

**A G E N D A**  
**JAMES CITY COUNTY BOARD OF SUPERVISORS**  
**WORK SESSION**  
**County Government Center Board Room**  
**101 Mounts Bay Road, Williamsburg, VA 23185**  
**May 22, 2018**  
**4:00 PM**

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**A. CALL TO ORDER**

**B. ROLL CALL**

**C. BOARD DISCUSSIONS**

1. Joint Board of Supervisors and Planning Commission Work Session

**D. CLOSED SESSION**

**E. ADJOURNMENT**

1. Adjourn until 5 p.m. on June 12, 2018 for the Regular Meeting

**ITEM SUMMARY**

DATE: 5/22/2018

TO: The Board of Supervisors

FROM: Heath Richardson, Planning Commission Chair

SUBJECT: Joint Board of Supervisors and Planning Commission Work Session

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**ATTACHMENTS:**

|   | Description                                                                                                 | Type            |
|---|-------------------------------------------------------------------------------------------------------------|-----------------|
| ☐ | Memorandum                                                                                                  | Cover Memo      |
| ☐ | Attachment #1. Fort Eustis Joint Land Use Study Presentation                                                | Backup Material |
| ☐ | Attachment #2. Fort Eustis Joint Land Use Study Executive Summary                                           | Backup Material |
| ☐ | Attachment #3. Pocahontas Trail Corridor Study                                                              | Backup Material |
| ☐ | Attachment #4. Draft Adequate Transportation Facilities Test and transportation-related ordinance language  | Backup Material |
| ☐ | Attachment #5. Proposed exemption and waiver criteria for the Archaeology and Natural Resource requirements | Exhibit         |
| ☐ | Attachment #6. Draft Archaeology and Natural Resource ordinance language                                    | Backup Material |
| ☐ | Attachment #7. Draft Pedestrian and Bicycle Accommodations ordinance language                               | Backup Material |

**REVIEWERS:**

| Department             | Reviewer        | Action   | Date                |
|------------------------|-----------------|----------|---------------------|
| Development Management | Holt, Paul      | Approved | 5/8/2018 - 8:43 AM  |
| Publication Management | Daniel, Martha  | Approved | 5/8/2018 - 9:03 AM  |
| Legal Review           | Kinsman, Adam   | Approved | 5/8/2018 - 3:18 PM  |
| Board Secretary        | Fellows, Teresa | Approved | 5/11/2018 - 9:29 AM |
| Board Secretary        | Purse, Jason    | Approved | 5/16/2018 - 8:35 AM |
| Board Secretary        | Fellows, Teresa | Approved | 5/16/2018 - 8:35 AM |

## MEMORANDUM

DATE: May 22, 2018

TO: The Board of Supervisors  
The Planning Commission

FROM: Heath Richardson, Planning Commission Chair  
Jack Haldeman, Policy Committee Chair  
Paul D. Holt, III, Director of Community Development and Planning

SUBJECT: Joint Board of Supervisors and Planning Commission Work Session

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This Joint Work Session provides an opportunity for the Planning Commission and staff to share information with the Board of Supervisors (Board) and to obtain the Board's guidance on the development of various work program items.

Topics for the work session include:

I. Fort Eustis Joint Land Use Study Update

Over the past 16 months, work has progressed on creating the Fort Eustis Joint Land Use Study (<https://www.forteustisjlus.com/>). Fort Eustis is part of Joint Base Langley-Eustis (JBLE) in southeastern Virginia and is home to the U.S. Army Training and Doctrine Command (TRADOC) - supporting a population of 22,000 active duty, National Guard, Army Reserve, civilians and family members. TRADOC is responsible for training and developing the Army, and operates 33 schools and centers at 16 Army installations. A total of 5,000 students train at Fort Eustis each year.

A Joint Land Use Study (JLUS) is a collaborative study conducted by the City of Newport News, Counties of James City and York, federal officials, residents and the military installation itself, to identify compatible land uses and growth management guidelines near the installation. The process encourages the local community and installation to act as a team in order to prevent or limit any encroachment issues caused by future mission expansion or local growth.

In 2010, before JBLE was created, Langley Air Force Base conducted a JLUS. Although the Air Force Base and Fort have been merged, a JLUS has not been conducted specific to Fort Eustis.

The Fort Eustis study looked at compatibility and encroachment issues tailored to Fort Eustis while maintaining coordination with representatives of Langley. Some of the major issues Fort Eustis and the surrounding communities are facing include:

- Increased regional growth leading to stressed infrastructure and transportation systems;
- Sea level rise and flooding in the community and at Fort Eustis; and
- Waterway management and access conflicts from the increased number of recreational and commercial boats frequenting the waterways along the James River.
- Pressures for incompatible development on adjacent land.

Developing the JLUS was guided by a Policy Committee, which consists of decision makers, executive directors and elected officials from the affected local governments, and a Technical Working Group, which consisted of technical experts from the affected local governments and organizations as well as Fort Eustis representatives and other designated stakeholders.

Part of the development of JLUS included significant outreach and input opportunities from the public. A 30-day comment period on the final draft of the JLUS just concluded and staff and the project consultant will brief the Planning Commission and Board on the results of the process and on the final document. Following the work session, staff will place this item on the agenda for final consideration by the Planning Commission at its June meeting and by the Board at its July meeting.

## II. Potential Ordinance Amendments to Address Formerly Proffered Policies

At its February 27, 2018 work session, the Board of Supervisors discussed various decision points as it relates to developing possible Ordinance amendments for items that had formerly been addressed through proffers. At the work session, the Board expressed a desire to further discuss several items, including:

### A. **Transportation and Traffic Impact Analysis**

Summary: The Traffic Impact Analysis Submittal Requirement Policy was adopted on June 12, 2012, and was designed to provide guidance to applicants regarding the minimum content requirements for a Traffic Impact Analysis (TIA). Per the current submittal requirements for legislative cases, a TIA is required for any project which may generate 100 or more peak hour vehicle trips; any case that falls under this threshold may proffer general traffic improvements or may be subject to relevant Special Use Permit (SUP) conditions, but would not be required to submit a TIA.

At the February 27 meeting, the Board chose Option 3 (as outlined in the February 27 staff report): Draft and add an Adequate Transportation Facilities Test to the Traffic Impact Analysis Policy that would function similarly to the Board's adopted Adequate Public Facilities Test. The Test would give staff guidance on how to handle situations where off-site traffic impacts are able to be mitigated and where they cannot be mitigated.

On April 12, the Policy Committee recommended the attached draft *Adequate Transportation Facilities Test*. The Committee also recommended minor Zoning and Subdivision Ordinance clarifications that address the role of VDOT in reviewing and approving development plans.

#### Options for Moving Forward:

- Option 1: Accept the draft *Adequate Transportation Facilities Test* and Ordinance revisions as recommended by the Policy Committee. Staff would then finalize this item and schedule the public hearings.
- Option 2: Provide the Policy Committee with additional feedback and/or requests for changes. Staff would then proceed to continue to work with the Policy Committee on further revisions and consideration of this item.

### B. **Archaeology Policy and Natural Resources Policy**

Summary: As one of the oldest settlement areas in the United States, James City County has numerous documented and unknown archaeological and historic sites. The James City County Archaeological Policy, adopted by the Board of Supervisors on September 22, 1998, seeks to identify and protect areas where significant archaeological potential exists. In cases where James City County has identified a site as highly sensitive, a Phase IA Archaeological Study



is required to be submitted at the time of an SUP or Rezoning Application. In addition, the current policy requires that conditions or proffers requiring compliance with the policy are included for all appropriate Rezoning and SUP applications.

James City County is also endowed with many natural resources, including rare, threatened and endangered species and rare natural communities. The James City County Natural Resource Policy was adopted by the Board of Supervisors on July 27, 1999, seeking to better protect these resources. The 2035 Comprehensive Plan refers to the policy as one of a variety of conservation tools available to the County. The current policy requires that conditions or proffers requiring compliance with the policy are included for all appropriate Rezoning and SUP applications. The policy requires that a natural resource inventory for a subject area be submitted to the County for approval prior to land disturbance.

At the February 27 meeting, the Board chose Option 4 (as outlined in the February 27 staff report): Add the requirement to complete and submit a Phase I study (archaeology) or initial species inventory (natural heritage) as a submittal requirement for site plans and major subdivisions. In addition, add language to the special regulations or other appropriate section of the Ordinance requiring further study or management plans prior to issuance of a land disturbing permit, if recommended in the Phase I study or the initial species inventory. The Board also indicated a desire to better understand which projects would be exempt from these requirements.

On April 12, the Policy Committee reviewed draft Ordinance language which substantively mirrors the existing Board policies. This draft Ordinance language, including the proposed exemption and waiver criteria which are the subject of the question below are attached for the Board's review.

Options for Moving Forward:

- Option 1: Accept the proposed Ordinance language including the waiver and exemption criteria. Staff would then finalize this item and schedule the public hearings.
- Option 2: Provide the Policy Committee with additional feedback and/or requests for changes. Staff would then proceed to continue to work with the Policy Committee on further revisions and consideration of this item.

**C. Pedestrian and Bicycle Accommodations**

Summary: The James City County Pedestrian Accommodation Master Plan, adopted by the Board of Supervisors on November 22, 2011, implemented the Master Plan as a binding resource in determining pedestrian accommodation requirements external to a development unless otherwise required by the Pedestrian Accommodation Section of the Zoning Ordinance (Section 24-35). The Regional Bikeways Plan, adopted by the Board of Supervisors on June 21, 1993, encourages the coordinated development of a comprehensive system of bikeways throughout the region. The Regional Bikeways Plan was amended November 10, 1998, and September 10, 2013, to revise the map to provide bicycle access to major destinations, eliminate routes with dead ends, recommend realistic facility types and incorporate multi-use paths, which serve both cyclists and pedestrians.

At the February 27 meeting, the Board chose Option 2 (as outlined in the February 27 staff report): Amend the Zoning and Subdivision Ordinance, which currently requires adhering to the Pedestrian Accommodation Master Plan, to also include requirements to adhere to the

Bikeways Plan. The Ordinance language would apply to residential projects, including major subdivisions and in multi-family and apartment developments.

On April 12, the Policy Committee reviewed draft Ordinance language and recommended additional language to add bicycle connections to the current requirement for pedestrian accommodations between residential developments and adjoining schools, parks or recreation facilities. The Policy Committee also reviewed additional language that had been added to the exemptions section following the February 27 work session to parallel several of the exemptions for archaeology and natural resources Ordinance language and had no requested revisions.

At the April 12 Policy Committee meeting, the Committee also had several questions regarding the width requirements and other specifications for sidewalks and multi-use paths. Information and several additional possible Ordinance revisions will be presented to the Policy Committee at its upcoming meeting on May 10. Any updates from the May 10 Policy Committee will be provided to the Board.

*Options for Moving Forward:*

- Option 1: Accept the proposed Ordinance language, including the recommendation of the policy committee that requires both pedestrian and bicycle connections between residential developments and adjoining facilities and the additional exemption criteria. Staff would then finalize this item and schedule the public hearings.
- Option 2: Provide the Policy Committee with additional feedback and/or requests for changes. Staff would then proceed to continue to work with the Policy Committee on further revisions and consideration of this item.

III. Pocahontas Trail Corridor Study Update

Over the past nine months, work has progressed on developing the Pocahontas Trail Corridor Study. The purpose of the study is to reassess the Pocahontas Trail corridor and engage the community to identify key transportation needs and define a vision for the future of the corridor.

The goals of the study also include identifying feasible, context sensitive multi-modal transportation improvements to address the community's needs and enhancing the quality of life for area residents and users of the corridor. Work has also consisted of developing concepts, including cost estimates, to implement the desired improvements and recommend strategies to prioritize improvements along the corridor.

Work on the project has been led by a Steering Committee, comprised of representatives from the neighborhoods, churches and businesses along the corridor who have volunteered to advise the county and the Virginia Department of Transportation (VDOT). Steering Committee members include:

- Glenn Carter
- James Curtis
- Alan Doucet
- George Drummond
- Kirkland Goddard Sr.
- Gloria Hill
- Pat McCormick/Thomas McCormick

- Danny Schmidt
- Rob Till
- Tracy Williams/Eric Williams

Also assisting in the effort has been a Technical Committee comprised of staff from various agencies and departments and included representatives from the Police and Fire Departments, Parks & Recreation, Williamsburg-James City County Schools, Social Services, VDOT, Stormwater & Resource Protection, James City Service Authority (JCSA), Planning and Williamsburg Area Transit Authority.

The study team recently held its third public workshop to present recommendations for phasing the improvements and staff and the project consultant will brief the Planning Commission and Board on the results of the process and the workshop.

In anticipation of a desire for staff to complete funding applications during the 2018 SmartScale cycle, following the work session, staff will place this item on the agenda for final consideration by the Planning Commission at its June meeting and by the Board at its July meeting.

#### IV. Legislative Case Deferral Policy

On September 25, 2012, the Board of Supervisors adopted a Legislative Application Deferral Policy: <http://www.jamescitycountyva.gov/DocumentCenter/View/533/Legislative-Application-Deferral-Policy-PDF>

Mr. William Porter, Interim County Administrator, will address the Board of Supervisors and Planning Commission on this topic. The purpose of this work session item is to have a discussion and to receive input and guidance on developing such a policy for the Planning Commission.

