

**SPEAKING POINTS**  
**JAMES CITY COUNTY / DEVELOPMENT STANDARDS**  
**August 24, 2010**

- ✓ Good evening, Chair Peck and members of the Planning Commission. I'm Robert Duckett, Director of Public Affairs for the Peninsula Housing & Builders Association. Our association is made up of nearly 350 businesses that employ approximately 10,000 people in the local housing industry. Many of our members live and work in James City County and have created some of its most beautiful homes and neighborhoods.
- ✓ Thank you for the opportunity to comment tonight on the topic of Development Standards as the County prepares to update its zoning and subdivision ordinances.
- ✓ Our membership supports development standards, and James City County is noted for its high-quality residential development. However, our members want to emphasize that development standards need to be objective and measureable for the zoning classifications and subdivision regulations. Clarity and Consistency in these standards is tremendously important, in order to maintain the county's economic vitality.
- ✓ If county decides that it wants to hold higher development standards in comparison with other localities, then it does put itself at risk of losing businesses and jobs to other localities with less stringent standards. For example, a bio-tech firm with 25-50 employees at an average salary of \$65,000 may choose to locate in another locality. There is a way to maintain high standards but still remain competitive, however. If a proposed commercial/residential/industrial development meets the county's high standards, then approval should be by-right, without involving the legislative / CUP / SUP / rezoning process. This is sometimes referred as performance zoning.
- ✓ This way the county ensures it receives high quality development that meets its standards when demand for that type of economic development occurs.
- ✓ Some might worry that if county creates more performance-based development standards, then it would be, 'well, Katy-bar-the-door' and the county would see a flood of development. That's not correct. First, it's important to remember that in the who-what-why-where-when of development, the only "W" controlled by the developer is the "when." The other "Ws" are controlled by the locality. And the "when" is determined by the market. The "when" is determined by whether there will be tenants for commercial leases, or buyers for residential lots, or investors for future products.
- ✓ From the standpoint of promoting economic vitality, the worst approach would be to create high development standards, and then to move those goalposts during the legislative /CUP/SUP process by either changing density, or imposing even greater regulation or restrictions on the development project.

- ✓ To summarize: As others have put it during previous discussions, the County's zoning and subdivision ordinances should say what they mean and mean what they say.
  
- ✓ As the county moves ahead with the zoning and subdivision update, our members want to remind you that this is the perfect opportunity to implement the recommendations from the 2004 Builders for the Bay study and the county's Better Site Design recommendations. Our members, along with representatives from the Planning Commission, and from local environmental groups, spent a great deal of their time working on these studies to come up with consensus recommendations that would help improve water quality and protect the bay and respect economic growth. It's time to put these recommendations into the county's zoning and subdivision ordinances.