

**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**  
**April 5, 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 March 1, 2023, Regular Meeting
2. Minutes of the March 20, 2023, Meeting
3. Development Review Committee Action Item: C-23-0019. 3426 N. Riverside Drive Subdivision Exception Request

**F. PUBLIC HEARINGS**

1. SUP-23-0004. Chickahominy Riverfront Park Master Plan Amendment
2. SUP-23-0005. Jamestown Beach Event Park Master Plan Amendment
3. SUP-23-0006. Upper County Park Master Plan Amendment
4. SUP-23-0007. Warhill Sports Complex Master Plan Amendment
5. ORD-22-0004. Amendments to the Zoning Ordinance Regarding Community Recreation Facilities in Residential Districts
6. ORD-23-0001. Amendments to the Zoning Ordinance Regarding Vape and Smoke Shops
7. ORD-22-0003. Amendments for Calculation of Residential Development Density

**G. PLANNING COMMISSION CONSIDERATIONS**

**H. PLANNING DIRECTOR'S REPORT**

1. Planning Director's Report - April 2023

**I. PLANNING COMMISSION DISCUSSION AND REQUESTS**

**J. ADJOURNMENT**

**ITEM SUMMARY**

DATE: 4/5/2023  
TO: The Planning Commission  
FROM: Paul D. Holt, III, Secretary  
SUBJECT: Minutes of the March 1, 2023, Regular Meeting

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**ATTACHMENTS:**

	Description	Type
☐	Minutes of the March 1, 2023, Regular Meeting	Cover Memo

**REVIEWERS:**

Department	Reviewer	Action	Date
Planning Commission	Holt, Paul	Approved	3/9/2023 - 7:32 AM
Planning Commission	Holt, Paul	Approved	3/9/2023 - 7:32 AM
Publication Management	Pobiak, Amanda	Approved	3/9/2023 - 8:14 AM
Planning Commission	Holt, Paul	Approved	3/9/2023 - 8:15 AM

**MINUTES**  
**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**

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

**B. ROLL CALL**

**Planning Commissioners Present:**

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

**Planning Commissioners Absent:**

Rich Krapf

**Staff Present:**

Paul Holt, Director of Community Development and Planning  
Liz Parman, Deputy County Attorney  
Terry Costello, Senior Planner  
John Risinger, 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. Haldeman stated that the Policy Committee met four times in February.

Mr. Haldeman stated that the Policy Committee met on February 9, 2023, to continue consideration of potential Ordinance amendments related to community recreation facilities in residential districts.

Mr. Haldeman stated that after further discussion, the Committee determined that the matter was not a huge issue, that enforcement would be burdensome, and that there were better ways to manage the issue. Mr. Haldeman stated that in light of these factors, the Committee recommended that the Planning Commission make a recommendation to the Board of Supervisors not to pursue an Ordinance amendment until such time as the problem becomes more prevalent. Mr. Haldeman stated that preliminary Special Use Permit (SUP) conditions will be created for consideration in that event.

Mr. Haldeman stated that the Committee also held a discussion with staff on the applications for funds for the Fiscal Year (FY) 2024-2028 Capital Improvements Program (CIP) applications.

Based on questions from the Committee, staff was requested to make arrangements with various department representatives to attend the February 16 and 23, 2023, Policy Committee meetings.

Mr. Haldeman stated that the Committee met again on February 16, 2023, to continue review of the CIP applications with various department representatives present to answer questions about their respective applications. Mr. Haldeman stated that the Committee requested to meet with staff representatives for several other applications at its February 23, 2023, meeting.

Mr. Haldeman stated that at its Regular Meeting on February 23, 2023, the Committee continued its review of 32 CIP applications. Mr. Haldeman stated that the Committee unanimously recommended priority rankings with the top 10 projects being:

- Stormwater Capital Improvement Program
- Fire Station 3 Replacement
- Transportation Match
- Lower County Park
- New Grove Area Library
- Human Services Center Renovations
- Open Space Match
- Grove Convenience Center
- Pre-K Space
- Warhill Sports, Softball/Baseball Complex

Mr. Haldeman further stated that the Committee also made the following recommendations outside of the applications:

- Add Fire Station 6 to the five-year CIP, based on its high rankings in earlier CIP evaluations and a need based on population growth. Staffing and equipment is now in place.
- Consolidate projects where feasible and where marshaling costs or scale efficiencies yield savings. Possibilities are paving projects at Chickahominy Riverfront Park and combining Pocahontas Trail and Blow Flats Road improvements.

Mr. Haldeman stated that the Committee also met at 2:30 p.m. on February 23, 2023, for a special meeting to continue the discussion on residential density calculations following up on its January 12, 2023, meeting, additional guidance from the Board of Supervisors at its January 24, 2023, Business Meeting, and review of staff's draft of amended changes to the Zoning Ordinance.

Mr. Haldeman stated that residential and mixed districts treat density calculations differently, and the Committee discussed and made recommendations for each separately.

- A-1 and R-8 Districts use density calculations, relying instead on lot size to determine density. The Committee recommends by a 2-1 vote that it stay that way.
- R-6 District uses density calculations, relying instead on lot size to determine density. The Committee unanimously recommends that it stay that way.
- R-1, Limited Residential, R-2, General Residential, R-3, Residential Redevelopment, R-4, Residential Planned Community, R-5, Multifamily Residential, and PUD, Planned Unit Development, and Residential Cluster Development Overlay

District use a stepped approach to calculate density. The Committee recommends by a 2-1 vote that the calculation should be changed to net density; however, this will be inconsistent with the gross density stipulated in the Low Density Residential (LDR) and Moderate Density Residential (MDR) Districts of the Comprehensive Plan.

- Mixed Use Districts currently use the stepped approach. The Committee recommends by a 2-1 vote that the calculation should be changed to net density. Economic Opportunity Districts currently requires that density based only on developable area - effectively a net density calculation. No changes are recommended.

Mr. Haldeman stated that the Committee believes that the draft amendments to the Zoning Ordinance meet the intent of the Board of Supervisors' Initiating Resolution.

Mr. Haldeman stated that the Committee discussed providing offsets to affected property owners but made no recommendation on the subject.

Ms. Null stated that the Development Review Committee (DRC) met on February 15, 2023, to consider SP-22-0051. Ironbound Crossing Wawa and Church Parking and SP-22-0089. Chickahominy Riverfront Park RV Storage Lot.

Ms. Null stated that SP-22-0051. Ironbound Crossing Wawa and Church Parking was before the DRC to appeal the Planning Director's determination regarding the required landscape edge consisting of a structural site element such as fencing or a wall or combination, or the equivalent as stated in the adopted design guidelines. Ms. Null stated that the applicant has provided a row of hedges to create a landscape edge. Ms. Null further stated that the Planning Director determined that hedges did not meet the intent of the design guidelines therefore, the applicant appealed that decision to the DRC.

Ms. Null stated that Mr. Mark Rinaldi, Applicant, provided a brief background of the parcel and the applicant's intent of the design guidelines and that it was not the intent to restrict the landscape edge to just a wall or fence and that hedges met this requirement. Ms. Null noted that the applicant believed that due to the numerous easements along the property lines of Ironbound Road and Old Ironbound Road, there would not be sufficient space for a fence or wall to be provided.

Ms. Null stated that the DRC had a brief discussion regarding how hedges could meet the intent of the design guidelines.

Ms. Null stated that the DRC voted 3-1 to approve the applicant's appeal of the Planning Director's determination and allow for the use of hedges within the landscape edge.

Ms. Null stated that SP-22-0089. Chickahominy Riverfront Park RV Storage Lot was before the DRC for a determination of Master Plan consistency and approval of the proposed tree clearing. Ms. Null stated that staff determined that the RV and boat storage lot is not generally consistent with the Master Plan and *Shaping Our Shores* report referenced in the currently adopted SUP; however, staff does find that the proposal would be consistent with the 2020 *Shaping Our Shores* updated Master Plan adopted by the Board as a guidance document for development of the Park, and the pending SUP application which is currently under review and includes an updated 2023 Master Plan.

Ms. Null stated that the DRC held a brief discussion on the proposed changes and the economic benefit to the County. Ms. Null stated that the DRC voted 4-0 to find the proposed changes generally consistent with the Master Plan and approve the proposed tree clearing.

## **E. CONSENT AGENDA**

1. Minutes of the February 1, 2023, Regular Meeting  
Mr. Haldeman made a motion to approve the Consent Agenda.  
On a voice vote, the Commission approved the Consent Agenda. (6-0)
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

A motion to Approve w/ Conditions was made by Jack Haldeman, the motion result was Passed.

AYES: 6 NAYS: 0 ABSTAIN: 0 ABSENT: 1

Ayes: Haldeman, Null, O'Connor, Polster, Rodgers, Rose

Absent: Krapf

Ms. Terry Costello, Senior Planner, stated that Ms. Emily Martel has applied for an SUP to allow for the short-term rental of a four-bedroom, single-family home located at 2886 Lake Powell Road. Ms. Costello stated that the property is zoned R-2, General Residential, is designated Low Density Residential on the Comprehensive Plan Land Use Map and is located inside the Primary Service Area, and is served by public water and sewer. Ms. Costello stated that if granted, this SUP would allow for short-term rentals throughout the year. No changes to the footprint of the home are proposed.

Ms. Costello stated that staff finds some favorable factors for this application, such as the presence of adequate off-street parking and that the owner will live on-site. Ms. Costello further stated that staff finds the proposed use will not negatively impact levels of service for roads and other public services.

Ms. Costello stated that staff finds the proposal to be incompatible with surrounding development and not consistent with the recommendations for short-term rentals in the 2045 Comprehensive Plan; therefore, staff does not recommend approval of this application. Ms. Costello stated that should the Planning Commission wish to recommend approval, staff has included proposed conditions for consideration.

Mr. Rodgers inquired if the major collector road and a major road are the same.

Ms. Costello stated that the major collector road designation is given by the Virginia Department of Transportation and that the County does count a major collector road as a major road. Ms. Costello noted that the property fronts on Lake Powell Road which is a major collector; however, access is taken from a private road.

Mr. Haldeman inquired if the unfavorable factor is that it is not on a property designated Rural Lands.

Ms. Costello stated that the unfavorable factor is that it does not meet all of the performance standards recommended in the Comprehensive Plan.

Mr. Haldeman inquired if the property was within a platted subdivision.

Ms. Costello stated that the parcel is not within a platted subdivision. Ms. Costello stated that the only unfavorable factor is that the property is not designated Rural Lands.

Mr. O'Connor opened the Public Hearing.

Ms. Emily Martel, 2886 Lake Powell Road, Applicant, addressed the Commission in support of the application. Ms. Martel noted that she was agreeable to all the SUP conditions.

Ms. Lisa Waltrip, 2868 Lake Powell Road, addressed the Commission in support of the application.

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. Polster asked for clarification about the property's status of tourist home or rental of rooms and being an Airbnb.

Ms. Costello stated that Airbnb is a platform that is used to advertise and book rental properties. Ms. Costello further stated that the County has two types of short-term rentals. Ms. Costello stated that one is Rental of Rooms which applies to short-term rental situations where the caretaker will be present and living in the home during the time of rentals, to a maximum of three bedrooms and the other Tourist Home which applies if a caretaker will be present during the time of rentals but would like to rent more than three bedrooms to a maximum of five. Ms. Costello stated that it is also considered a tourist home if the caretaker will live off-site and rent out the entire home with any number of bedrooms to a maximum of five bedrooms. Ms. Costello stated that this application would fall under Rental of Rooms.

Mr. Polster inquired if this particular property had been subject to a legislative application previously.

Ms. Costello stated that this was the first application for the property.

Mr. Haldeman made a motion to recommend approval of the application subject to the proposed conditions.

On a roll call vote, the Commission voted to recommend approval of SUP-23-0001. 2886 Lake Powell Road Rental of Rooms. (6-0)

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

A motion to Approve w/ Conditions was made by Frank Polster, the motion result was Passed.

AYES: 6 NAYS: 0 ABSTAIN: 0 ABSENT: 1

Ayes: Haldeman, Null, O'Connor, Polster, Rodgers, Rose

Absent: Krapf

Mr. John Risinger, Senior Planner, stated that 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 Agricultural and Forestal District (AFD). Mr. Risinger stated that the parcel is zoned A-1, General Agricultural, and designated Rural Lands on the 2045 Comprehensive Plan Land Use Map. Mr. Risinger stated that the parcel is located within one mile of the core

of the AFD and is contiguous with other parcels currently in the District. Mr. Risinger stated that the parcel is currently an undeveloped, wooded lot. Mr. Risinger noted that currently the property is used for recreation and there are no plans for future development. Mr. Risinger stated that the property was timbered approximately 15 years ago and may be timbered again once the current stand of timber matures.

Mr. Risinger stated that at its January 19, 2023, meeting the AFD Advisory Committee recommended approval of the application by a vote of 7-0.

Mr. Risinger stated that staff finds this application to be consistent with both the Rural Lands designation and the Comprehensive Plan Land Use Action 6.1.1. Mr. Risinger further stated that staff finds that the proposed addition meets all state and local requirements for inclusion in the Mill Creek AFD and recommends that the Planning Commission recommend approval of the proposed addition to the Board of Supervisors.

Mr. O'Connor opened the Public Hearing.

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

Mr. Polster made a motion to recommend approval of the AFD addition.

On a roll call vote, the Commission voted to recommend approval of AFD-22-0018. 278 Ivy Hill Road Mill Creek AFD Addition. (6-0)

## **G. PLANNING COMMISSION CONSIDERATIONS**

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

Mr. Holt stated that the Planning Commission and Board of Zoning Appeals (BZA) 2022 Annual Report which summarizes the work of the Commission and the BZA has been included in the Agenda materials for the Commission's consideration.

Mr. Holt requested a motion to accept the Annual Report. Mr. Holt noted that once the BZA considers the Annual Report, it will be forwarded to the Board of Supervisors.

Mr. Polster stated that he appreciated how the Annual Report was formatted with highlights to show what was accomplished. Mr. Polster stated that this was helpful to see the linkage to the Comprehensive Plan Goals, Strategies and Actions.

Mr. O'Connor stated that he wanted to highlight the efforts that went into the Natural and Cultural Assets Mapping and Plan. Mr. O'Connor expressed appreciation of staff's efforts.

Mr. Haldeman made a motion to accept the Annual Report.

On a voice vote, the Commission voted to accept the Planning Commission and Board of Zoning Appeals 2022 Annual Report. (6-0)

## **H. PLANNING DIRECTOR'S REPORT**

### **1. Planning Director's Report - March 2023**

Mr. Holt stated that he did not have anything in addition to what was provided in the Agenda materials.

2. Draft Calendar for 2023/2024

Mr. Holt stated that a draft calendar has been included so that the Commission can propose changes in advance of the Organizational Meeting on March 20, 2023. Mr. Holt suggested that the Commission move the start time for the Policy Committee to 3 p.m. to allow more time for consideration of upcoming Ordinance amendments. Mr. Holt further suggested that the Commission change its start time to 5 p.m. to be consistent with other Boards and Commissions.

The Commission discussed the calendar and concurred with having the Policy Committee meetings begin at 3 p.m.; however, the Commission determined that it did not support changing its start time due to the impact on the ability for applicants and citizens to attend and participate in the public hearings.

**I. PLANNING COMMISSION DISCUSSION AND REQUESTS**

The Commission and Mr. Holt held a brief discussion about Board of Supervisors coverage. Mr. Holt noted that he would follow up with the Commission.

**J. ADJOURNMENT**

Mr. Haldeman made a motion to adjourn to March 20, 2023.

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

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Paul D. Holt, III, Secretary

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Tim O'Connor, Chairman

**ITEM SUMMARY**

DATE: 4/5/2023  
TO: The Planning Commission  
FROM: Paul D. Holt, III, Secretary  
SUBJECT: Minutes of the March 20, 2023, Meeting

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Minutes of the March 20, 2023, Meeting

**ATTACHMENTS:**

	Description	Type
☐	Minutes of the March 20, 2023, Meeting	Minutes

**REVIEWERS:**

Department	Reviewer	Action	Date
Planning Commission	Holt, Paul	Approved	3/27/2023 - 12:07 PM
Planning Commission	Holt, Paul	Approved	3/27/2023 - 12:08 PM
Publication Management	Daniel, Martha	Approved	3/27/2023 - 12:11 PM
Planning Commission	Holt, Paul	Approved	3/27/2023 - 12:18 PM

**A G E N D A**  
**JAMES CITY COUNTY PLANNING COMMISSION**  
**SPECIAL MEETING**  
**County Government Center Board Room**  
**101 Mounts Bay Road, Williamsburg, VA 23185**  
**March 20, 2023**  
**6:00 PM**

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**A. CALL TO ORDER**

Mr. Frank Polster called the meeting to order at 6 p.m.

**B. ROLL CALL**

**Planning Commissioners Present:**

Jack Haldeman  
Rich Krapf  
Frank Polster  
Rob Rose  
Barbara Null  
Stephen Rodgers

**Planning Commissioners Absent:**

Tim O'Connor

**Staff Present:**

Paul Holt, Director of Community Development and Planning  
Terry Costello, Senior Planner

**C. ANNUAL ORGANIZATION MEETING**

1. Election of Officers

Mr. Polster called for nomination for Chair.

Mr. Krapf nominated Mr. Polster.

There were no other nominations for Chair.

On a voice vote, the Commission elected Mr. Polster as Chair. (6-0)

Mr. Polster called for nominations for Vice Chair.

Mr. Polster nominated Dr. Rose for Vice Chair.

There were no other nominations for Vice Chair.

On a voice vote, the Commission elected Dr. Rose as Vice Chair. (6-0)

2. Proposed Calendar for 2023-2024

Mr. Polster noted that the Commission had discussed the calendar at its March 1, 2023, Regular Meeting.

Mr. Polster made a motion to adopt the Calendar for 2023-2024.

On a voice vote, the Commission adopted the Calendar for 2023-2024. (6-0)

**D. PUBLIC COMMENT**

Mr. Polster opened Public Comment.

As no one wished to speak, Mr. Polster closed Public Comment.

**E. PUBLIC HEARING**

1. Fiscal Year 2024-2028 Capital Improvements Program

A motion to Approve w/ Conditions was made by Rich Krapf, the motion result was Passed. AYES: 6 NAYS: 0 ABSTAIN: 0 ABSENT: 1

Ayes: Haldeman, Krapf, Null, Polster, Rodgers, Rose

Absent: O'Connor

Ms. Terry Costello, Senior Planner, stated that after a series of meetings to discuss and evaluate this year's Capital Improvements Program (CIP) requests, the Policy Committee is forwarding its recommendations for the Fiscal Year (FY) 2024-2028 CIP for the Planning Commission's consideration.

Ms. Costello stated that this year, a total of 32 projects were submitted: 24 from County departments, four from the Williamsburg Regional Library (WRL), and four from the Williamsburg-James City County (WJCC) Schools. Of the 32 projects submitted, 17 County projects, three WRL, and three WJCC Schools projects were included in the previous CIP budget.

Ms. Costello stated that Policy Committee members used a standardized set of ranking criteria to prioritize each application. Ms. Costello stated that the criteria is provided in the Agenda materials for reference. Ms. Costello further stated that the scores

generated by individual Committee members were then averaged and standardized through a Z-score process to produce a prioritized list.

Ms. Costello stated that a list of the Policy Committee's final project rankings in order of

priority has been provided in the Agenda materials for consideration. Ms. Costello stated that at its meeting on February 23, 2023, the Committee voted unanimously to forward the following list of priorities to serve as a recommendation to the Planning Commission and Board of Supervisors:

1. Stormwater Capital Improvements Program
2. Fire Station 3 Replacement
3. Transportation Match
4. Lower County Park
5. New Grove Area Library
6. Human Services Center Renovations
7. Open Space Match
8. Grove Convenience Center
9. Pre-K Space
10. Warhill Softball/Baseball Complex
11. Brickyard Landing Improvements
12. Consolidated County Campus
13. Warhill Sports Complex Multiuse Field Expansion
14. General Services Administration Building
15. James City County Marina Parking Area
16. Business Ready Sites Program
17. Chickahominy Park Paddlecraft Area
18. Jamestown Beach Event Park Improvements
19. FY24 Firing Range Expansion
20. Upper County Park Splash Pad
21. Veterans Park Phase 2 Improvements
22. Chickahominy Riverfront Park Multiuse Trail
23. Jamestown High School Cafeteria School Expansion
24. Lafayette High School Renovations
25. Freedom Park Phase IV - Active Recreation Facilities
26. James City County Library Theatre
27. Greensprings Interpretive Trail Restrooms
28. Warhill Sports Complex Connector Road
29. Skate Park
30. James City County Library Playground
31. Centralized Storage Facility
32. New James City County Library and Community Theatre/New Joint Library

Ms. Costello stated that staff recommends that the Planning Commission recommend approval of these priorities to the Board of Supervisors for consideration during the budget process.

Mr. Polster opened the Public Hearing.

As no one wished to speak, Mr. Polster closed the Public Hearing.

Mr. Polster opened the floor for discussion by the Commission.

Mr. Polster stated that Fire Station 6 to be located in the Upper County, was on the CIP project list for the two previous CIP cycles with priority rankings of three and six; however, it was not on the current CIP project list. Mr. Polster further stated that he believes it is important that the Commission recommend to the Board of Supervisors that it be included in the FY 2024-2028 CIP project list. Mr. Polster further noted that the Board of Supervisors has already approved the salaries for staffing the facility.

Mr. Polster stated that currently it is anticipated that the level of service would be approximately 1,000 calls per year. Mr. Polster noted that residents in the Upper County pay higher insurance premiums because there is no fire station in the area.

Mr. Haldeman stated that there was a second recommendation from the Policy Committee which was consolidate projects where feasible and where marshalling costs or scale efficiencies would yield savings. Mr. Haldeman stated that possibilities, as example, are paving projects at Chickahominy Riverfront Park and at the Marina, and road improvements on Pocahontas Trail and Blow Flats Road.

Mr. Krapf made a motion to forward the list of project rankings with the addition recommendations to the Board of Supervisors.

On a roll call vote, the Commission voted to forward the list of project rankings with the addition recommendations to the Board of Supervisors. (6-0)

## **F. PLANNING COMMISSION DISCUSSION AND REQUESTS**

Mr. Polster stated that he would represent the Commission at the April Board of Supervisors meeting. Mr. Polster further stated that he would coordinate with the Commission members to develop the schedule for the Board of Supervisors coverage.

Mr. Haldeman expressed thanks for Mr. O'Connor's service to the Commission as Chairman over the past year.

**G. ADJOURNMENT**

Mr. Haldeman made a motion to adjourn to the April 5, 2023, Regular Meeting. The meeting was adjourned at approximately 6:13 p.m.

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Paul D. Holt, III, Secretary

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Frank Polster, Vice Chair

ITEM SUMMARY

DATE: 4/5/2023

TO: The Planning Commission

FROM: Thomas Wysong, Senior Planner

SUBJECT: Development Review Committee Action Item: C-23-0019. 3426 N. Riverside Drive Subdivision Exception Request

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Mr. Chase Grogg, Landtech Resources, Inc. has submitted a request for an exception to Section 19-17 (4) of the James City County Subdivision Ordinance, which requires septic tank drainfields to be located on the lot they serve.

Reason for DRC Review: Section 19-17 (4) of the Subdivision Ordinance requires that all lots have an on-site sewage disposal system (i.e., septic tank) and water source. The applicant is proposing to subdivide the reference property and is unable to locate septic tanks on the proposed lots. The applicant's proposal is to locate the sewage disposal systems for all three lots on one lot, which is located at the rear of the proposed subdivision.

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

At the March 29, 2023, DRC meeting, a motion was made to recommend approval of the exception with the condition that the Virginia Department of Health approve the septic system design. The motion did not pass by a vote of 1-2-1.

**REVIEWERS:**

Department	Reviewer	Action	Date
Planning Commission	Holt, Paul	Approved	3/29/2023 - 9:58 AM
Planning Commission	Holt, Paul	Approved	3/29/2023 - 9:58 AM
Publication Management	Daniel, Martha	Approved	3/29/2023 - 10:00 AM
Planning Commission	Holt, Paul	Approved	3/29/2023 - 10:05 AM

**ITEM SUMMARY**

DATE: 4/5/2023

TO: The Planning Commission

FROM: Suzanne Yeats, Planner

SUBJECT: SUP-23-0004. Chickahominy Riverfront Park Master Plan Amendment

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**ATTACHMENTS:**

	Description	Type
☐	Staff Report	Staff Report
☐	1. Proposed Conditions	Backup Material
☐	2. Location Map	Exhibit
☐	3. Applicant Narrative	Backup Material
☐	4. 2023 Master Plan	Backup Material
☐	5. Resolution Adoption of the Shaping Our Shores Master Plan	Backup Material
☐	6. SUP-0014-2009 Resolution	Backup Material
☐	7. 2020 Master Plan	Backup Material
☐	8. Traffic Memorandum Revised October 29, 2021	Backup Material
☐	9. Resolution: 15.2-2232 Consistency Determination	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Planning Commission	Holt, Paul	Approved	3/30/2023 - 8:28 AM
Planning Commission	Holt, Paul	Approved	3/30/2023 - 8:29 AM
Publication Management	Daniel, Martha	Approved	3/30/2023 - 8:46 AM
Planning Commission	Holt, Paul	Approved	3/30/2023 - 8:47 AM

**SPECIAL USE PERMIT-23-0004. Chickahominy Riverfront Park Master Plan and SUP Amendment  
Staff Report for the April 5, 2023, Planning Commission Public Hearing**

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**SUMMARY FACTS**

Applicant: Mr. Alister Perkinson, Parks Administrator,  
Parks & Recreation Department

Landowner: James City County

Proposal: A request to amend Case No. Special Use Permit (SUP)-0014-2009 and Master Plan “Figure 4-2: Master Plan - Chickahominy Riverfront Park,” to include, but not be limited to, removing camping and RV camping areas and adding a long-term RV and boat storage area and a future James City Service Authority (JCSA) water treatment plant area on the eastern side of the park; realigning internal roadways and removing a second entrance on Route 5; and adding and relocating rowing and boat launch facilities. The proposed SUP amendment is designed to ensure consistency with the currently adopted Park Master Plan.

Location: 1350 John Tyler Highway

Tax Map/Parcel No.: 3430100002

Property Acreage: +/- 139.42 acres

Zoning: PL, Public Lands

Comprehensive Plan: Community Character Conservation, Open Space, or Recreation

Primary Service Area: Outside

Staff Contact: Suzanne Yeats, Planner

**PUBLIC HEARING DATES**

Planning Commission: April 5, 2023, 6:00 p.m.

Board of Supervisors: May 9, 2023, 5:00 p.m. (tentative)

**FACTORS FAVORABLE**

1. The proposal is compatible with surrounding zoning and development.
2. Staff finds the proposal consistent with *Our County, Our Shared Future: James City County 2045 Comprehensive Plan*.
3. On July 28, 2020, the Board of Supervisors adopted a resolution in support of the 2020 *Shaping Our Shores* Master Plan for Jamestown Beach Campground, Jamestown Yacht Basin, and Chickahominy Riverfront Park. Staff finds the current SUP application consistent with the Board adopted resolution.
4. Impacts: See Impact Analysis on Pages 4-5.

**FACTORS UNFAVORABLE**

1. With the attached SUP conditions, staff finds that there are no unfavorable factors.

**SUMMARY STAFF RECOMMENDATION**

Staff recommends the Planning Commission recommend approval of this application to the Board of Supervisors, subject to the proposed conditions. Staff also recommends that the Planning Commission find this application consistent with Section 15.2-2232 of the Code of Virginia.

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*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-23-0004. Chickahominy Riverfront Park Master Plan and SUP Amendment  
Staff Report for the April 5, 2023, Planning Commission Public Hearing**

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**PLANNING AND ZONING HISTORY**

- On June 9, 2009, the Board of Supervisors adopted a resolution in support of the 2009 *Shaping Our Shores* Master Plan for Jamestown Beach Campground, Jamestown Yacht Basin, and Chickahominy Riverfront Park (Attachment No. 5). The *Shaping Our Shores* Master Plan included both Master Plan drawings and a narrative report document with background information and guidance.
- On November 10, 2009, the Board of Supervisors approved Case No. SUP-0014-2009 (Attachment No. 6) for the Chickahominy Riverfront Park. This allowed the development of the site as a recreational complex.
- On June 20, 2018, staff presented to the Development Review Committee (DRC) Conceptual Plan C-0038-2018 and sought a review for a proposal for an additional boathouse and RV and boat storage. The proposal included an RV and boat storage approximately 56,000 square feet (1.29 acres) capable of storing up to 50 large RVs and/or boats. A motion was made to approve the proposal which subsequently passed 5-0.
- On November 20, 2019, staff presented to the DRC Site Plan amendment SP-19-0101 and sought a review requiring the DRC approval due to the removal of trees as required by the SUP conditions. A motion was made to approve the proposal which subsequently passed 4-0.
- On July 28, 2020, the Board of Supervisors adopted a resolution in support of the 2020 *Shaping Our Shores* Master Plan for Jamestown Beach Campground, Jamestown Yacht Basin, and Chickahominy Riverfront Park (Attachment No. 7).

**PROJECT DESCRIPTION**

Mr. Alister Perkinson, Parks Administrator for the Parks & Recreation Department, has submitted a request to amend Case No. SUP-0014-2009 to formally update the Park's SUP to match the 2020 *Shaping Our Shores* Master Plan. This SUP application includes an updated "Master Plan Chickahominy Riverfront Park January 2023" (Attachment No. 4). Note that there are some pertinent differences between improvements made to the park from years 2009 through 2020 versus improvements made to the 2020 Master Plan and additional revisions made to the this proposed 2023 Master Plan. Below lists the improvements and/or adjustments made during each master plan revision:

Improvements to Chickahominy Riverfront Park since 2009:

- *Resurfacing the pool;*
- *Paving and improvements to the recreation vehicle loop;*
- *Replacing the water main;*
- *Removal of a smaller pool;*
- *Addition of the splash pad; and*
- *Addition of the William & Mary Boathouse.*

Master Plan Chickahominy Riverfront Park Sept. 2020 (additions to or removal of proposed improvements):

- *Add the proposed JCSA Water Treatment Plant (V);*

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*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-23-0004. Chickahominy Riverfront Park Master Plan and SUP Amendment  
Staff Report for the April 5, 2023, Planning Commission Public Hearing**

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- *Relocate long-term RV and boat storage to eastern side of the park (R);*
- *Removal of second entrance (southeast quadrant);*
- *Addition of camper amenities to include propane filling station (Y), laundry rooms (B), picnic and outdoor recreation area (S), bath houses (B,) and a relocated pump-out station (W); and*
- *Addition of second rowing building due to increased interest and growth of the sport (C).*

Master Plan Chickahominy Riverfront Park March 2023 (additions to or removal of proposed improvements):

- *Relocated RV/boat storage to the west of the pond (R);*
- *Realign internal roadways to match current conditions throughout the park;*
- *Identified a future drainfield site that would serve the pool and picnic shelter area (D1);*
- *Change verbiage for location “I” to: pool, splash pad, and concessions; and*
- *Prominently Identify the 150-foot right-of-way buffer (Green strip).*

Traffic Analysis

A Traffic Analysis was prepared by the Timmons Group dated July 31, 2021, and revised on October 29, 2021, for the Chickahominy Riverfront Park Master Plan update (Attachment No. 8). Based on the

analysis, the following conclusions and recommendations were offered:

1. No improvements are required at the site entrance to Chickahominy Riverfront Park from a capacity or queuing standpoint. Under existing and future traffic conditions, all movements operate at Level of Service B or better with no queuing concerns.
2. A right-turn taper on westbound John Tyler Highway is warranted under existing conditions at the site entrance. Modifying the striping will meet the need here.
3. Should traffic along John Tyler Highway increase at 2% per year, a right-turn lane on westbound John Tyler Highway will be warranted at the site entrance.

A left-turn lane on eastbound John Tyler Highway is not warranted at the site entrance under existing or future traffic conditions.

These recommendations for traffic improvements are included in the proposed SUP conditions (Attachment No. 1).

**SURROUNDING ZONING AND DEVELOPMENT**

- North of the project site is Gordon Creek including land zoned A-1, General Agricultural.
- East of the project site includes vacant or single-family residential properties which are zoned A-1, General Agricultural.
- South of the project site includes vacant or single-family residential properties which are zoned A-1, General Agricultural.
- West of the project lies the Chickahominy River.

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**SPECIAL USE PERMIT-23-0004. Chickahominy Riverfront Park Master Plan and SUP Amendment  
Staff Report for the April 5, 2023, Planning Commission Public Hearing**

<b>Impacts/Potentially Unfavorable Conditions</b>	<b>Status</b> <i>(No Mitigation Required/Mitigated/Not Fully Mitigated)</i>	<b>Considerations/Proposed Mitigation of Potentially Unfavorable Conditions</b>
<u>Public Transportation: Vehicular</u>	<u>Mitigated</u>	<ul style="list-style-type: none"> <li>• Condition No. 7: Within 12 months of approval of this SUP, the westbound right-turn lane on John Tyler Highway shall be restriped to a right-turn taper, as approved by the Virginia Department of Transportation (VDOT).</li> <li>• Condition No. 8: A Traffic Impact Analysis shall be submitted to the County within five (5) years of approval of this SUP amendment, or at such time where a traffic study is required by VDOT to determine the need of a full right-turn lane on westbound John Tyler Highway at the site entrance. The Director of Planning shall have the authority to delay this requirement beyond the five (5)-year time period if traffic counts maintain a traffic growth rate of less than 2% per annum.</li> <li>• Staff finds that traffic impacts from this proposal are mitigated.</li> </ul>
<u>Public Transportation: Bicycle/Pedestrian</u>	<u>No Mitigation Required</u>	<ul style="list-style-type: none"> <li>• Per the Adopted Regional Bikeways Map and Pedestrian Accommodations Master Plan, multiuse paths are required along John Tyler Highway; this requirement has been fulfilled.</li> </ul>
<u>Public Safety</u>	<u>No Mitigation Required</u>	<ul style="list-style-type: none"> <li>• Fire Station 3 on John Tyler Highway serves this area of the County, approximately 7.8 miles from the proposed Facility.</li> </ul>
<u>Public Schools</u>	<u>No Mitigation Required</u>	<ul style="list-style-type: none"> <li>• N/A since no residential dwelling units are proposed.</li> </ul>
<u>Public Parks and Recreation</u>	<u>No Mitigation Required</u>	<ul style="list-style-type: none"> <li>• N/A since no residential dwelling units are proposed.</li> </ul>
<u>Public Libraries and Cultural Centers</u>	<u>No Mitigation Required</u>	<ul style="list-style-type: none"> <li>• Staff finds that this project does not generate impacts that require mitigation.</li> </ul>
<u>Groundwater and Drinking Water Resources</u>	<u>Mitigated</u>	<ul style="list-style-type: none"> <li>• Staff finds that this project does not generate impacts that require mitigation.</li> </ul>

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**SPECIAL USE PERMIT-23-0004. Chickahominy Riverfront Park Master Plan and SUP Amendment  
Staff Report for the April 5, 2023, Planning Commission Public Hearing**

<b>Impacts/Potentially Unfavorable Conditions</b>	<b>Status</b> <i>(No Mitigation Required/Mitigated/Not Fully Mitigated)</i>	<b>Considerations/Proposed Mitigation of Potentially Unfavorable Conditions</b>
<u>Watersheds, Streams, and Reservoirs</u> Project is located in the Skiffes Creek Watershed and Skiffes Creek Reservoir.	<u>Mitigated</u>	<ul style="list-style-type: none"> <li>• Condition No. 2: A soil feasibility study to determine appropriate areas for septic drainfields shall be submitted to the Virginia Department of Health for review and approval prior to any new development on the Property.</li> <li>• Condition No. 6: Development of areas within the Property shall adhere to approved master Stormwater Management (“SWM”) Plan SWM-23-0003. Substantive deviations from this approved master plan must be approved by the Director of Stormwater and Resource Protection. All development of the Property must adhere to the approved SWM Plan.</li> </ul>
<u>Cultural/Historic</u>	<u>Mitigated</u>	<ul style="list-style-type: none"> <li>• Staff finds that this project does not generate impacts that require mitigation.</li> </ul>
<u>Nearby and Surrounding Properties</u>	<u>Mitigated</u>	<ul style="list-style-type: none"> <li>• Condition No. 4: All outdoor speakers used on the Property shall be oriented generally towards the interior of the Properties and away from exterior property lines.</li> </ul>
<u>Community Character</u>	<u>Mitigated</u>	<ul style="list-style-type: none"> <li>• Condition No. 3: A 150-foot buffer shall be maintained along John Tyler Highway. This buffer shall remain undisturbed with the exception of breaks for roadways and pedestrian connections, utilities, walking, hiking, and biking trails, and other uses specifically approved by the Director of Planning and the DRC.</li> <li>• Condition No. 5: Tree clearing on the Property shall be limited to the minimum necessary to accommodate the proposed infrastructure improvements; recreational uses shown on the Master Plan; and related driveways, entrance improvements, and facilities as determined by the Director of Planning or his designee.</li> </ul>
<u>Covenants and Restrictions</u>	<u>No Mitigation Required</u>	<ul style="list-style-type: none"> <li>• The applicant has verified that he is not aware of any covenants or restrictions on the property that prohibit the proposed use.</li> </ul>

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**SPECIAL USE PERMIT-23-0004. Chickahominy Riverfront Park Master Plan and SUP Amendment  
Staff Report for the April 5, 2023, Planning Commission Public Hearing**

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**2045 COMPREHENSIVE PLAN**

In the *Our County, Our Shared Future: James City County 2045 Comprehensive Plan* Comprehensive Plan Land Use Map, the Chickahominy Riverfront Park is designated as Community Character Conservation, Open Space, or Recreation (CCOR). The 2045 Comprehensive Plan states that properties designated CCOR contribute to the rural, historic, or scenic character of the County and include areas used for recreation, historical or cultural resources, or open space. Staff finds that the proposed improvements to Chickahominy Riverfront Park are consistent with these designations.

John Tyler Highway is listed as Wooded in the 2045 Comprehensive Plan Land Use Map. Staff finds that the 150-foot right-of-way buffer and the location of most proposed improvements within the park away from the right-of-way will help preserve the character of this corridor.

Surrounding Comprehensive Plan designations include Rural Lands to the north, east, and south. The Chickahominy River lies to the west.

**FINDING OF CONSISTENCY**

Section 15.2-2232 of the Code of Virginia states, in part, that no public park facility be allowed unless the Planning Commission finds the location of the park “substantially” consistent with the adopted Comprehensive Plan. As previously stated, in the *Our County, Our Shared Future: James City County 2045 Comprehensive Plan* Comprehensive Plan Land Use Map, the Chickahominy Riverfront Park is designated as Community Character Conservation, Open Space, or Recreation (CCOR). Also, staff finds this proposal consistent with the Comprehensive Plan since the Park will serve the County and region as a whole and because it is a public facility (i.e., owned and operated by James City County). For the Commission’s

consideration, a consistency determination resolution is included as Attachment No. 9.

**PROPOSED SUP CONDITIONS**

Proposed conditions are provided as Attachment No. 1.

**STAFF RECOMMENDATION**

Staff finds the proposal to be compatible with surrounding zoning and development and consistent with *Our County, Our Shared Future: James City County 2045 Comprehensive Plan*.

Staff recommends that the Planning Commission recommend approval of this application to the Board of Supervisors, subject to the proposed conditions. Staff also recommends that the Planning Commission find this application consistent with Section 15.2-2232 of the Code of Virginia.

SY/md  
SUP23-4CRPMPInAmd

Attachments:

1. Proposed Conditions
2. Location Map
3. Applicant Narrative
4. 2023 Master Plan
5. Resolution: Adoption of the *Shaping Our Shores* Master Plan
6. SUP-0014-2009 Resolution
7. 2020 Master Plan
8. Traffic Memorandum Revised October 29, 2021
9. Resolution: 15.2-2232 Consistency Determination

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PROPOSED CONDITIONS FOR CASE NO. SUP-23-0004. CHICKAHOMINY RIVERFRONT PARK

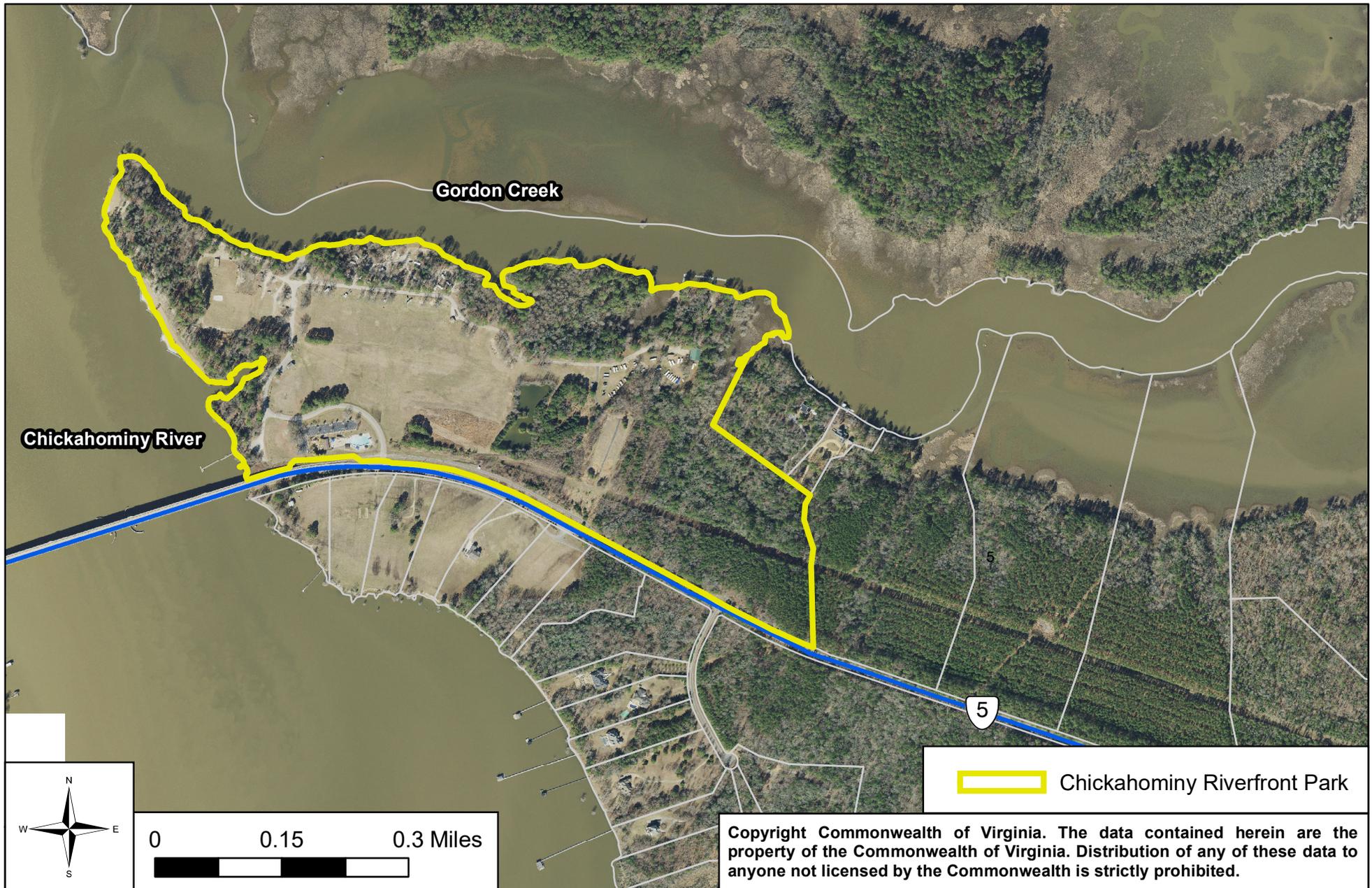
MASTER PLAN AMENDMENT

1. Master Plan and Use. This Special Use Permit (the “SUP”) shall be valid for the Chickahominy Riverfront Park facility (the “Project”). The Project is located at 1350 John Tyler Highway, further identified as James City County Real Estate Tax Map No. 3430100002 (collectively, the “Property”). Development of the Property shall be completed in accordance with the “Chickahominy Riverfront Park Master Plan March 2023” dated March 2023 (the “Master Plan”), with any deviations considered per Section 24-23 (a)(2) of the Zoning Ordinance.
2. Soil Studies. A soil feasibility study to determine appropriate areas for septic drainfields shall be submitted to the Virginia Department of Health for review and approval prior to any new development on the Property.
3. Right-of-Way Buffer. A 150-foot buffer as designated on the Master Plan shall be maintained. This buffer shall remain undisturbed with the exception of additional landscaping, breaks for roadways, pedestrian connections, utilities, walking, hiking, and biking trails, and other uses shown on the Master Plan or as approved by the Director of Planning.
4. Outdoor Speakers. All outdoor speakers used on the Property shall be oriented generally towards the interior of the Property and away from exterior property lines.
5. Tree Clearing. Tree clearing on the Property shall be limited to the minimum necessary to accommodate the Project as determined by the Director of Planning or his designee.
6. Master Stormwater Management Plan. Development of areas within the Property shall adhere to approved master Stormwater Management Plan SWM-23-0003 (“SWM Plan”). Material deviations from the SWM Plan must be approved by the Director of Stormwater and Resource Protection. All development of the Property must adhere to the SWM Plan.
7. Road Improvements. Within 12 months of adoption of this SUP, the westbound right-turn on John Tyler Highway shall be restriped to a right-turn taper, as approved by the Virginia Department of Transportation (VDOT).
8. Traffic Impact Study. A Traffic impact study shall be submitted to the County within five (5) years of adoption of this SUP, or at such earlier time as required by VDOT. The traffic impact study shall determine the need for a right-turn lane on westbound John Tyler Highway at the Property entrance. The Director of Planning may delay this requirement beyond five (5)-years if there is a traffic growth rate, as determined by VDOT, of less than 2% per annum as determined by the Director of Planning.
9. Severability. This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

JCC SUP-23-0004

1350 John Tyler Highway

# Chickahominy Riverfront Park Master Plan Amendment



**Chickahominy Riverfront Park (CRP)**

Since the original “Shaping our Shores” Master Plan was approved in 2009, several facility improvements have been made at Chickahominy Riverfront Park. These include resurfacing the pool, paving and improvements to the recreation vehicle loop, replacing the water main, removal of smaller pool, addition of the splash pad and the addition of the William & Mary Boathouse. The general concepts that appeared on the 2009 map were kept in the new version with minimal relocations.

In an update to the plan in 2020, the following additions and changes were made:

- Add the proposed JCSA Water Treatment Plant (V);
- Relocate long-term RV and boat Storage to eastern side of the park (R);
- Removal of second entrance (southeast quadrant);
- Addition of camper amenities to include propane filling station (Y), laundry rooms (B), picnic and outdoor recreation area (S), bath houses (B) and a relocated pump-out station (W); and
- Addition of second rowing building due to growth of the sport (C).

These changes were adopted by the James City County Board of Supervisors at their July 28, 2020, meeting. Additional minor changes made to the map in January 2023 are as follows:

- Relocated RV/Boat storage “R” to the location where it is proposed to be built (R);
- Re-align some roadways to match current conditions throughout the park;
- Identified a future drain field site that would serve the pool and picnic shelter area (D1);
- Change text for “T” to: Pool, Splash Pad, and Concessions; and
- Identified the 150 foot Right-of-Way Buffer (Green strip).

**JCC Parks & Recreation Long Range Plan:** These changes were adopted by the James City County Board of Supervisors at their January 25, 2022, meeting.

Park Included in SUP	Adopted 5 year CIP (FY23-27)	5-8 Years (FY28-30)	8+ Years (FY31+)
<b>Chickahominy Riverfront Park</b>	RV/Boat Storage <sup>®</sup> Multi-use Trail (A)	Community Rowing Facilities/Paddlecraft Launch (C, H), Upgraded Bathhouse Facilities (B), Campground Improvements (A), Connector Road	Campground Store (M) Field Games (O) Picnic Pavilions (J)
<b>Upper County Park</b>	Paved Multi-use Trail (G) Splash Pad (A2)	Tennis/Pickleball Courts (N)	Community Gym (H) Archery Range (L)
<b>Jamestown Beach Event Park</b>	Boat Storage (C)	Maintenance Building (J) Performance Venue/Restrooms (N, R) Entrance re-alignment	Camping (Y)
<b>Warhill Sports Complex</b>	Softball/Baseball Complex (B)	Multipurpose Field Complex (F), Connector Road (E),	Baseball/Softball Stadium Complex (D2) Tennis/Pickleball Courts (H)

# SUP-23-0004. Chickahominy Riverfront Park Master Plan Amendment

Master Plan Dated February 8, 2023

## Property Information:

PIN: 3430100002

James City County  
1350 John Tyler Highway  
Williamsburg, VA 23185

PSA: Outside

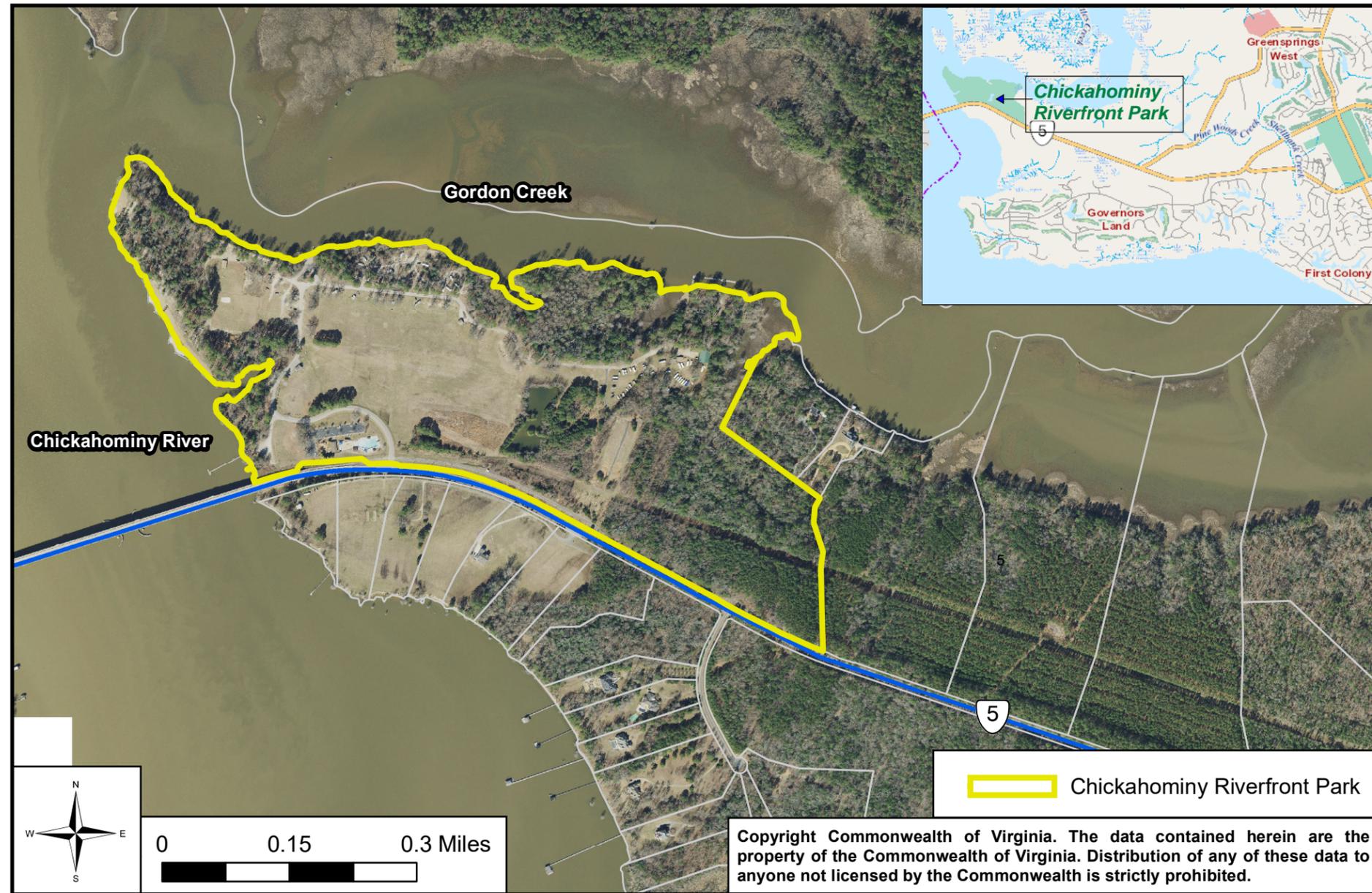
Zoning: PL Public Lands

2045 Comp Plan: Open Space or  
Recreation

Parcel Acreage: 139.42

## Sheet Index:

1. Cover Page
2. Applicant Narrative
3. Master Plan



## General Notes:

1. Site is subject to conditions associate with SUP-0014-2009.
2. Property does contain a Resource Protected Area.
3. This part of this property appears to contain easements.
4. Portions of the property are located in the 1% annual special flood hazard area based on the FEMA FIRM 51095C0113D, effective 12/16/2015.

# Master Plan

Chickahominy Riverfront Park  
March 2023



Label	Feature
A	Camping - RV, Primitive & Cabins
A1	Primitive Camping - Hike, Bike & Paddle in Only
B	Bath House / Laundry / Dumpster
C	Community Rowing Facilities
D	RV Waste Disposal
D1	Future Drain Field
E	Open Space / Event Area
F	Fixed Wood Docks / Dinghy / Moorings
G	Existing Playground
H	Kayak/Canoe/Rowing Launch Area
I	Pool, Splash Pad, and Concessions
J	Picnic Pavilions
K	Stabilize Shore and Create Overlooks
L	Walking Trail
M	Campground Store and Check-In
N	Existing Boat Ramp
O	Field Games / Putt-Putt
P	Parking
P1	Boat Trailer Parking
Q	Fishing Pier
R	RV/Boat Storage
S	Picnic & Outdoor Education Area
T	Maintenance Facility
U	Bank Grading / Buffer Restoration
V	Water Treatment Facility
W	Water Well Pump House
X	Bioretention Basins
Y	Propane Tank Fill Site
Z	Bike Repair Station

	Gate
	Flood Plain
	RPA Lines
	Contours
	Water Treatment Easement
	Property Line
	Water Treatment Facility
	Trail
	Virginia Capital Trail
	Colonial Pipeline
	150 Feet ROW Buffer

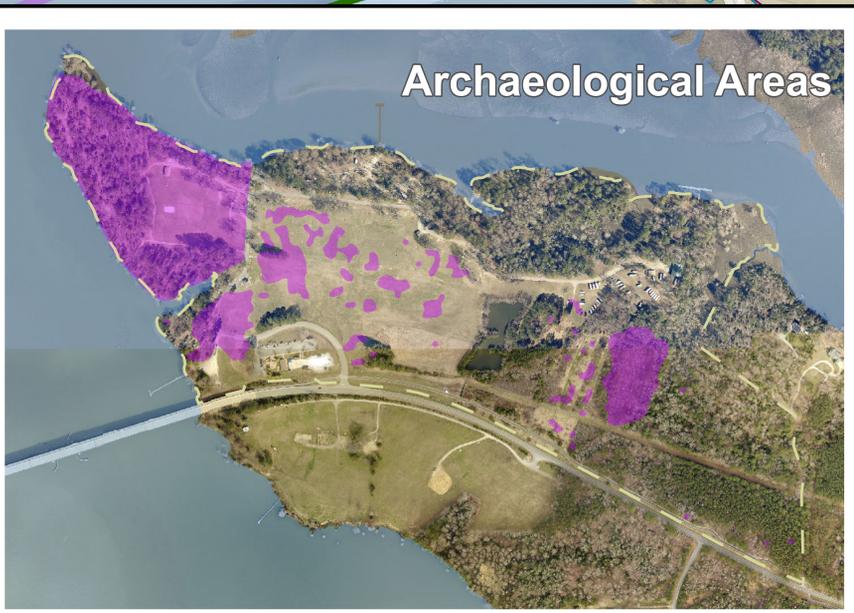


GORDON CREEK

CHICKAHOMINY RIVER

JOHN TYLER HIGHWAY

## Archaeological Areas



**RESOLUTION**

**ADOPTION OF THE SHAPING OUR SHORES MASTER PLAN FOR JAMESTOWN BEACH**

**CAMPGROUND, JAMESTOWN YACHT BASIN, AND CHICKAHOMINY RIVERFRONT PARK**

WHEREAS, Jamestown Beach Campground, Jamestown Yacht Basin, and Chickahominy Riverfront Park were purchased by James City County to enhance the lives of its citizens by preserving greenspace, protecting environmental and cultural resources, and providing increased waterfront access and recreational opportunities; and

WHEREAS, these three sites required the development of a long-range conceptual plan to identify future uses, and the Shaping Our Shores Master Plan was developed in response to this need through a process that emphasized community input; and

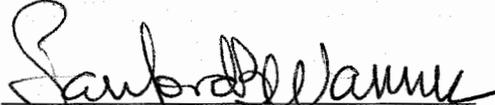
WHEREAS, the recommended uses in the Shaping Our Shores Master Plan were developed to be feasible given the existing site constraints, match the community's vision, provide maximum benefits to the citizens, and offset operational and maintenance costs by developing appropriate and reasonable revenue-generating opportunities; and

WHEREAS, the Master Plan is a high-level planning document of a broad conceptual nature that is intended to guide and assist citizens, staff, commissions, and the Board of Supervisors in making future land use, planning, funding, maintenance, management, and administrative decisions about the three sites.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby adopts the Shaping Our Shores Master Plan for Jamestown Beach Campground, Jamestown Yacht Basin, and Chickahominy Riverfront Park.

\_\_\_\_\_  
James G. Kennedy  
Chairman, Board of Supervisors

ATTEST:

  
Sanford B. Wanner  
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
GOODSON	AYE
JONES	AYE
MCLENNON	AYE
ICENHOUR	NAY
KENNEDY	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of June, 2009.

## RESOLUTION

### CASE NO. SUP-0014-2009. CHICKAHOMINY RIVERFRONT PARK -

#### RV LOOP AND MASTER PLAN

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

WHEREAS, Mr. Aaron Small of AES Consulting Engineers, on behalf of James City County Parks and Recreation, has applied for an SUP to make improvements to existing facilities at Chickahominy Riverfront Park and to master-plan the entire park property for community recreation; and

WHEREAS, the property is located on land zoned PL, Public Land, and can be further identified as James City County Real Estate Tax Map/Parcel No. 3430100002; and

WHEREAS, the Planning Commission of James City County, following its public hearing on October 7, 2009, recommended approval of this application by a vote of 6-1; and

WHEREAS, the Board of Supervisors of James City County, Virginia, finds this use to be consistent with the 2003 Comprehensive Plan Land Use Map designation for this site.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after a public hearing does hereby approve the issuance of SUP No. 0014-2009 as described herein with the following conditions:

1. **Master Plan.** This SUP shall permit a public community recreation facility and accessory uses thereto, including, but not limited to, tent sites, cabins, recreational vehicle (RV) camping areas, special event areas, docks/piers, swimming facilities, playgrounds, boat launches, rowing facilities, picnic pavilions, camp store, and seasonal concession stands on property located at 1350 John Tyler Highway (the "Property"). Improvements to the site shall generally be located as shown on the document entitled "Figure 4-2: Master Plan-Chickahominy Riverfront Park," (the "Master Plan") prepared by Vanasse, Hangen, and Brustlin, Inc. (VIIB) and date-stamped October 14, 2009, with only changes thereto that the Development Review Committee (DRC) determines to be generally consistent with the Master Plan and Shaping Our Shores report.
2. **Soil Studies.** Soil feasibility studies to determine appropriate areas for septic drainfields shall be submitted to the Virginia Department of Health for review and approval prior to final development plan approval for any new development on the Property. Redevelopment plans ("Redevelopment") for the Property shall not be subjected to this requirement. Redevelopment shall include the removal and replacement, renovation, or rehabilitation of existing buildings or facilities that does not increase or change the general shape or location of impervious area or number of tent sites or RV spaces, does not change the existing primary use of an area, and/or

does not change existing points of access. Based on the findings of any study, if a proposed use needs to be relocated, a plan detailing the relocation shall be provided to the DRC to determine whether the plan is generally consistent with the Master Plan and Shaping Our Shores report.

3. **Right-of-Way Buffer.** A 150-foot buffer shall be maintained along John Tyler Highway. That buffer shall remain undisturbed with the exception of breaks for roadways and pedestrian connections, utilities, walking, hiking, and biking trails, and other uses specifically approved by the Director of Planning and the DRC.
4. **Lighting.** Any new exterior site or building lighting shall have recessed fixtures with no bulb, lens, or globe extending below the casing. The casing shall be opaque and shall completely surround the entire light fixture and light source in such a manner that all light will be directed downward and the light source are not visible from the side. Fixtures which are horizontally mounted on poles shall not exceed 15 feet in height. No glare defined as 0.1 foot-candle or higher shall extend outside the property lines.
5. **Speakers.** All permanent public address speakers used on the site shall be oriented generally toward the interior of the property and away from exterior property lines.
6. **Archaeology.** Additional archaeological studies for any area to be disturbed that is identified as 'eligible' for inclusion on the National Register of Historic Places and/or 'unknown (further work needed)' on pages 109-112 of the report titled "Phase I Cultural Resources Survey and Archaeological Inventory of the Chickahominy Riverfront Park, James City County, Virginia" by Geo-Marine, Inc. and dated June 2008, shall be submitted to the Director of Planning for review and approval prior to the commencement of any land-disturbing activity on the property. If a Phase II study is undertaken, such a study shall be approved by the Director of Planning and a treatment plan for said sites shall be submitted to, and approved by, the Director of Planning for sites that are determined to be eligible for inclusion on the National Register of Historic Places and/or those sites that require a Phase III study. If in the Phase III study, a site is determined eligible for nomination to the National Register of Historic Places and said site is to be preserved in place, the treatment plan shall include nomination of the site to the National Register of Historic Places. If a Phase III study is undertaken for said sites, such studies shall be approved by the Director of Planning prior to land disturbance within the study areas. All Phase I, Phase II, and Phase III studies shall meet the Virginia Department of Historic Resources' *Guidelines for Preparing Archaeological Resource Management Reports* and the Secretary of the Interior's *Standards and Guidelines for Archaeological Documentation*, as applicable, and shall be conducted under the supervision of a qualified archaeologist who meets the qualifications set forth in the Secretary of the Interior's *Professional Qualification Standards*. All approved treatment plans shall be incorporated into the plan of development for the site and the clearing, grading, or construction activities thereon.
7. **Tree Clearing.** Tree clearing on the entire property shall be limited to the minimum necessary to accommodate the proposed recreational uses shown on the Master Plan and related driveways, entrance improvements, and facilities as determined by the Director of Planning or designee and the DRC.

