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
August 10, 2023
3:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. MINUTES

1. Minutes of the January 12, 2023 Meeting
2. Minutes of the February 9, 2023 Meeting
3. Minutes of the February 16, 2023 Meeting
4. Minutes of the February 23, 2023, Meeting (Special Meeting)
5. Minutes of the February 23, 2023, Meeting (CIP)
6. Minutes of the March 9, 2023 Meeting
7. Minutes of the April 13, 2023, Meeting

D. OLD BUSINESS

E. NEW BUSINESS

1. Fiscal Year 2025-2029 Capital Improvements Program Review Process Adjustments
2. Possible Zoning Ordinance Revisions to the Use List of the General Business District, B-1

F. ADJOURNMENT

AGENDA ITEM NO. C.1.

ITEM SUMMARY

DATE:	8/10/2023
TO:	The Policy Committee
FROM:	Paul D. Holt, III, Secretary
SUBJECT:	Minutes of the January 12, 2023 Meeting

ATTACHMENTS:

	Description	Type
	Minutes of the January 12, 2023 Meeting	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Policy Secretary	Secretary, Policy	Approved	8/1/2023 - 8:38 AM
Publication Management	Pobiak, Amanda	Approved	8/1/2023 - 10:53 AM
Policy Secretary	Secretary, Policy	Approved	8/3/2023 - 9:48 AM

M I N U T E S
JAMES CITY COUNTY POLICY COMMITTEE
REGULAR MEETING
Building A Large Conference Room
101 Mounts Bay Road, Williamsburg, VA 23185
January 12, 2023
4:00 PM

A. CALL TO ORDER

Mr. Jack Haldeman called the meeting to order at approximately 4:00 p.m.

B. ROLL CALL

Present:
Jack Haldeman, Chair
Rich Krapf
Tim O'Connor
Frank Polster

Staff:
Josh Crump, Principal Planner
Ellen Cook, Principal Planner
John Risinger, Planner II
Jose Ribeiro, Senior Planner II/Landscape Planner
Thomas Wysong, Senior Planner II
Andrea Case, Community Development Assistant
Liz Parman, Deputy County Attorney

C. MINUTES

Mr. Rich Krapf requested a correction to page 3 of the November 10, 2022, minutes.

Mr. Krapf made a motion to Approve the November 10, 2022, meeting minutes, as corrected, and the December 8, 2022, Meeting minutes.

The motion passed 4-0.

1. Minutes of the November 10, 2022 Meeting

2. Minutes of the December 8, 2022 Meeting

D. OLD BUSINESS

1. ORD-22-0001. Amendments for Scenic Roadway Protection

Mr. Haldeman stated that the Policy Committee had already made several decisions on this item in past meetings. He stated his understanding of the items remaining for Policy Committee discussion. Mr. Haldeman asked for staff confirmation.

Mr. Wysong confirmed Mr. Haldeman's list and clarified that the 400-foot setback would apply along both Forge and Old Stage Roads.

Mr. Krapf asked for clarification on the provision to allow structures to expand.

Mr. Wysong confirmed that a structure within or partially within the setback would be able to expand, but not toward the roadway.

Mr. Wysong stated that as requested by the Policy Committee at its last meeting, staff had done analyses of Forge Road and Old Stage Road and included the nonconformities data and visual impact graphics in the packet. Mr. Wysong summarized the nonconformities data, noting how the potential exemption for parcels less than 500 feet in width would affect the numbers of nonconforming structures.

Mr. Haldeman asked that the Committee consider Forge Road first.

Mr. Krapf complimented the packet materials.

Mr. Polster discussed the setback under consideration and its relationship to other potential Ordinance amendments for the A-1 cluster standards. Mr. Polster stated that it was his understanding that the appropriate width of the setback in a cluster development could be considered separately as part of the Cluster Ordinance standards.

Staff confirmed.

Mr. Polster stated that he took that to be an issue to be settled at some other point then, but wanted it noted for this Ordinance item that the Cluster Ordinance amendments were yet to come. Mr. Polster added that he found the map showing the conservation easements to be very helpful in demonstrating that the setback would help and enhance what is already in place.

Mr. O'Connor stated that he thought 400 feet is excessive, noting the substantial area that would be potentially within the setback for parcels along these roads. Mr. O'Connor questioned the visual impact of a house on a 20-acre lot that has a long stretch of road frontage since the house will be surrounded by hundreds of feet that will be open to the sides and rear. Mr. O'Connor noted that the next potential Ordinance amendment regarding how density is calculated could also impact these parcels. Mr. O'Connor stated that the setback is a taking, in his opinion, and reduces the developable land available to property owners. Mr. O'Connor noted that there had been recent changes to the minimum lot size requirement that affected A-1 property owners as well.

Mr. Haldeman stated that he had sent staff a question to ask if most of the buildings that are more than 400 feet from the road are now zoned for the one unit per 20 acres ratio, and it is roughly half of the structures on Forge Road. Mr. Haldeman stated that this supported Mr. O'Connor's thought that a 400-foot setback is not really needed for the scenic view, as the units will be separated regardless.

Mr. O'Connor asked who the viewsheds are being protector for, and whether citizens understood what areas of the County are actually designated Rural Lands. He added that the County has also recently significantly reduced the development potential of these lots via minimum lot size changes.

Mr. Krapf acknowledged that because he lives on Forge Road he may be biased, but that the visual simulations provided with the packet got his attention. While the houses may not be on top of each other, the placement can still be impactful. Mr. Krapf discussed the concept of the setback being a "taking," noting the setback would not deny the owner the use of the land, and provided examples of agricultural or livestock uses on parcels that neighbor his property.

Mr. O'Connor stated that some properties along Forge Road had received an incentive in exchange for the 400-foot setback via the Purchase of Development Rights (PDR) program. In the case of the setback under consideration, there is no incentive.

Mr. Krapf stated that a landowner still had many alternatives for using the land within the setback area.

Mr. Haldeman stated that the setback was not a taking from a legal point of view and asked for confirmation.

Ms. Parman confirmed.

Mr. Polster returned to Mr. Haldeman's question about the number of parcels that are 20 acres or more, and asked staff where these parcels were.

Mr. Wysong stated that staff did not have that information immediately available.

Mr. Polster stated he brought this up in relation to the evaluation of incentives or disincentives, with cluster development being a part of this consideration. He stated that as long as this analysis could be revisited, he was okay with the update to the setback section to specify 400 feet.

Mr. O'Connor stated that while other Ordinances, such as Cluster, may still be under consideration, they are not approved, so they remain an unknown.

Mr. Polster acknowledged this issue. Mr. Polster asked if a cluster development would be allowed to have smaller lots than 20 acres.

Mr. Wysong stated that cluster would allow this.

Mr. Polster stated that this was another way of looking at incentivizing a property owner, by potentially allowing for increased density above the one unit per 20 acres for preservation of open space in a cluster.

Mr. Haldeman asked if the Committee felt it was possible to move forward with the setback, separate from other possible Ordinance changes.

Mr. Polster stated that perhaps not everyone would feel comfortable since there is no way to assure future Ordinance changes.

Mr. Haldeman asked if there was a setback expansion that Mr. O'Connor would find acceptable.

Mr. O'Connor stated that he was open to anything. He stated that if someone on Forge Road had a 20-acre lot, that they would not put their home up near Forge Road.

Mr. Krapf asked what the problem would be with having the expanded setback then.

Mr. O'Connor objected to taking away the property owner's choice. He provided an existing example of an approximately 20-acre property with a house on it which he does not feel presents a visual blight. He stated that the County had recently impacted A-1 property owners through the minimum lot size change, and that if there were to be additional setback requirements, the County should give the property owners something back. He stated that the County should compensate property owners via mechanisms such as a special tax district or purchase of conservation easements, or via higher density or clustering options. He stated that any incentives should be part of the package with the setbacks because otherwise there are no guarantees.

Mr. Haldeman sought clarification from the Committee on the draft recommendation, whether it was correct to state it as assuming that the Committee recommends approval of the 400-foot setback, but that in exchange there be approval of a clustering Ordinance.

Mr. Krapf asked if the Ordinance amendment would be a topic of discussion at the Board of Supervisors (BOS) Business Meeting on January 24. He asked if it would be helpful to express the concerns of the Policy Committee to the BOS.

Mr. Wysong confirmed.

Mr. Haldeman asked if the Committee could make a motion with a recommendation to the Planning Commission regarding incentives.

Mr. Polster stated that the Committee should seek additional guidance from the BOS regarding standards to incentivize cluster developments in Rural Lands.

Mr. Krapf asked if the Committee's concerns were regarding the 400-foot setback and not the other questions raised by staff.

Mr. Wysong stated that the two other questions were whether parcels less than 500 feet deep should be exempt and whether structures in the setback should be allowed to expand as long as they do not expand towards the scenic road.

Mr. Krapf stated that he did not have concerns for those points but that there should be discussions regarding whether it is appropriate to compensate landowners for the 400-foot setback.

Mr. Polster stated maps showing the potential setbacks should be provided to the BOS so they could give additional guidance.

Mr. Haldeman asked if the Committee would table the discussion.

Mr. Polster stated that the discussion should be tabled until there was further guidance from the BOS.

Ms. Cook stated that it could be helpful if the Committee provided recommendations to the BOS.

Mr. Polster stated he was interested in reviewing standards for cluster developments and how they relate to the 400-foot setback.

Mr. Wysong asked if it was fair to say that the Committee was interested in exploring a variety of potential incentives to offset the setback.

Mr. Polster agreed.

Mr. Krapf agreed.

Mr. O'Connor stated that there should be an incentive for the landowners and the goal of the amendment should be clearly defined.

Mr. Haldeman asked if the recommendation would be that a majority of the committee supports the three topics discussed with some tradeoffs for the 400-foot setback.

The Committee agreed.

Mr. Krapf asked if staff had enough direction to go to the January 24, 2023, BOS Business Meeting.

Ms. Cook stated that the direction would be included in the memorandum and that the Planning Commission Chair and Policy Committee Chair would be at the meeting to convey the Committee's discussion.

Mr. Polster stated that the role of density bonuses would be a consideration for the next item on the Committee's Agenda.

Mr. O'Connor stated that he viewed the impacts of the proposed amendments integrally.

Mr. Haldeman stated that the heart of the discussion was around the County's policy to discourage residential development in the Rural Lands. He asked if the Committee was ready to discuss the next item on the Agenda.

Mr. Polster asked if there would be discussion about Old Stage Road.

Mr. Haldeman stated that he had been considering Old Stage Road as part of the recommendation along with Forge Road.

Mr. Polster stated that his request for maps for Forge Road should carry forward to Old Stage Road. He asked about the exhibit in the packet, questioning why the 400-foot setback was not shown for a parcel that was north of a narrow parcel along Old Stage Road.

Mr. Wysong stated that the parcel did not abut Old Stage Road.

Mr. Polster stated that he had concerns that the setback would not apply to the parcel. He stated that he was ready to discuss the next item on the Agenda.

E. NEW BUSINESS

1. ORD-22-0003. Amendments for Calculation of Residential Development Density

Mr. Risinger stated that a request was made at the March 8, 2022, BOS meeting to bring forward an Initiating Resolution to consider amending the methods for calculating residential density with a direction to use a net acreage calculation. He stated the Initiating Resolution was adopted on April 12, 2022. He stated that residential density is calculated by dividing the number of residential units by the acreage of the property. He stated that the acreage being considered could be determined by the gross acreage, net acreage, or an alternative method. He stated that the A-1, R-6, and R-8 Districts currently only specify minimum lot sizes and not density requirements. He stated that the R-1, R-2, R-3, R-4, R-5, PUD, MU, and Residential Cluster Development Overlay Districts currently utilize a stepped approach where a percentage of the gross acreage can be added to the developable acreage.

