

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 8TH DAY OF MAY, 2001, AT 7 00 P M IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A ROLL CALL

John J McGlennon, Chairman, Jamestown District
Bruce C Goodson, Vice Chairman, Roberts District

Jay T Harrison, Sr , Berkeley District
James G Kennedy, Stonehouse District
Ronald A Nervitt, Powhatan District

Sanford B Wanner, County Administrator
Frank M Morton, III, County Attorney

B PLEDGE OF ALLEGIANCE

Ms Ashley Bangan, an eight grade student at James Blair Middle School led the Board and citizens in the Pledge of Allegiance

C PUBLIC COMMENT - None

D PRESENTATION

1 Employee and Volunteer Outstanding Service Award

Mr McGlennon read and presented Outstanding Service Awards to the following Volunteers - Don Vaden, Drew Mulhare, Taylor Horne, Volunteer Team - Anthony Mark, Shawn Lewis, Albert Randolph, Glenn Radcliffe, in absentia, Volunteers and Employees - Michael Brown, Daniel Foley, Madelynn Hermann, Pat Lewis, Terry O'Connor, in absentia, Earlene Robinson, Vicki Sprigg, and Cathie Upton, in absentia, Employee Teams - Sandy Hale, Marie Hopkins, Hershel Kries, in absentia, Linda Odell, Doug Powell, Jody Puckett, Vicki Sprigg, Jane Townsend, in absentia, James Wilson, Sephanie Ahrendt, Don Breland, in absentia, Donna Christian, in absentia, Ann Davis, Jeff Hicklin, Willie Howlett, Pat Lewis, Carol Luckam, Sue Mellen, Debbie Meritt, in absentia, Tara Moore, Bill Porter, Doug Powell, Jill Schmidle, Bob Smith, in absentia, Carol Swindell, in absentia, Rona Vrooman, in absentia, Larry Walker, and Brigitte White, Mary Hubbard and Iris Street, and Employees - Norm Engel and Alisa Fox

E CONSENT CALENDAR

Mr McGlennon asked if a member wished to pull an item from the consent calendar

Mr Goodson requested Item Numbers 4, Award of Contract – Skate Park, 6, Award of Contract – Reconstruction of Red Oak Landing Road to Virginia Department of Transportation (VDOT) Standards, and

7, Award of Contract – Pocahontas Trail Turn Lanes and Traffic Signal at Greenmount Parkway be pulled for a separate vote.

Mr. Harrison requested Item Number 5, Award of Contract – Upper County Park, be pulled for further discussion.

Mr. Goodson made a motion to approve the remaining items on the consent calendar.

On a roll call vote, the vote was: AYE: Harrison, Kennedy, Nervitt, Goodson, McGlennon (5). NAY: (0).

1. Minutes
 - a. April 16, 2001, Work Session
 - b. April 19, 2001 Budget Work Session
 - c. April 25, 2001, Work Session
2. Business Appreciation Week – May 13-19, 2001

RESOLUTION

BUSINESS APPRECIATION WEEK

MAY 13-19, 2001

WHEREAS, James City County is pleased to have a thriving base of business and industry to support the local economy; and

WHEREAS, these businesses provide essential employment opportunities, provide local tax revenues, and make other significant contributions in our community that promote both educational opportunities for our children and a variety of activities which increase the quality of life.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby salutes our existing businesses and by virtue of this proclamation, gives notice to our citizens that we wish to recognize their importance.

BE IT FURTHER RESOLVED that the Week of May 13-19, 2001, is Business Appreciation Week in James City County.

3. Mental health Awareness Month

RESOLUTION

MENTAL HEALTH AWARENESS MONTH

WHEREAS, mental illness will strike one in four Americans in a given year without regard to age, gender, race, ethnicity, religion, or economic status; and

WHEREAS, one in five children will suffer from a diagnosable mental illness, emotional, or behavioral disorder, and one in ten have a serious disorder, which if left untreated can lead to school failure, substance abuse, and even suicide; and

WHEREAS, the causes of brain disorders are not fully understood, but the illnesses are treatable and recovery is possible if those affected receive treatment, advocacy, and support; and

WHEREAS, the Colonial Services Board, serving the citizens of James City County, celebrates National Mental Health Month each year in May to raise awareness of mental health, mental illness, and discrimination against people with mental illness.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, proclaims May as Mental Health Awareness Month.

8. Emergency Preemption Equipment Agreement

RESOLUTION

EMERGENCY PREEMPTION EQUIPMENT AGREEMENT

WHEREAS, James City County has embarked on a program of installing emergency preemption equipment at existing signalized intersections; and

WHEREAS, Virginia Department of Transportation has agreed to install and maintain such equipment on existing signalized intersections and to purchase, install, and maintain such equipment for future signalized intersections.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the Chairman of the Board to enter into such an agreement with the Virginia Department of Transportation.

9. Petty Cash – Office of Code Compliance and James City-Williamsburg Community Center

RESOLUTION

PETTY CASH - OFFICE OF CODE COMPLIANCE AND JAMES CITY-WILLIAMSBURG

COMMUNITY CENTER

WHEREAS, the Board of Supervisors of James City County has been requested to authorize petty cash of \$50 for the Office of Code Compliance and an increase of \$100 at the James City-Williamsburg Community Center (JCWCC).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby authorize the Treasurer to create petty cash of \$50 for the Office of Code Compliance and to increase petty cash at the JCWCC in the amount of \$100.

10. Challenge Grant – Friends of Green Spring**RESOLUTION****CHALLENGE GRANT - FRIENDS OF GREEN SPRING**

WHEREAS, the Board of Supervisors of James City County has received a request for funding, in the amount of \$25,000, from the Friends of the National Park Service for Green Spring, Inc. (Friends of Green Spring); and

WHEREAS, the requested funds would be matched with \$25,000 from other sources and the combined \$50,000 would be used to hire a fund-raiser to assist the Park Service in opening Green Spring as a public park by the year 2007.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, approves the request for funds and authorizes the County Administrator to release \$25,000 when the Friends of Green Spring has documented that a matching amount of \$25,000 has been raised from other sources and set aside for fund-raising.

