

A G E N D A
JAMES CITY COUNTY PLANNING COMMISSION
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, Va 23185
March 1, 2023
6:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. PUBLIC COMMENT

D. REPORTS OF THE COMMISSION

E. CONSENT AGENDA

1. Minutes of the February 1, 2023, Regular Meeting
2. Development Review Committee Action Item: SP-22-0051. Ironbound Crossing Wawa and Church Parking
3. Development Review Committee Action Item: SP-22-0089. Chickahominy Riverfront Park RV Storage Lot

F. PUBLIC HEARINGS

1. SUP-23-0001. 2886 Lake Powell Road Rental of Rooms
2. AFD-22-0018. 278 Ivy Hill Road Mill Creek AFD Addition

G. PLANNING COMMISSION CONSIDERATIONS

1. Planning Commission and Board of Zoning Appeals 2022 Annual Report

H. PLANNING DIRECTOR'S REPORT

1. Planning Director's Report - March 2023
2. Draft Calendar for 2023/2024

I. PLANNING COMMISSION DISCUSSION AND REQUESTS

J. ADJOURNMENT

ITEM SUMMARY

DATE: 3/1/2023
TO: The Planning Commission
FROM: Paul D. Holt, III, Secretary
SUBJECT: Minutes of the February 1, 2023, Regular Meeting

ATTACHMENTS:

	Description	Type
☐	Minutes of the February 1, 2023, Regular Meeting	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Planning Commission	Holt, Paul	Approved	2/17/2023 - 10:18 AM
Planning Commission	Holt, Paul	Approved	2/17/2023 - 10:20 AM
Publication Management	Daniel, Martha	Approved	2/17/2023 - 10:23 AM
Planning Commission	Holt, Paul	Approved	2/17/2023 - 10:28 AM

MINUTES
JAMES CITY COUNTY PLANNING COMMISSION
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, Va 23185
February 1, 2023
6:00 PM

A. CALL TO ORDER

Mr. O'Connor called the meeting to order at 6:00 p.m.

B. ROLL CALL

Planning Commissioners Present:

Tim O'Connor
Rich Krapf
Jack Haldeman
Frank Polster
Rob Rose
Barbara Null
Stephen Rodgers

Staff Present:

Paul Holt, Director of Community Development and Planning
Liz Parman, Deputy County Attorney
Thomas Wysong, Senior Planner

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. O'Connor stated that the Development Review Committee (DRC) did not meet in January and therefore there was no report.

Mr. Haldeman stated that the Policy Committee met on January 12, 2023, to continue discussion of ORD-22-0001. Amendments for Scenic Roadway Protection and consider ORD-22-0003. Amendments for Calculation of Residential Development Density.

Mr. Haldeman stated that at its November 10, 2022, meeting, the Policy Committee, directed by the Board of Supervisors and in keeping with Land Use strategy 6.3, considered additional requirements in the Zoning Ordinance and Subdivision Ordinance to preserve scenic roadways such as Forge Road. Mr. Haldeman stated that the Committee approved enhanced buffering for the Wooded Community Character Corridors (CCCs) identified as scenic for the purpose of this Ordinance amendment. Mr. Haldeman stated that the Committee recommended that:

- Buffering along commercial parcels along Wooded CCCs would be increased from 50 feet to 100 feet.

- Residential major subdivision parcels along Wooded CCCs would be increased from no buffer to 200 feet.
- There would remain no buffer requirements on Open/Agricultural Wooded CCCs where buffers might obscure the scenic vista.
- For timbering activities within the A-1 District, keeping the 50-foot buffer requirement along Wooded CCCs within the Primary Service Area (PSA) and establishing a new 50-foot buffer requirement along Wooded CCCs outside the PSA.

Mr. Haldeman stated that continuing this initiative, the Committee considered staff's recommendations to increase setback requirements within the A-1, General Agricultural, Zoning District, applying them only to those parcels adjacent to scenic roadways located outside the PSA. Mr. Haldeman stated that the recommendations are specifically to:

- Replace the 75-foot buffer along Forge Road outside the PSA with a 400' buffer, exempting lots with a depth of 500 feet or less measured from the road.
- Replace the 75-foot' buffer along Old Stage Road outside the PSA with a 400-foot buffer, exempting lots with a depth of 500 feet or less measured from the road.
- Allow existing structures within the 400-foot setback along both roads to be expanded, provided the structure does not expand further within the setback towards the roadway.

Mr. Haldeman further stated that the Committee reviewed the Rural Roadway Preservation visual analysis and conclusions presented by EPR, PC. Mr. Haldeman noted that Committee members were unclear about what the setbacks were meant to accomplish and what, if any, offsetting benefits should be offered to affected property owners. Mr. Haldeman stated that the Committee decided to seek guidance from the Board of Supervisors at its January 24, 2023, Business Meeting. Mr. Haldeman stated that the Board of Supervisors provided the following in response:

- A request to include Diascund Road in Scenic Roads. When told that Diascund was not a CCC, the Board asked if it could be made a CCC at some later point.
- Agreed to define "Scenic Roadways" as the six CCCs outside the PSA.
- Parcels less than 500 feet deep are exempt from the new 400-foot setback and requested that the Ordinance clarify where on such a vacant parcel a building could go; either 75 feet back from the road or some other distance.
- Requested further consideration on the treatment of parcels grandfathered at 1:3 acres. Could grandfathered lots be broken into smaller lots so that several could be less than 500 feet from the road and thereby exempt from the 400-foot setback?
- Requested that the Committee consider how the 400-foot setback will affect a family subdivision?
- Requested that the Committee address whether pre-plotted lots would be exempt from the 400-foot setback?
- Requested that the Committee investigate the feasibility of an overlay district, especially for Forge Road and possibly for Diascund Road.

Mr. Haldeman noted that Wooded CCCs were not mentioned in the Board's discussion.

Mr. Haldeman noted that the Board discussed the possibility of tradeoffs for parcels with the new 400-foot setback including compensation for the longer driveways, utility lines, reduced developable land, etc.

Mr. Haldeman stated that this matter is pending more analysis.

Mr. Haldeman stated that the Committee next addressed a request made by the Board of Supervisors to consider amending how residential density is calculated, with a direction to explore using net acreage. Mr. Haldeman stated that a stepped approach is currently used in

the R-1, Limited Residential, R-2, General Residential, R-3, Residential Redevelopment, R-4, Residential Planned Community, R-5, Multifamily Residential PUD, Planned Unit Development, MU, Mixed Use, and Cluster Overlay Districts. Mr. Haldeman noted that these Districts are primarily found inside the PSA. Mr. Haldeman noted that the R-6 and R-8 Districts use gross acreage.

Mr. Haldeman stated that if the County's sole intent is to minimize development capacity on any given parcel, it should use net acreage method of calculating density. Mr. Haldeman stated that gross acreage produces the largest number of housing units and the largest density per acre of developable land, then the Alternative Single Number, then the Alternative Stepped Method, with net acreage yielding the fewest and smallest. Mr. Haldeman noted that there are, however, other considerations.

Mr. Haldeman stated that points in favor of methods other than net acreage:

- Comprehensive Plan consistency: Low Density Residential and Medium Density Residential recommends density ranges based on gross acreage, while MU and Economic Opportunity (EO) use net acreage.
- Net acreage will reduce density in residential districts which are mostly within the PSA. This might increase development pressure in the Rural Lands. Moving to net acreage would violate the spirit of the compromise made at the time of the Comprehensive Plan revision, which recommended a zoning ordinance change from 3-acre density to 20-acre density in the Rural lands in exchange for accommodating residential growth within the PSA.
- Reducing densities could reduce opportunities for workforce housing. (Although density bonus points could help with that).
- Costs such as homeowners association dues could be increased with lower density.

Mr. Haldeman stated that points in favor of methods other than gross acreage:

- Community character - compatibility of new development with adjacent existing communities and protecting open space – residents' consistent support for rural character.
- Lower demands on public facilities.
- Lower traffic congestion – reduces automobile dependency.
- Less impervious surface – less stormwater runoff and better aquifer re-charge.
- Fiscal issues (can cut both ways).

Mr. Haldeman stated that the Committee reviewed Ordinances from the City of Williamsburg, York County, Suffolk, and Fauquier County and found different approaches by each.

Mr. Haldeman stated that the Committee was divided on this issue, with two Committee members favoring the net acreage, another member was unsure of what was meant to be accomplished, and another member proposing unspecified compensation to affected landowners for the loss of development rights attributed to steep slopes and Resource Protection Area. Mr. Haldeman stated that the Committee decided to seek guidance for the Board of Supervisors on these questions at its January 24, 2023, Business Meeting.

Mr. Haldeman stated that:

- All Board members agree that this is a high priority and that the Board is “looking for an Ordinance that will transition us to a net developable density.” “... as fast as we can.”
- No additional direction required.
- Board wants to consider pros and cons.
- This dovetails with cumulative impact and the watershed study.

- Must avoid “pockets of ultra-high density.”

Mr. Haldeman stated that the Committee will continue its deliberations on these issues at a special meeting called for February 23, 2023, at 2:30 p.m.

E. CONSENT AGENDA

1. Minutes of the January 4, 2023, Regular Meeting

Mr. Haldeman made a motion to approve the Consent Agenda.

On a voice vote, the Commission voted to approve the Consent Agenda. (7-0)

F. PUBLIC HEARINGS

1. AFD-22-0019. 1245 Stewarts Road Barnes Swamp AFD Withdrawal

A motion to Approve was made by Frank Polster, the motion result was Failed.

AYES: 2 NAYS: 5 ABSTAIN: 0 ABSENT: 0

Ayes: Polster, Rodgers

Nays: Haldeman, Krapf, Null, O'Connor, Rose

Mr. Thomas Wysong stated that Mr. Tim Mills has requested to withdraw 23.84 acres of their 52.15-acre parcel from the Barnes Swamp Agricultural and Forestal District (AFD). Mr. Wysong stated that the parcel is located at 1245 Stewarts Road, is zoned A-1, General Agricultural, is designated Rural Lands on the 2045 Comprehensive Plan Land Use Map, and is outside the PSA.

Mr. Wysong stated that in 2022, the County notified property owners multiple times of the impending renewal period for the AFDs and the need for property owners to submit a written request should they wish to withdraw property from the AFD. Mr. Wysong stated that letters were mailed in May and August informing each property owner within an AFD that a written request to withdraw property needed to be submitted prior to the September Board of Supervisors meeting. Mr. Wysong stated that no request was submitted by the applicant prior to the September Board of Supervisors meeting which means that this request was received after the Board acted on the AFD renewals and is outside the renewal period.

Mr. Wysong further stated that withdrawal requests made outside the renewal period must meet the criteria set forth by the Board of Supervisors' Policy Governing the Withdrawal of Property from AFDs. Mr. Wysong stated that those criteria are:

1. It is caused by a change in circumstances that could not have been anticipated at the time the application was made for inclusion in the District. Mr. Wysong stated that this is historically interpreted to be the death of a property owner. Mr. Wysong stated that, thankfully, this is not the case.
2. It serves a public purpose, as opposed to the proprietary interest of the landowner that could not otherwise be realized upon expiration of the AFD. Mr. Wysong stated that staff interprets this as the construction of a public facility. Mr. Wysong noted that the applicant is proposing a minor residential subdivision which would not serve a public purpose.
3. Would not cause disruption to the existing District. Mr. Wysong noted that the proposed withdrawal would not negatively impact the District.
4. Is in conjunction with a proposal to convert the land use of a property to a different use than is currently in place; the new land use would be in conformance with the

Comprehensive Plan. Mr. Wysong noted that the proposal is for the development of a minor subdivision and the Comprehensive Plan discourages residential development in rural lands.

Mr. Wysong stated that at its January 19, 2023, meeting, the AFD Advisory Committee voted 7-0 to recommend approval of the withdrawal request to the Planning Commission and the Board of Supervisors.

Mr. Wysong further stated that staff cannot support this request for withdrawal due to it not fully meeting all four of the criteria set forth in the Board's policy. Mr. Wysong stated that staff recommends that the Planning Commission recommend denial of this request to the Board of Supervisors.

Mr. Polster inquired if there is a future plan to further subdivide Lot 5.

Mr. Wysong stated that the current plat does not show that lot and he would defer to the applicant.

Mr. Krapf inquired what approval a conceptual plan grants and the timeline for the applicant to take action.

Mr. Wysong stated that is an option for someone to present a plan for a property to staff and receive feedback on whether that use could potentially work and what steps would be necessary to go forward. Mr. Wysong stated that staff does not provide approval letters, but rather comment letters with recommendations. Mr. Wysong further stated that there is no deadline for moving forward.

Mr. Polster inquired about the shared driveway exception.

Mr. Wysong stated that the applicant did bring the exception request to the DRC and that the DRC recommendation was confirmed by the Planning Commission in 2021.

Mr. Haldeman inquired what address is used for mailing the AFD Property Owner notifications.

Mr. Holt stated that the Real Estate Assessment database includes a mailing address for the property owner which is what staff uses to mail out notifications.

Mr. O'Connor opened the Public Hearing.

Timothy Mills, 306 The Maine, applicant, addressed the Commission in favor of the application.

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

Mr. Polster inquired about the Master Plan for the property.

Mr. Mills noted that the minor subdivision will be developed in two sections. Mr. Mills provided the Commission with a rendering of the parcels.

Mr. Krapf inquired if there would be another structure on Lot 5.

Mr. Mills stated that there would only be one dwelling; however, the barn will be replaced with a newer structure.

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

Mr. O'Connor opened the floor for discussion by the Commission.

Mr. Rodgers stated that he does find that the August 17, 2022, letter is not totally clear about the deadline for action.

Mr. Holt stated that the specific verbiage regarding withdrawal of property and all of the hearing dates were specified in the initial letter sent out in May 2022. Mr. Holt noted that the August letter was sent because staff determined a need to amend the terms of the Districts to be consistent with changes in State Code.

Mr. Krapf stated that if he had a pending project and received a letter stating that the Board of Supervisors would meet on a certain date, he would have at least called to inquire if he needed to do anything related to this Public Hearing. Mr. Krapf stated that his concern is, once again, setting a precedent by making an exception. Mr. Krapf stated that although he is sympathetic to the dilemma, he finds that this does not meet three of the criteria set by the Board of Supervisors for withdrawal of property from an AFD.

Mr. Polster stated that there is judgment involved in considering all the circumstances. Mr. Polster noted that the applicant did all the due diligence prior to acquiring the property. Mr. Polster stated that the Commission should consider the application in light of what is best for the County, the community, and the applicant. Mr. Polster stated that he intends to support the application.

Mr. O'Connor stated that he remains concerned about approving withdrawals because AFDs are a major tool to control growth outside the PSA. Mr. O'Connor noted that he was opposed to the shared driveway exception when it came before the DRC. Mr. O'Connor noted that this is a growth issue to him and that the AFDs are useful in preserving rural lands.

Mr. Polster made a motion to recommend approval of the application.

On a roll call vote, the motion did not pass. (2-5)

G. PLANNING COMMISSION CONSIDERATIONS

There were no items for Planning Commission consideration

H. PLANNING DIRECTOR'S REPORT

1. Planning Director's Report - February 2023

Mr. Holt stated that he did not have anything to add other than to note that in response to discussion with the Board of Supervisors, staff has scheduled a special meeting of the Policy Committee to be held on Thursday, February 23, 2023, at 2:30 p.m. to discuss ORD-22-0003. Amendments for Calculation of Residential Density. Mr. Holt noted that this meeting was in addition to the meetings already scheduled to discuss the Capital Improvements Program requests.

I. PLANNING COMMISSION DISCUSSION AND REQUESTS

Dr. Rose inquired about regulations for vape shops and whether it would also apply to cannabis dispensaries.

Mr. Holt stated that staff would be looking to the work done by the City of Williamsburg in drafting its Ordinance since the City staff had done much of the heavy lifting in developing the Ordinance language.

Mr. O'Connor noted that he has received a number of calls with concerns over lighting. Mr. O'Connor noted that the existing regulations cover lighting outdoors but do not address concerns about lighting and signs inside a building which are visible from the outside.

Mr. Holt stated that staff is aware of the concerns and will be addressing those concerns by reaching out to the various property businesses.

Ms. Null noted that intense lighting visible from the road can be distracting and create a safety issue.

Mr. Holt noted that currently County Code specifies that glare from any exterior lighting cannot trespass outside the property lines.

Mr. Haldeman inquired if the lighting regulations were governed by State Code.

Mr. Holt stated that the enabling legislation in State Code determines what the County can regulate.

Mr. Krapf inquired if State Code would permit the County to regulate the interior signs.

Mr. Holt stated that he would need to review the enabling legislation to determine what the County may be able to regulate and enforce.

Mr. Krapf inquired when staff would begin looking at the Ordinance amendments for vape shops.

Mr. Holt stated that the Board of Supervisors indicated that this should be a priority, so staff would be prioritizing that work item.

J. ADJOURNMENT

Mr. Haldeman made a motion to adjourn.

The meeting was adjourned at approximately 6:53 p.m.

Paul D. Holt, III, Secretary

Tim O'Connor, Chairman

ITEM SUMMARY

DATE: 3/1/2023

TO: The Planning Commission

FROM: Tom Leininger, Principal Planner

SUBJECT: Development Review Committee Action Item: SP-22-0051. Ironbound Crossing Wawa and Church Parking

Mr. Mark Rinaldi has submitted a site plan for the development of a convenience store with fuel for 4007 Ironbound Road. Per the adopted proffers, this site plan must be substantially consistent with Z-18-0006, which was approved by the Board of Supervisors in 2018 and SUP-21-0017, which was approved by the Board of Supervisors in 2022.

Reason for DRC Review: Appeal the decision of the Planning Director that the proposed landscaping along Ironbound Road and Old Ironbound Road does not meet the requirements of a “structural site element,” as required and defined by the adopted design guidelines.

[LINK](#) to the DRC Report and Exhibits.

On February 15, 2023, the DRC found that the proposed landscaping met the requirements of a “structural site element,” as required and defined by the adopted design guidelines, by a vote of 3-1.

REVIEWERS:

Department	Reviewer	Action	Date
Planning Commission	Holt, Paul	Approved	2/16/2023 - 1:00 PM
Planning Commission	Holt, Paul	Approved	2/16/2023 - 1:00 PM
Publication Management	Daniel, Martha	Approved	2/16/2023 - 1:03 PM
Planning Commission	Holt, Paul	Approved	2/16/2023 - 1:05 PM

ITEM SUMMARY

DATE: 3/1/2023

TO: The Planning Commission

FROM: Suzanne Yeats, Planner

SUBJECT: Development Review Committee Action Item: SP-22-0089. Chickahominy Riverfront Park RV Storage Lot.

Mr. Darryl Cook has submitted a proposal to relocate and enlarge the RV and Boat storage lot.

Reason for DRC Review: Special Use Permit (SUP) Condition No. 1 from Case No. SUP-0014- 2009, adopted by the Board of Supervisors on November 10, 2009, states improvements to the site shall be located as shown on the document entitled, “Figure 4-2: Master Plan Chickahominy Riverfront Park,” (the “2009 Master Plan”) with only changes thereto that the Development Review Committee (DRC) determines to be generally consistent with the Master Plan and Shaping Our Shores report. In addition, Condition No. 7 states tree clearing shall be limited to the minimum necessary and requires review by the Planning Director or designee and DRC.

[LINK to the DRC Staff Report and Exhibits.](#)

On February 15, 2023, the DRC found the proposal to be generally consistent with the Master Plan and Shaping Our Shores report and the proposed tree clearing acceptable by a vote of 4-0.

REVIEWERS:

Department	Reviewer	Action	Date
Planning Commission	Holt, Paul	Approved	2/16/2023 - 1:04 PM
Planning Commission	Holt, Paul	Approved	2/16/2023 - 1:05 PM
Publication Management	Pobiak, Amanda	Approved	2/16/2023 - 2:05 PM
Planning Commission	Holt, Paul	Approved	2/16/2023 - 2:05 PM

ITEM SUMMARY

DATE: 3/1/2023

TO: The Planning Commission

FROM: Terry Costello, Senior Planner

SUBJECT: SUP-23-0001. 2886 Lake Powell Road Rental of Rooms

ATTACHMENTS:

	Description	Type
☐	Staff Report	Staff Report
☐	Proposed Conditions	Backup Material
☐	Location Map	Exhibit
☐	Master Plan	Exhibit
☐	Applicant Narrative	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Planning Commission	Holt, Paul	Approved	2/22/2023 - 7:57 AM
Planning Commission	Holt, Paul	Approved	2/22/2023 - 7:57 AM
Publication Management	Daniel, Martha	Approved	2/22/2023 - 8:12 AM
Planning Commission	Holt, Paul	Approved	2/22/2023 - 8:14 AM

**SPECIAL USE PERMIT-23-0001. 2886 Lake Powell Road Road Rental of Rooms
Staff Report for the March 1, 2023, Planning Commission Public Hearing**

SUMMARY FACTS

Applicant: Ms. Emily Martel

Landowners: Mr. Aaron and Ms. Emily Martel

Proposal: To allow for the rental of up to three rooms in a single-family dwelling.

Location: 2886 Lake Powell Road

Tax Map/Parcel No.: 4810100044

Property Acreage: ± .61 acres

Zoning: R-2, General Residential

Comprehensive Plan: Low Density Residential

Primary Service Area: Inside

Staff Contact: Terry Costello, Senior Planner

PUBLIC HEARING DATES

Planning Commission: March 1, 2023, 6:00 p.m.

Board of Supervisors: April 11, 2022, 5:00 p.m. (Tentative)

FACTORS FAVORABLE

1. There is adequate off-street parking.
2. The applicant has acknowledged that, should this application be approved, she will obtain the proper licensing and inspections through the County and will be subject to appropriate use-based taxes.
3. The owner will reside on-site during the time of the rentals.
4. Impacts: See Impact Analysis on Pages 3-4.

FACTORS UNFAVORABLE

1. Staff finds the proposal inconsistent with the short-term rental recommendations of the *Our County, Our Shared Future: James City County 2045 Comprehensive Plan*.
2. Impacts: See Impact Analysis on Pages 3-4.

SUMMARY STAFF RECOMMENDATION

Staff finds the proposal to be incompatible with surrounding development and not consistent with the recommendations of the 2045 Comprehensive Plan. Staff, therefore, does not recommend approval of this application. Should the Planning Commission wish to recommend approval, staff has included proposed conditions for consideration (Attachment No. 1).

