

ADOPTED

JUL 11 1977

BOARD OF SUPERVISORS  
JAMES CITY COUNTY  
VIRGINIA

ORDINANCE NO. 31A-42

AN ORDINANCE TO AMEND CHAPTER 20, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY BY AMENDING ARTICLE I, SECTION 20-12, MINIMUM OFF-STREET PARKING.

BE IT ORDAINED by the Board of Supervisors of James City County that Chapter 20, of the Code of the County of James City be and the same is, hereby, amended by amending Article I, Section 20-12, Minimum off-street parking, to read as follows:

CHAPTER 20

ZONING

Article I. In General

Section 20-12. Minimum off-street parking.

There shall be provided at the time of erection of any main building or at the time any main building is enlarged, minimum off-street parking with adequate landscaping and provision for entrance and exit by standard-sized automobiles, as follows:

A. General provisions.

1. No certificate of occupancy shall be issued for any structure which does not comply with these requirements; however, structures already in use or those which have already received site plan approval are exempted, provided that:

- (a) exempted buildings remain in continuous use and at no time remain vacant or unused for a continuous period of one year.
- (b) no parking lot for any excepted property is enlarged or materially altered. In the event an existing parking lot is to be enlarged or materially altered, the existing parking area as well as the new parking area shall be brought into conformance with this chapter; provided however, the Commission may waive the requirements for revised setbacks and geometric design standards found in B 1, 2 and 5 below as they apply to existing parking areas with cement, asphalt, or hard surface pavement; provided further, that prior to such waiver being granted, the applicant shall demonstrate the costs of complying with these standards would

impose a severe hardship, or that insufficient area exists to allow such revision.

2. Required off-street parking spaces shall be located on the same lot as the structure or use to which they are accessory or on a lot contiguous thereto which has the same zoning classification.

3. Required off-street parking spaces may be provided jointly for two or more uses, subject to permanent easements that will assure access and availability. The number of such combined parking spaces to be required shall equal eighty percent of the sum of the amounts which would be required for each of the separate uses. Where such joint parking lots are proposed, they shall have one common point of ingress and egress, shall be designed as one parking lot, and shall have both properties shown on the site plan.

4. Off-street parking spaces shall be used solely for the parking of vehicles in operating condition by patrons, occupants or employees of the use to which such parking is accessory. Permanent storage of vehicles shall not be allowed. Storage of vehicles for sale shall not be allowed.

5. Site plans, in accordance with Article II of this Chapter, shall be submitted for all new off-street parking areas with four or more spaces, or for any additions to existing off-street parking areas.

6. Parking areas required by this section are intended to accommodate the off-street parking needs of the customers and employees of commercial, institutional, industrial, and residential uses. They are specifically intended to eliminate the need for parking along adjoining streets and roads. As such, all required parking areas shall be generally accessible and free of charge to the customers and employees they are designed to serve. Separate lots for employees and customers may be permitted; but parking for a fee, meter or rent of the minimum number of spaces required by this section shall be by conditional use permit only.

#### B. Landscaping.

Parking areas shall be arranged for functional efficiency and convenience and shall be designed to be amenable to surrounding property. Parking areas accessory or otherwise, containing more than ten parking spaces shall comply with the following:

1. The parking area shall be separated from the street right-of-way and property lines by a landscaped strip at least ten feet in width. Ingress and egress shall be provided through driveway openings only. In the event a joint parking lot is proposed, the required landscaped strip along the common property line shall be waived. Dimension, location, and construction of driveway openings shall be subject to approval by the Commission.

2. The parking area shall be constructed so that spaces are grouped into bays, generally consisting of eight to twelve parking spaces. Bays shall be separated by a landscaped median strip along one of its longer dimensions. Where the parking spaces are 10' x 20' and concrete or wooden bumpers are used to prevent vehicle overhand into the landscaped median strip, the landscaped median strip shall be at least four feet in width. As an alternative, parking spaces of 10' x 17' may be used with overhang into the landscaped strip permitted if the width of the landscaped strip is increased to at least eight feet. On each of its other two shorter dimensions, a landscaped strip of at least four feet in width and fifteen feet in length shall be built to separate the bays from each other or from traffic lanes.

