

**Remarks of the James City County Economic Development Authority  
To the James City County 2010 Zoning and Subdivision Ordinance Update Forum  
In the Matter of: Commercial and Mixed Use Districts – Special Use Permit Requirements & Economic  
Opportunity Designation**

**Thomas G. Tingle, Chair  
August 24, 2010**

The Economic Development Authority supports your efforts to update the Zoning and Subdivision Ordinances to reflect the adopted Comprehensive Plan. There are some excellent strategies recommended by the Comp Plan, and we urge you to “do the heavy lifting” that it takes to incorporate these recommendations into the ordinances.

There are several areas that we ask you to focus on as you move through the update process.

**1. Special Use Permits**

The EDA is pleased to learn that staff has already begun the process of reviewing the criteria for Special Use Permits. It is our hope that this threshold review and analysis will include discussions regarding the types of performance standards that will be needed to ensure community compatibility and acceptance, while improving predictability by allowing more by-right business and industrial uses.

The types of businesses we want in James City County are also very much sought after by other localities. When faced with a choice between two jurisdictions of equal merit, businesses look at the predictability of getting their business open and operating in a reasonable time, at a reasonable cost and with the least unexpected interference and risk. As it stands presently, many desirable business uses require a Special Use Permit, which runs contrary to the business concept of moving nimbly and quickly to seize an opportunity.

The success of this initiative will not be measured by the number of business uses that will no longer require SUPs; rather, the ultimate success of this initiative will be judged by the quality of performance standards established for each use type so that prospective businesses can know the rules of engagement prior to pursuing an opportunity. And affected stakeholders can enjoy the certainty of knowing what can and cannot be constructed on a particular property, under what circumstances and under what conditions.

## **2. Development Standards**

It is imperative that the County not compromise its economic development efforts by placing unreasonable expectations on businesses and on properties designated for office and industrial use. Specifically, the ordinance changes should recognize the uniqueness of industrial parks within Community Character Corridors. Additionally, environmental concerns must be carefully balanced with economic development concerns, so as to not unreasonably hinder the efforts of the County to diversify its economic base.

## **3. Economic Opportunity Areas**

One of the primary recommendations from the County's Business Climate Task Force was to identify, preserve and "land bank" key sites for future economic development opportunities. The Comprehensive Plan Steering Committee acted on this recommendation by designating a large area of land in the Lightfoot area as Economic Opportunity (EO). Originally proposed as a Mixed Use area, the Steering Committee set the bar higher for this land by defining its use primarily for economic development, increased non-residential tax base and the creation of jobs. This land is at a strategic location within the county, relative to transportation, utilities infrastructure and adjacent uses. The EO concept needs to move forward, with a process that encourages public/private area master planning and the extension of Mooretown Road.

## **4. Green Building Initiatives**

The EDA commends the efforts of the County's Green Building Design Roundtable, and supports the use of incentives, education and County leadership in Green building design, in order to stimulate the private sector to invest in green and sustainable development. However, requiring Green design standards such as LEED and EarthCraft for buildings of a certain size will discourage economic development, and put James City County at a competitive disadvantage with other jurisdictions. We will not end up with more green buildings through mandates; we will chase away desirable businesses. As the Roundtable Committee's summary states, *"the best approach for a ... Green Building Program is to encourage, rather than mandate."*

In summary, we believe that, through a collaborative effort, there is an opportunity for successfully modifying the present ordinances in a manner that will afford existing and prospective businesses predictability without compromising the character of James City County, while enhancing opportunities for much needed economic development. The EDA and its directors stand ready to help you throughout the process.