

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 22ND DAY OF DECEMBER, 1998, 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
David L. Sisk, Vice Chairman, Roberts District

John J. McGlennon, Jamestown District
Ronald A. Nervitt, Powhatan District
M. Anderson Bradshaw, Stonehouse District
Sanford B. Wanner, County Administrator
Frank M. Morton, III, County Attorney

B. PUBLIC COMMENT

1. Mr. Mark Ailsworth, 108 James River Drive, on behalf of the Williamsburg Builders Association, stated that that organization wanted to participate as a resource in the upcoming study of purchase of development rights.

C. PRESENTATIONS

1. Spanish Club, Norge Elementary, Rosa Mayes

Ms. Rosa Mayes led a group of school-age children in the singing of several songs in the Spanish language.

2. 1998 Chairman's Award

Mr. Edwards read and presented a citation and gift certificate for the 1998 Chairman's Award to Mr. John T. Robins, James City Service Authority, in appreciation for his efforts in renovation of a home for a family in need.

Mr. Robins thanked the Board.

D. HIGHWAY MATTERS

Mr. Quintin Elliott, Williamsburg Resident Engineer, Virginia Department of Transportation (VDOT), and James Brewer, Williamsburg Assistant Resident Engineer, were available for questions.

Mr. McGlennon asked the status of request for replacement of reflectors on Jamestown Road (Route 31).

Mr. Elliott responded that that request would be included in a contract which was being prepared for the entire District.

E. CONSENT CALENDAR

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

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

On a roll call, the vote was: AYE: Sisk, McGlennon, Bradshaw, Nervitt, Edwards (5). NAY: (0).

- 1. Minutes of Regular Meeting November 24, 1998; Work Session, December 2, 1998; and Regular Meeting, December 8, 1998
- 2. Budget Amendment - Emergency Services

RESOLUTION

BUDGET AMENDMENT - EMERGENCY SERVICES

WHEREAS, the Board of Supervisors of James City County has been requested to approve the reimbursement by the Virginia Department of Emergency Services to James City County Office of Emergency Services for annual operations.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby amends the FY 99 Operating Budget, as follows:

Revenues:

Department of Emergency Services	<u>\$16,380</u>
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Expenditures:

Emergency Services - 001-073-0318	<u>\$16,380</u>
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- 3. Dedication of Street in James River Commerce Center

RESOLUTION

DEDICATION OF STREET IN JAMES RIVER COMMERCE CENTER

WHEREAS, the street described on the attached Additions Form SR-5(A), fully incorporated herein by reference, is shown on plats recorded in the Clerk's Office of the Circuit Court of James City County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the street meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation; and

WHEREAS, the County and the Virginia Department of Transportation have entered into an agreement on November 1, 1993, for comprehensive stormwater detention which applies to this request for addition.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby requests the Virginia Department of Transportation to add the streets described on the attached Additions Form SR-5(A) to the secondary system of State highways, pursuant to §33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements.

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

F. PUBLIC HEARINGS

1. Appropriation to Police Department - Bureau of Justice Assistance

Mr. Robert C. Key, Chief of Police, stated that the Bureau of Justice Assistance grant was in the amount of \$20,872, designated for procuring equipment, technology, and other material directly related to basic law enforcement functions.

Staff recommended approval.

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

Mr. Sisk made a motion to approve the resolution.

RESOLUTION

APPROPRIATION TO THE POLICE DEPARTMENT

WHEREAS, the Bureau of Justice Assistance has approved a grant to provide \$20,872 to the Police Department for Law Enforcement equipment and technology; and

WHEREAS, sufficient local matching funds are available in the Police Department budget.

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

Revenue:

From Bureau of Justice Assistance \$20,872

Expenditures:

Police Department Budget \$20,872

2. Case No. ZO-9-98. Zoning Ordinance Amendment/Exterior Signs (Continued from November 24, 1998)

Mr. Matthew W. Maxwell, Senior Planner, stated that action was deferred at the Board of Supervisors' November 24, 1998, meeting for additional information.

Mr. Maxwell outlined the revisions and stated that Section 24-74(18) Flags had been removed from the previously proposed ordinance to be brought back at a later date.

The Planning Commission, by a vote of 5-1, recommended approval of the ordinance.

Staff recommended approval of the ordinance, with exception being Section 24-74(18) Open House Realtor Signs.

Mr. Edwards opened the public hearing.

1. Mr. Jim Etchberger, 101 Jesters Lane, spoke in favor of Open House signs and requested that builders also be allowed to post Open House signs. He spoke in opposition to exterior lighted signs facing residential areas near shopping centers.

2. Mr. R. M. Hazelwood, Jr., Old Stage Road, Toano, spoke in opposition to the identification tag criteria for Open House signs as an additional expense and rule.

Mr. Edwards closed the public hearing.

Board and staff discussion ensued regarding open house signs for partially constructed structures and rationale for identification tags for Open House Realtor signs.

Mr. Bradshaw made a motion to approve the ordinance.

Mr. Edwards made a motion to delete (18) of Section 24-74 dealing with Open House Realtor signs.

The Board discussed how the directional signs would apply to other businesses; open house signs were for unique form of commerce and assisted customers in location of address; and covenants of certain subdivisions prohibit signs.

On a roll call, the vote was: AYE: Sisk, Bradshaw, Nervitt (3). NAY: McGlennon, Edwards (2).

Mr. Bradshaw suggested language be added to Section 24-74(18)(f) ...under the direction of on-site representative of the owner.

The Board discussed limiting the open house signs to days and hours with guidelines provided to Realtors.

Mr. Bradshaw made a motion to add to Section 24-74(18)(f) ...under the direction of on-site representative of the owner.

On a roll call, the vote was: AYE: Sisk, McGlennon, Bradshaw, Nervitt, Edwards (5). NAY: (0).

Mr. Bradshaw made a motion to approve the ordinance as amended.

On a roll call, the vote was: AYE: Sisk, McGlennon, Bradshaw, Nervitt (4). NAY: Edwards (1).

3. Case No. ZO-17-98. Zoning Ordinance Amendment/Lots for Public Utilities (Continued from December 8, 1998)

Mr. Paul Holt, Senior Planner, stated this item was deferred at the December 8, 1998, Board of Supervisors meeting to allow staff to provide additional information regarding setback requirements for regulator stations and fences.

In concurrence with staff, the Planning Commission unanimously recommended approval of the ordinance amendment.

Mr. Edwards opened the public hearing.

1. Mr. Mark Rinaldi, 103 Leon Drive, expressed thanks to staff for explanation of required setbacks.

Mr. Edwards closed the public hearing.

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

On a roll call, the vote was: AYE: Sisk, McGlennon, Bradshaw, Nervitt, Edwards (5). NAY: (0).

4. Six-Year Secondary Road Plan

Mr. Matthew W. Maxwell, Senior Planner, stated that roads were identified by staff, Board of Supervisors and Virginia Department of Transportation with priority rankings based on traffic count, road conditions and the Comprehensive Plan.

