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# COMPREHENSIVE PLAN PUBLIC HEARING SUMMARY – AUGUST 9, 2023

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## Citizen Comments

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**Dalila Johnson**, 104 Shorewood Trace, requested that the Commission “place a reset button” on the Comprehensive Plan, stating that the full impacts of the COVID-19 pandemic are not yet known. Another reason she cited is that recent development and population growth in the County has been unevenly distributed – with most of it taking place in District 1 – which required the election district boundaries to be redrawn. She also expressed opposition to the Princess Cruise Lines’ plans to use Yorktown as a port of call, citing concerns about the appearance of the waterfront, security of nearby military bases, and environmental impacts. Lastly, she expressed concerns that school capital improvements in the Bruton attendance zone have not kept up with development, and she stated that students at Bruton High School will start the year in trailers.

**Tom Chamberlain**, 270 Barlow Road, repeated the assertion he made at the June 14 public hearing that the draft Plan does not include a strategy for addressing road safety needs identified in the Plan. As an example, he suggested that a specified percentage of the County’s annual budget surpluses over the next five years be dedicated to secondary road improvements. He noted that the Six-Year Secondary Road allocations recently approved by the Board of Supervisors include about \$1 million and address only one intersection, yet the County has allocated millions for the Riverwalk Restaurant renovation.

**Richard Howell**, 104 Horseshoe Drive, recommended that the word “feelings” be replaced with the phrase “positions of opposition or support” in the following sentence in the discussion of the single-family residential land use designations in the Land Use element: “Such a review [of nonresidential uses in residential areas] ensures that affected neighbors will have an opportunity to make their feelings known to the decision-makers while allowing those decision-makers to take into account the unique circumstances and site characteristics associated with each development proposal.” He also recommended that the language pertaining to home occupations and short-term rentals (STRs) should make a distinction between the two since they are different from each other and fall under separate zoning rules. Lastly, he opined that the Plan should include goals and objectives for short-term rentals, and he suggested that at a minimum, language be added stating that the County will work on drafting additional guidelines for STRs.

**Steven Kennedy**, 104 Penn Drive, characterized the draft Plan as symbolism over substance. He recommended that action on the Plan be delayed until after the upcoming Board of Supervisors election, noting that in January of next year there will be two to four new Board members, one new Planning Commissioner, and a new County Administrator. He opined that the Plan does not adequately address conservation, and he suggested that the Commissioners read Article XI of the Constitution of Virginia pertaining to conservation. He questioned the use of a telephone survey of 464 residents as a basis for the Plan. Mr. Kennedy cited comments made by a member of the Comprehensive Plan Review Steering Committee [Cowles “Buddy” Spencer], including the statement that “local leaders need to consider what is in the long-term best interest of the community rather than trying to appease opponents of development” and that “in a political process, decisions are not always made that are in the best interests of the community.” He suggested that various land use decisions have been or are being made that are not in the best interests of the community, including The Marquis, Kelton Station, Tranquility, and the proposed warehouses on Lightfoot Road. He recommended that the Commissioners visit all five election districts and then redo the Plan next year when new leadership is in place.

**Dana deJager**, 108 Horseshoe Drive, stated that the draft Plan is lacking in metrics and measures, which she said are vitally important because they affect every aspect of decision-making at every level of local government. As an example, she cited the 2013 Comprehensive Plan, which projected that 440 housing units would be built in the upper County between 2015 and 2020. She stated that in fact 3,600 housing units were built, which is more than double the number of units projected to be built between 2015 and 2035. She stated that this growth has increased traffic in the upper County – citing the impact of Kelton Station on Lightfoot Road as an example – and has placed a strain on the schools, forcing some students to have classes in trailers.

