

MEMORANDUM

DATE: November 28, 2005

TO: Members of the Rural Lands Committee

Jeff Barra	Victoria Fahringer
George Billups	Richard Krapf
Rich Costello	Gary Massie
Jim Daniels	Jack Schmidt

FROM: Tammy Rosario, Senior Planner II

SUBJECT: Rural Lands Committee Meeting #4 - November 30

Please find attached the materials for the next Rural Lands Committee meeting scheduled for November 30th at 4:00 p.m. at the **James City County Emergency Operations Center** (3135 Forge Road). These materials include the minutes from the November 2nd meeting, notes from Public Workshop #1, and the agenda for the November 30th meeting.

This meeting will be spent reviewing what transpired at Public Workshop #1 and discussing more in depth the various non-cluster options in preparation for Public Workshop #2. Please review the notes from Public Workshop #1. We hope the committee will affirm these notes as being reflective of what was said at the meeting. Also, please be prepared to discuss your observations from the public workshop. As we head toward Public Workshop #2, we'd like your feedback on what might be the most effective strategies for getting public input at that January 12th meeting. Finally, Renaissance will recap and present more information on the non-cluster options, concluding to a "homework assignment" to prepare for the December 14th meeting.

Last, we would like to thank you for your participation at the first public workshop. Your help kept the meeting on track and allowed us to receive quite a bit of feedback. On a sad note, that evening was the last official committee function for Ginny Hartmann, who has stepped off the committee due to new job responsibilities. We wish her well, and welcome aboard George Billups from the Planning Commission, who has been appointed by the Board of Supervisors to serve in her stead.

If you have any questions please feel free to contact me. Please be reminded that the November 30th meeting will take place at the James City County Emergency Operations Center. Committee meetings will return to the James City County Library for the December 14th meeting. I look forward to seeing you on Wednesday.

Attachments:

- Minutes from the 11/02/05 meeting
- Agenda for the 11/30/05 meeting
- Notes from Public Workshop #1



James City County
Residential Development in Rural Lands Study
STEERING COMMITTEE AGENDA

wednesday november 30, 2005 | 4 pm

- 4:00 **OPENING** - Jeff Barra & Public Comments
- 4:10 **REVIEW PUBLIC WORKSHOP FEEDBACK**
- Notes from Workshop - Steering Committee affirmation
- What we learned - Consultant's summary
- 4:20 **PUBLIC WORKSHOP** - Steering Committee Comments
- Individual observations - 2-3 minute highlights from each member
- 5:00 **ISSUES FOR PUBLIC WORKSHOP #2 (January 14)**
- Expanding Options beyond clusters
- Steering Committee Discussion & Evaluation of Options
- 5:30 **COMMITTEE HOMEWORK**
- Feedback due to Tammy Rosario by Wednesday, Dec. 7
- Objectives for next Steering Committee Meeting (Wednesday, Dec. 14)
- 5:35 **CLOSING** - Public Comments
- 5:45 **ADJOURN**



MEMORANDUM

DATE: November 7, 2005

TO: Members of the Rural Lands Committee

Jeff Barra	Ginny Hartman
Rich Costello	Richard Krapf
Jim Daniels	Gary Massie
Victoria Fahringer	Jack Schmidt

FROM: Eric Wright, Renaissance Planning Group

SUBJECT: 11-2-05 Steering Committee minutes

The third committee meeting began with a public comment period during which there were no comments. The committee then considered the minutes from the 10-19-05 meeting, with Chairman Jeff Barra requesting 2 corrections – one concerning the question of private roads, which can be developed to state standards with in the PSA, and the second concerning the wording of “handout and digest” in regards to materials for the public.

After a brief introduction from Ken Schwartz, Eric Wright from Renaissance Planning Group presented responses to outstanding questions from the steering committee at the previous meeting. The guiding principles for the Rural Lands, as taken from the 2003 comprehensive plan, were then reviewed. The final figures for Scenario 1 were presented, with an explanation of the methodology used. Jack Schmidt asked about whether the vacant lots added back to the number of total units at the end was backed out under the lots and subdivisions step in the acreage calculation. The county replied that it was. Gary Massie then asked for confirmation that the total number of potential units (7,123) was half that presented at the first meeting. The preliminary number presented at the first meeting was 11,778 units, but that was only a first brush and did not include the refinements that went into developing the final numbers. Everyone was reminded that these numbers were for comparison purposes only, and not intended to be the definitive development potential analysis for the Rural Lands.

Vlad Gavrilovic, from Paradigm Design, presented Scenario 2 – Rural Cluster Development. He walked through the various clustering options (from higher density to density-neutral to lower density) as well as other options besides clustering. Milt Herd, from Herd Planning and Design, as well as Mr. Gavrilovic presented images of various clustered and non-clustered development from other localities in Virginia. Mr. Wright then presented related sewer and water options.