#### V. Other Items of Interest or Requests from the Board of Supervisors

HR/JH/PDH/nb

JWS-BOS-PC-mem

#### Attachments:

1. PowerPoint presentation: Fort Eustis Joint Land Use Study Update
2. Fort Eustis Joint Land Use Study Executive Summary (full study available here: [https://docs.wixstatic.com/ugd/3a99a7\\_58423e7847ce4078af32aceafeb6489f.pdf](https://docs.wixstatic.com/ugd/3a99a7_58423e7847ce4078af32aceafeb6489f.pdf) )
3. PowerPoint presentation: Pocahontas Trail Corridor Study
4. Draft *Adequate Transportation Facilities Test* and transportation-related Ordinance language
5. Proposed exemption and waiver criteria for the Archaeology and Natural Resource requirements
6. Draft Archaeology and Natural Resource Ordinance language, Draft Pedestrian and Bicycle Accommodations Ordinance language

#### Links to Previous Agenda Materials:

1. Board of Supervisors Work Session on February 27, 2018  
<https://jamescity.novusagenda.com/AgendaPublic/CoverSheet.aspx?ItemID=3455&MeetingID=711>
2. Policy Committee meeting on April 12, 2018  
<https://jamescity.novusagenda.com/AgendaPublic/MeetingView.aspx?MeetingID=377&MinutesMeetingID=-1&doctype=Agenda>

# FORT EUSTIS JOINT LAND USE STUDY



James City County  
May 2018



# Agenda

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- Welcome
- Report Overview
- James City County's Role





# Policy Committee

| Representative       | Organization              |
|----------------------|---------------------------|
| Cindy Rohlf          | City of Newport News      |
| COL Ralph L. Clayton | Joint Base Langley-Eustis |
| Marcellus Harris     | City of Newport News      |
| Bryan Hill           | James City County         |
| John McGlennon       | James City County         |
| Mark J. Sciacchitano | Joint Base Langley-Eustis |
| Tom Shepperd         | York County               |
| David L. Stenglein   | Joint Base Langley-Eustis |



# Technical Working Group

| Representative       | Organization                                           |
|----------------------|--------------------------------------------------------|
| Britta Ayers         | City of Newport News                                   |
| Sam Belfield         | Hampton Roads Transportation Planning Organization     |
| Melvin Carter        | Joint Base Langley-Eustis                              |
| Mike Coleman         | Commonwealth of Virginia                               |
| Ellen Cook           | James City County                                      |
| Claudia Cotton       | City of Newport News                                   |
| Tim Cross            | York County                                            |
| Rick Dwyer           | Hampton Roads Military and Federal Facilities Alliance |
| Paul Holt            | James City County                                      |
| Pandora Howell       | Joint Base Langley-Eustis                              |
| Sheila McAllister    | City of Newport News                                   |
| Ben McFarlane        | Hampton Roads Planning District Commission             |
| Robin Mills          | Joint Base Langley-Eustis                              |
| Garrett Morgan       | City of Newport News                                   |
| Marc Rodgers         | City of Newport News                                   |
| Tammy Rosario        | James City County                                      |
| Mark J. Sciacchitano | Joint Base Langley-Eustis                              |
| Russ Seymour         | James City County                                      |
| Bryan Stilley        | City of Newport News                                   |
| Bruce Sturk          | City of Hampton                                        |
| Jay Sweat            | Department of Defense                                  |



# Project Stakeholders

|                                                        |                                            |
|--------------------------------------------------------|--------------------------------------------|
| City of Newport News                                   | James City County                          |
| BASF Corporation                                       | James River Association                    |
| Colonial Williamsburg Foundation                       | Ritchie Curbow Construction Co.            |
| Denbigh Warwick Business Association                   | RJS & Associates                           |
| Fort Eustis                                            | Virginia Department of Transportation      |
| Geddy Harris Franck & Hickman                          | Virginia Peninsula Association of Realtors |
| Greater Williamsburg Chamber & Tourism Alliance        | Virginia Peninsula Chamber of Commerce     |
| GreenMount Industrial Park Tenants                     | Walmart Distribution Center                |
| Hampton Roads Military and Federal Facilities Alliance | Williamsburg Area Association of Realtors  |
| Harvey Lindsay Commercial Real Estate                  | York County                                |





# The Schedule

## Project Initiation

- December 2016– January 2018

## Stakeholder & Public Involvement

- January 2017 – December 2017

## Data Collection, Inventory, & Mapping

- April 2017

## Economic Impact Analysis

- May 2017

## Interview Stakeholders

- July 2017

## Conflict/Compatibility Analysis

- June 2017

## Conflict Resolution Strategies

- July 2017 – September 2017

## Prepare JLUS Report

- October 2017 – March 2018



# What is a Joint Land Use Study

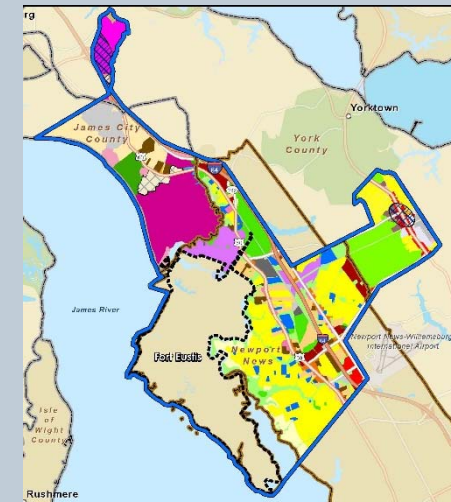
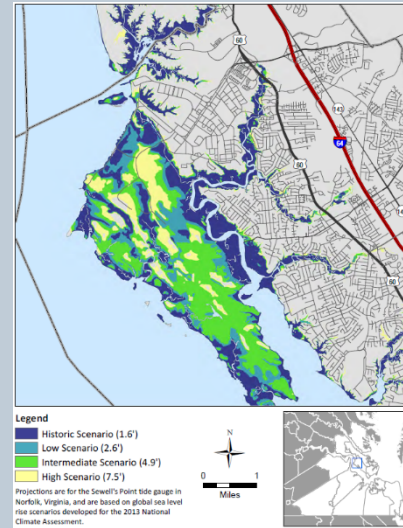
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- A collaborative study guided by:
  - James City County, York County, and Newport News Officials
  - Local Residents
  - Key Stakeholders
  - Fort Eustis
- Creates a team approach to address / manage encroachment issues to support military missions, now and in the future



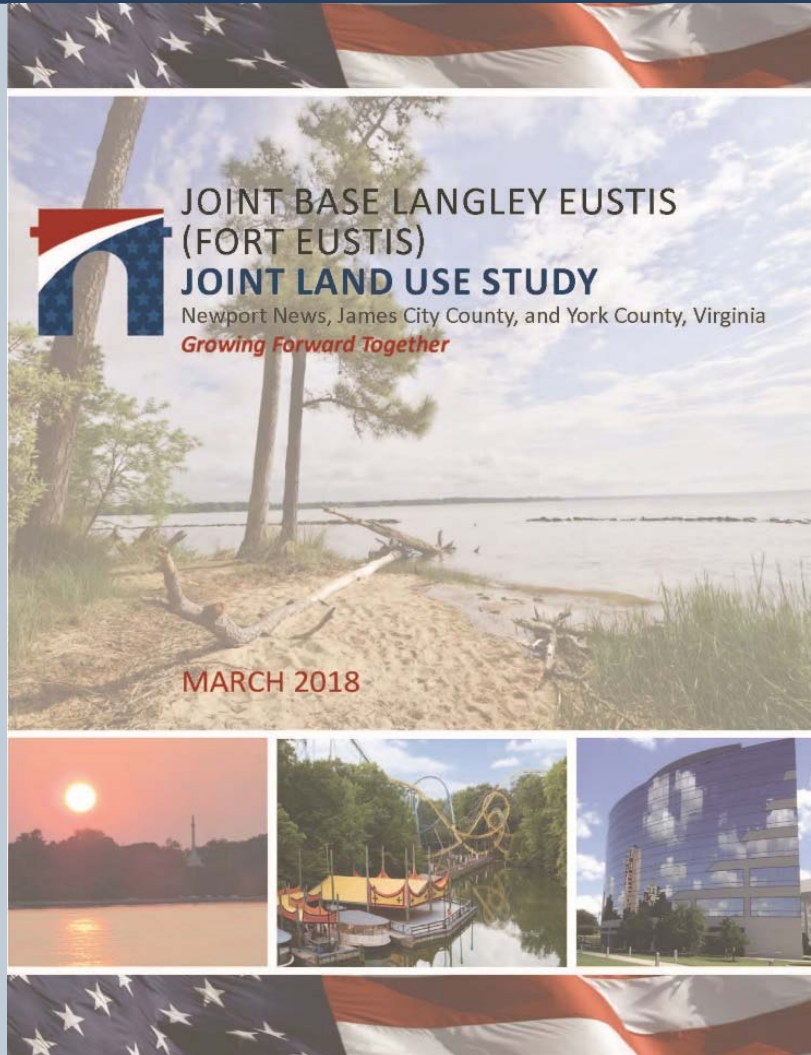
# Why is it needed?

- No previous JLUS conducted
- Regional Growth
- Sea Level Rise and Recurrent Flooding
- Waterway Management / Access
- Communication
- Land Use Compatibility





# Report Overview

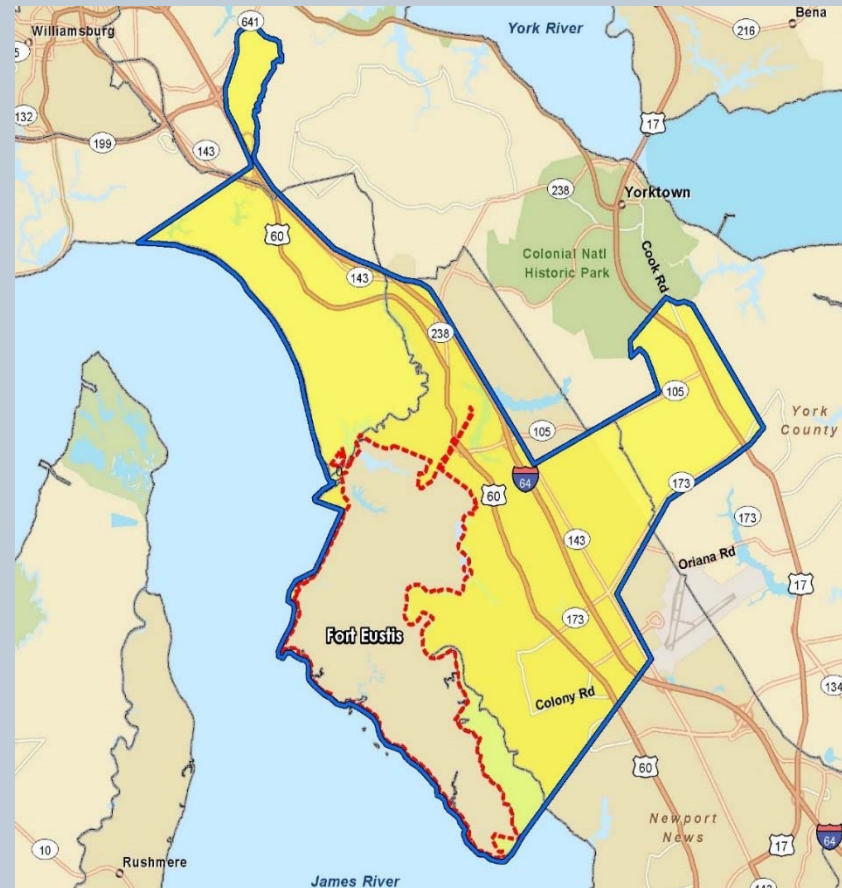






# Introduction to the JLUS

- JLUS Overview
- Fort Eustis JLUS Overview





# Public Involvement

- Committee Collaboration
- Public Outreach
  - 3 public workshops
  - Stakeholder interviews
- Public Information Tools
  - Website
  - Facebook
- Community Survey





# Community Profile

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- Community Overview
- Infrastructure
- Environmental Features
- Regional Growth and Development
- Regional Demographics







# Military Profile

- Regional Influence
- History
- Fort Eustis Land Uses and Facilities
- Host and Tenant Units
- Mission and Training
- Proposed Expansions and Operations







# Compatibility Tools

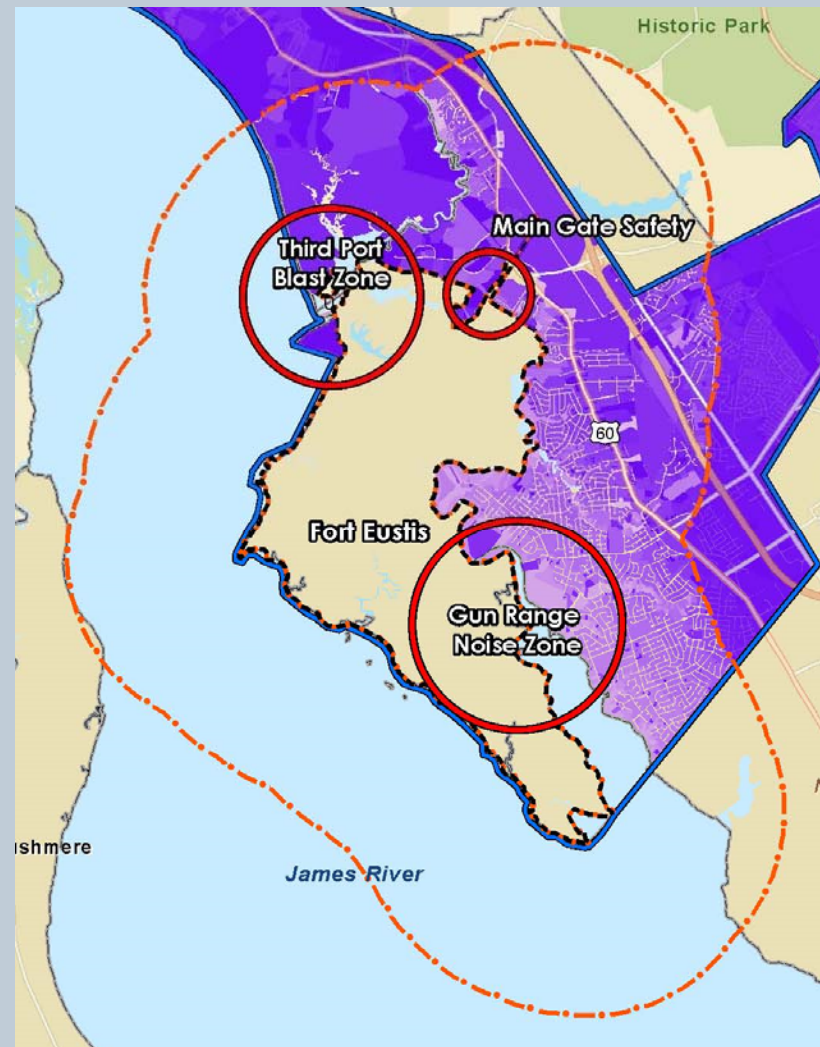
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- Federal Programs and Plans
- State Programs and Plans
- Regional Programs, Organizations, and Plans
- Local Programs and Plans





