

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 7TH DAY OF MARCH, NINETEEN HUNDRED EIGHTY-EIGHT, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Jack D. Edwards, Chairman, Berkeley District
 Thomas D. Mahone, Vice-Chairman, Jamestown District
 Perry M. DePue, Powhatan District
 Thomas K. Norment, Jr., Roberts District
 Stewart U. Taylor, Stonehouse District

David B. Norman, County Administrator
 Frank M. Morton, III, County Attorney

B. MINUTES

Mr. Edwards stated that the minutes would be discussed at the end of the meeting.

C. PUBLIC HEARINGS

1. Case No. Z-25-87. John D. Hudgins

Mr. O. Marvin Sowers, Jr., Director of Planning, stated that a letter had been received from Mr. Stephen D. Harris, representative for the applicant, requesting that the case be withdrawn.

Mr. Edwards opened the continued public hearing, and as no one wished to speak, he closed the public hearing.

Mr. DePue made a motion to accept the withdrawal of Case Z-25-87.

On a roll call, the vote was AYE: Norment, Taylor, Mahone, DePue, Edwards (5). NAY: (0).

2. Six Year Plan for Secondary Road Improvements

Staff recommended that the 1988 Priority List be approved without the inclusion of the Lake Powell Road project.

Mr. Frank Hall, Resident Engineer of the Virginia Department of Highways and Transportation, was present for the joint public hearing.

Mr. Edwards opened the public hearing, and as no one wished to speak, he closed the public hearing.

Discussion was held regarding the Virginia Department of Transportation's Secondary System Construction Program, the inclusion of Lake Powell Road on the Proposed Priority List, and the possibility of another source of funding, rather than secondary road funds, for the Lake Powell Road project.

Mr. Mahone made a motion to approve the addition of Lake Powell Road to be No. 20 on the Proposed Priority List.

On a roll call, the vote was AYE: Mahone (1). NAY: Norment, Taylor, DePue, Edwards (4).

Mr. Norment made a motion to defer the Proposed Priority List until the second Board meeting in March.

After a short discussion, Mr. DePue asked that a letter be sent to the Commissioner of Highways about the Lake Powell Road situation.

On a roll call, the vote was AYE: Norment (1). NAY: Taylor, Mahone, DePue, Edwards (4).

Mr. Edwards made a motion to approve the Proposed Priority List for 1988, as submitted by staff.

On a roll call, the vote was AYE: Norment, Taylor, Mahone, DePue, Edwards (5). NAY: (0).

R E S O L U T I O N

THE SIX-YEAR SECONDARY ROAD PRIORITY LIST

WHEREAS, James City County, in conjunction with the Virginia Department of Transportation, has reviewed the needs for construction projects to improve the secondary road system within the County and has found numerous roads in need of improvements to eliminate deficiencies from state road standards, to reduce hazards to public safety and to provide adequate roadways for increasing traffic volumes; and

WHEREAS, the Board of Supervisors and the Resident Engineer of the Williamsburg Office of the Virginia Department of Transportation have jointly held a public hearing of the Six-Year Secondary Road Construction Priority List.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, the James City County Six-Year Secondary Road Construction Priority List dated February 1988 is established as the County's secondary road construction program priorities.

3. Case No. Z-30-87. Wessex Hundred Development, Inc.

4. Case No. SUP-41-87. Williamsburg Farms, Inc.

Staff advised that Mr. Robert Emmett, on behalf of Wessex Hundred Development, Inc., had applied to rezone approximately 369.30 acres from A-2, Limited Agricultural, to R-1, Limited Residential, with proffers, for 69 single-family units on 113 acres, 51 village cluster-style units on 24 acres, and 7 estate lots on 30 acres.

Mr. Emmett has also applied on behalf of Williamsburg Farms, Inc., for a special use permit on approximately 292.37 acres to allow for a 66-bedroom country inn with a restaurant, and swimming and tennis amenities, with conditions as listed in the resolution.

The Planning Commission, by unanimous vote, and staff recommended approval of both cases.

Mr. Edwards opened the public hearings.

1. Mr. Robert Emmett, representative for the applicants, summarized the areas for development and asked for the Board's approval of the cases.

Mr. Edwards closed the public hearings.

Mr. Mahone made a motion to approve Case No. Z-30-87.

On a roll call, the vote was AYE: Norment, Taylor, Mahone, DePue, Edwards (5). NAY: (0).

R E S O L U T I O NCASE NO. Z-30-87. WESSEX HUNDRED DEVELOPMENT, INC.

WHEREAS, in accordance with Section 15.1-431 of the Code of Virginia, and Section 20-15 of the James City County Zoning Ordinance, a public hearing was advertised, adjoining property owners notified and a hearing scheduled on Zoning Case No. Z-30-87 for rezoning approximately 369.30 acres from A-2, Limited Agricultural, to R-1, Limited Residential, with proffers on property identified as Parcels (1-10A) and (1-11) on James City County Real Estate Tax Map No. (48-4); and

WHEREAS, the Planning Commission following its public hearing on January 26, 1988, recommended approval of Case No. Z-30-87 with proffers, by a unanimous vote.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve Zoning Case No. Z-30-87 with proffers.

