

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
WORK SESSION
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
May 23, 2017
4:00 PM

ADOPTED

A. CALL TO ORDER

SEP 12 2017

B. ROLL CALL

Board of Supervisors
James City County, VA

Board of Supervisors

Ruth M. Larson, Vice Chairman, Berkeley District
Michael J. Hipple, Powhatan District
P. Sue Sadler, Stonehouse District
John J. McGlennon, Roberts District
Kevin D. Onizuk, Chairman, Jamestown District
Bryan J. Hill, County Administrator

Planning Commission

Present:

Jack Haldeman, Berkeley District
Danny Schmidt, Roberts District
Heath Richardson, Vice Chairman, Stonehouse District
John Wright
Robin Bledsoe, Jamestown District
Rich Krapf, Chairman, Powhatan District

Absent:

Tim O'Connor

Staff Present:

Paul D. Holt, Director of Community Development and Planning
Ellen Cook, Principal Planner

C. BOARD DISCUSSIONS

1. Update on Major Planning Division Work Program Items

Mr. Hill expressed his gratitude to both Boards for their diligence and leadership.

Mr. Onizuk concurred the Board's gratitude and stated that the Board is excited to come together and share ideas in moving forward and providing direction to County staff keeping integrated with the County Strategic Plan.

Mr. Krapf gave an overview of the following updates on work program items:

- Process Improvements ·
- Code Amendments ·
- Residential Proffers

Mr. Richardson gave an overview of the following updates on process improvements:

- Development Review Committee's Review Criteria and Processes
- Subdivision Plat Monument Notation ·
- Electric Vehicle Charging Stations
- Mobile Food Vending Vehicles
- Wireless Communications Facilities

Mr. Krapf referenced items to be considered at a future date.

Mr. Holt stated that all the items referenced thus far began in 2015 and 2016. He further stated that when the work program and list were initially developed no one envisioned the extent at which the General Assembly would pass legislation changing conditional zoning and proffer system for residential development in Virginia. He discussed recently adopted initiating resolutions; family and group home definitions, and density bonuses and age-restricted housing in the R-8, Rural Residential Zoning District. Mr. Holt referenced the staff report and memorandum included in the Agenda Packet. He provided details on potential work program items and a list of the initial grouping of work program items by timeframe, pending additional guidance from the Board of Supervisors and the Planning Commission. He discussed items commonly found in residential proffers and further discussed items proposed for FY 18 using existing available resources.

Mr. Onizuk asked if there were any questions, priorities or concerns.

Mr. McGlennon addressed community concerns about residential placement of group homes.

Ms. Larson stated her interest in short-term rentals and asked Mr. Holt to review Work Force Housing and Task Force Plan.

Mr. Holt gave an overview on the purpose of the Task Force Plan taken from the Adopted Strategic Plan. He commented that part of this group will be looking at the Housing Addition Study and the other half will be looking at Housing Opportunities Policy 2.0. He stated that it may take 12 to 18 months for a Progress Report to be brought to the Board. He feels it is critical to have a solid set of recommendations in place prior to the County starting the next Comprehensive Plan Update.

Mr. Onizuk discussed homeownership challenges and alternative affordable

options such as rentals in the community.

Mr. McGlennon concurred. He stated that he hoped the task force would consider the income levels of many citizens, resources available and affordable housing. He further stated that incentives to improve substandard housing should be considered.

Mr. Hipple discussed the challenges of building lower-income affordable homes in the County. He further discussed workforce housing and noted that the definition of what is affordable varies with each household. He discussed proffers and his desire to protect the residents currently residing in the County and making resources available to working-class citizens.

Mr. Krapf stated that he is an advocate for an item on the work plan that deals with residential rezonings and asked how we can mitigate impacts now that proffers are not allowed. He suggested possibly seeing what other jurisdictions are doing.

Ms. Bledsoe discussed affordable housing issues and what is available locally, referring to the 2015 Census and wonders if the price range in the Task Force Plan is still accurate. She commented that perhaps what we are seeing is market driven.

Mr. McGlennon concurred.

Mr. Onizuk mentioned Homeowner Association fees need to be considered with workforce housing and affordable housing.

Mr. Wright discussed cash proffers and exploring other areas in Virginia that have addressed this fundamental issue about future development.

