2022	11,322	1.5
2022-2023	11,642	2.7
2023-2024	11,694	0.4

Source: Williamsburg – James City County Public Schools.
* The decrease in enrollment for the 2020-2021 school year relates to the COVID-19 pandemic and resulting virtual learning environment.

Colleges and Universities

There are several colleges and universities within a short distance of the County.

The College of William and Mary, located in the City, was founded over three hundred years ago. Fall 2023 enrollment was approximately 9,762 undergraduate and graduate students.

Hampton University, located approximately 40 miles from the County in the City of Hampton, was founded in 1868 and had a Fall 2023 enrollment of approximately 3,649undergraduate, graduate and professional students.

Christopher Newport University, located approximately 30 miles from the County in Newport News, and had a Fall 2023 enrollment of approximately 4,399 students.

Virginia Peninsula Community College ("VPCC") is a two-year public college with a campus in Hampton and a campus in the County (the "James City Campus"). The James City Campus is a state-of-the-art academic, administrative, physical plant and student and faculty support facility in a three-story, 120,000 square-foot building located on 74 acres next to the Warhill High School in the County. CPCC has an enrollment of approximately 9,012 students. Students can transfer class credits earned at VPCC to most four year universities with no loss of credits.

Public Safety

Police Department. The Police Department is responsible for enforcing the law, preserving the peace, crime prevention services and animal control. The department has [107] sworn officers and annually responds to over [20,000] calls for service. The department is accredited by the Virginia Law Enforcement Professional Standards Commission, which rates agencies on over seven hundred different standards and criteria.

Fire Department. The Fire Department is responsible for providing protective action services to the citizens and visitors of James City County. Those protective services include fire protection, emergency medical services, open water and dive rescue, fire prevention, fire code enforcement, and public education. The Fire Department is also responsible for the Emergency Communications system that includes the 911 dispatch center, 800 mHz radio system.

The third component of the Fire Department is Emergency Management, which is responsible for the planning, response, and mitigation of emergency situations including natural disasters, hazardous material incidents, any instances at the Surry Nuclear Power Plant, and for overseeing the citizen emergency notification systems. The Fire Department has a staff of [158] including [123] uniformed and [35] civilians.

Transportation

Interstate 64 links the County with the Tidewater communities to the east and with Interstate 95 and the entire interstate corridor of the eastern seaboard to the west. The commercial and industrial areas in the County are within minutes of Interstate I-64 and within 45 minutes of Interstates I-95 and I-295.

Three international airports, all within 45 minutes of the County, provide air transportation and cargo facilities: Richmond International Airport to the west and Williamsburg/Newport News International and Norfolk International airports to the east. These airports handle international and domestic passenger flights and all-cargo flights daily. Williamsburg-Jamestown airport serves as a regional general aviation airport for turbo-prop and corporate aircraft.

The CSX rail line that passes through the County provides rail service to the County. Along with Interstate I-64, the rail line provides access to the Hampton Roads ports some 40 minutes to the east. Hampton Roads is the second largest commercial port area on the East Coast.

The Williamsburg Area Transit Authority ("WATA") is a political subdivision of the Commonwealth of Virginia created in 2008. Members include James City County, York County, the City of Williamsburg, and the Colonial Williamsburg Foundation. WATA was created to provide transportation services to the citizens and visitors of its member jurisdictions and areas owned or operated by Colonial Williamsburg. Services include bus and trolley routes throughout its member jurisdictions.

Water and Wastewater Services

The James City Service Authority (the "JCSA") is a public body politic and corporate of the Commonwealth of Virginia. The JCSA was created in 1969 by the Board of Supervisors pursuant to the Virginia Water and Sewer Authorities Act (Code of Virginia, 1950, as amended). The JCSA was created to acquire, construct, operate and maintain, to the extent determined by the JCSA to be financially feasible, an integrated water system and an integrated sewer collection system in the County. The JSCA Board of Directors is appointed by the Board of Supervisors. Since 1976, the Board of Supervisors has appointed its own members as Directors of the JCSA to coordinate more fully JCSA activities with those of the County in the planning and development of utility systems. The JCSA's General Manager serves as the Chief Executive Officer of JCSA and reports to the Board of Directors.

The Board of Supervisors has authorized water and sewer operations for the JCSA within the Primary Service Area (the "PSA") in the County. With the approval of the County, the JCSA has extended services beyond the PSA to several public sites in the County, including three public schools, Freedom Park and two major planned communities, Greensprings West and Governor's Land. The JCSA also provides water and/or sewer service to limited sections of York County and the City of Williamsburg with the concurrence of the appropriate governing bodies.

The JCSA's water system includes the central water system and Five Forks Water Treatment Facility with 10 water production facilities, and eight independent water production facilities that are located outside the PSA. There are approximately 421 miles of water transmission and distribution lines throughout the entire system. The water system facilities supply approximately 4.9 million gallons of water per day to approximately 24,000 water customers.

The JCSA's sewer system includes 77 pump stations with approximately 454 miles of sewer collection lines and [10,136] manholes. The sewer system facilities collect and move approximately 5.3 million gallons of sewage per day for approximately 25,750 sewer customers. The JCSA has no sewage treatment facilities. Sewage treatment for areas served by the JCSA, as well as for other Hampton Roads communities, is provided by the Hampton Roads Sanitation District.

Approximately [95]% of customers are residential and [5]% are commercial. Residential customers account for roughly [80]% of billed consumption revenue for both water and sewer service.

The JCSA's operating funds are self-supporting, and the JCSA receives no share of any County tax levies. The JCSA's Board of Directors has the sole power to set water and sewer utility rates. The Board of Directors adopted an inverted block or inclining rate structure in 1996 for single-family residential customers that incorporates a unit charge that increases with increasing consumption. The primary objective of the inverted block structure is to promote water conservation, particularly from large volume residential customers.

[In fiscal year 2016, the Board of Directors adopted a new rate structure that included a fixed charge for water and sewer service and proposed incremental service rate increases in subsequent fiscal years to ensure the long-term financial stability of the JCSA. The goals of this initiative are to reduce revenue variability and adequately provide for both current water and wastewater operating needs and future capital infrastructure repairs, upgrades and expansion required by asset age and regulations. Fixed charges and service rates increased in fiscal year 2021 in accordance with the plan.

As a result of a comprehensive water and sewer rate study in 2020, the number and volumes of the single-family residential tiers were updated in fiscal year 2021 to reflect current usage patterns more accurately while promoting water conservation. The current structure contains four tiers sized as follows: Tier 1 (up to 4,000 gallons monthly), Tier 2 (4,001-8,000 gallons monthly), Tier 3 (8,001-12,000 gallons monthly), and Tier 4 (greater than 12,000 gallons monthly). Sewer collection charges are based on water meter readings billed at a per thousand gallon rate.

Water and sewer facility fees were also updated in fiscal year 2021 as a result of the 2020 comprehensive rate study. Facility fees are charged to new development in the JCSA's service area to cover the cost of system expansion. System facility fees are assessed for major backbone infrastructure and local facility fees are assessed for smaller water distribution and sewer collection mains. The system facility fee structure is based on meter size and the local facility fee structure is a flat charge.

JCSA's multi-year meter replacement project was completed in fiscal year 2020, which allows meter readings to be collected from a vehicle mounted mobile data collector that significantly reduces meter reading time. This operational efficiency resulted in a shift from quarterly billing to monthly billing, the benefits of which include more efficient household budgeting, more frequent and timely information on usage, and the ability to detect leaks sooner.]

FINANCIAL INFORMATION

Budgetary Process

The Code of Virginia requires the County Administrator to submit, for informative and fiscal planning purposes, a balanced, proposed operating budget to the Board of Supervisors at least 90 days before the beginning of each fiscal year, which commences July 1. Inclusion of any item in the proposed budget does not constitute an obligation or commitment on the part of the Board of Supervisors to appropriate funds for such item or purpose.

The budget includes a two-year financial plan for operations and a five-year plan for capital projects. Public hearings are conducted to obtain citizen comments. Prior to June 30, only the first year of the financial plan is legally enacted through passage of an Appropriations Resolution. The Appropriations Resolution places legal restrictions on expenditures at the fund and function level. The appropriation for each fund and function can be revised only by the Board; however, the County Administrator may amend the budget within functions. The School Board is authorized to transfer budgeted amounts within the Public Schools' categories. Supplemental appropriations may be made without amending the budget.

Each department is required to review its performance versus budget on a monthly basis. In addition, a formal review of actual revenues and expenses versus budget is performed and reported to the Board of Supervisors at least quarterly on a County-wide basis.

All County general fund appropriations lapse June 30.

Operating Budgets

On May 14, 2024, the Board of Supervisors adopted a total budget for the fiscal year ending June 30, 2025. [Add any budget background if needed to explain any significant increases/decreases year-over-year.]

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The following table shows for comparative purposes the County's General Fund budgeted revenues and expenditures for fiscal years 2023, 2024 and 2025.

GENERAL FUND OPERATING BUDGET
REVENUES AND EXPENDITURES

	Fiscal Year 2023 Actual	Fiscal Year 2024 Adopted	Fiscal Year 2025 Adopted
REVENUES:			
Property Taxes	$160,843,816	$159,615,000	$176,282,000
Other Local Taxes	46,005,290	44,330,000	43,835,000
Licenses, Permits and Fees	2,227,922	1,851,000	2,010,000
Fines and Forfeitures	188,209	192,500	168,000
Use of Money and Property	798,462	700,000	700,000
State	15,844,523	15,928,600	16,106,000
Federal	9,164	8,500	9,000
Charges for Services	8,232,122	8,259,400	9,620,000
Miscellaneous	1,829,026	215,000	170,000
Total Revenues	$235,978,534	$231,100,000	$248,900,000
EXPENDITURES:			
County Operations:			
General Administration	$ 3,940,989	$ 4,821,620	$ 5,031,550
Court Services	4,878,703	5,412,070	5,841,270
Public Safety	31,788,890	35,437,020	38,977,280
Financial Administration	5,256,723	6,394,500	7,030,240
Information Resources Management	4,978,224	5,865,510	6,441,780
Community Development	3,411,507	3,892,080	4,405,450
General Services	14,712,078	16,156,090	18,487,640
Parks and Recreation	7,585,978	8,437,220	9,840,120
WJCC School Division	90,483,413	105,602,270	110,494,330
Other Operations	45,622,274	39,081,620	48,850,340
Total Expenditures	$212,658,779	$231,100,000	$255,400,000

Source: James City County Department of Financial Management Services.

Five-Year Summary of Governmental Funds

The financial data shown in the following table present a summary of revenues, expenditures and other sources and uses of the County's Governmental Funds for each of the five fiscal years through the period ended June 30, 2023. The Governmental Funds consist of the General Fund, the Capital Projects Fund, the Debt Service Fund and the Non-Governmental Funds.

This summary has been compiled from the basic financial statements of the County for Fiscal Years 2019 through 2023. Financial data for the Fiscal Year ended June 30, 2023, should be read in conjunction with the Basic Financial Statements and Notes thereto, submitted by Cherry Bekaert LLP, Richmond, Virginia, and included herein as Appendix D. Cherry Bekaert LLP has not reviewed this Appendix or the Official Statement generally or any other matters related to the issuance of the Series 2024 Bonds.

[COLUMN FOR 2024 UNAUDITED TO BE ADDED]

GOVERNMENTAL FUNDS
REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
Fiscal Year End June 30,

	2019	2020	2021	2022	2023	[2024]
REVENUES:						
General property taxes	$134,744,837	$138,724,196	$ 144,766,114	$ 146,502,246	$ 160,843,816	
Other local taxes	29,324,049	25,981,646	29,370,617	38,372,537	46,904,944	
Licenses, permits, and fees	9,496,531	8,878,568	8,354,258	10,507,338	2,227,922	
Fines and forfeitures	292,518	231,608	154,314	205,478	188,209	
Use of money and property	795,865	966,252	349,292	444,493	3,877,227	
Charges for services	6,586,341	6,291,204	6,341,310	7,678,699	8,232,122	
Miscellaneous	2,779,596	1,493,215	3,929,305	4,753,731	3,432,978	
Intergovernmental	36,733,787	44,338,305	44,917,875	29,392,759	30,505,767	
Total Revenues	$220,753,524	$226,904,994	$238,183,085	$237,857,281	$256,212,985	
EXPENDITURES:						
General government	$ 11,651,426	$ 12,905,240	$ 15,239,378	$ 15,448,266	$ 16,957,522	
Judicial administration	5,908,750	5,954,875	6,276,544	6,450,992	6,932,333	
Public works	31,127,333	31,102,285	32,582,648	35,344,302	41,889,727	
Health and welfare	8,235,686	8,652,838	8,542,554	9,858,415	11,057,736	
Education	8,259,078	9,383,160	9,613,906	9,826,707	11,280,547	
Parks, recreation & culture	91,070,061	92,286,710	91,265,989	80,953,282	78,622,373	
Public safety	10,896,838	10,751,418	10,947,198	11,646,489	13,638,908	
Community development	10,451,529	9,682,050	10,318,221	12,209,744	14,621,063	
Nondepartmental	1,015,671	16,128	-	51,542	-	
Debt service:						
Principal	14,343,182	14,282,841	12,471,271	12,408,938	12,770,426	
Interest	5,848,486	5,447,279	4,655,693	4,441,433	3,927,359	
Bond issuance costs	380,771	-	273,391	-	-	
Lease financing	-	-	-	-	314,423	
Subscription financing	-	-	-	-	687,451	
Capital outlay [1]	26,793,328	11,824,193	13,411,798	15,893,291	12,605,501	
Total Expenditures	$225,982,139	$212,289,017	$215,598,591	$214,533,401	$225,305,369	
Excess (deficiency) of revenues over (under) expenditures	($ 5,228,615)	$ 14,615,977	$ 22,584,494	$ 23,323,880	$ 30,907,616	
Other financing sources:						
Transfers in	$ 46,365,441	$ 36,233,275	$ 26,987,246	$ 51,568,906	$ 45,595,301	
Transfers out	(46,365,441)	(36,233,275)	(26,987,246)	(51,568,906)	(52,403,952)	
Issuance of debt	21,015,000	-	11,030,000	-	-	
Premiums on bonds issued	2,007,009	-	2,450,765	-	-	
Proceeds from financed purchase	-	-	-	62,571	4,708,260	
Proceeds from leases	-	-	1,693,311	-	510,976	
Proceeds from subscriptions	-	-	-	-	2,239,151	
Payment to refunded bond escrow agent	(9,779,912)	-	(14,297,561)	-	-	
Total other financing sources	$ 13,242,097	-	$ 876,515	$ 62,571	$ 649,736	
Net change in fund balances	$ 8,013,482	$ 14,615,977	$ 23,461,009	$ 23,386,451	$ 31,557,352	
Fund balance, beginning of year	$ 83,939,323	$ 91,952,805	$106,568,782	$130,029,791	$153,416,242	
Fund balance, end of year	$ 91,952,805	$106,568,782	$130,029,791	$153,416,242	$184,973,594	
[Debt service as a percentage of Noncapital expenditures[2]]						

Source: James City County, Virginia, Annual Comprehensive Financial Report
(1) Including operating transfers to capital projects.
(2) Noncapital expenditures equals total expenditures less amounts for capitalized assets on the government-wide statement of net assets.

The following table shows the County's fiscal year 2024 unaudited revenues by source.

GOVERNMENTAL FUNDS
[Fiscal Year 2024 Revenues by Source*]

	Amount	Percent of Total	Increase (Decrease) from 2023
General Property Taxes			
Other Local Taxes			
Permits, privilege fees reg. licenses			
Fines and Forfeitures			
Use of Money and Property			
Charges For Services			
Miscellaneous			
Intergovernmental			
Total Revenue			

Source: James City County Department of Financial Management Services.
* Preliminary, unaudited.

Fiscal Year 2024 Performance [TO COME]

Operating Data

The following table sets forth the assessed value of all taxable property in the County for each of its ten most recent fiscal years.

HISTORICAL ASSESSED VALUE
Fiscal Year 2014 to Fiscal Year 2023

Year	Total Real Property	General Personal Property	Machinery and Tools	Mobile Homes	Total Personal Property	Public Service	Total Assessed Value
2014	$11,067,756,400	$ 710,720,870	$144,950,305	$ 8,346,659	$864,017,834	$233,973,337	$12,165,747,571
2015	11,148,405,300	783,249,672	144,694,099	7,901,856	935,845,627	336,370,602	12,420,621,529
2016	11,352,153,219	770,378,346	145,094,277	7,533,858	923,006,481	236,177,856	12,511,337,556
2017	11,608,801,433	809,023,687	147,942,350	7,008,284	963,974,321	245,349,999	12,818,125,753
2018	11,797,419,633	862,391,419	151,313,988	6,377,045	1,020,082,452	247,568,334	13,065,070,419
2019	12,089,303,067	898,095,969	150,923,619	6,628,640	1,055,648,228	262,267,902	13,407,219,197
2020	12,241,257,556	895,259,839	155,315,787	7,099,488	1,057,675,114	388,057,441	13,686,990,111
2021	12,617,887,537	970,206,188	155,735,247	8,655,439	1,134,596,874	551,095,928	14,303,580,339
2022	12,762,586,854	1,060,624,768	156,981,638	9,802,261	1,227,408,667	492,067,041	14,482,062,562
2023	13,991,898,842	1,175,910,328	163,770,203	11,304,406	1,350,984,937	510,430,407	15,853,314,186

Source: Real Estate Assessments and Commissioner of the Revenue, James City County.

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The following table shows the County's property tax rates for each of its ten most recent fiscal years.

PROPERTY TAX RATES [1]

Fiscal Year	Real Estate	Personal Property
2014	$0.770	$4.00
2015	0.770	4.00
2016	0.840	4.00
2017	0.840	4.00
2018	0.840	4.00
2019	0.840	4.00
2020	0.840	4.00
2021	0.840	4.00
2022	0.840	4.00
2023	0.843	4.00

Source: James City County, Virginia, Annual Comprehensive Financial Report, Year Ended June 30, 2023.
[1] Per $100 of assessed value.

