

**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**  
**March 7, 2019**  
**4:00 PM**

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**A. CALL TO ORDER**

**B. ROLL CALL**

**C. MINUTES**

1. February 14, 2019 Meeting Minutes
2. February 21, 2019 Meeting Minutes
3. February 28, 2019 Meeting Minutes

**D. OLD BUSINESS**

1. FY 2020-2024 Capital Improvements Program Review
2. ORD-18-0013. Proposed Zoning Ordinance Amendments Regarding Master Plan Consistency Determinations

**E. NEW BUSINESS**

1. Annual Review of the Planning Commission Bylaws

**F. ADJOURNMENT**

**ITEM SUMMARY**

DATE: 3/7/2019  
TO: The Policy Committee  
FROM: Paul D. Holt, III, Secretary  
SUBJECT: February 14, 2019 Meeting Minutes

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**ATTACHMENTS:**

	Description	Type
☐	Minutes of the February 14, 2019 Meeting	Minutes

**REVIEWERS:**

Department	Reviewer	Action	Date
Policy	Rosario, Tammy	Approved	3/1/2019 - 9:57 AM
Policy	Holt, Paul	Approved	3/1/2019 - 10:06 AM
Publication Management	Burcham, Nan	Approved	3/1/2019 - 10:16 AM
Policy Secretary	Secretary, Policy	Approved	3/1/2019 - 10:17 AM

**MINUTES**  
**JAMES CITY COUNTY POLICY COMMITTEE**  
**REGULAR MEETING**  
**Building A Large Conference Room**  
**101 Mounts Bay Road, Williamsburg, VA 23185**  
**February 14, 2019**  
**4:00 PM**

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**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

Staff:

Tammy Rosario, Principal Planner

Jose Ribeiro, Senior Planner

Tori Haynes, Planner

Terry Costello, Deputy Zoning Administrator

John Risinger, Community Development Assistant

Sue Mellen, Director of Financial and Management Services

Sharon Day, Assistant Director of Financial and Management Services

Jeffrey Wiggins, Budget and Accounting Analyst

**C. MINUTES**

1. January 10, 2019 Meeting Minutes

Mr. Rich Krapf made a motion to approve the January 10, 2018, meeting minutes as amended.

The motion passed 4-0.

**D. OLD BUSINESS**

There was no old business.

**E. NEW BUSINESS**

Mr. Haldeman opened the meeting for public comment.

Mr. Jay Everson, 103 Branscome Boulevard, stated that he has concerns with the Future Think methodology for school enrollment projections. He stated that high school enrollment is projected to stay within the current capacity for the next 10 years. He stated that moving the Bright Beginnings program to its own facilities could free up needed space within the elementary schools.

1. FY 2020-2024 Capital Improvements Program Review

Ms. Tammy Rosario stated that the Code of Virginia provides for the Planning Commission to provide recommendations to the Board of Supervisors for capital improvement projects. She

stated that the Policy Committee may review the applications based on its consistency with the adopted Comprehensive Plan.

Mr. Jose Ribeiro stated that 20 applications were received for the Fiscal Year 2020-2024 Capital Improvements Program. He stated that County departments submitted 16 applications and Williamsburg-James City County Public Schools (WJCC) submitted four applications. He stated that staff could help address questions and coordinate with the County departments and WJCC to arrange for representatives to be present at the coming meetings. He stated that the Policy Committee's final rankings will be presented to the Planning Commission on March 18, 2019 and then to the Board of Supervisors at a later date.

Mr. Haldeman asked how the two revenue sections for the Ambler House application were determined. He asked if the total revenue in 2024 would be \$925,000.

Mr. Jeffrey Wiggins stated that the second entry in the revenue section should not be on the application. He stated that an older version of the proposal had additional methods of revenue.

Mr. Haldeman asked if the total revenue in 2024 would be \$125,000.

Mr. Wiggins confirmed.

Mr. Haldeman stated the Columbia Drive, Lower County Park and replacement of the bulkheads in the James City County Marina Phase I application were high priorities in his rankings.

Mr. Krapf stated that he had questions regarding how the design fees were estimated for the Fire Station 6 application and the new elementary school application. He stated that the Stormwater Capital Improvements Program and Transportation Match applications were the highest priorities in his rankings. He stated the Columbia Drive, Fire Station 6 and the Grove Convenience Center were also high priorities in his rankings. He stated that potential grant funding should not be listed as a special consideration in the application if there is no guarantee of receiving the funding.