BE IT FURTHER RESOLVED that the following amendment to the FY 2001 General Fund budget be approved, and made a continuing appropriation, allowing it to extend beyond the end of the FY 2001 fiscal year:

General Fund Expenditures:

From: Operating Contingency	<u>\$25,000</u>
To: Contributions - Outside Agencies - Friends of Green Spring	<u>\$25,000</u>

4. Award of Contract – Skate Park

Mr. Harrison made a motion to adopt the resolution awarding the construction of a skate park.

On a roll call, the vote was: AYE: Harrison, Kennedy, Nervitt, McGlennon (4). NAY: (0). ABSTAIN: Goodson.

RESOLUTION**AWARD OF CONTRACT - SKATE PARK**

WHEREAS, bids have been received for construction of a skate park; and

WHEREAS, staff has reviewed all bids and determined that M.K. Taylor, Jr., Contractors, Inc., is the lowest responsible and responsive bidder and is qualified to complete the project; and

WHEREAS, the bid is within the capital budget allocated for the Division of Parks and Recreation.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator to execute the necessary contract documents for award of bid to M.K. Taylor, Jr., Contractors, Inc. in the amount of \$168,988.

5. Award of Contract – Upper County Park

Mr. Harrison inquired about the use of the existing basketball court and the new basketball court. Mr. Harrison suggested that citizens may utilize another court more, such as tennis, and inquired if the proposed basketball court could be modified to construct tennis courts.

Mr. Needham S. Cheely, III, Director of Parks and Recreation, stated that the court could be modified and stated that the basketball court is proposed in response to citizen input received at meetings held regarding the redesign plans of Upper County Park.

Mr. Kennedy inquired if the construction will impact the County Fair operations.

Mr. Cheely stated that staff has worked out an agreement with the contractor to avoid impacting the County Fair.

Mr. Kennedy made a motion to adopt the resolution awarding the contract for construction.

On a roll call, the vote was: AYE: Harrison, Kennedy, Nervitt, Goodson, McGlennon (5). NAY: (0).

RESOLUTION

AWARD OF CONTRACT - UPPER COUNTY PARK

WHEREAS, bids have been received for the construction of improvements to Upper County Park; and

WHEREAS, staff has reviewed all bids and determined that David Nice and Sons, Inc., is the lowest responsible and responsive bidder and is qualified to complete the project; and

WHEREAS, the bid is within the capital budget allocated for the Division of Parks and Recreation.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator to execute the necessary contract documents for award of bid to David Nice and Sons, Inc., in the amount of \$189,670.

6. & 7. Award of Contract – Reconstruction of Red Oak Landing Road to Virginia Department of Transportation (VDOT) Standards and Award of Contract – Pocahontas Trail Turn Lanes and Traffic Signal at Greenmount Parkway

Mr. Kennedy made a motion to adopt the resolutions to award construction contracts.

On a roll call, the vote was: AYE: Harrison, Kennedy, Nervitt, McGlennon (4). NAY: (0). ABSTAIN: Goodson.

RESOLUTION**AWARD OF CONTRACT - RECONSTRUCTION OF RED OAK LANDING ROAD TO****VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) STANDARDS**

WHEREAS, bids have been received for reconstruction of Red Oak Landing Road as part of the dirt street program; and

WHEREAS, these drainage and paving improvements are required to include Red Oak Landing Road in the VDOT Secondary Road System for State maintenance and money is available in the Capital Improvements Project (CIP) Budget.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator to execute a contract with the lowest responsive bidder, M. K. Taylor, Inc., in the amount of \$103,595 for reconstruction of Red Oak Landing Road.

RESOLUTION**AWARD OF CONTRACT - POCAHONTAS TRAIL TURN LANES AND****A TRAFFIC SIGNAL AT GREENMOUNT PARKWAY**

WHEREAS, bids have been received for construction of turn lanes and a traffic signal on Pocahontas Trail at Greenmount Parkway; and

WHEREAS, these traffic safety and capacity improvements are required to serve the Wal-Mart iMPORT Distribution Facility, other parts of the Greenmount development, and the traveling public; and

WHEREAS, \$300,000 is available from the Virginia Department of Transportation Industrial Access program.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator to execute a contract with the lowest responsive bidder, Jack L. Massie Contractor, Inc., in the amount of \$259,180 for the construction of turn lanes and a traffic signal on Pocahontas Trail.

F. PUBLIC HEARINGS**1. 2001 Redistricting Plan Ordinance**

Mr. John T. P. Horne, Manager of Development Management, gave an overview of the proposed redistricting boundaries for the James City County Board of Supervisors and County School Board Election Districts and voting precincts. Mr. Horne stated that the Ordinance, if approved by the Board of Supervisors, will be submitted to the United States Department of Justice for preclearance.

Mr. McGlennon opened the public hearing.

Mr. McGlennon closed the public hearing as no one wished to speak.

Mr. Goodson made a motion to approve the Ordinance.

The Board recognized the Citizen Committee and staff for their hard work in preparing the proposed redistricting plan.

Mr. Goodson amended his motion to include the adoption of the 2001 Redistricting resolution.

Mr. Kennedy and Mr. McGlennon voiced concerns regarding the moving of the Vineyards into the Roberts District and the possibility of inconvenience for citizens affected by this shift.

On a roll call, the vote was: AYE: Harrison, Nervitt, Goodson (3). NAY: Kennedy, McGlennon (2).

RESOLUTION

2001 REDISTRICTING

WHEREAS, the Board of Supervisors of James City County has received the recommendation of the Redistricting Advisory Committee; and

WHEREAS, that Committee conducted meetings open to the public and considered a number of options; and

WHEREAS, the Board conducted one work session open to the public and two public comment sessions to discuss redistricting options.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby adopts the attached ordinance establishing new boundaries for election districts in James City County.

2. Case No. SUP-18-99. Olde Towne Road Timeshares (deferred from September 12, 2000)

Ms. Jill E. Schmidle, Planner, stated that Mr. Richard Costello, AES Consulting Engineers, on behalf of Mr. Philip Richardson and Phil Richardson Company, Inc., has revised the application for a special use permit to allow 365 timeshares within a residential cluster and one single-family lot, density 2.80 dwelling units per acre, on 130.40 acres, zoned R-2, General Residential, located at 5295, 5350, and 5380 Olde Towne Road, further identified as Parcel Nos. (1-26), (1-26A), and (1-36) on James City County Real Estate Tax Map No. (32-4) and Parcel No. (1-30) on James City County Real Estate Tax Map No. (33-3).

