

**Policy Committee
Government Center Complex
Large Conference Room, Building A**

May 12, 2010 - 6:00 p.m.

A. Roll Call

B. Minutes

1. March 17, 2010

C. Old Business

D. New Business

1. ZO-0001-2010 Pedestrian Wayside Signage

2. ZO-0002-2010 / SO-0001-2010 Subdivision / Site Plan
Review Improvement Team (SSPRIT) Recommendations

E. Adjournment

MEMORANDUM

DATE: May 12, 2010
TO: The James City County Policy Committee
FROM: Melissa C. Brown, Zoning Administrator
SUBJECT: Case No. ZO-01-10. Amendments to Chapter 24, Zoning, Article II, Special Regulations, Division 3, Exterior Signs Way-Finding Signage

Proposal:

Upon receiving a request by Town Management representing the commercial owners association for New Town, and after suitable corresponding research, staff is proposing to amend Article II, Special Regulations, Division 3, Exterior Signs of the Zoning Ordinance. The proposed changes are as outlined in the attached draft ordinance.

Background and Analysis:

The development community working in the New Town Mixed Use District has requested several changes to the current provisions of Chapter 24, Zoning, Article II, Special Regulations, Division 3, Exterior Signs. Cited was the special nature of New Town (and possible future similar developments), and the unique opportunities and challenges that this type of development fosters.

The intention in New Town is to create a pedestrian-oriented development, with higher residential densities and a broader spectrum of mixed commercial land uses than one would normally expect to see in a traditional downtown. The Planning Division recognized the need to amend the current sign ordinance to allow for types of signage that would support this development, and future, similar Mixed-Use developments like New Town. Currently, permitted signs are geared toward helping motorists locate a business rather than pedestrians. In contrast, pedestrians looking for a business in urban areas have different needs due to more limited sight distances and the location of buildings behind street trees. To facilitate the development of a suitable amendment to the current Ordinance, the Planning staff worked with the senior Development Management staff, the planning departments of other localities, the New Town Design Review Board, and the James City County Attorney's Office. Site visits were conducted

and documented to provide examples of appropriate signage for pedestrian-oriented Mixed-Use development.

The amendment that was formulated consists of several parts (that are shown in their entirety in the attached draft document). The net effects of these various changes are as follows:

- Blade signs currently permitted in Mixed-Use districts will no longer count against the total allowable building face signage for a particular unit. Instead, each unit is permitted one 12 square foot blade sign and additional signage in accordance with current building face sign limits of 1 square foot of signage per linear foot of store frontage up to 60 square feet;
- Pedestrian-scale directional sign area would be increased from 16 square feet to 24 square feet to better accommodate maps and way-finding information on the sign board;
- Sandwich board signs displaying daily specials will now be permitted in Mixed Use districts and other areas that are included in binding area studies with design guidelines approved by the Board of Supervisors. There are limitations on the size and locations of such signs and all sign material must be removed each day at close of business.
- An exception clause is proposed to provide one additional building face sign per unit when the applicant can prove that due to location, topography, separation of grade or the location of driveways in relation to the location of businesses and traffic flow patterns, a hardship is imposed on the business. Such businesses must be located within a Mixed-Use district.

Recommendation:

The goal of this proposed amendment is to create an ordinance that permits pedestrian-scale signage that acts as an enhancement to the current sign ordinance by creating a system of way-finding signs that promotes the flow of visitor traffic from adjacent streets into the development and to their final destination. Planning staff believes that the changes to the Zoning Ordinance contained in this proposed amendment will help to facilitate and enhance the types of development being sought in New Town and in similar projects within James City County, and recommends that the Planning Commission recommend approval for the attached Zoning Ordinance amendment.

Attachment:

1. Draft Ordinance

ORDINANCE NO. _____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 24, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE II, SPECIAL REGULATIONS, DIVISION 3, EXTERIOR SIGNS; SECTION 24-73, SPECIAL REGULATIONS FOR CERTAIN SIGNS; AND SECTION 24-77, EXCEPTIONS.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 24, Zoning, Article II, Special Regulations, Division 3, Exterior Signs, is hereby amended and reordained by amending Section 24-73, Special regulations for certain signs; and Section 24-77, Exceptions.