Mr. Maxwell described the projects in priority order: Centerville Road from 0.137 km north of Brick Bat Road to 0.179 south of Brick Bat Road; Ironbound Road - Monticello Avenue to Longhill Connector Road; Longhill Road and Longhill Connector Road; Ironbound Road between Sandy Bay Road and Jamestown Road; Croaker Road, Route 607; Barnes Road, Route 601; Mount Laurel Road, Route 608; Bikeway Projects - Longhill Road and Ironbound Road; Monticello Avenue Extended (formerly known as Alternate Route 5; and Racefield Drive, Route 622. He further stated that Lake Powell Road had been removed from the Six-Year Plan.

In concurrence with staff, the Planning Commission unanimously recommended approval of the priority and funding schedule.

Discussion by the Board, staff, and VDOT representatives regarding Strawberry Plains Road, Sandy Bay Road and Jamestown Road, suggestion of a tunnel under the overpass on Croaker Road, roundabouts might be considered for a few intersections, striping for 4-H Club Road, whether Red Oak Landing would apply for six-year plan, and funding for Racefield Drive, followed.

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

Mr. Bradshaw made a motion to approve the resolution.

On a roll call, the vote was: AYE: Sisk, McGlennon, Bradshaw, Nervitt, Edwards (5). NAY: (0).

RESOLUTION

FY 2000 SIX-YEAR SECONDARY ROAD PLAN

WHEREAS, the Board of Supervisors of James City County, Virginia, has reviewed Secondary Roads Construction priorities proposed by the Virginia Department of Transportation (VDOT).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby approves the FY 2000 Secondary Roads Priority List and Plan dated December 9, 1998, and authorizes the County Administrator to approve VDOT budgets consistent with the approved Plan.

Mr. Edwards declared a 15-minute break at 8:43 p.m.

Mr. Edwards reconvened the Board at 8:58 p.m.

G. BOARD CONSIDERATIONS

1. Subdivision Street Width Request - Brandon Woods

Ms. Jill Schmidle, Planner, stated that Ms. Deborah S. Lenczeski of Langley and McDonald, on behalf of the Brandon Woods subdivision, had requested Board of Supervisors' approval of a request to Virginia Department of Transportation for a narrower street width along the main public road for the Brandon Woods cluster subdivision located off Route 5 and Ironbound Road. Ms. Schmidle further stated that a specific request made in writing for the reduction from 36 feet from curb to curb to 30 feet and a statement that sufficient off-street parking would be enforced was required.

Staff recommended approval of the resolution.

Ms. Deborah Lenczeski responded to Board questions of off-street parking, amount of paving required in both widths, amount of tree clearing required for off-street parking, traffic calming effect, increase of traffic using street for cut-through to Ironbound Road, number of vehicle trips per day, and timeliness of the contract.

Without objection, Mr. Edwards opened the floor to speakers.

1. Mr. Donald Milkavich, 4707 Wood Violet Lane, stated that the Virginia Department of Transportation traffic impact study was incorrect and the narrow street would become a major thoroughfare because no driveways would exit onto street. He also stated that the 30-foot width would be in violation of buffers in original proffers.

2. Mr. Lawrence Beamer, developer, spoke in support of the narrower street, stating that the developer would be unable to sell houses if the street became a thoroughfare. He further stated that buffers include open space and sufficient parking was being provided.

3. Mr. Mark Sexton, 8 Prestwick, stated narrow streets would not keep traffic from speeding.

Mr. McGlennon made a motion to defer the case for additional information until the January 12, 1999, Board of Supervisors meeting.

The Board requested responses to how much unpaved surface would be saved and how much land left undisturbed by the narrow street; questioned what the traffic volume would be; and asked whether the reduction in width was consistent with VDOT requirements in a subdivision.

On a roll call, the vote was: AYE: McGlennon, Bradshaw, Nervitt, Edwards (4). NAY: Sisk (1).

2. Fire Pumper Bid

Mr. Richard Miller, Fire Chief, stated that specifications for fire equipment were prepared and four bids received with the most responsible and responsive bid being from Pierce Manufacturing Inc.

Staff recommended approval of the resolution.

Mr. Nervitt made a motion to approve the resolution.

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On a roll call, the vote was: AYE: Sisk, McGlennon, Bradshaw, Nervitt, Edwards (5). NAY: (0).

RESOLUTION

AWARD OF FIRE EQUIPMENT CONTRACT

WHEREAS, funds are available in the Capital Improvement Program Budget for purchase of fire equipment; and

WHEREAS, bids for purchase of fire equipment were received on November 3, 1998, with Pierce Manufacturing submitting the lowest and most responsive bid of \$252,033.00

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby authorize the County Administrator to execute a contract between James City County and Pierce Manufacturing, Inc., in the amount of \$252,033.00

3. **Family Self-Sufficiency Social Worker Position**

Mr. Richard B. Hanson, Housing and Community Development Administrator, stated that recent actions of the United States government provided the opportunity to increase the number of low-income families assisted by the James City County Rental Assistance Program to 175. He further stated that the Social Worker would increase recruitment of new families into the Family Self-Sufficiency Program to meet Housing and Urban Development mandated participation levels and would enhance self-sufficiency and crisis intervention case management and training services for Section 8, Homeless Intervention and other housing program customers.

Staff recommended approval of the resolution.

Mr. Sisk made a motion to approve the resolution.

On a roll call, the vote was: AYE: Sisk, McGlennon, Bradshaw, Nervitt, Edwards (5). NAY: (0).

RESOLUTION

CONVERSION OF SOCIAL WORKER POSITION TO FULL-TIME LIMITED-TERM AND

AMENDMENT OF COMMUNITY DEVELOPMENT FUND BUDGET

WHEREAS, the Virginia Housing Development Authority has increased the annual allocation of Section 8 rental assistance budget authority to James City County's Rental Assistance Program; and

WHEREAS, the law and regulations which govern the Section 8 rental assistance program have been revised to increase the number of families which may be assisted by the annual allocation of Section 8 rental assistance budget authority; and

WHEREAS, the services of a Social Worker on a full-time basis are required to maximize the number of families who are provided assistance by the James City County Rental Assistance Program and to assure that a Family Self-Sufficiency Program is operated in conformance with Federal regulations.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, change the position of part-time Social Worker (Family Self-Sufficiency) in the Division of Social Services to a full-time limited-term Social Worker Position to be shared between the Division of Social Services and the Office of Housing and Community Development, effective January 1, 1999.

BE IT FURTHER RESOLVED that the Community Development Fund Budget be amended as follows:

Additional Revenue:

Section 8 -- Administration \$9,250

Additional Expenditures:

Personnel Expenses \$9,250

4. Building A Heating and Air Conditioning System

Mr. John E. McDonald, Manager of Financial and Management Services, stated that the Government Center Building A air conditioning, ventilation and heating (HVAC) system was 20 years old and in need of replacement. He further stated that bids were sought to replace most of the major components except the duct work and relocate and enlarge the fresh air intake.