Mr. Risinger stated that the Low Density Residential (LDR) and Moderate Density Residential (MDR) Land Use Designations in the 2045 Comprehensive Plan have recommended densities based on gross acreage while the Mixed Use and Economic Opportunity - Mooretown Road/Hill Pleasant Farm Area designations have recommended densities based on net acreage. He stated that a gross acreage calculation would be most consistent with the LDR and MDR designations.

Mr. Risinger stated that the Land Use Chapter of the 2045 Comprehensive Plan also indicates that residential growth is intended to occur inside the Primary Service Area (PSA) and that infill development and redevelopment is encouraged to occur inside the PSA. He stated that the Land Use Chapter acknowledges that directing growth inside the PSA results in more efficiency for public services. He stated that moving to a net acreage calculation could reduce the residential capacity of the PSA and could increase growth pressure outside the PSA.

Mr. Risinger stated that the goals of the Workforce Housing Task Force and the 2045 Comprehensive Plan Housing Chapter support creating opportunities for workforce housing. He stated that reducing permitted densities could impact housing affordability. He stated that compatibility between adjacent developments is another factor considered in the 2045 Comprehensive Plan. He stated that a net acreage calculation could result in adjacent developments having a consistent intensity of development if they are in the same zoning district.

Mr. Risinger stated that staff found that a gross acreage calculation may be most consistent with the Land Use Designations while a net acreage calculation may be most consistent with ensuring the compatibility of adjacent developments. He stated that the stepped approach utilized in a majority of the districts serves as a compromise between these two considerations.

Mr. Risinger stated that staff received questions from the Committee regarding the Resource Protection Area (RPA) prior to the meeting. He stated that while areas in the RPA could potentially be counted for the calculation of density, structures could not be built in the RPA without approval in accordance with the Chesapeake Bay Preservation Ordinance. He stated that the Stormwater and Resource Protection (SRP) Division reviewed new developments to ensure compliance with regulations for the RPA.

Mr. Haldeman asked if the amendments would apply to the A-1 and R-8 Districts.

Mr. Crump stated that staff had considered the initiating resolution to apply to residential districts.

Mr. Haldeman asked if the amendments would not apply to the A-1 District but would apply to the R-8 District.

Mr. Crump confirmed.

Mr. Polster asked if that would be the case for the A-1 District inside and outside the PSA.

Mr. Risinger stated that it would be the case for the A-1 District across the board.

Mr. Haldeman stated that if a property was zoned A-1 but designated for residential development in the Comprehensive Plan, the amendment would apply if the property was rezoned to a residential district.

Mr. Polster stated that there were A-1 properties inside the PSA which will potentially have development applications.

Ms. Cook stated that if the applications included a rezoning, they would be reviewed in accordance with the proposed zoning district.

Mr. O'Connor asked what the intent of the Initiating Resolution was. He stated the 2019 Citizen Survey showed support for directing growth inside the PSA which is carried forward in the 2045 Comprehensive Plan. He stated that reducing density could impact the availability of affordable housing.

Mr. Polster asked why the permitted density should have a bonus for areas in the RPA. He stated that there should be a bonus for increased buffers from the RPA.

Ms. Cook stated that density bonuses are options developers could provide in order to build additional units over the base density. She stated that the amendment being considered was regarding how to calculate the permitted base density.

Mr. Polster stated that while the current density calculation may not be a density bonus, developers are receiving credit for non-developable areas when calculating the base density.

Mr. Risinger stated that a number of zoning districts include density bonuses for having an increased buffer from the RPA.

Mr. Polster stated that was an example of an offset that a developer could achieve if a net acreage calculation was used for residential density.

Mr. Krapf asked what the reasoning was to amend the density calculation method from the current approach.

Mr. Haldeman stated that the 2045 Comprehensive Plan indicated there were approximately 10,000 undeveloped lots inside the PSA. He stated that while the 2045 Comprehensive Plan recommended having residential growth inside the PSA, the 2019 Citizen Survey indicated there was already enough or too much housing in the County.

Mr. Polster stated that properties that may be rezoned would offset any decrease to the residential capacity inside the PSA. He stated that he would support using a net acreage calculation.

Mr. Haldeman stated that he would support using a net acreage calculation but would like to explore providing density bonuses for affordable housing.

Mr. O'Connor asked what the realistic impact of changing to a net acreage calculation would be for a 100-acre property.

Mr. Risinger stated that it would depend on the amount of non-developable area on the property.

Mr. Krapf stated that some of the discussions during the Engage 2045 Comprehensive Plan update process were about having residential growth inside the PSA to take development pressure off the Rural Lands.

Mr. Polster stated that the majority of land inside the PSA is designated LDR and that applications to change the land use designation to MDR were not approved for a number of properties during the Engage 2045 Comprehensive Plan update process.

Mr. O'Connor stated that the density of residential developments directly relates to housing affordability.

Mr. Haldeman stated that there would be development pressure in the Rural Lands regardless of whether a net acreage calculation was used for residential density.

Mr. Krapf stated that the changes to increase the minimum lot size requirements in the A-1 and R-8 Districts reduced residential development outside the PSA.

Mr. O'Connor stated that he had considered that the opportunity for development inside the

PSA to be a tradeoff for increasing the minimum lot sizes in the A-1 and R-8 districts.

Mr. Krapf agreed. He stated that he would be in support of keeping the current stepped approach for calculating residential density.

Mr. Polster stated that the 2045 Comprehensive Plan did support reducing growth outside the PSA and increasing growth inside the PSA. He stated that there were conscious decisions made about land use designations to not increase density inside the PSA.

Mr. O'Connor stated that reducing permitted densities throughout the PSA was different than maintaining the current land use designations. He stated that proposed rezonings would be evaluated for consistency with the 2045 Comprehensive Plan and that the Planning Commission and the Board could determine whether the proposal had merits for the proposed density.

Mr. Polster stated that there should be additional guidance for what would be considered a public benefit from a proposed rezoning.

Mr. Haldeman asked if there were any further questions.

There were none.

F. ADJOURNMENT

Mr. Polster made a motion to Adjourn.

Mr. Haldeman adjourned the meeting at approximately 5:35 p.m.

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Paul D. Holt, III, Secretary Jack Haldeman, Chair

AGENDA ITEM NO. C.2.

ITEM SUMMARY

DATE:	8/10/2023
TO:	The Policy Committee
FROM:	Paul D. Holt, III, Secretary
SUBJECT:	Minutes of the February 9, 2023 Meeting

ATTACHMENTS:

	Description	Type
	Minutes of the February 9, 2023 Meeting	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Policy Secretary	Secretary, Policy	Approved	8/1/2023 - 9:29 AM
Publication Management	Daniel, Martha	Approved	8/1/2023 - 10:52 AM
Policy Secretary	Secretary, Policy	Approved	8/3/2023 - 9:49 AM

M I N U T E S
JAMES CITY COUNTY POLICY COMMITTEE
REGULAR MEETING
Building A Large Conference Room
101 Mounts Bay Road, Williamsburg, VA 23185
February 9, 2023
4:00 PM

A. CALL TO ORDER

Mr. Jack Haldeman called the meeting to order at approximately 4:00 p.m.

B. ROLL CALL

Present:
Jack Haldeman, Chair
Rich Krapf
Tim O'Connor
Frank Polster

Staff:
Ellen Cook, Principal Planner
Jose Ribeiro, Senior Planner II/Landscape Planner
Suzanne Yeats, Planner
Terry Costello, Senior Planner
Andrea Case, Community Development Assistant
Liz Parman, Deputy County Attorney
Margo Zechman, Senior Budget and Accounting Analyst
Cheryl Holland, Budget Manager, Financial and Management Services
Christopher Johnson, Director of Economic Development
Tammy Rosario, Assistant Director of Community Development

C. MINUTES

There were no minutes.

D. OLD BUSINESS

1. ORD-22-0004. Amendments to the Zoning Ordinance Regarding Community Recreation Facilities in Residential Districts

Ms. Yeats presented the staff report, stating that staff had addressed questions from the Policy Committee meeting on December 8, 2022. These questions included how widespread the problem was; how the new Ordinance would be enforced; what specific activities would be addressed by the language; what conditions would be included in special use permits (SUPs); and whether there are different ways to address concerns. Ms. Yeats summarized the information presented in the staff report.

Mr. Haldeman asked a question about enforcement authority if a neighborhood facility is used by citizens who live outside a neighborhood, in a circumstance where there is no homeowners association (HOA).

Ms. Yeats stated that if the neighborhood had a recreation association, that would likely be a matter for them.

Mr. Haldeman, Mr. Krapf, and Ms. Yeats discussed the possibility of this being considered trespassing and if police would be able to assist in this situation., with Ms. Yeats also noting that some neighborhoods have their own police or security arrangements.

Mr. Haldeman stated that the matter before them was a situation where an outside group had been given permission to use a facility on a recurring basis.

Ms. Yeats confirmed.

Mr. Krapf asked for more information about staff's response to the Policy Committee's question about what conditions would apply to a potential SUP and expressed concern about the amount of work that would be involved in developing appropriate conditions, particularly when there are a number of existing regulations that address many of the potential issues.

Mr. Krapf, Ms. Yeats, and Ms. Cook discussed that the conditions would depend on whether the Ordinance moved forward, and if it did, then the conditions would depend on the specifics of the case and the analysis and studies done for the SUP - for example, one facility might trigger the need for roadway improvements, while another might not.

Mr. Krapf asked for confirmation that there had been a total of one complaint.

Ms. Yeats confirmed.

Mr. Krapf stated that a response to the Board could be that the Policy Committee had examined this issue and a draft approach to address it, should it become a more frequent issue, but that at this point in time it appears to be a rare and isolated issue and the Committee would not recommend making an Ordinance change at this point.

Mr. Haldeman and Mr. Polster concurred.

Mr. Polster stated that the swim club in Kingswood involved in the complaint had been a 501(c) since 1971. Mr. Polster stated that membership in this group was open for anyone to join, and that their calendar was posted. He stated that he did not think that the concerns related to swim meets, such as some parking on adjacent streets or noise, were significant issues as they would happen infrequently.

Mr. O'Connor noted that there are a number of similar swim clubs in the County. He questioned how, in circumstances where the club is open to the community or to a group of neighborhoods (as in the case of Kingswood), the County could define 50% of a neighborhood as specified in the draft Ordinance language. He stated his concern that this approach was overreaching by telling HOAs how to manage their recreation facilities.

Mr. Haldeman summarized the discussion, stating that the Committee had reviewed the information provided by staff and found that the issue was a very infrequent problem and would require substantial staff oversight. He stated that the Committee would recommend not moving forward with an Ordinance amendment unless the problem became more frequent.

The Committee concurred.

Mr. O'Connor added his strong concern that if the Ordinance is adopted, the County would end up in the middle of internal HOA strife.

Ms. Cook advised the Committee that at the Planning Commission stage, staff would attach draft Ordinance language. The Committee's recommendation to not move forward with Ordinance adoption would be in the staff report, but the language would be available, should the Commission or Board of Supervisors wish to move forward.

The Committee and staff discussed next steps for this item.

E. NEW BUSINESS

1. Fiscal Year 2024-2028 Capital Improvements Program Review

   Ms. Costello presented the staff report, stating the number of applications submitted by the various departments. Ms. Costello provided an overview of the Capital Improvements Program (CIP) review process.

   Mr. Polster asked about how the process the Committee is going through relates to the list of CIP projects included in budget document from last year, since staff and the Board had already made decisions about items moving forward. He noted that the General Services building has funding shown for FY23 and FY24, as an example, and asked why the Committee would be including this project in the prioritization process.

   Ms. Holland described the budget process the County uses, noting that the first year is adopted, while the second year is a framework year and items may be reconsidered.

