

MEETING NOTES
York 2040 Committee
Wednesday, July 1, 2020 – 5:00 p.m.
Electronic Meeting

Members Present: Mark Bellamy, Gregory “Skip” Brooks Leigh Houghland, Montgoussaint “Montee” E. Jons, Michael S. King, Vivian McGettigan, R. Anderson Moberg, Sheila L. Myers, Jacob Rizzio, Eugene Seiter, Cowles “Buddy” Spencer

Staff Present: Timothy Cross, AICP, Deputy Director of Planning and Development Services; Earl Anderson, AICP, Senior Planner; Amy Parker, Senior Planner; Daria Linsinbigler, Planning Assistant; Justin Atkins, Assistant County Attorney; Gail Whittaker, Public Information Officer

Member Absent: Chad Green, Richard Myer

Call to Order

Chairman King called the meeting to order at approximately 5:00 p.m. and stated for the record that the meeting was being held by electronic means without a quorum being physically assembled in one place, pursuant to an emergency ordinance adopted by the York County Board of Supervisors on June 16. He stated that the meeting was being held remotely under the emergency “continuity of government” ordinance adopted under Code of Virginia Section 15.2-1413, allowing public meetings of County boards, commissions, and authorities to meet remotely. Chairman King noted that this action was taken because of the health emergency resulting from the coronavirus pandemic, making an assembly of the Committee and staff and members of the public in one place unsafe because of the highly contagious nature of the virus.

Chairman King introduced himself and announced that he was participating remotely along with other Committee members and staff.

Approval of June 10, 2020 Meeting Notes

The June 10, 2020, meeting notes were approved.

Committee Discussion

Timothy Cross, AICP, Deputy Director of Planning and Development Services, explained that the purpose of the meeting is to have open discussion among the Committee members about some of the Comprehensive Plan issues that have come up over the course of the project. He noted that in previous meetings the Committee members have received a lot of information from various subject matter experts and that this meeting is an opportunity for the Committee members to have some discussion of what has been presented so far and how it relates to our long-range plan for the physical development of the County. To facilitate that conversation, he stated, staff prepared a list of discussion topics and questions that was included in the agenda package. He stated that the Committee’s feedback will assist staff in drafting the various Comprehensive Plan elements. In addition, he encouraged the members to bring to the table any additional topics that they would like to discuss.

The Committee discussed the topics in turn, following the order in which they were presented in the discussion paper.

- **The meaning of “rural character” as it relates to York County**

Ms. Myers stated that in general, people in the upper County associate rural character with wide open spaces with less densely populated areas, less development, larger lots, and less heavily traveled roads. Mr. Jons added that he feels the interest in “rural character” also encompasses a heightened consciousness of organic farming and being environmentally friendly and a desire for Rural Residential areas to remain intact. He said people enjoy seeing wildlife and are worried about their habitat. Mr. Houghland questioned whether the County still has a rural character, apart from certain areas. He said that in general, the County feels more suburban to him than rural but that existing rural characteristics should be retained.

Mr. Rizzio said he feels people identify “rural character” with trees and green space and not looking overly developed. He stated that he believes new development can still take place without losing these qualities, which can be achieved through development standards such as setback and landscaping requirements. Mr. Moberg commented that when he moved to the County forty years ago, most lots in Dare were two acres in size, partly because of the lack of public utilities. He said that over time, wooded areas in the area have been developed. He said he understands the need for a variety of housing to fit the needs of different people and generations but that he would hate to see over-development with higher density.

Mr. Brooks said it is difficult to define rural or suburban and his concern is the cost of maintaining rural character versus the economic value to the County. He expressed concern that in the future, the more developed areas in the lower County will be supporting the economic value of the rural character in the upper County, which will mean higher taxes and costs. He said it is important to be flexible, open to compromise, and to carefully make decisions about development in order to gain the value for everybody. He added that while he likes the County as it is, he recognizes that change will have to occur in the future.