The following table sets forth information concerning the County's general property tax collection rate for each of its ten most recent fiscal years.

GENERAL PROPERTY TAX COLLECTION RATE
Fiscal Year 2014 to Fiscal Year 2023

	Collected within the Fiscal Year of the Levy				Total Collections to Date	
Fiscal Year	Taxes Levied for the Fiscal Year	Amounts[1]	Percentage of Levy	Collections in Subsequent Years[4]	Amount	Percentage of Levy
2014	$118,794,190	$100,523,591	84.62%	$17,985,668	$118,509,259	99.76%
2015	116,289,522	101,071,578	86.91	14,681,894	115,753,472	99.54
2016	122,616,224	106,867,113	87.16	14,476,777	121,343,890	98.96
2017	126,902,513	109,436,232	86.24	15,895,512	125,331,744	98.76
2018	129,502,759	111,268,080	85.92	17,510,094	128,778,174	99.44
2019	133,720,786	114,672,068	85.75	16,894,911	131,566,979	98.39
2020	135,651,256	114,426,238	84.35	19,252,744	133,678,982	98.55
2021	142,108,857	120,664,965	84.91	19,196,062	139,861,027	98.42
2022	143,792,467	122,219,660	85.00	19,533,920	141,753,580	98.58
2023	157,942,362	133,520,676	84.54	-	133,520,676	84.54

Source: Treasurer, James City County.
[1] Collections related to fiscal year levies include the Personal Property Tax Relief Act (the "PPTRA") reductions claimed by taxpayers.

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The following tables set forth the County's ten largest taxpayers of personal property taxes and real estate taxes. The aggregate assessed personal property taxes of the ten largest personal property taxpayers represent 17.71% of the County's total personal property tax levy for fiscal year 2023. The aggregate assessed real estate taxes of the ten largest real estate taxpayers represent 8.96% of the County's total real estate tax levy for fiscal year 2023.

TEN LARGEST TAXPAYERS
(Fiscal Year 2023)

Principal Personal Property Taxpayers

Name of Business	Property Taxes Assessed	% of Total Taxable Assessed Value
Anheuser-Busch, Inc.	$4,441,146	8.46%
Seaworld Parks, LLC	1,717,148	3.27
Ball Metal Container	790,023	1.51
Owens-Brockway Glass Container	475,605	0.91
Printpack, Inc.	470,799	0.90
Cox Communications of Hampton Roads	385,378	0.73
Wal-Mart, Inc.	322,567	0.61
Citizen Asset Finance, Inc.	231,809	0.45
HVT, Inc.	228,424	0.44
Toyota Lease Trust	225,089	0.43
	$9,287,988	17.71%

Principal Real Estate Taxpayers

Name of Business	Property Taxes Assessed	% of Total Taxable Assessed Value
Virginia Electric & Power Company	$ 3,207,648	2.64%
Premium Outlets of Williamsburg [(1)]	1,169,965	0.96
Anheuser-Busch, Inc.	1,138,942	0.94
Historic Powhatan Plantation Owners Association[(2)]	997,634	0.82
Wal-Mart, Inc.	883,950	0.73
Williamsburg Landing, Inc.	814,438	0.67
Riverside Healthcare Assoc.	695,724	0.57
Vacation Village at Williamsburg[(2)]	692,239	0.57
Manor Club @ Ford's Colony	643,256	0.53
Virginia United Methodist Homes, Inc.	638,067	0.53
	$10,881,863	8.96%

Source: Commissioner of Revenue, James City County.

(1) Premium Outlets includes two related parties, Williamsburg Outlets, LLC and Williamsburg Mazel, LLC, which have been combined to show the value of the shopping center.

(2) Formerly known as Williamsburg Plantation Owners Association.

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Capital Improvements Program

As a part of the annual budgeting process, each year the County develops a Capital Improvements Program ("CIP") for the following five fiscal years. Only the first year of the CIP is actually appropriated. The remaining four years are included for planning purposes and are subject to revision in future years.

On May 14, 2024, the Board approved the CIP for fiscal years 2025 through 2029. The following table summarizes anticipated capital expenditures for the next five fiscal years.

SUMMARY OF ANTICIPATED CAPITAL EXPENDITURES
FOR FISCAL YEARS ENDING JUNE 30

Description	2025	2026	2027	2028	2029	Total
Schools	$11,315,780	$ 9,323,000	$ 7,530,000	$18,095,000	$11,756,000	$ 58,019,780
General Services	9,441,000	10,977,000	6,438,000	7,076,000	7,025,000	40,957,000
Other	1,820,000	1,840,000	4,711,000	12,671,000	17,274,000	38,316,000
Public Safety	2,894,000	2,563,000	858,000	2,348,000	21,851,000	30,514,000
Library	250,000	444,000	-	4,000,000	18,000,000	22,694,000
County Administration	-	96,740,000	-	-	-	96,740,000
Other	2,040,000	1,650,000	1,700,000	2,250,000	2,250,000	9,890,000
Total Uses	$27,760,780	$123,537,000	$21,237,000	$46,440,000	$78,156,000	$297,130,780

Source: James City County Department of Financial and Management Services.

The sources of funding for the capital improvement projects are shown in the following table:

Sources of Funds	2025	2026	2027	2028	2029	Total
General Fund:						
Current year transfer	$ 5,870,000	$ 6,071,000	$ 7,000,000	$ 8,500,000	$10,000,000	$ 37,441,000
1% Historic Triangle Sales Tax	6,400,000	6,400,000	6,500,000	6,600,000	6,700,000	32,600,000
Cigarette Tax	500,000	500,000	525,000	550,000	575,000	2,650,000
Fund Balance:						
General Fund	6,219,000	2,609,000	3,378,000	2,014,000	1,954,000	16,174,000
WJCC Schools	5,805,780	2,000,000	2,000,000	2,000,000	2,000,000	13,805,780
Capital Projects Fund	1,000,000	1,000,000	500,000	500,000	500,000	3,500,000
Proffers	500,000	500,000	500,000	500,000	500,000	2,500,000
Grants and Donations	393,000	387,000	296,000	424,000	413,000	1,913,000
City of Williamsburg	73,000	95,000	38,000	23,000	28,000	257,000
Tourism Fund	1,000,000	1,000,000	500,000	500,000	500,000	3,500,000
Bond Proceeds	-	102,975,000	-	24,829,000	54,986,000	182,790,000
Total	$27,760,780	$123,537,000	$21,237,000	$46,440,000	$78,156,000	$297,130,780

Source: James City County Department of Financial and Management Services.

Outstanding Bonded Debt and Debt Service

Pursuant to the Constitution of Virginia and the Public Finance Act of 1991 (Chapter 26, Title 15.2 of the Code of Virginia of 1950, as amended), a county in Virginia is authorized to issue general obligation bonds secured by a pledge of its full faith and credit. For the payment of such bonds, the governing body of the county is required to levy, if necessary, an annual ad valorem tax on all property in the county subject to local taxation. Although the amount of bonds issued by Virginia counties is not subject to statutory limitation, counties generally are prohibited from issuing general obligation bonds unless the issuance of such bonds has been approved by public referendum. This referendum requirement does not apply to bonds for capital projects for school purposes and sold to the Literary Fund, the Virginia Supplemental Retirement System or other state agencies prescribed by law, including the Virginia

Public School Authority. The County's undertakings to make rental payments under capital and operating leases are subject to annual appropriation and do not constitute general obligation debt under the Constitution of Virginia or the Public Finance Act of 1991.

Set forth below is a statement of long-term general obligation and major capital lease indebtedness of the County at June 30, 2023, and a schedule of debt service payments:

STATEMENT OF LONG-TERM DEBT

Total Long-Term Debt as of June 30, 2023	$129,539,539

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SCHEDULE OF GENERAL FUND LONG-TERM DEBT SERVICE REQUIREMENTS

	Existing Debt			Plus: Debt Service on Series 2024 Bonds	Total Debt		
FY	Principal	Interest	Total		Principal	Interest	Total

Source: James City County Department of Financial Management Services.

Note: Includes the County's general obligation/refunding bonds: Series 2011 ($440,000 principal balance outstanding as of June 30, 2023); Series 2014 ($10,235,000 principal balance outstanding as of June 30, 2023); Series 2015A ($8,160,000 principal balance outstanding as of June 30, 2023). Also includes the County's lease payments (subject to annual appropriation) payable to the Economic Development Authority in connection with its lease revenue/refunding bonds: Series 2014 ($3,960,000 principal balance outstanding as of June 30, 2023), Series 2015 ($13,260,000 principal balance outstanding as of June 30, 2023), Series 2016 ($19,475,000 principal balance outstanding as of June 30, 2023), Series 2018 ($17,045,000 principal balance outstanding as of June 30, 2023); Series 2021 ($9,625,000 principal balance outstanding as of June 30, 2023). [Also includes the County's lease payment obligations under capital leases entered into in 2010 ($156,538 principal balance outstanding as of June 30, 2020), 2017 ($929,579 principal balance outstanding as of June 30, 2020), and 2020 ($1,693,311 principal balance outstanding as of November 15, 2020).]

* Totals may not foot due to rounding.

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The following table shows the County's ratio of net general bonded debt to assessed value of property and net bonded debt per capita for the last ten fiscal years.

RATIO OF NET GENERAL BONDED DEBT TO ASSESSED VALUE AND NET BONDED DEBT PER CAPITA

Fiscal Year	Population[1]	Assessed Value[2]	Gross Bonded Debt[3] [4]	Less Debt Service Monies Available[5]	Net Bonded Debt	Ratio of Net General Obligation Debt to Assessed Value	Net Bonded Debt Par Capita
2014	70,020	$12,165,747,571	$72,164,244	$2,920,538	$69,243,706	56.92%	$989
2015	71,015	12,420,621,529	65,458,589	2,920,369	62,538,220	50.35	881
2016	72,099	12,511,337,556	49,844,842	1,219,616	48,625,226	38.86	674
2017	73,189	12,818,125,753	44,155,482	1,221,521	42,933,961	33.49	587
2018	74,309	13,065,070,419	38,348,323	1,222,024	37,126,299	28.42	500
2019	75,444	13,407,219,197	33,966,163	1,226,463	32,739,700	24.42	434
2020	76,633	13,686,990,111	29,479,003	-	29,479,003	21.54	385
2021	78,317	14,303,580,339	26,481,646	-	26,481,646	18.51	338
2022	78,567	14,482,062,562	23,404,288	-	23,404,288	16.16	298
2023	79,488	15,853,314,186	20,231,931	-	20,231,931	12.76	255

Source: James City County Annual Comprehensive Financial Report for June 30, 2023.
[1] From Table 13 of James City County Annual Comprehensive Financial Report for June 30, 2023; based on calendar year
[2] From Table 5 of James City County Annual Comprehensive Financial Report for June 30, 2023
[3] Includes all long-term general obligation bonded debt, bond anticipation notes, and literary fund loans
[4] Includes general obligation debt payable from enterprise revenues.
[5] Debt Service Reserve Funds held by a trustee.

Other Indebtedness and Obligations [UPDATE]

The County has no overlapping debt. The Williamsburg-James City County School Board, which is a component unit of the County according to the Government Accounting Standards Board, had [no] outstanding capitalized leases as of June 30, 2023.

The County closed its landfill in 1994. State and federal laws and regulations require the County to perform certain maintenance and monitoring functions at the site for 10 to 30 years after closure. The County's financial statements for the fiscal year ended June 30, 2023 show $____ as landfill post-closure liability, which represents the liability estimated to monitor the landfill for an average monitoring period of 25 years. See note __ of the County's audited financial statement in Appendix D for a more complete description of the County's landfill closure and post-closure care cost. [Paragraph still applicable?]

Retirement Systems

The County, the James City Service Authority and the Williamsburg-James City County Public Schools contribute to the Virginia Retirement System ("VRS"), an agent multiple-employer defined benefit pension plan.

All full-time, salaried permanent employees of the County, the JCSA and the Public Schools must participate in the VRS. Plan members are required to contribute 5% of their annual salary to the VRS. In addition, the County, the JCSA and the Public Schools are required to contribute the remaining amounts necessary to fund their participation in the VRS using the actuarial basis specified by statute and approved by the VRS Board of Trustees. The employer contribution rates for the fiscal year ended June 30, 2023 were 13.30%, 6.69% and 4.37% of annual covered payroll for the County, the JCSA and the Public Schools, respectively, resulting in contributions of $5,903,389, $341,006 and $206,318, respectively.

See note 10 of the County's audited financial statements in Appendix D for a more complete description of the County's defined pension benefit obligation as of June 30, 2023.

Post-Employment Benefits Other Than Pensions [UPDATE]

For the fiscal year ended June 30, 2009, the County and Public Schools adopted GASB Statement No. 45, *Accounting and Financial Reporting by Employers for Postemployment Benefits Other Than Pensions*. The Statement establishes standards for reporting the liability for the County's nonpension postemployment benefit, the health care plan for retirees.

The County, JCSA and Public Schools provide postemployment health care (OPEB) for qualifying retired employees who are not yet eligible for Medicare through a cost-sharing, multiple-employer (for the County and JCSA) and a single-employer (for the Public Schools) defined benefit plans. The benefits, benefit levels, employee contributions and employer contributions are governed by the County, JCSA and Public Schools and can be amended through their personnel manuals.

The County, JCSA and Public Schools have not established a trust to prefund this liability. The anticipated growth in the net OPEB obligation is based on contributions to the benefit plan on a pay-as-you-go cost basis. The data has been projected into the future based on the assumption the current active population remains constant. Retirees pay the full rate of coverage under the medical plan.

Currently, covered full-time active employees who retire directly from the County or JCSA and are at least 55 years of age with 15 years of service are eligible to receive post-employment health care benefits. Each year, retirees participating in the County or JCSA sponsored plans will be given the opportunity to change plans or drop coverage during an open enrollment period. Dental plans are available at the retiree's cost, and therefore, have no GASB 45 liability. There is no coverage for post-Medicare retirees. The County and JCSA do not contribute towards the retiree's health insurance premiums. Therefore, given that the retirees pay their health insurance premiums based on a blended rate, the County and JCSA have an implicit liability.

The Public Schools provides a single-employer defined benefit medical plan and a retiree health insurance premium contribution plan that covers retirees until they reach 65 years of age. There is no coverage for retirees or their spouses once they reach the age of 65 and are eligible for Medicare. Both plans were established under the authority of the Williamsburg-James City County School Board and any amendments to the plans must be approved by the School Board. The Schools' retiree health insurance premium contribution plan allows eligible retirees to receive a $62.50 contribution monthly toward their health insurance premium. The retiring employee must have a minimum of twelve continuous years of service with Williamsburg-James City County Public Schools.

[In 2020, a consulting firm conducted an actuarial valuation study using the entry age normal funding method. The actuarial assumptions included calculations based on a discount rate of 3.13% for the unfunded liability, rate of inflation of 2.5%, and payroll growth of 3.15% to 1.30% for general employees and 2.55% to 1.30% for public safety employees.]

At June 30, 2023, the County and JCSA's proportionate shares of the County's retiree healthcare liability were approximately $3,264,216 and $258,038, respectively. The Public Schools' net retiree healthcare OPEB liability was approximately $5,163,000 for fiscal year 2020.

The County, JCSA, and the Public Schools also participate in various cost-sharing and agent multiple-employer OPEB plans provided by VRS, including the Health Insurance Credit Program, Group Life Insurance Program, and Virginia Local Disability Program.

See note 11 of the County's audited financial statements in Appendix D for a more complete description of the County's other post-employment benefits as of June 30, 2023.

Published Financial Information

The County issues and distributes an Annual Comprehensive Financial Report on its financial operations for each fiscal year. The report covers the fiscal year ending the prior June 30. Copies of the Annual Financial Report are available to the public upon request from the Department of Financial and Management Services, 101-F Mounts Bay Road, P.O. Box 8784, Williamsburg, Virginia 23187.

In addition to the Annual Financial Report, the County also annually publishes an Adopted Budget and a five-year Capital Improvements Program. These documents are available through the Department of Financial and Management Services, 101-F Mounts Bay Road, P.O. Box 8784, Williamsburg, Virginia 23187.

This Preliminary Official Statement and the information contained herein are subject to change, completion and amendment without notice. The Series 2024 Bonds may not be sold nor may an offer to buy be accepted prior to the time the Official Statement is delivered in final form. Under no circumstances shall this Preliminary Official Statement constitute an offer to sell or the solicitation of an offer to buy nor shall there be any sale of the Series 2024 Bonds in any jurisdiction in which such offer, solicitation or sale would be unlawful prior to registration or qualification under the securities laws of such jurisdiction.

PRELIMINARY OFFICIAL STATEMENT DATED _____ __, 2024

DRAFT 9/___/2024

NEW ISSUE
BOOK-ENTRY ONLY

Ratings: Moody's: ___
S&P: ___
Fitch: ___
(See "Ratings")

In the opinion of Bond Counsel, under current law and subject to conditions described in the section "TAX EXEMPTION," interest on the Series 2024 Bonds (as defined herein) (a) is not included in gross income for federal income tax purposes, (b) is not an item of tax preference for purposes of the federal alternative minimum tax, (c) is taken into account in determining adjusted financial statement income for applicable corporations (as defined in Section 59(k) of the Code) for the alternative minimum tax imposed on such corporations; and (d) is exempt from income taxation by the Commonwealth of Virginia. A holder may be subject to other federal tax consequences as described in the section "TAX EXEMPTION."

