

ADOPTED

MAY 25 1999

ORDINANCE NO. 31A-194

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 IV, MANUFACTURED HOME PARKS, SECTION 24-172, AREA REQUIREMENTS; BY AMENDING AND RENUMBERING SECTION 24-174, MINIMUM SETBACK REQUIREMENTS WITH NEW NUMBER 24-177; SECTION 24-175, MINIMUM YARD REQUIREMENTS WITH NEW NUMBER 24-178; BY RENUMBERING SECTION 24-176, UNDERGROUND UTILITIES WITH NEW NUMBER 24-180; SECTION 24-177, STREETS REQUIRED WITH NEW NUMBER 24-181; SECTION 24-178, STORM DRAINAGE WITH NEW NUMBER 24-182; SECTION 24-179, OFF-STREET PARKING REQUIRED WITH NEW NUMBER 24-183; SECTION 24-180, FIRE HYDRANTS REQUIRED WITH NEW NUMBER 24-184; SECTION 24-181, STREETLIGHTS REQUIRED WITH NEW NUMBER 24-185; SECTION 24-182, SOLID WASTE DISPOSAL WITH NEW NUMBER 24-186; SECTION 24-183, RECREATION AREA REQUIRED WITH NEW NUMBER 24-187; SECTION 24-184, APPLICABILITY OF VIRGINIA UNIFORM STATEWIDE BUILDING CODE WITH NEW NUMBER 24-188; SECTION 24-185, SITE PLAN REQUIRED WITH NEW NUMBER 24-189; SECTION 24-186, TEMPORARY TRAILER PARKS WITH NEW NUMBER 24-190; BY ADDING NEW SECTION 24-174, BUFFERS REQUIRED; SECTION 24-175, OPEN SPACE REQUIRED; SECTION 24-176, OWNERSHIP OF OPEN SPACE; AND SECTION 24-179, PERMITTED REDUCTION IN MINIMUM YARD REQUIREMENTS.

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 Article IV, Manufactured Home Parks, by amending Section 24-172, Area requirements; by amending and renumbering Section 24-174, Minimum setback requirements with new number 24-177; Section 24-175, Minimum yard requirements with new number 24-178;

by renumbering Section 24-176, Underground utilities with new number 24-180; Section 24-177, Streets required with new number 24-181; Section 24-178, Storm drainage with new number 24-182; Section 24-179, Off-street parking required with new number 24-183; Section 24-180, Fire hydrants required with new number 24-184; Section 24-181, Streetlights required with new number 24-185; Section 24-182, Solid waste disposal with new number 24-186; Section 24-183, Recreation area required with new number 24-187; Section 24-184, Applicability of Virginia Uniform Statewide Building Code with new number 24-188; Section 24-185, Site plan required with new number 24-189; Section 24-186, Temporary trailer parks with new number 24-190; by adding new Section 24-174, Buffers required; Section 24-175, Open space required; Section 24-176, Ownership of open space; and Section 24-179, Permitted reduction in minimum yard requirements.

ARTICLE IV. MANUFACTURED HOME PARKS*

Sec. 24-171. Statement of intent.

The regulations contained herein are intended to foster the quiet, low- and moderate-density residential character of manufactured home parks. The regulations are designed to stabilize and protect the residential areas in which manufactured home parks are likely to be developed and to promote and encourage a suitable

*Cross references-Virginia Uniform Statewide Building Code, § 4-1 et seq.; fire protection, Ch. 9; garbage and refuse, Ch. 10; public parks and recreation facilities, Ch. 16; subdivision provisions regarding fire protection, § 19-63; subdivision provisions regarding street lights, § 19-64.

environment for family life, both inside of the manufactured home park and in the surrounding area. To these ends, the location of manufactured home parks and the expansion of existing manufactured home parks shall require, in addition to the site plan approval required by article III of this chapter, a special use permit as provided for in article V of this chapter.

Sec. 24-172. Area requirements.

(a) Each manufactured home in a manufactured home park shall be placed upon a separate and individual lot.

~~(b) The buildable area of all lots shall be at least 80 feet in length, exclusive of all required setbacks.~~

~~(b)(c)~~ Lots containing or intended to contain a single manufactured home served by public water and public sewage disposal systems shall have a minimum area of 6,000 square feet.

~~(c)(d)~~ Lots containing or intended to contain a single manufactured home served by a public sewage disposal system or by a public water system shall have a minimum area of 10,000 square feet.