**Terrie Hodson**, 201 Nelson Street, stated that the County does not always follow its own Yorktown Design Guidelines, which it created. She stated that two members of the Historic Yorktown Design Committee (HYDC)

were not reappointed because they contradicted the desires of the Board of Supervisors. She stated that when the proposed dockmaster building in Yorktown was presented to the HYDC prior to the pandemic, the Committee and concerned citizens asked that the project be redesigned because it was too large and not appropriate for Yorktown. She stated that the very same plans were again presented to the HYDC this year, and even after the application was tabled, no changes were made. Lastly, she stated that there has been no citizen input into the decision to allow Princess Cruise Lines to use Yorktown as a port of call, which she said will have a more significant effect on the village than anything else in the Comprehensive Plan. She expressed concern about pollution, the size of the ships, and the effect on underwater shipwrecks in the York River.

**Elizabeth Wilkins**, 228 Church Street, expressed opposition to the Princess Cruise Line proposal. She stated that visitors to Yorktown come for the small-town atmosphere, which she said will be greatly diminished by the presence of large Princess Cruise ships. She added that scenic views of Yorktown from the Colonial Parkway will be obliterated by these large ships.

**Jacques van Montfrans**, 228 Church Street, expressed opposition to the Princess Cruise proposal, stressing the company's environmental record, which he said is very poor. He stated that Princess Cruise Lines professes to be environmentally conscious but in 2016 was criminally charged by the Department of Justice with seven felony counts stemming from its deliberate pollution of the seas and then undertaking numerous intentional acts to cover up its actions. These charges, he stated, were related to discharging heavy oil-laden bilge water directly into the ocean and bypassing all of the environmental control technology that was aboard these ships to remove these contaminants. He said that ultimately, the company entered into a plea agreement that resulted in an initial fine of \$40 million, which at the time was the largest maritime criminal penalty ever imposed for deliberate vessel pollution. He stated that as part of the plea agreement, Princess Cruise Lines agreed to a five-year probationary period but that two recent press releases from the Department of Justice, one in 2019 and one in 2022, indicated that the company was guilty of six additional felonies for non-compliance with the environmental regulations imposed during the probationary period. Mr. van Montfrans stated that environmental non-compliance is part of the company's corporate culture, and he expressed concern about emissions of particulate matter, sulfur dioxide, nitrous oxide, and carbon dioxide. He stated that these large ships will have a significantly greater impact on the environment than the smaller cruise ships that currently dock in Yorktown, and he expressed opposition to the proposal to build a permanent pier on the Watermen's Museum property for Princess Cruise Lines.

**David Bowditch**, 702 Main Street (business address), stated that he opposes the Princess Cruise proposal, which he said is out of scale for Yorktown. He recommended that the reference to this proposal be removed from the Economic Development element of the Plan.

**Ron Struble**, 205 Shady Bluff Point, stated that two of the Board of Supervisors' strategic priorities are value-driven economic development and environmental stewardship with a focus on resiliency and technology investments. He said the draft Plan shows a lack of balance between economic development and environmental priorities, stating that there have been too many residential rezonings of land designated for economic development which he said demonstrates a lack of determination to preserve the character of the area. He stated that the County's solution to the problems at The Marquis was to rezone the South Pod for residential development rather than honestly assessing what needed to be done. He further stated that the Plan does not adequately address environmental stewardship. Mr. Struble condemned the recent practice of clear-cutting sites and reshaping the natural contours of the land in preparation of development rather than integrating the contours and preserving the existing tree canopy, as in the case of the Villages of Kiln Creek and Coventry. He criticized the decision to allow development at the end of Springfield Road, which he said has harmed the quality of life for the under-privileged residents who live there. Lastly, Mr. Struble addressed conservation, noting that entities other than the County have been responsible for the preservation of open space in recent years, and he stated that the Board of Supervisors cut funding for the Historic Virginia Land Conservancy. He proposed that an objective be added to the Plan to establish a land conservation program in the County that could include select and strategic land acquisitions for the purpose of conservation and preservation of the character of the area.

**Bob Hodson**, 207 Nelson Street, stated that there hasn't been enough time to evaluate the Princess Cruise proposal, adding that over 800 people have signed an online petition in just two weeks opposing the idea. He noted that the draft Plan has references to the possible construction of a pier at the Watermen's Museum and

possible economic benefits of the cruise ships and to the proposed dockmaster building expansion, which he opined is not intended to manage the cruise ships that currently dock in Yorktown. He suggested that the County is planning for Princess Cruises, but it is not thoroughly discussed in the Plan. He stated that although the Board of Supervisors has indicated that the cruise proposal is a private partnership, it sent a letter to the state asking for funds to build a pier at the Watermen’s Museum. He said he feels there is a lack of transparency in County government on this issue.