$_____*
ECONOMIC DEVELOPMENT AUTHORITY OF JAMES CITY COUNTY, VIRGINIA PUBLIC FACILITY REVENUE BONDS (COUNTY GOVERNMENT PROJECTS), SERIES 2024

Dated: Date of Issuance **Due: June 15, as shown on the inside cover**

This Official Statement has been prepared by James City County, Virginia (the "County"), on behalf of the Economic Development Authority of James City County, Virginia (the "Authority"), to provide information on its Public Facility Revenue Bonds (County Government Projects), Series 2024 (the "Series 2024 Bonds"), the security therefor, the County, the use of the proceeds of the Series 2024 Bonds and other relevant information. Selected information is presented on this cover page for the convenience of the user. To make an informed decision regarding the Series 2024 Bonds, a prospective investor should read this Official Statement in its entirety.

Security	**THE SERIES 2024 BONDS WILL BE LIMITED OBLIGATIONS OF THE AUTHORITY, PAYABLE SOLELY FROM CERTAIN PAYMENTS TO BE MADE BY THE COUNTY PURSUANT TO A FINANCING AGREEMENT DATED AS OF JUNE 1, 2016, AS PREVIOUSLY SUPPLEMENTED AND AS FURTHER SUPPLEMENTED BY A THIRD SUPPLEMENTAL FINANCING AGREEMENT DATED AS OF DECEMBER 1, 2024, (TOGETHER, THE "FINANCING AGREEMENT"), BETWEEN THE COUNTY AND THE AUTHORITY; AND FROM CERTAIN FUNDS AND THE INVESTMENT INCOME THEREFROM HELD BY THE TRUSTEE. THE UNDERTAKING BY THE COUNTY TO MAKE PAYMENTS UNDER THE FINANCING AGREEMENT WILL BE SUBJECT TO APPROPRIATIONS BY THE COUNTY BOARD OF SUPERVISORS FROM TIME TO TIME OF SUFFICIENT FUNDS FOR SUCH PURPOSE. NEITHER THE SERIES 2024 BONDS NOR THE FINANCING AGREEMENT CONSTITUTES A DEBT OF THE COUNTY OR A PLEDGE OF THE FAITH AND CREDIT OR TAXING POWER OF THE COUNTY. THE SERIES 2024 BONDS AND THE PREMIUM, IF ANY, AND THE INTEREST THEREON SHALL NOT BE DEEMED TO CONSTITUTE A DEBT OR A PLEDGE OF THE FAITH AND CREDIT OF THE COMMONWEALTH OF VIRGINIA OR ANY OF ITS POLITICAL SUBDIVISIONS, INCLUDING THE AUTHORITY AND THE COUNTY. NEITHER THE COMMONWEALTH OF VIRGINIA NOR ANY OF ITS POLITICAL SUBDIVISIONS, INCLUDING THE AUTHORITY AND THE COUNTY, SHALL BE OBLIGATED TO PAY THE PRINCIPAL OF AND PREMIUM, IF ANY, AND INTEREST ON THE SERIES 2024 BONDS OR OTHER COSTS INCIDENT TO THEM EXCEPT FROM THE REVENUES AND RECEIPTS PLEDGED FOR SUCH PURPOSE. THE AUTHORITY HAS NO TAXING POWER.**
Issued Pursuant To	The Series 2024 Bonds will be issued pursuant to an Agreement of Trust dated as of June 1, 2016, as previously supplemented and as further supplemented by a Fourth Supplemental Agreement of Trust dated as of December 1, 2024, between the Authority and Wilmington Trust, National Association, as Trustee.
Trustee	Wilmington Trust, National Association.
Purpose	The proceeds of the Series 2024 Bonds will be used, together with other available funds, to (a) finance a portion of the Series 2024 Project (as defined herein) and (b) pay the related costs of issuance.
Interest Payment Dates	June 15 and December 15, commencing June 15, 2025.
Regular Record Dates	June 1 and December 1.
Redemption	The Series 2024 Bonds are subject to redemption as set forth herein.
Denominations	$5,000 and integral multiples thereof.
Closing/Delivery Date	On or about _____, 2024.
Registration	Full book-entry only; The Depository Trust Company, New York, New York
Bond Counsel	Hunton Andrews Kurth LLP, Richmond, Virginia.
County Attorney	Adam Kinsman, Esquire.
Authority Counsel	Adam Kinsman, Esquire.

* Preliminary subject to change.

Dated: _____ __, 2024

$_____*

ECONOMIC DEVELOPMENT AUTHORITY
OF JAMES CITY COUNTY, VIRGINIA
PUBLIC FACILITY REVENUE BONDS
(COUNTY GOVERNMENT PROJECTS), SERIES 2024

Maturity* (June 15)	Principal Amount*	Interest Rate	Yield	CUSIP** _____

* Preliminary, subject to change.

** Copyright 2013, American Bankers Association. CUSIP® is a registered trademark of the American Bankers Association. CUSIP data herein are provided by Standard & Poor's CUSIP Service Bureau, a division of the McGraw-Hill Companies, Inc. The CUSIP numbers listed above are being provided solely for the convenience of Bondholders only at the time of issuance of the Series 2024 Bonds, and the County makes no representation with respect to such numbers nor undertakes any responsibility for their accuracy now or at any time in the future. The CUSIP number for a specific maturity is subject to being changed after the issuance of the Series 2024 Bonds as a result of various subsequent actions including, but not limited to, a refunding in whole or in part of such maturity or as a result of the procurement of secondary market portfolio insurance or other similar enhancement by investors that is applicable to all or a portion of certain maturities of the Series 2024 Bonds.

The Series 2024 Bonds will be exempt from registration under the Securities Act of 1933, as amended. As obligations of a political subdivision of the Commonwealth of Virginia, the Series 2024 Bonds will also be exempt from registration under the securities laws of Virginia.

No dealer, broker, salesman or other person has been authorized to give any information or to make any representations other than those contained in this Official Statement, and, if given or made, such other information or representation should not be relied upon as having been authorized by the Authority or the County. This Official Statement does not constitute an offer to sell or the solicitation of an offer to buy, nor will there be any sale of the Series 2024 Bonds by any person in any state in which it is unlawful for such person to make such offer, solicitation or sale.

All quotations from and summaries and explanations of provisions of law and documents herein do not purport to be complete, and reference is made to such laws and documents for full and complete statements of their provisions. Any statements made in this Official Statement involving estimates or matters of opinion, whether or not expressly so stated, are intended merely as estimates or opinion and not as representations of fact. This Official Statement speaks as of its date except where specifically noted otherwise and is subject to change without notice. Neither the delivery of this Official Statement, any sale made hereunder, nor any filing of this Official Statement shall under any circumstances create an implication that there has been no change in the affairs of the County or the Authority since the date of this Official Statement or imply that any information herein is accurate or complete as of any later date.

The Trustee has neither reviewed nor participated in the preparation of this Official Statement.

This Official Statement contains statements that, to the extent they are not recitations of historical fact, constitute "forward-looking statements." In this respect, the words, "estimate", "project", "anticipate", "expect", "intend", "believe" and similar expressions are intended to identify forward-looking statements. A number of important factors affecting the County's operations and financial results could cause actual results to differ materially from those stated in the forward-looking statements.

References to website addresses presented herein are for informational purposes only and may be in the form of a hyperlink solely for the reader's convenience. Unless specified otherwise, such websites and the information or links contained therein are not incorporated into, and are not part of, this Official Statement for purposes of, and as that term is defined in, SEC Rule 15c2-12.

In making an investment decision, investors must rely on their own examination of the terms of the offering, including the merits and risks involved. These securities have not been recommended by any federal or state securities commission or regulatory authority. Furthermore, the foregoing authorities have not confirmed the accuracy or determined the adequacy of this document. Any representation to the contrary is a criminal offense.

Certain persons participating in this offering may engage in transactions that stabilize, maintain or otherwise affect the price of the Series 2024 Bonds, including transactions to (a) overallot in arranging the sales of the Series 2024 Bonds and (b) make purchases and sales of the Series 2024 Bonds, for long or short account, on a when-issued basis or otherwise, at such prices, in such amounts and in such manner as the underwriter may determine.

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OFFICIAL STATEMENT

$_____*
ECONOMIC DEVELOPMENT AUTHORITY
OF JAMES CITY COUNTY, VIRGINIA
PUBLIC FACILITY REVENUE BONDS
(COUNTY GOVERNMENT PROJECTS) SERIES 2024

SECTION ONE: INTRODUCTION

The purpose of this Official Statement, which includes the cover page and appendices hereto, is to provide information in connection with the issuance by the Economic Development Authority of James City County, Virginia (the "Authority"), a political subdivision of the Commonwealth of Virginia (the "Commonwealth"), of its $_____* Public Facility Revenue Bonds (County Government Projects), Series 2024 (the "Series 2024 Bonds"). The following introductory material is qualified in its entirety by the detailed information and financial statements appearing elsewhere in this Official Statement, reference to which is hereby made for all purposes. Certain capitalized terms used in this Official Statement are defined in Appendix A - "Definitions of Certain Terms."

The Series 2024 Bonds will be offered for sale through competitive bidding on _____, 2024. The Notice of Sale relating to the Series 2024 Bonds and describing the competitive bidding process is attached hereto as Appendix H.

The Issuer

The issuer of the Series 2024 Bonds is the Economic Development Authority of James City County, Virginia, a political subdivision of the Commonwealth of Virginia.

The Series 2024 Bonds

The County plans to use the proceeds of the Series 2024 Bonds, together with other available funds, to (a) finance a portion of the Series 2024 Project (as defined herein) and (b) pay the related costs of issuance.

The Series 2024 Bonds will be issued in accordance with the Industrial Development and Revenue Bond Act, Chapter 49, Title 15.2, Code of Virginia of 1950, as amended (the "Act"), and pursuant to a bond resolution adopted by the Authority on _____, 2024 (the "Bond Resolution"), and an Agreement of Trust dated as of June 1, 2016, as previously supplemented (the "Master Trust Agreement"), and as further supplemented by a Fourth Supplemental Agreement of Trust dated as of December 1, 2024 (the "Fourth Supplemental Trust Agreement" and, together with the Master Trust Agreement, the "Trust Agreement"), all between the Authority and Wilmington Trust, National Association, as trustee (the "Trustee"). Pursuant to the terms of the Trust Agreement, the Authority has determined to issue from time to time revenue bonds or notes and use the proceeds thereof to finance and refinance certain "authority facilities" (as defined in the Act), as requested by James City County, Virginia (the "County"). The Authority and the County have entered into a Financing Agreement dated as of June 1, 2016, as previously supplemented and as further supplemented by a Third Supplemental Financing Agreement dated as of December 1, 2024 (together, the "Financing Agreement"), pursuant to which the County has requested the Authority finance the Series 2024 Project with the proceeds of the Series 2024 Bonds, and the County has agreed, subject to appropriation by the Board of Supervisors of the County (the "County Board"), to support such requests by paying to or on behalf of the Authority amounts sufficient to pay the principal of and premium, if any, and interest due on the Series 2024 Bonds (the "Basic Payments") and other amounts due under the Financing Agreement (the "Additional Payments").

The Series 2024 Bonds are equally and ratably secured under the Trust Agreement as to the pledge of Basic Payments with the Authority's Public Facility Revenue Bonds (James City County School Project), Series 2016, originally issued in the principal amount of $26,750,000 (the "Series 2016 Bonds"), the Authority's Public Facility Revenue and Refunding Bonds (County Government Projects), Series 2018, originally issued in the principal amount of $21,015,000 (the "Series 2018 Bonds"), and the Authority's Public Facility Revenue Refunding Bonds (County Government Projects), Series 2021, originally issued in the principal amount of $11,030,000 (the "Series 2021 Bonds"

* Preliminary, subject to change.

and, together with the Series 2016 Bonds and the Series 2018 Bonds, the "Existing Parity Bonds"), and any Additional Bonds that may hereafter be issued under the Trust Agreement.

The Series 2024 Bonds, the premium, if any, and the interest thereon will be limited obligations of the Authority payable solely from the revenues and receipts derived by the Authority under the Financing Agreement, which revenues and receipts have been pledged and assigned to secure payment thereof, and from certain funds established under the Trust Agreement, and the investment income therefrom. The Series 2024 Bonds, the premium, if any, and the interest thereon shall not be deemed to constitute a debt or a pledge of the faith and credit of the Commonwealth or any political subdivision thereof, including the Authority and the County. Neither the Commonwealth nor any political subdivision thereof, including the Authority and the County, shall be obligated to pay the principal of or premium, if any, or interest on the Series 2024 Bonds or other costs incident thereto except from the revenues and receipts pledged and assigned therefor, and neither the faith and credit nor the taxing power of the Commonwealth or any political subdivision thereof, including the Authority and the County, is pledged to the payment of the principal of or premium, if any, or interest on the Series 2024 Bonds or other costs incident thereto.

A more complete description of the Trust Agreement and the Financing Agreement is provided in Appendix B - "Summary of the Financing Documents."

Redemption*

The Series 2024 Bonds are subject to redemption as set forth in "THE SERIES 2024 BONDS - Redemption" in Section Two.

Delivery

The Series 2024 Bonds are offered for delivery when, as and if issued, subject to the approval of validity by Hunton Andrews Kurth LLP, Richmond, Virginia, Bond Counsel, and to certain other exceptions referred to herein. Certain legal matters will be passed upon for the County and the Authority by the County Attorney.

Ratings

The Series 2024 Bonds have been rated as shown on the cover page thereto by Fitch Ratings, One State Street Plaza, New York, New York 10004, Moody's Investors Service, 99 Church Street, New York, New York 10007, and S&P Global Ratings, 55 Water Street, New York, New York 10041. A more complete description of each rating is provided in the section "RATINGS" in Section Three.

Financial Advisor

Davenport & Company LLC, Richmond, Virginia, is employed as Financial Advisor to the County in connection with the issuance of the Series 2024 Bonds. The Financial Advisor's fee for services rendered with respect to the sale of the Series 2024 Bonds is contingent upon the issuance and delivery of the Series 2024 Bonds.

Continuing Disclosure

For purposes of Rule 15c2-12 (the "Rule") promulgated by the Securities and Exchange Commission ("SEC"), the County is the only obligated person with respect to the Series 2024 Bonds. The County has agreed to execute a Continuing Disclosure Agreement at closing to assist the underwriter in complying with the provisions of the Rule as in effect on the date hereof, by providing annual financial information and certain event notices required by the Rule. See "CONTINUING DISCLOSURE" in Section Three.

* Preliminary, subject to change.

Additional Information

Any questions concerning the content of this Official Statement should be directed to 101-D Mounts Bay Road, P.O. Box 8784, Williamsburg, Virginia 23187-8784 (Telephone No. 757-253-6805), or the County's Financial Advisor, Davenport & Company LLC (804-697-2900).

SECTION TWO: THE SERIES 2024 BONDS

THE AUTHORITY

The Authority is a political subdivision of the Commonwealth of Virginia created pursuant to the Act. The Act empowers the Authority to make loans to, among others, a county in furtherance of the purposes of the Act, to finance and refinance facilities for use by a county and to issue its revenue bonds from time to time for such purposes.

The Authority is not obligated to pay the principal of or premium, if any, or interest on the Series 2024 Bonds or other costs incident thereto except from amounts received therefor under the Financing Agreement. **The Authority has no taxing power.**

THE SERIES 2024 BONDS

General

The Series 2024 Bonds will be dated the date of issuance, will bear interest from their date, payable semiannually on each June 15 and December 15, beginning June 15, 2025, at the rates, and will mature on June 15 in the years and amounts as set forth on the inside cover of this Official Statement. If such interest payment date is not a Business Day, such payment will be made on the next succeeding Business Day with the same effect as if made on the interest payment date and no additional interest will accrue. Interest on the Series 2024 Bonds will be payable by check or draft mailed to the registered owner at his address as it appears on the registration books kept by the Trustee as of the June 1 and December 1 preceding each respective payment date; provided, however, that at the option of a registered owner of at least $1,000,000 of Series 2024 Bonds, payment will be made by wire transfer pursuant to the most recent wire instructions received by the Trustee from such registered owner.

The Series 2024 Bonds will be issued as fully registered bonds, in denominations of $5,000 or integral multiples thereof, initially in book-entry form only in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York ("DTC"). Individual purchases of beneficial ownership in the Series 2024 Bonds will be made in principal amounts of $5,000 and multiples of $5,000. Individual purchasers of beneficial ownership in the Series 2024 Bonds (the "Beneficial Owners") will not receive physical delivery of bond certificates. So long as the Series 2024 Bonds are in book-entry form, transfer of the Series 2024 Bonds and payment of principal of and premium, if any, and interest on the Series 2024 Bonds will be effected as described in Appendix G - Book-Entry Only System. If the book-entry system is discontinued, bond certificates will be delivered as described in the Trust Agreement, and Beneficial Owners will become registered owners of the Series 2024 Bonds. Registered owners of the Series 2024 Bonds, whether Cede & Co. or, if the book-entry system is discontinued, the Beneficial Owners, will be defined in this Official Statement as the "Bondholders." **So long as Cede & Co. is the sole Bondholder, as nominee for DTC, reference in this Official Statement to Bondholders means Cede & Co. and does not mean the Beneficial Owners.** See Appendix G - "Book-Entry Only System."

The Series 2024 Bonds will be limited obligations of the Authority as described more fully in the section "SECURITY AND SOURCES OF PAYMENT FOR THE SERIES 2024 BONDS."

Redemption[*]

Optional Redemption. The Series 2024 Bonds maturing on and before June 15, ____, will not be subject to redemption prior to maturity. The Series 2024 Bonds maturing on and after June 15, ____, will be subject to redemption prior to maturity, at the option of the Authority upon the direction of the County, at any time on or after

[*] Preliminary, subject to change.

June 15, ____, in whole or in part (in $5,000 integrals), upon payment of 100% of the principal amount to be redeemed, plus interest accrued to the date fixed for redemption.