Ms. Julia Leverenz agreed. She stated that applications for the Grove area could provide better service for the residents of that area. She stated that those applications were high priorities in her rankings. She stated that the Stormwater Capital Improvements Program and the Transportation Match applications were the highest in her rankings. She stated that the Fire Station 6, James City County Marina Phase I, and Columbia Drive were also high on her list. She asked if the data and estimates submitted with the WJCC applications are verified by County staff.

Ms. Rosario stated that representatives from WJCC would be able to answer questions regarding their estimates in a future meeting.

Ms. Leverenz asked why the Bright Beginnings program is integrated with the elementary schools. She stated that there may be advantages to creating separate facilities for the program. She stated that the estimated design costs may be impacted when a site is chosen.

Mr. Haldeman stated that the costs listed in the application do not include items such as furniture and buses.

Ms. Leverenz stated that the application does not list future administrative costs.

Mr. Haldeman asked if the estimates in the application include the City of Williamsburg's share.

Mr. Wiggins stated that the estimates listed in the application are the total costs for the project. He stated that the County's share of the project is 90.52%.

Mr. Tim O'Connor stated that he would like to have more information about how WJCC estimated the costs for its projects. He stated that eight elementary schools were constructed in Virginia throughout 2018 with total costs ranging from \$18 to \$40 million. He stated that the estimated costs are above the state averages in 2018.

Mr. Krapf stated that creating a separate facility for the Bright Beginnings program could delay the necessity of building a new elementary school.

Mr. O'Connor asked if a site had been identified for Fire Station 6.

Ms. Sue Mellen stated that they are working on acquiring land.

Mr. Krapf stated that he was interested in the potential training collaborations between the proposed Fire Station 6 and Thomas Nelson Community College.

Mr. Haldeman stated that the Fire Station 6 application helps expand the area of the County that is within the six minute response time coverage.

Ms. Leverenz stated that the online ranking system was working well.

Mr. Krapf agreed.

Mr. O'Connor asked if the elementary school application had been listed in previous plans for WJCC.

Ms. Mellen stated that WJCC used a 10-year Capital Improvements Program plan. She stated that the application had been previously submitted in Fiscal Year 2018. She stated that the new application had been listed as a higher priority.

Ms. Rosario asked Ms. Terry Costello to summarize the questions the Commissioners had for the departments.

Ms. Costello stated the questions for WJCC involved their cost projections, design fees, and the Bright Beginnings. She stated that the question for the Fire Department was in reference to the design fees for Fire Station 6.

Ms. Leverenz stated that another question for WJCC was about construction costs.

Ms. Rosario asked if there was a question about the urgency of building Fire Station 6.

Mr. Haldeman confirmed.

Ms. Leverenz stated that there was a question earlier in the meeting regarding the safety of the bulkheads at the marina.

Ms. Mellen asked if there was a question about revenue projections for the Ambler House application.

Mr. Haldeman stated that his question had been answered.

Ms. Mellen asked if more information was needed in regards to land acquisition for the Lower

County Park application.

Mr. Haldeman stated that the question was not a high priority for the purpose of CIP rankings.

Ms. Leverenz asked to have WJCC address if a site had been chosen for the new elementary school.

Ms. Rosario stated that another question for the Parks and Recreation Department was in regards to the grants listed under the special considerations section of their application.

Ms. Mellen stated that the Commissioners could ask for specific grants to be listed for that section of the application.

Ms. Leverenz stated that grant must have been already awarded to be a special consideration.

Ms. Sharon Day stated that the special considerations section of the application could have additional instructions for applicants in the next fiscal year.

Mr. Ribeiro asked Ms. Costello to list the updated questions.

Ms. Costello stated that questions for WJCC included cost projections, design fees, Bright Beginnings program, construction fees and if a site had been chosen for the new elementary school. She stated that questions for the Fire Department regarded design fees for Fire Station 6 and if it was an urgent need to improve response times. She stated that questions for the Parks and Recreation Department included the safety of the bulkheads at the marina and if any grant funds had been obtained for their projects.