Mr. McDonald stated that the lowest responsive bid was received from Damuth Services in the amount of \$106,394.

Staff recommended approval of the resolution.

Mr. Bradshaw made a motion to approve the resolution.

On a roll call, the vote was: AYE: Sisk, McGlennon, Bradshaw, Nervitt, Edwards (5). NAY: (0).

RESOLUTION

BUILDING A HEATING AND AIR CONDITIONING SYSTEM

WHEREAS, the heating, ventilation and air conditioning (HVAC) system in Building A at the Government Center, originally installed in 1978 when the building was constructed, has had a recent history of increasing maintenance costs and has been identified as the most probable source of noxious and unhealthy gasses in the building; and

WHEREAS, the expeditious replacement of components of the HVAC system will reduce expected annual maintenance costs, provide more efficient heating and cooling, eliminate several suspected sources of gasses and increase the balance of fresh air entering the building with resulting improvements in air quality; and

WHEREAS, recent bids have been received in response to a request for proposal to replace certain components of the HVAC system and these bid results have been presented to the Board.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes and directs the County Administrator to accept the lowest responsible bid for the replacement of components of the Building A HVAC system, in accordance with the presentation of the bid results, as long as the bid does not exceed \$120,000; and

BE IT FURTHER RESOLVED, that the Board of Supervisors hereby authorizes the appropriation and transfer of the following funds within the Capital Budget to fund this replacement:

CAPITAL BUDGET USES	20	
Building Improvements		<u>\$120,000.00</u>

SOURCE

Well Monitoring at Landfill	\$ 38,240.46
Bonds Proceeds - Refinancing	38,149.71
Receipts in Excess of Prior Budgets	<u>43,609.83</u>
	<u>\$120,000.00</u>

5. 1999 Board of Supervisors Calendar

Mr. Sanford B. Wanner, County Administrator, stated that the Board had requested the following revisions to the 1999 Board of Supervisors calendar: Change the November 24, 1999, Work Session to December 1, 1999; and change December from two regular meetings to one meeting on December 21, 1999.

Staff recommended approval.

The Board agreed to the revisions as recommended.

6. Purchase of Development Rights

Mr. Edwards made a motion that staff proceed with a study of purchasing development rights.

Board discussion followed regarding this program would not replace current programs; the need for public input; tax benefits to public to donate conservation easements; location of properties, acquisition and economic analysis.

On a roll call, the vote was: AYE: Sisk, McGlennon, Bradshaw, Nervitt, Edwards (5). NAY: (0).

H. PUBLIC COMMENT

1. Mr. Ed Oyer, 139 Indian Circle, spoke in commemoration of Mr. Robert Hornsby.

I. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Wanner recommended that the Board recess to a joint work session meeting of the Board of Supervisors and Planning Commission, Tuesday, January 5, 1999, at 7:00 p.m., Government Center Building C Board Room. He stated that a James City Service Authority meeting would follow adjournment.

J. BOARD REQUESTS AND DIRECTIVES

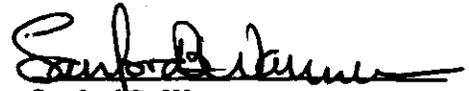
Mr. Bradshaw extended holiday greetings to Board, staff and citizens.

Mr. Edwards expressed pleasure for serving as Chairman in 1998 and thanked the Board for its compatibility.

Mr. Edwards made a motion to recess until January 5, 1999, 7:00 p.m. for a joint work session meeting with the Planning Commission.

On a roll call, the vote was: AYE: Sisk, McGlennon, Bradshaw, Nervitt, Edwards (5). NAY: (0).

The Board recessed at 10:05 p.m.


Sanford B. Wanner
Clerk to the Board

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DEC 22 1998

ORDINANCE NO. 31A-185

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 24, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY REPEALING ARTICLE II, SPECIAL REGULATIONS, DIVISION 3, EXTERIOR SIGNS, AND REPLACING IT WITH AN AMENDED ARTICLE II, SPECIAL REGULATIONS, DIVISION 3, EXTERIOR SIGNS.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 24, Zoning, is hereby amended and reordained by repealing Article II, Special Regulations, Division 3, Exterior Signs, and replacing it with an amended Article II, Special Regulations, Division 3, Exterior Signs, Section 24-65, Statement of intent; Section 24-66, Definitions; Section 24-67, Permits; Section 24-68, Content of signs; Section 24-69, Residential subdivision signs; Section 24-70, Freestanding signs; Section 24-71, Building face signs; Section 24-72, Review criteria for back-lit/channeled lettered signs within community character areas and along community character corridors; Section 24-73, Special regulations for certain signs; Section 24-74, Exemptions; Section 24-75, Prohibited signs; Section 24-76, Temporary signs; Section 24-77, Exceptions; Section 24-78, Abandoned signs; Section 24-79, Violations and penalties.

Chapter 24. Zoning

Article II. Special Regulations

Division 3. Exterior Signs

Sec. 24-65. Statement of intent.

The purpose of this article is to regulate exterior signs so as to protect the health, safety, and general welfare of the community; to protect property values; to protect the historic and natural character of the community; to protect the safety of the traveling public and pedestrians; to promote the creation of an attractive and harmonious community; and to ensure the equitable distribution of public space for the purpose of communication.

Sec. 24-66. Definitions.

For the purpose of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Back-lit or channeled lettered sign. Any sign in which only the letters, characters, or figures are internally lighted. The background of the sign shall be opaque and shall not be internally illuminated. The development review committee shall review and approve all back-lit or channeled lettered signs that are proposed within 150 feet of the existing or proposed right-of-way of a community character corridor or within a community character area.

Building face sign. Any sign attached to and erected parallel to the face of or erected or painted on the outside wall of a building and supported throughout its length by such wall or building and not extending more than 18 inches from the building wall.

Double-faced sign. A sign with two parallel or nearly parallel faces, back-to-back, and located not more than 24 inches from each other.

Flashing sign. An illuminated sign on which the artificial or reflected light is not maintained stationary or constant in intensity and/or color at all times when in use, and whose intermittent or sequential lights are used primarily to attract attention. Any sign which revolves or moves, whether illuminated or not, shall be considered a flashing sign. Signs which display only the time of day and temperature shall not be considered a flashing sign.

Freestanding sign. A sign not attached to or painted on a building, but which is affixed to the ground. A sign attached to a flat surface such as a fence or wall, not a part of a building, shall be considered a freestanding sign.

Gross sign area. That area within a line including the outer extremities of all letters, figures, characters and delineations, or within a line including the outer extremities of the framework or background of the sign, whichever line includes the larger area. The support for the sign background, whether it be columns, a pylon, or a building or part thereof, shall not be included in a sign area. Only one side of a double-faced sign shall be included in a computation of sign area. The area of signs with more than two faces shall be computed by multiplying one-half the circumference of the footprint of the sign by the height of the sign. The area of a cylindrical sign shall be computed by multiplying one-half of the circumference by the height of the sign.