Mr. Mahone made a motion to approve Case No. SUP-41-87.

On a roll call, the vote was AYE: Norment, Taylor, Mahone, DePue, Edwards (5). NAY: (0).

R E S O L U T I O NCASE NO. SUP-41-87. WILLIAMSBURG FARMS, INC.

WHEREAS, the Board of Supervisors of James City County has adopted by ordinance specific land uses that shall be subjected to a special use permit process; and

WHEREAS, the Planning Commission of James City County, at their January 26, 1988, meeting, by a unanimous vote recommended approval of Case No. SUP-41-87 with conditions.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County does hereby approve the issuance of Special Use Permit No. SUP-41-87 as described herein with the following conditions.

1. Approximately 200 acres of this parcel shall be reserved, as shown on the proposed Land Use Plan, as "pasture land reserved for agricultural and recreational use," and recorded in a manner approved by the County Attorney.
2. Lake Powell Road, from Marclay Road to the approved entrance to the property, shall be improved within the existing right-of-way with an additional two feet of paving in conformance with plans approved by the Virginia Department of Transportation prior to final site plan approval for the proposed inn.
3. This special use permit shall be valid only for an inn with a maximum of 66 rooms, including a restaurant, and swimming and tennis amenities.
4. The total site area of the inn and its associated swimming and tennis amenities shall not occupy more than five acres of the overall parcel.
5. If construction has not begun within 24 months from the date of issuance of this permit, it shall be void. Construction shall be defined as clearing, grading, excavation and pouring of footings required for construction of the facility allowed by the permit.

5. Case No. CP-1-88. Skiffe's Creek Land Use Definitions

Staff recommended approval of the proposed land use designations and definitions for Skiffe's Creek Industrial Development Area only. The Planning Commission recommended approval of the staff proposal.

Mr. Edwards opened the public hearing, and as no one wished to speak, he closed the public hearing.

Mr. Edwards made a motion to approve Case No. CP-1-88.

On a roll call, the vote was AYE: Norment, Mahone, DePue, Edwards (4). NAY: Taylor (1).

R E S O L U T I O N

COMPREHENSIVE PLAN AMENDMENT CASE NO. CP-1-88. SKIFFE'S CREEK

PLAN DEFINITIONS: COMPREHENSIVE PLAN AMENDMENT

WHEREAS, the Board of Supervisors adopted the Skiffe's Creek Industrial Area Development Plan on November 4, 1985, (Case No. CP-4-85) as an amendment to the 1982 Comprehensive Plan Update; and

WHEREAS, the Skiffe's Creek Land Use Map superseded the 1982 Land Development Concept Map as it pertains to the Skiffe's Creek Study area; and

WHEREAS, evaluation of development plans requires definition of the land use designations used in the plan; and

WHEREAS, in accordance with Section 15.1-453 and Section 15.1-431 of the Code of Virginia, public hearings were scheduled and held on January 26, 1988, for amending the Land Use Definitions of the Comprehensive Plan of James City County by adopting the recommendations as put forth on January 26, 1988, for the Skiffe's Creek Industrial Area Plan; and

WHEREAS, the Planning Commission, following its public hearings, recommended approval of Case No. CP-1-88.

NOW, THEREFORE, BE IT RESOLVED that the Land Use Element of the Comprehensive Plan be amended to include the land use designations defined in Attachment A, for the terms "Skiffe's Creek Residential," "Townhouse/Apartment," "Office," "Lodging," "Light Industrial" and "Skiffe's Creek Industrial."

BE IT FURTHER RESOLVED that the new Land Use definitions for "Skiffe's Creek Residential," "Townhouse/Apartment," "Office," "Lodging," "Light Industrial" and "Skiffe's Creek Industrial" and the existing designations and definitions of "Commercial," "Park, Public or Semipublic Open Space," "State, Federal or County Land" and "Conservation Area" be applied to the Skiffe's Creek Industrial Development Area as shown in Attachments A and B.

6. Amendment to Chapter 3, Section 3-3, Vaccination of Dogs

Staff recommended approval of the proposed ordinance amendment that would allow the purchase of a dog license if the certificate of vaccination for rabies is valid until July 1, or later, in the license year.

Mr. Edwards opened the public hearing, and as no one wished to speak, he closed the public hearing.

Mr. Mahone made a motion to approve the amendment of Chapter 3.

On a roll call, the vote was AYE: Taylor, Mahone, DePue (3). NAY: Norment, Edwards (2).

7. Amendment to Chapter 8, Section 8-14, County Refuse and Containers

Staff recommended approval of the proposed ordinance amendment to include criminal sanctions against any employee, agent, or servant of the licensed owner of a trash hauling business who places trash in a container.

Mr. Edwards opened the public hearing.

1. Mr. Edwin Oyer, 139 Indian Circle, stated there was a need for information signs, showing permitted items for dumping, at trash containers.

Mr. Edwards closed the public hearing.

Mr. Norment made a motion to approve the ordinance amendment.

A short discussion of the legal language of the ordinance ensued.

On a roll call, the vote was AYE: Norment, Taylor, Mahone, DePue, Edwards (5). NAY: (0).

D. CONSENT CALENDAR

Mr. Edwards asked if any Board member wished to remove any item from the Consent Calendar.