Ms. Mellen asked if the questions for WJCC were mostly directed towards the elementary school application.

Ms. Leverenz confirmed.

Ms. Rosario stated that the next meeting would be with representatives from the Fire Department and the Parks and Recreation Department. She stated the following meeting would be with representatives from WJCC.

Mr. Krapf asked when meeting minutes would be available for the meetings with the department representatives.

Mr. John Risinger stated that unapproved minutes could be forwarded to the Commissioners before completing the internal review stages.

Ms. Leverenz asked if this meeting's minute would be available in the following week or if it would only be for the meetings with department representatives.

Ms. Rosario stated that internal review of meeting minutes typically takes longer than a week to complete. She stated that staff would develop a plan to allow the Commissioners to review the unapproved minutes in a timely manner.

Mr. Krapf stated that the minutes for the meetings with the department representatives were the most important. He stated that the minutes would help to understand the discussions that took place at the meeting.

Mr. Ribeiro stated that the next meeting would be on February 21 with the Fire Department and Parks and Recreation Department.

Mr. Haldeman asked if there was any further discussion.

There was none.

**F. ADJOURNMENT**

Ms. Leverenz made a motion to adjourn. The motion passed 4-0.

Mr. Haldeman adjourned the meeting at approximately 4:45 p.m.

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Mr. Jack Haldeman, Chair

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Mr. Paul Holt, Secretary

**ITEM SUMMARY**

DATE: 3/7/2019  
TO: The Policy Committee  
FROM: Paul D. Holt, III, Secretary  
SUBJECT: February 21, 2019 Meeting Minutes

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**ATTACHMENTS:**

	Description	Type
▣	Minutes of the February 21, 2019 Meeting	Cover Memo

**REVIEWERS:**

Department	Reviewer	Action	Date
Policy	Rosario, Tammy	Approved	3/1/2019 - 9:57 AM
Policy	Holt, Paul	Approved	3/1/2019 - 10:07 AM
Publication Management	Burcham, Nan	Approved	3/1/2019 - 10:17 AM
Policy Secretary	Secretary, Policy	Approved	3/1/2019 - 10:18 AM



**MINUTES**  
**JAMES CITY COUNTY POLICY COMMITTEE**  
**REGULAR MEETING**  
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**February 21, 2019**  
**4:00 PM**

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**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

Julia Leverenz

Tim O'Connor

Staff:

Tammy Rosario, Principal Planner

Jose Ribeiro, Senior Planner

Tori Haynes, Planner

Terry Costello, Deputy Zoning Administrator

John Risinger, Community Development Assistant

Jeffrey Wiggins, Budget and Accounting Analyst

Ryan Ashe, Fire Chief

Tristan Aiken, Assistant Fire Chief

John Carnifax, Director of Parks and Recreation

Alister Perkinson, Parks Administrator

**C. MINUTES**

There were no minutes.

**D. OLD BUSINESS**

1. FY 2020-2024 Capital Improvements Program Review

Mr. Jose Ribeiro stated that representatives from the Fire Department and the Parks and Recreation Department could answer questions from the Commissioners.

Mr. Haldeman invited Chief Ryan Ashe and Assistant Chief Tristan Aiken to address the questions about the Fire Station 6 application.

Mr. Ashe stated that the design costs for the Fire Station 6 application were estimated with help from the General Services department. He stated that the location of the proposed fire station was not known when estimating the design cost. He stated that they have since identified land near the Law Enforcement Center to be acquired for the fire station. He stated that costs associated with the site topography have not been determined.

Mr. Haldeman asked if there was any expectation for when a seventh and eighth fire station would be built.

Mr. Ashe stated that he did not know a timeline for when a seventh and eighth fire station would be built. He stated that Fire Station 3 and Fire Station 4 are the busiest fire stations in

the County. He stated that they decided to locate Fire Station 6 in an area that could reduce the number of calls going to Fire Station 3 and Fire Station 4, along with reducing the number of calls to the City of Williamsburg Fire Department. He stated that they considered locations for the station that helped achieve the 6-minute response time goal set by the County. He stated that they categorized calls based on response time. He stated that they found that the Ford's Colony and Lightfoot areas had over 600 calls in the slowest category and the Kingsmill area was approaching 350 calls in the slowest category. He stated that they weighed adding additional units to Fire Station 3 and Fire Station 4 against adding a new station. He stated that adding a new fire station would help address the volume of calls along with expanding the 6-minute response coverage area. He stated that building a fire station in Ford's Colony would improve the response times in that area but not be as helpful to surrounding fire stations. He stated that a study was conducted in 1993 which proposed a fire station near the County Government Center. He stated that this proposed station would improve the response times to the Kingsmill area; however, the Kingsmill area has not reached the threshold to initiate plans for a new fire station.