Illuminated sign. Any sign designed to give forth artificial light or designed to reflect light from one or more sources of artificial light erected for the purpose of providing light for the sign.

Indirectly illuminated sign. A sign which does not produce artificial light from within itself, but which is opaque and backlighted or illuminated by spotlights or floodlights not a part of or attached to the sign itself.

Internally illuminated sign. A sign of translucent or transparent material with the source of illumination, exposed or shielded, enclosed within the face or supporting structure of the sign. This term shall not apply to a sign in which only the letters, characters, or figures are internally lighted and the background of the sign is opaque.

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Marquee sign. Any sign attached to or hung from a marquee. For the purpose of this article, a "marquee" is a covered structure projecting from and supported by a building with independent roof and drainage provisions and which is erected over a doorway or doorways as protection against the weather.

Projecting sign. A sign which is attached to and projects more than 18 inches from the face of a wall of a building. The term "projecting sign" includes a marquee sign.

Sign. A structure, display or device that is arranged, intended, designed or used as an advertisement, announcement, identification, description, information or direction.

Sec. 24-67. Permits.

The following regulations apply generally to all signs and are in addition to the regulations contained elsewhere in this chapter:

- (1) *Required application; inspection of signs.* No sign, unless herein exempted, shall be erected, constructed, structurally altered or relocated, except as provided in this article and in these regulations, until a permit has been issued by the administrator or his designee. Before any permit is issued, an application provided by the administrator or his designee shall be filed together with two sets of drawings and specifications, one to be returned to the applicant, as such may be necessary to advise and acquaint the administrator or his designee fully with the location in relation to adjacent buildings, construction, materials, manner of illuminating or securing or fastening, and number of signs applied for and the wording of the sign or advertisement to be carried on the sign.
- (2) *Electrical permit.* All signs which require electricity or are electrically illuminated shall require a separate electrical permit and an inspection.
- (3) *Permit time limit.* All signs shall be erected on or before the expiration of six months from the date of issuance of the permit, otherwise the permit shall become null and void and a new permit shall be required.
- (4) *Permit number.* Each sign requiring a permit shall be clearly marked with the permit number and the name of the person or firm placing the sign on the premises.
- (5) *Fees required.* For all sign permits, fees shall be required in accordance with section 24-7 of this chapter.

Sec. 24-68. Content of signs.

No exterior sign shall advertise a product, service, business activity or institution which occurs or is generally conducted, sold, manufactured, produced or offered elsewhere than on the premises where such sign is located. The content or advertising message carried by signs hereafter erected shall be limited to one or more of the following:

- (1) The identification of a building or its owners or occupants of the premises.

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- (2) Information concerning any lawful business-related activities on the premises and/or goods or services offered in connection therewith, or information concerning any lawful, nonbusiness, nonservice-related activities or messages on or off the premises.
- (3) Information concerning the sale, rental or lease of the premises.
- (4) Information on directional signs as prescribed in section 24-73 (e).

Sec. 24-69. Residential subdivision signs.

(a) *Requirements.* For identification of residential subdivisions, no sign intended to be read from any public right-of-way adjoining the district shall be permitted except for:

- (1) An identification sign, not exceeding 32 square feet in area, for each principal entrance. Such sign shall be bound by all other provisions of this section and shall also conform with the following criteria:
 - a. If freestanding, such sign shall not exceed a height of 15 feet above natural grade.
 - b. If illuminated and ground-mounted, the sign shall be illuminated by ground-mounted horizontal light bars/strips or ground-mounted spotlights. The ground-mounted lights shall be concealed by landscaping. In no case, shall the lamps or bulbs from any type of lighting be visible nor shall glare be cast upon any adjacent property, or public or private right-of-way.
 - c. If the sign is located at the corner of two rights-of-way, the sign may be placed no closer than ten feet to the corner property lines; or
- (2) Two identification signs for each principal entrance whereby the cumulative size of the signs at each entrance does not exceed 32 square feet in area. The signs shall be placed on each side of the principal entrance and shall also conform to the following criteria:
 - a. Each sign shall not exceed a height of eight feet above natural grade.
 - b. If illuminated and ground-mounted, the sign shall be illuminated by ground-mounted horizontal light bars/strips or ground-mounted spotlights. The ground-mounted lights shall be concealed by landscaping. In no case, shall the lamps or bulbs from any type of lighting be visible nor shall glare be cast upon any adjacent property, or public or private right-of-way.
 - c. If the signs are located at the corner of two rights-of-way, the signs may be placed no closer than ten feet to the corner property lines.

(b) *Special requirements for subdivision identification signs located within community character areas or along community character corridors.* The planning director shall review and approve residential subdivision signs, supporting structures, and entrance features to be placed within a community character area or along roads designated as community character corridors as identified by the James City County Comprehensive Plan. An applicant may appeal the decision of the planning director to the Development Review Committee (DRC). The appeal shall be in writing and shall document the reasons and justifications for such request. The DRC shall

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approve, deny, or conditionally approve the applicant's request based on the review criteria outlined in this section.

Plans indicating the location of the sign(s), supporting structure(s), location and type of landscaping, and entrance features relative to surrounding streets, lots, and other features of the subdivision shall be provided to the administrator or his designee along with the application and drawings as specified in section 24-67 (1).

In reviewing the plans for subdivision signs, supporting structures, and entrance features, the following criteria shall be considered in deciding whether to approve the residential subdivision sign application:

- (1) *Scale.* The scale of the sign(s), supporting structure(s), and entrance features shall be consistent with, and complement, the adjacent properties and the road(s) on which the subdivision is located.
 - (2) *Materials, colors, and construction.* The materials, colors, and construction of the sign(s), supporting structure(s), and entrance features shall complement the character of the road on which the subdivision is located and shall not detract from the aesthetics of adjacent properties.
 - (3) *Landscaping.* An appropriate mix of deciduous and evergreen trees and/or shrubs shall be provided that enhance the appearance of the sign(s), supporting structure(s), and associated entrance features.
 - (4) *Safety.* The sign(s) and entrance features shall be located in such a manner that they do not impair the safety of motorists, pedestrians, or bicyclists.
- (c) *Content of residential identification signs.* Aside from identifying the name of the subdivision, additional information pertaining to the subdivision such as marketing and sales information may be included on the sign. The information shall be an integral part of the sign(s) and in no case shall the size of the sign(s) exceed the size permitted by section 24-69 (a)(1) and (2).

Sec. 24-70. Freestanding signs.