PROJECT DESCRIPTION

Ms. Emily Martel has applied for a Special Use Permit (SUP) to allow for the rental of up to three rooms located within a single-family

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.

**SPECIAL USE PERMIT-23-0001. 2886 Lake Powell Road Road Rental of Rooms
Staff Report for the March 1, 2023, Planning Commission Public Hearing**

dwelling. The residence is a three-bedroom home with a one-bedroom accessory apartment, for a total of four bedrooms. The proposal includes no changes to the size or footprint of the home.

Unlike the “Tourist Home” use, the “Rental of Rooms” use limits rentals to a maximum of three bedrooms and requires the homeowners to continue residing at the property during the time of rentals. This use prohibits the rental of the dwelling as a whole. While the use permits the rental of a maximum of three rooms, the applicant states that it is her intent to rent out the one-bedroom apartment located in the upper level of the single-family dwelling on a regular basis. However, there may be an occasion where the applicant will rent the lower level of the home and reside in the second story accessory apartment.

The property has an existing driveway off of a private 20-foot access road. The property has an existing parking area sufficient to accommodate guests. The three-bedroom home as well as the accessory apartment is on public water and sewer. In previous rental of rooms applications, staff calculated the number of occupants to be two people per bedroom. Therefore, proposed Condition No. 3 states that the maximum number of occupants per contract, including children, is six.

PLANNING AND ZONING HISTORY

- There have been no legislative cases associated with the residence that was built in 2006.

SURROUNDING ZONING AND DEVELOPMENT

- The property is not located within any major or minor subdivision.
- The properties surrounding this parcel to the north, south, east, and west are zoned R-2, General Residential.

- Properties to the north, south, east, and west are all designated Low Density Residential on the 2045 Comprehensive Plan Land Use Map.
- The property is within one mile of the Williamsburg-Jamestown Airport.

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.

**SPECIAL USE PERMIT-23-0001. 2886 Lake Powell Road Road Rental of Rooms
Staff Report for the March 1, 2023, Planning Commission Public Hearing**

Impacts/Potentially Unfavorable Conditions	Status <i>(No Mitigation Required/Mitigated/Not Fully Mitigated)</i>	Considerations/Proposed Mitigation of Potentially Unfavorable Conditions
<u>Public Transportation: Vehicular</u>	<u>No Mitigation Required</u>	<ul style="list-style-type: none"> - The proposal is not anticipated to generate traffic exceeding a typical residential use. - The subject property is located on the corner of a major collector road and a private access road. No changes anticipated to the level of service on Lake Powell Road.
<u>Public Transportation: Bicycle/Pedestrian</u>	<u>No Mitigation Required</u>	<ul style="list-style-type: none"> - Per the Adopted Regional Bikeways Map and Pedestrian Accommodations Master Plan, Lake Powell Road is an existing shared roadway. - 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.
<u>Public Safety</u>	<u>No Mitigation Required</u>	<ul style="list-style-type: none"> - Fire Station 3 on John Tyler Highway serves this area of the County and is approximately 2.1 miles from the proposed rental of rooms property. - Staff finds this project does not generate impacts that require mitigation to the County’s Fire Department facilities or services.
<u>Public Schools</u>	<u>No Mitigation Required</u>	<ul style="list-style-type: none"> - N/A since no residential dwelling units are proposed.
<u>Public Parks and Recreation</u>	<u>No Mitigation Required</u>	<ul style="list-style-type: none"> - N/A since no residential dwelling units are proposed.
<u>Public Libraries and Cultural Centers</u>	<u>No Mitigation Required</u>	<ul style="list-style-type: none"> - Staff finds this project does not generate impacts that require mitigation.
<u>Groundwater and Drinking Water Resources</u>	<u>No Mitigation Required</u>	<ul style="list-style-type: none"> - The property receives public water and sewer. - The proposal does not generate impacts that require mitigation to groundwater or drinking water resources.

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.

**SPECIAL USE PERMIT-23-0001. 2886 Lake Powell Road Road Rental of Rooms
Staff Report for the March 1, 2023, Planning Commission Public Hearing**

Impacts/Potentially Unfavorable Conditions	Status <i>(No Mitigation Required/Mitigated/Not Fully Mitigated)</i>	Considerations/Proposed Mitigation of Potentially Unfavorable Conditions
<u>Watersheds, Streams, and Reservoirs</u> Project is located in the Mill Creek Watershed.	<u>No Mitigation Required</u>	- 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 additional environmental review at that time.
<u>Cultural/Historic</u>	<u>No Mitigation Required</u>	- The subject property has been previously disturbed and has no known cultural resources on-site.
<u>Nearby and Surrounding Properties</u>	<u>Mitigated</u>	- Traffic is anticipated to be typical of a residential home, the subject property must adhere to the County’s Noise Ordinance, and the proposed SUP conditions will restrict commercial signage and exterior lighting. Future expansions of the use would require an SUP amendment.
<u>Community Character</u>	<u>No Mitigation Required</u>	- Lake Powell Road is not a Community Character Corridor, and this parcel is not located within a Community Character Area.
<u>Covenants and Restrictions</u>	<u>No Mitigation Required</u>	- The applicant has verified that she is not aware of any covenants or restrictions on the property that prohibit the proposed use.

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.

**SPECIAL USE PERMIT-23-0001. 2886 Lake Powell Road Road Rental of Rooms
Staff Report for the March 1, 2023, Planning Commission Public Hearing**

2045 COMPREHENSIVE PLAN

The property is designated Low Density Residential on the 2045 Comprehensive Plan Land Use Map. Per the adopted Comprehensive Plan, recommended uses include single-family and multifamily units, accessory units, cluster or cottage homes on small lots, recreation areas, and limited commercial.

Specific to short-term rentals, the adopted Comprehensive Plan states that, if located within a residential context, short-term rentals should serve to complement the residential character of the area rather than altering its nature. Therefore, while every location can be considered uniquely, short-term rentals are most appropriately located subject to the following development standards:

- Be located on lands designated Rural Lands, Neighborhood Commercial, Community Commercial, Mixed Use, or Economic Opportunity.

This property is designated Low Density Residential, which is not one of the recommended land use designations.

- Be located on the edge or corner of an existing platted subdivision, rather than internal to it.

This parcel is not located within an existing platted subdivision and is located on Lake Powell Road.

- Be located on a major road.

This property is located on the corner of Lake Powell Road and a private access road. This segment of Lake Powell Road is classified by the Virginia Department of Transportation as a major collector road.

- Be operated in a manner such that the property owner will

continue to live and reside on the property during the rental.

The owner of the home will reside on the same property as the proposed rental.

Staff finds the proposal is inconsistent with the recommendations of the 2045 Comprehensive Plan.

STAFF RECOMMENDATION

Staff finds the proposal incompatible with surrounding zoning and development and not consistent with the recommendations of the adopted 2045 Comprehensive Plan.

Staff therefore does not recommend approval of the proposed SUP. Should the Planning Commission wish to recommend approval, staff has included proposed conditions for consideration (Attachment No. 1).

TC/ap
SUP23-1_2886LkPwll

Attachments:

1. Proposed Conditions
2. Location Map
3. Master Plan
4. Applicant Narrative

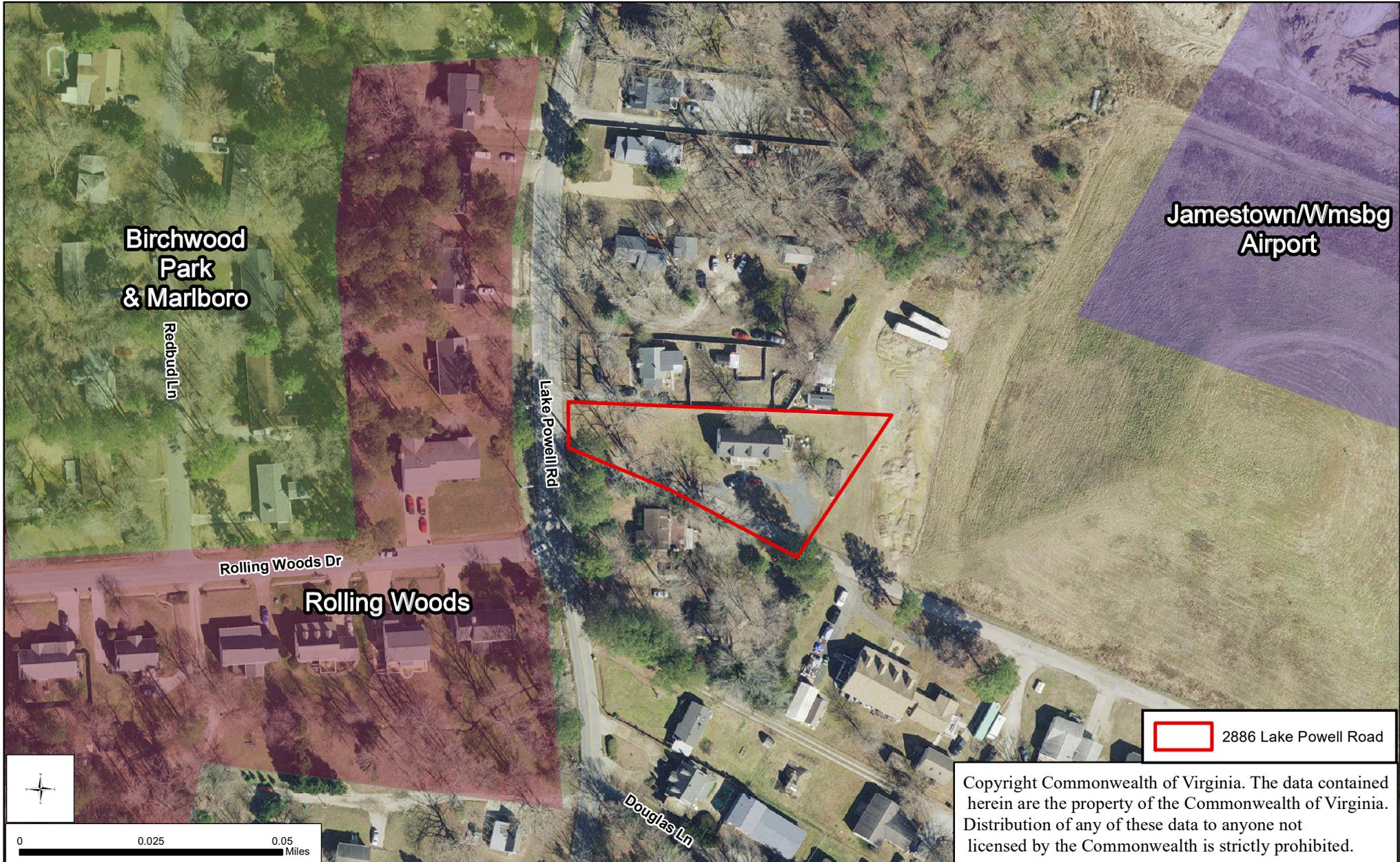
This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

Conditions:

1. Master Plan. This SUP shall permit the rental of rooms on property located at 2886 Lake Powell Road and further identified as James City County Real Estate Tax Map Parcel No. 4810100044 (the "Property"). The use and layout of the Property shall be generally as shown on the document entitled "JCC SUP-23-0001, 2886 Lake Powell Road Rental of Rooms" and date stamped February 10, 2023 (the "Master Plan"), with any deviations considered per Section 24-23(a)(2) of the Zoning Ordinance, as amended. This condition does not restrict improvements typical of a residential property as determined by the Director of Planning.
2. Commencement. Evidence of a business license and updated Certificate of Occupancy shall be provided to the Director of Planning within twelve (12) months from the issuance of the SUP, or this SUP shall automatically be void.
3. Number of Rental Room Occupants. There shall be no more than three (3) bedrooms available for rent to visitors and no more than six (6) rental occupants total at any one time.
4. Contracts per Rental Period. There shall not, during any period of time, be simultaneous rentals of the Property under separate contracts.
5. Signage. No signage related to the use of the rental of rooms shall be permitted on the Property.
6. Parking. Off-site parking for this use shall be prohibited. No oversized commercial vehicles associated with rental occupants of the tourist home, such as, but not limited to, buses, commercial trucks, and trailers shall be allowed to park on the Property.
7. Compliance Review. On or before November 28, 2025, the owner of the Property must submit a letter to the Director of Planning requesting either continuance or cancellation of the SUP. If the owner requests cancellation of the SUP or does not submit the required letter, the Director of Planning shall initiate proceedings for the Board of Supervisors to revoke the SUP pursuant to section 24-12 of the County Code. If the owner of the Property requests continuance of the SUP, the owner must also submit a statement certifying that the use and Property are in compliance with all SUP conditions. The Director of Planning shall then prepare a memorandum setting forth any and all complaints received by staff since issuance of the SUP and any violations of the SUP conditions. The Director of Planning shall place the compliance review on the Board of Supervisors' February, 2026 Board meeting as a Public Hearing item at no cost to the Property owner. Following the public hearing, the Board of Supervisors shall determine whether to initiate proceedings to revoke the SUP due to incompatibility with the surrounding neighborhood, violation of the SUP conditions, or any other reason related to the health, safety, and welfare of the community or may instead set a new compliance review date.
8. Severance Clause. This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

JCC SUP-23-0001

2886 Lake Powell Road Tourist Home



SUP-23-0001, 2886 Lake Powell Rd Tourist Home

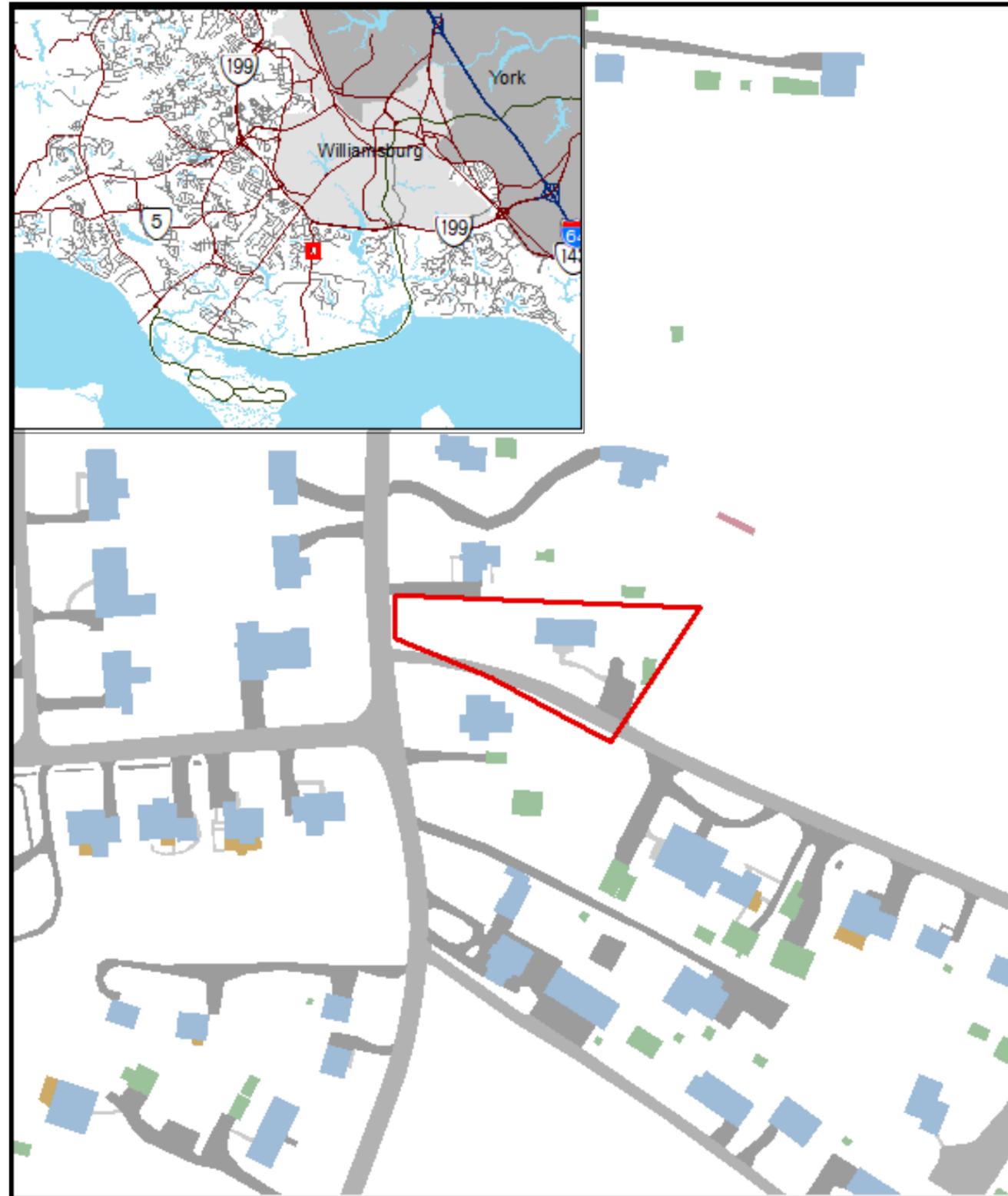
Property Information

4810100044
Aaron & Emily Martel
2886 Lake Powell Road
Williamsburg, VA 23185
Zoning: R2 General Residential
2045 Comp Plan: Low Density
Residential
Legal Acreage: .61

General Notes

1. Site is served by public water and 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 three parking spots shall be provided (one parking spot per bedroom).

February 10, 2023



Adjacent Properties

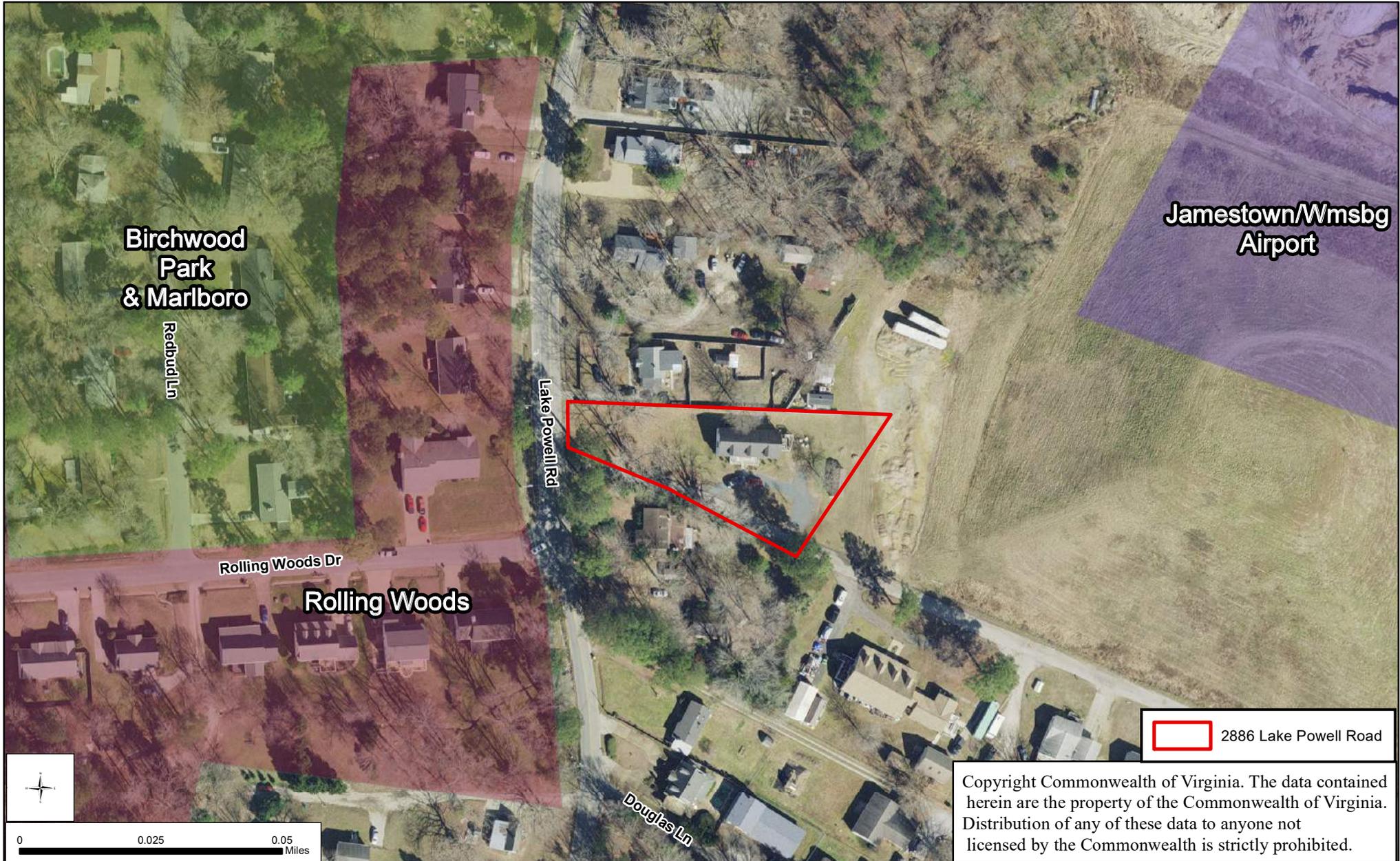
4810100042A T & L Rentals Inc. 100 Lands End Dr Williamsburg, VA 23185 R2 General Residential	4810100046 Dudley & Rebecca Dudley 2868 Lake Powell Rd Williamsburg, VA 23185 R2 General Residential
4810100043 Aaron & Emily Martel 2890 Lake Powell Rd Williamsburg, VA 23185 R2 General Residential	4811800001 Jerome & Candice Bresnahan 5500 Rolling Woods Dr Williamsburg, VA 23185 R2 General Residential
4810100045 Daryl Eubank 9800 Wilcox Neck Rd Charles City, VA 23030 R2 General Residential	4811800002 Theodore & Lorraine Fort 2891 Lake Powell Rd Williamsburg, VA 23185 R2 General Residential

Sheet Index

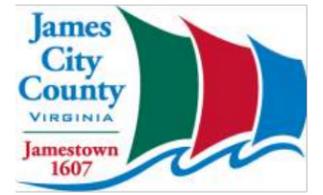
1. Cover Page
2. Location Page
3. Site Details

JCC SUP-23-0001

2886 Lake Powell Road Tourist Home



JCC SUP-23-0001
2886 Lake Powell Road Rental of Rooms



Terry Costello

From: Emily Martel <empmartel@gmail.com>
Sent: Friday, January 20, 2023 12:59 PM
To: Terry Costello
Subject: [External]Re: SUP-23-0001 2886 Lake Powell Rd Short Term Rental

Terry,

Per your request here is a narrative. Please let me know if you need any additional information.