Mr. Ribeiro asked if there were any further questions for the Fire Department.

Mr. Haldeman stated that the application listed that there was no imminent threat to health, safety and general welfare of the County. He asked if the need for the station addressed only policy requirements.

Mr. Ashe stated that because calls in the Lightfoot area are being answered currently, they did not list it as an imminent threat to the health, safety and general welfare of the County.

Mr. Haldeman asked if slow response times could be an imminent threat to health and safety.

Mr. Ashe stated that the American Heart Association states permanent brain damage would occur if the brain is deprived of oxygen for four to six minutes. He stated that a fire can double in size every 30 seconds.

Ms. Leverenz stated that faster response times can save lives and property so it should be considered an immediate need for health and safety.

Mr. O'Connor asked how equipment would be allocated to the new fire station.

Mr. Ashe stated that equipment is located in stations that have the most need for that type of equipment. He stated that they do not plan on reallocating equipment from existing stations to the Fire Station 6.

Mr. O'Connor asked if the road access for Fire Station 6 would be through the Law Enforcement Center or onto Opportunity Way.

Mr. Ashe stated that Fire Station 6 would have road access onto Opportunity Way.

Ms. Tammy Rosario stated that a question from the previous meeting was if a standard building design could be used for greater efficiency in design costs.

Mr. Ashe stated that it would utilize a similar layout as the existing Fire Station 4. He stated that they would modify the living area to allow for expansion in the future.

Ms. Leverenz asked if utilizing similar designs was accounted for in the design cost.

Mr. Ashe confirmed. He stated that improving the safety of living conditions for the firefighters would result in changes from the past design.

Mr. Ribeiro asked if there were any further questions.

There were none.

Mr. Haldeman invited Mr. John Carnifax and Mr. Alister Perkinson to address the questions for their applications.

Mr. Carnifax stated that concerns of the safety of the James City County Marina were raised. He stated that safety concerns at the parks are addressed by closing off areas and repairing areas as needed. He stated that the bulkhead is at risk of failure in the case of a large storm.

Mr. Haldeman asked if it would be better to complete the work at the marina in one phase instead of two.

Mr. Carnifax stated that it would and there would be cost savings from completing the work at the same time. He stated that separating the improvements into two phases spreads out the required funding. He stated that the improvements listed in the Phase I application are immediate needs for the safety of citizens utilizing the marina.

Ms. Leverenz asked if the County was insured in the event of a storm damaging the parks.

Mr. Carnifax confirmed.

Mr. Haldeman stated that it is more expensive to replace a failed bulkhead than it is to replace a functional bulkhead.

Mr. Carnifax stated that most of the bulkhead would be replaced with a living shoreline.

Mr. Ribeiro stated that a question asked in the previous meeting was if any grants had been awarded to the project.

Mr. Carnifax stated that they have not received any grants. He stated that the Parks and Recreation Department continues to apply for grants for the marina project.

Mr. O'Connor asked if there were plans for a stormwater master plan for Chickahominy Riverfront Park.

Mr. Carnifax confirmed. He stated that more information would be presented to the Planning Commission in the future.

Mr. Haldeman asked how many phases are anticipated for Chickahominy Riverfront Park.

Mr. Carnifax stated that there are three phases currently but more may be added for activities including rowing and small boating. He stated that he would like to continue a relationship with the College of William and Mary Rowing Club and the Williamsburg Boat Club at the park.

Mr. Haldeman asked if a site had been selected for the proposed Lower County Park.

Mr. Carnifax stated that they have narrowed their search down to a few locations. He stated that the application for the Lower County Park is for the land acquisition. He stated that once land has been acquired, they would apply again for the design phase once the costs had been estimated.

Ms. Rosario asked if the grants they were applying to required matching funds from the

County.