Chapter 24. Zoning

Article II. Special Regulations

Division 3. Exterior Signs

Section 24-73. Special regulations for certain signs.

(j) Blade signs in mixed-use districts. Blade signs are permitted in mixed-use districts, as long as the project is regulated by a design review board, governed by specific architectural and design standards, and guided by an approved master plan of development, all of which shall be approved by the board of supervisors. Blade signs must adhere to the following limitations and requirements:

- (1) There shall be no more than one sign per public entrance to any given building;
- (2) The sign(s) shall be positioned at the public entrance(s) of the building;
- (3) An individual blade sign shall be no more than 12 square feet in area;

- ~~(4) The total square footage of all blade signs and all building face signs shall not exceed one square foot of signage per linear foot of store frontage, with a maximum of 60 square feet. Only one side of a double faced blade sign shall be included in a computation of sign area;~~
- (5) The sign shall be mounted such that the bottom edge of the sign is not less than eight feet from the finished grade directly underneath it;
- (6) Blade signs shall be unlit, or externally illuminated in such a way that bulbs, lenses, and globes shall not be visible from the right-of-way, and light shall not be directed in such a way as to cause glare for passing motorists or pedestrians;
- (7) Blade signs that extend over a public right-of-way are subject to the prior approval of the controlling public entity. If approved, the developer shall provide positive proof of insurance for each sign mounted over the public right-of-way, or an alternate liability instrument deemed suitable by the controlling public entity;
- (8) All blade signs shall obtain the prior approval of the design review board for the mixed-use project before they are installed.

(k) Pedestrian-scale directional signs in mixed-use districts. Small, free-standing signs designed to direct pedestrian traffic to locations of interest within the development may be placed in mixed-use districts, as long as the project is regulated by a design review board, governed by specific architectural and design standards, and guided by an approved master plan of development, all of which shall be approved by the board of supervisors. Pedestrian-scale directional signs must adhere to the following limitations and requirements:

- (1) Such individual signs shall be no more than ~~16~~ 24 square feet in total area, and may not have more than two faces. Only one side of a double-faced sign shall be included in a computation of sign area;

(n) Sandwich board signs – Sandwich board signs may be permitted in areas designated for commercial uses located in mixed – use districts, as long as the project is regulated by a Design Review Board, governed by specific architectural and design standards, and guided by an approved Master Plan of development, all of which shall be approved by the Board of Supervisors. Alternatively, such signs may be located in other areas where there exists approved design guidelines adopted by the Board of Supervisors when such signs comply with said guidelines. Sandwich board signs must comply with the following requirements:

- 1. One sandwich board sign displaying menu items or daily specials on the premises shall be permitted at each public entrance of a business location.*
- 2. Such sign(s) shall not exceed twelve (12) square feet in area and six (6) feet in height,*
- 3. Sign(s) shall be located on premises or no more than ten feet from the seating area or access door and shall not block the flow of pedestrian traffic. Any such sign shall be removed each evening at close of business.*

Sec. 24-77. Exceptions.

(a) Upon application, the administrator or his designee may grant an on-premises sign limitation waiver which may allow:

(6) One additional building face sign not to exceed the building unit's front façade or sixty square feet, whichever is smaller, when the unit is located in a Mixed-Use district and an area designated for commercial uses on the binding master plan as long as the project is regulated by a Design Review Board, governed by specific architectural and design standards, and guided by an approved binding Master Plan of development, all of which shall be approved by the Board of Supervisors. The size and scale of the sign and proportion of lettering, characters, and figures shall complement the design, scale, size,

and materials of the building as well as the distance of the building from adjacent public right-of-ways. The scale of the sign in proportion to the building should be balanced so that the sign is not the dominant visual feature of the structure.

(b) Such on-premises sign limitation waivers shall only be granted in unusual circumstances where it can be demonstrated to the administrator or his designee that:

- (1) Unusual topography, vegetation, distance of the business or parcel from the road right-of-way, distance between driveways, separation of grade or the location of the driveway in relation to the location of the business and traffic patterns would impose a substantial hardship upon the business by making the advertising signs unreadable from vehicles on the adjoining roadway; or
- (2) The waiver would allow the business to post signs that are consistent with the majority of other businesses located on the same parcel; or
- (3) In addition to the provisions for granting sign limitation waivers under (b)(1) and (2) of this subsection, if the facade of the building is so designed that a building face sign cannot be placed upon it, and a roof sign would be the only reasonable and practical solution consistent with good design, a sign consistent with subsection (a)(4) above shall be permitted, provided that the sign is not within 200 feet of residentially zoned property; and
- (4) That in subsections (b)(1), (2), and (3) above such waiver is consistent with traffic safety and all other provisions of this article.