# Development Compatibility Analysis





# Compatibility and Encroachment Analysis

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- Formalized Communication
- JLUS Implementation
- Land Use Compatibility
- Main Gate
- Policy Reinforcement
- Sea Level Rise and Coastal Flooding
- Third Port Mission
- Traffic
- Waterway Access
- Alternative Energy Development
- Airspace Management
- Dredge Disposal
- Installation Access
- Unmanned Aircraft Systems
- Vertical Obstructions
- Wildlife and Habitat Preservation
- Cultural Resources
- Light and Glare
- Noise



# Recommendations

|                                                                                                                                                                                                       | JAMES CITY COUNTY                                                                                                                                                     | NEWPORT NEWS | YORK COUNTY | FORT EUSTIS | OTHER |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|-------------|-------------|-------|
| governments during the development approval process.                                                                                                                                                  |                                                                                                                                                                       |              |             |             |       |
| <b>9.3 Land Use Compatibility (LUC)</b>                                                                                                                                                               | <b>Continue development as currently planned to minimize impacts to the training missions of Fort Eustis.</b>                                                         |              |             |             |       |
| <b>Implementation Timing:</b><br>Within 1-3 years                                                                                                                                                     |                                                                                                                                                                       |              |             |             |       |
| LUC1. Establish coordination procedures for areas of concern within the MIOD to minimize future incompatibilities from proposed land use or zoning changes.                                           | ■                                                                                                                                                                     | ■            |             | ■           |       |
| LUC2. Establish an acquisition committee responsible for developing an acquisition plan and for coordinating and prioritizing acquisition efforts.                                                    | □                                                                                                                                                                     | □            | □           | ■           |       |
| LUC3. Develop a land acquisition strategy by identifying parcels that may be suitable for acquisition that support the preservation of military readiness for existing and potential future missions. | □                                                                                                                                                                     | □            | □           | ■           |       |
| <b>9.4 Main Gate (MG)</b>                                                                                                                                                                             | <b>As currently designed, the Main Gate, at Fort Eustis Boulevard, doesn't meet the requirements of the Army and could lead to safety concerns for the community.</b> |              |             |             |       |
| <b>Implementation Timing:</b><br>Within 1-3 years                                                                                                                                                     |                                                                                                                                                                       |              |             |             |       |
| MG1. Utilize the acquisition committee established in LUC2 to develop an acquisition plan for the main gate area and for coordinating and prioritizing acquisition efforts.                           | □                                                                                                                                                                     |              | □           | ■           |       |
| MG2. Develop a land acquisition strategy for the main gate by                                                                                                                                         | □                                                                                                                                                                     | □            | □           | ■           |       |





## Recommendations Applicable to James City County

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- Communication and Coordination
  - Establish coordination procedures through memorandums of understanding, websites, and identify clear points of contact
  - Create regularly occurring meeting opportunities between JCC and Fort Eustis to discuss specific concerns and current issues



# Recommendations Applicable to James City County

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- Education
  - Create materials to educate the community on:
    - new land use procedures
    - third port mission and training
    - dangers of entering the installation
    - the locations of military training areas
    - rules and regulations of UAS
    - noise impacts
    - vertical obstruction impacts





# Recommendations Applicable to James City County

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- Policy
  - Establish a Military Influence Overlay District and Military Influence Area within the comprehensive plan and land development regulations to address specific concerns including the third port, aquatic training area, and Felker Army Airfield airspace
  - Add Fort Eustis as reviewing agency on major policy changes
  - Incorporate identified standards into regulatory documents including:
    - Renewable energy siting guidelines
    - Setbacks, buffers, and design standards
    - Vertical obstruction standards
    - Dark sky lighting requirements



## Recommendations Applicable to James City County

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- Study
  - Identify projects within the CIP that could create conflict
  - Create a user-friendly plan to address water management issues including emergency water closures
  - Create a vertical constraints map where tall structures should be limited/prohibited
  - Provide support to Army during regulatory review processes



# Implementation Plan

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- Newport News
- James City County
- York County
- Fort Eustis





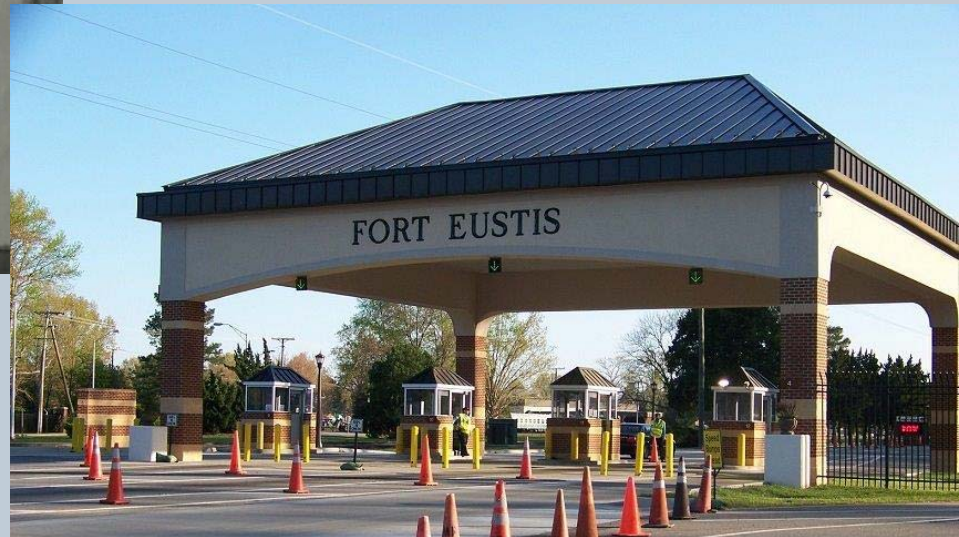
# Next Steps

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- JCC PC Consideration
  - June 6, 2018
- JCC BOS Consideration
  - July 10, 2018



# Questions



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## What is the Fort Eustis Joint Land Use Study?

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The Fort Eustis Joint Land Use Study (JLUS) was a 15-month process completed in March 2018. Fort Eustis is part of Joint Base Langley Eustis (JBLE); however, the JLUS focused solely on Fort Eustis. A JLUS was prepared for Langley Air Force Base (AFB) in 2010, prior to their merger with Fort Eustis as a joint base. Coordination will occur through the host unit (633d Air Base Wing), which provides installation support functions for JBLE.

A Joint Land Use Study (JLUS) is a collaborative study conducted by the city, county, federal officials, residents, and the military installation itself to identify compatible land uses and growth management guidelines near the installation. The process encourages the local community and installation to act as a team in order to prevent or limit any encroachment issues caused by future mission expansion or local growth.

Fort Eustis, located in Newport News and James City County, is home to the U.S. Army Training and Doctrine Command (TRADOC). Newport News and James City County are directly linked by U.S. Route 60. The installation supports a population of more than 22,000, including active duty, Army National Guard, Army Reserve, civilians, and family members. TRADOC is responsible for training and developing the U.S. Army, and operates 33 schools and centers at 16 Army installations. More than 5,000 students (on temporary assignment) train at Fort Eustis each year.

The JLUS was funded through a grant from the Department of Defense (DoD), Office of Economic Adjustment (OEA) and administered by the City of Newport News.

The final JLUS report and materials are available on the website at [www.forteustisjlus.com](http://www.forteustisjlus.com).







# FORT EUSTIS JOINT LAND USE STUDY

*Growing Forward Together*

Newport News, York County & James City County, VA

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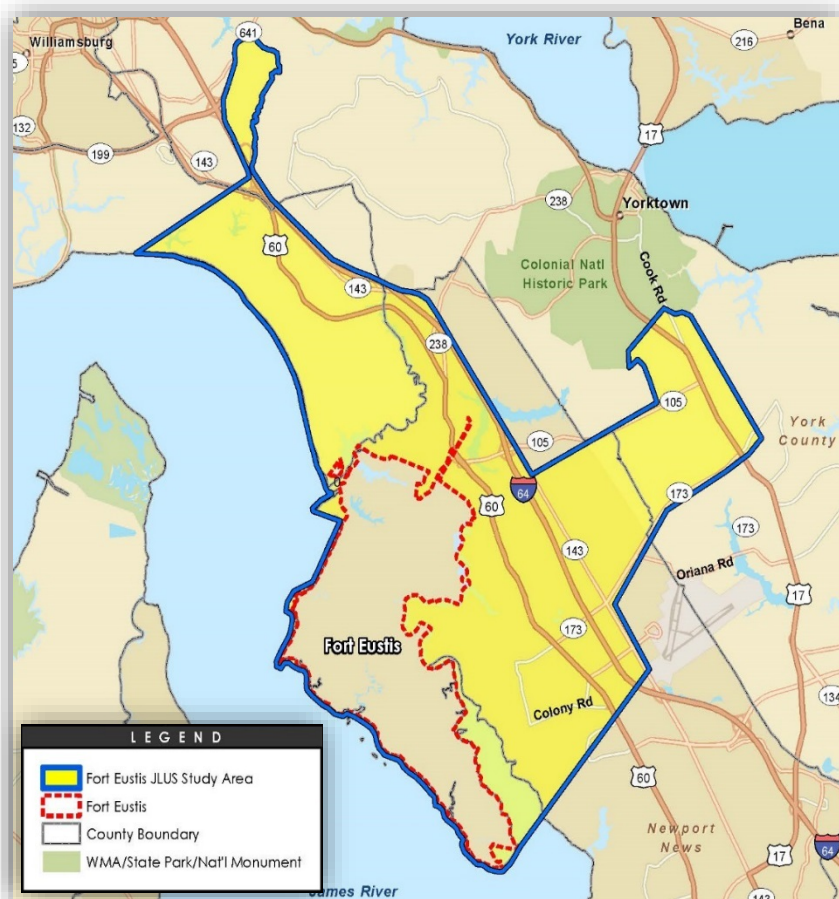
## What is the JLUS Study Area?

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Fort Eustis is located in Virginia's Hampton Roads region. Its 7,933 acres are bounded on the north by the city of Newport News, Skiffe's Creek and James City County and on the south by the James River. The installation is primarily located within Newport News, while approximately 24 acres are located within James City County.

The study area encompasses approximately 24,288 acres surrounding Fort Eustis. It reaches into James City County, York County, and Newport News. This area was created by the Technical Working Group and Policy Committee to capture the

impacts from the mission of Fort Eustis and the influences from the surrounding communities. Some of the influencing factors include Felker Airfield airspace, noise from the gun range, the aquatic training areas, safety standard at the main gate, safety standard for the third port, and existing and future community development patterns.



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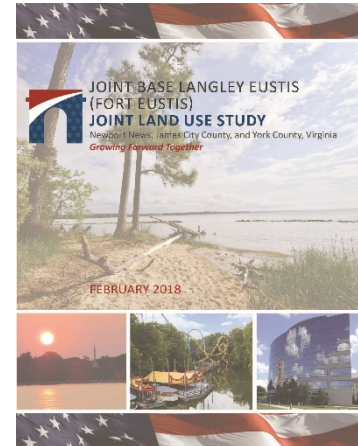
## What does the JLUS Report contain?

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The JLUS report is divided into 10 chapters. Chapter 1 – Chapter 4 provides background information and includes Introduction to the JLUS, Public Involvement, Community Profile, and Military Profile. Chapter 5 provides a brief economic analysis for the Upper Warwick Corridor. Chapter 6 Compatibility Tools lists

# FORT EUSTIS JOINT LAND USE STUDY *Growing Forward Together* Newport News, York County & James City County, VA

some of the tools available to assist local governments and the military with compatibility and encroachment challenges. Chapter 7 Development Compatibility Analysis evaluates the study area's potential for new development and the relationship with the mission of Fort Eustis. Chapter 8 Compatibility and Encroachment Analysis discusses 19 encroachment/compatibility factors to assess Fort Eustis and the surrounding communities. The results of the analysis are Recommendations in Chapter 9 that address and provides for proactive measures for each item of interest identified during the Study. Chapter 10 Implementation Plan gives guidance to each municipality on how to implement the suggested recommendations.



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## What was the process?

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The Policy Committee and Technical Working Group were formed to help facilitate the JLUS. Each participated directly with the project team to provide feedback and decision-making throughout the planning process. The Technical Working Group included subject experts from surrounding jurisdictions, military planners, business and development representatives, and special organizations. They provided technical expertise through identification of issues and provided feedback to the JLUS team. Upon completion of the JLUS, they will transition to the Implementation Committee. The Policy Committee consisted of decision-makers, executive directors, and elected officials and provided policy direction, study oversight, and ultimately will adopt the final report.

A series of public and stakeholder meetings were hosted to obtain feedback and inform the public. Three rounds of public workshops and forums were held in various locations throughout the communities. Additionally, the JLUS team targeted specific events already scheduled within the community and brought informational materials including the project fact sheet, social media handout, and project survey. Stakeholder meetings were held during the course of the planning process to obtain



individualized information from the community. A project website and Facebook page accompanied traditional methods of public notice and outreach.

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## What are the next steps?

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Each of the recommendations incorporate one or more actions that can be implemented to promote compatible land use, prevent encroachment upon the military mission, mitigate existing incompatibilities, and facilitate compatible economic development. The recommended strategies function as tools to aid the community in their goal of ensuring the continued sustainability of the military mission at Fort Eustis. Collectively, these strategies represent an assertive and coordinated approach that will demonstrate the community's commitment to that goal.

The recommendations are customized for each of the three local governments and Fort Eustis. The recommendations and implementation strategies are organized into the following strategies which are further detailed in Chapters 9 and 10 of the JLUS report.

- **Communication and Coordination.** Recommendations in the Communication and Coordination category would provide opportunities and strategies for increased communication or coordination between Fort Eustis, the community, stakeholders, elected officials, civilians, and military families.
- **Education.** Recommendations under the Education category would educate the community on facts and details that might help to clarify information or provide new information.
- **Policy.** Policy recommendations would include changes to regulatory documents such as the comprehensive plan, Zoning Ordinances, and/or building codes.
- **Program or Process.** A program or process may need to be established to address a specified area of interest.
- **Study.** Studies or reports may be needed to determine additional information, conduct additional analyses, and research before the next steps can be determined.

