

**Policy Committee
Government Center Complex
Large Conference Room, Building A**

Jan. 17, 2013 - 4 p.m.

1. Roll Call

2. Minutes

A. December 6, 2012

B. December 7, 2012

3. Old Business

A. Pawnshops - Materials

4. New Business

5. Adjournment

AGENDA

POLICY COMMITTEE

January 17, 2013

4:00 p.m.

JAMES CITY COUNTY GOVERNMENT COMPLEX

Large Conference Room, Building A

-
1. Roll Call
 2. Minutes
 - a. December 6, 2012
 - b. December 7, 2012
 3. Old Business
 - a. Pawnshops
 3. New Business
 4. Adjournment

POLICY COMMITTEE MEETING

December 6, 2012

12:00 p.m.

County Government Center, Building A

1) Roll Call

Present

Mr. Rich Krapf
Ms. Robin Bledsoe
Mr. Tim O'Connor
Mr. Al Woods (via phone)

Staff Present

Mr. Paul Holt
Mr. Jason Purse
Ms. Tammy Rosario
Mr. Luke Vinciguerra

Ms. Heather Poulson
Mr. Tom Pennington
Ms. Marie Hopkins
Mr. Brian Elmore

Mr. Rich Krapf called the meeting to order at 12:00 p.m.

2) Minutes

a) **October 11, 2012**

Mr. Tim O'Connor moved to approve the October 11, 2012 minutes.

In a unanimous voice vote, the minutes were approved (4-0).

b) **November 1, 2012**

Ms. Robin Bledsoe moved to approve the November 1, 2012 minutes.

In a unanimous voice vote, the minutes were approved (4-0).

3) Old Business

There was no old business to discuss.

4) New Business - FY14 Capital Improvements Program (CIP) requests

Mr. Jason Purse stated six of the eleven CIP applications this exception year are brand new. He stated the other five were amended from the previous year. Staff was able to approach department heads and answer Committee member questions, and two department representatives are present. The department representatives present could discuss their projects before any discussion of rankings.

Mr. Tom Pennington stated the County's fiber optic network has allowed the County to save about \$6000 per month at 43 sites in communications costs versus going with a private company, resulting in annual savings of about \$2,500,000. He stated the schools and library have been added. This system is currently a line, where if one point is lost, the entire system goes down. In a phase two, a circle would replace the line to allow all of the systems to remain connected if one went down. Some areas are still on poles and the County depends on its Cox Communications contract. The County should not depend on outside contractors for its communications. Underground wires are less likely to be disrupted.

Mr. Krapf asked if any of the \$1.9 million from phase one was left to fund phase two and how two costs work with two jurisdictions being involved.

Mr. Pennington stated there was no funding left from phase one. He stated it was so cheap to piggyback the schools into the same cable that the County is not making that calculation.

Mr. O'Connor asked where the signal and the power generation originate. He asked if a hurricane came through and power goes out for an extended period, can the County still function.

Mr. Pennington stated the ring has lots of little points. He stated each point needs power, and each site is backed up by a generator. Larger sites have larger generators.

Ms. Bledsoe asked any if funding was left from the original \$1.9 million and what happens if the full amount is achieved.

Mr. Pennington stated it is electronics, fiber materials, and construction equipment in the ground. He stated half of the costs are electronics, which are self-healing. Equipment can tell when something is wrong, and go another way.

Ms. Bledsoe asked from a project management viewpoint, if "A" is done, do we need "B" and "C" to make the whole thing run right.

Mr. Pennington stated we need "B" and "C" to fulfill the promise of the ring.

Mr. Woods asked if the annual savings of \$2,500,000 a year was correct.

Mr. Pennington stated yes.

Mr. Woods stated this is a self-funding project.

Mr. Pennington stated it could be seen that way. He stated that out of the \$2,500,000, Schools has access to about half. No revenue is generated. The savings are the costs of not buying the services from a telecommunications provider. This is the cheapest way to operate. The capital investment would lower operating costs to the point where it is almost nil and there would be repayment in two years.

Ms. Marie Hopkins stated she had submitted the CIP request for the Citizen Relationship Management 311 system. She stated 311 is a handy number for citizens to call and the system can have its own dedicated staff or route calls to the appropriate department. The system allows tracking off all citizen requests, needs, complaints, and concerns in an automated way with metrics. It would reduce citizens being transferred between various departments.

