

**A G E N D A**  
**JAMES CITY COUNTY POLICY COMMITTEE**  
**REGULAR MEETING**  
**Building A Large Conference Room**  
**101 Mounts Bay Road, Williamsburg, VA 23185**  
**February 23, 2017**  
**4:00 PM**

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**A. CALL TO ORDER**

**B. ROLL CALL**

**C. MINUTES**

1. October 13, 2016 Meeting Minutes
2. October 17, 2016 Meeting Minutes
3. November 10, 2016 Meeting Minutes

**D. OLD BUSINESS**

1. FY 2018-2022 Capital Improvements Program (CIP) Review

**E. NEW BUSINESS**

**F. ADJOURNMENT**

**ITEM SUMMARY**

DATE: 2/16/2017  
TO: The Policy Committee  
FROM: Paul D. Holt, III, Secretary  
SUBJECT: October 13, 2016 Meeting Minutes

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**ATTACHMENTS:**

	Description	Type
▣	October 13, 2016 Meeting Minutes	Minutes

**REVIEWERS:**

Department	Reviewer	Action	Date
Policy	Rosario, Tammy	Approved	2/17/2017 - 2:16 PM
Policy	Holt, Paul	Approved	2/17/2017 - 2:37 PM
Publication Management	Burcham, Nan	Approved	2/17/2017 - 3:00 PM
Policy Secretary	Secretary, Policy	Approved	2/17/2017 - 3:04 PM

**MINUTES**  
**JAMES CITY COUNTY POLICY COMMITTEE**  
**REGULAR MEETING**  
**Building A Large Conference Room**  
**101 Mounts Bay Road, Williamsburg, VA 23185**  
**October 13, 2016**  
**4:00 PM**

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**A. CALL TO ORDER**

Mr. Rich Krapf called the meeting to order at approximately 4:00 p.m.

**B. ROLL CALL**

Present:

Mr. Rich Krapf, Chair  
Mr. Heath Richardson  
Mr. Danny Schmidt

Absent:

Mr. John Wright

Staff:

Mr. Paul Holt, Planning Director  
Mr. Max Hlavin, Assistant County Attorney  
Ms. Kate Sipe, Assistant Director of Economic Development  
Ms. Tammy Rosario, Principal Planner  
Ms. Christy Parrish, Zoning Administrator  
Ms. Terry Costello, Deputy Zoning Administrator  
Mr. John Rogerson, Senior Zoning Officer  
Ms. Roberta Sulouff, Planner  
Ms. Lauren White, Planner  
Ms. Tori Haynes, Community Development Assistant

**C. MINUTES**

1. August 11, 2016 Minutes

Mr. Danny Schmidt made a motion to approve the August 11, 2016 meeting minutes.  
The motion passed 3 – 0.

**D. OLD BUSINESS**

1. Updates to the James City County Sign Ordinance

Mr. Paul Holt summarized the introduction to content-neutral updates to the sign ordinance that was presented to the Policy Committee at its September meeting. Mr. Holt presented an outline of the proposed revisions, which focused on content-neutral compliance first, with substantive changes occurring at a later time as needed.

Mr. Heath Richardson expressed concern about allowing explicit content on signs.

Mr. Krapf asked who would enforce regulations pertaining to explicit content.

Mr. Max Hlavin stated if the regulation is within the sign ordinance, then it would be enforced by the Zoning Division. He stated there could also be a general ordinance prohibition in another chapter of the County Code, but cautioned that content-based regulations must pass strict scrutiny. He noted that regulations for explicit content could be more legally defensible.

Mr. Schmidt asked if the Supreme Court ruling applies to offensive symbols.

Mr. Hlavin stated that the legal test would be the same for regulating offensive symbols, as symbols are a form of speech.

Mr. Holt stated that Section 24-66 was added to clarify applicability, and new definitions were added to Section 24-67 to clarify types of signs that are not currently defined. He also noted that types of signs can either be allowed or prohibited altogether, but cannot be partially allowed based on what the sign says. Mr. Holt stated an example would be LED signs, which are currently prohibited unless used for the display of gas prices. Mr. Holt explained that if LED signs are prohibited elsewhere in the County, then there cannot be an exception for gas price signs.

Ms. Christy Parrish stated that existing LED gas price signs would become legally non-conforming and would be allowed to remain for the life of the sign; however, no new LED signs could be installed.

Mr. Holt stated Section 24-68 was stricken in its entirety, as it wholly dealt with the content of signs.

Mr. Holt stated Section 24-69 was revised to remove the requirement that residential subdivision signs can only display the name of the subdivision.

Mr. Holt stated Section 24-70 was revised to remove requirements for the allocation of space on freestanding commercial signs.