### FOR ADDITIONAL INFORMATION, PLEASE CONTACT:

Britta Ayers, AICP, PMP  
Manager of Comprehensive  
Planning  
City of Newport News  
Tel: 757.926.8074  
Email: bayers@nnva.gov

Or visit us at:  
[www.forteustisjlus.com](http://www.forteustisjlus.com)





*James City County  
Board of Supervisors &  
Planning Commission*

*May 22, 2018*

**PREPARED FOR:**

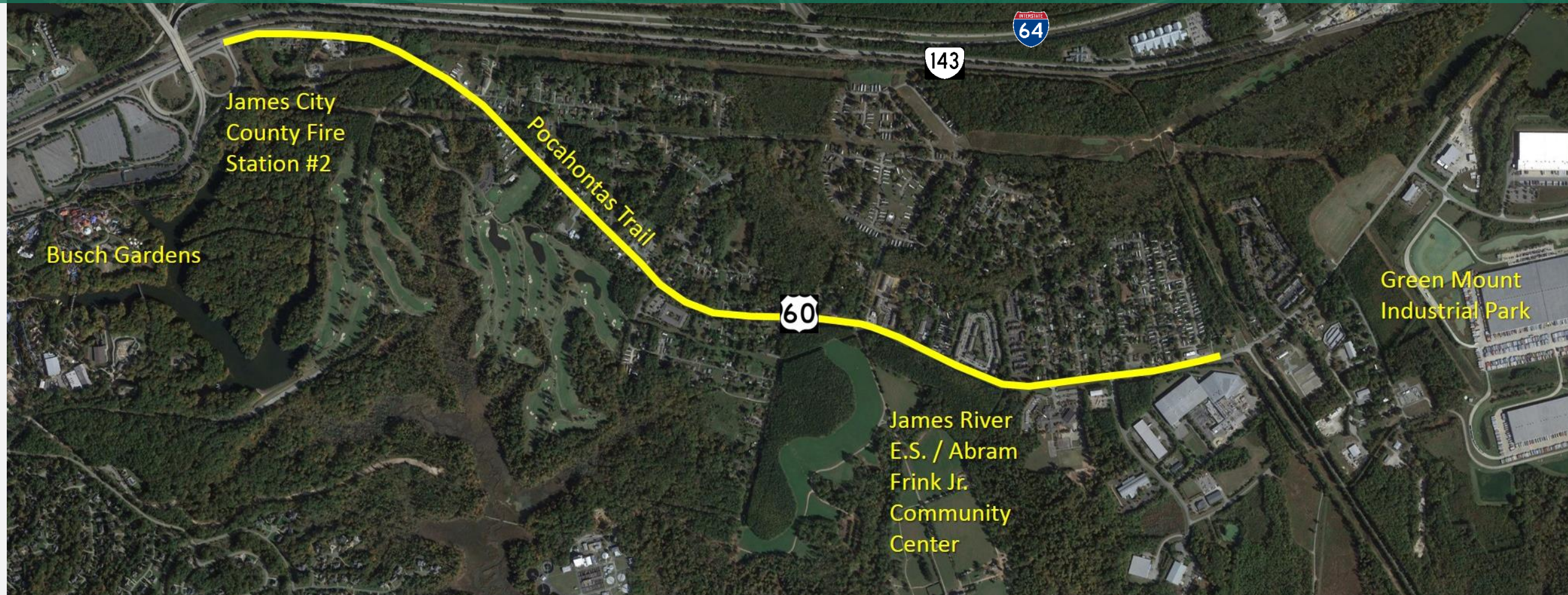


**PREPARED BY:**





# Study Corridor





## JAMES CITY COUNTY

**Paul Holt**

Community Development/Planning

**Tammy Rosario**

Planning Division

**Alex Baruch**

Planning Division

## VIRGINIA DEPARTMENT OF TRANSPORTATION

**Emmanuel Darko**

Location & Design

**Angela Biney**

Planning

**Ken Shannon**

Williamsburg Residency

## TECHNICAL COMMITTEE

**Ryan Ashe**

Fire Department

**John Carnifax**

Parks & Recreation Department

**Darryl Cook**

Stormwater & Resources Protection Div.

**Monique Marchand**

Police Department

**Josh Moore**

Williamsburg Area Transit Authority

**Ted Moreland**

Historic Triangle Bicycle Advisory Committee

**Marcellus Snipes**

Williamsburg-James City County Schools

**Dion Walsh**

James City Service Authority

**Barbara Watson**

Social Services Department

## CONSULTANTS

**Jeff Kuttesch**

RK&K

**Melissa Manalo**

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**Leo Rutledge**

RK&K

**Owen Peery**

RK&K

# Technical Advisory Committee





## JAMES CITY COUNTY

**Paul Holt**

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**Tammy Rosario**

Planning Division

**Alex Baruch**

Planning Division

## CONSULTANTS

**Jeff Kuttesch**

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**Owen Peery**

RK&K

## STEERING COMMITTEE

Glenn Carter

James Curtis

Allen Doucet

George Drummond

Kirkland Goddard Sr.

Gloria Hill

Pat McCormick / Thomas McCormick

Danny Schmidt

Rob Till

Tracy Williams / Eric Williams

## VIRGINIA DEPARTMENT OF TRANSPORTATION

**Emmanuel Darko**

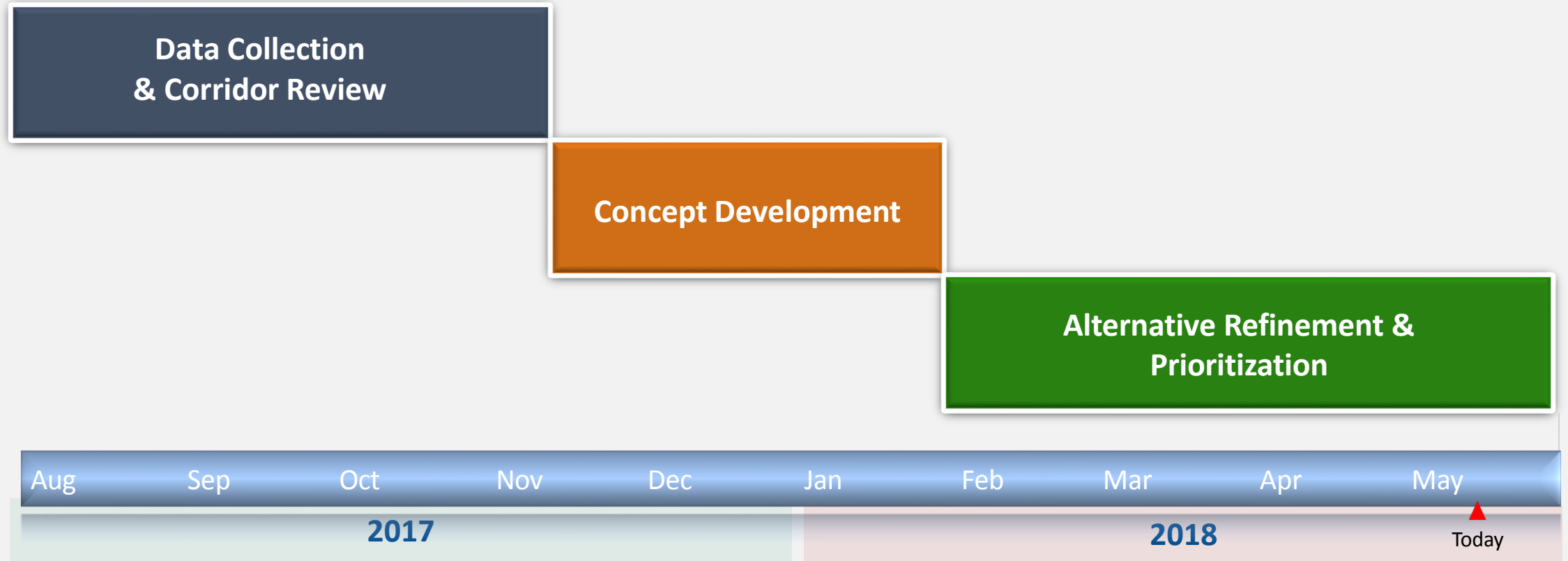
Hampton Roads District  
Location and Design Division

**Ken Shannon**

Williamsburg Residency

# Steering Committee

# Study Schedule



Anticipated Completion of Study: May 2018

# *CONCEPTS & COST ESTIMATES*

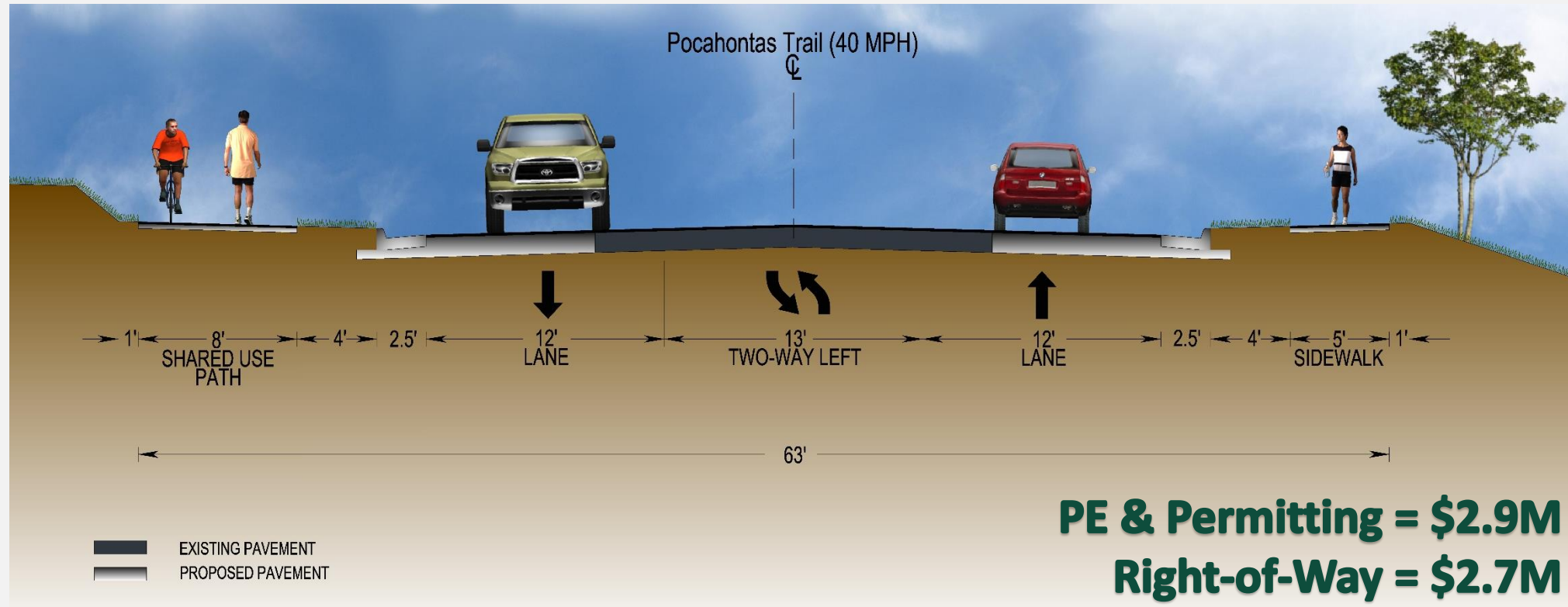


# Preliminary Project Cost Estimates

The cost of a transportation project has 4 main elements:

1. **Engineering & Permitting** – Design of the project & all necessary approvals from VDOT and other agencies
2. **Right-of-Way** – Paid to individual property owners to acquire land needed to construct the project (includes utility easements and temporary easements needed for construction)
3. **Utility Relocations** – Paid to private utility owners to relocate their utilities to allow the project to be constructed
4. **Construction** – Building the proposed improvements (includes relocation of public utilities and oversight during construction)

# Option 1: 3-Lane with Shared Use Path



**PE & Permitting = \$2.9M**

**Right-of-Way = \$2.7M**

**Utility Relocation = \$5.2M\***

**Construction & CEI = \$16.9M**

**Total Cost = \$28M\***

**Approx. Roadway Capacity: 18,000 to 20,000 vehicles per day**

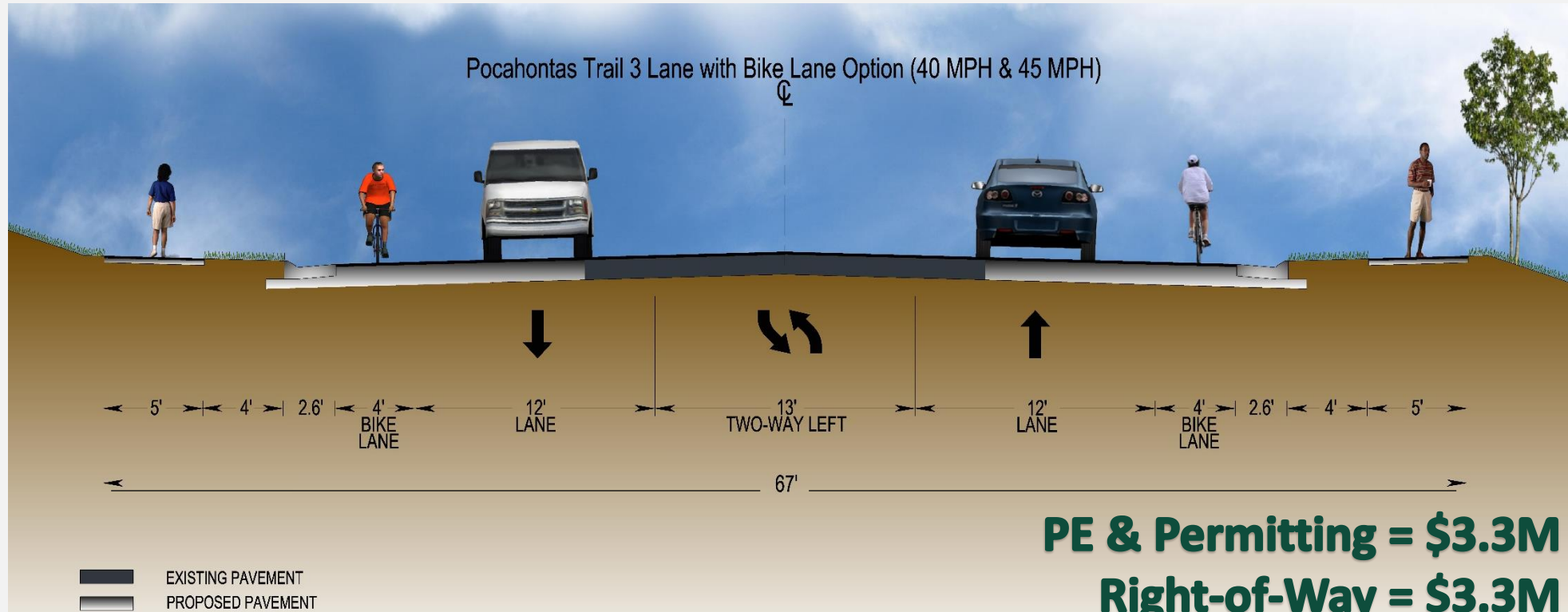
**Current Traffic Count = 10,000 vehicles per day**