- **The 80,000-resident “maximum build-out population” target**

Mr. Jons stated that the 80,000 build-out target is not absolute but is a helpful tool for planning purposes. Ms. McGettigan said the build-out target is helpful for the County’s financial and capital improvement planning. Mr. Moberg asked how a population ceiling can be accomplished. He stated that it can’t be based on the number of housing units when there are a variety of household sizes. Mr. Cross replied that it is based on housing units and an average household size. He said that in the original 1991 Comp Plan, the 80,000 figure was an estimate of what the population would be if all of the available residential land were developed at its maximum allowable density.

Ms. Myers asked if the build-out target is used to deny development that would push the County beyond the population cap. Mr. Cross responded that it is not. He clarified that it is a target but is not intended to prevent development. Mr. Bellamy added that it is important to take property rights into consideration when considering any changes to the land use designations and densities in the Plan.

Chairman King summarized that the consensus seems to be that the 80,000 build-out target should be retained as a planning tool. Mr. Houghland suggested characterizing the figure as an estimate rather than a target. Mr. Rizzio agreed and added that the figure it should not be used to discourage new development. Ms. Myers agreed with Mr. Rizzio. Mr. Moberg noted that when the vacuum sewer system replaced septic systems in certain areas of the County, there were specific limits to the capacity of the system and the number of units it could accommodate. Chairman King agreed that infrastructure should also be considered when looking at potential increases in population. Mr. Brooks expressed concern about the word “estimate” because estimates can come back to haunt you if they proved to be incorrect.

- **Housing affordability and density**

Chairman King said that the term “affordable housing” is similar to “rural character” in that it is a relative term that has different meanings for different people and communities. He added that affordable housing

does not necessarily mean low-income housing and that it can mean “workforce housing” for people who work in the community. Ms. Myers commented that the citizens’ support for affordable housing expressed in the Comp Plan survey is inherently incompatible with other goals and concerns articulated in the survey results, such as opposition to higher densities and concerns about over-development and traffic. She added that mixed-use development typically includes commercial uses which are often opposed by citizens when there are already empty commercial buildings nearby. She asked if there is an economic reason why vacant commercial buildings can’t be incorporated into mixed-use development. Chairman King said there are probably multiple reasons why developers frequently choose new construction over re-use of existing buildings.

Mr. Jons stated that he thinks the fundamental question is if every citizen should have the opportunity to be a homeowner. He said he feels the definition of affordability is oriented toward median household income and does not address the true need. He said affordability has not been addressed and that the County should be more inclusive than it has been. Ms. Myers asked if “pocket neighborhoods”, which are mentioned in the discussion paper, are a possible solution to the problem Mr. Jons is referring to. Mr. Cross responded that “pocket neighborhoods” have been used in some communities to improve housing affordability but that they do not necessarily result in more moderately priced housing.

Mr. Rizzio stated that he agrees with Mr. Jons and asked, based on the information included in the discussion paper, if there is enough opportunity for affordable housing with the land use designations currently in place in the County. Mr. Cross responded that in the discussion paper he was attempting simply to provide some data points in order to provide a frame of reference for the Committee’s discussion. As an example, he posed the question as to whether the large number of townhouses in the development pipeline are an indication that affordability is being addressed or, alternatively, that more needs to be done. Mr. Rizzio stated that he believes the County needs more affordable housing but that it needs to be balanced against concerns about over-development. Chairman King stated that affordable housing needs to be integrated into the fabric of the community and stated that for young adults, such as his daughter, who want to live in the area where they were raised, the only affordable option would be to rent an apartment. Mr. Seiter commented that people have options to live in York County if they want to. He stated that his son was able to move into a neighborhood that, ordinarily, he probably could not have afforded, by buying a “fixer-upper.” Ms. Myers stated that at a previous meeting, the Committee was briefed on the various housing renovation programs undertaken by the County and that the amount of funding was small. She stated that she would like to see that funding increased as a way to make affordable housing available.