3. "Landscaped area", "landscaped setback", "landscaped strip", or "perimeter open space area" as herein used are defined as areas containing shrubs, trees, flowers, grass, mulch, etc. Such areas shall be shown on the site plan or a separate landscaping plan for the site which shows the size and type of existing trees, trees to be cleared or removed and new trees or vegetation to be planted. Such plan is subject to approval of the Site Plan Review Committee. In general, where trees are required they shall be of a minimum height of seven feet with one tree per thirty linear feet of landscaped area, and more or less evenly distributed. Where approved, hedges, shrubs, ground cover or flower beds may substitute in part for the planting of trees. Existing trees and natural vegetation shall be retained wherever possible, particularly where they border adjacent property. Setbacks may not be used for parking.

4. Adequate lighting shall be provided if the uses which are served by the parking lot will be in operation at night. The lighting in parking lots shall be directed so as not to produce objectionable glare on adjacent property or streets, and no lighting fixture shall exceed a height of fifteen feet in a residential district or thirty feet in any other district.

5. The design of the lot shall meet the minimum geometric standards presented in the following table:

MINIMUM OFF-STREET PARKING AREA DIMENSIONS

Angle of Parking (degrees)	Direction of Traffic	Dimensions of Stall (ft)	Width of Aisle (ft)	Width of Aisle Plus Two Stalls (ft)
30	One-way	10 x 20	10	34.0
45	One-way	10 x 20	11	39.8
60	One-way	10 x 20	18	60.6
90	Two-way	10 x 20	22	62.0

6. As specified in (2) above, the dimensions of the stall may be reduced to 10' x 17' if additional landscaped median strip is provided.

7. Where the required number of parking spaces is not set forth for a particular use in the following sections, where the applicant is uncertain as to final use or size of the structure or where there is no similar general type of use listed, the Commission shall determine the number of spaces to be provided.

8. Parking areas shall be surfaced with gravel, stone, asphalt or concrete. Adequate drainage shall be provided for the removal of storm water and a drainage plan shall be submitted with the site plan and approved by the County Engineer.

9. Separate parking lots, with ten or more spaces designated solely for use by employees may utilize a stall width of nine feet per parking space.

C. Minimum off-street parking requirements.

1. Residential uses: The minimum number of off-street parking shall be one space per single-family residential unit. Other residential uses shall provide one and one-half spaces per residential unit.

2. Commercial uses: Commercial and institutional uses shall be divided into various categories according to the parking demand which they generate, as follows:

Category A. High Parking Demand Generators shall provide one parking space per two hundred square feet of retail floor area, to include:

General retail stores.

Retail food stores, bakeries, and fish markets.

Laundries and dry cleaners.

Wearing apparel, shoes, yard goods, toys, music and records, tailors, dressmakers, candy, ice cream, florist, furrier, locksmith, pet, picture framing, stamp and coin, travel bureau, tobacco and pipes, jewelry sales and service, books, greeting cards, and sporting goods stores.

Drug stores.

Plants and garden supply, hardware and paint, and home appliance sales and service.

Antique, novelty, arts and crafts, and gift shops.

Libraries and post offices.

Lodges, civic clubs, fraternal organizations, service clubs, public billiard parlors, arcades, pool rooms, dance halls, and private clubs.

All other commercial uses not specified in Category B or C below.

Category B. Moderate Parking Demand Generators shall provide one parking space per two hundred and fifty square feet of retail floor area, to include:

- Banks and financial institutions.
- Corporate, business and professional offices.
- Lumber and building supply.
- Plumbing and electrical supply.
- Tire, transmission, glass, body and fender, and other automotive product sales and service.
- Machinery sales and service.
- Photography studios and sales and artist and sculptor studios.

