MINUTES
JAMES CITY COUNTY PLANNING COMMISSION
REGULAR MEETING
COUNTY GOVERNMENT CENTER BOARD ROOM
101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185
March 6, 2024
6:00 PM

A. CALL TO ORDER

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

B. ROLL CALL

Planning Commissioners Present:
Frank Polster
Tim O'Connor
Jack Haldeman
Stephen Rodgers
Jay Everson
Scott Maye
Kira Allmann

Staff Present:
Susan Istenes, Director of Planning
Liz Parman, Deputy County Attorney
Josh Crump, Principal Planner
Jose Ribeiro, Senior Planner II/Landscape Planner
Amanda Frazier, Community Development Assistant

C. PUBLIC COMMENT

Mr. Polster opened Public Comment.

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

D. REPORTS OF THE COMMISSION

Mr. Haldeman stated that the Policy Committee February 8, 2024, meeting, came to order at 3 p.m. with a quorum present.

Mr. Haldeman stated that the Committee reviewed the Fiscal Year (FY) 2025-2029 Capital Improvements Program Staff asked that the Committee members submit questions to Ms. Costello Senior Planner and/or Ms. Paxton Condon, Deputy Zoning Administrator/Senior Planner, answers would follow at the February 22, 2024, meeting. Mr. Haldeman further stated that Ms. Cheryl Holland, Budget Manager, described this year's evaluation process and how it will be different from that of prior years. The five projects, a new warehouse, a spare study for the Courthouse, two projects for the Chickahominy Riverfront Park, and a Police firing range classroom will be evaluated separately from unfunded projects left over from prior years. Mr. Haldeman stated that, pursuant to the Board of Supervisors' resolution concerning large-scale solar farm applications, adopted April 11, 2023, the Committee reviewed a draft Utility-Scale and Community Solar Facilities Policy and a draft Solar Facility Ordinance amendment. Mr. Haldeman stated that the discussion omitted accessory solar facilities, which will not be covered by the policy or Zoning Ordinance.

Mr. Haldeman stated that the solar facilities policy will inform the Board of Supervisors' consideration of SUPs for such facilities, "generally defined as those facilities which are non-accessory facilities and consist of ground-mounted photovoltaic panels generating electricity for commercial distribution." The policy addresses the impacts of these facilities and several mitigation procedures. Mr. Haldeman stated that the Ordinance amendments cover applicability and permitting, the application process, SUP factors to be considered, minimum development standards, district use lists, construction constraints, transmission lines, and decommissioning. Mr. Haldeman stated that the Committee members submitted several questions to be taken up at the next meeting.

Mr. Haldeman stated that the second meeting was held on February 22, 2024, with a quorum present. Mr. Haldeman further stated that the Committee again reviewed the FY 2025-2029 CIP and received answers to questions submitted in writing. Several follow-up questions were submitted. Mr. Haldeman further stated that the next meeting was scheduled for February 29, 2024. Mr. Haldeman stated that pending satisfactory answers to follow-up questions, Committee members will submit their rankings of the five projects irrespective of outstanding unfunded projects from prior years. Mr. Haldeman stated that the February 29, 2024, and March 14, 2024, meetings were cancelled.

E. CONSENT AGENDA

1. Minutes of the February 7, 2024, Regular Meeting

2. Initiation of Consideration of Amendments to the Zoning Ordinance Regarding Solar Energy Generating Facilities

   Mr. Polster requested to discuss the Initiation of Consideration of Amendments to the Zoning Ordinance Regarding Solar Energy Generating Facilities.

   On a voice vote, the Commission voted to approve the Minutes of the February 7, 2024, Regular Meeting. (7-0)

   Mr. Polster stated that, upon discussion with Ms. Istenes, Director of Planning, the Board of Supervisors or the Planning Commission could initiate the Ordinance. Mr. Polster requested clarification on the process from Ms. Liz Parman, Deputy County Attorney.

   Ms. Parman stated that the process would be delayed. Mr. Polster stated that delaying the process would allow the Commissioners more time to review the materials and interact with staff.

   Discussion ensued.

   Mr. Everson made a motion to deny the Initiation of Consideration of Amendments to the Zoning Ordinance Regarding Solar Energy Generating Facilities.

On a roll call vote, the Commission voted to deny the Initiation of Consideration of Amendments to the Zoning Ordinance Regarding Solar Energy Generating Facilities. (6-1)

F. PUBLIC HEARING(S)

1. ORD-24-0002. Amendments and Policy to Address Solar Energy Generating Facilities

   Mr. Polster stated that the Public Hearing would be delayed.

G. PLANNING COMMISSION CONSIDERATIONS

1. ORD-24-0002. Amendments and Policy to Address Solar Energy Generating Facilities

   Mr. Polster stated that the Public Hearing would be delayed.

H. PLANNING DIRECTOR'S REPORT

1. Planning Director's Report - March 2024

   Ms. Istenes stated that she had nothing in addition to the report provided in the Agenda Packet.

2. Draft Calendar for 2024/2025

   Ms. Istenes stated that the draft calendar for 2024/2025 was included in the Agenda Packet. Ms. Istenes stated that the calendar would be approved at the March 18, 2024, Business Meeting.

   Mr. Josh Crump, Principal Planner, presented the changes and highlights of the calendar to the Commission. Mr. Crump stated that the meeting start times had been changed to 5 p.m. per the directive of the Board of Supervisors asking all Boards and Commissions to move their meeting start times to 5 p.m. or earlier. Mr. Crump stated that the Joint Work Session Meeting would be listed as tentative at this time. Some Regular Meeting dates were changed due to federal holiday conflicts, which were reflected in the draft calendar.

   Mr. O'Connor expressed his concern about changing the start time to 5 p.m., stating that meeting earlier would make it more difficult for Commissioners and citizens to attend and participate in the meetings.

   Discussion ensued.

   Mr. Haldeman made a motion to recommend to the Board of Supervisors that the start time for Regular Planning Commission meetings remain at 6 p.m.

   On a roll call vote, the Commission voted to make a recommendation to the Board of Supervisors that the start time for Regular Planning Commission meetings remain at 6 p.m. (7-0)

Mr. Crump also presented the possibility of changing the start time of the DRC meetings to 3 p.m.

The Commission determined that it did not support changing the start time of the DRC meetings.

I. PLANNING COMMISSION DISCUSSION AND REQUESTS

Mr. Polster opened the floor for discussion.

Mr. Polster shared a set of discussion items on the draft Solar Ordinance and policy for the Commission to consider.

Discussion ensued on various points of concern.

Ms. Parman noted that the Commission did not adopt an Initiating Resolution and should not discuss Zoning text amendments.

J. ADJOURNMENT

Mr. Everson made a motion to adjourn.

The meeting was adjourned at approximately 6:50 p.m.

Susan Istenes, Secretary

Frank Polster, Chair