8. **Master Stormwater Management Plan.** A Master Stormwater Management Plan for the Property shall be submitted for review and approval by the County's Environmental Division Director prior to final development plan approval for any new development on the Property. Redevelopment of the Property shall not be subjected to this requirement.
  
9. **Special Stormwater Criteria.** Special Stormwater Criteria (SSC) as adopted by the County in the Powhatan and Yarmouth Creek watersheds shall apply to this project. Low-impact development principles and techniques shall also be used in all development plans to reduce and control impacts associated with any increased storm water runoff. The owner shall demonstrate the application of SSC and low-impact design on all development plans to the satisfaction and approval of the County's Environmental Division Director prior to final development plan approval for any new development on the Property. Redevelopment of the Property shall not be subjected to this requirement.
  
10. **Resource Management Area (RMA) Buffers.** All development plans shall have the RMA buffers delineated in accordance with the Powhatan Creek Watershed Management Plan revision dated October 11, 2006, or any such RMA buffers as outlined in any future Gordon Creek Watershed Management Plan, to the satisfaction and approval of the County's Environmental Division Director prior to final development plan approval for any new development on the Property. Redevelopment of the Property shall not be subjected to this requirement.
  
11. **Severance Clause.** This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

James G. Kennedy  
 Chairman, Board of Supervisors

SUPERVISOR	VOTE
GOOLSON	AYE
JONES	AYE
MCGLENNON	AYE
ICENHOUR	AYE
KENNEDY	AYE

ATTEST:



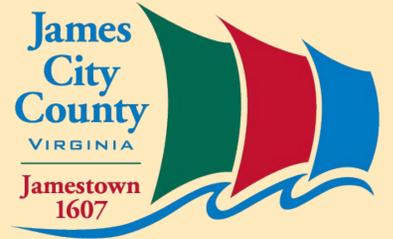
Sanford B. Wanner  
 Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of November, 2009.

SUP\_0014\_09\_res

# Master Plan

Chickahominy Riverfront Park  
Sept 2020



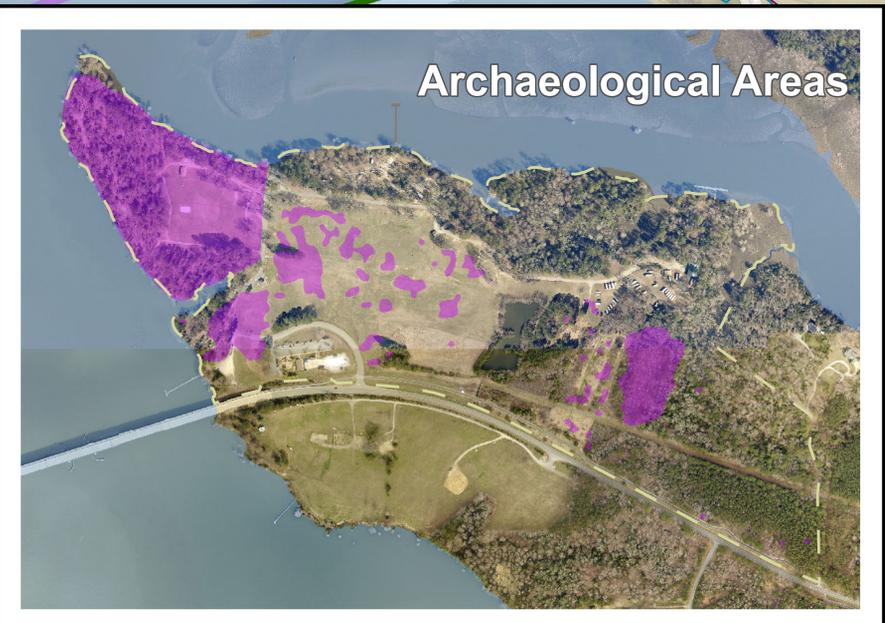
GORDON CREEK

CHICKAHOMINY RIVER

JOHN TYLER HIGHWAY

Label	Feature
A	Camping - RV, Primitive & Cabins
A1	Primitive Camping - Hike, Bike & Paddle in Only
B	Bath House / Laundry / Dumpster
C	Community Rowing Facilities
D	RV Waste Disposal
E	Open Space / Event Area
F	Fixed Wood Docks / Dinghy / Moorings
G	Existing Playground
H	Kayak/Canoe/Rowing Launch Area
I	Pool Shelter and Play Area
J	Picnic Pavilions
K	Stabilize Shore and Create Overlooks
L	Walking Trail
M	Campground Store and Check-In
N	Existing Boat Ramp
O	Field Games / Putt-Putt
P	Parking
P1	Boat Trailer Parking
Q	Fishing Pier
R	RV/Boat Storage
S	Picnic & Outdoor Education Area
T	Maintenance Facility
U	Bank Grading / Buffer Restoration
V	Water Treatment Facility
W	Water Well Pump House
X	Bioretention Basins
Y	Propane Tank Fill Site
Z	Bike Repair Station

	Gate
	Flood Plain
	RPA Lines
	Contours
	Water Treatment Easement
	Property Line
	Water Treatment Facility
	Trail
	Virginia Capital Trail
	Colonial Pipeline



To: Tom Leininger, James City County  
From: Steve Schmidt, PE, PTOE  
RE: Chickahominy Riverfront Park Traffic Analysis  
Date: July 31, 2021  
Revised October 29, 2021  
Copy: Scott Dunn AICP, PTP (TG), Megan Lowther (TG)

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As requested, Timmons Group has prepared a revised traffic assessment for the proposed Chickahominy Riverfront Park Master Plan Update in James City County, Virginia. The site is located along the north side of John Tyler Highway (Route 5) just east of the Chickahominy River Bridge as shown on Figure 1 (all figures are located at the end of this memorandum).

The initial assessment was submitted to VDOT on July 31, 2021 and has been revised based on VDOT comments regarding the site trip distribution.

The 140-acre park currently offers swimming, camping, boat launches, fishing docks and river access (among others) with access provided via one entrance on John Tyler Highway as shown on Figure 2.

The proposed Master Plan will improve the park with incremental increases in the number of camping spaces, parking spaces, boat launches, etc. It is not anticipated the additional uses will be a significantly increase the vehicular traffic to/from the park. For the purposes of this analysis, full buildout of the park was assumed to be 2026.

This assessment analyzes the existing and future traffic to the park to determine if any improvements are required at the site entrance.

### **Existing Conditions**

John Tyler Highway is a two-lane, undivided minor arterial with a posted speed limit of 55 mph. According to the 2019 VDOT count book, John Tyler Highway services 3,600 vehicles per day in the vicinity of the site. A paved multiuse path runs parallel to John Tyler Highway.

John Tyler Highway serves as a major east-west connector and runs from Richmond to Williamsburg.

The existing roadway geometry at the site entrance is shown on Figure 3.

## **Existing Traffic Volumes**

Existing PM and Saturday peak hour traffic counts were conducted on Thursday April 15, 2021 between 4-6 PM (PM peak hour) and Saturday, April 17, 2021 between 12-2 PM (SAT peak hour). The counts included heavy vehicles by movement, pedestrian, and bicycle counts and are included in Appendix A.

The existing PM and SAT peak hour counts indicate the PM peak hour occurs from 4:45 PM – 5:45 PM and the SAT peak hour occurs from 12:15 PM – 1:15 PM.

Due to the change in traffic patterns associated with the ongoing pandemic, the counts were compared to 2019 VDOT AADT counts to determine the adjustment factor necessary to bring the 2021 counts to expected levels. After comparison it was determined that the volumes on John Tyler Highway are **10% lower** than the expected 2021 volumes. Therefore, the existing traffic counts were increased by 10% along John Tyler Highway.

Given the nature of the park, the traffic volumes differ from month to month based on the season. The County provided historic entrance counts for the park which indicate the peak month (July) experiences 92% more traffic than the month the count was completed (April). Therefore, the traffic counts into and out of the park entrance were increased by 92% to accommodate the peak traffic month.

The total adjusted 2021 Existing Volumes are shown on Figure 4.

## **2026 Future Traffic Volumes**

As noted above, the Master Plan upgrades to the park are not expected to significantly increase the traffic into and out of the park.

However, it is anticipated that traffic on John Tyler Highway will experience growth during that timeframe. In order to account for the increase in traffic, the existing counts shown on Figure 4 were grown by an annual 2% growth rate for the five (5) year period for project buildout. This growth was applied to all movements to represent a conservative (or worst case) analysis.

The 2% annual growth rate was compounded annually over the five (5) year period and was applied to all movements from the existing traffic counts.

Further, at the request of VDOT, it was assumed that 5% of the entering PM peak hour traffic would make an eastbound left turn into the site. This results in 4 left turns in the PM peak hour.

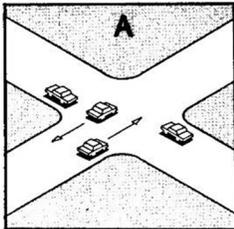
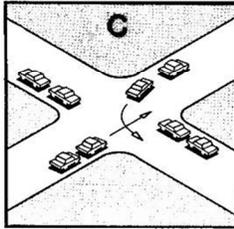
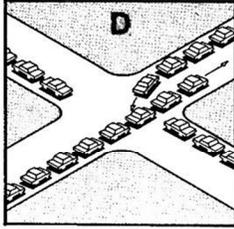
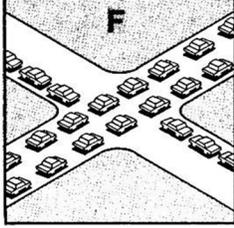
The resulting 2026 future traffic volumes are shown on Figure 5.

## Operational and Queuing Analysis

An operational and queuing analysis was completed for the site entrance under existing and future traffic conditions.

Capacity analysis allows traffic engineers to determine the impacts of traffic on the surrounding roadway network. The Transportation Research Board's (TRB) Highway Capacity Manual (HCM) methodologies govern how the capacity analyses are conducted and how the results are interpreted. There are six letter grades of Levels of Service (LOS) from A to F, with LOS A representing the best operating conditions and LOS F the worst operating conditions. Table 1 shows in detail how each of these levels of service are interpreted.

**Table 1: Level of Service Definitions**

Level of Service	Roadway Segments or Controlled Access Highways	Intersections	
A	Free flow, low traffic density.	No vehicle waits longer than one signal indication.	
B	Delay is not unreasonable, stable traffic flow.	On a rare occasion motorists wait through more than one signal indication.	
C	Stable condition, movements somewhat restricted due to higher volumes, but not objectionable for motorists.	Intermittently drivers wait through more than one signal indication, and occasionally backups may develop behind left turning vehicles, traffic flow still stable and acceptable.	
D	Movements more restricted, queues and delays may occur during short peaks, but lower demands occur often enough to permit clearing, thus preventing excessive backups.	Delays at intersections may become extensive with some, especially left-turning vehicles waiting two or more signal indications, but enough cycles with lower demand occur to permit periodic clearance, thus preventing excessive backups.	
E	Actual capacity of the roadway involves delay to all motorists due to congestion.	Very long queues may create lengthy delays, especially for left-turning vehicles.	
F	Forced flow with demand volumes greater than capacity resulting in complete congestion. Volumes drop to zero in extreme cases.	Backups from locations downstream restrict or prevent movement of vehicles out of approach creating a storage area during part or all of an hour.	

SOURCE: "A Policy on Design of Design of Urban Highways and Arterial Streets" - AASHTO, 1973 based upon material published in "Highway Capacity Manual", National Academy of Sciences, 1965.

For signalized and unsignalized intersections, level of service is defined in terms of **delay**, a measure of driver discomfort, frustration, fuel consumption and lost travel time. Table 2 summarizes the delay associated with each LOS category:

**Table 2: Signalized and Unsignalized Intersection Level of Service Criteria**

Signalized Intersections		Unsignalized Intersections	
Level of Service	Control Delay per Vehicle (sec/veh)	Level of Service	Average Control Delay (sec/veh)
A	≤ 10	A	0 to 10
B	> 10 to ≤ 20	B	> 10 to ≤ 15
C	> 20 to ≤ 35	C	> 15 to ≤ 25
D	> 35 to ≤ 55	D	> 25 to ≤ 35
E	> 55 to ≤ 80	E	> 35 to ≤ 50
F	> 80	F	> 50

Source: Exhibit 16-2 and Exhibit 17-2 from TRB's "Highway Capacity Manual 2000"

Operational Analysis for 2021 Existing Traffic Volumes

Table 3 summarizes the 2021 existing intersection LOS, delay, 95th percentile queue lengths (Synchro), and maximum queue lengths (SimTraffic) based on the adjusted 2021 existing peak hour traffic volumes shown on Figure 4 and the existing lane geometry shown on Figure 3. The corresponding analysis worksheets are included in Appendix B.

**Table 3: 2021 Existing Conditions Level of Service and Queues**

Intersection and Type of Control	Movement and Approach	Effective Turn Lane Storage (ft)	PM Peak Hour				Saturday Peak Hour			
			Delay <sup>1</sup> (sec/veh)	LOS <sup>1</sup>	SYNCHRO 95th Percentile Queue Length (ft)	SimTraffic Maximum Queue Length (ft)	Delay <sup>1</sup> (sec/veh)	LOS <sup>1</sup>	SYNCHRO 95th Percentile Queue Length (ft)	SimTraffic Maximum Queue Length (ft)
1. John Tyler Highway (E-W) at Park Entrance (S) <i>Unsignalized</i>	SB Left-Right		11.6	B	13	61	12.5	B	10	60
	<i>NB Approach</i>		11.6	B	--	--	12.5	B	--	--
	EB Left-Thru		0.0	A	0	0	7.8	A	3	54
	<i>EB Approach</i>		0.0	A	--	--	0.1	A	--	--
	WB Thru-Right		†	†	0	0	†	†	--	--
	<i>WB Approach</i>		†	†	--	--	†	†	--	--

<sup>1</sup> Overall intersection LOS and delay reported for signalized intersections and roundabouts only.

† SYNCHRO does not provide level of service or delay for unsignalized movements with no conflicting volumes.

As shown on Table 3, under 2021 existing conditions, traffic entering the site operates a LOS A during both the PM and Saturday peak hours. Traffic exiting the site operates at a LOS B during both the PM and Saturday peak hours. There are no queuing concerns at the site entrance.

Operational Analysis for 2026 Future Volume Conditions

Table 4 summarizes the 2026 future intersection LOS, delay, 95th percentile queue lengths (Synchro), and maximum queue lengths (SimTraffic) based on the 2026 future peak hour traffic volumes shown on Figure 5 and the existing lane geometry shown on Figure 3. The corresponding analysis worksheets are included in Appendix C.

**Table 4: 2026 Total Future Conditions Level of Service and Queues**

Intersection and Type of Control	Movement and Approach	Effective Turn Lane Storage (ft)	PM Peak Hour				Saturday Peak Hour			
			Delay <sup>1</sup> (sec/veh)	LOS <sup>1</sup>	SYNCHRO 95th Percentile Queue Length (ft)	SimTraffic Maximum Queue Length (ft)	Delay <sup>1</sup> (sec/veh)	LOS <sup>1</sup>	SYNCHRO 95th Percentile Queue Length (ft)	SimTraffic Maximum Queue Length (ft)
1. John Tyler Highway (E-W) at Park Entrance (S) <i>Unsignalized</i>	SB Left-Right		12.4	B	15	63	13.3	B	13	63
	<i>NB Approach</i>		<i>12.4</i>	<i>B</i>	--	--	<i>13.3</i>	<i>B</i>	--	--
	EB Left-Thru		7.9	A	0	22	7.8	A	3	57
	<i>EB Approach</i>		<i>0.3</i>	<i>A</i>	--	--	<i>0.1</i>	<i>A</i>	--	--
	WB Thru-Right		†	†	0	0	†	†	--	--
	<i>WB Approach</i>		†	†	--	--	†	†	--	--

<sup>1</sup> Overall intersection LOS and delay reported for signalized intersections and roundabouts only.

† SYNCHRO does not provide level of service or delay for unsignalized movements with no conflicting volumes.

As shown on Table 4, under 2026 future conditions, traffic entering the site will continue to operate at a LOS A during both the PM and Saturday peak hours. Traffic exiting the site will continue to operate at a LOS B during both the PM and Saturday peak hours. There will be no queuing concerns at the site entrance.

No improvements are required from a capacity/queueing standpoint to accommodate the site traffic in 2021 or 2026.

**Turn Lane Warrant Analysis**

Turn lane warrant analyses were completed for the site entrance under 2021 existing and 2026 future traffic conditions.

The analyses were completed using Figure 4 (2021 Existing Volumes) and Figure 5 (2026 Future Traffic Volumes) and the appropriate left and right turn lane nomographs from Appendix F of the VDOT *Road Design Manual*.

The analyses are shown on Figures 6-10 and indicate the following:

### 2021 Existing Conditions

- A westbound right turn taper only **is** warranted under 2021 existing traffic conditions. There is existing pavement at the site entrance that can accommodate the taper with restriping.
- An eastbound left turn lane **is not** warranted under 2021 existing traffic conditions.

### 2026 Future Conditions

Should traffic increase at 2%/year over the next 5 years and 5% of the entering PM peak hour traffic make an eastbound left turn into the site,

- A full westbound right turn lane and taper **will be** warranted under 2026 future traffic conditions. Widening along John Tyler Highway will be required to construct the turn lane.
- An eastbound left turn lane **will not be** warranted under 2026 future traffic conditions.

A sensitivity analysis was completed to determine at what level of traffic a left turn lane would be required at the site entrance. As shown on Figure 11, Saturday peak hour traffic would need to increase by 35% (above the existing peak month traffic) for a left turn lane to be warranted.

### Conclusions

Based on the analysis, the following conclusions are offered:

1. No improvements are required at the site entrance to Chickahominy Riverfront Park from a capacity or queuing standpoint. Under existing and future traffic conditions, all movements operate at LOS B or better with no queuing concerns.
2. A right turn taper on westbound John Tyler Highway is warranted under existing conditions at the site entrance.
3. Should traffic along John Tyler Highway increase at 2%/year, a right turn lane on westbound John Tyler Highway will be warranted at the site entrance.
4. A left turn lane on eastbound John Tyler Highway is not warranted at the site entrance under existing or future traffic conditions.



NOT TO SCALE



Site Location  
Chickahominy Riverfront Park  
James City County, Virginia

Figure  
1

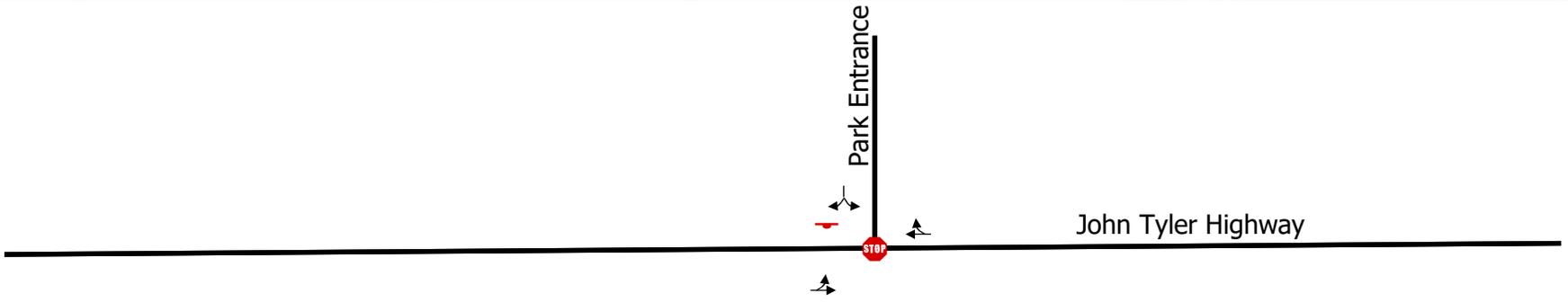
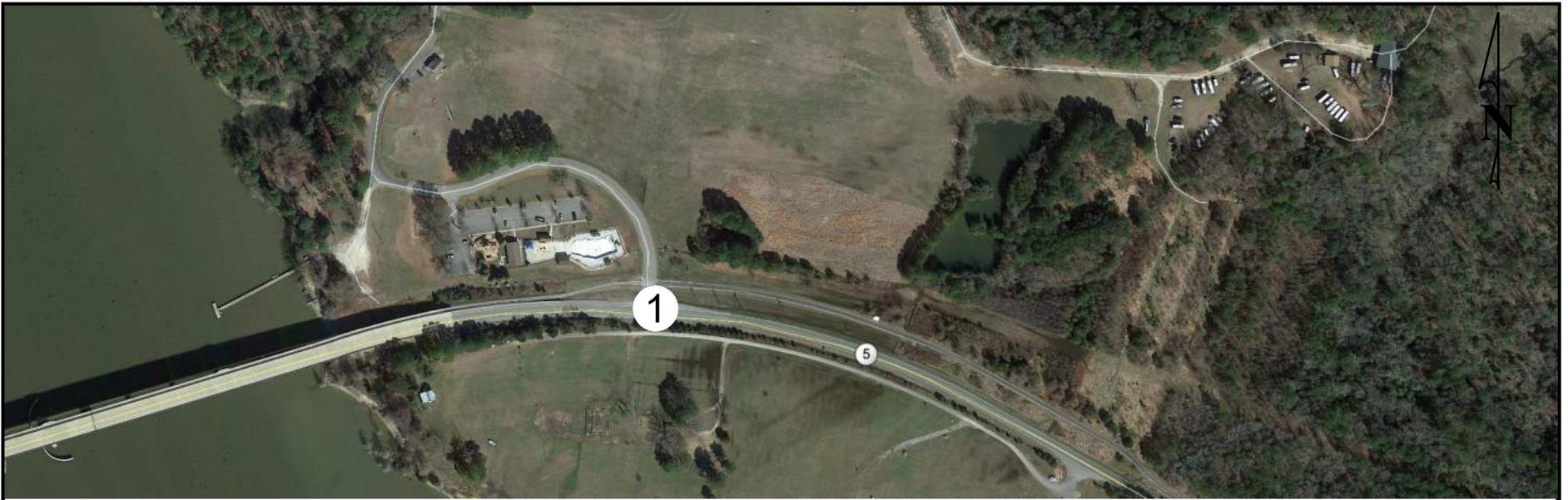


NOT TO SCALE



Study Intersection  
Chickahominy Riverfront Park  
James City Count, Virginia

Figure  
2



**LEGEND:**

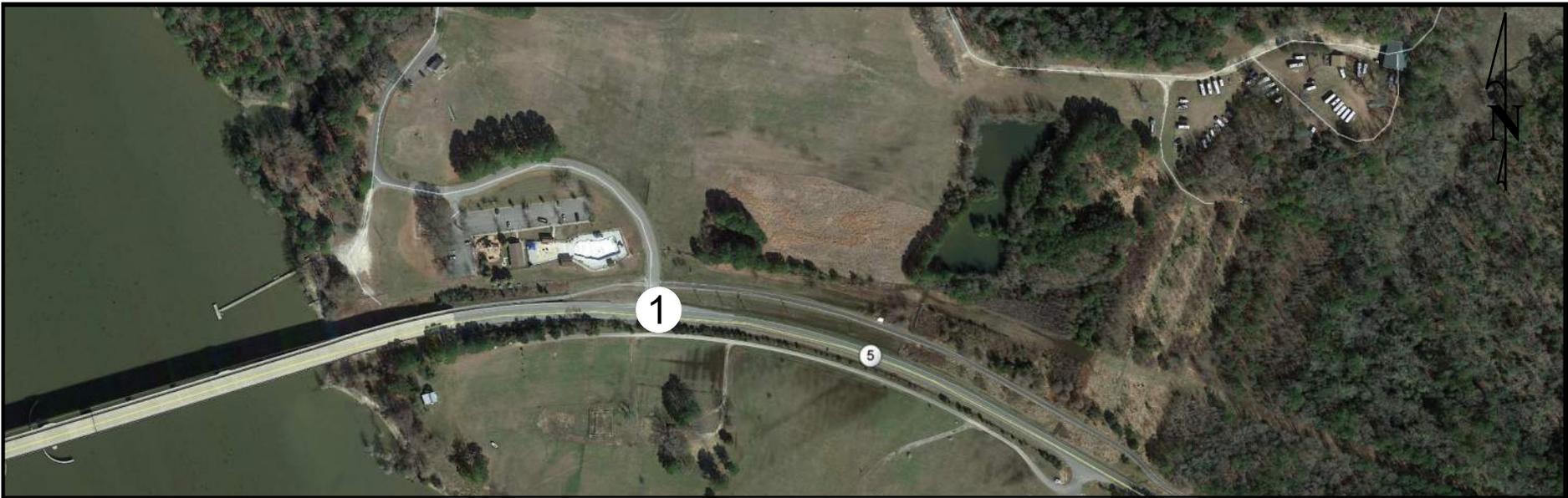
- Existing Road
- Lane Configuration
- Stop Controlled Intersection
- Stop Sign Location

NOT TO SCALE

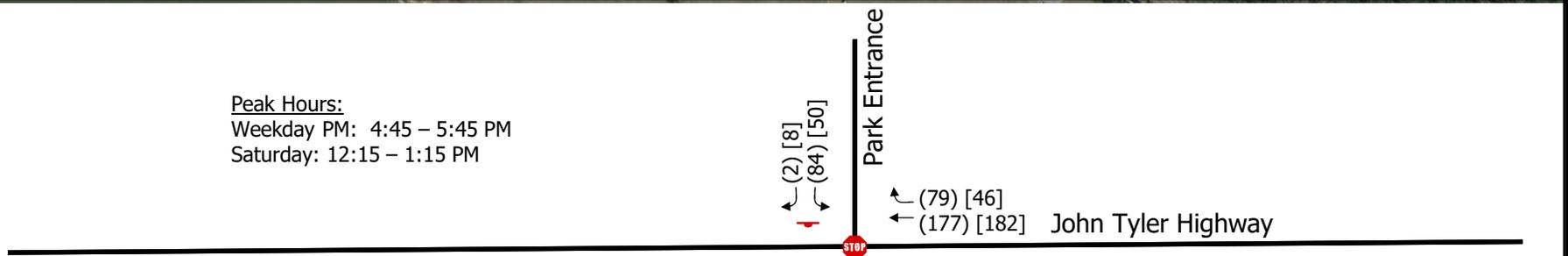


Existing Geometry  
Chickahominy Riverfront Park  
James City Count, Virginia

Figure  
3



Peak Hours:  
 Weekday PM: 4:45 – 5:45 PM  
 Saturday: 12:15 – 1:15 PM



**LEGEND:**

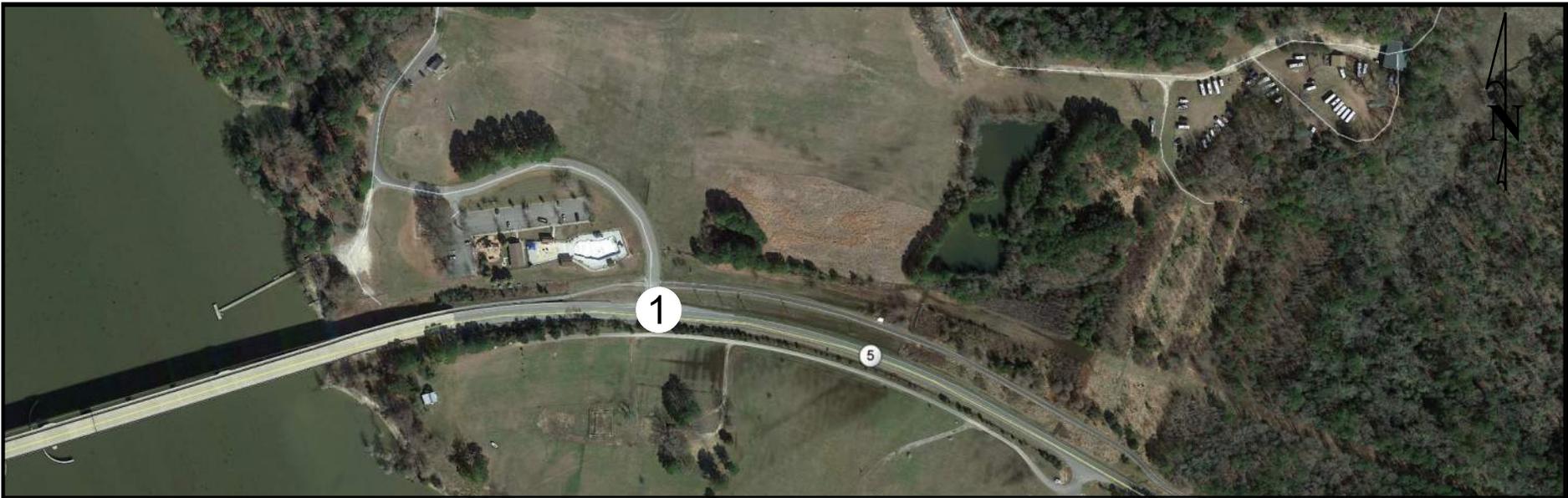
	Existing Road
	Lane Configuration
	Stop Controlled Intersection
	Stop Sign Location
(00)	PM Peak Hour Volume
[00]	Sat Peak Hour Volume

NOT TO SCALE

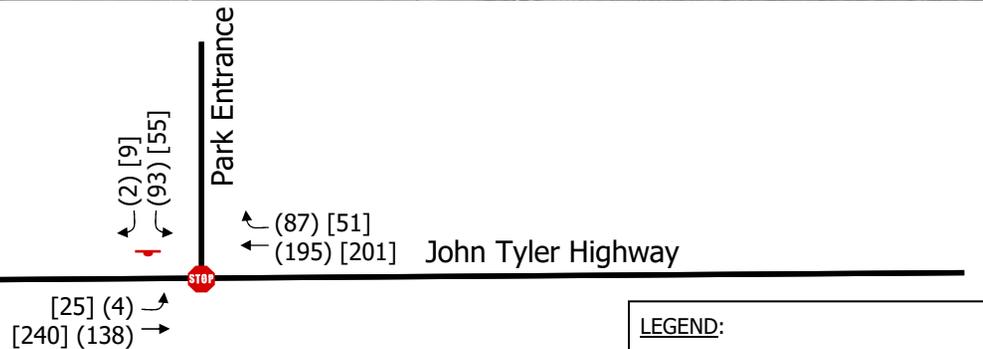


2021 Existing Peak Hour Volumes – Adjusted  
 Chickahominy Riverfront Park  
 James City County, Virginia

Figure  
 4



Peak Hours:  
 Weekday PM: 4:45 – 5:45 PM  
 Saturday: 12:15 – 1:15 PM



**LEGEND:**

	Existing Road
	Lane Configuration
	Stop Controlled Intersection
	Stop Sign Location
(00)	PM Peak Hour Volume
[00]	Sat Peak Hour Volume

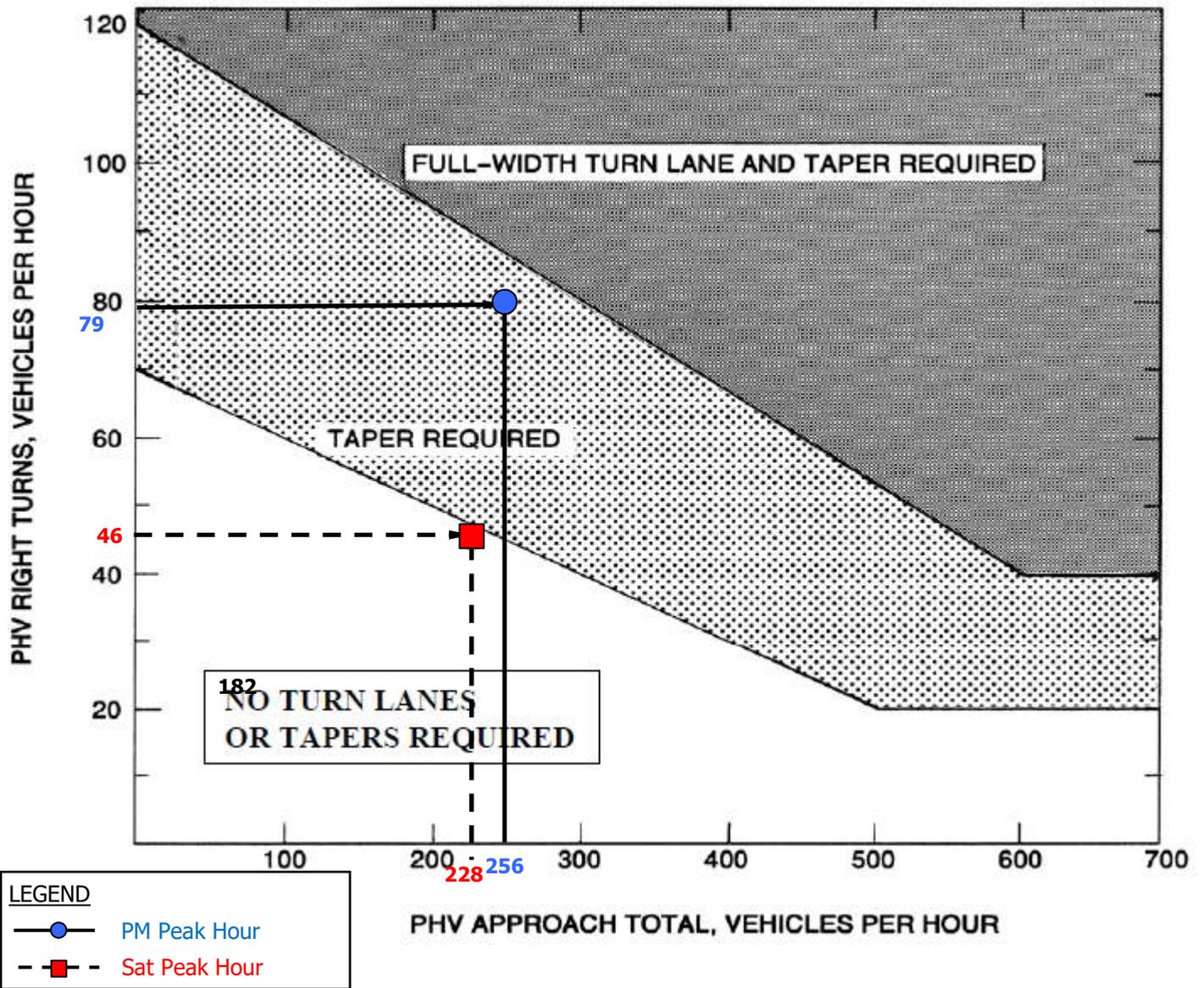
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## 2026 Future Peak Hour Volumes – Adjusted Chickahominy Riverfront Park James City County, Virginia

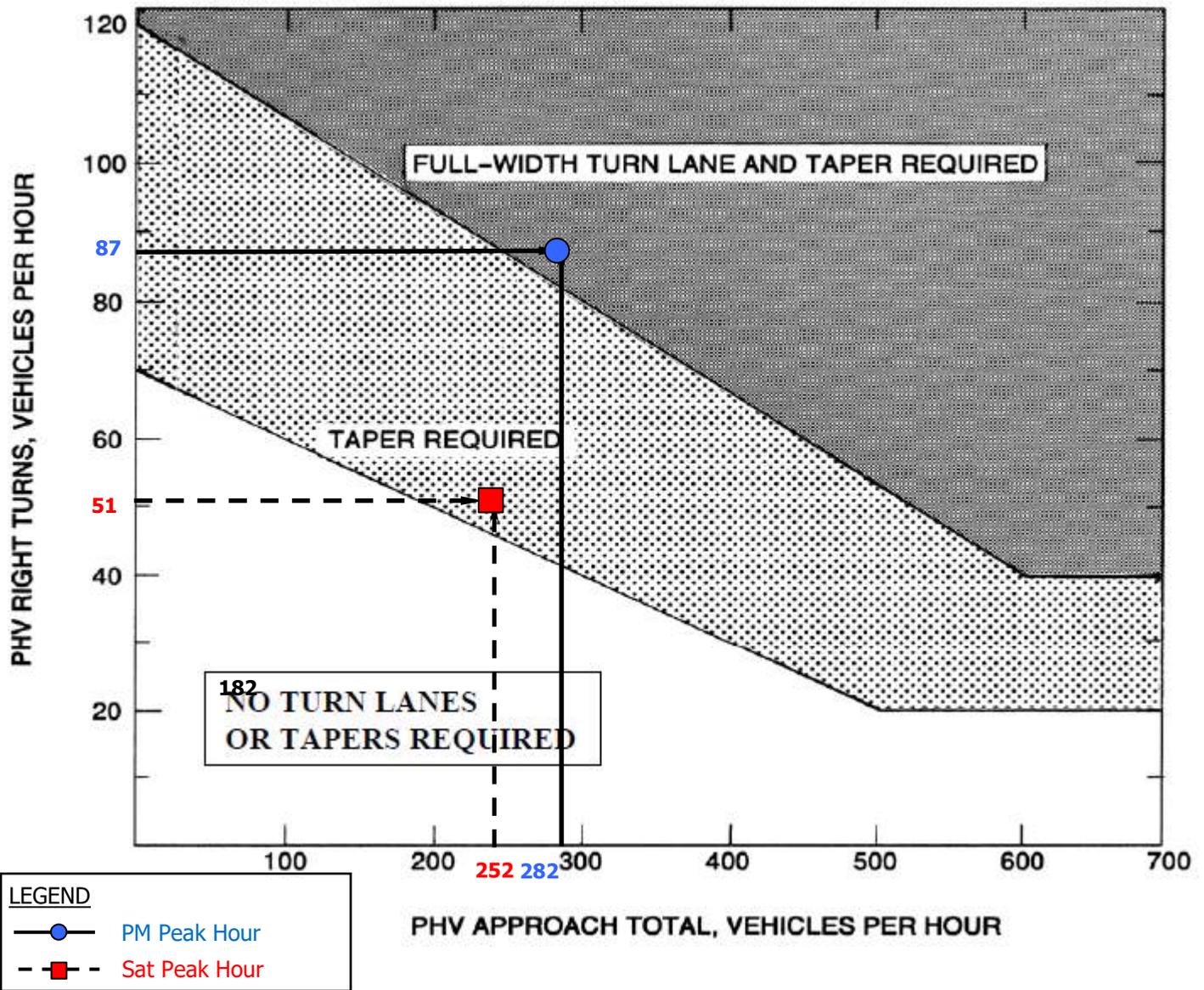
Figure  
 5

GUIDELINES FOR RIGHT TURN TREATMENT (2-LANE HIGHWAY)  
 FIGURE 3-26 VDOT ROAD DESIGN MANUAL APPENDIX F



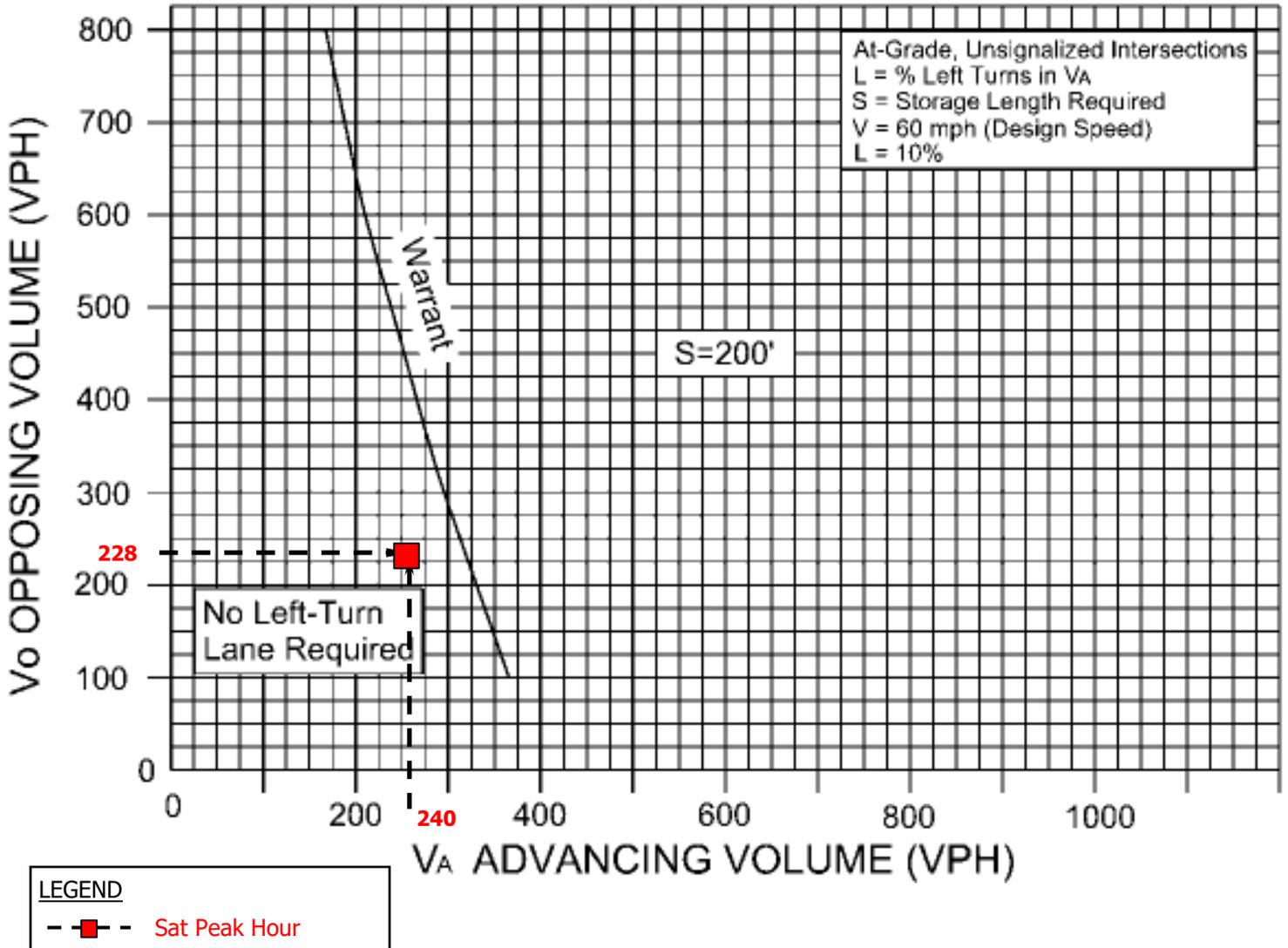
**Results:**  
 Westbound Right Turn Lane Taper Warranted

GUIDELINES FOR RIGHT TURN TREATMENT (2-LANE HIGHWAY)  
 FIGURE 3-26 VDOT ROAD DESIGN MANUAL APPENDIX F



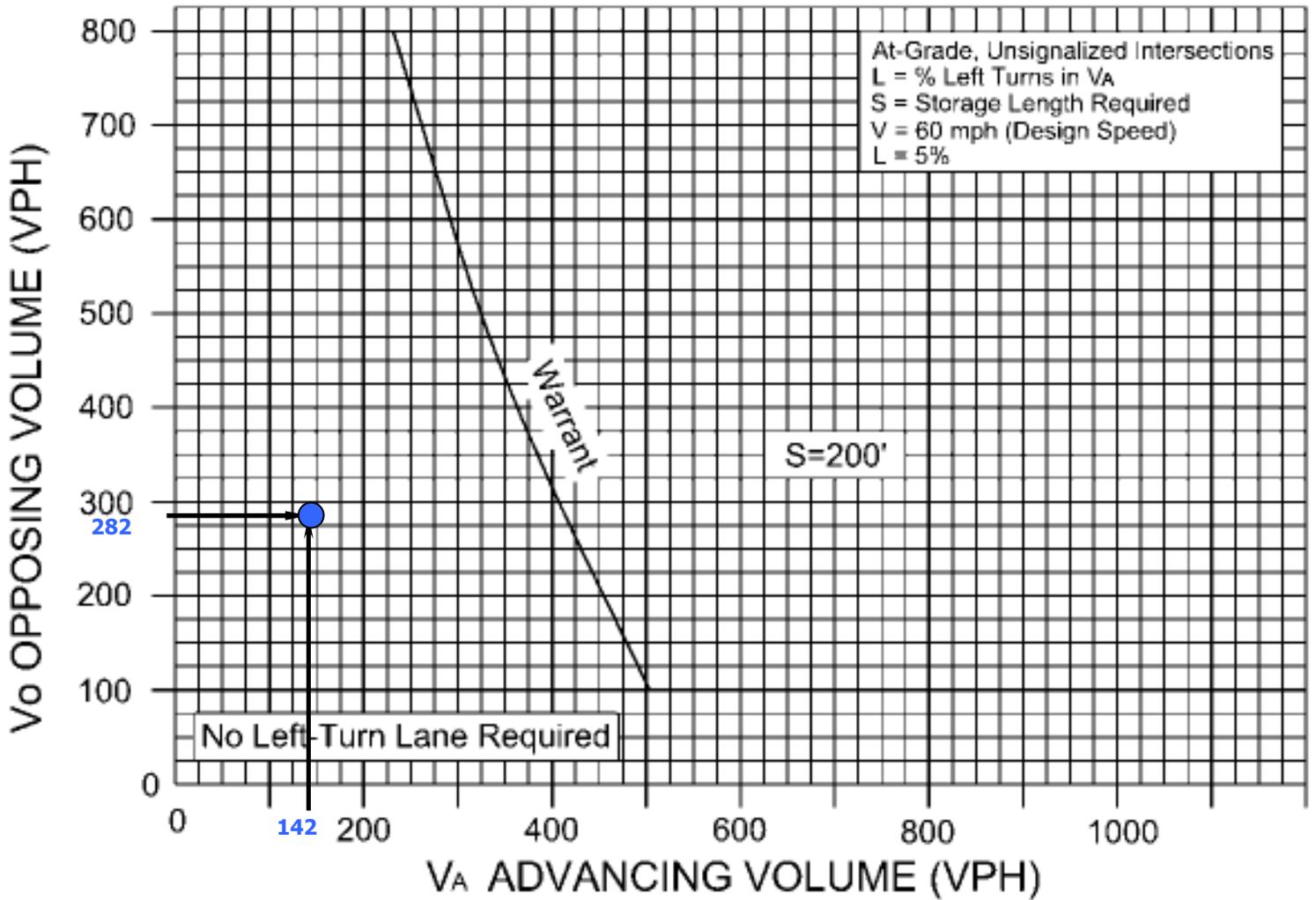
**Results:**  
 Westbound Right Turn Lane Warranted

WARRANT FOR LEFT-TURN STORAGE LANES  
ON TWO-LANE HIGHWAYS (60 MPH)  
FIGURE 3-18 VDOT ROAD DESIGN MANUAL APPENDIX F



Results:  
Eastbound Left Turn Lane Not Warranted

WARRANT FOR LEFT-TURN STORAGE LANES  
ON TWO-LANE HIGHWAYS (60 MPH)  
FIGURE 3-17 VDOT ROAD DESIGN MANUAL APPENDIX F



**Results:**  
Eastbound Left Turn Lane Not Warranted

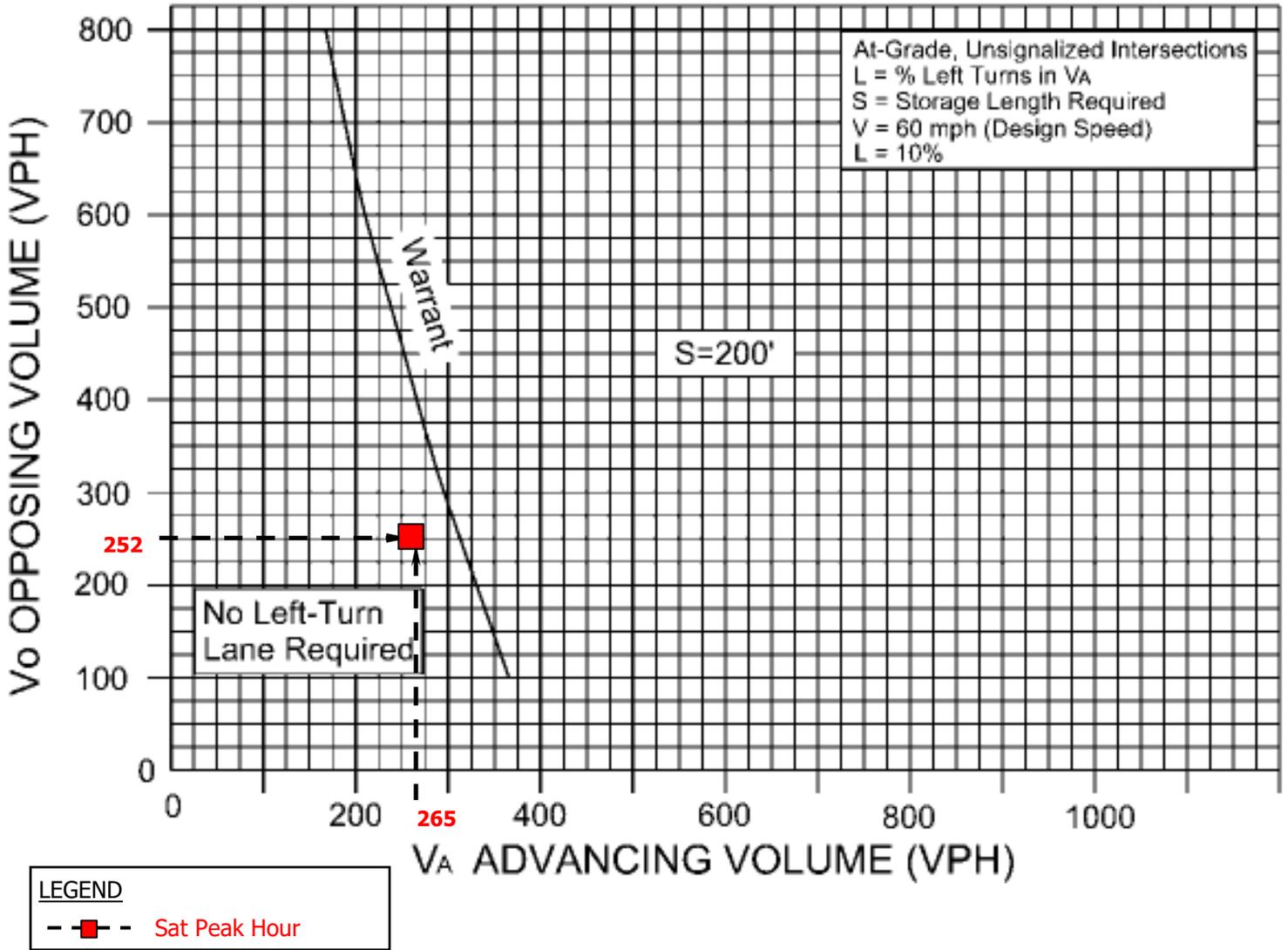
**LEGEND**  
● PM Peak Hour



Left-Turn Lane Warrant – PM Peak Hour  
VA Route 5/Park Entrance Eastbound Left  
2026 Future Traffic Volumes (Peak Month)  
Chickahominy Riverfront Park

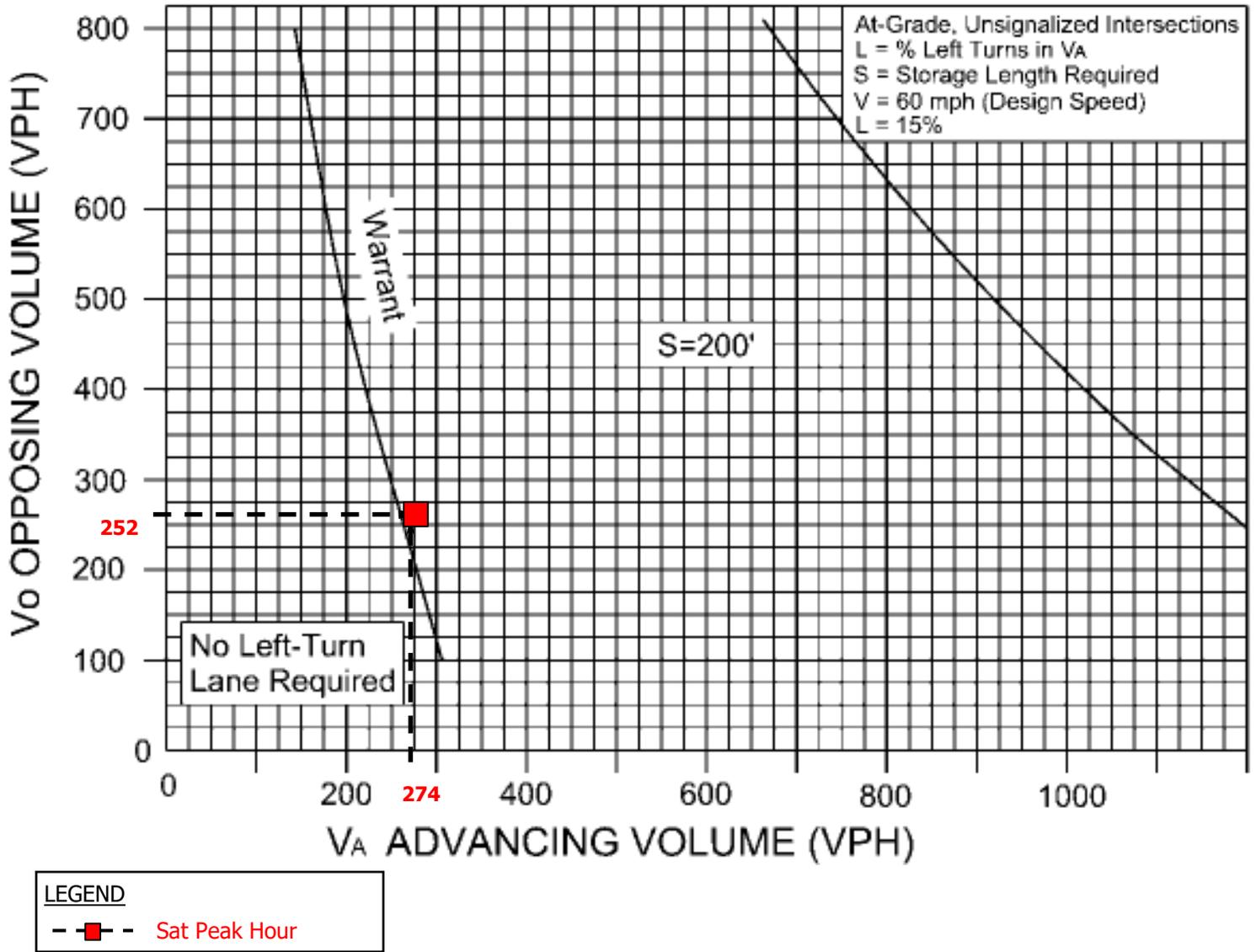
Figure  
9

**WARRANT FOR LEFT-TURN STORAGE LANES  
ON TWO-LANE HIGHWAYS (60 MPH)  
FIGURE 3-18 VDOT ROAD DESIGN MANUAL APPENDIX F**



**Results:**  
 Eastbound Left Turn Lane Not Warranted

**WARRANT FOR LEFT-TURN STORAGE LANES  
ON TWO-LANE HIGHWAYS (60 MPH)  
FIGURE 3-19 VDOT ROAD DESIGN MANUAL APPENDIX F**



**Results:**  
 Eastbound Left Turn Lane Not Warranted

## **APPENDIX A**

### Traffic Count Data

# Peggy Malone & Associates

## (888) 247-8602

File Name : Chickahominy Riverfront Park & John Tyler Highway SAT  
 Site Code :  
 Start Date : 4/17/2021  
 Page No : 1

### Groups Printed- Cars

Start Time	Chickahominy Riverfront Park Southbound				John Tyler Hwy Westbound				John Tyler Hwy Eastbound				Int. Total
	Right	Left	Peds	App. Total	Right	Thru	Peds	App. Total	Thru	Left	Peds	App. Total	
12:00 PM	1	3	19	23	7	46	0	53	35	2	0	37	113
12:15 PM	2	3	16	21	2	44	0	46	42	3	0	45	112
12:30 PM	0	5	12	17	9	42	0	51	46	2	0	48	116
12:45 PM	2	4	21	27	6	34	0	40	61	1	0	62	129
<b>Total</b>	<b>5</b>	<b>15</b>	<b>68</b>	<b>88</b>	<b>24</b>	<b>166</b>	<b>0</b>	<b>190</b>	<b>184</b>	<b>8</b>	<b>0</b>	<b>192</b>	<b>470</b>
01:00 PM	0	13	11	24	6	39	0	45	42	6	0	48	117
01:15 PM	4	7	13	24	12	37	0	49	32	2	0	34	107
01:30 PM	3	10	12	25	8	24	0	32	52	10	0	62	119
01:45 PM	0	10	21	31	8	28	0	36	47	2	0	49	116
<b>Total</b>	<b>7</b>	<b>40</b>	<b>57</b>	<b>104</b>	<b>34</b>	<b>128</b>	<b>0</b>	<b>162</b>	<b>173</b>	<b>20</b>	<b>0</b>	<b>193</b>	<b>459</b>
<b>Grand Total</b>	<b>12</b>	<b>55</b>	<b>125</b>	<b>192</b>	<b>58</b>	<b>294</b>	<b>0</b>	<b>352</b>	<b>357</b>	<b>28</b>	<b>0</b>	<b>385</b>	<b>929</b>
Apprch %	6.2	28.6	65.1		16.5	83.5	0		92.7	7.3	0		
Total %	1.3	5.9	13.5	20.7	6.2	31.6	0	37.9	38.4	3	0	41.4	

Start Time	Chickahominy Riverfront Park Southbound			John Tyler Hwy Westbound			John Tyler Hwy Eastbound			Int. Total
	Right	Left	App. Total	Right	Thru	App. Total	Thru	Left	App. Total	
Peak Hour Analysis From 12:00 PM to 01:45 PM - Peak 1 of 1										
Peak Hour for Entire Intersection Begins at 12:45 PM										
12:45 PM	2	4	6	6	34	40	61	1	62	108
01:00 PM	0	13	13	6	39	45	42	6	48	106
01:15 PM	4	7	11	12	37	49	32	2	34	94
01:30 PM	3	10	13	8	24	32	52	10	62	107
Total Volume	9	34	43	32	134	166	187	19	206	415
% App. Total	20.9	79.1		19.3	80.7		90.8	9.2		
PHF	.563	.654	.827	.667	.859	.847	.766	.475	.831	.961

# Peggy Malone & Associates

(888) 247-8602

File Name : Chickahominy Riverfront Park & John Tyler Highway SAT  
 Site Code :  
 Start Date : 4/17/2021  
 Page No : 1

### Groups Printed- Trucks

Start Time	Chickahominy Riverfront Park Southbound				John Tyler Hwy Westbound				John Tyler Hwy Eastbound				Int. Total
	Right	Left	Peds	App. Total	Right	Thru	Peds	App. Total	Thru	Left	Peds	App. Total	
12:00 PM	0	0	0	0	0	3	0	3	2	0	0	2	5
12:15 PM	0	0	0	0	0	2	0	2	1	0	0	1	3
12:30 PM	0	1	0	1	1	2	0	3	3	0	0	3	7
12:45 PM	0	0	0	0	0	1	0	1	2	0	0	2	3
<b>Total</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>8</b>	<b>0</b>	<b>9</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>8</b>	<b>18</b>
01:00 PM	0	0	0	0	0	1	0	1	0	0	0	0	1
01:15 PM	0	0	0	0	1	1	0	2	2	0	0	2	4
01:30 PM	0	1	0	1	0	0	0	0	0	0	0	0	1
01:45 PM	0	1	0	1	0	1	0	1	1	0	0	1	3
<b>Total</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>2</b>	<b>1</b>	<b>3</b>	<b>0</b>	<b>4</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>9</b>
<b>Grand Total</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>3</b>	<b>2</b>	<b>11</b>	<b>0</b>	<b>13</b>	<b>11</b>	<b>0</b>	<b>0</b>	<b>11</b>	<b>27</b>
Apprch %	0	100	0		15.4	84.6	0		100	0	0		
Total %	0	11.1	0	11.1	7.4	40.7	0	48.1	40.7	0	0	40.7	

Start Time	Chickahominy Riverfront Park Southbound			John Tyler Hwy Westbound			John Tyler Hwy Eastbound			Int. Total
	Right	Left	App. Total	Right	Thru	App. Total	Thru	Left	App. Total	
Peak Hour Analysis From 12:00 PM to 01:45 PM - Peak 1 of 1										
Peak Hour for Entire Intersection Begins at 12:00 PM										
12:00 PM	0	0	0	0	3	3	2	0	2	5
12:15 PM	0	0	0	0	2	2	1	0	1	3
12:30 PM	0	1	1	1	2	3	3	0	3	7
12:45 PM	0	0	0	0	1	1	2	0	2	3
<b>Total Volume</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>8</b>	<b>9</b>	<b>8</b>	<b>0</b>	<b>8</b>	<b>18</b>
<b>% App. Total</b>	<b>0</b>	<b>100</b>		<b>11.1</b>	<b>88.9</b>		<b>100</b>	<b>0</b>		
PHF	.000	.250	.250	.250	.667	.750	.667	.000	.667	.643

# Peggy Malone & Associates

## (888) 247-8602

File Name : Chickahominy Riverfront Park & John Tyler Highway SAT  
 Site Code :  
 Start Date : 4/17/2021  
 Page No : 1