Mr. DePue made a motion to approve the Consent Calendar.

On a roll call, the vote was AYE: Norment, Taylor, Mahone, DePue, Edwards (5). NAY: (0).

1. Day Care Fee SystemR E S O L U T I O NAPPROPRIATION TO THE SOCIAL SERVICES DEPARTMENT

WHEREAS, the State Department of Social Services has provided supplemental funding to render additional services through the Day Care Fee System Program (Account No. 007-083-5721) of the local Department of Social Services. Local matching funds will be transferred from Account No. 007-083-5719.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the following appropriation amendments:

Revenues:

Revenue From the Commonwealth	\$13,798
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Expenditures:

Child Day Care Fee System (007-083-5721)	\$15,331
Local Match (007-083-5719)	(\$1,533)

2. Contingency Fund ReimbursementR E S O L U T I O NREIMBURSEMENT OF CONTINGENCY

WHEREAS, the Contingency Fund was utilized to provide funds in the amount of \$12,800 to allow the procurement of lightning protection devices; and

WHEREAS, the Board has requested that the Contingency Fund be reimbursed.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors hereby authorizes the following budget transfers:

To:

Operating Contingency	(01-193-0705)	\$12,800
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From:

EMS	(01-072-0110)	\$ 3,000
Refuse Disposal	(01-108-0228)	3,000
Facilities Management	(01-141-0440)	3,800
Recreation Center	(01-156-0318)	<u>3,000</u>
		\$12,800

E. BOARD CONSIDERATIONS

1. 1988 Preallocation Hearing

Staff recommended Board approval of the priorities listed in the resolution, and requested a member of the Board to accompany a staff member to the preallocation meeting on March 30 in Suffolk.

Mr. DePue made a motion to approve the resolution.

The Board emphasized the importance of designating the completion of Route 199 as the highest priority.

On a roll call, the vote was AYE: Norment, Taylor, Mahone, DePue, Edwards (5). NAY: (0).

R E S O L U T I O N

HIGHEST PRIORITY HIGHWAY PROJECTS IN JAMES CITY COUNTY

WHEREAS, the James City County Board of Supervisors believes that a safe, efficient and adequate transportation network is vital to the future of the County and the region; and

WHEREAS, the James City County Comprehensive Plan and/or regional and State transportation plans and studies conclude that the following highway projects are essential to permit the safe and efficient movement of traffic in the Williamsburg-James City County area; and

WHEREAS, there exists a pressing need to implement the projects below in order to relieve traffic congestion which causes inconvenience and delay, impedes the actions of emergency vehicles and personnel, and contributes the major source of air pollution to the area; and

WHEREAS, public hearings for the corridor selection of Route 199 were successfully completed in 1979 and again in 1986, and the access point for the Grove Interchange on Interstate 64 was approved in 1979; and

WHEREAS, the Commonwealth Transportation Board has included funding for the Grove Interchange in the Six-Year Improvement Program, FY 87-FY 92, in recognition of the need for improved traffic circulation in the vicinity of Busch Gardens; and

WHEREAS, the Highway Commission has also recognized the tremendous traffic impacts caused by commercial development in the Lightfoot area by approving funding for the construction of Route 199 between Interstate 64 and Richmond Road (Route 60 West) in the FY 88-FY 93 Six-Year Program; and

WHEREAS, the adopted Skiffe's Creek Area Development Plan, incorporated into the Comprehensive Plan of James City County, designates new roadway construction bypassing hazardous portions of Pocahontas Trail (Route 60 East) and providing access to a major future industrial area.

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that the following list comprises the highest priority primary highway projects in James City County:

- o The design, construction and completion of Route 199 from Interstate 64 to John Tyler Highway (Route 5)
- o The extension of Monticello Avenue to the proposed extension of Route 199
- o The design of an alternate alignment of Pocahontas Trail (Route 60 East) between the Anheuser Busch access road and the Newport News city limits, with evaluation of the feasibility of constructing a future link to Interstate 64 in the vicinity of Route 238.
- o The funding and construction schedule of the Grove Interchange on Interstate 64 as programmed in the adopted 1987-92 Six-Year Improvement Program.

2. Private Streets

Staff recommended that the Board approve the resolution, and direct that the Subdivision Ordinance be revised to require acceptable certification that private street systems in planned communities and planned unit developments are constructed in accordance with approved plans.

During the short discussion, a response by staff to the comments contained in a memorandum from Magoon/Guernsey Architects, Inc., was requested.

Mr. Edwards made a motion to endorse Ms. Victoria Gussman's memorandum dated February 29, 1988, summarizing the conclusions and recommendations presented at the Board's work session on February 9, 1988.

On a roll call, the vote was AYE: Norment, Mahone, DePue, Edwards (4). NAY: Taylor (1).

Mr. DePue made a motion to approve the resolution.

Mr. Norment made a motion to change the wording in the second paragraph from "discourages" to "shall not encourage."

On a roll call, the vote was AYE: Norment, Mahone, DePue, Edwards (4). NAY: Taylor (1).

Mr. Edwards made a motion to approve the amended resolution.

On a roll call, the vote was AYE: Norment, Mahone, DePue, Edwards (4). NAY: Taylor (1).