~~(d)(e)~~ Lots containing or intended to contain a single manufactured home served by private water and private sewage disposal systems shall have a minimum area of 20,000 square feet.

Sec. 24-173. Minimum lot width.

(a) The minimum width of a lot less than 10,000 square feet in area shall be 60 feet measured at the setback line.

(b) The minimum width of a lot more than 10,000 square feet in area, but less than 20,000 square feet in area, shall be 80 feet measured at the setback line.

(c) The minimum width of a lot 20,000 square feet or greater in area shall be 100 feet measured at the setback line.

Sec. 24-174. Buffers required.

(a) Right-of-way buffer. Within any manufactured home park with six or more units approved under this article, there shall be planned and maintained buffers along all external existing and planned arterial road rights-of-way, as follows:

(1) The minimum right-of-way buffer on Community Character Corridor roads as defined in the Comprehensive Plan shall be 150 feet, except when the average lot depth of the parent parcel is less than 600 feet. In those cases, the required buffer shall be at a depth of 25 percent of the average lot depth.

(2) *The minimum right-of-way buffer on all non-Community Character Corridor roads shall be 75 feet, except when the average lot depth is less than 200 feet. In those cases, the required buffer shall be at a depth of 25 percent of the average lot depth.*

(3) *If the buffer is non-wooded as defined for the purpose of this article as having no mature trees, then a minimum of two trees per 400 square feet of area shall be planted with a minimum 50 percent of said trees being evergreen. Otherwise, the buffer shall remain undisturbed or supplemented with additional plantings to achieve the planting ratio stated above.*

(b) *Perimeter buffers. Within any manufactured home park with six or more units approved under this article, there shall be planned and maintained a perimeter buffer along the perimeter property lines of the development, except for areas adjacent to road rights-of-way. The minimum perimeter buffer shall be 35 feet. Landscaping guidelines for perimeter buffers shall follow the requirements in section 24-86(c) of this chapter.*

(c) *Waiver Provisions. In instances where properties have more than a 300-foot average depth and are located along a Community Character Corridor, or in all instances of perimeter buffers, the planning commission may reduce the buffer depth requirements of this section for residential developments when:*

(1) *The development is less than five acres; or*

(2) *The developer demonstrates that due to natural or protected features, or due to adjoining physical features, a reduced buffer will screen the development as effectively as a full buffer;*
or

(3) *The developer demonstrates that the development will be adequately screened and buffered from the road using berms and landscaping. Such a request shall be supplemented with a landscaping plan and/or planting plan with photos of the existing site.*

In no case shall the right-of-way buffer be reduced by a waiver provision to less than 75 feet. The perimeter buffer shall not be reduced by a waiver provision to less than 20 feet. The planning commission may also, in the event of granting a waiver, require additional landscaping as determined on a case by case basis.

(d) *Modifications to the landscape requirements. The planning commission may modify, permit substitutions, or permit transfer of required landscaping in accordance with the provisions set forth in article II, division 4 of this chapter.*

(e) *All required buffers shall be exclusive of lots, remain free of structures and parking, and remain undisturbed, except for additional plantings and selective clearing approved by the director of planning or his designee. Soil stockpiles and staging areas shall not be permitted within any buffer, except that temporary soil stockpiles may be allowed upon approval by the planning commission under the following circumstances:*

- (1) *The buffer in which the temporary stockpile is to occur is non-wooded, defined as having no mature trees.*
- (2) *The stockpile should not be visible from a Community Character Corridor or Community Character Area, unless the soil stockpiling is needed for approved berming in that buffer.*
- (3) *Stockpiles shall not exceed 35 feet in height.*
- (4) *Stockpiles shall be temporary, with a time limit of six months.*
- (5) *Once the use of the temporary soil stockpiles is completed, the ground must be adequately prepared for planting and revegetated in a manner that meets or exceeds the amount and quality of vegetation on the site previously.*
- (f) *Wet ponds, dry detention basins, and other structural BMPs shall not generally be permitted in the buffers, except that the planning commission may approve them under the following circumstances:*
 - (1) *The need is necessitated by site conditions rather than economic factors; and*
 - (2) *The screening/buffering effect of the buffer has been retained by the design of the BMP and any degradation has been minimized by its design and mitigated with additional plantings or berms as necessary.*

(g) *An entrance road, community and directional signage, bicycle and/or pedestrian paths, and utility connections and drainage improvements shall be permitted within the buffer with approval of the planning commission. Permitted utilities and constructed drainage conveyance systems shall cross the buffer at or near a perpendicular angle to the property line, with clearing kept to a minimum necessary to accommodate the utilities, except that minor improvements to natural drainage channels may be permitted at different angles to the property line upon the recommendation of the environmental director and the approval of the planning commission.*

(h) *Entrance roads through these buffers shall be built to the narrowest cross-section possible. Roads and open space shall be located and designed in a manner that minimizes views of structures within the development from the adjoining primary or secondary road as determined by the planning commission.*

Sec. 24-175. Open space required.