   Mr. Polster stated that it seemed that if a project was funded in FY23, that the County would certainly fund it in FY24. In addition, if there is already a plan for floating a bond for certain projects, and he questioned whether there is a purpose in revisiting those projects.

   Ms. Holland stated that depending on input on the projects from the Committee in relation to Comprehensive Plan consistency, paired with updated information on funding resources and other considerations, there could still be changes to what had been planned, if directed by the Board.

   Mr. Polster noted that the Board made the final decision on what projects are funded, and that projects may be funded by the Board that are at the bottom of the Committee's prioritization.

   Ms. Holland stated that another factor was the availability of General Services Department staff to administer the projects.

   Mr. Polster asked about the CIP projects included in the budget that were not reviewed by the Policy Committee and questioned the prioritization process if not all projects are included.

   Ms. Holland asked if he was referring to the capital maintenance items.

   Mr. Polster confirmed. He stated that his point was to ask why they were ranking repeat or already funded projects versus just the new ones.

   Ms. Holland stated that would be a change in the process but could be considered.

   Ms. Cook noted that a larger change in the process would likely be a discussion for a future year.

   Mr. Krapf asked if the capital maintenance projects had been included in previous years, and if the Committee at some point had decided not to review them.

   Ms. Cook and Ms. Holland confirmed.

   Mr. Haldeman asked about the expected facility life for several projects and whether it would be appropriate for the ones with the longer facility life be handled through bonds. He noted this would relate the use of the facility to the people who are in the community using it. He noted the low interest rates and the benefit of front-loading projects, as well as the economies of scale that could be achieved by consolidating projects.

Ms. Holland described the process Financial and Management Services Department goes through in consulting with financial advisors on especially the larger and more expensive projects.

Mr. Haldeman and Ms. Holland discussed the County's debt load.

Mr. Krapf asked about American Rescue Plan Act (ARPA) funds and its use for capital projects.

Ms. Holland stated that all ARPA funds have been allocated by the Board. Ms. Holland stated that the items included in the CIP list are items that are not fully funded by ARPA, although some of the projects included may have a piece or a phase funded by ARPA.

Mr. Polster asked about Brickyard Landing.

Ms. Holland stated that Parks & Recreation has been reprioritizing its projects. She stated that some projects may have been shown as funded in FY23 with ARPA funds; however, there have been discussions about whether to continue to move forward with those Parks & Recreation projects that had been previously selected, or whether to switch to other projects in order to meet ARPA timeline requirements (the need to complete projects by 2026), and that some changes had been made.

Mr. Polster and Ms. Holland further discussed the ARPA funds and how it related to the CIP projects on the list.

Ms. Cook asked the Committee for the feedback on whether it had questions for the various Departments that had submitted applications. Ms. Cook asked about whether there were questions for County Administration for the consolidated campus application.

Mr. Haldeman confirmed and stated he would send his questions to staff.

Mr. Polster stated that he had a question for this application as well as some of the General Services applications regarding the inclusion of solar energy in the design of County and Williamsburg-James City County (WJCC) Schools facilities. He recommended that the County include sustainability and renewable energy considerations in facility designs. He recommended considering a solar farm on the 504 acres at the County landfill for sustainability reasons and financial reasons.

Ms. Cook stated that these questions could be passed along to the Departments and asked if there were other questions for Administration.

Mr. Haldeman stated that he had sent questions to Mr. Jason Purse, Assistant County Administrator, via email.

Mr. O'Connor stated he had questions that were partially for Administration and partially for General Services regarding the need for office and other spaces described in the applications. Mr. O'Connor suggested efficient consolidation of services to best serve County citizens, such as Chesterfield County. Mr. O'Connor asked about co-locating a library at the planned consolidated campus in order to create a walkable community with good transportation access.

Ms. Cook stated that Mr. Purse may be able to address considerations for the consolidated campus, including any possibly library co-location. Ms. Cook asked if the Committee had questions for Community Development staff, either for transportation or open space.

In relation to the transportation match application, Mr. Haldeman recommended considering widening Blow Flats Road at the same time that improvements are made to Pocahontas Trail. Mr. Haldeman noted that he would share the responses he received from Ms. Rosario on the open space application with the other Committee members.

Ms. Cook asked if there were questions on the Economic Development application.

Mr. Polster stated that he had two questions, one about the matching funding for one of the projects, and one about the Tier ranking status. Mr. Polster stated that it appeared that the Stonehouse project had received FY23 funding.

Ms. Cook asked if there were questions for the Fire Department application.

Mr. Haldeman stated that he had several, which he had sent to staff and would forward to the Committee. Mr. Haldeman stated that one of his questions was about the entrance design for the new station.

Mr. Polster noted that the older station had very low clearance for the ladder trucks, which can slow them down as they are leaving.

Mr. Haldeman asked about the status of Fire Station 6.

Ms. Costello confirmed with Mr. Krapf that he had a question for the Fire Department as well.

Ms. Cook asked about the General Services applications, stating that some questions for General Services had already been discussed, and asking if there were any additional questions.

Mr. Haldeman asked if the architectural study from 2014 was still valid or needed to be updated.

Mr. O'Connor asked, in relation to the stormwater applications, if the County owned the dam in Mirror Lakes.

Mr. Polster confirmed and described the history of that project.

Mr. Polster discussed the General Services building application, noting that renewable energy needs to be part of the initial design and engineering considerations for County facilities, as the feasibility to include this component is decreased or eliminated if considered later. Mr. Polster noted that renewable energy and sustainability considerations are part of the Comprehensive Plan.

Ms. Costello referred to a question that Mr. Krapf had sent asking if the General Services building could be included in the new consolidated campus.

Mr. Krapf confirmed that he wondered if that was possible or if there would be reasons these facilities could not be located together and recalled that there had been some feedback from General Services that operational needs would not be compatible. He asked for some additional information on what the adverse impacts would be to General Services if they were to be located within the campus.

Ms. Cook asked if there were questions on the Parks & Recreation applications.

Mr. Polster stated that he would like more information about funding for the various Parks and Recreation projects. He expressed support for the Lower County Park application.

Mr. Haldeman asked why the Lower County Park project needed to wait until the Pocahontas Trail project moves forward, as stated in the application. He noted his concerns about equity of access to parks within the County.

Mr. Polster asked what the use of the Abram Frink Jr. Community Center would be after Lower County Park is in place, and whether it would become a library. He noted that there was a separate application for a lower County library.

Ms. Cook asked if the Committee had questions for the Police firing range application.

Mr. Haldeman asked for an update on what has been done so far.

Ms. Holland stated that the additional fund request may be due to cost increases associated with inflation.

Ms. Cook asked if there were questions on the WJCC Schools applications.

Mr. Polster stated his questions regarding the Bright Beginnings program, the implications for school classroom usage, bus times, and overall capacity issues in the elementary schools. He asked for updated documentation. He also asked for information about the plans for cafeteria expansion and how that matched or did not match redistricting plans and considering a bond.

Ms. Cook asked if there were questions on the Social Services application.

The Committee did not have questions.

Ms. Cook asked if the Committee had questions on the Library applications.

Mr. Haldeman stated he did not have questions, and that he was unable to rank the project until a decision has been made on the location.

Mr. Polster asked what the County Administrator and officials in the City of Williamsburg decided. Mr. Polster stated that it was his understanding that the City of Williamsburg was planning to put the library in the old Police building and that funding had already been allocated. He stated that he felt the City of Williamsburg had indicated its direction, and that inclusion of funds in the out years of the County's CIP was puzzling since the location is unknown and no decision has been made.

Mr. O'Connor stated that unless the Library has an update on a decided location, the situation remains the same as in past years and he is not able to rank it either.

Ms. Cook asked if the Committee had questions on the other Library applications.

Mr. Polster stated that he did have questions about the other Library applications, including the plan for the lower County.

Ms. Costello asked the Committee to forward questions to her as soon as possible and she will provide them to the Departments in advance.

Mr. Polster noted that Mr. Krapf would not be in attendance at upcoming CIP meetings and asked if he was comfortable with the rankings he had provided.

Mr. Krapf confirmed, stating that he was familiar with many of the projects from previous years. Mr. Krapf stated that he respected the Committee's judgement and any adjustments to the final order that the Committee might deem appropriate.

The Committee concluded discussion of the CIP agenda item.

Mr. Krapf asked to return to discussion of the Community Recreation Facilities Agenda item. Mr. Krapf asked for clarification from Mr. O'Connor about this desired next step for this item.

Mr. O'Connor stated that his desire was that the item not move forward from the Committee to the full Planning Commission but acknowledged that the staff needed to address the Board's Initiating Resolution. He stated that he would not support this Ordinance change at the Commission level and that, given the Committee concerns, it seemed like a wasted effort on staff's part, should the Board eventually reconsider.

The Committee discussed concerns with enforcing the Ordinance and the staff time that would be involved, as well as impacts to the overall community if there are restrictions on recreation facility uses.

F. ADJOURNMENT

Mr. Polster made a motion to Adjourn.

Mr. Haldeman adjourned the meeting at approximately 5:14 p.m.

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Paul D. Holt, III, Secretary Jack Haldeman, Chair

AGENDA ITEM NO. C.3.

ITEM SUMMARY

DATE:	8/10/2023
TO:	The Policy Committee
FROM:	Paul D. Holt, III, Secretary
SUBJECT:	Minutes of the February 16, 2023 Meeting

ATTACHMENTS:

	Description	Type
🗋	Minutes of the February 16, 2023 Meeting	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Policy Secretary	Secretary, Policy	Approved	8/1/2023 - 9:28 AM
Publication Management	Pobiak, Amanda	Approved	8/1/2023 - 11:02 AM
Policy Secretary	Secretary, Policy	Approved	8/3/2023 - 9:53 AM

M I N U T E S
JAMES CITY COUNTY POLICY COMMITTEE
REGULAR MEETING
Building A Large Conference Room
101 Mounts bay Road, Williamsburg, VA 23185
February 16, 2023
4:00 PM

A. CALL TO ORDER

Mr. Jack Haldeman called the meeting to order at approximately 4:00 p.m.

B. ROLL CALL

Present:
Jack Haldeman, Chair
Tim O'Connor
Frank Polster

Absent: Richard Krapf

Staff:
Terry Costello, Senior Planner
Paxton Condon, Deputy Zoning Administrator/Senior Planner
Andrea Case, Community Development Assistant
Ryan Ashe, Chief of Fire Department
Betsy Fowler, Director of Williamsburg Regional Library
Alister Perkinson, Parks Administrator
Joanna Ripley, Assistant Director of General Services
Shawn Gordon, Chief Civil Engineer
Chris Johnson, Director of Economic Development
Margo Zechman, Senior Budget and Accounting Analyst
Cheryl Holland, Budget Manager, Financial and Management Services

C. MINUTES

There were no minutes.

D. OLD BUSINESS

1. FY2024 - FY2028 Capital Improvements Program Review

Ms. Terry Costello thanked everyone for being present. She stated that as part of the Capital Improvements Program (CIP) Review process, there were five departments/divisions present to answer questions that the Committee had during its initial review. Ms. Costello introduced Ms. Fowler who is the Director of the Williamsburg Regional Library.

Ms. Fowler thanked the Committee for having her. She addressed the questions concerning the New Library application. She stated that the current one would continue to operate. Currently, James City County is significantly behind in the number of square feet per capita of Virginia State Standards for Virginia Public Libraries. There is a need for additional library space to meet state standards but also to meet the need of a growing population. Ms. Fowler stated that there has not been any new library space added since 1996. There are two options that are being considered. One would be to have a smaller branch at the current location within the City of Williamsburg and a new facility within James City County, or a joint venture with the City of Williamsburg and James City County for a larger facility in that location. She stated that the City of Williamsburg is committed to having a library in the current location within its city limits. Ms. Fowler stated that currently each locality is responsible for the construction and maintenance of that facility within each respective jurisdiction.