Selection of Bonds. If less than all of the Series 2024 Bonds are called for redemption, the Series 2024 Bonds (or principal portions thereof) to be redeemed shall be selected by the Authority (at the direction of the County). If less than all of the Series 2024 Bonds of a particular maturity are called for redemption, DTC or any successor securities depository will select the particular Series 2024 Bonds within each maturity to be redeemed pursuant to its rules and procedures or, if the book-entry system is discontinued, the Series 2024 Bonds to be redeemed will be selected by the Trustee. In either case, each portion of the $5,000 principal amount is counted as one Series 2024 Bond for such purpose.

Mandatory Sinking Fund Redemption. The Final Official Statement will contain the provisions for any Series 2024 Bonds subject to mandatory sinking fund redemption.

Notice of Redemption. Notice of redemption will be given by the Trustee by facsimile transmission, registered or certified mail or overnight express delivery not less than 30 nor more than 60 days before the redemption date to DTC, or, if DTC is no longer serving as securities depository for the Series 2024 Bonds, to the substitute securities depository, or, if none, to the respective registered owner of each Series 2024 Bond to be redeemed at the address shown on the registration books maintained by the Trustee. This notice of redemption will also be given to certain securities depositories and certain national information services which disseminate redemption notices. During the period that DTC or its nominee is the registered owner of the Series 2024 Bonds, the Trustee will not be responsible for mailing notices of redemption to the Beneficial Owners.

At the direction of the County, the Trustee may give a notice of redemption prior to a deposit of redemption moneys if such notice states that the redemption is to be funded with the proceeds of a refunding bond issue and is conditioned on the deposit of such proceeds. Provided that moneys are deposited on or before the redemption date, such notice will be effective when given. If such proceeds are not available on the redemption date, such Series 2024 Bonds will continue to bear interest until paid at the same rate they would have borne had they not been called for redemption and principal will continue to be payable as scheduled. On presentation and surrender of the Series 2024 Bonds called for redemption at the place or places of payment, such Series 2024 Bonds will be paid and redeemed.

Effect of Redemption. On the date on which any Series 2024 Bonds have been called for redemption and sufficient funds for their payment on the redemption date are held by the Trustee, interest on such Series 2024 Bonds will cease to accrue and their registered owners will be entitled to receive payment only from the Trustee from funds available for that purpose.

Plan of Finance

The County expects to use a portion of the Series 2024 Bond proceeds to (1) finance portions of its capital improvement program, including, without limitation, _____ (collectively, the "Series 2024 Project"), and (2) pay the related costs of issuance.

Estimated Sources and Uses of Funds

The proceeds received from the sale of the Series 2024 Bonds are expected to be applied as follows:

Sources of Funds	
Principal Amount of Bonds	$_____
[Plus/Less [Net] Original Issue Premium/Discount]	(_____)
[Equity Contribution]	_____
Total Sources	$_____
Uses of Funds	
Deposit to Series 2024 Project Account	$_____
Costs of Issuance (including underwriter's discount)	_____
Total Uses	$_____

Estimated Debt Service Requirements

The following table shows for each fiscal year amounts required for payment of principal (either at maturity or upon mandatory sinking fund redemption) of and interest on the Existing Parity Bonds plus the Series 2024 Bonds.*

Fiscal Year	Debt Service on Existing Parity Bonds	Series 2024 Bonds			Agg. Trust Indent. Debt Service
		Principal	Interest	Total	
2025					
2026					
2027					
2028					
2029					
2030					
2031					
2032					
2033					
2034					
2035					
2036					
2037					
2038					
2039					
2040					
2041					
2042					
2043					
2044					
2045					
Total					

* Totals may not foot due to rounding.

SECURITY AND SOURCES OF PAYMENT FOR THE SERIES 2024 BONDS

The following is a summary of the sources of security and sources of payment for the Series 2024 Bonds. The references to the Series 2024 Bonds and the Financing Agreement are qualified in their entirety by reference to such documents.

Security for the Series 2024 Bonds

The Series 2024 Bonds will be equally and ratably secured by (1) Basic Payments, which will be assigned by the Authority to the Trustee and will be applied to the payment of principal of, premium, if any, and interest on the Series 2024 Bonds as set forth in the Trust Agreement, without preference, priority or distinction of any Bond over any other Bond, and (2) certain funds established under the Trust Agreement and the investment income therefrom. The Series 2024 Bonds are equally and ratably secured under the Trust Agreement as to the pledge of Basic Payments with the Existing Parity Bonds and any Additional Bonds that may hereafter be issued under the Trust Agreement; provided that any lease agreement or financing lease relating to a particular Series of Bonds will secure only such Bonds (unless otherwise provided in a Supplemental Trust Agreement), moneys in any account or subaccount of the Bond Fund relating to a particular Series of Bonds will secure only such Bonds, moneys in any account or subaccount of the Project Fund relating to a particular Series of Bonds will secure only such Bonds, and moneys in any account or subaccount of the Debt Service Reserve Fund relating to a particular Series of Bonds will secure only such Bonds (and may also secure any Additional Bonds issued to refund prior Bonds).

The Series 2024 Bonds, the premium, if any, and the interest thereon will be limited obligations of the Authority payable solely from the revenues and receipts derived by the Authority under the Financing Agreement, which revenues and receipts have been pledged and assigned to secure payment thereof, and from

certain funds established under the Trust Agreement and the investment income therefrom. The undertaking by the County to make payments under the Financing Agreement is subject to appropriation by the County Board. The County Board has no legal obligation to make any such appropriations. See the section "BONDHOLDERS' RISKS" in Section Three.

The Series 2024 Bonds, the premium, if any, and the interest thereon will not be deemed to constitute a debt or a pledge of the faith and credit of the Commonwealth or any political subdivision thereof, including the Authority and the County. Neither the Commonwealth nor any political subdivision thereof, including the Authority and the County, will be obligated to pay the principal of or premium, if any, or interest on the Series 2024 Bonds or other costs incident thereto except from the revenues and receipts pledged and assigned therefor, and neither the faith and credit nor the taxing power of the Commonwealth or any political subdivision thereof, including the Authority and the County, is pledged to the payment of the principal of or premium, if any, or interest on the Series 2024 Bonds or other costs incident thereto. The Authority has no taxing power.

Financing Agreement

The Authority is issuing the Series 2024 Bonds for the purpose of providing funds to (a) finance the Series 2024 Project, and (b) finance the costs of issuing the Series 2024 Bonds. The Financing Agreement provides for the County to make payments on behalf of the Authority that will be sufficient to pay the principal of and premium, if any, and interest on the Bonds (currently consisting of the Existing Parity Bonds and the Series 2024 Bonds) as the same shall become due in accordance with their terms and provisions and the terms of the Trust Agreement. The undertaking by the County to make payments under the Financing Agreement will constitute a current expense of the County, subject to appropriation by the County Board from time to time of sufficient funds for such purpose. The County will not be liable for any such payments due under the Financing Agreement unless and until funds have been appropriated by the County Board for payment and then only to the extent of such appropriation.

The Financing Agreement provides for the County to pay to the Trustee, as assignee of the Authority, Basic Payments in amounts calculated to be sufficient to pay principal of and interest when due on the Existing Parity Bonds, the Series 2024 Bonds and any Additional Bonds issued under the Trust Agreement. Basic Payments will be due at least 14 calendar days prior to the respective principal or interest payment dates on the Existing Parity Bonds, the Series 2024 Bonds and any Additional Bonds. The Financing Agreement also provides for the County to pay certain Additional Payments, including any redemption premium that may be payable on the Series 2024 Bonds and any Additional Bonds.

Other provisions of the Financing Agreement are summarized in Appendix B - "Summary of the Financing Documents."

The undertaking by the County to make payments under the Financing Agreement constitutes neither a debt of the County within the meaning of any constitutional or statutory limitation nor a liability of or a lien or charge upon funds or property of the County beyond any Fiscal Year for which the County has appropriated moneys to make such payments. Neither the Trustee nor the Authority shall have any obligation or liability to the Bondholders with respect to the County's obligations to make payments under the Financing Agreement or with respect to the performance by the County of any other covenant contained therein.

No Series Debt Service Reserve Account Established for the Series 2024 Bonds

The Trust Agreement provides for the establishment of a Debt Service Reserve Fund to be held by the Trustee and, if funded, a separate Series Debt Service Reserve Account for a particular Series of Bonds. No Series Debt Service Reserve Account will be established for the Series 2024 Bonds.

Bond Fund

Under the Trust Agreement, the Authority pledges to the Trustee all right, title and interest to the Financing Agreement, including the Basic Payments and Additional Payments made by the County, but excluding certain rights to receive payment of the Authority's fees and expenses and to receive notices thereunder. Such payments under the Financing Agreement, along with funds on deposit in the Bond Fund, are pledged to the payment of principal of and premium, if any, and interest on the Bonds.

The Trust Agreement provides that the Trustee will deposit in the Bond Fund all Basic Payments received by the Trustee from the County under the Financing Agreement, together with any amounts transferred from the Series 2024 Project Account. From the amounts received by the Trustee from the County, the Trustee will deposit in the subaccount in the Interest Account an amount equal to the interest due and payable on the next interest payment date for the Series 2024 Bonds and will deposit in the subaccount established for the Series 2024 Bonds in the Principal Account an amount equal to the principal due and payable on the next principal payment date for the Series 2024 Bonds. If a redemption premium is payable on the Series 2024 Bonds, the Trustee will deposit in the subaccount in the Premium Account of the Bond Fund that portion of an Additional Payment representing the amount of the redemption premium due. For additional information concerning the Bond Fund, see Appendix B - "Summary of the Financing Documents – THE TRUST AGREEMENT."

Project Fund

The Trust Agreement establishes within the Project Fund a Series 2024 Project Account into which the Trustee will deposit a portion of the proceeds of the Series 2024 Bonds. The Trustee will use money in the Series 2024 Project Account solely to pay costs of the Series 2024 Project and costs of issuing the Series 2024 Bonds. The Trustee will make payments from the Series 2024 Project Account upon receipt of requisitions signed on behalf of the County providing required information with respect to the use of the amounts being requisitioned. For additional information concerning the Project Fund, see Appendix B - "Summary of the Financing Documents – THE TRUST AGREEMENT."

Additional Bonds

The Authority may issue from time to time Additional Bonds secured on an equal and ratable basis with the Existing Parity Bonds and the Series 2024 Bonds (a) to finance or refinance the Cost of a Project, (b) to refund any Bonds previously issued or (c) for a combination of such purposes. Any such Additional Bonds will be issued under a Supplemental Trust Agreement and an amendment to the Financing Agreement providing for modification of the amount of Basic Payments to provide for a new amount of Basic Payments sufficient to pay principal of and interest on all Bonds then Outstanding under the Trust Agreement.

SECTION THREE: MISCELLANEOUS

JAMES CITY COUNTY

Appendix C contains financial and demographic information concerning the County. The County's audited financial statements for the Fiscal Year ended June 30, 2023, are contained in Appendix D. The County's outside auditor has not been engaged to perform, and has not performed, since the date of its report included herein any procedures on the financial statements addressed in that report or the financial information contained in this Official Statement.

BONDHOLDERS' RISKS

The purchase of the Series 2024 Bonds involves a degree of risk; therefore, prospective purchasers of the Series 2024 Bonds should review this Official Statement in its entirety in order to identify risk factors and make an informed investment decision. A number of factors, including those set forth below, may affect the County's ability or willingness to make timely payments sufficient for the Trustee to pay debt service on the Series 2024 Bonds:

(1) Source of Payments. The Series 2024 Bonds are not general obligations of the Authority or the County but are payable only from revenues received by the Trustee on behalf of the Authority from payments made by the County under the Financing Agreement and other moneys held by the Trustee and pledged to the payment of the Series 2024 Bonds. The ability of the Authority to make timely payments of principal and premium, if any, and interest on the Series 2024 Bonds depends solely on the ability of the County to make timely payments under the Financing Agreement. **No other collateral security has been established for the Series 2024 Bonds**. The undertaking by the County to make payments under the Financing Agreement is subject to and dependent upon amounts being lawfully appropriated from time to time by the County Board for such purpose. The undertaking by the County to make payments under the Financing Agreement is neither a debt of the County within the meaning of any constitutional or statutory limitation nor a pledge of the faith and credit or the taxing power of the County. **The**

County Board is not legally obligated to appropriate the funds necessary to meet the County's financial undertaking pursuant to the Financing Agreement.

(2) Non-Appropriation and Limited Remedies. The County Administrator or other officer charged with the responsibility for preparing the County's annual budget is required to include in the proposed County budget for each Fiscal Year as a single appropriation the scheduled amount of all Basic Payments and the estimated amount of Additional Payments coming due during such Fiscal Year. Throughout the term of the Financing Agreement, the County Administrator or other officer charged with the responsibility for preparing the County's Annual Budget is required to deliver to the Trustee and the Authority within 10 days after its adoption, but not later than 10 days after the beginning of each Fiscal Year, a copy of the County's adopted Annual Budget that includes an approval of funds sufficient to pay, or be credited to the Basic Payments and estimated Additional Payments coming due for the relevant Fiscal Year. If any adopted annual budget does not include an appropriation of funds sufficient to pay both scheduled Basic Payments and estimated Additional Payments coming due for the relevant Fiscal Year, the County Administrator will request the County Board to take a roll call vote immediately after adoption of such annual budget acknowledging the impact of its failure to appropriate such funds. If, by 15 days after the beginning of the Fiscal Year, the County Board has not appropriated funds for the payment of both scheduled Basic Payments and estimated Additional Payments coming due for the then current Fiscal Year, the County Administrator or other officer charged with the responsibility for preparing the County's annual budget is required to give written notice to the County Board of the consequences of such failure to appropriate and to request the County Board to consider a supplemental appropriation for such purposes.

In the event of non-appropriation of funds by the County Board, neither the County nor the Authority may be held liable for the principal of and premium, if any, and interest payments on the Series 2024 Bonds following the last Fiscal Year in which funds to make payment under the Financing Agreement were appropriated by the County Board. In the event of non-appropriation, moneys already on deposit in the Bond Fund will be used for the payment of principal of and premium, if any, and interest payments on all Bonds then Outstanding, but such moneys may not be sufficient to pay the Series 2024 Bonds in full.

Upon an Event of Default under the Trust Agreement, the Trustee has no right to accelerate the payment of the Series 2024 Bonds by declaring the entire principal of and interest on the Series 2024 Bonds to be due and payable. Similarly, upon an Event of Default under the Financing Agreement, the Authority has no right to accelerate the payment of Basic Payments by declaring the Basic Payments to be due and payable.

(3) Political Risk. The current members of the County Board have evidenced in the adopted Bond Resolution a present intent to make future appropriations of such funds as may be necessary to make payments due under the Financing Agreement as and when such payments become due. There can be no guarantee, however, that the County Board will retain its current constituency in the future, and there can be no guarantee that future members of the County Board will continue the current County Board's policy with respect to the Series 2024 Bonds.

(4) Limitation on Enforceability of Remedies. The realization of any rights upon a default will depend upon the exercise of various remedies specified in the Trust Agreement and the Financing Agreement. Any attempt by the Trustee to enforce such remedies may require judicial action, which is often subject to discretion and delay. Under current law, certain of the legal and equitable remedies specified in the Trust Agreement and the Financing Agreement may not be readily available or may not be enforced to the extent such remedy may contravene public policy.

(5) Project Cost Overruns. As a result of any change orders with respect to design and material costs of the Series 2024 Project, the total expenditures actually incurred by the County may exceed the amount of available Series 2024 Bond proceeds. Any such additional costs of acquiring, constructing and equipping the Series 2024 Project are not expected to materially impact the County's ability to complete the Series 2024 Project.

RATINGS

Fitch Ratings ("Fitch"), One State Street Plaza, New York, New York 10004, has assigned a rating of "___" to the Series 2024 Bonds; Moody's Investors Service ("Moody's"), 7 World Trade Center, 250 Greenwich Street, New York, New York, has assigned a rating of "___" to the Series 2024 Bonds; and S&P Global Ratings ("S&P"), 55 Water Street, New York, New York, has assigned a rating of "___" to the Series 2024 Bonds.

The Authority and the County furnished to such rating agencies the information contained in this Official Statement and certain publicly available materials and information about the Authority and the County. Generally, rating agencies base their ratings on such materials and information, as well as their own investigations, studies and assumptions. There is no assurance that a rating will continue for any given period of time or that such rating will not be revised, suspended or withdrawn if, in the judgment of the applicable rating agency, circumstances so warrant. A revision, suspension or withdrawal of a rating may have an adverse effect on the market price of the Series 2024 Bonds.

Due to the ongoing uncertainty regarding the economy of the United States of America and the political uncertainty regarding the debt limit of the United States, obligations issued by state and local governments, such as the Series 2024 Bonds, could be subject to a rating downgrade. Additionally, if a significant default or other financial crisis should occur in the affairs of the United States or of any of its agencies or political subdivisions, then such event could also adversely affect the market for and ratings, liquidity and market value of outstanding debt obligations issued by state and local governments, including the Series 2024 Bonds.

BONDS ELIGIBLE FOR INVESTMENT AND SECURITY FOR PUBLIC DEPOSITS

The Act provides that bonds issued pursuant thereto shall be legal and authorized investments for banks, savings banks, trust companies, building and loan associations, insurance companies, fiduciaries, trustees and guardians and for all public funds of the Commonwealth or other political corporations or subdivisions of the Commonwealth. No representation is made as to the eligibility of the Series 2024 Bonds for investment or any other purchase under any law of any other state. The Act also provides that bonds, such as the Series 2024 Bonds, issued pursuant thereto may properly and legally be deposited with and received by any state or municipal officer or any agency or political subdivision of the Commonwealth for any purpose for which the deposit of bonds or obligations of the Commonwealth is now or may hereafter be authorized by law.

