

MINUTES
JAMES CITY COUNTY POLICY COMMITTEE
REGULAR MEETING
Building A Large Conference Room
101 Mounts Bay Road, Williamsburg, VA 23185
December 13, 2018
4:00 PM

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

Julia Leverenz

Tim O'Connor

Heath Richardson

Planning Commissioners:

Danny Schmidt

Frank Polster

Staff:

Paul Holt, Director of Community Development and Planning

Tammy Rosario, Principal Planner

Alex Baruch, Senior Planner

Tori Haynes, Planner

Tom Leininger, Planner

John Risinger, Community Development Assistant

C. MINUTES

1. November 8, 2018 Meeting Minutes

Ms. Julia Leverenz made a motion to approve the November 8, 2018, meeting minutes.

The motion passed 5-0.

D. OLD BUSINESS

1. ORD-18-0013. Proposed Zoning Ordinance Amendments Regarding Master Plan Consistency Determinations

Mr. Haldeman opened the discussion.

Mr. Paul Holt stated that the Board of Supervisors (BOS) gave additional direction for the Ordinance amendment. He stated the BOS would like any substantive changes to a master plan that involved dwelling units to go through the Public Hearing process.

Mr. Rich Krapf asked if the developer would be required to pay additional fees for the Public Hearing. He asked if developers had given any feedback about the proposed changes.

Mr. Holt stated that they would be required to submit a new application with the associated

fees. He stated that the Ordinance amendments have not been advertised for a Public Hearing yet so developers may not be aware.

Ms. Leverenz asked if the Ordinance amendments would be advertised for a Public Hearing.

Mr. Holt confirmed.

Ms. Leverenz stated that the amendment should reference Section 24-13 of the Zoning Ordinance.

Mr. Tim O'Connor requested to have the County Attorney's office give guidance about the proposed Ordinance amendments. He stated that there may be concerns between the County and developers when amending approved master plans.

Mr. Krapf agreed.

Ms. Leverenz asked if the proposed process had been used in the past.

Mr. Holt confirmed.

Mr. O'Connor stated that the process should be predictable for developers.

Mr. Holt stated that no action is required from the Policy Committee at this time.

Mr. Haldeman stated that the discussion would continue at the next meeting.

E. NEW BUSINESS

1. Proposed Ordinance Amendments to Address Protections for the Public Water Supply and Areas of Public Health and Water Quality Sensitivity

Mr. Haldeman opened the discussion.

Ms. Tori Haynes stated that the BOS expressed interest in discussing regulations to protect the drinking water supply. She stated that the BOS requested that the regulations be added to the Special Regulations section of the Zoning Ordinance. She stated that the regulations could have enhanced requirements for certain uses or uses that are within a certain distance of a public water supply.

Ms. Leverenz asked if the BOS expressed any preferences for the regulations to require permits or impact studies.

Ms. Haynes stated that the BOS only requested the regulation to be added to the Special Regulations section of the Zoning Ordinance.

Mr. O'Connor asked how the County would define areas of public health and water quality sensitivity.

Mr. Haldeman stated that Newport News defines them as areas within 200 feet of reservoirs or tributaries.

Mr. Holt stated that the regulations are specific to the drinking water reservoirs.

Mr. O'Connor stated that he has concerns about removing property rights from the citizens.

Ms. Leverenz asked if any action needed to be taken during the meeting.

Ms. Haynes stated that the purpose was to provide an update to the Policy Committee.

Mr. Haldeman asked if the Policy Committee needed to express a preference for how the Ordinance should be written.

Mr. Holt stated that the Policy Committee could wait until a draft Ordinance is written. He stated that this item would be discussed further at a future meeting.

Mr. Haldeman asked if there were any other comments.

There were none.

2. Proposed Ordinance Amendments to Address Code of Virginia Changes Regarding Wireless Communication Facilities

Mr. Haldeman opened the discussion.

Mr. Tom Leininger stated that in 2017 and 2018, the General Assembly passed legislation requiring changes to how local Zoning Ordinances may treat applications for wireless communications facilities. He stated the changes were intended to support the deployment of 5G technology. He stated that the Zoning Ordinance would need to be updated to remain consistent with State and Federal requirements.

Mr. Haldeman stated that Code of Virginia changes restrict the localities' ability to regulate the placement of antennas.

Mr. Holt stated that the changes have strict requirements for the staff review of communication facilities. He stated that this item would be discussed further at a future meeting.

Mr. Haldeman asked if there were any other comments.

There were none.

3. Preparation for Review of the County's 2015 Adopted Comprehensive Plan

Mr. Haldeman opened the discussion.