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## Staff Recommendations

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### **DEVELOPMENT**

Several comments were made by various speakers about what they perceive as “rampant” or “explosive” overdevelopment, particularly in the upper County, and its impact on schools, roads, etc. No concrete suggestions were offered to address this – only criticisms of past residential rezonings. These comments echo comments that were made at the land use public forums held in September 2021, as documented in the Citizen Input chapter of the draft Plan, which states that “The overriding theme of most of the comments [at the land use forums] was a general concern that too much development is occurring in the County, resulting in a loss of trees, open space, and rural character as well as increased traffic, school crowding, and tax burdens on the citizens.” Similar concerns were reflected in the results of the scientific citizen survey conducted in 2019. The Citizen Input chapter notes that in response to a question asking about specific changes people would like to see in York County in the next twenty years, “The number one change that people want to see is improved transportation, particularly better roads with less congestion. *A slower pace of development – especially residential development – was second on the list in terms of the number of responses*” [emphasis added].

It should be noted that the statement that was made at the August 9 public hearing regarding actual vs. projected housing construction in the upper County is patently and demonstrably false. In fact, **1,036** housing units – not 3,600 as was claimed – were built in the upper County between 2015 and 2020. This is below – not greater than, as was claimed – the 1,400 units that the Comprehensive Plan projected will be built between 2015 and 2035. Overall growth in the County during this period has not been much greater than the Comprehensive Plan projected: the Plan projected that 1,550 units would be built between 2015 and 2025 – 349 fewer than the actual number of units built. In terms of population, the Plan projected 70,600 residents by 2020; according to official estimates published by the Weldon Cooper Center for Public Service, the actual population was 70,121.

The Comprehensive Plan Review Steering Committee and the staff did, in fact, listen to the citizen concerns expressed about development, although one might get the opposite impression from some of the citizen comments made at the public hearing. Not one single residential parcel has a higher allowable development density in the draft Plan than it does in the current adopted Plan, and no commercial property is proposed to be redesignated for residential development. It should also be noted that at the recommendation of staff, the Committee recommended that the Mixed Use overlay designation be removed from the Plan in order to address the very issue raised by Mr. Struble at the August 9 public hearing – the conversion of commercially designated land for residential use. Accordingly, the overlay designation, which was one of the main concerns raised at the land use public forums, has been removed from the draft Plan. As staff explained at the June 22 work session, part of the rationale for this decision is that there is language in the Plan stating that having the designation is not required in order for a landowner to apply for mixed-use zoning, nor does the absence of the designation prohibit a landowner from applying for mixed-use zoning. As such, the designation really does not serve much of a purpose. Another reason for removing the overlay designation is that there have been residential rezonings in the past ten years, as Mr. Struble indicated in his comments, where developers were able to successfully argue that by adding a residential component to existing commercial development in a mixed-use area, their residential projects were consistent with the Comprehensive Plan. This is contrary to the original intent of the designation, which was to promote cohesively designed projects incorporating a mix of residential and commercial uses.

#### **Staff Recommendation:**

No change.

## **TRANSPORTATION FUNDING**

When the Commission discussed the idea of adding an objective stating that a certain percentage of annual budget surpluses should be earmarked for road improvements at its June 22 work session, the general consensus was that such a recommendation is a budgetary decision to be made by the Board of Supervisors and would be beyond the scope of the Comprehensive Plan. As discussed at the work session, there are two implementation strategies in the draft Plan addressing the issue. Transportation Strategy 2.1 is to “Work with VDOT, the HRTPO [Hampton Roads Transportation Planning Organization], and the Sheriff’s Office to identify dangerous roadway segments and intersections and to develop countermeasures to enhance safety.” The strategy further states that “A number of problem areas in the County have been identified by the HRTPO using these measures and are included in this Transportation element.” These “problem areas” include the seven dangerous roadways mentioned by Mr. Chamberlain. Funding is addressed in Transportation Strategy 1.1: “Identify and pursue federal, state, regional, and local funding sources for capacity-enhancing roadway improvements, with a particular focus on those depicted on the 2040 Roadway Plan Map.” Although the term “capacity-enhancing” is used, this strategy is intended to apply to funding for road improvements in general, not just those related to capacity.