Mr. Carnifax stated that they apply to a number of grants that have different requirements. He stated that matching funds could be acquired if the applications require it.

Mr. O'Connor asked if the Running Center plan was still being pursued.

Mr. Carnifax stated that the proposed location has changed to the Jamestown Beach Event Park and is still in the planning stage.

Mr. Haldeman asked if there were any further questions.

There were none.

**E. NEW BUSINESS**

There was no new business.

**F. ADJOURNMENT**

Ms. Leverenz made a motion to adjourn. The motion passed 3-0.

Mr. Haldeman adjourned the meeting at approximately 4:45 p.m.

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Mr. Jack Haldeman, Chair

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Mr. Paul Holt, Secretary

**ITEM SUMMARY**

DATE: 3/7/2019  
TO: The Policy Committee  
FROM: Paul D. Holt, III, Secretary  
SUBJECT: February 28, 2019 Meeting Minutes

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The minutes will be forwarded under separate cover.

**REVIEWERS:**

Department	Reviewer	Action	Date
Policy	Secretary, Policy	Approved	3/1/2019 - 1:45 PM

**ITEM SUMMARY**

DATE: 3/7/2019

TO: The Policy Committee

FROM: Jose Ribeiro, Senior Planner II

SUBJECT: FY 2020-2024 Capital Improvements Program Review

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The Policy Committee had an initial meeting on February 14, 2019 to discuss the County's FY 2020-2024 Capital Improvements Program (CIP), and identified questions for the Parks and Recreation Department, Fire Department and Williamsburg-James City County Schools regarding their applications.

The Policy Committee met on February 21, 2019 with representatives from the Parks and Recreation Department and Fire Department to discuss their applications.

The Policy Committee met on February 28, 2019 with representatives from Williamsburg-James City County Schools to discuss its applications.

During this meeting, the Policy Committee will discuss its final CIP rankings.

**REVIEWERS:**

Department	Reviewer	Action	Date
Policy	Rosario, Tammy	Approved	3/1/2019 - 10:18 AM
Policy	Holt, Paul	Approved	3/1/2019 - 10:25 AM
Publication Management	Burcham, Nan	Approved	3/1/2019 - 10:25 AM
Policy Secretary	Secretary, Policy	Approved	3/1/2019 - 10:33 AM

**ITEM SUMMARY**

DATE: 3/7/2019

TO: The Policy Committee

FROM: Paul D. Holt, III, Director of Community Development and Planning

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

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On December 13, 2018, the Policy Committee continued their discussion on this item and requested additional information.

Per the Policy Committee's request, attached is a comparative matrix that is intended to facilitate continued discussion on this item.

Staff looks forward to having a discussion with the Policy Committee on this item.

**ATTACHMENTS:**

	Description	Type
☐	Matrix of Options	Exhibit

**REVIEWERS:**

Department	Reviewer	Action	Date
Policy	Coleman, Chris	Approved	3/1/2019 - 1:58 PM

	<u>Currently adopted language</u>	<u>Option 1</u>	<u>Option 2</u>
Changes to the location of dwelling units	Planning Director can approve changes that are deemed not significant. Decision is appealable to the DRC.	Staff cannot approve significant changes. Any significant changes would require a formal MP amendment and a new public hearing with the PC and BOS.	Staff cannot approve significant changes. Any significant changes would require a formal MP amendment and a new public hearing with the PC and BOS.
Changes to the quantity of dwelling units	same as above	Staff cannot approve significant increases. Any significant increases would require a formal MP amendment and a new public hearing with the PC and BOS. Cannot exceed caps put in place by the BOS.	Staff cannot approve significant changes (up or down) Any significant would require a formal MP amendment and a new public hearing with the PC and BOS. Cannot exceed caps put in place by the BOS.
Changes to the type or mix of dwelling units	same as above	Staff cannot approve significant changes. Any significant changes would require a formal MP amendment and a new public hearing with the PC and BOS.	Staff cannot approve significant changes. Any significant changes would require a formal MP amendment and a new public hearing with the PC and BOS.
Changes to the distribution of recreation or open space	same as above	Planning Director can approve changes that are deemed not significant. Decision is appealable to the DRC. DRC can approve. If DRC denies, a formal MP amendment and a new public hearing with the PC and BOS required.	Planning Director can approve changes that are deemed not significant. Decision is appealable to the DRC. DRC can approve. If DRC denies, a formal MP amendment and a new public hearing with the PC and BOS required.
Changes to the road layout	same as above	Staff cannot approve significant changes to the points of connection to the exterior roadways. Any significant changes would require a formal MP amendment and a new public hearing with the PC and BOS.	Staff cannot approve significant changes to the points of connection to the exterior roadways. Any significant changes would require a formal MP amendment and a new public hearing with the PC and BOS.
Changes to the character of land uses or other features	same as above	Planning Director can approve changes that are deemed not significant. Decision is appealable to the DRC. DRC can approve. If DRC denies, a formal MP amendment and a new public hearing with the PC and BOS required.	Planning Director can approve changes that are deemed not significant. Decision is appealable to the DRC. DRC can approve. If DRC denies, a formal MP amendment and a new public hearing with the PC and BOS required.