Mr. O'Connor asked what portion York County contributes.

She stated that York County's contribution to the maintenance costs is 10% of the annual budget, City of Williamsburg is 12%, with James City County at 78%. These numbers are based on checkouts by residents. Ms. Fowler stated that the City of Williamsburg City Manager has stated that the current site within the city limits is the only location they are willing to consider for a location. James City County Administration is deferring to the Board of Supervisors with respect to location.

Ms. Fowler stated that with regards to the New Library Theatre, the Kitzinger meeting room will stay. The theater location has not been determined yet, but the site is 14 acres and there is some flexibility.

Mr. Polster asked who was funding the new theater.

Ms. Fowler answered that James City County is funding the project.

Ms. Fowler stated that there is no location yet for the Grove Library. One option is to be able to have some long-term use of the Abram Frink Jr. Community Center. The Library has increased its outreach programs and are currently using the Abram Frink Jr. Community Center. She stated that there is a demand for usage in that area.

Mr. Polster asked if there was any discussion about co-locating with a new facility for Parks & Recreation.

Mr. Perkinson answered that the Lower County Park project is on hold for the time being. Only one location out of three were viable for a new facility, but there was no community support for that one location. He stated that the challenge now is to find property for a new facility that is supported by the community. Mr. Perkinson stated that he would have further discussion with his Department regarding co-location with library facilities.

Mr. Polster asked what the cost of the library facility would be.

Ms. Fowler answered that the money requested was for a 10,000-square -foot facility. The request was for FY28 due to having to stagger the applications to try and serve the greatest number of citizens. She stated that there might be opportunities to co-locate depending on the site and whether there was enough space. She also stated that Grove Christian Outreach Center is allowing them to utilize its facilities for some of their programs.

Mr. O'Connor asked whether the City of Williamsburg was willing to consider other locations such as that near the James City County Recreation Center and James Blair Middle School.

Ms. Fowler stated that the City of Williamsburg is very committed to the current site that utilizes the site and other services around that site.

Mr. O'Connor asked how the applications would change if each locality had its own site.

Ms. Fowler answered that there would be a lot of redundancy in the projects because some of the spaces and personnel would be duplicated.

Mr. Polster asked about the funding for the Library playground project.

Ms. Fowler answered that the Friends of Williamsburg Regional Library have begun to fundraise for the project and will be paying for the entire project. The County will be responsible for the project once constructed.

Mr. Polster stated that he thought this was a change from last year.

Ms. Holland answered that this was not a change from last year. This project is being reviewed not for the funding source, but how it relates to the Comprehensive Plan.

Ms. Fowler added that they include it in the CIP review since County staff time will be involved with the project.

Mr. Polster asked what the cost would be to General Services should this project go forward.

Mr. O'Connor stated that he believed it was the Policy Committee's responsibility to determine its consistency with the Comprehensive Plan and to rank its priority based on the understating that staff time would be involved during the project phase as well as for maintenance.

Ms. Fowler added that there would not be any other costs to General Services except for staff time.

Mr. Haldeman stated that there would be no capital costs to the County.

Ms. Holland added that the capital costs last year were in the amount of $180,000. This year it increased to $200,000. The approximate cost for maintenance that was part of this request was $1,500, and this would be annually.

Ms. Ripley stated that the $1,500 would be taken from the operating budget of General Services.

Ms. Holland stated that this project was being reviewed this year because it is an ongoing project and priorities are reevaluated each year.

Fire Chief Ryan Ashe described the project for the replacement of Fire Station 3. He stated that the replacement could happen without moving Fire Administration, but it would be dependent on the New County Complex Building. There are some discussions about moving Fire Administration to the New County Complex, but the training section would remain at the fire station due to its space needs.

The Committee questioned what the new building would look like and would there still be a need for a 90 degree turn for the fire trucks. Chief Ashe responded the design of the building is still in discussion. The current vision is that the trucks would come directly out onto John Tyler Highwyay. There are some height issues with the current building. The current building was built in 1979 when the County had less personnel, vehicles, and equipment. Chief Ashe stated that the additional space is needed for the larger trucks and to accommodate more personnel since Fire Station 3 is one of the busiest in the County. He stated that one of the goals in the County's Strategic Plan is to have another ambulance at this location. Chief Ashe explained what Basic Life Support and Advanced Life Support Services are and how revenue is collected for these services.

Chief Ashe then spoke about the previous submitted CIP request for Fire Station 6 since the Committee questioned why the application was not submitted this year but had been in previous years. He stated that the need is still there but that one of the goals of the Strategic

Plan was to replace or rehabilitate Fire Station 3 before a new fire station is built. He also stated that Fire Station 6 would be outside the five-year CIP plan for this review.

Mr. Polster stated that the data shows there is a need now for Fire Station 6.

Chief Ashe answered that due to priorities changing that the goal is to start with the Fire Station 3 project and then Fire Station 6 should proceed. He further stated that they did hire positions when Fire Station 6 was proposed. Chief Ashe also stated that County Administration has allowed them to retain these positions and they have been allowed to fully staff their stations.

Mr. O'Connor asked how the new County Complex would affect the training space needed, knowing that Fire Administration may or may not be located there.

Chief Ashe explained what they believe their training needs are and will be, and what other locations may be considered.

Ms. Costello then asked the Committee if it received the answers to its initial questions concerning the General Services projects.

Mr. Polster stated that Ms. Grace Boone, Director of General Services, had answered some of his questions concerning another project, the Consolidated County Campus.

Mr. Haldeman asked what would happen with 107 and 113 Tewning Road once the new General Services Building is built. These are two buildings that house County staff but are on property owned by James City Service Authority (JCSA).

Ms. Ripley answered that plans for those two buildings are still not known. She further stated that these buildings have been there since the 1970's, and the space is small and does not meet the needs of the current General Services staff.

Mr. Gordon stated that the Master Plan for the JCSA Tewning Road Complex indicates that once General Services vacates the buildings, these buildings will be demolished.

Ms. Ripley also stated that staff appreciated these questions ahead of time so that they had time to collect information and prepare their answers.

Mr. O'Connor asked if there was any thought to have any drive-thru services with the new County Complex design.

Ms. Ripley answered that they will make note of that for future discussions.

Mr. Polster stated that Ms. Boone answered his question concerning the renewable energy sources for some of the new buildings proposed. Mr. Polster asked if the WJCC Schools had any plans for solar panels at any of the school sites.

Ms. Ripley answered that the County is reviewing options for solar at County facilities. As part of LEED certification there is a process of reviewing for renewable energy. There has not been anything established yet.

Mr. Polster asked about the WJCC Schools.

Ms. Ripley answered that the County does not have any purview over the WJCC Schools projects as they manage their own CIP projects.

Mr. Polster stated that there would be benefits to the County and WJCC Schools to partner with regards to renewable energy in both entities' CIP projects.

Ms. Toni Small, Director of Stormwater and Resource Protection, then spoke on the question concerning undersized and failing drainage systems. She stated that undersized and failing drainage systems include those that were designed under older stormwater standards and specifications. She further stated that some of the projects included in the five-year CIP application address stormwater runoff resulting from developments that were designed and constructed prior to current standards. These projects include stream restoration and/or Best Management Practice retrofits. Ms. Small gave examples of these projects which include the Brookhaven neighborhood, Ware Creek Manor neighborhood, and the Grove neighborhood.

Mr. Haldeman expressed his concerns over reviewing systems based on current impact as opposed to reviewing for current and cumulative impacts.

Ms. Small noted that there are two points being discussed by the Committee. One being that some of these CIP projects are fixing and improving systems that were built previously, and the other is staff review of current and future projects considering cumulative impacts of development.

Mr. Polster expressed his concerns over the impacts on the County's watersheds.

Mr. Perkinson then spoke about Lower County Park and the challenge of finding land to build the facility. He stated that the project is still the top priority for the Parks & Recreation Department. He stated that the project will also include pedestrian and multiuse routes. Mr. Perkinson also addressed the question of costs for the Greensprings Trail Restroom. He stated that one-third of the cost was to run utilities to the facility. He also stated the cost was high due to installing quite a few items in a small space.

Mr. Perkinson then spoke on the Chickahominy Riverfront Park multiuse trail. He stated that the project is for a 0.8-mile trail, bridge, and parking area to include picnic and rest areas. He stated that this trail would connect to the Virginia Capital Trail.

Mr. Haldeman asked whether there could be any cost savings by combining similar projects.

Mr. Perkinson answered that there probably could be some cost savings especially with the paving projects.

Mr. Polster asked about including the bike trail at Chickahominy Riverfront Park as part of the multiuse trail.

Mr. Perkinson answered it would be an opportunity to move the bike path at the same time as the multiuse trail project.

Mr. Polster stated that it was a safety issue at the point where the bike path crosses the park entrance road and that the cars tend not to stop.

Mr. Perkinson stated that the funds requested for the multiuse trail do include stormwater improvements. He also answered the question that portions of the trail would be inside the Resource Protection Area. A free-standing bridge would also be included.

Mr. Perkinson then spoke on the Warhill Sports Complex Connector Road project. He showed on the master plan where the road is located. He stated that this road is a service road which requires constant maintenance. He stated that the road needs to be updated to be included in the Virginia Department of Transportation's (VDOT) road system. Mr. Perkinson said that part of the road is VDOT maintained, but the plan was to have the entire road part of its maintenance.

Mr. Perkinson then spoke on the Warhill Sport Multi-Use Field Expansion. He stated that there are eight synthetic turf fields currently with a large grass area. This project is to add additional synthetic turf fields, parking, and concessions. The goal is to be able to increase the tournaments that could be scheduled there. Mr. Perkinson also stated that the design costs are typically calculated at 15% of the construction costs.

Mr. Chris Johnson, Director of the Office of Economic Development, then spoke on the Business Ready Sites CIP application. He stated that this was the second year of this project, the first being FY23. Originally there were four properties in the program, with one being a County owned site. He stated that the County property has been sold this past year. He stated that there are three properties currently in the program. Mr. Johnson stated that anytime the County can reduce construction readiness time for an outside entity, it would increase the chance of a business entity coming to the County. He stated the funding would help change the rankings from a Tier 1 to a 2 to possibly a 3, with the higher being more desirable. He stated the higher tiers make a difference to larger firms with a capital interest. Mr. Johnson stated the importance of properties being "shovel ready" or near "shovel ready." He stated that the return on investment for the County really depends on the business coming in. The money that the County would be investing would be for the County to be given a chance to be competitive with other sites.

Mr. Haldeman asked if the County invested money with these properties, would the property value increase.

Mr. Johnson answered that the property value would not increase. This program was a tool to increase the chances of a business locating in the County.

Mr. O'Connor stated that increasing the tier level for these properties makes the properties more attractive to prospective businesses.

Mr. Johnson addressed the question of the commitment of the private owners of the properties. There would be agreements done if a business prospect would come through. Staff had a successful grant application announced last month with the Hazelwood Farms Property. Mr. Johnson stated that that particular property is now under contract to an industrial developer.

Mr. Polster stated that his question concerned the matching funds, and whether the owners agreed to the matching funds, and are the previous owners of the Hazelwood Farms property still a part of the matching funds request.

Mr. Johnson answered that the way that staff put forth the application was that for the site owned by the County the funding would be used to raise it to a certain tier level, and for the sites that are privately owned, the funding would be used for doing due diligence work.

Mr. Polster asked about the Barhamsville property, noting the budgeted amount was to include work to get the property to a Tier 3, and the Hornsbys' have not agreed to a matching agreement.

Mr. Johnson answered that the money budgeted in the outlying years was for properties most likely to move forward.