Mr. Holt stated Section 24-71 was revised to allow larger signs in industrial districts and to remove restrictions on the types of signs allowed on big box stores. He stated that secondary signs on big box stores would no longer be limited to displaying a department within the store, such as a pharmacy.

Mr. Krapf asked if advertisements could now be displayed as a sign on big box stores.

Mr. Holt confirmed that they could.

Mr. Schmidt expressed concern about false advertising.

Mr. Hlavin stated false advertising is regulated through consumer protection agencies.

Mr. Holt stated offsite signs are not allowed, which would prevent a business from buying ad space on another property's sign.

Mr. Hlavin stated the offsite/onsite distinction is technically content-based, but is considered defensible because it relates to traffic safety.

Mr. Holt stated Section 24-73 was revised to remove special regulations for directional signs, additional signs during construction, pedestrian scale signs in a mixed-use district and banners on light poles in shopping centers. Additionally, the special exception for LED gas station signs was removed, and regulations for A-frame signs were written to align with the food truck ordinance.

Mr. Holt stated Section 24-74 was revised to remove content restrictions on signs that are exempted from regulation.

Mr. Richardson asked if the enhanced design standards for Community Character Corridors had been removed.

Mr. Holt stated that they were not removed.

Mr. Holt stated Section 25-78 was stricken in its entirety. Mr. Holt explained that the County cannot require an abandoned sign to be removed without interpreting the sign's content.

Mr. Schmidt asked if the County can require an abandoned sign to be removed for safety reasons.

Ms. Parrish stated there is a requirement that signs be in good repair.

Mr. John Rogerson stated that if it is non-conforming, after two years of non-use the sign can be required to come into compliance with the updated ordinance.

Mr. Schmidt asked if passing the ordinance revisions is urgent for compliance.

Mr. Hlavin stated that County staff is already complying with the Supreme Court ruling. The ordinance updates will reflect current practices.

Mr. Holt stated that today's discussion would not require a vote.

## **E. NEW BUSINESS**

1. Zoning Ordinance Revisions to Allow Mobile Food Vending Vehicles (Food Trucks) in B-1, General Business District - Stage I/II

Ms. Roberta Sulouff stated the Board of Supervisors adopted an initiating resolution at its September 27 meeting to allow food trucks in the B-1 District, in addition to the M-1, M-2, PUD-C and PL Districts. Ms. Sulouff stated that staff is not recommending any additional regulations to be added to Section 24-49, but only that food trucks be added as a permitted use in the B-1 District. Ms. Sulouff stated that staff intends to gather additional feedback at the public input meeting scheduled for October 17 and present the edited draft language for consideration at the November 2 Planning Commission meeting.

Mr. Krapf asked if there had been any feedback from restaurant owners in the B-1 District.

Ms. Sulouff stated one response had been received.

Mr. Richardson asked if staff had reached out to businesses in the B-1 District.

Ms. Sulouff stated that staff invited all restaurants located in B-1, as well as any within a half mile radius of B-1, to participate in a survey and come to a public input meeting scheduled for October 17. She noted very few emails bounced back and the IT department verified no problems with the website links. She stated the lack of response could be because many restaurant owners already submitted their comments during the first input survey in August.

Mr. Schmidt asked where food trucks might be expected to set up in B-1, other than the Jamestown Marina area.

Ms. Sulouff stated the Five Forks and Monticello areas had been discussed, but no areas had been formally identified.

Mr. Richardson asked if anymore districts are being considered.

Ms. Sulouff stated that there are no specific requests, but it is possible to add more districts.

Mr. Schmidt stated that after hearing the community's feedback, he is no longer as concerned about negative impacts of food trucks on brick and mortar restaurants.

Mr. Krapf and Mr. Richardson expressed support for allowing food trucks in B-1.

Ms. Sulouff stated the next public input meeting would be October 17.

## **F. ADJOURNMENT**

Mr. Richardson made a motion to adjourn, and Mr. Krapf adjourned the meeting at approximately 4:55 p.m.

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Mr. Rich Krapf, Chair

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Mr. Paul Holt, Secretary

**ITEM SUMMARY**

DATE: 2/16/2017  
TO: The Policy Committee  
FROM: Paul D. Holt, III, Secretary  
SUBJECT: October 17, 2016 Meeting Minutes

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**ATTACHMENTS:**

	Description	Type
▣	October 17, 2016 Meeting Minutes	Minutes

**REVIEWERS:**

Department	Reviewer	Action	Date
Policy	Rosario, Tammy	Approved	2/17/2017 - 2:16 PM
Policy	Holt, Paul	Approved	2/17/2017 - 2:38 PM
Publication Management	Burcham, Nan	Approved	2/17/2017 - 3:00 PM
Policy Secretary	Secretary, Policy	Approved	2/17/2017 - 3:04 PM

**MINUTES**  
**JAMES CITY COUNTY POLICY COMMITTEE**  
**REGULAR MEETING**  
**Building D Large Conference Room**  
**101 Mounts Bay Road, Williamsburg, VA 23185**  
**October 17, 2016**  
**4:00 PM**

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**A. CALL TO ORDER**

Mr. Rich Krapf called the meeting to order at approximately 4:00 p.m.