LITIGATION

To the best information, knowledge and belief of the Authority and the County, there is no litigation of any kind now pending or threatened to restrain or enjoin the issuance or delivery of the Series 2024 Bonds, in any manner questioning the proceedings and authority under which the Series 2024 Bonds are being issued, or affecting the power and authority of the Authority, the County or the County Board to execute or perform their obligations under the Financing Agreement or the Trust Agreement or to make payments due under the Financing Agreement. In addition, to the best information, knowledge and belief of the County, there is no litigation presently pending or threatened against the County that, in the event of an unfavorable decision, would have a material adverse effect upon the financial condition of the County.

LEGAL MATTERS

Certain legal matters relating to the authorization and validity of the Series 2024 Bonds will be subject to the approving opinion of Hunton Andrews Kurth LLP, Richmond, Virginia, Bond Counsel, which will be furnished at the expense of the County upon delivery of the Series 2024 Bonds, in substantially the form set forth as Appendix E (the "Bond Opinion"). The Bond Opinion will be limited to matters relating to the authorization and validity of the Series 2024 Bonds and to the tax-exempt status of interest thereon as described in the section "TAX EXEMPTION." The Bond Opinion will make no statement as to the financial resources of the County or the Authority or their ability to provide for payment of the Series 2024 Bonds or as to the accuracy or completeness of this Official Statement or any other information that may have been relied on by anyone in making the decision to purchase Bonds.

Certain legal matters will be passed upon for the Authority and the County by the County Attorney.

TAX EXEMPTION

Opinion of Bond Counsel. In the opinion of Bond Counsel, under current law, interest[, including any accrued original issue discount ("OID"),] on the Series 2024 Bonds (a) is not included in gross income for federal income tax purposes, (b) is not an item of tax preference for purposes of the federal alternative minimum tax, (c) is taken into account in determining adjusted financial statement income for applicable corporations (as defined in Section 59(k) of the Internal Revenue Code of 1986, as amended, and applicable regulations thereunder (the "Code"))

for the alternative minimum tax imposed on such corporations, and (d) is exempt from income taxation by the Commonwealth. [Except as discussed below regarding OID,] no other opinion is expressed by Bond Counsel regarding the tax consequences of the ownership of or the receipt or accrual of interest on the Series 2024 Bonds.

Bond Counsel's opinion is given in reliance upon certifications by representatives of the Authority and the County as to certain facts relevant to both the opinion and requirements of the Code, and is subject to the condition that there is compliance subsequent to the issuance of the Series 2024 Bonds with all requirements of the Code that must be satisfied in order for interest thereon to remain excludable from gross income for federal income tax purposes. The Authority and the County have covenanted to comply with the current provisions of the Code regarding, among other matters, the use, expenditure and investment of the proceeds of the Series 2024 Bonds and the timely payment to the United States of any arbitrage rebate amounts with respect to the Series 2024 Bonds. Failure by the Authority or the County to comply with such covenants, among other things, could cause interest[, including any accrued OID,] on the Series 2024 Bonds to be included in gross income for federal income tax purposes retroactively to their date of issue. The Authority and the County may in their discretion, but have not covenanted to, take any and all such actions as may be required by future changes in the Code and applicable regulations in order that interest on the Series 2024 Bonds remain excludable from gross income for federal income tax purposes.

Bond Counsel's opinion represents its legal judgment based in part upon the representations and covenants referenced therein and its review of current law, but is neither a guarantee of a result nor binding on the IRS or the courts. Bond Counsel assumes no duty to update or supplement its opinion to reflect any facts or circumstances that may come to Bond Counsel's attention after the date of its opinion or to reflect any changes in law or the interpretation thereof that may occur or become effective after such date.

Customary practice in the giving of legal opinions includes not detailing in the opinion all of the assumptions, conditions, limitations and exclusions that are part of the conclusions therein. *See "Statement on the Role of Customary Practice in the Preparation and Understanding of Third-Party Legal Opinions," 63 Bus. Law. 1277 (2008), and "Legal Opinion Principles," 53 Bus. Law. 831 (May 1998), updated by "Statement of Opinion Practices," 74 Bus. Law. 801, 807 (2019).* Purchasers of the Series 2024 Bonds should seek the advice of counsel concerning such matters as they deem prudent in connection with their purchase of Series 2024 Bonds.

Alternative Minimum Tax

Individuals – Bond Counsel's opinion states that under current law interest on the Series 2024 Bonds is not an item of preference and is not subject to the alternative minimum tax on individuals.

Applicable Corporations – Bond Counsel's opinion also states that under current law interest on the Series 2024 Bonds is taken into account in determining adjusted financial statement income for applicable corporations (as defined in Section 59(k) of the Code) for the alternative minimum tax imposed on such corporations. Under current law, an **"**applicable corporation**"** generally is a corporation with average annual adjusted financial statement income for a three-taxable-year period ending after December 31, 2021, that exceeds $1 billion.

[Original Issue Discount. The initial public offering prices of each maturity of the Series 2024 Bonds maturing in the years [____ and ____] (the "OID Bonds") will be less than their stated principal amount. In the opinion of Bond Counsel, under current law, the difference between the stated principal amount and the initial offering price of each maturity of the OID Bonds to the public (excluding bond houses and brokers) at which a substantial amount of such maturity of such Series 2024 Bonds is sold will constitute OID. The offering prices set forth on the inside cover of this Official Statement for the OID Bonds are expected to be the initial offering prices to the public at which a substantial amount of each maturity of such Series 2024 Bonds will be sold.

Under the Code, for purposes of determining the holder's adjusted basis in an OID Bond, OID treated as having accrued while the holder holds such Series 2024 Bond will be added to the holder's basis. OID will accrue on a constant yield-to-maturity method. The adjusted basis will be used to determine taxable gain or loss upon the sale or other disposition (including redemption or payment at maturity) of an OID Bond.

Prospective purchasers of the OID Bonds should consult their own tax advisors with respect to the calculation of accrued OID and the state and local tax consequences of owning or disposing of such Series 2024 Bonds.]

[Original Issue Premium. Series 2024 Bonds purchased, whether upon issuance or otherwise, for an amount (excluding any amount attributable to accrued interest) in excess of their principal amount will be treated for federal income tax purposes as having amortizable bond premium. A holder's basis in such a Series 2024 Bond must be reduced by the amount of premium that accrues while such Series 2024 Bond is held by the holder. No deduction for such amount will be allowed, but it generally will offset interest on the Series 2024 Bonds while so held. Purchasers of such Series 2024 Bonds should consult their own tax advisors as to the calculation, accrual and treatment of amortizable bond premium and the state and local tax consequences of holding such Series 2024 Bonds.]

Other Tax Matters. In addition to the matters addressed above, prospective purchasers of the Series 2024 Bonds should be aware that the ownership of tax-exempt obligations may result in collateral federal income tax consequences to certain taxpayers, including, without limitation, financial institutions, property and casualty insurance companies, S corporations, foreign corporations subject to the branch profits tax, recipients of Social Security or Railroad Retirement benefits and taxpayers who may be deemed to have incurred or continued indebtedness to purchase or carry tax-exempt obligations. Prospective purchasers of the Series 2024 Bonds should consult their tax advisors as to the applicability and impact of such consequences.

The IRS has a program to audit state and local government obligations to determine whether the interest thereon is includable in gross income for federal income tax purposes. If the IRS does audit the Series 2024 Bonds, under current IRS procedures, the IRS will treat the Authority as the taxpayer, and the owners of the Series 2024 Bonds will have only limited rights, if any, to participate.

Prospective purchasers of the Series 2024 Bonds should consult their own tax advisors as to the status of interest on the Series 2024 Bonds under the tax laws of any state other than the Commonwealth.

There are many events that could affect the value, liquidity and/or marketability of the Series 2024 Bonds after their issuance, including but not limited to public knowledge of an audit of the Series 2024 Bonds by the IRS, a general change in interest rates for comparable securities, a change in federal or state income tax rates, legislative or regulatory proposals affecting state and local government securities and changes in judicial interpretation of current law. In addition, certain tax considerations relevant to owners of Series 2024 Bonds who purchase Series 2024 Bonds after their issuance may be different from those relevant to purchasers upon issuance. Neither the opinion of Bond Counsel nor this Official Statement purports to address the likelihood or effect of any such potential events or such other tax considerations, and purchasers of the Series 2024 Bonds should seek advice concerning such matters as they deem prudent in connection with their purchase of Series 2024 Bonds.

FINANCIAL ADVISOR

Davenport & Company LLC, Richmond, Virginia, serves as financial advisor to the County and has no underwriting responsibility to the Authority or the County with respect to this transaction. As financial advisor, Davenport & Company LLC has advised the County in matters relating to the planning, structuring and issuance of the Series 2024 Bonds, assisted the County with the preparation of this Official Statement and provided to the County other advice with respect to the issuance and sale of the Series 2024 Bonds. The financial advisor's fee will be paid from [proceeds of the Series 2024 Bonds] [Confirm]. Although the Financial Advisor has assisted in the preparation of the Official Statement, the Financial Advisor is not obligated to undertake, and has not undertaken to make, an independent verification or assume responsibility for the accuracy, completeness or fairness of the information contained in this Official Statement.

SALE AT COMPETITIVE BIDDING

The Series 2024 Bonds will be offered for sale at competitive bidding at ___ a.m., Eastern Time, on _____, 2024, unless changed pursuant to the terms of the Official Notice of Sale. A copy of the Official Notice of Sale is attached to this Preliminary Official Statement as Appendix H.

After the Series 2024 Bonds have been awarded to the winning bidder, the Authority will issue an Official Statement in final form. The Authority will deem the Official Statement final as of its date, and the Official Statement in final form will include, among other things, the identity of the winning bidder, the final principal amount as adjusted, the expected selling compensation to the winning bidder and other information on the interest rates and offering prices or yields, all as provided by the winning bidder.

CONTINUING DISCLOSURE

To permit compliance by the underwriter with the continuing disclosure requirements of the Rule, the County will execute a Continuing Disclosure Agreement (the "CDA") at closing agreeing to provide certain annual financial information and certain event notices required by the Rule. Such information will be filed through the Electronic Municipal Market Access System maintained by the Municipal Securities Rulemaking Board and may be accessed through the Internet at emma.msrb.org. As described in Appendix F, the CDA requires the County to provide only limited information at specific times, and the information provided may not be all the information necessary to value the Series 2024 Bonds at any particular time. The County may from time to time disclose certain information and data in addition to that required by the CDA. If the County chooses to provide any additional information, the County will have no obligation to continue to update such information or to include it in any future disclosure filing. Failure by the County to comply with the CDA is not an event of default under the Series 2024 Bonds or the Bond Resolution. The sole remedy for a default under the CDA is to bring an action for specific performance of the County's covenants hereunder, and no assurance can be provided as to the outcome of any such proceeding.

[Other than as disclosed in the following sentence, the County has not failed within the last five years to comply in all material respects with its previous continuing disclosure undertakings under the Rule. Due to technical oversight in linking otherwise available information to the CUSIP numbers for the Series 2016 Bonds, the County did not file in a timely manner its financial information and operating data for the fiscal years ended June 30, 2016, and June 30, 2017, for such bonds. Such financial information and operating data has now been filed for the Series 2016 Bonds at emma.msrb.org, along with a notice of the failure to file such information in a timely manner.] [Update]

MISCELLANEOUS

Any statements in this Official Statement involving matters of opinion or estimates, whether or not expressly so stated, are intended as such and not representations of fact. No representation is made that any of the estimates will be realized. Neither this Official Statement nor any statement that may have been made verbally or in writing is to be construed as a contract with the holders of the Series 2024 Bonds.

The attached Appendices are an integral part of this Official Statement and must be read together with the balance of this Official Statement.

The distribution of this Preliminary Official Statement has been duly authorized by the Authority and duly approved by the County. The Authority and the County have deemed this Preliminary Official Statement final as of its date within the meaning of the Rule, except for the omission of certain pricing and other information permitted to be omitted by the Rule.

ECONOMIC DEVELOPMENT AUTHORITY
OF JAMES CITY COUNTY, VIRGINIA

By_____
Chairman

Approved:

JAMES CITY COUNTY, VIRGINIA

By_____
County Administrator

APPENDIX A

DEFINITIONS OF CERTAIN TERMS

APPENDIX B

SUMMARY OF THE FINANCING DOCUMENTS

APPENDIX C

JAMES CITY COUNTY, VIRGINIA

[The inclusion of this information does not imply that James City County, Virginia, is legally obligated to make payments on any Bonds outstanding under the Trust Agreement, including the Series 2024 Bonds.]

APPENDIX D

AUDITED FINANCIAL STATEMENTS OF THE COUNTY
FOR THE FISCAL YEAR ENDED JUNE 30, 2023

APPENDIX E

FORM OF BOND COUNSEL OPINION

Set forth below is the proposed opinion of Hunton Andrews Kurth LLP, Richmond, Virginia, Bond Counsel. It is preliminary and subject to change prior to the delivery of the Bonds.

_____, 2024

Economic Development Authority
of James City County, Virginia
Williamsburg, Virginia

Board of Supervisors of
James City County, Virginia
Williamsburg, Virginia

Economic Development Authority of
James City County, Virginia
$_____ Public Facility Revenue Bonds
(County Government Projects), Series 2024

Ladies and Gentlemen:

We have examined the applicable law, including the Industrial Development and Revenue Bond Act (Chapter 49, Title 15.2 of the Code of Virginia of 1950, as amended) (the "Act") and certified copies of proceedings and documents relating to the organization of the Economic Development Authority of James City County, Virginia (the "Authority"), and the issuance and sale by the Authority of its $_____ Public Facility Revenue Bonds (County Government Projects), Series 2024 (the "Series 2024 Bonds"), for the benefit of James City County, Virginia (the "County"). Reference is made to the form of the Series 2024 Bonds for information concerning their details, including payment and redemption provisions, and the proceedings pursuant to which they are issued. Terms used but not otherwise defined herein have the same meanings assigned to such terms in the Agreement of Trust dated as of June 1, 2016, as previously supplemented (the "Master Trust Agreement"), and as further supplemented by a Fourth Supplemental Agreement of Trust dated as of December 1, 2024 (the "Supplemental Trust Agreement" and, together with the Master Trust Agreement, the "Trust Agreement"), all between the Authority and Wilmington Trust, National Association, as trustee (the "Trustee").

The Series 2024 Bonds are being issued pursuant to the Trust Agreement on a parity with the outstanding principal amounts of the Authority's $26,750,000 Public Facility Revenue Bonds (James City County School Project), Series 2016, $21,015,000 Public Facility Revenue and Refunding Bonds (County Government Projects), Series 2018, and $11,030,000 Public Facility Revenue Refunding Bonds (County Government Projects), Series 2021 (collectively, the "Existing Parity Bonds"), in order to loan funds to the County pursuant to the terms of a Financing Agreement dated as of June 1, 2016, as previously supplemented, and as further supplemented by a Third Supplemental Financing Agreement dated as of December 1, 2024 (collectively, the "Financing Agreement"), all between the Authority and the County. The proceeds of such loan will be used to (a) finance certain capital projects, and (b) pay the related costs of issuance.

The Financing Agreement provides for the County to make Basic Payments to the Authority in amounts and on dates expected to be sufficient for payment of principal of and interest on all Bonds (including the Series 2024 Bonds) outstanding under the Trust Agreement. Pursuant to the Trust Agreement, the Authority has assigned certain of its rights under the Financing Agreement, including the right to receive Basic Payments and certain Additional Payments, to the Trustee as security for the Bonds (including the Series 2024 Bonds).

Without undertaking to verify the same by independent investigation, we have relied on certifications by representatives of the Authority and the County as to certain facts relevant to both our opinion and requirements of the Internal Revenue Code of 1986, as amended (the "Code"). The Authority and the County have covenanted to comply with the current provisions of the Code, regarding, among other matters, the use, expenditure and investment of the proceeds of the Series 2024 Bonds and the timely payment to the United States of any arbitrage rebate amounts

with respect to the Series 2024 Bonds, all as set forth in the proceedings and documents relating to the issuance of the Series 2024 Bonds (the "Covenants").

Based on the foregoing, in accordance with customary opinion practice and assuming due authorization, execution and delivery of the Documents (as hereinafter defined) by the Trustee, we are of the opinion that:

1. The Authority is a political subdivision of the Commonwealth duly created under the Act and is vested with all rights and powers conferred by the Act.

2. The Series 2024 Bonds (a) have been duly authorized and issued in accordance with the Act and constitute valid and binding limited obligations of the Authority payable as to principal, premium, if any, and interest solely from certain payments made by the County under the Financing Agreement and other funds pledged under the Trust Agreement and (b) are secured on parity with the Existing Parity Bonds and any additional bonds subsequently issued on a parity with the Series 2024 Bonds and the Existing Parity Bonds as provided in the Trust Agreement. The Series 2024 Bonds do not create or constitute a debt or pledge of the faith and credit of the Commonwealth of Virginia or any political subdivision thereof, including the Authority and the County.

3. The Trust Agreement and the Financing Agreement (collectively, the "Documents") have been duly authorized, executed and delivered, constitute valid and binding obligations of the Authority and the County, as applicable, and are enforceable against the Authority and the County in accordance with their terms. The Fourth Supplemental Trust Agreement and the Third Supplemental Financing Agreement are authorized or permitted by the Master Trust Agreement and comply with its terms. The undertaking by the County to make payments under the Financing Agreement is subject to and dependent upon appropriations made by the Board of Supervisors of the County from time to time of sufficient funds for such purpose. Such undertaking constitutes neither a debt of the County within the meaning of any constitutional or statutory limitation nor a liability of or a lien or charge upon funds or property of the County beyond any fiscal year for which the Board of Supervisors has appropriated moneys for such purpose.

4. The rights of holders of the Series 2024 Bonds and the enforceability of such rights, including the enforcement by the Trustee of the obligations of the Authority and the County under the Documents, as applicable, may be limited or otherwise affected by (a) bankruptcy, insolvency, reorganization, moratorium, fraudulent conveyance and other laws affecting the rights of creditors generally and (b) principles of equity, whether considered at law or in equity, and by public policy.