**\*Cost includes overhead utility relocation.**

**Undergrounding utilities would require additional funds (approx. \$5-6M).**



# Option 2: 3-Lane with Bike Lanes

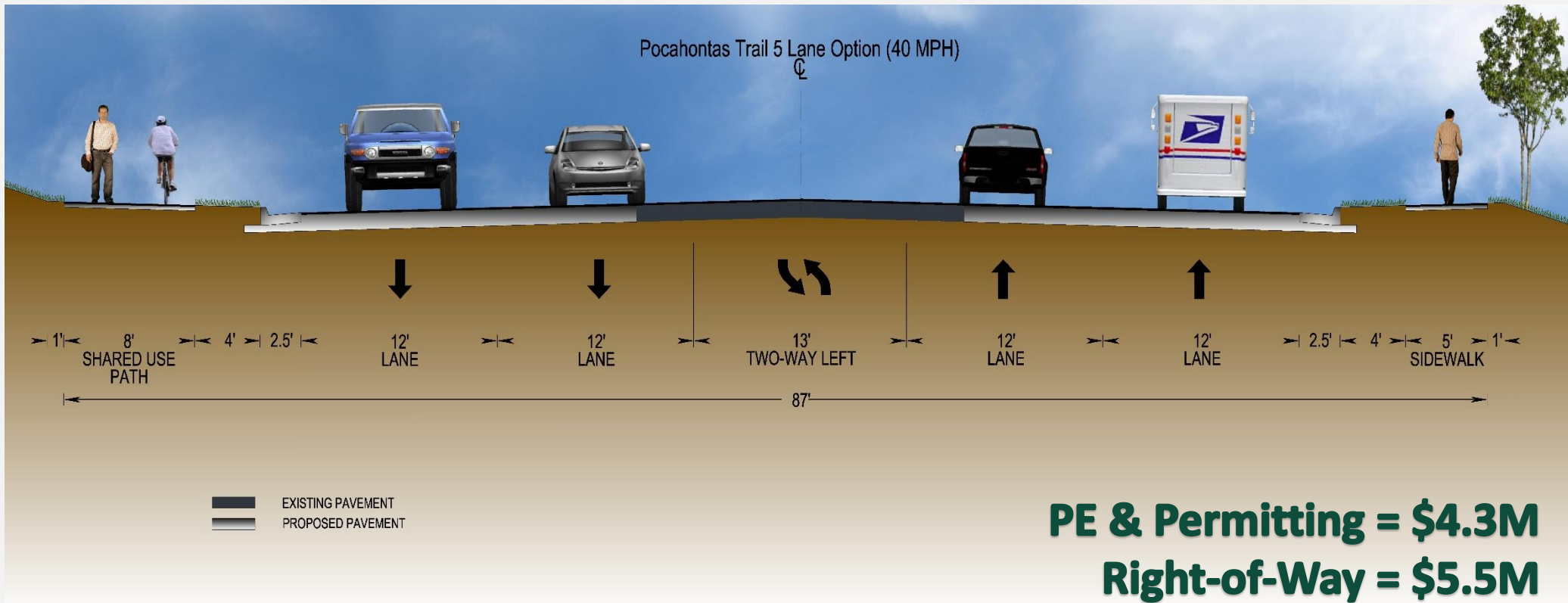


**Approx. Roadway Capacity: 18,000 to 20,000 vehicles per day**  
**Current Traffic Count = 10,000 vehicles per day**

**PE & Permitting = \$3.3M**  
**Right-of-Way = \$3.3M**  
**Utility Relocation = \$5.5M\***  
**Construction & CEI = \$18.9M**  
**Total Cost = \$31M\***

**\*Cost includes overhead utility relocation.**  
**Undergrounding utilities would require additional funds (approx. \$5-6M).**

# Option 3: 5-Lane with Shared Use Path



**Approx. Roadway Capacity: 35,000 to 40,000 vehicles per day**  
**Current Traffic Counts = 10,000 vehicles per day**

**PE & Permitting = \$4.3M**  
**Right-of-Way = \$5.5M**  
**Utility Relocation = \$6.0M\***  
**Construction & CEI = \$25.1M**  
**Total Cost = \$41.0M\***

# *Public Workshop #2 – January 24, 2018*

## What We Heard



# Public Workshop #2 Feedback Summary

- Collected nearly 75 responses from the public workshop and from an online survey available after the meeting
- 75 to 80 percent of all respondents preferred one of the 3-Lane Options for cars, pedestrians, bicyclists and overall
- Approximately 50 percent of respondents preferred Option 1: 3-Lane with Shared Use Path

**James City County, Virginia**  
Pocahontas Trail Survey

**Entry Details**

**Overall Concept**

**Overall Concept Questions**

WHAT CONCEPT DO YOU FEEL BEST ADDRESSES VEHICULAR CONGESTION AND SAFETY? Concept 3

WHAT CONCEPT DO YOU FEEL BEST ADDRESSES PEDESTRIAN NEEDS AND SAFETY? Concept 2

WHAT CONCEPT DO YOU FEEL BEST ADDRESSES BICYCLIST NEEDS AND SAFETY? Concept 2

WHICH CONCEPT DO YOU FEEL BEST MATCHES YOUR VISION FOR THE CORRIDOR? Concept 3

**Pedestrian Crossing Treatments**

WHICH TYPE OF TREATMENT BEST ADDRESSES THE NEEDS OF THE CORRIDOR? Option 4: Raised median (landscaped)

WHAT IS YOUR TOP...



# Public Workshop #2 Feedback Summary

- Themes:
  - Separate cyclists and traffic
  - Corridor lighting is a must
  - Moderate landscaping and buffer areas are desired
  - Raised islands for pedestrian refuge at crosswalks
  - Transit shelters / bus pull-offs at all locations
  - Increase number of crosswalks
- We worked to integrate these features into the improvement concepts





# *PROJECT PHASING RECOMMENDATIONS*



# Typical Transportation Project Schedule

- Step 1: Secure Funding (Typically Annual or Bi-Annual Funding Cycles)
  - This step can take time and funding may not be available for several years
- Step 2: Engineering (Design): 12 to 18 Months
- Step 3: Acquire Right-of-Way: 12 to 18 Months
- Step 4: Relocate Utilities: 9 to 12 Months
- Step 5: Construct Improvements: 1-2 Years

**Total Duration: 5 to 6 Years from Start of Design to Implementation**

*The above represents typical timeframes for large transportation projects. Smaller projects can be designed and constructed faster, especially if no right-of-way is needed and no utility relocations are required.*

# Funding Constraints

- Total Project Costs are high relative to available funding sources
- There is approximately \$3M in CMAQ funding on the project currently, with \$1.5M in RSTP funding pending action in May.
- James City County has funding proposed in the 5-year CIP for local share/match to VDOT funding programs

Recommend continuing to pursue funding for the entire project, but also consider phasing the improvements in smaller pieces which better match the funding sources. Target range of \$5-8M projects.

# Proposed Project Phasing Approach

- Step 1: Identify any near-term projects to implement early
  - Ideally within existing right-of-way
  - Avoid future rework for the ultimate improvements

## Potential Examples:

- Bus Pull-off & Shelter Near Grove Christian Outreach
- Bus Pull-off & Shelter Near Howard Drive
- Access Management Improvements at 7-11 / Wisteria Gardens Lane

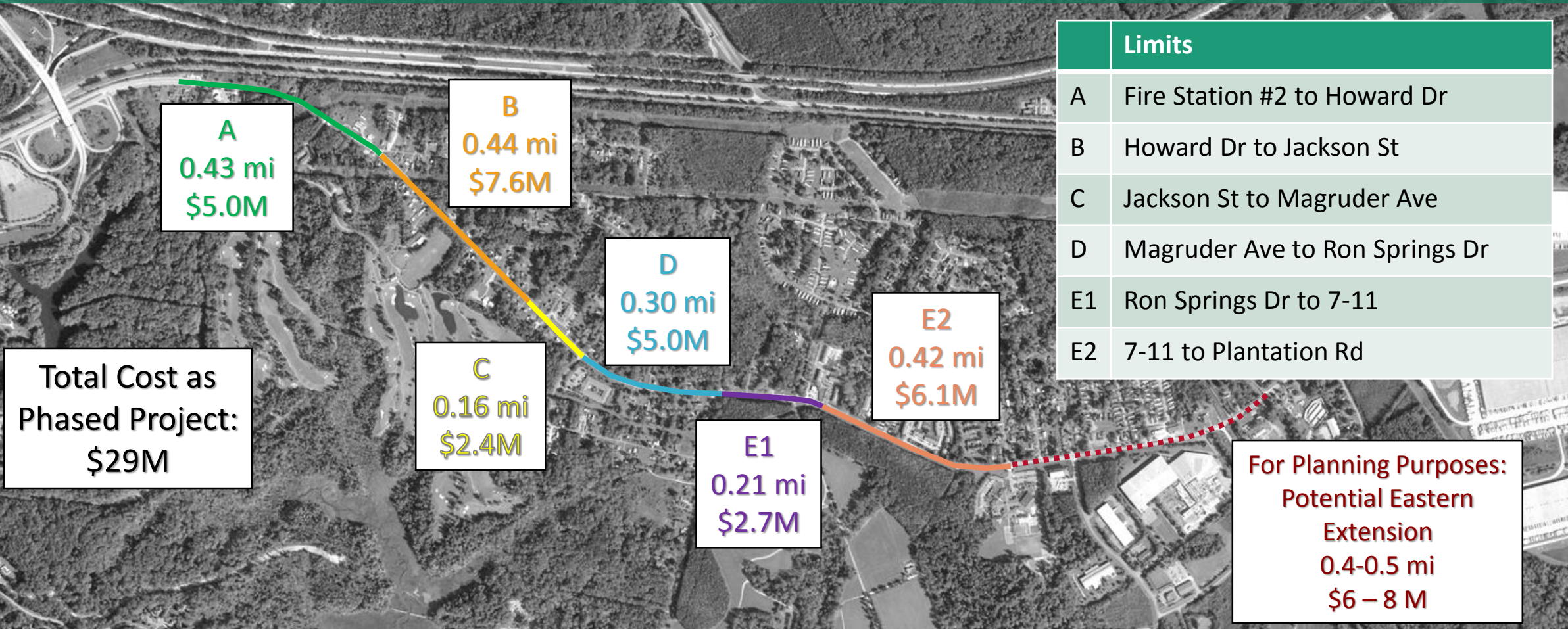


# Proposed Project Phasing Approach

- Step 2: Based on anticipated costs, suggest dividing corridor into smaller segments to better match potential funding sources
  - Identify safety & operational needs
  - Ensure logical start and end points
  - Ensure each segment can function independently
  - Consider stormwater management needs
  - Consider environmental impacts (cultural & natural resources)
  - Consider utility impacts and relocation strategies

# Segments Evaluated

|    | Limits                         |
|----|--------------------------------|
| A  | Fire Station #2 to Howard Dr   |
| B  | Howard Dr to Jackson St        |
| C  | Jackson St to Magruder Ave     |
| D  | Magruder Ave to Ron Springs Dr |
| E1 | Ron Springs Dr to 7-11         |
| E2 | 7-11 to Plantation Rd          |



# Corridor Prioritization – Segment Evaluation

| Segment | Pedestrian Needs | Roadway Widening Needs | Traffic Safety Needs | Roadside Needs (Drainage/Vegetation) | Transit Needs |
|---------|------------------|------------------------|----------------------|--------------------------------------|---------------|
| A       | Low              | Low-Medium             | Medium               | Low                                  | Low           |
| B       | Low-Medium       | Medium-High            | Medium               | Medium                               | Medium        |
| C       | Low-Medium       | Low                    | Medium               | Medium                               | Medium        |
| D       | High             | High                   | Medium-High          | High                                 | Medium        |
| E1      | Medium           | Low-Medium             | High                 | Low                                  | Medium-High   |
| E2      | Medium           | Low-Medium             | Medium               | Low                                  | Medium-High   |

Low: Fewer needs, less severe issues; Medium: Some needs, severity increases; High: Many needs, issues are most severe

# Preliminary Prioritization Recommendations

Near-Term Improvements (1-2 transit stops, access management)

1. Segments C & D (Jackson St to Ron Springs Dr): \$7.7M
2. Segment B (Howard Dr to Jackson St): \$7.6M
3. Segments E1+E2 (Ron Springs Dr to Plantation Rd): \$8.0M
4. Segment A (Western Limits to Howard Dr): \$5.0M

Addresses highest need segment first with projects in desired cost range (\$5-\$8M)



# *Public Workshop #3 – April 25, 2018*



## What We Heard

# Segment Prioritization Feedback

- Requested community feedback on priority order for segments

| Segment | Priority #1 | Priority #2 | Priority #3 | Priority #4 | Total |
|---------|-------------|-------------|-------------|-------------|-------|
| A       | 3           | 0           | 0           | 28          | 31    |
| B       | 0           | 11          | 19          | 0           | 30    |
| C+D     | 26          | 2           | 4           | 6           | 38    |
| E1 + E2 | 5           | 22          | 10          | 3           | 40    |
| Total   | 34          | 35          | 33          | 37          | 139   |

# Public Workshop #3 Feedback Summary

- 45+ attendees
- Themes:
  - Improvements match the vision
  - “Do it right”
  - Minimize impacts
  - Desire for action





# *SUMMARY & NEXT STEPS*





# Revised Prioritization Recommendations

Near-Term Improvements (1-2 transit stops, access management)

1. Segments C & D (Jackson St to Ron Springs Dr): \$7.7M
2. Segments E1+E2 (Ron Springs Dr to Plantation Rd): \$8.0M
3. Segment B (Howard Dr to Jackson St): \$7.6M
4. Segment A (Western Limits to Howard Dr): \$5.0M

**Reversed the order of Segment B and Segment E1+E2 based on community feedback.**



- Refine prioritization plan and recommendations
- Finalize summary report and recommendations for Planning Commission and Board of Supervisors
- Smart Scale 2018 Funding Application



## **Traffic Impact Analysis Submittal Requirements Policy**

### **I. GENERAL**

In 2006, the Traffic Impact Analysis Regulations known as “Chapter 527” was approved by the General Assembly of Virginia to expand the role of the Virginia Department of Transportation (VDOT) in the land planning and development review process. Accordingly, James City County requires submission of all Traffic Impact Analyses (TIA’s) to be conformance with the aforementioned regulations. In addition, all TIA’s shall conform to the current versions of the Manual of Uniform Traffic Control Devices (MUTCD), the VDOT Road Design Manual, VDOT Access Management Regulations and Standards, the American Association of State Highway and Transportation Officials (AASHTO) and the Institute of Transportation Engineers (ITE) manuals unless otherwise approved by the Planning Director.

