

MINUTES
JAMES CITY COUNTY POLICY COMMITTEE
REGULAR MEETING
Building A Large Conference Room
101 Mounts Bay Road, Williamsburg, VA 23185
February 13, 2020
4:00 PM

A. CALL TO ORDER

Ms. Julia Leverenz called the meeting to order at approximately 4:00 p.m.

B. ROLL CALL

Present:

Julia Leverenz, Chair
Jack Haldeman
Tim O'Connor

Absent:

Rich Krapf

Staff:

Paul Holt, Director of Community Development
Tammy Rosario, Principal Planner
Ellen Cook, Principal Planner
Terry Costello, Deputy Zoning Administrator
Tori Haynes, Planner
Tom Leininger, Planner
John Risinger, Community Development Assistant
Max Hlavin, Deputy County Attorney
Jeff Wiggins, Senior Budget and Accounting Analyst
Margo Zechman, Senior Budget and Accounting Analyst

C. MINUTES

There were no minutes.

D. OLD BUSINESS

1. ZO-0011-2016. Proposed Ordinance Amendments to Address Code of Virginia Changes Regarding Wireless Communication Facilities, Stage III

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 that staff drafted Ordinance language for Section 24-2, Division 6, and the use lists within Zoning Districts. He stated that the Ordinance amendments included two new application types, small cell facilities, and Administrative review eligible projects (AREPs), for wireless communication facilities. He stated that the use lists of the Zoning Districts would indicate if an application type was permitted or specially permitted in that Zoning District. He stated that staff recommends that the Policy Committee recommend approval of the proposed Ordinance amendments to the Planning Commission. He asked if there were any questions or comments from the Policy Committee.

Ms. Leverenz asked if AREPs should be defined in Section 24-2.

Mr. Leininger stated that a definition for AREPs was included in the proposed Ordinance amendments. He stated that staff received questions and suggestions from the Policy Committee. He stated that staff received a question about having a definition for Communication Facilities, Antennas, Towers, and Support Structures (CATS). He stated that each item covered within CATS was defined individually. He asked if the Policy Committee would like to have a definition for CATS that explicitly listed the included items.

Ms. Leverenz confirmed.

Mr. Leininger stated that staff received a question about the language of the definition for micro-wireless facilities. He stated that the definition was consistent with the Code of Virginia and that staff did not recommend making any edits. He stated that staff received a suggestion to change the word "person" to "entity" in the definitions of wireless infrastructure providers and wireless service providers. He stated that Section 1-2 of the County Code defined person to include entities. He stated that staff received a suggestion to the proposed amendments for Section 24-122 where the language says, "as defined".

Ms. Leverenz stated that the language should state "as defined in Support Structure". She stated that this would provide additional clarity.

Mr. Max Hlavin stated that, if a definition was created for CATS, the language could reference CATS which would then reference Support Structures.

Ms. Leverenz stated that the definitions should be consistent between Section 24-2 and Division 6.

Mr. Leininger stated that staff received a suggestion to edit the proposed language for Section 24-128 (a) (1) a) to state "within a six-foot perimeter of communication facilities" instead of "within a six-foot perimeter with communication facilities".

Mr. Hlavin stated that the language was intentionally crafted to qualify the distance and the type of facilities.

Mr. Leininger stated that staff agreed with many of the suggested minor edits.

Ms. Leverenz asked if there was a motion to approve the draft amendments.

Mr. Hlavin stated that House Bill (HB) 554 was passed in the Virginia House of Delegates which allows localities to deny applications AREPs if the applicant did not notify adjacent property owners within 15 days. He stated that the bill would have to be passed by the Senate of Virginia before it could be incorporated into the County Code. He stated that the Policy Committee could choose to make a motion that would allow staff to make the necessary changes if the Senate passes the bill. He stated that, if passed, the bill would not go into effect until July 1, 2020, or later.

Ms. Ellen Cook stated that the proposed Ordinance amendments would likely be presented during a Planning Commission meeting before July 1, 2020. She stated that proposed Ordinance amendments would then be presented during a Board of Supervisors (BOS) meeting which could possibly be after July 1, 2020.

Mr. Tim O'Connor made a motion to Approve the proposed Ordinance amendments pending the approval of HB554.

The motion passed 3-0.

E. NEW BUSINESS

1. FY 2021-2025 Capital Improvements Program Review

Ms. Tammy Rosario asked if the Policy Committee would allow Ms. Tori Haynes to participate in the meeting remotely.