Mr. Polster asked which property the FY23 funds were budgeted for.

Mr. Johnson answered that the property was under private ownership with no industrial development at the time of the grant application. He stated that if those conditions existed today and the grant application was currently being done, a performance agreement between the State and the County, and an agreement between the County and the landowner would be required. He also stated that the grant money received for the Virginia Business Ready Sites Program was only enough money to perform the due diligence (design work) with no money for construction. Mr. Johnson added that with the money in CIP and the grant funds there is enough money to do the entirety of the due diligence work for the Hazelwood Farms property. There are no funds available yet for the Hornsby property.

Mr. Polster asked for clarification as to what FY23 funds were used for.

Mr. Johnson answered that the money represented 50% of the estimated cost to do the due diligence work and the design work to extend water and sewer to the property.

Mr. Polster asked what the advantage to the County was of doing the due diligence for the water and sewer. He stated that he was trying to understand more about the CIP application which would help him prioritize the CIP projects as part of the Committee's review.

Mr. Johnson stated that the application that was submitted as part of last year's review, and going forward, is to do the due diligence work to get the tiering level from whatever it may be today, to increase by one level. He stated that many things have changed with the Hazelwood Farms property over the last year. This included the rezoning, the marketing of the property, a grant application submitted in the middle of the year, and a developer already doing some work. He also stated that the grant is a reimbursable grant. Mr. Johnson explained that the County would contract the work, gets reimbursed by the state, and then determine where the money is allocated. Any work that was done by the owner or developer prior to the grant award, is ineligible for reimbursement. He stated that the CIP application before the Committee was under the assumption that of the four properties, the Hazelwood Farms property was the one most likely to move forward first. He stated that the number represented 50% of the estimate provided by the State for what that would cost.

Mr. Polster asked what would be required to get the Hazelwood property to a Tier 3 which is what the application calls for.

Mr. Johnson answered that it was $296,000. He further stated that the grant application that was approved in January is not part of this CIP review. The grant application that was provided outlines what each due diligence cost would be as part of that program.

Mr. Polster expressed his concern that he still did not understand the application and the costs associated with that application.

Mr. O'Connor stated that he reviewed the CIP application as if it were for the matching funds.

Mr. Polster expressed his concerns in looking at the budget with the work proposed that there would not be enough funds.

Mr. Johnson answered that funds are also available in the Economic Development operating budget and the Economic Development Authority grant program. He further stated that these funds will be used to close that gap and do more than doing the studies to increase it one tier level. The funds will also be used for the design work for the water and sewer service. Mr. Johnson then proceeded to address other questions concerning the Comprehensive Plan designation and rezoning of the Hornsby property. He stated that the Comprehensive Plan designation is Mixed Use, and the property could be rezoned, but it would depend on what type of business would locate there. He stated that the Zoning Ordinance would dictate that.

Mr. Polster expressed his appreciation to Mr. Johnson for the successful submittal of the grant application.

Mr. Johnson answered the last question posed for this CIP application, stating that there were no grant proposals for 9131 and 9200 Barhamsville Road or Stonehouse parcels. He also stated that localities were encouraged to only submit one application to the grant program. He stated that 21 out of 50 applications submitted were funded.

Ms. Costello addressed the question concerning the transportation match. She stated that the Pocahontas Trail project has not been fully funded due to rising cost estimates. Staff is working with VDOT to look to amend the scope of work to reduce the overall cost of the project and is currently pursuing various funding applications to secure the remaining gap funding needed. Should funding be secured, project construction is expected to start in FY28. Unfortunately, the Blow Flats Road location is outside of the project area and scope of work. Staff would need to first study the roadway through a consultant and then pursue funds based on the road study.

E. NEW BUSINESS

There was no new business.

F. ADJOURNMENT

Mr. Polster made a motion to Adjourn.

Mr. Haldeman adjourned the meeting at approximately 5:55 p.m.

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Paul D. Holt, III, Secretary Jack Haldeman, Chair

AGENDA ITEM NO. C.4.

ITEM SUMMARY

DATE: 8/10/2023

TO: The Planning Commission

FROM: Paul D. Holt, III, Secretary

SUBJECT: Minutes of the February 23, 2023, Meeting (Special Meeting)

ATTACHMENTS:

	Description	Type
	Minutes of the February 23, 2023, Meeting (Special Meeting)	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Policy Secretary	Secretary, Policy	Approved	8/1/2023 - 9:02 AM
Publication Management	Daniel, Martha	Approved	8/1/2023 - 11:27 AM
Policy Secretary	Secretary, Policy	Approved	8/3/2023 - 9:53 AM

M I N U T E S
JAMES CITY COUNTY POLICY COMMITTEE
REGULAR MEETING
Building A Large Conference Room
101 Mounts Bay Road, Williamsburg, VA 23185
February 23, 2023
2:30 PM

A. CALL TO ORDER

Mr. Jack Haldeman called the meeting to order at approximately 2:30 p.m.

B. ROLL CALL

Present:
Jack Haldeman, Chair
Tim O'Connor
Frank Polster

Staff:
Ellen Cook, Principal Planner
Tom Leininger, Principal Planner
John Risinger, Planner II

C. MINUTES

There were no Minutes.

D. OLD BUSINESS

1. ORD-22-0003. Amendments for Calculation of Residential Development Density

Mr. Risinger presented the staff report, stating that the Policy Committee had discussed the item during its January 12, 2023, Meeting. Mr. Risinger stated the staff received additional guidance from the Board of Supervisors indicating that the intent of initiating amendments for Residential Density Calculations is to reduce environmental impacts and avoid pockets of high-density residential development. He noted the guidance also included the direction to use net density calculations to prepare the language for the Ordinance. He stated staff confirmed with the County Attorney's Office that the Initiating Resolution was applicable to all zoning districts which permit residential development, including the A-1 District. He noted that the material prepared for the meeting includes the Ordinance language staff prepared. The memorandum categorizes the extent of revisions that would be needed to implement net density in the districts, as well as the policy considerations each of them have.

Mr. Risinger began the discussion by noting that staff has drafted a proposed definition for net density that would be included in Section 24-2. He stated that this definition will serve as a universal reference for all zoning districts instead of each district having its own definition.

Mr. Risinger stated that the A-1 and R-8 Districts do not have density requirements within the districts, only minimum lot size requirements. He also noted that adding net density into the districts would require the addition of a new section that specifies what density would be permitted. With the use of the similar language as currently found in the R-1 and R-2 Districts, the section will outline the details of the density that can be permitted for a major subdivision.

Mr. Polster asked for clarification on whether staff recommends the adoption of the new addition to A-1 and R-8 Districts.

Mr. Risinger explained that since the recent minimum lot size amendment, the County has matched minimum lot sizes up to the Comprehensive Plan Rural Lands guidance, with one unit per 20 acres. He noted that the increase in minimum lot sizes has already brought those districts into consistency with the Comprehensive Plan. Mr. Risinger stated that staff does not recommend changing these districts, but the issue is open to the Committee's recommendation on the matter.

Mr. Polster, Mr. O'Connor, and Ms. Cook discussed whether the Ordinance also has the one unit per 20 acres density for areas with R-8 zoning inside the Primary Service Area (PSA).

Ms. Cook confirmed. She noted the A-1 and R-8 Districts are uniform in their minimum lot size requirement, regardless of location inside or outside the PSA.

Mr. Polster noted that when observing the natural and cultural heritage of areas outside the PSA, there are corridors and habitat areas that exist there. He stated that he does not want to see development in those areas which is why he was in favor of net density as opposed to gross density.

Mr. O'Connor stated that he is not in favor of the use of net density because of the effects it has on property owners in the A-1 and R-8 Districts. For example, 100-acre parcels are now reduced to being less developable than a 25-acre parcel.

Mr. Polster, Mr. Haldeman, and Mr. O'Connor discussed the possible effects of clustering in relation to the potential density changes.

Mr. O'Connor stated that he felt moving to net density is not necessary. He noted that adjustments and updates will be made to maps as they correspond to certain floodplains and other environmental features. Mr. O'Connor stated that the implementation of net density could possibly hinder future Planning Commissions and Board of Supervisors because if the future ever permitted an opportunity where a higher density and a reduced development footprint would be needed, it would no longer be possible. He stated that affordable housing could also be affected by the adoption of net density.

Mr. Polster stated that he too originally believed affordable housing would be negatively impacted by net density, but he then reviewed more information on the density bonus portion of the Ordinance. He stated that in the density bonus sections located in most of the current zoning districts, affordable housing could receive bonuses. He also stated that if a person was to come and ask to develop something that would allow them to use bonus points to increase the density, it would be permissible. Mr. Polster stated regardless of what is already in place for Stormwater and Resource Protection, density is going to change over time because of the standards regarding the impact of climate change. He explained that he does not want to rely on outdated maps to make decisions on Resource Protection Areas and other environmental features. He concluded with wanting to clarify that the density bonus points which will be awarded are distributed adequately while also displaying the benefits this process will have on the County.

Mr. O'Connor and Mr. Polster continued to discuss the use of density bonuses and their effectiveness in the County.

Mr. O'Connor stated that from his experience and conversations with members of the Board of Supervisors and others, none of them have any interest in clusters or density bonuses.

Mr. Polster stated there are density bonuses that already exist within the ordinance, so there is nothing stopping a developer who wants to create affordable housing from being awarded with density bonuses now.

Mr. O'Connor stated that the development must go through the legislative process.

Mr. Polster stated some of the problems current development standards have could possibly be solved by increasing buffers around sensitive areas and increasing open space. He stated this example could also allow for density bonus points and another way to reward developers for their behaviors that benefit the County as well as the environment.

Mr. Haldeman made a motion to include the net density requirements within the A-1 and R-8 Districts. The motion did not pass by a vote of 2-1.

Mr. Haldeman stated the next topic of discussion was the Cluster Configuration option in the A-1 District.

Mr. Risinger responded to Mr. Haldeman's point by stating the Cluster Configuration in A-1 as it is drafted has the one unit to 20 acres density calculation, and so what the staff is presenting is just the addition of the word net to replace gross regarding density.

Mr. Polster asked for clarification on if the motion to amend the A-1 and R-8 Districts to specify net density did not pass then the word net cannot be used in the Cluster option either, since the Cluster option must also use the same calculations.

Ms. Cook confirmed.

Mr. Polster stated that the question asked by Mr. Risinger had already been answered. He asked for confirmation that with the failure of the motion Section 24-222 would stay the same, using gross density.

Mr. Risinger confirmed.

Mr. Polster stated the next topic of discussion will be the R-6 District.

Mr. Risinger stated the R-6 district is similar in terms of considerations since it currently only has a minimum lot size requirement. He stated that to change to net density, staff added the section to apply a density requirement for major subdivisions. Mr. Risinger stated that all lands zoned R-6 are part of existing platted subdivisions which at this point are almost entirely built out and the district now remains to govern those existing subdivisions. He stated that the R-6 district is not a district that is envisioned to be used for future development. He stated that staff did not find a substantial benefit from updating this district to net density and therefore do not recommend an update.

Mr. Polster asked for clarification on whether there was any space for development in the district.

Mr. Risinger stated that the R-6 district would not be consistent with Rural Lands guidance in the Comprehensive Plan so if there were a development proposal to use it outside of the PSA staff would not likely support the idea of a rezoning. Mr. Risinger also stated that within the PSA, there are other districts that would provide more development potential if someone were looking to rezone.

Mr. Polster asked if it was unlikely or even possible to have any other future residential development in the R-6 District whether inside or outside the PSA.

Mr. Risinger confirmed that staff found it unlikely for development to occur in the district.

Mr. Polster made a motion to recommend the new net density requirements for R-6. The motion did not pass by a vote of 3-0.

