

MINUTES
JAMES CITY COUNTY POLICY COMMITTEE
REGULAR MEETING
Building A Large Conference Room
101 Mounts Bay Road, Williamsburg, VA 23185
July 14, 2016
4:00 PM

A. CALL TO ORDER

Mr. Richard Krapf called the meeting to order on Thursday, July 14, 2016 at approximately 4:00 p.m.

B. ROLL CALL

Present:

Mr. Richard Krapf
 Mr. Heath Richardson
 Mr. Danny Schmidt
 Mr. John Wright, III

Absent:

None

Staff:

Ms. Tammy Rosario, Principal Planner
 Ms. Ellen Cook, Principal Planner
 Mr. Scott Whyte, Senior Landscape Planner II
 Mr. Jose Ribeiro, Senior Planner II
 Ms. Savannah Pietrowski, Planner
 Ms. Roberta Sulouff, Planner
 Mr. Alex Baruch, Planner
 Ms. Tori Haynes, Community Development Assistant
 Mr. Jake Hoioos, Intern

Ms. Tammy Rosario introduced new staff member Ms. Tori Haynes and summer intern Mr. Jake Hoioos.

C. MINUTES

1. May 12, 2016 Minutes

Mr. Heath Richardson moved to approve the May 12, 2016 minutes.

The minutes were approved 4 – 0.

D. OLD BUSINESS

1. Zoning Ordinance Revisions to Reduce Parking Requirements, Stage III

Mr. Scott Whyte gave a presentation on Stage III of the Zoning Ordinance revisions to reduce parking requirements. Mr. Whyte stated that staff proposed several ordinance revisions at the June 2016 Policy Committee meeting, including changes to retail and office floor area calculations, parking minimums for multi-family dwellings, parking minimums for nursing homes, shared parking requirements, mass transit plans, the appeals process, and deletion of Section 24-55(a)(2). At the Committee's request, Mr. Whyte further researched parking minimums for multi-family dwellings in Albemarle

County. He reported that Albemarle County staff indicated their multi-family parking requirements are sufficient and they have no plans to amend it. Mr. Whyte was also asked to compare parking requirements for barbershops and beauty parlors to other localities. After comparing James City County to the City of Williamsburg, York County, and Albemarle County, Mr. Whyte found that James City County had the highest parking requirements for barbershops and beauty parlors. Therefore, staff now proposes to lower the minimums to three spaces for the first chair, and two spaces for each additional chair. Mr. Whyte welcomed comments and questions from the Committee.

Mr. Richardson said he concurred with reducing the minimum parking for barbershops and beauty parlors.

Mr. Krapf thanked Mr. Whyte for the extra research.

A motion was made by Mr. Richardson to forward the ordinance as received to the Planning Commission.

The motion passed 4 – 0.

2. Zoning Ordinance Revisions to the Mixed Use District, Stage II

Ms. Ellen Cook presented Stage II of the Zoning Ordinance revisions to the mixed use district. Section 24-517 has been eliminated, thereby allowing mixed use development on parcels less than five acres. Section 24-519 has been revised to clarify the mix of uses calculation as it applies to vertical mixed use structures, and add specifications for mixed use zoned development in areas designated Neighborhood or Community Commercial in the Comprehensive Plan. Section 24-520 has been revised to remove the prohibition on counting landscape area adjacent to buildings toward the required percentage of open space. Section 24-523 has been revised to clarify the right-of-way and perimeter buffer standards. After summarizing the proposed ordinance revisions, Ms. Cook welcomed comments and questions from the Committee.

Mr. John Wright asked about unintended consequences that could lead to problems if the County allowed mixed use on less than five acres.

Ms. Cook stated many of the issues would be resolved during the master plan review process.

Mr. Wright asked if there is a demand for rezoning agricultural areas to mixed use.

Ms. Cook stated that none of the inquiries have been in that category. She noted that rezonings can be approved or denied based on the conformity with the Comprehensive Plan.

Mr. Krapf stated there are other legislative safe guards and ordinances to prevent inappropriate development.

Mr. Richardson asked about the vertical height limit in the County.

Ms. Cook stated each district has a different height limit. In the Mixed Use District the height limit is 60 feet unless there is a height waiver.

Mr. Danny Schmidt expressed concern for eliminating the prohibition on counting landscape area adjacent to buildings toward the required percentage of open space. He asked if that could be an adjacent lot.

Ms. Cook explained that it would not include adjacent lots. She stated the landscape area directly around a building cannot currently be counted as open space. The ordinance revision would remove that prohibition.

Mr. Wright stated it could conceivably lead to slightly larger buildings.

Mr. Krapf stated the revision could be a tool to encourage mixed-use infill in areas that otherwise might languish because of other restrictions.

A motion was made by Mr. Wright to have staff prepare a clean draft for the September meeting.

The motion passed 4 – 0.

3. Wireless Communications Facilities and Towers, Stage II

Mr. Whyte and Ms. Savannah Pietrowski gave a presentation on Stage II of the proposed Zoning Ordinance revisions for wireless communication facilities and towers.