Ms. Leverenz confirmed.

Ms. Haynes joined the meeting remotely.

Ms. Terry Costello stated that it was the first meeting for the Policy Committee's review of the Fiscal Year (FY) 2021-2025 Capital Improvements Program (CIP) requests. She stated that the Policy Committee would each request in accordance with the Comprehensive Plan and provide a list of its priorities to the BOS. She stated that 22 requests were received from County departments and agencies and six requests were received from the Williamsburg-James City County Public Schools (WJCC Schools). She stated that the Policy Committee could ask broad questions and identify questions for departments regarding their CIP requests. She stated that departments would be invited to the February 20, 2020, and the February 27, 2020, meetings of the Policy Committee to answer questions. She stated that an additional meeting could be held on March 5, 2020 for the Policy Committee to finalize its ranking of CIP requests. She stated that staff would compile the finalized ranking to present at the March 16, 2020, meeting of the Planning Commission.

Ms. Leverenz invited members of the public to address the Policy Committee.

Mr. Jay Everson, 103 Branscome Boulevard, stated that the Future Think Enrollment Projections for WJCC Schools do not show a large increase in enrollment. He stated that WJCC Schools should invest in facilities for the Bright Beginnings program instead of adding classrooms at existing schools.

Ms. Leverenz stated that WJCC Schools should be invited to attend one of the next meetings to discuss its requests.

Ms. Costello stated that members of the Policy Committee had submitted questions for Community Development, Economic Development, General Services, Parks and Recreation, and the Williamsburg Regional Library. She stated that WJCC Schools would be invited to attend the February 27, 2020, meeting of the Policy Committee.

Ms. Leverenz asked if questions were received regarding the requests for the James City County Marina and the Amblers House.

Ms. Costello confirmed.

Mr. Haldeman stated that nine requests were received for restroom facilities. He stated that the requests had a wide range of projected costs. He asked to have the difference in projected costs explained at one of the next Policy Committee meetings. He stated that multiple requests were received for projects at the James City County Marina. He stated that it might be more efficient to construct the projects at the same time. He stated that the Transportation Match request included widening Croaker Road, widening Pocahontas Trail, and constructing the Skiffes Creek Connector. He asked if widening Croaker Road addressed a goal of the Strategic Plan. He asked how much of the projected costs for the Transportation Match request would go to the Pocahontas Trail widening and the Skiffes Creek Connector.

Mr. Tim O'Connor stated that many projects have been divided into smaller scale requests

that are submitted over time. He stated that having more small-scale requests might result in increased overall costs when the project is completed. He stated that he would like to understand the overall timeline for completion for requests. He stated that departments should consider completing multiple projects in the same CIP requests when possible. He asked if General Services would be attending a meeting in the future.

Ms. Costello confirmed.

Ms. Rosario asked if any departments had not been identified to attend one of the coming meetings.

Ms. Costello stated that staff did not receive any questions for the Fire Department or the Police Department.

Mr. Haldeman suggested that the Police Department consider installing solar panels on the roof of the proposed covered parking structure.

Ms. Rosario stated that staff would forward the suggestion to the Police Department.

Ms. Leverenz asked if Mr. Rich Krapf had submitted any questions.

Ms. Costello confirmed.

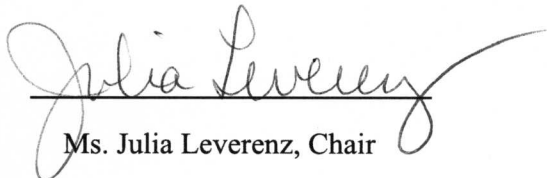
Ms. Leverenz asked if there were any further questions.

There were none.

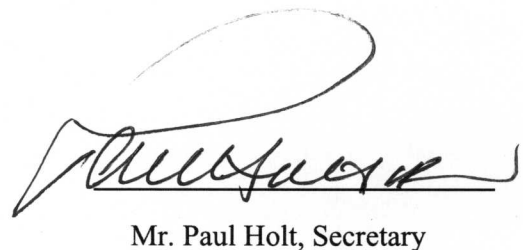
F. ADJOURNMENT

Mr. O'Connor made a motion to Adjourn. The motion passed 3-0.

Ms. Leverenz adjourned the meeting at approximately 4:30 p.m.



Ms. Julia Leverenz, Chair



Mr. Paul Holt, Secretary