R E S O L U T I O N

POLICY REGARDING PRIVATE STREETS

WHEREAS, it is acknowledged that private streets may present future maintenance problems detrimental to the welfare and safety of residents of James City County.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, shall not encourage the creation of private streets systems in future planned unit developments and planned residential communities.

F. PUBLIC COMMENT

1. Mr. Edwin Oyer, 139 Indian Circle, expressed some thoughts on the upcoming budget.

G. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Norman indicated a need for an executive session for legal, personnel and land acquisition, and reported that the public hearing for the budget will be held April 4, 1988.

H. BOARD REQUESTS AND DIRECTIVES

Mr. Mahone requested staff advertise for the vacancies on the Clean County Commission and the Cable Television Advisory Committee.

Mr. Mahone requested staff contact Gary Bromleigh, who spoke at the February 22, 1988, meeting regarding a basketball/volleyball facility in the City of Williamsburg, and advise the Board of the results.

Mr. Edwards noted that the minutes for February 22, 1988, included in the agenda package are action minutes.

Mr. Mahone asked the legal requirements for minutes.

Mr. Frank M. Morton, III, County Attorney, responded that the law requires the Board to keep minutes, which must reflect actions taken by the body.

Mr. Taylor made a motion to approve the recording of action minutes.

On a roll call, the vote was AYE: Norment, Taylor, DePue, Edwards
(4). NAY: Mahone (1).

Mr. Edwards made a motion to approve the minutes as presented.

On a roll call, the vote was AYE: Norment, Taylor, Mahone, DePue, Edwards (5). NAY: (0).

Mr. Edwards asked if the Board wished to discuss the Bicentennial Commission resolution.

Mr. DePue made a motion to postpone the issue until the March 21, 1988, meeting.

On a roll call, the vote was AYE: Norment, Taylor, Mahone, DePue, Edwards (5). NAY: (0).

Mr. Edwards made a motion to recess for a break and for an executive session for legal, personnel, and land acquisition matters pursuant to Section 2.1-344(a)(1)(2)(6) of the Code of Virginia, 1950, as amended.

On a roll call, the vote was AYE: Norment, Taylor, Mahone, DePue, Edwards (5). NAY: (0).

The Board recessed at 9:12 p.m.

The Board reconvened into open session at 10:32 p.m.

Mr. Edwards made a motion to reappoint Raymond Philip to a four-year term on the Transportation Safety Commission, term expiring May 1, 1992; and Robert J. Deeds to a three-year term on the Clean County Commission, term expiring May 20, 1991.

On a roll call, the vote was AYE: Norment, Taylor, Mahone, DePue, Edwards (5). NAY: (0).

Mr. Taylor made a motion to adjourn.

On a roll call, the vote was AYE: Norment, Taylor, Mahone, DePue, Edwards (5). NAY: (0).

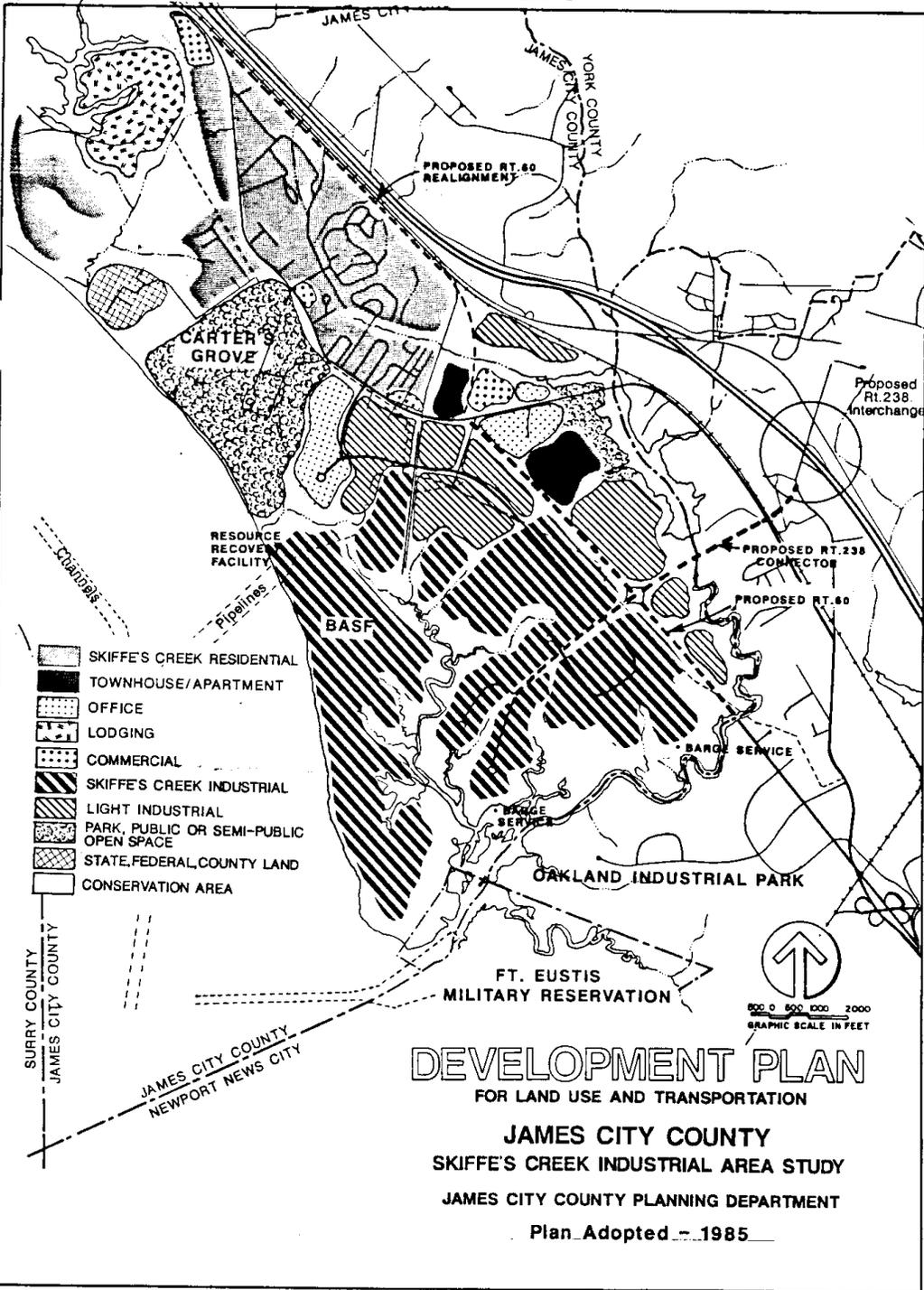
The Board adjourned at 10:34 p.m.