Ms. Tammy Rosario stated that the Planning Division is preparing for the review of the County's adopted Comprehensive Plan. She stated that discussions would be started between the Planning Commission (PC) and BOS to determine the priorities for the Comprehensive Plan. She stated that staff would complete a large amount of the work but consultant support would also be utilized. She stated that the Community Participation Team (CPT) would be formed during the summer.

Mr. Haldeman asked how the CPT members are chosen.

Ms. Rosario stated that the CPT is comprised of the Policy Committee and selected members of the community. She stated that the BOS would decide the final selection of CPT members. She stated that the Planning Commission Working Group would start about a year into the process.

Mr. Heath Richardson asked who would be part of the Planning Commission Working Group.

Ms. Rosario stated that the PC members and a member of the CPT will be part of the group.

Mr. O'Connor asked if any consultants had been chosen for the Comprehensive Plan.

Ms. Rosario stated that the selection of consultants have not been finalized yet. She stated that the Hampton Roads Transportation Organization (HRTPO) would assist with the transportation section.

Mr. Holt stated further discussions would be held to get direction from the PC and BOS.

Ms. Rosario stated that there would be a robust public participation aspect. She stated that the BOS would be updated frequently throughout the process. She stated that the transportation study would be a joint effort with the City of Williamsburg and York County. She stated that sea level rise, broadband infrastructure and surface and ground water availability and sustainability would be new areas required by State Code to be addressed in the Comprehensive Plan. She stated that meetings with the PC and BOS will determine the priorities for the Comprehensive Plan.

Mr. Krapf asked if the new requirements would require additional funding allocated in the budget.

Ms. Rosario stated that the requirements have been incorporated in the budget.

Mr. Halderman asked if there would be a report about the results of the previous Comprehensive Plan.

Mr. Holt stated that the Strategic Plan has deliverables that can be used to measure the implementation of the Strategic Plan.

Ms. Leverenz asked if there was a master list for the updates of the Comprehensive Plan actions.

Ms. Rosario stated that progress for the Goals, Strategies and Actions (GSAs) are tracked and updated annually by staff.

Mr. O'Connor stated that changes to legislation could change the GSAs.

Mr. Frank Polster stated that the scenario planning and cumulative impacts sections are important for the structure of the Comprehensive Plan. He asked what the timeline would be for their sections.

Mr. Holt stated that funding for the scenario planning and cumulative impact sections was approved for Fiscal Year 2020.

Mr. Polster stated that he was interested in flooding concerns being addressed in the Comprehensive Plan.

Mr. Holt stated that the Hampton Roads Planning District Commission (HRPDC) adopted maps showing the estimated sea level rise.

Mr. Polster stated that he has concerns with transportation corridors needing to be raised as a result of flooding.

Mr. Holt stated that analysis has been done by the HRPDC to show what roads are at risk of flooding due to sea level rise.

Mr. Danny Schmidt stated that many localities are now studying the impacts of sea level rise.

Mr. Polster stated that the study of flooding is important to emergency management.

Ms. Leverenz stated that tourist home and rental of rooms applications could be a subject to study for the Comprehensive Plan.

Mr. Holt stated that the Economic Development Authority is studying the diversity of economic activities.

Ms. Rosario stated that the Commissioners could compile their ideas regarding focus areas and bring them to the next meeting.

Mr. Schmidt asked how much of the previous Comprehensive Plan focused on rural lands.

Mr. Polster stated that the BOS should give direction about how the Primary Service Area should be approached.

Mr. Haldeman stated that a question about the Purchase of Development Rights program could be included in the survey.

Mr. Polster stated that the conservancy of the Wrights Island and Yarmouth Island Agricultural and Forestal Districts could become important for tourism.

Mr. O'Connor stated that he was interested in potential growth along Pocahontas Trail. He questioned what the potential of the Economic Opportunity Zoning District may be.

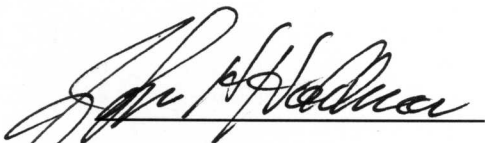
Mr. Haldeman asked if there were any further comments.

There were none.

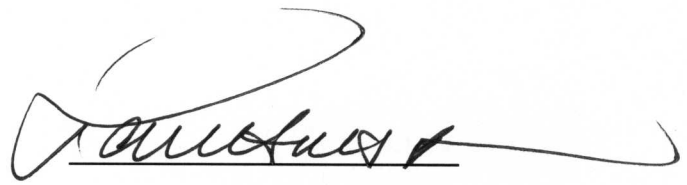
F. ADJOURNMENT

Mr. Krapf made a motion to adjourn. The motion passed 5-0.

Mr. Haldeman adjourned the meeting at approximately 5:30 p.m.



Mr Jack Haldeman, Chair



Mr. Paul Holt, Secretary