Ms. Schmidle stated that on July 5, 2000, the Planning Commission voted 4-3 to approve the application with the attached conditions.

The Board and staff held a discussion regarding the adequacy of the proposed BMP's as a source for irrigation, proposed number of dwelling units, water source, traffic impacts, impact of the project on the Powhatan Creek Watershed, adequacy of the proposed buffers, and environmental impact of the proposed multiuse trail.

Mr. McGlennon opened the public hearing.

1. Mr. Vernon Geddy, III, representing the applicant and land owners, gave an overview of the project and its development, surrounding zoning and land uses, reviewed the changes proposed by the applicant,

provided alternate development options of the property, and gave an overview of benefits of the project to the County including revenues with generated revenues through sales and taxes.

The Board and Mr. Geddy discussed the comparison of water consumption of the proposed timeshare versus the by-right single-family housing development, adequacy of the BMP's to manage stormwater run off, number of proposed dwelling units, traffic impact on Olde Towne Road, employment opportunities and benefits, buffering of adjacent development, and the proposed condition to permit building a well for irrigation water with County Engineer's approval.

2. Mr. Norm Larkin, 5303 Aden Court, voiced concern regarding interruption of water supply and service to existing developments with the building of the proposed development, stormwater run off into Chisel Run, duration of operating hours of construction work, phased build out, access of citizens to trail, if timeshares fail what happens to property, need for mosquito control, and property tax impacts.

3. Ms. Sharyn Simpson, 4949 Westmoreland Drive, stated concern regarding the impact this proposed project will have on Olde Towne Road traffic with existing development plus construction projects already in the pipeline, inadequate condition of Olde Towne Road to handle current traffic, and lack of notice to citizens concerning this public hearing.

4. Mr. Allan Clark, 615 Beechwood Drive, City of Williamsburg, voiced concern about permitting tree removal for a wide multiuse trail and suggested alternate trail locations.

5. Mr. Bob Stowers, 619 Beechwood Drive, City of Williamsburg, voiced opposition to the timeshare proposal, voiced concern that the traffic problems on Olde Towne Road have not been addressed, water usage has not been adequately addressed, and requested the Board deny the application.

6. Ms. Rita Lopez, 5128 Ginger Court, stated that adequate notice had not been given regarding the public hearing of the timeshare before the Board, voiced concern that the County is asking residents to conserve water yet the County continues to approve water-consuming development projects, existing traffic problems on Olde Towne Road, inquired about who will maintain the trail after timeshare is built out, affordable housing for employees of the timeshare, and stated concern for the safety of children in the surrounding neighborhoods.

7. Mr. Norm Larkin, 5303 Aden Court, inquired as to which citizens received notice by mail of the public hearing.

8. Mr. Mark Sexton, 8 Prestwick, stated that traffic on Olde Towne Road as well as the water supply and usage are existing problems in the County and voiced concern that the County is adding to these problems; voiced concern about the environmental impact the trail and timeshares will have on the Powhatan Creek Watershed and requested the Board defer action on this matter until after the results of the Powhatan Watershed Study have been released and reviewed.

Mr. McGlennon closed the public hearing.

The Board and staff discussed the impact the Powhatan Creek Watershed Study findings may have on the desirability to develop the property in the proposed manner, alternate development options for the property, notification of public hearing to citizens for this proposal, connection of the proposed development into the water system and its impact on existing consumers, multiuse path access and width, and the time of day for construction activity for the anticipated five-year build out period.

Mr. Harrison made a motion to defer the case for 120 days to await the findings of the Powhatan Creek Watershed Study.

The Board and staff discussed the feasibility of waiting for the Powhatan Creek Watershed Study findings prior to taking action on the application.

The Board, Frank Eck, applicant's attorney, and staff also discussed the process by which timeshares are sold and what would happen if the timeshares went bankrupt, the trail as part of the greenways system linking the James City/Williamsburg Community Center to the District Park Sports Complex, width of the trail, security and safety of users and neighbors of the trail, and expectation of receiving updated traffic counts for Olde Towne Road in July.

Mr. Harrison amended his motion to defer the case for 60 days.

Mr. Wanner recommended the motion be amended to defer the case to July 10, 2001.

Mr. Harrison amended his motion to defer the case until July 10, 2001.

On a roll call, the vote was: AYE: Harrison, Kennedy, Nervitt, Goodson, McGlennon (5). NAY: (0).

Mr. McGlennon recessed the Board for a break at 9:57 p.m.

Mr. McGlennon reconvened the Board at 10:07 p.m.

3. Case No. SUP-5-01. Bruce's Super Body Shops

Ms. Jill E. Schmidle, Planner, stated that Mr. Vernon Geddy, III, has applied for a special use permit on behalf of WWB Partners to construct a 24,150-square foot automobile repair facility on 5.28 acres, zoned B-1, General Business, located at 5521 Richmond Road, further identified as Parcel No. (1-5-A) on James City County Real Estate Tax Map No. (33-3).

Ms. Schmidle stated that the property was designated Neighborhood Commercial on the Comprehensive Plan Land Use Map. She stated that the project is consistent with the Neighborhood Commercial designation, as it would not adversely impact residential neighborhoods and is consistent with the commercial character of the area.

The Planning Commission unanimously voted to recommend approval of this project and staff recommends approval of the project with the conditions outlined in the resolution.

The Board and staff discussed the impact of additional traffic making a left-turn off Olde Towne Road near the intersection of Richmond Road, controlled access to the site, landscaping, and the upgrade of the stormwater pond.

Mr. McGlennon opened the public hearing.

1. Mr. Vernon Geddy, III, gave an overview of the existing businesses surrounding the site, proposed project, and its benefits to the County.

The Board and applicant discussed hours of operation of the business, storage and disposal of chemicals, landscaping, access to the site, as well as salary ranges and benefits for employees.

2. Mr. Ed Oyer, 139 Indian Circle, voiced support for the project.

3. Ms. Nancye Smither, 5124 Ginger Court, stated concern regarding existing traffic problems with vehicles turning left across Olde Towne Road and the impact this additional site will add to the problem.

4. Mr. Earl Smithson, Jr., 105 Pebble Beach, stated support for the project and requested the Board adopt the resolution permitting the special use permit.

Mr. McGlennon closed the public hearing.