### Groups Printed- Combined

Start Time	Chickahominy Riverfront Park Southbound				John Tyler Hwy Westbound				John Tyler Hwy Eastbound				Int. Total
	Right	Left	Peds	App. Total	Right	Thru	Peds	App. Total	Thru	Left	Peds	App. Total	
12:00 PM	1	3	19	23	7	49	0	56	37	2	0	39	118
12:15 PM	2	3	16	21	2	46	0	48	43	3	0	46	115
12:30 PM	0	6	12	18	10	44	0	54	49	2	0	51	123
12:45 PM	2	4	21	27	6	35	0	41	63	1	0	64	132
<b>Total</b>	<b>5</b>	<b>16</b>	<b>68</b>	<b>89</b>	<b>25</b>	<b>174</b>	<b>0</b>	<b>199</b>	<b>192</b>	<b>8</b>	<b>0</b>	<b>200</b>	<b>488</b>
01:00 PM	0	13	11	24	6	40	0	46	42	6	0	48	118
01:15 PM	4	7	13	24	13	38	0	51	34	2	0	36	111
01:30 PM	3	11	12	26	8	24	0	32	52	10	0	62	120
01:45 PM	0	11	21	32	8	29	0	37	48	2	0	50	119
<b>Total</b>	<b>7</b>	<b>42</b>	<b>57</b>	<b>106</b>	<b>35</b>	<b>131</b>	<b>0</b>	<b>166</b>	<b>176</b>	<b>20</b>	<b>0</b>	<b>196</b>	<b>468</b>
<b>Grand Total</b>	<b>12</b>	<b>58</b>	<b>125</b>	<b>195</b>	<b>60</b>	<b>305</b>	<b>0</b>	<b>365</b>	<b>368</b>	<b>28</b>	<b>0</b>	<b>396</b>	<b>956</b>
Apprch %	6.2	29.7	64.1		16.4	83.6	0		92.9	7.1	0		
Total %	1.3	6.1	13.1	20.4	6.3	31.9	0	38.2	38.5	2.9	0	41.4	

Start Time	Chickahominy Riverfront Park Southbound			John Tyler Hwy Westbound			John Tyler Hwy Eastbound			Int. Total
	Right	Left	App. Total	Right	Thru	App. Total	Thru	Left	App. Total	
Peak Hour Analysis From 12:00 PM to 01:45 PM - Peak 1 of 1										
Peak Hour for Entire Intersection Begins at 12:15 PM										
12:15 PM	2	3	5	2	<b>46</b>	48	43	3	46	99
12:30 PM	0	6	6	<b>10</b>	44	<b>54</b>	49	2	51	<b>111</b>
12:45 PM	2	4	6	6	35	41	<b>63</b>	1	<b>64</b>	111
01:00 PM	0	<b>13</b>	<b>13</b>	6	40	46	42	<b>6</b>	48	107
Total Volume	4	26	30	24	165	189	197	12	209	428
% App. Total	13.3	86.7		12.7	87.3		94.3	5.7		
PHF	.500	.500	.577	.600	.897	.875	.782	.500	.816	.964

# Peggy Malone & Associates

## (888) 247-8602

File Name : Chickahominy Riverfront Park & John Tyler Highway  
 Site Code :  
 Start Date : 4/15/2021  
 Page No : 1

### Groups Printed- Cars

Start Time	Chickahominy Riverfront Park Southbound				John Tyler Hwy Westbound				John Tyler Hwy Eastbound				Int. Total
	Right	Left	Peds	App. Total	Right	Thru	Peds	App. Total	Thru	Left	Peds	App. Total	
04:00 PM	1	2	8	11	1	31	0	32	33	0	0	33	76
04:15 PM	0	3	1	4	3	33	0	36	28	0	0	28	68
04:30 PM	0	1	4	5	3	39	0	42	28	0	0	28	75
04:45 PM	0	5	4	9	5	38	0	43	28	0	0	28	80
<b>Total</b>	<b>1</b>	<b>11</b>	<b>17</b>	<b>29</b>	<b>12</b>	<b>141</b>	<b>0</b>	<b>153</b>	<b>117</b>	<b>0</b>	<b>0</b>	<b>117</b>	<b>299</b>
05:00 PM	0	3	5	8	4	35	0	39	31	0	0	31	78
05:15 PM	1	4	2	7	28	36	0	64	28	0	0	28	99
05:30 PM	0	32	5	37	4	48	0	52	27	0	0	27	116
05:45 PM	2	3	7	12	4	18	0	22	24	1	0	25	59
<b>Total</b>	<b>3</b>	<b>42</b>	<b>19</b>	<b>64</b>	<b>40</b>	<b>137</b>	<b>0</b>	<b>177</b>	<b>110</b>	<b>1</b>	<b>0</b>	<b>111</b>	<b>352</b>
<b>Grand Total</b>	<b>4</b>	<b>53</b>	<b>36</b>	<b>93</b>	<b>52</b>	<b>278</b>	<b>0</b>	<b>330</b>	<b>227</b>	<b>1</b>	<b>0</b>	<b>228</b>	<b>651</b>
Apprch %	4.3	57	38.7		15.8	84.2	0		99.6	0.4	0		
Total %	0.6	8.1	5.5	14.3	8	42.7	0	50.7	34.9	0.2	0	35	

Start Time	Chickahominy Riverfront Park Southbound			John Tyler Hwy Westbound			John Tyler Hwy Eastbound			Int. Total
	Right	Left	App. Total	Right	Thru	App. Total	Thru	Left	App. Total	
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1										
Peak Hour for Entire Intersection Begins at 04:45 PM										
04:45 PM	0	5	5	5	38	43	28	0	28	76
05:00 PM	0	3	3	4	35	39	31	0	31	73
05:15 PM	1	4	5	28	36	64	28	0	28	97
05:30 PM	0	32	32	4	48	52	27	0	27	111
Total Volume	1	44	45	41	157	198	114	0	114	357
% App. Total	2.2	97.8		20.7	79.3		100	0		
PHF	.250	.344	.352	.366	.818	.773	.919	.000	.919	.804

# Peggy Malone & Associates

## (888) 247-8602

File Name : Chickahominy Riverfront Park & John Tyler Highway  
 Site Code :  
 Start Date : 4/15/2021  
 Page No : 1

### Groups Printed- Trucks

Start Time	Chickahominy Riverfront Park Southbound				John Tyler Hwy Westbound				John Tyler Hwy Eastbound				Int. Total
	Right	Left	Peds	App. Total	Right	Thru	Peds	App. Total	Thru	Left	Peds	App. Total	
04:00 PM	0	0	0	0	0	3	0	3	0	0	0	0	3
04:15 PM	0	0	0	0	0	3	0	3	2	0	0	2	5
04:30 PM	0	0	0	0	0	1	0	1	0	0	0	0	1
04:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>7</b>	<b>0</b>	<b>7</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>9</b>
05:00 PM	0	0	0	0	0	1	0	1	0	0	0	0	1
05:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
05:30 PM	0	0	0	0	0	3	0	3	0	0	0	0	3
05:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4</b>	<b>0</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4</b>
<b>Grand Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>11</b>	<b>0</b>	<b>11</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>13</b>
Apprch %	0	0	0	0	0	100	0	100	100	0	0	0	100
Total %	0	0	0	0	0	84.6	0	84.6	15.4	0	0	15.4	100

Start Time	Chickahominy Riverfront Park Southbound			John Tyler Hwy Westbound			John Tyler Hwy Eastbound			Int. Total
	Right	Left	App. Total	Right	Thru	App. Total	Thru	Left	App. Total	
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1										
Peak Hour for Entire Intersection Begins at 04:00 PM										
04:00 PM	0	0	0	0	3	3	0	0	0	3
04:15 PM	0	0	0	0	3	3	2	0	2	5
04:30 PM	0	0	0	0	1	1	0	0	0	1
04:45 PM	0	0	0	0	0	0	0	0	0	0
<b>Total Volume</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>7</b>	<b>7</b>	<b>2</b>	<b>0</b>	<b>2</b>	<b>9</b>
<b>% App. Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>0</b>	<b>0</b>	<b>100</b>
PHF	.000	.000	.000	.000	.583	.583	.250	.000	.250	.450

# Peggy Malone & Associates

## (888) 247-8602

File Name : Chickahominy Riverfront Park & John Tyler Highway  
 Site Code :  
 Start Date : 4/15/2021  
 Page No : 1

### Groups Printed- Combined

Start Time	Chickahominy Riverfront Park Southbound				John Tyler Hwy Westbound				John Tyler Hwy Eastbound				Int. Total
	Right	Left	Peds	App. Total	Right	Thru	Peds	App. Total	Thru	Left	Peds	App. Total	
04:00 PM	1	2	8	11	1	34	0	35	33	0	0	33	79
04:15 PM	0	3	1	4	3	36	0	39	30	0	0	30	73
04:30 PM	0	1	4	5	3	40	0	43	28	0	0	28	76
04:45 PM	0	5	4	9	5	38	0	43	28	0	0	28	80
<b>Total</b>	<b>1</b>	<b>11</b>	<b>17</b>	<b>29</b>	<b>12</b>	<b>148</b>	<b>0</b>	<b>160</b>	<b>119</b>	<b>0</b>	<b>0</b>	<b>119</b>	<b>308</b>
05:00 PM	0	3	5	8	4	36	0	40	31	0	0	31	79
05:15 PM	1	4	2	7	28	36	0	64	28	0	0	28	99
05:30 PM	0	32	5	37	4	51	0	55	27	0	0	27	119
05:45 PM	2	3	7	12	4	18	0	22	24	1	0	25	59
<b>Total</b>	<b>3</b>	<b>42</b>	<b>19</b>	<b>64</b>	<b>40</b>	<b>141</b>	<b>0</b>	<b>181</b>	<b>110</b>	<b>1</b>	<b>0</b>	<b>111</b>	<b>356</b>
<b>Grand Total</b>	<b>4</b>	<b>53</b>	<b>36</b>	<b>93</b>	<b>52</b>	<b>289</b>	<b>0</b>	<b>341</b>	<b>229</b>	<b>1</b>	<b>0</b>	<b>230</b>	<b>664</b>
Apprch %	4.3	57	38.7		15.2	84.8	0		99.6	0.4	0		
Total %	0.6	8	5.4	14	7.8	43.5	0	51.4	34.5	0.2	0	34.6	

Start Time	Chickahominy Riverfront Park Southbound			John Tyler Hwy Westbound			John Tyler Hwy Eastbound			Int. Total
	Right	Left	App. Total	Right	Thru	App. Total	Thru	Left	App. Total	
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1										
Peak Hour for Entire Intersection Begins at 04:45 PM										
04:45 PM	0	5	5	5	38	43	28	0	28	76
05:00 PM	0	3	3	4	36	40	31	0	31	74
05:15 PM	1	4	5	28	36	64	28	0	28	97
05:30 PM	0	32	32	4	51	55	27	0	27	114
Total Volume	1	44	45	41	161	202	114	0	114	361
% App. Total	2.2	97.8		20.3	79.7		100	0		
PHF	.250	.344	.352	.366	.789	.789	.919	.000	.919	.792

## **APPENDIX B**

2021 Existing Conditions Analysis Reports

Intersection						
Int Delay, s/veh	2.1					
Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↶	↷		↶	↷
Traffic Vol, veh/h	0	125	177	79	84	2
Future Vol, veh/h	0	125	177	79	84	2
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	79	92	92	92	92	92
Heavy Vehicles, %	0	0	2	0	0	0
Mvmt Flow	0	136	192	86	91	2

Major/Minor	Major1	Major2	Minor2		
Conflicting Flow All	278	0	-	0	371 235
Stage 1	-	-	-	-	235 -
Stage 2	-	-	-	-	136 -
Critical Hdwy	4.1	-	-	-	6.4 6.2
Critical Hdwy Stg 1	-	-	-	-	5.4 -
Critical Hdwy Stg 2	-	-	-	-	5.4 -
Follow-up Hdwy	2.2	-	-	-	3.5 3.3
Pot Cap-1 Maneuver	1296	-	-	-	634 809
Stage 1	-	-	-	-	809 -
Stage 2	-	-	-	-	895 -
Platoon blocked, %		-	-	-	
Mov Cap-1 Maneuver	1296	-	-	-	634 809
Mov Cap-2 Maneuver	-	-	-	-	634 -
Stage 1	-	-	-	-	809 -
Stage 2	-	-	-	-	895 -

Approach	EB	WB	SB
HCM Control Delay, s	0	0	11.6
HCM LOS			B

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1296	-	-	-	637
HCM Lane V/C Ratio	-	-	-	-	0.147
HCM Control Delay (s)	0	-	-	-	11.6
HCM Lane LOS	A	-	-	-	B
HCM 95th %tile Q(veh)	0	-	-	-	0.5

# Queuing and Blocking Report

## Baseline

06/17/2021

### Intersection: 3:

Movement	SB
Directions Served	LR
Maximum Queue (ft)	61
Average Queue (ft)	33
95th Queue (ft)	53
Link Distance (ft)	387
Upstream Blk Time (%)	
Queuing Penalty (veh)	
Storage Bay Dist (ft)	
Storage Blk Time (%)	
Queuing Penalty (veh)	

### Network Summary

Network wide Queuing Penalty: 0

HCM 6th TWSC  
3: Jamestown Road

06/17/2021

Intersection						
Int Delay, s/veh	1.7					
Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↕	↕		↕	
Traffic Vol, veh/h	23	217	182	46	50	8
Future Vol, veh/h	23	217	182	46	50	8
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	0	0	2	0	0	0
Mvmt Flow	25	236	198	50	54	9

Major/Minor	Major1	Major2	Minor2		
Conflicting Flow All	248	0	-	0	509 223
Stage 1	-	-	-	-	223 -
Stage 2	-	-	-	-	286 -
Critical Hdwy	4.1	-	-	-	6.4 6.2
Critical Hdwy Stg 1	-	-	-	-	5.4 -
Critical Hdwy Stg 2	-	-	-	-	5.4 -
Follow-up Hdwy	2.2	-	-	-	3.5 3.3
Pot Cap-1 Maneuver	1330	-	-	-	528 822
Stage 1	-	-	-	-	819 -
Stage 2	-	-	-	-	767 -
Platoon blocked, %		-	-	-	
Mov Cap-1 Maneuver	1330	-	-	-	516 822
Mov Cap-2 Maneuver	-	-	-	-	516 -
Stage 1	-	-	-	-	801 -
Stage 2	-	-	-	-	767 -

Approach	EB	WB	SB
HCM Control Delay, s	0.7	0	12.5
HCM LOS			B

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1330	-	-	-	544
HCM Lane V/C Ratio	0.019	-	-	-	0.116
HCM Control Delay (s)	7.8	0	-	-	12.5
HCM Lane LOS	A	A	-	-	B
HCM 95th %tile Q(veh)	0.1	-	-	-	0.4

---

Intersection: 3: Jamestown Road

---

Movement	EB	SB
Directions Served	LT	LR
Maximum Queue (ft)	54	60
Average Queue (ft)	6	29
95th Queue (ft)	29	52
Link Distance (ft)	894	387
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

---

Network Summary

---

Network wide Queuing Penalty: 0

## **APPENDIX C**

### Future Traffic Conditions Analysis Reports

Intersection						
Int Delay, s/veh	2.4					
Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↕	↕		↕	
Traffic Vol, veh/h	4	139	197	88	94	2
Future Vol, veh/h	4	139	197	88	94	2
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	79	92	92	92	92	92
Heavy Vehicles, %	0	0	2	0	0	0
Mvmt Flow	5	151	214	96	102	2

Major/Minor	Major1	Major2	Minor2		
Conflicting Flow All	310	0	-	0	423 262
Stage 1	-	-	-	-	262 -
Stage 2	-	-	-	-	161 -
Critical Hdwy	4.1	-	-	-	6.4 6.2
Critical Hdwy Stg 1	-	-	-	-	5.4 -
Critical Hdwy Stg 2	-	-	-	-	5.4 -
Follow-up Hdwy	2.2	-	-	-	3.5 3.3
Pot Cap-1 Maneuver	1262	-	-	-	591 782
Stage 1	-	-	-	-	786 -
Stage 2	-	-	-	-	873 -
Platoon blocked, %		-	-	-	
Mov Cap-1 Maneuver	1262	-	-	-	589 782
Mov Cap-2 Maneuver	-	-	-	-	589 -
Stage 1	-	-	-	-	783 -
Stage 2	-	-	-	-	873 -

Approach	EB	WB	SB
HCM Control Delay, s	0.3	0	12.4
HCM LOS			B

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1262	-	-	-	592
HCM Lane V/C Ratio	0.004	-	-	-	0.176
HCM Control Delay (s)	7.9	0	-	-	12.4
HCM Lane LOS	A	A	-	-	B
HCM 95th %tile Q(veh)	0	-	-	-	0.6

---

Intersection: 3:

---

Movement	EB	SB
Directions Served	LT	LR
Maximum Queue (ft)	22	63
Average Queue (ft)	1	34
95th Queue (ft)	13	56
Link Distance (ft)	894	387
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

---

Network Summary

---

Network wide Queuing Penalty: 0

---

HCM 6th TWSC  
3: Jamestown Road

06/17/2021

Intersection						
Int Delay, s/veh	1.8					
Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↶	↷		↶	
Traffic Vol, veh/h	26	242	203	51	56	9
Future Vol, veh/h	26	242	203	51	56	9
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	0	0	2	0	0	0
Mvmt Flow	28	263	221	55	61	10

Major/Minor	Major1	Major2	Minor2		
Conflicting Flow All	276	0	-	0	568 249
Stage 1	-	-	-	-	249 -
Stage 2	-	-	-	-	319 -
Critical Hdwy	4.1	-	-	-	6.4 6.2
Critical Hdwy Stg 1	-	-	-	-	5.4 -
Critical Hdwy Stg 2	-	-	-	-	5.4 -
Follow-up Hdwy	2.2	-	-	-	3.5 3.3
Pot Cap-1 Maneuver	1299	-	-	-	488 795
Stage 1	-	-	-	-	797 -
Stage 2	-	-	-	-	741 -
Platoon blocked, %		-	-	-	
Mov Cap-1 Maneuver	1299	-	-	-	476 795
Mov Cap-2 Maneuver	-	-	-	-	476 -
Stage 1	-	-	-	-	777 -
Stage 2	-	-	-	-	741 -

Approach	EB	WB	SB
HCM Control Delay, s	0.8	0	13.3
HCM LOS			B

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1299	-	-	-	504
HCM Lane V/C Ratio	0.022	-	-	-	0.14
HCM Control Delay (s)	7.8	0	-	-	13.3
HCM Lane LOS	A	A	-	-	B
HCM 95th %tile Q(veh)	0.1	-	-	-	0.5

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Intersection: 3: Jamestown Road

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Movement	EB	WB	SB
Directions Served	LT	TR	LR
Maximum Queue (ft)	57	2	63
Average Queue (ft)	6	0	30
95th Queue (ft)	31	2	54
Link Distance (ft)	894	798	387
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

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Network Summary

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Network wide Queuing Penalty: 0

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## RESOLUTION

VIRGINIA CODE § 15.2-2232 ACTION ON CASE NO. SUP-23-0004.

### CHICKAHOMINY RIVERFRONT PARK MASTER PLAN AMENDMENT

WHEREAS, in accordance with Section 15.2-2232 of the Code of Virginia, a park or other public area, public building or public structure, whether publicly or privately owned, shall not be constructed, established or authorized, unless and until the general location or approximate location, character, and extent thereof has been submitted to and approved by the Planning Commission as being substantially in accord with the adopted Comprehensive Plan or part thereof; and

WHEREAS, James City County, Virginia (the “Owner”), owns properties located at 1350 John Tyler Highway, and further identified as James City County Real Estate Tax Map Parcel No. 3430100002 (the “Property”), which is zoned PL, Public Lands; and

WHEREAS, Mr. Alister Perkinson of the James City County Parks & Recreation Department, on behalf of the Owner, has applied for a Special Use Permit amendment to remove camping and RV camping areas and adding a long-term RV and boat storage area and a future James City Service Authority water treatment plant area on the eastern side of the park; realigning internal roadways and removing a second entrance on Route 5; and adding and relocating rowing and boat launch facilities and other minor revisions on the Properties as shown on a plan titled “Chickahominy Riverfront Park Master Plan March 2023”, dated March 2023; and

WHEREAS, in accordance with § 15.2-2204 of the Code of Virginia and Section 24-9 of the James City County Zoning Ordinance, a public hearing was advertised, adjacent property owners notified, and a hearing scheduled for Case No. SUP-23-0004.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of James City County, Virginia, finds that the general or approximate location, character and extent of the park or other public areas, public buildings or public structures shown in Case No. SUP-23-0004 are substantially in accord with the adopted Comprehensive Plan and applicable parts thereof.

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Frank Polster  
Chair, Planning Commission

ATTEST:

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Paul D. Holt, III  
Secretary

Adopted by the Planning Commission of James City County, Virginia, this 5th day of April, 2023.

SUP23-4\_CRPkMPAmd-res

**ITEM SUMMARY**

DATE: 4/5/2023

TO: The Planning Commission

FROM: Ben Loppacker, Planner

SUBJECT: SUP-23-0005. Jamestown Beach Event Park Master Plan Amendment

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**ATTACHMENTS:**

	Description	Type
☐	Staff Report	Staff Report
☐	1. Proposed SUP Conditions	Backup Material
☐	2. Location Map	Exhibit
☐	3. Master Plan Jamestown Beach Event Park July 2020	Backup Material
☐	4. Applicant Narrative	Backup Material
☐	5. SUP-0010-2015 Resolution	Backup Material
☐	6. Traffic Memorandum	Backup Material
☐	7. Shaping Our Shores 2009 Resolution	Backup Material
☐	8. Jamestown Beach 2009 Shaping Our Shore Master Plan	Backup Material
☐	9. Resolution: 15.2-2232 Consistency Determination	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Planning Commission	Holt, Paul	Approved	3/30/2023 - 8:28 AM
Planning Commission	Holt, Paul	Approved	3/30/2023 - 8:29 AM
Publication Management	Daniel, Martha	Approved	3/30/2023 - 9:01 AM
Planning Commission	Holt, Paul	Approved	3/30/2023 - 9:02 AM

**SPECIAL USE PERMIT-23-0005. 2205 Jamestown Road. Jamestown Beach Event Park Master Plan Amendment  
Staff Report for the April 5, 2023, Planning Commission Public Hearing**

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**SUMMARY FACTS**

Applicant: Mr. Alister Perkinson, Parks Administrator,  
for the Parks & Recreation Department

Landowner: James City County

Proposal: A request to amend the Special Use Permit (SUP) Case and Master Plan to include, but not limited to, adding long-term boat storage and a running center, and changes to roadways including realigning the park entrance to create a new intersection with Jamestown Road and the Colonial Parkway. The proposed SUP amendment is designed to ensure consistency with the currently adopted Park Master Plan.

Location: 2205 Jamestown Road

Tax Map/Parcel No.: 4630100005

Property Acreage: ± 94.75 acres

Zoning: PL, Public Lands

Comprehensive Plan: Community Character Conservation, Open Space, or Recreation

Primary Service Area: Inside

Staff Contact: Ben Loppacker, Planner

**PUBLIC HEARING DATES**

Planning Commission: April 5, 2023, 6:00 p.m.

Board of Supervisors: May 9, 2023, 5:00 p.m. (tentative)

**FACTORS FAVORABLE**

1. The proposal continues to be compatible with surrounding zoning and development.
2. The proposal is consistent with *Our County, Our Shared Future: James City County 2045 Comprehensive Plan*.
3. At its July 28, 2020, meeting, the Board of Supervisors approved the Master Plan for Jamestown Beach Event Park. Staff finds the current SUP application consistent with the Board adopted Master Plan for the Park.
4. The proposed conditions mitigate traffic impacts to Jamestown Road.
5. Impacts: See Impact Analysis on Pages 4-5.

**FACTORS UNFAVORABLE**

1. Impacts: See Impact Analysis on Pages 4-5.

**SUMMARY STAFF RECOMMENDATION**

Staff recommends the Planning Commission recommend approval of this application to the Board of Supervisors, subject to the proposed conditions. Staff also recommends that the Planning Commission find this application consistent with Section 15.2-2232 of the Code of Virginia.

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*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-23-0005. 2205 Jamestown Road. Jamestown Beach Event Park Master Plan Amendment  
Staff Report for the April 5, 2023, Planning Commission Public Hearing**

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**PROJECT DESCRIPTION**

Mr. Alister Perkinson, Parks Administrator, Parks & Recreation Department, has submitted a request to amend the Master Plan and SUP condition changes for Jamestown Beach Event Park on behalf of the James City County Parks & Recreation Department.

Since the original *Shaping our Shores* Master Plan was approved in 2009, improvements have been made to the Park, which include removing the concrete rubble that littered the shoreline, the creation of three beach areas and the installation of shoreline grasses; upgrades to the parking and entrance way, creating an accessible paved walkway and construction of a restroom; lastly, a paddlecraft launch site was created.

In 2020, the Parks & Recreation Department updated the Master Plan included the following changes were made:

- Relocate fishing pier off the Virginia Department of Transportation (VDOT) property to far end of the beach;
- Add additional restrooms and parking for events and beach patrons;
- Addition of event tent for use with the Amblers House;
- Realign the park entrance along Jamestown Road to intersect with the road leading to the Marina;
- Addition of a public/private Running Center to support community racing, events and provide workspaces for Parks & Recreation staff.

- Close the section of Greensprings Road that runs in front of the park and align it to meet Jamestown Road; and
- Addition of long-term boat storage to support revenue development and the Marina.

At its July 28, 2020, meeting, the Board of Supervisors approved the Master Plan for Jamestown Beach Event Park. The purpose of this amendment is to update language in the conditions to be consistent with the approved Master Plan for the Park.

Traffic Analysis

A Traffic Impact Analysis was prepared by the Timmons Group dated March 17, 2022, and revised on May 16, 2022, for the proposed Jamestown Beach Event Park Master Plan update (Attachment No. 6). Based on the analysis, the following conclusions and recommendations were offered:

1. The proposed Master Plan development will not require any improvements to the existing site entrance along Jamestown Road.
2. With any renovations to the Ambler House, a westbound right-turn taper will be warranted at the site entrance.
3. Any use in the Ambler House that generates 60 or more inbound Saturday peak hour trips will warrant a westbound full width right-turn lane and taper.
4. A left-turn lane will not be warranted under any proposed circumstances.

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**SPECIAL USE PERMIT-23-0005. 2205 Jamestown Road. Jamestown Beach Event Park Master Plan Amendment  
Staff Report for the April 5, 2023, Planning Commission Public Hearing**

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5. Under existing and future conditions, all movements of the intersection of Jamestown Road and the Park entrance operate at Level of Service B or better in both the PM and Saturday peaks.

These recommendations for traffic improvements are included in the proposed SUP conditions (Attachment No. 1).

**PLANNING AND ZONING HISTORY**

- On March 12, 2013, the Board approved Case No. SUP-0017-2012, allowing for the operation of the Park by the County and the adoption of the original Master Plan for the Park.
- On March 8, 2016, the Board approved Case No. SUP-0010-2015, amending the original Master Plan and resolution from 2013. This is the most recent SUP associated with this property.
- On July 28, 2020, the Board of Supervisors approved the Master Plan for Jamestown Beach Event Park.

**SURROUNDING ZONING AND DEVELOPMENT**

- The parcel is located on Jamestown Road near the Jamestown-Surry Ferry. Surrounding zoning includes R-8, Rural Residential, to the north and east, B-1, General Business, to the southeast and PL, Public Lands to the southwest.

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**SPECIAL USE PERMIT-23-0005. 2205 Jamestown Road. Jamestown Beach Event Park Master Plan Amendment  
Staff Report for the April 5, 2023, Planning Commission Public Hearing**

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<b>Impacts/Potentially Unfavorable Conditions</b>	<b>Status</b> <i>(No Mitigation Required/Mitigated/Not Fully Mitigated)</i>	<b>Considerations/Proposed Mitigation of Potentially Unfavorable Conditions</b>
<u>Public Transportation: Vehicular</u>	<u>Mitigated</u>	- See Condition No. 6 regarding mitigation of vehicular traffic on Jamestown Road entering the Park.
<u>Public Transportation: Bicycle/Pedestrian</u>	<u>No Mitigation Required</u>	- Pedestrian/bicycle accommodations are required on the north side of Jamestown Road from the Park entrance to Greensprings Road. Mitigation will come at the site plan stage.
<u>Public Safety</u>	<u>No Mitigation Required</u>	- Fire Station 5 on Monticello Avenue serves this area of the County and is approximately 3.4 miles from Jamestown Beach Event Park. - Staff finds this SUP 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>	- N/A since no residential dwelling units are proposed.
<u>Public Parks and Recreation</u>	<u>No Mitigation Required</u>	- N/A since no residential dwelling units are proposed.
<u>Public Libraries and Cultural Centers</u>	<u>No Mitigation Required</u>	- Staff finds this project does not generate impacts that require mitigation.
<u>Groundwater and Drinking Water Resources</u>	<u>Mitigated</u>	- The proposal does not generate impacts that require mitigation to groundwater or drinking water resources.

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**SPECIAL USE PERMIT-23-0005. 2205 Jamestown Road. Jamestown Beach Event Park Master Plan Amendment  
Staff Report for the April 5, 2023, Planning Commission Public Hearing**

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<b>Impacts/Potentially Unfavorable Conditions</b>	<b>Status</b> <i>(No Mitigation Required/Mitigated/Not Fully Mitigated)</i>	<b>Considerations/Proposed Mitigation of Potentially Unfavorable Conditions</b>
<u>Watersheds, Streams, and Reservoirs</u> Project is located in the James River Watershed.	<u>Mitigated</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 site improvements be made in the future, those improvements would be subject to additional environmental review at that time. The Stormwater and Resource Protection Division has also added Condition No. 3 requiring a Master Stormwater Management Plan.
<u>Cultural/Historic</u>	<u>Mitigated</u>	- Staff finds that this project does not generate impacts that require mitigation.
<u>Nearby and Surrounding Properties</u>	<u>No Mitigation Required</u>	- Staff finds this project does not generate impacts that require mitigation.
<u>Community Character</u>	<u>No Mitigation Required</u>	- Jamestown Road is in a Community Character Corridor; however, the Master Plan does not propose any amenities within the 150-foot buffer along the Jamestown Road rights-of-way. This parcel is located within a Community Character Area.
<u>Covenants and Restrictions</u>	<u>No Mitigation Required</u>	- The applicant has verified that he is not aware of any covenants or restrictions on the property that prohibit the proposed use.

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**SPECIAL USE PERMIT-23-0005. 2205 Jamestown Road. Jamestown Beach Event Park Master Plan Amendment  
Staff Report for the April 5, 2023, Planning Commission Public Hearing**

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**2045 COMPREHENSIVE PLAN**

The site is designated Public Lands on the 2045 Comprehensive Plan Land Use Map. All surrounding properties are designated Low-Density Residential.

Appropriate primary uses for areas designated Community Character Conservation, Open Space, or Recreation, include parks and recreational amenities such as recreation fields, trails, wildlife corridors, and greenways. Staff finds this use to generally fit within these categories.

**FINDING OF CONSISTENCY**

Section 15.2-2232 of the Code of Virginia states, in part, that no public park facility be allowed unless the Planning Commission finds the location of the park “substantially” consistent with the adopted Comprehensive Plan. As previously stated, in the *Our County, Our Shared Future: James City County 2045 Comprehensive Plan* Comprehensive Plan Land Use Map, the Upper County Park is designated as Community Character Conservation, Open Space, or Recreation (CCOR). Also, staff finds this proposal consistent with the Comprehensive Plan since the Park will serve the County and region as a whole and because it is a public facility (i.e., owned and operated by James City County). For the Commission’s consideration, a consistency determination resolution is included as Attachment No. 9.

**STAFF RECOMMENDATION**

Staff finds the proposal to be compatible with surrounding zoning and development and that it is consistent with *Our County, Our Shared Future: James City County 2045 Comprehensive Plan*.

Staff recommends that the Planning Commission recommend approval of this application to the Board of Supervisors, subject to the

proposed conditions. Staff also recommends that the Planning Commission find this application consistent with Section 15.2-2232 of the Code of Virginia.

BL/ap  
SUP23-5\_JBEPMPInAmd

Attachments:

1. Proposed SUP Conditions
2. Location Map
3. Master Plan Jamestown Beach Event Park July 2020
4. Applicant Narrative
5. SUP-0010-2015 Resolution
6. Traffic Memorandum
7. *Shaping Our Shores* 2009 Resolution
8. Jamestown Beach 2009 Shaping Our Shore Master Plan
9. Resolution: 15.2-2232 Consistency Determination

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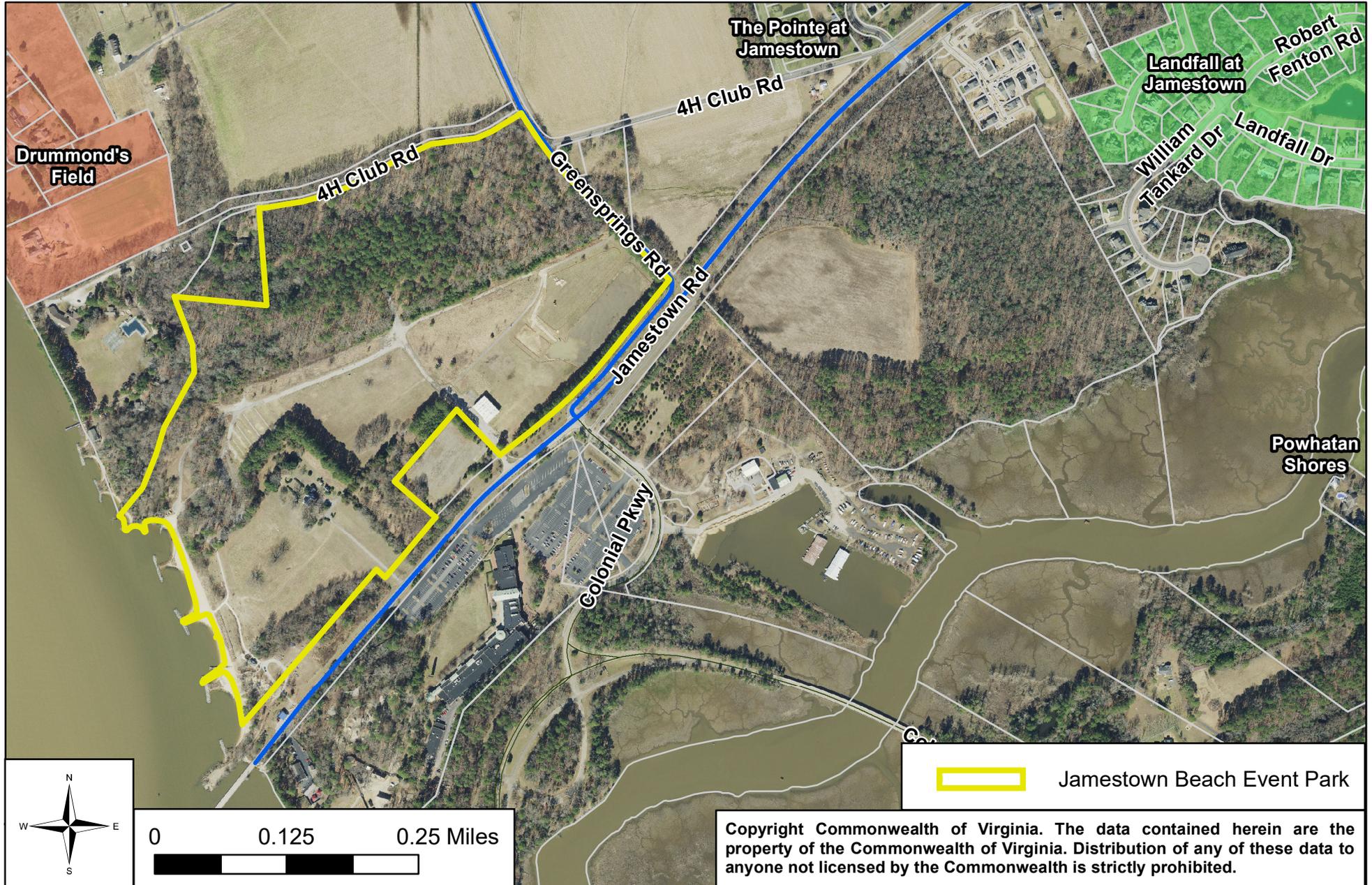
*This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.*

PROPOSED CONDITIONS FOR CASE NO. SUP-23-0005. JAMESTOWN BEACH EVENT

PARK MASTER PLAN AMENDMENT

1. Master Plan and Use. This Special Use Permit (the “SUP”) shall be valid for the Jamestown Beach Event Park facility (the “Project”). The Project is located at 2205 Jamestown Road, and further identified as James City County Real Estate Tax Map Parcel No. 4630100005 (the “Property”). Development of the Property shall be completed in accordance with the “the Jamestown Beach Event Park Master Plan July 2020,” dated July 2020, (the “Master Plan”), with any deviations considered per Section 24-23 (a)(2) of the Zoning Ordinance.
2. Master Stormwater Management Plan. The applicant shall submit a Master Stormwater Management (“SWM”) Plan for review and approval by the Director of Stormwater and Resource Protection Division or designee within 18 months of adoption of this SUP. Material deviations from the approved SWM must be approved by the Director of Stormwater and Resource Protection. All development of the Property must adhere to the approved SWM Plan.
3. Ambler House. The Ambler House accessory structures identified on the Master Plan shall not be demolished. No material improvements or alterations shall be permitted to the Ambler House unless approved by the Director of Planning.
4. Public Utilities. The applicant shall install connections to public water and sewer infrastructure prior to the development of any permanent structures or facilities as determined by the Director of Planning.
5. Traffic Impact Study. A traffic impact study shall be submitted to the County within five (5) years of adoption of this SUP, or at such earlier time if required by the Virginia Department of Transportation. The Director of Planning may delay this requirement until such time as the Ambler House Restoration, labeled “W” on the revised Master Plan has been completed which may delay this requirement beyond five (5) years.
6. Tree Clearing. Tree clearing on the Property shall be limited to the minimum necessary to accommodate the Project as determined by the Director of Planning or his designee.
7. Outdoor Speakers. All outdoor speakers used on the Property shall be oriented generally towards the interior of the Property and away from exterior property lines.
8. Severance Clause. This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

# JCC SUP-23-0005 2205 Jamestown Road Jamestown Beach Event Park Amendment



# SUP-23-0005. Jamestown Beach Event Park Master Plan Amendment

*Master Plan Dated February 8, 2023*

## Property Information:

PIN: 4630100005

James City County  
2205 Jamestown Road  
Williamsburg, VA 23185

PSA: Inside

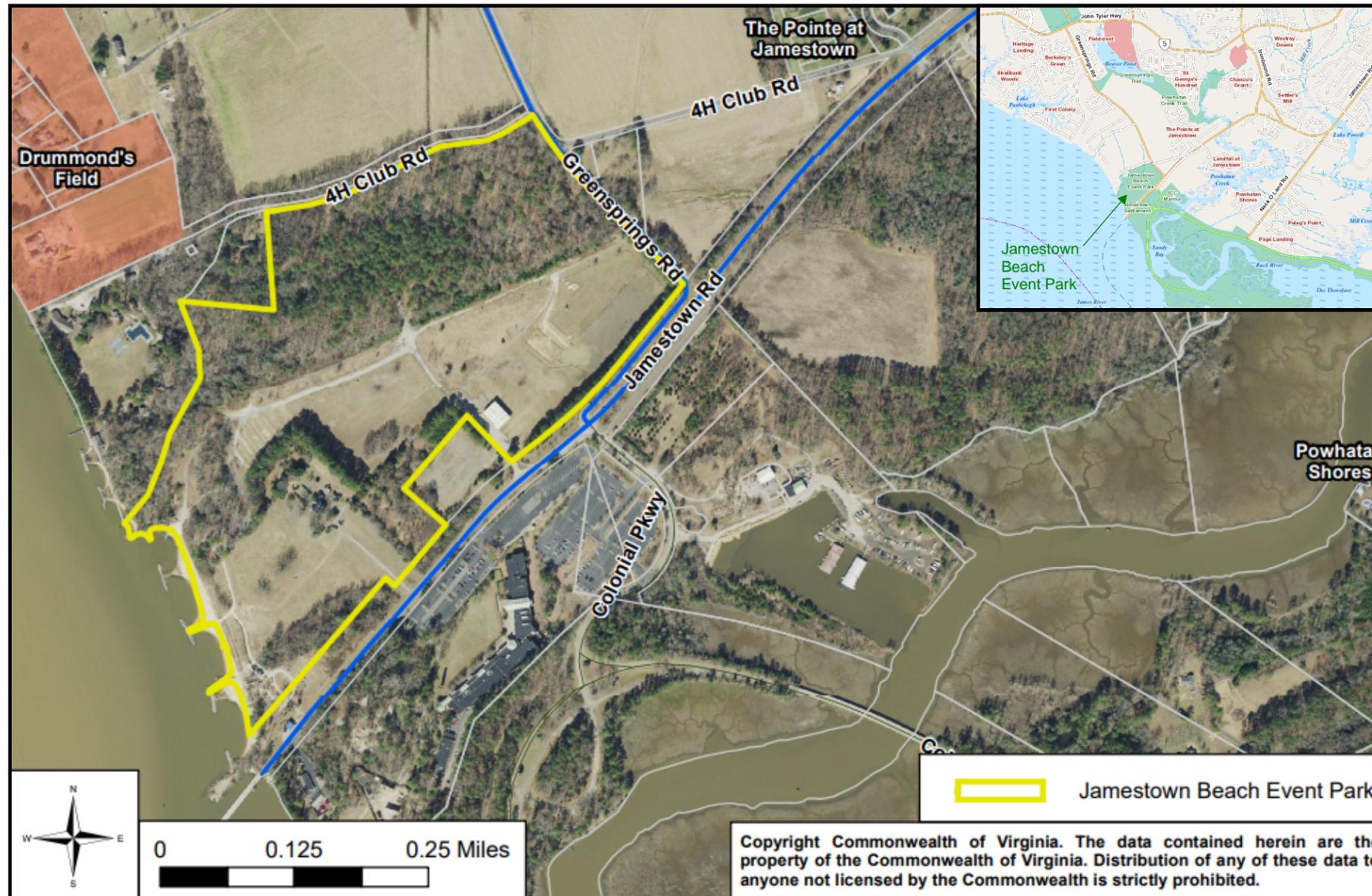
Zoning: PL Public Lands

2045 Comp Plan: Open Space or  
Recreation

Parcel Acreage: 94.75

## Sheet Index:

1. Cover Page
2. Applicant Narrative
3. Master Plan
4. APO List



## General Notes:

1. This proposal amends SUP-0010-2015.
2. Property does contain a Resource Protected Area.
3. This property is located within an easement.
4. Portions of the property located in a special flood hazard area based on Flood Insurance Rate Map 51095C0181D, effective 12/16/2015.

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# Master Plan

Jamestown Beach Event Park  
July 2020



Label	Feature
A	New Entrance
B	Bioretention Basins
C	Boat Storage
D	Beach Parking
E	Dredge Material from Marina
F	Event Tents
G	Amblers House Events, Parking & Overflow
H	Formal Gardens
I	Great Lawn
J	Maintenance Building, Storage Facility & Recreation Facility
K	New Roadway
L	Overflow Parking Lot
M	Parking Booth
N	Performance Venue
O	Pier / Fishing
P	Playground
Q	Preserved Viewshed
R	Restroom
R1	Restroom / Concessions
S	Running Center and Outdoor Restrooms
T	Second Entrance
U	Beach Access / Picnic Area
V	Parking
W	Amblers House Restored
X	Dumpster Pad
Y	RV / Cabin Camping
Z	Paddle Craft Launch

	Flood Plain
	RPA Lines
	Gate
	Property Line
	Grant VLCP
	CELCP Area
	Trail / Path
	Contours



JAMES RIVER



## Jamestown Beach Event Park (JBEP)

Since the original “Shaping our Shores” Master Plan was approved in 2009, several grants have been obtained to make improvements to the beach. A \$100,000 Chesapeake Bay Trust grant was awarded to assist with removing the concrete rubble that littered the shoreline, the creation of three beach areas and the installation of shoreline grasses. A \$152,049 grant from the Land and Water Conservation Funds was received to upgrade the parking and entrance way, create an accessible paved walkway and to construct the restroom building. A \$147,499 grant was also awarded to upgrade the water and sewer system for the bathroom. Lastly, a paddle craft launch site was created.

In an update to the plan in 2020, the following changes were made:

- Relocate fishing pier off VDOT property to far end of beach;
- Add additional restrooms and parking for events and beach patrons;
- Addition of event tent for use with the Amblers House;
- Re-align the park entrance along Jamestown Road to intersect with the road leading to the Marina;
- Close the section of Greensprings Road that runs in front of the park – align it to meet Jamestown Road; and
- Addition of long-term boat storage to support revenue development and the Marina;
- Addition of a public/private Running Center to support community racing, events and provide workspaces for Parks & Recreation staff.

These changes were adopted by the James City County Board of Supervisors at their July 28, 2020 meeting.

Park Included in SUP	Adopted 5 year CIP (FY23-27)	5-8 Years (FY28-30)	8+ Years (FY31+)
<b>Chickahominy Riverfront Park</b>	RV/Boat Storage ® Multi-use Trail (A)	Community Rowing Facilities/Paddlecraft Launch (C, H), Upgraded Bathhouse Facilities (B), Campground Improvements (A), Connector Road	Campground Store (M) Field Games (O) Picnic Pavilions (J)
<b>Upper County Park</b>	Paved Multi-use Trail (G) Splash Pad (A2)	Tennis/Pickleball Courts (N)	Community Gym (H) Archery Range (L)
<b>Jamestown Beach Event Park</b>	Boat Storage (C)	Maintenance Building (J) Performance Venue/Restrooms (N, R) Entrance re-alignment	Camping (Y)
<b>Warhill Sports Complex</b>	Softball/Baseball Complex (B)	Multipurpose Field Complex (F), Connector Road (E),	Baseball/Softball Stadium Complex (D2) Tennis/Pickleball Courts (H)

## RESOLUTION

### CASE NO. SUP-0010-2015. JAMESTOWN BEACH SPECIAL USE PERMIT AMENDMENT

- WHEREAS, the Board of Supervisors of James City County has adopted by ordinance specific Land uses that shall be subjected to a Special Use Permit (SUP) process; and
- WHEREAS, the Board of Supervisors approved SUP-0017-2012, Jamestown Beach, which permitted community recreation facilities in a PL, Public Lands District on property located at 2205 Jamestown Road, which can be further identified as James City County Real Estate Tax Map Parcel No. 4630100005 (the "Property"); and
- WHEREAS, Ms. Nancy Ellis of James City County Parks and Recreation has applied to amend SUP-0017-2012 and restate the conditions; and
- WHEREAS, the Board of Supervisors endorsed the Shaping Our Shores Master Plan by resolution on June 9, 2009, as a high-level planning document for the Property; and
- WHEREAS, the Planning Commission of James City County, following its public hearing on February 3, 2016, recommended approval of this application by a vote of 6-0; and
- WHEREAS, the Board of Supervisors of James City County, Virginia, finds this use to be consistent with the 2035 Comprehensive Plan Land Use Map designation for the Property and the considerations in Section 24-9 of the James City County Code.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after a public hearing does hereby approve the issuance of SUP 0010-2015 as described herein with the following amended and restated conditions:

1. **Master Plan.** This SUP shall permit a public community recreation facility and accessory uses thereto, including but not limited to restoration of the Vermillion House, event tents, interpretive areas, beach access and parking, special event areas, maintenance areas, concession stands, cabins, tent camping, a ropes course and performance venue on property located at 2205 Jamestown Road, and further identified as James City County Real Estate Tax Map Parcel No. 4630100005 (the "Property"). Uses and layout of the Property shall generally be located as shown on the document entitled "Figure 2-2: Master Plan - Jamestown Beach Campground," prepared by Vanasse, Hangen, and Brustlin, Inc. (VHB) (the "Master Plan") and as described in the *Shaping Our Shores* Master Plan report adopted by the Board of Supervisors on June 9, 2009 (the "SOS Report"), with only changes thereto that the director of planning determines are generally consistent with the Master Plan and the SOS Report.
2. **Archaeology.** Additional archaeological studies shall be submitted to the Director of Planning or his designee for review and approval prior to the commencement of any land disturbing activity on the Property in any area that is identified as "potentially eligible" or "eligible" for inclusion on the National Register of Historic Places and/or "unknown (further work needed)" in the reports titled "Phase I Cultural Resource Survey of the James City County Campground and Yacht Basin Marina, James City County, Virginia" by Archaeological and Cultural Solutions, Inc. dated February 2009,

and "Phase II Investigations of Archaeological Sites 44JC0101 and 44JC121 2, James City County Campground and Yacht Basin Marina, James City County, Virginia" by Archaeological and Cultural Solutions, Inc. dated July 2009. If an additional Phase II study is necessary for any site, such study shall be approved by the director of planning or his designee and a treatment plan for said sites shall be submitted to and approved by the director of planning or his designee for sites that are determined to be eligible for inclusion on the National Register of Historic Places and/or those sites that require a Phase III study. If in the Phase III study a site is determined eligible for nomination to the National Register of Historic Places and said site is to be preserved in place, the treatment plan shall include nomination of the site to the National Register of Historic Places. If a Phase III study is undertaken for said sites, such studies shall be approved by the director of planning or his designee prior to land disturbance within the study areas. All Phase I, Phase II and Phase III studies shall meet the Virginia Department of Historic Resources' *Guidelines for Preparing Archaeological Resource Management Reports* and the Secretary of the Interior's *Standards and Guidelines for Archaeological Documentation*, as applicable, and shall be conducted under the supervision of a qualified archaeologist who meets the qualifications set forth in the Secretary of the Interior's *Professional Qualification Standards*. All approved treatment plans shall be incorporated into the plan of development for the site and the clearing, grading or construction activities thereon.

3. **Tree Clearing.** Tree clearing on the Property shall be limited to the minimum necessary to accommodate the proposed infrastructure improvements; recreational uses shown on the Master Plan; and related driveways, entrance improvements and facilities as determined by the Director of Planning or his designee.
4. **Master Stormwater Management Plan.** The applicant shall complete a Master Stormwater Management Plan for the Property prior to final development plan approval for the next significant development phase of the Property for which a conceptual plan has not been received by the adoption date of this resolution. The Master Stormwater Management Plan shall be in accordance with the SOS Report and James City County's Sustainable Building Policy as adopted by a Board of Supervisors resolution on March 23, 2010.
5. **Vermillion House.** The Vermillion House and associated dependencies identified within the SOS Report shall remain on the Property and shall not be demolished. No changes shall be permitted to these structures with the exception of alterations, maintenance and/or modernizations that will not jeopardize their eligibility for future nomination to the National Register of Historic Places.
6. **Water Conservation Guidelines.** The applicant shall be responsible for developing water conservation standards to be submitted to and approved by the James City Service Authority prior to final site plan approval and subsequently for enforcing these standards. Water conservation measures addressed by the guidelines shall include, but not be limited to, limitations on the installation and use of approved landscaping design and materials to promote water conservation and minimize use of public water resources.
7. **Public Utilities.** The applicant shall install connections to public water and sewer infrastructure for restrooms and other amenities on the Property prior to the development of any permanent structures or facilities related to uses not currently developed as shown on the Master Plan that would be expected to generate higher park visitation rates, including but not limited to, the campground area, rental cabins,

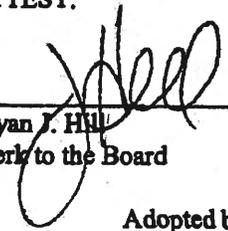
restoration of the Vermillion House and performance venue. Infrastructure improvements such as electrical connections, parking lots, facilities to allow for the collection of beach access parking fees and other facilities as approved by the director of planning shall not be considered to be permanent structures for the purposes of this condition and shall not trigger the requirement to connect to public water and sewer. Special events subject to permitting under the County Code shall also not be considered to trigger the requirement to connect to public water and sewer.

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

BE IT FURTHER RESOLVED by the Board of Supervisors of James City County, Virginia, that the issuance of SUP 0010-2015 as described above supersedes and replaces SUP-0017-2012 in its entirety.

  
Michael J. Hipple  
Chairman, Board of Supervisors

ATTEST:

  
Bryan J. Hill  
Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of March, 2016.

SUP10-2015JtownBeach-res



1001 Boulders Parkway  
Suite 300  
Richmond, VA 23225

P 804.200.6500  
F 804.560.1016  
[www.timmons.com](http://www.timmons.com)

To: Tom Leininger, James City County  
From: Steve Schmidt, PE, PTOE  
RE: Jamestown Beach Event Park Traffic Analysis  
Date: March 17, 2022  
Revised May 16, 2022  
Copy: Scott Dunn AICP, PTP (TG), Megan Lowther (TG)



---

Timmons Group has prepared a revised traffic assessment for the proposed Jamestown Beach Event Park Master Plan Update in James City County, Virginia. The original assessment was submitted on March 17, 2022 and VDOT issued comments on April 15, 2022. A copy of the response to those comments is included in Appendix A.

The site is located along the north side of Jamestown Road (Route 31) and east of the James River as shown on Figure 1 (all figures are located at the end of this memorandum).

The approximately 95-acre park currently offers swimming, fishing, riverfront access, and trails (among other uses) with access to the site provided via one entrance on Jamestown Road as shown on Figure 2.

The proposed Master Plan will include park improvements (camping, boat launch, performance venue, etc.) as well as renovating the 3,900 S.F. historic Ambler House into a yet to be determined use.

For purposes of this analysis, full buildout of the master plan was assumed to be complete in 2027.

This assessment analyzes the existing and future traffic to the park to determine if any improvements are required at the site entrance and at what point the improvements are needed.

### **Existing Conditions**

Jamestown Road (Route 31) is a two-lane, undivided minor arterial with a posted speed limit of 25 mph. According to the 2019 VDOT count book, Jamestown Road services 7,200 vehicles per day in the vicinity of the site.

Jamestown Road serves as a major east-west roadway connecting Williamsburg to the east with Surry to the west (via the Jamestown-Scotland Ferry).

The existing roadway geometry at the site entrance is shown on Figure 3.

### **Existing Traffic Volumes**

Existing PM and Saturday peak hour traffic counts were conducted on Thursday April 15, 2021 between 4-6 PM (PM peak hour) and Saturday, April 17, 2021 between 12-2 PM (SAT peak hour). The counts included heavy vehicles by movement, pedestrian, and bicycle counts and are included in Appendix B.

The existing PM and SAT peak hour counts are shown on Figure 3 and indicate the PM peak hour occurs from 4:45 PM – 5:45 PM and the SAT peak hour occurs from 12:15 PM – 1:15 PM.

Due to the change in traffic patterns associated with the ongoing pandemic, the counts were compared to 2019 VDOT AADT counts to determine the adjustment factor necessary to bring the 2021 counts to expected levels. After comparison it was determined that the volumes on Jamestown Road are **10% lower** than the expected 2021 volumes. Therefore, the existing traffic counts were increased by 10% along Jamestown Road.

Given the nature of the park, the traffic volumes differ from month to month based on the season. The County provided historic entrance counts for the park which indicate the peak month (July) experiences 98% more traffic than the month the count was completed (April). Therefore, the traffic counts into and out of the park entrance were increased by 98% to accommodate the peak traffic month.

The total adjusted 2021 Existing Volumes are shown on Figure 4.

### **2027 Background Traffic Volumes**

2027 Background traffic volumes were developed based on a 1% annual growth in existing traffic over the six (6) year period for project buildout.

The 1% annual growth rate was compounded annually over the six (6) year period and was applied to all movements from the existing traffic counts. The resulting 2027 background traffic volumes are shown on Figure 5.

### **2027 Future Traffic Volumes – Master Plan Development**

As noted above, the Master Plan calls for park improvements (camping, boat launch, performance venue, etc.) as well as renovating the Ambler House into a yet to be determined use.

The County Parks and Recreation Department intends that any events at the performance venue will be irregular in nature and occur outside the peak hours of the adjacent streets and does not intend to host multi-day events at this time.

Any future renovation of the Ambler House will have to preserve the historic structure (3,900 S.F.) and fit within that structure. Potential uses include a sit-down restaurant or small brewery or similar. Higher trip generating uses (fast-food restaurant with drive-thru, gas station, or similar) will not be permitted as they would require a change in the structure.

The 2027 future analysis was completed in two steps with the first step assuming full buildout of the Master Plan but without renovations to the Ambler House. The first step was completed to determine if any improvements will be required with the Master Plan development.

The second step in the analysis was completed to determine the number of trips generated by the Ambler House renovations which will trigger the need for improvements.



The site-generated traffic volumes generated by the proposed Master Plan are shown in Table 1 and were estimated using the 11th edition of the Institute of Transportation Engineers’ (ITE) Trip Generation Manual.

**Table 1: Trip Generation for Jamestown Event Park – Master Plan Only**

Buildout				Weekday <sup>(1)</sup>				Saturday <sup>(1)</sup>			
				PM Peak Hour			Average Daily Trips	Sat Peak Hour			Average Daily Trips
Land Use	Size	Units	Land Use Code	In	Out	Total		In	Out	Total	
<b>Proposed Uses</b>											
Public Park	95	Acres	411	6	4	10	74	15	12	27	186
<b>Total New Trips</b>				<b>6</b>	<b>4</b>	<b>10</b>	<b>74</b>	<b>15</b>	<b>12</b>	<b>27</b>	<b>186</b>

Notes: (1) Based on the Institute of Transportation Engineers Trip Generation, 11th Edition. Assumes General Urban/Suburban land use category.

As shown on Table 1, development of the Master Plan will generate 10 PM peak hour trips (6 in and 4 out) and 74 average daily trips on a weekday. On a Saturday, the Master Plan development will generate 27 peak hour trips (15 in and 12 out) and 186 average daily trips.

Based on the nature of the use, the existing travel patterns, and the surrounding roadway network, it was assumed that 2/3 of site traffic will be oriented to/from the east on Jamestown Road and the remaining 1/3 to/from the west on Jamestown Road.

The resulting site generated trips for the Master Plan development are shown on Figure 6.

The site generated trips shown on Figure 6 were added to the 2027 background traffic volumes shown on Figure 5 to yield to 2027 future traffic volumes which are shown on Figure 7.

**Turn Lane Warrant Analyses**

The turn lane warrant analyses for the eastbound left turn and westbound right turn into the site entrance from Jamestown Road was completed in stages as follows:

1. Will buildout of the Master Plan only require improvements at the site entrance;
2. Will the renovations to the Ambler House require improvements at the site entrance and if so, what level of development will trigger those improvements.

**Master Plan Only**

The turn lane warrant analyses for the Master Plan only development were completed using the volumes shown on Figure 7 and the appropriate nomographs from Appendix F of the VDOT Road Design Manual.

The results are shown in Figures 8 through 10 and indicate that with development of the Master Plan only **no improvements** are required. Figure 8 indicates that while the development of the Master Plan only does not require a right turn taper, any additional development (traffic) will warrant the taper.

### With Renovations to Ambler House

As shown on Figure 8, any additional traffic generated to the site will warrant a right turn taper at the site entrance. The renovations to the Ambler House **will** require a right turn taper regardless of the nature of the use and the traffic generated by the renovation.

A sensitivity analysis was completed to determine the number of trips generated by the renovations which would require a full width right turn lane and taper. As shown in Figure 11, in the Saturday peak hour, an additional 40 westbound right turns (for a total of 91) will trigger the need for a full width right turn lane and taper.

As noted above, it was assumed that 2/3 of site traffic will make a right turn into the site. Therefore, any use that generates 60 inbound Saturday peak hour trips **will** warrant a full width right turn lane and taper.

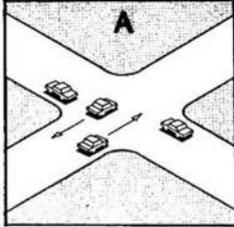
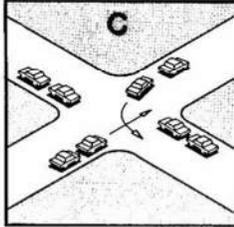
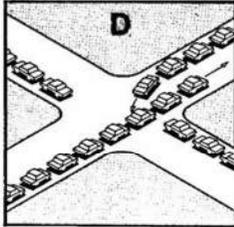
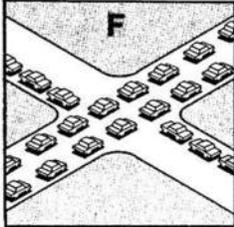
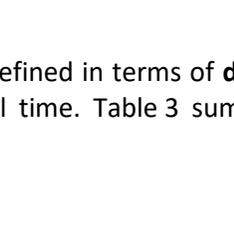
The additional trips were then applied to the left turn lane warrant analysis as shown on Figure 12 and indicate that a left turn lane **will not** be warranted with the additional 60 inbound peak hour trips.

Given the size of the Ambler House (3,900 s.f.) and nature of the building (i.e., a house style structure with no drive-thru or gas pumps or similar) no amount of development will warrant a left turn lane.

### Operational and Queuing Analysis

Capacity analysis allows traffic engineers to determine the impacts of traffic on the surrounding roadway network. The Transportation Research Board's (TRB) Highway Capacity Manual (HCM) methodologies govern how the capacity analyses are conducted and how the results are interpreted. There are six letter grades of Levels of Service (LOS) from A to F, with LOS A representing the best operating conditions and LOS F the worst operating conditions. Table 2 shows in detail how each of these levels of service are interpreted.

**Table 2: Level of Service Definitions**

Level of Service	Roadway Segments or Controlled Access Highways	Intersections	
A	Free flow, low traffic density.	No vehicle waits longer than one signal indication.	
B	Delay is not unreasonable, stable traffic flow.	On a rare occasion motorists wait through more than one signal indication.	
C	Stable condition, movements somewhat restricted due to higher volumes, but not objectionable for motorists.	Intermittently drivers wait through more than one signal indication, and occasionally backups may develop behind left turning vehicles, traffic flow still stable and acceptable.	
D	Movements more restricted, queues and delays may occur during short peaks, but lower demands occur often enough to permit clearing, thus preventing excessive backups.	Delays at intersections may become extensive with some, especially left-turning vehicles waiting two or more signal indications, but enough cycles with lower demand occur to permit periodic clearance, thus preventing excessive backups.	
E	Actual capacity of the roadway involves delay to all motorists due to congestion.	Very long queues may create lengthy delays, especially for left-turning vehicles.	
F	Forced flow with demand volumes greater than capacity resulting in complete congestion. Volumes drop to zero in extreme cases.	Backups from locations downstream restrict or prevent movement of vehicles out of approach creating a storage area during part or all of an hour.	

SOURCE: "A Policy on Design of Design of Urban Highways and Arterial Streets" - AASHTO, 1973 based upon material published in "Highway Capacity Manual", National Academy of Sciences, 1965.