Mr. McGlennon invited members to attend a conference to be held on June 23 in Culpepper, Virginia, addressing the impact of Senate Bill 549. He noted that the purpose of the conference is to hear from other localities on these same types of issues.

Mr. Hipple confirmed the importance of the proffer issue.

Ms. Sadler asked if the task force is something that can be worked with on a continual basis.

Mr. Holt replied yes, comparing it to the development of the Strategic Plan.

Mr. Hill stated the goal of the task force is to incorporate the Board and the Commission together on this topic.

Mr. Onizuk commented on the delicate balance and the lack of real estate inventory of \$350,000 or less. He stated that population is growing but the housing industry is not.

Mr. Wright commented on the cash proffer issue and future business in the County.

Mr. McGlennon concurred with Mr. Krapf's earlier comments regarding zoning ordinances.

Mr. Krapf commented about Mixed Use Zoning and supporting the Comprehensive Plan.

Mr. Hipple commented on Mixed Use Zoning, utilizing the Primary Service Area (PSA) and maintaining the character in the County.

Ms. Sadler inquired about street lights.

Mr. Holt reviewed street lights in newly constructed subdivisions. General discussion ensued regarding this topic.

Mr. Holt gave an overview of the memorandum that was included in the Agenda Packet.

Ms. Larson inquired about fee structure comparisons to other localities.

Mr. Holt commented that this had not been done for several years.

Mr. Hill noted the difficulty in comparing James City County to other counties locally or in northern Virginia.

Mr. Haldeman inquired if the consideration of permit fees depend on the cost to the County of doing business here, the whole permitting process, technology and staff that is required.

Mr. Onizuk referenced the memorandum included in the Agenda Packet. He believes the FY 18 programs are significant, with some being time sensitive. He further discussed the importance of the "Items to be Considered at a Future Date" section, noting its relevance to members of both Boards and feels that some of the items should move quickly.

Mr. Holt discussed concerns regarding Code and Comprehensive Plan updates and priorities. Further discussion from both Boards ensued regarding the memorandum included in the Agenda Packet. The Boards agreed on what items to move forward for discussion in FY 18.

Mr. Onizuk asked the Planning Commission if there were any items on the list developed by staff that were far enough along and could be dealt with quickly. He suggested moving the Mixed Use District flexibility and infill and redevelopment issue forward for Board discussion.

Mr. Hill recommended moving the items forward one at a time starting in July with the most recent one to be done last.

Mr. Haldeman inquired if the Mixed Use items would be within the PSA.

Mr. Krapf replied yes.

Mr. Onizuk referenced ice cream trucks on the list developed by staff and commented that although it needs to be addressed it might not be a high priority item for the County.

Mr. Holt stated that ice cream trucks are not regulated by the Zoning Ordinance and is on the list because it came up during a discussion regarding food trucks.

Ms. Larson expressed concerns regarding ice cream trucks in residential neighborhoods. She mentioned that they are not allowed, do not have a business license and are not paying business license taxes. She feels the County needs to be regulating this and the Board needs to address the issue.

Mr. Wright inquired if the cash proffers for schools and public facilities/infrastructure are imbedded in other things on the list or a separate topic to be addressed.

Mr. Richardson stated he feels that as the Strategic Plan moves forward some type of public facilities plan might be a more appropriate time for that particular element.

Mr. Hill recommended that the Planning Commission and the Board of Supervisors meet again in October before the Legislative Packet goes out in November with the information associated with each body. He commented that as the Strategic Plan, Capital Improvements Plan, Comprehensive Plan as well as the Bi-Annual Budget are looked at, there needs to be more dialogue on moving forward. He feels that the way this meeting was put together has been significant and as items are added will be very beneficial to both Boards.

Mr. McGlennon inquired what the Board hopes to accomplish in regards to cash proffers for schools and public facilities/infrastructure. He stated that he feels an impact fee would be a good way to proceed because it applies to every new construction not just rezoning.

Mr. Hill commented that there is plenty of capacity to build in the County.

Mr. Holt gave a recap to the Board members in an effort to be clear of item prioritization.

Mr. Onizuk expressed the Boards gratitude to County staff and Planning Commission members.

Mr. Hill concurred his appreciation.

Mr. Krapf echoed his sentiments.