**B. ROLL CALL**

Present:

Mr. Rich Krapf, Chair  
Mr. Heath Richardson  
Mr. Danny Schmidt  
Mr. John Wright

Absent:

None

Staff:

Mr. Paul Holt, Planning Director  
Ms. Kate Sipe, Assistant Director of Economic Development  
Ms. Tammy Rosario, Principal Planner  
Ms. Christy Parrish, Zoning Administrator  
Ms. Roberta Sulouff, Planner  
Ms. Tori Haynes, Community Development Assistant

**C. MINUTES**

There were no minutes to approve.

**D. OLD BUSINESS**

1. ZO-0013-2016, Mobile Food Vending Vehicles in the B-1, General Business District, Business and Community Input Meeting

Ms. Roberta Sulouff stated that the Board of Supervisors adopted an initiating resolution at its September 27 meeting to allow food trucks to operate in the B-1, General Business District, in addition to the M-1, M-2, PUD-C and PL Districts. Following the precedence of the earlier amendments, staff began drafting ordinance language and reaching out to the business community for feedback through an online survey and an invitation to this community input meeting. She stated one survey response was received by staff, and a second was submitted just prior to this meeting. Ms. Sulouff stated the direction received from the Policy Committee today will be used to make final edits to the draft ordinance, scheduled for consideration at the Planning Commission's November 2 meeting.

Mr. Heath Richardson asked how the first survey response was submitted.



Ms. Sulouff replied by mail. She stated another food truck operator called to say they had received the survey but did not want to fill it out because they would not be affected by the B-1 District and they had already answered the August survey.

Mr. Krapf opened the floor to Public Comment.

Mr. Lenny Berl spoke against allowing food trucks in any district except as part of a special event.

Mr. Richardson acknowledged concerns about competing with brick and mortar restaurants, but supported allowing the free market to decide which businesses succeed.

Mr. Danny Schmidt asked when the M-1, M-2, PUD-C and PL ordinance amendments would go to the Board of Supervisors.

Ms. Sulouff replied the first meeting in November.

Mr. Schmidt stated he was originally concerned that competition from food trucks could contribute to brick and mortar vacancies, but his opinion evolved after listening to community feedback. He stated there is a need for food trucks in areas lacking dining options.

Mr. John Wright expressed concern about protecting the investments of existing brick and mortar businesses in B-1.

Mr. Krapf stated that food trucks offer a different dining experience than brick and mortar restaurants and target a different clientele. He noted food truck operators have also invested in their businesses.

Mr. Schmidt asked how soon could food truck operators apply for a permit after the M-1, M-2, PUD-C and PL amendments are adopted by the Board of Supervisors.

Ms. Sulouff stated food truck operators can apply for a permit as soon as the amendments are adopted. She stated staff is currently preparing the permit application materials.

Mr. Richardson made a motion to forward the B-1 ordinance amendments to the Planning Commission at its November 2 meeting. The motion passed 4 – 0.

**E. NEW BUSINESS**

There was no new business.

**F. ADJOURNMENT**

Mr. Wright made a motion to adjourn. Mr. Krapf adjourned the meeting at approximately 4:30 p.m.

**ITEM SUMMARY**

DATE: 2/16/2017  
TO: The Policy Committee  
FROM: Paul D. Holt, III, Secretary  
SUBJECT: November 10, 2016 Meeting Minutes

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**ATTACHMENTS:**

	Description	Type
□	November 10, 2016 Meeting Minutes	Minutes

**REVIEWERS:**

Department	Reviewer	Action	Date
Policy	Rosario, Tammy	Approved	2/17/2017 - 2:17 PM
Policy	Holt, Paul	Approved	2/17/2017 - 2:38 PM
Publication Management	Burcham, Nan	Approved	2/17/2017 - 3:01 PM
Policy Secretary	Secretary, Policy	Approved	2/17/2017 - 3:04 PM

**MINUTES**  
**JAMES CITY COUNTY POLICY COMMITTEE**  
**REGULAR MEETING**  
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**November 10, 2016**  
**4:00 PM**

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**A. CALL TO ORDER**

Mr. Rich Krapf called the meeting to order at approximately 4 p.m.