For signalized and unsignalized intersections, level of service is defined in terms of **delay**, a measure of driver discomfort, frustration, fuel consumption and lost travel time. Table 3 summarizes the delay associated with each LOS category:

**Table 3: Signalized and Unsignalized Intersection Level of Service Criteria**

Signalized Intersections		Unsignalized Intersections	
Level of Service	Control Delay per Vehicle (sec/veh)	Level of Service	Average Control Delay (sec/veh)
A	≤ 10	A	0 to 10
B	> 10 to ≤ 20	B	> 10 to ≤ 15
C	> 20 to ≤ 35	C	> 15 to ≤ 25
D	> 35 to ≤ 55	D	> 25 to ≤ 35
E	> 55 to ≤ 80	E	> 35 to ≤ 50
F	> 80	F	> 50

*Source: Exhibit 16-2 and Exhibit 17-2 from TRB's "Highway Capacity Manual 2000"*

Capacity analyses were performed to assess existing (2021), background (2027), and future (2027) operational conditions. The signalized and unsignalized intersections were analyzed using SYNCHRO Version 10 based on HCM 2000 methodologies, and VDOT TOSAM requirements with the following assumptions:

- Level terrain;
- 12-foot lane widths;
- No parking activity or bus stops;
- Existing peak hour factor as determined by the traffic counts (by intersection) for existing scenario;
- The higher of the existing peak hour factor as determined by traffic counts (by intersection) or a peak hour factor of 0.92 for all future scenarios; and
- Heavy vehicle percentage as determined by the traffic counts (by movement).

Operational Analysis for 2021 Existing Traffic Volumes

Table 4 summarizes the 2021 existing intersection LOS, delay, 95th percentile queue lengths (Synchro), and maximum queue lengths (SimTraffic) based on the adjusted 2021 existing peak hour traffic volumes shown on Figure 4 and the existing lane geometry shown on Figure 3. The corresponding analysis worksheets are included in Appendix C.

As shown in Table 4, the southbound approach operates at LOS B in both the PM and Saturday peaks with a maximum queue of 41 feet in the PM peak and 54 feet in the Saturday peak. The eastbound approach operates at LOS A in the Saturday peak with a maximum queue of 33 feet.

**Table 4: 2021 Existing Conditions Level of Service and Queues**

Intersection and Type of Control	Movement and Approach	Effective Turn Lane Storage (ft)	PM PEAK HOUR				SAT PEAK HOUR			
			Delay <sup>1</sup> (sec/veh)	LOS <sup>1</sup>	SYNCHRO 95th Percentile Queue Length (ft)	SimTraffic Maximum Queue Length (ft)	Delay <sup>1</sup> (sec/veh)	LOS <sup>1</sup>	SYNCHRO 95th Percentile Queue Length (ft)	SimTraffic Maximum Queue Length (ft)
1. Jamestown Road (E-W) at Park Entrance (S) <i>Unsignalized</i>	SB Left-Right		11.3	B	4	41	12.6	B	11	54
	<i>NB Approach</i>		<i>11.3</i>	<i>B</i>	--	--	<i>12.6</i>	<i>B</i>	--	--
	EB Left-Thru		†	†	0	0	0.9	A	1	33
	<i>EB Approach</i>		<i>†</i>	<i>†</i>	--	--	<i>0.9</i>	<i>A</i>	--	--
	WB Thru-Right		†	†	0	0	†	†	0	2
	<i>WB Approach</i>		<i>†</i>	<i>†</i>	--	--	<i>†</i>	<i>†</i>	--	--

<sup>1</sup> Overall intersection LOS and delay reported for signalized intersections and roundabouts only.

† SYNCHRO does not provide level of service or delay for unsignalized movements with no conflicting volumes.

### Operational Analysis for 2027 Background Volume Conditions

Table 5 summarizes the 2027 background intersection LOS, delay, 95th percentile queue lengths (Synchro), and maximum queue lengths (SimTraffic) based on the 2027 background peak hour traffic volumes shown on Figure 5 and the existing lane geometry shown on Figure 3. The corresponding analysis worksheets are included in Appendix D.

As shown in Table 5, the southbound approach continues to operate at LOS B in both the PM and Saturday peaks with a maximum queue of 41 feet in the PM peak and 57 feet in the Saturday peak. The eastbound approach operates at LOS A and has a maximum queue of 39 feet during the Saturday peak.

**Table 5: 2027 Background Conditions Level of Service and Queues**

Intersection and Type of Control	Movement and Approach	Effective Turn Lane Storage (ft)	PM PEAK HOUR				SAT PEAK HOUR			
			Delay <sup>1</sup> (sec/veh)	LOS <sup>1</sup>	SYNCHRO 95th Percentile Queue Length (ft)	SimTraffic Maximum Queue Length (ft)	Delay <sup>1</sup> (sec/veh)	LOS <sup>1</sup>	SYNCHRO 95th Percentile Queue Length (ft)	SimTraffic Maximum Queue Length (ft)
1. Jamestown Road (E-W) at Park Entrance (S) <i>Unsignalized</i>	SB Left-Right		10.4	B	3	41	11.2	B	7	57
	<i>NB Approach</i>		<i>10.4</i>	<i>B</i>	--	--	<i>11.2</i>	<i>B</i>	--	--
	EB Left-Thru		†	†	0	0	0.8	A	1	39
	<i>EB Approach</i>		<i>†</i>	<i>†</i>	--	--	<i>0.8</i>	<i>A</i>	--	--
	WB Thru-Right		†	†	0	0	†	†	--	--
	<i>WB Approach</i>		<i>0.0</i>	<i>A</i>	--	--	<i>0.0</i>	<i>A</i>	--	--

<sup>1</sup> Overall intersection LOS and delay reported for signalized intersections and roundabouts only.

† SYNCHRO does not provide level of service or delay for unsignalized movements with no conflicting volumes.

Operational Analysis for 2027 Future Volume Conditions – Master Plan Only

Table 6 summarizes the 2027 future intersection (with development of the Master Plan Only) LOS, delay, 95th percentile queue lengths (Synchro), and maximum queue lengths (SimTraffic) based on the 2027 future peak hour traffic volumes shown on Figure 7 and the existing lane geometry shown on Figure 3. The corresponding analysis worksheets are included in Appendix E.

As shown in Table 6, the existing intersection geometry can adequately accommodate the additional trips with development of the Master Plan.

The southbound approach will continue to operate at LOS B in the PM and Saturday peaks with a maximum queue in the PM peak of 45 feet and 52 feet in the Saturday peak. The eastbound approach will operate at LOS A with a maximum queue of 46 feet in the Saturday peak.

**Table 6: 2027 Total Future Conditions Level of Service and Queues**

Intersection and Type of Control	Movement and Approach	Effective Turn Lane Storage (ft)	PM PEAK HOUR			SAT PEAK HOUR				
			Delay <sup>1</sup> (sec/veh)	LOS <sup>1</sup>	SYNCHRO 95th Percentile Queue Length (ft)	SimTraffic Maximum Queue Length (ft)	Delay <sup>1</sup> (sec/veh)	LOS <sup>1</sup>	SYNCHRO 95th Percentile Queue Length (ft)	SimTraffic Maximum Queue Length (ft)
1. Jamestown Road (E-W) at Park Entrance (S) <i>Unsignalized</i>	SB Left-Right		10.4	B	3	45	11.4	B	9	52
	<i>NB Approach</i>		<i>10.4</i>	<i>B</i>	--	--	<i>11.4</i>	<i>B</i>	--	--
	EB Left-Thru		0.1	A	0	0	1.1	A	1	46
	<i>EB Approach</i>		<i>0.1</i>	<i>A</i>	--	--	<i>1.1</i>	<i>A</i>	--	--
	WB Thru-Right		†	†	0	0	†	†	--	0
	<i>WB Approach</i>		<i>0.0</i>	<i>A</i>	--	--	<i>0.0</i>	<i>A</i>	--	--

<sup>1</sup> Overall intersection LOS and delay reported for signalized intersections and roundabouts only.

† SYNCHRO does not provide level of service or delay for unsignalized movements with no conflicting volumes.

## Conclusions

Based on the analysis, the following conclusions are offered:

- The proposed Master Plan development **will not** require any improvements to the existing site entrance along Jamestown Road.
- With any renovations to the Ambler House, a westbound right turn taper **will be** warranted at the site entrance.
- Any use in the Ambler House that generates 60 or more inbound Saturday peak hours trip **will warrant** a westbound full width right turn lane and taper.
- A left turn lane **will not** be warranted under any proposed circumstances.
- Under existing and future conditions, all movements of the intersection of Jamestown Road and the Park Entrance operate at LOS B or better in both the PM and Saturday peaks.



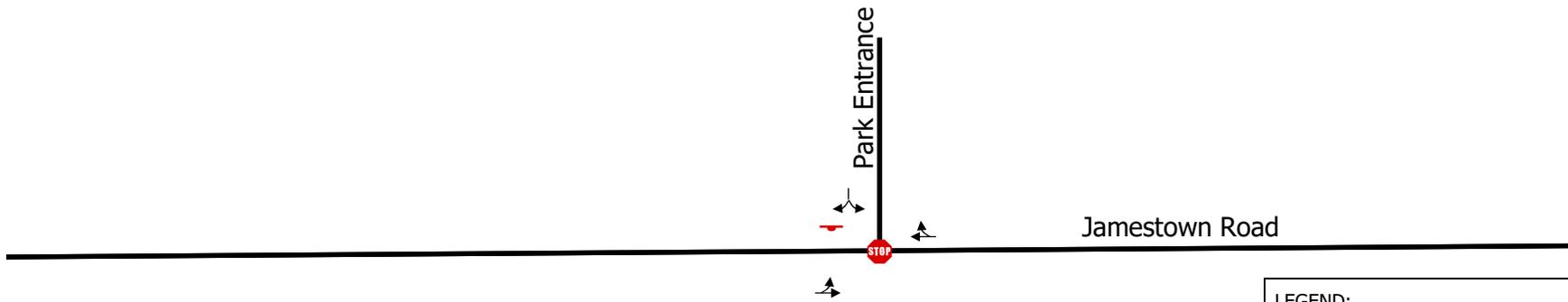
Site Location  
 Jamestown Beach Event Park  
 James City County, Virginia

Figure  
 1



Study Intersection  
Jamestown Beach Event Park  
James City County, Virginia

Figure  
2



**LEGEND:**

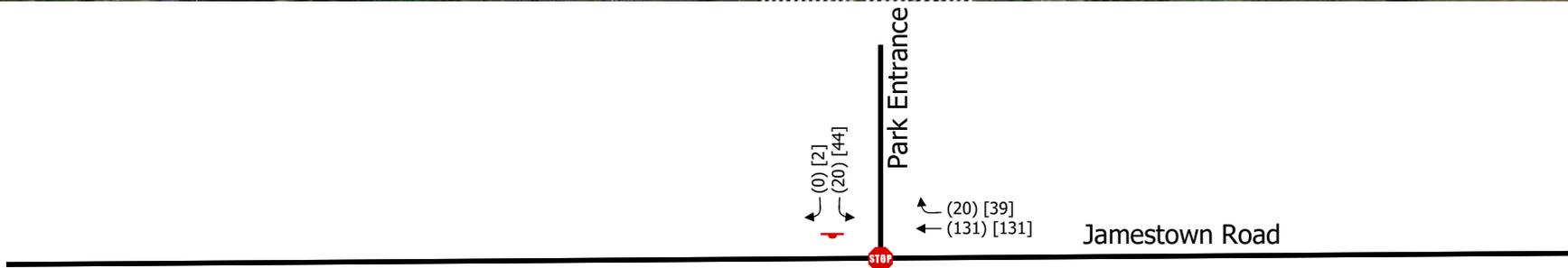
- Existing Road
- ↔ Lane Configuration
- STOP Stop Controlled Intersection
- ⊥ Stop Sign Location

NOT TO SCALE



Existing Geometry  
 Jamestown Beach Event Park  
 James City County, Virginia

Figure  
 3



↙ (0) [2]  
 ↘ (20) [44]

↖ (20) [39]  
 ↗ (131) [131]

↘ [15] (0)  
 ↗ [138] (122)

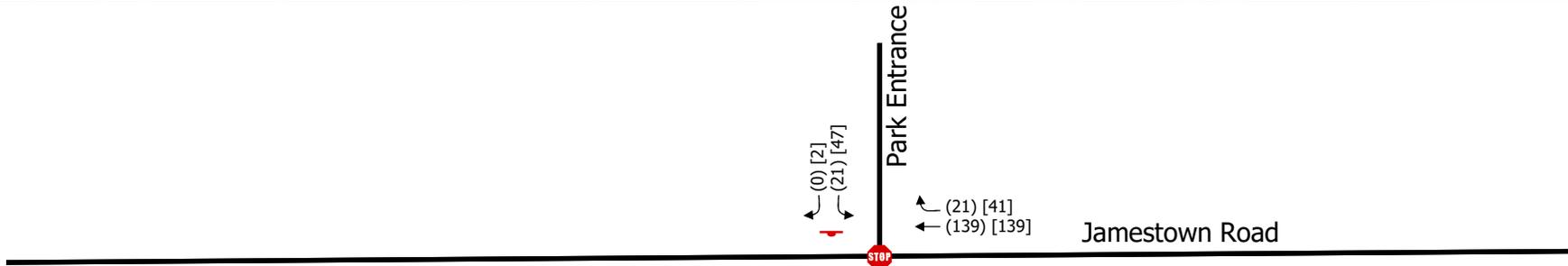
LEGEND:	
	Existing Road
	Stop Controlled Intersection
	Stop Sign Location
(00)	PM Peak Hour Volumes
[00]	Sat Peak Hour Volumes

NOT TO SCALE



## 2021 Existing Volumes – Adjusted Jamestown Beach Event Park James City County, Virginia

Figure  
4



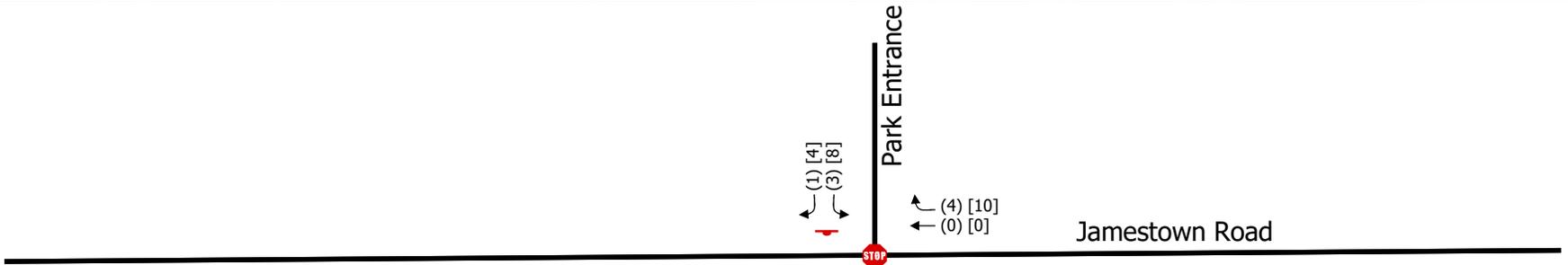
LEGEND:	
	Existing Road
	Stop Controlled Intersection
	Stop Sign Location
(00)	PM Peak Hour Volumes
[00]	Sat Peak Hour Volumes

NOT TO SCALE



## 2027 Existing + Growth Volumes Jamestown Beach Event Park James City County, Virginia

Figure  
5



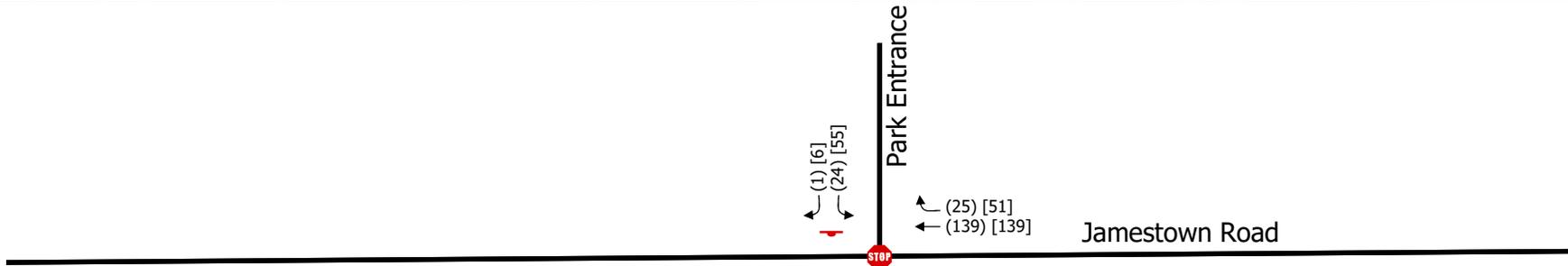
LEGEND:	
	Existing Road
	Stop Controlled Intersection
	Stop Sign Location
(00)	PM Peak Hour Volumes
[00]	Sat Peak Hour Volumes

NOT TO SCALE



Site Generated Trips – Park Only (No Ambler House)  
 Jamestown Beach Event Park  
 James City County, Virginia

Figure  
 6



LEGEND:	
	Existing Road
	Stop Controlled Intersection
	Stop Sign Location
(00)	PM Peak Hour Volumes
[00]	Sat Peak Hour Volumes

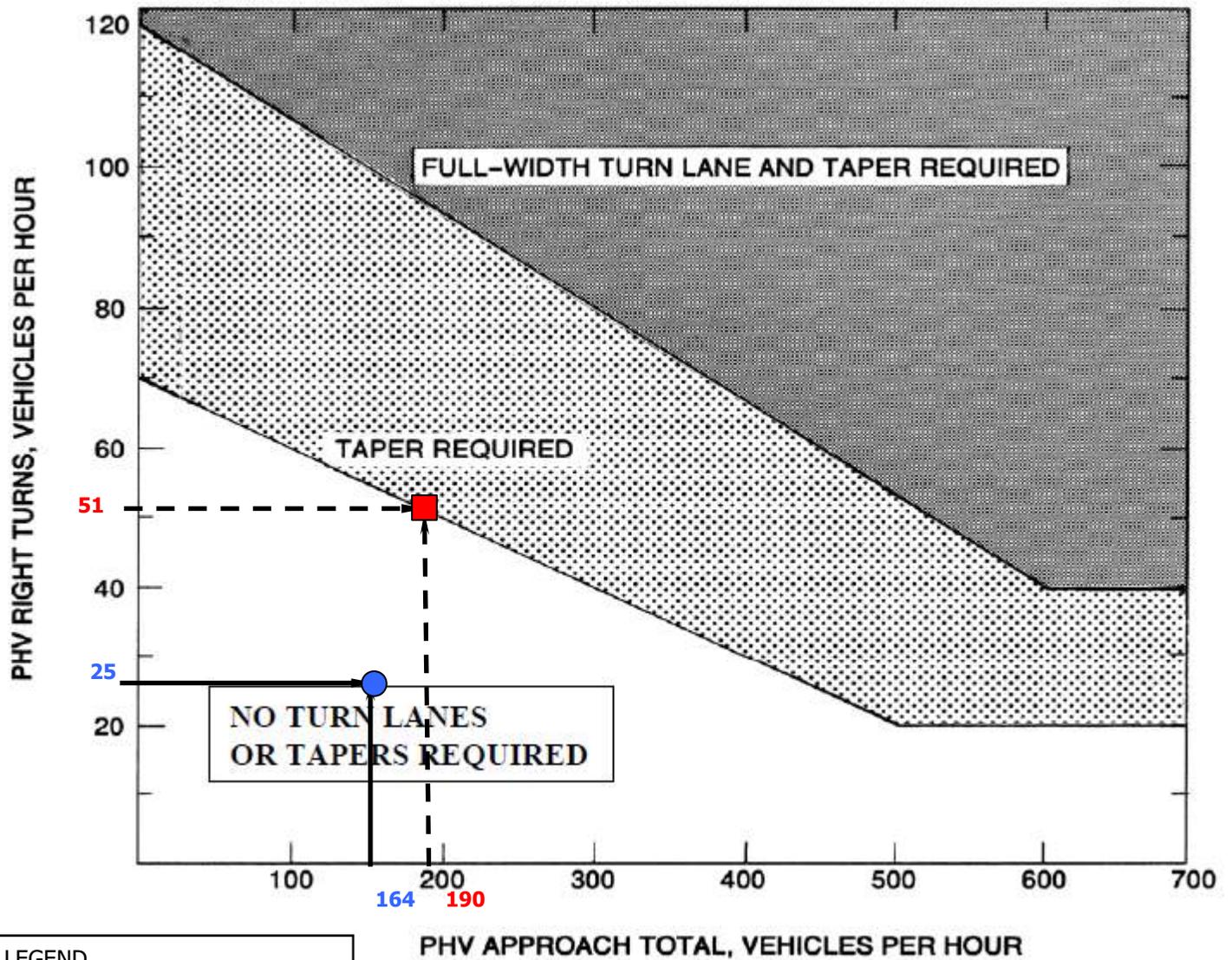
NOT TO SCALE



## 2027 Future Volumes – Park Only Jamestown Beach Event Park James City County, Virginia

Figure  
7

GUIDELINES FOR RIGHT TURN TREATMENT (2-LANE HIGHWAY)  
 FIGURE 3-26 VDOT ROAD DESIGN MANUAL APPENDIX F

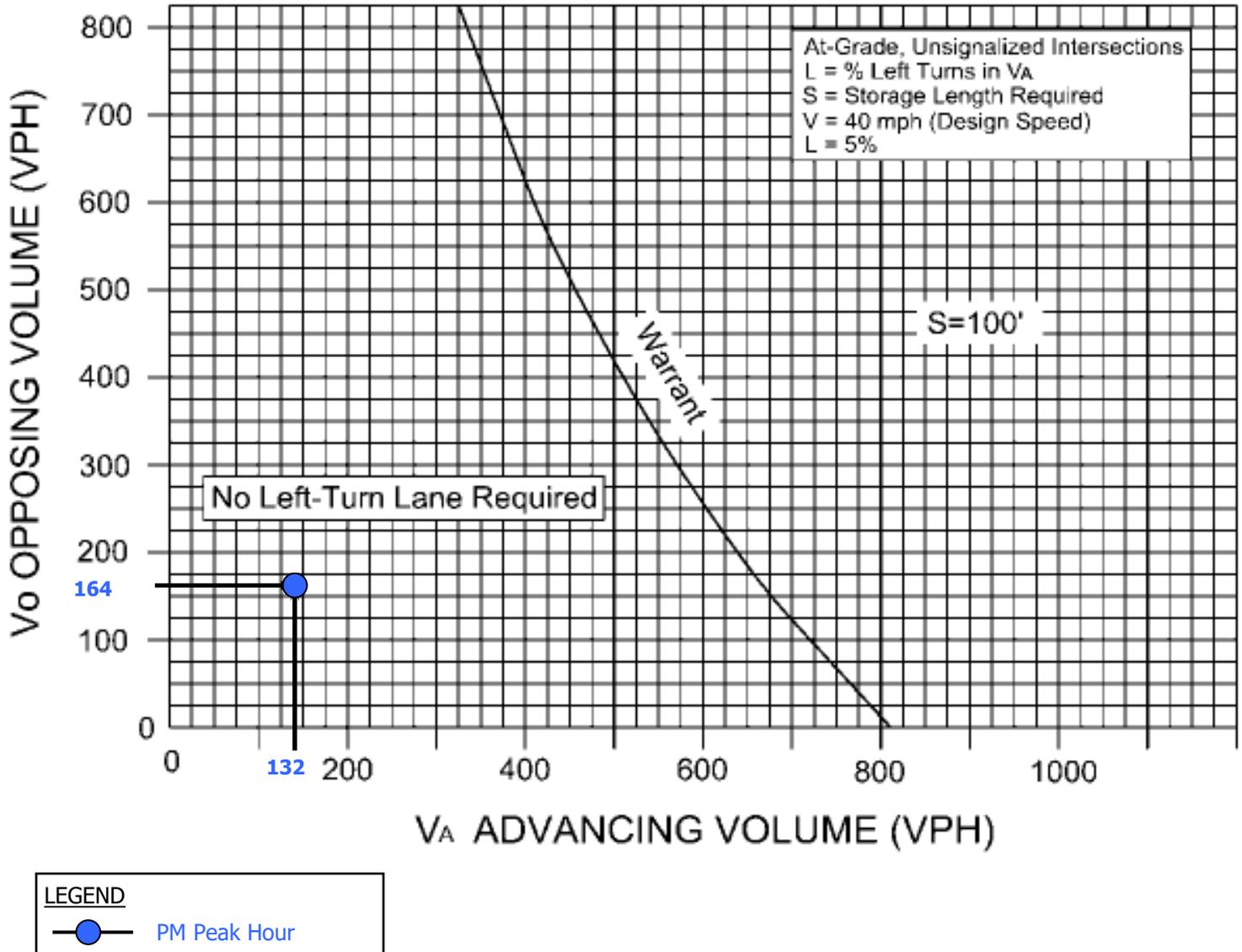


**LEGEND**

- PM Peak Hour
- -■- - Sat Peak Hour

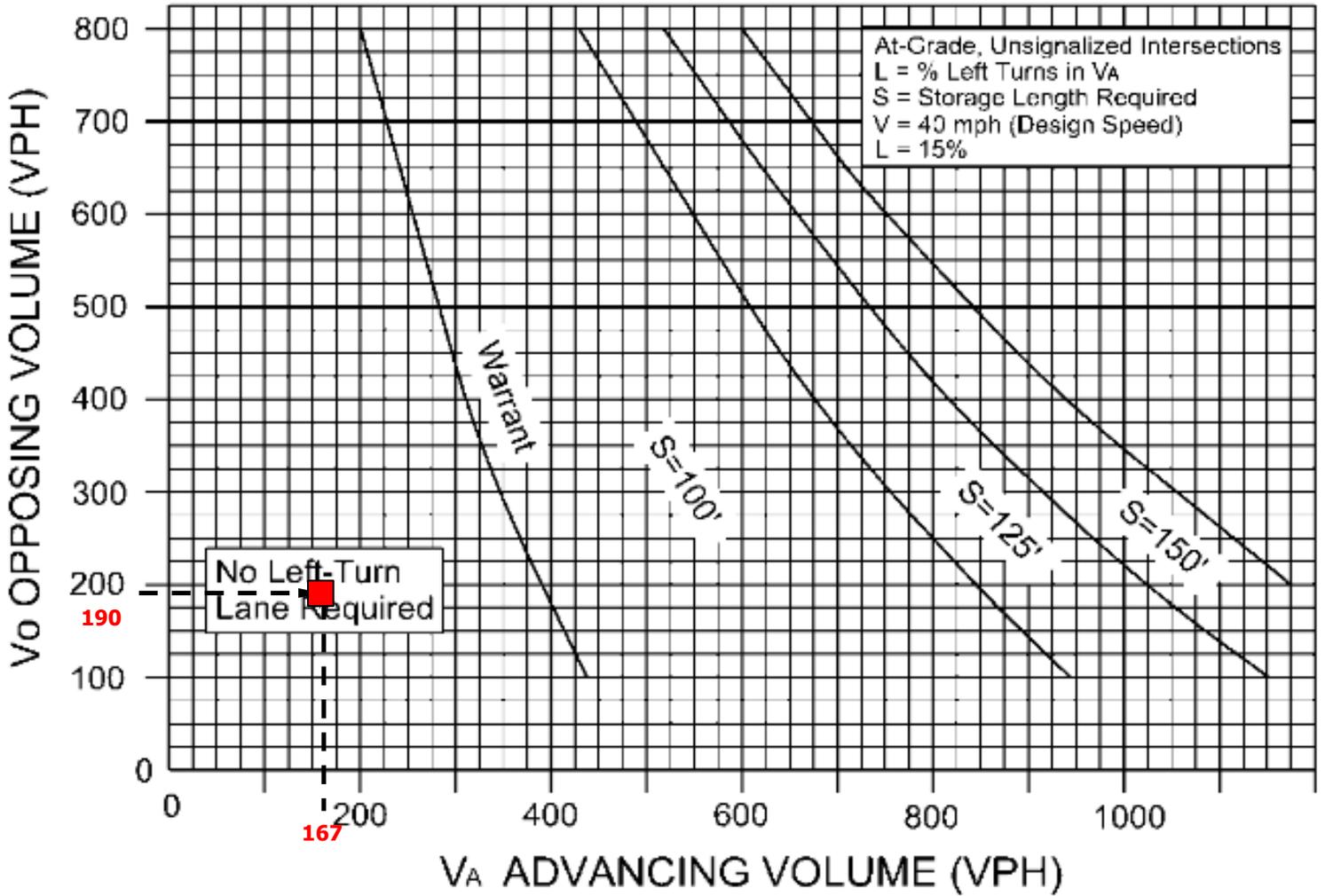
**Results:**  
 Westbound Right Turn Lane Not Warranted

**WARRANT FOR LEFT-TURN STORAGE LANES  
ON TWO-LANE HIGHWAYS (60 MPH)  
FIGURE 3-5 VDOT ROAD DESIGN MANUAL APPENDIX F**



**Results:**  
 Eastbound Left Turn Lane Not Warranted

**WARRANT FOR LEFT-TURN STORAGE LANES  
ON TWO-LANE HIGHWAYS (60 MPH)  
FIGURE 3-7 VDOT ROAD DESIGN MANUAL APPENDIX F**



**LEGEND**  
- ■ - Sat Peak Hour

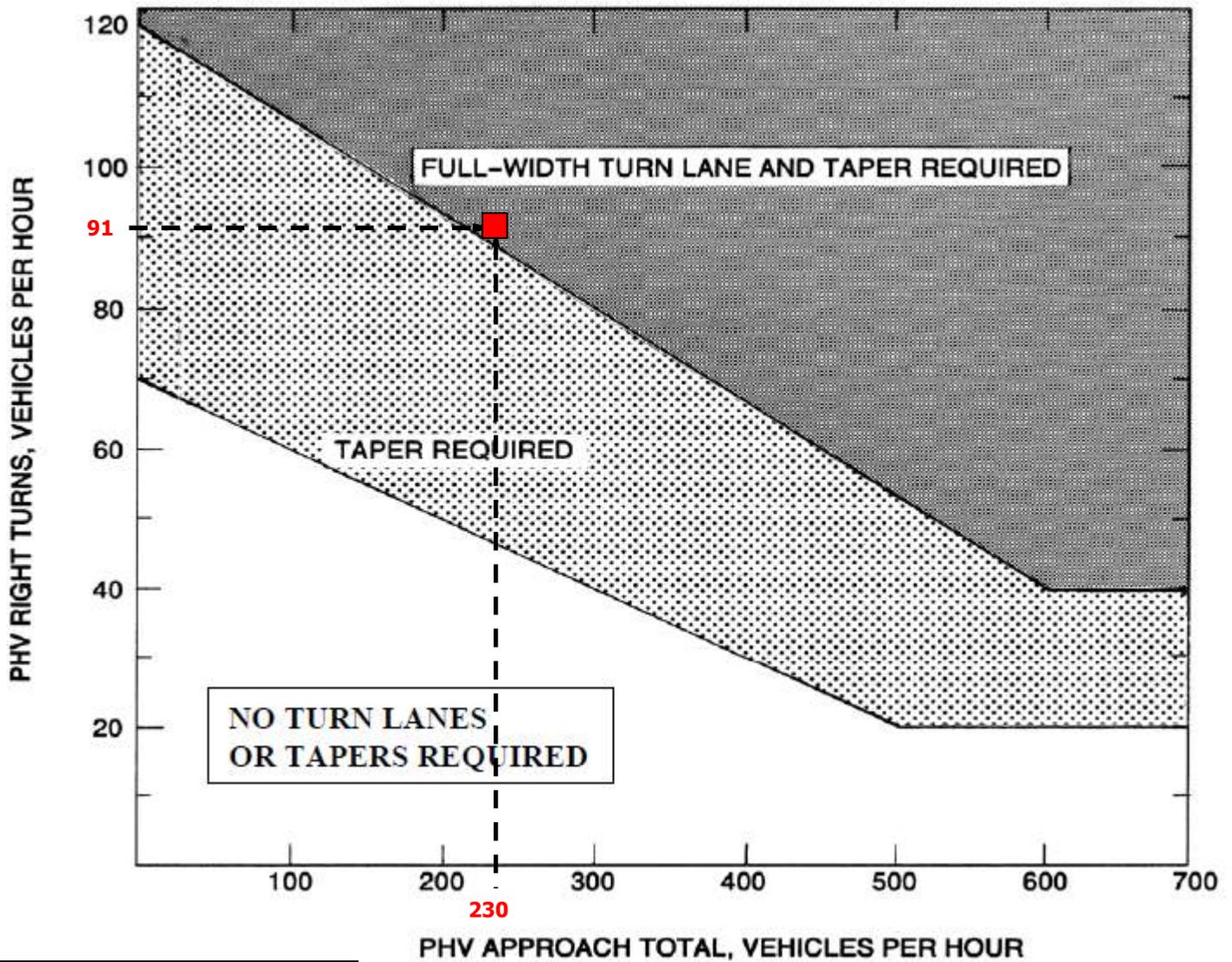
**Results:**  
 Eastbound Left Turn Lane Not Warranted



Left-Turn Lane Warrant  
 Jamestown Road/Park Ent. Eastbound Left  
 2027 Future Volumes – Park Only  
 Jamestown Beach Event Park

Figure  
 10

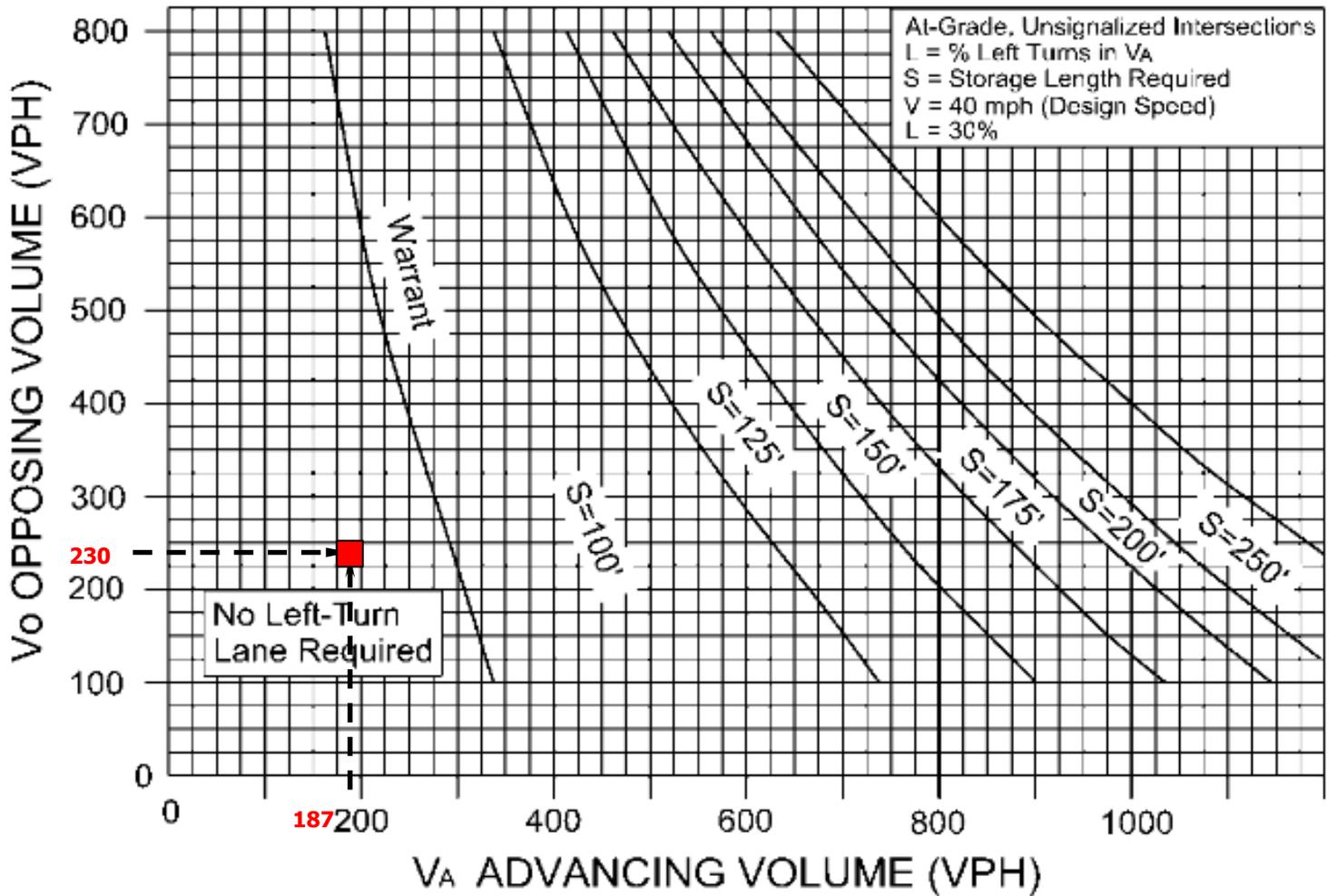
GUIDELINES FOR RIGHT TURN TREATMENT (2-LANE HIGHWAY)  
 FIGURE 3-26 VDOT ROAD DESIGN MANUAL APPENDIX F



**LEGEND**  
 - ■ - Sat Peak Hour

**Results:**  
 Westbound Right Turn Lane Not Warranted

**WARRANT FOR LEFT-TURN STORAGE LANES  
ON TWO-LANE HIGHWAYS (60 MPH)  
FIGURE 3-9 VDOT ROAD DESIGN MANUAL APPENDIX F**



**LEGEND**  
- ■ - Sat Peak Hour

**Results:**  
 Eastbound Left Turn Lane Not Warranted



Left-Turn Lane Warrant  
 Jamestown Road/Park Ent. Eastbound Left  
 2027 Future Volumes – With Ambler House  
 Jamestown Beach Event Park

Figure  
 12

## **APPENDIX A**

### Response to Comments

To: Andrew Smith, PE (VDOT)  
From: Steve Schmidt, PE, PTOE (Timmons Group)  
RE: Jamestown Beach Event Park Response to VDOT Comments  
Date: May 16, 2022

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Timmons Group prepared a traffic assessment dated March 17, 2022 for the Jamestown Beach Event Park master plan update. The Virginia Department of Transportation (VDOT) issued comments on the assessment on April 15, 2022.

Timmons Group (TG) has reviewed VDOT's comments (**in bold below**) and prepared the responses below. As a result of the comments/responses, a revised traffic assessment has been prepared and is submitted with these responses.

Our responses to VDOT comments are as follows:

- 1. The report describes the Master Plan for the park to include a “performance venue.” Even small scale events that only feature local artists can be a significant traffic generator. If it is feasible that 15 or more events, or a single event lasting more than one day may occur, than a scenario of such event should be included in the analysis. Otherwise, there should be a stipulation that less than 15 events and no event lasting longer than one day shall occur at the park.**

TG Response: The County Parks and Recreation Department intends that any events at the performance venue will be irregular in nature and occur outside the peak hours of the adjacent streets. Further, the County has not hosted a multi-day event in more than 15 years and does not intend to host multi-day events at this time.

The text of the assessment has been updated to include a discussion on the intended uses for the performance venue.

- 2. The report indicates that the future of the Amber House is yet to be determined. Since the use of the Amber House is unknown, TOSAM and the TIA Administrative Guidelines require that a “worst case” land use be analyzed.**

TG Response: As detailed on page 2 and 3 of the assessment, a “worst case” analysis was assumed for the Amber House in the form of the sensitivity analysis. Any redevelopment of the Amber House will require a right turn taper regardless of the nature of the use and the traffic generated by the renovation.

Any use that generates more than 60 inbound trips during the Saturday peak hour will require improvements in the form of a full width turn lane and taper.

Given the size of the Ambler House (3,900 s.f.) and nature of the building (i.e. a house style structure with no drive-thru or gas pumps or similar) no amount of development will warrant a left turn lane.

Additional text has been added to the assessment to further discuss the nature of any redevelopment of the Ambler House.

- 3. Table 4 reports the delay for southbound left and right turns is 11.3 seconds for existing conditions. Tables 5 and 6, for future no-build and build conditions, reports this delay to be 10.4 seconds. If this is accurate, and no error has been made in entering the traffic volumes and lane configuration, then the report should provide an explanation as to how the delay decreases when traffic increases.**

TG Response: The analysis is correct, and no errors were made.

In accordance with TOSAM, all existing scenarios were analyzed using existing peak hour factors whereas all future scenarios were analyzed using the higher of 0.92 or the existing peak hour factors.

In this case, the existing peak hour factor of the intersection is 0.65 (PM) and 0.66 (Saturday). Therefore, a 0.92 peak hour factor was used in both the 2027 background and 2027 future traffic conditions.

A higher (closer to 1.0) peak hour factor indicates a more even distribution of traffic across the peak hour (less bunching of traffic). Given the relatively low volume of turning traffic at the intersection, a more even distribution (given the higher peak hour factor) indicates most vehicles will arrive in singular fashion and will not have to wait for a vehicle in front to turn. This results in a decrease in delay per vehicle despite an increase in traffic.

No changes were made to the text of the assessment as a result of this comment as the decrease in delay is a function of following VDOT TOSAM standards.

## **APPENDIX B**

### Existing Traffic Counts

# Peggy Malone & Associates

(888) 247-8602

File Name : Jamestown Beach Event & Jamestown Rd  
 Site Code :  
 Start Date : 4/15/2021  
 Page No : 1

### Groups Printed- Cars

Start Time	Jamestown Beach Event Southbound				Jamestown Rd Westbound					Jamestown Rd Eastbound				Int. Total
	Right	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Thru	Left	Peds	App. Total	
04:00 PM	0	2	0	2	2	30	0	0	32	8	0	0	8	42
04:15 PM	0	0	0	0	5	21	0	0	26	36	0	0	36	62
04:30 PM	0	1	0	1	1	22	0	0	23	3	0	0	3	27
04:45 PM	0	7	0	7	1	35	0	0	36	49	0	0	49	92
<b>Total</b>	<b>0</b>	<b>10</b>	<b>0</b>	<b>10</b>	<b>9</b>	<b>108</b>	<b>0</b>	<b>0</b>	<b>117</b>	<b>96</b>	<b>0</b>	<b>0</b>	<b>96</b>	<b>223</b>
05:00 PM	0	0	0	0	1	29	0	0	30	9	0	0	9	39
05:15 PM	0	0	0	0	4	30	1	0	35	45	0	0	45	80
05:30 PM	0	1	0	1	2	22	0	0	24	5	0	0	5	30
05:45 PM	2	3	0	5	0	22	0	0	22	43	0	0	43	70
<b>Total</b>	<b>2</b>	<b>4</b>	<b>0</b>	<b>6</b>	<b>7</b>	<b>103</b>	<b>1</b>	<b>0</b>	<b>111</b>	<b>102</b>	<b>0</b>	<b>0</b>	<b>102</b>	<b>219</b>
06:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Grand Total</b>	<b>2</b>	<b>14</b>	<b>0</b>	<b>16</b>	<b>16</b>	<b>211</b>	<b>1</b>	<b>0</b>	<b>228</b>	<b>198</b>	<b>0</b>	<b>0</b>	<b>198</b>	<b>442</b>
Apprch %	12.5	87.5	0		7	92.5	0.4	0		100	0	0		
Total %	0.5	3.2	0	3.6	3.6	47.7	0.2	0	51.6	44.8	0	0	44.8	

Start Time	Jamestown Beach Event Southbound				Jamestown Rd Westbound					Jamestown Rd Eastbound				Int. Total
	Right	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Thru	Left	Peds	App. Total	
Peak Hour Analysis From 04:00 PM to 06:00 PM - Peak 1 of 1														
Peak Hour for Entire Intersection Begins at 04:45 PM														
04:45 PM	0	7	0	7	1	35	0	0	36	49	0	0	49	92
05:00 PM	0	0	0	0	1	29	0	0	30	9	0	0	9	39
05:15 PM	0	0	0	0	4	30	1	0	35	45	0	0	45	80
05:30 PM	0	1	0	1	2	22	0	0	24	5	0	0	5	30
<b>Total Volume</b>	<b>0</b>	<b>8</b>	<b>0</b>	<b>8</b>	<b>8</b>	<b>116</b>	<b>1</b>	<b>0</b>	<b>125</b>	<b>108</b>	<b>0</b>	<b>0</b>	<b>108</b>	<b>241</b>
% App. Total	0	100	0		6.4	92.8	0.8	0		100	0	0		
PHF	.000	.286	.000	.286	.500	.829	.250	.000	.868	.551	.000	.000	.551	.655

# Peggy Malone & Associates

## (888) 247-8602

File Name : Jamestown Beach Event & Jamestown Rd  
 Site Code :  
 Start Date : 4/15/2021  
 Page No : 1

### Groups Printed- Trucks

Start Time	Jamestown Beach Event Southbound				Jamestown Rd Westbound					Jamestown Rd Eastbound				Int. Total
	Right	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Thru	Left	Peds	App. Total	
04:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0
04:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0
04:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0
04:45 PM	0	0	0	0	0	1	0	0	1	2	0	0	2	3
Total	0	0	0	0	0	1	0	0	1	2	0	0	2	3
05:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0
05:15 PM	0	0	0	0	0	1	0	0	1	1	0	0	1	2
05:30 PM	0	0	0	0	0	1	0	0	1	0	0	0	0	1
05:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	2	0	0	2	1	0	0	1	3
06:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Grand Total	0	0	0	0	0	3	0	0	3	3	0	0	3	6
Apprch %	0	0	0	0	0	100	0	0	100	100	0	0	100	
Total %	0	0	0	0	0	50	0	0	50	50	0	0	50	

Start Time	Jamestown Beach Event Southbound				Jamestown Rd Westbound					Jamestown Rd Eastbound				Int. Total
	Right	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Thru	Left	Peds	App. Total	
04:45 PM	0	0	0	0	0	1	0	0	1	2	0	0	2	3
05:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0
05:15 PM	0	0	0	0	0	1	0	0	1	1	0	0	1	2
05:30 PM	0	0	0	0	0	1	0	0	1	0	0	0	0	1
Total Volume	0	0	0	0	0	3	0	0	3	3	0	0	3	6
% App. Total	0	0	0	0	0	100	0	0	100	100	0	0	100	
PHF	.000	.000	.000	.000	.000	.750	.000	.000	.750	.375	.000	.000	.375	.500

Peak Hour Analysis From 04:00 PM to 06:00 PM - Peak 1 of 1  
 Peak Hour for Entire Intersection Begins at 04:45 PM

# Peggy Malone & Associates

## (888) 247-8602

File Name : Jamestown Beach Event & Jamestown Rd  
 Site Code :  
 Start Date : 4/15/2021  
 Page No : 1

### Groups Printed- Combined

Start Time	Jamestown Beach Event Southbound				Jamestown Rd Westbound					Jamestown Rd Eastbound				Int. Total
	Right	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Thru	Left	Peds	App. Total	
04:00 PM	0	2	0	2	2	30	0	0	32	8	0	0	8	42
04:15 PM	0	0	0	0	5	21	0	0	26	36	0	0	36	62
04:30 PM	0	1	0	1	1	22	0	0	23	3	0	0	3	27
04:45 PM	0	7	0	7	1	36	0	0	37	51	0	0	51	95
<b>Total</b>	<b>0</b>	<b>10</b>	<b>0</b>	<b>10</b>	<b>9</b>	<b>109</b>	<b>0</b>	<b>0</b>	<b>118</b>	<b>98</b>	<b>0</b>	<b>0</b>	<b>98</b>	<b>226</b>
05:00 PM	0	0	0	0	1	29	0	0	30	9	0	0	9	39
05:15 PM	0	0	0	0	4	31	1	0	36	46	0	0	46	82
05:30 PM	0	1	0	1	2	23	0	0	25	5	0	0	5	31
05:45 PM	2	3	0	5	0	22	0	0	22	43	0	0	43	70
<b>Total</b>	<b>2</b>	<b>4</b>	<b>0</b>	<b>6</b>	<b>7</b>	<b>105</b>	<b>1</b>	<b>0</b>	<b>113</b>	<b>103</b>	<b>0</b>	<b>0</b>	<b>103</b>	<b>222</b>
06:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Grand Total</b>	<b>2</b>	<b>14</b>	<b>0</b>	<b>16</b>	<b>16</b>	<b>214</b>	<b>1</b>	<b>0</b>	<b>231</b>	<b>201</b>	<b>0</b>	<b>0</b>	<b>201</b>	<b>448</b>
Apprch %	12.5	87.5	0		6.9	92.6	0.4	0		100	0	0		
Total %	0.4	3.1	0	3.6	3.6	47.8	0.2	0	51.6	44.9	0	0	44.9	

Start Time	Jamestown Beach Event Southbound			Jamestown Rd Westbound				Jamestown Rd Eastbound			Int. Total
	Right	Left	App. Total	Right	Thru	Left	App. Total	Thru	Left	App. Total	
Peak Hour Analysis From 04:00 PM to 06:00 PM - Peak 1 of 1											
Peak Hour for Entire Intersection Begins at 04:45 PM											
04:45 PM	0	7	7	1	36	0	37	51	0	51	95
05:00 PM	0	0	0	1	29	0	30	9	0	9	39
05:15 PM	0	0	0	4	31	1	36	46	0	46	82
05:30 PM	0	1	1	2	23	0	25	5	0	5	31
Total Volume	0	8	8	8	119	1	128	111	0	111	247
% App. Total	0	100		6.2	93	0.8		100	0		
PHF	.000	.286	.286	.500	.826	.250	.865	.544	.000	.544	.650

# Peggy Malone & Associates

## (888) 247-8602

File Name : Jamestown Beach Event & Jamestown Rd SAT  
 Site Code :  
 Start Date : 4/17/2021  
 Page No : 1

### Groups Printed- Cars

Start Time	Jamestown Beach Event Southbound				Jamestown Rd Westbound					Jamestown Rd Eastbound				Int. Total
	Right	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Thru	Left	Peds	App. Total	
12:00 PM	1	3	0	4	4	30	0	0	34	3	0	0	3	41
12:15 PM	0	2	0	2	2	26	2	0	30	55	1	0	56	88
12:30 PM	0	2	0	2	2	18	0	0	20	3	2	0	5	27
12:45 PM	1	5	0	6	3	32	1	0	36	52	1	0	53	95
<b>Total</b>	<b>2</b>	<b>12</b>	<b>0</b>	<b>14</b>	<b>11</b>	<b>106</b>	<b>3</b>	<b>0</b>	<b>120</b>	<b>113</b>	<b>4</b>	<b>0</b>	<b>117</b>	<b>251</b>
01:00 PM	0	3	0	3	6	29	0	0	35	3	3	0	6	44
01:15 PM	0	5	0	5	3	30	1	0	34	66	1	0	67	106
01:30 PM	0	5	0	5	4	25	0	2	31	4	1	0	5	41
01:45 PM	0	3	0	3	6	36	2	0	44	5	0	0	5	52
<b>Total</b>	<b>0</b>	<b>16</b>	<b>0</b>	<b>16</b>	<b>19</b>	<b>120</b>	<b>3</b>	<b>2</b>	<b>144</b>	<b>78</b>	<b>5</b>	<b>0</b>	<b>83</b>	<b>243</b>
<b>Grand Total</b>	<b>2</b>	<b>28</b>	<b>0</b>	<b>30</b>	<b>30</b>	<b>226</b>	<b>6</b>	<b>2</b>	<b>264</b>	<b>191</b>	<b>9</b>	<b>0</b>	<b>200</b>	<b>494</b>
Apprch %	6.7	93.3	0		11.4	85.6	2.3	0.8		95.5	4.5	0		
Total %	0.4	5.7	0	6.1	6.1	45.7	1.2	0.4	53.4	38.7	1.8	0	40.5	

Start Time	Jamestown Beach Event Southbound			Jamestown Rd Westbound				Jamestown Rd Eastbound			Int. Total
	Right	Left	App. Total	Right	Thru	Left	App. Total	Thru	Left	App. Total	
Peak Hour Analysis From 12:00 PM to 01:45 PM - Peak 1 of 1											
Peak Hour for Entire Intersection Begins at 12:45 PM											
12:45 PM	1	5	6	3	32	1	36	52	1	53	95
01:00 PM	0	3	3	6	29	0	35	3	3	6	44
01:15 PM	0	5	5	3	30	1	34	66	1	67	106
01:30 PM	0	5	5	4	25	0	29	4	1	5	39
<b>Total Volume</b>	<b>1</b>	<b>18</b>	<b>19</b>	<b>16</b>	<b>116</b>	<b>2</b>	<b>134</b>	<b>125</b>	<b>6</b>	<b>131</b>	<b>284</b>
% App. Total	5.3	94.7		11.9	86.6	1.5		95.4	4.6		
PHF	.250	.900	.792	.667	.906	.500	.931	.473	.500	.489	.670

# Peggy Malone & Associates

(888) 247-8602

File Name : Jamestown Beach Event & Jamestown Rd SAT  
 Site Code :  
 Start Date : 4/17/2021  
 Page No : 1

### Groups Printed- Trucks

Start Time	Jamestown Beach Event Southbound				Jamestown Rd Westbound					Jamestown Rd Eastbound				Int. Total
	Right	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Thru	Left	Peds	App. Total	
12:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:15 PM	0	0	0	0	0	0	0	0	0	2	0	0	2	2
12:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:45 PM	0	0	0	0	0	1	0	0	1	0	0	0	0	1
Total	0	0	0	0	0	1	0	0	1	2	0	0	2	3
01:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0
01:15 PM	0	0	0	0	0	2	0	0	2	0	0	0	0	2
01:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0
01:45 PM	0	0	0	0	0	1	0	0	1	0	0	0	0	1
Total	0	0	0	0	0	3	0	0	3	0	0	0	0	3
Grand Total	0	0	0	0	0	4	0	0	4	2	0	0	2	6
Apprch %	0	0	0	0	0	100	0	0	100	100	0	0	33.3	
Total %	0	0	0	0	0	66.7	0	0	66.7	33.3	0	0	33.3	

Start Time	Jamestown Beach Event Southbound			Jamestown Rd Westbound				Jamestown Rd Eastbound			Int. Total
	Right	Left	App. Total	Right	Thru	Left	App. Total	Thru	Left	App. Total	
Peak Hour Analysis From 12:00 PM to 01:45 PM - Peak 1 of 1											
Peak Hour for Entire Intersection Begins at 12:00 PM											
12:00 PM	0	0	0	0	0	0	0	0	0	0	0
12:15 PM	0	0	0	0	0	0	0	2	0	2	2
12:30 PM	0	0	0	0	0	0	0	0	0	0	0
12:45 PM	0	0	0	0	1	0	1	0	0	0	1
Total Volume	0	0	0	0	1	0	1	2	0	2	3
% App. Total	0	0	0	0	100	0	100	100	0	33.3	33.3
PHF	.000	.000	.000	.000	.250	.000	.250	.250	.000	.250	.375

# Peggy Malone & Associates

(888) 247-8602

File Name : Jamestown Beach Event & Jamestown Rd SAT  
 Site Code :  
 Start Date : 4/17/2021  
 Page No : 1

### Groups Printed- Combined

Start Time	Jamestown Beach Event Southbound				Jamestown Rd Westbound					Jamestown Rd Eastbound				Int. Total
	Right	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Thru	Left	Peds	App. Total	
12:00 PM	1	3	0	4	4	30	0	0	34	3	0	0	3	41
12:15 PM	0	2	0	2	2	26	2	0	30	57	1	0	58	90
12:30 PM	0	2	0	2	2	18	0	0	20	3	2	0	5	27
12:45 PM	1	5	0	6	3	33	1	0	37	52	1	0	53	96
<b>Total</b>	<b>2</b>	<b>12</b>	<b>0</b>	<b>14</b>	<b>11</b>	<b>107</b>	<b>3</b>	<b>0</b>	<b>121</b>	<b>115</b>	<b>4</b>	<b>0</b>	<b>119</b>	<b>254</b>
01:00 PM	0	3	0	3	6	29	0	0	35	3	3	0	6	44
01:15 PM	0	5	0	5	3	32	1	0	36	66	1	0	67	108
01:30 PM	0	5	0	5	4	25	0	2	31	4	1	0	5	41
01:45 PM	0	3	0	3	6	37	2	0	45	5	0	0	5	53
<b>Total</b>	<b>0</b>	<b>16</b>	<b>0</b>	<b>16</b>	<b>19</b>	<b>123</b>	<b>3</b>	<b>2</b>	<b>147</b>	<b>78</b>	<b>5</b>	<b>0</b>	<b>83</b>	<b>246</b>
<b>Grand Total</b>	<b>2</b>	<b>28</b>	<b>0</b>	<b>30</b>	<b>30</b>	<b>230</b>	<b>6</b>	<b>2</b>	<b>268</b>	<b>193</b>	<b>9</b>	<b>0</b>	<b>202</b>	<b>500</b>
Apprch %	6.7	93.3	0		11.2	85.8	2.2	0.7		95.5	4.5	0		
Total %	0.4	5.6	0	6	6	46	1.2	0.4	53.6	38.6	1.8	0	40.4	

Start Time	Jamestown Beach Event Southbound			Jamestown Rd Westbound				Jamestown Rd Eastbound			Int. Total
	Right	Left	App. Total	Right	Thru	Left	App. Total	Thru	Left	App. Total	
Peak Hour Analysis From 12:00 PM to 01:45 PM - Peak 1 of 1											
Peak Hour for Entire Intersection Begins at 12:45 PM											
12:45 PM	1	5	6	3	33	1	37	52	1	53	96
01:00 PM	0	3	3	6	29	0	35	3	3	6	44
01:15 PM	0	5	5	3	32	1	36	66	1	67	108
01:30 PM	0	5	5	4	25	0	29	4	1	5	39
<b>Total Volume</b>	<b>1</b>	<b>18</b>	<b>19</b>	<b>16</b>	<b>119</b>	<b>2</b>	<b>137</b>	<b>125</b>	<b>6</b>	<b>131</b>	<b>287</b>
% App. Total	5.3	94.7		11.7	86.9	1.5		95.4	4.6		
PHF	.250	.900	.792	.667	.902	.500	.926	.473	.500	.489	.664

## **APPENDIX C**

2021 Existing Conditions

Analysis Reports

# HCM Unsignalized Intersection Capacity Analysis

3:

02/25/2022



Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↖	↗		↘	
Traffic Volume (veh/h)	0	122	131	20	20	0
Future Volume (Veh/h)	0	122	131	20	20	0
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Peak Hour Factor	0.79	0.65	0.65	0.65	0.65	0.65
Hourly flow rate (vph)	0	188	202	31	31	0
<b>Pedestrians</b>						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type		None	None			
Median storage (veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	233				406	218
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	233				406	218
tC, single (s)	4.1				6.4	6.2
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	100				95	100
cM capacity (veh/h)	1346				605	827
<b>Direction, Lane #</b>	<b>EB 1</b>	<b>WB 1</b>	<b>SB 1</b>			
Volume Total	188	233	31			
Volume Left	0	0	31			
Volume Right	0	31	0			
cSH	1346	1700	605			
Volume to Capacity	0.00	0.14	0.05			
Queue Length 95th (ft)	0	0	4			
Control Delay (s)	0.0	0.0	11.3			
Lane LOS			B			
Approach Delay (s)	0.0	0.0	11.3			
Approach LOS			B			
<b>Intersection Summary</b>						
Average Delay			0.8			
Intersection Capacity Utilization			18.1%	ICU Level of Service	A	
Analysis Period (min)			15			

---

Intersection: 3:

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Movement	SB
Directions Served	LR
Maximum Queue (ft)	41
Average Queue (ft)	16
95th Queue (ft)	42
Link Distance (ft)	387
Upstream Blk Time (%)	
Queuing Penalty (veh)	
Storage Bay Dist (ft)	
Storage Blk Time (%)	
Queuing Penalty (veh)	

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Network Summary

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Network wide Queuing Penalty: 0

# HCM Unsignalized Intersection Capacity Analysis

## 3: Jamestown Road

02/25/2022



Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↩	↩		↩	
Traffic Volume (veh/h)	15	138	131	39	44	2
Future Volume (Veh/h)	15	138	131	39	44	2
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Peak Hour Factor	0.66	0.66	0.66	0.66	0.66	0.66
Hourly flow rate (vph)	23	209	198	59	67	3
<b>Pedestrians</b>						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type		None	None			
Median storage (veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	257			482	228	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	257			482	228	
tC, single (s)	4.1			6.4	6.2	
tC, 2 stage (s)						
tF (s)	2.2			3.5	3.3	
p0 queue free %	98			88	100	
cM capacity (veh/h)	1320			537	817	
<b>Direction, Lane #</b>	<b>EB 1</b>	<b>WB 1</b>	<b>SB 1</b>			
Volume Total	232	257	70			
Volume Left	23	0	67			
Volume Right	0	59	3			
cSH	1320	1700	545			
Volume to Capacity	0.02	0.15	0.13			
Queue Length 95th (ft)	1	0	11			
Control Delay (s)	0.9	0.0	12.6			
Lane LOS	A		B			
Approach Delay (s)	0.9	0.0	12.6			
Approach LOS			B			
<b>Intersection Summary</b>						
Average Delay			2.0			
Intersection Capacity Utilization			29.8%	ICU Level of Service	A	
Analysis Period (min)			15			

# Queuing and Blocking Report

## 2021 Existing SAT Peak

02/25/2022

### Intersection: 3: Jamestown Road

Movement	EB	WB	SB
Directions Served	LT	TR	LR
Maximum Queue (ft)	33	2	54
Average Queue (ft)	3	0	25
95th Queue (ft)	18	2	50
Link Distance (ft)	894	798	387
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

### Network Summary

Network wide Queuing Penalty: 0

**APPENDIX D**  
2027 Background Traffic  
Conditions Analysis Reports

# HCM Unsignalized Intersection Capacity Analysis

3:

02/25/2022



Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Volume (veh/h)	0	130	139	21	21	0
Future Volume (Veh/h)	0	130	139	21	21	0
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	0	141	151	23	23	0
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type		None	None			
Median storage (veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	174				304	162
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	174				304	162
tC, single (s)	4.1				6.4	6.2
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	100				97	100
cM capacity (veh/h)	1415				692	888
Direction, Lane #	EB 1	WB 1	SB 1			
Volume Total	141	174	23			
Volume Left	0	0	23			
Volume Right	0	23	0			
cSH	1415	1700	692			
Volume to Capacity	0.00	0.10	0.03			
Queue Length 95th (ft)	0	0	3			
Control Delay (s)	0.0	0.0	10.4			
Lane LOS			B			
Approach Delay (s)	0.0	0.0	10.4			
Approach LOS			B			
Intersection Summary						
Average Delay			0.7			
Intersection Capacity Utilization		18.6%		ICU Level of Service		A
Analysis Period (min)			15			

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Intersection: 3:

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Movement	SB
Directions Served	LR
Maximum Queue (ft)	41
Average Queue (ft)	16
95th Queue (ft)	42
Link Distance (ft)	387
Upstream Blk Time (%)	
Queuing Penalty (veh)	
Storage Bay Dist (ft)	
Storage Blk Time (%)	
Queuing Penalty (veh)	

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Network Summary

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Network wide Queuing Penalty: 0

# HCM Unsignalized Intersection Capacity Analysis

## 3: Jamestown Road

02/25/2022



Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Volume (veh/h)	16	146	139	41	47	2
Future Volume (Veh/h)	16	146	139	41	47	2
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	17	159	151	45	51	2
<b>Pedestrians</b>						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type		None	None			
Median storage (veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	196			366	174	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	196			366	174	
tC, single (s)	4.1			6.4	6.2	
tC, 2 stage (s)						
tF (s)	2.2			3.5	3.3	
p0 queue free %	99			92	100	
cM capacity (veh/h)	1389			630	875	
<b>Direction, Lane #</b>	<b>EB 1</b>	<b>WB 1</b>	<b>SB 1</b>			
Volume Total	176	196	53			
Volume Left	17	0	51			
Volume Right	0	45	2			
cSH	1389	1700	636			
Volume to Capacity	0.01	0.12	0.08			
Queue Length 95th (ft)	1	0	7			
Control Delay (s)	0.8	0.0	11.2			
Lane LOS	A		B			
Approach Delay (s)	0.8	0.0	11.2			
Approach LOS			B			
<b>Intersection Summary</b>						
Average Delay			1.7			
Intersection Capacity Utilization			31.0%	ICU Level of Service	A	
Analysis Period (min)			15			

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Intersection: 3: Jamestown Road

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Movement	EB	SB
Directions Served	LT	LR
Maximum Queue (ft)	39	57
Average Queue (ft)	5	26
95th Queue (ft)	24	49
Link Distance (ft)	894	387
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

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Network Summary

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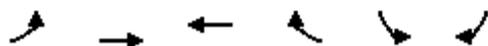
Network wide Queuing Penalty: 0

**APPENDIX E**  
2027 Total Traffic Conditions  
Analysis Reports

# HCM Unsignalized Intersection Capacity Analysis

3:

03/11/2022



Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↔	↔		↔	
Traffic Volume (veh/h)	2	130	139	25	24	1
Future Volume (Veh/h)	2	130	139	25	24	1
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	2	141	151	27	26	1
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type		None	None			
Median storage (veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	178				310	164
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	178				310	164
tC, single (s)	4.1				6.4	6.2
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	100				96	100
cM capacity (veh/h)	1410				686	885
Direction, Lane #						
	EB 1	WB 1	SB 1			
Volume Total	143	178	27			
Volume Left	2	0	26			
Volume Right	0	27	1			
cSH	1410	1700	692			
Volume to Capacity	0.00	0.10	0.04			
Queue Length 95th (ft)	0	0	3			
Control Delay (s)	0.1	0.0	10.4			
Lane LOS	A		B			
Approach Delay (s)	0.1	0.0	10.4			
Approach LOS			B			
Intersection Summary						
Average Delay			0.9			
Intersection Capacity Utilization			18.8%		ICU Level of Service	A
Analysis Period (min)			15			

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Intersection: 3:

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Movement	SB
Directions Served	LR
Maximum Queue (ft)	45
Average Queue (ft)	17
95th Queue (ft)	44
Link Distance (ft)	387
Upstream Blk Time (%)	
Queuing Penalty (veh)	
Storage Bay Dist (ft)	
Storage Blk Time (%)	
Queuing Penalty (veh)	

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Network Summary

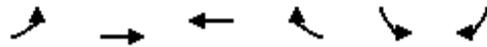
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Network wide Queuing Penalty: 0

# HCM Unsignalized Intersection Capacity Analysis

## 3: Jamestown Road

03/11/2022



Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↶	↷		↶	
Traffic Volume (veh/h)	21	146	139	51	55	6
Future Volume (Veh/h)	21	146	139	51	55	6
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	23	159	151	55	60	7
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type		None	None			
Median storage (veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	206				384	178
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	206				384	178
tC, single (s)	4.1				6.4	6.2
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	98				90	99
cM capacity (veh/h)	1377				613	870
Direction, Lane #	EB 1	WB 1	SB 1			
Volume Total	182	206	67			
Volume Left	23	0	60			
Volume Right	0	55	7			
cSH	1377	1700	632			
Volume to Capacity	0.02	0.12	0.11			
Queue Length 95th (ft)	1	0	9			
Control Delay (s)	1.1	0.0	11.4			
Lane LOS	A		B			
Approach Delay (s)	1.1	0.0	11.4			
Approach LOS			B			
Intersection Summary						
Average Delay			2.1			
Intersection Capacity Utilization			32.7%		ICU Level of Service	A
Analysis Period (min)			15			

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Intersection: 3: Jamestown Road

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Movement	EB	SB
Directions Served	LT	LR
Maximum Queue (ft)	46	52
Average Queue (ft)	6	28
95th Queue (ft)	28	50
Link Distance (ft)	894	387
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

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Network Summary

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Network wide Queuing Penalty: 0

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**RESOLUTION**

**ADOPTION OF THE SHAPING OUR SHORES MASTER PLAN FOR JAMESTOWN BEACH**

**CAMPGROUND, JAMESTOWN YACHT BASIN, AND CHICKAHOMINY RIVERFRONT PARK**

WHEREAS, Jamestown Beach Campground, Jamestown Yacht Basin, and Chickahominy Riverfront Park were purchased by James City County to enhance the lives of its citizens by preserving greenspace, protecting environmental and cultural resources, and providing increased waterfront access and recreational opportunities; and

WHEREAS, these three sites required the development of a long-range conceptual plan to identify future uses, and the Shaping Our Shores Master Plan was developed in response to this need through a process that emphasized community input; and

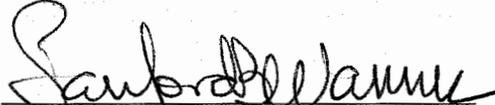
WHEREAS, the recommended uses in the Shaping Our Shores Master Plan were developed to be feasible given the existing site constraints, match the community's vision, provide maximum benefits to the citizens, and offset operational and maintenance costs by developing appropriate and reasonable revenue-generating opportunities; and

WHEREAS, the Master Plan is a high-level planning document of a broad conceptual nature that is intended to guide and assist citizens, staff, commissions, and the Board of Supervisors in making future land use, planning, funding, maintenance, management, and administrative decisions about the three sites.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby adopts the Shaping Our Shores Master Plan for Jamestown Beach Campground, Jamestown Yacht Basin, and Chickahominy Riverfront Park.