**ITEM SUMMARY**

DATE: 3/7/2019  
TO: The Policy Committee  
FROM: Paul D. Holt, III, Secretary  
SUBJECT: Annual Review of the Planning Commission Bylaws

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Several years ago, there was discussion among some Planning Commission members about wanting to review the Planning Commission Bylaws on an annual basis. While amendments may not be warranted on an annual basis, the Commission members find that such a review constitutes a best practice.

Staff looks forward to Policy Committee discussion and input on March 7.

**ATTACHMENTS:**

	Description	Type
☐	Currently adopted PC Bylaws	Backup Material

**REVIEWERS:**

Department	Reviewer	Action	Date
Policy	Rosario, Tammy	Approved	3/1/2019 - 10:09 AM
Policy	Holt, Paul	Approved	3/1/2019 - 10:10 AM
Publication Management	Burcham, Nan	Approved	3/1/2019 - 10:15 AM
Policy Secretary	Secretary, Policy	Approved	3/1/2019 - 10:16 AM

# BYLAWS

## PLANNING COMMISSION

### COUNTY OF JAMES CITY, VIRGINIA

#### ARTICLE I. OBJECTIVES

This Planning Commission (the "Commission") was established by the Board of Supervisors of James City County (the "Board") on April 13, 1953, to direct the development of James City County (the "County") and ensure its prosperity, health, safety, and general welfare, in accordance with Chapter 22, Title 15.2, Article 2, *Code of Virginia*, 1950, as amended (the "Virginia Code").

The Commission shall be responsible for making recommendations to the board of supervisors on all phases of county planning, including a comprehensive plan, long-range planning, zoning, and subdivision regulations. The Commission shall also be responsible for preparing and submitting annual capital improvement programs to the governing body, in accordance with applicable state code. It shall also have the powers and duties provided by general law and such other powers and duties as may be assigned by the board of supervisors.

#### ARTICLE II. MEMBERSHIP

The Commission shall consist of 7 or 9 residents of the county, each appointed by the Board for a term of four years.

#### ARTICLE III. MEETINGS

1. All meetings of the Commission shall be open to the public.
2. Special meetings of the Commission may be called by the Chair or by two members upon written request to the Secretary. The Secretary shall deliver (via hand delivery, U.S. Mail, or electronic mail, return receipt requested) to all members, at least five days in advance of a special meeting, a written notice fixing the time, place and the purpose of the meeting.
3. Written notice of a special meeting is not required if the time of the special meeting has been fixed at a regular meeting, or at a previous special meeting at which all members were present.
4. A quorum of the Commission shall consist of a majority of the members of the Commission and a physical quorum is required. Notwithstanding, Planning Commissioners may participate in any meeting wherein the public business is discussed or transacted through electronic communication in accordance with §2.2-3708.1 of the Code of Virginia.
5. No action of the Commission shall be valid unless approved by a majority vote of those present and voting.