**B. ROLL CALL**

Present:

Mr. Rich Krapf, Chair  
Mr. Danny Schmidt

Absent:

Mr. Heath Richardson  
Mr. John Wright

Staff:

Mr. Paul Holt, Planning Director  
Ms. Christy Parrish, Zoning Administrator  
Ms. Terry Costello, Deputy Zoning Administrator  
Mr. John Rogerson, Senior Zoning Officer  
Ms. Tori Haynes, Community Development Assistant

**C. MINUTES**

1. August 25, 2016 Meeting Minutes

Mr. Danny Schmidt made a motion to Approve the August 25, 2016 meeting minutes.  
The motion Passed 2-0.

2. September 15, 2016 Meeting Minutes

Mr. Danny Schmidt made a motion to Approve the September 15, 2016 meeting minutes. The motion Passed 2-0.

**D. OLD BUSINESS**

1. ZO-0014-2016. 2016 Sign Ordinance Update

Mr. Paul Holt and Ms. Christy Parrish introduced a PowerPoint presentation summarizing the changes to the Sign Ordinance.

Mr. Schmidt asked if Mr. Max Hlavin of the County Attorney's Office had vetted the draft ordinance.

Mr. Holt confirmed that Mr. Hlavin found the draft ordinance consistent with the Supreme Court ruling.

Mr. Schmidt asked if murals need to be incorporated into the amendments.

Mr. John Rogerson stated murals that do not advertise commercial activity are considered public art rather than a sign.

Mr. Holt stated that a definition for “symbol” was added to Section 24-2 to distinguish commercial symbols from non-commercial art.

Ms. Parrish summarized the content-neutral changes to Sections 24-65 through 24-73. She noted that Section 24-73 would need to be revisited at a later time to address issues with directional signs. Ms. Parrish explained that directional signs would be removed from the ordinance while staff researches a solution to regulate them without referencing content.

Mr. Krapf asked for clarification on directional signs.

Ms. Parrish and Mr. Rogerson explained that directional signs were particularly difficult to regulate under the new Supreme Court ruling. Ms. Parrish stated that if all content regulations are eliminated from directional signs, it would effectively allow businesses to have unregulated off-site signs.

Mr. Schmidt asked if pole-mounted banners could be further restricted or eliminated altogether.

Mr. Holt stated that pole-mounted banners are only allowed in shopping centers, but can no longer be limited to seasonal messages. He suggested that pole-mounted banners not be completely eliminated at this time so that existing banners will continue to be legally conforming.

Mr. Schmidt asked if there is a maximum size for pole-mounted banners.

Mr. Rogerson stated there must be 8 feet of clearance, but there is no maximum size.

Mr. Schmidt suggested regulating the size of the banners. Mr. Krapf concurred.

Mr. Rogerson confirmed that staff would add size regulations.

Ms. Parrish summarized the content-neutral changes to Sections 24-73 through 24-79, noting there were no changes to 24-77 or 24-79.

Mr. Krapf asked for clarification on when staff can remove signs that are in violation of the ordinance.

Ms. Parrish stated that staff has an agreement with the Virginia Department of Transportation (VDOT) to remove illegal signs from rights-of-way. She stated that staff does not go on private property until contact has been established with the owner. She noted staff can bill the offender for the sign removal.

Mr. Schmidt asked for clarification on regulations for abandoned signs.

Ms. Parrish stated an abandoned sign can be removed if it poses a safety hazard, or if it advertises an off-premises business. Otherwise, the County cannot require an

abandoned sign to be removed without referencing the content.

Mr. Schmidt and Mr. Krapf commended staff for their work updating the ordinance.

Mr. Schmidt made a motion to Forward the Draft Ordinance, with revisions to banner signs as discussed, to the Planning Commission. The motion Passed 2-0.

**E. NEW BUSINESS**

There was no new business.

**F. ADJOURNMENT**

Mr. Schmidt made a motion to Adjourn.

Mr. Krapf adjourned the meeting at approximately 4:40 p.m.

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Mr. Rich Krapf, Chair

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Mr. Paul Holt, Secretary

**ITEM SUMMARY**

DATE: 2/23/2017  
TO: The Policy Committee  
FROM: Jose Ribeiro, Senior Planner II, and Savannah Pietrowski, Senior Planner  
SUBJECT: FY 2018-2022 Capital Improvements Program (CIP) Review

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The Policy Committee had an initial meeting on February 9, 2017 to discuss the County's FY18-22 Capital Improvements Program (CIP), and identified questions for the Parks and Recreation Department and Williamsburg-James City County Schools regarding their applications.

As requested for this upcoming meeting, representatives from the W-JCC Schools will be attending to discuss their applications with the Policy Committee. In lieu of providing a response via email, representatives from Parks and Recreation will also be in attendance.

**REVIEWERS:**

Department	Reviewer	Action	Date
Policy	Secretary, Policy	Approved	2/17/2017 - 3:59 PM