\_\_\_\_\_  
James G. Kennedy  
Chairman, Board of Supervisors

ATTEST:

  
Sanford B. Wanner  
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
GOODSON	AYE
JONES	AYE
MCGLENNON	AYE
ICENHOUR	NAY
KENNEDY	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of June, 2009.

KEY	
A - Vermillion House Restored	M - Secondary Beach Access / Picnic Area
B - Event Tents	- Small Non - Motorized Boats
C - Formal Gardens	- Day Sailors
D - "Greate Road" Interpretive Area	- Kayaks
E - Events/Parking and Overflow	N - Preserved Viewshed
F - Maintenance Center	O - Fishing Pier
G - Beach Access and Parking	P - Ropes Course
H - Beach Pavilions	Q - Rental Cabins
- Concessions	R - Roundabout & Left Turn Lane
- Vending	S - Environmental Education Area
I - Playground Area	T - Trailhead with Restrooms
J - Shoreline Stabilization and Beach Renourishment	U - Mainland Farm Interpretive Area
K - Great Lawn / Special Event Area	V - Large Event Exit Only
L - Performance Venue	W - Area for Group Tent Camping
	X - Bioretention Basins



**SHAPING OUR SHORES**  
 Master Plan for Jamestown Beach Campground, Jamestown Yacht Basin & Chickahominy Riverfront Park

Figure 2-2  
**Master Plan**  
 Jamestown Beach Campground

**RESOLUTION**

VIRGINIA CODE § 15.2-2232 ACTION ON CASE NO. SUP-23-0005.

JAMESTOWN BEACH EVENT PARK MASTER PLAN AMENDMENT

WHEREAS, in accordance with Section 15.2-2232 of the Code of Virginia, a park or other public area, public building or public structure, whether publicly or privately owned, shall not be constructed, established or authorized, unless and until the general location or approximate location, character, and extent thereof has been submitted to and approved by the Planning Commission as being substantially in accord with the adopted Comprehensive Plan or part thereof; and

WHEREAS, James City County, Virginia (the “Owner”), owns properties located at 2205 Jamestown Road, and further identified as James City County Real Estate Tax Map Parcel No. 4630100005 (the “Property”), which is zoned PL, Public Lands; and

WHEREAS, Mr. Alister Perkinson of the James City County Parks & Recreation Department, on behalf of the Owner, has applied for a Special Use Permit amendment to include adding long-term boat storage and a Running Center, and changes to roadways including realigning the park entrance to create a new intersection with Jamestown Road and the Colonial Parkway and other minor revisions on the Properties as shown on a plan titled “Jamestown Beach Event Park Master Plan July 2020,” and dated July 2020; and

WHEREAS, in accordance with § 15.2-2204 of the Code of Virginia and Section 24-9 of the James City County Zoning Ordinance, a public hearing was advertised, adjacent property owners notified, and a hearing scheduled for Case No. SUP-23-0005.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of James City County, Virginia, finds that the general or approximate location, character and extent of the park or other public areas, public buildings or public structures shown in Case No. SUP-23-0005 are substantially in accord with the adopted Comprehensive Plan and applicable parts thereof.

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Frank Polster  
Chair, Planning Commission

ATTEST:

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Paul D. Holt, III  
Secretary

Adopted by the Planning Commission of James City County, Virginia, this 5th day of  
April, 2023.

**ITEM SUMMARY**

**DATE:** 4/5/2023

**TO:** The Planning Commission

**FROM:** Ben Loppacker, Planner

**SUBJECT:** SUP-23-0006. Upper County Park Master Plan Amendment

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**ATTACHMENTS:**

	<b>Description</b>	<b>Type</b>
☐	Staff Report	Staff Report
☐	1. Proposed SUP Conditions	Backup Material
☐	2. Location Map	Exhibit
☐	3. Master Plan Upper County Park April 2021	Backup Material
☐	4. Master Plan Upper County Park January 2023	Backup Material
☐	5. Applicant Narrative	Backup Material
☐	6. SUP-0029-1994 Resolution	Backup Material
☐	7. Resolution: 15.2-2232 Consistency Determination	Resolution

**REVIEWERS:**

<b>Department</b>	<b>Reviewer</b>	<b>Action</b>	<b>Date</b>
Planning Commission	Holt, Paul	Approved	3/30/2023 - 8:28 AM
Planning Commission	Holt, Paul	Approved	3/30/2023 - 8:28 AM
Publication Management	Pobiak, Amanda	Approved	3/30/2023 - 8:50 AM
Planning Commission	Holt, Paul	Approved	3/30/2023 - 8:50 AM

**SPECIAL USE PERMIT-23-0006. 180 Leisure Road. Upper County Park Master Plan Amendment  
Staff Report for the April 5, 2023, Planning Commission Public Hearing**

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**SUMMARY FACTS**

Applicant: Mr. Alister Perkinson, Parks Administrator,  
Parks & Recreation Department

Landowner: James City County

Proposal: A request to amend the Special Use Permit (SUP) Case and Master Plan for the Upper County Park to include, but not limited to, adding and reconfiguring multiuse trails, a pickleball/tennis court, an off-leash dog area; and a community gymnasium.

Location: 180 Leisure Road

Tax Map/Parcel No.: 1120100001

Property Acreage: ± 55.99 acres

Zoning: PL, Public Lands

Comprehensive Plan: Community Character Conservation, Open Space, or Recreation

Primary Service Area: Outside

Staff Contact: Ben Loppacker, Planner

**PUBLIC HEARING DATES**

Planning Commission: April 5, 2023, 6:00 p.m.

Board of Supervisors: May 9, 2023, 5:00 p.m. (tentative)

**FACTORS FAVORABLE**

1. The proposal will continue to be compatible with surrounding zoning and development.
2. The proposal is consistent with *Our County, Our Shared Future: James City County 2045 Comprehensive Plan*.
3. At its January 25, 2022, meeting, the Board of Supervisors approved the Master Plan update for Upper County Park.
4. The proposal will add needed park facilities for future development in the northern part of the County.
5. Impacts: See Impact Analysis on Pages 3-4.

**FACTORS UNFAVORABLE**

1. With the attached SUP conditions, staff finds that there are no unfavorable factors.

**SUMMARY STAFF RECOMMENDATION**

Staff recommends the Planning Commission recommend approval of this application to the Board of Supervisors, subject to the proposed conditions. Staff also recommends that the Planning Commission find this application consistent with Section 15.2-2232 of the Code of Virginia.

**PROJECT DESCRIPTION**

Mr. Alister Perkinson, Parks Administrator, Parks & Recreation Department, has submitted a request to amend the Master Plan and SUP condition changes for Upper County Park on behalf of the James

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*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-23-0006. 180 Leisure Road. Upper County Park Master Plan Amendment  
Staff Report for the April 5, 2023, Planning Commission Public Hearing**

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City County Parks & Recreation Department. The Park opened in 1984, Upper County Park is one of the oldest County parks and primarily serves the residents at the upper end of the County. A 1993 Master Plan for the Park had become outdated and not reflective of current citizen needs. The Parks and Recreation Master Plan identified a lack of several park amenities in this region, notably hard surface trails, gymnasiums, recreation centers, and indoor pools. Current Park amenities include a 25-meter outdoor pool, toddler pool, basketball and sand volleyball courts, picnic shelters, a playground, multiuse/mountain biking trails, a primitive camping area, restrooms, and seasonal store/concessions. In 2022, the Parks & Recreation Department updated the Master Plan for Upper County Park with changes including, but not limited to, adding a 0.5 mile paved multiuse trail, replace the toddler pool with a splash pad/spray ground feature, add a community gym, pickleball/tennis courts, an off-leash dog area, archery range, park maintenance area, and increased parking.

At its January 25, 2022 meeting, the Board of Supervisors approved “Master Plan Upper County Park April 2021” for Upper County Park, which showed a new 0.5-mile paved multiuse trail to the north of the property going around the off-leash dog area (Attachment No. 3) Since then, the Parks & Recreation Department would like to propose a minor change to the Master Plan that would realign the 0.5-mile paved multiuse trail to more of the south going around the proposed community gym and along the parking area (Attachment No. 4) . Conditions for the SUP will also be modified to be consistent with the Master Plan

**PLANNING AND ZONING HISTORY**

- There has been one previous SUP associated with this parcel. On December 5, 1994, the Board approved Case No. SUP-0029-1994, allowing for the operation of the Park by the County and the adoption of the original Master Plan for the Park.

- At its, January 25, 2022, meeting, the Board of Supervisors approved the Master Plan Upper County Park April 2021 for Upper County Park.

**SURROUNDING ZONING AND DEVELOPMENT**

- The properties surrounding this parcel to the north and west are zoned Economic Opportunity, EO, and are part of the Hazelwood Development. Properties to the south and east are zoned A-1, General Agricultural, and are part of the Meadow Lake Subdivision.

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*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-23-0006. 180 Leisure Road. Upper County Park Master Plan Amendment  
Staff Report for the April 5, 2023, Planning Commission Public Hearing**

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<b>Impacts/Potentially Unfavorable Conditions</b>	<b>Status</b> <i>(No Mitigation Required/Mitigated/Not Fully Mitigated)</i>	<b>Considerations/Proposed Mitigation of Potentially Unfavorable Conditions</b>
<u>Public Transportation: Vehicular</u>	<u>Mitigated</u>	- See Condition No. 2 regarding a traffic study being needed prior to site plan approval for the community gym.
<u>Public Transportation: Bicycle/Pedestrian</u>	<u>No Mitigation Required</u>	- Pedestrian/bicycle accommodations are required on the south side of Leisure Road where it crosses into the parcel.
<u>Public Safety</u>	<u>No Mitigation Required</u>	- Fire Station 1 on Richmond Road serves this area of the County and is approximately 3.7 miles from Upper County Park. - Staff finds this SUP 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>	- N/A since no residential dwelling units are proposed.
<u>Public Parks and Recreation</u>	<u>No Mitigation Required</u>	- N/A since no residential dwelling units are proposed.
<u>Public Libraries and Cultural Centers</u>	<u>No Mitigation Required</u>	- Staff finds this project does not generate impacts that require mitigation.
<u>Groundwater and Drinking Water Resources</u>	<u>No Mitigation Required</u>	- The proposal does not generate impacts that require mitigation to groundwater or drinking water resources.

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*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-23-0006. 180 Leisure Road. Upper County Park Master Plan Amendment  
Staff Report for the April 5, 2023, Planning Commission Public Hearing**

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<b>Impacts/Potentially Unfavorable Conditions</b>	<b>Status</b> <i>(No Mitigation Required/Mitigated/Not Fully Mitigated)</i>	<b>Considerations/Proposed Mitigation of Potentially Unfavorable Conditions</b>
<u>Watersheds, Streams, and Reservoirs</u> Project is located in the Diascund Creek Watershed.	<u>Mitigated</u>	- The Stormwater and Resource Protection Division has reviewed this application and had no objections. A Master Stormwater Management Plan will be required per Condition No. 3.
<u>Cultural/Historic</u>	<u>No Mitigation Required</u>	- The subject property has been previously disturbed.
<u>Nearby and Surrounding Properties</u>	<u>Mitigated</u>	- Staff finds this project does not generate impacts that require mitigation.
<u>Community Character</u>	<u>No Mitigation Required</u>	- Leisure Road is not a Community Character Corridor; therefore, no mitigation is required. 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 he is not aware of any covenants or restrictions on the property that prohibit the proposed use.

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**SPECIAL USE PERMIT-23-0006. 180 Leisure Road. Upper County Park Master Plan Amendment  
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**2045 COMPREHENSIVE PLAN**

The site is designated Community Character Conservation, Open Space, or Recreation (CCOR) on the 2045 Comprehensive Plan Land Use Map. Properties to the north and west are designated EO and parcels to the east and south are designated Rural Lands.

Appropriate primary uses for areas designated CCOR, include parks and recreational amenities such as recreation fields, trails, wildlife corridors, and greenways. Staff finds this use to generally fit within these categories.

**FINDING OF CONSISTENCY**

Section 15.2-2232 of the Code of Virginia states, in part, that no public park facility be allowed unless the Planning Commission finds the location of the park “substantially” consistent with the adopted Comprehensive Plan. As previously stated, in the *Our County, Our Shared Future: James City County 2045 Comprehensive Plan* Comprehensive Plan Land Use Map, the Upper County Park is designated as a CCOR. Also, staff finds this proposal consistent with the Comprehensive Plan since the Park will serve the County and region as a whole and because it is a public facility (i.e., owned and operated by James City County). For the Commission’s consideration, a consistency determination resolution is included as Attachment No. 7.

**STAFF RECOMMENDATION**

Staff finds the proposal to be compatible with surrounding zoning and development and that it is consistent with *Our County, Our Shared Future: James City County 2045 Comprehensive Plan*.

Staff recommends that the Planning Commission recommend approval of this application to the Board of Supervisors, subject to the attached conditions. Staff also recommends that the Planning Commission find this application consistent with Section 15.2-2232 of the Code of Virginia.

BL/ap  
SUP23-6\_UpprCtyPkMPlnAmd

Attachments:

1. Proposed SUP Conditions
2. Location Map
3. Master Plan Upper County Park April 2021
4. Master Plan Upper County Park January 2023
5. Applicant Narrative
6. SUP-0029-1994 Resolution
7. Resolution: 15.2-2232 Consistency Determination

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PROPOSED CONDITIONS FOR CASE NO. SUP-23-0006. UPPER COUNTY PARK

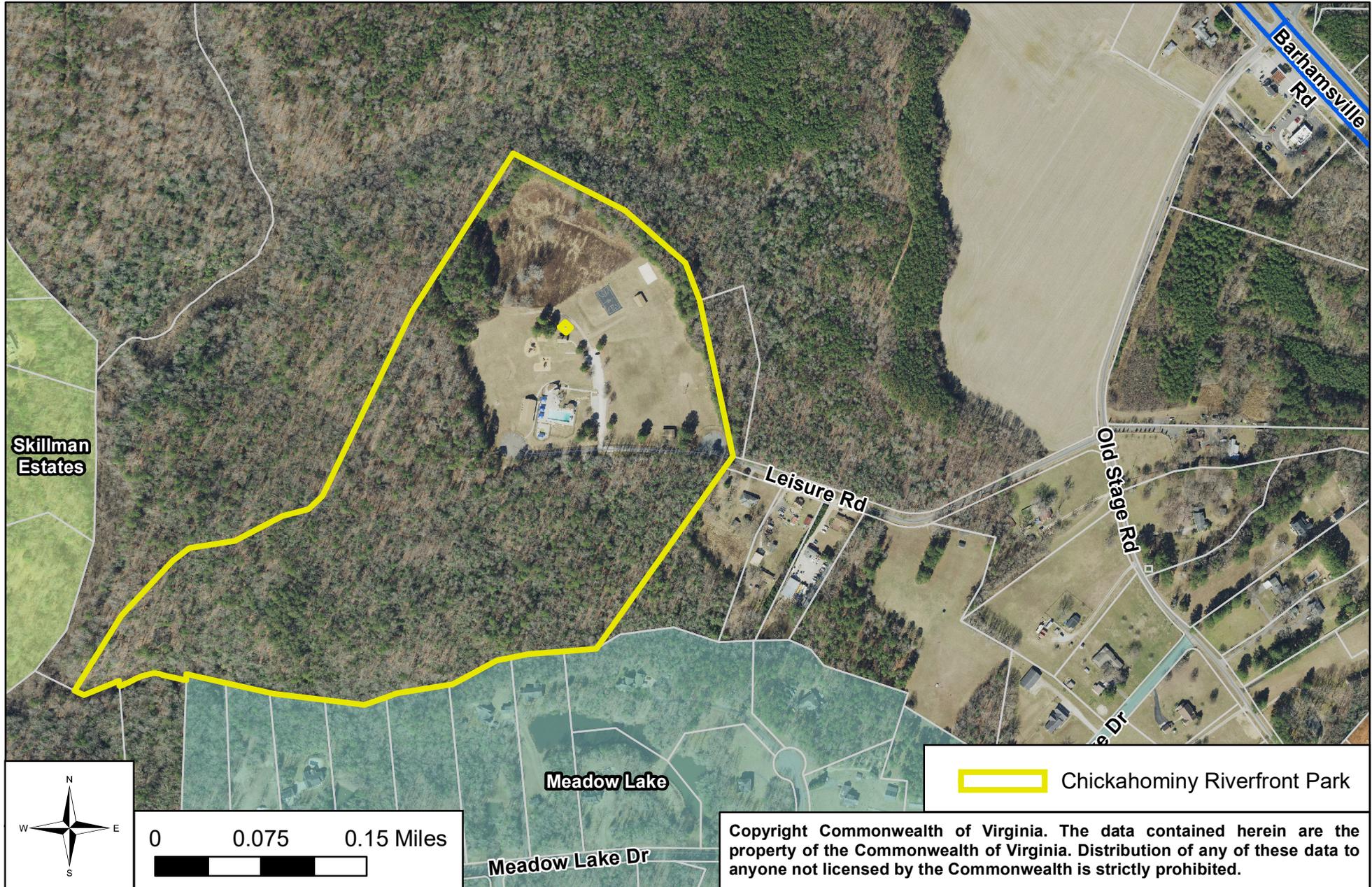
MASTER PLAN AMENDMENT

1. Master Plan and Use. This Special Use Permit (the “SUP”) shall be valid for the Upper County Park facility (the “Project”). The Project is located at 180 Leisure Road, and further identified as James City County Real Estate Tax Map Parcel No. 1120100001 (the “Property”). Development of the Property shall be completed in accordance with the “Upper County Park Master Plan January 2023,” dated January 2023, (the “Master Plan”), with any deviations considered per Section 24-23 (a)(2) of the Zoning Ordinance.
2. Traffic Impact Study. A traffic impact study shall be submitted to the County within five (5) years of the adoption of this SUP, or at such earlier time if required by the Virginia Department of Transportation. The Director of Planning may delay this requirement until such time as the Community Gym labeled “H” on the revised Master Plan has been completed.
3. Master Stormwater Management Plan. The applicant shall submit a Master Stormwater Management (“SWM”) Plan for review and approval by the Director of Stormwater and Resource Protection Division or designee within 18 months of the adoption of this SUP. Material deviations from the approved SWM Plan must be approved by the Director of Stormwater and Resource Protection Division.
4. Outdoor Speakers. All outdoor speakers used on the Property shall be oriented generally towards the interior of the Property and away from exterior property lines.
5. Severance Clause. This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

# JCC SUP-23-0006

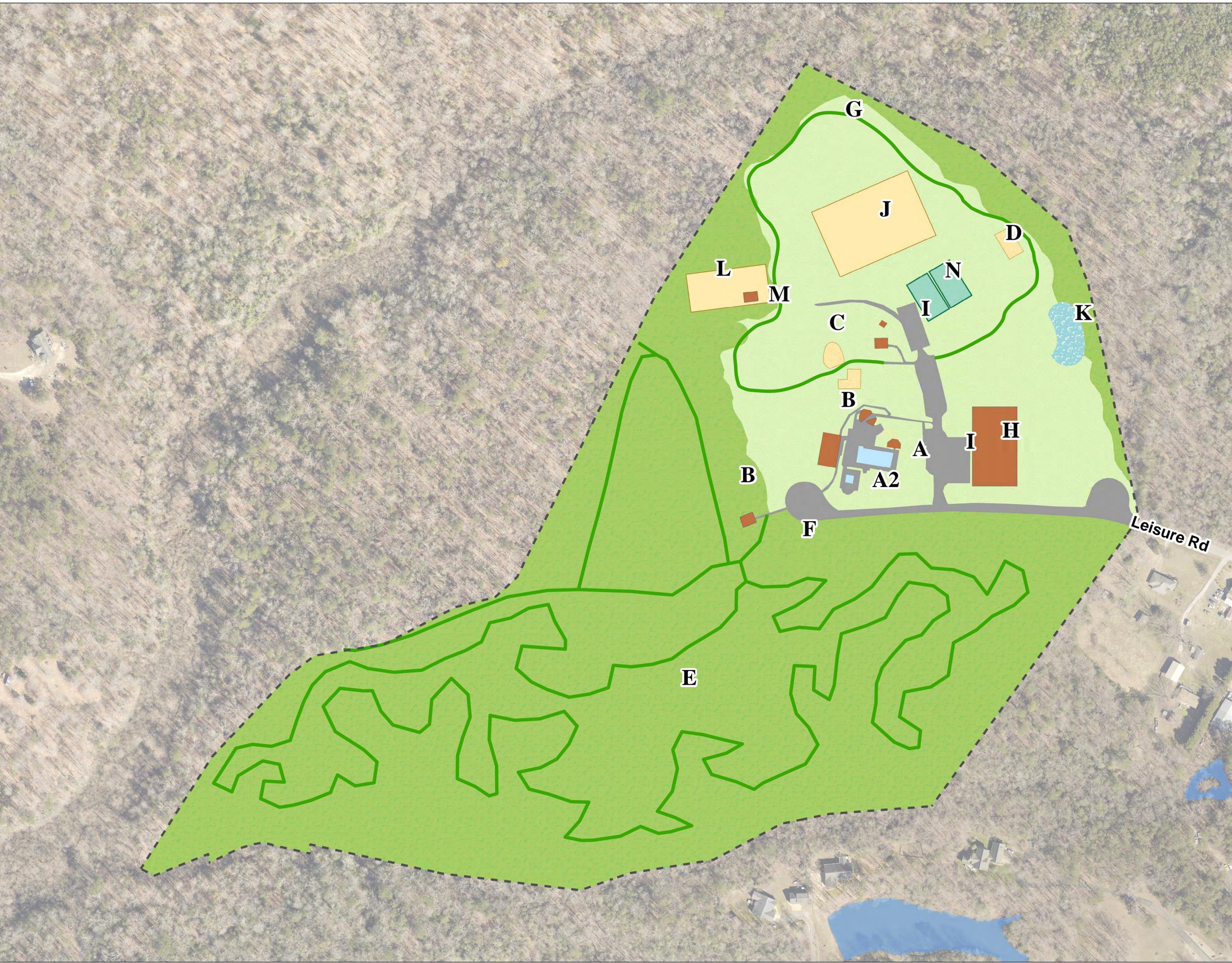
## 180 Leisure Road

### Upper County Park Master Plan Amendment



# Master Plan

Upper County  
Park  
April 2021



Code	Feature
A	Swimming Pool
A2	Splash Pad
B	Picnic Shelter
C	Playground
D	Sand Volleyball
E	Mountain Biking / Multiuse Trails
F	Youth Group Primitive Camping Area
G	Proposed Paved Multiuse Trail
H	Community Gym
I	Parking
J	Off Leash Area
K	Stormwater Management
L	Archery Range
M	Park Maintenance / Storage
N	Basketball / Pickleball / Tennis Courts



# SUP-23-0006. Upper County Park Master Plan Amendment

Master Plan Dated February 8, 2023

## Property Information:

PIN: 1120100001

James City County  
180 Leisure Road  
Toano, VA 23168

PSA: Outside

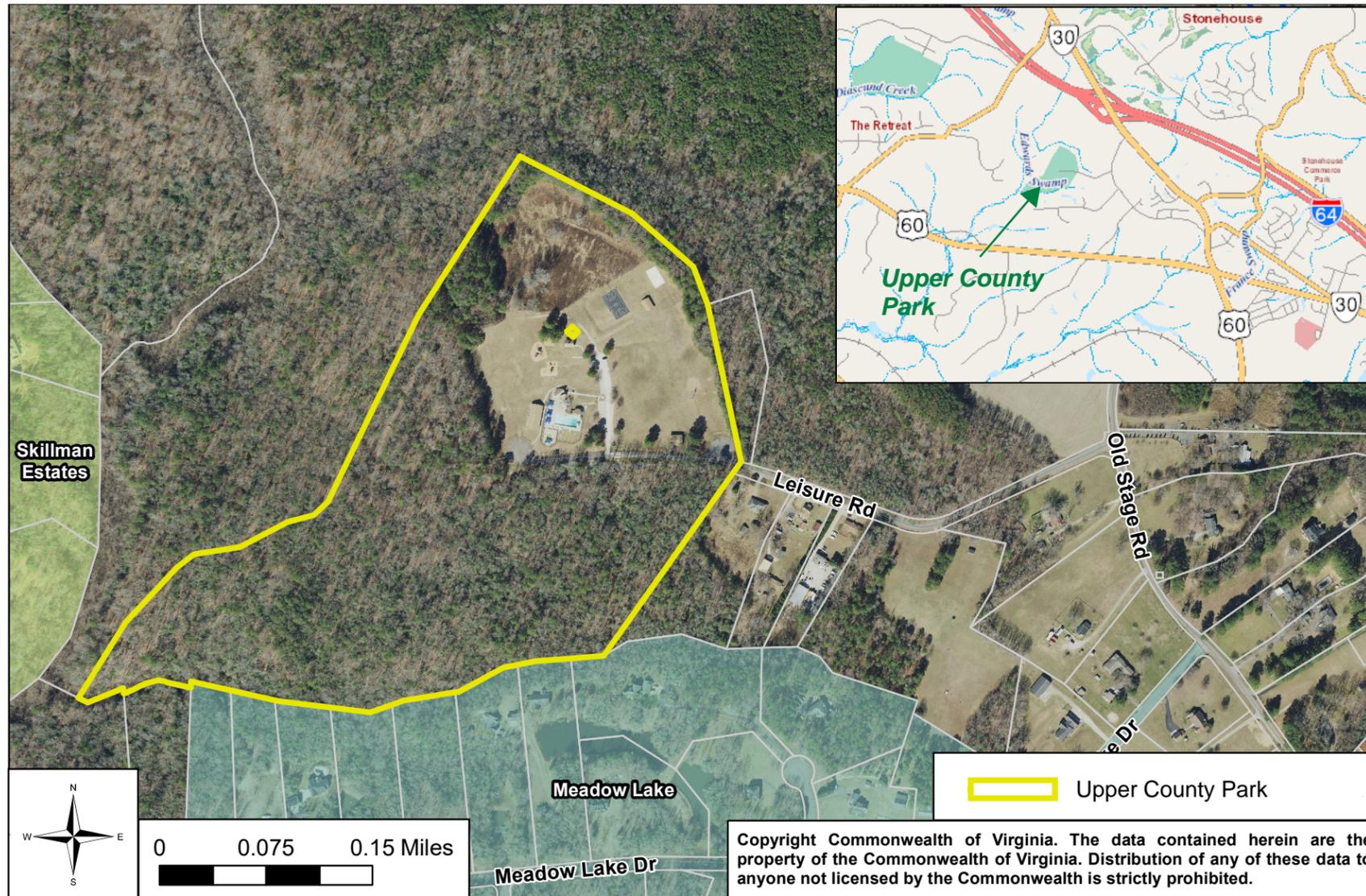
Zoning: PL Public Lands

2045 Comp Plan: Open Space or  
Recreation

Parcel Acreage: 55.99

## Sheet Index:

1. Cover Page
2. Applicant Narrative
3. Master Plan
4. APO List

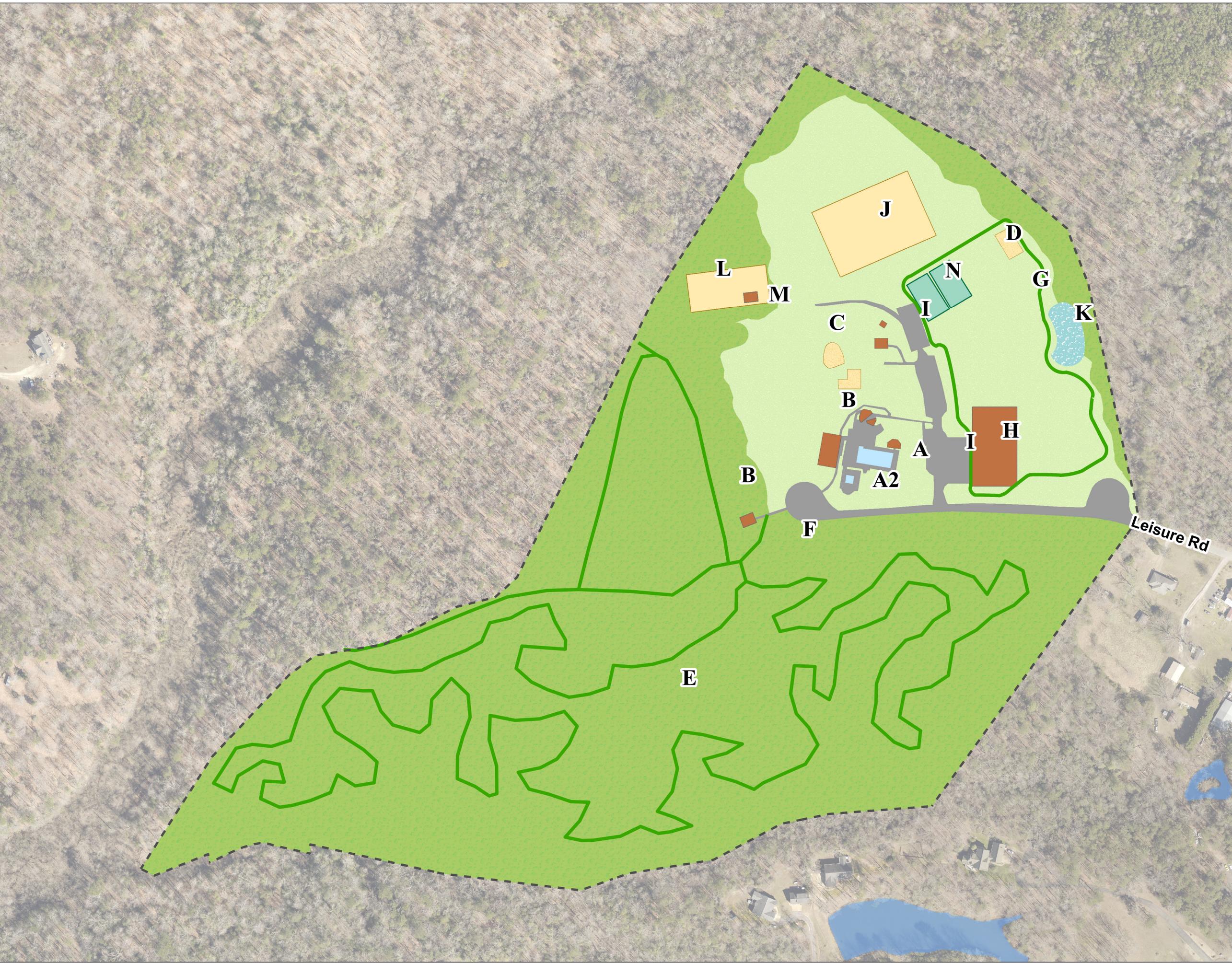


## General Notes:

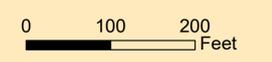
1. This proposal amends SUP-0029-1994.
2. Property does contain a Resource Protected Area.
3. This property is not located within an easement.
4. Portions of the property are located in a special flood hazard area based on Flood Insurance Rate Map 51095C0037D, effective 12/16/2015.

# Master Plan

Upper County  
Park  
Jan 2023



Code	Feature
A	Swimming Pool
A2	Splash Pad
B	Picnic Shelter
C	Playground
D	Sand Volleyball
E	Mountain Biking / Multiuse Trails
F	Youth Group Primitive Camping Area
G	Proposed Paved Multiuse Trail
H	Community Gym
I	Parking
J	Off Leash Area
K	Stormwater Management
L	Archery Range
M	Park Maintenance / Storage
N	Basketball / Pickleball / Tennis Courts



## Upper County Park (UCP)

Opened in 1984, UCP is one of the oldest County parks. A 1993 Master Plan for the park had become outdated and not reflective of current citizen needs. The Parks and Recreation Master Plan classifies UCP as a community park, primarily serving residents at the upper end of the County. The Parks & Recreation Master Plan identified a lack of several park amenities in this region, notably hard surface trails, gymnasiums, recreation centers, and indoor pools. Current park amenities include a 25-meter outdoor pool, toddler pool, basketball and sand volleyball courts, picnic shelters, a playground, multiuse/mountain biking trails, a primitive camping area, restrooms, and seasonal store/concessions.

In an update to the plan in 2022, the following changes were made:

- Replacement of the toddler pool with a splash pad/spray ground feature;
- 0.5-mile paved multiuse trail;
- Community gymnasium with two full-sized indoor courts and fitness area;
- Pickleball/tennis court;
- Off-leash dog area;
- Archery range;
- Park maintenance/storage area; and
- Increased parking to support new amenities.

These changes were adopted by the James City County Board of Supervisors at their January 25, 2022 meeting. Additional minor changes made to the map in January 2023 are as follows:

- Re-alignment of 0.5-mile paved multiuse trail to match current design

Park Included in SUP	Adopted 5 year CIP (FY23-27)	5-8 Years (FY28-30)	8+ Years (FY31+)
<b>Chickahominy Riverfront Park</b>	RV/Boat Storage <sup>®</sup> Multi-use Trail (A)	Community Rowing Facilities/Paddlecraft Launch (C, H), Upgraded Bathhouse Facilities (B), Campground Improvements (A), Connector Road	Campground Store (M) Field Games (O) Picnic Pavilions (J)
<b>Upper County Park</b>	Paved Multi-use Trail (G) Splash Pad (A2)	Tennis/Pickleball Courts (N)	Community Gym (H) Archery Range (L)
<b>Jamestown Beach Event Park</b>	Boat Storage (C)	Maintenance Building (J) Performance Venue/Restrooms (N, R) Entrance re-alignment	Camping (Y)
<b>Warhill Sports Complex</b>	Softball/Baseball Complex (B)	Multipurpose Field Complex (F), Connector Road (E),	Baseball/Softball Stadium Complex (D2) Tennis/Pickleball Courts (H)

## RESOLUTION

### CASE NO. SUP-29-94. UPPER COUNTY PARK MASTER PLAN

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

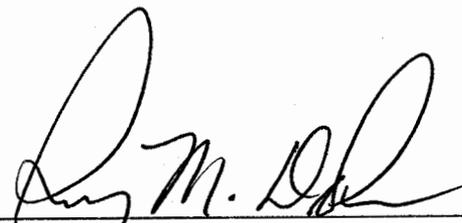
WHEREAS, the Planning Commission of James City County, following its public hearing on November 8, 1994, voted 7-1 to recommend approval of Case No. SUP-29-94 to permit the construction of public recreation facilities as shown in the Upper County Park Master Plan in the A-1, General Agricultural District, on the property identified as Parcel Nos. (1-1) and (1-3) on James City County Real Estate Tax Map No. (11-2); and

WHEREAS, in accordance with Section 15.1-456 Code of Virginia, the James City County Planning Commission at its November 8, 1994, meeting, found the Upper County Park Master Plan to be consistent with the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, finds that the facilities proposed in the Upper County Park Master Plan are consistent with the Comprehensive Plan.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of Special Use Permit No. SUP-29-94, as described herein with the following conditions:

1. If construction has not commenced on the project within 18 months from the issuance of the special use permit, the permit shall become void. Construction shall be defined as the acquisition of permits for, or the commencement of, clearing and excavation necessary for the installation of, any of the facilities appearing on the Master Plan for Upper County Park.
2. A traffic generation study shall be provided with any site plan for development beyond the pool renovation. It shall include a phasing plan of the proposal during the term of the project. The study shall assess the impact the proposed development will have on Leisure Road and Old Stage Road, and recommend any improvements to those roads in order that they may adequately serve the needs of the park and assure the safety of local citizens. Development of the park facilities shall not occur prior to projected road improvement needs as part of a phased implementation plan.
3. Proposed facilities shall be linked with a pedestrian trail network.



Perry M. DePue  
Chairman, Board of Supervisors

ATTEST:



David B. Norman  
Clerk to the Board

SUPERVISOR                      VOTE

MAGOON	AYE
EDWARDS	AYE
TAYLOR	AYE
SISK	AYE
DEPUE	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 5th day of December, 1994.

SUP2994.res

## RESOLUTION

VIRGINIA CODE § 15.2-2232 ACTION ON CASE NO. SUP-23-0006.

### UPPER COUNTY PARK MASTER PLAN AMENDMENT

WHEREAS, in accordance with Section 15.2-2232 of the Code of Virginia, a park or other public area, public building or public structure, whether publicly or privately owned, shall not be constructed, established or authorized, unless and until the general location or approximate location, character, and extent thereof has been submitted to and approved by the Planning Commission as being substantially in accord with the adopted Comprehensive Plan or part thereof; and

WHEREAS, James City County, Virginia (the “Owner”), owns properties located at 180 Leisure Road, and further identified as James City County Real Estate Tax Map Parcel No. 1120100001 (the “Property”), which is zoned PL, Public Lands; and

WHEREAS, Mr. Alister Perkinson of the James City County Parks & Recreation Department, on behalf of the Owner, has applied for a Special Use Permit amendment to include adding and reconfiguring multiuse trails, a pickleball/tennis court, an off-leash dog area; and a community gymnasium, and other minor revisions on the Properties as shown on a plan titled “Upper County Park Master Plan Jan. 2023,” dated January 2023; and

WHEREAS, in accordance with § 15.2-2204 of the Code of Virginia and Section 24-9 of the James City County Zoning Ordinance, a public hearing was advertised, adjacent property owners notified, and a hearing scheduled for Case No. SUP-23-0006.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of James City County, Virginia, finds that the general or approximate location, character and extent of the park or other public areas, public buildings or public structures shown in Case No. SUP-23-0006 are substantially in accord with the adopted Comprehensive Plan and applicable parts thereof.

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Frank Polster  
Chair, Planning Commission

ATTEST:

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Paul D. Holt, III  
Secretary

Adopted by the Planning Commission of James City County, Virginia, this 5th day of April, 2023.

**ITEM SUMMARY**

DATE: 4/5/2023

TO: The Planning Commission

FROM: Suzanne Yeats, Planner

SUBJECT: SUP-23-0007. Warhill Sports Complex Master Plan Amendment

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**ATTACHMENTS:**

	Description	Type
☐	Staff Report	Staff Report
☐	1. Proposed Conditions	Backup Material
☐	2. Location Map	Backup Material
☐	3. Applicant Narrative	Backup Material
☐	4. SUP-0014-2016_MP-0002-2016 Resolution	Backup Material
☐	5. SUP-0004-1998_Z-0001-1998 Resolution	Backup Material
☐	6. SUP-0017-2003_MP-0005-2003 Resolution	Backup Material
☐	7. 2016 Master Plan	Backup Material
☐	8. 2021 Master Plan	Backup Material
☐	9. Citizen Correspondence	Backup Material
☐	10. Resolution: 15.2-2232 Consistency Determination	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Planning Commission	Holt, Paul	Approved	3/30/2023 - 8:27 AM
Planning Commission	Holt, Paul	Approved	3/30/2023 - 8:27 AM
Publication Management	Pobiak, Amanda	Approved	3/30/2023 - 8:38 AM
Planning Commission	Holt, Paul	Approved	3/30/2023 - 8:44 AM

**SPECIAL USE PERMIT-23-0007. Warhill Sports Complex Master Plan and SUP Amendment  
Staff Report for the April 5, 2023, Planning Commission Public Hearing**

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**SUMMARY FACTS**

Applicant: Mr. Alister Perkinson Parks Administrator  
for the Parks & Recreation Department

Landowner: James City County

Proposal: A request to amend the Special Use Permit (SUP), Case No. SUP-0014-2016 (Attachment No. 4) and Master Plan, Case No. MP-0002-2016 (Attachment No. 4) for the Warhill Sports Complex to include, but not limited to, adding four multiuse fields, restrooms/concessions, stadium complex for softball and baseball, a connecting to roads linking Longhill Road and Opportunity Way, lighted pickleball/tennis courts, additional parking to support amenities, existing private indoor pool facility, existing community garden, and existing General Services Grounds Maintenance facility. The proposed SUP amendment is designed to ensure consistency with the currently adopted park Master Plan.

Locations: 4900 Stadium Trail  
5700 Warhill Trail  
5720 Warhill Trail

Tax Map/Parcel Nos.: 3210100012  
3210100012A  
3210100012L

Property Acreage: +/- 442.23 acres  
+/- 3.00 acres  
+/- 2.07 acres

Zoning: PL, Public Lands

Comprehensive Plan: Community Character Conservation, Open Space, or Recreation

Primary Service Area: Inside

Staff Contact: Suzanne Yeats, Planner

**PUBLIC HEARING DATES**

Planning Commission: April 5, 2023, 6:00 p.m.  
Board of Supervisors: May 9, 2023, 5:00 p.m. (Tentative)

**FACTORS FAVORABLE**

1. The proposal is compatible with surrounding zoning and development.
2. Staff finds the proposal consistent with *Our County, Our Shared Future: James City County 2045 Comprehensive Plan*.
3. At its January 25, 2022, meeting, the Board of Supervisors approved the September 2021 Master Plan update for the Warhill Sports Complex. Staff finds the current SUP application consistent with the Board's adopted Master Plan.
4. Impacts: See Impact Analysis on Pages 4-5.

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**SPECIAL USE PERMIT-23-0007. Warhill Sports Complex Master Plan and SUP Amendment  
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**FACTORS UNFAVORABLE**

1. With the attached SUP conditions, staff finds that there are no unfavorable factors.

**SUMMARY STAFF RECOMMENDATION**

Staff recommends the Planning Commission recommend approval of this application to the Board of Supervisors, subject to the proposed conditions. Staff also recommends that the Planning Commission find this application consistent with Section 15.2-2232 of the Code of Virginia.

**PLANNING AND ZONING HISTORY**

- The Board of Supervisors approved Case Nos. SUP-0004-1998/Z-0001-1998 (Attachment No. 5) on April 28, 1998. This allowed development of the site as a recreational complex.
- The Board of Supervisors approved Case Nos. SUP-0017-2003/MP-0005-2003 (Attachment No. 6) for the amendment of the “Warhill Sports Complex 2004 Master Plan” on July 13, 2004. The amended Master Plan proposed a multipurpose field complex, an indoor sports facility, picnic areas, greenway access to Centerville Road, paved multiuse trails, a controlled secondary park access to Centerville Road, a BMX park and unprogrammed open space.
- The Development Review Committee (DRC) approved a request for a Master Plan consistency (C-0008-2016) on February 24, 2016. This allowed the construction of two indoor swimming pools at the Williamsburg Indoor Sports Complex.

- The DRC approved a request for Master Plan consistency (C-0014-2016) for a community garden under the power lines on May 25, 2016.
- The Board of Supervisors approved Case Nos. SUP-0014-2016/MP-0002-2016 (Attachment No. 4) for the amendment of the “2016 Warhill Sports Complex Master Plan” dated September 19, 2016. The amended Master Plan (Attachment No. 7) proposed an addition of a running center building, a Williamsburg Area Transit Authority (WATA) bus transfer station, the relocation of a proposed indoor sports facility, and other minor revisions.
- At its January 25, 2022, meeting, the Board of Supervisors approved the September 2021 Master Plan update (Attachment No. 8) for the Warhill Sports Complex.

**PROJECT DESCRIPTION**

Mr. Alister Perkinson, Parks Administrator for the Parks & Recreation Department, has submitted a request to amend the Master Plan and SUP conditions for the Warhill Sports Complex. The sports complex is used by a large variety of groups with the purpose of providing recreational services and facilities for James City County residents and visitors. Parks and Recreation staff held a meeting on February 18, 2021, with 22 community partner organizations in order to solicit feedback and determine needs for Warhill Sports Complex’s future development. Based on feedback received, Parks & Recreation Long Range Plan, revisions made to the Warhill Sports Complex Master Plan include additions to and elimination of proposed amenities listed below. There are some pertinent differences between eliminations made from the 2016 Master Plan and proposed additions in this most recent 2021 version. They are listed below, and the map location is included parenthetically (note the *Shaping Our Shores* report has not been updated and continues to be utilized as a guiding document).

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**SPECIAL USE PERMIT-23-0007. Warhill Sports Complex Master Plan and SUP Amendment  
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**SPECIAL USE PERMIT-23-0007. Warhill Sports Complex Master Plan and SUP Amendment  
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Eliminated amenities from “2016 Warhill Sports Complex Master Plan” (the locations indicated below correspond to 2021 Master Plan):

- *One large field from the baseball complex to expand parking (A);*
- *Seven multipurpose rectangular fields (E,F);*
- *The proposed indoor sports facility (D2);*
- *BMX park (L) and Running Center (H); and*
- *Elimination of the WATA Bus Transfer Station from area (L).*

Existing or proposed improvements illustrated in “Master Plan Warhill Sports Complex Sept. 2021”:

- *Synthetic turf field complex featuring two lighted softball/multiuse fields (B), two lighted large baseball/multiuse fields (B).*
- *Restrooms/concession (B);*
- *Stadium complex featuring one baseball and one softball field (D2);*
- *Re-designed connector road between the Longhill Road and Opportunity Way sides (E);*
- *Lighted pickleball/tennis courts (H);*
- *Additional parking provided to support amenities (A, H);*
- *Include the existing private indoor pool facility (G2);*
- *Include the existing community garden (I);*

- *Include the existing General Services grounds maintenance facility (O); and*
- *Additional four multi-purpose fields, adjustable orientation, lighted parking, restrooms/concessions (F).*

**SURROUNDING ZONING AND DEVELOPMENT**

Located west of Route 199, south of Centerville Road (Route 614) and north of Longhill Road (Route 612), adjacent to Warhill and Lafayette High Schools.

Surrounding zoning designations include:

- North to Southeast: R-2, General Residential (Villages of Westminster), R-8, Rural Residential (James City Service Authority, Virginia Electric and Power Company), and M-1, Limited Business/Industrial (Virginia Electric and Power Company).
- Southeast to South: R-8, Rural Residential (Christian Life Center of Virginia), R-2, General Residential (Season’s Trace, Heron Run, Scott’s Pond, Winter Park, Pheasant’s Run, and Wood Duck Commons).
- South to Northwest: R-8, Rural Residential (Sheldon Properties and vacant parcels), R-4, Residential Planned Community (Mallard Hill and Longhill Gate), and PL, Public Land to the south (Lafayette High School).
- Northwest to North: PL, Public Land (Warhill High School and vacant parcel), R-8, Rural Residential (Camelot), A-1, General Agricultural (Residential), R-1, Limited Residential (Adam’s Hunt).

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**SPECIAL USE PERMIT-23-0007. Warhill Sports Complex Master Plan and SUP Amendment  
Staff Report for the April 5, 2023, Planning Commission Public Hearing**

<b>Impacts/Potentially Unfavorable Conditions</b>	<b>Status</b> <i>(No Mitigation Required/Mitigated/Not Fully Mitigated)</i>	<b>Considerations/Proposed Mitigation of Potentially Unfavorable Conditions</b>
<u>Public Transportation: Vehicular</u>	<u>Mitigated</u>	<ul style="list-style-type: none"> <li>• Condition No. 3: The southbound right-turn lane on Warhill Trail shall be lengthened to 125 feet prior to June 30, 2027. The Director of Planning shall have the authority to delay required in the completion of the road improvement beyond June 30, 2027, if construction of the athletic fields labeled B, D2, and F on the revised Master Plan have not been completed prior to June 30, 2027.</li> <li>• Condition No. 4: Beginning on January 31, 2024, and every January 31 of each year thereafter, a Traffic Management Plan (“TMP”) addressing the circulation and queueing of vehicles within the Project area shall be submitted to the Virginia Department of Transportation (“VDOT”) and to the Director of Planning or his designee for their review and approval. The TMP shall address parking lot usage, signage, pavement markings and other vehicle control and directional devices, and manual traffic controls at the intersection of Warhill Trail and Longhill Road. The TMP shall be submitted until operation of the Longhill Road/Warhill Trail intersection is at a Level of Service “D” or better, as determined by VDOT and the Director of Planning.</li> <li>• Condition No. 5: A Traffic Impact Analysis (TIA) shall be submitted to the County within five (5) years of adoption of this SUP, or at such earlier time as required by VDOT. The Director of Planning may delay this requirement beyond five (5)-years if construction of the athletic fields labeled B, D2, and F on the Master Plan have not been completed within five years of adoption of this SUP.</li> <li>• Staff finds that traffic impacts from this proposal are mitigated with the proposed conditions.</li> </ul>
<u>Public Transportation: Bicycle/Pedestrian</u>	<u>No Mitigation Required</u>	<ul style="list-style-type: none"> <li>• Per the Adopted Regional Bikeways Map and Pedestrian Accommodations Master Plan, multiuse paths are required along Warhill Trail, Opportunity Way, and internal to the Warhill Sports Complex; this requirement has been fulfilled.</li> </ul>
<u>Public Safety</u>	<u>No Mitigation Required</u>	<ul style="list-style-type: none"> <li>• Fire Station 4 on Olde Towne Road serves this area of the County, approximately 2.5 miles from the proposed Facility.</li> </ul>
<u>Public Schools</u>	<u>No Mitigation Required</u>	<ul style="list-style-type: none"> <li>• N/A since no residential dwelling units are proposed.</li> </ul>

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**SPECIAL USE PERMIT-23-0007. Warhill Sports Complex Master Plan and SUP Amendment  
Staff Report for the April 5, 2023, Planning Commission Public Hearing**

<b>Impacts/Potentially Unfavorable Conditions</b>	<b>Status</b> <i>(No Mitigation Required/Mitigated/Not Fully Mitigated)</i>	<b>Considerations/Proposed Mitigation of Potentially Unfavorable Conditions</b>
<u>Public Parks and Recreation</u>	<u>No Mitigation Required</u>	<ul style="list-style-type: none"> <li>• N/A since no residential dwelling units are proposed.</li> </ul>
<u>Public Libraries and Cultural Centers</u>	<u>No Mitigation Required</u>	<ul style="list-style-type: none"> <li>• Staff finds that this project does not generate impacts that require mitigation.</li> </ul>
<u>Groundwater and Drinking Water Resources</u>	<u>Mitigated</u>	<ul style="list-style-type: none"> <li>• Staff finds that this project does not generate impacts that require mitigation.</li> </ul>
<u>Watersheds, Streams, and Reservoirs</u> Project is located in the Skiffes Creek Watershed and Skiffes Creek Reservoir.	<u>Mitigated</u>	<ul style="list-style-type: none"> <li>• Condition No. 7: The applicant shall submit a Master Stormwater Management (“SWM”) Plan for review and approval by the Director of Stormwater and Resource Protection within 18 months of adoption of this SUP. Material deviations from the SWM Plan must be approved by the Director of Stormwater and Resource Protection Division. All development of the Property must adhere to the approved SWM Plan.</li> </ul>
<u>Cultural/Historic</u>	<u>Mitigated</u>	<ul style="list-style-type: none"> <li>• Staff finds that this project does not generate impacts that require mitigation.</li> </ul>
<u>Nearby and Surrounding Properties</u>	<u>Mitigated</u>	<ul style="list-style-type: none"> <li>• Condition No. 6: All outdoor speakers used on the Properties shall be oriented generally towards the interior of the Properties and away from exterior property lines.</li> </ul>
<u>Community Character</u>	<u>Mitigated</u>	<ul style="list-style-type: none"> <li>• Condition No. 2: A minimum 150-foot buffer shall be maintained along the perimeter of the boundary lines of James City County Real Estate Tax Map No. 3210100012. This buffer shall remain undisturbed with the exception of breaks for roadways and pedestrian connections, utilities, walking and hiking trails, community uses, and other uses shown on the Master Plan or as specifically approved by the Director of Planning.</li> </ul>
<u>Covenants and Restrictions</u>	<u>No Mitigation Required</u>	<ul style="list-style-type: none"> <li>• The applicant has verified that he is not aware of any covenants or restrictions on the property that prohibit the proposed use.</li> </ul>

*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-23-0007. Warhill Sports Complex Master Plan and SUP Amendment  
Staff Report for the April 5, 2023, Planning Commission Public Hearing**

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Per Case No. SUP-0014-2016, Condition No. 7 (Attachment No. 4), the Director of Planning was given authority to delay requiring a TIA to be submitted beyond the five (5)-year time period if construction of the athletic fields labeled B, D2, and F on the 2016 Master Plan (Attachment No. 7) have not been completed within five years of issuance of said SUP amendment. Since 2017, the operational efforts utilized since adoption of the 2016 SUP to mitigate circulation and queuing have included:

- Signs to Route 199/Interstate 64 were installed inside the Warhill Sports Complex, directing traffic to use the Opportunity Way exit rather than using Warhill Trail and Longhill Road.
- “Do not block intersection” signs were installed along Warhill Trail at the intersections of Blue Bill Run and Beaver Run East.
- Off-duty Police Officers were hired to help direct traffic at the intersection of Longhill Road and Warhill Trail during weekends that the park hosted special events and tournaments.
- The service road that connects both entrances of the Warhill Sports Complex was opened for use during full park operating hours.
- The Warhill Sports Complex address was changed to 4900 Stadium Road to help direct more traffic (via GPS and smartphone apps) to the park entrance off Opportunity Way.
- To help reduce speeding vehicles inside the park, additional speed humps were added to the park’s service road.
- Two James City County Police Officers were requested to help direct traffic at the intersection of Longhill Road and Warhill Trail on eight tournament weekends in 2022, which is consistent with the previous few years.

The Parks & Recreation Department is committed to using each of the measures listed above in 2023 and beyond until physical improvements or traffic control lights can be added to the Longhill Road/Warhill Trail intersection.

**2045 COMPREHENSIVE PLAN**

The 2045 Comprehensive Plan Land Use Map designates the Warhill Sports Complex as Community Character Conservation, Open Space or Recreation (CCOR), and Federal, State, or County Land. The 2045 Comprehensive Plan states that properties designated CCOR contribute to the rural, historic, or scenic character of the County and include areas used for recreation, historical or cultural resources, or open space. Areas designated as Federal, State, or County Land include publicly owned lands. Staff finds that the proposed improvements to Warhill Sports Complex are consistent with these designations.

Longhill Road and Centerville Road are listed as Wooded and Urban and Suburban Community Character Corridors in the 2045 Comprehensive Plan Land Use Map. The proposed improvements will not be visible from these rights-of-way.

Warhill Sports Complex is primarily surrounded by Low Density Residential. Areas to the northeast and to the south are designated as Federal, State, and County Land.

**FINDING OF CONSISTENCY**

Section 15.2-2232 of the Code of Virginia states, in part, that no public park facility be allowed unless the Planning Commission finds the location of the park “substantially” consistent with the adopted Comprehensive Plan. As previously stated, in the *Our County, Our Shared Future: James City County 2045 Comprehensive Plan*

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*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-23-0007. Warhill Sports Complex Master Plan and SUP Amendment  
Staff Report for the April 5, 2023, Planning Commission Public Hearing**

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Comprehensive Plan Land Use Map, the Warhill Sports Complex is designated as Community Character Conservation, Open Space, or Recreation (CCOR). Also, staff finds this proposal consistent with the Comprehensive Plan since the Park will serve the County and region as a whole and because it is a public facility (i.e., owned and operated by James City County). For the Commission’s consideration, a consistency determination resolution is included as Attachment No. 10.

**PROPOSED SUP CONDITIONS**

Proposed conditions are provided as Attachment No. 1.

**STAFF RECOMMENDATION**

Staff finds the proposal to be compatible with surrounding zoning and development and is consistent with *Our County, Our Shared Future: James City County 2045 Comprehensive Plan*.