(a) *Within every manufactured home park consisting of 50 or more units, there shall be planned and set aside permanently an amount of open space to be maintained exclusively for recreation and/or conservation purposes. The amount of such open space shall not be less than ten percent of the net developable area of the site. The developable area of right-of-way buffers and perimeter buffers may be counted as open space for the purpose of meeting this requirement to a maximum of 50 percent of the required open space.*

(b) In addition, all nondevelopable area consisting of all stream beds, areas subject to flooding under the 100-year storm event, wetlands and areas with slopes exceeding 25 percent gradient, shall be maintained as open space.

(c) Before accepting the open space as meeting the requirements of paragraph (a) of this section, the planning commission shall find that:

(1) No land lying within a proposed or existing road right-of-way, utility easement or drainage facility is counted toward the minimum open space requirement; and

(2) The land is suitable in its size, shape, and location for the conservation and recreational uses intended, with adequate access for the entire development and served with adequate facilities for such purpose; and

(3) No part of a private yard or area determined by the director of planning to be a part thereof, with the exception of easements for streetscapes, shall be counted as meeting the open space requirements of this chapter; and

(4) No more than 50 percent of the required open space shall be used for active recreational purposes.

(d) Evidence shall be given that satisfactory arrangements will be made for the perpetual preservation of designated open space areas to relieve the county of any obligation to maintain.

Sec. 24-176. Ownership of open space.

Within any manufactured home park approved under this article on which a tract is intended to be used for conservation and/or recreation, no unit shall be leased, sold, or used within the development until a declaration of covenants has been approved by the county attorney and has been executed. Such documents shall set forth the provisions for permanent care and maintenance of the conservation and/or recreation property and shall include necessary bonds when required by the county.

Sec. 24-174~~7~~. Minimum setback requirements.

~~———— (a) ——— The minimum setback in a manufactured home park for manufactured homes and all accessory structures shall be 15 feet from the right-of-way of internal private streets.~~

~~———— (b) ——— The minimum setback in a manufactured home park for manufactured homes and all accessory structures shall be 35 feet from the right-of-way of internal public streets.~~

~~———— (c) ——— The minimum setback in a manufactured home park for manufactured homes and all accessory structures shall be 100 feet from the right-of-way of any public street which creates a boundary for the manufactured home park.~~

(a) The minimum setback in a manufactured home park for manufactured homes and all accessory structures shall be:

(1) 15 feet from the right-of-way of internal private streets.

(2) 35 feet from the right-of-way of internal public streets.

(3) 100 feet from the right-of-way of any public street which creates a boundary for the manufactured home park.

Sec. 24-1758. Minimum yard requirements.

(a) ~~Except as provided for in section 24-179,~~ No manufactured home shall be placed closer than 15 feet from any lot line within the manufactured home park.

(b) No manufactured home shall be placed closer than 100 feet from any property boundary separating the manufactured home park from adjacent property.

(c) The minimum side yard for accessory structures shall be five feet, except that accessory buildings exceeding one story shall have a minimum side yard of 15 feet.

(d) The minimum rear yard for accessory structures shall be five feet, except that accessory buildings exceeding one story shall have a minimum rear yard of 15 feet.

Sec. 24-179. Permitted reduction in minimum yard requirements.

(a) *Provided that no manufactured home shall be placed closer than 100 feet from any property boundary separating the manufactured home park from adjacent property, within any manufactured home park with six or more units, the minimum distance from side or rear property lines and between any two structures shall be governed by the State of Virginia Building Code when all of the following requirements are met:*

- (1) *the manufactured home park is served with public water; and*
- (2) *the lot is internal to the manufactured home park.*

Sec. 24-176 180. Underground utilities.

All utilities within the manufactured home park, including, but not limited to, electrical distribution lines, telephone lines, cable television lines, natural gas lines, sewer lines and water lines, shall be placed underground.

Sec. 24-177 181. Streets required.