Freestanding signs shall only be permitted on properties having street frontage and shall be in compliance with the following regulations:

- (a) *Sign location and setbacks.* One freestanding sign shall be permitted on each street frontage. Such signs may only be placed on the property within required yards and setbacks and shall be located at least five feet from any property line.
- (b) *Sign area.* Such signs shall not exceed:
 - (1) 32 square feet per face if located less than 75 feet from the road right-of-way;
 - (2) 50 square feet per face if located 75 to 150 feet from the road right-of-way; or
 - (3) 60 square feet per face if located more than 150 feet from the road right-of-way.
- (c) *Sign height.* Such signs shall not exceed an overall height of 15 feet above natural grade.
- (d) *Sign lighting.*

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- (1) Internally illuminated signs shall be prohibited in the following cases:
- a. When such signs are visible from and located within 150 feet of the existing or proposed rights-of-way of primary and secondary roads within a community character area as identified on the James City County Comprehensive Plan Land Use Map; or
 - b. When such signs are visible from and located within 150 feet of the existing or proposed rights-of-way of roads designated as community character corridors by the James City County Comprehensive Plan.
- (2) Illuminated signs within community character areas and along community character corridors, as defined above in (d)(1) a. and b. shall be signs composed of:
- a. back-lit or lighted channeled letters as approved by the planning director in accordance with the criteria outlined in section 24-72. An applicant may appeal the decision of the planning director to the DRC. The appeal shall be in writing and shall document the reasons and justifications for such request. The DRC shall approve, deny, or conditionally approve the applicant's exception request based on the review criteria outlined in section 24-72; or
 - b. shall be externally illuminated by ground-mounted horizontal light bars/strips or ground-mounted spotlights in such a way that bulbs, lenses, or globes shall not be visible from the right-of-way. The ground-mounted lights shall be concealed by landscaping.
- (3) Signs shall cast no glare upon any adjacent property or public or private right-of-way.
- (e) *Signs for individual stores, businesses or professions on the same property.* Individual stores, businesses or professions on the same property, exclusive of shopping centers, shall combine signs on a single standard and the square footage of the combined signs shall not exceed 32 square feet per face.
- (f) *Shopping center signs.* Shopping centers shall be permitted one freestanding sign per major street frontage. A freestanding shopping center sign shall display only the shopping center name. Individual shops and businesses in shopping centers may have building face signs as provided for in section 24-71 or specially designed signs consistent with the overall development plan for the shopping center and approved as a part thereof by the planning commission.

Sec. 24-71. Building face signs.

In zones where business or manufacturing is permitted, a building face sign shall also be permitted. The signs shall be in compliance with the following regulations:

- (a) *Sign location and area.* The building face sign(s) shall be placed on the front facade of the building, except in cases outlined below in subsections (d) and (g). The area devoted to such signs shall not exceed one square foot of sign area for each linear foot of the building's or unit's front facade or 60 square feet, whichever is smaller. The front facade of the building shall be considered the side that has the main public entrance.

For industrial uses in the M-1, M-2, and RT Zoning Districts, the applicant may request an exception from the planning director to allow the building face sign(s) to exceed 60 square feet. An applicant may appeal

the decision of the planning director to the DRC. The appeal shall be in writing and shall document the reasons and justifications for such request. The DRC shall approve, deny, or conditionally approve the applicant's exception request based on the review criteria outlined in this section. For the purposes of this section, industrial uses shall mean any industrial use that involves the manufacture and/or assembly of products or components/parts for products. In addition to the submittal requirements outlined in section 24-67, the applicant shall provide scale drawings of the building elevation(s) and proposed sign(s). A conceptual plan shall also be submitted which shows the location of the sign relative to the existing and proposed landscaping, sight lines, distances from right-of-ways, and other pertinent site features.

In reviewing an exception request, the following criteria shall be considered in deciding whether to approve the request.

- (1) *Scale and proportion.* The size and scale of the sign and proportion of lettering, characters, and figures shall complement the design, scale, size, and materials of the building as well as the distance of the building from adjacent public right-of-ways. The scale of the sign in proportion to the building should be balanced so that the sign is not the dominant visual feature of the structure, with additional size aimed primarily at making the use identifiable from an adjoining public road. In no case shall the size of the sign exceed ten percent of the building's wall surface upon which the sign is placed.
- (2) *Materials, lighting, colors, and construction.* The materials, lighting, and colors of the sign shall not negatively impact adjacent properties or the aesthetics of the adjacent public roads. No exceptions will be granted for signs located within 150 feet of the road right-of-way of roads designated community character corridors.
 - (b) *Sign mounting.* Such signs shall be mounted flat against the building on the side measured above.
 - (c) *Sign lighting.*
 - (1) Internally illuminated signs shall be prohibited in the following cases:
 - a. Internally illuminated signs which are visible from and located within 150 feet of the existing or proposed rights-of-way of primary and secondary roads within a community character area as identified on the James City County Comprehensive Plan Land Use Map; or
 - b. Internally illuminated signs which are visible from and located within 150 feet of the existing or proposed rights-of-way of roads designated as community character corridors by the James City County Comprehensive Plan.
 - (2) Illuminated, signs within community character areas and along community character corridors, as defined above in (c)(1)a. and b., shall be signs composed of:
 - a. back-lit or lighted channeled letters as approved by the planning director in accordance with the criteria outlined in section 24-72. An applicant may appeal the decision of the planning director to the DRC. The appeal shall be in writing and shall document the reasons and justifications for such request. The DRC shall approve, deny, or conditionally approve the applicant's exception request based on the review criteria outlined in section 24-72; or

- b. shall be externally illuminated in such a way that bulbs, lenses, or globes shall not be visible from the right-of-way.
- (3) Signs shall cast no glare upon any adjacent property or public or private right-of-way.
- (d) *Additional signs for buildings facing onto public rights-of-way or parking lots.* When the same building faces onto a public right-of-way or parking lot on the rear or side of the building, an additional sign may be erected at the public entrance on that side. The area devoted to such sign(s) shall not exceed one square foot of sign area for each linear foot of the building's side upon which the sign is placed or 60 square feet, whichever is smaller. Such sign must be mounted flat against the building.
- (e) *Additional signs for buildings in excess of 40,000 square feet.* If the footprint of an individual store exceeds 40,000 square feet in size and contains major retail departments (i.e. bakery, restaurant, pharmacy, etc.), four additional building face signs advertising these retail departments, in addition to the main identification sign, may be permitted. The size of these individual sign(s) shall not exceed one square foot of sign area for each linear foot of the retail department's interior facade or 75 percent of the size of the main building face sign, whichever is smaller.
- (f) *Exterior signs for stores within an enclosed shopping mall.* If there are individual stores located within an enclosed shopping mall and the stores are not directly accessible from the outside, each of the interior stores shall be allowed to display one exterior wall sign in accordance with the following regulations:
- (1) The area devoted to such signs shall not exceed one square foot of sign area for each linear foot of the unit's front facade or 60 square feet, whichever is smaller.
- (2) The sign shall be mounted flat against the building at one of the mall's public entrances.
- (g) *An option for building face signs.* An owner may elect to relocate the building face sign, which would typically be placed above the building's main public entrance, on the side of the building that faces the public road right-of-way or parking lot. This provision would only apply if the side of the building facing the public road right-of-way or parking lot has no public entrance. This provision would not allow for additional building face signs beyond the maximum number permitted by section 24-71; it only provides the applicant an option on which side of the building to place the building face sign. The area devoted to such sign(s) shall not exceed one square foot of sign area for each linear foot of the building's side upon which the sign is placed or 60 square feet, whichever is smaller. Such sign must be mounted flat against the building.