MEMORANDUM

DATE: May 12, 2010
TO: The James City County Policy Committee
FROM: Christopher Johnson, Principal Planner
RE: Case Nos. ZO-0002-2010 and SO-0001-2010. SSPRIT Recommendations

Proposal:

Consideration of amendments to Chapter 24, Zoning, Article III, Site Plan, Sections 24-142 through 24-160 and Chapter 19, Subdivisions, Article II, Procedures and Documents to be Filed, Sections 19-19 through 19-31 to revise the review criteria and procedures for administrative and commission review of conceptual plans, site plans and subdivisions.

Background:

In February 2006, the James City County Economic Development Authority recommended that the Board of Supervisors appoint an interdisciplinary Business Climate Task Force (BCTF) to help identify how the County could be a more value-added partner to the business and industrial community, identify potential business partners and assess the needs of those potential partners.

The BCTF Report was presented to the Board of Supervisors in January 2008. The report identified qualities, characteristics, and categories of businesses preferred in James City County and proposed policies, programs and ordinance changes that will attract, retain, and expand those businesses.

A BCTF subcommittee evaluated the County's site plan and subdivision review process and found that the process was not predictable with respect to either outcome or timeliness. The number of projects that require Development Review Committee and Planning Commission consideration was determined to slow down the review process. Outside review agencies such as VDOT, Newport News Waterworks and the Health Department are outside the County's control, and therefore cannot be required to meet ordinance mandated plan review comment deadlines. The process was found to be further delayed by design professionals submitting partially complete plans just to get in a sequential space in the development plan review queue.

The report stated that "James City County's Development Management staff has grown and become more specialized over the years, as projects and regulations have become more complex, and as concerns have increased over quality of life and quality of the environment. But at the same time, the County Code as it has evolved now requires a "hands-on" review of projects by elected and appointed citizen bodies. While this process provides numerous opportunities for review and input, it adds to the unpredictability and delay in decision-making. The current process favors final approval/veto from the citizen bodies, and discourages collaborative solutions between staff and businesses."

The report included the following recommendations for development plan review process improvements:

1. *“Amend site plan ordinance and site plan review to make the process more predictable. Use internal and external historical review data to set adequate review time for full comments, extending the timeline, if needed.”*
2. *“Change ordinance to reduce the number and types of projects that require Development Review Committee and Planning Commission consideration.”*
3. *“Promote site plan pre-application and Development Roundtable meetings to include outside agencies.”*

Following Board acceptance of the BCTF report, County Administration charged Development Management staff with organizing a committee to review the County’s development plan review process identify issues at every level of the process and make recommendations to fulfill the BCTF action items. The Subdivision/Site Plan Review Improvement Team (SSPRIT) was comprised of members from all aspects of the development community. Representatives included professionals from local firms such as AES Consulting Engineers, Guernsey-Tingle Architects, Jamestown Management and Kaufman & Canoles. A diverse group of County staff members from the Planning Division, Environmental Division Zoning and General Services were selected for the team as well as a representative from the Virginia Department of Transportation.

The team began meeting biweekly in February 2008 and began the process by establishing the following goals and objectives for their work:

- *Increase predictability within the plan review process*
- *Establish consistency for all applicants*
- *Improve two-way communication between applicants and staff*
- *Reduce the number of plan submittals and achieve better quality plans*
- *Empower staff to make decisions independent of management, the DRC or Planning Commission*

Various speakers were invited to present and discuss new ideas for the committee’s consideration. After much discussion and research, the following recommendations were developed to improve the development plan review process for all involved parties and to fulfill the recommendations of the Business Climate Task Force.

1. Development Guide

Design and publish a comprehensive “Development Guide” with an overview, step-by-step process and submittal requirements for all development services.