Ms. Bledsoe asked what was the end result of having the system.

Ms. Hopkins stated Mr. Middaugh had received feedback from citizens and Board members regarding people not knowing where their requests were or perceiving too much time was taking to fulfill requests. Requests could be anything.

Mr. Purse stated citizens could speak with three or four staff before they get to the person they need to speak with. He stated the number of connections depends on who the citizen called first.

Ms. Hopkins stated you would have staff trained in how to transfer 311 calls and input into the computer, with one point of contact.

Ms. Bledsoe asked if there was a history of complaints in this area.

Mr. Purse stated that there not complaints but that is it better to have one person disseminating all of calls to make sure the right people are getting them.

Mr. Krapf asked if it added to the existing employee count or if the positions were allocated from other departments without increasing authorized employees.

Ms. Hopkins stated the County is small enough that she thinks it could do that.

Mr. O'Connor asked if he dialed in to report an issue, would he get a work order tracking number.

Ms. Hopkins stated yes. She stated you could also track the case on the website.

Mr. Woods asked if in the \$150,000 proposal, there is recognition of the additional annual costs, such as maintenance and additional personnel.

Ms. Hopkins stated those figures are rolled into the high submitted figures. She stated if approved, she is not sure how the County would implement 311. The costs would include two staff and a server, but she hopes the actual costs would be less. She stated there would be an about \$300,000 in additional annual costs. The program could also be phased in across a few departments at a time.

Mr. Krapf stated one of the Committee's concerns was the \$300,000 annual budget with no end in sight. He stated while the County wants to keep pace with technology, with the economic climate, taking on a project with an annual budget of more than a quarter million dollars makes everyone nervous.

Mr. Krapf asked how Schools handled capital impacts with Williamsburg if the County and the City rank the same capital project differently.

Mr. Purse stated Schools is on a different time frame than the rest of the CIP. He stated the Schools are doing their budget now for the upcoming years. School applications came in at the last minute, with very little information. Schools changes their requests up until its budget is approved in February. Staff is asking the Committee for their input based off what is currently proposed. The Williamsburg City Council and James City County Boards will meet to discuss school proposals in greater detail.

Ms. Heather Poulson stated the contributions are based on a percentage based on enrollment. She stated the County budgets capital projects, and the City usually falls in line with its capital budget.

Mr. Woods asked if the Police covered parking is justified by extending the life and reducing maintenance costs of the protected equipment.

Mr. Purse stated yes. He stated the building was something the Police had always planned on including eventually.

Mr. Woods asked what costs could be avoided.

Mr. Purse stated he did not have an answer.

Mr. Krapf stated the Police are saying that without the shed, there will be increased tire replacement and repainting.

Mr. O'Connor stated the trailers are outfitted for a specific function.

Mr. Krapf stated the Police force simulator seems to be one of the weaker applications. He stated that with about an hour block of time, Police could use creative scheduling. Right now a simulator is available, but is just not as convenient.

Mr. Woods stated there is very little attention paid to the subsequent labor costs associated with it.

Mr. Krapf asked what the potential risk to the County was for the Olde Towne Trail project if the Olde Towne Timeshares defaulted.

Mr. O'Connor stated he had spoken with John Carnifax at Parks and Recreation. He stated Mr. Carnifax was confident that all of the pieces of the trail would come into place, and that proffers or easements would be secured for the Olde Towne Timeshare property prior to construction. It also requires a pedestrian bridge over Route 199 and is pretty extensive to make all of the connections work.

Mr. Purse stated that after completion of Powhatan Trail, this is Parks new number one trail project.

Mr. Krapf asked if anyone had questions regarding the Building D video broadcast proposal.

Mr. Woods asked if, from a capital project standpoint, would he submit a fragmented proposal where if the project is approved, there are other costs that will absolutely have to follow. He believed he had read the sound was an issue and would have to be addressed.

Mr. Krapf stated he had spoken with Jody Puckett before the meeting about that specifically, asking why not hold off if it was a capital issue and bundle it. She had stated there were unexpected sound problems in Building D. They thought when the renovation was finished it would resolve the sound issues. The technology component goes further than the Building D conference room, including offsite meetings and presentations. The sound dampening impact requires more study, possibly for next year's CIP.