6. The annual meeting for the election of officers (Chair and Vice Chair) shall be held as the first order of business at a regular meeting to occur the third week of March of each year and thereafter the newly elected officers shall preside at the regular meeting in April. When a vacancy occurs for the Chair or Vice Chair, an election shall be held on the next regular meeting date.
7. All minutes and records of the Commission of its meetings, resolutions, transactions and votes, shall be kept by the Secretary.
8. The commission, by resolution adopted at a regular meeting, may fix the day or days to which any meeting shall be continued if the chair, or vice-chair if the chair is unable to act, finds and declares that weather or other conditions are such that it is hazardous for members to attend the meeting. Such finding shall be communicated to the members and press as promptly as possible. All hearings and other matters previously advertised for such meeting shall be conducted at the continued meeting and no further advertisement is required. The commission shall cause a copy of such resolution to be inserted in a newspaper having general circulation in the locality at least seven days prior to the first meeting held pursuant to the adopted schedule.

#### ARTICLE IV. OUTSIDE MEETINGS WITH APPLICANTS

1. Planning Commissioners are permitted to meet with applicants outside of a Planning Commission meeting or public hearing pursuant to the following:
  - a. Commissioners shall publicly disclose all meetings by reporting them verbally at the Planning Commission meeting where the case is scheduled for public hearing.
  - b. Commissioners may find it helpful to contact Planning Division staff prior to such meetings to gather facts about the application; the staff may attend such meetings if requested by the Commission and approved by the Planning Director or designee.
  - c. The purpose of such meetings is limited to fact finding and clarification for all parties.
  - d. Commissioners should endeavor to include one other Commissioner, when possible, in the meeting.
  - e. Following such meeting, a summary of the discussion shall be provided to all Commission members.
  - f. Commissioners shall not make a commitment of their voting intent.

#### ARTICLE V. MATTERS PENDING BEFORE THE COMMISSION

1. All matters which require an advertised public hearing in accordance with Section 15.2-2204 of the Virginia Code and which meet submittal requirements filed with the Planning Division at least six weeks before the regular meeting are to be placed on the agenda for the advertised public hearing. All other matters filed at least 15 days before the regular meeting in the Planning Division are to be placed on the agenda. Any matter not placed on the agenda in advance of the meeting can be considered at the meeting by a majority vote of the Commission.

2. For each public hearing, notices shall be forwarded to the Commission members no less than 7 days prior to the public hearing.

#### ARTICLE VI. HEARINGS

1. Advertised public hearings shall be scheduled during a regular meeting, except in the event of a joint public hearing between the Commission and the Board.
2. For each public hearing item, presentations by staff, applicants, individuals or groups shall be limited as follows:
  - a. Presentations by staff, applicants and groups are limited to 15 minutes each;
  - b. Comments by individuals are limited to 5 minutes each.
  - c. At a meeting, the time limits set forth in a, b, and/or c above may be extended at the discretion of the Chair.

#### ARTICLE VII. VOTING

1. No member present shall abstain from voting on a roll call vote unless a member has a conflict of interest in the matter being voted upon. For the purposes of this paragraph, a "conflict of interest" shall exist when there is an actual conflict: (1) pursuant to the Virginia State and Local Government Conflict of Interests Act, Section 2.2-3100 et seq. of the Virginia Code; or (2) pursuant to any applicable policy adopted by the Board of Supervisors; or (3) as stated by the Commission member unless objected to by a majority vote of the members of the Commission.
2. In reporting a vote to the Board, the Secretary shall indicate (in writing) the recorded roll call vote, including any abstentions.

#### ARTICLE VIII. DUTIES

##### A. CHAIR

The Chair shall have the following duties:

1. Preside at meetings and hearings of the Commission;
2. When authorized by the Commission, the Chair shall affix to any documents its signature on the Commission's behalf;
3. The Chair or the Chair's designee shall represent the Commission and keep it informed when not in session;
4. The Chair shall appoint all members and Chairs of committees and subcommittees; and

5. The Chair or the Chair's appointee shall act as a liaison to the Williamsburg and York County Planning Commissions.

**B. VICE CHAIR**

The Vice Chair shall perform the duties of the Chair during the absence or disability of the Chair.

**C. SECRETARY**

The Secretary of the Commission shall be the Director of Planning and shall have the following duties:

1. Keep a record of all regular, adjourned regular, special, and adjourned special meetings and public hearings and transcribe in a minute book of the Commission;
2. Prepare and cause to be delivered all notices of all meetings required to be sent under these Bylaws to Commission members;
3. Have charge of all official books, papers, maps, and records of the Commission and conduct all official correspondence relative to hearings, meetings, resolutions, decisions, and other business of the Commission as directed by the Chair or reflected by valid actions of the Commission;
4. Receive minutes of all committee meetings and preserve these as official records of the Commission; and
5. Notify the Vice Chair, by telephone or in person, on the day the Chair informs the Secretary that they will not be present at a scheduled meeting. It is the duty of the Secretary to brief the Vice Chair on items to come before the Commission when the Vice Chair presides.