Category C. Uses with unique requirements:

(a) Motels, hotels and tourist homes shall have one parking space per rental unit plus one parking space for every two hundred square feet of accessory, retail or business use.

(b) Theaters, auditoriums and places of public assembly shall have one parking space per five seats based upon the planned seating capacity.

(c) Hospitals, nursing homes or convalescent facilities shall provide one parking space for every three patients or beds, plus one parking space for each employee on the largest shift.

(d) Outdoor retail sales/display areas shall provide at least one parking space per five hundred square feet of area.

(e) Bowling alleys shall have three parking spaces per alley plus one space for every two hundred square feet of accessory business use.

(f) Barber shops and beauty shops shall have at least three spaces plus two spaces for every barber or beautician chair.

(g) Planned shopping centers, with four or more stores using a common parking lot, which contain from twenty thousand square feet to sixty thousand square feet of retail floor area shall provide at least one parking space for every two hundred and fifty square feet of retail floor area. Planned shopping centers which contain sixty thousand square feet or more of retail floor area shall provide at least one parking space for every three hundred square feet of retail floor area. Where a theater is proposed in conjunction with any shopping center which contains at least sixty thousand square feet of retail floor area the number of parking spaces required for the theater may be reduced by twenty-five percent of what would have been required under (b) above. All shopping centers utilizing the provisions of this paragraph shall have a minimum landscaped strip along street rights-of-way of twenty feet and the landscaped strip along all other property lines shall be a minimum width of fifteen feet.

(h) Medical and dental clinics shall provide at least three parking spaces for each doctor or dentist having offices in such clinic.

(i) Mortuaries and funeral homes shall provide at least thirty parking spaces.

(j) Furniture stores, carpet show rooms and indoor vehicular sales show rooms shall have one parking space for every four hundred square feet of retail floor area.

(k) Restaurants shall have one parking space for every four seats based upon the maximum seating capacity allowed.

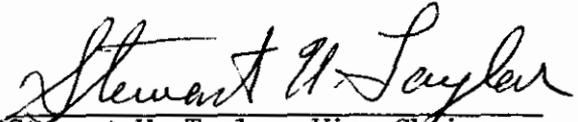
3. Industrial uses: Industries, warehouses and wholesale establishments not selling directly to the public shall provide a minimum of one parking space per two employees on the largest shift.

4. Appeals, Variances, Special Exceptions.

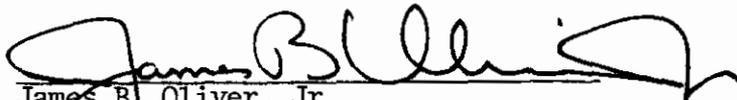
(a) Appeals. The Commission shall determine the category and the number of spaces required for each use. A property owner may appeal for a change of a commercial use from Category A to Category B or a less restrictive requirement within Category C, however, the burden of proof shall be upon the applicant to show that the particular activity will not reasonably generate parking demand sufficient to justify the parking requirement of its present classification. Appeals for changes to different parking classifications shall be made to the Board of Supervisors.

(b) Variances. A property owner may be granted a variance by the Board of Zoning Appeals from the minimum off-street parking requirements if it can be shown that due to unique circumstances, a particular activity would not reasonably be expected to generate parking demand sufficient to justify the parking requirement. Any variance granted by the Board of Zoning Appeals shall not allow a greater building area than would have been possible had the original parking requirement been enforced. The Board of Zoning Appeals may place conditions upon the granting of a variance, and may require that the parking area not required upon the granting of the variance be landscaped in addition to the minimum landscaping requirements.

This ordinance shall be in full force and effect from the date of its adoption.

  
Stewart U. Taylor, Vice-Chairman  
Board of Supervisors

ATTEST:

  
James B. Oliver, Jr.  
Clerk to the Board