### **Staff Recommendation:**

Revise Transportation Strategy 1.1 to read as follows to clarify that efforts to obtain funding for road improvements is not limited to those that would add capacity:

“Identify and pursue federal, state, regional, and local funding sources for ~~capacity-enhancing~~ roadway improvements, with a particular focus on those ~~depicted on the 2040 Roadway Plan Map~~ identified in the Transportation element of this Plan.”

## **SHORT-TERM RENTALS/HOME OCCUPATIONS**

Short-term rentals (STRs) are addressed in the following paragraph, which appears in the Land Use element in the description of single-family residential land use designations:

“Although these designations are intended primarily for residential development, it should be recognized that residential and nonresidential development are not necessarily incompatible in every case. Some nonresidential uses can be appropriate in residential areas depending on the character and intensity of both the use and the surrounding residential neighborhood. In most cases, it is recommended that such uses be reviewed and approved by the Board of Supervisors on a case-by-case basis rather than allowed as a matter of right. Such a review ensures that affected neighbors will have an opportunity to make their feelings known to the decision-makers while allowing those decision-makers to take into account the unique circumstances and site characteristics associated with each development proposal. Similarly, accessory uses of single-family detached homes that are of a commercial or quasi-commercial nature – such as home-based businesses (home occupations) or short-term rental of rooms in a home – are not inherently incompatible with residential uses but should require a special level of scrutiny to ensure that such activities will not alter the residential character of the surrounding neighborhood or interfere with nearby residents’ quality of life. Likewise, proposals to rent out entire homes on a short-term basis, commonly referred to as “whole house” short-term rentals, should be subjected to a higher level of scrutiny to prevent the problems that can arise when there is no on-site monitoring of guests’ behavior.”

No specific guidelines for STRs have been included in the draft Plan for the simple reason that no consensus has been reached as to what those guidelines should be. In the many STR applications that have been reviewed over the past several years, the single controlling factor that has determined whether or not an application is approved has been the presence of neighborhood support or opposition. The only questions on which there is widespread agreement are that 1) STRs in residential zoning districts should require a Special Use Permit, and 2) it is preferable to have the owner reside on the premises or nearby while rentals are taking place. Accordingly, staff believes the language above is an accurate expression of the County’s approach to STRs as it exists today.

The Board of Supervisors has committed to revisiting the issue of STRs early next year and has indicated that it will not consider any applications for STRs until then. That being the case, it seems pointless to include language in a long-range plan recommending that additional STR guidelines be adopted when that decision has already been made and the issue will be addressed within a few months of the Plan's adoption.

With regard to home occupations, nowhere does the draft Plan equate them with STRs or suggest that the two uses are or should be subject to the same zoning restrictions. The language simply states that the two uses are similar in that they both involve quasi-commercial uses in residential areas and as such should be subject to special scrutiny – a statement that accurately describes the County's approach to home occupations and STRs.

Staff has no objection to replacing the words "feelings" with "positions" or "opinions" with regard to short-term rentals, although such a change has no substantive value.

Staff Recommendation:

Revise the paragraph above to read as follows:

"... Such a review ensures that affected neighbors will have an opportunity to make their ~~feelings~~ positions [or opinions] known to the decision-makers while allowing those decision-makers to take into account the unique circumstances and site characteristics associated with each development proposal. Similarly, accessory uses of single-family detached homes that are of a commercial or quasi-commercial nature – such as home-based businesses (home occupations) ~~or~~ and short-term rental of rooms in a home – are not inherently incompatible with residential uses but should require a special level of scrutiny to ensure that such activities will not alter the residential character of the surrounding neighborhood or interfere with nearby residents' quality of life..."