The presentation raised numerous questions from the steering committee, which are summarized as follows:



Questions/Concerns:

1. Sliding Scale:

Where is the sliding scale being used and how is it working?

What are the growth pressures in these areas and how do they relate to James City County?

Note: It is necessary to show alternatives to clustering and to provide both visual and specific locales where they were used and to discuss their respective effectiveness.

2. By-right ratios:

Why do we jump from 1:3 to 1:10? What about 1:6?

Note: illustrating the by right ratios with a consistent house size would help to show the difference. Also, show some examples with topography that is typical of James County, not hilly like the photos showed. It was pointed out that 1:6 does not really get to the "tipping point" where rural lands can be effectively preserved. 1:10 does, and that is why we have used the two examples for comparison.

3. Agribusiness:

What is the current status of agriculture in James City County?

Is there encouragement for agribusiness, like incentive programs to help farmers?

Note: example of farmers being more productive on less land in Loudon County. Some are not optimistic about increased or new farming in JCC's rural lands.

4. The Developer

How does each by right scenario affect the profit for developers?

Is conservation voluntary or mandatory? Is the land set aside permanently off-limits?

Note: Infrastructure costs may decrease through use of communal wells.

Permanent open space easements already exist for environmental reasons or because it is too difficult or prohibited to build upon certain types of land (marsh, etc.)

5. Septic and Water

Are any lands bordering the PSA connected to water and sewage?

What are the alternate systems (treatment in a tank, drain-fields) and their effectiveness/costs?

Note: Basic septic systems are effective at removing Nitrogen from the wastewater than basic septic systems. Alternate systems exist and are being researched by the team. There are a few connections outside the PSA, but it is not the policy of the county to extend the PSA, and this study follows county policy.

6. Education



What is open space? Define the term.

What does rural mean? What does a rural landscape look like?

What is a PSA? What are the rules of utilities, etc. in living in or outside of the PSA?

What are the options of clustering?

Note: Education the public on the issues, goals, and terms of this study.

Does open space include vineyards, eco-tourism, golf courses, and other non-residential options? Is conservation solely for the purpose of retaining a vista? Is it for use as drainage for wetlands?

Mr. Schwartz then raised the issue of the upcoming public workshop, and what type of model should it follow. The following thoughts emerged:

Workshop thoughts – suggestions to be considered by the team

Set the stage-

1. What is this all about? (Make sure it is understood that this study is only about residential development)
2. Provide Visual examples
 - a. Show consistent examples of scale, lot size
 - b. Offer handouts with definitions and worksheets for notes and reference. Video of the presentation maybe can be offered to people who don't attend the first meeting to catch them up to speed or to review some of the discussion points from another location; internet video stream?
 - c. Visually show breakdown of Rural Lands Total By – Right Development Potential units. Clarify difference between undeveloped and land platted for development. Show the PDR lands.
3. Other questions to address:
 - a. What are the impacts of non-residential development?
 - b. Who will care for the rural vistas, i.e. maintenance, mowing?
 - c. Why are we preserving the land and how will it be used?
 - d. What is the interest of the majority of those living in rural areas?

Note: Provide examples of land preservation and uses from other localities.

The meeting ended with another public comment period, during which a member of the public (name?) spoke regarding his feelings as a farmer in relation to the study. He requested another subtraction from the Scenario 1 (By-Right Development) figures to include permanent open space due to environmental constraints such as Simpson Island. He also indicated his opinion that the amount of land in the PDR program was pitiful and that the referendum to fund 1 penny towards it was a shame in a wealthy community such as James City County. The committee chairman then asked for and received a motion and second for the meeting to adjourn, with all voting in favor, except for one nay.

The following includes individual and group responses from the James City County Public Workshop #1 Residential Development in Rural Lands November 17, 2005 – Toano Middle School Estimated total # of citizens in attendance - 70

**I. Rural Lands Worksheet - Written Responses
(20 worksheets were returned and their information recorded below)**

A. What do you value most about the rural lands in James City County?

Respondents living in rural lands

1. Traditions of agriculture, wildlife preservation, and historical attributes
2. Use of land for recreational purposes: horseback riding, hunting, fishing, horticulture
3. Tranquility
4. Low traffic volume
5. Rural lands support small village concept
6. No restrictions as are in subdivisions
7. Agricultural uses and views
8. Wildlife
9. Freedom to get away from the general public
10. Agricultural uses and wildlife preservation/existence
11. Beautiful rural vistas and open spaces
12. Habitat for wildlife and nature
13. Preserving our farming heritage
14. Low density housing in rural areas
15. It's a nice place to live if I could afford the taxes
16. It's rural!!
17. Soothing to the eyes
18. No one living too close, room to breathe
19. Able to farm land
20. Have hunting dogs
21. Ability to hunt on our own land
22. To have woods/open space
23. Less traffic
24. Having family/friends gatherings and noise not bothering neighbors
25. Peace and quiet
26. Brightness of the stars
27. Sense of closeness
28. The trees
29. The wildlife

