

ADOPTED

APR 5 1993

BOARD OF SUPERVISORS  
JAMES CITY COUNTY  
VIRGINIA

ORDINANCE NO. 31A-150

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 20, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE IV, DISTRICTS, DIVISION 1. GENERALLY, BY ADDING SECTION 20-105, PROVISIONS FOR PRIVATE STREETS IN QUALIFYING INDUSTRIAL PARKS; BY AMENDING DIVISION 6, MIXED USE DISTRICT, MU, SECTION 20-197, PERMITTED USES; DIVISION 13, LIMITED BUSINESS/INDUSTRIAL DISTRICT, M-1, SECTION 20-350, PERMITTED USES; DIVISION 14, GENERAL INDUSTRIAL DISTRICT, M-2, SECTION 20-375, PERMITTED USES; DIVISION 15, LIMITED INDUSTRIAL DISTRICT, M-3, SECTION 20-389, PERMITTED USES; AND ARTICLE VIII, PLANNED UNIT DEVELOPMENT DISTRICTS, SECTION 20-483, PERMITTED USES; TO ALLOW FOR PRIVATE STREETS IN INDUSTRIAL AND BUSINESS PARKS IN ORDER TO ALLOW FOR INCREASED ECONOMIC DEVELOPMENT POTENTIAL IN ORDER TO MORE CLOSELY CONFORM WITH THE ADOPTED COMPREHENSIVE PLAN.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 20, Zoning, is hereby amended and reordained by amending Article IV, Districts, Division 1. Generally, by adding Section 20-105, Provisions for private streets in qualifying industrial parks; by amending Division 6, Mixed Use District, MU, Section 20-197, Permitted uses; Division 13, Limited Business/Industrial District, M-1, Section 20-350, Permitted uses; Division 14, General Industrial District, M-2, Section 20-375, Permitted uses; Division 15, Limited Industrial District, M-3, Section 20-389, Permitted uses; and Article VIII, Planned Unit Development Districts, Section 20-483, Permitted Uses; to allow for private

streets in industrial and business parks in order to allow for increased economic development potential in order to more closely conform with the adopted Comprehensive Plan.

ARTICLE IV. DISTRICTS

DIVISION 1. GENERALLY

*Section 20-105. Provisions for private streets in qualifying industrial parks.*

(a) A "qualifying industrial park" shall be defined as an industrial and/or business park that has an actual or planned size of at least 1,000,000 square feet. The "Qualifying Industrial Park Square Footage Adjustments" shall be applied to determine the qualifying industrial park square footage in order to determine whether the qualifying threshold can or would be reached. Qualifying square footage is computed by multiplying the existing or planned total square footage by the square footage credit listed below.

**QUALIFYING INDUSTRIAL PARK SQUARE FOOTAGE ADJUSTMENTS**

<u>Use</u>	<u>Square Footage Credit</u>
<i>Existing Development Industrial/office/warehouse development</i>	<i>1-square foot</i>
<i>Other permitted development</i>	<i>.75-square foot</i>

<i>Planned Development Industrial/office/warehouse development</i>	<i>.75-square foot</i>
<i>Other permitted development</i>	<i>.5-square foot</i>

*The planned development adjustments listed above shall be applied to undeveloped property zoned Mixed-Use, MU; Limited Business/Industrial District, M-1; General Industrial District, M-2; Limited Industrial District, M-3; and Planned Unit Development and allows nonindustrial/office and/or non-warehouse activity to occur based on master plan projections which have been approved by the Board of Supervisors. For undeveloped property not subject to a binding master plan the square footage shall be determined by multiplying .75 by 25 percent of the net-developable area of the project.*

*If an industrial/office/warehouse development is proffered exclusively, the existing development adjustments listed above may be applied upon examination of the proffers.*

*(b) Private streets may be permitted within qualifying industrial parks upon approval of the Board of Supervisors. Such approval shall be requested in writing through the Planning Division. The request shall include a traffic impact study and square footage estimates for the proposed industrial park. The traffic impact study shall be prepared by an individual or firm qualified to conduct traffic engineering studies in a manner and form acceptable to the Planning Director. The traffic impact study shall address projected traffic generation; internal road needs including but not limited to circulation and capacity; external traffic; turning movements and distribution at each access point; traffic distribution; capacity of surrounding roads; and road and access improvements. Private streets shall be coordinated with existing or planned streets on the approved Master Plan of development and the County*