David B. Norman
Clerk to the Board

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SKIFFE'S CREEK LAND USE DEFINITIONSADOPTED MARCH 19881. SKIFFE'S CREEK RESIDENTIAL:

This designation includes areas of residential development or land suitable for such developments with densities of up to two dwellings per acre depending on the character and density of surrounding development, physical attributes of the property, buffers and the number of dwellings in the proposed development. In general, low density residential areas are located in the Primary Service Area and are located where natural characteristics such as terrain and soils are suitable for residential development. Low density residential areas are located so that public services and utilities exist or are expected to be expanded to serve the sites over the next 20 years. Timing of the development of particular sites within low density areas will depend upon the availability of utilities and the capacity of roads and other public services. Suggested types of uses include: single-family homes and cluster housing.

2. TOWNHOUSE/APARTMENT:

Townhouse/Apartment areas are residential developments or land suitable for such developments with overall densities from two dwellings per acre up to six dwelling units per acre, depending on the character and density of surrounding development, physical attributes of the property, buffers and the number of dwellings on the proposed development. The location criteria for townhouse/apartments residential development requires that these developments be located in the Primary Service Area where utilities are available. Optimum sites are near the intersections of collector streets; have natural characteristics such as terrain and soils suitable for compact residential development; and provide sufficient buffering so that the higher density development is compatible with nearby development. Timing of the development of particular townhouse/apartment sites will depend upon the availability of public utilities and the capacity of roads and other public services. Suggested types of uses are attached single-family units, townhouses, apartments, condominiums, cluster housing and community oriented public facilities.

3. OFFICE:

Areas of general professional office activities, with local markets and usually having only a modest impact on nearby development. Office Use usually require access to collector streets; small to moderate sized sites; public water and sewer service; environmental features such as soils and topography suitable for compact development for office parks; and adequate buffering by physical features or adjacent uses to protect nearby residential and conservation areas. The timing of office developments is controlled by growth of nearby uses adequate to provide a market for office uses; availability of public water and sewer or acceptable alternatives; and, capacity of roads to handle the increased traffic created by the office uses. Suggested types of uses are medical offices, branch banks, small service establishments, planned business parks, low-rise office condominiums, other related professional services and public facilities.

4. LODGING:

Lodging areas are characterized by commercial uses providing lodging facilities. Lodging uses usually require frontage with safe access to a primary highway, public water and sewer service; and moderate to large sized sites with environmental characteristics such as soils and topography suitable for intense development. These areas are typically located in proximity to major tourist attractions or to similar tourist commercial uses. Timing of lodging development is controlled by growth in attendance at major tourist attractions or development of new attractions, growth of office and business uses; availability of public water and sewer service; and the capacity of the roads to handle the additional traffic. Suggested types of uses are hotels, lodges, conference centers, motels, and accessory uses such as restaurants, gift shops, antique stores and museums.

5. LIGHT INDUSTRIAL:

Light Industrial uses are uses pertaining to light assembly plants, service industries, warehousing, etc., that are small to moderate in size and have moderate impacts on the surrounding area. Light Industrial uses ordinarily require access to primary roads or major collector streets, public water and sewer, nearby police and fire protection, moderate sized sites, environmental features such as soils and topography suitable for intense development, adequate buffers from nearby residential or conservation areas. All uses and activities have to be enclosed. Suggested types of uses are warehouses, electronics - assembly and distribution centers, light industrial condominium projects, general offices associated with industrial uses, fire stations and other public facilities.