5. Under current law, interest on the Series 2024 Bonds (a) is not included in gross income for federal income tax purposes, (b) is not an item of tax preference for purposes of the federal alternative minimum tax, and (c) is taken into account in determining adjusted financial statement income for applicable corporations (as defined in Section 59(k) of the Code) for the alternative minimum tax imposed on such corporations. The opinions in (a) and (b) of the preceding sentence are subject to the condition that there is compliance subsequent to the issuance of the Series 2024 Bonds with all requirements of the Code that must be satisfied in order that interest on the Series 2024 Bonds not be included in gross income for federal income tax purposes. Failure by the Authority and the County to comply with the Covenants, among other things, could cause interest on the Series 2024 Bonds to be included in gross income for federal income tax purposes retroactively to their date of issue. The Authority and the County may in their discretion, but have not covenanted to, take any and all such actions as may be required by future changes in the Code and applicable regulations in order that interest on the Series 2024 Bonds remain excludable from gross income for federal income tax purposes. We express no opinion regarding other federal tax consequences of the ownership of or receipt or accrual of interest on the Series 2024 Bonds. Further, we express no opinion as to the treatment for federal income tax purposes of any interest paid on the Series 2024 Bonds after an event of default or non-appropriation by the Board of Supervisors of the County resulting in a termination of the Financing Agreement.

6. Under current law, interest on the Series 2024 Bonds is exempt from income taxation by the Commonwealth of Virginia and any political subdivision thereof.

The opinions set forth above are based on existing law, which is subject to change. Such opinions are further based on our knowledge of facts as of the date hereof. Our services as bond counsel to the Authority have been limited to rendering the foregoing opinion based on our review of such proceedings and documents as we deem necessary to

approve the validity of the Series 2024 Bonds and the tax-exempt status of interest thereon. Our services have not included financial or other non-legal advice. We express no opinion herein as to the financial resources of the Authority or the County, the ability or willingness of the County to make payments under the Financing Agreement or the accuracy or completeness of any information, including the Authority's Preliminary Official Statement dated _____, 2024, and its Official Statement dated _____, 2024, that may have been relied upon by anyone in making the decision to purchase Series 2024 Bonds. We assume no duty to update or supplement these opinions to reflect any facts or circumstances that may hereafter come to our attention or to reflect any changes in any law or the interpretation thereof that may hereafter occur or become effective.

Very truly yours,

APPENDIX F

FORM OF CONTINUING DISCLOSURE AGREEMENT

FORM OF CONTINUING DISCLOSURE AGREEMENT

This **CONTINUING DISCLOSURE AGREEMENT** dated as of _____ __, 2024 (the "Disclosure Agreement"), is executed and delivered by the Board of Supervisors of James City County, Virginia, on behalf of James City County, Virginia (the "County"), in connection with the issuance by the Economic Development Authority of James City County, Virginia (the "Issuer"), of its $_____ Public Facility Revenue Bonds (County Government Projects), Series 2024 (the "Series 2024 Bonds"). The County hereby covenants and agrees as follows:

Section 1. Purpose. This Disclosure Agreement is being executed and delivered by the County for the benefit of the holders of the Series 2024 Bonds and in order to assist the original purchasers of the Series 2024 Bonds in complying with the provisions of Section (b)(5)(i) of Rule 15c2-12 (the "Rule") promulgated by the Securities and Exchange Commission (the "SEC") by providing certain annual financial information and material event notices required by the Rule (collectively, the "Continuing Disclosure").

Section 2. Annual Disclosure. (a) The County shall provide annually financial information and operating data in accordance with the provisions of Section (b)(5)(i) of the Rule as follows:

(i) financial statements of the County, prepared in accordance with generally accepted accounting principles; and

(ii) to the extent not included in (a)(i) above, certain operating data with respect to the County substantially of the type described in Appendix C of the Issuer's Official Statement dated _____, 2024, under the subsection "FINANCIAL INFORMATION - Operating Data."

If the financial statements filed pursuant to Section 2(a)(i) are not audited, the County shall subsequently file such statements as audited when available.

(b) The County shall file annually with the Municipal Securities Rulemaking Board ("MSRB") the financial information and operating data described in subsection (a) above (collectively, the "Annual Disclosure") no later than the March 31 following the end of the County's preceding fiscal year, commencing with the County's fiscal year ending June 30, 2024.

(c) Any Annual Disclosure may be included by specific reference to other documents previously provided to the MSRB or filed with the SEC; provided, however, that any final official statement incorporated by reference must be available from the MSRB.

(d) The County shall file with the MSRB in a timely manner the notice specifying any failure of the County to provide the Annual Disclosure by the date specified.

Section 3. Event Disclosure. The County shall file with the MSRB in a timely manner not in excess of ten business days after the occurrence of the event, notice of the occurrence of any of the following events with respect to the Series 2024 Bonds:

(a) principal and interest payment delinquencies;

(b) non-payment related defaults, if material;

(c) unscheduled draws on debt service reserves reflecting financial difficulties;

(d) unscheduled draws on any credit enhancement reflecting financial difficulties;

(e) substitution of credit or liquidity providers, or their failure to perform;

(f) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or

determinations with respect to the tax status of the Series 2024 Bonds, or other material events affecting the tax status of the Series 2024 Bonds;

(g) modifications to rights of holders of the Series 2024 Bonds, if material;

(h) bond calls, if material, and tender offers;

(i) defeasances of all or any portion of the Series 2024 Bonds;

(j) release, substitution, or sale of property securing repayment of the Series 2024 Bonds, if material;

(k) rating changes;

(l) bankruptcy, insolvency, receivership or similar event of the County; [*]

(m) the consummation of a merger, consolidation, or acquisition involving the County or the sale of all or substantially all of the assets of the County, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;

(n) appointment of a successor or additional trustee or the change of name of a trustee, if material;

(o) incurrence of a financial obligation (hereinafter defined) of the County, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the County, any of which affect holders of the Series 2024 Bonds, if material; and

(p) default, event of acceleration, termination event, modification of terms, or other similar events under the terms of the financial obligation of the County, any of which reflect financial difficulties;

provided that nothing in this Section (3) shall require the County to maintain any debt service reserve, credit enhancement or credit or liquidity providers with respect to the Series 2024 Bonds or to pledge any property as security for repayment of the Series 2024 Bonds.

The term "financial obligation" means a (i) debt obligation; (ii) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation; or (iii) guarantee of (i) or (ii). The term "financial obligation" does not include municipal securities as to which a final official statement has been provided to the MSRB consistent with the Rule.

Section 4. Termination. The obligation of the County hereunder will terminate upon the redemption, defeasance (within the meaning of the Rule) or payment in full of all the Series 2024 Bonds.

Section 5. Amendment. The County may modify its obligations hereunder without the consent of bondholders, provided that the County receives an opinion of nationally recognized bond counsel to the effect that this Disclosure Agreement as so modified complies with the Rule as it exists at the time of modification. The County shall within a reasonable time thereafter file with the MSRB a description of such modification(s).

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[*] For the purposes of the event identified in Subsection (3)(l) above, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for an obligated person in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the obligated person, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the obligated person.

Section 6. Defaults. (a) If the County fails to comply with any covenant or obligation regarding Continuing Disclosure specified in this Disclosure Agreement, any holder (within the meaning of the Rule) of the Series 2024 Bonds then outstanding may, by notice to the County, proceed to protect and enforce its rights and the rights of the holders by an action for specific performance of the County's covenant to provide the Continuing Disclosure.

(b) Notwithstanding anything herein to the contrary, any failure of the County to comply with any obligation regarding Continuing Disclosure specified in this Disclosure Agreement (i) shall not be deemed to constitute an event of default under the Series 2024 Bonds or the Trust Agreement (as defined in the Official Statement) providing for the issuance of the Series 2024 Bonds and (ii) shall not give rise to any right or remedy other than that described in Section 6(a) above.

Section 7. Filing Method. Any filing required hereunder shall be made by transmitting such disclosure, notice or other information in electronic format to the MSRB through the MSRB's Electronic Municipal Market Access system pursuant to procedures promulgated by the MSRB.

Section 8. Additional Disclosure. The County may from time to time disclose certain information and data in addition to the Continuing Disclosure. Notwithstanding anything herein to the contrary, the County shall not incur any obligation to continue to provide or to update such additional information or data.

Section 9. Counterparts. This Disclosure Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

Section 10. Governing Law. This Disclosure Agreement shall be construed and enforced in accordance with the laws of the Commonwealth of Virginia.

BOARD OF SUPERVISORS OF
JAMES CITY COUNTY, VIRGINIA, ON
BEHALF OF JAMES CITY COUNTY, VIRGINIA

_____
Chairman

_____
County Administrator

APPENDIX G

BOOK ENTRY ONLY SYSTEM

BOOK-ENTRY ONLY SYSTEM

The description which follows of the procedures and recordkeeping with respect to beneficial ownership interests in the Series 2024 Bonds, payments of principal of and premium, if any and interest on the Series 2024 Bonds to The Depository Trust Company, New York, New York ("DTC"), its nominee, Participants or Beneficial Owners (each as hereinafter defined), confirmation and transfer of beneficial ownership interests in the Series 2024 Bonds and other bond-related transactions by and between DTC, Participants and Beneficial Owners is based solely on information furnished by DTC.

DTC will act as securities depository for the Series 2024 Bonds. The Series 2024 Bonds will be issued as fully-registered securities registered in the name of Cede & Co. (DTC's partnership nominee) or such other name as may be requested by an authorized representative of DTC. One fully-registered Bond certificate will be issued for each maturity of the Series 2024 Bonds, each in the aggregate principal amount of such maturity, and will be deposited with DTC.

DTC, the world's largest depository, is a limited-purpose trust company organized under the New York Banking Law, a "banking organization" within the meaning of the New York Banking Law, a member of the Federal Reserve System, a "clearing corporation" within the meaning of the New York Uniform Commercial Code, and a "clearing agency" registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934. DTC holds and provides asset servicing for over 3.5 million issues of U.S. and non-U.S. equity, corporate and municipal debt issues, and money market instruments (from over 100 countries) that DTC's participants (the "Direct Participants") deposit with DTC. DTC also facilitates the post-trade settlement among Direct Participants of sales and other securities transactions in deposited securities, through electronic computerized book-entry transfers and pledges between Direct Participants' accounts. This eliminates the need for physical movement of securities certificates. Direct Participants include both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, clearing corporations and certain other organizations. DTC is a wholly-owned subsidiary of The Depository Trust & Clearing Corporation ("DTCC"). DTCC is the holding company for DTC, National Securities Clearing Corporation and Fixed Income Clearing Corporation, all of which are registered clearing agencies. DTCC is owned by the users of its regulated subsidiaries. Access to the DTC system is also available to others such as both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, and clearing corporations that clear through or maintain a custodial relationship with a Direct Participant, either directly or indirectly ("Indirect Participants" and, together with the Direct Participants, the "Participants"). DTC has an S&P rating of AA+. The DTC Rules applicable to its Participants are on file with the Securities and Exchange Commission. More information about DTC can be found at www.dtcc.com.

Purchases of the Series 2024 Bonds under the DTC system must be made by or through Direct Participants, which will receive a credit for the Series 2024 Bonds on DTC's records. The ownership interest of each actual purchaser of each Series 2024 Bond (the "Beneficial Owner") is in turn to be recorded on the Direct and Indirect Participants' records. Beneficial Owners will not receive written confirmation from DTC of their purchase. Beneficial Owners, however, are expected to receive written confirmations providing details of the transaction, as well as periodic statements of their holdings, from the Participant through which the Beneficial Owner entered into the transaction. Transfers of ownership interests in the Series 2024 Bonds are to be accomplished by entries made on the books of the Participants acting on behalf of Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interests in the Series 2024 Bonds, except in the event that use of the book-entry system for the Series 2024 Bonds is discontinued.

To facilitate subsequent transfers, all Series 2024 Bonds deposited by Direct Participants with DTC are registered in the name of DTC's partnership nominee, Cede & Co., or such other name as may be requested by an authorized representative of DTC. The deposit of the Series 2024 Bonds with DTC and their registration in the name of Cede & Co. or such other DTC nominee do not effect any change in beneficial ownership. DTC has no knowledge of the actual Beneficial Owners of the Series 2024 Bonds; DTC's records reflect only the identity of the Direct Participants to whose accounts such Series 2024 Bonds are credited, which may or may not be the Beneficial Owners. The Direct and Indirect Participants will remain responsible for keeping account of their holding on behalf of their customers.

Conveyance of notices and other communications by DTC to Direct Participants, by Direct Participants to Indirect Participants, and by Direct Participants and Indirect Participants to Beneficial Owners will be governed by arrangements among them, subject to any statutory or regulatory requirements as may be in effect from time to time.

Redemption notices shall be sent to DTC. If less than all of the Series 2024 Bonds are being redeemed, DTC's practice is to determine by lot the amount of the interest of each Direct Participant in such issue to be redeemed.

Neither DTC nor Cede & Co. (nor any other DTC nominee) will consent or vote with respect to the Series 2024 Bonds unless authorized by a Direct Participant in accordance with DTC's Procedures. Under its usual procedures, DTC mails an Omnibus Proxy to the Authority or the Trustee as soon as possible after the record date. The Omnibus Proxy assigns Cede & Co.'s consenting or voting rights to those Direct Participants to whose accounts the Series 2024 Bonds are credited on the record date (identified in a listing attached to the Omnibus Proxy).

Payments of principal of and premium, if any, and interest on the Series 2024 Bonds will be made to Cede & Co., or such other nominee as may be requested by an authorized representative of DTC. DTC's practice is to credit Direct Participants' accounts upon DTC's receipt of funds and corresponding detail information from the Authority or the Registrar, on payable date in accordance with their respective holdings shown on DTC's records. Payments by Participants to Beneficial Owners will be governed by standing instructions and customary practices, as is the case with securities held for the accounts of customers in bearer form or registered in "street name," and will be the responsibility of such Participant and not of DTC, the Authority or the Trustee subject to any statutory or regulatory requirements as may be in effect from time to time. Payment of principal of and premium, if any, and interest on the Series 2024 Bonds to Cede & Co. (or such other nominee as may be requested by an authorized representative of DTC) is the responsibility of the Authority or the Trustee, disbursement of such payments to Direct Participants will be the responsibility of DTC, and disbursement of such payments to the Beneficial Owners will be the responsibility of Direct and Indirect Participants.

DTC may discontinue providing its services as securities depository with respect to the Series 2024 Bonds at any time by giving reasonable notice to the Authority or the Trustee. Under such circumstances, in the event that a successor securities depository is not obtained, Series 2024 Bond certificates will be printed and delivered.

The Authority, at the direction of the County, may decide to discontinue use of the system of book-entry transfers through DTC (or a successor securities depository). In that event, Series 2024 Bond certificates will be printed and delivered.

The information in this section concerning DTC and DTC's book-entry system has been obtained from sources that the Authority and the County believe to be reliable, but the Authority and the County take no responsibility for the accuracy thereof.

Neither the Authority, the County nor the Trustee has any responsibility or obligation to the Participants or the Beneficial Owners with respect to (a) the accuracy of any records maintained by DTC or any Participant; (b) the payment by any Participant of any amount due to any Beneficial Owner in respect of the principal of and premium, if any, and interest on the Series 2024 Bonds; (c) the delivery or timeliness of delivery by any Participant of any notice to any Beneficial Owner that is required or permitted under the terms of the Trust Agreement to be given to Bondholders; or (d) any other action taken by DTC, or its nominee, Cede & Co., as Bondholder, including the effectiveness of any action taken pursuant to an Omnibus Proxy.

So long as Cede & Co. is the registered owner of the Series 2024 Bonds, as nominee of DTC, references in this Official Statement to the Owners of the Series 2024 Bonds shall mean Cede & Co. and shall not mean the Beneficial Owners, and Cede & Co. will be treated as the only holder of Series 2024 Bonds for all purposes under the Trust Agreement.

The Authority may enter into amendments to the agreement with DTC or successor agreements with a successor securities depository, relating to the book-entry system to be maintained with respect to the Series 2024 Bonds without the consent of Beneficial Owners or Bondholders.

APPENDIX H

OFFICIAL NOTICE OF SALE

DRAFT
Hunton Andrews Kurth
October 1, 2024

OFFICIAL NOTICE OF SALE

$_____*
ECONOMIC DEVELOPMENT AUTHORITY
OF JAMES CITY COUNTY, VIRGINIA
PUBLIC FACILITY REVENUE BONDS
(COUNTY GOVERNMENT PROJECTS), SERIES 2024

Electronic bids only will be received by the Economic Development Authority of James City County, Virginia (the "Authority"), in accordance with this Official Notice of Sale until ___ a.m., Eastern Time, on _____, 2024 (the "Date of Sale").

Immediately thereafter, the bids will be publicly announced, and the County Administrator of James City County, Virginia (the "County"), on behalf of the Authority, will act upon the bids by ____ p.m., Eastern Time.

Bid Submission

Solely as an accommodation to bidders, electronic bids via BIDCOMP/PARITY (the "Electronic Bidding System") will be accepted in accordance with this Official Notice of Sale. The Authority and the County are using BIDCOMP/PARITY as a communication mechanism to conduct the electronic bidding for the sale of the Authority's $_____* Public Facility Revenue Bonds (County Government Projects), Series 2024 (the "Series 2024 Bonds"), as described herein. To the extent any instructions or directions set forth in BIDCOMP/PARITY conflict with this Official Notice of Sale, the terms of this Official Notice of Sale shall control. Each bidder submitting an electronic bid agrees (i) that it is solely responsible for all arrangements with BIDCOMP/PARITY, (ii) that BIDCOMP/PARITY is not acting as the agent of the Authority or the County, and (iii) that neither the Authority nor the County is responsible for ensuring or verifying bidder compliance with any of the procedures of BIDCOMP/PARITY. Neither the County nor the Authority assumes any responsibility for, and each bidder expressly assumes the risks of and responsibility for, any incomplete, inaccurate or untimely bid submitted by such bidder through BIDCOMP/PARITY. Each bidder shall be solely responsible for making necessary arrangements to access the Electronic Bidding System for purposes of submitting its bid in a timely manner and in compliance with the requirements of this Official Notice of Sale. Neither the Authority, the County nor the Electronic Bidding System shall have any duty or obligation to provide or assure such access to any bidder, and neither the Authority, the County nor BIDCOMP/PARITY shall be responsible for proper operation of, or have any liability for, any delays or interruptions of, or any damages caused by, BIDCOMP/PARITY. For further information about BIDCOMP/PARITY, potential bidders may contact i-Deal at 1359 Broadway, 2nd Floor, New York, New York 10018, telephone (212) 849-5021.