Sec. 24-72. Review criteria for back-lit/channeled lettered signs within community character areas and along community character corridors.

In reviewing applications for signs containing back-lit or channeled letters, the following criteria shall be used in deciding whether to approve the application.

- (a) *Scale and proportion.* The scale of the sign and proportion of lettering, characters, and figures shall be of a scale, size, and character in keeping with the historic and/or rural ambience of the county and Williamsburg.

Ordinance to Amend and Reordain
Chapter 24. Zoning
Page 9

(b) *Materials, colors, and construction.* The materials, colors, and construction shall complement the character of surrounding development and shall be in keeping with the historic and/or rural ambience of the county and Williamsburg.

(c) *Intensity and quantity of lighting.* The area of the sign that is lit shall be a small proportion of the overall size of the sign. The lighting used shall be of a subdued nature and shall not dominate the streetscape.

Sec. 24-73. Special regulations for certain signs.

(a) *Logos, trademarks, murals, etc.* Any logo, trademark, mural, copyright or recognizable symbol pertaining to the use or business contained within the building painted on any face of the building shall be treated as a building face sign.

(b) *Flags as signs.* Flags used as signs shall be allowed by permit, provided that the same are installed in a permanent fashion, are maintained in good repair and will not constitute a hazard to vehicular or pedestrian traffic.

(c) *Signs on entrance marquees or canopies.* Signs on entrance marquees or canopies shall be allowed, provided that the total area of such signs if constructed alone or in combination with other building signs does not exceed the maximum allowable dimensions and square footage as set forth in section 24-71 (a) above.

(d) *Signs on corner lots.* Except for those provided for under section 24-69, signs on corner lots shall not be closer than 50 feet to the corner of the lot. In cases where the applicant can demonstrate that the location of a sign does not obstruct adequate site distance and good visibility is maintained for all motorists and pedestrians traveling the intersection, the administrator or his designee may permit setbacks of less than 50 feet.

(e) *Directional signs.* Directional signs may be allowed upon the determination of the administrator or his designee that the sign(s):

- (1) Are necessary to permit vehicular traffic to locate distinctive places of historical significance, businesses, campgrounds, industries and residential areas or other activities which are located off the state primary roads;
- (2) Show only the name and/or logo, mileage and direction; and
- (3) Do not exceed ten square feet in size.

(f) *Freestanding signs on properties adjacent to and visible from residential districts.* On properties adjacent to residential districts, any freestanding sign, visible from an adjacent residential district, shall be limited to 32 square feet in area. The top of the freestanding sign shall not exceed 15 feet above grade. If illuminated, freestanding signs within these areas shall be signs composed of:

- (1) Back-lit or lighted channeled letters; or
- (2) Shall be externally illuminated by ground-mounted horizontal light bars/strips or ground-mounted spotlights in such a way that bulbs, lenses, or globes shall not be visible from the right-of-way. The ground-mounted lights shall be concealed by landscaping.

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 Chapter 24. Zoning
 Page 10

In either case, there shall be no glare cast upon any adjacent property or public or private right-of-way. The freestanding sign shall be lit only during the normal operating hours of the associated use.

(g) *Signs for new commercial, industrial, and institutional construction projects.* Temporary nonilluminated signs may be erected in connection with new commercial, industrial, and institutional development and displayed on the premises during such time as the actual construction work is in progress. The signs shall also conform with the following criteria:

- (1) The maximum number and size of signs shall be:
 - a. A maximum of three signs with a cumulative sign area not to exceed 24 square feet; or,
 - b. A maximum of one sign with a sign area not to exceed 32 square feet.
- (2) The sign(s) shall only be placed along one of the property's street frontages.
- (h) *Home occupation signs.* Reference section 24-74 (10).

Sec. 24-74. Exemptions.

The following signs are exempted from the provisions of these regulations and may be erected or constructed without a permit but in accordance with the structural and safety requirements of the building code:

- (1) Official traffic signs, historical markers, provisional warning signs or sign structures when erected or required to be erected by a governmental agency and temporary signs indicating danger;
- (2) Traffic signs authorized by the Virginia Department of Transportation to be placed on a street right-of-way;
- (3) Changing of the copy on a bulletin board, poster board, display encasement, reader board or billboard;
- (4) Temporary nonilluminated signs, not more than six square feet in area, advertising residential real estate for sale or lease and located on the premises, one such sign for each street frontage;
- (5) Temporary nonilluminated signs, not more than six square feet in area, advertising commercial real estate for sale or lease and located on the premises, provided such signs conform to the following regulations:
 - a. One sign is permitted for each street frontage per parcel.
 - b. The maximum height of the sign shall not exceed eight feet.
 - c. The sign shall be erected in such a manner that it does not obstruct views of existing signs and/or create a safety hazard.
- (6) Temporary nonilluminated signs, not more than ten square feet in area, erected in connection with new single-family residential construction work and displayed on the premises during such time as the

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actual construction work is in progress, one such sign for each parcel. Reference section 24-73 (g) for construction signs for commercial, industrial, and institutional projects;

- (7) Nonilluminated signs warning trespassers or announcing property as posted, not to exceed two square feet per sign in residential, commercial and industrial areas, and four square feet per sign in agricultural areas;
- (8) Sign on a truck, bus or other vehicle, while in use in a normal course of business. This section should not be interpreted to permit parking for display purposes of a vehicle (to which signs are attached) in designated customer or employee parking at the place of business.
- (9) Mailboxes and similarly located signs identifying a private residence;
- (10) Home occupation signs not to exceed four square feet. Such signs shall:
 - a. Not be illuminated.
 - b. Be attached to the dwelling.
- (11) Signs within a business or manufacturing district which are not visible from a public road or abutting property line;
- (12) Signs not to exceed six square feet in area, within a business or manufacturing district, which state the name or number of a building, to be located on the rear or sides of a building on a parcel containing four or more buildings;
- (13) Signs placed upon the exterior of a structure indicating the location of restrooms, bathhouses, entrances or exits;
- (14) Signs not to exceed six square feet in area indicating the entrance or exit from a parking lot, potable water supply, sewage station for recreational vehicles or other notices related to public health or safety. Such signs shall be adjacent to the facility;
- (15) Temporary signs not to exceed 12 square feet per face erected for a period of up to 60 days, advertising seasonal agricultural products for sale within the general agricultural district;
- (16) One special notice placard, not to exceed four square feet in size, attached to a building or to a freestanding sign indicating credit cards which are accepted on the premises; group affiliations of which the business is a member or clubs or groups which utilize, recommend, inspect or approve the business for use by its members;
- (17) Signs conveying political, ideological, religious, social or governmental messages unrelated to businesses, services or manufacturing activities or the goods connected therewith; provided such signs shall not exceed 32 square feet in size; and provided, that any such signs related to or connected with political campaigns shall not be maintained for longer than 90 days and shall be removed within ten days after the election to which they pertain.