### **II. APPLICABILITY**

A. Submission of a TIA shall be required when one or more of the following apply:

- Projects that expect to generate 100 or more weekday peak hour trips to and from the site during the peak hour of operation based on the ITE manual’s trip generation rates.
- Projects with an entrance or exit onto a roadway with a Level of Service (LOS) “D” or lower operation.

Note: VDOT has different requirements that trigger a 527 TIA than County Ordinance. Should a TIA be required by VDOT, but not be triggered County requirements, this policy would not be applicable and no additional TIA is required.

### **III. EXCEPTIONS**

A TIA does not have to be updated/submitted if a TIA or 527 TIA was previously submitted for a rezoning or Special Use Permit and all assumptions made in the TIA remain valid.

### **IV. PROCEDURE**

A scoping meeting with VDOT and Planning Division staff is required for any proposal that requires the submission of a TIA. A scoping meeting is required when the proposed development generates more than 100 peak hour site trips. At this meeting the Planning Director will determine the minimum scope of work and if additional analyses pursuant to Section VI B are applicable. Fifteen paper copies and a digital copy of the TIA shall be submitted during application of the project with the County.

### **V. WHO PREPARES**

A TIA should be prepared by a professional engineer or a transportation planner. Generally, a licensed engineer prepares a TIA; however, for smaller applications, the Planning Director may approve TIAs that have not been certified by an engineer.

### **VI. CONTENTS OF A TRAFFIC IMPACT ANALYSIS**

A. The Traffic Impact Analysis shall at minimum include the following:

- Executive Summary
- Introduction
- Analysis of Existing Conditions
- Analysis of Future Conditions without Development
- Projected Trip Generation
- Analysis of Future Conditions with Development
- Signal Warrant Analysis
- Improvements necessary to achieve an overall LOS “C” on adjacent roadways/signalized intersections. The Planning Director may approve movements in certain lane groups of LOS “D” in urban environments.
- Conclusion

#### B. Supplemental Analysis

As determined at the scoping meeting, the Planning Director may also request the following analysis as a component of the TIA:

- Weaving Analysis
- Merge and Diverge Analysis
- Corridor Traffic Signal Progression Analysis
- Queuing/Turn Lane Analysis
- Expanded Study Area
- Examination of Transit and Travel Demand Management Measures
- Accident/Safety Analysis
- Sight Distance Analysis

#### VII. ADEQUATE TRANSPORTATION FACILITIES TEST

*All special use permit or rezoning applications are subject to the adequate transportation facilities test.*

- A. *A proposed rezoning or special use permit application will be tested for adequate transportation facilities. A proposed rezoning or special use permit application will pass the test if:
 
  - i. *No off-site improvements are required by the TIA that is approved by both the Planning Director and the Virginia Department of Transportation; or*
  - ii. *All off-site improvements recommended by a TIA that is approved by both the Planning Director and the Virginia Department of Transportation are guaranteed in a form approved by the Planning Director and County Attorney.**
- B. *If the TIA recommends off-site improvements or indicates deficiencies which cannot be mitigated or guaranteed then the application will not pass the adequate transportation facilities test.*



## **Chapter 19. Subdivisions**

### **Article II. Procedures and Documents to be Filed**

#### **Sec. 19-30. Procedure for approval of final plan.**

The subdivider shall submit for review and approval eight copies of the final plan for a major subdivision or as many copies of the final plat for minor subdivisions or multifamily subdivisions as deemed necessary by the agent. Upon approval of the final plan by the agent, the subdivider shall submit one reproducible copy plus eight prints of the record plat portion of the final plat to the agent for review and approval. The record plat shall not be approved until the applicant:

- (1) Has complied with the requirements and minimum standards of design set forth in this chapter;
- (2) Has incorporated such changes or complied with such conditions on the final plan as may have been stipulated in the letter of notification following action by the commission or agent on the preliminary plan;
- (3) Has made satisfactory arrangements for performance assurances as specified in article IV of this chapter, *including improvements required by agencies including the Virginia Department of Transportation and James City Service Authority;*
- (4) Has submitted data for major subdivisions in accordance with the "GIS Data Submittal Requirements for Major Subdivisions" policy, as approved by the governing body; and
- (5) Has executed all certificates required in section 19-29.

### **Article II. Special Regulations**

#### **Sec. 24-151. Review criteria generally.**

The planning director, zoning administrator, the planning commission, or its designee shall review and consider site plans with respect to:

- (1) Intensity of land use including developable acreage, density and adequate provisions for open space and recreational facilities as appropriate to the site usage and to the Comprehensive Plan Development Standards;
- (2) Design and layout of the site including all existing and proposed buildings, exterior signs, recreation facilities, garbage and trash disposal facilities, sedimentation and erosion controls, storm drainage, stormwater management, sanitary sewage disposal, and water supply locations on the site including line sizes, areas to be landscaped with approximate arrangement and plant types and sizes indicated, and provisions for pedestrian and vehicular traffic movements within and adjacent to the site. Particular emphasis shall be placed upon the review of on-site aesthetics; public safety features; environmental, historic and vegetative preservation; efficient layout of buildings, parking areas, and off-street loading and unloading, and movement of people, goods and vehicles (including emergency vehicles) from access roads within the site, between buildings and vehicles. Vehicular access to the site shall be designed to aid overall traffic flow and to permit vehicles, including emergency vehicles, safe means of ingress and egress;
- (3) Design standards contained in this chapter as they relate to traffic circulation, parking, lighting, performance standards, location of structures, building and landscape, setbacks, yard requirements, height and building coverage limits shall apply, where applicable, to site plan approval. The design criteria established in the county subdivision ordinance *improvements required by agencies including the Virginia Department of Transportation and the James City Service Authority shall be shown on the plan before final approval of the site plan.*

## Proposed exemption and waiver criteria for the Archaeology and Natural Resource requirements – Site Plans

### *Archeology*

These requirements do not apply if one or more of the following criteria are met:

- a. Land disturbance on the project area is less than 2,500 square feet.
- b. A proposed temporary structure(s) will not be erected for more than six months.
- c. A proposed addition to an existing structure is less than 1,000 square feet or no changes to the building footprints are proposed.
- d.. The project area has been previously disturbed as evidenced by existing site features, historic aerial photography, or other documentation deemed sufficient by the Director of Planning.
- e. An approved Phase I Archaeological Study for the project area has been completed and either found no resources, or all study recommendation have been appropriately addressed as determined by the Director of Planning.
- f. The site plan submittal is for a project associated with an existing individual multi-family dwelling unit.
- g. If the project area is subject to adopted proffers and/or SUP conditions which requires compliance with the Archaeology Policy.

Projects that do not trigger submission of a site plan (e.g., building permit for a single family home) are not subject to this criteria. Also, in the Ordinance, generally: If the planning director determines that one or more of the above submittal requirements is not applicable to the proposed project, the planning director may waive those requirements. In the event the Planning Director disapproves the request the applicant may appeal the decision of the planning director to the development review committee which shall forward a recommendation to the planning commission

### *Natural Resource Inventory*

These requirements do not apply if one or more of the following criteria are met:

- a. Land disturbance on the project area is less than 2,500 square feet.
- b. A proposed temporary structure(s) will not be erected for more than six months.
- c. A proposed addition to an existing structure is less than 1,000 square feet or no changes to the building footprints are proposed.
- d. The project area has been previously disturbed as evidenced by existing site features, historic aerial photography, or other documentation deemed sufficient by the Director of Planning.
- e. An approved Natural Resource Inventory for the project area has been completed and either found no resources, or all study recommendation have been appropriately addressed as determined by the Director of Planning
- f. The site plan submittal is for a project associated with an existing individual multi-family dwelling unit.
- g. The Department of Conservation and Recreation has already determined, through a project review, that resources are not on site or would only be located in areas, such as RPAs, that are protected through other regulations.
- h. If the project area is subject to adopted proffers and/or SUP conditions which requires compliance with the Natural Resource Policy.

Proposed exemption and waiver criteria for the Archaeology and Natural Resource requirements – Subdivisions

*Archeology*

These requirements do not apply if one or more of the following criteria are met:

- a. The preliminary plan is for a minor subdivision as defined in Section 19-24.
- b. The preliminary plan is for a family subdivision as defined in Section 19-17.
- c. The preliminary plan is for a property boundary line adjustments and/or extinguishments.
- d. An approved Phase I archaeological study for the project area has been previously completed and no further study is recommended.
- e. The preliminary plan is for an amendment that proposes land disturbance of less than 2,500 square feet.
- f. If the project area is subject to adopted proffers and/or SUP conditions which requires compliance with the Archaeology Policy.

Projects that do not trigger submission of a subdivision (e.g., building permit for a single family home) are not subject to this criteria. Also, in the Ordinance, generally: If the planning director determines that one or more of the above submittal requirements is not applicable to the proposed project, the planning director may waive those requirements. In the event the Planning Director disapproves the request the applicant may appeal the decision of the planning director to the development review committee which shall forward a recommendation to the planning commission

*Natural Resource Inventory*

These requirements do not apply if one or more of the following criteria are met:

- a. The preliminary plan is for a minor subdivision as defined in Section 19-24.
- b. The preliminary plan is for a family subdivision as defined in Section 19-17.
- c. The preliminary plan is for a property boundary line adjustments and/or extinguishments.
- d. An approved Natural Resource Inventory for the project area has been previously completed and no further study is recommended.
- e. The preliminary plan is for an amendment that proposes land disturbance of less than 2,500 square feet.
- f. For natural resource inventory, if the Department of Conservation and Recreation (DCR) already determined, through a project area, that resources are not on site or would only be located in areas, such as RPAs, that are protected through other regulations.
- g. If the project area is subject to adopted proffers and/or SUP conditions which requires compliance with the Natural Resource Policy.

#### **Sec. 19-27. - Preliminary plan-submittal requirements.**

The preliminary plan for a minor or major subdivision shall be on a blue-line or black-line print. The scale shall be 100 feet to the inch for the overall view, and the scale of the detailed drawings shall be appropriate to the level of detail but not less than 60 feet to the inch, except in cases where the agent approves an alternate scale. If more than one sheet is used, sheets shall be numbered in sequence and an index shall be provided. The preliminary plan for a minor or major subdivision shall include the following information:

- (a) The name of the subdivision, owner, subdivider, and surveyor or engineer, the date of drawing, number of sheets, north arrow, tax parcel identification number, zoning and graphic scale. The plan shall also list any proffers or special use permit conditions that affect the property.
- (b) The location of the proposed subdivision on an inset map at a scale of not less than one inch equals 2,000 feet, showing adjoining roads, their names and numbers, subdivisions and other landmarks.
- (c) A closed boundary survey, or existing survey of record, total acreage, acreage of subdivided area, existing buildings and improvements, existing graves, objects or structures marking a place of burial, names of owners and existing property lines within the boundaries of the tract and for adjacent properties thereto, proposed monuments, lots, lot numbers, lot areas, blocks, building setback and yard lines. If any exceptions have been granted by the planning commission in accordance with section 19-18, the plan shall include a note detailing any exception so granted.
- (d) All existing, platted and proposed streets, both private and public, including their names, route numbers and widths; existing and proposed utility or other easements, existing and proposed sidewalks, public areas, parking spaces, culverts, drains, watercourses, lakes, their names and other pertinent data. If the streets are to be private, the plan shall include a private streets declaration in accordance with section 19-14.
- (e) A drainage plan showing the proposed drainage system including all open ditches, closed storm drain pipes and stormwater management facilities proposed to convey the subdivision drainage to an adequate receiving channel. The plan shall include sizes of all pipes and ditches, types of pipes and ditch linings, drainage easements and construction details of any stormwater management facilities. Drainage calculations shall be submitted with a design report with computations and drainage map to verify the design of the drainage system including the adequacy of the channel receiving drainage from the proposed subdivision.

For multiphased subdivisions, a drainage map shall be provided with drainage calculations for all phases of the subdivision to determine the adequacy of receiving channels. If receiving channels are not adequate, the map shall include the location of proposed stormwater management facilities.

The drainage plan shall include the topographic plan and a soil map of the site. The topographic plan shall be based on recent field run or aerial two-foot contour intervals. Five-foot contour intervals may be used with the approval of the agent. Spot elevations shall be shown at topographic low and high points.