Mr. Houghland noted that the City of Williamsburg is converting older motels into rental units for local employees. He wondered if that is something the County has considered. Ms. Myers stated that it sounds like a good idea that should be looked into. Mr. Cross responded that the County has some experience with this concept, having approved a Special Use Permit to convert the George Washington Inn on Merrimac Trail into senior housing. He stated that converting the hotel proved to be cost-prohibitive for the developer, and the project was abandoned. Mr. Cross added that recently a different developer has expressed an interest in converting the hotel into senior housing. Ms. Myers asked if the Village Shops at Kingsmill is being redeveloped for a senior housing project. Mr. Cross responded in the affirmative, stating that the Village Shops will be demolished and replaced with a 150-unit senior apartment complex.

Chairman King noted that the discussion paper asks specifically about higher densities as a possible answer to the lack of affordable housing. Mr. Moberg commented that higher density housing is not necessarily more affordable. He stated that high-density housing can also be high-priced.

Mr. Jons said he has heard people say that high-density housing leads to more crime. He said it is unfair to classify people as being more prone to crime because of their income bracket. He said he grew up in a modest neighborhood in which at least 95% of the residents were hard-working people trying to achieve

the American dream. He stated that there is a mindset prevalent in York County that people of lower incomes are not welcome, which is based on a false stereotype.

- **Mixed-Use Development**

Mr. Houghland stated that his perception is that mixed-use development has been used a way for developers to get projects approved because they included commercial uses that are supposed to generate tax revenue. He stated that there are several mixed-use developments in the Williamsburg area and that generally the residential units fill up, along with the office space, but the retail space typically fails. He wondered if the mixed-use concept is a failed concept, especially in light of the so-called “Amazon effect” whereby people are increasingly shopping online rather than going to brick-and-mortar stores. Mr. Rizzio stated that he has a different view of mixed-use development, which he said makes retail uses more accessible to people because of their physical proximity such that they are less likely to shop online since the store is just a few minutes away. He added that the mixed-use concept is appealing to a lot of younger people who want to have a lot of places to go and things to do that are nearby. Mr. Moberg said that unfortunately, mixed-use developments often evolve into residential developments with empty storefronts because of the fragile retail market that makes it difficult for small businesses to survive. He added that the problem could get worse with COVID-19 as people become more wary about going out. Ms. Myers agreed with Mr. Rizzio’s point about the walkability of mixed-use projects. Mr. Moberg agreed that mixed-use projects offer a type of environment that is appealing to younger adults, but he added that in order to be economically viable, businesses within such developments still need people to come from outside of the community. Mr. Brooks agreed with Mr. Rizzio and said that the long term approach is that the younger generation wants these types of living situations and he added that it will also benefit senior citizens.

Chairman King summarized that mixed-use is not a blanket idea to be applied everywhere in the County but it does serve its purpose in certain areas. Mr. Cross asked if a broader view should be taken to allow purely residential developments to be built in or near established commercial areas that are designated for mixed-use development based on the notion that although the project itself is not mixed-use, it helps to create a mixed-use area where the commercial component is already in place. As an example, he cited the residential rezoning of The Marquis South Pod adjacent to the existing shopping center. Mr. Jons, Mr. Rizzio, and Ms. Myers all agreed with taking a broader view of mixed use. Mr. Spencer agreed that it is important to remain flexible and that the acceleration of change will continue in the future. He stressed the importance of using land carefully given its limited availability.

Ms. McGettigan said she lives in a mixed-use development and was pleased to have that option when she moved into the County several years ago. She said she and her neighbors like living in a walkable community with nearby shops and restaurants and no yard work. Mr. Seiter said that the walkability goal of mixed-use development could be achieved by constructing sidewalks so that people can walk to nearby businesses instead of having to drive.

- **Linking land use designations with future infrastructure enhancements**

Mr. Cross said that one of the items the staff is seeking guidance on is whether or not specific land use designations should be based not just on what is feasible today but be made contingent on certain infrastructure improvements, such as a road connection or a public facility. Ms. Myers asked if the proffer mechanism is used for a change in zoning. Mr. Cross responded that the proffer mechanism is used when a developer applies for a rezoning and voluntarily proffers certain conditions, such as more landscaping, road improvements, and in some cases, cash to address facility needs generated by the rezoning.