The Board, applicant, and staff discussed anticipated traffic trips to and from the site, traffic patterns for vehicle access to the site, addition of signage at the entrance off Olde Towne Road for service vehicles only.

Mr. Nervitt made a motion to adopt the resolution.

On a roll call, the vote was: AYE: Harrison, Kennedy, Nervitt, Goodson, McGlennon (5). NAY: (0).

RESOLUTION

CASE NO. SUP-5-01. BRUCE'S SUPER BODY SHOPS

WHEREAS, the Board of Supervisors of James City County has adopted by ordinance specific land uses that shall be subjected to a special use permit process; and

WHEREAS, Mr. Vernon Geddy, III, has applied on behalf of WWB Partners for a commercial special use permit for a structure greater than 10,000 square feet and for a special use permit to allow a vehicle repair and service shop at 5521 Richmond Road; and

WHEREAS, the proposed vehicle repair and service shop is shown on the Master Plan "Conceptual Plan for Bruce's Super Body Shops" prepared by LandMark Design Group, dated February 5, 2001; and

WHEREAS, the property is located on land zoned B-1, General Business District, and can be further identified as Parcel No. (1-5-A) on James City County Real Estate Tax Map No. (33-3); and

WHEREAS, the Planning Commission, following its public hearing on April 2, 2001, voted 7-0 to approve this application.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of Special Use Permit No. SUP-5-01, as described herein with the following conditions:

1. Development of the site shall be generally in accordance with the "Conceptual Plan for Bruce's Super Body Shops" prepared by LandMark Design Group, dated February 5, 2001, with such accessory structures and minor changes as the Development Review Committee determines does not change the basic concept or character of the development. Shared access easements on Olde Towne Road and Richmond Road shall be provided and approved by the Director of Planning prior to final site plan approval.
2. A land-disturbing permit shall be issued by the County for this project within 36 months from the date of approval of this special use permit or the permit shall become void.
3. All exterior light fixtures, including building lighting, on the Property shall have recessed fixtures with no lens, bulb, or globe extending below the casing. In addition, a lighting plan shall be submitted to, and approved by, the Planning Director or his

designee prior to final site plan approval, which indicates no glare outside the property lines. "Glare" shall be defined as more than 0.1 footcandle at the property line or any direct view of the lighting source from the adjoining properties.

4. An erosion and sediment control and runoff management plan shall be approved by the Environmental Director prior to final site plan approval.
5. All traffic improvements required by the Virginia Department of Transportation (VDOT) shall be installed or bonded prior to issuance of a certificate of occupancy for any structure on the site. A security gate shall be installed at the Olde Towne Road entrance prior to issuance of a certificate of occupancy for any structure on the site. The location of the security gate shall be approved by the Director of Planning prior to final site plan approval.
6. The applicant shall provide to the James City Service Authority (JCSA) documentation showing measures for legally disposing any chemicals, paint products, oils, and/or grease. These items shall not be permitted to be discharged of into the sanitary sewer system. The disposal documents shall be approved by JCSA prior to final site plan approval.
7. A landscaping plan shall be approved by the Planning Director or his designee prior to final site plan approval. The landscaping plan shall include enhanced landscaping, containing 125 percent of the minimum ordinance planting requirements, for the Olde Towne Road and Richmond Road right-of-way.
8. All dumpsters shall be screened by landscaping and fencing. Landscaping and fencing shall be approved by the Planning Director or his designee prior to final site plan approval. Work area bay doors and HVAC equipment shall be screened from external roads and shall to be approved by the Planning Director or his designee prior to final site plan approval.
9. The applicant shall dedicate right-of-way for a five-foot VDOT standard shoulder bike lane along the property's Olde Towne Road frontage prior to final site plan approval. If turn lanes, drainage or utility improvements are required along the Olde Towne Road frontage, the improvements shall be designed in such a manner to allow an unimpeded bikeway path through the right-of-way dedicated for such purposes.
10. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

4. Case No. ZO-1-01. Zoning Ordinance Amendment Buffer, Greenbelt, and Setback Requirements for Timbering Activities

Mr. O. Marvin Sowers, Jr., Planning Director, stated that in accordance with the Board's request, staff has prepared several amendments to the Zoning Ordinance pertaining to timbering buffers to discourage unauthorized timbering within required buffers, to improve enforcement activities in the event of violations, and maximize the public benefits of required replanting.

The Planning Commission unanimously recommended approval of the Ordinance, and staff recommends approval of the Ordinance as amended.

The Board and staff discussed compensation to landowners where buffering is required and is of no benefit to the landowner such as in agriculturally zoned property, and timbering internal portions of the buffer.

Mr. William Apperson, State Forester, stated that generally speaking older trees fall faster than young trees, and large-canopy trees fall faster than small-canopy trees. This is considered when reviewing requests to timber internal portions of buffers.

Mr. Nervitt inquired if there have been tax assessment adjustments for property with buffers.

Mr. Morton stated that courts uphold buffering on property, and stated that adjustments to tax assessments for the buffered portion of land is a minute amount of an adjustment for the amount of staff time involved to adjust the tax assessment.

Mr. McGlennon opened the public hearing.

Mr. McGlennon closed the public hearing as no one wished to speak.

Mr. Nervitt made a motion to adopt the Ordinance.

On a roll call, the vote was: AYE: Harrison, Kennedy, Nervitt, Goodson, McGlennon (5). NAY: (0).

5. Case No. ZO-2-01. Mixed Use District – Private Street Amendments

Mr. Allen J. Murphy, Jr., Zoning Administrator/Principal Planner, stated that proposed amendments to the Ordinance establish a process for the review and approval of private streets in the Mixed Use zoning district. The amendments provide standards for review of construction and design of private streets and an exception process from VDOT standards.

The Planning Commission unanimously recommended approval of the amended Ordinance, and staff recommends approval of the Ordinance amendments.

The Board and staff discussed applications of the amendments to gated communities, New Town, and possible taxing district implications.

Mr. Morton stated that the amendments provide standards and attempts to structure permitting of private streets.

Mr. McGlennon opened the public hearing.

Mr. McGlennon closed the public hearing as no one wished to speak.

Mr. Goodson made a motion to adopt the Ordinance.

On a roll call, the vote was: AYE: Kennedy, Nervitt, Goodson, McGlennon (4). NAY: Harrison (1).