Staff recommends that the Planning Commission recommend approval of this application to the Board of Supervisors, subject to the attached conditions. Staff also recommends that the Planning Commission find this application consistent with Section 15.2-2232 of the Code of Virginia.

SY/ap  
SUP23-7WrhlSCAmd

**Attachments:**

1. Proposed Conditions
2. Location Map

3. Applicant Narrative
4. SUP-0014-2016/MP-0002-2016 Resolution
5. SUP-0004-1998/Z-0001-1998 Resolution
6. SUP-0017-2003/MP-0005-2003 Resolution
7. 2016 Master Plan
8. 2021 Master Plan
9. Citizen Correspondence
10. Resolution: 15.2-2232 Consistency Determination

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*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 FOR CASE NO. SUP-23-0007. WARHILL SPORTS COMPLEX

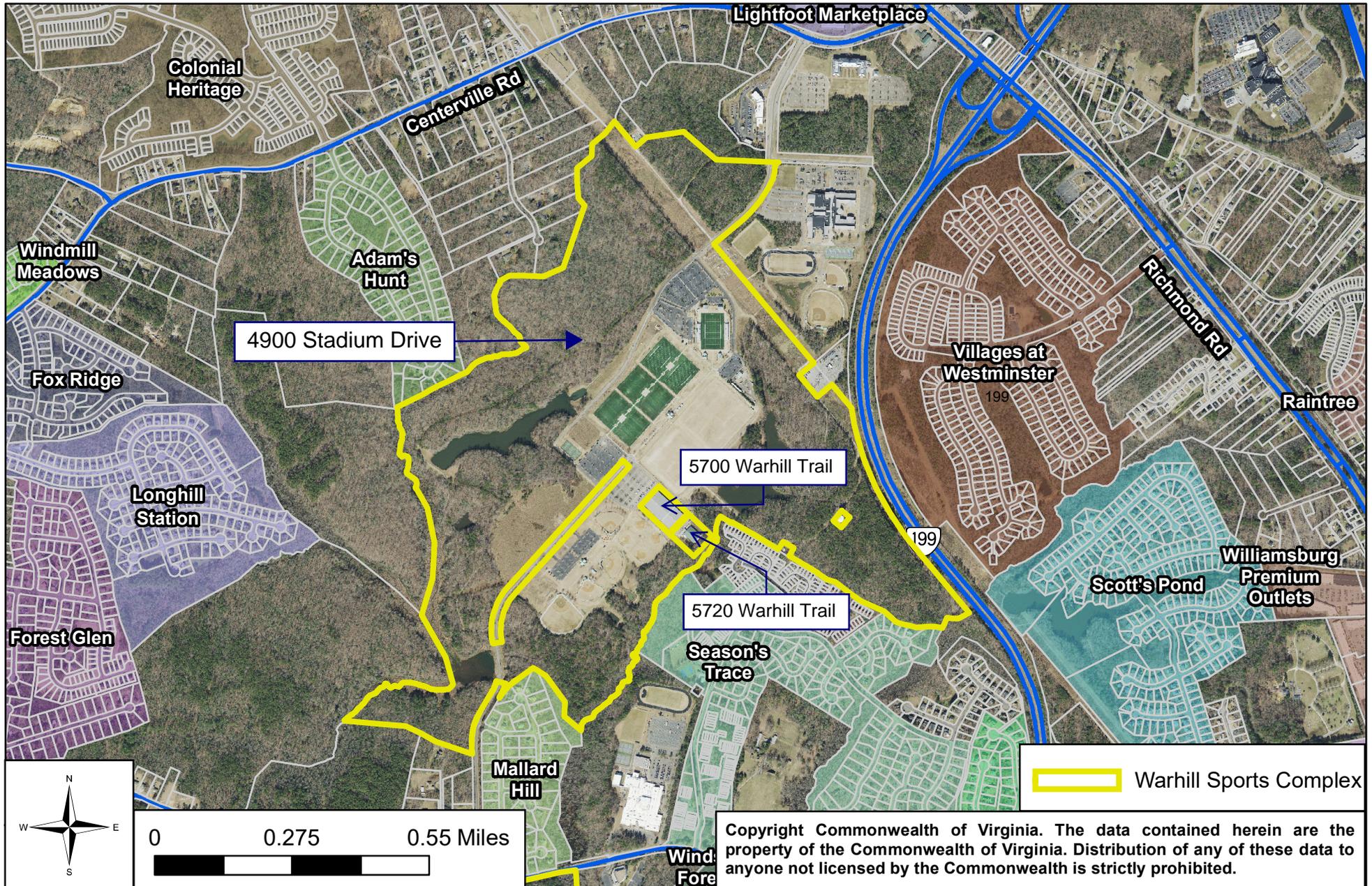
MASTER PLAN AND SUP AMENDMENT

1. Master Plan and Use. This Special Use Permit (the “SUP”) shall be valid for the Warhill Sports Complex Community Recreation facility (the “Project”). The Project is located at 4900 Stadium Road, 5700 and 5720 Warhill Road, and further identified as James City County Real Estate Tax Map Nos. 3210100012, 3210100012A, and 3210100012L, respectively (collectively, the “Properties”). Development of the Properties shall be completed in accordance with the “Warhill Sports Complex Master Plan September 2021,” dated September 2021, (the “Master Plan”), with any deviations considered per Section 24-23 (a)(2) of the Zoning Ordinance.
2. Buffer. A minimum 150-foot buffer shall be maintained along the perimeter of the boundary lines of James City County Real Estate Tax Map No. 3210100012. This buffer shall remain undisturbed with the exception of breaks for roadways and pedestrian connections, utilities, walking and hiking trails, community uses, and other uses shown on the Master Plan or as specifically approved by the Director of Planning.
3. Road Improvements. The southbound right-turn lane on Warhill Trail shall be lengthened to 125 feet prior to June 30, 2027. The Director of Planning shall have the authority to delay required in the completion of the road improvement beyond June 30, 2027, if construction of the athletic fields labeled B, D2, and F on the revised Master Plan have not been completed prior to June 30, 2027.
4. Traffic Management Plan. Beginning on January 31, 2024, and every January 31 of each year thereafter, a Traffic Management Plan (“TMP”) addressing the circulation and queueing of vehicles within the Project area shall be submitted to the Virginia Department of Transportation (“VDOT”) and to the Director of Planning or his designee for their review and approval. The TMP shall address parking lot usage, signage, pavement markings and other vehicle control and directional devices, and manual traffic controls at the intersection of Warhill Trail and Longhill Road. The TMP shall be submitted until operation of the Longhill Road/Warhill Trail intersection is at a Level of Service “D” or better, as determined by VDOT and the Director of Planning.
5. Traffic Impact Analysis. A Traffic Impact Analysis shall be submitted to the County within five (5) years of adoption of this SUP, or at such earlier time as required by VDOT. The Director of Planning may delay this requirement beyond five (5)-years if construction of the athletic fields labeled B, D2, and F on the Master Plan have not been completed within five years of adoption of this SUP.
6. Outdoor Speakers. All outdoor speakers used on the Properties shall be oriented generally towards the interior of the Properties and away from exterior property lines.
7. Master Stormwater Management Plan. The applicant shall submit a Master Stormwater Management (“SWM”) Plan for review and approval by the Director of Stormwater and Resource Protection Division within 18 months of adoption of this SUP. Material deviations from the SWM Plan must be approved by the Director of Stormwater and Resource Protection Division. All development of the Properties must adhere to the approved SWM Plan.
8. Severability. This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

# JCC SUP-23-0007

## 4900 Stadium Drive, 5700 Warhill Trail, & 5720 Warhill Trail

### Warhill Sports Complex Master Plan Amendment



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## Warhill Sports Complex (WSC)

Since the adoption of 2016 Warhill Sports Complex Master Plan, new features such as a private indoor pool facility and community garden have been added to the park. Additionally, some amenities originally featured on the park master plan have been represented at other park locations, such as the potential running center at Jamestown Beach Event Park. Since the sports complex is used by a large variety of groups, staff held a meeting with all 22-community partner organizations in order to solicit feedback and determine needs for the park’s future development. Participants expressed the need for more lighted rectangular fields, more full-sized baseball fields, and softball fields to support the growing participation in senior softball.

### **In an update to the plan in 2022, the following changes and additions were made:**

- Synthetic turf field complex featuring two lighted softball/multiuse fields (B), two lighted large baseball/multiuse fields (A);
- Restrooms/concession (B);
- Stadium complex featuring one baseball and one softball field (D2);
- Re-designed connector road between the Longhill Road and Opportunity Way sides (E);
- Lighted pickleball/tennis courts (H);
- Adding the existing private indoor pool facility (G2);
- Adding the existing community garden (I);
- Adding the existing General Services grounds maintenance facility (O);
- Additional parking provided to support amenities (A, H); and
- Four multipurpose fields, adjustable orientation, lighted parking, restrooms/concessions (F).

### **Eliminated amenities from 2016 Warhill Sports Complex Master Plan (the locations indicated below correspond to 2021 Master Plan):**

- One large field from the baseball complex to expand parking (A);
- Seven multipurpose rectangle fields (E, F);
- The proposed indoor sports facility (D2);
- BMX park (L) and Running center (H); and
- Elimination of the WATA bus transfer station from area (L).

**JCC Parks & Recreation Long Range Plan:** These changes were adopted by the James City County Board of Supervisors at their January 25, 2022, meeting.

Park Included in SUP	Adopted 5 year CIP (FY23-27)	5-8 Years (FY28-30)	8+ Years (FY31+)
<b>Chickahominy Riverfront Park</b>	RV/Boat Storage ® Multi-use Trail (A)	Community Rowing Facilities/Paddlecraft Launch (C, H), Upgraded Bathhouse Facilities (B), Campground Improvements (A), Connector Road	Campground Store (M) Field Games (O) Picnic Pavilions (J)
<b>Upper County Park</b>	Paved Multi-use Trail (G) Splash Pad (A2)	Tennis/Pickleball Courts (N)	Community Gym (H) Archery Range (L)
<b>Jamestown Beach Event Park</b>	Boat Storage (C)	Maintenance Building (J) Performance Venue/Restrooms (N, R) Entrance re-alignment	Camping (Y)
<b>Warhill Sports Complex</b>	Softball/Baseball Complex (B)	Multipurpose Field Complex (F), Connector Road (E),	Baseball/Softball Stadium Complex (D2) Tennis/Pickleball Courts (H)

## RESOLUTION

### CASE NO. SUP-0014-2016/MP-0002-2016. WARHILL SPORTS COMPLEX

#### MASTER PLAN AND SUP AMENDMENT

- WHEREAS, the Board of Supervisors of James City County, Virginia, has adopted by ordinance specific land uses that shall be subjected to a Special Use Permit (SUP) process; and
- WHEREAS, James City County (the "Owner") owns properties located at 5700 and 5720 Warhill Trail, further identified as James City County Real Estate Tax Map Parcel Nos. 3210100012 and 3210100012A, respectively; and
- WHEREAS, on behalf of the owner, Mr. John Carnifax, Director of the Parks & Recreation Department has applied for an SUP and Master Plan amendment to allow for the addition of a running center building, a Williamsburg Area Transit Authority (WATA) bus transfer station, the relocation of a proposed indoor sports facility and other minor revisions, as shown on the exhibit titled "2016 Warhill Sports Complex Master Plan" and dated September 19, 2016; and
- WHEREAS, a public hearing was advertised, adjoining property owners notified and a hearing conducted on Case No. SUP-0014-2016/MP-0002-2016; and
- WHEREAS, the Planning Commission, following its public hearing on November 2, 2016, recommended approval of this application by a vote of 6-1. At the same meeting, the Planning Commission approved a resolution finding the proposal consistent with the Comprehensive Plan by a vote of 6-1.
- NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after consideration of the factors in Section 24-9 of the James City County Code, does hereby approve the issuance of Case No. SUP-0014-2016/MP-0002-2016, as described herein with the following conditions:
1. Master Plan and Use: This Special Use Permit (the "SUP") shall be valid for the Warhill Sports Complex Community Recreation facility (the "Project"). The Project is located at 5700 and 5720 Warhill Road, further identified as James City County Real Estate Tax Map Nos. 3210100012 and 3210100012A, respectively (the "Properties"). Development of the Properties shall be completed in accordance with the "2016 Warhill Sports Complex Master Plan," dated September 19, 2016, (the "Master Plan"), with any deviations considered per Section 24-23(a)(2) of the Zoning Ordinance.
  2. Archaeology: A Phase I Archaeological Study for the Properties shall be submitted to the Director of Planning for review and approval prior to land disturbance for the Project. A treatment plan shall be submitted and approved by the Director of Planning for all sites in the Phase I study that are recommended for a Phase II evaluation and/or

identified as eligible for inclusion on the National Register of Historic Places. If a Phase II study is undertaken, such a study shall be approved by the Director of Planning and a treatment plan for said sites shall be submitted to, and approved by, the Director of Planning for sites that are determined to be eligible for inclusion on the National Register of Historic Places and/or those sites that require a Phase III study. If in the Phase III study, a site is determined eligible for nomination to the National Register of Historic Places and said site is to be preserved in place, the treatment plan shall include nomination of the site to the National Register of Historic Places. If a Phase III study is undertaken for said sites, such studies shall be approved by the Director of Planning prior to land disturbance within the study areas. All Phase I, Phase II and Phase III studies shall meet the Virginia Department of Historic Resources' Guidelines for Preparing Archaeological Resource Management Reports and the Secretary of the Interior's Standards and Guidelines for Archaeological Documentation, as applicable, and shall be conducted under the supervision of a qualified archaeologist who meets the qualifications set forth in the Secretary of the Interior's Professional Qualification Standards. All approved treatment plans shall be incorporated into the plan of development for the Properties and the clearing, grading or construction activities thereon. This condition shall be interpreted in accordance with the County's Archaeological Policy adopted by the County on September 22, 1998.

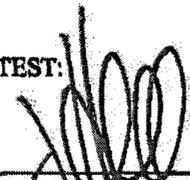
3. Buffer: A minimum 150-foot buffer shall be maintained along the exterior boundary lines of James City County Real Estate Tax Map No. 3210100012. This buffer shall remain undisturbed with the exception of breaks for roadways and pedestrian connections, utilities, walking and hiking trails and other uses specifically approved by the Development Review Committee.
4. Road Improvements: The southbound right-turn lane on Warhill Trail shall be lengthened to 125 feet prior to June 30, 2022. The Planning Director shall have the authority to delay requiring the completion of the road improvement beyond June 30, 2022, if construction of the athletic fields labeled "B", "E" and "F" on the revised Master Plan have not been completed prior to June 30, 2022.
5. Intersection Signage: Measures to prevent blocking of intersections during times of queuing on Warhill Trail Road, such as signage and/or paint markings on the pavement at the Warhill Trail intersection with Blue Bill Run and Beaver Run Roads, shall be installed within one year of the issuance of this SUP.
6. Traffic Management Plan ("TMP"): Beginning on January 31, 2017, and every January 31 of each year thereafter, a TMP addressing the circulation and queuing of vehicles within the Project area shall be submitted to the Virginia Department of Transportation (VDOT) and to the Director of Planning or his designee for his review and approval. The TMP shall consist of measures such as, but not limited to, parking lot usage, signage, pavement markings or other vehicle control/directional devices and manual traffic control (police officer or similar) at the intersection of Warhill Trail and Longhill Road. The TPM shall be submitted until such time as physical improvements to the intersection of Longhill Road/Warhill Trail, or other improvements, result in operation of the Longhill Road/Warhill Trail intersection at a Level of Service "D" or better, as approved by VDOT and the Director of Planning.
7. Traffic Impact Study: A traffic impact study shall be submitted to the County within five (5) years of the issuance of this SUP amendment, or at such time as the traffic study is required by VDOT. The Director of Planning shall have the authority to delay requiring the traffic study to be submitted beyond the five (5)-year time period if

construction of the athletic fields labeled "B", "E" and "F" on the revised Master Plan have not been completed within five years of issuance of this SUP amendment.

- 8. Outdoor Speakers: All outdoor speakers used on the Properties shall be oriented generally towards the interior of the Properties and away from exterior property lines.
- 9. Lighting: A lighting plan shall be reviewed and approved by the Director of Planning or his designee for any lighting proposed adjacent to any athletic fields. This plan shall indicate that no glare, is cast onto adjacent properties. "Glare" shall be defined as more than 0.1 foot candle at the boundary of the Properties or any direct view of the lighting source from the adjoining properties. All other lighting shall comply with Zoning Ordinance, Article II, Special Regulations, Division 7, Outdoor Lighting.
- 10. Water Conservation Plan: Prior to final development plan approval, water conservation standards shall be submitted to and approved by the James City Service Authority. The standards shall include, but not be limited to water conservation measures such as limitations on the installation and use of irrigation systems and irrigation wells, the use of approved landscaping materials including the use of drought resistant native and other adopted low water use landscaping materials and warm season turf where appropriate, and the use of water conserving fixtures and appliances to promote water conservation and minimize the use of public water resources.
- 11. Bus Transfer Station Access: Access to the proposed bus transfer station by all fixed-route busses shall be limited to the intersection of Opportunity Way and Centerville Road. The intent of this condition is to ensure regular bus routes do not enter the Properties through the Warhill Trail/Longhill Road intersection entrance.
- 12. Pedestrian Accommodation: Within three (3) months from the date the bus transfer station starts to service the public, a raised crosswalk shall be provided by the Williamsburg Area Transit Authority (WATA) connecting the proposed bus transfer station to the existing pedestrian accommodation along Stadium Road. Prior to start of service WATA shall notify the Director of Planning of the date the bus transfer station starts to service the public.
- 13. Severability: This SUP is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.

  
 Michael J. Hipple  
 Chairman, Board of Supervisors

ATTEST:

  
 \_\_\_\_\_  
 Bryan J. Hill  
 Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCGLENNON	✓	—	—
LARSON	✓	—	—
ONIZUK	✓	—	—
SADLER	<u>Absent</u>	—	—
HIPPLE	✓	—	—

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of December, 2016.

## RESOLUTION

CASE NO. SUP-4-98. JAMES CITY COUNTY -

### DISTRICT SPORTS COMPLEX

WHEREAS, Bernard M. Farmer, on behalf of James City County, has applied for a special use permit to operate a public recreation facility; and

WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing scheduled on Case No. SUP-4-98; and

WHEREAS, this case is being approved concurrently with James City County Case No. Z-1-98; and

WHEREAS, under case No. Z-1-98, the property was rezoned from R-4, Residential Planned Community, with proffers, to R-8, Rural Residential; and

WHEREAS, the property is designated Federal, State, and County Land on the 1997 James City County Comprehensive Plan; and

WHEREAS, on March 2, 1998, the Planning Commission, per the requirements of §15.2-2232 of the Virginia State Code, found the application substantially in accordance with the adopted Comprehensive Plan; and

WHEREAS, on March 2, 1998, the Planning Commission recommended unanimous approval of this project; and

WHEREAS, the property is identified as Parcel No. (1-12) on the James City County Real Estate Tax Map No. (32-1).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve Case No. SUP-4-98 with the following conditions:

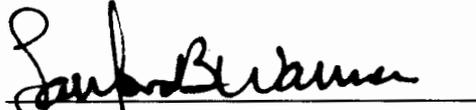
1. All road improvements recommended by a traffic study approved by both the Virginia Department of Transportation and the Director of Planning shall be constructed concurrent with Phase I development of the District Park.
2. A lighting plan shall be reviewed and approved by the Director of Planning. This plan shall indicate that no glare, as determined by the Director of Planning, is cast onto adjacent properties. For all parking lot luminaries, mounted recessed fixtures shall be used with no lens, bulb or globe extending below the casing or otherwise unshielded by the case so that the light source is visible from the side of the fixture. This condition shall not apply to streetlights.
3. All public address speakers used on the site shall be oriented generally towards the interior of the property and away from exterior property lines.

4. Prior to the issuance of a land disturbing permit, an archaeological study, consistent with County policy, shall be submitted and approved by the Director of Planning.
5. Development of the site shall be generally in accordance with the conceptual plan, as endorsed or amended by the Board of Supervisors, with such minor changes as the Development Review Committee determines does not change the basic concept or character of the development.
6. A land disturbing permit shall be issued by the County for this project within three years from the date of approval of this special use permit or the permit shall become void.
7. A minimum 150-foot buffer shall be maintained along the property lines of the park site. The buffer may be increased by the Development Review Committee in areas where additional property line buffering is needed. The buffer shall remain generally undisturbed with the exception of breaks for roadway and pedestrian connections, utilities, pedestrian walking and hiking trails, and other uses specifically approved by the Development Review Committee.



Jack D. Edwards  
Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner  
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
SISK	AYE
MCGLENNON	AYE
BRADSHAW	AYE
NERVITT	AYE
EDWARDS	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 28th day of April, 1998.

sup-4-98.res

## RESOLUTION

### CASE NOS. SUP-17-03 & MP-5-03. WARHILL SPORTS COMPLEX MASTER PLAN

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

WHEREAS, public recreation facilities are a specially permitted use in the R-8, Rural Residential, zoning district; and

WHEREAS, the property is identified as Parcel No. (1-12) on James City County Real Estate Tax Map No. (32-1); and

WHEREAS, in accordance with § 15.2-2204 of the Code of Virginia and Section 24-15 of the James City County Zoning Ordinance, a Public Hearing was advertised, adjacent property owners notified, and a hearing scheduled for Case Nos. SUP-17-03 and MP-5-03; and

WHEREAS, the Planning Commission of James City County, following its Public Hearing on June 7, 2004, recommended approval of Case Nos. SUP-17-03 and MP-5-03 by a vote of 7-0.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve Master Plan 5-03 and the issuance of Special Use Permit No. 17-03 as described herein with the following conditions:

1. Development of the site shall be generally in accordance with the Warhill Sports Complex Master Plan dated April 2004 with such minor changes as the Development Review Committee determines does not change the basic concept or character of the development.
2. Prior to issuance of a land-disturbing permit for any portion of the site, the applicant shall provide written evidence to the County which demonstrates that the recommendations of a professional archaeologist have been implemented in a manner consistent with the preservation objectives of the Board of Supervisors Archaeological Policy, as determined by the Planning Director or his designee.
3. A minimum 150-foot buffer shall be maintained along all property lines of the park site. That buffer shall remain undisturbed with the exception of breaks for roadways and pedestrian connections, utilities, walking and hiking trails, and other uses specifically approved by the Development Review Committee.
4. All road improvements recommended by a traffic study approved by both the Planning Director and the Virginia Department of Transportation (VDOT) shall be constructed prior to the facilities requiring the improvements being utilized.
5. A lighting plan shall be reviewed and approved by the Planning Director for any lighting proposed adjacent to any athletic fields. This plan shall indicate that no

glare, as determined by the Planning Director or his designee, is cast onto adjacent properties. For all parking lot luminaries and building mounted luminaries, mounted recessed fixtures shall be used with no lens, bulb, or globe extending below the casing or otherwise unshielded by the case so that the light is visible from the side of the fixture. This condition shall not apply to streetlights.

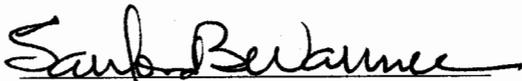
- 6. All public address speakers used on the site shall be oriented generally towards the interior of the property and away from exterior property lines.
- 7. The applicant shall submit a traffic impact study to the County within three years of the date of approval of this application, unless a study is required by VDOT prior to that date. VDOT shall have the authority to delay requiring the traffic study to be submitted beyond the three-year time period if construction of the proposed facilities at Warhill Sports Complex occurs at a slower pace than expected.
- 8. The applicant shall conduct a perennial stream evaluation and receive approval from the Environmental Director prior to preliminary site plan approval being granted for any of the following uses proposed for the site: B-Softball complex; D-Stadium complex; E-Sports Field complex; F-Multipurpose fields; H/I-Picnic Areas; or P-Maintenance Area. If perennial streams are present on the site, a 100-foot buffer will be required around them and any wetlands contiguous and connected by surface flow to the stream.
- 9. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.



Bruce C. Goodson  
Chairman, Board of Supervisors

<u>SUPERVISOR</u>	<u>VOTE</u>
BRADSHAW	AYE
HARRISON	ABSENT
BROWN	AYE
MCGLENNON	AYE
GOODSON	AYE

ATTEST:



Sanford B. Wanner  
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of July, 2004.

# 2016 Warhill Sports Complex Master Plan



**A- Baseball Complex**  
 \_ 5 Baseball Fields, lighted  
 \_ 1 Multiuse Field for T-ball  
 \_ Parking- 260-400 Spaces  
 \_ Concession/Rest Room Building

**B- Softball Complex**  
 \_ 4 Large Softball/Baseball Fields  
 \_ Parking- 260-400 Spaces  
 \_ Concession/Rest Room Building

**C- Soccer Complex**  
 \_ 8 Soccer Fields, adjustable orientation  
 \_ 6 Multiuse Fields with Synthetic Turf  
 \_ Parking- 440 Spaces  
 \_ Concession/Rest Room Building

**D- Stadium Complex**  
 \_ Football, Soccer, Track and Field, lighted  
 \_ 600-1000 Stadium parking, some shared, some available in the utility corridor (N1)

**E- Sports Field Complex**  
 \_ 2 Multi-purpose Practice Fields  
 \_ 1 Lighted Competition Field  
 \_ Bleachers for 500  
 \_ Concession/Rest Room Building  
 Parking - 160 Spaces

**F- Multi-purpose Field Complex**  
 \_ 8 Multi-purpose Fields, adjustable orientation, lighted  
 \_ Parking - 400 Spaces  
 \_ Concession/Rest Room Building

**G1- Existing WISC Building**

**G2- Proposed Indoor Sports Facility**

**J1, J2, J3, J4, J5, J6**  
 Unprogrammed Open Space

**K1- Multiuse Nature Trail, soft surface, 3.5 Miles around park perimeter with connections to Lafayette High School, Seasons Trace, and other neighborhoods**

**L- Paved Multiuse Trail in utility corridor**

**M- Paved Multiuse Trails around Soccer Complex- 1 mile and Baseball/Softball Complex- 1-mile**

**N2- Unprogrammed Open Space capable of supporting additional stadium parking.**

**N3- Dominion Power Substation**

**Q- BMX Park**

**AA - Running Center, multi-purpose room, office space, restrooms, multiuse filed area**

**BB – Williamsburg Area Transport**

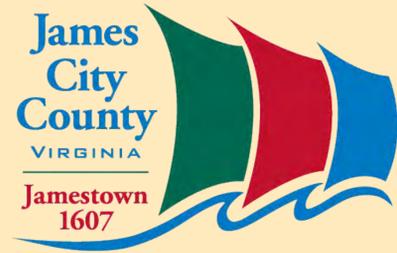
1 inch = 972 feet



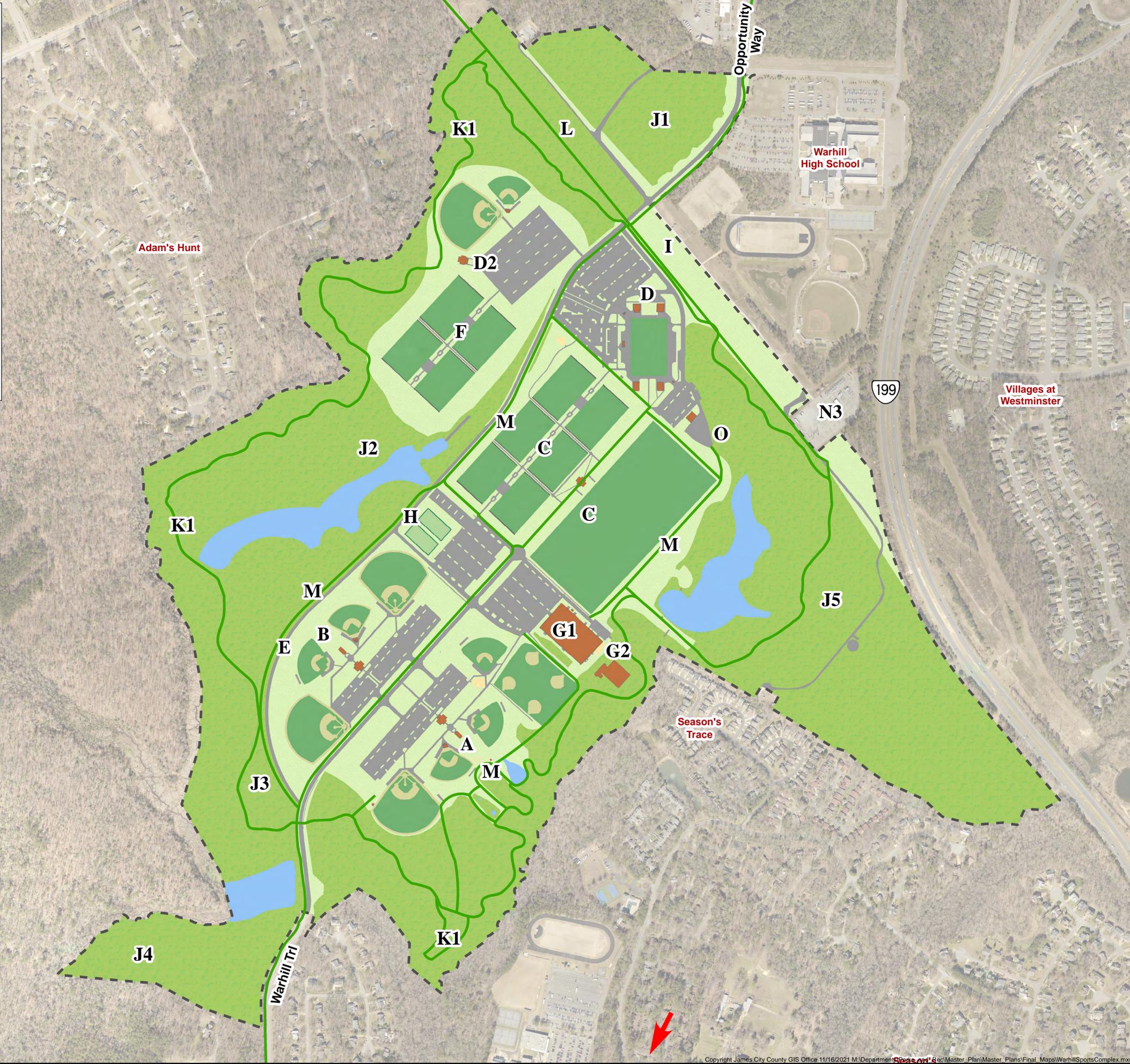
9/19/2016

# Master Plan

Warhill Sports Complex  
Sept 2021



- A- Baseball Complex**  
4 Baseball Fields, lighted  
1 Multiuse Field for T-ball  
Parking- 260-400 Spaces  
Concession/Rest Room Building
- B- Softball/Baseball Complex**  
2 Large synthetic turf baseball fields, 2 synthetic turf softball/multiuse fields, lighted  
Parking- 260-400 Spaces  
Concession/Rest Room Building
- C- Multiuse field Complex**  
8 Grass Fields, adjustable orientation  
6 Multiuse Fields with Synthetic Turf, lighted  
Parking- 440 Spaces  
Concession/Rest Room Building
- D- Stadium Complex**  
Football, Soccer, lighted  
600-1000 Stadium parking, some shared, some available in the utility corridor
- D2- Baseball/Softball Stadium Complex**  
Baseball, softball, lighted  
Parking - 400-600 Spaces
- E- Connector Road**
- F- Multipurpose Field Complex**  
4 Multipurpose Fields, adjustable orientation, lighted  
Parking - 200 Spaces  
Concession/Rest Room Building
- G1- Existing WISC Building**
- G2 - Existing Indoor pool facility**
- H- Athletic Courts**  
Basketball, Pickleball, Tennis, lighted  
Parking- 75 spaces
- I- Community Garden**
- J1, J2, J3, J4, J5, J6 - Unprogrammed Open Space**
- K1- Multiuse Nature Trail**  
Soft surface, 3.5 Mile s around park perimeter
- L- Paved Multiuse Trail in utility corridor**
- M- Paved Multiuse Trails**  
around Soccer Complex 1 mile and Baseball/Softball Complex- 1-mile
- N3- Dominion Power Sub station**
- O - Grounds Maintenance Facility**



- Property Lines
- Trail
- Water
- Field
- Trees
- Grass
- Athletic Courts
- Pavement
- Public Building



## Suzanne Yeats

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**From:** Alister Perkinson  
**Sent:** Wednesday, March 29, 2023 11:19 AM  
**To:** pdoucett@gmail.com  
**Cc:** Community Development; Parks and Recreation  
**Subject:** RE: [External]Warhill Sports Complex Master Plan Amendment - Please don't

Mr. Doucette,

Thank you for reaching out in regards to the Warhill Sports Complex Master Plan. To allay your concerns, there is no plan to remove the WISC from the Warhill Sports Complex – we enjoy a fantastic public-private partnership with the WISC and look forward to working with them for years to come. This amendment is to a 2016 version of the park master plan, which included some *proposed* amenities that are being removed from the plan. One of those amenities was an indoor sports facility or gymnasium building that we are no longer proposing to be built at this site. That amenity and others that are being removed from the plan, including some additional athletic fields, a BMX park, and a running center, were never constructed and were removed from the park's conceptual master plan. These changes were adopted by the James City County Board of Supervisors in January of 2022 after a public input period in 2021, and the updated Master Plan can be found [here](#). We are now in the process of applying for a Special Use Permit to implement the elements on this Master Plan, which will be the subject of the public hearing at next week's Planning Commission meeting.

I appreciate the concern and understand how this could have been misconstrued – please feel free to share this information with any others that you have spoken with that may be under a similar impression. Please feel free to reach out to me at this email address or over the phone at 757-259-5370.

Sincerely,

**Alister Perkinson, CPRP**  
Parks Administrator



**Parks & Recreation**  
Nationally Accredited Agency & Gold Medal Winner  
5340 Palmer Lane, Suite 1A  
Williamsburg, VA 23188  
P: 757-259-5370  
C: 757-207-0002  
[jamescitycountyva.gov](http://jamescitycountyva.gov)

**From:** Paul Doucette <[pdoucett@gmail.com](mailto:pdoucett@gmail.com)>  
**Sent:** Wednesday, March 29, 2023 10:10 AM  
**To:** Community Development <[community.development@jamescitycountyva.gov](mailto:community.development@jamescitycountyva.gov)>  
**Subject:** [External]Warhill Sports Complex Master Plan Amendment - Please don't

Dear JCC,

I am against the "SUP-23-0007 Warhill Sports Complex Master Plan Amendment"

I volunteer for Meals on Wheels (MOW). MOW uses part of the WISC to prepare their meals. This is a good space for MOW and for this reason I am against amending the Master Plan.

Respectfully,

Paul Doucette  
4900 Falkirk Mews, Williamsburg, VA 23188

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[pdoucett@gmail.com](mailto:pdoucett@gmail.com)

## RESOLUTION

VIRGINIA CODE § 15.2-2232 ACTION ON CASE NO. SUP-23-0007.

### WARHILL SPORTS COMPLEX AMENDMENT

WHEREAS, in accordance with Section 15.2-2232 of the Code of Virginia, a park or other public area, public building or public structure, whether publicly or privately owned, shall not be constructed, established or authorized, unless and until the general location or approximate location, character, and extent thereof has been submitted to and approved by the Planning Commission as being substantially in accord with the adopted Comprehensive Plan or part thereof; and

WHEREAS, James City County, Virginia (the “Owner”), owns properties located at 4900 Stadium Trail and 5700 and 5720 Warhill Trail, and further identified as James City County Real Estate Tax Map Parcel Nos. 3210100012, 3210100012A, and 3210100012A, respectively (the “Properties”), which are zoned PL, Public Lands; and

WHEREAS, Mr. Alister Perkinson of the James City County Parks & Recreation Department, on behalf of the Owner, has applied for a Special Use Permit amendment to include adding four multiuse fields, restrooms/concessions, stadium complex for softball and baseball, a connecting to roads linking Longhill Road and Opportunity Way, lighted pickleball/tennis courts, additional parking to support amenities, existing private indoor pool facility, existing community garden, and existing General Services grounds maintenance facility, and other minor revisions on the Properties as shown on a plan titled “Warhill Sports Complex Master Plan Sept. 2021,” dated September 2021; and

WHEREAS, in accordance with § 15.2-2204 of the Code of Virginia and Section 24-9 of the James City County Zoning Ordinance, a public hearing was advertised, adjacent property owners notified, and a hearing scheduled for Case No. SUP-23-0007.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of James City County, Virginia, finds that the general or approximate location, character and extent of the park or other public areas, public buildings or public structures shown in Case No. SUP-23-0007 are substantially in accord with the adopted Comprehensive Plan and applicable parts thereof.

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Frank Polster  
Chair, Planning Commission

ATTEST:

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Paul D. Holt, III  
Secretary

Adopted by the Planning Commission of James City County, Virginia, this 5th day of  
April, 2023.

**ITEM SUMMARY**

**DATE:** 4/5/2023

**TO:** The Planning Commission

**FROM:** Jose Ribeiro, Senior Planner II; Suzanne Yeats, Planner

**SUBJECT:** ORD-22-0004. Amendments to the Zoning Ordinance Regarding Community Recreation Facilities in Residential Districts

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**ATTACHMENTS:**

	Description	Type
☐	Memorandum	Cover Memo
☐	Attachment no. 1. Draft Ordinance Amendment	Ordinance
☐	Attachment no. 2. Initiating Resolution	Resolution
☐	Attachment no. 3. Policy Committee Minutes. December, 8, 2022	Minutes
☐	Attachment no. 4. Policy Committee Minutes. February 9, 2023	Minutes

**REVIEWERS:**

Department	Reviewer	Action	Date
Planning Commission	Holt, Paul	Approved	3/27/2023 - 12:34 PM
Planning Commission	Holt, Paul	Approved	3/27/2023 - 12:36 PM
Publication Management	Daniel, Martha	Approved	3/27/2023 - 12:40 PM
Planning Commission	Holt, Paul	Approved	3/27/2023 - 12:45 PM

**MEMORANDUM**

DATE: April 5, 2023

TO: The Planning Commission

FROM: Jose R. Ribeiro, Senior Planner II/Landscape Planner  
Suzanne Yeats, Planner

SUBJECT: ORD-22-0004. Amendments to the Zoning Ordinance Regarding Community Recreation Facilities in Residential Districts

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At its meeting on April 12, 2022, the Board of Supervisors adopted an Initiating Resolution to consider possible amendments to the James City County Zoning Ordinance regarding community recreation facilities (Attachment No. 2). Currently, the James City County Zoning Ordinance defines recreation facilities and further classifies them as being either “commercial” or “community” and is written as follows:

- Recreation facility, Commercial. *A place designed and equipped for the conduct of leisure-time activities, sports, or other customary and usual recreation activities and which is operated as a business.*
- Recreation facility, Community. *A place designed and equipped for recreational activities by the inhabitants of a residential or mixed-use project and which is operated for noncommercial purposes by a developer, homeowners association, nonprofit organization, or a governmental agency.*

It has come to staff’s attention that at least one neighborhood’s community recreation facility is being used by group and team sports not affiliated with the neighborhood. Such additional group and team sport use does bring with it the potential for impacts such as increased vehicular traffic, noise, lighting, and a duration of use not commonly found with typical neighborhood facilities. The purpose of the Initiating Resolution and this Ordinance amendment would be to classify community recreation facilities with recurring use by outside entities as a Specially Permitted Use, allowing public input, analysis, and mitigation of impacts, as determined.

In the existing Zoning Ordinance, community recreation facilities are a permitted use in most Residential and Mixed Use Districts as shown in the table below:

DISTRICT	Permitted	SUP
A-1, General Agricultural		SUP
R-1 Limited Residential	P	
R-2, General Residential	P	
R-3, Residential Redevelopment	P	
R-4, Residential Planned Community	P	
R-5, Multifamily Residential	P	
R-6, Low Density Residential	P	
R-8, Rural Residential		SUP
PUD, Planned Unit Development	P	
MU, Mixed Use	P	
EO, Economic Opportunity	P	

Staff analyzed the Zoning Ordinance and other parts of the County code as it relates to Recreation Facilities, Commercial and Community, and presented their findings to the Policy Committee at its meeting on December 8, 2022. During the discussion, the Policy Committee requested further investigation and provided a list of questions to be addressed (questions below with staff’s responses in italics):

- How widespread is the problem? How many complaints have been received? Are homeowners associations (HOAs) handling the problem?

Complainants	Is an HOA present in the related neighborhood?	Are there other entities present in this neighborhood?	HOA or other entity actions in response to complaint(s).
1	No	<i>Yes, a Recreation Association. The complainant was not a member of the Recreation Association.</i>	<i>There is not an HOA in this neighborhood. County staff is not able to comment on actions taken by the Recreation Association.</i>
<b>Summary of Issues Presented by the Complainant</b>			
<p>-Recreation facility being used by outside recreation groups and also for non-recreational uses (fundraisers, private parties, other organizations).                      -Parking outside facility parking areas (on streets).                      -Increased traffic, vehicles making unsafe traffic movements.                      -Safety issue for residents and children from increased traffic generally and also specifically in terms of children crossing to a bus stop.                      -Neighborhood children unable to use the facility due to outside group use.                      -Lack of information to neighborhood residents about activities and schedules.                      -Ownership of the recreation facility not by the neighborhood but by an outside group whose members did not live in the neighborhood, perceived lack of accountability to neighbors.                      -Noise.</p>			

- How would the proposed amendment be enforced?

*The Zoning Administrator is empowered to administer and enforce the requirements of the Zoning Ordinance.*

- What specific activities would be covered? Sports? Weddings? Card Games?

*Staff would evaluate each proposal based on the language of the Ordinance. If the draft language under consideration were adopted, staff would evaluate whether the recreation facility “included the recurring use of by a team, organization, or other entity who are not primarily residents of the neighborhood within which the facility is located.” Key considerations would be one-time versus recurring use, and whether the make-up of the team, organization, or other entities using the facility on a recurring basis were primarily residents (50% or greater) of the neighborhood the facility is located in.*

- What conditions would apply to the Special Use Permit (SUP)?

*Conditions would vary on a case-by-case basis; staff would review each case and work to mitigate impacts such as noise, visual impact, or traffic. Staff would also review the duration of the proposed use and the location of use: i.e., indoor clubhouse, outdoor athletic fields, swimming pools, etc. (See additional discussion under the next question.)*

- Are there other ways to handle this problem if it is a problem?

*There are some general regulations or resources that may be pertinent to issues noted above and they include:*

- *Noise. The County has noise regulations in [Section 15-20](#) which are written to address “excessive noise” and would apply in residential zoned districts or areas.*
- *Lighting. The County has standards for lighting in the Zoning Ordinance that are designed in part to limit light trespass. Unless they pre-dated the Ordinance, recreation facilities would be built in accordance with these standards, and any new lighting would require a site plan amendment to demonstrate compliance.*
- *Parking. The County has standards for minimum numbers of parking space within the Zoning Ordinance. New or expanded facilities would require site plans that demonstrate compliance with the minimum number of spaces required.*
- *Structure Height. Each zoning district has height limitation standards.*
- *Parking on Streets. The County has a mix of private streets and public streets. For public streets, [Section 13-36](#) permits the County Administrator to restrict or prohibit parking upon County-maintained roads and streets, and roads part of the state secondary system within the County, and may designate the time, place, and manner vehicles may be allowed to park.*
- *Unsafe Driving. The Police Department is able to assist in monitoring and enforcing traffic laws.*

*Staff is not aware of existing regulations that would apply to issues directly related to the following:*

- *The exact nature of use of a recreation facility;*
- *Duration of use of a recreation facility (either daily hours of operation or number of months per year);*
- *Resident/non-resident status of use of a recreation facility;*
- *Evaluation of the volume of traffic in relation to a particular road and its capacities/geometry; and*
- *Visual impacts of the facility (other than height and lighting described above).*

On February 9, 2023, the Policy Committee reviewed the information provided by staff and found that, overall, the issue was a very infrequent problem and would require substantial staff oversight; and that there are perhaps easier ways to handle issues involving community recreation facilities. The Policy Committee unanimously recommended by a vote of 4-0 that the Planning Commission not recommend adoption of this Ordinance amendment unless the problem becomes more frequent.

Staff has attached a draft Ordinance amendment for the Commission’s consideration.

JRR/SY/ap  
ORD22-4AmdCRF-mem

Attachments:

1. Draft Ordinance Amendment
2. Initiating Resolution, April 12, 2022
3. Policy Committee Minutes, December 8, 2022
4. Policy Committee Minutes, February 9, 2023

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 24, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE V, DISTRICTS, BY AMENDING DIVISION 3, LIMITED RESIDENTIAL DISTRICT, R-1, SECTION 24-232, USE LIST; DIVISION 4, GENERAL RESIDENTIAL DISTRICT, R-2, SECTION 24-252, USE LIST; DIVISION 4.1, RESIDENTIAL REDEVELOPMENT DISTRICT, R-3, SECTION 24-273.2, USE LIST; DIVISION 5, RESIDENTIAL PLANNED COMMUNITY DISTRICT, R-4, SECTION 24-281, USE LIST; DIVISION 6, MULTIFAMILY RESIDENTIAL DISTRICT, R-5, SECTION 24-305, USE LIST; DIVISION 7, LOW DENSITY RESIDENTIAL DISTRICT, R-6, SECTION 24-328 PERMITTED USES AND SECTION 24-329 USES PERMITTED BY SPECIAL USE PERMIT ONLY; DIVISION 14, PLANNED UNIT DEVELOPMENT DISTRICTS, PUD, SECTION 24-493, USE LIST; DIVISION 15, MIXED USE, MU, SECTION 24-518, USE LIST; AND DIVISION 17, ECONOMIC OPPORTUNITY, EO, SECTION 24.536.4, USE LIST.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 24, Zoning, is hereby amended and reordained by amending Article V, Districts, by amending Division 3, Limited Residential District, R-1, Section 24-232, Use list; Division 4, General Residential District, R-2, Section 24-252, Use list; Division 4.1, Residential Redevelopment District, R-3, Section 24-273.2, Use list; Division 5, Residential Planned Community District, R-4, Section 24-281, Use list; Division 6, Multifamily Residential District, R-5, Section 24-305, Use list; Division 7, Low Density Residential District, R-6, Section 24-238, Permitted uses and Section 24-329 Uses permitted by special use permit only; Division 14, Planned Unit Development Districts, PUD, Section 24-493, Use List; Division 15, Mixed Use, MU, Section 24-518, Use list; and Division 17, Economic Opportunity, EO, Section 24-536.4 Use List.

**Chapter 24. Zoning**

**Article V. Districts**

**Division 3. Limited Residential District, R-1**

**Sec. 24-232. Use list.**

In the limited residential district, R-1, structures to be erected or land to be used, shall be for the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Commercial Uses	Community recreation facilities, including parks, playgrounds, clubhouses, boating facilities, <del>swimming pools, ball fields, tennis courts, and other similar recreation facilities</del> and athletic facilities including but not limited to swimming pools, ball fields, tennis courts, and other similar recreation facilities which are primarily used by residents of the neighborhood within which the facility is located.	P	
	Community recreation facilities, including parks, playgrounds, clubhouses, boating facilities, and athletic facilities including but not limited to swimming pools, ball fields, tennis courts, and other similar recreation facilities which include the recurring use by a team, organization, or other entity who are not primarily residents of the neighborhood within which the facility is located.		SUP

**Division 4. General Residential District, R-2**

**Sec. 24-252. Use list.**

In the general residential district, R-2, structures to be erected or land to be used, shall be for the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Commercial Uses	Community recreation facilities, including parks, playgrounds, clubhouses, boating facilities, <del>swimming pools, ball fields, tennis courts, and other similar recreation facilities</del> and athletic facilities including but not limited to swimming pools, ball fields, tennis courts, and other similar recreation facilities which are primarily used by residents of the neighborhood within which the facility is located.	P	
	Community recreation facilities, including parks, playgrounds, clubhouses, boating facilities, and athletic facilities including but not limited to swimming pools, ball fields, tennis courts, and other similar recreation facilities which include the recurring use by a team, organization, or other entity who are not primarily residents of the neighborhood within which the facility is located.		SUP

**Division 4.1. Residential Redevelopment District, R-3**

**Sec. 24-273.2. Use list.**

In the residential redevelopment district, R-3, structures to be erected or land to be used, shall be for the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Commercial Uses	Community recreation facilities, including parks, playgrounds, clubhouses, boating facilities, <del>swimming pools, ball fields, tennis courts, and other similar recreation facilities</del> and athletic facilities including but not limited to swimming pools, ball fields, tennis courts, and other similar recreation facilities which are primarily used by residents of the neighborhood within which the facility is located.	P	
	Community recreation facilities, including parks, playgrounds, clubhouses, boating facilities, and athletic facilities including but not limited to swimming pools, ball fields, tennis courts, and other similar recreation facilities which include the recurring use by a team, organization, or other entity who are not primarily residents of the neighborhood within which the facility is located.		SUP

**Division 5. Residential Planned Community District, R-4**

**Sec. 24-281. Use list.**

In the residential planned community district, R-4, structures to be erected or land to be used, shall be for the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Commercial Uses	Parks, playgrounds, golf courses, <del>tennis courts, swimming pools and other public or private recreational facilities</del> and athletic facilities including but not limited to swimming pools, ball fields, tennis courts, and other similar recreation facilities public or private, which are primarily used by residents of the neighborhood within which the facility is located.	P	
	Parks, playgrounds, golf courses, and athletic facilities including but not limited to swimming pools, ball fields, tennis courts, and other similar recreation facilities public or private, which include the recurring use by a team, organization, or other entity who are not primarily residents of the neighborhood within which the facility is located.		SUP

**Division 6. Multifamily Residential District, R-5**

**Sec. 24-305. Use list.**

In the multifamily residential district, R-5, structures to be erected or land to be used, shall be for the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Commercial Uses	Community recreation facilities, including parks, playgrounds, clubhouses, boating facilities, <del>swimming pools, ball fields, tennis courts, and other similar recreation facilities</del> and athletic facilities including but not limited to swimming pools, ball fields, tennis courts, and other similar recreation facilities which are primarily used by residents of the neighborhood within which the facility is located.	P	
	Community recreation facilities, including parks, playgrounds, clubhouses, boating facilities, and athletic facilities including but not limited to swimming pools, ball fields, tennis courts, and other similar recreation facilities which include the recurring use by a team, organization, or other entity who are not primarily residents of the neighborhood within which the facility is located.		SUP

**Division 7. Low Density Residential District, R-6**

**Sec. 24-328. Permitted uses.**

In the low density residential district, R-6, structures to be erected or land to be used shall be for the following uses:

Community recreation facilities, including parks, playgrounds, clubhouses, boating facilities, ~~swimming pools, ball fields, tennis courts, and other similar recreation facilities~~ and athletic facilities including but not limited to swimming pools, ball fields, tennis courts, and other similar recreation facilities which are primarily used by residents of the neighborhood within which the facility is located.

**Sec. 24-329. Uses permitted by special use permit only.**

In the low density residential, R-6, buildings to be erected or land to be used for the following or similar uses shall be permitted only after the issuance of a special use permit by the board of supervisors:

Community recreation facilities, including parks, playgrounds, clubhouses, boating facilities, and athletic facilities including but not limited to swimming pools, ball fields, tennis courts, and other similar recreation facilities which include the recurring use by a team, organization, or other entity who are not primarily residents of the neighborhood within which the facility is located.

**Division 14. Planned Unit Development Districts, PUD**

**Sec. 24-493. Use list.**

(a) In the planned unit development district, residential (PUD-R), all structures to be erected or land to be used shall be for the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Commercial Uses	Community recreation facilities, including parks, playgrounds, clubhouses, boating facilities, <del>swimming pools, ball fields, tennis courts, and other similar recreation facilities</del> and athletic facilities including but not limited to swimming pools, ball fields, tennis courts, and other similar recreation facilities which are primarily used by residents of the neighborhood within which the facility is located.	P	
	Community recreation facilities, including parks, playgrounds, clubhouses, boating facilities, and athletic facilities including but not limited to swimming pools, ball fields, tennis courts, and other similar recreation facilities which include the recurring use by a team, organization, or other entity who are not primarily residents of the neighborhood within which the facility is located.		SUP

**Division 15. Mixed Use, MU**

**Sec. 24-518. Use list.**

In the mixed use districts, all structures to be erected or land to be used, shall be for the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Commercial Uses	Community recreation facilities, public or private, including parks, playgrounds, clubhouses, boating facilities, <del>swimming pools, ball fields, tennis courts, and other similar recreation facilities</del> and athletic facilities including but not limited to swimming pools, ball fields, tennis courts, and other similar recreation facilities which are primarily used by residents of the neighborhood within which the facility is located.	P	
	Community recreation facilities, public or private, including parks, playgrounds, clubhouses, boating facilities, and athletic facilities including but not limited to swimming pools, ball fields, tennis courts, and other similar recreation facilities which include the recurring use by a team, organization, or other entity who are not primarily residents of the neighborhood within which the facility is located.		SUP

**Division 17. Economic Opportunity, EO**

**Sec. 24-536.4 Use list.**

In the economic opportunity districts, all structures to be erected or land to be used, shall be for the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Commercial Uses	Community recreation facilities, public or private, including parks, playgrounds, clubhouses, boating facilities, <del>swimming pools, ball fields, tennis courts, and other similar recreation facilities</del> and athletic facilities including but not limited to swimming pools, ball fields, tennis courts, and other similar recreation facilities which are primarily used by residents of the neighborhood within which the facility is located.	P	
	Community recreation facilities, public or private, including parks, playgrounds, clubhouses, boating facilities, and athletic facilities including but not limited to swimming pools, ball fields, tennis courts, and other similar recreation facilities which include the recurring use by a team, organization, or other entity who are not primarily residents of the neighborhood within which the facility is located.		SUP

\_\_\_\_\_  
 Michael J. Hipple  
 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>
SADLER	___	___	___	___
ICENHOUR	___	___	___	___
MCGLENNON	___	___	___	___
LARSON	___	___	___	___
HIPPLE	___	___	___	___

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of May, 2023.

**RESOLUTION**

**INITIATION OF CONSIDERATION OF AMENDMENTS TO THE ZONING ORDINANCE**

**TO CONSIDER POSSIBLE AMENDMENTS REGARDING COMMUNITY**

**RECREATION FACILITIES IN RESIDENTIAL DISTRICTS**

WHEREAS, section 15.2-2286(A)(7) of the Code of Virginia, 1950, as amended (the "Virginia Code"), and County Code Section 24-13 authorize the Board of Supervisors of James City County, Virginia (the "Board"), to, by resolution, initiate amendments to the regulations of the Zoning Ordinance that the Board finds to be prudent and required by public necessity, convenience, general welfare, or good zoning practice; and

WHEREAS, the Board is of the opinion that the public necessity, general welfare, and good zoning practice warrant the consideration of amendments to the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby initiate amendment of the James City County Code, Chapter 24, Zoning in order to consider possible amendments regarding community recreation facilities in residential districts. The Planning Commission shall hold at least one public hearing on the consideration of amendments to said Zoning Ordinances and shall forward its recommendation to the Board of Supervisors in accordance with the law.

  
John J. McGlennon  
Chairman, Board of Supervisors

ATTEST:

  
Teresa J. Sauced  
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 12th day of April, 2022.

**MINUTES**  
**JAMES CITY COUNTY POLICY COMMITTEE**  
**REGULAR MEETING**  
**Building A Large Conference Room**  
**101 Mounts Bay Road, Williamsburg, VA 23185**  
**December 8, 2022**  
**4:00 PM**

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**A. CALL TO ORDER**

Mr. Frank Polster called the meeting to order at approximately 4:00 p.m.

**B. ROLL CALL**

Present:

Jack Haldeman, Chair (participated remotely)

Rich Krapf

Tim O'Connor

Frank Polster

Staff:

Josh Crump, Principal Planner

Ellen Cook, Principal Planner

Suzanne Yeats, Planner

Jose Ribeiro, Senior Planner II/Landscape Planner

Thomas Wysong, Senior Planner II

Christy Parrish, Zoning Administrator

Andrea Case, Community Development Assistant

Liz Parman, Deputy County Attorney

Mr. Rich Krapf made a motion to allow Mr. Haldeman to participate remotely. The motion passed 3-0.

**C. MINUTES**

There were no minutes.

**D. OLD BUSINESS**

There was no Old Business.

**E. NEW BUSINESS**

1. ORD-22-0004. Amendments to the Zoning Ordinance Regarding Community Recreation Facilities in Residential Districts

Ms. Suzanne Yeats stated that on April 12, 2022, the Board of Supervisors initiated a resolution to consider Zoning Ordinance amendments regarding community recreation facilities in residential districts. Staff has become aware of some community neighborhood recreational facilities being used by groups and team sports not affiliated with the neighborhood. Ms. Yeats stated that recreational facilities as currently defined does bring with it the potential for impacts such as increased vehicular traffic, noise, and a duration of use not typically found with neighborhood facilities. She stated that the purpose today was to discuss the Initiating Resolution and the potential ordinance amendment to classify community recreation facilities with reoccurring use by outside entities as a specially permitted use.

Mr. Jack Haldeman stated, just to clarify, that the discussion was to review ordinance amendments, which would require a Special Use Permit for uses at community recreational facilities, in any residential neighborhood, by a group not affiliated with the neighborhood.

Mr. Jose Ribeiro confirmed that was correct.

Ms. Ellen Cook clarified that it would be for a recurring use by those groups.

Mr. Frank Polster asked the question as to why the County would want to regulate neighborhood facilities. He also asked if this was an issue currently, and how widespread it might be.

Ms. Christy Parrish answered that there have been instances where groups outside the neighborhood have used neighborhood facilities or modified neighborhood facilities for their use. Some uses are beyond the normal seasonal use. She stated that some neighbors have expressed concerns about the impacts from these groups using these facilities, as well as the groups monopolizing the use of the facilities. She further stated that it has caused impacts to the adjacent properties. Ms. Parrish stated that there is an instance where one group is essentially operating at the facility year-round and the citizens that live near the facility have expressed concerns about traffic and noise.

Mr. Polster asked if this community has an active homeowners association (HOA).

Ms. Parrish answered that the community has an HOA where membership is not mandatory.

Mr. Polster asked if the HOA had a contractual relationship with the outside group.

Ms. Parrish answered that she did not know but staff was looking at this issue generally, as groups look to utilize neighborhood facilities.

Mr. Polster stated that the HOA should have purview over the use of the facilities, and as such should have some responsibility with regards to the contract and what the specifics are. He stated for example, if the use is for year-round, then the HOA should have some control.

Ms. Parrish answered that staff was reviewing this County-wide, not just in this one specific case.

Mr. Polster stated that it appeared that there was a problem in this one case, and it was unclear as to if it is a County-wide problem. He is not in favor of changing the Ordinance because an HOA might not be enforcing its regulations.

Mr. Haldeman asked whether the HOA has the authority to not permit outside groups from using its facilities.

Ms. Parrish answered that if the HOA oversees the facility, it has the authority to allow and not allow groups to use its facility.

Mr. Haldeman asked if this use by outside groups is occurring with the knowledge of the HOA, why is this a problem for the County?

Ms. Parrish answered that there are some community facilities that are not being operated solely with just the residents of that community.

Mr. Haldeman stated that most community facilities are installed by some entity and maintained and governed by some entity, such as an HOA. That HOA can allow or not allow groups to

use its facility.

Ms. Parrish answered that there could be instances where a resident of the neighborhood lives near the facility, and is not part of the HOA, and the HOA has granted a group permission to use the facility that now has changed the nature of the use. In that instance, that neighbor may or may not have a say regarding the impacts of that group.

Mr. Timothy O'Connor stated that the neighboring resident does have a choice in that they can join the HOA and express their concerns, or they choose not to participate.

Mr. Polster added that these facilities require maintenance and some facilities such as pools can be expensive. He stated that it is important to give those facilities the opportunity to generate additional income for maintenance. He also stated that in some neighborhoods where pools exist and a swim meet is taking place, there are a lot of impacts such as traffic and noise.

Mr. Haldeman asked if this discussion would apply to those neighborhoods who hold swim meets and other groups/neighborhoods come to participate.

Mr. O'Connor answered that is the challenge. The challenge is where do you draw the line with groups attending and/or using neighborhood facilities. He stated that it has been his experience that no other jurisdictions regulate this kind of use.

Mr. Krapf asked if this change was for recreational uses only. There are some neighborhoods that have restaurants. He stated that these restaurants are open to the public and generate traffic. He believed that it should be the responsibility of the HOA or entity that oversees renting out the facility. Mr. Krapf mentioned the beekeeping and chicken keeping Ordinances where it may be permitted in the County's Ordinance, but an HOA might not allow it. In these cases, the HOA rules would prevail. He feels that there would be some inconsistency when comparing the County regulating uses in beekeeping/chicken keeping (with regards to HOAs) and the County regulating uses for community facilities.

Ms. Parrish stated that the intent is not to take away the HOA's responsibilities or privileges or how it operates its facility. The intent is to require an SUP when groups or organizations that are not part of that neighborhood use the facility when the use has changed. The use is changing from a community recreation facility to more of an outward non-neighborhood facility.

Mr. Polster felt that this was problematic since it could not be demonstrated that there is a problem that needs to be solved. He felt that the County should not be involved when the HOA or non-HOA entity is running its own facility.

Mr. O'Connor stated that it would be difficult to draw the line. He stated that the County requires these neighborhood facilities, he does not feel the County should tell the neighborhoods how to operate them. The enforcement is the responsibility of the HOA or non-HOA board of directors. He further stated that State Law allows homeowners to adopt reasonable rules and regulations for use of those facilities.

Ms. Parrish stated that staff was trying to bring some flexibility when a) trying to determine when there is an issue and what is a community facility and its purpose; and b) when does it change to something else. staff is not trying to prevent small groups or teams coming to the facility to participate with a neighborhood. She stated that this is trying to address when organizations come in and take over 50% or more of the facility that has a reoccurring use, and it is no longer a neighborhood facility.

Mr. Kraft expressed his concerns that requiring an SUP for this use does not necessarily correct this issue, it just adds a legislative process. He stated that the process could become convoluted without solving the problem. He felt that it was unclear as to what circumstances an SUP would be required and how conditions would be applied.

Ms. Parrish clarified that this process would be for a reoccurring use.

Mr. O'Connor asked if a facility was used on a regular basis for certain events, scheduled for example by an event planner, would this qualify for an SUP.