Mr. Haldeman stated the next topic of discussion would be the recommendation of including the net density requirements in R-1, Limited Residential, R-2, General Residential, R-3, Residential Redevelopment, R-4, Residential Planned Community, R-5, Multifamily Residential, PUD, Planned Unit Development, and the Residential Cluster Development Overlay District. Mr. Haldeman asked for clarity on whether staff recommends the change or not.

Mr. Risinger stated that currently these districts use the stepped approach for calculating density, so to implement net density staff would have to delete the existing language that has the stepped approach in it. He also stated that within the other sections, the reference would need to be added to net so it ties back to the new definition. Mr. Risinger stated that the Low Density and Moderate Density Residential Comprehensive Plan designations recommend density ranges based on gross acreage, so a change to net density would be less consistent with the Comprehensive Plan guidance. A net density approach could result in adjacent developments having a more consistent level of intensity with each other depending on how much developable or non-developable area they may have. He stated that staff found that the current stepped approach was in the middle of these two considerations.

Mr. Polster asked whether the density bonus approach applies to all the districts listed by staff.

Mr. Risinger stated that he would have to double check if density bonuses were in every district, but a good portion of them do have the density bonus items listed.

Mr. Polster stated that he can identify at least three districts where density bonus was listed. He also stated that he had some confusion on when density bonus was applicable except for the instances in the ordinance where it was specifically stated. Mr. Polster stated that he would like to make sure that if net density is implemented, every district has density bonus capabilities.

Mr. Haldeman asked Ms. Cook what staff recommends, given one or two of the districts do not include density bonuses.

Ms. Cook asked for clarification on whether the Policy Committee is referring to the affordable housing density bonuses or having density bonuses in general.

Mr. Polster confirmed that they are referring to density bonuses in general. He stated that there is an extensive list available that would allow developers to receive a bonus for their development.

Ms. Cook stated that she believes all the districts except R-4 may have the density bonuses options available. She stated that staff can confirm.

Ms. Cook stated that she believes pursuing amendments to update density bonus options or to include density bonuses in all districts would be outside of the scope of the initiating resolution, but the Policy Committee could make a recommendation to revisit the matter to the Board of Supervisors.

Mr. Polster made a motion to amend the residential districts to use net density. The recommendation was passed with a 2-1 vote.

Mr. Haldeman stated that the next topic of discussion would be the inclusion of net density requirements in Mixed Use (MU) and Economic Opportunity (EO) Districts. He stated that staff was recommending this amendment.

Mr. Risinger stated the MU District currently utilizes the stepped approach and like the last districts discussed, amending this district would be a matter of deleting the existing language and adding the new definition. He stated the EO District already references net density, but staff recommends updating it to make the language consistent with the rest of the districts to reference the net density definition. He stated that from a Comprehensive Plan perspective, the Mixed Use Land Use Designation and the Economic Opportunity Land Use Designation describing the Mooretown Road and Hill Pleasant Farm areas reference net density. Moving to net density in those districts would make them consistent with the guidance. He stated that staff recommends revising these districts to go to net density.

Mr. O'Connor asked Mr. Risinger if all MU areas in the Comprehensive Plan have guidance to use net density.

Mr. Risinger responded by stating that the 2045 update to the Comprehensive Plan was when the designation language changed to reference net density.

Mr. Polster made a motion to agree with staff's recommendation. The motion passed with a vote of 3-0.

Mr. Polster asked a question about the previous topic, the net density requirements in R-1, Limited Residential, R-2, General Residential, R-3, Residential Redevelopment, R-4, Residential Planned Community, R-5, Multifamily Residential, PUD Planned Unit Development, and Residential Cluster Development Overlay District. He asked if they are changed to net density, will it make the districts inconsistent with the Low Density Residential (LDR) and Moderate Density Residential (MDR) Comprehensive Plan Designations.

Mr. Risinger confirmed it will make them less consistent with the LDR and MDR designation guidance.

Mr. Risinger stated that staff anticipates the next steps for this ordinance amendment will be to go to the April Planning Commission meeting and the May Board of Supervisors meeting. He stated that staff will also begin the process of mailing out letters to the property owners of all the districts to let them know the County is considering changes to density for their properties.

Mr. Haldeman asked if the members of the Policy Committee were comfortable with the new language and decisions that were made.

Mr. O'Connor, Mr. Haldeman, and Mr. Polster all agreed.

Mr. Haldeman asked if the Committee recommends any type of offsets to property owners for the reduction in the value of their land.

Mr. Haldeman, Mr. O'Connor, Mr. Polster, and Ms. Cook discussed whether the recommendation should be made to offer any offsets to the property owners.

Mr. O'Connor stated he does not fully support the Purchase of Development Rights (PDR) program and thinks without a definitive approach for clustering, decisions about density calculations are difficult to decide. He stated that he believes there is a lot of opportunity for clustering that meets the intent of the Comprehensive Plan while also protecting property owners and causing less impact on the environment.

Mr. Polster stated he still lacked comfort in the verbiage of the density bonuses in the Ordinances because he does not know the change in density calculation is adequately offset. He stated that with the use of density bonuses there could still be a benefit to the County. Mr. Polster stated that he would like to recommend to the Planning Commission and Board of Supervisors to possibly reevaluate the level of bonuses allotted when these bodies do look at the issue of clustering in the districts. He also stated parcel owners who make modifications to their property that will benefit the County in the long term should receive benefits like bonuses for their actions.

Mr. O'Connor stated that another conversation brought up by the Board of Supervisors was possibly compensating parcel owners for modifications made that would change setbacks from 75 feet to 400 feet in the A-1 District. Mr. O'Connor stated that he agrees with Mr. Polster that there should be other ways to compensate parcel owners other than paying County money.

Ms. Cook asked Mr. Polster if it would be accurate to say that part of what he is considering with his statements is revisiting the items that are in the density bonus tables for the districts that are inside the PSA, to check that the bonus items are calibrated correctly and are up-to-date.

Mr. Polster confirmed and stated that if the County is serious about its natural and cultural identity, parcel owners that preserve these areas should be rewarded. He also stated that there are more precautions the County can take that will benefit the environment without solely relying on developers.

Mr. Haldeman stated that in the past, he has pointed out that the density bonus points were first created over 40 years ago.

Ms. Cook noted that the bonus point items were last updated in 2012.

Mr. Haldeman stated that the language is over 10 years old and that there have been tremendous changes in market value, most dramatically being the recent inflation in housing costs. For example, the cost of achieving LEED certification has gone down but the cost of housing has gone up, arguing that an adjustment in the number of bonus points rewarded needs to be made. He questioned if there should be more bonus points awarded for the development of affordable housing. Mr. Haldeman concluded with the proposal of possibly going through and evaluating the relative value of the current density bonuses as it relates to the effects they have on the County.

E. NEW BUSINESS

There was no New Business.

F. ADJOURNMENT

Mr. Polster made a motion to Adjourn.

Mr. Haldeman adjourned the meeting at approximately 3:15 p.m.

Paul D. Holt, III, Secretary | Jack Haldeman, Chair

AGENDA ITEM NO. C.5.

ITEM SUMMARY

DATE:	8/10/2023
TO:	The Policy Committee
FROM:	Paul D. Holt, III, Secretary
SUBJECT:	Minutes of the February 23, 2023, Meeting (CIP)

ATTACHMENTS:

	Description	Type
🗋	Minutes of the February 23, 2023, Meeting (CIP)	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Policy Secretary	Secretary, Policy	Approved	8/1/2023 - 8:29 AM
Publication Management	Pobiak, Amanda	Approved	8/1/2023 - 10:29 AM
Policy Secretary	Secretary, Policy	Approved	8/3/2023 - 9:53 AM

M I N U T E S
JAMES CITY COUNTY POLICY COMMITTEE
REGULAR MEETING
Building A Large Conference Room
101 Mounts Bay Road, Williamsburg, VA 23185
February 23, 2023
4:00 PM

A. CALL TO ORDER

Mr. Jack Haldeman called the meeting to order at approximately 4:00 p.m.

B. ROLL CALL

Present:
Jack Haldeman, Chair
Tim O'Connor
Frank Polster

Staff:
Ellen Cook, Principal Planner
Terry Costello, Senior Planner
Paxton Condon, Deputy Zoning Administrator/Planner
Liz Parman, Deputy County Attorney
Sharon McCarthy, Director of Financial Management Services
Cheryl Holland, Budget Manager, Financial and Management Services
Margo Zechman, Senior Budget and Accounting Analyst

C. MINUTES

There was no new business.

D. OLD BUSINESS

1. FY2024 - FY2028 Capital Improvements Program Review

Ms. Costello thanked everyone for being present. She stated that this meeting is to confirm the final scoring and ranking recommendations of the Committee.

Mr. Haldeman stated staff had answered questions via email and no questions for staff remained. He stated weightings and Z-scores by all four Committee members were complete. Mr. Haldeman opened the topic for discussion.

Mr. Polster stated this process was used last year and that Z-scores normalize scores to account for individual weighting preferences and the process was continued for this year. He stated the 32 CIP projects presented are ranked in highest to lowest order.

Ms. McCarthy asked if the ranking was based on the average score.

Mr. Polster stated that was correct.

Mr. Haldeman stated he would have liked to see the Brickyard Landing Parks and Recreation application a little higher, but that he agreed with the current ranking.

Mr. O'Connor stated he was okay with the Brickyard project. Mr. O'Connor asked if the Police firing range expansion project and Office of Economic Development projects should be moved up in the ranking.

Mr. Polster stated he believed the firing range expansion would be funded regardless of whether the ranking was changed. He asked if the firing range and business-ready projects were going to be funded.

Ms. Cheryl Holland stated the budget plan was established last year but the funding has not been appropriated for FY24. She stated the priorities will be taken to the Board of Supervisors (BOS) to decide. She stated Mr. Polster was correct that the projects had been funded in the past.

Mr. Haldeman stated the funding appropriation for the firing range was an addition to a previously funded amount to complete the project.

Ms. Cheryl Holland confirmed this was correct.

Mr. Polster stated he would like to see the firing range project completed. He stated he had asked if installing a solar facility at the landfill would impact the firing range and that Ms. Grace Boone, General Services Director, stated solar panels would not impact the range.

Mr. Polster made a motion to approve the FY24-28 CIP ranking list and recommendations.

The motion passed 3-0.

Mr. Polster asked if County Administration provided any feedback on adding Fire Station 6 to the list.

Ms. Costello replied no, stating that the issue had not been addressed with County Administration at this time.

Mr. Polster stated he would like the Policy Committee to recommend the BOS consider adding Fire Station 6 to the current CIP listing.

Mr. Haldeman and Mr. O'Connor agreed with the recommendation.

Mr. Haldeman stated he would like to see projects consolidated for efficiency. He stated Chickahominy Riverfront Park has two project applications for paving and one may be considered. Mr. Haldeman stated for the transportation match project and Pocahontas Trail, he would like to see Blow Flats Road added to the scope of work.

Mr. Polster stated the responses received from Williamsburg-James City County (WJCC) Schools were excellent. He stated Mr. Daniel Keever, Chief Operating Officer for WJCC Schools, was consistent regarding space concerns at Lafayette High School and possible rezoning as well as forthright for the Pre-K and kindergarten projects. He stated it was important for the BOS to know that relieving capacity issues in the elementary school still required classroom renovation. He stated fixing the issue requires renovations as well as staffing. He stated these reasons are why the project is highly rated. Mr. Polster asked that the notes from WJCC Schools be made available to the BOS.

Ms. Cook suggested that the answers from WJCC Schools be included as an attachment to the memorandum, to address Mr. Polster's recommendation.

Mr. O'Connor asked if the Committee wanted to send any notes to the Planning Commission and BOS regarding the library.

Mr. Polster stated this was done last year.