Our residence at 2886 Lake Powell Road was purchased by us with an upstairs apartment that has an entrance from both the interior downstairs of this home and a separate entrance outside. This home was ideal for us because my mother, who had experienced a long illness, would be close by.

Now the upstairs apartment is a dedicated short-term rental primarily for couples but it accommodates up to four people. During the time this section of our home is occupied by guests, our family remains in the downstairs living quarters. Occasionally, we have families who need more space, at which time the downstairs part of our home is available and our family temporarily moves upstairs for the duration of the guest rental downstairs.

Thank you,

Emily Martel
757-990-9001

Sent from my iPhone

On Jan 19, 2023, at 11:00 AM, Emily Martel <empmartel@gmail.com> wrote:

Terry,

I will work on that this evening when my kids are asleep and get that to you as soon as possible.

Thank you.

Emily Martel
757-990-9001

Sent from my iPhone

On Jan 19, 2023, at 7:55 AM, Terry Costello <Terry.Costello@jamescitycountyva.gov> wrote:

Good morning,

Could you please send me a narrative as to how your rental would work, for example, how often would you rent, would you be onsite, etc?

Thanks
Terry

Terry Costello
Senior Planner



101-A Mounts Bay Road
Williamsburg, Virginia 23185
P: 757-253-6672 F: 757-253-6822
Jamescitycountyva.gov

Most permit requests and inquiries can now be handled online
Visit JCC Permitlink: <http://www.jamescitycountyva.gov/permitlink>

ITEM SUMMARY

DATE: 3/1/2023

TO: The Planning Commission

FROM: John Risinger, Senior Planner

SUBJECT: AFD-22-0018. 278 Ivy Hill Road Mill Creek AFD Addition

ATTACHMENTS:

	Description	Type
☐	Staff Report	Staff Report
☐	1. Proposed Conditions	Backup Material
☐	2. Location Map	Backup Material
☐	3. Mill Creek AFD Map	Backup Material
☐	4. Mill Creek AFD 2022 Renewal Ordinance and Staff Report	Backup Material
☐	5. State Code § 15.2-4305 Regarding AFD Application Criteria	Backup Material
☐	6. Applicant's Narrative	Backup Material
☐	7. Unapproved Minutes of the January 19, 2023, AFD Advisory Committee Meeting	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Planning Commission	Holt, Paul	Approved	2/22/2023 - 9:46 AM
Planning Commission	Holt, Paul	Approved	2/22/2023 - 9:47 AM
Publication Management	Pobiak, Amanda	Approved	2/22/2023 - 9:54 AM
Planning Commission	Holt, Paul	Approved	2/22/2023 - 11:15 AM

**AGRICULTURAL AND FORESTAL DISTRICT-22-0018. 278 Ivy Hill Road Mill Creek AFD Addition
Staff Report for the March 1, 2023, Planning Commission Public Hearing**

SUMMARY FACTS

Applicant: Mr. William C. Taylor
Landowner: Greensprings Materials, LLC
Proposal: Addition of a ± 256.85-acre parcel to the Mill Creek Agricultural and Forestal District (AFD).
Location: 278 Ivy Hill Road
Tax Map/Parcel No.: 1130100013
Project Acreage: ± 256.85 acres
Zoning: A-1, General Agricultural
Comprehensive Plan: Rural Lands
Primary Service Area: Outside
Staff Contact: John Risinger, Senior Planner

PUBLIC HEARING DATES

AFD Advisory Committee: January 19, 2023, 4:00 p.m.
Planning Commission: March 1, 2023, 6:00 p.m.
Board of Supervisors: April 11, 2023, 5:00 p.m. (Tentative)

FACTORS FAVORABLE

1. Staff finds that this addition to the Mill Creek AFD would not adversely affect surrounding development and is consistent with the core of the District.
2. Staff finds the proposal consistent with the 2045 Comprehensive Plan Land Use Action 6.1.1.
3. Impacts: This proposal is not anticipated to generate any impacts that require mitigation.

FACTORS UNFAVORABLE

As this proposal is not anticipated to generate any impacts that require mitigation, staff finds no unfavorable factors.

SUMMARY STAFF RECOMMENDATION

Staff finds that the proposed addition meets all state and local requirements for inclusion in the Mill Creek AFD. Staff recommends that the Planning Commission recommend approval of the proposed addition to the Board of Supervisors (BOS), subject to the proposed conditions, which are consistent with other properties in the District.

AFD ADVISORY COMMITTEE RECOMMENDATION

At its January 19, 2023, meeting, the AFD Advisory Committee voted 7-0 to recommend approval of the application to the Planning Commission and BOS.

PROJECT DESCRIPTION

- Mr. William C. Taylor of Greensprings Materials, LLC, has applied to enroll ± 256.85 acres of land located at 278 Ivy Hill Road into the Mill Creek AFD. It is currently an undeveloped,

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.

**AGRICULTURAL AND FORESTAL DISTRICT-22-0018. 278 Ivy Hill Road Mill Creek AFD Addition
Staff Report for the March 1, 2023, Planning Commission Public Hearing**

wooded lot with the exception of a Dominion Energy power line easement located at the west end of the property.

- The property was timbered approximately 15 years ago and is currently a mixture of pine and hardwood.
- Currently the property is used for hunting and trail riding and there are no plans for future development.
- The subject parcel is located within one mile of the core of the District and is contiguous with other parcels currently in the District which is consistent with the criteria listed in the *Code of Virginia* (see Attachment No. 3).
- Per the United States Department of Agriculture’s *Soil Survey of James City and York Counties and the City of Williamsburg Virginia*, the parcel consists of the following soils:

Soil Type	Erosion Hazard	Equipment Limitation	Seedling Mortality	Windthrow Hazard
11B, Craven-Uchee complex, 2-6% slopes	Slight	Moderate	Slight/Moderate	Slight
11C, Craven-Uchee complex, 6-10% slopes	Slight	Moderate	Slight/Moderate	Slight
14B, Emporia fine sandy loam, 2-6% slopes	Slight	Slight	Slight	Slight
15F, Emporia complex, 25-50% slopes	Moderate	Severe	Slight	Slight

Soil Type	Erosion Hazard	Equipment Limitation	Seedling Mortality	Windthrow Hazard
19B, Kempsville-Emporia fine sandy loams, 2-6% slopes	Slight	Slight	Slight	Slight
25B, Norfolk fine sandy loam, 2-6% slopes	Slight	Slight	Slight	Slight
29A, Slagle fine sandy loam, 0-2% slopes	Slight	Moderate	Slight	Slight
29B, Slagle fine sandy loam, 2-6% slopes	Slight	Moderate	Slight	Slight
31B, Suffolk fine sandy loam, 2-6% slopes	Slight	Slight	Slight	Slight
34B, Uchee loamy fine sand, 2-6% slopes	Slight	Moderate	Moderate	Slight
38, Yemassee fine sandy loam	Slight	Moderate	Slight	Slight

DISTRICT HISTORY

- The Mill Creek AFD was created in 1986 for a term of four years and originally consisted of 28 parcels totaling ± 3,547 acres.

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.

**AGRICULTURAL AND FORESTAL DISTRICT-22-0018. 278 Ivy Hill Road Mill Creek AFD Addition
Staff Report for the March 1, 2023, Planning Commission Public Hearing**

- The District was renewed in four-year intervals in 1990, 1994, 1998, 2002, 2006, 2010, 2014, 2018, and 2022 with various additions and withdrawals taking place during those periods.
- The District currently consists of ± 3,132.45 acres. Should this addition be approved, the District would consist of ± 3,389.3 acres.

SURROUNDING ZONING AND DEVELOPMENT

Adjacent properties to the north, east, west, and south, are zoned A-1, General Agricultural, and designated Rural Lands on the 2045 Comprehensive Plan Land Use Map. The parcels adjacent to the north are residential lots as part of the Merry Oaks subdivision.

COMPREHENSIVE PLAN

The subject parcel is designated Rural Lands on the 2045 Comprehensive Plan Land Use Map. Appropriate uses in Rural Lands include traditional agricultural and forestal activities. Land Use Action 6.1.1 of the 2045 Comprehensive Plan states that the County shall “Support both the use value assessment and AFD programs to the maximum degree allowed by the Code of Virginia. Explore extending the terms of the County’s Districts.” Staff finds this application to be consistent with both the Rural Lands designation and Land Use Action 6.1.1.

PUBLIC IMPACTS

This proposal is not anticipated to generate any impacts that require mitigation.

STAFF RECOMMENDATION

Staff finds that the proposed addition meets all state and local requirements for inclusion in the Mill Creek AFD. Staff recommends

that the Planning Commission recommend approval of the proposed addition to the Board of Supervisors, subject to the proposed conditions, which are consistent with other properties in the District.

JR/md
AFD22-18_278IvyHill

Attachments:

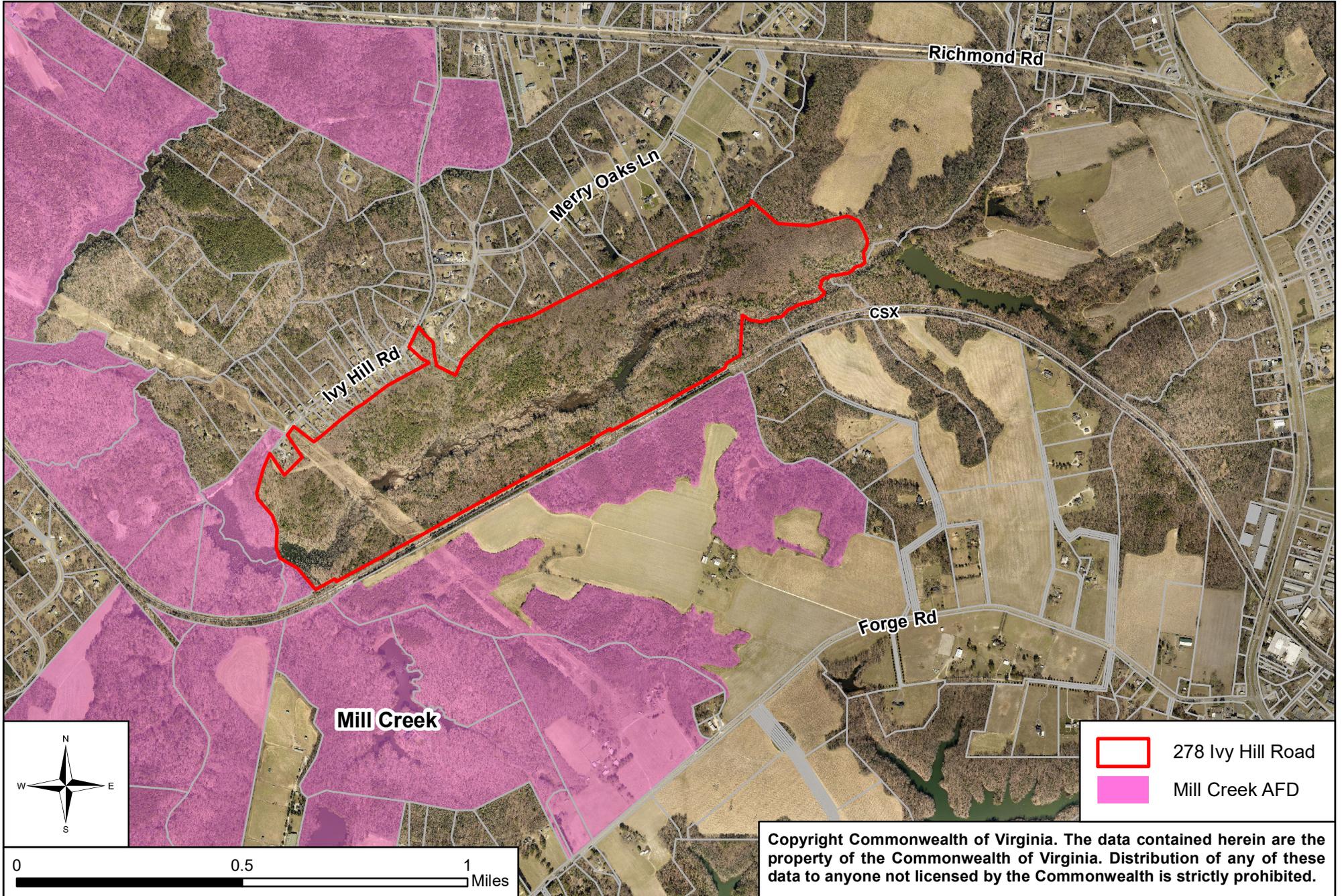
1. Proposed Conditions
2. Location Map
3. Mill Creek AFD Map
4. Mill Creek AFD 2022 Renewal Ordinance and Staff Report
5. State Code § 15.2-4305 Regarding AFD Application Criteria
6. Applicant’s Narrative
7. Unapproved Minutes of the January 19, 2023, AFD Advisory Committee Meeting

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.

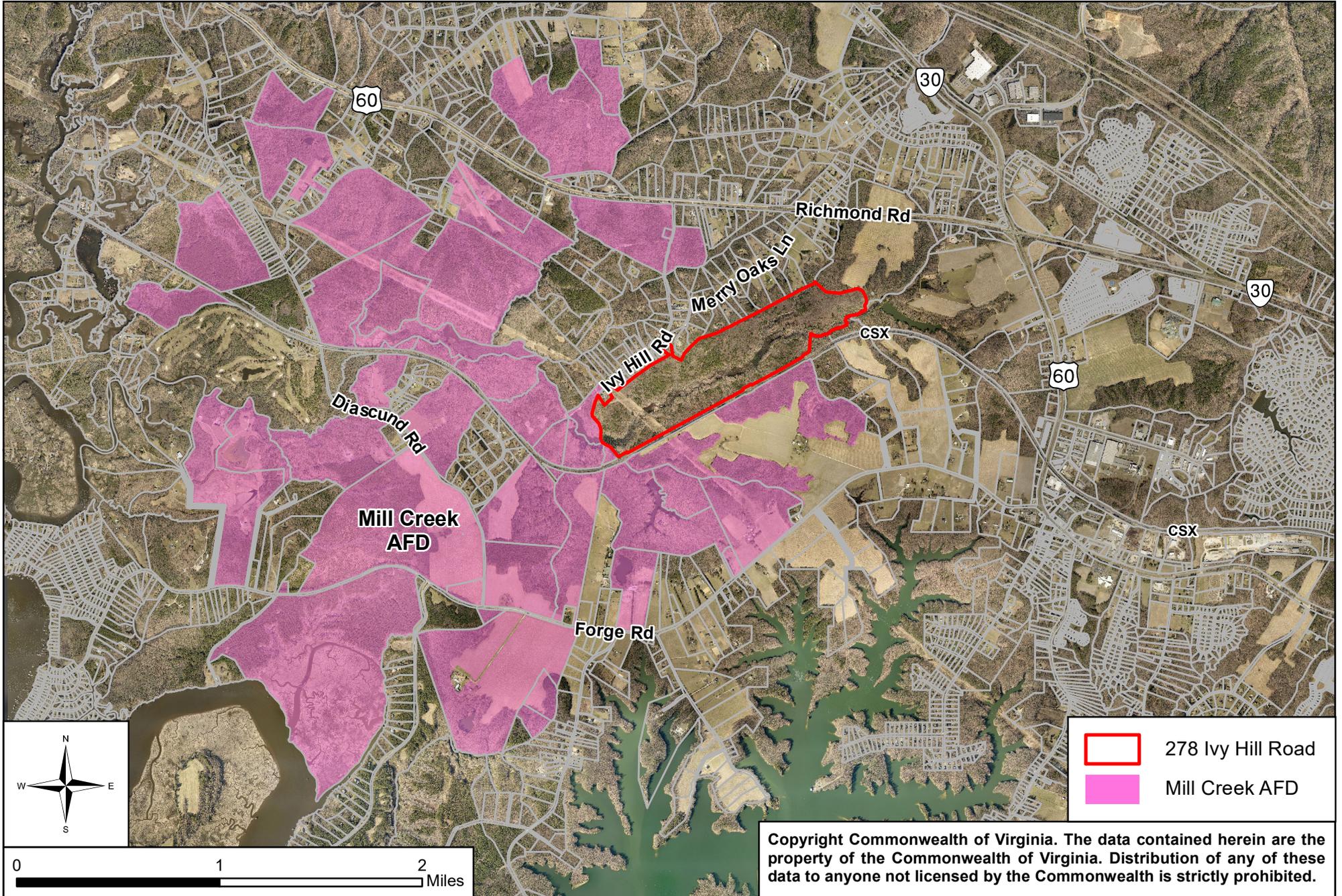
Proposed Conditions:

1. That pursuant to Sections 15.2-4309 of the Act, the Board of Supervisors requires that any parcel in the District shall not, without the prior approval of the Board of Supervisors, be developed to any more intensive use, other than uses resulting in more intensive agricultural or forestal production. Specifically, the following restrictions shall apply:
 - a. The subdivision of land is limited to 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner's immediate family, as defined in the James City County Subdivision Ordinance. Parcels of up to five acres, including necessary access roads, may be subdivided for the siting of Wireless Communications Facilities (WCFs), provided: a) The subdivision does not result in the total acreage of the District to drop below 200 acres; and b) the subdivision does not result in a remnant parcel of less than 25 acres.
 - b. Land within the District may be withdrawn from the District in accordance with the Board of Supervisor's Policy Governing the Withdrawal of Properties from Agricultural and Forestal Districts, adopted September 28, 2010.
 - c. No Special Use Permit (SUP) shall be issued except for agricultural, forestal, or other activities and uses consistent with the Act, which are not in conflict with the policies of this District. The Board of Supervisors, at its discretion, may issue SUPs for WCFs on properties in the District that are in accordance with the County's policies and Ordinances regulating such facilities.

JCC AFD-22-0018, 278 Ivy Hill Road Mill Creek AFD Addition



JCC AFD-22-0018, 278 Ivy Hill Road Mill Creek AFD Addition



ADOPTED

SEP 13 2022

ORDINANCE NO. 169A-21

Board of Supervisors
James City County, VA

AGRICULTURAL AND FORESTAL DISTRICT-22-0011

MILL CREEK 2022 RENEWAL

WHEREAS, James City County has completed a review of the Mill Creek Agricultural and Forestal District (the "District"); and

WHEREAS, in accordance with Section 15.2-4311 of the Code of Virginia, 1950, as amended (the "Virginia Code"), property owners have been notified, public notices have been filed, public hearings have been advertised, and public hearings have been held on the continuation of the District; and

WHEREAS, the Agricultural and Forestal District (AFD) Advisory Committee at its meeting on July 21, 2022, voted 6-0 to recommend renewal of the District; and

WHEREAS, the Planning Commission following its public hearing on August 3, 2022, concurred with the recommendation of staff and the AFD Advisory Committee and voted 7-0 to recommend renewal of the District with the conditions listed below.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of James City County, Virginia, that:

1. The Mill Creek Agricultural and Forestal District (the "District") is hereby continued to October 31, 2026, in accordance with the provisions of the Virginia Agricultural and Forestal District Act, Virginia Code Section 15.2-4300 et. seq. (the "Act").
2. That the District shall include the following parcels, provided, however, that all land within 25 feet of road rights-of-way is excluded from the District:

<u>LAND OWNERS</u>	<u>PARCEL ID</u>	<u>ACRES</u>
8700 Barnes Road LLC	1010100037	104.00
Abbitt, M.W. Family Partnership	920100040	95.51
Albert T. & Joan Lloyd Slater	1010100028	69.69
Christopher M. Ware	920100036	39.13
Cowles-Cowlesville LLC	1040100005	249.89
Cowles-Cowlesville LLC	1040100006	124.77
Cowles-Cowlesville LLC	2010100002	2.00
Cowles-Lobbs LLC	2020100006	352.96
Dale Cowles Henderson & John Cowles Dozier, et al.	2020100001	8.76
Dale Cowles Henderson & John Cowles Dozier, et al.	2020100003	102.67
Daniel R. Winall & Marion Virginia	1030100019	97.59
Dennis P. and Christine A. Weygand	1030100013	34.03
Edwards' Mill Pond, LLC	1030100003	45.80
Ivy Hill LLC & Barbara L. Silverman c/o Ellen Lightman	1110100013	100.18

Ivy Hill LLC c/o Ellen Lightman	1110100024	1.18
J. Michael Sim	1040100003	103.26
J. Michael Sim	1040100001A	10.00
John E. & Elaine M. Sharp	0940100008N	57.81
John G. & Marie Antionette Findlay	0940100008H	118.29
John M. L. Barnes Estate	1110100001	29.00
John M.L. Barnes Estate & James F. Cowles	1020100004	215.77
Mark M. & Michelle B. Massie	1130100028B	29.43
Martha Ware Trust	2020100002	57.41
Mary M. Selph	1010100007	50.00
Mayes D. & Cheryl M. Matthews	2110100005	46.01
Nancy Cottrell Kruse & M. Anderson Bradshaw	1140100002	153.00
Pamaka LLC	1020100017	242.70
Pamela C. & Steve L. Massie	1130100028	102.06
Ralph Benjamin Dozier, Charles Norris Dozier III & Mary Elizabeth Sink	2020100005	178.44
Ralph Benjamin Dozier, Charles Norris Dozier III & Mary Elizabeth Sink	2020100007	16.50
Ralph Benjamin Dozier, Charles Norris Dozier III & Mary Elizabeth Sink	2020100008	12.00
Randolph G. & Michelle H. Gulden	1020100012	62.20
Randolph G. & Michelle H. Gulden	1020100032	25.00
Richard W. & Margaret Krapf	1140100006	4.73
Sarah Armistead	1010100038	50.00
Walter Nelson Marshall, III Trustee	1140100005	79.95
WGJ Land Holdings LLC	1040100004	43.07
WGJ Land Holdings LLC	1130100011	14.85
WGJ Land Holdings LLC	1130100011A	2.81
TOTAL ACRES		<u>3,132.45</u>

3. That pursuant to Section 15.2-4309 of the Act, The Board of Supervisors requires that any parcel in the District shall not, without the prior approval of the Board of Supervisors, be developed to any more intensive use, other than uses resulting in more intensive agricultural or forestal production. Specifically, the following restrictions shall apply:
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- b. Land within the District may be withdrawn from the District in accordance with the Board of Supervisors' Policy Governing the Withdrawal of Properties from Agricultural and Forestal Districts, adopted September 28, 2010.
- c. No Special Use Permit (SUP) shall be issued except for agricultural, forestal, or other activities and uses consistent with the Act, which are not in conflict with the policies of this District. The Board of Supervisors, at its discretion, may issue SUPs for WCFs on properties in the District that are in accordance with the County's policies and Ordinances regulating such facilities.