G. PUBLIC COMMENT - None

H. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Wanner recommended that upon completion of the meeting, the Board adjourn until May 22, 2001, at 7:00 p.m.

Mr. Wanner recommended the James City Service Authority convene following the Board of Supervisors' meeting for a closed session pursuant to Section 2.1-344 (A) (7) of the Code of Virginia to consider acquisition of a parcel of property for public use.

I. BOARD REQUESTS AND DIRECTIVES

Mr. Goodson stated that he had the opportunity to represent the County in a visit to Ipswich, England, and presented Ipswich with a proclamation recognizing the historic and growing links between the Borough of Ipswich, England, and the County of James City, Virginia.


Mr. Harrison inquired if action has been taken to post no parking signs on Ingram Road and what measures the County can take to limit the number of vehicles parked on private property for sale.

Mr. Wanner stated that he had requested VDOT have signs posted on the public right-of-way portion of Ingram Road. The staff will look into the Zoning Ordinances regarding limits in the number of for-sale vehicle permitted to be parked in a private lot.

Mr. McGlennon made a motion to adjourn until May 22, 2001, at 7:00 p.m.

On a roll call, the vote was: AYE: Harrison, Kennedy, Nervitt, Goodson, McGlennon (5). NAY: (0).

The Board adjourned at 11:13 p.m.


Sanford B. Wanner
Clerk to the Board

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MAY 8 2001

ORDINANCE NO. 31A-205

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 24, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE V, DISTRICTS, DIVISION 15, MIXED USE, MU, SECTION 24-526, REQUIREMENTS FOR IMPROVEMENTS AND DESIGN; AND BY ADDING SECTION 24-528, STREET IMPROVEMENTS.

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 Section 24-526, Requirements for improvements and design; and by adding Section 24-528, Street improvements.

Chapter 24. Zoning

Article V. Districts

Division 15. Mixed Use, MU

Sec. 24-526. Requirements for improvements and design.

(a) *Water and sewer.* All structures and uses within a mixed use districts shall be served by publicly owned and operated water and sewer systems.

(b) *Recreation areas.* Residential areas and mixed use structures and areas designated on the master plan shall be provided with a recreation area or areas adequate to meet the needs of the residents. The developer shall provide and install playground equipment, playfields, tennis courts or other recreation facilities in accordance with the guarantees established as part of master plan or final Development Plan approval. The composition of the facilities to be installed shall be approved by the planning director. Such facilities shall be owned and maintained by the developer or a residents' association.

(c) *Parking.* Off-street parking facilities shall be provided in accordance with the off-street parking requirements of section 24-53.

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(d) *Streetlights.* Streetlights shall generally be provided at each intersection and other public areas. The lighting shall be directed so as not to produce objectionable glare on adjacent property or into residences within or near the development.

(e) *Natural features and amenities.* Existing features such as specimen trees, wildlife habitats, watercourses, historical sites and similar irreplaceable assets shall be preserved to the maximum extent possible.

(f) *Signs.* All signs within a mixed use district shall comply with article II, division 3 of this chapter.

(g) *Traffic circulation.* Vehicular access points and drives shall be designed to encourage smooth traffic flow with controlled turning movements and minimum hazards to vehicular and pedestrian traffic. Buildings, parking areas and drives shall be arranged in a manner that encourages pedestrian access and minimizes traffic movement. *All streets shall be constructed and designed in accordance with section 24-528.*

(h) *Landscaping.* All landscaping and tree preservation shall be undertaken in accordance with section 24-86 and Chapter 23 of the County Code, the Chesapeake Bay Preservation Ordinance.

Sec. 24-528. Street Improvements.

(a) *All dedicated public streets shown on the development plan shall meet the design and construction requirements of the Virginia Department of Transportation's standards or the county subdivision ordinance, whichever is greater. Such public streets shall be coordinated with the major transportation network shown in the county Comprehensive Plan.*

(b) *Private Streets may be permitted upon the approval of the board of supervisors and shall be coordinated with existing or planned streets of both the master plan and the county Comprehensive Plan. Private streets shown on the development plan shall meet the requirements of the Virginia Department of Transportation, except as specified in paragraph (d) below.*

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The construction of streets whether public or private shall be guaranteed by appropriate surety, letter of credit, cash escrow, or other form of guarantee approved by the county attorney and environmental director.

(c) *To the extent streets are private rather than public, the applicant must also submit assurances satisfactory to the planning commission that a property owner's community association or similar organization has been legally established under which the lots within the area of the development plan will be assessed for the cost of maintaining private streets and that such assessments shall constitute a pro rata lien upon the individual lots shown on the development plan.*

(d) *The uniqueness of each proposal for a mixed use development requires that the specifications for the width, surfacing, construction and geometric design of streets with associated drainage and the specifications for curbs and gutters be subject to modification from the specifications established in chapter 19. The planning commission may, therefore, within the limits hereinafter specified, waive or modify the specifications otherwise applicable for these facilities where the planning commission finds that such specifications are not required in the interests of the residents and property owners of the mixed use development and that the modifications of such specifications are not inconsistent with the interests of the entire County.*


It shall be the responsibility of the applicant to demonstrate to the satisfaction of the planning commission with respect to any requested waiver or modification:

- (1) *That the waiver or modification will result in design and construction that is in accordance with accepted engineering standards;*
- (2) *That the waiver or modification is reasonable because of the uniqueness of the mixed use development or because of the large area of the mixed use development within which the nature and excellence of design and construction will be coordinated, preplanned and controlled;*
- (3) *That any waiver or modification as to streets is reasonable with respect to the generation of vehicular traffic that is estimated will occur with the area of the master plan;*

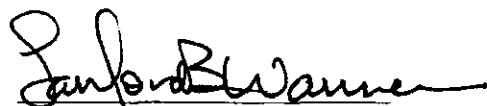
Ordinance to Amend and Reordain
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- (4) *That traffic lanes of streets are sufficiently wide enough to carry the anticipated volume and speed of traffic and in no case less than ten feet wide, and*
- (5) *That waivers or modifications as to base and surface construction of streets and as to the condition of ditches or drainage ways be based upon the soil tests for California Bearing Ratio value and erosion characteristics of the particular subgrade support soils in the area.*

Secs. 24-5289 - 24-537. Reserved.