2. Revise Development Checklists

Have all plan review agencies review, revise and publish up-to-date checklists to ensure development plans address ordinance requirements and help reduce overlapping requirements.

3. Response Letter Guide

Design a “Response Letter” template/guide to improve communication between agencies and applicants throughout the submittal process, ensure all comments are addressed and promote fewer re-submittals.

4. Plan Review Timeline Revisions

Standardize agency review times to provide predictability for all applicants.

5. Roundtable Process Improvements

Develop and implement a policy promoting the Roundtable meetings associated with complex subdivision and site plans. This policy would encourage two-way communication during all stages of development plan review.

6. DRC Modifications

Examine, research and process potential Zoning Ordinance modifications to clarify responsibilities of the Development Review Committee and development plan review triggers.

7. Enhanced Conceptual Plan Process

Implement an optional “Enhanced Conceptual Plan” process to allow the development community to obtain input from PC members at DRC meetings in the early stages of the project design process.

Analysis:

Recommendation Nos. 1-3 can be implemented administratively and staff has already begun work on these three tasks. Recommendations Nos. 4-7 require legislative review and action by the Board of Supervisors and amendments to the zoning and subdivision ordinances. Attached below is the Team rationale for each of the four recommendations which require legislative review and action from the Board:

Recommendation No. 4

One recommendation and action item forwarded by the BCTF is to review and revise, if necessary, adequate review times for full plan review comments. SSPRIT found the review times crucial to provide predictability and consistency of all plans. Currently, Section 24-150, Procedures for administrative review of site plans, states, “the planning division shall transmit county staff comments to the applicant within 30 days of submittal of plans meeting all applicable submittal criteria.” The Team discussed various cases and situations that prevented review agencies from meeting the 30-day deadline. After agency input and research, the Team recommends the following change:

Comment Response Deadlines

First Submittal	45 days
Second Submittal	30 days
Third and Subsequent Submittal(s)	21 days (if needed)

The recommended changes will allow agencies additional time to complete the initial plan review thoroughly and reduce oversights that cause additional comments during the second or third submittal stage. This will result in improved predictability for the development community.

Recommendation No. 5

The Development Roundtable meeting was originally established in 2003 to strengthen communication and to better inform applicants by providing a structured forum for discussion. These meetings allow applicants and

staff from various agencies to meet and discuss code requirements, planning processes, and departmental policies in a central location. With Development Roundtable meetings, applicants are afforded the opportunity to have questions answered and overlapping and /or conflicting issues addressed by all parties early in the development process.

By enhancing the Development Roundtable, both reviewing agencies and applicants will rely more heavily on this exchange of information. Creating thresholds that mandate Development Roundtable discussions in the earlier stages of the application process will aid the applicant in gaining guidance from staff during formative stages of the development process. Applicants participating in Development Roundtable discussions will benefit from greater predictability as reviewing agencies work within guaranteed timelines. While engaging in an open exchange, review agencies will gain a greater awareness of departmental objectives and thus identify and eliminate conflicting requirements. Engaging applicants in a two-way dialogue by providing more informed and project- specific information will reduce costly, time-exhausting resubmittals. The Enhanced Development Roundtable Process will engage both applicant and staff in communication that is more productive and improve transparency of the process.

The following are suggested Enhanced Development Roundtable thresholds:

1. At the applicant's request;
2. At the request of the Development Manager, Planning and/or Environmental Director;
3. Any project after the initial review comments are issued (prior to next subsequent submittal);
4. Expedited review status cases (prior to the first submittal).

Enhanced Development Roundtable thresholds for conceptual plan cases:

1. All plans except those minor in nature (less than 5,000 square feet in size);
2. All projects within a defined County special study area, including but not limited to:
 - Designated Business Enterprise Zones
 - Five Forks area
 - Toano Community
 - Watershed management plan areas
 - Business, commercial or industrial parks

Recommendation No. 6

The BCTF recommends changing the Zoning Ordinance “to reduce the number and types of projects that require Development Review Committee and Planning Commission consideration.” In keeping with this recommendation, the Team discussed and researched this topic in detail and found evidence to recommend the following changes:

- Define the role of the Development Review Committee (DRC) in the Zoning Ordinance. This action will provide clarity to all parties involved.
- Adding a consent item section to the DRC meeting agenda. This will allow an opportunity for quick and efficient consideration of minor and non-controversial items such as parking exceptions, minor master plan amendments and cul-de-sac exceptions.
- Encourage attorneys and applicants to write proffers that do not send plans to the DRC but to the Zoning Administrator or Planning Director.
- Amend the Zoning Ordinance to modify current triggers that require plans be reviewed and approved by the DRC and that may lengthen plan review process for projects.