**D. MEMBER DUTIES**

Members of the Commission shall have the duties assigned to it by the Virginia Code, the County Charter, and as assigned by the Board. With respect to attendance at meetings, the Commission shall have the following specific duties:

1. Attend regular, adjourned regular, special and adjourned special meetings and public hearings;
2. Attend regular, adjourned regular, special, and adjourned special committee meetings to which the member is appointed;
3. Represent the Commission at Board meetings in rotation; and
4. Attend ad-hoc committee meetings as agreed to by the Commission.

## ARTICLE IX. COMMITTEES

1. The Director of Planning or the Director's designee shall serve as a non-voting, ex officio member of all standing and special committees.
2. All committee reports written or oral shall be an official record of the Commission.
3. The following committees and their Chair shall be appointed by the Commission Chair within thirty days after the Chair takes office:
  - a. Development Review Committee. This Committee shall be composed of at least four members and have the following responsibilities:
    1. Review those applications for subdivisions which are required by law to be submitted to the Commission for approval, receive and review staff reports on them, and make recommendations to the Commission;
    2. Review those site plan applications that are required by law to be submitted to the Commission for approval, receive and review staff reports on them, and make recommendations to the Commission.
    3. Review those applications, where provided by law and as more specifically provided therein, that serve as an appeal of a decision by the planning director or his designee.
    4. Unless otherwise provided for by law, such decisions of the DRC shall be recommendations which are then forwarded to the full Commission for action.
  - b. Policy Committee. This Committee shall be composed of at least four members and shall have the following responsibilities:
    1. Address long-range planning goals of the Commission and explore strategies for achieving them; and
    2. Address ways to maintain and improve working relationships between the Commission, other County organizations, as well as with surrounding jurisdictions and organizations involved in planning initiatives.
    3. Conduct the Commission's initial review of the Capital Improvement Plan.
    4. Recommend and prepare new and revised policies for the Commission.
    5. Conduct the Commission's initial review of ordinance amendments, as directed by the Chair of the Commission.
  - c. Leadership Committee. This committee shall be composed of three members; the Chair and Vice Chair of the Commission and the Chair of the Policy Committee.

The Leadership Committee shall review concerns raised regarding the conduct of the Commission or any one of its members acting in his or her official capacity. The Leadership Committee shall, if deemed necessary by the Leadership Committee, recommend appropriate remedial measures to the Commission.

ARTICLE X. PARLIAMENTARY AUTHORITY AND ORGANIZATIONAL PROCEDURE

The Commission shall follow the most recent edition of Robert's Rules of Order, and more specifically, the provisions which pertain to the "conduct of business in boards" and in particular, the "Procedure in Small Boards."

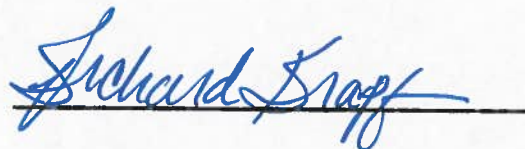
ARTICLE XI. AMENDMENT

Amendments may be made to these Bylaws by a two-thirds (2/3) vote of the Commission voting members only after a minimum 30 days' prior notice is given and only at a regular scheduled meeting.

ARTICLE XII. MISCELLANEOUS

The Commission may suspend any of these rules by not less than a two-thirds (2/3) vote of those Commission members present and voting at the meeting.

Adopted November 28, 1978  
Amended July 10, 1990  
Amended May 12, 1992  
Amended March 8, 1994  
Amended May 4, 1998  
Amended June 1, 1998  
Amended June 3, 2002  
Amended August 5, 2002  
Amended January 12, 2004  
Amended January 6, 2010  
Amended April 7, 2010  
Amended March 5, 2014  
Amended March 4, 2015

A handwritten signature in blue ink, reading "Richard Krapf", is written over a horizontal line.

Richard Krapf, Chairman