Ms. Rosario stated that regarding the ability to broadcast Comprehensive Plan public meetings, there would be less staff involved, it would be more affordable, and it would be a better quality product. She stated that long term, the Building D issue is a helpful one to resolve, since, at the last Steering Committee meetings, it was difficult to operate within the confines of Building F, which has limited work session capacity.

Ms. Bledsoe stated she was having difficulty fitting this project into the criteria they have.

Mr. Purse stated if staff has the opportunity to go out and take meetings to people, show them on TV, and have more outreach, that relates to quality of life issues.

Mr. Krapf stated the numbers are all relative, and everyone has a scoring bias. He stated we have to look at the relative ranking within everyone's scoring matrix.

Mr. O'Connor stated he had discussed with Mr. Carnifax the poor condition of some of the ball fields at schools. He stated he is afraid someone is going to get hurt. Mr. Carnifax stated school baseball field maintenance responsibility is transitioning from Schools to General Services. As the fields at the schools get lights, they get a higher level of maintenance.

Mr. Krapf stated in Alan's response, the school projects costs are very preliminary and very likely to go up. He stated these projects are more of a work in progress.

Mr. Purse stated that at tomorrow's meeting, staff would put all of the scores on the board, and then the Committee can discuss their relative rankings and then come up with a list.

Mr. O'Connor asked staff to follow up with Communications staff to see if they have assessed what the customers use for communication. He stated more and more, he's getting people who want the County to use Facebook, and have instant access to meetings.

Mr. Krapf asked staff to follow up with the Police to see if they can quantify the shed project as far as impact on their operating budget.

Mr. O'Connor asked how the County managed its capital planning.

Ms. Poulson stated there is no set percentage for capital projects, and it can vary from year to year.

Mr. Holt stated part of what helps the County maintain its bond rating is a set of adopted financial management policies. He stated a number of formulas factor into debt capacity. With the Board's priorities always dynamic, he wouldn't worry too much about funding. It comes down to which projects do best at implementing the Comprehensive Plan and land use priorities.

Mr. Krapf asked Committee members to finalize their scores and send them to staff.

5) Other Business

Ms. Rosario asked the Committee members to review their availability over January 17th, 22nd, and 23rd to discuss pawnshops and the Planning Commission Annual Report.

6) Adjournment

Mr. O'Connor moved to adjourn. The meeting was adjourned at 1:30 p.m.

Rich Krapf, Chair of the Policy Committee

POLICY COMMITTEE MEETING

December 7, 2012

3:00 p.m.

County Government Center, Building A

1) Roll Call

Present

Mr. Rich Krapf
Ms. Robin Bledsoe
Mr. Tim O'Connor
Mr. Al Woods

Staff Present

Mr. Paul Holt
Mr. Jason Purse
Ms. Tammy Rosario
Mr. Luke Vinciguerra

Mr. John McDonald
Mr. Brian Elmore

Mr. Rich Krapf called the meeting to order at 3:00 p.m.

2) Old Business - FY14 Capital Improvements Program (CIP) requests

In response to a comment, Ms. Tammy Rosario stated she did not know if the County's CIP submittal process can really dictate how someone might present their data in a narrative without getting additional direction from John McDonald.

Mr. McDonald stated this process is evolving and if the group wants to see additional information presented in additional ways, that would be fine.

Mr. Krapf stated to use the 311 system as an example, when they were estimating operating budget costs per year of \$300,000, that's significant. He stated he sees the need to evaluate capital expenditure, but for him, it extends into the operating budget. He stated he ranked the 311 project lower after learning its operating budget impact. It would be better if applicants could also include expected operating costs.

Ms. Rosario stated staff can request more information, but that regarding using terms like 'return on investment,' it would require an educational component on how we expect people to use terms in narratives.

Mr. Paul Holt stated it is much more than a cost-benefit analysis in a government context. He stated if we are delivering public goods, which by definition do not have a return on investment, then we will not necessarily recapture costs.

Mr. Al Woods stated return on investment could be expressed as quality of life. He stated the Committee should be given some narrative.