6. SKIFFE'S CREEK INDUSTRIAL:

"Skiffe's Creek Industrial" uses describes areas suitable for large industrial uses which, because of potential adverse effects such as noise, dust, odor, etc., require buffering from adjoining uses. These uses usually require access to interstate and primary highways; access to rail service; public water and sewer; adequate supply of electric power and other energy sources; access to a sufficient labor supply; and moderate to large sized sites with natural features such as soils, topography and buffering suitable for intense development. Timing for the development of major industries is controlled by growth in regional markets, availability of skilled labor, and the capacities of public facilities - especially sewer, water, fire protection and roads. Suggested types of uses include wood working textiles, pharmaceutical (organic), and manufacturing/processing/fabricating operations that avoid adverse effects on the Skiffe's Creek reservoir watershed. Expected activity includes high technology industrial parks, industrial condominium projects, planned industrial communities, as well as fire stations and other public facilities.

7. COMMERCIAL:

All areas designated as General Commercial in the Skiffe's Creek Area Industrial Development Plan.

8. PARK, PUBLIC OR SEMIPUBLIC OPEN SPACE:

All areas designated as Park/Open Space in the Skiffe's Creek Area Industrial Development Plan.

9. STATE, FEDERAL, COUNTY LAND:

All areas designated as Public/Semipublic in the Skiffe's Creek Area Industrial Development Plan.

10. CONSERVATION AREA:

All areas designated as Permanent Open Space in the Skiffe's Creek Area Industrial Development Plan.

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MAR 7 1988

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BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 3, ANIMALS AND FOWL, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, ARTICLE II, DOGS; SECTION 3-3, VACCINATION OF DOGS; LICENSE OF DOGS.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 3, Animals and Fowl, is hereby amended and reordained by amending Section 3-3, Vaccination of dogs; license of dogs.

Chapter 3. Animals and Fowl.

Article II. Dogs.*

Section 3-3. Vaccination of dogs; license of dogs.

(a) It shall be unlawful for any person to own, keep, hold or harbor any dog over the age of six (6) months within the county, unless such dog shall have been vaccinated by a licensed veterinarian with a modified live virus rabies vaccine approved by the state department of health within a period of thirty-six (36) months or with a killed rabies vaccine approved by the state department of health within a period of twelve (12) months. If, however, such vaccination would threaten the physical well-being of such dog, the owner of such dog shall obtain a certificate, signed by a licensed veterinarian, certifying such fact, and the owner shall keep such dog in quarantine until the same is vaccinated.

(b) Any person transporting a dog into the county from some other jurisdiction shall comply with the requirements of subsection (a) of this section within thirty (30) days subsequent to bringing such dog into the county.

(c) A veterinarian vaccinating a dog as required by this section shall issue to the owner of the dog a certificate of vaccination showing:

*State law reference, Authority of Local Governing Bodies and Licensing of Dogs, Code of Va., Section 3.1-796.84 et seq.

- (1) Date of vaccination;
- (2) Sex and breed of the dog;
- (3) The dog's weight, color and marks;
- (4) Rabies tag number;
- (5) Name of the owner;
- (6) Amount and kind of vaccine injection; and
- (7) Method of injection.

(d) Every owner or custodian of a dog over the age of six (6) months owned, possessed or kept in the County of James City shall obtain a dog license by making oral or written application with the county treasurer, or his designee.

(e) Each application for a dog license shall be accompanied by the amount of license tax required by this chapter and a certificate of vaccination for rabies which shall not expire prior to July 1st of the license period; provided, however, a 12 month certificate of vaccination shall be accepted even if the expiration of the certificate of vaccination occurs prior to July 1st of the license period. (8-10-64, Section 1; Ord. No. 7A-6, 8-10-81; Ord. No. 7A-8, 11-19-84; Ord. No. 7A-10, 7-7-86; Ord. No. 7A-11, 12-1-86)



Jack D. Edwards, Chairman
Board of Supervisors

ATTEST:


David B. Norman
Clerk to the Board

SUPERVISOR	VOTE
NORMENT	NAY
TAYLOR	AYE
MAHONE	AYE
DEPUE	AYE
EDWARDS	NAY

Adopted by the Board of Supervisors of James City County, Virginia,
this 7th day of March, 1988.

MAR 7 1988

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 8, HEALTH AND SANITATION, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, ARTICLE II, LANDFILL ORDINANCE; SECTION 8-14. COUNTY REFUSE CONTAINERS.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 8, Health and Sanitation, is hereby amended and reordained by amending Section 8-14, County refuse containers.

Chapter 8. Health and Sanitation.

Article II. Landfill Ordinance.

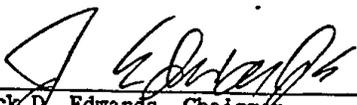
Section 8-14. County refuse containers.

Refuse containers shall be provided by the county at various locations to supplement existing private collection services as needed. The usage of said containers shall be governed by the following provisions and any other regulations as the board of supervisors or the director may establish:

(a) Permitted and Prohibited Use:

- (1) Permitted uses. County refuse containers or dumpsters are to be used for the deposit and storage of household trash and garbage only.
- (2) Prohibited materials. It shall be unlawful to deposit any of the following materials into county refuse containers or dumpsters:
 - (a) Bulky waste.
 - (b) Building and demolition debris.
 - (c) Hazardous waste.
 - (d) Commercial and industrial refuse.
 - (e) Dead animals.
 - (f) Waste brought in from outside James City County.