 John J. McGlennon
 Chairman, Board of Supervisors

ATTEST:


 Teresa J. Saeed
 Deputy Clerk to the Board

	VOTES			
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
ICENHOUR	✓	—	—	—
HIPPLE	✓	—	—	—
LARSON	✓	—	—	—
SADLER	✓	—	—	—
MCGLENNON	✓	—	—	—

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of September, 2022.

AFD22-11MillCrkRen-res

AGRICULTURAL AND FORESTAL DISTRICT-22-0011. Mill Creek Renewal

Staff Report for the September 13, 2022, Board of Supervisors Meeting

SUMMARY FACTS

<u>LAND OWNERS</u>	<u>PARCEL ID</u>	<u>ACRES</u>
8700 Barnes Road LLC	1010100037	104.00
Abbitt, M.W. Family Partnership	920100040	95.51
Albert T. and Joan Lloyd Slater	1010100028	69.69
Christopher M. Ware	920100036	39.13
<i>Cowles-Cowlesville LLC</i>	<i>1040100005</i>	<i>249.89*</i>
<i>Cowles-Cowlesville LLC</i>	<i>1040100006</i>	<i>124.77*</i>
Cowles-Cowlesville LLC	2010100002	2.00
Cowles-Lobbs LLC	2020100006	352.96
<i>Dale Cowles Henderson and John Cowles Dozier, et al.</i>	<i>2020100001</i>	<i>8.76*</i>
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Ivy Hill LLC and Barbara L Silverman c/o Ellen Lightman	1110100013	100.18
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J. Michael Sim	1040100001A	10.00
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John G. and Marie Antionette Findlay	0940100008H	118.29
John M. L. Barnes Estate	1110100001	29.00
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Mary M. Selph	1010100007	50.00

Mayes D. and Cheryl M. Matthews	2110100005	46.01
<i>Nancy Cottrell Kruse and M. Anderson Bradshaw</i>	<i>1140100002</i>	<i>153.00*</i>
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Ralph Benjamin Dozier, Charles Norris Dozier III and Mary Elizabeth Sink	2020100005	178.44
Ralph Benjamin Dozier, Charles Norris Dozier III and Mary Elizabeth Sink	2020100007	16.50
Ralph Benjamin Dozier, Charles Norris Dozier III and Mary Elizabeth Sink	2020100008	12.00
Randolph G. and Michelle H. Gulden	1020100012	62.20
Randolph G. and Michelle H. Gulden	1020100032	25.00
Richard W. and Margaret Krapf	1140100006	4.73
Sarah Armistead	1010100038	50.00
<i>Walter Nelson Marshall, III Trustee</i>	<i>1140100005</i>	<i>79.95*</i>
WGJ Land Holdings LLC	1040100004	43.07
WGJ Land Holdings LLC	1130100011	14.85
WGJ Land Holdings LLC	1130100011A	2.81

TOTAL ACRES 3,132.45

**Parcel size changed since 2018 due to new plats and/or revised parcel acreages per Real Estate Assessments Division.*

Zoning: A-1, General Agricultural
 Comprehensive Plan: Rural Lands
 Primary Service Area (PSA): Outside
 Staff Contact: Suzanne Yeats, Planner

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.

AGRICULTURAL AND FORESTAL DISTRICT-22-0011. Mill Creek Renewal

Staff Report for the September 13, 2022, Board of Supervisors Meeting

PUBLIC HEARING DATES

Agricultural and Forestal District
(AFD) Advisory Committee: July 21, 2022, 4:00 p.m.
Planning Commission: Aug. 3, 2022, 6:00 p.m.
Board of Supervisors: Sept. 13, 2022, 5:00 p.m.

STAFF RECOMMENDATION

Approval, subject to the proposed conditions.

AGRICULTURAL AND FORESTAL DISTRICT ADVISORY COMMITTEE RECOMMENDATION:

At its July 21, 2022, meeting, the Agricultural and Forestal District (AFD) Advisory Committee voted 6-0 to recommend the continuation of the District to the Planning Commission and Board of Supervisors.

PLANNING COMMISSION RECOMMENDATION:

At its August 3, 2022, meeting, the Planning Commission voted 7-0 for the continuation of the District to the Board of Supervisors including the following recommendations:

- For staff to review the end-to-end survey process prior to the next renewal cycle;
- For staff to consider other avenues inclusive of AFD tax credits, including but not limited to carbon sequestration, to reimburse AFD landowners;
- For staff to forward the Commissioner of the Revenue’s “Tax Benefits Associated with Inclusion in an AFD for FY 2022” to the Board of Supervisors.

DISTRICT HISTORY

- The Mill Creek AFD was created in 1986 for a term of four years and originally consisted of 28 parcels totaling ± 3,547 acres.
- The District was renewed in 1990, 1994, 1998, 2002, 2006, 2010, 2014, and 2018 for four-year periods. Various additions and withdrawals occurred throughout these years.
- Since the 2018 renewal, the Board of Supervisors approved the addition of ± 70.73 acres:
 - 10.00 ac.; AFD-18-2020 and Res. 169A-19
 - 43.07 ac.; AFD-18-2016 and Res. 169A-20
 - 14.85 ac.; AFD-18-2016 and Res. 169A-20
 - 2.81 ac.; AFD-18-2016 and Res. 169A-20

DISTRICT DESCRIPTION

The Mill Creek AFD consists of ± 3,276 acres, the majority of which are located along Forge Road or Diascund Road. The majority of the District contains either woodland or active agriculture. All parcels are zoned A-1, General Agriculture and are designated Rural Lands on the 2045 Comprehensive Plan.

Total acreage includes all the land in the above properties except land within 25 feet of rights-of-way. This area has been excluded to allow for possible road and/or drainage improvements.

ADDITION/WITHDRAWAL REQUESTS

The owners of the property located at 2724 Forge Road (Parcel ID No. 114010002) has requested a partial withdrawal of 144.288 acres (Attachment No. 3). With this withdrawal, the District will encompass 3,132.45 acres and continue to maintain the 200-acre minimum requirement per State Code.

AGRICULTURAL AND FORESTAL DISTRICT-22-0011. Mill Creek Renewal

Staff Report for the September 13, 2022, Board of Supervisors Meeting

CONDITIONS

If continued, the Districts are proposed to be re-established for another four-year term, with edits to Condition No. 3 that reflects updates from the Virginia State Code and clarifying language (See Attachment No. 1).

SURROUNDING ZONING AND DEVELOPMENT

The surrounding area consists mostly of forestland. The majority of the surrounding property is zoned A-1 and is designated Rural Lands on the Comprehensive Plan. The Chickahominy River is located to the west. The Barnes Swamp AFD is located to the north and the Wright’s Island AFD is located to the south.

COMPREHENSIVE PLAN

The 2045 Comprehensive Plan designates these parcels as Rural Lands. Land Use Action 6.1.1 of the adopted Comprehensive Plan states the County shall “support both the use value assessment and Agricultural and Forestal (AFD) programs to the maximum degree allowed by the *Code of Virginia*.”

STAFF RECOMMENDATION

Staff finds the Mill Creek AFD compatible with surrounding development and consistent with the recommendations of the adopted Comprehensive Plan and Zoning Ordinance. Staff recommends that the Board of Supervisors approve the renewal of this AFD for a period of four years, subject to the conditions listed in the District Ordinance (See Attachment No. 1).

SY/md
AFD22-11MillCrkRen

Attachments:

1. Ordinance
2. Location Map
3. Property Owner Withdrawal Request

§ 15.2-4305. Application for creation of district in one or more localities; size and location of parcels

On or before November 1 of each year or any other annual date selected by the locality, any owner or owners of land may submit an application to the locality for the creation of a district or addition of land to an existing district within the locality. Each district shall have a core of no less than 200 acres in one parcel or in contiguous parcels. A parcel not part of the core may be included in a district (i) if the nearest boundary of the parcel is within one mile of the boundary of the core, (ii) if it is contiguous to a parcel in the district the nearest boundary of which is within one mile of the boundary of the core, or (iii) if the local governing body finds, in consultation with the advisory committee or planning commission, that the parcel not part of the core or within one mile of the boundary of the core contains agriculturally and forestally significant land. No land shall be included in any district without the signature on the application, or the written approval of all owners thereof. A district may be located in more than one locality, provided that (i) separate application is made to each locality involved, (ii) each local governing body approves the district, and (iii) the district meets the size requirements of this section. In the event that one of the local governing bodies disapproves the creation of a district within its boundaries, the creation of the district within the adjacent localities' boundaries shall not be affected, provided that the district otherwise meets the requirements set out in this chapter. In no event shall the act of creating a single district located in two localities pursuant to this subsection be construed to create two districts.

1977, c. 681, § 15.1-1511; 1979, c. 377; 1981, c. 546; 1984, c. 20; 1985, c. 13; 1987, c. 552; 1993, cc. 745, 761; 1997, c. 587; 1998, c. 833; 2011, cc. 344, 355.

The chapters of the acts of assembly referenced in the historical citation at the end of this section(s) may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

William C. Taylor
Greensprings Materials LLC
8589 Richmond Road
Toano VA 23168
1/9/23

Josh Crump
Principal Planner
James City County
101-A Mounts Bay Road
Williamsburg, VA 23185

Mr. Josh Crump:

I writing to request that our property located at 278 Ivy Hill Road Toano VA be included into The Agricultural and Forestall District. We purchased the property a little over a year ago. It is currently wooded, with the only exception being a Domino Energy power line easement that is located on the west end of the property. The timber was harvested approximately 15 years ago and is currently a mixture of pine and hardwoods. We have no plans to develop any of the property at this time. Currently the property is used for hunting and trail riding. As time goes by and the trees mature, we will most likely harvest the timber. If you have any questions or need any further information, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read 'William C. Taylor', written in a cursive style.

William C. Taylor

**Unapproved Minutes
of the
January 19, 2023
Agricultural and Forestal District Advisory Committee**

AFD-22-0018. 278 Ivy Hill Road Mill Creek AFD Addition

Mr. Chris Taylor stated that he would recuse himself from the matter due to a personal interest in the property.

Mr. Risinger stated that Mr. Chris Taylor has applied to enroll approx. 256.85 acres of land located at 278 Ivy Hill Road into the Mill Creek AFD. He said the parcel is zoned A-1, General Agricultural, and designated Rural Lands on the 2045 Comprehensive Plan. He added that the parcel is located within one mile of the core of the Mill Creek AFD and is directly adjacent to other parcels in the AFD.

Mr. Risinger stated that the property is undeveloped and wooded and that the applicant indicated it is used for private recreational activities. He stated the applicant indicated that the property was last timbered 15 years ago and would likely be timbered in the future after the timber stand has matured.

Mr. Risinger told the Committee that staff determined the proposed addition meets state and local requirements for inclusion in the AFD and recommends that the Committee recommend approval of the proposed addition to the Planning Commission and the Board of Supervisors. He said he would be happy to answer any questions.

Ms. Garrett asked Mr. Taylor what recreation activities occurred on the property.

Mr. Taylor stated that the property was used for hunting.

Mr. Abbott asked if the addition would be subject to the AFD's conditions from the latest renewal.

Mr. Risinger confirmed.

Ms. Garrett made a motion to recommend approval of enrolling approximately 256.85 acres of land at 278 Ivy Hill Road into the Mill Creek AFD.

Mr. Will Harcum seconded the motion.

On a voice vote, the Committee voted to recommend approval of the AFD addition. (7-0)

ITEM SUMMARY

DATE: 3/1/2023

TO: The Planning Commission

FROM: Paul D. Holt, III, Director of Community Development and Planning

SUBJECT: Planning Commission and Board of Zoning Appeals 2022 Annual Report

ATTACHMENTS:

	Description	Type
▣	Planning Commission and Board of Zoning Appeals 2022 Annual Report	Exhibit

REVIEWERS:

Department	Reviewer	Action	Date
Planning Commission	ComSecretary, Planning	Approved	2/22/2023 - 11:49 AM

PLANNING COMMISSION AND BOARD OF ZONING APPEALS 2022 ANNUAL REPORT



**DEPARTMENT OF COMMUNITY DEVELOPMENT
101-A MOUNTS BAY ROAD
WILLIAMSBURG, VA 23185**

PLANNING DIVISION
757.253.6685

PLANNING@JAMESCITYCOUNTYVA.GOV
WWW.JAMESCITYCOUNTYVA.GOV/404/PLANNING

ZONING DIVISION
757.253.6671

ZONING@JAMESCITYCOUNTYVA.GOV
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2022 PLANNING COMMISSION ANNUAL REPORT

On behalf of the James City County Planning Commission, I am pleased to present our 2022 Annual Report.

Following adoption of the 2045 Comprehensive Plan in 2021, Planning staff and Commissioners continued to work very hard and creatively in 2022 to ensure timely information was provided to citizens through a variety of media and formats.

Number of Cases Reviewed by the Planning Commission	2018	2019	2020	2021	2022
Agricultural and Forestal District	13	7	2	1	15
Height Waiver	1	2	0	0	1
Master Plan	0	3	0	2	0
Rezoning	2	10	3	9	3
Special Use Permit	11	16	12	11	21

As described in the Zoning Ordinance Amendments section of this report, the Policy Committee and staff worked on five ordinance amendments which have been initiated by the Board of Supervisors. Also, as part of efforts to implement the Comprehensive Plan, Planning staff worked to transition the land use, fiscal, and transportation models used during the Comprehensive Plan update process to the leave-behind model stage for ongoing County use.

The majority of the Agricultural and Forestal Districts went through the renewal process, culminating in Board adoption in September 2021. Perhaps most significantly, the Commission reviewed materials that were a part of the county's first ever Natural and Cultural Assets Plan.

Also following the adoption of the Comprehensive Plan in October 2021, Community Development staff immediately kicked off the development of the Natural and Cultural Assets Plan. This work not only began the implementation of the Comprehensive Plan, but also fulfilled an operational initiative in the 2035 Strategic Plan. Staff and its consultant, GIC, Inc., worked through a multi-stage project of modeling and mapping the County's natural and cultural resources, assessing the potential risks to these resources, and identifying opportunities to conserve, protect, or restore them. Key to this effort was a seven-member citizen advisory committee appointed by the Board of Supervisors as well as a staff technical team from various divisions, including Planning and Zoning, who guided staff and the consultant through each stage. Public input remained instrumental to the process. Adding to input received as part of Engage 2045 Comprehensive Plan, more than 250 participants provided comments at key milestones in the project through an online mapping survey, in-person mapping survey stations, a community open house, and a final online survey.

It has been an honor to serve with my colleagues, and I would like to take this opportunity to thank them and the entire staff of the Planning Division for their hard work and dedication.

Tim O'Connor, 2022 Planning Commission Chair
James City County Planning Commission

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2022 PLANNING COMMISSION

Name	District	Appointment	Term Expires
Tim O’Connor** (Chair)	At-Large	8/10/2010	1/31/2025
Frank Polster** (Vice Chair)	Jamestown	2/01/2018	1/31/2026
Jack Haldeman**	At-Large	2/01/2022	1/31/2026
Rich Krapf**	Powhatan	1/23/2007	1/31/2026
Barbara Null**	Stonehouse	2/25/2020	1/31/2024
Stephen Rodgers **	Berkeley	2/11/2022	1/31/2025
Rob Rose**	Roberts	1/28/2020	1/31/2024

2022 PLANNING DIVISION STAFF

Paul D. Holt, III, AICP, CNU-A, CFM, Director of Community Development and Planning**
 Tammy Rosario, AICP, Assistant Director of Community Development
 Ellen Cook, AICP, Principal Planner
 Josh Crump, Principal Planner
 Tom Leininger, Principal Planner
 Jose Ribeiro, AICP, Senior Planner II and Senior Landscape Planner II
 Thomas Wysong, AICP, Senior Planner II
 Terry Cook, Planner II
 John Risinger, Planner II
 Ben Loppacker, Planner I
 Suzanne Yeats, Planner I
 Andrea Case, Community Development Assistant
 Beth Klapper, Community Development Assistant

2022 ZONING DIVISION STAFF

Christy Parrish, CZA, CFM, Zoning Administrator
 Paxton Condon, Deputy Zoning Administrator
 Taylor Orne, CZA, Senior Zoning Officer
 John Rogerson, CZA, Senior Zoning Officer

**Virginia Certified Planning Commissioner
 AICP – American Institute of Certified Planners
 CNU-A – Congress for the New Urbanism – Accredited
 CZA – Certified Zoning Administrator
 CFM – Certified Floodplain Manager

INTRODUCTION

The James City County Planning Commission (Commission) is composed of seven members, one member from each of the County’s five magisterial districts (Powhatan, Roberts, Stonehouse, Jamestown, Berkeley) and two at-large members. Members participate on one or two subcommittees: Development Review Committee (DRC) and the Policy Committee. The DRC reviews subdivisions and site plans for consistency with approved master plans, County Zoning and Subdivision Ordinances, the Comprehensive Plan, and other Board-adopted policies. The Policy Committee works with staff to (1) prioritize Capital Improvements Program (CIP) requests in accordance with the Comprehensive Plan, and (2) address specific planning-related issues such as policy and Ordinance revisions.

Natural and Cultural Assets Plan Public Engagement



PLANNING COMMISSION RESPONSIBILITIES

The Board appoints members to the Commission to review cases and make recommendations regarding land use, transportation, public facilities and utilities. The Commission shall, among other activities:

- Update and coordinate the implementation of the County’s Comprehensive Plan;
- Review and make recommendations to the Board of Supervisors on rezoning, master plan, special use permit, subdivision and site plan applications;
- Consider and prepare policy and Ordinance revisions;
- Assess the annual CIP priorities; and
- Participate in community planning forums and committee studies.

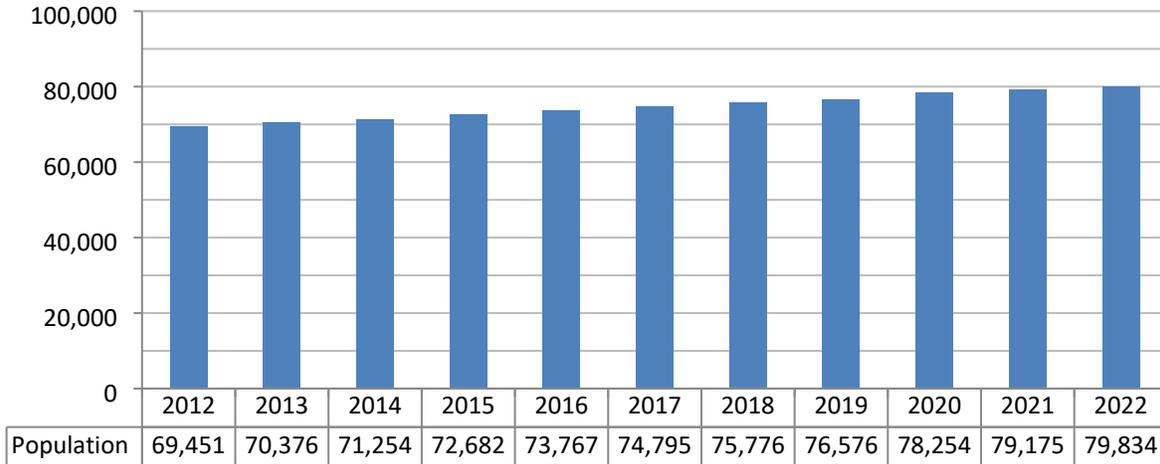
2022 Planning Commission Schedule		
Regular Meetings		Work Sessions & Special Meetings
January 5	July 6	March 14*
February 2	August 3	May 24**
March 2	September 7	
April 6	October 5	
May 4	November 2	
June 1	December 7	

*Organizational and CIP Recommendation Meeting

**Joint Work Session with Board of Supervisors

DEVELOPMENT AND GROWTH

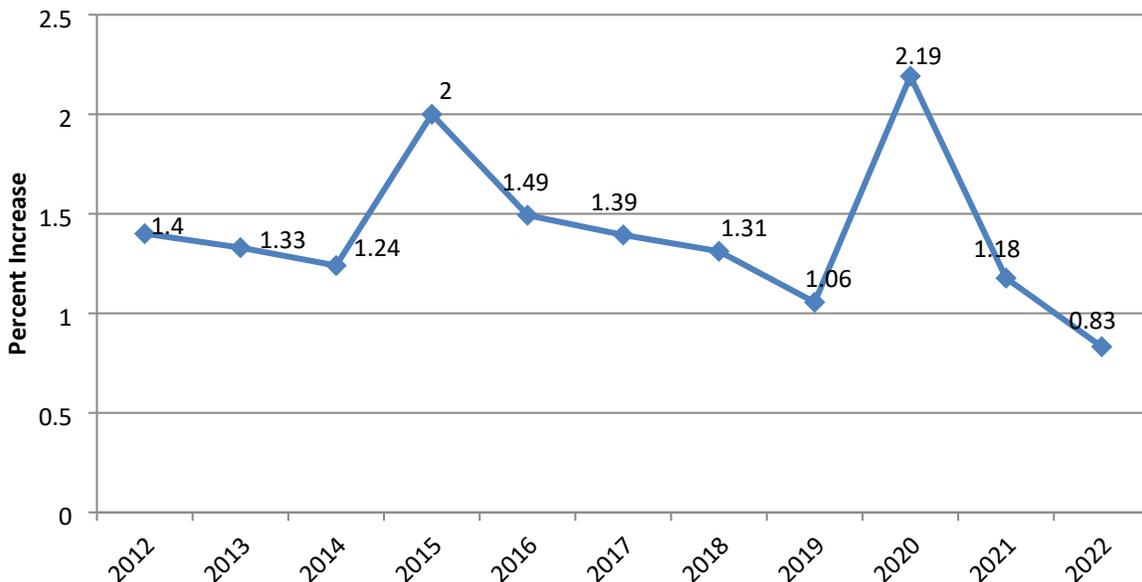
James City County Population



Source: Staff population estimates (2012-2019, 2021-2022) and United States Census Bureau (2020).