Mr. McDonald stated the County is trying to get as much fiber in the ground as possible in response to requests from Schools for distance learning using audio and visual presentations. He stated that the County burying its own cable is more cost avoidance, but no one questions whether distance learning itself is effective or efficient.

Mr. Woods stated that there were no metrics provided to say that there is a benefit to a program. He stated he was at a loss to help prioritize when we do not even know the need we are addressing.

Ms. Bledsoe stated that was her frustration as well. She said in the non-profit world, we have to show need and how to sustain the money. She wants to know the money is necessary for a real problem, with supporting data.

Mr. Luke Vinciguerra stated in response to Mr. O'Connor's question about the County knowing citizen communications preferences, the short answer is no. He stated there has been 62% increase in video on demand over the past year. He stated in a Cox survey 62% respondents stated they have viewed county government channels at least once in the past month. Regarding the Police shed, the department did not have much data, but did say they have replaced some plastic vents on a couple of the trailers for \$100 each. They also think Police decals need more regular replacement outdoors.

Mr. Purse stated staff had all of the Committee members' current scores. He displayed the average scores of Committee members' rankings, as well as how the rankings would appear if they left the scores the same.

The Committee discussed its individual rankings and scores.

The Committees rankings were, from first to last: 1) Fiber Optic Ring Phase II, 2) Olde Towne Trail, 3) Building D Conference Room Video Package, 4) Food Court for Lafayette H.S., 5) Food Court for Jamestown H.S., 6) Covered Parking for Specialty Police Vehicles, 7) (tie)Field Lighting for Toano M.S., 7) (tie)Field Lighting for Stonehouse E.S., 9) Citizen Relationship Management/311 System, 10) (tie) Police Use of Force Simulator, and 10) (tie)Five School Buses.

3) Other Business

Ms. Rosario asked the Committee to consider meeting dates in January to discuss pawn shops, the Planning Commission Annual Report, and the Goals, Strategies, and Actions progress report.

The Committee will meet on January 17th at 3 p.m.

4) Adjournment

Ms. Bledsoe moved to adjourn. The meeting was adjourned at 3:40 p.m.

Rich Krapf, Chair of the Policy Committee

MEMORANDUM

DATE: January 17, 2013
TO: Policy Committee
FROM: Jason Purse, Zoning Administrator
Christy Parrish, Proffer Administrator
SUBJECT: Pawn Shops

After receiving an inquiry about locating a pawn shop in James City County, the Acting Zoning Administrator determined that though pawn shops were not specifically listed as a use in the zoning ordinance, they were consistent with "retail and service stores." Staff compiled a list of how pawn shops were addressed in adjacent jurisdictions and provided a list to the Policy Committee in November 2012. At that meeting, the Policy Committee asked staff to look into the problems experienced by localities that already allow pawn shops, as well as provide detail about the genesis of state code requirements, and to list some of the other techniques that jurisdictions used to regulate pawnbrokers.

Staff contacted Police Departments in York County, Hampton, and Newport News. None of the adjacent localities had specific statistics regarding crime associated with pawn shops. However, most of the jurisdictions that experienced problems related it back to the number of pawn shops in a community. In instances where there are fewer total pawn shops it is easy to monitor any possible stolen merchandise. Anecdotally, police from Newport News stated that the crime rate was commensurate with an area, rather than associated with a pawn shop. Thus, if a pawn shop was located in an area with a higher crime rate they would have more problems with stolen goods at that location.

As previously presented, there are multiple ways to address pawn shops in the zoning ordinance. Some localities directly address pawn shops and define the use, while others treat it the same as retail (see Charlottesville "consumer business" definition below). The following are some options to consider when determining the best course of action for dealing with pawn shops:

York County defines pawn shops and also has standards for development that limits pawn shops proximity from what they believe are incompatible uses:

York County zoning ordinance language-

Sec. 24.1-470.1 Standards for tattoo parlors, pawn shops, and payday loan establishments.

(a) Tattoo parlors, pawn shops or payday loan establishments shall not be located on property that is within ½ mile (2,640 feet) of property occupied by: a place of worship; a public, parochial or private school (K thru 12); a public library; or, a public park or athletic field or facility.

(b) No tattoo parlor shall be located such that its principal façade or any wall or free-standing signage associated with the establishment is visible from any Primary System road in the County.