Ms. Parrish answered that in that instance, an organization is not trying to take over a facility and change the use per se.

Mr. Polster stated that if abuse is occurring at these neighborhood facilities, then the HOA or non-HOA entity needs to be responsible for that.

Ms. Cook stated that if the Committee does not support the proposed changes that can be reflected in the minutes, and that the Committee could forward its recommendation to the full Planning Commission.

Mr. Haldeman stated that he could not support the recommendation as made by staff due to the reasons the Committee has stated previously.

Ms. Parrish asked if there were any zoning districts that could be recommended for a change.

Mr. Haldeman answered no.

Mr. Polster concurred with Mr. Haldeman.

Mr. O'Connor stated the complainants are not part of the HOA that brought up this complaint. He stated that the complainant could file a complaint based on the Lighting and Noise Ordinance.

Mr. Polster added that maybe staff should look at alternatives.

Mr. Haldeman asked for a motion.

Mr. Krapf felt that the Committee was not ready to make a motion.

Mr. Polster added that he is not supportive of this change. Mr. Polster requested more information as to how widespread of a problem this is. He also added it would be helpful to know if this is occurring in neighborhoods with an HOA or in those neighborhoods that do not have an HOA. He also asked if the neighborhoods do have HOAs, are the HOAs doing anything about the issues. Mr. Polster asked if there were any other alternatives to address these issues other than amending the Ordinance.

Ms. Cook stated that it was her understanding that it was one set of complaints.

Mr. Krapf stated that it would be helpful to know how widespread the problem is.

Ms. Parrish stated that it was only one complaint that staff has received.

Mr. Haldeman clarified that the Committee has asked for 1) staff to evaluate the extent of the problem; 2) determine if there are other ways to solve the problem; 3) determine the nature of the problem.

Mr. O'Connor stated that he had concerns on how this amendment would be written so that it could be enforceable.

Mr. Krapf added that it would be interesting to get feedback from any HOAs in the County.

Staff agreed to come back with the information requested.

Mr. O'Connor expressed his appreciation to staff for the information that has been provided and further stated that he understands that staff was directed to research and review these changes.

## **F. ADJOURNMENT**

Mr. Polster made a motion to Adjourn.

The motion passed 4-0.

Mr. Haldeman adjourned the meeting at approximately 4:40 p.m.

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Mr. Jack Haldeman, Chair

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Mr. Paul Holt, Secretary

**MINUTES**  
**JAMES CITY COUNTY POLICY COMMITTEE**  
**REGULAR MEETING**  
**Building A Large Conference Room**  
**101 Mounts Bay Road, Williamsburg, VA 23185**  
**February 9, 2023**  
**4:00 PM**

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**A. CALL TO ORDER**

Mr. Jack Haldeman called the meeting to order at approximately 4:00 p.m.

**B. ROLL CALL**

Present:

Jack Haldeman, Chair

Rich Krapf

Tim O'Connor

Frank Polster

Staff:

Ellen Cook, Principal Planner

Jose Ribeiro, Senior Planner II/Landscape Planner

Suzanne Yeats, Planner

Terry Costello, Senior Planner

Andrea Case, Community Development Assistant

Liz Parman, Deputy County Attorney

Margo Zechman, Senior Budget and Accounting Analyst

Cheryl Holland, Budget Manager, Financial and Management Services

Christopher Johnson, Director of Economic Development

Tammy Rosario, Assistant Director of Community Development

**C. MINUTES**

There were no minutes.

**D. OLD BUSINESS**

1. ORD-22-0004. Amendments to the Zoning Ordinance Regarding Community Recreation Facilities in Residential Districts

Ms. Yeats presented the staff report, stating that staff had addressed questions from the Policy Committee meeting on December 8, 2022. These questions included how widespread the problem was; how the new Ordinance would be enforced; what specific activities would be addressed by the language; what conditions would be included in special use permits (SUPs); and whether there are different ways to address concerns. Ms. Yeats summarized the information presented in the staff report.

Mr. Haldeman asked a question about enforcement authority if a neighborhood facility is used by citizens who live outside a neighborhood, in a circumstance where there is no homeowners association (HOA).

Ms. Yeats stated that if the neighborhood had a recreation association, that would likely be a matter for them.

Mr. Haldeman, Mr. Krapf, and Ms. Yeats discussed the possibility of this being considered

trespassing and if police would be able to assist in this situation., with Ms. Yeats also noting that some neighborhoods have their own police or security arrangements.

Mr. Haldeman stated that the matter before them was a situation where an outside group had been given permission to use a facility on a recurring basis.

Ms. Yeats confirmed.

Mr. Krapf asked for more information about staff's response to the Policy Committee's question about what conditions would apply to a potential SUP and expressed concern about the amount of work that would be involved in developing appropriate conditions, particularly when there are a number of existing regulations that address many of the potential issues.

Mr. Krapf, Ms. Yeats, and Ms. Cook discussed that the conditions would depend on whether the Ordinance moved forward, and if it did, then the conditions would depend on the specifics of the case and the analysis and studies done for the SUP - for example, one facility might trigger the need for roadway improvements, while another might not.

Mr. Krapf asked for confirmation that there had been a total of one complaint.

Ms. Yeats confirmed.

Mr. Krapf stated that a response to the Board could be that the Policy Committee had examined this issue and a draft approach to address it, should it become a more frequent issue, but that at this point in time it appears to be a rare and isolated issue and the Committee would not recommend making an Ordinance change at this point.

Mr. Haldeman and Mr. Polster concurred.

Mr. Polster stated that the swim club in Kingswood involved in the complaint had been a 501(c) since 1971. Mr. Polster stated that membership in this group was open for anyone to join, and that their calendar was posted. He stated that he did not think that the concerns related to swim meets, such as some parking on adjacent streets or noise, were significant issues as they would happen infrequently.

Mr. O'Connor noted that there are a number of similar swim clubs in the County. He questioned how, in circumstances where the club is open to the community or to a group of neighborhoods (as in the case of Kingswood), the County could define 50% of a neighborhood as specified in the draft Ordinance language. He stated his concern that this approach was overreaching by telling HOAs how to manage their recreation facilities.

Mr. Haldeman summarized the discussion, stating that the Committee had reviewed the information provided by staff and found that the issue was a very infrequent problem and would require substantial staff oversight. He stated that the Committee would recommend not moving forward with an Ordinance amendment unless the problem became more frequent.

The Committee concurred.

Mr. O'Connor added his strong concern that if the Ordinance is adopted, the County would end up in the middle of internal HOA strife.

Ms. Cook advised the Committee that at the Planning Commission stage, staff would attach draft Ordinance language. The Committee's recommendation to not move forward with Ordinance adoption would be in the staff report, but the language would be available, should the Commission or Board of Supervisors wish to move forward.

The Committee and staff discussed next steps for this item.

## **E. NEW BUSINESS**

### **1. Fiscal Year 2024-2028 Capital Improvements Program Review**

Ms. Costello presented the staff report, stating the number of applications submitted by the various departments. Ms. Costello provided an overview of the Capital Improvements Program (CIP) review process.

Mr. Polster asked about how the process the Committee is going through relates to the list of CIP projects included in budget document from last year, since staff and the Board had already made decisions about items moving forward. He noted that the General Services building has funding shown for FY23 and FY24, as an example, and asked why the Committee would be including this project in the prioritization process.

Ms. Holland described the budget process the County uses, noting that the first year is adopted, while the second year is a framework year and items may be reconsidered.

Mr. Polster stated that it seemed that if a project was funded in FY23, that the County would certainly fund it in FY24. In addition, if there is already a plan for floating a bond for certain projects, and he questioned whether there is a purpose in revisiting those projects.

Ms. Holland stated that depending on input on the projects from the Committee in relation to Comprehensive Plan consistency, paired with updated information on funding resources and other considerations, there could still be changes to what had been planned, if directed by the Board.

Mr. Polster noted that the Board made the final decision on what projects are funded, and that projects may be funded by the Board that are at the bottom of the Committee's prioritization.

Ms. Holland stated that another factor was the availability of General Services Department staff to administer the projects.

Mr. Polster asked about the CIP projects included in the budget that were not reviewed by the Policy Committee and questioned the prioritization process if not all projects are included.

Ms. Holland asked if he was referring to the capital maintenance items.

Mr. Polster confirmed. He stated that his point was to ask why they were ranking repeat or already funded projects versus just the new ones.

Ms. Holland stated that would be a change in the process but could be considered.

Ms. Cook noted that a larger change in the process would likely be a discussion for a future year.

Mr. Krapf asked if the capital maintenance projects had been included in previous years, and if the Committee at some point had decided not to review them.

Ms. Cook and Ms. Holland confirmed.

Mr. Haldeman asked about the expected facility life for several projects and whether it would be appropriate for the ones with the longer facility life be handled through bonds. He noted this

would relate the use of the facility to the people who are in the community using it. He noted the low interest rates and the benefit of front-loading projects, as well as the economies of scale that could be achieved by consolidating projects.

Ms. Holland described the process Financial and Management Services Department goes through in consulting with financial advisors on especially the larger and more expensive projects.

Mr. Haldeman and Ms. Holland discussed the County's debt load.

Mr. Krapf asked about American Rescue Plan Act (ARPA) funds and its use for capital projects.

Ms. Holland stated that all ARPA funds have been allocated by the Board. Ms. Holland stated that the items included in the CIP list are items that are not fully funded by ARPA, although some of the projects included may have a piece or a phase funded by ARPA.

Mr. Polster asked about Brickyard Landing.

Ms. Holland stated that Parks & Recreation has been reprioritizing its projects. She stated that some projects may have been shown as funded in FY23 with ARPA funds; however, there have been discussions about whether to continue to move forward with those Parks & Recreation projects that had been previously selected, or whether to switch to other projects in order to meet ARPA timeline requirements (the need to complete projects by 2026), and that some changes had been made.

Mr. Polster and Ms. Holland further discussed the ARPA funds and how it related to the CIP projects on the list.

Ms. Cook asked the Committee for the feedback on whether it had questions for the various Departments that had submitted applications. Ms. Cook asked about whether there were questions for County Administration for the consolidated campus application.

Mr. Haldeman confirmed and stated he would send his questions to staff.

Mr. Polster stated that he had a question for this application as well as some of the General Services applications regarding the inclusion of solar energy in the design of County and Williamsburg-James City County (WJCC) Schools facilities. He recommended that the County include sustainability and renewable energy considerations in facility designs. He recommended considering a solar farm on the 504 acres at the County landfill for sustainability reasons and financial reasons.

Ms. Cook stated that these questions could be passed along to the Departments and asked if there were other questions for Administration.

Mr. Haldeman stated that he had sent questions to Mr. Jason Purse, Assistant County Administrator, via email.

Mr. O'Connor stated he had questions that were partially for Administration and partially for General Services regarding the need for office and other spaces described in the applications. Mr. O'Connor suggested efficient consolidation of services to best serve County citizens, such as Chesterfield County. Mr. O'Connor asked about co-locating a library at the planned consolidated campus in order to create a walkable community with good transportation access.

Ms. Cook stated that Mr. Purse may be able to address considerations for the consolidated campus, including any possibly library co-location. Ms. Cook asked if the Committee had questions for Community Development staff, either for transportation or open space.

In relation to the transportation match application, Mr. Haldeman recommended considering widening Blow Flats Road at the same time that improvements are made to Pocahontas Trail. Mr. Haldeman noted that he would share the responses he received from Ms. Rosario on the open space application with the other Committee members.

Ms. Cook asked if there were questions on the Economic Development application.

Mr. Polster stated that he had two questions, one about the matching funding for one of the projects, and one about the Tier ranking status. Mr. Polster stated that it appeared that the Stonehouse project had received FY23 funding.

Ms. Cook asked if there were questions for the Fire Department application.

Mr. Haldeman stated that he had several, which he had sent to staff and would forward to the Committee. Mr. Haldeman stated that one of his questions was about the entrance design for the new station.

Mr. Polster noted that the older station had very low clearance for the ladder trucks, which can slow them down as they are leaving.

Mr. Haldeman asked about the status of Fire Station 6.

Ms. Costello confirmed with Mr. Krapf that he had a question for the Fire Department as well.

Ms. Cook asked about the General Services applications, stating that some questions for General Services had already been discussed, and asking if there were any additional questions.

Mr. Haldeman asked if the architectural study from 2014 was still valid or needed to be updated.

Mr. O'Connor asked, in relation to the stormwater applications, if the County owned the dam in Mirror Lakes.

Mr. Polster confirmed and described the history of that project.

Mr. Polster discussed the General Services building application, noting that renewable energy needs to be part of the initial design and engineering considerations for County facilities, as the feasibility to include this component is decreased or eliminated if considered later. Mr. Polster noted that renewable energy and sustainability considerations are part of the Comprehensive Plan.

Ms. Costello referred to a question that Mr. Krapf had sent asking if the General Services building could be included in the new consolidated campus.

Mr. Krapf confirmed that he wondered if that was possible or if there would be reasons these facilities could not be located together and recalled that there had been some feedback from General Services that operational needs would not be compatible. He asked for some additional information on what the adverse impacts would be to General Services if they were to be located within the campus.

Ms. Cook asked if there were questions on the Parks & Recreation applications.

Mr. Polster stated that he would like more information about funding for the various Parks and Recreation projects. He expressed support for the Lower County Park application.

Mr. Haldeman asked why the Lower County Park project needed to wait until the Pocahontas Trail project moves forward, as stated in the application. He noted his concerns about equity of access to parks within the County.

Mr. Polster asked what the use of the Abram Frink Jr. Community Center would be after Lower County Park is in place, and whether it would become a library. He noted that there was a separate application for a lower County library.

Ms. Cook asked if the Committee had questions for the Police firing range application.

Mr. Haldeman asked for an update on what has been done so far.

Ms. Holland stated that the additional fund request may be due to cost increases associated with inflation.

Ms. Cook asked if there were questions on the WJCC Schools applications.

Mr. Polster stated his questions regarding the Bright Beginnings program, the implications for school classroom usage, bus times, and overall capacity issues in the elementary schools. He asked for updated documentation. He also asked for information about the plans for cafeteria expansion and how that matched or did not match redistricting plans and considering a bond.

Ms. Cook asked if there were questions on the Social Services application.

The Committee did not have questions.

Ms. Cook asked if the Committee had questions on the Library applications.

Mr. Haldeman stated he did not have questions, and that he was unable to rank the project until a decision has been made on the location.

Mr. Polster asked what the County Administrator and officials in the City of Williamsburg decided. Mr. Polster stated that it was his understanding that the City of Williamsburg was planning to put the library in the old Police building and that funding had already been allocated. He stated that he felt the City of Williamsburg had indicated its direction, and that inclusion of funds in the out years of the County's CIP was puzzling since the location is unknown and no decision has been made.

Mr. O'Connor stated that unless the Library has an update on a decided location, the situation remains the same as in past years and he is not able to rank it either.

Ms. Cook asked if the Committee had questions on the other Library applications.

Mr. Polster stated that he did have questions about the other Library applications, including the plan for the lower County.

Ms. Costello asked the Committee to forward questions to her as soon as possible and she will provide them to the Departments in advance.

Mr. Polster noted that Mr. Krapf would not be in attendance at upcoming CIP meetings and

asked if he was comfortable with the rankings he had provided.

Mr. Krapf confirmed, stating that he was familiar with many of the projects from previous years. Mr. Krapf stated that he respected the Committee's judgement and any adjustments to the final order that the Committee might deem appropriate.

The Committee concluded discussion of the CIP agenda item.

Mr. Krapf asked to return to discussion of the Community Recreation Facilities Agenda item. Mr. Krapf asked for clarification from Mr. O'Connor about this desired next step for this item.

Mr. O'Connor stated that his desire was that the item not move forward from the Committee to the full Planning Commission but acknowledged that the staff needed to address the Board's Initiating Resolution. He stated that he would not support this Ordinance change at the Commission level and that, given the Committee concerns, it seemed like a wasted effort on staff's part, should the Board eventually reconsider.

The Committee discussed concerns with enforcing the Ordinance and the staff time that would be involved, as well as impacts to the overall community if there are restrictions on recreation facility uses.

#### **F. ADJOURNMENT**

Mr. Polster made a motion to Adjourn.

The motion passed 4-0.

Mr. Haldeman adjourned the meeting at approximately 5:14 p.m.

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Mr. Jack Haldeman, Chair

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Mr. Paul Holt, Secretary

**ITEM SUMMARY**

**DATE:** 4/5/2023

**TO:** The Planning Commission

**FROM:** Christy H. Parrish, Zoning Administrator

**SUBJECT:** ORD-23-0001. Amendments to the Zoning Ordinance Regarding Vape and Smoke Shops

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**ATTACHMENTS:**

	Description	Type
☐	Memorandum	Cover Memo
☐	Draft Ordinance	Ordinance
☐	Initiating Resolution	Exhibit

**REVIEWERS:**

Department	Reviewer	Action	Date
Planning Commission	Holt, Paul	Approved	3/27/2023 - 12:26 PM
Planning Commission	Holt, Paul	Approved	3/27/2023 - 12:26 PM
Publication Management	Daniel, Martha	Approved	3/27/2023 - 12:35 PM
Planning Commission	Holt, Paul	Approved	3/27/2023 - 12:36 PM

## MEMORANDUM

DATE: April 5, 2023  
TO: The Planning Commission  
FROM: Christy H. Parrish, Zoning Administrator  
SUBJECT: ORD-23-0001. Amendments to the Zoning Ordinance Regarding Vape and Smoke Shops

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At its meeting on January 24, 2023, the Board of Supervisors adopted an Initiating Resolution to consider possible amendments to the James City County Zoning Ordinance (the “Ordinance”) to require vape and smoke shops to obtain a Special Use Permit (SUP) (Attachment No. 2).

Staff has received numerous calls from citizens regarding vape and smoke shops in the County. Specifically, citizens have voiced concerns over the location of these shops in close proximity to schools and the Toano Commercial Historic District. Additionally, staff has received complaints of non-compliant lights on the exterior of windows or buildings and of individuals smoking outside the retail store near other places of business.

Uses listed in each Zoning District are either permitted by-right or permitted by an SUP. The SUP process allows the Planning Commission and the Board of Supervisors to consider whether a proposed establishment will adversely affect the health, safety, or welfare of persons residing or working on the premises or in the neighborhood, will impair the character of the district or adjacent districts, will be incompatible with the Comprehensive Plan of James City County, will likely reduce or impair the value of buildings or property in surrounding areas, and whether such establishment or use will be in substantial accordance with the general purpose and objectives of the Ordinance.

The current Ordinance generally permits vape and smoke shops under the retail and service stores use category which includes tobacco and pipes stores. Retail sales of tobacco and pipes are permitted by-right in the R-4, Residential Planned Community, LB, Limited Business, B-1, General Business, M-1, Limited Business/Industrial, PUD, Planned Unit Development, MU, Mixed Use, and EO, Economic Opportunity Districts.

Additionally, retail stores and shops are defined as “buildings for display and sale of merchandise at retail or for the rendering of personal services (but specifically exclusive of coal, wood and lumber yards) such as the following which will serve as illustration: Drug store, newsstand, food store, candy shop, milk dispensary, dry goods and notions store, antique shop and gift shop, hardware store, household appliance store, furniture store, florist, optician, music and radio store, tailor shop, barber shop and beauty shop.”

Staff is aware of the following existing retail shops in the County:

- |                                  |                         |
|----------------------------------|-------------------------|
| 1. Williamsburg Tobacco Outlet 1 | 5601 Richmond Road      |
| 2. Williamsburg Tobacco Outlet 2 | 5251 John Tyler Highway |
| 3. Williamsburg Tobacco Outlet 3 | 240 McLaws Circle       |
| 4. Palace One Stop Shop          | 4385 Ironbound Road     |
| 5. Vape Zone                     | 4854 Longhill Road      |
| 6. Déjà Vu Smoke Shop            | 5242 Olde Towne Road    |
| 7. Super Tobacco and Vapes       | 6528 Richmond Road      |
| 8. Super Smoke and Vape          | 7828 Richmond Road      |
| 9. Havana Connections            | 4920 Courthouse Street  |

Staff understands that the purpose of the Initiating Resolution and this Ordinance amendment is to define and classify vape and smoke shops as a standalone specially permitted use and ensure all associated or accessory uses are addressed.

Should the Ordinance be amended to specially permit vape and smoke shops, the existing stores will become non-conforming. Section 24-629 of the Ordinance (Continuation of nonconforming uses) states that “a nonconforming use may continue as it existed when it became nonconforming provided however, if any nonconforming use is discontinued for a period of two years, it shall lose its nonconforming status and any further use shall be required to conform to the provisions of this chapter.”

In January 2023, the City of Williamsburg amended its Zoning Ordinance to require vape and smoke shops obtain an SUP in various commercial districts. Staff surveyed several other localities and found that most permit vape and smoke shops as a general retail use.

Staff presented materials at the March 9, 2023, meeting of the Policy Committee and recommended the following changes to the Ordinance to address this directive:

- Add new definitions for vape/smoke shops and vape/smoke lounges within Section 24-2, Definitions.
- Amend the existing “retail stores and shop” definition to exclude vape/smoke shops and vape/smoke lounges within Section 24-2, Definitions.
- Remove “tobacco and pipe” from the retail and service stores use category in the R-4, Residential Planned Community, LB, Limited Business, B-1, General Business, M-1, Limited Business/Industrial, PUD, Planned Unit Development, MU, Mixed Use, and EO, Economic Opportunity Districts.
- Add vape/smoke shop and vape/smoke lounge as a specially permitted use in the R-4, Residential Planned Community, LB, Limited Business, B-1, General Business, M-1, Limited Business/Industrial, PUD, Planned Unit Development, MU, Mixed Use, and EO, Economic Opportunity Districts.

The Policy Committee voted to recommend approval of the proposed changes to the Planning Commission with a few minor additions. Furthermore, the Policy Committee also discussed that it would favor including a compliance review condition to any future SUP request similar to short-term rentals to address any non-compliant activity.

### **Recommendation**

Staff recommends that the Planning Commission recommend approval of the attached Ordinance to the Board of Supervisors.

CHP/ap

ORD23-1AmdVapeSm-mem

### **Attachments:**

1. Draft Ordinance
2. Initiating Resolution

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 24, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE I, IN GENERAL, SECTION 24-2, DEFINITIONS AND BY AMENDING ARTICLE V, DISTRICTS, BY AMENDING DIVISION 5, RESIDENTIAL PLANNED COMMUNITY DISTRICT, R-4, SECTION 24-281, USE LIST; DIVISION 9, LIMITED BUSINESS DISTRICT, LB, SECTION 24-368, USE LIST; DIVISION 10, GENERAL BUSINESS DISTRICT, B-1, SECTION 24-390, USE LIST; DIVISION 11, LIMITED BUSINESS/INDUSTRIAL DISTRICT, M-1, SECTION 24-411, USE LIST; DIVISION 14, PLANNED UNIT DEVELOPMENT DISTRICTS, PUD, SECTION 24-493, USE LIST; DIVISION 15, MIXED USE DISTRICT, MU, SECTION 24-518, USE LIST; AND DIVISION 17, ECONOMIC OPPORTUNITY DISTRICT, EO, SECTION 24-536.4, USE LIST.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 24, Zoning, is hereby amended and reordained by amending Article I, In General, Section 24-2, Definitions; and by amending Article V, Districts, by amending Division 5, Residential Planned Community District, R-4, Section 24-281, Use list; Division 9, Limited Business District, LB, Section 24-368, Use list; Division 10, General Business District, B-1, Section 24-390, Use list; Division 11, Limited Business/Industrial District, M-1, Section 24-411, Use list; Division 14, Planned Unit Development Districts, PUD, Section 24-493, Use list; Division 15, Mixed Use District, MU, Section 24-518, Use list; and Division 17, Economic Opportunity District, EO, Section 24-536.4, Use list.

**ARTICLE I. - IN GENERAL**

**Sec. 24-2. Definitions.**

Retail stores and shops. Buildings for display and sale of merchandise at retail or for the rendering of personal services (~~but specifically exclusive of coal, wood and lumber yards~~) such as the following which will serve as illustration: Drug store, newsstand, food store, candy shop, milk dispensary, dry goods and notions store, antique shop and gift shop, hardware store, household appliance store, furniture store, florist, optician, music and radio store, tailor shop, barber shop and beauty shop. *For purposes of this definition, the following uses are excluded: coal, wood and lumber yards, vape/smoke shop, and vape/smoke lounge.*

*Vape/smoke shop. A retail establishment that sells cigars, tobacco, and/or tobacco products, such as, but not limited to cigars, pipe tobacco, roll-your-own supplies, herbal and wax vaporizers, and glassware; hookah and water pipes; cannabis and/or hemp products, such as, but not limited to Cannabidiol (CBD); and/or e-cigarettes and associated equipment, such as, but not limited to vape batteries, coils, and e-liquids. Drug stores, retail food stores, grocery stores and convenience stores, the primary purpose of which is to sell goods and services other than those listed above, shall not be considered vape or smoke shops even if the above referenced goods are offered for sale.*

*Vape/smoke lounge. Any public or private establishment that allows persons to gather for the purpose of using cigars, tobacco, and/or tobacco products, such as, but not limited to cigars, pipe tobacco, roll-your-own supplies, herbal and wax vaporizers, and glassware; hookah and water pipes; cannabis and/or hemp products such as, but not limited to Cannabidiol (CBD); and/or e-cigarettes and associated equipment, such as, but not limited to vape batteries, coils, and e-liquids.*

**Article V. Districts**

**Division 5. Residential Planned Community District, R-4**

**Sec. 24-281. Use list.**

In the residential planned community district, R-4, structures to be erected or land to be used shall be for one or more of the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Commercial Uses	Department stores, wearing apparel, furniture, carpet, shoe, tailor, dressmaking, candy, ice cream, florist, furrier, locksmith, pet, picture framing, stamp and coin, travel bureau, upholstery, yard goods, toys, music and records, <del>tobacco and pipes</del> , jewelry sales and service, books, greeting cards, sporting goods, drugs, plants and garden supplies, hardware and paint, home appliances sales and service, arts and crafts, handicrafts, antiques, gift and photography stores	P	
	<i>Vape/smoke shop and vape/smoke lounge</i>		<i>SUP</i>

**Division 9. Limited Business District, LB**

**Sec. 24-368. Use list.**

Reference Section 24-11 for special use permit requirements for certain commercial uses and exemptions.

In the Limited Business District, LB, all buildings or structures to be erected or land to be used shall be for one or more of the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Commercial Uses	Retail and service stores, including the following stores: books, cabinets, cameras, candy, carpet, coin, department, dressmaking, electronics, florist, furniture, furrier, garden supply, gourmet foods, greeting card, hardware, health and beauty aids, home appliance, ice cream, jewelry, locksmith, music, optical goods, paint, pet, picture framing, plant supply, shoes, sporting goods, stamps, tailor, <del>tobacco and pipes</del> , toys, travel bureau agencies, upholstery, variety, wearing apparel, and yard goods	P	
	<i>Vape/smoke shop and vape/smoke lounge</i>		<i>SUP</i>

**Division 10. General Business District, B-1**

**Sec. 24-390. Use list.**

Reference section 24-11 for special use permit requirements for certain commercial uses and exemptions.

In the General Business District, B-1, structures to be erected or land to be used, shall be for one or more of the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Commercial Uses	Retail and service stores, including the following stores: alcohol, appliances, books, cabinets, cameras, candy, carpet, coin, department, dressmaking, electronics, florist, furniture, furrier, garden supply, gift, gourmet foods, greeting cards, handicrafts, hardware, home appliance, health and beauty aids, ice cream, jewelry, locksmith, music, office supply, optical goods, paint, pet, photography, picture framing, plant supply, secretarial services, shoes, sporting goods, stamps, tailor, <del>tobacco and pipes</del> , toys, travel agencies, upholstery, variety, wearing apparel, and yard goods	P	
	<i>Vape/smoke shop and vape/smoke lounge</i>		<i>SUP</i>

**Division 11. Limited Business/Industrial District, M-1**

**Sec. 24-411. Use list.**

Reference section 24-11 for special use permit requirements for certain commercial uses and exemptions.

In the Limited Business/Industrial District, M-1, buildings to be erected or land to be used shall be for one or more of the following or similar uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Commercial Uses	Retail and service stores, including the following stores: alcohol, appliances, books, cabinets, cameras, candy, carpet, coin, department, dressmaking, electronics, florist, furniture, furrier, garden supply, gourmet foods, greeting card, hardware, home appliance, health and beauty aids, ice cream, jewelry, locksmith, music, optical goods, paint, pet, picture framing, plant supply, shoes, sporting goods, stamps, tailor, <del>tobacco and pipes</del> , toys, travel agencies, upholstery, variety, wearing apparel, and yard goods	P	
	<i>Vape/smoke shop and vape/smoke lounge</i>		<i>SUP</i>

**Division 14. Planned Unit Development Districts, PUD**

**Sec. 24-493. Use list.**

(a) In the planned unit development district, residential (PUD-R), all structures to be erected or land to be used shall be for the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Commercial Uses	Retail and service stores, including the following stores: books, candy, carpet, coin, department, dressmaking, florist, furniture, furrier, greeting card, ice cream, jewelry sales and service, locksmith, music and records, pet, picture framing, shoe, sporting goods, stamp, tailor, <del>tobacco and pipes</del> , toys, travel bureau, upholstery, wearing apparel and yard goods	P	
	<i>Vape/smoke shop and vape/smoke lounge</i>		<i>SUP</i>

**Division 15. Mixed Use, MU**

**Sec. 24-518. Use list.**

In the mixed use districts, all structures to be erected or land to be used, shall be for the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Commercial Uses	Retail and service stores, including the following stores: books, cabinet, candy, carpet, coin, department, dressmaking, florist, furniture, furrier, garden supply, greeting card, gunsmith (excluding shooting ranges), hardware, home appliance sales and service, ice cream, jewelry sales and service, locksmith, music and records, paint, pet, picture framing, plant supply, shoe, sporting goods, stamp, tailor, <del>tobacco and pipes</del> , toys, travel bureau, upholstery, wearing apparel, and yard goods	P	
	<i>Vape/smoke shop and vape/smoke lounge</i>		<i>SUP</i>

**Division 17. Economic Opportunity, EO**

**Sec. 24-536.4 Use list.**

In the economic opportunity districts, all structures to be erected or land to be used, shall be for the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Commercial Uses	Retail and service stores, including the following stores: books, cabinet, candy, carpet, coin, department, dressmaking, florist, furniture, furrier, garden supply, greeting card, gunsmith (excluding shooting ranges), hardware, home appliance sales and service, ice cream, jewelry sales and service, locksmith, music and records, paint, pet, picture framing, plan supply, shoe, sporting goods, stamp, tailor, <del>tobacco and pipes</del> , toys, travel bureau, upholstery, wearing apparel, and yard goods	P	
	<i>Vape/smoke shop and vape/smoke lounge</i>		<i>SUP</i>

\_\_\_\_\_  
 Michael J. Hipple  
 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>
SADLER	_____	_____	_____	_____
ICENHOUR	_____	_____	_____	_____
MCGLENNON	_____	_____	_____	_____
LARSON	_____	_____	_____	_____
HIPPLE	_____	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of May, 2023.

ORD23-1AmdVapeSm-ord

**RESOLUTION**

**INITIATION OF CONSIDERATION OF AMENDMENTS TO THE ZONING ORDINANCE**

**TO CONSIDER POSSIBLE AMENDMENTS REGARDING THE USE LIST OF THE**

**LIMITED BUSINESS, LB, GENERAL BUSINESS, B-1, LIMITED BUSINESS/INDUSTRIAL,**

**M-1, PLANNED UNIT DEVELOPMENT, PUD, MIXED USE, MU, ECONOMIC**

**OPPORTUNITY, EO, AND THE RESIDENTIAL PLANNED COMMUNITY, R-4, DISTRICTS**

**TO REQUIRE VAPE/SMOKE SHOPS TO OBTAIN A SPECIAL USE PERMIT**

WHEREAS, section 15.2-2286(A)(7) of the Code of Virginia, 1950, as amended (the "Virginia Code"), and County Code Section 24-13 authorize the Board of Supervisors of James City County, Virginia (the "Board"), to, by resolution, initiate amendments to the regulations of the Zoning Ordinance that the Board finds to be prudent and required by public necessity, convenience, general welfare, or good zoning practice; and

WHEREAS, the Board is of the opinion that the public necessity, general welfare, and good zoning practice warrant the consideration of amendments to the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby initiate amendment of the James City County Code, Chapter 24, Zoning, in order to consider possible amendments regarding the Use List of the Limited Business, LB, General Business, B-1, Limited Business/Industrial, M-1, Planned Unit Development, PUD, Mixed Use, MU, Economic Opportunity, EO, and the Residential Planned Community, R-4, Districts to require vape/smoke shops to obtain a Special Use Permit. The Planning Commission shall hold at least one public hearing on the consideration of amendments to said Zoning Ordinances and shall forward its recommendation to the Board of Supervisors in accordance with the law.

  
Michael J. Hipple  
Chairman, Board of Supervisors

ATTEST:

  
Teresa J. Saegge  
Deputy Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 24th day of January, 2023.

**ITEM SUMMARY**

DATE: 4/5/2023

TO: The Planning Commission

FROM: John Risinger, Senior Planner; Tom Leininger, Principal Planner

SUBJECT: ORD-22-0003. Amendments for Calculation of Residential Development Density

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**ATTACHMENTS:**

	Description	Type
☐	Memorandum	Cover Memo
☐	1. Proposed Ordinance	Backup Material
☐	2. Proposed Ordinance Clean Copy	Backup Material
☐	3. Initiating Resolution	Backup Material
☐	4. Comparison of Density Calculation Methods	Backup Material

**REVIEWERS:**

Department	Reviewer	Action	Date
Planning Commission	Holt, Paul	Approved	3/28/2023 - 3:48 PM
Planning Commission	Holt, Paul	Approved	3/28/2023 - 3:49 PM
Publication Management	Daniel, Martha	Approved	3/28/2023 - 3:54 PM
Planning Commission	Holt, Paul	Approved	3/28/2023 - 3:57 PM

## MEMORANDUM

DATE: April 5, 2023

TO: The Planning Commission

FROM: John Risinger, Senior Planner  
Tom Leininger, Principal Planner

SUBJECT: ORD-22-0003. Amendments for Calculation of Residential Development Density

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### Introduction

At the March 8, 2022, Board of Supervisors (BOS) meeting, a request was made to bring forward an Initiating Resolution to consider amending how residential density is calculated with a direction to explore using net acreage. This Initiating Resolution was adopted by the BOS at its meeting on April 12, 2022, which has been included in the Agenda Packet as Attachment No. 3.

The Policy Committee discussed this item at its January 12, 2023, meeting and sought additional guidance from the BOS regarding the intent of the request and if there should be any offset for the reduction in development potential. At its January 24, 2023, Business Meeting, the BOS provided further guidance stating that the intent of the request included avoiding pockets of high-density residential development and reducing impacts to the environment and directed staff to prepare Ordinance language utilizing net acreage for density calculations for consideration. Following these discussions, the County Attorney's Office confirmed that the Initiating Resolution is applicable to all zoning districts which permit residential development. As a result, to meet the direction from the BOS, staff has included the A-1, General Agricultural District as part of these considerations.

With the additional guidance, the Policy Committee met again on February 23, 2023, to discuss this item and make recommendations for the density calculations for the zoning districts listed below.

### Zoning History

In James City County, a variety of density calculations using gross acreage, net acreage, or other alternative approaches, have been used over time. The following table summarizes the current calculation approach and the previous approach for each zoning district which permits residential development. Additional discussion about the alternative approaches ("stepped" and "single number") that are noted in the table is included below.

Zoning District	Current Density Calculation Method	Previous Density Calculation Method	Notes
A-1, General Agricultural	Gross (density is not specified, just minimum lot size)	No change	
R-1, Limited Residential	Alternative approach - stepped	Gross	Updated in 2012

<b>Zoning District</b>	<b>Current Density Calculation Method</b>	<b>Previous Density Calculation Method</b>	<b>Notes</b>
R-2, General Residential	Alternative approach - stepped	Gross	Updated in 2012
R-3, Residential Redevelopment	Alternative approach - stepped	No change	District created in 2012 with stepped approach density
R-4, Residential Planned Community	Alternative approach - stepped	Alternative approach - single number (35%)	Updated in 2012
R-5, Multifamily Residential	Alternative approach - stepped	Alternative approach - single number (35%)	Updated in 2012
R-6, Low-Density Residential	Gross (density is not specified, just minimum lot size)	No change	
R-8, Rural Residential	Gross (density is not specified, just minimum lot size)	No change	
PUD, Planned Unit Development	Alternative approach - stepped	Net	Updated in 2012
MU, Mixed Use	Alternative approach - stepped	Alternative approach - single number (35%)	Updated in 2012
EO, Economic Opportunity	Net	No change	District created in 2011 with net density
Cluster Overlay District	Alternative approach - stepped	Alternative approach - single number (35%)	Updated in 2012

Prior to amendments to the Zoning Ordinance in 2012, many of the residential districts utilized an alternative approach which used a single number to calculate permitted density. With this approach, the permitted density for parcels with less than 35% non-developable area was calculated using the gross acreage of the parcel. The permitted density for parcels with 35% or greater non-developable area was the sum of the developable area and 35% of the gross acreage of the parcel.

The 2012 Zoning Ordinance amendments resulted in those districts using a stepped approach to calculate residential density. This approach continues to allow parcels with a lower amount of non-developable area to use their gross acreage but utilizes a stepped system for parcels with more non-developable area. As the percentage of non-developable area increases, less of the gross acreage of the parcel may be added to the developable area as shown in the table below.

Percent non-developable	Percent of gross acreage added to the developable land
0-20%	Use total parcel acreage
21-40%	20
41-70%	15
70-100%	10

A comparison showing the outcomes of each of the calculation methods has been included in Attachment No. 4. The alternative methods are a middle ground between gross acreage which results in the highest intensity of development and net acreage which results in the lowest intensity. It is important to consider that while the alternative methods do allow parcels with non-developable land to add a percentage of the total parcel acreage to the developable acreage to arrive at the acreage that can be used in the density calculation, the resulting densities are lower both across the total parcel and within the developable area.

Additionally, regulations within the Zoning Ordinance, Subdivision Ordinance, Chesapeake Bay Preservation Ordinance, and other applicable regulations would continue to restrict the use of non-developable areas for proposed developments.

### **Policy Considerations**

The 2045 Comprehensive Plan recommends density ranges based on *gross* acreage for the Low-Density Residential (LDR) and Moderate-Density Residential (MDR). The Mixed Use (MU) and Economic Opportunity (EO) - Mooretown Road/Hill Pleasant Farm Area designations have recommended density ranges based on *net* acreage.

The Land Use Chapter of the 2045 Comprehensive Plan states that residential growth is intended to occur inside the Primary Service Area (PSA), promotes infill development and redevelopment to occur inside the PSA, and recognizes that directing development inside the PSA results in a more efficient delivery of public facilities and services. A reduction in the permitted densities of residential districts could reduce the residential capacity inside the PSA. With less residential capacity inside the PSA, market demands could result in increased growth pressure outside the PSA. While the recent amendments to lot sizes in the A-1 and R-8 Districts reduce what development could be achieved outside the PSA, the rate of growth in these areas could increase.

Reducing the permitted densities could impact opportunities for workforce housing, whereas creating opportunities for workforce housing is consistent with the goals of the Workforce Housing Task Force and the Comprehensive Plan Housing Chapter and Housing Goals, Strategies and Actions. With fewer units in a development, it could affect the ability of developers to offer affordable units. Additionally, ongoing costs shared among owners such as association dues could be higher than they would otherwise have been, potentially further reducing affordability for owners.

The character of the community and compatibility of new development with adjacent neighborhoods is another consideration in the 2045 Comprehensive Plan. As shown in Attachment No. 4, the gross acreage calculation or alternative approaches could result in higher intensities of development inside the developable area of a parcel. This could cause nearby developments in the same zoning district to have considerably different characters in terms of unit types and lot sizes depending on the amount of developable area. With the net density calculation, the character of adjacent developments in the same zoning district would be more consistent.

### **Potential Ordinance Revisions**

To meet the direction and guidance from the BOS, staff has drafted the following definition to be included in Section 24-2 so that it could be uniformly referenced in all districts which permit residential development.

*Density, net. Net density shall be calculated as the number of dwelling units divided by the developable area.*

This definition would require that density be based on developable area which is defined as “the total land area of the site minus resource protection area as defined in the Chesapeake Bay Preservation Ordinance, areas subject to flooding under the one percent annual chance (100-year) storm event (FEMA zones A, AE, AO, V, and VE), and areas of 1,000 square feet or greater containing steep slopes (Refer to definition of “non-developable area” and “steep slopes.”).”

Staff has categorized the involved districts below based on the extent of the revisions needed to implement the definition of net density in the district and the policy considerations for the districts. The full text of the proposed revisions is available in Attachment No. 1.

### **A-1, General Agricultural/R-8, Rural Residential**

The A-1, General Agricultural, and R-8, Rural Residential, Districts currently do not have density requirements except for cluster subdivisions in the A-1 District. Instead, these districts have historically regulated the number of units per acre through the minimum lot size provisions. To implement a net density approach in these districts, staff has drafted new sections that would apply a density maximum for major subdivisions similar to the language used in other districts. In addition, the cluster configuration section has been updated to reference net density within the existing density standard. In the 2045 Comprehensive Plan, the Rural Lands land use designation recommends a density of one unit per 20 acres but does not state that it should be calculated using net acreage. As part of previous Ordinance revisions, the minimum lot size in these districts was revised to become consistent with the recommended density. Excluding non-developable areas could result in average lot sizes that are considerably greater than 20 acres. Staff finds that the minimum lot size requirement adequately ensures that the character of adjacent developments are compatible without requiring density to be calculated using net acreage and does not recommend revising these districts. The Policy Committee did not recommend using a net density approach for these districts.

### **R-6, Low-Density Residential**

The R-6, Low-Density Residential, District, similar to the A-1 and R-8 Districts, does not currently have density requirements and instead requires lots be a minimum of one acre in size. Implementing net density in this district would require the addition of a new section to regulate the density of major subdivisions. All land zoned R-6 is part of existing platted subdivisions which are mostly built out, thus, implementing a density requirement would not reduce development in lands zoned R-6. Further, the district is not envisioned to be used for future development proposals. This district remains in place to govern the existing neighborhoods and staff finds that no substantial benefit would be received from implementing net density in this district and does not recommend revising the district. The Policy Committee did not recommend using a net density approach for this district.

### **Residential Districts**

The R-1, Limited Residential, R-2, General Residential, R-3, Residential Redevelopment, R-4, Residential Planned Community, R-5, Multifamily Residential, and PUD, Planned Unit Development, Districts utilize the stepped approach. The Residential Cluster Development Overlay District also utilizes the stepped approach. Further, the Residential Cluster Development Overlay District is required by the Code of Virginia to utilize the same density standard as the base district. As the Residential Cluster Development Overlay District applies to the R-1 and R-2 Districts, it must utilize the same density calculation as those districts. Implementing net density in this category of districts would involve deleting the language and tables for the stepped approach and referencing the new net density definition throughout the districts. The Low-Density Residential and Moderate-Density Residential land use designations in the Comprehensive Plan recommend density ranges which are based on gross acreage and, thus, a gross density calculation would be most consistent with the land use designations. A net density approach could be more likely to result in adjacent developments within the same Comprehensive Plan designations having a more even intensity of development. Staff finds the current stepped approach serves as a compromise between these two considerations. The Policy Committee recommended using a net density approach for these districts.

### **MU, Mixed Use/EO, Economic Opportunity**

The MU, Mixed Use, District currently utilizes the stepped approach. Implementing net density in the MU District would involve deleting the language and tables for the stepped approach and referencing the new net density definition. The EO, Economic Opportunity, District currently requires density to be based only on developable area and thus already uses a net density approach; however, updating the district to reference the net density definition would make this district consistent with other districts if net density is adopted.

The MU and EO - Mooretown Road/Hill Pleasant Farm Area land use designations recommend density ranges using net acreage. The language in the MU designation was updated to net density as part of the 2045 Comprehensive Plan. Staff finds that these changes would be consistent with the Comprehensive Plan and recommends revising the districts. Should the Policy Committee recommend utilizing net density in the MU and EO Districts, staff has included draft language for the districts in Attachment No. 1. The Policy Committee recommended using a net density approach for these districts.

### **Recommendation**

The Policy Committee recommended approval of the proposed changes to the Planning Commission for the following districts: 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, Districts, Residential Cluster Development Overlay District, MU, Mixed Use District, and EO, Economic Opportunity District.

The Policy Committee did not recommend approval of the proposed changes to the Planning Commission for the following districts: A-1, General Agricultural, R-8, Rural Residential, and R-6, Low-Density Residential District.

Should the Planning Commission recommend utilizing net density for one or more of the districts discussed above, staff has included draft language in Attachment No. 1.

JR/TL/ap

ORD-22-3AmdRDDCalc-mem

### **Attachments:**

1. Proposed Ordinance
2. Proposed Ordinance Clean Copy
3. Initiating Resolution
4. Comparison of Density Calculation Methods

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 24, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE I, IN GENERAL, SECTION 24-2, DEFINITIONS; AND BY AMENDING ARTICLE V, DISTRICTS, BY AMENDING DIVISION 2, GENERAL AGRICULTURAL DISTRICT, A-1, BY ADDING NEW SECTION 24-213, OVERALL DENSITY WITHIN SUBDIVISIONS; AND BY AMENDING SECTION 24-222, CLUSTER CONFIGURATION; AND BY AMENDING DIVISION 3, LIMITED RESIDENTIAL DISTRICT, R-1, BY AMENDING SECTION 24-232, USE LIST; BY AMENDING SECTION 24-233, OVERALL DENSITY WITHIN SUBDIVISIONS; BY DELETING SECTION 24-234, DENSITY; AND BY RESERVING SECTION 24-234; AND BY AMENDING DIVISION 4, GENERAL RESIDENTIAL DISTRICT, R-2, BY AMENDING SECTION 24-252, USE LIST; BY AMENDING SECTION 24-253, OVERALL DENSITY WITHIN SUBDIVISIONS; BY DELETING SECTION 24-254, DENSITY; AND BY RESERVING SECTION 24-254; AND BY AMENDING DIVISION 4.1, RESIDENTIAL REDEVELOPMENT DISTRICT, R-3, BY DELETING SECTION 24-273.6, DENSITY; BY RESERVING SECTION 24-273.6; AND BY AMENDING SECTION 24-273.7, OVERALL DENSITY WITHIN SUBDIVISIONS; AND BY AMENDING DIVISION 5, RESIDENTIAL PLANNED COMMUNITY DISTRICT, R-4, BY AMENDING SECTION 24-278, PERMITTED DENSITY OVERALL; AND SECTION 24-279, PERMITTED DENSITY WITHIN RESIDENTIAL AREAS; AND BY AMENDING DIVISION 6, MULTIFAMILY RESIDENTIAL DISTRICT, R-5, BY AMENDING SECTION 24-307, OVERALL DEVELOPMENT DENSITY; BY DELETING SECTION 24-308, DENSITY; AND BY RESERVING SECTION 24-308; AND BY AMENDING DIVISION 7, LOW-DENSITY RESIDENTIAL DISTRICT, R-6, BY ADDING NEW SECTION 24-337, OVERALL DENSITY WITHIN SUBDIVISIONS; AND BY AMENDING DIVISION 8, RURAL RESIDENTIAL DISTRICT, R-8, BY ADDING NEW SECTION 24-349, OVERALL DENSITY WITHIN SUBDIVISIONS; AND BY AMENDING DIVISION 14, PLANNED UNIT DEVELOPMENT DISTRICTS, PUD, BY AMENDING SECTION 24-487, DENSITY; AND BY AMENDING DIVISION 15, MIXED USE, MU, BY AMENDING SECTION 24-519, DENSITY; AND BY AMENDING DIVISION 17, ECONOMIC OPPORTUNITY, EO, BY AMENDING SECTION 24-536.3, DENSITY; AND BY AMENDING ARTICLE VI, OVERLAY DISTRICTS, DIVISION 1, RESIDENTIAL CLUSTER DEVELOPMENT, BY DELETING SECTION 24-548, DENSITY, BY RESERVING SECTION 24-548, AND BY AMENDING SECTION 24-549, DENSITY STANDARDS.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 24, Zoning, is hereby amended and reordained by amending Article I, In General, Section 24-2, Definitions; and by amending Article V, Districts, by amending Division 2, General Agricultural District, A-1, by adding new Section 24-213, Overall density within subdivisions; and by amending Section 24-222, Cluster configuration; and by amending Division 3, Limited Residential District, R-1, and by amending Section 24-232, Use list; by amending Section 24-233, Overall density within subdivisions; and by amending Division 4, General Residential District, R-2, by amending Section 24-252, Use list; and by amending Section 24-253, Overall density within subdivisions; and by amending Division 4.1, Residential Redevelopment District, R-3, by amending Section 24-273.7, Overall density within subdivisions; and by amending Division 5, Residential Planned Community District, R-4, by amending Section 24-278, Permitted density overall; and Section 24-279, Permitted density within residential areas; and by amending Division 6, Multifamily Residential District, R-5, by amending Section 24-307, Overall development density; and by amending Division 7, Low-Density Residential District, R-6, by adding new Section 24-337, Overall density within subdivisions; and by amending Division 8, Rural Residential District, R-8, by adding new Section 24-349, Overall density within subdivisions; and by amending Division 14, Planned Unit Development Districts, PUD, by amending Section 24-487, Density; and by amending Division 15, Mixed Use, MU, by amending Section 24-519, Density; and by amending Division 17, Economic Opportunity, EO, by amending Section 24-536.3, Density; and by amending Article VI, Overlay Districts, Division 1, Residential Cluster Development, by amending Section 24-549, Density standards.

## **Chapter 24. Zoning**

### **Article I. In General**

#### **Sec. 24-2. Definitions.**

*Density, net. Net density shall be calculated as the number of dwelling units divided by the developable area.*

### **Article V. Districts**

#### **Division 2. General Agricultural District, A-1**

##### **Sec. 24-213. Overall density within subdivisions.**

*Lots in a minor subdivision must adhere to the area requirements set forth in section 24-214. All other subdivisions shall have a maximum net density as specified below.*

- (a) Parcels subject to section 24-214(a)(2) shall have a maximum net density of one unit per twenty acres.*
- (b) Parcels subject to section 24-214(a)(2)(i) shall have a maximum net density of one unit per three acres.*

**Sec. 24-222. Cluster configuration.**

Upon issuance of a special use permit, a cluster configuration subdivision may be approved provided that all of the following conditions are met:

- (1) The overall ~~gross~~ *net* density of the subdivision shall not exceed one dwelling unit per *twenty* acres.

**Division 3. Limited Residential District, R-1**

**Sec. 24-232. Use list.**

Residential Uses	Single-family detached dwellings with a maximum <del>gross</del> <i>net</i> density of one dwelling unit per acre in accordance with section 24-233(a)	P	
	Single-family detached dwellings with a maximum <del>gross</del> <i>net</i> density of more than one dwelling unit per acre in accordance with section 24-233(b)		SUP

**Sec. 24-233. Overall density within subdivisions.**

- (a) All subdivisions shall have a maximum ~~gross~~ *net* density of one unit per acre, except for minor subdivision as defined in the county's subdivision ordinance. In these instances, the lots in a minor subdivision must still adhere to the area requirements set forth in section 24-255.
- (b) Upon application, the board of supervisors may grant a special use permit for subdivisions to have a maximum ~~gross~~ *net* density of more than one unit per acre, but of no more than two units per acre upon finding the developer has made assurances in a master plan, proffers, or other document approved by the county attorney, for at least two points as specified in the density bonus item options table in section 24-549 of this chapter.

**Sec. 24-234. Density.**

~~The density of a proposed subdivision (other than minor subdivisions, as specified in section 24-233) shall be calculated as the number of units divided by the gross acreage. For the purposes of this section, the gross acreage shall be calculated as follows:~~

<del>Percent non-developable</del>	<del>Percent of gross acreage added to the developable land</del>
<del>0–20 percent</del>	<del>Use total parcel acreage</del>
<del>21–40 percent</del>	<del>20</del>
<del>41–70 percent</del>	<del>15</del>
<del>71–100 percent</del>	<del>10</del>

Illustration of Gross Acreage Calculation

(a) — If a 50-acre parcel has seven acres of non-developable land, then the non-developable area of the site is 14 percent. Because 14 percent is less than 20 percent, the total area of the parcel is used to calculate allowed density.

(b) — If the 50-acre parcel instead had 14 acres of non-developable land, then the non-developable area of the site is 28 percent. Because 28 percent is between 21 percent and 40 percent, the total developable area of the parcel (36 acres) and 20 percent of the total parcel acreage (ten acres) are added together to obtain the total acreage used to calculate allowed density (46 acres).

In this example, if an applicant sought a density of two dwelling units per acre, they would yield a maximum of 100 units in (a) and 92 units in (b).

**Sec. 24-234. Reserved.**

**Division 4. General Residential District, R-2**

**Sec. 24-252. Use list.**

Residential Uses	Multifamily dwellings of between five and eight units, contained within a residential cluster development with a maximum <del>gross</del> <i>net</i> density of more than one unit per acre in accordance with article VI, division 1 of this chapter		SUP
	Multifamily dwellings, up to and including four units, with a maximum <del>gross</del> <i>net</i> density of one unit per acre, contained within residential cluster development in accordance with article VI, division 1 of this chapter	P	
	Multifamily dwellings, up to and including four units, with a maximum <del>gross</del> <i>net</i> density of more than one unit per acre, contained within residential cluster development in accordance with article VI, division 1 of this chapter		SUP
	Multifamily dwellings, up to and including two units, in accordance with section 24-260		SUP
	Single-family detached dwellings with a maximum <del>gross</del> <i>net</i> density of one dwelling unit per acre, either	P	
	• in accordance with section 24-253(a), or		
	• contained within residential cluster development in accordance with article VI, division 1 of this chapter		
	Single-family detached dwellings with a maximum <del>gross</del> <i>net</i> density of more than one dwelling unit per acre, either		SUP
	• in accordance with section 24-253(b), or		
	• contained within residential cluster development in accordance with article VI, division 1 of this chapter		

**Sec. 24-253. Overall density within subdivisions.**

(a) All subdivisions shall have a maximum ~~gross net~~ density of one unit per acre, except for minor subdivisions as defined in Chapter 19 of the county code. In these instances, the lots in a minor subdivision must still adhere to the area requirements set forth in section 24-255.

(b) Upon application, the board of supervisors may grant a special use permit for subdivisions to have a maximum ~~gross net~~ density of more than one unit per acre, but of no more than two units per acre upon finding the developer has made assurances in a master plan, proffers, or other document approved by the county attorney, for at least two points as specified in the density bonus item options table in section 24-549 of this chapter.

**~~Sec. 24-254. Density.~~**

~~The density of a proposed subdivision (other than minor subdivisions, as specified in section 24-253) shall be calculated as the number of units divided by the gross acreage. For the purposes of this section, the gross acreage shall be calculated as follows:~~

<del>Percent non-developable</del>	<del>Percent of gross acreage added to the developable land</del>
<del>0—20 percent</del>	<del>Use total parcel acreage</del>
<del>21—40 percent</del>	<del>20</del>
<del>41—70 percent</del>	<del>15</del>
<del>71—100 percent</del>	<del>10</del>

Illustration of Gross Acreage Calculation

~~(a) — If a 50-acre parcel has seven acres of non-developable land, then the non-developable area of the site is 14 percent. Because 14 percent is less than 20 percent, the total area of the parcel is used to calculate allowed density.~~

~~(b) — If the 50-acre parcel instead had 14 acres of non-developable land, then the non-developable area of the site is 28 percent. Because 28 percent is between 21 percent and 40 percent, the total developable area of the parcel (36 acres) and 20 percent of the total parcel acreage (ten acres) are added together to obtain the total acreage used to calculate allowed density (46 acres).~~

~~In this example, if an applicant sought a density of two dwelling units per acre, they would yield a maximum of 100 units in (a) and 92 units in (b).~~

**~~Sec. 24-254. Reserved.~~**

**Division 4.1. Residential Redevelopment District, R-3**

**~~Sec. 24-273.6. Density.~~**

~~The density of a proposed subdivision shall be calculated as the number of units divided by the gross acreage. For the purposes of this section, the gross acreage shall be calculated as follows:~~

<del>Percent non-developable</del>	<del>Percent of gross acreage added to the developable land</del>
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0—20 percent	Use total parcel acreage
21—40 percent	20
41—70 percent	15
71—100 percent	10

Illustration of Gross Acreage Calculation

(a) — If a 50-acre parcel has seven acres of non-developable land, then the non-developable area of the site is 14 percent. Because 14 percent is less than 20 percent, the total area of the parcel is used to calculate allowed density.

(b) — If the 50-acre parcel instead had 14 acres of non-developable land, then the non-developable area of the site is 28 percent. Because 28 percent is between 21 percent and 40 percent, the total developable area of the parcel (36 acres) and 20 percent of the total parcel acreage (ten acres) are added together to obtain the total acreage used to calculate allowed density (46 acres).

In this example, if an applicant sought a density of two dwelling units per acre, they would yield a maximum of 100 units in (a) and 92 units in (b).

**Sec. 24-273.6. Reserved.**

**Sec. 24-273.7. Overall density within subdivisions.**

No project shall have a *net* density (including bonuses) of more than four units per acre. In order to achieve the densities listed below, the developer shall make assurances in a master plan, proffers, or other document approved by the county attorney, for the density bonus items.

<i>Net</i> Density	Required density bonus points from list below
Up to 2.5	None required
More than 2.5, but no more than 3	3
More than 3, but no more than 3.5	4
More than 3.5, but no more than 4	5

	Bonus Item Options	Bonus Points
A.	For every 15 percent of the total units that meet the definition of affordable and workforce housing (starting above the threshold set forth in the Residential Redevelopment Policy, as amended).	2, up to a max of 4
B.	Designing a stormwater management plan that meets Chesapeake Bay Preservation Ordinance standards and requirements through extensive use of Better Site Design/Low Impact Development techniques, as approved by the engineering and resource protection division.	1.5
C.	Undertaking or funding a stream restoration project or stormwater management facility retrofit within the same sub-watershed, as identified by an approved	1.5

	watershed management plan or by the engineering and resource protection division.	
D.	Meeting a majority of items (a)—(d) listed in section 24-551, open space development design elements, as determined by the planning director.	1.5
E.	Achieving green building certification using EarthCraft, LEED or equivalent program for all units.	1
F.	Dedicating to the county a public use site, the developable portion of which is suitable for a public facility, as determined by the county administrator or designee.	1
G.	Constructing a greenway trail and dedicating a public use easement in a location indicated by the approved Greenway Master Plan, the Virginia Outdoors Plan, or such other useful and logical location as approved by the parks and recreation director or designee.	1
H.	Providing pedestrian accommodations on one side of all internal roadways, where this would exceed the requirements in set forth in section 24-35 of this chapter.	1
I.	Developing binding design guidelines for the development that include superior architectural and design standards. Elements that the guidelines shall address include, but need not be limited to, provision of rear or side loading garages; use of universal design concepts; and attention to the quality of, and variation in, elements of the units such as facade materials and colors; windows, roof pitches, porches and entryways; and heights and setbacks from the right-of-way. Design guidelines shall be submitted concurrent with the master plan, and shall be reviewed and approved by the planning director.	0.5
J.	Preserving and rehabilitating an on-site structure identified in the document entitled Historical Structures Survey, prepared by Virginia Department of Historic Resources, and dated May 2008. The structure may be re-used as a community clubhouse or private residence with appropriate deed restrictions. If the proposed cluster is within a community character area (CCA) designated by the Comprehensive Plan, this bonus would also be available for rehabilitation and legal preservation of a structure elsewhere within that CCA.	0.5
K.	For projects with fewer than 50 residential units, providing a neighborhood park of 0.25 acre, with a minimum width of 60 feet. The parkland should be centrally located, relatively level land with a minimum of 70 percent groomed space. The balance may be left in natural tree cover.	1
L.	Providing at least 25 percent of the total units which are offered at fair market rate. Such units shall be fully integrated into the development with regard to location, exterior materials, appearance from the street, and other attributes as determined by the planning director.	0.5
M.	Providing one playground with a minimum area of 2,500 square feet and a minimum of five activities.	0.5

**Division 5. Residential Planned Community District, R-4**

**Sec. 24-278. Permitted density overall.**

(a) The ~~gross~~ **net** density of the total area of the planned residential community shall not exceed two dwelling units per acre.

(b) — The density of a proposed development shall be calculated as the number of units divided by the gross acreage. For the purposes of this section, the gross acreage shall be calculated as follows:

Percent non-developable land	Percent of gross acreage added to the developable land
0-20 percent	Use total parcel acreage
21-40 percent	20
41-70 percent	15
71-100 percent	10

Illustration of Gross Acreage Calculation

(a) — If a 400-acre parcel has 56 acres of non-developable land, then the non-developable area of the site is 14 percent. Since 14 percent is less than 20 percent, the total area of the parcel is used to calculate allowed density.

(b) — If the 400-acre parcel instead had 112 acres of non-developable land, then the non-developable area of the site is 28 percent. Since 28 percent is between 21 percent and 40 percent, the total developable area of the parcel (288 acres) and 20 percent of the total parcel acreage (80 acres) are added together to obtain the gross acreage used to calculate allowed density (368 acres).

In this example, if an applicant sought a density of two dwelling units per acre, they would yield a maximum of 800 units in (a) and 736 units in (b).

**Sec. 24-279. Permitted density within residential areas.**

The master plan shall designate the proposed dwelling unit densities within each residential area shown, according to the following categories:

<u>Area Designation</u>	<u>Dwelling Type</u>	<u>Maximum Gross Net Density as defined in section 24-278 (Dwelling Units Per Acre)</u>
A	Single-family	4
B	Multi-family dwellings containing up to and including four dwelling units	9.6
C	Multi-family dwellings containing more than four dwelling units	12
D	Apartments	18

Units for sale in condominium may be in any of the dwelling types listed above and the number of dwelling units per acre maximum net density shall be determined by the dwelling type.