Mr. O'Connor agreed and stated the same challenge continues. He stated the project ranking is due to uncertainty regarding the location and funding.

Mr. Haldeman stated it is impossible to rank a new library without that information.

Mr. O'Connor and Mr. Polster agreed.

Mr. O'Connor stated that project also may be impacted if an auditorium is added to the James City County (JCC) Library.

Mr. Polster noted the previous Committee suggestion that an auditorium could be part of the new JCC government complex.

Mr. O'Connor stated conversations during the Comprehensive Plan development regarding complete communities and increasing accessibility can be applied here by locating the new government complex by the JCC Recreation Center.

Mr. Polster stated staff and Ms. Boone should be commended for the Request for Information for the landfill solar project. He stated General Services is exploring renewable energy and solar on parking garages for potential sites. He stated this will assist with the new government complex or other new buildings and relates to the Comprehensive Plan Goals, Strategies and Actions. Mr. Polster stated this was a significant step forward for sustainability.

Mr. Haldeman asked if the Committee should comment on financing.

Mr. Polster stated he believed it would be up to the BOS. He also stated that any potential inclusion of solar would need to be explored as part of design work for County facilities.

Mr. Haldeman confirmed comments regarding Fire Station 6, consolidating projects where possible, and the library would be included.

E. NEW BUSINESS

There was no new business.

F. ADJOURNMENT

Mr. Polster made a motion to Adjourn.

Mr. Haldeman adjourned the meeting at approximately 4:20 p.m.

Paul D. Holt, III, Secretary	Jack Haldeman, Chair

AGENDA ITEM NO. C.6.

ITEM SUMMARY

DATE:	8/10/2023
TO:	The Policy Committee
FROM:	Paul D. Holt, III, Secretary
SUBJECT:	Minutes of the March 9, 2023 Meeting

ATTACHMENTS:

	Description	Type
	Minutes of the March 9, 2023 Meeting	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Policy Secretary	Secretary, Policy	Approved	8/1/2023 - 11:05 AM
Publication Management	Pobiak, Amanda	Approved	8/1/2023 - 11:43 AM
Policy Secretary	Secretary, Policy	Approved	8/3/2023 - 9:54 AM

M I N U T E S
JAMES CITY COUNTY POLICY COMMITTEE
REGULAR MEETING
Building A Large Conference Room
101 Mounts Bay Road, Williamsburg, VA 23185
March 9, 2023
4:00 PM

A. CALL TO ORDER

Mr. Jack Haldeman called the meeting to order at approximately 4:00 p.m.

B. ROLL CALL

Present:
Jack Haldeman, Chair
Rich Krapf
Tim O'Connor
Frank Polster

Staff:
Ellen Cook, Principal Planner
Christy Parrish, Zoning Administrator
Andrea Case, Community Development Assistant
Liz Parman, Deputy County Attorney

C. MINUTES

There were no Minutes.

D. OLD BUSINESS

There was no Old Business.

E. NEW BUSINESS

1. ORD-23-0001. Amendments to the Zoning Ordinance Regarding Vape and Smoke Shops

Ms. Parrish stated the Board of Supervisors a adopted an Initiating Resolution to consider possible Ordinance amendments to require vape and smoke shops to obtain a Special Use Permit. Ms. Parrish summarized the material provided in the staff report. She stated the draft Ordinance language includes vape and smoke shops and vape and smoke lounges. Ms. Parrish stated staff welcomed feedback on proposed Ordinance definitions.

Several Committee members expressed support for the Ordinance amendments and suggested adding water pipes and hookah pipes to the language to address hookah lounges or similar uses. The Committee also suggested including a condition in any Special Use Permit (SUP) to include review every three years and stating violation of any federal, state, or local regulations would result in SUP revocation. The Committee also suggested that the Planning Director coordinate with the York County Planning Director regarding this use.

Mr. Krapf made a motion to recommend approval of the draft Ordinance language as shown in the memorandum to the Planning Commission, with the addition of the suggested language addressing water pipes and hookah pipes. The motion passed 4-0.

F. ADJOURNMENT

Mr. Krapf made a motion to Adjourn.

Mr. Haldeman adjourned the meeting at approximately 4:25 p.m.

Paul D. Holt, III, Secretary

Jack Haldeman, Chair

AGENDA ITEM NO. C.7.

ITEM SUMMARY

DATE:	8/10/2023
TO:	The Policy Committee
FROM:	Paul D. Holt, III, Secretary
SUBJECT:	Minutes of the April 13, 2023, Meeting

ATTACHMENTS:

	Description	Type
🗋	Minutes of the April 13, 2023, Meeting	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Policy Secretary	Secretary, Policy	Approved	8/1/2023 - 8:28 AM
Publication Management	Pobiak, Amanda	Approved	8/1/2023 - 10:23 AM
Policy Secretary	Secretary, Policy	Approved	8/3/2023 - 9:48 AM

M I N U T E S
JAMES CITY COUNTY POLICY COMMITTEE
REGULAR MEETING
Building A Large Conference Room
101 Mounts Bay Road, Williamsburg, VA 23185
April 13, 2023
3:00 PM

A. CALL TO ORDER

Mr. Frank Polster called the meeting to order at approximately 3:10 p.m.

B. ROLL CALL

Present:
Rich Krapf
Tim O'Connor
Frank Polster

Absent:
Jack Haldeman, Chair

Staff:
Ellen Cook, Principal Planner
Josh Crump, Principal Planner
John Risinger, Planner II
Jose Ribeiro, Senior Planner II/Landscape Planner
Thomas Wysong, Senior Planner II
Andrea Case, Community Development Assistant

C. MINUTES

There were no minutes.

D. OLD BUSINESS

1. ORD-22-0001. Amendments for Scenic Roadway Protection

Mr. Wysong stated staff prepared several items for review by the Policy Committee at the direction of the Board of Supervisors (BOS). Mr. Wysong summarized the material in the staff report and asked the Committee for guidance.

The Committee discussed the options presented in the staff memorandum. Items of discussion included whether Old Stage Road could be removed as a Community Character Corridor (CCC) so as to focus regulations on Forge Road as the only Open/Agricultural CCC; whether the draft language would allow for a nonconforming structure to be replaced/rebuilt; whether there was a need for an enhanced setback with the recent change in minimum lot sizes; and whether future cluster developments as permitted in the A-1 District would change the character of the Rural Lands if they were permitted to be built at the setback distances currently allowed in the Ordinance.

The Committee agreed that preserving rural character was an important goal, and compensation of some nature should be considered for property owners given recent regulation changes and this proposed setback change.

Some Committee members expressed support for the 400-foot setback as the appropriate distance for the enhanced setback.

Other Committee members stated that the enhanced setback was not appropriate given the impact on property owners and the restrictions it would place on the use of their land, particularly given other recent regulation changes.

The Committee discussed using the overlay district tool, with a tiered approach to putting regulations in place for the roads, starting with developing regulations for Forge Road. The Committee decided to defer a recommendation on the setback approach until staff was able to come back with more answers on the legal feasibility of this type of overlay district approach. The Committee also expressed interest in exploring linking setback distances to the height or size of the proposed residential unit.

The Committee discussed with staff whether to vote on the draft buffer and timbering language now or wait until the setback approach is decided and vote on all the draft language at a future meeting.

Mr. Krapf made a motion to recommend approval of the draft Ordinance language for the draft buffer and timbering language revisions as shown in the memorandum to the Planning Commission. The motion passed 3-0.

E. NEW BUSINESS

There was no new business.

F. ADJOURNMENT

Mr. Krapf made a motion to Adjourn.

Mr. Polster adjourned the meeting at approximately 3:50 p.m.

____
Paul D. Holt, III, Secretary

____
Jack Haldeman, Chair

AGENDA ITEM NO. E.1.

ITEM SUMMARY

DATE:	8/10/2023
TO:	The Policy Committee
FROM:	Terry Costello, Senior Planner & Paxton Condon, Deputy Zoning Administrator/Senior Planner
SUBJECT:	Fiscal Year 2025-2029 Capital Improvements Program Review Process Adjustments

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ATTACHMENTS:

	Description	Type
🗋	Memorandum	Cover Memo

REVIEWERS:

Department	Reviewer	Action	Date
Policy	Cook, Ellen	Approved	8/2/2023 - 4:10 PM
Policy	Holt, Paul	Approved	8/3/2023 - 9:55 AM
Publication Management	Daniel, Martha	Approved	8/3/2023 - 10:00 AM
Policy Secretary	Secretary, Policy	Approved	8/3/2023 - 10:53 AM

M E M O R A N D U M

DATE: August 10, 2023

TO: The Policy Committee

FROM: Terry Costello, Senior Planner
Paxton Condon, Deputy Zoning Administrator/Senior Planner

SUBJECT: Fiscal Year 2025-2029 Capital Improvements Program Review Process Adjustments

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The Policy Committee annually reviews Capital Improvements Program (CIP) requests submitted by various County departments and external partners to provide guidance and a list of prioritized projects to the Board of Supervisors for its consideration during the budget process.

As part of looking ahead to the start of the process for the Fiscal Year (FY) 2025-2029 review, staff has been considering process modifications to reflect practices that have evolved in recent years. Specifically, staff proposes to evolve the process toward a written question and answer format with the County departments, and to make an adjustment to the meeting schedule accordingly.

As the Committee is aware, for several years now staff has been compiling many of the Committee's questions and collecting responses from the departments in written form. Staff has typically worked to provide these responses to the Committee ahead of the meetings whenever possible. Representatives of the various departments have then been present at the Committee's second and third CIP meetings. As compared with an all-verbal Q&A, or the more recent approach that includes a combination of written and verbal Q&A, staff anticipates the benefits of formalizing an approach that uses all written responses would include:

- Having staff collect all Committee questions and all responses from departments or other entities allows access to the responses simultaneously for all Committee members, as well as Planning and Financial and Management Services (FMS) staff. This written documentation will then be available for reference during Committee discussions and can also be used at other points in the budget process.
- Staff anticipates the best level of completeness and accuracy in department responses to written questions, as department staff will have an opportunity to double check data and other information sources.
- Staff anticipates some increase in efficiency for department staff and the Committee. In recent years, verbal responses from department staff have sometimes reiterated the written responses they had provided in writing.

The upcoming CIP meetings are scheduled for the following dates and times. In connection with the process change described above, staff recommends cancelling the meeting on Thursday, February 22, 2024, and focusing the other three meetings as described below:

Thursday, February 15 at 4 p.m. (regular Policy Committee meeting)

- The purpose of this meeting is to allow members of the Policy Committee to discuss CIP applications with Planning and FMS staff. Planning and FMS staff will also provide an overview of the process and applications.

- Following this meeting, staff would like the Committee to contemplate the applications and forward any questions regarding the applications to Terry and Paxton. Staff will compile the questions to be forwarded to the divisions.

Thursday, February 22 at 4 p.m. (regular Policy Committee meeting)

- This meeting would be cancelled to give time to the other divisions to be able to collect any needed information and send in answers for the Committee's questions, which will be compiled by staff and then forwarded to the Committee.

Thursday, February 29 at 4 p.m. (regular Policy Committee meeting)

- The purpose of this meeting will be for the Committee to have the opportunity to discuss the divisions' answers to their questions. If the Committee is ready to do so, the Committee may also discuss and/or finalize their rankings of the CIP applications.

Thursday, March 7 at 4 p.m. (regular Policy Committee meeting, if needed)

The purpose of this meeting is for any further discussion the Committee may have and for the Committee to finalize its rankings of the CIP applications.

Ultimately, as has been the case in past years, the Policy Committee would prepare a ranking recommendation to present to the Planning Commission for a public hearing on March 18, 2024, and recommendations will be forwarded to the Board of Supervisors for consideration during the budget discussions and public hearings.