Henrico County code has a limit on the total number of pawn shops allowed overall.

Sec. 15-147. - Limitation on number of pawnshops.

Not more than ten places in the county shall be licensed where the business of a pawnbroker may be conducted, none of which shall be located closer than one mile to any other.

State law reference— Authority to establish limitation on number of pawnshops, Code of Virginia, § 54.1-4002.

Charlottesville has referenced pawn shops specifically in the definition of "consumer service business" in its ordinance.

Consumer service business means a business primarily engaged in the provision of a service in the nature of a personal or household convenience, such as: acupuncturist; beauty salons and barbershops; bicycle sales and service; television and appliance repair and rental; book stores; dressmakers and tailors; dry-cleaning outlets; florists; massage therapists; optical centers; pawnshops; photocopy centers; photography studios; stationery stores/printshops; express mail and mailbox services; salons and day-spas; shoe repair; jewelers; travel agencies, etc. This definition does not include any business offering a service to the public, where such business is separately listed by name within the use matrix for any zoning district.

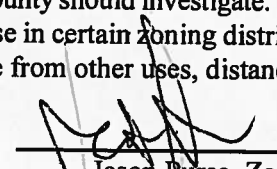
Most jurisdictions surveyed had additional regulations for pawn shops in other sections of their county/city Codes, rather than just zoning. Licensing, Police, or specific pawn shop sections contained more information about how pawn shops should be monitored and/or regulated. This is similar to James City County having a licensing component that regulates the process for opening a pawn shop, and the required documents necessary to obtain licensure.

Again, for your reference, staff has included a list of other localities and how they address pawn shops in their ordinances. A number of adjacent localities have them specifically referenced (Newport News, Hampton, York) in the zoning ordinance and require Special Use Permits as a part of the approval process. The City of Williamsburg and New Kent County do not address them at all in their zoning ordinances.

Staff also worked with the County Attorney's office to research the origin and history of the State Code regarding pawn shops. While there are no minutes, or documented discussions about the legislation, staff believes that these code sections were established to provide consumer protection. Some issues that the State Code addresses are: proper recorded keeping, time restrictions on when a pawned item can be sold, maximum chargeable interest and permits law enforcement to review records during operating hours. Lastly, the State Code allows localities to restrict the number of pawnshops to operate at one time. The State Code also has regulations regarding persons dealing with the purchase and selling of second hand precious gems and metals and dealers in firearms. Copies of § 54.1-4000 thru 4014 are provided for your reference.

Staff has also included an ordinance matrix that lists all of the potential districts for pawn shops. Staff hopes that this will help facilitate discussion of how pawn shops should be addressed in the James City County ordinance.

Staff requests that the Policy Committee discuss how pawn shops should be addressed in the zoning ordinance. Specifically, staff requests that the Policy Committee consider whether or not James City County should change the way pawn shops are addressed in the zoning ordinance. If changes are recommended, the Policy Committee should also discuss the types of regulations that the County should investigate. For instance, where the use should be included as a permitted or specially permitted use in certain zoning districts or whether there are performance standards dealing with pawn shops (i.e. distance from other uses, distance from other pawn shops, total number of shops).



Jason Purse, Zoning Administrator



Christy Parrish, Proffer Administrator

Attachment:

1. Adjacent locality pawn shop matrix
2. Options matrix
3. Ordinance use lists (LB, B-1, M-1, M-2)

Locality	County or City Code	Zoning Ordinance	If not allowed how would the locality handle the request
City of Williamsburg	Not mentioned	Not allowed	If an individual wishes to open a pawn shop they would be advised that a change would need to be made to the Zoning Ordinance
York County	Addresses the licensing procedure	Allowed by Special Use Permit in the General Business District only. Performance standards state the pawn shops shall not be located on property that is within 1/2 mile of property occupied by a place of worship, a public, parochial, or private school (K-12), a public library, or a public park or athletic facility.	
City of Hampton	Addresses the licensing procedure	Permitted in the limited Commercial and General Commercial Districts with a conditional privilege. All of the overlay districts specially call out that this use is not permitted.	
City of Newport News	Addresses the licensing procedure	Permitted with a conditional use permit (CUP) in the Retail Commercial, General Commercial, and Regional Business Districts.	
Henrico County	No more than 10 allowed in the County, and these establishments cannot be located within	Permitted as a by-right use in all business and industrial districts. Pawn shops are not listed as a use, but are viewed as a small loan institution / other retail use. Not permitted in residential districts.	
City of Richmond	Not mentioned	Permitted as a by-right in the B-3 Business District and the Industrial Districts. Viewed as a personal loan and finance service.	