30. The distance from the things of man
31. Natural woodlands, preservation
32. Too many people just do not care. There is and there are enough major or minor subdivisions on the map already. Economic growth is important and should be encouraged. But it still should be based on the NEED to develop lands.
33. Want to see A-1 not pushed out. We should be able to keep our property for the use we bought it for. Ex., the right to have cows, horses, pigs, chickens, etc.

Respondents who visit, but do not live in the rural lands

1. I support the idea of rewarding lower overall density cluster development
2. Beauty
3. Rights of ownership including all potential for future uses
4. Fewer restrictions
5. The visual aspects of water features along our rivers and streams, James River, Chickahominy River, reservoirs
6. Horse farms

Other Respondents (those who did not check live, work, or visit rural lands)

1. Beauty of rural lands
2. Open space
3. Country setting
4. This question assumes that I value rural lands. I would rather have the PSA extended to my land.

B. Worksheet Notes on the (4) residential development alternatives

Respondents living in the rural lands

1. Existing By-right Development (1du/3ac.)
 - a. Not aesthetically pleasing – does not preserve rural landscape
 - b. Too drastic a change on the road, at the very beginning of the rural road.
2. Density Neutral Clustering (1du/3ac)
 - a. No
 - b. Still too close to the road
3. Higher Density Cluster Development (1du/2ac)
 - a. No
 - b. Too much drastic a change; too many people using an area so close to the intersection and on a curve.
4. Lower Density Cluster Development (1du/6ac)
 - a. Most favorable because it lessens impacts on roads, schools, water use, wastewater generation, emergency services; land must be economically productive
 - b. Saves the character of the area in a more natural manner

5. Other Notes

- a. Need to offer a mix of density options for land. We cannot just provide 1du/3acres OR 1du/6acres
- b. Open land must be economically productive

Respondents who visit, but do not live in the rural lands

1. Existing By-right Development (1du/3ac.)

- a. Do not infringe on property owners rights, but offer incentives to preserve open space

2. Density Neutral Clustering (1du/3ac)

3. Higher Density Cluster Development (1du/2ac)

- a. Should not be permitted – damages rural character too much.

4. Lower Density Cluster Development (1du/6ac)

- a. Offer to encourage this – do not mandate it.

5. Other Notes

Other Respondents (those who did not check live, work, or visit rural lands)

1. Existing By-right Development (1du/3ac.)

- a. Agree
- b. Large lots – advantage
- c. Difficulty, more expensive to develop - disadvantage

2. Density Neutral Clustering (1du/3ac)

- a. Agree as an alternate to by-right development
- b. Allows preservation of meaningful open space

3. Higher Density Cluster Development (1du/2ac)

- a. Agree as an alternate to by-right development

4. Lower Density Cluster Development (1du/6ac)

- a. No
- b. No advantages, devalues land investments of existing property owners

5. Other Notes

- a. I think by-right should still exist but voluntary option for cluster to be available in all of these densities. I am against mandatory clustering.
- b. Does it really matter? When the committee submits to the board individuals will still be able to request special use permits. I am sure.

II. Flipchart responses from the (4) workshop groups with respect to the (4) residential development alternatives

Group 1

1. Values

- a. No Covenants/Restrictions
- b. Recreational Opportunity
- c. Gardening
- d. Peace and Tranquility
- e. Agriculture
- f. Wildlife
- g. Soothing to Mind and Spirit
- h. Historical

2. By-Right Development (1du/3ac)

- a. Needs to change – won't achieve rural values; contribute to sprawl
- b. Support but should be higher density
- c. Don't take this option away

3. Density Neutral Cluster Development (1du/3ac)

- a. Incentivize with higher density with cluster
- b. Open space should allow some economic productive use on it
- c. Only for higher income people
- d. Smaller lots cost more

4. Higher Density Cluster Development (1du/2ac)

- a. Worried about potential environmental impacts
- b. Prefer cluster to achieve buffers vs. PDR
- c. Support this option
- d. Preserves views and gives landowner more development rights

5. Lower Density Cluster Development (1du/6ac)

- a. Reduces land value and landowner options
- b. If open space has valuable use, might bring same benefits to landowner
- c. Lowers the infrastructure impacts/costs