Each manufactured home lot shall front on a public or private street. All streets shall meet the design and construction standards of the Virginia Departments of Transportation or the county's subdivision

ordinance, whichever is greater. The construction and maintenance of private streets shall be guaranteed by a surety bond, letter of credit, cash escrow or other form of surety approved by the county attorney and department of public works ~~the environmental director~~. Public streets shall be part of the Virginia Department of Transportation road system.

Sec. 24-178 182. Storm drainage.

A storm drainage plan shall be included with the site plan of a manufactured home park ~~in accordance with the provisions of this chapter and of Chapter 23. Chesapeake Bay Preservation~~. It shall be the park owner's responsibility to provide for the adequate drainage and erosion controls and their maintenance within the manufactured home park.

Sec. 24-179 183. Off-street parking required.

Each lot in a manufactured home park shall contain at least two off-street parking spaces, each at least nine feet by 18 feet in size, or shall have access to a parking lot which meets the design standards contained in the off-street parking requirements of section 24-53 and provides two spaces for each manufactured home lot it is intended to serve. The location and the design of any parking lot shall be shown on the site plan and is subject to approval with the site plan.

Sec. 24-180 ~~184~~. Fire hydrants required.

Manufactured home parks served by a public water system shall provide fire hydrants located within the park such that no manufactured home lot is more than 500 feet by road frontage from a fire hydrant. Locations of the fire hydrant shall be approved by the ~~service authority and the county~~ fire chief and shown on the site plan.

Sec. 24-181 ~~185~~. Streetlights required.

The owner of the manufactured home park shall provide streetlights within the manufactured home park. The location of streetlights shall be shown on the site plan and approved by the zoning administrator. ~~Streetlights shall be installed as determined by the environmental director and in accordance with the Streetlight Policy, as approved by the governing body, and shall be shown on the site plan of development.~~

Sec. 24-182 ~~186~~. Solid waste disposal.

Each operator of a manufactured home park shall provide for the disposal of the solid waste generated by the park tenants. Dumpsters at locations shown and approved on the site plan or provisions for individual solid waste pickup at each manufactured home site shall be provided. If dumpsters are provided, they shall be placed on concrete pads with a drain connected to a septic drainfield as required by the health department and shall be screened by vegetation, landscaping and/or fences.

Sec. 24-183 187. Recreation area required.

(a) Manufactured home parks with 25 lots or more shall have a developed recreation area to be maintained by the park owner.

(b) The area shall have terrain suitable for active recreation. The *total* size of the recreation area shall be not less than 400 square feet multiplied by the number of manufactured home spaces in the manufactured home park. The area(s) shall be shown on the site plan with a list of equipment and facilities *to be approved by the planning commission.*

Sec. 24-184 188. Applicability of Virginia Uniform Statewide Building Code.

Manufactured homes located in manufactured home parks shall meet all applicable sections of the *Virginia Uniform Statewide Building Code* including, but not limited to, requirements for permanent tie downs located on each lot.

Sec. 24-185 189. Site plan required.

(a) Prior to development of a manufactured home park, a site plan shall be filed and approved as provided for in article III of this chapter.

(b) The construction and maintenance of all common open space areas, parking, recreation areas and other privately owned areas and facilities for the common use of the manufactured home park's tenants shall be the responsibility of the park owner.

Sec. 24-186 ~~190~~. Temporary trailer parks.


Special use permits for temporary trailer parks may be issued by the governing body, subject to the following conditions:

- (1) That the location of a temporary trailer park is necessary for the housing of construction workers employed on an industrial or highway construction project.
- (2) That the request is filed by or certified to by the industry or State Department of Transportation as being essential to the construction.
- (3) That a minimum area of 2,000 square feet be provided for each space.
- (4) That sanitary facilities conform to the State Health Department's "Trailer Camp Sanitation" requirements.
- (5) That the period of operating such temporary park shall concur with the anticipated period of the construction. Applications for renewal may be submitted if more time is required to

complete the project. However, such renewal applications must be filed at least 45 days prior to the expiration of the original temporary use permit.


- (6) The governing body, in granting such a special use permit, may require the posting of a bond to assure that the temporary trailer court will be removed and the site left in good order at the expiration of the permit.
- (7) The governing body shall establish such additional requirements as are in the best interest of the public.

Secs. 24-187 ~~191~~ - 24-196. Reserved.



Jack D. Edwards
Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner
Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 25th day of May, 1999.