**M E M O R A N D U M**

**DATE:** March 16, 2011

**TO:** Policy Committee

**FROM:** Ellen Cook, Senior Planner II
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**SUBJECT:** Urban Development Areas

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Section 15.2-2223.1 of the *Code of Virginia* requires localities with 20,000 or more residents and at least five percent (5%) population growth over 10 years (which includes James City County) to incorporate one or more higher density "Urban Development Areas" (UDA) designations within their comprehensive plans. The intent of this law was to discourage sprawl by concentrating new development in Virginia's growing localities in areas where the necessary infrastructure either has been built or can be built in a more efficient manner.

In the Code of Virginia, UDAs are defined as areas "appropriate for higher density development due to the proximity of transportation facilities, the availability of a public or community water and sewer system, or proximity to a city, town or other developed area." The legislation requires that the UDA be "appropriate for development at a density on the developable acreage of at least four single-family residences, six townhouses, or 12 apartments, condominium units, or cooperative units per acre, and an authorized floor area ratio (FAR) of at least 0.4 per acre for commercial development, or any proportional combination thereof." The legislation also requires that the UDA designation be sufficient to accommodate at least 10 years of projected residential and commercial growth within the locality. The comprehensive plan is required to incorporate principles of new urbanism and traditional neighborhood development (TND), which is defined to include, but not be limited to, elements such as pedestrian-friendly road design, preservation of natural areas, and mixed-use neighborhoods.

The legislation specifies that comprehensive plans must be made to comply with the law; however, localities may determine that their plans already "accommodates growth in a manner consistent with the [UDA] section" in which case they may certify such compliance by adoption of a resolution. In parallel with the approach used by York County, staff believes that the current James City County 2009 Comprehensive Plan meets the UDA requirements by virtue of the designation of specific areas as being appropriate for mixed-use development. In forming this conclusion, staff considered the following:

- The UDA law requires that a minimum of ten years of projected growth be accommodated in UDAs designated in a locality's comprehensive plan. According to official state projections[1] and figures from the U.S. Census Bureau, ten years of growth would equate to approximately 15,772 residents, or approximately 6,330 dwelling units, based on the most recent average household size estimate of 2.49 persons per household.

[1] Virginia Employment Commission (VEC)

- The 2009 Comprehensive Plan currently designates fourteen areas for mixed-use areas[2]. The Comprehensive Plan's mixed use designation description as applied to these areas essentially mirrors the TND principles outlined in the UDA law:
    - The basic description states, "Mixed use areas are centers within the PSA where higher density development, redevelopment, and/or a broader spectrum of land uses are encouraged. Mixed Use areas located at or near interstate interchanges and the intersections of major thoroughfares are intended to maximize the economic development potential of these areas by providing areas primarily for more intensive commercial, office, and limited industrial purposes."
    - The mixed use development standards state, in part, "Mixed use developments should create vibrant urban environments that bring compatible land uses, public amenities, and utilities together at various scales. These developments should create pedestrian-friendly, higher-density development, and a variety of uses that enable people to live, work, play and shop in one place, which can become a destination."

- With regard to the legislation's specified commercial intensity, the Comprehensive Plan's Mixed Use Designation Recommended Uses and Intensity section states, "The recommended Floor Area Ration (FAR)[3] range will depend on the context of the specific Mixed Use area, but for all areas it is strongly encouraged that opportunities for on-street parking, shared parking, structured parking and other measures to cohesively plan development be considered that maximize the efficient use of land and achieve FARs close to, or greater than, 0.4." The Mixed Use and Planned Unit Development zoning districts, which complement the Comprehensive Plan's Mixed Use Designation, would certainly allow up to and beyond a 0.4 FAR (there is no limit on FAR in either district).

- With regard to the legislation's specified residential density, the Comprehensive Plan's Mixed Use Designation Recommended Density section states: "Moderate to high density residential uses with a maximum gross density of 18 dwelling units per acre could be encouraged in Mixed Use areas where such development would complement and be harmonious with existing and potential development and offer particular public benefits to the community." The Mixed Use and Planned Unit Development zoning districts allow single-family structures, townhomes and apartments at densities which accord with the UDA regulations (up to 18 du/ac).

- Based on the approximate acreages of the areas designated in the Comprehensive Plan for Mixed Use, and assuming development in the allowed ranges permitted in the Mixed Use and Planned

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[2] For the purposes of this memo, two of the mixed-use areas, the Jamestown Ferry Approach and James River Commerce Center mixed use area, will not be considered due to their more specialized nature.

[3] Floor Area Ratio is the ratio of the total floor area of buildings on a certain location to the size of the land of that location. As a formula: Floor area ratio = (Total covered area on all floors of all buildings on a certain plot)/(Area of the plot).

Unit Development districts, staff has calculated the approximate development potential figures in the table below.

| Area | Approx. Total Mixed Use Designation Acres* | Commercial Floor Area (sq.ft.) | Dwelling Units |
|---|---|---|---|
| Stonehouse | 1,684 | 4,040,110 | 3,690** |
| Anderson's Corner | 63 | 75,315 | 45 |
| Toano | 213 | 141,570 | 163 |
| Norge | 60 | 63,160 | 116 |
| Croaker Interchange | 724 | 2,170,000 | 1,038 |
| Lightfoot | 300 | 76,230 | 251 |
| New Town | 690 | 600,000 | 902 |
| Five Forks | 73 | 43,560 | 10 |
| Williamsburg Crossing | 86 | 146,361 | 135 |
| Routes 60/143/199 Interchanges | 264 | 228,690 | 158 |
| GreenMount | 40 | 105,544 | 128 |
| Treyburn Drive | 18 | 99,970 | 12 |
| **Total** | 4,215 | **7,790,510** | **6,648** |

* While this table lists the approximate total area of the Comprehensive Plan designation, the approximate development potential figures are based on an analysis of undeveloped or potentially re-developable areas, and master planned caps.
** This total includes the whole master-planned Stonehouse community, which includes some area outside the Comprehensive Plan mixed use designation, but which is all zoned as a unified Planned Unit Development (PUD). The total acreage of the remaining Stonehouse PUD is 4,666.

It is important to note that the UDA law only requires that the Comprehensive Plan provide the opportunity for higher density mixed-use development with at least four residential units per acre and a commercial Floor Area Ratio of 0.4. That opportunity is clearly available through the Plan's Mixed Use designations and the complementary Mixed Use and Planned Unit Development zoning districts. Therefore, staff believes that the areas listed in the table above are effectively Urban Development Areas and that the Board can certify that its Comprehensive Plan "accommodates growth in a manner consistent with [the UDA requirements]." Staff would also note that the 2009 Comprehensive Plan's Economic Opportunity designation could likely be included as a UDA area in the future.

Staff plans to recommend to the Board that a resolution be adopted certifying that the 2009 Comprehensive Plan accommodates growth in a manner consistent with 15.2-2223.1 of the *Code of Virginia*.

Attachments
1. Section 15.2-2223.1 of the Code of Virginia