- Eliminate “multi-family development of 50 or more units.” In most cases, developments of this nature are part of an approved and binding master plan that has already gone through legislative approval process.
- Eliminate “two entrances on the same road. This type of item should be a planning staff / VDOT review issue.
- Increase “building or groups of buildings over 30,000 square feet” to buildings over 50,000 square feet.
- Eliminate all industrial and office buildings in an approved and binding master planned industrial or office park.

Recommendation No. 7

Enhanced Conceptual Review will improve the review process for both the development community as well as James City County citizens through the extension of the DRC. The applicant submitting Enhanced Conceptual Review plans will receive input earlier in the review process that will potentially reduce the number of re-submittals and costly changes in engineered plans, and the DRC will be further enabled to engage in shaping the substantive design and layout components of the development plan early in the process. Staff has included an attachment titled “Submittal Requirements for Enhanced Conceptual Plans” which outlines the required elements for a conceptual plan that would be reviewed by the DRC as proposed by the Team.

A progression in the review process which includes DRC review of an enhanced conceptual plan and moves to more detailed, engineering-related plans for staff review will benefit applicants by creating greater efficiency and aide in the predictability of the process. By creating a two-phased approach to plan reviews, the role of the DRC in guiding development plans will become more strategic as their input is received at a time when the plan is more adaptable. By voluntarily submitting to Enhanced Conceptual Review, once DRC approval is granted, applicants can more comfortably commit to the costly task of generating fully engineered plans for further staff review. The Enhanced Conceptual Review will benefit the citizens of James City County by creating plans that are guided by applicable ordinances and sound planning principles and at the same time improving the review process for the business community. However, should an applicant choose not to utilize this process, the existing ordinance requirements and policies would be followed. Enhanced conceptual plans would be granted preliminary approval subject to conditions recommended by the DRC and administrative review and approval of subsequently submitted engineered site plans and subdivisions.

Staff Recommendation:

The Team’s recommendations were designed to provide predictability and transparency throughout the development plan review process, improve two-way communication, enhance the quality of plans and create a positive perception for all parties involved. Following a discussion of the Team’s rationale for each of their recommendations, staff will present draft language for Commission consideration at the May 25th Policy Committee meeting in advance of a public hearing on the proposed amendments on June 2nd.

Christopher Johnson, Principal Planner

Attachment:

1. Submittal Requirements for Enhanced Conceptual Plans

Submittal Requirements for Enhanced Preliminary Plans

Planning Division

- Project title, title block, legends, north arrows and plan scale labeled
- Vicinity and location maps and site address (if known)
- Site owner and developer information
- Zoning and land use information
- County tax parcel number, site boundary and parcel size information
- Setbacks (Building, Landscape, etc.)
- Buffers (RPA, Community Character, etc.)
- Adjacent property information
- Existing site features such as property lines, roads, buildings, roads, driveways, utilities, etc.
- Show existing topography of the site using available County base mapping (5 ft. contours) or by other acceptable mapping sources or surveys. Spot elevation information should be shown at topographical low or high points.
- Existing and proposed rights-of-ways and easements
- Layout of proposed improvements showing:
 - Design and placement
 - Circulation
 - Number of parking spaces required
 - Number of parking spaces provided
 - Setbacks
 - Handicap spaces
 - Loading spaces
 - Buildings or structures
 - Entrances and roads
 - Parking islands
 - Recreation areas
 - Streetlights
- Landscape Plan
 - General location of plantings
 - Buffer/perimeter/screening plantings
- Location and type of recreational facilities (residential only)
- Provide a Narrative indicating the purpose of the project and compliance with any proffer and master plan requirements.