Note: Staff population estimates are as of December of the year indicated.

Percent Annual Population Increase



The jump in population growth rate between the years 2019 and 2020 in the above graphic is attributed to a recalibration of the population figure based on the 2020 Census. The drop in the growth rate in 2022 is attributed to a reduction in institutional populations compared to previous years rather than a reduction in the amount of new dwelling units.

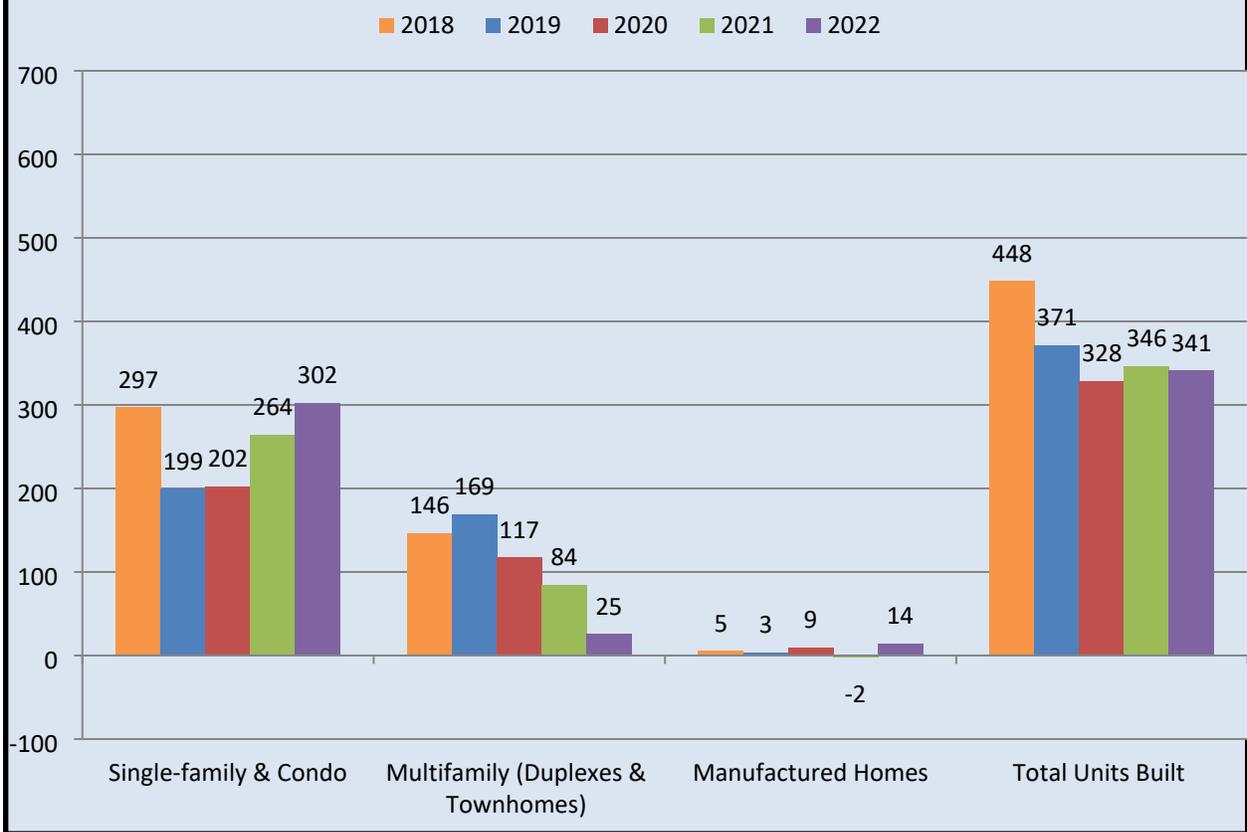
Number of Dwelling Units Added from 2018 to 2022

Calendar Year	Single-family & Condo	Multifamily (includes duplexes and townhomes)	Manufactured Homes	Total Number of Dwelling Units Added Each Year	Total Unit Count*
2018	297	146	5	448	33,749
2019	199	169	3	371	34,120
2020	202	117	9	328	33,993
2021	264	84	-2	346	34,339
2022	302	25	14	341	34,680

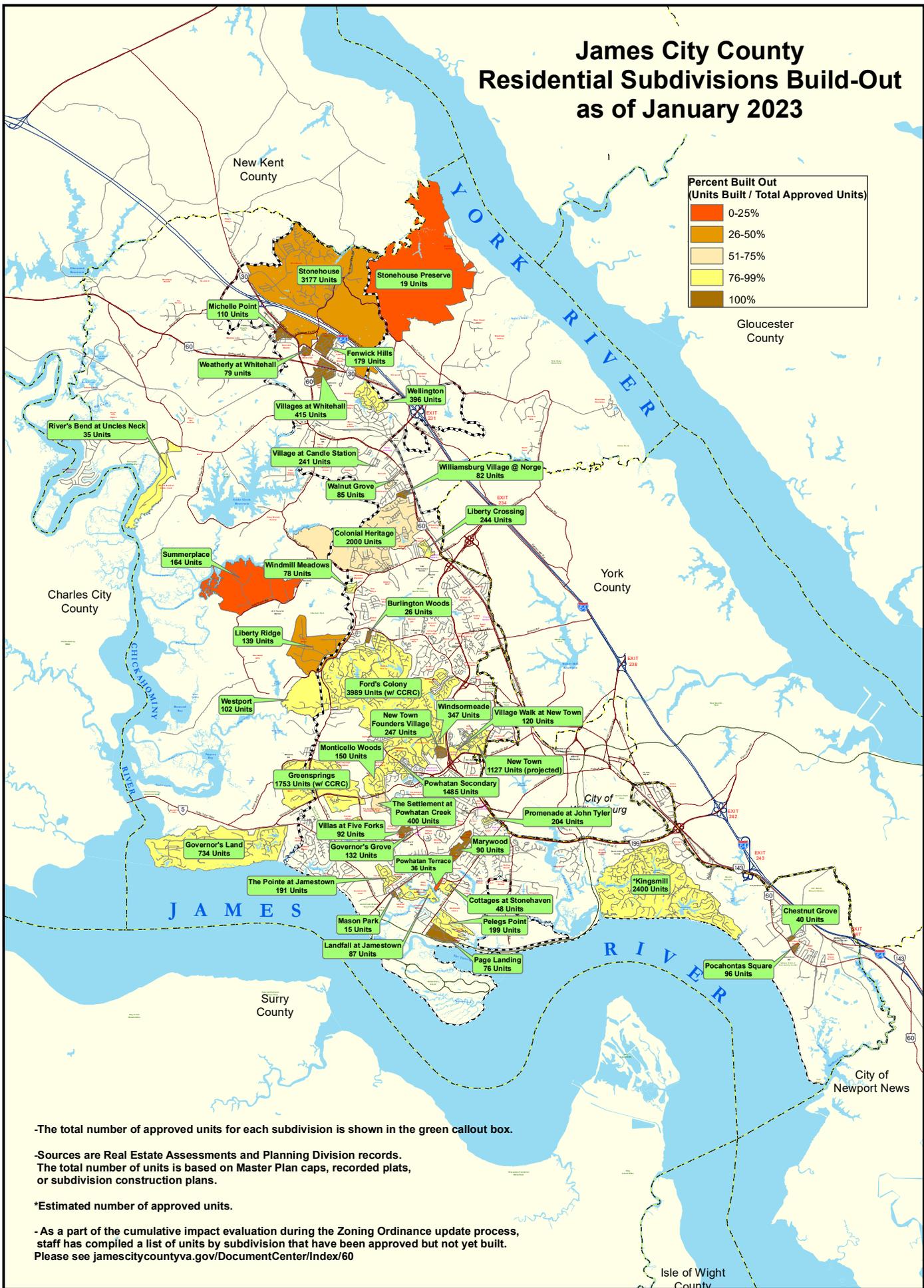
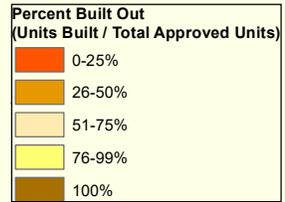
As of 2010, the U.S. Census Bureau no longer provides a breakdown of dwelling units by housing type.

- For 2018-2019, the Total Unit Count represents the total number of dwelling units in the County per the 2010 Census (29,797 dwelling units) plus the number of dwelling units added in 2018-2019. For 2020, the Total Unit Count is 33,993 per the 2020 Census. For 2021-2022, the Total Unit Count represents the total number of dwelling units in the County per the 2020 Census plus the number of dwelling units added in 2021-2022. The number of dwelling units added each year includes the number of residential Certificates of Occupancy issued, the number of dwellings demolished, and the number of dwellings destroyed by fires.

Number of Dwelling Units Added from 2018 to 2022



James City County Residential Subdivisions Build-Out as of January 2023



-The total number of approved units for each subdivision is shown in the green callout box.

-Sources are Real Estate Assessments and Planning Division records. The total number of units is based on Master Plan caps, recorded plats, or subdivision construction plans.

*Estimated number of approved units.

-As a part of the cumulative impact evaluation during the Zoning Ordinance update process, staff has compiled a list of units by subdivision that have been approved but not yet built. Please see jamescitycountyva.gov/DocumentCenter/Index/60

RESIDENTIAL SUBDIVISION BUILDING DATA / CUMULATIVE IMPACT DATABASE

The Residential Subdivision Build-out Map has been updated. Staff exported and coded data for all newly created parcels from Real Estate Assessments/GIS as part of the cumulative impact evaluation. Based on this information, staff has also updated the series of reports that provide detailed information for all subdivisions within James City County. Each report is organized by subdivision alphabetically or by election district.

The following reports are described below and posted in the Development Status Report folder under Forms and Publications then Annual Reports: <https://jamescitycountyva.gov/DocumentCenter/Index/690>

- “Development Status Report - All Data” - reports the number of vacant parcels, improved parcels, residential units, and all parcel unit classifications. This report includes common areas, timeshares, public lands, commercial, etc. A summary of the data from this report is present in the table below:

Election District	Residential Unit Count	Vacant Parcels	Improved Parcels	Total Parcels
Berkeley	7,390	487	6,685	7,172
Jamestown	7,927	470	6,145	6,615
Powhatan	7,295	890	6,506	7,396
Roberts	7,439	592	5,891	6,483
Stonehouse	7,148	729	7,094	7,823
TOTAL	37,199	3,168	32,321	35,489

- “Residential Development Status Report - Residential Only” provides information only on residential units and continuing care facilities. This report is condensed and excludes unit classification. The unit counts do not include common areas, timeshares, public lands, commercial, etc. An updated summary of the data from this report is presented in the table below:

Election District	Residential Unit Count	Vacant Parcels	Improved Parcels	Total Parcels
Berkeley	6,793	201	5,887	6,088
Jamestown	7,472	225	5,383	5,608
Powhatan	7,074	726	6,101	6,827
Roberts	7,437	247	5,504	5,751
Stonehouse	7,143	461	6,786	7,247
TOTAL	35,919	1,860	29,661	31,521

- “Residential Development Status Report - Schools” - displays information sorted by school districts. A report is provided for (1) elementary schools, (2) middle schools, and (3) high schools.

As part of the Engage 2045 Comprehensive Plan, staff continues to work with consultants developing scenario-planning and integrated land use, transportation and cumulative impact modeling efforts using GIS, CommunityViz, a customized travel demand model, and fiscal model. These efforts will not only guide community visioning but also land use decisions. Staff continues evaluating features within the new permitting software which may also aid with tracking capabilities.

PLANNING COMMISSION HIGHLIGHTS AND ACTIVITIES

DEVELOPMENT REVIEW

Development review activities consist primarily of rezonings, special use permits, site plans, subdivisions, and conceptual plans.

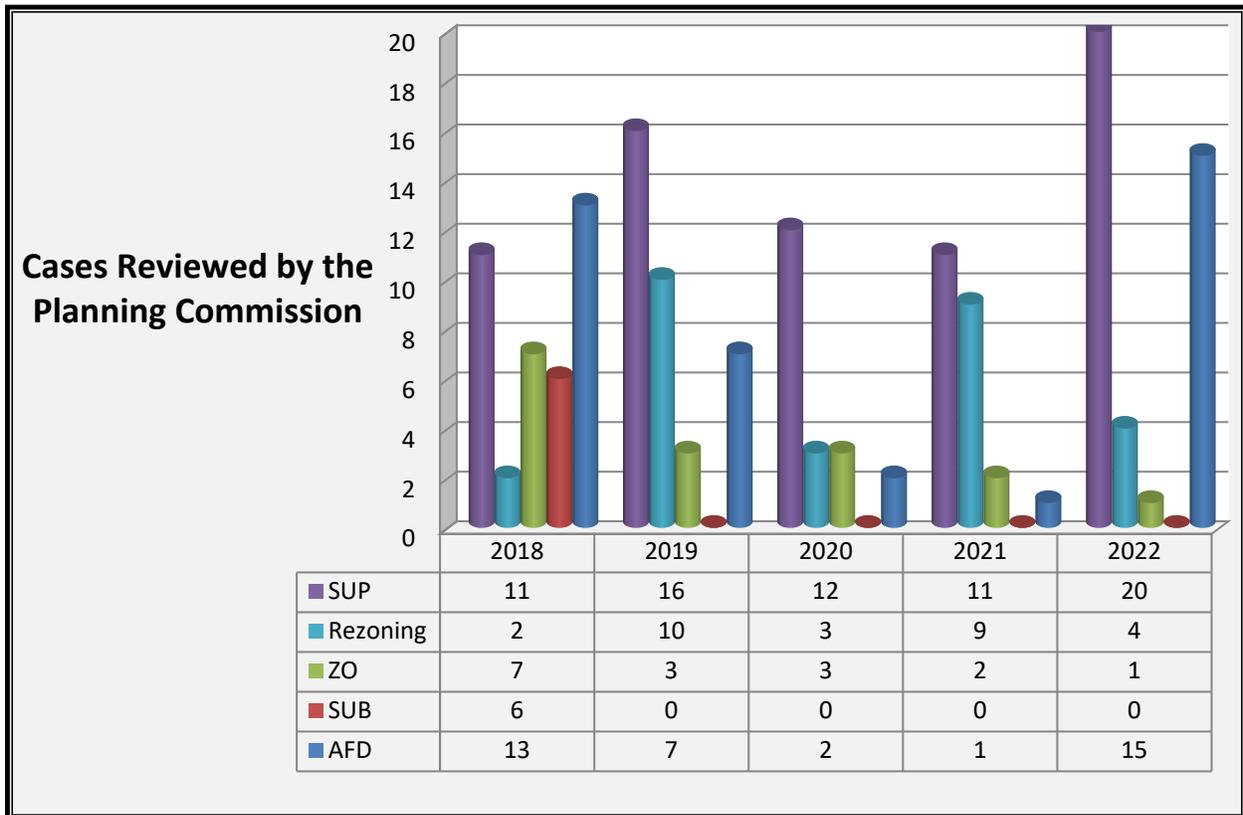
Special Use Permits (SUP): The Planning Commission reviewed 21 SUP applications including three requests for short-term rentals and two contractor office/warehouse facilities. Other applications included a battery storage facility, two solar energy facilities, a place of public assembly, extension of water and sewer facilities along Busch Springs Road, a solid waste transfer facility, an aggregate storage and resource recovery facility, expansion of an existing business with food processing and storage, a detached accessory apartment, a convenience store with fuel, expansion of the Police Department firing range, and expansion of a local mental health and substance abuse treatment facility. In addition to these applications, the Hazelwood Farms Enterprise Center application included a request to allow the following specially permitted uses: fast food restaurants; truck terminals; the manufacture and processing of textiles and textile products in structures more than 10,000 square feet; heavy equipment sales and service with major repair; machinery sales and service with major repair; a convenience store; a commercial building or group of buildings that exceeds 10,000 square feet of floor area; a commercial building or group of buildings, not including office uses, which generates a total of 100 or more additional trips to and from the site during the peak hour of the operation; and buildings, additions, and expansions requiring an SUP pursuant to Section 24-11(b) of the County Code; and extension of public water and sewer facilities.

Rezonings: Four rezoning applications were considered by the Commission including a proffer amendment to revise the timing of a traffic signal warrant analysis and a request to rezone a small parcel of property at Williamsburg Landing from R-8, Rural Residential to R-5, Multifamily Residential. In addition to these applications, the Hazelwood Farms Enterprise Center application referenced above considered a request to rezone approximately 328 acres from A-1, General Agricultural and B-1, General Business to EO, Economic Opportunity to allow the development of 3,220,000 square feet of warehouse/industrial/office use, and up to 75,000 square feet of commercial use.

Master Plan: No Master Plans or Master Plan Amendments were reviewed by the Commission in 2022.

Residential Units Legislatively Approved in 2022: No new residential units were approved in 2022.

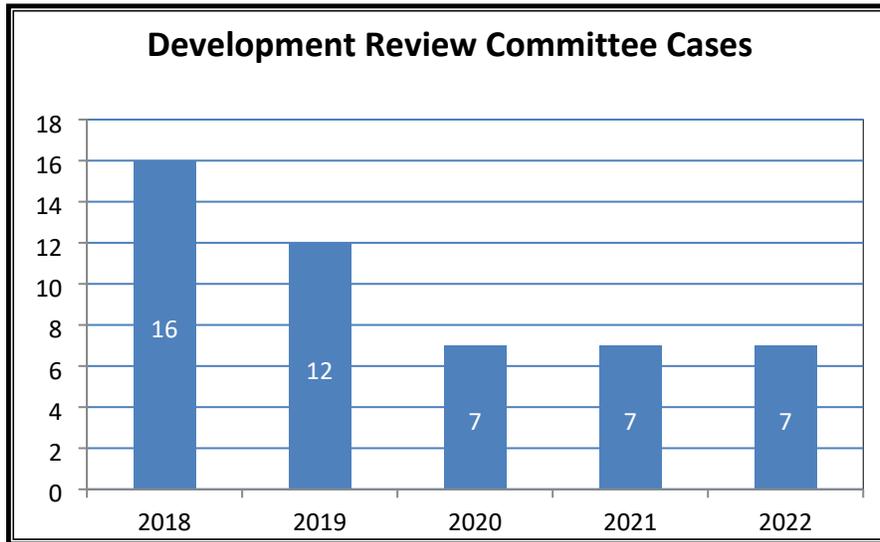
Agricultural and Forestal Districts (AFDs): The Planning Commission reviewed 12 AFD renewals, two AFD withdrawals in conjunction with SUPs for a solar projects, and one AFD addition bringing in a total of ± 169 acres.



DEVELOPMENT REVIEW COMMITTEE (DRC)

The DRC reviewed seven cases in 2022, including C-21-0099. Stonehouse Tract 10A Conceptual Plan for new construction of 200 residential units, consisting of 80 single-family homes: 18 units that are attached residences with two to four units; 54 units that are attached residences with more than four units and fewer than three stories; and 48 units that are attached residences with more than four units and are three stories or more; SP-19-0001. Powhatan Terrace to review entrance features, signs, and utilities located within the 150-foot buffer along the property’s frontage with Jamestown Road which are required by Adopted Proffer No. 5 associated with the rezoning of Powhatan Terrace in Case No. Z-0007-2007 to be reviewed and approved by the DRC. Such features included two drainage structures, one fire hydrant, an underground water line system, one speed limit sign, one stop sign, and three traffic signs; C-22-0021. 3341 Chickahominy Road Overhead Utility Waiver which would permit an approximately 65-foot overhead powerline to a new residential dwelling; SP-20-0037. Smith Memorial Baptist Church Parking Expansion appealing the Planning Director’s decision with regards to a condition for two parking waivers for the parking expansion at Smith Memorial Baptist Church for a total of 234 parking spaces; C-22-0019. 7607 Richmond Road - Oakland Farm Residential Rezoning for feedback on the design principles and acceptable density range of the proposed development; Case No. SP-22-0005. Colonial Veterinary Clinic Parking Expansion to development of the property be generally

consistent with the approved master plan; and C-22-0070. Monticello Avenue Shops for feedback on a proposal to rezone the property to B-1, General Business to allow the development of three 4,000-square-foot buildings to be used for office and retail uses.



POLICY COMMITTEE

The Policy Committee is responsible for developing recommendations on the Capital Improvements Program and Zoning Ordinance amendments. In 2022, the Committee reviewed the Planning Division Work Plan and considered language for potential Ordinance amendments and performance standards which would address Amendments for R-8, Rural Residential and A-1, General Agricultural lot size and related requirements; scenic roadway protection; and amendments to the Zoning Ordinance regarding community recreation facilities in residential districts.