- (f) A stormwater management plan showing proposed stormwater management facilities including best management practices (BMPs) in accordance with chapters 8, 18A and 23 of the county code, and associated checklists. Such plan shall include construction details for all parts of the stormwater and drainage system, including pipe bedding and backfill.
- (g) An erosion and sediment narrative and control plan showing the location, type and details of proposed erosion and sediment control devices to be used during and after construction. The plan shall meet all requirements of the erosion and sediment control ordinance and associated checklists and shall be provided at a scale of 50 feet to the inch except in cases where the engineering and resource protection director approves an alternate scale. The plan shall show



existing and proposed contours at intervals of no more than two feet except in cases where the engineering and resource protection director approves an alternative interval.

- (h) Cross-sections showing the proposed street construction, depth and type of base, type of surface, compaction, shoulders, curbs and gutters, sidewalks, bikeways, utilities, side ditches and other features of the proposed streets.
- (i) Street profiles showing the proposed grades for the streets and drainage facilities, including elevations of existing and proposed ground surface at all street intersections and at points of major grade change along the centerline of streets, together with proposed connecting grade lines and vertical curve information.
- (j) Size and location of existing sanitary sewer and water facilities; location and method of proposed connections to existing sewer and water facilities; size and location of proposed sewer and water facilities showing location of proposed water meters, gate valves, fire hydrants, fittings, manholes, sewer laterals and cleanouts; grinder pump locations; profile views of water and sewer mains with manhole rim and invert elevations and percent of slope; sewage pump station location, design and details; and water well facility location, design and details. A capacity study of the existing system, in accordance with service authority regulations, may be required. All improvements shall be in accordance with the latest service authority Water and Sanitary Sewer Design and Acceptance Criteria Standards and Specifications.
- (k) As provided for in Code of Va., §§ 10.1-606.2 et seq., when any part of the land proposed for subdivision lies in a mapped dam break inundation zone, such fact shall be set forth on the plan of the proposed subdivision.
- (l) As provided for in the Code of Va., § 15.2-2242, the agent may request submittal of a phase I environmental site assessment, where the proposed subdivision is located on a brownfield site, or where initial assessments indicate dumping or other contaminating activities have occurred on the property.
- (m) A phased clearing plan in accordance with section 24-89 of the zoning ordinance.
- (n) An outdoor lighting plan in accordance with section 24-130 of the zoning ordinance (these requirements do not apply to lighting on single family lots).
- (o) The following environmental information about the site proposed for development including:
  - (1) All existing easements, disturbed area, impervious cover, and percent impervious estimate;
  - (2) Flood zone designation, Resource Protection Areas (RPAs), soils (highly erodible, hydric, permeable, hydrologic soils group A and B);
  - (3) Full environmental inventory consistent with section 23-10(2) of the county's Chesapeake Bay Preservation ordinance (perennial stream assessment, delineated wetlands, limits of work);
  - (4) Demonstration that the project complies with section 23-9(b)(1), (2), and (3) of the county's Chesapeake Bay Preservation ordinance (how disturbance is being minimized, indigenous vegetation preserved, and impervious cover minimized);
  - (5) County watershed, steep slopes (grade 25 percent or more), sites known for populations of rare or threatened species, locations of existing conservation easements, wooded areas and wildlife habitat; and
  - (6) Description of better site design or low impact development techniques if such is being used.
- (p) For proposed minor subdivisions, a copy of the plat showing the parent parcel to assist in verifying the requirements listed in section 19-21.

(q) A Phase I Archaeology Study for the area within the limits of disturbance (project area) in accordance with Section 24-50 of the Zoning Ordinance. These requirements do not apply if one or more of the following criteria are met:

- (1) The preliminary plan is for a minor subdivision as defined in Section 19-24.
- (2) The preliminary plan is for a family subdivision as defined in Section 19-17.
- (3) The preliminary plan is for a property boundary line adjustments and/or extinguishments.
- (4) An approved Phase I archaeological study for the project area has been previously completed and no further study is recommended.
- (5) The preliminary plan is for an amendment that proposes land disturbance of less than 2,500 square feet.
- (6) If the project area is subject to adopted proffers and/or SUP conditions which requires compliance with the Archaeology Policy.

(r) A Natural Resource Inventory for the area within the limits of disturbance (project area) in accordance with Section 24-51 of the Zoning Ordinance. These requirements do not apply if one or more of the following criteria are met:

- (1) The preliminary plan is for a minor subdivision as defined in Section 19-24.
- (2) The preliminary plan is for a family subdivision as defined in Section 19-17.
- (3) The preliminary plan is for a property boundary line adjustments and/or extinguishments.
- (4) An approved Natural Resource Inventory for the project area has been previously completed and no further study is recommended.
- (5) The preliminary plan is for an amendment that proposes land disturbance of less than 2,500 square feet.
- (6) For natural resource inventory, if the Department of Conservation and Recreation (DCR) already determined, through a project area, that resources are not on site or would only be located in areas, such as RPAs, that are protected through other regulations.
- (7) If the project area is subject to adopted proffers and/or SUP conditions which requires compliance with the Natural Resource Policy

(s) If the planning director determines that one or more of the above submittal requirements is not applicable to the proposed project, the planning director may waive those requirements. In the event the Planning Director disapproves the request the applicant may appeal the decision of the planning director to the development review committee which shall forward a recommendation to the planning commission.

Sec. 24-145. - Site plan submittal requirements.

(a) Site plans shall, at a minimum, identify or contain:

- (1) Project title, title block, north arrow, legend, graphic scale, zoning, parcel identification number and such information as the names and numbers of adjacent roads, streams and bodies of water, railroads and subdivisions, or other landmarks sufficient to clearly identify the location of the property;
- (2) Name of engineer, architect, landscape architect, planner and/or licensed surveyor;
- (3) Vicinity and location of site by an inset map at a scale no less than one inch equal to 2,000 feet;
- (4) Boundary survey of site;
- (5) Location, type and size of all entrances to the site. All existing and proposed streets and easements, their names, numbers and width;
- (6) Existing and proposed utilities with easements and sizes, projected peak water and wastewater flows, watercourses and their names and owners;
- (7) Existing topography using county base mapping (two (2) foot contour or greater with the prior approval of the engineering and resource protection director), or other mapping sources or resources, and proposed finished contours.
- (8) Spot elevations shown at topographic low and high points;
- (9) A landscaped plan showing woodline before site preparation with species and average diameter of trees indicated with location and diameter of single trees in open areas; areas to be screened, fenced, walled and/or landscaped, with approximate arrangements, plant types and sizes; and size and type of trees to be removed having a minimum diameter breast height of 12 inches;
- (10) A tree preservation plan and a phased clearing plan in accordance with sections 24-87 and 24-90;
- (11) An outdoor lighting plan in accordance with section 24-130;
- (12) Provisions for off-street parking, loading spaces and pedestrian walkways including existing and proposed sidewalks, calculations indicating the number of parking spaces required and the number provided;
- (13) Number of floors, floor area, height and location of each building;
- (14) For a multi-family or apartment development, the number, size and type of dwelling units and the location, type and percentage of total acreage of recreation facilities;
- (15) Detailed utility layout including water and sanitary sewer plan with profiles; location of electrical transmission lines, gas pipelines, streetlights and fire hydrants; and showing the locations of garbage and trash disposal facilities;
- (16) Provisions for the adequate control of stormwater drainage and erosion and sedimentation, indicating all proposed temporary and permanent control measures;
- (17) Computation notations to include the total site area, and the amount and percentage of the site covered by open space and buildings, or dwelling units for multi-family or apartment developments;
- (18) Bylaws of homeowner's association where applicable;
- (19) Copies of notification to adjacent property owners;
- (20) Copy of conceptual plan (if applicable);

(21) Narrative description of compliance of plan to any proffers or special use permit conditions; and

(22) The following environmental information about the site proposed for development including:

- a. All existing easements, disturbed area, impervious cover, and percent impervious estimates;
- b. Flood zone designation, Resource Protection Areas (RPAs), soils (highly erodible, hydric, permeable hydrologic soils groups A and B);
- c. Full environmental inventory consistent with section 23-10(2) of the county's Chesapeake Bay Preservation ordinance (perennial stream assessment, delineated wetlands, limits of work);
- d. Demonstration that the project complies with section 23-9(b)(1), (2), and (3) of the county's Chesapeake Bay Preservation ordinance (how disturbance is being minimized, indigenous vegetation preserved, impervious cover minimized);
- e. County watershed, steep slopes (grade 25 percent or more), sites known for populations of rare or threatened species, locations of existing conservation easements, wooded areas and wildlife habitat; and
- f. Description of Better Site Design or Low Impact Development (LID) techniques if being used.

(23) *A Phase I Archaeology Study for the area within the limits of disturbance (project area) in accordance with Section 24-50 of the Zoning Ordinance. These requirements do not apply if one or more of the following criteria are met:*

- a. *Land disturbance on the project area is less than 2,500 square feet.*
- b. *A proposed temporary structure(s) will not be erected for more than six months.*
- c. *A proposed addition to an existing structure is less than 1,000 square feet or no changes to the building footprints are proposed.*
- d. *The project area has been previously disturbed as evidenced by existing site features, historic aerial photography, or other documentation deemed sufficient by the Director of Planning.*
- e. *An approved Phase I Archaeological Study for the project area has been completed and either found no resources, or all study recommendations have been appropriately addressed as determined by the Director of Planning.*
- f. *The site plan submittal is for a project associated with an existing individual multi-family dwelling unit.*
- g. *If the project area is subject to adopted proffers and/or SUP conditions which requires compliance with the Archaeology Policy.*

(24) *A Natural Resource Inventory for the area within the limits of disturbance (project area) in accordance with Section 24-51 of the Zoning Ordinance. These requirements do not apply if one or more of the following criteria are met:*

- a. *Land disturbance on the project area is less than 2,500 square feet.*
- b. *A proposed temporary structure(s) will not be erected for more than six months.*
- c. *A proposed addition to an existing structure is less than 1,000 square feet or no changes to the building footprints are proposed.*
- d. *The project area has been previously disturbed as evidenced by existing site features, historic aerial photography, or other documentation deemed sufficient by the Director of Planning.*
- e. *An approved Natural Resource Inventory for the project area has been completed and either found no resources, or all study recommendation have been appropriately addressed as determined by the Director of Planning*
- f. *The site plan submittal is for a project associated with an existing individual multi-family dwelling unit.*
- g. *The Department of Conservation and Recreation has already determined, through a project review, that resources are not on site or would only be located in areas, such as RPAs, that are protected through other regulations.*
- h. *If the project area is subject to adopted proffers and/or SUP conditions which requires compliance with the Natural Resource Policy.*

- (b) If the planning director determines that one or more of the above submittal requirements is not applicable to the proposed project, the planning director may waive those requirements. *In the event the Planning Director disapproves the request the applicant may appeal the decision of the planning director to the development review committee which shall forward a recommendation to the planning commission*
- (c) The submittal of a site plan with insufficient information shall result in the return of the plans to the applicant without review; such deficiencies shall be noted in written form.

(Ord. No. 31A-132, 10-14-91; Ord. No. 31A-192, 5-11-99; Ord. No. 31A-267, 6-12-12; Ord. No. 31A-284, 12-11-12)



*Section 24-50.-Standards for Archaeology Studies.*

*(a) All archaeological studies shall meet the Virginia Department of Historic Resources' Guidelines for Preparing Archaeological Resource Management Reports and the Secretary of the Interior's Standard and Guidelines for Archaeological Documentation, as applicable, and shall be conducted under the supervision of a qualified archaeologist who meets the qualifications set forth in the Secretary of the Interior's Professional Qualification Standards.*

- 1) When a Phase I archaeological study is required, it shall identify, in accordance with accepted practices, all sites recommended for a Phase II evaluation, and/or identified as being eligible for inclusion on the National Register of Historic Places. If the Phase I study concludes that there are no sites meeting these criteria, then no further work is required and development may occur within the subject area. If the Phase I study concludes that there are sites that meet these criteria, then the requirements of subsection (a)(2) will apply.*
- 2) All sites in a Phase I archaeological study that are recommended for a Phase II evaluation, and/or identified as being eligible for inclusion on the National Register of Historic Places, shall be treated by:*
  - i. The preparation of a Phase II study to identify, in accordance with accepted practices, all sites recommended for a Phase III evaluation, and/or identified as being eligible for inclusion on the National Register of Historic Places; or*
  - ii. Preservation of the site in situ, meaning leaving the site completely undisturbed or preserving the site in a manner acceptable to the Director of Planning*

*If the Phase II study concludes that there are no sites that meet these criteria, then no further work is required and development may occur within the subject area.*

- 3) All sites in a Phase II archaeological study that are recommended for a Phase III evaluation, and/or identified as being eligible for inclusion on the National Register of Historic Places, shall be treated by:*
  - i. The preparation of a Phase III study to identify, in accordance with accepted practices, all sites identified as being eligible for inclusion on the National Register of Historic Places; or*
  - ii. Preservation of the site in situ, meaning leaving the site completely undisturbed or preserving the site in a manner acceptable to the Director of Planning*

*(b) All studies and treatment plans shall be submitted to the Director of Planning for review and approval prior to land disturbance. If in the Phase II or III study a site is determined eligible for nomination to the National Register of Historic Places and the site is to be preserved in situ, the treatment plan shall include nomination of the site to the National Register of Historic Places. The Director of Planning shall determine whether the studies and plans have been prepared in accordance with the applicable guidelines through consultation with the Virginia Department of Historic Resources. All approved treatment plans shall be incorporated into the plan of development for the site, and the clearing, grading or construction activities thereon.*

*Section 24-51.-Standards for Natural Resource Inventories*

- (a) When a Natural Resource Inventory is required, it shall identify habitats suitable for S1, S2, S3, G1, G2, and G3 resources, as defined by the Virginia Department of Conservation and Recreation's Division of Natural Heritage (DRC/DNH), in the project area. If the Inventory concludes that there is no suitable habitat, then no further work is required and development may occur within the subject area. If the Inventory concludes that there is suitable habitat, then the requirements of item (b) will apply.*
- (b) If the Natural Resource Inventory confirms that a S1, S2, S3, G1, G2, or G3 natural heritage resource either exists or could be supported by a portion of the site, a conservation management plan shall be submitted to and approved by the Director of Planning for the affected area. The conservation management plan shall consist of a plan that indicates preservation boundaries, and with language that fully explains the safeguards intended to minimize impacts to the natural heritage resource. All approved conservation management plans shall be incorporated into the plan of development for the site, and the clearing, grading or construction activities thereon.*
  - (1) Upon written request by the applicant demonstrating that the conservation management plan would severely impact the plan of development, the Director of Planning may waive the requirement to incorporate the conservation management plan into the plan of development, and may instead permit the substitution of a mitigation plan. Such mitigation plan shall provide for the permanent conservation of an equally or more rare resource off-site where such resource would otherwise not be protected.*
- (c) All inventories and conservation management plans shall meet the DCR/DNH standards for preparing such plans, and shall be conducted under the supervision of a qualified biologist as determined by DCR/DNH or the United States Fish and Wildlife Service.*
- (d) All inventories and conservation management plans shall be submitted to the Planning Director for review and approval prior to land disturbance. The Planning Director shall determine whether the inventories and conservation management plans have been prepared in accordance with the standards through consultation with DCR/DNH.*