**CONSERVATION**

There are several implementation strategies in the draft Plan that address conservation:

- Utilize federal and state grant opportunities to leverage funds for mitigation and resiliency efforts. (Environment Strategy 6.2)

As noted, the state and federal governments make grant and loan funding available for a wide range of projects. For example, the County successfully applied for funding through the Hazard Mitigation Grant Program to elevate four houses in floor-prone areas. While the project, which was of fairly limited scope, required significant staff resources, the direct financial cost to the County was relatively low. *The County should take advantage of all available funding opportunities for resilience projects, including but not limited to home upgrades, road elevation, property and conservation easement acquisition, living shorelines, and resilience planning.* [emphasis added]

- Utilize low-density zoning and other methods to limit development in areas vulnerable to flooding and sea level rise. (Environment Strategy 6.4)

Development in sensitive coastal areas would result in the loss of coastal forests, prevent the inward migration of wetlands and dunes, and put more people and homes at risk. Preserving the County's natural land cover will greatly reduce the impact of flooding and storm surge on the County. Land cover slows down floodwater, defends against erosion, filters and replenishes groundwater, and protects vital coastal ecosystems. The Resilient Coastal Forests of Virginia report highlighted the need for expanded riparian buffer zones to account for SLR to protect coastal forests and water quality. *The Resource Conservation (RC) zoning district is the County's least intensive residential zoning classification, allowing a maximum density of one single-family detached home per five acres. RC zoning promotes conservation and protects environmentally sensitive areas from intensive development. Efforts to prevent development on vulnerable properties through the establishment of conservation easements should also be supported.* [emphasis added]

- Where appropriate, assist in preserving conservation areas and making them accessible to York County residents. (Land Use Strategy 2.3)

Preserving open space ensures that the scenic natural beauty that makes the County special will be available for present and future generations of residents and visitors to enjoy. Conservation lands occupy more than a quarter of the County's total land area, second only to military property, much of which is also dedicated to open space. Within residential subdivisions that were developed utilizing the open space or cluster provisions of the Zoning Ordinance, common open space constitutes a minimum of 40% of the gross land area and is accessible to all who reside there. The County should also seek opportunities to make open space accessible to the general public through the development of greenways, trails, and similar facilities. One such opportunity, depicted on the Greenways Map in the Public Facilities element of this Plan, involves the 200-foot wide power line easement that runs diagonally through the Tabb area east of Route 17 where the developer of Smith Farms Estates proffered to construct an eight-foot (8') multi-use trail extending from Yorktown Road to the Mt. Vernon Elementary School property for a distance of a little more than one-third of a mile. This project, together with the various pedestrian improvements that are planned along Yorktown Road and Victory Boulevard, creates the potential for a trail system that could serve as a significant recreational amenity for local residents.

In addition, in response to a request Mr. Holroyd made at the June 22 work session, staff added language to the Parks and Recreation section of the Public Facilities element stating that "the County is actively looking at opportunities for property acquisition for greenways and conservation where possible."

The Comprehensive Plan Review Steering Committee devoted an entire meeting to the topic of conservation, and it invited three outside speakers to address the Committee on that subject. During its subsequent discussions of the issue, it was noted that conservation land constitutes 26.7% of the County's gross land area, and military land, the vast majority of which is open space, constitutes another 32.1%. In fact, since the adoption of the current Comprehensive Plan in 2013, the amount of land dedicated to conservation has increased more than any other land use category – by more than 1,200 acres. The fact that most of this increase is attributable to efforts on the part of non-profit organizations (e.g., American Battlefield Trust, Newport News Waterworks, etc.) rather than the County is immaterial. If conservation goals are being accomplished by outside entities, why is government involvement – at taxpayer expense – necessary? (It should be noted that the taxpayers are already subsidizing these private efforts as conservation land comes off the tax rolls and development opportunities disappear.) Ultimately, the Committee decided not to include an objective recommending the establishment of a land conservation program.

Staff Recommendation:

No change.