Locality	County or City Code	Zoning Ordinance	If not allowed how would the locality handle the request
New Kent County	Not mentioned	Not specially allowed	There has not been an inquiry. They do however have dealers in gold and silver and these are by-right in the business districts.
Albemarle County	Does not specifically reference pawn brokers, but treats them like sellers of precious metals, which is mentioned	Permitted as a by-right use in the business and industrial districts as a retail use	
Chesterfield	Licensing and Zoning	Conditional Use Permit in C-5, and specifically prohibited from other retail uses in some other districts.	The definition of retail contains Pawnshops as one of the acceptable uses.
Charlottesville		Listed under the definition of consumer service/business, which encompasses many uses.	

Districts	Use List	Permitted Uses	Specially Permitted Uses
LB			
B-1			
M-1			
M-2			

Chapter 24

ARTICLE V. DISTRICTS

DIVISION 9. LIMITED BUSINESS DISTRICT, LB

Sec. 24-367. Statement of intent.

The Limited Business District, LB, is intended to provide opportunities for a limited range of office, retail and service establishments of small to moderate size, with well-landscaped parking areas and an appropriate amount of perimeter and right-of-way landscape buffering when located adjacent to residentially zoned or Comprehensive Plan Land Use Map designated residential or agricultural property. The district is characterized by the absence of nuisance factors such as constant heavy trucking and excessive noise, dust, light and odor. This classification is appropriate where proximity to residential areas, existing land uses, traffic patterns and other factors make it desirable to maintain a commercial character which is less intense than permitted in the General Business District, B-1. To enhance the character of the district and to improve its compatibility with low-density surroundings, limitations on building height and size are imposed, and special requirements are imposed on areas designated Neighborhood Commercial or Low-Density Residential on the Comprehensive Plan.

(Ord. No. 31A-88, § 20-LB.1, 4-8-85; Ord. No. 31A-187, 3-23-99; Ord. No. 31A-261, 1-10-12)

Sec. 24-368. Use list.

Reference Section 24-11 for special use permit requirements for certain commercial uses and exemptions.

In the Limited Business District, LB, all buildings or structures to be erected or land to be used shall be for one or more of the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Residential	An apartment or living quarters for a guard, caretaker, proprietor or the person employed on the premises, which is clearly secondary to the commercial use of the property	P	
Commercial	Accessory uses and structures, as defined in section 24-2	P	
	Adult day care centers	P	
	Antique shops	P	
	Arts and crafts, hobby and handicraft shops	P	
	Auction houses	P	
	Bakeries and fish markets	P	
	Banks and other financial institutions	P	
	Barber and beauty salons	P	
	Business and professional offices	P	
	Catering and meal preparation 5,000 sq. ft. or less	P	
Catering and meal preparation larger than 5,000 sq. ft.			SUP

