

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
SPECIAL MEETING
June 23, 2015

The Henrico County Board of Supervisors convened a special meeting on Tuesday, June 23, 2015, at 4:45 p.m., in the County Manager's Conference Room, Administration Building, Henrico County Government Center, Parham and Hungary Spring Roads, Henrico, Virginia.

Members of the Board Present:

Frank J. Thornton, Chairman, Fairfield District
Tyrone E. Nelson, Vice Chairman, Varina District
Richard W. Glover, Brookland District
David A. Kaechele, Three Chopt District
Patricia S. O'Bannon, Tuckahoe District

Other Officials Present:

John A. Vithoukas, County Manager
Joseph P. Rapisarda, Jr., County Attorney
Joseph T. (Tom) Tokarz II, Deputy County Attorney
Barry R. Lawrence, CMC, Assistant to the County Manager/Clerk to the Board
Joseph A. Casey, Ph.D., Deputy County Manager for Administration
Jane D. Crawley, Deputy County Manager for Community Services
Timothy A. Foster, P.E., Deputy County Manager for Community Operations
Randall R. Silber, Deputy County Manager for Community Development
C. Michael Schnurman, Jr., Legislative Liaison
Tamra R. McKinney, Director of Public Relations & Media Services

Mr. Thornton called the meeting to order at 4:49 p.m.

Mr. Vithoukas briefly referred to the items listed on the agenda.

Mrs. O'Bannon introduced Claire Galvin, a rising senior at Glen Allen High School, who was shadowing her. Ms. Galvin is interning with the County for two weeks to learn more about local government for one of her high school classes. She will be working with Mrs. Crawley and Human Resources Director Paula Reid. Mr. Vithoukas welcomed her aboard.

Henrico Housing Market Presentation by the Richmond Association of Realtors

Mr. Vithoukas recognized Laura Lafayette, Chief Executive Officer of the Richmond Association of Realtors; Chair of the Better Housing Coalition Board of Directors; and Executive Director of the Partnership for Housing Affordability, a nonprofit organization that promotes an adequate and diverse supply of affordable housing in the Richmond region. Mrs.

Lafayette narrated a two-part slide presentation. During the first portion of her presentation, titled *Henrico Housing Market*, Mrs. Lafayette reviewed a number of charts and tables with the Board depicting regional and local sales trends for residential housing units. She stated that Henrico's real estate market is doing well based on several measures and has seen steady appreciation in recent years. New listings are down, which has created a seller's market, and some areas of the county are experiencing multiple offers on homes. In comparison to the same period last year, pending sales for the year to date are up nearly 15 percent and closed sales are up more than 21 percent.

The second portion of Mrs. Lafayette's presentation included additional charts and tables that summarized a report commissioned by the Partnership for Housing Affordability on behalf of the Capital Region Collaborative and prepared by the Virginia Center for Housing Research at Virginia Tech and Center for Urban and Regional Analysis at Virginia Commonwealth University. The report was titled *Housing the Richmond Region: Needs, Impediments, and Strategies*. Mrs. Lafayette addressed changes in real income, wages, and housing costs; identified an annual affordable housing deficit within the region of \$862 million; depicted approximately 35 percent of the households within the Richmond Regional Planning District as cost burdened, including 36.8 percent of Henrico's households; and highlighted two scenarios of changes in housing demand within the region by age of householder. She cited affordable housing as a challenge for each locality in the region, noting that the cost of owning a home outright, without a mortgage, has grown in recent years as wages have held steady or declined. Mrs. Lafayette concluded that the affordable housing problem cannot be fixed solely by local government but will take a public, private, and nonprofit approach. She pointed to potential solutions such as new land use policies, affordable housing trust funds, land banks, and workforce development.

Following her presentation, Mrs. Lafayette responded to questions and comments from the Board. Mr. Thornton cited the importance of higher salaries, more skilled workers, and more transportation options in addressing housing affordability and also expressed concern regarding the potential impacts of gentrification. He noted the real estate industry has in the past been responsible for causing some of the equity and affordability issues. Mrs. Lafayette agreed with Mr. Nelson that there is a challenge in finding a balance within the region between housing quality and affordability.

Proposed Ordinance Amendment Pertaining to the Terms and Powers of the Board of Zoning Appeals

Mr. Vithoukas briefly introduced this item and recognized Mr. Tokarz, who narrated a slide presentation on the item. Mr. Tokarz noted the Planning Department and County Attorney's Office have been working on draft amendments to the County's zoning ordinance because of legislation passed during the last session of the General Assembly that will become effective on July 1. The legislation changes the powers of the Board of Zoning Appeals (BZA) but also provides an opportunity to consider other changes to the BZA section of the zoning ordinance. Mr. Tokarz cited the following four types of changes proposed by staff: changes required by the 2015 legislation, changes to conform a change to conform to current state law regarding the term of BZA members, housekeeping or stylistic changes not required by state law to

eliminate extraneous language and redundancies and to modernize and streamline language, and changes not required by state law that reflect current practice.