**PRINCESS CRUISE LINES**

At its final meeting, held on April 5, 2023, the Committee decided to revise the Economic Development element of the Plan to mention the Princess Cruise proposal that had recently been announced. That discussion is documented in the April 5 meeting notes and is copied below:

"Mr. [Leigh] Houghland [business community representative on the Committee] asked if it would make sense to mention Princess Cruise Lines' plans to bring 3,000-passenger cruise ships that will dock in Yorktown as part of a history-themed cruise. He stated that bus service to Williamsburg and Jamestown would be offered to passengers who want to visit those sites. Mr. [Skip] Brooks [District 3 representative on the Committee] expressed concern about Yorktown's ability to handle so many people and the effect large numbers of buses would have on the Colonial Parkway. Mr. [Chad] Green [Board of Supervisors representative on the Committee] responded that he felt the operation can be controlled and that about a third of the passengers will stay on board the ships. He added that this would take place only during the week and that he thinks it is manageable and can be a very positive thing for the County and the area. Mr. Brooks commented that

the logistics of such an endeavor will require significant advance planning. Mr. Green responded that next year will be a trial period, with the ships docking at the Riverwalk pier, and that state funds are being sought for the construction of a cruise terminal at the Watermen’s Museum. He added that he is not in favor of spending County funds on such a facility and that he doesn’t think it will be built without the state’s financial support. Lastly, he stated that there is plenty of capacity in Yorktown and that Princess Cruises has a lot of experience with these kinds of operations. Mr. Bellamy added that there are a lot of details to be worked out and that they are planning for four or five days next year as a test period. Mr. Brooks reiterated that adding significant bus traffic to the Colonial Parkway on a regular basis will damage the road. Mr. [Mark] Bellamy [Deputy County Administrator and member of the Committee] responded that the superintendent of the Colonial National Historical Park is in support of this venture. Mr. Green stated that he understands Mr. Brooks’ concerns and that the test period will be an opportunity to evaluate the feasibility of this plan. Chairman King stated that he conferred with Mr. Cross and that they had decided that the best way to address the issue is to add some language about this effort to the Tourism section of the Economic Development element.”

Accordingly, the following language was added to the draft Plan:

“Princess Cruise Lines recently announced plans to add Yorktown as a port of call on its 2024 cruise schedule as part of a series of custom-curated itineraries in summer 2024 that will highlight opportunities to experience the Historic Triangle. Five day-long calls are planned in 2024 and will utilize the Riverwalk Landing Piers. This one-year pilot program will bring additional visitors who would contribute to the region’s economy, benefiting retail, restaurants, and regional attractions, as well as generating revenue for the Commonwealth, the County, and other local governments. Plans are in the works for construction of a new pier at the Watermen’s Museum to accommodate the cruise ships if this program proves successful.”

The Commission discussed the Princess Cruise Lines’ proposal at its June 22 work session and decided that it would not be appropriate to address it in the Comprehensive Plan.

Staff Recommendation:

Certain aspects of the proposal have changed since the existing language was written, including the number of ships that will visit in 2024 (reduced from five to three) and the location where they will be anchored (at a Coast Guard-approved site in the York River rather than at the Riverwalk pier). At a minimum, the language will need to be updated with the most current information. Another option, suggested by one of the speakers at the August 9 work session, is to simply remove the language discussing Princess Cruise Lines in order to avoid giving the impression that the County has officially endorsed the proposal or approved construction of a new pier at the Watermen’s Museum. Should the Commission decide to retain language in the Plan pertaining to this proposal, staff recommends the following revisions:

“In early 2023, Princess Cruise Lines recently announced plans to add Yorktown as a port of call on its 2024 cruise schedule as part of a series of custom-curated itineraries in summer 2024 that will highlight opportunities to experience the Historic Triangle. Three Five day-long calls are planned in 2024 and will utilize the Riverwalk Landing Piers. The ships will be anchored in the York River approximately 1.75 miles east of Yorktown Beach with passengers arriving at the Riverwalk Landing Piers via tender vessels carrying approximately 90 people. This one-year pilot program will bring additional visitors who would contribute to the region’s economy, benefiting retail, restaurants, and regional attractions, as well as generating revenue for the Commonwealth, the County, and other local governments. Any County support for continuation of this activity beyond the one-year pilot period – to the extent that the County has any control or influence over these operations (such as through the approval of new docking or other landside facilities) – should only be considered if it can be demonstrated that they can be accommodated without adverse impacts on the scenic beauty, charm, and small-town character of the Yorktown village. Plans are in the