John J. McGlennon
Chairman, Board of Supervisors

ATTEST:


Sanford B. Wanner
Clerk to the Board

SUPERVISOR	VOTE
HARRISON	NAY
KENNEDY	AYE
NERVITT	AYE
GOODSON	AYE
MCGLENNON	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of May, 2001.

MAY 8 2001

ORDINANCE NO. 31A-204

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 24, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE I, IN GENERAL, SECTION 24-2, DEFINITIONS, AND SECTION 24-22, PENALTIES; SANCTIONS, INJUNCTIVE RELIEF, FINES; AND BY AMENDING ARTICLE II, SPECIAL REGULATIONS, DIVISION I, IN GENERAL, SECTION 24-43, BUFFER, GREENBELT AND SETBACK REQUIREMENTS FOR TIMBERING ACTIVITIES.

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 I, In General, Section 24-2, Definitions; and Section 24-22, Penalties; sanctions, injunctive relief, fines; and by amending Article II, Special Regulations, Division 1, In General, Section 24-43, Buffer and setback requirements for timbering activities.

Chapter 24. Zoning

Article I. In General

Sec. 24-2. Definitions.

Community character corridor. A road shown and identified on the Land Use Plan Map in the Comprehensive Plan as a community character corridor.

Sec. 24-22. Penalties; sanctions, injunctive relief, fines.

(3) *Civil fines:*

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Page 2

- a. A civil penalty in the amount listed on the schedule below shall be assessed for a violation of the respective offense:

1. Keeping an inoperative vehicle in residential or commercial zoning districts in violation of section 24-37, per vehicle.....\$100.00
2. Constructing, placing, erecting or displaying a sign on private property without a sign permit issued by the county, in violation of section 24-72, per sign.....100.00
3. Occupying, or permitting to be occupied, a single-family dwelling (SFD) by more than three unrelated individuals in violation of the definition of "family" in section 24-2, per offense.....100.00
4. Installing, placing or maintaining a dish antennae in violation of section 24-34, per offense.....50.00
5. *Failure to meet the tree replacement requirements for any buffer or setback for timbering in accordance with section 24-43, per offense.....100.00*

Article II. Special Regulations

Division 1. In General

Sec. 24-43. ~~Buffer, greenbelt 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 timbering activities conducted as part of an approved site plan, subdivision plan, or building permit. 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 greenbelt roads~~ *community character corridors.* This paragraph shall not apply to the General Agricultural District, A-1. On all other property fronting on roads that are identified as ~~greenbelt roads~~ *community character corridors* on the Comprehensive Plan, an undisturbed buffer at least 150 feet wide shall be maintained along the ~~greenbelt roads~~

~~community character corridors~~ 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, a setback for timbering shall be provided in accordance with section 24-215(c).
- (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 an application and submit it along with a James City County Tax Map (with topography and planimetric detail at a scale of 1"=200') 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.

Ordinance to Amend and Reordain
Chapter 24. Zoning
Page 5

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 14 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, 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;

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- 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, 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 timbering application if there are unresolved problems between the applicant or 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.

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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.

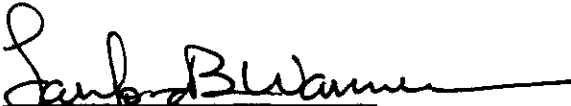
- (11) Violations and penalties. Prior to any criminal or civil enforcement under this section, the administrator or his designee shall give five days written notice of the violation to the owner

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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.


John J. McGlennon
Chairman, Board of Supervisors

ATTEST:


Sanford B. Wanner
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
HARRISON	AYE
KENNEDY	NAY
NERVITT	AYE
GOODSON	AYE
MCGLENNON	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of May, 2001.

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ADOPTED

MAY 8 2001

ORDINANCE NO. 55A-31

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 2, ADMINISTRATION, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE II, MAGISTERIAL DISTRICT, ELECTION DISTRICTS AND ELECTION PRECINCTS, SECTION 2-3, DESIGNATION AND POPULATION OF ELECTION DISTRICTS; SECTION 2-4, ELECTION PRECINCTS AND POLLING PLACES ESTABLISHED; AND SECTION 2-5, ELECTION DISTRICT BOUNDARIES.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 2, Administration, is hereby amended and reordained by amending Section 2-3, Designation and population of election districts; Section 2-4, Election precincts and polling places established; and Section 2-5, Election district boundaries.

Chapter 2. Administration

Article II. Magisterial District, Election Districts and Election Precincts

Sec. 2-3. Designation and population of election districts.

The election districts with population set forth are as follows:

	<u>Population</u>
Berkeley	6,839 9,551
Jamestown	6,982 9,429
Roberts	6,949 9,656
Powhatan	7,019 9,621
Stonehouse	7,059 9,845

Ordinance to Amend and Reordain
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Page 2

Sec. 2-4. Election precincts and polling places established.

(a) Pursuant to authority contained in the Code of Virginia, Chapter 24.2, the precincts and their respective polling places for the county are hereby created and established as set forth in this section.

(b) The precincts for each election district and the polling place for each precinct shall be as set forth below:

Berkeley Election District:

Berkeley Precinct A - James City-Williamsburg Community Center polling place.
Berkeley Precinct B - Jamestown High School polling place.

Jamestown Election District:

Jamestown Precinct A - Clara Byrd Baker Elementary School polling place.
Jamestown Precinct B - Rawls Byrd Elementary School polling place.
~~Jamestown Precinct C - Grace Baptist Church polling place.~~

Roberts Election District:

Roberts Precinct A - Mt. Gilead Baptist Church polling place.
Roberts Precinct B - James River Elementary School polling place.
~~Roberts Precinct C - Grace Baptist Church polling place.~~

Powhatan Election District:

Powhatan Precinct A - D.J. Montague Elementary School polling place.
Powhatan Precinct B - ~~Norge Elementary School polling place~~ *Christian Life Center*.

Stonehouse Election District:

Stonehouse Precinct A - Toano Middle School polling place.
Stonehouse Precinct B - ~~York River Baptist Church polling place~~ *Norge Elementary School*

Sec. 2-5. Election district boundaries.