In the event of a malfunction of the Electronic Bidding System at ____ a.m., Eastern Time, on the Date of Sale, an attempt will be made to reschedule the bidding for ____ a.m., Eastern Time, on the Date of Sale. Should the Electronic Bidding System malfunction a second time, bidding will be rescheduled at the discretion of the County in coordination with its financial advisor, Davenport & Company LLC (the "Financial Advisor"). To the extent possible, the rescheduled bid time will be communicated to the bidders.

Each bid must be unconditional.

Change of Date and Time for Receipt of Bids

The Authority and the County expect to take bids on the Series 2024 Bonds on _____, 2024. However, the Authority and the County reserve the right to postpone the date and time established for the receipt of bids. Any such postponement will be announced by TM3 newswire, or any other such service. If the receipt of bids is postponed,

*Preliminary, subject to change.

any alternative date for receipt of bids will be announced via TM3 newswire, or any other such service. Any bidder must submit a sealed bid for the purchase of the Series 2024 Bonds on such alternative sale date in conformity with the provisions of this Official Notice of Sale, except for any changes announced via the TM3 newswire, or any other such service, as described therein.

Annual Amortization Requirements

The Series 2024 Bonds will be dated the date of their issuance (the "Dated Date"), and will mature, or be subject to mandatory sinking fund redemption, on June 15 in years and amounts as follows:

Year*	Amount*	Year*	Amount*

Adjustments to Amortization Requirements

The preliminary annual amortization requirements as set forth in this Official Notice of Sale (the "Preliminary Amortization Requirements") may be revised before the receipt of bids for the purchase of the Series 2024 Bonds. Any such revisions (the "Revised Amortization Requirements") WILL BE ANNOUNCED ON THOMSON MUNICIPAL NEWS NOT LATER THAN ONE HOUR PRIOR TO THE SPECIFIED BID TIME. In the event that no such revisions are made, the Preliminary Amortization Requirements will constitute the Revised Amortization Requirements. BIDDERS SHALL SUBMIT BIDS BASED ON THE REVISED AMORTIZATION REQUIREMENTS. THE WINNING BID WILL BE DETERMINED ON THE BASIS OF THE REVISED AMORTIZATION REQUIREMENTS.

After selecting the winning bid, the County will determine each final annual amortization requirement (the "Final Amortization Requirements"). The County reserves the right, after bids are opened and prior to award, to increase or reduce the principal amount of the Series 2024 Bonds offered for sale. THE SUCCESSFUL BIDDER MAY NOT WITHDRAW ANY BID OR CHANGE THE INITIAL REOFFERING PRICES AS A RESULT OF ANY INCREASE OR REDUCTION IN THE REVISED AMORTIZATION REQUIREMENTS WITHIN THE LIMITS PROVIDED FOR IN THE PRECEDING SENTENCE. The bid price by the successful bidder (the "Bid Price") will be adjusted to reflect any adjustments in the amortization requirements of the Series 2024 Bonds. Such adjusted Bid Price will reflect changes in the dollar amount of the underwriting discount, original issue discount/premium and any applicable insurance premium, but will not change the selling compensation (including any applicable bond insurance premium) per $1,000 of par amount of Series 2024 Bonds from the selling compensation that would have been received based on the Bid Price in the winning bid and the initial reoffering prices. The interest rate for each maturity will not change. The Final Amortization Requirements and the adjusted Bid Price will be communicated to the successful bidder by 4:00 p.m., Richmond, Virginia time on the day following the sale.

*Preliminary, subject to change.

Serial Bonds and/or Term Bonds

Bidders may provide that all of the Series 2024 Bonds be issued as serial bonds or may provide that any two or more consecutive annual principal amounts be combined into one or more term bonds with annual mandatory sinking fund redemptions in amounts as provided above. Term bonds with overlapping sinking fund installments or sinking fund installments that overlap serial bond maturities will not be permitted.

Mandatory Sinking Fund Redemption

If the successful bidder designates consecutive annual principal amounts to be combined into one or more term bonds, each such term bond shall be subject to mandatory sinking fund redemption at par commencing on June 15 of the first year that has been combined to form such term bond and continuing on June 15 in each year thereafter until the stated maturity date of that term bond. The amount redeemed in any year shall be equal to the principal amount for such year set forth in the tables above under the caption "Annual Amortization Requirements."

Optional Redemption*

The Series 2024 Bonds maturing on or before June 15, ____, are not subject to optional redemption. The Series 2024 Bonds maturing on and after June 15, ____, will be subject to redemption prior to maturity, at the option of the Authority upon the direction of the County, at any time on or after June 15, ____, in whole or in part (in $5,000 integrals), upon payment of 100% of the principal amount to be redeemed, plus interest accrued to the date fixed for redemption.

If less than all of the Series 2024 Bonds are called for redemption, the Series 2024 Bonds (or principal portions thereof) to be redeemed shall be selected by the Authority (at the direction of the County). If less than all of the Series 2024 Bonds of a particular maturity are called for redemption, DTC or any successor securities depository will select the particular Series 2024 Bonds within each maturity to be redeemed pursuant to its rules and procedures or, if the book-entry system is discontinued, the Series 2024 Bonds to be redeemed will be selected by the Trustee (as hereinafter defined). In either case, each portion of the $5,000 principal amount is counted as one Series 2024 Bond for such purpose. The Authority (at the direction of the County) will cause notice of the call for redemption identifying the Series 2024 Bonds or portions thereof to be redeemed to be sent by facsimile transmission, registered or certified mail or overnight express delivery, not less than 30 nor more than 60 days prior to the redemption date, to the registered owner thereof. Neither the Authority nor the County shall be responsible for mailing notice of redemption to anyone other than DTC or another qualified securities depository or its nominee unless no qualified securities depository is the registered owner of the Series 2024 Bonds. If no qualified securities depository is the registered owner of the Series 2024 Bonds, notice of redemption shall be mailed to the registered owners of the Series 2024 Bonds by the Trustee. If a portion of a Series 2024 Bond is called for redemption, a new Series 2024 Bond in principal amount equal to the unredeemed portion shall be issued to the registered owner upon the surrender thereof.

Bidding Rules; Award of Bonds

Bidders may bid only to purchase all of the Series 2024 Bonds. Bidders are invited to name the rate or rates of interest per annum that the Series 2024 Bonds are to bear in multiples of one-twentieth (1/20) or one-eighth (1/8) of one percent. All Series 2024 Bonds maturing on the same date must bear interest at the same rate. Any number of rates may be named provided that the highest rate of interest stated for any maturity may not exceed ___% per year. In addition, the Series 2024 Bonds shall bear interest at a "true" or "Canadian" interest cost not to exceed ____% (taking into account any original issue discount or premium). No bid for less than ____% of the aggregate principal amount of the Series 2024 Bonds shall be considered. The underwriter's discount for the Series 2024 Bonds shall not exceed ___ basis points (___%). The County, on behalf of the Authority, reserves the right to reject any or all bids

*Preliminary, subject to change.

(regardless of the interest rate bid), to reject any bid not complying with this Official Notice of Sale and, so far as permitted by law, to waive any irregularity or informality with respect to any bid for the bidding process.

As promptly as reasonably possible after the bids are received, the County, on behalf of the Authority, will notify the bidder to whom the Series 2024 Bonds will be awarded, if and when such award is made. Such bidder, upon such notice, shall advise the County of the initial reoffering prices or yields to the public of each maturity of the Series 2024 Bonds. The winning bid will remain firm for a period of no less than four hours after the time specified for the opening of bids. An award of the Series 2024 Bonds, if made, will be made by the County Administrator within such four hour period or, with the express consent of the winning bidder, such longer time period as deemed necessary.

Unless all bids are rejected, the Series 2024 Bonds will be awarded to the bidder complying with the terms of this Official Notice of Sale and submitting a bid which provides the lowest "true" or "Canadian" interest cost to the Authority. True interest cost shall be determined for each bid by doubling the semiannual interest rate, compounded semiannually, necessary to discount the debt service payments to the Dated Date and to the price bid. If more than one bid offers the same lowest true interest cost, the successful bid will be selected by the County Administrator by lot.

Bids for the Series 2024 Bonds shall not be conditioned upon obtaining insurance or any other credit enhancement. If a bidder proposes to obtain a policy of municipal bond insurance or any other credit enhancement, any such purchase of insurance or commitment therefor shall be at the sole option and expense of the bidder, and the bidder must pay any increased costs of issuance of the Series 2024 Bonds as a result of such insurance or commitment. Any failure by the bidder to obtain such a policy of insurance shall not in any way relieve such bidder of its contractual obligations arising from the acceptance of its bid for the purchase of the Series 2024 Bonds.

Good Faith Deposit

A good faith deposit in the amount of $_____ (the "Deposit") is required. The Deposit may be provided in the form of (i) a certified check upon, or a cashier's, treasurer's or official check of, a responsible banking institution, payable to the order of the Economic Development Authority of James City County, Virginia (and delivered by ___ p.m., Eastern Time, on _____, 2024, to the Financial Advisor, Davenport & Company LLC, 901 East Cary Street, 11th Floor, Richmond, Virginia 23219 (Attention: Mr. Courtney Rogers) or (ii) a federal funds wire transfer to be submitted to the Authority by the successful bidder not later than ___ p.m., prevailing Eastern time (the "Deposit Deadline"), on the date of sale. Option (ii) is described in more detail below. The Deposit of the successful bidder will be collected and the proceeds thereof retained by the Trustee to be applied in partial payment for the Series 2024 Bonds, and no interest will be allowed or paid upon the amount thereof; provided, however, that in the event the successful bidder shall fail to comply with the terms of its bid, the proceeds thereof will be retained as and for full liquidated damages. Any checks of the unsuccessful bidders will be returned promptly after the Series 2024 Bonds are awarded.

If a federal funds wire transfer is used, the County or the Financial Advisor shall distribute wiring instructions for the Deposit to the successful bidder upon verification of the bids submitted by the bidders and prior to the Deposit Deadline. **The award of the Series 2024 Bonds will be made promptly following the receipt of the federal funds wire.** If the Deposit is not received by the Deposit Deadline, the award of the sale of the Series 2024 Bonds to the successful bidder may be cancelled by the County Administrator in his discretion, upon the advice of the Financial Advisor, without the Authority incurring any financial liability to such bidder or any limitation whatsoever on the County's right to sell the Series 2024 Bonds to a different purchaser upon such terms and conditions as the Authority shall deem appropriate.

Book-Entry-Only System

The Series 2024 Bonds will be issued by means of a book-entry system with no distribution of physical bond certificates made to the public. One bond certificate for each maturity of the Series 2024 Bonds will be issued to The

Depository Trust Company, New York, New York ("DTC"), or its nominee, and immobilized in its custody. The book-entry system will evidence beneficial ownership of the Series 2024 Bonds in principal amounts of $5,000 or multiples thereof, with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC and its participants. Series 2024 Bond certificates registered in the name of Cede & Co. will be deposited with DTC. Interest on the Series 2024 Bonds will be payable from their date semiannually on each June 15 and December 15, beginning June 15, 2025, and principal of the Series 2024 Bonds will be paid annually as set forth on the preceding page to DTC or its nominee as registered owner of the Series 2024 Bonds. Transfer of principal, premium and interest payments to beneficial owners by participants of DTC will be the responsibility of such participants and other nominees of beneficial owners. Neither the Authority nor the County will be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

DTC may discontinue providing its services as securities depository with respect to the Series 2024 Bonds at any time by giving reasonable notice to the Authority. Under such circumstances, in the event that a successor securities depository is not obtained, Series 2024 Bond certificates are required to be prepared, executed and delivered.

The Authority (at the direction of the County) may decide to discontinue use of the system of book-entry transfers through DTC (or a successor securities depository). In that case, either a successor depository will be selected by the Authority (at the direction of the County) or Series 2024 Bond certificates will be prepared, executed and delivered.

Security

The Series 2024 Bonds will be secured by a Financing Agreement dated as of June 1, 2016, as previously supplemented (the "Master Financing Agreement"), and as further supplemented by a Third Supplemental Financing Agreement dated as of December 1, 2024 (the "Third Supplemental Financing Agreement" and, together with the Master Financing Agreement, the "Financing Agreement"), all between the Authority and the County, pursuant to which the County will undertake, subject to annual appropriation by the County Board of Supervisors of sufficient funds for such purpose, to make payments to the Authority that will be sufficient to pay the principal of and interest on the Series 2024 Bonds as the same shall become due in accordance with their terms. **Neither the Series 2024 Bonds nor the Financing Agreement will constitute a debt of the County or a pledge of the faith and credit or taxing power of the County.**

The Series 2024 Bonds will be issued pursuant to the terms of the Agreement of Trust dated as of June 1, 2016, as previously supplemented (the "Master Trust Agreement"), and as further supplemented by a Fourth Supplemental Agreement of Trust dated as of December 1, 2024 (the "Fourth Supplemental Trust Agreement" and, together with the Master Trust Agreement, the "Trust Agreement"), all between the Authority and Wilmington Trust, National Association, as trustee (the "Trustee").

A more detailed description of the security for the Series 2024 Bonds is set forth in the Authority's Preliminary Official Statement dated the date hereof (the "Preliminary Official Statement").

Delivery of the Bonds

The Series 2024 Bonds will be delivered at the expense of the Authority in New York, New York, through the facilities of DTC (through its FAST Program) on or about _____, 2024.

Concurrently with the delivery of the Series 2024 Bonds, the successful bidder will be furnished with (1) a certificate dated the date of delivery of the Series 2024 Bonds, signed by the appropriate Authority and County officials and stating that no litigation of any kind is then pending or, to the best of their information, knowledge and belief, threatened against the Authority or the County to restrain or enjoin the issuance or delivery of the Series 2024 Bonds or the levy or collection of ad valorem taxes, over and above all other taxes authorized and without limitation as to rate or amount on all locally taxable property within the County sufficient to pay when due principal of or interest on

the Series 2024 Bonds or in any manner questioning the proceedings and authority under which the Series 2024 Bonds are issued, and (2) a certificate dated the date of delivery of the Series 2024 Bonds, signed by the appropriate County officials, stating that the descriptions and statements in the Official Statement (except in the sections entitled "Litigation" and "Tax Matters" and in Appendix G and the information as to yields and CUSIP numbers on the inside cover page) on the date of the Official Statement and on the date of delivery of the Series 2024 Bonds were and are true and correct in all material respects, did not and do not contain an untrue statement of a material fact or omit to state a material fact required to be stated therein or necessary to make such descriptions and statements, in light of the circumstances under which they were made, not misleading. Such certificate will also state however, that such County officials did not independently verify the information indicated in the Official Statement as having been obtained or derived from sources other than the County and its officers but that they have no reason to believe that such information is not accurate.

The County Attorney will also furnish to the successful bidder concurrently with the delivery of the Series 2024 Bonds a certificate dated the date of delivery of the Series 2024 Bonds, stating that the statements relating to the County contained in the section entitled "Litigation" on the date of the Official Statement and on the date of delivery of the Series 2024 Bonds were and are true and correct in all material respects and did not and do not contain an untrue statement of a material fact or omit to state a material fact required to be stated therein or necessary to make such statements, in light of the circumstances under which they were made, not misleading.

Certificates of Winning Bidder

The successful bidder must, by facsimile transmission or overnight delivery received by the County within 24 hours after receipt of bids for the Series 2024 Bonds, furnish the following information to complete the Official Statement in final form, as described below:

A. The offering prices for the Series 2024 Bonds (expressed as the price or yield per maturity).

B. Selling compensation (aggregate total anticipated compensation to the underwriters expressed in dollars, based on the expectation that all Series 2024 Bonds are sold at the prices or yields described in Subpart A above).

C. The identity of the underwriters if the successful bidder is a part of a group or syndicate.

D. Any other material information necessary to complete the Official Statement in final form but not known to the County.

Prior to delivery of the Series 2024 Bonds, the successful bidder shall furnish to the Authority a certificate, in form acceptable to bond counsel, to the effect that successful bidder has complied with Rule G-37 of the Municipal Securities Rulemaking Board (the "MSRB") with respect to the Authority and County.

Certificate of Issue Price

Unless other arrangements are made with the Hunton Andrews Kurth LLP, Bond Counsel, at least 24 hours in advance of the delivery date of the Series 2024 Bonds, the successful bidder shall complete, execute and deliver to the Authority, on or before the delivery date of such Series 2024 Bonds, a certificate as to the "issue price" of the Series 2024 Bonds, substantially in the form attached hereto as Exhibit A (the "Issue Price Certificate"). In the event a successful bidder will not reoffer such Series 2024 Bonds for sale or is otherwise unable to deliver such form of certificate, the Issue Price Certificate may be modified in a manner approved by, and at the discretion of, the County (on behalf of the Authority) and Hunton Andrews Kurth LLP. Each bidder, by submitting its bid for the Series 2024 Bonds, agrees to complete, execute and deliver an Issue Price Certificate at delivery of the Series 2024 Bonds, if its bid is accepted by the County (on behalf of the Authority). It will be the responsibility of the successful bidder to institute such syndicate reporting requirements, to make such investigations, or otherwise ascertain the facts necessary to enable it to make such certificate with reasonable certainty. In addition to executing and delivering an Issue Price

Certificate, the winning bidder may be required to (a) demonstrate that it has made a bona fide offering of all such Series 2024 Bonds to the public (excluding bond houses, brokers, or similar persons or organizations acting in the capacity of underwriters or wholesalers) at prices no higher than, or yields no lower than, the initial public offering prices, (b) provide an explanation of why any Series 2024 Bonds sold by the successful bidder between the Date of Sale and the date of the delivery were sold for a price higher than, or a yield lower than, the initial public offering prices, and (c) provide information regarding the initial purchasers of the Series 2024 Bonds, particularly information sufficient to enable the County (on behalf of the Authority) and Hunton Andrews Kurth LLP to determine that such purchasers are the "public." Any questions concerning the Issue Price Certificate should be directed, not later than 24 hours before the Date of Sale, to Christopher G. Kulp, of Hunton Andrews Kurth LLP, 804-788-8742.