PLANNING COMMISSION ACTIONS

SPECIAL USE PERMITS

Case Number	Name of Project	Location	Acres	Case Description	Staff	PC	BOS
SUP-19-0005	Hazelwood Farms – The Enterprise Center	301 Old Stage Road 9211 Old Stage Road 275 Old Stage Road 9400 Barnes Road (portion south of I-64)	328	Request to allow the following specially permitted uses: fast food restaurants; truck terminals; the manufacture and processing of textiles and textile products in structures more than 10,000 square feet; heavy equipment sales and service with major repair; machinery sales and service with major repair; a convenience store; a commercial building or group of buildings that exceeds 10,000 square feet of floor area; a commercial building or group of buildings, not including office uses, which generates a total of 100 or more additional trips to and from the site during the peak hour of the operation; and buildings, additions, and expansions requiring an SUP pursuant to Section 24-11(b) of the County Code; and extension of public water and sewer facilities.	Approval	Approval	Approval
SUP-20-0010	Hertzler Clearing and Grading	9537 Barnes Road	28.61	A request to allow a contractor's office/warehouse and manufacturing of wood products.	Approval	Denial	No Action in 2022
SUP-21-0017	4007 Ironbound Road Convenience Store With Fuel	4007 Ironbound Road	1.93	A request to construct an approximately 6,049-square-foot convenience store with fueling islands.	Approval	Approval	Approval
SUP-21-0022	360 Racefield Drive Solar Farm	360 Racefield Drive	65.2	A request to develop and construct a solar farm facility for electrical power generation, storage, transmission, and accessory uses.	Denial	Approval	Approval

Case Number	Name of Project	Location	Acres	Case Description	Staff	PC	BOS
SUP-21-0023	Bush Springs Road Extension of Public Water and Sewer Facilities	Bush Springs Road right-of-way 242 Bush Springs Road; 268 Bush Springs Road; 275 Bush Springs Road; 282 Bush Springs Road; 290 Bush Springs Road; 291 Bush Springs Road; 308 Bush Springs Road	2.8	A request to allow for the installation of public water and sewer facilities by extending an existing force main and water main within the Bush Springs Road right-of-way from the Bush Springs Road and Toano Woods Road intersection heading south.	Denial	Approval	No Action in 2022
SUP-21-0026	Living Word Church of God	259 Ivy Hill Road	2.10	A request to allow the operation of a place of public assembly.	Approval	Approval	Approval
SUP-22-0001	3 Marclay Road Short-Term Rental	3 Marclay Road	3.26	A request to allow short-term rental of the property.	Denial	Approval	Approval
SUP-22-0003	7683 Richmond Road Kettle Corn Processing & Storage	7683 Richmond Road	1.95	A request to allow food processing and storage for the expansion of Uncle Dave's Kettle Corn.	Approval	Approval	Approval
SUP-22-0004	4451 Longhill Rd. Life Church Daycare Program SUP Amend.	4451 Longhill Road	17.49	A request to amend the current Special Use Permit approved in March 2020 to operate a child daycare.	Approval	Approval	Approval
SUP-22-0007	750 Blow Flats Rd - Aggregate Storage Resource Recovery	750 Blow Flats Road	281	A request to allow the operation of an aggregate storage and resource recovery facility on the existing site.	Denial	Approval	No Action in 2022

Case Number	Name of Project	Location	Acres	Case Description	Staff	PC	BOS
SUP-22-0008	Williamsburg Crossing - Greenwood Christian Academy Expansion	5315 John Tyler Highway	16.25	A request to continue operations of a daycare and school and expand current space to accommodate additional enrollment.	Approval	Approval	Approval
SUP-22-0009	JCC Police Firing Range Expansion	1206 Jolly Pond Road	546	A request to allow the expansion of existing James City County Police Department firing range	Approval	Approval	Approval
SUP-22-0010	9201 & 9225 Pocahontas Trail The Grease Outlet	9201 & 9225 Pocahontas Trail	7.44	A request to allow the operation of a grease /solid waste transfer station.	Denial	Approval	Approval
SUP-22-0011	3004 Ironbound Road Tourist Home	3004 Ironbound Road	0.46	A request to allow the short-term rental of the property.	Denial	Approval	Approval
SUP-22-0012	5700 Williamsburg Landing Dr. Parking SUP Amend.	5700 Williamsburg Landing Drive	2.65	A request to amend the existing special Use Permit to ensure the existing parking is compliant with the Zoning Ordinance. Submitted in conjunction with Z-22-0001.	Approval	Approval	Approval
SUP-22-0013	3252 N. Riverside Dr. Storage and Contractor Office	3252 N. Riverside Drive	13.69	A request to allow a 3,200 square foot metal building with 2000 square feet of garage to be used for storage of tools and equipment and occasional workshop and 1200 square feet of office space on right side of garage.	Approval	Approval	Approval
SUP-22-0015	7294 & 7296 Richmond Rd. Pivot Energy Solar Project	7294 & 7296 Richmond Road	53.84	A request to allow a two-phase, small scale solar project.	Approval	Approval	No Action in 2022
SUP-22-0016	141 Blow Flats Road Battery Storage	141 Blow Flats Road	6.87	A request to allow a Battery Energy Storage System facility.	Approval	Approval	Approval

Case Number	Name of Project	Location	Acres	Case Description	Staff	PC	BOS
SUP-22-0018	5477 Mooretown Road Williamsburg Place Additions	5477 Mooretown Road	7.75	A request to allow the expansion of the existing facility to increase the number of treatment beds to provide additional administrative office spaces, and expand the indoor and outdoor dining and kitchen facilities.	Approval	Approval	No Action in 2022
SUP-22-0019	4090 Ironbound Road Detached Accessory Apartment	4090 Ironbound Road	0.55	A request to allow a detached accessory dwelling.	Approval	Approval	Approval
SUP-22-0021	8401 Hicks Island Road - Tourist Home	8401 Hicks Island Road		A request to allow the short-term rental of the property.	Denial	Denial	No Action in 2022

REZONINGS

Case Number	Name of Project	Location	Acres	Case Description	Staff	PC	BOS
Z-19-0006	Hazelwood Farms - The Enterprise Center	301 Old Stage Road 9211 Old Stage Road 275 Old Stage Road 9400 Barnes Road (portion south of I-64)	328	A request to rezone approximately 328 acres from A-1, General Agricultural and B-1, General Business to EO, Economic Opportunity with Proffers to allow for up to 3,220,000 square feet of warehouse/industrial/office use, and up to 75,000 square feet of commercial use.	Approval	Approval	Approval

Z-21-0015	6940 Richmond Road Proffer Amendment	6940 Richmond Road	5.33	A request to amend the adopted proffers to revise the timing of the required signal warrant study.	Approval	Approval	Approval
Z-22-0001	5700 Williamsburg Landing Drive Rezoning	5700 Williamsburg Landing	2.65	A request to rezone the R-8, Rural Residential portion of the Parcel to R-5, Multifamily Residential.	Approval	Approval	Approval
Z-22-0003	8005 & 8009 Hankins Industrial Park Road Rezoning	8005 & 8009 Hankins Industrial Park Road	3.01	Rezone the above properties from M-2, General Industrial to M-1, Limited Business/Industrial.	Approval	Approval	No Action in 2022

AGRICULTURAL AND FORESTAL DISTRICTS

Case Number	Name of Project	Location	Acres	Case Description	Staff	PC	BOS
AFD-21-0003	360 Racefield Drive Barnes Swamp AFD Withdrawal	360 Racefield Drive	26	Withdrawal of property in conjunction with SUP-21-0022. 360 Racefield Drive Solar Farm	Denial	Denial	Approval
AFD-22-0002	Armistead 2022 AFD Renewal	Various	311	2022 AFD Renewal	Approval	Approval	Approval
AFD-22-0003	Barnes Swamp 2022 AFD Renewal	Various	1,838	2022 AFD Renewal	Approval	Approval	Approval
AFD-22-0004	Carters Grove 2022 AFD Renewal	Various	307	2022 AFD Renewal	Approval	Approval	Approval

Case Number	Name of Project	Location	Acres	Case Description	Staff	PC	BOS
AFD-22-0005	Christianson's Corner Renewal	Various	1,179	2022 AFD Renewal	Approval	Approval	Approval
AFD-22-0006	Cranston's Pond Renewal	Various	744	2022 AFD Renewal	Approval	Approval	Approval
AFD-22-0007	Croaker AFD Renewal	Various	1,314	2022 AFD Renewal	Approval	Approval	Approval
AFD-22-0008	Gordon Creek Renewal	Various	3,055	2022 AFD Renewal	Approval	Approval	Approval
AFD-22-0009	Gospel Spreading Church AFD Renewal	Various	1,133	2022 AFD Renewal	Approval	Approval	Approval
AFD-22-0010	Hill Pleasant Farm 2022 AFD Renewal	Various	304	2022 AFD Renewal	Approval	Approval	Approval
AFD-22-0011	Mill Creek 2022 AFD Renewal	Various	3,132	2022 AFD Renewal	Approval	Approval	Approval
AFD-22-0012	Pates Neck 2022 AFD Renewal	Various	755	2022 AFD Renewal	Approval	Approval	Approval
AFD-22-0013	Yarmouth Island 2022 AFD Renewal	Various	2,142	2022 AFD Renewal	Approval	Approval	Approval
AFD-22-0017	7294 Richmond Rd. Hill Pleasant Farm AFD Withdrawal	7294 Richmond Road	10	Hill Pleasant Farm AFD Withdrawal in conjunction with SUP-22-0015. 7294 & 7296 Richmond Rd. Pivot Energy Solar Project	Denial	Approval	No Action in 2022
AFD-22-0015	999 Jolly Pond Road Cranston's Pond AFD Addition	999 Jolly Pond Road	169	Cranston's Pond AFD Addition	Approval	Approval	Approval

ZONING ORDINANCE AMENDMENTS

Case Number	Name of Project	Case Description	Staff	PC	BOS
ORD-22-0002	Amendments for R-8, Rural Residential and A-1, General Agricultural Lot Size and Related Requirements	Amendments for R-8, Rural Residential and A-1, General Agricultural Lot Size and Related Requirements	Approval	Approval	Approval

MAJOR INITIATIVES

ORDINANCE UPDATES AND ON-GOING PROJECTS

Throughout 2022, the Planning Division and Planning Commission worked on a variety of on-going projects.

- As described in the Zoning Ordinance Amendments section of this report, staff worked on five ordinance amendments which had been initiated by the Board of Supervisors.
- The majority of the Agricultural and Forestal Districts went through the renewal process, culminating in Board adoption in September.
- Planning staff supported efforts led by other County divisions and departments on projects, including participating on the Technical Advisory Committee for Community Development's Natural and Cultural Assets Plan effort.
- Staff worked to transition the land use, fiscal, and transportation models used during the Comprehensive Plan update process to the leave-behind model stage for ongoing County use.
- Throughout the year, Community Development staff continued to make improvements and add functionality to EnerGov's Land Development and Asset Management Software, known as JCC PermitLink, continuing in the effort to create a better customer experience and to enhance communications between divisions for development applications. In addition to improvements to the JCC PermitLink system staff also started work on a new 311 system.

TRANSPORTATION IMPROVEMENTS

Staff pursued new funding and worked toward construction of several transportation improvements identified in the 2045 Comprehensive Plan, including:

- Continued work on the Longhill Road widening project between Route 199 and Olde Towne Road (completed in Spring 2022).
- Continued work on the Olde Towne Road/Longhill Road turn lane and intersection improvements project (completed in Spring 2022).
- Continued work on the construction phase for the Skiffes Creek Connector project. Construction was completed in fall 2022 and the roadway is open to users.
- Start of the right-of-way (RW) phase for the Croaker Road widening project.
- Continued to pursue additional funding for the Pocahontas Trail multi-modal improvements project and the preliminary engineering (PE) phase continued. Staff submitted applications from the following funding sources: Smart Scale, RAISE Grant, Safe Streets for All Grant, and Reconnecting Communities Grant.

- The RW phase for the Safe Routes to Schools improvements project at Clara Byrd Baker Elementary School and Five Forks was completed and construction began in December 2022.
- Progress on PE and RW phases for the roadway and stormwater improvements of various roadways in Grove.
- PE and RW phases for the roadway and stormwater improvements on Richmond Road in Toano were completed and construction began in January 2023.
- RW phase has continued for the Hicks Island Bridge Replacement.
- Various RSTP, CMAQ and HSIP applications were submitted for the following projects: Jamestown High School Sidewalk Project, Route 30 and Barnes Road turn lane improvements, Longhill Road Phase II Interim Improvements, and the Richmond Road Sidewalk Infill Project.



2022 JAMES CITY COUNTY PLANNING COMMISSIONERS



Tim O'Connor, Chair
At-Large



Frank Polster, Vice Chair
Jamestown District



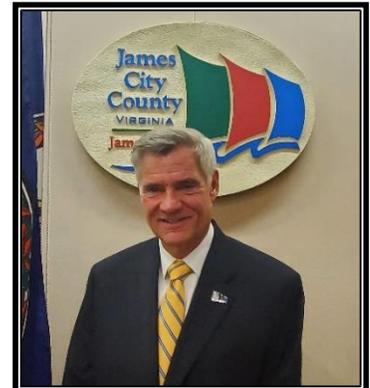
Jack Haldeman
At-Large



Rich Krapf
Powhatan District



Barbara Null
Stonehouse District



Stephen Rodgers
Berkeley District



Rob Rose
Roberts District

PLANNING DIVISION OF COMMUNITY DEVELOPMENT

101-A MOUNTS BAY ROAD

WILLIAMSBURG, VIRGINIA 23185

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2022 BOARD OF ZONING APPEALS ANNUAL REPORT

2022 BOARD OF ZONING APPEALS MEMBERS

Name	District	Appointment	Term Expires
Mark Jakobowski, Chairman*	Roberts	4/2018	3/31/2023
Ron Campana, Jr. Vice Chairman*	Jamestown	8/2011	6/30/2026
Andrew Dean	Berkely	4/2022	3/31/2024
William J. Geib *	Powhatan	4/2013	3/31/2023
David Otey, Jr. *	Roberts	3/2010	3/31/2025

* Virginia Certified BZA Member

INTRODUCTION

The James City County’s Board of Zoning Appeals (BZA) is a five-member, quasi-judicial body appointed by the local circuit court to serve five-year terms. Any community adopting a Zoning Ordinance must also establish an appeals board for review of circumstances where landowners may be unjustly burdened by the Zoning Ordinance. The Board conducts public hearings to consider requests for variances to the County’s Zoning Ordinance, as well as appeals of decisions made by the Zoning Administrator.

The definition of variance reads:

Variance means, in the application of a zoning ordinance, a reasonable deviation from those provisions regulating the shape, size, or area of a lot or parcel of land, or the size, height, area, bulk, or location of a building or structure when the strict application of the ordinance would unreasonably restrict the utilization of the property, and such need for a variance would not be shared generally by other properties, and provided such variance is not contrary to the purpose of the ordinance. It shall not include a change in use, which change shall be accomplished by a rezoning or by a conditional zoning.

The Board must find that the strict application of the Zoning Ordinance would unreasonably restrict the utilization of the property. Any decision made by the Board may be appealed to the James City County Circuit Court within 30 days.

State Code language places the burden of proof on the applicant with these five standards as the criteria:

Notwithstanding any other provision of law, general or special, a variance shall be granted if the evidence shows that the strict application of the terms of the ordinance would unreasonably restrict the utilization of the property or that the granting of a variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the ordinance, and

- (i) the property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance;*
- (ii) the granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area;*
- (iii) the condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance;*
- (iv) the granting of the variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property; and*
- (v) the relief or remedy sought by the variance application is not available through a special exception process that is authorized in the ordinance pursuant to subdivision 6 of § 15.2-2309 or the process for modification of a zoning ordinance pursuant to subdivision A4 of § 15.2-2286 at the time of the filing of the variance application.*

Any variance granted to provide a reasonable modification to a property or improvements thereon requested by, or on behalf of, a person with a disability may expire when the person benefited by it is no longer in need of the modification to such property or improvements provided by the variance, subject to the provisions of state and federal fair housing laws, or the Americans with Disabilities Act of 1990 (42 U.S.C. § 12131 et seq.), as applicable. If a request for a reasonable modification is made to a locality and is appropriate under the provisions of state and federal fair housing laws, or the Americans with Disabilities Act of 1990 (42 U.S.C. § 12131 et seq.), as applicable, such request shall be granted by the locality unless a variance from the board of zoning appeals under this section is required in order for such request to be granted.

MEETINGS

The James City County BZA is scheduled to meet the first Thursday of every month at 5 p.m. in Building F at the James City County Government Complex. The BZA met five times in 2022.



APPEALS / VARIANCES

One Zoning Administrator's Determination Appeal and three applications for variances were considered in 2022. The synopses of the applications are as follows:

BZA-22-0001, 5719 Peter Van Wirt Way – This was an application for a variance to Section 24-258(b), Yard requirements, to reduce the required rear setback from 35 feet to 32 feet from the rear property line for the continued placement of an above ground pool and the addition of a new deck. The BZA approved the application on March 3, 2022.

BZA-22-0003, 4816 Hickory Signpost Road - This was an application for a variance to Section 24-236, Setback requirements, to reduce the required front setback from 60 feet from the centerline of the street to 30 feet from the centerline of the street for the construction of a new single-family dwelling. The BZA approved the application on May 5, 2022.

BZA-22-0002, 6910 Richmond Road - This was an appeal of the Zoning Administrator's determination on February 23, 2022 that a "Conceptual Plan Supplied by the Applicant" at the time of the rezoning of the property and issuance of a special use permit for Go-Karts Plus constitutes a binding master plan. The BZA overturned the Zoning Administration's determination on June 2, 2022.

BZA-22-0004, 8261 Croaker Road - This was an application for a variance to Section 24-217(a), Yard regulations, to reduce the required side setback from 15 feet to 6.5 feet on the right side and from 15 feet to 13 feet on the left side for the construction of a single-family dwelling. The BZA approved the application on October 6, 2022.

Approved by the Board of Zoning Appeals on January 5, 2023

COMPREHENSIVE PLAN IMPLEMENTATION

The Comprehensive Plan continues to be implemented through a variety of mechanisms, including consistency evaluations for legislative cases such as rezonings and special use permits.

The Comprehensive Plan is a long-range plan and implementation occurs at the direction of Board of Supervisors, as funding and resource are available. The chapters of the Comprehensive Plan include Goals, Strategies, and Actions (GSAs) which list recommended implementation actions and activities. In 2022, staff began working on the updated set of GSAs in the 2045 Comprehensive Plan and identifying those updates that have made significant progress for the 2022 calendar year.

GSAs that had been recommended by the Planning Commission Working Group during the Comprehensive Plan update process as priority items, are noted, where applicable.

Annual Report 2022

Goals - Strategies - Actions (GSAs)

January 20, 2023



Priority items as recommend by the
Planning Commission Working Group

*Regulatory and Guideline Updates

**Capital Investments and Funding Program

***Further Planning Efforts & New Initiatives

****Partnership Opportunities

COMMUNITY CHARACTER (CC) CHAPTER

<p>CC 1.1 Ensure that development along Community Character Corridors (CCCs) protects the natural views of the area; promotes the historic, rural, or unique character of the area; and establishes entrance corridors that enhance the experience of residents and visitors.</p>	<p>Staff continues to apply the requirements of the landscape ordinance consistently during the review of administrative and legislative cases.</p>
<p>****CC 1.5 Preserve the character of rural roads by identifying roads that should be preserved and work with the Virginia Department of Transportation (VDOT) to maintain their rural character while providing an acceptable level of safety.</p>	<p>Staff is currently reviewing construction plans for Stonehouse Tract S, Tract 10A, Tract 11A , which include a proffer that requires Mount Laurel Road be improved to meet VDOT standards for rural roads.</p>
<p>CC 2.3.1 For areas within the New Town Community Character Areas (CCAs) but not subject to the New Town Master Plan and/or proffers, ensure that new development is consistent with existing adjacent development and the New Town design guidelines.</p>	<p>Staff continues to ensure development is consistent with the New Town Design Guidelines, transmitting an SUP for a WAWA adjacent to New Town for review by the Design Review Board and ensure the project adheres to compatible design.</p>
<p>CC 2.4 In Toano, ensure that developers apply the adopted design guidelines to projects within the Toano CCA.</p>	<p>Examples of recent projects that incorporated elements of the Toano Design Guidelines are: Toano Open Air Farmers Market and a new Bakery in Toano.</p>
<p>CC 3.1 Protect vistas and other scenic resources and encourage building, site, and road designs that enhance the natural landscape and preserve valued vistas. These designs should also minimize any potential negative impacts with regard to noise and light pollution and other quality of life concerns.</p>	<p>Staff continues to seek opportunities to preserve vistas and open space through development review, with examples including the review of buildings within the Willow Pond Estates I and II. These projects included viewshed protection of Forge Road and Little Creek Dam Reservoir.</p>
<p>CC 4.1 Continue to gather and gain technical knowledge on data that is available to help the County identify and map its archaeological, historic, and cultural assets, and, where appropriate, use such data as an information tool to help guide decisions during the creation of regulations and policies, to provide guidance to property owners and development proposal applicants on lands best suited for development, and to inform open space preservation efforts.</p>	<p>James City County recently developed the Natural and Cultural Assets Plan to help identify, evaluate, and prioritize the County's highest value natural resources and cultural assets and to establish strategies to conserve or restore them. The project began in August 2021 and concluded with the Board of Supervisors' adoption of the plan on October 25, 2022.</p>

(CC) cont.

CC 6.1 Require that archaeological studies for development proposals are conducted and require their recommendations to be implemented.

Examples of recent projects that incorporated elements of the Toano Design Guidelines are: Toano Open Air Farmers Market and a new Bakery in Toano. Examples include SUP-22-0010 The GreaseOutlet and SP-22-0003 Jamestown Beach Event Park Changing Station.

ECONOMIC DEVELOPMENT (ED) CHAPTER

ED 1.2 Develop and promote strategies and programs to encourage the creation of new and retention of existing small businesses, home-based businesses, and entrepreneurial efforts including women-owned and minority-owned businesses and companies.

OED staff participates with Peninsula locality partners in developing and promoting an annual Home-Based Business Conference and a regional Lunch & Learn Series to introduce entrepreneurs to small business leaders and educational speakers. The JCC Small Business Relief Grant Program awarded rent and mortgage relief to 30 female-owned businesses, 17 minority-owned businesses, and 10 SWaM certified JCC businesses.

**ED 1.3 Continue to pursue and promote incentives available for new and expanding businesses and industries within certain areas in the County, including Opportunity Zones, Foreign Trade Zones, and Tourism Zones, and develop additional incentives for new and existing business development.

JCC is part of Foreign Trade Zone 20 (The Port of Virginia) and awareness of the duty deferrals, exemptions and reductions that are available are aggressively marketed to industrial prospects. The Grove Opportunity Zone, established in 2018 to encourage investment in low-income suburban and rural census tracts has no new development to date. Three businesses have qualified for Tourism zone incentives (The Maine of Williamsburg, Frothy Moon Brewery, and Go-Karts Plus).

ED 1.6 Promote the creation and retention of businesses that provide full-time job opportunities with wages and benefits sufficient to make housing attainable for employees.

OED staff assisted in identifying and marketing properties in the Green Mount Industrial Park for development of the Green Mount Logistics Center and the expansion at Coresix Precision Glass in the James River Commerce Center.

ED 2.1 Promote tourism, including eco-tourism and agritourism and associated industries as a year-round asset.

Implemented NEW concert series, New Town Tunes, in partnership with New Town Management and Culture Fix. Three concerts were held in Spring '22, bringing just over 2,000 participants. Three additional concerts were held in Fall '23, with just over 2,900 participants (a 49% increase over Spring series).