Staff looks forward to discussing this approach with the Policy Committee for the upcoming CIP review process.

TC/PC/ap
FY25-29CIPRevAdj-mem

AGENDA ITEM NO. E.2.

ITEM SUMMARY

DATE:	8/10/2023
TO:	The Policy Committee
FROM:	Terry Costello, Senior Planner & Paxton Condon, Deputy Zoning Administrator/Senior Planner
SUBJECT:	Possible Zoning Ordinance Revisions to the Use List of the General Business District, B-1

ATTACHMENTS:

	Description	Type
🗋	Memorandum	Cover Memo
🗋	1. Initiating Resolution	Resolution
🗋	2. Section 24-390, B-1 Use List	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Policy	Cook, Ellen	Approved	8/2/2023 - 4:13 PM
Policy	Holt, Paul	Approved	8/3/2023 - 10:31 AM
Publication Management	Pobiak, Amanda	Approved	8/3/2023 - 10:36 AM
Policy Secretary	Secretary, Policy	Approved	8/3/2023 - 10:54 AM

M E M O R A N D U M

DATE: August 10, 2023

TO: The Policy Committee

FROM: Terry Costello, Senior Planner
Paxton Condon, Deputy Zoning Administrator/Planner

SUBJECT: Possible Zoning Ordinance Revisions to the Use List of the General Business District, B-1

At its meeting on April 12, 2022, the Board of Supervisors adopted an Initiating Resolution to consider possible amendments regarding the Use List of the General Business District, B-1 (Attachment No. 1). Since that meeting, staff has reviewed the Use List of the B-1 District to examine whether there were any uses that could be identified as no longer consistent with the intent of the B-1 District or uses that might be appropriately included in the Use List that are not included currently. Staff has also examined the Use Lists of similar commercial districts in surrounding localities for any significant differences compared to the County's B-1 Use List. Finally, staff reviewed the 2045 Comprehensive Plan for any language or Goals, Strategies, and Actions pertinent specifically to the B-1 Use List. In the course of these reviews, staff did not immediately identify recommended uses to delete or add to the B-1 Use List.

Staff looks forward to any questions or feedback on possible amendments from the Policy Committee. Should the Committee also not immediately have any recommended amendments, staff anticipates that a next step would be to provide an update to, and seek feedback from, the Board of Supervisors.

TC/PC/md
PossZORevB1Use-mem

Attachments:
1. Initiating Resolution
2. Section 24-390, B-1 Use List

RESOLUTION

INITIATION OF CONSIDERATION OF AMENDMENTS TO THE ZONING ORDINANCE

TO CONSIDER POSSIBLE AMENDMENTS REGARDING THE USE LIST

OF THE GENERAL BUSINESS DISTRICT, B-1

WHEREAS, section 15.2-2286(A)(7) of the Code of Virginia, 1950, as amended (the "Virginia Code"), and County Code Section 24-13 authorize the Board of Supervisors of James City County, Virginia (the "Board"), to, by resolution, initiate amendments to the regulations of the Zoning Ordinance that the Board finds to be prudent and required by public necessity, convenience, general welfare, or good zoning practice; and

WHEREAS, the Board is of the opinion that the public necessity, general welfare, and good zoning practice warrant the consideration of amendments to the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby initiate amendment of the James City County Code, Chapter 24, Zoning, in order to consider possible amendments regarding the Use List of the General Business District, B-1. The Planning Commission shall hold at least one public hearing on the consideration of amendments to said Zoning Ordinances and shall forward its recommendation to the Board of Supervisors in accordance with the law.

John J. McGlennon
Chairman, Board of Supervisors

ATTEST:

Teresa J. Saeed
Deputy Clerk to the Board

	VOTES AYE	NAY	ABSTAIN	ABSENT
ICENHOUR	✓			
HIPPLE	✓			
LARSON				✓
SADLER	✓			
MCGLENNON	✓			

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of April, 2022.

InitConsGenBusUse-res

Sec. 24-390. - Use list.

Reference section 24-11 for special use permit requirements for certain commercial uses and exemptions.

In the General Business District, B-1, structures to be erected or land to be used, shall be for one or more of the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Residential	An apartment or living quarters for a guard, caretaker, proprietor or the person employed on the premises, which is clearly secondary to the commercial use of the property	P	
Commercial	Accessory uses and structures, as defined in section 24-2	P	
	Adult day care centers	P	
	Amphitheaters		SUP
	Antique shops	P	
	Arts and crafts, hobby and handicraft shops	P	
	Auction houses	P	
	Bakeries or fish markets	P	
	Banks and other financial institutions	P	
	Barber and beauty salons	P	
	Beekeeping in accordance with section 24-47.1	P	

	Business and professional offices	P	
	Campgrounds		SUP
	Catering and meal preparation	P	
	Child day care centers	P	
	Contractor offices (with storage of materials and equipment limited to a fully enclosed building)	P	
	Convenience stores which sell and dispense fuel in accordance with section 24-38		SUP
	Convention centers		SUP
	Country clubs and golf courses, public or private		SUP
	Drug stores	P	
	Dry cleaners and laundries	P	
	Farmer's market	P	
	Feed, seed and farm supply stores	P	
	Firearms sales and service	P	
	Firing and shooting ranges, limited to a fully enclosed building		SUP
	Flea markets		SUP
	Funeral homes	P	
	Gift and souvenir stores	P	

	Grocery stores	P	
	Health and exercise clubs, fitness centers	P	
	Heliports and helistops, as an accessory use		SUP
	Hospitals		SUP
	Hotels and motels	P	
	Indoor centers of amusement including billiard halls, arcades, pool rooms, bowling alleys, dance clubs and bingo halls	P	
	Indoor sport facilities (excluding firing and shooting ranges)	P	
	Indoor theaters	P	
	Janitorial service establishments	P	
	Kennels and animal boarding facilities	P	
	Limousine services (with maintenance limited to a fully enclosed building)	P	
	Lodges, civic clubs, fraternal organizations and service clubs	P	
	Lumber and building supply (with storage limited to a fully enclosed building or screened from view with landscaping and fencing with a maximum height of 12 feet)	P	
	Machinery sales and service (with storage and repair limited to a fully enclosed building)	P	

	Marinas, docks, piers, yacht clubs, boat basins, boat storage and servicing, repair and sale facilities for the same; if fuel is sold, then in accordance with section 24-38	P	
	Marine or waterfront businesses to include the receipt, storage and transshipment of waterborne commerce or seafood receiving, packaging or distribution	P	
	Medical clinics or offices	P	
	Mobile food vending vehicles in accordance with Section 24-49	P	
	Museums	P	
	New and/or rebuilt automotive parts sales (with storage limited to a fully enclosed building)	P	
	Nursing homes		SUP
	Off-street parking as required by article II, division 2 of this chapter	P	
	Office supply stores	P	
	Outdoor centers of amusement, including miniature golf, bumper boats and waterslide parks		SUP
	Outdoor sports facilities, including golf driving ranges, batting cages and skate parks		SUP
	Parking lots, structures or garages	P	

	Pet stores and pet supply sales	P	
	Photography, artist and sculptor stores and studios	P	
	Plumbing and electrical supply and sales (with storage limited to a fully enclosed building)	P	
	Printing, mailing, lithographing, engraving, photocopying, blueprinting and publishing establishments	P	
	Radio and television stations and accessory antenna or towers which are 60 feet or less in height	P	
	Research, development and design facilities or laboratories	P	
	Restaurants, including fast food restaurants, tea rooms, coffee shops, and taverns	P	

	Retail and service stores, including the following stores: alcohol, appliances, books, cabinets, cameras, candy, carpet, coin, department, dressmaking, electronics, florist, furniture, furrier, garden supply, gift, gourmet foods, greeting cards, handicrafts, hardware, home appliance, health and beauty aids, ice cream, jewelry, locksmith, music, office supply, optical goods, paint, pet, photography, picture framing, plant supply, secretarial services, shoes, sporting goods, stamps, tailor, tobacco and pipes, toys, travel agencies, upholstery, variety, wearing apparel, and yard goods	P	
	Retail food stores	P	
	Security service offices	P	
	Small-scale alcohol production	P	
	Taxi service	P	
	Theme parks greater than 10 acres in size		SUP
	Tourist homes	P	
	Vehicle repair and service, including tire, transmission, glass, body and fender, and other automotive product sales, new and/or rebuilt (with major repair limited to a fully enclosed building and storage of parts and vehicles screened from adjacent property by landscaping and fencing)	P	

	Vehicle and trailer sales and services (with major repair limited to a fully enclosed building)	P	
	Vehicle rentals	P	
	Vehicle service stations; if fuel is sold, then in accordance with section 24-38		SUP
	Veterinary hospitals (with all activities limited to a fully enclosed building with the exception of supervised animal exercise while on a leash)	P	
	Wholesale and warehousing (with storage limited to a fully enclosed building)	P	
Civic	Fire stations	P	
	Governmental offices	P	
	Libraries	P	
	Nonemergency medical transport		SUP
	Places of public assembly	P	
	Post offices	P	
	Schools		SUP
Utility Uses	Communications facilities (public or private) in compliance with article II, division 6 of this chapter.	P	
	Communications facilities (public or private) in compliance with article II, division 6 of this chapter.		SUP

	Electrical generation facilities (public or private), steam generation facilities, and electrical substations with a capacity of 5,000 kilovolt amperes or more and electrical transmission lines capable of transmitting 69 kilovolts or more		SUP
	Railroad facilities including tracks, bridges and stations. Spur lines which are to serve and are accessory to existing or proposed development adjacent to existing railroad rights-of-way and track and safety improvements in existing railroad rights-of-way, are permitted generally and shall not require a special use permit		SUP
	Telephone exchanges and telephone switching stations	P	
	Transmission pipelines, public or private, including pumping stations and accessory storage, for natural gas, propane gas, petroleum products, chemicals, slurry coal and any other gases, liquids or solids. Extensions for private connections to existing pipelines, which are intended to serve an individual residential or commercial customer and which are accessory to existing or proposed development, are permitted generally and shall not require a special use permit		SUP

	Water facilities, public or private, and sewer facilities (public), including, but not limited to, treatment plants, pumping stations, storage facilities and transmission mains, wells and associated equipment such as pumps to be owned and operated by political jurisdictions. However, the following are permitted generally and shall not require a special use permit:		SUP
	(a) Private connections to existing mains that are intended to serve an individual customer and that are accessory to existing or proposed development, with no additional connections to be made to the line; and		
	(b) Distribution lines and local facilities within a development, including pump stations		
Open	Timbering, in accordance with section 24-43	P	
Industrial Uses	Processing, assembly and manufacture of light industrial products or components, with all storage, processing, assembly and manufacture conducted indoors or under cover, with no dust, noise, odor or other objectionable effect.		SUP
	Waste disposal facilities		SUP

(Ord. No. 31A-88, § 20-82, 4-8-85; Ord. No. 31A-96, 4-7-86; Ord. No. 31A-102, 6-1-87; Ord. No. 31A-121, 5-21-90; Ord. No. 31A-143, 5-4-92; Ord. No. 31A -145, 7-6-92; Ord. No. 31A-167, 3-26-96; Ord. No. 31A-174, 1-28-97; Ord. No. 31A-176, 5-26-98; Ord. No. 31A-180, 9-8-98; Ord. No. 31A-236, 8-12-08; Ord. No. 31A-244, 2-9-10; Ord. No. 31A-262, 1-10-12; Ord. No. 31A-291, 8-13-13; Ord. No. 31A-298 , 6-9-15; Ord. No. 31A-321 , 11-8-16; Ord. No. 31A-332 , 12-13-16; Ord. No. 31A-348 , 7-14-20; Ord. No. 31A-354 , 12-14-21)