Mr. Whyte stated that at the May 12 Policy Committee meeting, staff was directed to incorporate microwave, radio and other types of towers into the ordinance, as well as update the ordinance to comply with the Spectrum Act. Mr. Whyte stated that staff is proposing to amend the name of the ordinance to Communication Facilities, dropping the term “wireless” in order to include the other uses. Staff is also proposing to amend all references to “wireless communication facilities” to the more encompassing term “communication facilities, antennas, towers and/or support structures,” or CATS for short. Staff is also proposing amendments to Tables 1.1 and 2 to correct some discrepancies and present the use list in a clearer manner.

Ms. Pietrowski stated that staff is developing a separate application process for towers that would comply with the requirements of the Spectrum Act, which has a different set of standards through which tower applications can be reviewed. Those submittal requirements have been updated in the ordinance in Section 24-128. Ms. Pietrowski stated that staff has also revised the submittal requirements for new tower applications that require a Special Use Permit by requiring a balloon test at both the proposed height and the new by-right allowable expansion of an additional 10% or 20 feet.

Mr. Krapf asked for clarification on the height considerations.

Ms. Pietrowski stated that staff is requesting feedback from the Policy Committee about reducing the maximum height of towers by 10% or 20 feet to effectively maintain a status quo height limit.

Mr. Richardson asked why it would be negative to allow towers to expand in height.

Mr. Wright stated that there have been issues in the past with the visual aesthetic of tall towers, particularly near residential areas. He expressed concern that tower-related companies will always seek the maximum allowable height.

Mr. Schmidt expressed concern about the visual impact of taller towers.

Ms. Pietrowski stated that these changes would only apply to new towers. If the heights are not reduced, heights of towers that would require an SUP could still be considered on a case-by-case basis.

Mr. Schmidt recommended that the heights be formally reduced in the ordinance for

consistency going forward.

Mr. Krapf asked Ms. Pietrowski to include the height reductions in the next ordinance draft.

Ms. Pietrowski confirmed that she would.

Mr. Krapf asked Ms. Pietrowski to summarize the Spectrum Act for clarity.

Ms. Pietrowski stated that the intent of the Spectrum Act is to allow cell tower carriers to improve their ability to expand their towers and provide better service. When a tower application comes in and there is no substantial change to the tower, the County essentially has to approve it within a certain period of time under the new provisions of the Spectrum Act.

Mr. Krapf asked for clarification on approval of concealed towers.

Ms. Pietrowski stated that if a tower is approved with concealment provisions, there is more flexibility for regulating that tower's expansion in the future. She suggested strengthening the standard SUP conditions for towers, or expanding the ability for a tower to be classified as concealed.

Mr. Wright asked if a new non-concealed tower could be installed near sensitive areas like Jamestown if the County does not have concealment requirements.

Ms. Pietrowski stated the Spectrum Act only applies to changes to existing towers, such as antenna replacement.

Mr. Krapf supported incorporating concealment regulations into the ordinance.

Mr. Richardson asked if the Spectrum Act would apply to an existing tower that is completely replaced.

Ms. Pietrowski stated she would verify that information with the County Attorney's Office as well as a consulting attorney who specializes in the Spectrum Act.

Mr. Whyte stated that staff revised the use list for each district to reflect the effort to include all types of tower applications, such as microwave and radio towers. Staff also proposed changes to the associated policy, Performance Standards for Wireless Communication Facilities that Require a Special Use Permit.

Ms. Pietrowski stated that if concealment language is added to the ordinance, the policy may need to be revised as well. All revisions would be presented at the Stage III meeting.

4. Food Trucks Update

Ms. Roberta Sulouff stated that staff prepared a two-part community outreach strategy involving a survey component followed by a community meeting on August 25 to discuss food trucks with local business owners. Draft ordinance language for food trucks will be provided at the next Policy Committee meeting.

E. NEW BUSINESS

1. Review of CIP process

Mr. Jose Ribeiro presented the FY18 Capital Improvements Program schedule.

Mr. Richardson asked when the School Board will submit their CIP requests.

Mr. Ribeiro stated that their projects would be submitted in December.

Mr. Richardson recommended having a preliminary meeting prior to the December deadline to review the CIP process with the new School Board members and Superintendent.

2. Joint Work Session Update

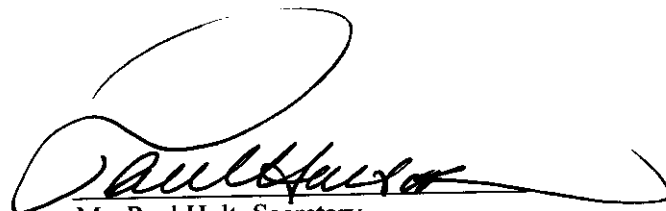
Mr. Krapf reminded the Policy Committee about Planning Commission's joint work session with the Board of Supervisors.

F. ADJOURNMENT

A motion to adjourn was made by Mr. Wright at approximately 5:00 p.m.

The motion passed 4 – 0.


Mr. Rich Krapf, Chair


Mr. Paul Holt, Secretary