James City Service Authority (JCSA)

Public Water Systems

- Show location and size of existing water mains and proposed connection point(s)
- Show all proposed water meters and locations
- Label and show all proposed water lines
- Show location of JCSA fire hydrants
- Show proposed fire hydrant locations
- Indicate proposed building usage and number of floors
- Provide preliminary demands based on proposed use and required fire flow
- Fire Flow test performed to determine adequate capacity for proposed development

Private Wells

- Show and label private well locations – existing and proposed

Public Sanitary Sewers

- Show and label location and size of existing sanitary sewer lines and manholes and proposed connection point(s)
- Show proposed sanitary sewer
- Show proposed locations of pump or lift stations
- Show location of proposed grinder pump(s)
- Show and label location of proposed force main(s)
- Verify the need to sewer flow acceptance and related evaluations

Private On-site Sanitary Sewer Disposal

- Show location of onsite disposal system – primary and secondary

Virginia Department of Transportation (VDOT)

- Provide narrative describing the proposed project, to include proposed usage and size in order to determine appropriate ITE code(s), existing site conditions, and compliance with Chapter 527 Traffic Impact Analysis Regulations and Access Management Regulations
- Show proposed entrance location(s) as well as location or distance to nearest existing intersections, crossovers, and/or adjacent intersections
- Provide proposed buildout year, as well as phasing information if applicable
- For all proposed public roads,
 - Provide road typical sections to include street widths, curb type, shoulders, sidewalk, bike lanes, planting strips, right of way line, conceptual utility locations, etc.
 - Provide centerline curve data for conceptual horizontal alignment
- Provide traffic impact study for projects with:
 - 100 or more lots
 - Uses that generate in excess of 100 peak hour trips
 - A supplemental turn-lane warrant analysis may be required for sites below these thresholds
- Note any proposed design features or elements for which waivers will be sought

JCC Environmental Division

- Provide project site area, disturbed area, impervious cover and percent impervious estimates
- Show applicable FEMA FIRM panel information and zone designations.
- Identify the County watershed, subwatershed and catchment (as applicable)
- Identify if the site is subject to the County's Special Stormwater Criteria (SSC)
- Provide an overall soils map for the site along with general soil descriptions for each soil mapping unit present on the site from the current edition of the Soil Survey of James City and York Counties and the City of Williamsburg, Va. (1985). Soils map must include preliminary locations of highly erodible, hydric, permeable and Hydrologic Soil Group A and B soils.
- Provide a full and complete environmental inventory, consistent with Section 23-10(2) of the County's Chesapeake Bay Preservation ordinance. A full and complete inventory contains the following information:
 - A map or drawing at a scale of 1 inch = 100 foot scale or above
 - A perennial stream assessment, submitted directly to and approved by the County

watershed planner

- Wetlands delineated and confirmed by applicable federal and/or state agencies
- Show and label anticipated limits of work
- A table which lists all inventory components, whether they are present on the site, and impacts quantified (linear feet, acres, square feet, acres, etc.).
- Inventories shall include offsite areas if offsite work is proposed for the project.
- Demonstrate that the project complies with Section 23-9(b)(1) and (2) and (3) of the County's Chesapeake Bay Preservation to limit land-disturbing, preserve existing vegetation, and minimize impervious cover consistent with the proposed land use or development permitted.
- Show locations of existing and proposed stormwater management/BMP facilities, with County BMP ID Code numbers (if known) and labels to show intended BMP type in accordance with designations in the County BMP manual (County type A-1, B-2, C-3, D-4, etc.).
- Show the approximate location of areas intended to be dedicated in conservation easement for natural open space, BMP worksheet or stormwater compliance purposes
- Demonstrate that the project complies with the County's 10-point system for water quality and stream channel protection, and Minimum Standard # 19 of the Virginia Erosion and Sediment Control regulations. A preliminary Worksheet for the BMP Point System is required. Storm drainage systems and BMP outfalls must outlet into adequate, defined natural or man-made receiving channels.
- Show the preliminary location of primary proposed stormwater drainage system conveyances such as inlets, storm drainage piping, culverts and stormwater conveyance channels (for primary systems). Sizes, details or full designs are not required.
- Provide a list of any other known federal, state and local permits that are required for the project as well as any exceptions, variances or waivers that need to be obtained or pursued (examples: VSMP, VPDES, Chesapeake Bay, County BMP manual, wetland, groundwater withdrawal, septic drainfield, private wells, building permits, etc.)