Berkeley Election District:

Berkeley Precinct A. Beginning at the intersection of State Route 199 and State Route 615 (West) extended to intersect with State Route 615 (East); thence northerly following the centerline of State Route 199 to its intersection with State Route 612; thence westerly following the centerline of State Route 612 to its intersection with an unnamed dirt road 577 feet south of State Route 658; thence northeasterly following the centerline of the unnamed dirt road projected 706 feet across State Route 199 to its intersection with an unnamed dirt road parallel to State Route 199; thence northerly following the centerline of the unnamed dirt road to its intersection with State Route 658; thence northerly following the centerline of State Route 658 to its intersection with U.S. Route 60; projecting the centerline of State Route 658 easterly to its intersection with the southwest corner of Parcel (33-3) (1-10); thence easterly along the southern property line of Parcel (33-3) (1-10) to the James City County-York County boundary line; thence southerly along the James City

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County-York County boundary line to its intersection with the James City County-Williamsburg boundary line; thence southerly along the James City County-Williamsburg boundary line to its intersection with State Route 615 and State Route 616; thence westerly along the centerline of State Route 615 (East) extended to intersect with State Route 615 (West); thence westerly along the centerline of State Route 615 (West) to its intersection with State Route 5; thence easterly following the centerline of State Route 5 to its intersection with Mill Creek; thence northerly following the centerline of Mill Creek to its intersection with State Route 199; thence northerly following the centerline of State Route 199 to the point of beginning.

Berkeley Precinct B. Beginning at the intersection of State Route 5 and Mill Creek; thence southerly following the centerline of Mill Creek to its intersection with State Route 629; thence west following the centerline of State Route 629 to its intersection with State Route 615; thence southerly following the centerline of State Route 615 to its intersection with State Route 681; thence southerly following the centerline of State Route 681 to its intersection with State Route 31; thence westerly following the centerline of State Route 31 to its intersection with State Route 614; thence northerly following the centerline of State Route 614 to its intersection with State Route 5; thence westerly following the centerline of State Route 5 to the point where it intersects Shellbank Creek; thence southerly following the centerline of Shellbank Creek extended to the centerline of the James River; thence westerly following the centerline of the James River to the centerline of the Chickahominy River and the James City County-Charles City County boundary line; thence northerly following the centerline of the Chickahominy River and the James City County-Charles City County boundary line to its intersection with the extended centerline of Gordon Creek; thence easterly following the centerline of Gordon Creek to Pine Woods Creek; thence following the centerline of Pine Woods Creek to its intersection with the southwest corner of Parcel (35-4) (1-9); thence easterly following the northwest boundary of Parcel (35-4) (1-9) to its intersection with State Route 613; thence easterly following the centerline of State Route 613 to its intersection with State Route 614; thence north following the centerline of State Route 614 to its intersection with State Route 613; thence easterly following the centerline of State Route 613 to its intersection with Old News Road; thence following the centerline of Old News Road to its intersection with State Route 615 (West); thence southerly following the centerline of State Route 615 (West) to its intersection with State Route 5; thence easterly following the centerline of State Route 5 to the point of beginning.

Jamestown Election District:

Jamestown A. Beginning at the intersection of the projected centerline of Mill Creek and the centerline of the James River; thence north following the centerline of Mill Creek to Lake Powell; thence northwest following the centerline of Lake Powell to Mill Creek; thence following the centerline of Mill Creek to its intersection with State Route 629; thence westerly following the centerline of State Route 629 to its intersection with State Route 615; thence south following the centerline of State Route 615 to State Route 681; thence south following the centerline of State Route 681 to State Route 31; thence southerly following the centerline of State Route 31 to its intersection with State Route 614; thence north following the centerline of State Route 614 to its intersection with State Route 5; thence west following the centerline of State Route 5 to its intersection with Shellbank Creek; thence south following the centerline of Shellbank Creek extended to the centerline of the James River; thence easterly following the centerline of the James River to the point of beginning.

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Jamestown B. Beginning at the intersection of the projected centerline of Mill Creek and the centerline of the James River, thence north following the centerline of Mill Creek to Lake Powell, thence northwest following the centerline of Lake Powell to Mill Creek; thence following the centerline of Mill Creek to its intersection with State Route 199, thence northerly following the centerline of State Route 199 to its intersection with State Route 615 (West) extended to intersect with State Route 615 (East); thence easterly following the centerline of State Route 615 (East) to its intersection with the James City County-Williamsburg boundary line, thence southerly following the James City County-Williamsburg boundary line to its intersection with College Creek, thence southerly following the centerline of College Creek 2,456 feet to its intersection with the extended centerline of an unnamed dirt road, thence following the centerline of the unnamed dirt road to its intersection with Marclay Road; thence westerly following the centerline of Marclay Road to its intersection with State Route 617; thence southerly following the centerline of State Route 617, projecting the centerline of State Route 617 to its intersection with the centerline of the James River, thence westerly following the centerline of the James River to the point of beginning.

Powhatan Election District:

Powhatan Precinct A. Beginning at the intersection of State Route 614 and the Dominion Resources Inc. Transmission Easement, thence northerly following the centerline of the Dominion Resources Inc. Transmission Easement to its intersection with Yarmouth Creek; thence following the centerline of Yarmouth Creek to Shipyard Creek, thence following the centerline of Shipyard Creek to the Chickahominy River; thence southerly following the Chickahominy River and the James City County-Charles City County boundary line to its intersection with the projected centerline of Gordon Creek; thence easterly following the centerline of Gordon Creek to Pine Woods Creek, thence following the centerline of Pine Woods Creek to its intersection with the southwest corner of Parcel (35-4) (1-9); thence easterly following the northwest boundary of Parcel (35-4) (1-9) to its intersection with State Route 613, thence easterly following the centerline of State Route 613 to its intersection with State Route 614; thence north following the centerline of State Route 614 to its intersection with State Route 613; thence easterly following the centerline of State Route 613 to its intersection with Old News Road; thence following the centerline of Old News Road to its intersection with State Route 615 (West); thence following to a point where State Route 615 (West) extended to State Route 615 (East) intersects with State Route 199, thence northerly following the centerline of State Route 199 to its intersection with State Route 612, thence westerly following the centerline of State Route 612 to its intersection with State Route 614; thence northerly following the centerline of State Route 614 to the point of beginning.