At approximately 5:22 p.m. Mr. Krapf adjourned the Planning Commission meeting to the June 7, 2017, regular meeting.

The Board went into a five-minute recess and reconvened at approximately 5:27 p.m.

2. Skiffes Creek Switching Station Request For a Delay by Applicant to July 11, 2017

A motion to Approve was made by Kevin Onizuk, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

3. Colonial Heritage

Mr. Kinsman stated that at the May 9, 2017, Board of Supervisors meeting Ms. Sadler inquired about the County Code as it relates to firearms discharge in Colonial Heritage. He commented that the Board has a very limited ability to regulate the possession of firearms, but has a broad ability to regulate discharge of firearms. He described how the Virginia Code allows someone to determine what areas are heavily populated as to make discharge in those areas dangerous to inhabitants thereof. He further described the way the Board currently regulates that is through subdivision not through zoning. He stated that if a parcel has been subdivided, the Board has determined it is too heavily populated as to permit shooting. He further stated that there are several exceptions; for example, a family subdivision exception, whereas even if your parcel has been subdivided you can still have a target range outside or you can shoot in a basement or cellar. He commented that one way the Board could consider it is by looking at the distance from houses. Serving as an example only, he referenced a PowerPoint map detailing an 800-foot line drawn out from all existing houses in Colonial Heritage prohibiting all discharge of firearms in that area. He noted that he chose 800 feet providing an additional buffer to Colonial Heritage and additional trees; however, this was in the Board's purview to increase or reduce that amount. He stated that if this scenario fits what the Board seeks, he would bring a formal ordinance to the June meeting, advertise for publication and a public hearing and then the Board could formally consider it at that time.

Ms. Sadler confirmed that this is only referencing Colonial Heritage.

Mr. Kinsman replied correct.

Ms. Sadler inquired if this is something that could be adopted on a temporary basis.

Mr. Kinsman replied yes and recommended choosing a time that is far enough out to clearly see if it works and commented that July 1, 2018, is when all new laws take effect.

Mr. Onizuk inquired if Mr. Kinsman is implying to do a policy and resolution for only one neighborhood.

Mr. Kinsman stated that is correct.

Mr. Onizuk commented that it would not be County-wide.

Mr. Kinsman stated that is correct.

General discussion ensued regarding the PowerPoint map Mr. Kinsman referenced as an example.

Mr. McGlennon asked for clarification regarding a time limit on this issue.

Mr. Kinsman replied that it is one way to minimize the permanent effect of this and to see whether this works or not. He stated that it can always be appealed or amended. He further stated that he can bring it before the Board in a permanent or temporary fashion. He reiterated that he will bring this issue before the Board at its June meeting.

Mr. Onizuk thanked Mr. Kinsman on behalf of the Board for doing a wonderful job.

D. CLOSED SESSION

A motion to Enter a Closed Session was made by Kevin Onizuk, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0

Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

At approximately 5:44 p.m., the Board entered into Closed Session.

At approximately 6:15 p.m., the Board re-entered Open Session.

1. Closed Session Certification

A motion to Certify the Closed Session was made by John McGlennon and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Larson, McGlennon, Onizuk, Sadler

2. Williamsburg Area Arts Commission Appointment

A motion to Appoint Individuals to Boards and Commissions was made by Kevin Onizuk and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Larson, McGlennon, Onizuk, Sadler

Mr. Onizuk moved to reappoint Mr. Robert Currie to a 3-year term to expire June 30, 2020.

3. Economic Development Authority Appointments

A motion to Appoint Individuals to Boards and Commissions was made by Ruth Larson and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Larson, McGlennon, Onizuk, Sadler

Ms. Larson moved to appoint Mr. Tim Harris and Mr. Tom Tingle to new four-year terms beginning June 1, 2017 and expiring May 31, 2021.

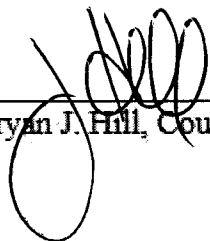
E. ADJOURNMENT

1. Adjourn until 5 p.m. on June 13, 2017 for the Regular Meeting

A motion to Adjourn was made by Kevin Onizuk and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Larson, McGlennon, Onizuk, Sadler

At approximately 6:16 p.m., Mr. Onizuk adjourned the Board.



Bryan J. Hill, County Administrator