Supp. No. 31, 3-12

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Commercial	Child day care centers	P	
	Contractor offices (with materials and equipment storage limited to a fully enclosed building)	P	
	Convenience stores without the sale of fuel, in areas not designated Low-Density Residential or Neighborhood Commercial on the Comprehensive Plan Land Use Map		SUP
	Drug stores 10,000 sq. ft. or less	P	
	Drug stores larger than 10,000 sq. ft.		SUP
	Dry cleaners and laundries	P	
	Firearms sales and service		SUP
	Firing and shooting ranges, limited to a fully enclosed building		SUP
	Feed, seed and farm supply stores	P	
	Flea markets, not in areas designated Low-Density Residential or Neighborhood Commercial on the Comprehensive Plan Land Use Map		SUP
	Funeral homes	P	
	Gift and souvenir stores	P	
	Grocery stores 10,000 sq. ft. or less	P	
	Grocery stores larger than 10,000 sq. ft.		SUP
	Health clubs and exercise clubs, fitness centers	P	
	Janitorial service establishments	P	
	Lodges, civic clubs, fraternal organizations and service clubs	P	
	Printing, mailing, lithographing, engraving, photocopying, blueprinting and publishing establishments	P	
	Medical clinics or offices	P	
	Marinas, docks, piers, yacht clubs, boat basins, boat storage and servicing, repair and sale facilities for the same; if fuel is sold, then in accordance with section 24-38		SUP
	Off-street parking as required by section 24-54	P	
	Office supply stores 10,000 sq. ft. or less	P	
	Office supply stores greater than 10,000 sq. ft.		SUP
	Pet stores and pet supply sales	P	
	Photography, artist and sculptor stores and studios	P	
	Places of public assembly, including houses of worship and public meeting halls	P	
	Plumbing and electrical supply (with storage limited to a fully enclosed building)	P	
Restaurants (excluding fast food restaurants), coffee shops, tea rooms and taverns with 100 seats or less	P		

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Commercial	Restaurants (excluding fast food restaurants), coffee shops, tea rooms and taverns with greater than 100 seats		SUP
	Retail and service stores, including the following stores: books, cabinets, cameras, candy, carpet, coin, department, dressmaking, electronics, florist, furniture, furrier, garden supply, gourmet foods, greeting card, hardware, health and beauty aids, home appliance, ice cream, jewelry, locksmith, music, optical goods, paint, pet, picture framing, plant supply, shoes, sporting goods, stamps, tailor, tobacco and pipes, toys, travel bureau agencies, upholstery, variety, wearing apparel, and yard goods	P	
	Retail food stores 5,000 sq. ft. or less	P	
	Retail food store greater than 5,000 sq. ft.		SUP
	Security service offices	P	
	Tourist home	P	
	Vehicle parts sales, new and/or rebuilt (with storage limited to a fully enclosed building)	P	
	Vehicle rentals	P	
	Vehicle service stations, in areas not designated Low-Density Residential or Neighborhood Commercial on the Comprehensive Plan Land Use Map; if fuel is sold, then in accordance with section 24-38		SUP
	Veterinary hospitals (with all activities limited to a fully enclosed building, with the exception of supervised animal exercise while on a leash)	P	
Civic	Nonemergency medical transport		SUP
	Fire stations	P	
	Governmental offices	P	
	Libraries	P	
	Post offices	P	
	Schools, public or private		SUP

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Utility	Electrical generation facilities (public or private), steam generation facilities, and electrical substations with a capacity of 5,000 kilovolt amperes or more and electrical transmission lines capable of transmitting 69 kilovolts or more		SUP
	Railroad facilities including tracks, bridges and switching stations. Spur lines which are to serve and are accessory to existing or proposed development adjacent to existing railroad rights-of-way and track and safety improvements in existing railroad rights-of-way, are permitted generally and shall not require a special use permit		SUP
	Telephone exchanges and telephone switching stations		SUP
	Tower mounted wireless communications facilities in accordance with division 6, Wireless Communications Facilities		SUP
	Transmission pipelines, public or private, including pumping stations and accessory storage, for natural gas, propane gas, petroleum products, chemicals, slurry coal and any other gases, liquids or solids. Extensions for private connections to existing pipelines, which are intended to serve an individual residential or commercial customer and which are accessory to existing or proposed development, are permitted generally and shall not require a special use permit		SUP
	Wireless communications facilities that utilize alternative mounting structures, or are camouflaged, and comply with division 6, Wireless Communications Facilities	P	
	Water facilities, public or private, and sewer facilities (public), including, but not limited to, treatment plants, pumping stations, storage facilities and transmission mains, wells and associated equipment such as pumps to be owned and operated by political jurisdictions. The following are permitted generally and shall not require a special use permit: <ul style="list-style-type: none"> (a) Private connections to existing mains that are intended to serve an individual customer and that are accessory to existing or proposed development, with no additional connections to be made to the line; and (b) Distribution lines and local facilities within a development, including pump stations 		SUP

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Open	Timbering, in accordance with section 24-43	P	

(Ord. No. 31A-88, § 20-LB.2, 4-8-85; Ord. No. 31A-95, 4-7-86; Ord. No. 31A-121, 5-21-90; Ord. No. 31A-143, 5-4-92; Ord. No. 31A-167, 3-26-96; Ord. No. 31A-174, 1-28-97; Ord. No. 31A-176, 5-26-98; Ord. No. 31A-187, 3-23-99; Ord. No. 31A-244, 2-9-10; Ord. No. 31A-261, 1-10-12)

Sec. 24-369. Special provisions for areas within the Limited Business District, LB, designated Neighborhood Commercial or Low-Density Residential on the Comprehensive Plan.