- (3) Abuse of containers and container sites. It shall be unlawful to tamper with, overturn or otherwise damage refuse containers. Additionally, it shall be unlawful to litter container sites, create any health problems thereon or to place any refuse outside of, on top of or adjacent to any refuse container. If a container is filled, the trash must be placed in another refuse container which is not filled or taken to the county landfill site.
 - (4) Scavengers and loiterers prohibited. It shall be unlawful for any person to engage in salvage work or to loiter on any container site owned, leased or used by the county.
 - (5) Refuse collectors. No person engaged in the business of collecting, transporting or disposing of garbage or trash, nor any employee, agent, or servant thereof, shall dispose such refuse in any county containers. Private refuse collectors shall transport collected refuse to the county landfill for disposal therein or to another approved location.
- (b) Administration and Enforcement. The director shall have the authority to implement and enforce the provisions herein contained and to promulgate any procedures, rules and regulations as may be deemed necessary.
(Ord. No. 116A-4, 9-14-81; Ord. No. 116A-7, 3-12-84)



 Jack D. Edwards, Chairman
 Board of Supervisors

ATTEST:



 David B. Norman
 Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
NORMENT	AYE
TAYLOR	AYE
MAHONE	AYE
DEPUE	AYE
EDWARDS	AYE

Adopted by the Board of Supervisors of James City County, Virginia,
this 7th day of March, 1988.

AGREEMENT

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WHEREAS, David M. Murray and Anne F. Murray, husband and wife, i record title owners of certain real property in James City County, Virg (hereinafter called "the Property") and have delivered a deed transferring title Parcel A (defined below) to Wessex Hundred Development, Inc., a Virginia corporation, (David M. Murray and Anne F. Murray, husband and wife, and Wessex Hundred Development, Inc. hereinafter called collectively "the Owner") and the Property being more particularly described as follows:

All that certain lot, piece or parcel of land situate in James City County, Virginia, more fully shown and described as Parcels A and B, totalling 369.30 A±, on a plat entitled "Map of Wessex Hundred", dated July 22, 1988, said plat being attached hereto and made a part hereof.

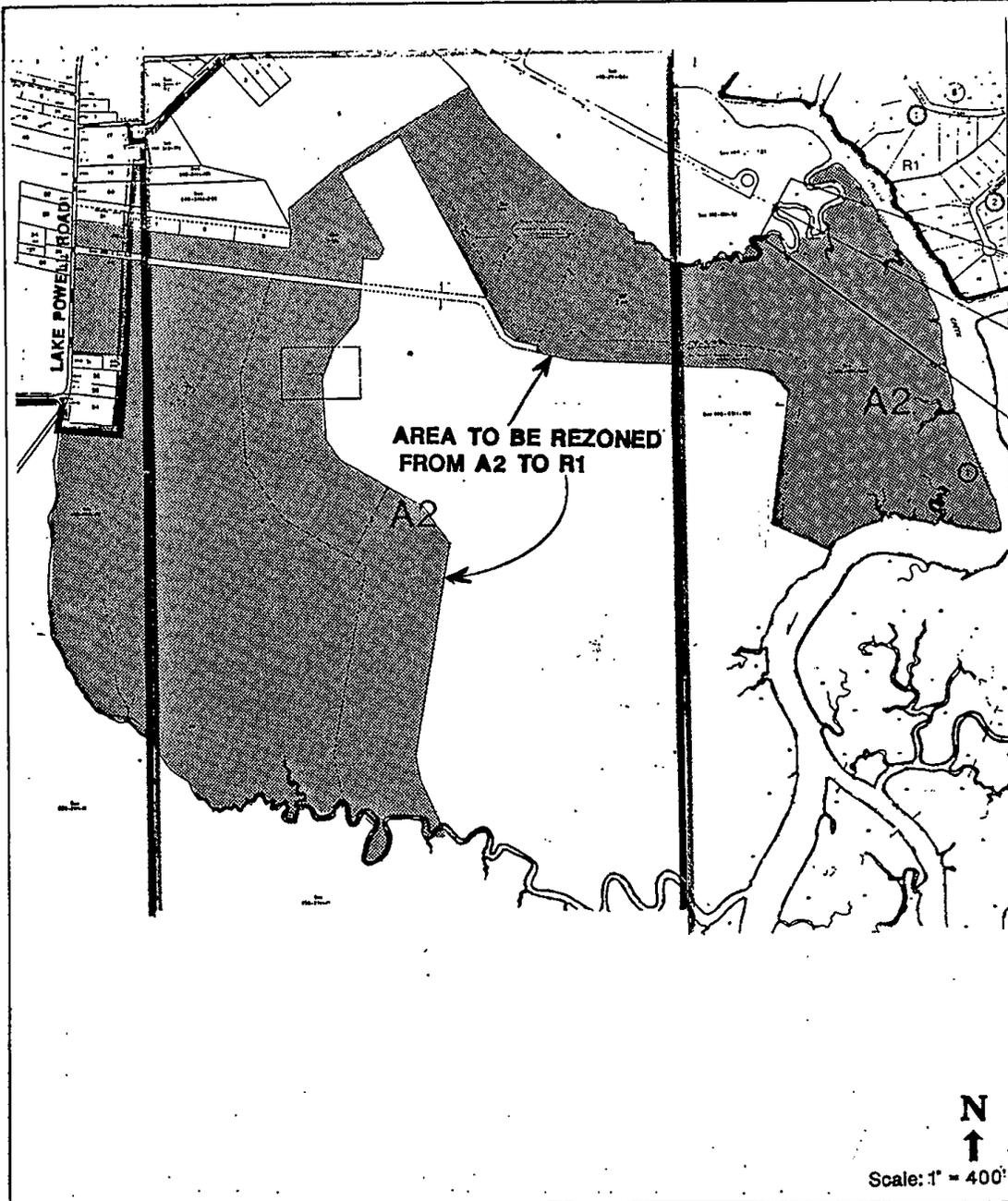
WHEREAS, the Owner has applied for rezoning of the property from the Limited Agricultural District, A-2, to the Limited Residential District, R-1; and