## Sec. 24-23. - Submittal requirements.

- (a) The following information shall be submitted with any request for an amendment of this chapter, as provided for in section 24-13, or for any building or use and addition or expansion thereto which requires a special use permit under this chapter, provided however, applications for family subdivisions, manufactured homes and temporary classroom trailers shall be exempt from the requirements of this section.
- (1) The community impact statement shall describe the probable effects of the proposed development upon the community and at a minimum shall address the following topics regarding infrastructure and quality of life:
- a. A traffic impact analysis for all projects that expect to generate 100 or more weekday peak hour trips to and from the site during the hours of operation and/or those projects with an entrance or exit onto a roadway with a level of service "D" or lower shall be required pursuant to the Traffic Impact Analysis Submittal Requirement Policy. Vehicular access points and drives shall be designed to encourage smooth traffic flow, with controlled turning movements and minimum hazards to vehicular and pedestrian traffic. Buildings, parking areas and drives shall be arranged in a manner that encourages pedestrian access and minimizes traffic movement. No more than one access point on each abutting public street shall be permitted unless specifically approved by the board of supervisors after reviewing the applicant's traffic impact analysis; and
  - b. A water and sewer impact study for all projects with an anticipated average daily flow greater than 15,500 gallons, and/or for proposed residential projects containing 50 lots or more. Water conservation information shall be submitted in accordance with water conservation guidelines policy; and
  - c. Environmental information shall be submitted in accordance with the environmental constraints analysis *policy* for legislative cases; and
  - d. An adequate public facilities report in accordance with board of supervisors policy to include sewer, water, schools, fire stations, libraries, and other major locally-financed facilities. School information shall be prepared according to the adequate public school facilities test policy; and
  - e. Additional on-site and off-site public facilities or services which would be required as a result of the development; and
  - f. ~~A Phase IA historic and archaeological study if the property is identified as being an ultra- or highly-sensitive area on the James City County archaeological assessment. If the property is identified as a moderately sensitive area on the assessment, studies shall be provided in accordance with the currently adopted archaeological policy; and~~
  - g. ~~*The results of a project review detailing potential impacts to Natural Heritage Resources from the Virginia Department of Conservation and Recreation's Natural Heritage Resources program. An environmental inventory in accordance with the James City County natural resource policy; and*~~
  - h. A fiscal impact analysis, using the worksheet and assumptions provided by the planning division, when the proposal includes residential dwelling units. The analysis must estimate revenues to be generated versus the cost of public improvements to be financed by the county or the state using the fiscal impact model prepared by the county. If desired by the applicant supplemental studies may be prepared by an individual or firm qualified to conduct a fiscal impact study in a manner and form acceptable to the planning director; and
  - i. Parks and recreation information based on parks and recreation master plan proffer guidelines.

- (2) The master plan shall depict and bind the approximate boundaries and general location of all principal land uses and their building square footage and height, roads, rights-of-way (with an indication of whether public or private), accesses, open spaces, public uses and other features to be located on the site for which approval is sought. The planning director may require other features, including general location and approximate boundaries of buildings, structures or parking areas, to be incorporated into the master plan where deemed necessary due to the size of the development, access to or location of public roads, distance from residential areas, presence of environmentally sensitive areas or availability of public utilities. The master plan shall be prepared by a licensed surveyor, engineer, architect, landscape architect or planner. A scale may be used so that the entire parcel can be shown on one piece of paper no larger than 30 inches by 48 inches. The master plan shall also include:
- An inset map at a scale of not less than one inch to one mile showing the property in relation to surrounding roads, subdivision or major landmarks;
  - A north arrow, scale, the proposed use, approximate development phasing (if applicable);
  - The location of existing property lines, watercourse or lakes, wooded areas and existing roads which are within or adjoining the property;
  - If applicable, a table which shows for each section or area of different uses: the use; approximate development phasing, maximum number of dwelling units and density for residential areas, maximum square feet of floor space for commercial or industrial areas; and maximum acreage of each use;
  - If applicable, schematic plans which shall indicate the phasing of development and master water, sewer and drainage plans; and
  - If more than one type of land uses is proposed, each use shall be designated on the master plan as follows:

| Type of Development                                                       | Area Designation |
|---------------------------------------------------------------------------|------------------|
| Single family                                                             | <b>A</b>         |
| Multi-family dwellings containing up to and including four dwelling units | <b>B</b>         |
| Multi-family dwellings containing more than four dwelling units           | <b>C</b>         |
| Apartments                                                                | <b>D</b>         |
| Commercial uses                                                           | <b>E</b>         |
| Wholesale and warehouse uses                                              | <b>F</b>         |
| Office uses                                                               | <b>G</b>         |
| Light industrial uses                                                     | <b>H</b>         |
| Institutional or public uses                                              | <b>I</b>         |

|                                                         |           |
|---------------------------------------------------------|-----------|
| Areas of common open space, with recreation areas noted | <b>J</b>  |
| Structures containing a mixture of uses                 | <b>M*</b> |
| Other structures, facilities or amenities               | <b>X</b>  |

\* Areas of a master plan designated M (structures containing a mixture of uses) shall indicate in parentheses, following the M designation, the appropriate letter designations of the types of uses contained within the structure (e.g. M (CG)) in the order of their proportion in the mixed use structure.

A total of 12 copies of the master plan should be submitted along with an application for rezoning or a special use permit; if necessary, additional copies of the master plan may be required for submittal. The master plan shall be reviewed and approved and thereafter become binding upon approval of a rezoning or a special use permit by the board of supervisors. Thereafter, all amendments to the master plan shall be in accordance with section 24-13 of this chapter. Final development plans may be approved after approval of a master plan by the board of supervisors. All final development plans shall be consistent with the master plan, but may deviate from the master plan if the planning director concludes that the development plan does not:

1. Significantly affect the general location or classification of housing units or buildings as shown on the master plan;
2. Significantly alter the distribution of recreation or open space areas on the master plan;
3. Significantly affect the road layout as shown on the master plan;
4. Significantly alter the character of land uses or other features or conflict with any building conditions placed on the corresponding legislatively-approved case associated with the master plan.

If the planning director determines that a proposed change would deviate from the approved master plan, the amendment shall be submitted and approved in accordance with section 24-13. In the event the planning director disapproves the amendment, the applicant may appeal the decision of the planning director to the development review committee which shall forward a recommendation to the planning commission. For additional information regarding master plan submittal requirements refer to the submittal sections for the following zoning districts: R-4, Residential Planned Community; RT, Research and Technology; PUD, Planned Unit Development; MU, Mixed Use; EO, Economic Opportunity; and Residential Cluster Development Overlay District.

- (3) Any other submittal requirement which may be required by this chapter.
  - (4) An application and fee in accordance with section 24-7 of this chapter.
- (b) Supplemental information should be submitted in accordance with the "Supplemental Submittal Requirements for Special Use Permits and Rezoning" policy as adopted by the board of supervisors and any additional policies as deemed necessary by the planning director.



- (c) In addition to the paper copies of all documents required by this chapter, all information and plans required under (a)(1), (a)(2) or (a)(3) shall be submitted in an electronic format in accordance with the "Electronic Submittal Requirements for Legislative Applications" policy, as approved by the planning commission.
- (d) Unless otherwise required by this chapter, upon written request by the applicant, the planning director may waive any requirement under (a)(1) or (a)(2) above after finding that such information would not be germane to the application.

(Ord. No. 31A-201, 12-1-99; Ord. No. 31A-266, 6-12-12; Ord. No. 31A-281, 12-11-12; Ord. No. [31A-297](#), 6-9-15)

## Chapter 24. Zoning

### Article II. Special Regulations

#### Division 1. In General

##### Sec. 24-35. Pedestrian *and bicycle* accommodations.

- (a) Pedestrian *and bicycle* accommodations shall be required for all projects requiring site plan or major subdivision review in accordance with the following:
- (1) ~~External sidewalks.~~ Pedestrian *and bicycle* accommodations shall be required for the subject property(ies) along all public roads as shown on the pedestrian accommodation master plan *and the regional bikeways plan*. In addition to corridors identified on the pedestrian accommodation master plan, sidewalks shall be required along at least one side of all roads built within a community character area sidewalk inclusion zone as specified on the pedestrian accommodation master plan.
  - (2) *Internal public streets.* Pedestrian accommodation internal to a residential, commercial, office or industrial development with public streets shall be required pursuant to the Secondary Street Acceptance Requirements found in 24VAC30-92, as amended.
  - (3) *Internal private streets.*
    - a. Pedestrian accommodation internal to a residential, commercial, or office development with private streets shall be required on at least one side of all internal streets.
    - b. For development designated by the Comprehensive Plan as mixed use; moderate density residential; or the residential, commercial, and office sections of an economic opportunity area, pedestrian accommodations shall be required on both sides of the private streets.
    - c. Sidewalks on private streets shall not be required internal to industrial parks or industrial sections of areas designated economic opportunity on the Comprehensive Plan.
    - d. The planning director or his designee may approve alternative locations for pedestrian accommodations that are found to have equivalent connectivity as providing sidewalks along the roads internal to the development, such as paved connections between or from cul-de-sacs to other pedestrian accommodations.
  - (4) *Interconnectivity internal to a parcel.* Pedestrian accommodations shall be required between parking areas, buildings, and public areas for residential, commercial, and office development sites. Pedestrian accommodation internal to a development shall link with any existing or master planned pedestrian accommodation along an abutting road external to the development and any existing public transit stops. Development within industrial parks and industrial sections of the economic opportunity zone shall be required to meet applicable Americans with Disabilities Act (ADA) connectivity standards.
  - (5) *Interconnectivity between parcels.* Pedestrian accommodations shall be required between residential developments and adjoining schools, park, or recreational facilities as determined by the planning director or his designee. The property owner shall provide a connection internal to the development to the property line with the adjoining facility. This criterion may be waived by the planning director or his designee if the owner of the contiguous parcel objects to a connection or if a significant obstruction exists (such as wetlands, slopes exceeding 25 percent gradient and guardrails) that would make a connection impracticable.
- (b) Construction standards: Pedestrian *and bicycle* accommodations required by section 24-35(a) shall be built in accordance with the following construction standards:

- (1) Pedestrian *and bicycle* accommodations shall be built to VDOT standards and located within VDOT right-of-way when they are to be publicly maintained. If accommodations are to be privately maintained, they shall be built to VDOT construction standards.
  - (2) Right-of-way and pedestrian accommodations shall be shown on the final plat.
  - (3) ~~Sidewalks shall be paved and a minimum of five feet in width. Multi-use paths shall be paved and a minimum of eight feet in width.~~ All pedestrian accommodations shall meet the requirements of the ADA's Accessibility Guidelines.
- (c) Exemptions: Exemptions to this section may be granted by the planning director or his designee if:
- (1) a proposed temporary structure(s) will not be erected for more than six months; or
  - (2) a proposed addition to an existing structure is less than 1,000 square feet or no changes to the building footprint are proposed; or
  - (3) the development is located within an office park with private streets in existence prior to November 22, 2011 and providing pedestrian accommodations along the frontage of the development site would not result in a safe and continuous connection to an existing or planned pedestrian accommodation or public transit stop; *or*
  - (4) *land disturbance on the project area is less than 2,500 square feet; or*
  - (5) *the site plan submittal is for a project associated with an existing individual multi-family dwelling unit.*
- (d) Exceptions: Exceptions to this section may be granted by the planning director or his designee if:
- (1) a pedestrian *or bicycle* accommodation is otherwise required by this section and would be substantially damaged or need to be replaced as a result of a fully engineered roadway construction project implemented by the county or VDOT. The planning director or his designee may request dedication of sufficient right-of-way for pedestrian *or bicycle* accommodations related to the road project in lieu of construction of the pedestrian *or bicycle* requirement. The requirement to dedicate right-of-way shall be based on existing right-of-way, the design of the engineered project, and additional right-of-way that is needed; or
  - (2) in circumstances where topographical conditions make construction of pedestrian *or bicycle* accommodations impractical, the planning director or his designee may approve an alternative alignment that is accessible by the public that differs from the pedestrian accommodation master plan. The alternative alignment shall link with adjacent pedestrian accommodations; or
  - (3) pedestrian *or bicycle* accommodations *are* shown on a master plan *or corridor plan* approved by the board of supervisors that differs from the pedestrian accommodation master plan or the *regional bikeways plan*.

If an exception is granted for (d)(1) or (d)(2) above, the applicant shall be required to pay into the pedestrian *or bicycle* accommodation construction and maintenance fund in an amount determined by the county engineer or his designee. The amount shall be based on:

- a. projected engineering costs;
  - b. projected material costs;
  - c. projected labor and mobilization costs;
  - d. current topographical conditions of the site; and
  - e. linear feet of road frontage.
- (e) Appeals. In the event the planning director disapproves plans of this section or recommends conditions or modifications which are unacceptable to the applicant, the applicant may appeal the

decision to the development review committee who shall forward a recommendation to the planning commission.

**ITEM SUMMARY**

DATE: 5/22/2018

TO: The Board of Supervisors

FROM: Teresa J. Fellows, Deputy Clerk

SUBJECT: Adjourn until 5 p.m. on June 12, 2018 for the Regular Meeting

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**REVIEWERS:**

| Department      | Reviewer        | Action   | Date                |
|-----------------|-----------------|----------|---------------------|
| Board Secretary | Fellows, Teresa | Approved | 5/16/2018 - 8:37 AM |