- (18) Off-premises, directional, temporary, and generic open-house realty signs may be erected in any zoning district in accordance with the following regulations:
- a. The function of such signs shall be limited to directional purposes, as opposed to the advertisement of an individual realtor or realty firm. The signs shall be generic in style and color. No specific realtor or realty firm name(s) shall appear on such signs provided; however, the registered trademark of the National Association of Realtors, the equal housing opportunity logo, and identification as provided for in (19) h. below shall be permitted.
 - b. Such signs shall refer only to real estate open houses whose purpose is to sell, lease, or rent residential property.
 - c. No such sign shall exceed three square feet in area and three feet in height.
 - d. Such signs shall be located only at intersections where a turning movement is indicated, and only at intersections where at least one of the streets is within the residential area in which the subject property for sale, lease or rent is located.
 - e. No more than two such signs shall be located at any one intersection, nor shall such signs at the same intersection point in the same direction.
 - f. Such signs shall be temporarily displayed only when the residential unit is open for public viewing under the direction of an on-site representative of the owner.
 - g. Such signs shall be placed only on private property and only with the express consent of the owner of said property.
 - h. Each sign shall have an identification tag either attached or permanently affixed to the signs which contains the name, address, and phone number of the sign's owner. The identification tag shall not exceed four square inches in area.

Sec. 24-75. Prohibited signs.

The following signs are specifically prohibited:

- (1) Off-premise signs or off-premise billboards, unless otherwise permitted by section 24-73 (e) or specifically exempted by section 24-74.
- (2) Flashing, animated and rotating signs or appurtenances to signs which are nonstationary.
- (3) Displays of intermittent lights resembling or seeming to resemble the flashing lights customarily associated with danger, such as are customarily used by police, fire or ambulance vehicles or for navigation or traffic-control purposes.
- (4) Signs so located and so illuminated as to provide a background of colored lights blending with traffic signal lights that might reasonably confuse a motorist when viewed from a normal approach position of a vehicle at a distance of up to 300 feet.

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Chapter 24. Zoning
Page 13

- (5) Internally illuminated signs shall be prohibited in the following cases:
 - a. Internally illuminated signs which are visible from and located within 150 feet of the existing or proposed rights-of-way of primary and secondary roads within a community character area as identified on the James City County Comprehensive Plan Land Use Map; or
 - b. Internally illuminated signs which are visible from and located within 150 feet of the existing or proposed rights-of-way of roads designated as community character corridors by the James City County Comprehensive Plan.
- (6) Signs which are not an integral part of the building design but fastened to and supported by or on the roof of a building or projecting over or above the roof line or parapet wall of a building, except as otherwise provided herein.
- (7) Signs placed or located to conflict with the vision clearance or other requirements of applicable traffic ordinances.
- (8) Signs attached to trees, utility poles or other unapproved supporting structure.
- (9) Signs which are portable or otherwise designed to be relocated or are constructed on a chassis or carriage with permanent or removable wheels, except for those permitted by section 24-74 (18).
- (10) Signs attached, painted on, or affixed to vehicles used primarily for display and/or advertising purposes parked in designated customer or employee parking at the place of business.
- (11) Pennants, banners, flags and other displays used for marketing or advertising except as provided in sections 24-73 (b).

Sec. 24-76. Temporary signs.

The administrator or his designee, upon application, may issue temporary permits for the following signs and displays when in his opinion the use of such signs and displays would be in the public interest and would not result in damage to private property. Such permits shall be valid for a period of up to 30 days following issuance:

- (1) Signs or banners of not more than 32 square feet advertising a special civic or cultural event such as a fair or exposition, play, concert or meeting sponsored by a governmental, charitable or nonprofit organization.
- (2) Special decorative displays used for holidays, public demonstrations or promotion for nonpartisan civic purposes.
- (3) Special decorative displays used for purposes of advertising the opening of a new store, business or profession.

Sec. 24-77. Exceptions.

(a) Upon application, the administrator or his designee may grant an on-premises sign limitation waiver which may allow:

- (1) One freestanding sign not to exceed 60 square feet per face;
- (2) One building face sign not to exceed an area equal to one square foot multiplied by the length or width of the building in industrial zones, provided that the face on which the sign shall be mounted is at least 500 feet from any road or street right-of-way;
- (3) One freestanding sign not to exceed 32 square feet per face and not to exceed 30 feet in height;
- (4) One sign to be placed on the roof of the building not to exceed one square foot of sign area for each linear foot of the building's or unit's front facade or 60 square feet, whichever is smaller; or
- (5) A second freestanding sign not to exceed 32 square feet on parcels which contain more than 400 feet of road frontage and more than one main entrance, provided that such lot is not a corner lot.

(b) Such on-premises sign limitation waivers shall only be granted in unusual circumstances where it can be demonstrated to the administrator or his designee that:

- (1) Unusual topography, vegetation, distance of the business or parcel from the road right-of-way, distance between driveways, separation of grade or the location of the driveway in relation to the location of the business and traffic patterns would impose a substantial hardship upon the business by making the advertising signs unreadable from vehicles on the adjoining roadway; or
- (2) The waiver would allow the business to post signs that are consistent with the majority of other businesses located on the same parcel; or
- (3) In addition to the provisions for granting sign limitation waivers under (b)(1) and (2) of this subsection, if the facade of the building is so designed that a building face sign cannot be placed upon it, and a roof sign would be the only reasonable and practical solution consistent with good design, a sign consistent with subsection (a)(4) above shall be permitted, provided that the sign is not within 200 feet of residentially zoned property; and
- (4) That in subsections (b)(1), (2), and (3) above such waiver is consistent with traffic safety and all other provisions of this article.

Sec. 24-78. Abandoned signs.

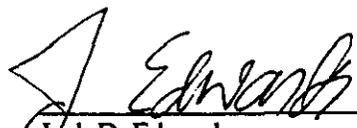
A sign, including its supporting structure or brackets, shall be removed by the owner or lessee of the premises upon which the sign is located when the business which it advertises is no longer on the premises. Such sign, if not removed within 30 days from the termination of occupancy by such business, shall be considered to be in violation of this chapter, and shall be removed at the owner's expense.

Ordinance to Amend and Reordain
Chapter 24. Zoning
Page 15

If the owner shall fail to comply with this requirement, then written notice shall be given by the administrator to the owner advising of the violation. If such signs are then not removed within ten days, the administrator shall cause such removal and charge the cost to the owner of the premises.

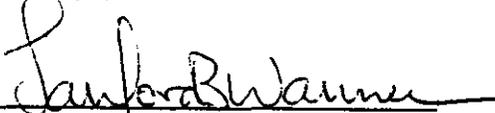
Sec. 24-79. Violations and penalties.