~~works for construction of a new pier at the Watermen's Museum to accommodate the cruise ships if this program proves successful."~~

In addition, staff recommends that Strategy 1.2 in the Tourism section of the Public Facilities element be revised as follows to specify that preserving the character of the village is the County's top priority with regard to Yorktown:

"Promote and increase year-round visitation to Yorktown and Riverwalk Landing, but only in a manner that does not detract from the village's historic charm and character and the residents' quality of life."

## **MISCELLANEOUS**

- The Comprehensive Plan Review Steering Committee spent more than four years working on this project. These citizen volunteers dedicated a combined total of 576 hours in meetings alone. That does not include the six public input sessions that were held, nor does it include the many hours spent reviewing meeting materials, draft Comp Plan elements, and the draft Plan itself. This process has been delayed by the COVID-19 pandemic and other factors. It is unclear what further delay would accomplish or why it is necessitated by either the pandemic or redistricting.
- Missing from the citizen comments about residential rezonings in the upper County and their impact on the schools is the fact that most of those rezonings involved cash proffers – payments to the County from the developers of Arbordale, The Reserve, Whittaker's Mill, and Kelton Station that were voluntarily proffered as conditions of approval of these developments. The purpose of these cash proffers, most of which were specifically targeted toward school capital improvements and bus acquisition, was to mitigate the impact of the additional students projected to be generated by these developments. With regard to comments about delaying school capacity projects in the upper County, those concerns should be directed to the School Board, which is the body responsible for establishing school capital improvement priorities.
- Land Use Strategy 2.1 of the draft Plan recommends a comprehensive review of the landscaping requirements of the Zoning Ordinance to see if they can be improved:

Review the Zoning Ordinance to identify opportunities to improve the aesthetic appeal of new development and redevelopment through regulatory controls and incentives.

One of the most common concerns expressed by County citizens about new development has to do with the loss of trees. The landscaping provisions of the Zoning Ordinance are intended, in part, to address such concerns, but they have not been comprehensively reviewed since the adoption of a series of amendments in 2003. As the supply of developable land shrinks, so does the opportunity to ensure that development contributes positively to visual appeal of the County's built environment. A thorough reexamination of the landscaping provisions to ensure that they are sufficient to achieve the County's expectations regarding development aesthetics would help to accomplish this. Other Zoning Ordinance provisions intended to address the aesthetics of development – such as the Tourist Corridor Management and Route 17 Corridor overlay district provisions – should be included in any such review.

- As stated in the Citizen Input chapter of the draft Plan, the telephone survey of County residents was conducted at the beginning of the process in an effort to obtain *statistically valid* data regarding general community goals for the physical development of the County. The Southeastern Institute of Research (SIR), a Richmond-based research firm, conducted the survey and tabulated the results on the County's behalf. The survey questions, developed by the County with input from SIR, asked citizens for their opinions about growth and development, housing affordability, public facility needs, and other long-range planning issues facing York County. A total of 464 interviews were conducted, yielding a margin of sampling error of 5% at a confidence interval of 95%. This means that if the survey were conducted one hundred times on different samples that were selected in the same way, the findings of 95 out of those

one hundred surveys would fall within plus or minus 5 percentage points of one another. The survey sample was geographically stratified between the upper County and the lower County to mirror the geographic distribution of the population.

It should also be noted that far more citizens participated in the survey than attended the public input sessions (approximately 30) and land use forums (78), and since they were selected using scientific random sampling, are much more likely to reflect the views of the population as a whole.

- As stated at the August 9 meeting, staff recommends that the 2040 Land Use Map be revised by changing the land use designation of the 11.7-acre parcel located at 7801 George Washington Memorial Highway from General Business to Conservation. The property was acquired by Newport News Waterworks in October 2016 for watershed protection purposes. Newport News Waterworks has expressed its support for this change.