Powhatan Precinct B. Beginning at the intersection of U.S. Route 60 and State Route 614; thence westerly following the centerline of State Route 614 to its intersection with State Route 612; thence easterly following the centerline of State Route 612 to its intersection with an unnamed dirt road 577 feet south of State Route 658; thence northeasterly following the centerline of the unnamed dirt road projected 706 feet across State Route 199 to its intersection with an unnamed dirt road parallel to State Route 199; thence northerly following the centerline of the unnamed dirt road to its intersection with State Route 658, thence northerly following the centerline of State Route 658 to its intersection with U.S. Route 60; projecting the centerline of State Route 658 easterly to its intersection with the southwest corner of Parcel (33-3) (1-10); thence easterly along the southern property line of Parcel (33-3) (1-10) to the James City County-York

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County boundary line; thence northerly along the James City County-York County boundary line to the point of beginning.

Roberts Election District:

Roberts Precinct A. Beginning at the most southerly point where the centerline of State Route 199 intersects the York County boundary line; thence easterly following the James City County-York County line to the junction with the Newport News city line; thence southerly following the James City County-Newport News boundary line to its intersection with U.S. Route 60; thence westerly following the centerline of U.S. Route 60 to its intersection with the James City County-York County boundary line; thence westerly along the James City County-York County boundary line to its intersection with Kingsmill Road; thence westerly along the centerline of Kingsmill Road to its intersection with Mounts Bay Road; thence northerly along the centerline of Mounts Bay Road to its intersection with State Route 199; thence easterly following the centerline of State Route 199 to the point of beginning.

Roberts Precinct B. Beginning at the most southerly point where the centerline of Mounts Bay Road intersects State Route 199; thence southerly along the centerline of Mounts Bay Road to its intersection with Kingsmill Road; thence easterly along the centerline of Kingsmill Road to its intersection with the James City County-York County boundary line; thence easterly following the James City County-York County boundary line to its intersection with U.S. Route 60; thence easterly following the centerline of U.S. Route 60 to its intersection with the Newport News city line; thence southerly following the James City County-Newport News boundary line to the centerline of the James River and the James City County-Surry County boundary line; thence westerly following the centerline of the James River to a point where it intersects the extended centerline of College Creek; thence following the centerline of College Creek to a point where it intersects the Colonial Parkway; thence northerly following the centerline of the Colonial Parkway to its intersection with Halfway Creek; thence northerly following the centerline of Halfway Creek to confluence of Tutter's Neck Creek; thence northerly along the centerline of Tutter's Neck Creek to its intersection with State Route 199; thence easterly following the centerline of State Route 199 the point of beginning.

Roberts Precinct C. Beginning at the most southerly point where centerline of State Route 199 intersects the York County boundary line; thence northerly following the James City County-York County boundary line to its intersection with the Williamsburg City limits; thence westerly following the Williamsburg City limits to its intersection with College Creek; thence southerly following the centerline of College Creek 2,456 feet to its intersection with the extended centerline of an unnamed dirt road; thence following the centerline of the unnamed dirt road to its intersection with Marclay Road; thence westerly following the centerline of Marclay Road to its intersection with State Route 617; thence southerly following the centerline of State Route 617; projecting the centerline of State Route 617 to its intersection with the centerline of the James River; thence easterly following the centerline of the James River to a point where it intersects the extended centerline of College Creek; thence following the centerline of College Creek to a point where it intersects the Colonial Parkway; thence northerly following the centerline of the Colonial Parkway to its intersection with Halfway Creek; thence northerly following the centerline of Halfway Creek to confluence of Tutter's Neck Creek; thence northerly along the centerline of Tutter's Neck Creek to its intersection with the State Route 199; thence easterly following the centerline of State Route 199 to the point of beginning.

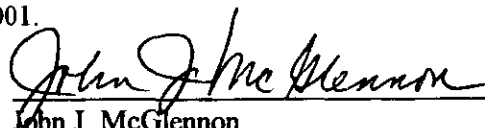
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Stonehouse Election District:

Stonehouse Precinct A. Beginning at the intersection of the New Kent County-James City County boundary line and State Route 30; thence south following the centerline of State Route 30 to U.S. Route 60; thence southerly following the centerline of U.S. Route 60 to its intersection with an unnamed tributary of Yarmouth Creek 736 feet east of Oakland Drive; thence southwest following the center of the unnamed creek to Cranston Mill Pond; thence west following the centerline of Cranston Mill Pond to Yarmouth Creek; thence west following the centerline of Yarmouth Creek to Shipyard Creek; thence west following the centerline of Shipyard Creek; projecting the centerline of Shipyard Creek to its intersection with the centerline of the Chickahominy River and the James City County-Charles City County boundary line; thence northerly following the centerline of the Chickahominy River and the James City County-Charles City County boundary line to its intersection with the New Kent County-James City County boundary line; thence easterly following the New Kent County-James City County boundary line to the beginning.

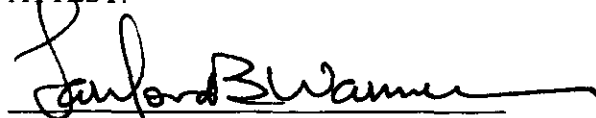
Stonehouse Precinct B. Beginning at the intersection of State Route 30 and New Kent County-James City County boundary line; thence easterly following the New Kent County-James City County boundary line to the centerline of the York River; thence easterly following the centerline of the York River and the James City County line to a point being the corner of the James City County-York County boundary line; thence southerly following the James City County-York County line to its intersection with U.S. Route 60; thence south following the centerline of U.S. Route 60 to State Route 614; thence west following the centerline of State Route 614 to its intersection with the Dominion Resources Inc. Transmission Easement; thence northerly following the centerline of the Dominion Resources Inc. Transmission Easement to its intersection with Yarmouth Creek; thence westerly following the centerline of Yarmouth Creek to Cranston Mill Pond; thence northerly from Cranston Mill Pond following the centerline of an unnamed tributary of Yarmouth Creek to its intersection with U.S. Route 60 736 feet east of Oakland Drive; thence northwesterly following the centerline of U.S. Route 60 to its intersection with State Route 30; thence northerly following the centerline of State Route 30 to the beginning.

This ordinance shall be effective on and after June 20, 2001.



John J. McGlennon
Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner
Clerk to the Board

SUPERVISOR	VOTE
HARRISON	AYE
KENNEDY	NAY
NERVITT	AYE
GOODSON	AYE
MCGLENNON	NAY

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of May 2001.