To set the stage for the discussion of the proposed changes and put them into historical context, Mr. Tokarz addressed the BZA's powers under state law, the reason for variances, the definition of variance in the Code of Virginia, variance applications prior to the 2004 *Cochran* decision of the Virginia Supreme Court, the effect of the *Cochran* decision in reducing the power of BZAs to grant variances, and the success of the homebuilder's lobby during the 2015 General Assembly Session over local government opposition in pushing for legislation (H.B. 1849) to make it easier for developers and builders to get variances, the statute authorizing BZAs to grant variances and the five additional criteria it requires for applicants to obtain a variance, and the impact of the 2015 General Assembly action. Mr. Tokarz, Mr. Rapisarda, Planning Director Joe Emerson, and Principal Planner Ben Blankinship responded to questions from the Board pertaining to the effect of the new state legislation on the BZA's authority. Mr. Glover expressed concerns relating to future BZA decisions in local jurisdictions that have limited or no professional staff to provide guidance or recommendations to BZA members.

The Board recessed for dinner at 6:06 p.m. and reconvened at 6:15 p.m.

Mr. Tokarz resumed his presentation by reviewing a proposed change to the County's ordinance that would conform to both local practice and state law in regards to the term of BZA members. He also explained several proposed housekeeping changes and the following three substantive changes proposed by staff not required by state law: the period for beginning construction or operation after issuance of a conditional use permit would be extended from one year to two years, no consideration of substantially the same application for a variance or conditional use permit would be given for one year, and extension or renewal of a temporary use permit would be barred after 24 months. Mr. Tokarz concluded his presentation by suggesting a schedule for consideration of the proposed ordinance changes that would provide for a July 22 Planning Commission public hearing followed by an August 11 Board of Supervisors public hearing. He responded to questions from Mr. Kaechele pertaining to the development community's position on the proposed changes.

2015 NACo Achievement Awards Program Update

Mr. Vithoukias advised the Board that the County has received National Association of Counties (NACo) Achievement Awards for 24 of its programs and participates in this annual effort to ensure it is providing cost effective services to its residents. He recognized Cristol Klevinsky, Management Analyst for the County Manager's Office, who narrated a slide presentation on this item. Mr. Silber distributed copies of her slides. During her presentation, Mrs. Klevinsky provided background information on the NACo Achievement Awards program and reviewed the program's 21 application categories, national and Virginia award statistics, and the County's award winning programs, which included a Best in Category for the Department of Human Resources' program titled *Internship Program: Developing the Workforce of Tomorrow*. She pointed out the County ranked sixth in the nation and first in the Commonwealth this year in terms of the total number of NACo awards received. In response

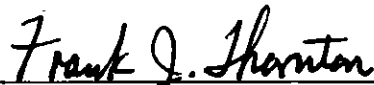
to a question from Mr. Kaechele, Mrs. Klevinsky explained the process followed by the County in reviewing and submitting applications for NACo's consideration. She also elaborated on the internship program that earned a Best in Category designation from NACo.

Mrs. Klevinsky continued her presentation by advising the Board that Mr. Thornton and Mr. Kaechele will attend this year's NACo Annual Conference in Charlotte, North Carolina, and will also attend a luncheon on July 12 during the conference to accept the County's awards. She concluded her presentation by suggesting that departmental staff present more information on some of the County's award-winning programs at future work sessions to illuminate how these programs have saved the County money, made the County more productive, enhanced the quality of life of County citizens, and increased citizen engagement. Mr. Vithoukas acknowledged the contributions of the Deputy County Managers and departmental staff and also thanked Mrs. Klevinsky and Mr. Lawrence for assisting the County with its participation in the annual NACo Achievement Award effort. In response to questions from Mrs. O'Bannon and Mr. Kaechele, Mrs. Klevinsky commented on the timeframe for developing and submitting applications and the scope of participation in the Achievement Awards program by counties at the state and national levels. Mr. Thornton suggested the County do more to inform its citizens about these groundbreaking programs and expressed special gratitude for staff's development of the award-winning internship program.

Regular Meeting Agenda Items

Mr. Vithoukas reviewed the agenda for the 7:00 p.m. meeting, which included two Manager's Comments, two memorial resolutions, presentation of the annual Keep Henrico Beautiful Landlover and Clean Business Awards, several board and commission appointments, two public hearing items, and two general agenda items. He noted that Henrico is one of only a few localities where the governing body adopts a separate resolution to appropriate funds for the upcoming fiscal year.

There being no further business, the meeting was adjourned at 6:40 p.m.


Chairman, Board of Supervisors
Henrico County, Virginia