WHEREAS, the County of James City (hereinafter the "County") may be unwilling to rezone the Property from the Limited Agricultural District, A-2, to the Limited Residential District, R-1, because the Limited Residential District, R-1, zoning regulations may be deemed inadequate for the orderly development of the Property, because competing and incompatible uses may conflict; and

WHEREAS, more flexible and adaptable zoning methods are deemed advisable to permit the use of the Property; and

WHEREAS, the Owner is desirous of offering certain conditions for the protection of the community that are not applicable to land similarly zoned in addition to the regulations provided for in the Limited Residential District, R-1.

NOW, THEREFORE, this agreement witnesseth that for and in consideration of the County of James City rezoning the Property from the Limited Agricultural District, A-2, to the Limited Residential District, R-1, and pursuant to Section 15.1-491.1, et seq of the Code of Virginia, 1950, as amended and Section 20-15, et seq of Chapter 20



Case #: Z-30-87
 Name: WESSEX HUNDRED, INC.

JAMES CITY COUNTY/DEPARTMENT OF PLANNING & DEVELOPMENT

of the Code of James City County, Virginia, the Owner agrees that in addition to the regulations provided for in the Limited Residential District, R-1, it will meet and comply with all of the following conditions for the development of the Property.

CONDITIONS

1. On that portion of the Property identified on the above-described plat as "A" being approximately 222.52 A±, there shall be no more than one hundred twenty (120) residential units.
2. On that portion of the Property identified on the above-described plat as "B" being approximately 146.78 A±, there shall be no more than seven (7) residential units.
3. As part of the approval of any subdivision plan for the said parcel "A", the Owner shall provide recreational amenities for the community created by the said 120 residential units as follows: swimming pool; two tennis courts; clubhouse; and a five-mile nature trail by agreement with the adjoining property owner, Williamsburg Farms, Inc. Such amenities shall be bonded as part of the public improvements covered by the subdivision agreement and completed within one (1) year of recordation of the subdivision establishing seventy (70) or more residential units.
4. That all lots abutting areas designated as "wetlands" as determined and approved on the subdivision plat by the Planning Commission shall have, at a minimum, a seventy-five-foot building setback from the said wetland area.
5. That no certificates of occupancy shall be issued for any of the above-described residential units unless and until Lake Powell Road from Marclay Road to the approved entrance to the Property has been improved within the existing right-of-way with an additional two feet of paving in conformance with plans approved by the Virginia Department of Transportation.
6. Prior to any subdivision of the Property, the Owner, at its expense, shall cause to be prepared a comprehensive drainage study of the Property and implementation schedule of drainage improvements for review and approval by the County Director of Code Compliance.

7. Upon approval of the drainage study and implementation schedule, the Owner shall be obligated to incorporate the recommendations of the study in the subdivision of the Property and adhere to the approved implementation schedule to the County.

8. Entrance turn lane(s) to the Property as set forth in a certain traffic analysis by Langley & McDonald submitted to the County with the subject rezoning request from Lake Powell Road shall be built at Owner's expense before any certificates of occupancy shall be issued for any of the above-described residential units.

Wessex Hundred Development, Inc.

By: Robert Emmett III, President

David M. Murray
David M. Murray

Anne F. Murray
Anne F. Murray

STATE OF VIRGINIA

CITY/COUNTY OF Williamsburg to-wit:

The foregoing instrument was acknowledged before me this 2nd day of September, 1988, by Robert Emmett III, President

of Wessex Hundred Development, Inc., on behalf of the corporation.

A. Elizabeth Cheney
Notary Public



My commission expires July 7, 1990.

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STATE OF VIRGINIA

CITY/COUNTY OF Newport News, to-wit:

The foregoing instrument was acknowledged before me this 2nd day of September, 1988 by David M. Murray and Anne F. Murray.

Gary Dooley
Notary Public

My commission expires November 29, 1988.

I WAS COMMISSIONED: Gary Dooley

VIRGINIA: City of Williamsburg and County of James City, to wit:
In the Clerk's office of the Circuit Court of the City of Williamsburg and County of James City the 6th day of September, 1988. This Agreement was presented with certificate annexed and admitted to record at 2:59 o'clock
Teste: Helene S. Ward, Clerk
by Helene S. Ward
Deputy Clerk



PLAT RECORDED IN
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