ED 2.2 Support the recommendations of the Greater Williamsburg Target Sector Analysis with a particular emphasis on supporting the development of those businesses identified as legacy and emerging businesses within this study.

OED staff drafted a grant application to Virginia Economic Development Partnership as part of the Virginia Business Ready Sites Program in support of the development of the Hazelwood Farms Enterprise Center to increase the site readiness tier ranking for the property and develop engineering plans for the extension of utilities to the site.

(ED) cont.

<p>ED 3.1 Support public and private entities that engage in workforce development, like the Greater Peninsula Workforce Board.</p>	<p>OED staff worked with W-JCC School Division staff to conduct mock interviews in our three local high schools. In four days, approximately 110 volunteers interviewed over 550 students to prepare the students for future job interviews. Students and interviewers discussed career opportunities, interview questions, and soft skills to assist in the transition from the classroom to the workforce.</p>
<p>ED 3.3 Leverage the resources of local colleges and universities to companies seeking technical and research assistance and job training.</p>	<p>OED staff worked with Virginia Peninsula Community College to secure \$1.7M in grant funding from the U.S. Department of Labor to develop a Skilled Trades Center in the Jacobs Industrial Park. The facility is due to open in January 2023 and will offer welding, machining, carpentry, and masonry classes.</p>
<p>ED 3.5 Support collaborations with the William & Mary Office of Economic Development and Virginia Peninsula Community College to enhance training opportunities that meet the needs of our existing business community and target industry sectors.</p>	<p>OED staff is coordinating with the W-JCC Schools Division to use the Virginia Peninsula Community College Skilled Trades Center to expand its dual enrollment programs.</p>
<p>ED 4.1 Encourage the rehabilitation of abandoned and/or underutilized facilities by promoting them to new business.</p>	<p>Frothy Moon Brewery renovated the former Cooke's Greenhouse facility on Jamestown Road and Coastal Animal Referral Emergency renovated the former Zaxby's in Williamsburg Crossing.</p>
<p>ED 4.3 Promote environmental conservation techniques among new and existing business, including water conservation (such as reclamation of rain or grey water), energy efficiency, and materials management (such as recycling, composting, and material life-cycle considerations).</p>	<p>Established a glass recycling program using purple bins delivered directly to the Owens-Illinois plant in Toano, replacing nearly 70 tons of raw materials in their glass production process.</p>
<p>ED 5.3 Improve the utilization of rail/interstate highway nodes and access to deep water ports to facilitate commercial freight access to and from local industries and for tourism access.</p>	<p>The Skiffe's Creek Connector Project opened to traffic in mid-November 2022. The roadway, known officially as Green Mount Parkway, was designed to improve the daily travel experience for motorists across the Peninsula and to enhance the regional and statewide delivery of goods.</p>
<p>ED 6.1 Foster tourism development in James City County and the Historic Triangle by continuing to partner with Williamsburg Tourism Council.</p>	<p>Parks & Recreation partnered with Visit Williamsburg on the submittal of a \$570,000 America Rescue Plan Act funds grant through the Virginia Tourism Corporation. Visit Williamsburg will use \$295,000 for a Boston marketing campaign and the County will use \$275,000 for the purchase of a portable stage and restroom trailer.</p>

(ED) cont.

ED 6.4 Support the development of sporting events and facilities that promote the County as a sports tourism destination and other special events in James City County.	Formed and participated on the Historic Triangle Recreational Facilities Authority. The regional authority is researching the construction of an indoor sports facility to promote tourism and economic development. An interim agreement for the design and construction has been issued.
ED 6.4 Support the development of sporting events and facilities that promote the County as a sports tourism destination and other special events in James City County.	Park and school athletic facilities, including the Warhill Sports Complex, hosted 56,750 participants in 31 tournaments and events in 2022.
ED 6.5 Support tourism initiatives that promote the Historic Triangle as an arts destination, including cultural and culinary activities.	Support tourism initiatives that promote the Historic Triangle as an arts destination, including cultural and culinary activities.

ENVIRONMENT (ENV) CHAPTER

ENV 1.17 Continue to develop watershed management plans for the remaining County watersheds, and to update existing watershed management plans that identify environmentally sensitive areas and specific protection, restoration, and retrofit recommendations. Include in those studies an evaluation of the impact of the change in precipitation events in the watershed.	The County has commenced updating the Powhatan Creek, Yarmouth Creek, and Diascund Creek Watershed Management Plans.
ENV 1.2.6 Continuing and expanding support for the Clean Water Heritage program in order to provide information on Best Management Practicemaintenance and assistance to the public and to owners of stormwater management facilities.	Provided \$295,000 in matching grants through the Clean Water Heritage Program to HOAs for maintenance of stormwater management and drainage facilities. Provided technical assistance to owners as part of grant program.
ENV 2.1 Continue to educate the public about voluntary techniques to preserve and protect environmentally sensitive lands; wildlife habitats; water quality; and watersheds, agricultural, forestal, and other open space lands through County programs, including but not limited to, the Clean Water Heritage program.	The Stormwater Division continues to collaborate with various agencies and other County department events to promote the Clean Water Heritage key initiatives such as Rain Gardens, Fertilize Smart, Be Septic Smart, and Scoop the Poop.
***ENV2.2 Utilize the Clean County Commission to coordinate citizen efforts in participating in the County recycling program, the Adopt-A-Spot program supported by the Virginia DEQ, Division of Environmental Enhancement, and shoreline clean-up days sponsored by a variety of organizations.	The County implemented the following programs: the "Purple Bin" glass only recycling program, the "Litter League" trash/cleanup program, and the ReCollect Material Sorting game to educate residents about recycling and waste disposal.

(ENV) cont.

<p>ENV 3.1 Maintain and promote biological and habitat diversity, ecosystem services, and habitat connectivity by protecting wildlife and riparian corridors between watersheds, sub-watersheds, catchments, and tidal and nontidal wetlands, and by developing and implementing a green infrastructure plan.</p>	<p>Developed a Stormwater Master Plan for Chickahominy Riverfront Park that includes committing over 27 acres of the park to a conservation easement. Staff worked with Freedom Parks Adopt-A-Park group to create a native plant garden in the park. Park staff and volunteers planted 50 native plants and pollinators around the Interpretive Center.</p>
<p>*ENV 3.7.1 Investigate changes to the Zoning Ordinance including renaming the A-1, General Agricultural District and re-examining lot sizes and clustering provisions to acknowledge and encourage preservation of forested land.</p>	<p>Planning staff worked with the Policy Committee to consider revisions of the Cluster Subdivision Ordinance to maximize the preservation of woodlands and other natural features.</p>
<p>ENV 3.7.2 Assemble a local flood resilience plan to address the County's flood resilience needs using existing plans where available and supplementing with additional documentation where necessary. Incorporate resiliency plan items from other chapters including Transportation, Land Use, and others.</p>	<p>Completed Hampton Roads Hazard Mitigation Plan 2022 Update.</p>
<p>ENV 4.6.2 In Ordinances or as development approval conditions, implement best practice documents on the inclusion of native pollinator plants.</p>	<p>Staff continues to propose SUP conditions requiring native pollinator plants in a manner that aligns with best practices.</p>

HOUSING (H) CHAPTER

<p>***H 1.1.6 Continue to support, through marketing, partnering, and other means, nonprofit groups such as Housing Partnerships, Inc., Habitat for Humanity, Community Action Agency, and project:HOMES which have programs providing emergency home repair; preventive maintenance; and counseling in home finance, rental assistance, budgeting, and sanitary health conditions.</p>	<p>The County provided \$60,000 to Housing Partners Incorporated (HPI) to address accessibility and deterioration housing conditions by partnering with HPI to provide accessibility improvements for low-income, elderly/disabled citizens participating in the Home Energy Loss Prevention (HELP) and Emergency Home Repair programs. Housing staff received 75 calls for assistance and completed 21 emergency repairs.</p>
<p>H 1.2 Pursue the preservation and redevelopment of manufactured homes and mobile home parks to prevent further deterioration of these homes and protect the current residents.</p>	<p>The DSS Housing Division developed a new Housing Resource Navigator position which was approved by the BOS in February 2022, effective July 2022 and filled in November 2022. A new Local Housing Voucher (subsidy) program was developed by the DSS Housing Division and approved by the BOS in April 2022, funded by ARPA through December 2026. A Housing Specialist was hired in July 2022 to coordinate this program.</p>
<p>H 1.3.3 Support private and nonprofit developers and builders that provide or preserve workforce housing by assisting them in obtaining funding and offering technical assistance.</p>	<p>Staff is working to assist Wayne Harbin Builder to partner with Bay Aging for a senior housing development adjacent to Forest Heights and development of 46 townhomes.</p>

(H) cont.

<p>H 1.3.4 Apply for funding from Virginia Housing that supports projects in defined redevelopment and revitalization areas.</p>	<p>Applied and awarded \$300,000 in VA Housing Funding through Hampton Roads Planning District Commission (HRPDC) to develop a nine-lot subdivision for affordable housing. Applied for an additional \$475,000 from VA Housing for the same development. The County received Sponsoring Partnerships for Affordable Community Housing funding to be used in reducing interest rates in two approved Revitalization Areas.</p>
<p>H 3.3 Continue County support of organizations that address housing for special needs populations, including senior citizens.</p>	<p>Housing received renewal funding in 2022 for 10 State Rental Assistance Program vouchers from the Department of Behavioral Health and Disability Services to serve citizens with Intellectual/Developmental Disabilities for JCC, York County, and Williamsburg.</p>
<p>H 3.4 Promote supportive housing, including rental assistance, coupled with case management services for individuals with special needs and individuals who are homeless or at risk of becoming homeless.</p>	<p>Housing is a member of the Hampton Roads Greater Virginia Peninsula Homelessness Consortium and staff sits on the Leadership and Program Monitoring committees. Housing staff participates in a Coordinated Entry System (CES) process through a local Services Coordination and Assessment Network (SCAAN) comprised of agency representatives from JCC, Williamsburg, and Upper York County.</p>
<p>H 5.1.2 Link County resources to the regional portal.</p>	<p>Pending efforts by the HRPDC to establish the portal and make it accessible to JCC. Staff has been charged to research and identify existing resource portals to use as templates to assist with developing a regional portal.</p>
<p>H 5.3.2 Develop a locally funded rental assistance program (rules and priorities).</p>	<p>The DSS Housing Division conducted research in 2020-2022 and developed guidelines/implementation plan for a Local Housing Voucher program. The Program was approved and implemented in 2022 as a three-year Pilot Program to serve approximately 10 households for up to two years per household.</p>
<p>H 5.3.3 Provide education and outreach to eligible households and landlords.</p>	<p>The Housing Division conducts an annual landlord event during April (Fair Housing Month) to provide updates on The Fair Housing Law, new and ongoing programs, resources available to landlords and tenants and for networking and recruiting purposes.</p>

LAND USE (LU) CHAPTER

<p>LU 3.1.1 Engaging in joint planning efforts and allocating resources toward implementation.</p>	<p>Planning staff continued to work with Newport News, York County, Joint Base Langley-Eustis and other regional stakeholders on the next steps of implementation of the Joint Land Use Study (JLUS), which was adopted by the Board of Supervisors in July 2018. In addition to adopting the Military Influence Overlay District for Fort Eustis on the Future Land Use Map, staff continues to meet quarterly with representatives from JBLE to discuss the long-term plan for JBLE and the current plans within the County.</p>
<p>LU 3.4 In accordance with the recommendations of the adopted Joint Base Langley Eustis (Fort Eustis) Joint Land Use Study, establish a Military Influence Overlay District (MIOD) on the Future Land Use Map.</p>	<p>Completed. In October of 2021, the Board of Supervisors adopted the updated Future Land Use Map, which includes the Military Influence Overlay District.</p>
<p>LU 4.6 Emphasize the economic potential of interstate interchanges and encourage a mix of uses. Maintain land use policies and other measures to achieve this strategy.</p>	<p>The Board approved the Hazelwood Enterprise Center rezoning to the Economic Opportunity district in the spring of 2022.</p>
<p>LU 4.8 Encourage development in the Economic Opportunity designations that is consistent with the Economic Opportunity land use designation and development standards. Explore tax incentives or other incentives used by other localities for such designations.</p>	<p>Staff recommended and the Board of Supervisors approved the rezoning of the Hazelwood Enterprise Center to Economic Opportunity to permit up to approximately 2.9 million square feet of industrial use.</p>
<p>***LU 5.2 Through the following measures, coordinate allowable densities and intensities of proposed developments with the capacities and availability of water, public roads, schools and other facilities and services.</p>	<p>The County reviews legislative applications and ensures that proffers and/or conditions adequately address impacts on County services including public water, roads, schools and other facilities and services.</p>
<p>LU 5.2.1 Continue to develop and refine a model or models to assess and track the cumulative impact of development proposals and development of existing and planned public facilities and services.</p>	<p>Staff continues to develop the land use, fiscal, and transportation impact models resulting from the 2045 Comprehensive Plan update.</p>

(LU) cont.

<p>*LU 6.2 Residential development is not a recommended use in the Rural Lands. Creation of any lots should be in a pattern that protects the economic viability of farm and forestal assets, natural and cultural resources and rural character. Amend the Subdivision Ordinance, Zoning Ordinance, utility regulations, and related policies to promote such an overall pattern. Consider providing more than one option, such as the following, so long as an overall very low density pattern can be achieved, and the design and intensity of the development is consistent with stated Rural Lands designation description and development standards and available infrastructure.</p>	<p>The Board of Supervisors approved ORD-22-0002 in October, 2022, to align the density permitted within the A-1 and R-8 Zoning Districts to the recommended density in the Rural Lands land use designation in the 2045 Comprehensive Plan and to remove the central well requirement for major subdivisions outside the Primary Service Area (PSA).</p>
<p>LU 6.2.1 Revise the R-8 and A-1 Zoning Districts to set lot sizes to be consistent with stated Rural Lands designation description and development standards. As part of this amendment, consider easing the subdivision requirements such as eliminating the central well requirement or permitting the waiver of the central well requirement and/or allowing private streets in limited circumstances, as part of an overall balanced strategy.</p>	
<p>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.</p>	<p>Staff continues to work with the Policy Committee to develop methods to protect scenic roadways by increasing setbacks and buffering requirements in the A-1 district.</p>

PARKS AND RECREATION (PR) CHAPTER

<p>PR 1.3 Update and develop master plans for County-owned parks to coordinate construction phasing and validate capital improvement requests.</p>	<p>Updated Master Plans for Upper County Park, Warhill Sports Complex, and the James City County Recreation Center to provide guidance for future development at all three sites; adopted by the Board of Supervisors in January 2022.</p>
<p>PR 2.4 Continue to collaborate regionally to improve connectivity of open space, including but not limited to working with Hampton Roads Planning District Commission (HRPDC) and County staff to develop a local level green infrastructure map, which identifies critical natural, cultural and recreational networks, and develop a plan for implementation.</p>	<p>Throughout 2022, staff worked with its consultant to develop natural and cultural asset and risk maps to identify community priorities and opportunities for open space protection. In October of 2022, the Board of Supervisors adopted these maps and related strategies in the Natural and Cultural Assets Plan.</p>

(PR) cont.

<p>PR 3.2 Submit grant applications to secure funds for new parks and recreation programs, services, facilities and related transportation services.</p>	<p>In 2022, the County utilized a \$4500 grant from the Chesapeake Bay Restoration Fund, was awarded \$2,000 grant from the Capital Trail Equity Fund to purchase bicycles and vehicle racks for the 'REC Riders' program, and submitted an application for Chesapeake Bay Restoration Fund.</p>
<p>PR 3.4 Emphasize the maintenance of existing facilities as a way to make efficient use of limited financial and physical resources.</p>	<p>Paving projects were completed at Jamestown Beach Event Park (JBEP), Powhatan Creek Park and Blueway (PCPB), and Ironbound Park (IB). The projects included repaving, ensuring ADA accessibility parking spaces, increasing connectivity along sidewalks, and correcting grading issues in the culvert at a park entrance.</p>
<p>PR 6.1 Include input from teens, at-risk youth, seniors and persons with disabilities in all master plans for new parks.</p>	<p>In August 2022, a total of 81 families, representing at-risk youth, teens and seniors, provided input regarding the site selection, land acquisition and development of a proposed neighborhood park at the Grove Community public meeting. Youth Advisory Council (YAC) members (and Program Coordinators) attended community meeting/roundtable in November 2022 with the Greater Williamsburg Movement to discuss the needs of youth (now-10 years out) with a goal of facilitating deeper involvement and collaboration of Greater Williamsburg churches with community efforts to promote the flourishing of the next generation and invite community leaders like yourselves to the table as subject matter experts.</p>
<p>PR 6.7 Continue to maintain the certification of a Nationally Accredited Agency through the Commission for Accreditation of Park and Recreation Agencies.</p>	<p>In September 2022, Parks & Recreation achieved national reaccreditation through the National Parks and Recreation Association, Commission for Accreditation of Park, and Recreation Agencies (CAPRA). Demonstrating 100% compliance of 154 park, program, facility, and service standards over the course of a 15-month period, the County was recognized as one of only 14 parks and recreation agencies accredited in Virginia and one out of only 197 nationally to be named "Best of the Best."</p>

(PR) cont.

<p>PR 7.3 Continue to evaluate and provide financial assistance to qualifying families and individuals, and continue to offer free access to youth at the Abram Frink Jr. Community Center.</p>	<p>Parks & Recreation programs and Centers memberships are eligible for the department's discount assistance program, based on household income. A total of 91 families received a 20-75% discount on programs and services during January-December 2022. For summer camp 2022 there were five WJCC children who received 75% discount paid by WJCC. Colonial CASA mentoring program sponsored one family with two children from August - November 2022. Maintained a partnership with WISC to provide 20-75% discount for Gymnastic class offered.</p>
<p>PR 7.7 Plan for better access to recreation programs and facilities for all through equitable geographic dispersion of facilities.</p>	<p>The Department maintains equity maps of parks, facilities and recreational amenities to determine service gaps and as planning tool for park, facility and program development and implementation.</p>
<p>PR 9.2 Continue to promote interpretive signage and programs that provide educational opportunities in cultural and natural resources.</p>	<p>Through the remainder of a \$4,500 grant from the Chesapeake Bay Restoration Fund, a total of 238 youth participated in environmental education field trips. Offered six outdoor camps including Outdoor Experience w/ James River Association that taught participants about water-based education, witnessed an archaeological dig, and learned Native American history. Additional camps included Wildlife Adventures, Campout, Fishing, Park Passport and Reconnect Outdoors Camps which promoted youth getting outdoors in local and surrounding parks, learning about animals, ecosystems. Offered a NEW Hike the Falls series of outdoor trips, highlighting several trails that participants may otherwise not be able to experience. Promoting the importance of PLAY, Project FiveFortySeven, Commemorating the National Day of Play initiative, nearly 675 participated (238% increase from last year) in 14 structured recreational activities a variety of new and favorite program were offered such as sunrise yoga, paddling, bird walks, painting, axe throwing, disc golf, trackless train, pickleball, Zumba, drumming for wellness and more. A new Banner system and calendar were implemented.</p>

POPULATION (PN) CHAPTER

<p>PN 1.1 Promote public transportation and mobile services stops, within or adjacent to, new high-density and multifamily housing and senior living communities.</p>	<p>The Board of Supervisors approved the Ford’s Village Master Plan and Proffer Amendment, which includes a proffer requiring the potential installation of a bus stop to service the Continuing Care Retirement Community at a certain build-out.</p>
<p>PN 1.3 Make destinations more accessible from home and school for all citizens, with an emphasis on youth and seniors, by implementing the Greenway Master Plan, the Pedestrian Accommodation Master Plan, the Regional Bikeway Master Plan, and the Parks and Recreation master plans and integrating them into the design of new development proposals and other projects.</p>	<p>Construction commenced for the Clara Byrd Baker Safe Routes to School project which will provide accessibility for students and parents to Clara Byrd Baker Elementary School. Staff continues to review all legislative cases and site plans for compliance with Section 24-35.</p>
<p>PN 2.1 Ensure that youth have adequate and safe facilities where they may participate in programs and services.</p>	<p>REC Connect and TOP summer camp programs utilize Remind App to communicate program reminders and provide any emergency, safety, or security measures to parents and guardians. Completed five-year reaccreditation process through CAPRA, detailing many policies, processes and procedures that the Department follows as a measure of consistency, quality and adherence to industry standards. Continually evaluate and adjust implementation of programs/services to incorporate latest guidance/health & safety practices and protocols related to COVID and/or other health measures.</p>
<p>PN 2.2 Expand access to quality preschool service and affordable childcare through the Bright Beginnings Program and collaborations with Child Development Resources, Advancing Community Excellence (formerly the Community Action Agency) and other partners.</p>	<p>The Social Services Director is a member of the Preschool Taskforce, which includes these agencies, as well as the City of Williamsburg Department of Human Services Director, to discuss opportunities to work more collaboratively.</p>
<p>PN 2.6 Assess recreational interests of all citizens, with emphasis on youth and seniors, and form partnerships to create or enhance programs and facilities to serve these interests.</p>	<p>The County maintains nearly 60 community partnerships and cooperative agreements to diversify program, facility and park programs, services and amenities throughout the community.</p>
<p>PN 2.7 Promote recreational activities inclusive of all ages and cultures and internally prioritizing programs that meet these needs.</p>	<p>Recreation Services offered 1,253 programs to 112,099 citizens of all ages in diverse locations throughout the County. Offered 56 NEW programs/events/camps in special events, sports, outdoor, special interest, inclusion/therapeutic recreation, neighborhood outreach, etc.</p>
<p>PN 3.2 Continue to provide free access to the Abram Frink Jr. Community Center for youth.</p>	<p>Ongoing as a policy and included in the annual budget plan for all JCC youth.</p>

(PN) cont.