**Division 6. Multifamily Residential District, R-5**

**Sec. 24-307. Overall development density.**

- (a) ~~Gross density limitation.~~ No project shall have a gross ~~net~~ density (including bonuses) of more than 12 units per acre.
- (b) ~~Determination of number of dwelling units.~~ The number of units which may be constructed shall be determined by the gross acreage at ~~net density~~ of the site and the use proposed as follows:

<b>BASE DWELLING UNITS PER ACRE NET DENSITY</b>		
Number of units	Multifamily and apartments under three stories	Multifamily and apartments three stories or more
1-100	8	10
101-200	7	9
Over 200	6	8

- (c) *Density bonuses.* In order to encourage attractive architectural and site designs which are harmonious with adjoining property, to encourage the preservation of open space within and around higher density development, to encourage preservation and restoration of historic sites and to encourage developers to go beyond the minimum standards of the zoning ordinance, the board of supervisors may approve density bonuses as specified in the density bonus item options table in section 24-549 of this chapter. Density bonuses shall not exceed a maximum of an additional 20 percent above the ~~maximum dwelling units per acre~~ ~~net density~~ that would otherwise be permitted and in no case shall exceed 12 units per acre, in accordance with the following:

<i>Bonus increase from base net density</i>	<i>Required density bonus points from list</i>
Up to the base density	0
Greater than the base density, up to and including ten percent above the base density	1
Greater than ten percent above the base density, up to and including 20 percent above the base density	2

- (d) *Subdivision in order to circumvent provisions prohibited.* Property shall not be subdivided to circumvent this section and project phases shall be considered one development.

**Sec. 24-308. Density.**

The density of a proposed subdivision shall be calculated as the number of units divided by the gross acreage. For the purposes of this section, the gross acreage shall be calculated as follows:

Percent non-developable	Percent of gross acreage added to the developable land

0—20 percent	Use total parcel acreage
21—40 percent	20
41—70 percent	15
71—100 percent	10

Illustration of Gross Acreage Calculation

(a) — If a 50-acre parcel has seven acres of non-developable land, then the non-developable area of the site is 14 percent. Because 14 percent is less than 20 percent, the total area of the parcel is used to calculate allowed density.

(b) — If the 50-acre parcel instead had 14 acres of non-developable land, then the non-developable area of the site is 28 percent. Because 28 percent is between 21 percent and 40 percent, the total developable area of the parcel (36 acres) and 20 percent of the total parcel acreage (ten acres) are added together to obtain the total acreage used to calculate allowed density (46 acres).

In this example, if an applicant sought a density of two dwelling units per acre, they would yield a maximum of 100 units in (a) and 92 units in (b).

**Sec. 24-308. Reserved.**

**Division 7. Low-Density Residential District, R-6**

**Sec. 24-337. Overall density within subdivisions.**

*Lots in a minor subdivision must adhere to the area requirements set forth in section 24-330. All other subdivisions shall have a maximum net density of one unit per acre.*

**Division 8. Rural Residential District, R-8**

**Sec. 24-349. Overall density within subdivisions.**

*Lots in a minor subdivision must adhere to the area requirements set forth in section 24-350. All other subdivisions shall have a maximum net density as specified below.*

- (c) *Parcels subject to section 24-350(a) shall have a maximum net density of one unit per twenty acres.*
- (d) *Parcels subject to section 24-350(b) shall have a maximum net density of one unit per three acres.*

**Division 14. Planned Unit Development Districts, PUD**

**Sec. 24-487. Density.**

(a) The **gross net** density of the planned unit development shall not exceed the maximum density suggested by the Comprehensive Plan and in no case shall exceed four dwelling units per acre. The maximum densities of dwelling units per acre which may be constructed in any area designation are:

Area Designation	Dwelling Type	Base <i>net</i> density (dwelling units per acre)	Maximum gross <i>net</i> density with density bonus (see table under section 24-488(e)(b))
A	Single family	2	4
B	Multi-family dwellings containing up to and including four dwelling units	5	10
C	Multi-family dwellings containing more than four dwelling units	6	12
D	Apartments	9	18

(b) The density of a proposed development shall be calculated as the number of units divided by the gross acreage. For the purposes of this section, the gross acreage shall be calculated as follows:

Percent non-developable land	Percent of gross acreage added to the developable land
0-20 percent	Use total parcel acreage
21-40 percent	20
41-70 percent	15
71-100 percent	10

Illustration of Gross Acreage Calculation

(a) — If a 50-acre parcel has seven acres of non-developable land, then the non-developable area of the site is 14 percent. Since 14 percent is less than 20 percent, the total area of the parcel is used to calculate allowed density.

(b) — If the 50-acre parcel instead had 14 acres of non-developable land, then the non-developable area of the site is 28 percent. Since 28 percent is between 21 percent and 40 percent, the total developable area of the parcel (36 acres) and 20 percent of the total parcel acreage (ten acres) are added together to obtain the total acreage used to calculate allowed density (46 acres).

In this example, if an applicant sought a density of two dwelling units per acre, they would yield a maximum of 100 units in (a) and 92 units in (b).

(e)(b) In addition to the base *net* density standards from section 24-487 (a), a density bonus can be achieved with the provision of options as detailed below. In order to achieve the densities listed below, the developer shall make assurances in a master plan, proffers, or other documents approved by the county attorney for the density bonus items.

Bonus Increase from Base <i>Net</i> Density	Required Density Bonus Points from List Below
Up to the base <i>net</i> density	0

Greater than the base <i>net</i> density, up to and including 33 percent above the base density	2
Greater than 33 percent above the base <i>net</i> density, up to and including 66 percent above the base density	4
Greater than 66 percent above the base <i>net</i> density, up to and including 100 percent above the base density	6

	<i>Bonus Item Options</i>	<i>Bonus Points</i>
A.	For every 10 percent of the units committed to provision of affordable and workforce housing (starting above the threshold set in the county's housing opportunities policy)	2, up to a max of 4
B.	Designing a stormwater management plan that meets Chesapeake Bay preservation ordinance standards and requirements through extensive use of better site design/low impact development techniques, as approved by the engineering and resource protection division	1.5
C.	Undertaking or funding a stream restoration project or stormwater management facility retrofit within the same sub-watershed, as identified by an approved watershed management plan or by the engineering and resource protection division.	1.5
D.	Achieving green building certification using EarthCraft, LEED or equivalent program for all units	1
E.	Dedicating to the county a public use site, the developable portion of which is suitable for a public facility, as determined by the county administrator or designee.	1
F.	Constructing a greenway trail and dedicating a public use easement in a location indicated by the approved Greenway Master Plan, the Virginia Outdoors Plan, or such other useful and logical location as approved by the parks and recreation director or designee.	1
G.	Preserving a single area of healthy, mature, mixed hardwood forestland at least two acres in size, within the developable portion of the site. The planning director may request that the developer provide confirmation, prepared by a certified horticulturalist, that these qualities are present.	1
H.	Retaining a single area of agricultural land designated on the United States Department of Agriculture (USDA) maps to be of prime or statewide importance that is at least five acres in size.	1

I.	Preserving one of the following <u>environmentally-related conservation features</u> . The <u>underlined item</u> must constitute at least five percent of the developable area of the site.	1
	1. 100 foot buffers around non-RPA wetland features (isolated wetlands), intermittent streams, or from floodplain zones A or AE (where not already part of the RPA), or from the edge of the RPA buffer	
	2. Soils in hydrologic groups A and B, as defined by the USDA, and as verified on-site by a licensed geotechnical engineer (retain at least 50 percent of these soils on site)	
	3. Conservation area as identified by an approved watershed management plan	
	4. Wildlife habitat corridors that:	
	<ul style="list-style-type: none"> <li>• Protect a corridor at least 100 feet in width from one protected area (on or off the development property) to another protected area, and</li> </ul>	
	<ul style="list-style-type: none"> <li>• Consist of mature forestland</li> </ul>	
J.	Providing pedestrian accommodations on one side of all internal roadways, where this would exceed the requirements in set forth in section 24-35 of this chapter.	1
K.	Developing binding design guidelines for the development that include superior architectural and design standards. Elements that the guidelines shall address include, but need not be limited to, provision of rear or side loading garages; use of universal design concepts; and attention to the quality of, and variation in, elements of the units such as facade materials and colors; windows, roof pitches, porches and entryways; and heights and setbacks from the right-of-way. Design guidelines shall be submitted concurrent with the master plan, and shall be reviewed and approved by the planning director.	0.5
L.	Providing a 100-foot buffer from the internal edge of a right-of-way buffer and/or perimeter buffer (must constitute at least five percent of the developable area of the site).	0.5
M.	Preserving and rehabilitating an on-site structure identified in the document entitled Historical Structures Survey, prepared by Virginia Department of Historic Resources, and dated May 2008. The structure may be re-used as a community clubhouse or private residence with appropriate deed restrictions. If the proposed cluster is within a community character area (CCA) designated by the comprehensive plan, this bonus would also be available for rehabilitation and legal preservation of a structure elsewhere within that CCA.	0.5

**Division 15. Mixed Use, MU**

**Sec. 24-519. Density.**

(a) ~~The number of dwelling units which may be constructed in any residential or mixed use-residential area designation as indicated on the master plan shall be determined by the number of gross acres at the site and the use proposed. The maximum *net* densities of dwelling units per acre which may be constructed are:~~

<i>Area Designation</i>	<i>Dwelling Type</i>	<i>Base Gross Net Density (Dwelling Units Per Acre)</i>	<i>Maximum Gross Net Density with density bonus (see table under section 24-519 (e) (b))</i>
A	Single-family structures	3	6
B	Multi-family dwellings containing up to four dwelling units	5	10
C	Multi-family dwellings containing more than four dwelling units	6	12
D	Apartments	9	18

~~(b) — The density of a proposed development shall be calculated as the number of units divided by the gross acreage. For the purposes of this section, the gross acreage shall be calculated as follows:~~

<del>Percent non-developable land</del>	<del>Percent of gross acreage added to the developable land</del>
<del>0-20 percent</del>	<del>Use total parcel acreage</del>
<del>21-40 percent</del>	<del>20</del>
<del>41-70 percent</del>	<del>15</del>
<del>71-100 percent</del>	<del>10</del>

Illustration of Gross Acreage Calculation

~~(a) — If a 50-acre parcel has seven acres of non-developable land, then the non-developable area of the site is 14 percent. Since 14 percent is less than 20 percent, the total area of the parcel is used to calculate allowed density.~~

~~(b) — If the 50-acre parcel instead had 14 acres of non-developable land, then the non-developable area of the site is 28 percent. Since 28 percent is between 21 percent and 40 percent, the total developable area of the parcel (36 acres) and 20 percent of the total parcel acreage (ten acres) are added together to obtain the total acreage used to calculate allowed density (46 acres).~~

~~In this example, if an applicant sought a density of two dwelling units per acre, they would yield a maximum of 100 units in (a) and 92 units in (b).~~

~~(e)(b) In addition to the base *net* density standards from section 24-519 (a), a density bonus can be achieved with the provision of options as detailed below. In order to achieve the densities listed below, the developer shall make assurances in a master plan or otherwise for the density bonus items.~~

Bonus increase from base <i>net</i> density	Required density bonus points from list below
Up to the base <i>net</i> density	0
Greater than the base <i>net</i> density, up to and including 33 percent above the base density	2
Greater than 33 percent above the base <i>net</i> density, up to and including 66 percent above the base density	4
Greater than 66 percent above the base <i>net</i> density, up to and including 100 percent above the base density	6

	Bonus Item Options	Bonus Points
A.	For every 10 percent of the units committed to provision of affordable and workforce housing (starting above the threshold set in the county's housing opportunities policy).	2, up to a max of 4
B.	Designing a stormwater management plan that meets Chesapeake Bay Preservation Ordinance standards and requirements through extensive use of better site design/low impact development techniques, as approved by the engineering and resource protection division.	1.5
C.	Undertaking or funding a stream restoration project or stormwater management facility retrofit within the same sub-watershed, as identified by an approved watershed management plan or by the engineering and resource protection division.	1.5
D.	Achieving green building certification using EarthCraft, LEED or equivalent program for all units	1
E.	Dedicating to the county a public use site, the developable portion of which is suitable for a public facility, as determined by the county administrator or designee.	1
F.	Constructing a greenway trail and dedicating a public use easement in a location indicated by the approved Greenway Master Plan, the Virginia Outdoors Plan, or such other useful and logical location as approved by the parks and recreation director or designee.	1
G.	Preserving a single area of healthy, mature, mixed hardwood forestland at least two acres in size, within the developable portion of the site. The planning director may request that the developer provide confirmation, prepared by a certified horticulturalist, that these qualities are present.	1
H.	Preserving one of the following <u>underlined</u> environmentally-related conservation features. The <u>underlined</u> item must constitute at least 5 percent of the developable area of the site.	1

	1. <u>100 foot buffers</u> around non-RPA wetland features (isolated wetlands), intermittent streams, or from floodplain zones A or AE (where not already part of the RPA), or from the edge of the RPA buffer	
	2. <u>Soils in hydrologic groups A and B, as defined by the USDA, and as verified on-site by a licensed geotechnical engineer</u> (retain at least 50 percent of these soils on site)	
	3. <u>Conservation area as identified by an approved watershed management plan</u>	
	4. <u>Wildlife habitat corridors</u> that:	
	<ul style="list-style-type: none"> <li>• Protect a corridor at least 100 feet in width from one protected area (on or off the development property) to another protected area, and</li> </ul>	
	<ul style="list-style-type: none"> <li>• Consist of mature forestland</li> </ul>	
I.	Providing pedestrian accommodations on one side of all internal roadways, where this would exceed the requirements set forth in section 24-35 of this chapter.	1
J.	Developing binding design guidelines for the development that include superior architectural and design standards. Elements that the guidelines shall address include, but need not be limited to, provision of rear or side loading garages; use of universal design concepts; and attention to the quality of, and variation in, elements of the units such as facade materials and colors; windows, roof pitches, porches and entryways; and heights and setbacks from the right-of-way. Design guidelines shall be submitted concurrent with the master plan, and shall be reviewed and approved by the planning director.	0.5
K.	Providing a 100-foot buffer from the internal edge of a right-of-way buffer and/or perimeter buffer (must constitute at least five percent of the developable area of the site).	0.5
L.	Preserving and rehabilitating an on-site structure identified in the document entitled Historical Structures Survey, prepared by Virginia Department of Historic Resources, and dated May 2008. The structure may be re-used as a community clubhouse or private residence with appropriate deed restrictions. If the proposed cluster is within a community character area (CCA) designated by the comprehensive plan, this bonus would also be available for rehabilitation and legal preservation of a structure elsewhere within that CCA.	0.5

~~(d)~~(c) To achieve the intent of a mixed use development, more than one land use category shall be used and no single use or use category shall exceed 80 percent of the developable land area within a mixed use area, as delineated on the master plan. Where the mixed use development contains one or more mixed use structures (vertical mixed use), the developable land area may be converted to square feet to demonstrate compliance with this requirement.

Illustration of vertical mixed use buildings calculation.

For a vertical mixed use building of 60,000 square feet in size, no one use could exceed 48,000 square feet.

(e)(d) For areas designated neighborhood commercial or community commercial on the comprehensive plan, all proposed structures should be mixed use structures (vertical mixed use) and residential floor area should not exceed 50 percent of the total floor area. Either of these criteria may be modified if specifically shown on a master plan approved by the board of supervisors that exceeds mixed use designation development standards in the comprehensive plan.

### **Division 17. Economic Opportunity, EO**

#### **Sec. 24-536.3. Density.**

(a) *Balance of land uses.* Not more than 15 percent of the developable land area within an economic opportunity area, as delineated on the master plan, shall be dedicated to non-primary workplace uses. The remaining 85 percent of the developable land area shall be dedicated to primary uses. Non-primary workplace uses include, retail, convenience and service uses, restaurants, child care, residential development or other uses intended to support and complement primary workplace uses. For the purposes of this requirement primary workplace uses include office, research, light industrial, or other uses that will provide a significant fiscal benefit to the county.

Additionally, non-primary workplace uses should be grouped together in an effort to maximize the area for workplace uses. The location of the non-primary workplace uses should not prevent the availability of large contiguous sections of land for office, research, or light industrial development.

(b) *Residential.* Residential dwelling units are permitted in the urban/residential core area, as delineated on the master plan, which shall not exceed 10 percent of the total developable master planned economic opportunity area. ~~The number of dwelling units which may be constructed in any of the urban/residential core as indicated on the master plan shall be determined by the number of acres of the economic opportunity master plan area and the use proposed.~~ The maximum *net* densities of dwelling units per acre *within the developable area of the urban/residential core area* which may be constructed are:

<b>Dwelling Type</b>	<b>Maximum <i>Net</i> Density</b>
Multi-Family structures (attached housing)	7
Apartments	10

~~In the economic opportunity district, only developable area shall be used for the purposes of calculating density.~~

### **Article VI. Overlay Districts**

#### **Division 1. Residential Cluster Development**

#### **Sec. 24-548. Density.**

The density of a proposed subdivision shall be calculated as the number of units divided by the gross acreage. For the purposes of this section, the gross acreage shall be calculated as follows:

Percent non-developable	Percent of gross acreage added to the developable land
0—20 percent	Use total parcel acreage
21—40 percent	20
41—70 percent	15
71—100 percent	10

Illustration of Gross Acreage Calculation

(a) — If a 50-acre parcel has seven acres of non-developable land, then the non-developable area of the site is 14 percent. Because 14 percent is less than 20 percent, the total area of the parcel is used to calculate allowed density.

(b) — If a 50-acre parcel has 14 acres of non-developable land, then the non-developable area of the site is 28 percent. Because 28 percent is between 21 percent and 40 percent, the total developable area of the parcel (36 acres) and 20 percent of the total parcel acreage (ten acres) are added together to obtain the total acreage used to calculate allowed density (46 acres).

In this example, if an applicant sought a density of two dwelling units per acre, they would yield a maximum of 100 units in (a) and 92 units in (b).

**Sec. 24-548. Reserved.**

**Sec. 24-549. Density standards.**

No project shall have a *net* density (including bonuses) of more than four units per acre. In order to achieve the *net* densities listed below, the developer shall provide at least the minimum amount of open space, and shall make assurances in a master plan, proffers, or other document approved by the county attorney, for the density bonus items. The approval process for cluster development shall be as stated in section 24-556.

<i>Net</i> Density	Percent of developable acreage as open space	Required density bonus points from list below
Up to 1	25 percent	None
More than 1, but no more than 2	25 percent	2
More than 2, but no more than 3	30 percent	4
More than 3, but no more than 4	35 percent	6

	<b>Bonus Item Options</b>	<b>Bonus Points</b>
A.	For every 10 percent of the units committed to provision of affordable and workforce housing (starting above the threshold set in the county's housing opportunities policy, as amended)	2, up to a max of 4
B.	Designing a stormwater management plan that meets Chesapeake Bay Preservation Ordinance standards and requirements through extensive use of better site design/low impact development techniques, as approved by the engineering and resource protection division	1.5
C.	Undertaking or funding a stream restoration project or stormwater management facility retrofit within the same sub-watershed, as identified by an approved watershed management plan or by the engineering and resource protection division	1.5
D.	Meeting a majority of items (a) - (d) listed in section 24-551, Open space development design elements, as determined by the planning director	1.5
E.	Achieving green building certification using EarthCraft, LEED or equivalent program for all units	1
F.	Dedicating to the county a public use site, the developable portion of which is suitable for a public facility, as determined by the county administrator or designee	1
G.	Constructing a greenway trail and dedicating a public use easement in a location indicated by the approved greenway master plan, the Virginia outdoors plan, or such other useful and logical location as approved by the parks and recreation director or designee	1
H.	Preserving a single area of healthy, mature, mixed hardwood forestland at least two acres in size within the developable portion of the site. The planning director may request that the developer provide confirmation, prepared by a certified horticulturalist, that these qualities are present	1
I.	Retaining a single area of agricultural land designated on the United States Department of Agriculture (USDA) maps to be of prime or statewide importance that is at least five acres in size	1
J.	Preserving one of the following underlined environmentally-related conservation features. The underlined item must constitute at least five percent of the developable area of the site.	1
	1. <u>100 foot buffers</u> around non-RPA wetland features (isolated wetlands), intermittent streams, or from floodplain zones A or AE (where not already part of the RPA), or from the edge of the RPA buffer;	
	2. <u>Soils in hydrologic groups A and B, as defined by the USDA, and as verified on-site by a licensed geotechnical engineer</u> (retain at least 50 percent of these soils on site);	

	3. <u>Conservation area as identified by an approved watershed management plan</u> ; or	
	4. <u>Wildlife habitat corridors</u> that:	
	a. Protect a corridor at least 100 feet in width from one protected area (on or off the cluster property) to another protected area, and	
	b. Consist of mature forestland	
K.	Providing pedestrian accommodations on one side of all internal roadways, where this would exceed the requirements set forth in section 24-35 of this chapter	1
L.	Developing binding design guidelines for the development that include superior architectural and design standards. Elements that the guidelines shall address include, but need not be limited to, provision of rear or side loading garages; use of universal design concepts; and attention to the quality of, and variation in, elements of the units such as facade materials and colors; windows, roof pitches, porches and entryways; and heights and setbacks from the right-of-way. Design guidelines shall be submitted concurrent with the master plan, and shall be reviewed and approved by the planning director	0.5
M.	Providing a 100-foot buffer from the internal edge of a right-of-way buffer and/or perimeter buffer (must constitute at least five percent of the developable area of the site)	0.5
N.	Preserving and rehabilitating an on-site structure identified in the document entitled Historical Structures Survey, prepared by Virginia Department of Historic Resources, and dated May 2008. The structure may be re-used as a community clubhouse or private residence with appropriate deed restrictions. If the proposed cluster is within a community character area (CCA) designated by the comprehensive plan, this bonus would also be available for rehabilitation and legal preservation of a structure elsewhere within that CCA	0.5

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 24, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE I, IN GENERAL, SECTION 24-2, DEFINITIONS; AND BY AMENDING ARTICLE V, DISTRICTS, BY AMENDING DIVISION 2, GENERAL AGRICULTURAL DISTRICT, A-1, BY ADDING NEW SECTION 24-213, OVERALL DENSITY WITHIN SUBDIVISIONS; AND BY AMENDING SECTION 24-222, CLUSTER CONFIGURATION; AND BY AMENDING DIVISION 3, LIMITED RESIDENTIAL DISTRICT, R-1, BY AMENDING SECTION 24-232, USE LIST; BY AMENDING SECTION 24-233, OVERALL DENSITY WITHIN SUBDIVISIONS; BY DELETING SECTION 24-234, DENSITY; AND BY RESERVING SECTION 24-234; AND BY AMENDING DIVISION 4, GENERAL RESIDENTIAL DISTRICT, R-2, BY AMENDING SECTION 24-252, USE LIST; BY AMENDING SECTION 24-253, OVERALL DENSITY WITHIN SUBDIVISIONS; BY DELETING SECTION 24-254, DENSITY; AND BY RESERVING SECTION 24-254; AND BY AMENDING DIVISION 4.1, RESIDENTIAL REDEVELOPMENT DISTRICT, R-3, BY DELETING SECTION 24-273.6, DENSITY; BY RESERVING SECTION 24-273.6; AND BY AMENDING SECTION 24-273.7, OVERALL DENSITY WITHIN SUBDIVISIONS; AND BY AMENDING DIVISION 5, RESIDENTIAL PLANNED COMMUNITY DISTRICT, R-4, BY AMENDING SECTION 24-278, PERMITTED DENSITY OVERALL; AND SECTION 24-279, PERMITTED DENSITY WITHIN RESIDENTIAL AREAS; AND BY AMENDING DIVISION 6, MULTIFAMILY RESIDENTIAL DISTRICT, R-5, BY AMENDING SECTION 24-307, OVERALL DEVELOPMENT DENSITY; BY DELETING SECTION 24-308, DENSITY; AND BY RESERVING SECTION 24-308; AND BY AMENDING DIVISION 7, LOW-DENSITY RESIDENTIAL DISTRICT, R-6, BY ADDING NEW SECTION 24-337, OVERALL DENSITY WITHIN SUBDIVISIONS; AND BY AMENDING DIVISION 8, RURAL RESIDENTIAL DISTRICT, R-8, BY ADDING NEW SECTION 24-349, OVERALL DENSITY WITHIN SUBDIVISIONS; AND BY AMENDING DIVISION 14, PLANNED UNIT DEVELOPMENT DISTRICTS, PUD, BY AMENDING SECTION 24-487, DENSITY; AND BY AMENDING DIVISION 15, MIXED USE, MU, BY AMENDING SECTION 24-519, DENSITY; AND BY AMENDING DIVISION 17, ECONOMIC OPPORTUNITY, EO, BY AMENDING SECTION 24-536.3, DENSITY; AND BY AMENDING ARTICLE VI, OVERLAY DISTRICTS, DIVISION 1, RESIDENTIAL CLUSTER DEVELOPMENT, BY DELETING SECTION 24-548, DENSITY, BY RESERVING SECTION 24-548, AND BY AMENDING SECTION 24-549, DENSITY STANDARDS.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 24, Zoning, is hereby amended and reordained by amending Article I, In General, Section 24-2, Definitions; and by amending Article V, Districts, by amending Division 2, General Agricultural District, A-1, by adding new Section 24-213, Overall density within subdivisions; and by amending Section 24-222, Cluster configuration; and by amending Division 3, Limited Residential District, R-1, and by amending Section 24-232, Use list; by amending Section 24-233, Overall density within subdivisions; and by amending Division 4, General Residential District, R-2, by amending Section 24-252, Use list; and by amending Section 24-253, Overall density within subdivisions; and by amending Division 4.1, Residential Redevelopment District, R-3, by amending Section 24-273.7, Overall density within subdivisions; and by amending Division 5, Residential Planned Community District, R-4, by amending Section 24-278, Permitted density overall; and Section 24-279, Permitted density within residential areas; and by amending Division 6, Multifamily Residential District, R-5, by amending Section 24-307, Overall development density; and by amending Division 7, Low-Density Residential District, R-6, by adding new Section 24-337, Overall density within subdivisions; and by amending Division 8, Rural Residential District, R-8, by adding new Section 24-349, Overall density within subdivisions; and by amending Division 14, Planned Unit Development Districts, PUD, by amending Section 24-487, Density; and by amending Division 15, Mixed Use, MU, by amending Section 24-519, Density; and by amending Division 17, Economic Opportunity, EO, by amending Section 24-536.3, Density; and by amending Article VI, Overlay Districts, Division 1, Residential Cluster Development, by amending Section 24-549, Density standards.

## **Chapter 24. Zoning**

### **Article I. In General**

#### **Sec. 24-2. Definitions.**

Density, net. Net density shall be calculated as the number of dwelling units divided by the developable area.

### **Article V. Districts**

#### **Division 2. General Agricultural District, A-1**

#### **Sec. 24-213. Overall density within subdivisions.**

Lots in a minor subdivision must adhere to the area requirements set forth in section 24-214. All other subdivisions shall have a maximum net density as specified below.

- (a) Parcels subject to section 24-214(a)(2) shall have a maximum net density of one unit per twenty acres.
- (b) Parcels subject to section 24-214(a)(2)(i) shall have a maximum net density of one unit per three acres.

**Sec. 24-222. Cluster configuration.**

Upon issuance of a special use permit, a cluster configuration subdivision may be approved provided that all of the following conditions are met:

- (1) The overall net density of the subdivision shall not exceed one dwelling unit per *twenty* acres.

**Division 3. Limited Residential District, R-1**

**Sec. 24-232. Use list.**

Residential Uses	Single-family detached dwellings with a maximum net density of one dwelling unit per acre in accordance with section 24-233(a)	P	
	Single-family detached dwellings with a maximum net density of more than one dwelling unit per acre in accordance with section 24-233(b)		SUP

**Sec. 24-233. Overall density within subdivisions.**

- (a) All subdivisions shall have a maximum net density of one unit per acre, except for minor subdivision as defined in the county's subdivision ordinance. In these instances, the lots in a minor subdivision must still adhere to the area requirements set forth in section 24-255.
- (b) Upon application, the board of supervisors may grant a special use permit for subdivisions to have a maximum net density of more than one unit per acre, but of no more than two units per acre upon finding the developer has made assurances in a master plan, proffers, or other document approved by the county attorney, for at least two points as specified in the density bonus item options table in section 24-549 of this chapter.

**Sec. 24-234. Reserved.**

**Division 4. General Residential District, R-2**

**Sec. 24-252. Use list.**

Residential Uses	Multifamily dwellings of between five and eight units, contained within a residential cluster development with a maximum net density of more than one unit per acre in accordance with article VI, division 1 of this chapter		SUP
	Multifamily dwellings, up to and including four units, with a maximum net density of one unit per acre, contained within residential cluster development in accordance with article VI, division 1 of this chapter	P	
	Multifamily dwellings, up to and including four units, with a maximum net density of more than one unit per acre, contained within residential cluster development in accordance with article VI, division 1 of this chapter		SUP

	Multifamily dwellings, up to and including two units, in accordance with section 24-260		SUP
	Single-family detached dwellings with a maximum net density of one dwelling unit per acre, either	P	
	• in accordance with section 24-253(a), or		
	• contained within residential cluster development in accordance with article VI, division 1 of this chapter		
	Single-family detached dwellings with a maximum net density of more than one dwelling unit per acre, either		SUP
	• in accordance with section 24-253(b), or		
	• contained within residential cluster development in accordance with article VI, division 1 of this chapter		

**Sec. 24-253. Overall density within subdivisions.**

(a) All subdivisions shall have a maximum net density of one unit per acre, except for minor subdivisions as defined in Chapter 19 of the county code. In these instances, the lots in a minor subdivision must still adhere to the area requirements set forth in section 24-255.

(b) Upon application, the board of supervisors may grant a special use permit for subdivisions to have a maximum net density of more than one unit per acre, but of no more than two units per acre upon finding the developer has made assurances in a master plan, proffers, or other document approved by the county attorney, for at least two points as specified in the density bonus item options table in section 24-549 of this chapter.

**Sec. 24-254. Reserved.**

**Division 4.1. Residential Redevelopment District, R-3**

**Sec. 24-273.6. Reserved.**

**Sec. 24-273.7. Overall density within subdivisions.**

No project shall have a net density (including bonuses) of more than four units per acre. In order to achieve the densities listed below, the developer shall make assurances in a master plan, proffers, or other document approved by the county attorney, for the density bonus items.

Net Density	Required density bonus points from list below
Up to 2.5	None required
More than 2.5, but no more than 3	3
More than 3, but no more than 3.5	4
More than 3.5, but no more than 4	5

	Bonus Item Options	Bonus Points

A.	For every 15 percent of the total units that meet the definition of affordable and workforce housing (starting above the threshold set forth in the Residential Redevelopment Policy, as amended).	2, up to a max of 4
B.	Designing a stormwater management plan that meets Chesapeake Bay Preservation Ordinance standards and requirements through extensive use of Better Site Design/Low Impact Development techniques, as approved by the engineering and resource protection division.	1.5
C.	Undertaking or funding a stream restoration project or stormwater management facility retrofit within the same sub-watershed, as identified by an approved watershed management plan or by the engineering and resource protection division.	1.5
D.	Meeting a majority of items (a)—(d) listed in section 24-551, open space development design elements, as determined by the planning director.	1.5
E.	Achieving green building certification using EarthCraft, LEED or equivalent program for all units.	1
F.	Dedicating to the county a public use site, the developable portion of which is suitable for a public facility, as determined by the county administrator or designee.	1
G.	Constructing a greenway trail and dedicating a public use easement in a location indicated by the approved Greenway Master Plan, the Virginia Outdoors Plan, or such other useful and logical location as approved by the parks and recreation director or designee.	1
H.	Providing pedestrian accommodations on one side of all internal roadways, where this would exceed the requirements in set forth in section 24-35 of this chapter.	1
I.	Developing binding design guidelines for the development that include superior architectural and design standards. Elements that the guidelines shall address include, but need not be limited to, provision of rear or side loading garages; use of universal design concepts; and attention to the quality of, and variation in, elements of the units such as facade materials and colors; windows, roof pitches, porches and entryways; and heights and setbacks from the right-of-way. Design guidelines shall be submitted concurrent with the master plan, and shall be reviewed and approved by the planning director.	0.5
J.	Preserving and rehabilitating an on-site structure identified in the document entitled Historical Structures Survey, prepared by Virginia Department of Historic Resources, and dated May 2008. The structure may be re-used as a community clubhouse or private residence with appropriate deed restrictions. If the proposed cluster is within a community character area (CCA) designated by the Comprehensive Plan, this bonus would also be available for rehabilitation and legal preservation of a structure elsewhere within that CCA.	0.5
K.	For projects with fewer than 50 residential units, providing a neighborhood park of 0.25 acre, with a minimum width of 60 feet. The parkland should be centrally located, relatively level land with a minimum of 70 percent groomed space. The balance may be left in natural tree cover.	1
L.	Providing at least 25 percent of the total units which are offered at fair market rate. Such units shall be fully integrated into the development with regard to location, exterior materials, appearance from the street, and other attributes as determined by the planning director.	0.5

M.	Providing one playground with a minimum area of 2,500 square feet and a minimum of five activities.	0.5
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**Division 5. Residential Planned Community District, R-4**

**Sec. 24-278. Permitted density overall.**

The net density of the total area of the planned residential community shall not exceed two dwelling units per acre.

**Sec. 24-279. Permitted density within residential areas.**

The master plan shall designate the proposed dwelling unit densities within each residential area shown, according to the following categories:

<i>Area Designation</i>	<i>Dwelling Type</i>	<i>Maximum Net Density</i>
A	Single-family	4
B	Multi-family dwellings containing up to and including four dwelling units	9.6
C	Multi-family dwellings containing more than four dwelling units	12
D	Apartments	18

Units for sale in condominium may be in any of the dwelling types listed above and the maximum net density shall be determined by the dwelling type.

**Division 6. Multifamily Residential District, R-5**

**Sec. 24-307. Overall development density.**

- (a) No project shall have a net density (including bonuses) of more than 12 units per acre.
- (b) The number of units which may be constructed shall be determined by the net density of the site and the use proposed as follows:

<b>BASE NET DENSITY</b>		
Number of units	Multifamily and apartments under three stories	Multifamily and apartments three stories or more
1-100	8	10
101-200	7	9
Over 200	6	8

(c) *Density bonuses.* In order to encourage attractive architectural and site designs which are harmonious with adjoining property, to encourage the preservation of open space within and around higher density development, to encourage preservation and restoration of historic sites and to encourage developers to go beyond the minimum standards of the zoning ordinance, the board of supervisors may approve density bonuses as specified in the density bonus item options table in section 24-549 of this chapter. Density bonuses shall not exceed a maximum of an additional 20 percent above the net density that would otherwise be permitted and in no case shall exceed 12 units per acre, in accordance with the following:

<i>Bonus increase from base net density</i>	<i>Required density bonus points from list</i>
Up to the base density	0
Greater than the base density, up to and including ten percent above the base density	1
Greater than ten percent above the base density, up to and including 20 percent above the base density	2

(d) *Subdivision in order to circumvent provisions prohibited.* Property shall not be subdivided to circumvent this section and project phases shall be considered one development.

**Sec. 24-308. Reserved.**

**Division 7. Low-Density Residential District, R-6**

**Sec. 24-337. Overall density within subdivisions.**

Lots in a minor subdivision must adhere to the area requirements set forth in section 24-330. All other subdivisions shall have a maximum net density of one unit per acre.

**Division 8. Rural Residential District, R-8**

**Sec. 24-349. Overall density within subdivisions.**

Lots in a minor subdivision must adhere to the area requirements set forth in section 24-350. All other subdivisions shall have a maximum net density as specified below.

- (c) Parcels subject to section 24-350(a) shall have a maximum net density of one unit per twenty acres.
- (d) Parcels subject to section 24-350(b) shall have a maximum net density of one unit per three acres.

**Division 14. Planned Unit Development Districts, PUD**

**Sec. 24-487. Density.**

(a) The net density of the planned unit development shall not exceed the maximum density suggested by the Comprehensive Plan and in no case shall exceed four dwelling units per acre. The maximum densities of dwelling units per acre which may be constructed in any area designation are:

<b>Area Designation</b>	<b>Dwelling Type</b>	<b>Base net density</b>	<b>Maximum net density with density bonus (see table under section 24-488 (b))</b>
A	Single family	2	4
B	Multi-family dwellings containing up to and including four dwelling units	5	10
C	Multi-family dwellings containing more than four dwelling units	6	12
D	Apartments	9	18

(b) In addition to the base net density standards from section 24-487 (a), a density bonus can be achieved with the provision of options as detailed below. In order to achieve the densities listed below, the developer shall make assurances in a master plan, proffers, or other documents approved by the county attorney for the density bonus items.

<i>Bonus Increase from Base Net Density</i>	<i>Required Density Bonus Points from List Below</i>
Up to the base net density	0
Greater than the base net density, up to and including 33 percent above the base density	2
Greater than 33 percent above the base net density, up to and including 66 percent above the base density	4
Greater than 66 percent above the base net density, up to and including 100 percent above the base density	6

	<i>Bonus Item Options</i>	<i>Bonus Points</i>
A.	For every 10 percent of the units committed to provision of affordable and workforce housing (starting above the threshold set in the county's housing opportunities policy)	2, up to a max of 4
B.	Designing a stormwater management plan that meets Chesapeake Bay preservation ordinance standards and requirements through extensive use of	1.5

	better site design/low impact development techniques, as approved by the engineering and resource protection division	
C.	Undertaking or funding a stream restoration project or stormwater management facility retrofit within the same sub-watershed, as identified by an approved watershed management plan or by the engineering and resource protection division.	1.5
D.	Achieving green building certification using EarthCraft, LEED or equivalent program for all units	1
E.	Dedicating to the county a public use site, the developable portion of which is suitable for a public facility, as determined by the county administrator or designee.	1
F.	Constructing a greenway trail and dedicating a public use easement in a location indicated by the approved Greenway Master Plan, the Virginia Outdoors Plan, or such other useful and logical location as approved by the parks and recreation director or designee.	1
G.	Preserving a single area of healthy, mature, mixed hardwood forestland at least two acres in size, within the developable portion of the site. The planning director may request that the developer provide confirmation, prepared by a certified horticulturalist, that these qualities are present.	1
H.	Retaining a single area of agricultural land designated on the United States Department of Agriculture (USDA) maps to be of prime or statewide importance that is at least five acres in size.	1
I.	Preserving one of the following <u>environmentally-related conservation features</u> . The <u>item</u> must constitute at least five percent of the developable area of the site.	1
	1. 100 foot buffers around non-RPA wetland features (isolated wetlands), intermittent streams, or from floodplain zones A or AE (where not already part of the RPA), or from the edge of the RPA buffer	
	2. Soils in hydrologic groups A and B, as defined by the USDA, and as verified on-site by a licensed geotechnical engineer (retain at least 50 percent of these soils on site)	
	3. Conservation area as identified by an approved watershed management plan	
	4. Wildlife habitat corridors that:	
	• Protect a corridor at least 100 feet in width from one protected area (on or off the development property) to another protected area, and	
	• Consist of mature forestland	

J.	Providing pedestrian accommodations on one side of all internal roadways, where this would exceed the requirements in set forth in section 24-35 of this chapter.	1
K.	Developing binding design guidelines for the development that include superior architectural and design standards. Elements that the guidelines shall address include, but need not be limited to, provision of rear or side loading garages; use of universal design concepts; and attention to the quality of, and variation in, elements of the units such as facade materials and colors; windows, roof pitches, porches and entryways; and heights and setbacks from the right-of-way. Design guidelines shall be submitted concurrent with the master plan, and shall be reviewed and approved by the planning director.	0.5
L.	Providing a 100-foot buffer from the internal edge of a right-of-way buffer and/or perimeter buffer (must constitute at least five percent of the developable area of the site).	0.5
M.	Preserving and rehabilitating an on-site structure identified in the document entitled Historical Structures Survey, prepared by Virginia Department of Historic Resources, and dated May 2008. The structure may be re-used as a community clubhouse or private residence with appropriate deed restrictions. If the proposed cluster is within a community character area (CCA) designated by the comprehensive plan, this bonus would also be available for rehabilitation and legal preservation of a structure elsewhere within that CCA.	0.5

**Division 15. Mixed Use, MU**

**Sec. 24-519. Density.**

(a) The maximum net densities which may be constructed are:

<i>Area Designation</i>	<i>Dwelling Type</i>	<i>Base Net Density</i>	<i>Maximum Net Density with density bonus (see table under section 24-519(b))</i>
A	Single-family structures	3	6
B	Multi-family dwellings containing up to four dwelling units	5	10
C	Multi-family dwellings containing more than four dwelling units	6	12
D	Apartments	9	18

(b) In addition to the base net density standards from section 24-519 (a), a density bonus can be achieved with the provision of options as detailed below. In order to achieve the densities listed below, the developer shall make assurances in a master plan or otherwise for the density bonus items.

Bonus increase from base net density	Required density bonus points from list below
Up to the base net density	0
Greater than the base net density, up to and including 33 percent above the base density	2
Greater than 33 percent above the base net density, up to and including 66 percent above the base density	4
Greater than 66 percent above the base net density, up to and including 100 percent above the base density	6

	Bonus Item Options	Bonus Points
A.	For every 10 percent of the units committed to provision of affordable and workforce housing (starting above the threshold set in the county's housing opportunities policy).	2, up to a max of 4
B.	Designing a stormwater management plan that meets Chesapeake Bay Preservation Ordinance standards and requirements through extensive use of better site design/low impact development techniques, as approved by the engineering and resource protection division.	1.5
C.	Undertaking or funding a stream restoration project or stormwater management facility retrofit within the same sub-watershed, as identified by an approved watershed management plan or by the engineering and resource protection division.	1.5
D.	Achieving green building certification using EarthCraft, LEED or equivalent program for all units	1
E.	Dedicating to the county a public use site, the developable portion of which is suitable for a public facility, as determined by the county administrator or designee.	1
F.	Constructing a greenway trail and dedicating a public use easement in a location indicated by the approved Greenway Master Plan, the Virginia Outdoors Plan, or such other useful and logical location as approved by the parks and recreation director or designee.	1
G.	Preserving a single area of healthy, mature, mixed hardwood forestland at least two acres in size, within the developable portion of the site. The planning director may request that the developer provide confirmation, prepared by a certified horticulturalist, that these qualities are present.	1

H.	Preserving one of the following underlined environmentally-related conservation features. The underlined item must constitute at least 5 percent of the developable area of the site.	1
	1. <u>100 foot buffers</u> around non-RPA wetland features (isolated wetlands), intermittent streams, or from floodplain zones A or AE (where not already part of the RPA), or from the edge of the RPA buffer	
	2. <u>Soils in hydrologic groups A and B, as defined by the USDA, and as verified on-site by a licensed geotechnical engineer</u> (retain at least 50 percent of these soils on site)	
	3. <u>Conservation area as identified by an approved watershed management plan</u>	
	4. <u>Wildlife habitat corridors</u> that:	
	<ul style="list-style-type: none"> <li>• Protect a corridor at least 100 feet in width from one protected area (on or off the development property) to another protected area, and</li> </ul>	
	<ul style="list-style-type: none"> <li>• Consist of mature forestland</li> </ul>	
I.	Providing pedestrian accommodations on one side of all internal roadways, where this would exceed the requirements set forth in section 24-35 of this chapter.	1
J.	Developing binding design guidelines for the development that include superior architectural and design standards. Elements that the guidelines shall address include, but need not be limited to, provision of rear or side loading garages; use of universal design concepts; and attention to the quality of, and variation in, elements of the units such as facade materials and colors; windows, roof pitches, porches and entryways; and heights and setbacks from the right-of-way. Design guidelines shall be submitted concurrent with the master plan, and shall be reviewed and approved by the planning director.	0.5
K.	Providing a 100-foot buffer from the internal edge of a right-of-way buffer and/or perimeter buffer (must constitute at least five percent of the developable area of the site).	0.5
L.	Preserving and rehabilitating an on-site structure identified in the document entitled Historical Structures Survey, prepared by Virginia Department of Historic Resources, and dated May 2008. The structure may be re-used as a community clubhouse or private residence with appropriate deed restrictions. If the proposed cluster is within a community character area (CCA) designated by the comprehensive plan, this bonus would also be available for rehabilitation and legal preservation of a structure elsewhere within that CCA.	0.5

(c) To achieve the intent of a mixed use development, more than one land use category shall be used and no single use or use category shall exceed 80 percent of the developable land area within a mixed use

area, as delineated on the master plan. Where the mixed use development contains one or more mixed use structures (vertical mixed use), the developable land area may be converted to square feet to demonstrate compliance with this requirement.

Illustration of vertical mixed use buildings calculation.

For a vertical mixed use building of 60,000 square feet in size, no one use could exceed 48,000 square feet.

(d) For areas designated neighborhood commercial or community commercial on the comprehensive plan, all proposed structures should be mixed use structures (vertical mixed use) and residential floor area should not exceed 50 percent of the total floor area. Either of these criteria may be modified if specifically shown on a master plan approved by the board of supervisors that exceeds mixed use designation development standards in the comprehensive plan.

### **Division 17. Economic Opportunity, EO**

#### **Sec. 24-536.3. Density.**

(a) *Balance of land uses.* Not more than 15 percent of the developable land area within an economic opportunity area, as delineated on the master plan, shall be dedicated to non-primary workplace uses. The remaining 85 percent of the developable land area shall be dedicated to primary uses. Non-primary workplace uses include, retail, convenience and service uses, restaurants, child care, residential development or other uses intended to support and complement primary workplace uses. For the purposes of this requirement primary workplace uses include office, research, light industrial, or other uses that will provide a significant fiscal benefit to the county.

Additionally, non-primary workplace uses should be grouped together in an effort to maximize the area for workplace uses. The location of the non-primary workplace uses should not prevent the availability of large contiguous sections of land for office, research, or light industrial development.

(b) *Residential.* Residential dwelling units are permitted in the urban/residential core area, as delineated on the master plan, which shall not exceed 10 percent of the total developable master planned economic opportunity area. The maximum net densities of dwelling units within the developable area of the urban/residential core area which may be constructed are:

<b>Dwelling Type</b>	<b><i>Maximum Net Density</i></b>
Multi-Family structures (attached housing)	7
Apartments	10

### **Article VI. Overlay Districts**

#### **Division 1. Residential Cluster Development**

#### **Sec. 24-548. Reserved.**

#### **Sec. 24-549. Density standards.**

No project shall have a net density (including bonuses) of more than four units per acre. In order to achieve the net densities listed below, the developer shall provide at least the minimum amount of open space, and shall make assurances in a master plan, proffers, or other document approved by the county

attorney, for the density bonus items. The approval process for cluster development shall be as stated in section 24-556.

<b>Net Density</b>	<b>Percent of developable acreage as open space</b>	<b>Required density bonus points from list below</b>
Up to 1	25 percent	None
More than 1, but no more than 2	25 percent	2
More than 2, but no more than 3	30 percent	4
More than 3, but no more than 4	35 percent	6

	<b>Bonus Item Options</b>	<b>Bonus Points</b>
A.	For every 10 percent of the units committed to provision of affordable and workforce housing (starting above the threshold set in the county's housing opportunities policy, as amended)	2, up to a max of 4
B.	Designing a stormwater management plan that meets Chesapeake Bay Preservation Ordinance standards and requirements through extensive use of better site design/low impact development techniques, as approved by the engineering and resource protection division	1.5
C.	Undertaking or funding a stream restoration project or stormwater management facility retrofit within the same sub-watershed, as identified by an approved watershed management plan or by the engineering and resource protection division	1.5
D.	Meeting a majority of items (a) - (d) listed in section 24-551, Open space development design elements, as determined by the planning director	1.5
E.	Achieving green building certification using EarthCraft, LEED or equivalent program for all units	1
F.	Dedicating to the county a public use site, the developable portion of which is suitable for a public facility, as determined by the county administrator or designee	1
G.	Constructing a greenway trail and dedicating a public use easement in a location indicated by the approved greenway master plan, the Virginia outdoors plan, or such other useful and logical location as approved by the parks and recreation director or designee	1
H.	Preserving a single area of healthy, mature, mixed hardwood forestland at least two acres in size within the developable portion of the site. The planning director may request that the developer provide confirmation, prepared by a certified horticulturalist, that these qualities are present	1

I.	Retaining a single area of agricultural land designated on the United States Department of Agriculture (USDA) maps to be of prime or statewide importance that is at least five acres in size	1
J.	Preserving one of the following underlined environmentally-related conservation features. The underlined item must constitute at least five percent of the developable area of the site.	1
	1. <u>100 foot buffers</u> around non-RPA wetland features (isolated wetlands), intermittent streams, or from floodplain zones A or AE (where not already part of the RPA), or from the edge of the RPA buffer;	
	2. <u>Soils in hydrologic groups A and B, as defined by the USDA, and as verified on-site by a licensed geotechnical engineer</u> (retain at least 50 percent of these soils on site);	
	3. <u>Conservation area as identified by an approved watershed management plan</u> ; or	
	4. <u>Wildlife habitat corridors</u> that:	
	a. Protect a corridor at least 100 feet in width from one protected area (on or off the cluster property) to another protected area, and	
	b. Consist of mature forestland	
K.	Providing pedestrian accommodations on one side of all internal roadways, where this would exceed the requirements set forth in section 24-35 of this chapter	1
L.	Developing binding design guidelines for the development that include superior architectural and design standards. Elements that the guidelines shall address include, but need not be limited to, provision of rear or side loading garages; use of universal design concepts; and attention to the quality of, and variation in, elements of the units such as facade materials and colors; windows, roof pitches, porches and entryways; and heights and setbacks from the right-of-way. Design guidelines shall be submitted concurrent with the master plan, and shall be reviewed and approved by the planning director	0.5
M.	Providing a 100-foot buffer from the internal edge of a right-of-way buffer and/or perimeter buffer (must constitute at least five percent of the developable area of the site)	0.5
N.	Preserving and rehabilitating an on-site structure identified in the document entitled Historical Structures Survey, prepared by Virginia Department of Historic Resources, and dated May 2008. The structure may be re-used as a community clubhouse or private residence with appropriate deed restrictions. If the proposed cluster is within a community character area (CCA) designated by the comprehensive plan, this bonus would also be available for rehabilitation and legal preservation of a structure elsewhere within that CCA	0.5



**RESOLUTION**

**INITIATION OF CONSIDERATION OF AMENDMENTS TO THE ZONING ORDINANCE**

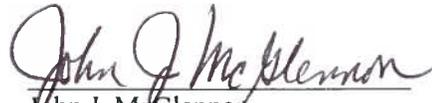
**TO CONSIDER POSSIBLE AMENDMENTS REGARDING HOW DENSITY IS**

**CALCULATED FOR RESIDENTIAL DEVELOPMENTS**

WHEREAS, section 15.2-2286(A)(7) of the Code of Virginia, 1950, as amended (the "Virginia Code"), and County Code Section 24-13 authorize the Board of Supervisors of James City County, Virginia (the "Board"), to, by resolution, initiate amendments to the regulations of the Zoning Ordinance that the Board finds to be prudent and required by public necessity, convenience, general welfare, or good zoning practice; and

WHEREAS, the Board is of the opinion that the public necessity, general welfare, and good zoning practice warrant the consideration of amendments to the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby initiate amendment of the James City County Code, Chapter 24, Zoning, in order to consider possible amendments regarding how density is calculated for residential developments. The Planning Commission shall hold at least one public hearing on the consideration of amendments to said Zoning Ordinances and shall forward its recommendation to the Board of Supervisors in accordance with the law.

  
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 12th day of April, 2022.

InitConsGrossDensRD-res

### Comparison of Density Calculation Methods

Parcel Size: 10 acres

Proposed Density: 2 units per acre

Percent Non-Developable	Gross			Alternative Method – Single Number (35%)			Alternative Method – Stepped			Net		
	# of Units	Resulting Density on Developable Land	Resulting Density on Total Parcel Area	# of Units	Resulting Density on Developable Land	Resulting Density on Total Parcel Area	# of Units	Resulting Density on Developable Land	Resulting Density on Total Parcel Area	# of Units	Resulting Density on Developable Land	Resulting Density on Total Parcel Area
0%	20	2	2	20	2	2	20	2	2	20	2	2
10%	20	2.2	2	20	2.2	2	20	2	2	18	2	1.8
20%	20	2.5	2	20	2.5	2	20	2	2	16	2	1.6
30%	20	2.9	2	20	2.9	2	18	2.6	1.8	14	2	1.4
40%	20	3.3	2	19	3.2	1.9	16	2.7	1.6	12	2	1.2
50%	20	4	2	17	3.4	1.7	13	2.6	1.3	10	2	1
60%	20	5	2	15	3.8	1.5	11	2.8	1.1	8	2	0.8
70%	20	6.7	2	13	4.3	1.3	9	3	0.9	6	2	0.6
80%	20	10	2	11	5.5	1.1	6	3	0.6	4	2	0.4
90%	20	20	2	9	9	0.9	4	4	0.4	2	2	0.2

**ITEM SUMMARY**

DATE: 4/5/2023

TO: The Planning Commission

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

SUBJECT: Planning Director's Report - April 2023

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**ATTACHMENTS:**

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

**REVIEWERS:**

Department	Reviewer	Action	Date
Planning Commission	Holt, Paul	Approved	3/27/2023 - 12:08 PM
Planning Commission	Holt, Paul	Approved	3/27/2023 - 12:08 PM
Publication Management	Pobiak, Amanda	Approved	3/27/2023 - 12:13 PM
Planning Commission	Holt, Paul	Approved	3/27/2023 - 12:17 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:**
  - **March 14, 2023**
    - AFD-22-0019. 1245 Stewarts Road Barnes Swamp AFD Withdrawal (Approved 5-0)
    - AFD-22-0017. 7294 Richmond Road Hill Pleasant Farm AFD Withdrawal (Denied 3-2)
    - SUP-22-0015. 7294 & 7296 Richmond Rd. Pivot Energy Solar Project (Denied 3-2)
    - SUP-22-0007. Branscome Resource Recovery and Aggregate Storage (Approved 5-0)

➤ **Community Development**

Construction of the Richmond Road Bike Lane and Pedestrian Accommodations project through Toano began on March 13, 2023. This project will provide bike lanes, sidewalks, landscaping, and stormwater improvements through Toano from Forge Road to Toano Middle School.

➤ **Building Safety & Permits**

Tom Coghill and David Malarkey attended the 2023 Virginia Building and Code Officials Association Mid-Year Conference in Harrisonburg on March 27. A general membership meeting was held in the morning where VBCOA Officers spoke about the association's training, code development, and public information activities. The afternoon included training on new materials, construction methods, and code updates.

**New Cases for April**

<b>Plan Type</b>	<b>Plan Number</b>	<b>Case Title</b>	<b>Address</b>	<b>Plan District</b>	<b>Plan Description</b>	<b>Plan Assigned To</b>
<b>Conceptual Plan</b>	C-23-0006	2016 Forge Road Event Venue & Outdoor Pavilion	2016 FORGE RD Lanexa, VA 23168	Powhatan	Proposal to use property to host indoor and outdoor events, to include weddings, receptions, banquets, anniversaries, meetings or conferences. Plan to build outdoor pavilion in future.	Suzanne Yeats
	C-23-0008	Stonehouse 2019 Proffer 3.1(d) - Rt. 30 / I-64 Westbound Ramps Signal Justification Report	9250 SIX MOUNT ZION RD Toano, VA 23168	Stonehouse	Stonehouse 2019 Proffer 3.1(d) - Rt. 30 / I-64 Westbound Ramps Signal Justification Report.	Thomas Wysong
	C-23-0009	Stonehouse 2019 Proffer 3.1(e) - Rt. 30 / La Grange Parkway Intersection Signal Justification Report	9250 SIX MOUNT ZION RD Toano, VA 23168	Stonehouse	Stonehouse 2019 Proffer 3.1(e) - Rt. 30 / La Grange Parkway Intersection Signal Justification Report.	Thomas Wysong
	C-23-0010	Stonehouse 2019 Proffer 3.2(a) - Six Mount Zion Road / Fieldstone Parkway Intersection Signal Justification Report	9250 SIX MOUNT ZION RD Toano, VA 23168	Stonehouse	Stonehouse 2019 Proffer 3.2(a) - Six Mount Zion Road / Fieldstone Parkway Intersection Signal Justification Report.	Thomas Wysong
	C-23-0011	100 Ashby Park Drive SUP (York County Courtesy Review)	101 MOUNTS BAY RD Williamsburg, VA 23185	Roberts	100 Ashby Park Drive SUP (York County Courtesy Review) Auto Dealership.	Ben Loppacker
	C-23-0012	4571 Ware Creek Rd- Proposed office building and parking lot expansion	4571 WARE CREEK RD Williamsburg, VA 23188	Stonehouse	4571 Ware Creek Rd- Proposed office building and parking lot expansion.	Terry Costello
	C-23-0013	"3150 Jolly Pond Road Subdivision" Shared Driveway Exception Request	3158 JOLLY POND RD Williamsburg, VA 23188	Powhatan	"3150 Jolly Pond Road Subdivision" Shared Driveway Exception Request.	Thomas Wysong
	C-23-0014	Boat Dry Storage Facility	2054 JAMESTOWN RD Williamsburg, VA 23185	Roberts	Proposal for a Boat Dry Storage Facility at Billsburg.	Suzanne Yeats
	C-23-0015	7617 White Oak Drive- Manufactured Home	7617 WHITE OAK DR Lanexa, VA 23089	Powhatan	Applicant is seeking to construct a manufactured home (or tiny home) along with a separate garage & shed/office space. Manufactured homes that are on a permanent foundation are permitted in A-1. Refer to Sec. 24-108. - Special requirements for manufactured homes or mobile homes.	Ben Loppacker
<b>Subdivision Plat</b>	S-23-0003	499 Jolly Pond Rd. Colonial Heritage Phase 5, Section 2A (5-2A) Plat	499 JOLLY POND RD Williamsburg, VA 23188	Stonehouse	499 Jolly Pond Rd. Colonial Heritage Phase 5, Section 2A (5-2A) Plat.	Suzanne Yeats
	S-23-0004	4101 & 3851 Monticello Ave BLE Settlement at Powhatan Creek Phase 4	4101 MONTICELLO AVE Williamsburg, VA 23188	Berkeley	4101 & 3851 Monticello Ave Boundary Line Extinguishment Settlement at Powhatan Creek Phase 4.	Ben Loppacker
	S-23-0007	3094 Forge Road Boundary Line Adjustment Correction	3026 FORGE RD Toano, VA 23168	Powhatan	Amended Boundary Line Adjustment Plat Between Parcel 1230100014 & 1230100013.	Suzanne Yeats
	S-23-0008	112-114 Heathery Boundary Line Extinguishment	112 HEATHERY Williamsburg, VA 23188	Jamestown	Property Line Extinguishment Between Lots 148 and 149, Section XI-A, Ford's Colony at Williamsburg.	Ben Loppacker
	S-23-0009	Courthouse Plat	1703 JOLLY POND RD Williamsburg, VA 23188	Powhatan	Courthouse Plat	Josh Crump
	S-23-0010	Courthouse Plat	1700 JOLLY POND RD Williamsburg, VA 23188	Powhatan	Courthouse Plat	Josh Crump
	S-23-0011	8526 & 8536 Pocahontas Trail Boundary Line Adjustment	8536 POCAHONTAS TRL Williamsburg, VA 23185	Roberts	8526 & 8536 Pocahontas Trail Boundary Line Adjustment	Terry Costello

Plan Type	Plan Number	Case Title	Address	Plan District	Plan Description	Plan Assigned To
Site Plan	SP-23-0016	Veterans Park Lighting Plan Amendment	3793 IRONBOUND RD Williamsburg, VA 23188	Berkeley	Replacing the pickleball courts, basketball courts and the play ground outdoor lighting.	Andrea Case
	SP-23-0018	90% Plans for the Tawning Road BMP Retrofit. A conceptual plan was previously submitted C-22-0082	117 TEWNING RD Williamsburg, VA 23188	Jamestown	90% Plans for the Tawning Road BMP Retrofit. A conceptual plan was previously submitted C-22-0082.	Thomas Wysong
	SP-23-0019	Anchor Cove at Williamsburg Landing	99 MARCLAY RD Williamsburg, VA 23185	Roberts	Anchor Cove at Williamsburg Landing Site Plan (77 units & Community Center)	Thomas Wysong
	SP-23-0020	Busch Gardens Food and Wine Fest (Oktoberfest Carts) Site Plan Amendment	7851 POCAHONTAS TRL Williamsburg, VA 23185	Roberts	This plan is a renewal of SP-0024-2014. There are no proposed revisions to the previously approved plans. This is simply to maintain an active site plan for annual building permit renewals.	Ben Loppacker
	SP-23-0021	Busch Gardens Food and Wine Fest (Germany Carts) Site Plan Amendment	7851 POCAHONTAS TRL Williamsburg, VA 23185	Roberts	This plan is a renewal of SP-0011-2013. There are no proposed revisions to the previously approved plans. This is simply to maintain an active site plan for annual building permit renewals.	Ben Loppacker
	SP-23-0022	Busch Gardens Food and Wine Fest (Italy Kiosk) Site Plan Amendment	7851 POCAHONTAS TRL Williamsburg, VA 23185	Roberts	This plan renews SP-0014-2015 to permit a temporary kiosk on an existing concrete sidewalk in the Italy section of Busch Gardens.	Ben Loppacker
Subdivision Construction Plan	SPLN-23-0001	Ridgewood Hills - Minor Subdivision	5327 OLDE TOWNE RD Williamsburg, VA 23188	Powhatan	Ridgewood Hills - Minor Subdivision	Terry Costello
Special Use Permit	SUP-23-0010	2884 Lake Powell Road Short Term Rental	2884 LAKE POWELL RD Williamsburg, VA 23185	Roberts	2884 Lake Powell Road Short Term Rental	Terry Costello
Rezoning	Z-23-0002	Colonial Heritage - Pickleball Proffers Amendment	6799 RICHMOND RD Williamsburg, VA 23188	Stonehouse	Colonial Heritage - Pickleball Proffers Amendment	Paxton Condon
Zoning Verification Letter	ZVL-23-0006	5000 Foundation Street Condominium Unit C-6 Foundation Square	5000 FOUNDATION ST Williamsburg, VA 23188	Jamestown	Request for verification of Zoning, permitted uses, and record of zoning violations.	John Rogerson