6. Other Issues to be Considered

- a. Tax Impacts
- b. Housing costs for citizens
- c. Incentives for developers of affordable housing
- d. Infrastructure impacts are important
- e. Taking away individual rights
- f. Roads are inadequate
- g. Let market dictate density
- h. Development can bring benefits to county
- i. Concern about committee selection
- j. Limited options being presented
- k. Why more development anyway?
- l. Should consider rural economic development
- m. Clustering might only be for high income people

- n. Might bring in people with different values; might restrict ag/forestal use
- o. PDR/Buffer

Group 2

1. By-Right Development (1du/3ac)
2. Density Neutral Cluster Development (1du/3ac)
 - a. Neutral residential should account for utility factors including water
 - b. Implications of water and septic
 - c. This is the best way to accommodate both pro and anti-development interests
3. Higher Density Cluster Development (1du/2ac)
4. Lower Density Cluster Development (1du/6ac)
 - a. Unintended consequences of rural development; PSA considerations
 - b. Lawn irrigation impacts
 - c. Water considerations
 - d. Growth management with financial relief
 - e. Family subdivision squeeze-out
 - f. Allowing market forces to steer development
5. Other Issues to be Considered
 - a. Context and Interconnection
 - b. Manage rate of development
 - c. Controlled growth
 - d. Common area does have implications – What are the implications for property owners?
 - e. Common area vs. conservation easements
 - f. PSA expansion by production well approval process
 - g. 1 unit/3 acre density vs. cluster pros/cons
 - h. Market for cluster lots is speeding development
 - i. Does either high or low density clustering make more sense than density-neutral?
 - j. Ordinance controls may help alleviate concerns regarding cluster
 - k. The economic implications of changing density (affordability)
 - l. Advantage of density neutral accounting for environmental water quality factors
 - m. Clusters sell quick
 - n. If you build, they will come
 - o. Schools, police, fire
 - p. Cluster strain on public facilities
 - q. Economic advantage considerations; commercial vs. large industrial
 - r. Tipping the tax scale
 - s. Consider Martin & Branscome properties

- t. Possible disconnect between land use designation and zoning designation
- u. Making the comp plan more specific
- v. Impervious surface policy restricts
- w. How do you account for open space with environmentally sensitive land?
- x. Parent track policy in ordinance and developability
- y. Sprawl effect on public facilities
- z. Maintaining rural character
- aa. Is By-Right suitable for preserving rural character?
- bb. Advantage of larger lot designations
- cc. Adequate public facilities
- dd. Eminent domain
- ee. Increasing overall density by clustering
- ff. Rural vs. suburban living
- gg. Clustering to preserve large open space tracts
- hh. By-Right is better
- ii. Cluster techniques fuel sprawl

Group 3

1. By-Right Development (1du/3ac)
 - a. Maintains rural setting on private lots
 - b. Maintains current property rights; cluster is good and an “option” on all 3
 - c. Negatively changes the landscape they bought into (farming). Agreement with this point.
2. Density Neutral Cluster Development (1du/3ac)
 - a. Like tradeoffs of preserving scenic views for smaller lots (same density) as an option
3. Higher Density Cluster Development (1du/2ac)
4. Lower Density Cluster Development (1du/6ac)
 - a. Like 1du/6 acres conventional in order to have maximum individual room
 - b. Gives a grander illusion of space
 - c. Like this one
5. Other Issues to be Considered
 - a. Encourage farming as the first use of the land, but if it has to go residential, it should be the least density option. If it has to be the same density, it should be a cluster
 - b. Don't take away rights, add incentives to choose other approaches
 - c. Clusters may be great approach for community character corridors
 - d. Feedback should just be from property owners of A-1, R-8
 - e. Concern that JCC is pushing out those with small farming uses
 - f. Concern that process is a reaction to higher density allowed in PSA; don't want to lose anything.

- g. Changes should be density neutral
- h. Wonder how the # of lots affects the value per lot
- i. Concerned about losing family subdivision opportunities

Group 4

1. By-Right Development (1du/3ac)
2. Density Neutral Cluster Development (1du/3ac)
3. Higher Density Cluster Development (1du/2ac)
4. Lower Density Cluster Development (1du/6ac)
5. Other Issues to be Considered
 - a. Schools, services to support residents with in newly developed lands
 - b. Number of years to develop rural lands?
 - c. Why are rural land owners charged with task of protecting the county's beauty (rural character)?
 - d. Less regulation, more options
 - e. Restriction of Home Owners associations
 - f. Clustering is not a popular alternative to rural land owners
 - g. Citizens fear that their views don't actually impact the study or future decision-making
 - h. Rural land owners want total control of development
 - i. If ordinance changes, it should be voluntary
 - j. Comprehensive plan is not consistent with rural land owner's values