<p>PN 3.4 Develop and operate a mobile integrated healthcare/community paramedicine program.</p>	<p>The CONECT Program has been operational since 2018 and serves as the County's Mobile Integrated Healthcare program in partnership with the Fire and Police Departments. There is a Coordinator, a Case Manager, and as of April 2022, a Medical Case Manager, paid through ARPA funds, who is an EMS Provider. There is an average of 17 referrals each month to the program.</p>
<p>*/***PN 3.8 Assess food insecurity for lower income households in the County and examine ways to address any identified issues such as partnerships with the nonprofit sector, or possible development incentives for private sector development (such as a grocery store).</p>	<p>Explored a partnership with Grove Christian Outreach and WATA to research the ability to seek funding for a mobile market to provide healthy food options to address food insecurity in identified food deserts in the County.</p>
<p>PN 4.7 Continue to support the concept of “aging in place” by promoting strategies such as multigenerational housing for a portion of units in major subdivisions or multifamily projects and/or units built based on the principle of Universal Design making them accessible to all people, regardless of age, disability, or other factors.</p>	<p>The BOS approved the Ford’s Village Master Plan and Proffer Amendment, which incorporates universal design into the residential aspect of the project.</p>

PUBLIC FACILITIES (PF) CHAPTER

<p>PF 1.1 Encourage full utilization of all public facilities, including joint use by different County agencies, to support local community objectives and activities.</p>	<p>The County continues to support local community objectives and activities at public facilities. For example, the County worked with the Greater Williamsburg Trauma-Informed Community Network to create The Resilience Rock Garden at Freedom Park. Freedom Park was chosen because of its historical significance as a symbol of perseverance in the wake of racial trauma.</p>
<p>**PF 1.2 Acquire land for, efficiently locate and design, and construct new public facilities in a manner that facilitates future expansion and promotes the maximum utility of resources to meet future capacity needs.</p>	<p>Several studies have been conducted in pursuit of maximizing the utility of resources to meet future capacity needs. The County Board continued discussion of a future consolidated government center building.</p>
<p>PF 1.6 Apply appropriate zoning, land use, and other adopted County criteria when evaluating public facility sites and uses.</p>	<p>Staff continues to review projects for WJCC Public Schools, JCSA, and other public facilities.</p>

(PF) cont.

<p>***PF 1.9 Encourage the provision and location of preschool programs and classrooms throughout the County utilizing government sponsored programs, public schools, private schools, private businesses, churches, nonprofits, and where appropriate, home-based preschools.</p>	<p>Social Services partnered with community providers and Childcare Aware VA to help license home-based childcare providers. Social Services staff seeks to participate grant funded opportunity to expand access to childcare.</p>
<p>PF 1.11 Continue to use technology, including broadband service, to improve the delivery of public services to the County.</p>	<p>Employed a new Wi-Fi zone allowing Grove residents to access free Wi-Fi 24 hours a day and does not require them to be inside the Community Center to access Wi-Fi.</p>

TRANSPORTATION (T) CHAPTER

<p>T 1.1 Ensure that new development supports the Community Character Corridor designations of existing and proposed roads.</p>	<p>Multiple legislative cases were approved that followed recommended densities, intensities and development patterns. The Hazelwood Enterprise Center included proffers to protect the character of Barnes Road and Old Stage Road and provide traffic improvements to maintain adequate capacity levels.</p>
<p>T 1.2 Expect new development to follow recommended densities, intensities, and development patterns that will maintain an acceptable level of service on the surrounding roads and intersections consistent with the land use context (rural, suburban, urban) and the functional classification of the roadway. Ensure that new developments do not compromise planned transportation enhancements.</p>	<p>Roadway levels of service continue to be a key factor in the evaluation of development applications, in a context sensitive manner, depending on their location. The Planning Division reviewed all legislative and administrative applications with a specific eye towards transportation impacts.</p>
<p>T 1.3.4 Maximize current road capacity by adding turn lanes or travel lanes, where appropriate, in a context sensitive manner.</p>	<p>Ongoing. Longhill Road Phase 1 widening project has been completed which adds an additional travel lane and a roundabout to maximize roadway capacity.</p>
<p>T 1.5 Coordinate with the Virginia Department of Transportation (VDOT), adjoining jurisdictions, and prospective developers to implement the most contextually appropriate multimodal improvements for the roadway system.</p>	<p>Staff continues to work with VDOT and developers to implement the most appropriate improvements for the roadway system. Croaker Road widening project has completed the right-of-way phase and will begin construction. This project includes a multiuse trail. Staff has pursued funding for the Pocahontas Trail Multimodal Project that includes sidewalks and a multiuse trail.</p>
<p>T 3.2 Actively pursue additional local, state, federal, and private funding to accelerate the construction for all needed modes of transportation facilities.</p>	<p>County staff has been pursuing funds for transportation improvement projects. Staff applied for funding for the Pocahontas Trail Multimodal project. These funds were both state and federal sources.</p>

(T) cont.

<p>T 3.4 Encourage pedestrian circulation by providing safe, well-lit, and clearly marked crosswalks and unobstructed sidewalks. Encourage the use of accessible design and provision of shade benches, attractive landscaping, and scenic vistas along pedestrian routes.</p>	<p>Over the last year, the Planning Commission and Board of Supervisors approved several legislative applications which included pedestrian enhancements including Hazelwood Enterprise Center and Ford's Village.</p>
<p>T 3.6 Continue to identify and implement changes to the transportation system that improve air quality.</p>	<p>Staff continues to pursue funding for multimodal projects through the Congestion Mitigation and Air Quality (CMAQ) Improvement funding source. Staff applied for two CMAQ applications in 2022.</p>
<p>T 4.2 Utilize planning and design standards for road projects and related improvements which will allow innovation, promote an efficient transportation system, increase public safety, improve visual quality, and expand modal choice for transportation in the County. Require implementation of standards for development proposals and encourage VDOT to incorporate these standards. When improving roads designated as Community Character Corridors, Virginia Byways, or roads outside the PSA, encourage VDOT to be sensitive to the context, including viewsheds, historic sites and structures, and landscaped medians.</p>	<p>These factors were all considered as of the Preliminary Engineering phase for the Pocahontas Trail Multimodal project and the Croaker Road widening project.</p>

GLOSSARY OF TERMS

AFD	Agricultural and Forestal District
BMP	Best Management Practice
BOS	Board of Supervisors
CCA	Community Character Area
CCC	Community Character Corridor
CIP	Capital Improvements Program
DRC	Development Review Committee
GSA	Goal, Strategies and/or Action
HRTPO	Hampton Roads Transportation Planning Organization
INFRA	Infrastructure for Rebuilding America
JCCRC	James City County Recreation Center
OED	Office of Economic Development
PC	Planning Commission
PSA	Primary Service Area
VDOT	Virginia Department of Transportation

ITEM SUMMARY

DATE: 3/1/2023

TO: The Planning Commission

FROM: Paul D. Holt, III, Director of Community Development and Planning

SUBJECT: Planning Director's Report - March 2023

ATTACHMENTS:

	Description	Type
☐	Memorandum	Cover Memo
☐	Spreadsheet Listing New Cases Received	Exhibit

REVIEWERS:

Department	Reviewer	Action	Date
Planning Commission	Holt, Paul	Approved	2/21/2023 - 2:35 PM
Planning Commission	Holt, Paul	Approved	2/21/2023 - 2:36 PM
Publication Management	Pobiak, Amanda	Approved	2/21/2023 - 2:41 PM
Planning Commission	Holt, Paul	Approved	2/21/2023 - 2:42 PM

PLANNING DIRECTOR'S REPORT

March 2023

This report summarizes the status of selected Department of Community Development activities during the past month.

➤ **Planning**

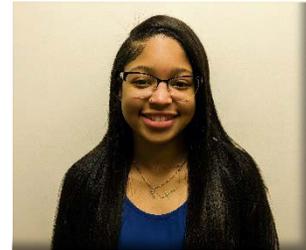
- **Monthly Case Report:** For a list of all cases received in the last month, please see the attached document.

- **Board Action Results:**

- **February 14, 2023**

- AFD-22-0017. 7294 Richmond Road Hill Pleasant Farm AFD Withdrawal (Deferred to March 14, 2023)
 - SUP-22-0015. 7294 & 7296 Richmond Rd. Pivot Energy Solar Project (Deferred to March 14, 2023)
 - SUP-22-0022. 4711 Rochambeau Drive Tourist Home (Approved 5-0)
 - SUP-22-0023. 2878 Monticello Avenue Tourist Home (Approved 5-0)
 - SUP-22-0025. 7504 Richmond Road Starbucks (Approved 5-0)
 - SUP-22-0031. Stonehouse Elementary School Additional Learning Cottages (Approved 5-0)

- The Planning Division is pleased to welcome Armani Franklin as our new Community Development Assistant. Armani comes from Norfolk State where she studied Political Science (BA) and Urban Affairs (MA) (and played some basketball too) and has local government experience with the City of Williamsburg.



➤ **Neighborhood Development**

- **2023 James City County Home Repair Blitz – Saturday, April 29, 2023**
Habitat for Humanity and community partners are joining forces to help homeowners make repairs to the exterior of their homes. This is a great opportunity for skilled volunteers to lend a helping hand to community members in need!



Habitat for Humanity and our community partners have joined forces to help homeowners make repairs to the exterior of their homes. This is a great opportunity for skilled volunteers to lend a helping hand to community members in need!

EACH HOME WILL BE ASSIGNED A TEAM LEADER, WHO WILL OVERSEE THE PROJECTS AND VOLUNTEERS ON THAT HOME.
NO EXPERIENCE NEEDED!

WE PROVIDE SHIRTS, REFRESHMENTS, LUNCH, WATER AND MORE FOR ALL INVOLVED!

We need volunteers as we assist veteran, low-income, elderly or disabled homeowners with:

- exterior carpentry (replace hand rails, porches, stairs, ramps, etc.)
- house & siding painting
- other minor exterior repairs (steps, gutters, fence)
- safety-related improvements

SIGN UP ONLINE:

www.HabitatPGW.Volunteerhub.com



**THE JAMES CITY COUNTY HOME REPAIR BLITZ IS
SCHEDULED FOR**

SATURDAY, APRIL 29, 2023
RAIN DATE: SATURDAY, MAY 6, 2023

Questions? Call Mimi Mitchell at 757-913-5652



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- safety-related improvements

SIGN UP WITH A TEAM LEADER:



**THE JAMES CITY COUNTY HOME REPAIR BLITZ IS
SCHEDULED FOR**

SATURDAY, APRIL 29, 2023

RAIN DATE: SATURDAY, MAY 6, 2023

Questions? Call Mimi Mitchell at 757-913-5652

New Cases for March

Plan Type	Plan Number	Case Title	Address	Plan District	Plan Description	Plan Assigned To
Ordinance Update	ORD-23-0001	Zoning Ordinance Amendment to Address Smoke/Vape Shops	101 MOUNTS BAY RD 5010100009 Williamsburg, VA 23185	Roberts	Zoning Ordinance Amendment to Address Smoke/Vape Shops	Christy Parrish
Subdivision Plat	S-22-0038	4501 & 4545 The Foxes Boundary Line Adjustment	4501 THE FOXES Williamsburg, VA 23188	Jamestown	Boundary Line Adjustment creating new Lot 6 and new revised Lot 8, The Foxes.	Jose Ribeiro
	S-23-0002	Rochambeau Solar Conservation and Access Easement Plat	7150 RICHMOND RD 2410100005 Williamsburg, VA 23188	Stonehouse	Courthouse Plat.	Tom Leininger
	S-23-0003	Colonial Heritage Phase 5, Section 2A (5-2A) Plat	499 JOLLY POND RD Williamsburg, VA 23188	Stonehouse	Plat of Subdivision - Colonial Heritage Phase 5, Section 2A.	Suzanne Yeats
	S-23-0004	Plat of Lot Line Extinguishment within Settlement at Powhatan Creek Phase 4	4101 MONTICELLO AVE Williamsburg, VA 23188	Berkeley	Plat of Lot Line Extinguishment within Settlement at Powhatan Creek Phase 4.	Ben Loppacker
Site Plan	SP-22-0102	Freedom Park Storage Shed	5537 CENTERVILLE RD Williamsburg, VA 23188	Powhatan	10 x 16 storage shed to be dropped and secured to ground onsite at Freedom Park directly west of the main Interpretive Center.	Ben Loppacker
	SP-23-0001	9201/9225 Pocahontas Trail - Grease Outlet	9201 POCAHONTAS TRL Williamsburg, VA 23185	Roberts	Site Plan for development of The Grease Outlet site.	Suzanne Yeats
	SP-23-0004	Williamsburg Vacation Village Lighting Site Plan Amendment	4870 LONGHILL RD Williamsburg, VA 23188	Jamestown	Lighting Improvements to Entrance. Includes new uplighters and pole lights.	Taylor Orne
	SP-23-0005	Stonehouse Mini-Storage	3500 LA GRANGE PKWY Toano, VA 23168	Stonehouse	Site plan for mini-storage units within the Stonehouse Commerce Park.	Ben Loppacker
	SP-23-0006	Stonehouse Elementary School Learning Cottages Site Plan Amendment	3651 ROCHAMBEAU DR Williamsburg, VA 23188	Stonehouse	Stonehouse Elementary School Learning Cottages amendment #3; Stonehouse Elementary School Additional Learning Cottage #4 associated with SUP-22-0031.	Suzanne Yeats
	SP-23-0007	Starbucks Richmond Road Site Plan	7504 RICHMOND RD 2320100071D Williamsburg, VA 23188	Stonehouse	Existing Old Pointe National Bank will be repurposed as a Starbucks.	Thomas Wysong
	SP-23-0008	James River Elementary School Shade Structure Location Site Plan Amendment	8901 POCAHONTAS TRL Williamsburg, VA 23185	Roberts	James River Elementary School Shade Structure Location Site Plan Amendment	Paxton Condon
	SP-23-0009	Stonehouse Waterline Improvemements	3820 ROCHAMBEAU DR Williamsburg, VA 23188	Stonehouse	Stonehouse Waterline Improvemements	Thomas Wysong
Subdivision Construction Plan	SPLN-22-0011	Colonial Heritage Phase 5, Section 2 - SPLN Amend #2	499 JOLLY POND RD Williamsburg, VA 23188	Stonehouse	Colonial Heritage Phase 5, Section 2Amendment #2 to include an off-site stockpile plan from Deer Lake as well as proposed grading within the Dominion Power easement.	Suzanne Yeats
	SPLN-22-0012	Ford's Village Phases A & B	3889 NEWS RD Williamsburg, VA 23188	Jamestown	Plan of Development for Ford's Village Phases A & B.	Thomas Wysong

Plan Type	Plan Number	Case Title	Address	Plan District	Plan Description	Plan Assigned To
Special Use Permit	SUP-22-0027	3426 N. Riverside Drive three-lot Family Subdivision	3426 N RIVERSIDE DR Lanexa, VA 23089	Powhatan	Three-lot Family Subdivision.	Thomas Wysong
	SUP-23-0002	6296 Glenwilton Lane Short-Term Rental	6296 GLENWILTON LN Williamsburg, VA 23188	Powhatan	Request to use proerty as a short-term rental.	Ben Loppacker
	SUP-23-0004	Chickahominy Riverfront Park Master Plan Amendment	1350 JOHN TYLER HWY 3430100002 Williamsburg, VA 23188	Berkeley	Chickahominy Riverfront Park Master Plan Amendment	Suzanne Yeats
	SUP-23-0005	Jamestown Beach Event Park Master Plan Amendment	2205 JAMESTOWN RD 4630100005 Williamsburg, VA 23185	Berkeley	Jamestown Beach Event Park Master Plan Amendment	Ben Loppacker
	SUP-23-0006	Upper County Park Master Plan Amendment	180 LEISURE RD 1120100001 Toano, VA 23168	Powhatan	Upper County Park Master Plan Amendment.	Ben Loppacker
	SUP-23-0007	Warhill Sports Complex Master Plan Amendment	4900 STADIUM RD 3210100012 Williamsburg, VA 23188	Powhatan	Warhill Sports Complex Master Plan Amendment	Suzanne Yeats
Zoning Verification Letter	ZVL-23-0001	Zoning Verification for 3950 Windsormeade Way	2705 BEN FRANKLIN CIR Williamsburg, VA 23188	Jamestown	Founders Village	Taylor Orne
	ZVL-23-0002	Verification of existing use with apartments	108 COOLEY RD Williamsburg, VA 23188	Jamestown	Verification of existing use with apartments.	John Rogerson
	ZVL-23-0003	Zonning Verification Letter for Wedmore Place	5810 WESSEX HUNDRED Williamsburg, VA 23185	Roberts	Verification of hotel use.	Christy Parrish

ITEM SUMMARY

DATE: 3/1/2023

TO: The Planning Commission

FROM: Paul D. Holt, III, Director of Community Development and Planning

SUBJECT: Draft Calendar for 2023/2024

ATTACHMENTS:

	Description	Type
☐	Draft 2023/2024 Calendar	Cover Memo

REVIEWERS:

Department	Reviewer	Action	Date
Planning Commission	Holt, Paul	Approved	2/21/2023 - 2:36 PM
Planning Commission	Holt, Paul	Approved	2/21/2023 - 2:36 PM
Publication Management	Pobiak, Amanda	Approved	2/21/2023 - 2:39 PM
Planning Commission	Holt, Paul	Approved	2/21/2023 - 2:41 PM

James City County PC/Policy/DRC Meeting Schedule, 2023-2024

Meeting locations, unless otherwise noted: Planning Commission (PC) - Government Center Board Room, 101-F Mounts Bay Rd.
Policy Committee and Development Review Committee (DRC) - Government Center Building A Conference Room, 101-A Mounts Bay Rd.

Planning Commission 2023-2024 (6PM)

- April 5
- May 3
- May 23 Joint Work Session w/ BOS (1pm)
- June 7
- July 5
- August 2
- September 6
- October 4
- November 1
- December 6
- January 3 (2024)
- February 7 (2024)
- March 6 (2024)
- March 18 (2024)*

*Special Meeting (Organizational and CIP)

Policy Committee 2023-2024 (4PM)

- April 13
- May 11
- June 8
- July 13
- August 10
- September 14
- October 12
- November 9
- December 14
- January 11 (2024)
- February 8 (2024)**
- February 15 (2024)**
- February 22 (2024)**
- February 29 (2024)**
- March 14 (2024)

**CIP Meetings

DRC 2023-2024 (4PM)

- March 29
- April 19
- May 24
- June 21
- July 19
- August 23
- September 20
- October 18
- November 15
- December 13
- January 24 (2024)
- February 21 (2024)

Planning Commission 2024-2025 (6PM)

- April 3
- May 1
- May 28 Joint Work Session w/ BOS (1pm)
- June 5
- July 3
- August 7
- September 4
- October 2
- November 6
- December 4
- January 8 (2025)
- February 5 (2025)
- March 5 (2025)
- March 17 (2025)*

*Special Meeting (Organizational and CIP)

Policy Committee 2024-2025 (4PM)

- April 11
- May 9
- June 13
- July 11
- August 8
- September 12
- October 10
- November 14
- December 12
- January 16 (2025)
- February 13 (2025)**
- February 20 (2025)**
- February 27 (2025)**
- March 6 (2025)**
- March 13 (2025)

**CIP Meetings

DRC 2024-2025 (4PM)

- March 27
- April 17
- May 22
- June 12***
- July 24
- August 21
- September 18
- October 23
- November 20
- December 11
- January 22 (2025)
- February 19 (2025)

*** One week early due to Juneteenth Holiday

Planning Commission 2023-2024 Schedule

Meeting Dates	Application Deadline	APO/ Applicant Letters	Ad to the Press	Display Dates	Packet Published	1 st & 2 nd Proffer Deadlines
Mar 20**	Feb 6	Feb 22	Feb 24	Mar 1 & Mar 8	Mar 13	Feb 27 & Mar 6
Apr 5	Feb 22	Mar 15	Mar 17	Mar 22 & 29	Mar 29	Mar 15 & 22
May 3	Mar 22	Apr 12	Apr 14	Apr 19 & 26	Apr 26	Apr 12 & 19
June 7	Apr 26	May 17	May 19	May 24 & 31	May 31	May 17 & 24
July 5	May 24	June 14	June 16*	June 21 & 28	June 28	June 14 & 21
Aug 2	Jun 21	July 12	July 14	July 19 & 26	July 26	July 12 & 19
Sept 6	July 26	Aug 16	Aug 18	Aug 23 & 30	Aug 30	Aug 16 & 23
Oct 4	Aug 23	Sept 13	Sept 15	Sept 20 & 27	Sept 27	Sept 13 & 20
Nov 1	Sept 20	Oct 11	Oct 13	Oct 18 & 25	Oct 25	Oct 11 & 18
Dec 6	Oct 25	Nov 15	Nov 17	Nov 22 & 29	Nov 29	Nov 22 & 29
Jan 3 (2024)	Nov 15*	Dec 6*	Dec 8*	Dec 13* & 20*	Dec 20*	Dec 6* & 13*
Feb 7 (2024)	Dec 27	Jan 17	Jan 19	Jan 24 & 31	Jan 31	Jan 17 & 24
Mar 6 (2024)	Jan 24	Feb 14	Feb 16	Feb 21 & 28	Feb 28	Feb 14 & 21
Mar 18** (2024)	Feb 5	Feb 21	Feb 23	Feb 28 & Mar 6	Mar 11	Feb 26 & Mar 4

** Organizational meeting + CIP recommendation

* Early deadline for holiday

DRC 2023-2024		
Meeting Date	Application Deadline	Packet Published
Mar 29	Feb 22	Mar 22
Apr 19	Mar 15	Apr 12
May 24	Apr 19	May 17
June 21	May 17	June 14
July 19	June 14	July 12
Aug 23	July 19	Aug 16
Sept 20	Aug 16	Sept 13
Oct 18	Sept 13	Oct 11
Nov 15	Oct 11	Nov 8
Dec 13	Nov 8	Dec 6
Jan 24 (2024)	Dec 20	Jan 17
Feb 21 (2024)	Jan 17	Feb 14

Policy 2023-2024	
Meeting Date	Packet Published
Apr 13	Apr 6
May 11	May 4
June 8	June 1
July 13*	July 6
Aug 10	Aug 3
Sept 14	Sept 7
Oct 12	Oct 5
Nov 9	Nov 2
Dec 14	Dec 7
Jan 11 (2024)*	Jan 4
Feb 15 (2024)**	Feb 2†
Feb 22 (2024)**	Feb 16
Feb 29 (2024)**	Feb 23
Mar 7 (2024)**	Mar 1
Mar 14 (2024)	Mar 7

* Early internal review for holidays

** CIP Meetings

† Packet published early for 1st CIP mtg.