CUSIP Numbers

It is anticipated that CUSIP identification numbers will be printed on the Series 2024 Bonds, but neither the failure to print such numbers on any Series 2024 Bond nor any error with respect thereto shall constitute cause for failure or refusal by the successful bidder thereof to accept delivery of and pay for the Series 2024 Bonds in accordance with the terms of its bid.

Official Statement

The County (on behalf of the Authority) will furnish the successful bidder, at the expense of the County, up to 200 copies of the final Official Statement within seven business days from the date of the award of the Series 2024 Bonds, as specified in Rule 15c2-12 (the "Rule") of the Securities and Exchange Commission (the "SEC") and the rules of the MSRB; provided that minor delays in furnishing such final Official Statement will not be a basis for failure to pay for and accept delivery of the Series 2024 Bonds. Additional copies will be made available at the successful bidder's request and expense. Neither the Authority nor the County assumes any responsibility or obligation for the distribution or delivery of the Official Statement to anyone other than the successful bidder.

The successful bidder, by executing the Official Bid Form, agrees to provide two copies of the Official Statement (with any required forms) to the MSRB or its designee no later than ten business days following the Date of Sale. The successful bidder shall notify the County as soon as practicable of (1) the date which is the end of the underwriting period (such "underwriting period" is described in the Rule) and (2) the date of filing of the Official Statement with the MSRB or its designee.

If the Series 2024 Bonds are awarded to a syndicate, the County (on behalf of the Authority) will designate the senior managing underwriter of the syndicate as its agent for purposes of distributing copies of the Official Statement to each participating underwriter. Any underwriter executing and delivering a bid form with respect to the Series 2024 Bonds agrees thereby that if its bid is accepted it shall accept such designation and shall enter into a contractual relationship with all participating underwriters for the purposes of assuring the receipt and distribution by each such participating underwriter of the Official Statement, unless another firm is so designated by the syndicate in writing and approved by the County.

Legal Opinion

The approving opinion of Hunton Andrews Kurth LLP, Richmond, Virginia, with respect to the Series 2024 Bonds will be furnished to the successful bidder, at the expense of the County, and will state that the Series 2024 Bonds constitute valid and binding limited obligations of the Authority payable as to both principal and interest solely from Basic Payments, certain Additional Payments (each as defined in the Financing Agreement) and other funds pledged under the Trust Agreement. The Series 2024 Bonds do not create or constitute a debt or pledge of the faith and credit of the Commonwealth of Virginia or any political subdivision thereof, including the Authority and the County.

The opinion will also state that (a) the Trust Agreement and the Financing Agreement have been duly authorized, executed and delivered by, and constitute valid and binding obligations of, the Authority and the County,

as applicable, and are enforceable against the Authority and the County in accordance with their terms, (b) the County's undertaking to make Basic Payments and Additional Payments under the Financing Agreement is subject to and dependent upon the County Board making annual appropriations for such purpose, and (c) such obligation does not constitute a debt of the County within the meaning of any constitutional or statutory limitation or a liability of or a lien or charge upon funds or property of the County beyond any fiscal year for which the County Board has appropriated moneys for such purpose.

The opinion will further state that the rights of holders of the Series 2024 Bonds and the enforceability of such rights, including the enforcement by the Trustee of the obligations of the Authority and the County under the Trust Agreement and the Financing Agreement, as applicable, may be limited or otherwise affected by (a) bankruptcy, insolvency, reorganization, moratorium, fraudulent conveyance and other laws affecting the rights of creditors generally and (b) principles of equity, whether considered at law or in equity, and by public policy.

Tax Matters

The Official Statement relating to the Series 2024 Bonds contains a discussion of the effect of the Internal Revenue Code of 1986, as amended, on the exclusion from gross income of interest on the Series 2024 Bonds and a discussion of the opinion of Hunton Andrews Kurth LLP insofar as it concerns such exclusion.

Federal and State Securities Laws

No action has been taken to qualify the Series 2024 Bonds under the federal securities laws.

Continuing Disclosure

For purposes of the Rule, the County is an obligated person with respect to the Series 2024 Bonds. The County will agree, pursuant to the Continuing Disclosure Agreement, to provide certain annual financial information and operating data and notices of the occurrence of certain events, if material. A description of these undertakings is set forth in the Preliminary Official Statement for the Series 2024 Bonds and will also be set forth in the final Official Statement for the Series 2024 Bonds (See Appendix F of the Preliminary Official Statement).

Additional Information

For further information relating to the Series 2024 Bonds, the Authority and the County, reference is made to the Authority's Preliminary Official Statement. The Authority has deemed the Preliminary Official Statement to be final as of its date within the meaning of the Rule, except for the omission of certain pricing and other information permitted to be omitted pursuant to the Rule. The Official Bid Form and the Preliminary Official Statement may be obtained from the Financial Advisor, Davenport & Company LLC (telephone 804-697-2900).

ECONOMIC DEVELOPMENT AUTHORITY OF JAMES CITY COUNTY, VIRGINIA
By: Board of Supervisors of James City County, Virginia

Dated _____, 2024.

DRAFT
Hunton Andrews Kurth
October 1, 2024

EXHIBIT A-1

[*For use in competitive sale where at least 3 qualifying bids are received*]

PROPOSED FORM OF UNDERWRITER'S CERTIFICATE

In connection with the purchase by _____ (the "Underwriter") of the $_____ Public Facility Revenue Bonds (County Government Projects), Series 2024 (the "Bonds"), issued and sold by the Economic Development Authority of James City County, Virginia (the "Issuer"), on the date hereof, the undersigned authorized representative of the Underwriter certifies as follows:

1. The Underwriter purchased the Bonds from the Issuer at a price of $_____ (calculated as the original principal amount of $_____, [plus][less] [net] original issue [premium][discount] of $_____, and less the Underwriter's discount of $_____).

2. On _____, 2024 (the "Sale Date"), the Underwriter made a bona fide offering of all the Bonds of each Maturity to the Public (as defined below) reflecting the following terms:

Maturity (June 15)	Principal Amount	Interest Rate	Yield	Price (%)

[*] Yield reflects Bonds priced to the first optional call date of June 15, _____.

3. As of the Sale Date, the reasonably expected initial offering prices of the Bonds to the Public are the prices (expressed as a percentage of the principal amount) listed above (the "Expected Offering Prices"). The Expected Offering Prices are the prices for the Maturities of the Bonds used by the Underwriter in formulating its bid to purchase the Bonds. Attached as Schedule I is a true and correct copy of the bid provided by the Underwriter to purchase the Bonds.

4. The Underwriter was not given the opportunity to review the other bids submitted to the Issuer prior to submitting its own bid.

5. The bid submitted by the Underwriter constituted a firm offer to purchase the Bonds.

6. All capitalized terms used but not otherwise defined herein shall have the meanings given in the Non-Arbitrage and Tax Compliance Certificate of the Issuer for the Bonds, a copy of which we have reviewed. In addition, the following capitalized terms shall have the following meanings for purposes of this Certificate:

(a) "**Maturity**" means Bonds with the same credit and payment terms. Bonds with different maturity dates, or Bonds with the same maturity date but different stated interest rates, are treated as separate Maturities.

(b) "**Public**" means any person (including an individual, trust, estate, partnership, association, company, or corporation) other than an Underwriter or a related party to an Underwriter.

(c) For purposes of this certificate a purchaser of any of the Bonds is a **"related party"** to an underwriter if the underwriter and the purchaser are subject, directly or indirectly, to (A) at least 50% common ownership of the voting power or the total value of their stock, if both entities are corporations (including direct ownership by one corporation of another), (B) more than 50% common ownership of their capital interests or profits interests, if both entities are partnerships (including direct ownership by one partnership of another), or (C) more than 50% common ownership of the value of the outstanding stock of the corporation or the capital interests or profit interests of the partnership, as applicable, if one entity is a corporation and the other entity is a partnership (including direct ownership of the applicable stock or interests by one entity of the other).

(d) "**Underwriter**" means (i) any person that agrees pursuant to a written contract with the Issuer (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the Public, and (ii) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (i) of this paragraph to participate in the initial sale of the Bonds to the Public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the Bonds to the Public).

We understand that the foregoing information will be relied upon by (i) the Issuer in establishing, among other things, the "issue price" of the Bonds within the meaning of Section 1273 of the Internal Revenue Code of 1986, as amended (the "Code"), and certain other expectations with respect to the Bonds for purposes of Section 148 of the Code set forth in the Non-Arbitrage and Tax Compliance Certificate and (ii) Hunton Andrews Kurth LLP, Richmond, Virginia, in connection with rendering its opinion to the Issuer that the interest on the Bonds is not includable in gross income of the owners thereof for federal income tax purposes. The undersigned is certifying only as to facts in existence on the date hereof. Nothing herein represents the undersigned's interpretation of any laws, in particular the regulations under the Code or the application of any laws to these facts. The certifications contained herein are not necessarily based on personal knowledge, but may instead be based on either inquiry deemed adequate by the undersigned or institutional knowledge (or both) regarding the matters set forth herein. Although certain information furnished in this Certificate has been derived from other purchasers, bond houses and brokers and cannot be independently verified by us, we have no reason to believe it to be untrue in any material respect.

Dated _____, 2024.

[Name of Winning Bidder]

By:_____

Name:_____

Title:_____

[Attachment – Schedule I – Copy of Bid]

EXHIBIT A-2

[*For use in competitive sale where fewer than 3 qualifying bids are received*]

PROPOSED FORM OF UNDERWRITER'S CERTIFICATE

In connection with the purchase by _____ (the "Underwriter") of the $_____ Public Facility Revenue Bonds (County Government Projects), Series 2024 (the "Bonds"), issued and sold by the Economic Development Authority of James City County, Virginia (the "Issuer"), on the date hereof, the undersigned authorized representative of the Underwriter certifies as follows:

1. The Underwriter purchased the Bonds from the Issuer at a price of $_____ (calculated as the original principal amount of $_____, [plus][less] [net] original issue [premium][discount] of $_____, and less the Underwriter's discount of $_____).

2. On _____, 2024 (the "Sale Date"), the Underwriter made a bona fide offering of all the Bonds of each Maturity to the Public (as defined below) reflecting the following terms:

Maturity (June 15)	Principal Amount	Interest Rate	Yield	Price (%)

[*] Yield reflects Bonds priced to the first optional call date of June 15, _____.

3. (a) The Underwriter offered each Maturity of the Bonds to the Public for purchase at the respective initial offering prices listed above (the "Initial Offering Prices") on or before the Sale Date. A copy of the pricing wire or equivalent communication for the Bonds is attached to this certificate as Schedule I.

(b) As set forth in the Official Notice of Sale, the Underwriter has agreed in writing that, (i) for each Maturity of the Bonds, it would neither offer nor sell any of the Bonds of such Maturity to any person at a price that is higher than the Initial Offering Price for such Maturity during the Holding Period for such Maturity (the "hold-the-offering-price rule"), and (ii) any selling group agreement shall contain the agreement of each dealer who is a member of the selling group, and any retail distribution agreement shall contain the agreement of each broker dealer who is a party to the retail distribution agreement, to comply with the hold-the- offering-price rule. Pursuant to such agreement, no Underwriter (as defined below) has offered or sold any Maturity of the Bonds at a price that is higher than the respective Initial Offering Price for that Maturity of the Bonds during the Holding Period.

(c) The Underwriter has an established industry reputation for underwriting new issuances of municipal bonds.

4. All capitalized terms used but not otherwise defined herein shall have the meanings given in the Non-Arbitrage and Tax Compliance Certificate of the Issuer for the Bonds, a copy of which we have reviewed. In addition, the following capitalized terms shall have the following meanings for purposes of this Certificate:

(a) **"Holding Period"** means for each Maturity of the Bonds, the period starting on the Sale Date and ending on the earlier of (i) the close of the fifth business day after the Sale Date, or (ii) the date on which the Underwriter has sold at least 10% of each Maturity of the Bonds to the Public at prices that are no higher than the Initial Offering Price for such Maturity.

(b) "**Maturity**" means Bonds with the same credit and payment terms. Bonds with different maturity dates, or Bonds with the same maturity date but different stated interest rates, are treated as separate Maturities.

(c) "**Public**" means any person (including an individual, trust, estate, partnership, association, company, or corporation) other than an Underwriter or a related party to an Underwriter.

(d) For purposes of this certificate a purchaser of any of the Bonds is a **"related party"** to an underwriter if the underwriter and the purchaser are subject, directly or indirectly, to (A) at least 50% common ownership of the voting power or the total value of their stock, if both entities are corporations (including direct ownership by one corporation of another), (B) more than 50% common ownership of their capital interests or profits interests, if both entities are partnerships (including direct ownership by one partnership of another), or (C) more than 50% common ownership of the value of the outstanding stock of the corporation or the capital interests or profit interests of the partnership, as applicable, if one entity is a corporation and the other entity is a partnership (including direct ownership of the applicable stock or interests by one entity of the other).

(e) "**Underwriter**" means (i) any person that agrees pursuant to a written contract with the Issuer (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the Public, and (ii) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (i) of this paragraph to participate in the initial sale of the Bonds to the Public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the Bonds to the Public).

We understand that the foregoing information will be relied upon by (i) the Issuer in establishing, among other things, the "issue price" of the Bonds within the meaning of Section 1273 of the Internal Revenue Code of 1986, as amended (the "Code"), and certain other expectations with respect to the Bonds for purposes of Section 148 of the Code set forth in the Non-Arbitrage and Tax Compliance Certificate and (ii) Hunton Andrews Kurth LLP, Richmond, Virginia, in connection with rendering its opinion to the Issuer that the interest on the Bonds is not includable in gross income of the owners thereof for federal income tax purposes. The undersigned is certifying only as to facts in existence on the date hereof. Nothing herein represents the undersigned's interpretation of any laws, in particular the regulations under the Code or the application of any laws to these facts. The certifications contained herein are not necessarily based on personal knowledge, but may instead be based on either inquiry deemed adequate by the undersigned or institutional knowledge (or both) regarding the matters set forth herein. Although certain information furnished in this Certificate has been derived from other purchasers, bond houses and brokers and cannot be independently verified by us, we have no reason to believe it to be untrue in any material respect.

Dated _____, 2024.

[Name of Winning Bidder]

By:_____

Name:_____

Title:_____

[Attachment – Schedule I – Copy of pricing wire or equivalent communication]

M E M O R A N D U M

DATE: October 8, 2024

TO: The Board of Supervisors

FROM: Teresa J. Saeed, Deputy Clerk

SUBJECT: Designation of Voting Delegate for VACo Annual Conference

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Each year, the Virginia Association of Counties (VACo) holds an Annual Business Meeting during its Annual Conference. As a member county of VACo, James City County is entitled to one voting delegate to cast the County's vote(s) at this meeting.

The VACo Annual Business Meeting will be held on Tuesday, November 12, 2024, during the VACo Annual Conference at the Omni Homestead Resort in Bath County, Virginia. At this meeting, VACo members will vote on policy issues, resolutions, and other matters impacting counties across Virginia.

Staff recommends that Ruth M. Larson, Chair of the Board of Supervisors, be designated as James City County's voting delegate for the upcoming VACo Annual Business Meeting. Chair Ruth M. Larson has experience representing our County at state and national events and is well-versed in the policy issues to be addressed.

If approved, Chair Ruth M. Larson will be authorized to cast James City County's vote(s) on all matters brought before the VACo Annual Business Meeting. A formal resolution documenting this designation has been prepared for your consideration.

TJS/md
VoteDelVACoNov24-mem

Attachment

R E S O L U T I O N

DESIGNATION OF VOTING DELEGATE FOR VACo ANNUAL CONFERENCE

WHEREAS, James City County is a member of the Virginia Association of Counties (VACo); and

WHEREAS, VACo's Annual Business Meeting will be held on November 12, 2024, during the VACo Annual Conference at the Omni Homestead Resort in Bath County, Virginia; and

WHEREAS, VACo's policy allows each member county to designate one voting delegate to cast the County's vote(s) at the Annual Business Meeting; and

WHEREAS, the Chair of the Board of Supervisors, Ruth M. Larson, has been determined to serve as the voting delegate for James City County at the VACo Annual Business Meeting.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby designates Ruth M. Larson, Chair of the Board of Supervisors, as the voting delegate for James City County at the VACo Annual Business Meeting to be held on November 12, 2024, in Bath County, Virginia.

BE IT FURTHER RESOLVED that Ruth M. Larson is authorized to cast James City County's vote(s) as required on all matters brought before the VACo Annual Business Meeting.

_____
Ruth M. Larson
Chair, Board of Supervisors

ATTEST:

_____
Teresa J. Saeed
Deputy Clerk to the Board

	VOTES			
	AYE	NAY	ABSTAIN	ABSENT
NULL	____	____	____	____
HIPPLE	____	____	____	____
MCGLENNON	____	____	____	____
ICENHOUR	____	____	____	____
LARSON	____	____	____	____

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of October, 2024.

VoteDelVACoNov24-res