Prior to any criminal or civil enforcement under this section, the administrator or his designee shall give five days' written notice of the violation to the owner, tenant or lessee of the property. The violation of any provision of this article concerning the posting of a sign on public property or public right-of-ways is a misdemeanor subject to punishment pursuant to section 24-22. The violation of any other provisions of this article is subject to a civil penalty under section 24-22. In addition, if such violation is not corrected within five days after receipt of the notice of violation, except violations involving portable signs, the administrator or his designee may remove or cause to be removed at the owner's or tenant's expense such sign and/or institute such other action as may be appropriate. If the violation involves a portable sign, such sign shall be removed immediately, and if not, the administrator or his designee may remove or cause to be removed at the owner's or tenant's expense such sign and/or institute such other action as may be appropriate. Removal of a sign shall not affect any proceedings instituted prior to removal of such sign.



Jack D. Edwards
Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
SISK	AYE
MCGLENNON	AYE
BRADSHAW	AYE
NERVITT	AYE
EDWARDS	NAY

Adopted by the Board of Supervisors of James City County, Virginia, this 22nd day of December, 1998.

DEC 22 1998

ORDINANCE NO. 31A-186

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 24, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE II, SPECIAL REGULATIONS, DIVISION 1, IN GENERAL, SECTION 24-39, SPECIAL PROVISIONS FOR LOTS FOR PUBLIC UTILITIES.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 24, Zoning, is hereby amended and reordained by amending Amending Article II, Special Regulations, Division 1, In General, Section 24-39, Special provisions for lots for public utilities.

Chapter 24. Zoning

Article II. Special Regulations

Division 1. In General

Sec. 24-39. Special provisions for lots for public utilities.

Lots intended for public water and public sewage facilities and other public utilities and structures erected for these purposes shall be waived from the lot area, lot width and lot frontage, ~~and setback~~ requirements of the district in which they are located, provided that such facilities are landscaped and fenced to screen them from nearby roads, residences and other development ~~and provided that such facilities are not located within 15 feet of any property line.~~

Ordinance to Amend and Reordain
Chapter 24. Zoning
Page 2



Jack D. Edwards
Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
SISK	AYE
MCLENNON	AYE
BRADSHAW	AYE
NERVITT	AYE
EDWARDS	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 22nd day of
December, 1998.

publots.ord

SECONDARY SYSTEM
 COUNTY: JAMES CITY
 CONSTRUCTION PROGRAM
 ESTIMATED ALLOCATIONS

YEAR	NEW S.T.	FEDERAL	OTHER	TOTAL
1999-00	\$21,955	\$0	\$1,757,141	\$1,779,096
2000-01	\$23,129	\$556,199	\$1,412,051	\$1,991,379
2001-02	\$44,505	\$700,000	\$1,262,529	\$2,007,034
2002-03	\$44,786	\$570,005	\$1,014,464	\$2,029,255
2003-04	\$44,573	\$758,755	\$1,200,842	\$2,014,170
2004-05	\$44,573	\$0	\$1,969,597	\$2,014,170
TOTALS	\$223,521	\$2,094,959	\$8,616,624	\$11,735,104

APPROVAL
 BOARD OF SUPERVISORS
 DATE 1/6/99
 DATE 1/14/99
 DATE 1/6/99
 (CHAIRMAN, CLERK, CO. ADMINISTRATOR, ETC.) DATE

JAN - 8 1999

SECONDARY SYSTEM

CONSTRUCTION PROGRAM

(in Dollars) 1999-00 thru 2004-05

Date: 12/09/1998 BOARD APPROVAL: 12/09/1997

DISTRICT: SOFFOLK

COUNTY: JAMES CITY

ROUTE	DESCRIPTION LENGTH	ESTIMATED COST	PREVIOUS FUNDING	ADDITIONAL FUNDING REQUIRED	FISCAL YEAR ALLOCATIONS					BALANCE TO COMPLETE	COMMENTS
					1999-00	2000-01	2001-02	2002-03	2003-04		
ROUTE: 5000	ALTERNATE RTE 5	P.E. 750,000	10,000	740,000	0	0	0	0	0	740,000	ACCUMULATED OF FUNDS FROM REVENUE
TC: 13000	1800-047-166.CS01	R/W 500,000	0	500,000	0	0	0	0	0	500,000	SEWERING AND TAX DISTRICT FROM
ID: 11264	FRONT 5	CON 4,000,000	0	4,000,000	0	0	0	0	0	4,000,000	COUNTY \$10,000 TRANSFERRED FROM
CONTRACT	TO: MONTICELLO AVE	TOT 5,250,000	10,000	5,240,000	0	0	0	0	0	5,240,000	47-0607-047-113.CS01 TO BE
STATE	LENGTH: 2.1	MD 07 1999									USED FOR VDOT PLAN REVIEW
(10)	COMPL. CONSTR. NEW	MD 07 2001									
ROUTE: 0622	RACEFIELD ROAD	P.E. 55,162	55,162	0	0	0	0	0	0	0	UNPAVED ROAD FUNDS
TC: 164	0622-047-046.MS01	R/W 107,203	64,520	42,683	0	0	0	0	0	0	LOOK AT 3R DESIGN
ID: 11264	FRONT 90 KM N.W. RT 1040	CON 244,560	0	244,560	0	44,505	44,786	44,573	44,573	44,573	63,722
CONTRACT	TO: ROUTE 1040	TOT 406,925	119,682	287,243	0	44,505	44,786	44,573	44,573	44,573	63,722
STATE	LENGTH: 0.90 KM	MD 06 2000									
(6)	GR. DR. STAB & ST	MD 12 2007									

Date: 12/09/1998 BOARD APPROVAL: 12/09/1997

DISTRICT: SUFFOLK

COUNTY: JAMES CITY

SECONDARY SYSTEM

CONSTRUCTION PROGRAM

(In Dollars)

1999-00 thru 2004-05

ROUTE	DESCRIPTION LENGTH	ESTIMATED COST	PREVIOUS FUNDING	ADDITIONAL FUNDING REQUIRED	PROJECTED	FISCAL				YEAR	ALLOCATIONS		BALANCE TO COMPLETE	COMMENTS
						1999-00	2000-01	2001-02	2002-03		2003-04	2004-05		
*****	COUNTY TOTALS	22,431,595	5,762,497	16,669,098	1,779,896	1,891,379	2,087,834	2,029,285	2,014,170	2,014,170	2,014,170	4,234,884		
*****	REPORT TOTALS - FE	2,283,977	1,113,977	1,099,000	58,000	62,574	36,426	0	0	0	0	940,000	0	
	-E/M	3,267,375	1,833,935	1,434,940	289,215	311,725	70,007	29,179	92,814	92,814	92,814	680,800	40,000	
	-COM	16,959,643	2,814,595	14,145,040	1,445,081	1,518,000	1,092,601	2,009,876	1,921,356	1,921,356	1,921,356	474,170	4,894,884	
	TOTAL ALLOCATION				1,779,896	1,891,379	2,087,834	2,029,285	2,014,170	2,014,170	2,014,170	0	0	
	AMOUNT REMAINING				0	0	0	0	0	0	0	0	0	