*Comprehensive Plan. Private streets shown on the final plan shall meet the requirements of the Virginia Department of Transportation, except as specified in (d) below.*

*The construction of streets whether public or private shall be guaranteed prior to construction by appropriate surety, letter of credit, cash escrow or other form of guarantee approved by the County Attorney.*

*(c) To the extent streets are private rather than public, the applicant shall also submit assurances satisfactory to the Planning Commission that a property owner's community association or similar organization has been legally established under which the lots within the area of the final plan shall be assessed the cost of maintaining the private streets and that if assessments are not paid, it shall constitute a pro rata lien upon the individual lots shown on the final plan.*

*(d) The uniqueness of each proposal for a qualifying industrial park requires that the specifications for the width, surfacing, construction and geometric design of streets, alleys, ways for public utilities and the specifications for curbs, entrances, gutters, sidewalks, street lights and storm water drainage be subject to modification from the specifications established in Chapter 17. The Planning Commission may, therefore, within the limits hereinafter specified, waive or modify the specifications otherwise applicable for a particular facility when the Planning Commission finds that such specifications are not required in the best interests of the occupants, workers or customers of the businesses located within a qualifying industrial park and that the modifications of such specifications are not inconsistent with the interests of the County.*

*It shall be the responsibility of the applicant to demonstrate to the satisfaction of the Planning Commission with respect to any requested waiver or modification that:*

*(1) the waiver or modification shall result in design and construction that is in accordance with accepted engineering standards;*

*(2) the waiver or modification is reasonable because of the uniqueness of the qualifying industrial park or because of the large area of the qualifying industrial park within which the design and construction will be coordinated, pre-planned and controlled;*

*(3) any waiver or modification pertaining to streets is reasonable with respect to the generation of vehicular traffic that is estimated to occur within the area of the qualifying industrial park;*

*(4) any waiver or modification pertaining to sidewalks is justified on the basis of anticipated pedestrian traffic or because other provisions are made for pedestrian traffic; and*

*(5) traffic lanes of streets are sufficiently wide to carry the anticipated volume and speed of traffic and in no case shall 2 lane roadways be less than twenty feet wide.*

#### DIVISION 6. MIXED USE DISTRICT, MU

2) Nonresidential Uses

*Private streets within "qualifying industrial parks" in accordance with Section 20-105.*

DIVISION 13. LIMITED BUSINESS/INDUSTRIAL DISTRICT, M-1.

Section 20-350. Permitted uses.

*Private streets within "qualifying industrial parks" in accordance with Section 20-105.*

DIVISION 14. GENERAL INDUSTRIAL DISTRICT, M-2.

Section 20-375. Permitted uses.

*Private streets within "qualifying industrial parks" in accordance with Section 20-105.*

DIVISION 15. LIMITED INDUSTRIAL DISTRICT, M-3.

Section 20-389. Permitted uses.

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*Private streets within "qualifying industrial parks" in accordance with Section 20-105.*

## ARTICLE VIII. PLANNED UNIT DEVELOPMENT DISTRICTS

Section 20-483. Permitted uses.

(b) In the Planned Unit Development District - Commercial (PUD-C), all structures to be erected or land to be used shall be for one or more of the following uses:

(1) Commercial Uses:

Same as paragraph (2) of Subsection (a) above.

(2) Light Industrial Uses:

Research, design and development laboratories.

Wholesale and warehousing, with storage in a fully enclosed building.

Printing and publishing.

Processing, assembly and manufacture of light industrial products or components, with all storage, processing, assembly, and manufacture conducted in a fully enclosed building, with no dust, noise, odor or other objectionable effect.

(3) Theme parks.

(4) Apartments, townhouses and condominiums.

(5) *Private streets within "qualifying industrial parks" in accordance with*

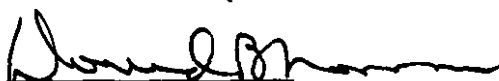
*Section 20-105.*





Judith N. Knudson  
Chairman, Board of Supervisors

ATTEST:



David B. Norman  
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
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TAYLOR	ABSENT
EDWARDS	AYE
DEPUE	AYE
SISK	AYE
KNUDSON	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 5th day of  
April, 1993.

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