Mr. Houghland stated that especially now during the pandemic, broadband infrastructure is extremely important. Ms. Myers agreed, noting that broadband is listed as a separate topic in the discussion paper.

Ms. McGettigan agreed, noting that a lot of teleworkers as well as students are currently relying on broadband connectivity. She said the County and the School Division are looking at the broadband coverage map to identify areas of need, and she added that some communities have allocated CARES Act funds to expand broadband.

Mr. Brooks asked if there is a plan for utilization of buildings that are not being used because of the pandemic and if planned construction projects will be delayed because of a lack of need. Chairman King said the answer to that is not clear but that it is an issue that will need to be addressed, especially with the likelihood that the pandemic will probably be with us for a long time.

Chairman King reiterated previous comments about the need for walkways and bike trails. Mr. Bellamy pointed out that the lack of sidewalks, bike trails, and streetlights is attributable to a desire to retain the “rural look” of the County. Mr. Cross stated that in the interest of time, some of the discussion topics will need to be carried over to the next meeting but that before the Committee leaves the subject of sidewalks, it might be good to address the question of specific areas where the Committee feels sidewalks are needed. Mr. Houghland mentioned Bypass Road, which he said has sidewalks but is lacking crosswalks. He noted that there was a recent accident involving a pedestrian crossing the road who was fatally struck by a vehicle. Mr. Cross stated that the County has a project to replace the existing asphalt path with a new concrete sidewalk. Mr. Bellamy added that VDOT has agreed to install crosswalks along Bypass Road across Commons Way and Waller Mill Road. Chairman King recommended sidewalks along Dare Road and Lakeside Drive extending from Route 17 to the point where the two roads intersect. Ms. Myers recommended sidewalks to allow people to walk safely to the WATA bus stops in the upper County.

Chairman King recommended that the remaining discussion topics be held over to the next meeting so they can be thoroughly discussed since time was running short. He encouraged the Committee members to email the staff with any additional topics they would like to discuss at a future meeting.

Other Business

There was no other business.

Citizen Comment Period

Ron Struble stated that he is part of a group called “Preserve Fenton Mill” and asked Committee members to meet with the group in the upper County to get a firsthand view of rural nature and recommended the County implement a “green zone” to preserve the rural feel. He stated that rampant growth in the upper County is not in keeping with the spirit of rural nature. He questioned Mr. Brooks’s statement about lower County residents paying higher taxes to support the rural character in the upper County. He stated that building more houses will burden the tax basis. Mr. Struble also opined that the 80,000 build-out target should be retained.

Bobby Clegg said that providing walkways would be very appropriate and he feels the topic has been on the table for a long time and that he hopes it actually happens. He stated that he would like to keep the rural character of the upper County.

Darci Tucker said that tourism is a major economic driving force in the historic triangle and that natural beauty is part of that. She said that to allow creeping urbanization will hurt tourism. She expressed concern about the notion that York County is a suburban area, which she views as a warning sign of over-population. She also stated that people are being driven out of the community because of rising property values in new developments.

John Hermann referred to Mr. Jons's earlier statement about people enjoying wildlife and stated that new development has affected wildlife. He asked how plans are being made in conjunction with neighboring localities and stated that it is important to collaborate for a holistic approach.

Bruce Holmes stated that he moved into the area for the rural appeal. He said he wanted to introduce a new subject, based on his career at NASA, that a pandemic was studied for this very same occurrence. He stated that he is opposed to dense development because of the correlation between population and viral transmissivity. He said the question is how to account for hospital bed loading. He stated this is a time to take a pause and look at that aspect of population density.

Tracy Garcia said that she was impressed by some of the comments and interested in hearing Mr. Rizzio's perspective. She stated there are a lot of stores sitting empty and wondered what will happen in the long term when the COVID-19 effect sets in.

Chairman King thanked citizens for their comments and encouraged them to email any additional questions or comments to the Planning staff. Mr. Cross said that email comments should be sent to planning@yorkcounty.gov. He stated that the next meeting will be held on August 5 and whether it will be electronic or in-person has yet to be determined.

Adjournment

The meeting was adjourned at 7:15 p.m.