The Comprehensive Plan defines Neighborhood Commercial areas as limited business activity areas located within the primary service area, serving residents of the surrounding neighborhoods in the immediate area, and having only a limited impact on nearby development. Neighborhood Commercial development shall be compatible with surrounding development in terms of scale, building design, materials and color. The Comprehensive Plan specifies that within Low-Density Residential areas, non-residential uses should not alter, but rather, complement the residential character of the low-density residential area in which they are located. For non-residential uses in Low-Density Residential areas, measures shall be provided to protect nearby residential uses and the character of the surrounding area. The requirements of this section shall apply to areas within the Limited Business District, LB, that are designated Neighborhood Commercial or Low-Density Residential on the Comprehensive Plan as determined by the planning director.

(a) *Permitted uses.* For areas within the Limited Business District, LB, that are designated Neighborhood Commercial or Low-Density Residential on the Comprehensive Plan, buildings to be erected or land to be used shall be for one or more of the uses as permitted in section 24-368.

(b) *Uses permitted with a special use permit only.* For areas within the Limited Business District, LB, that are designated Neighborhood Commercial or Low-Density Residential on the Comprehensive Plan, buildings to be erected or land to be used shall be for one or more of the uses permitted in section 24-368 only after the issuance of a special use permit by the board of supervisors. A special use permit application shall demonstrate to the planning director substantial conformance to the county's Neighborhood Commercial Development Standards policy.

(c) *Design standards.* Development within areas designated Neighborhood Commercial or Low-Density Residential on the Comprehensive Plan shall demonstrate to the planning director substantial consistency with the following provisions:

- (1) Large work area doors or open bays shall be screened from external roadways by fencing or landscaping or oriented on the sides or rear of the proposed building.
- (2) Heating, ventilating and air conditioning equipment, duct work, air compressors, and other fixed operating machinery shall be screened from adjoining property and the street right-of-way with fencing, landscaping, parapet walls or other types of roof top screens up to four feet above the roof line, if such equipment is located upon the roof. Large trash receptacles, dumpsters, utility meters, above ground tanks, satellite dishes, antennas, etc. shall be similarly screened.

Chapter 24

ARTICLE V. DISTRICTS

DIVISION 10. GENERAL BUSINESS DISTRICT, B-1

Sec. 24-389. Statement of intent.

Generally, the General Business District, B-1, covers that portion of the community intended for the conduct of general business to which the public requires direct and frequent access, but which is not characterized either by constant heavy truck traffic other than stocking and delivery of light retail goods or by any factors other than occasioned by incidental light and noise commonly associated with the congregation of people and passenger vehicles.

(Ord. No. 31A-88, § 20-81, 4-8-85; Ord. No. 31A-262, 1-10-12)

Sec. 24-390. Use list.

Reference section 24-11 for special use permit requirements for certain commercial uses and exemptions.

In the General Business District, B-1, structures to be erected or land to be used, shall be for one or more of the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Residential	An apartment or living quarters for a guard, caretaker, proprietor or the person employed on the premises, which is clearly secondary to the commercial use of the property	P	
Commercial	Accessory uses and structures, as defined in section 24-2	P	
	Adult day care centers	P	
	Amphitheaters		SUP
	Antique shops	P	
	Arts and crafts, hobby and handicraft shops	P	
	Auction houses	P	
	Bakeries or fish markets	P	
	Banks and other financial institutions	P	
	Barber and beauty salons	P	
	Business and professional offices	P	
	Campgrounds		SUP
	Catering and meal preparation	P	
	Child day care centers	P	
	Contractor offices (with storage of materials and equipment limited to a fully enclosed building)	P	
	Convenience stores which sell and dispense fuel in accordance with section 24-38		SUP

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Commercial	Convention centers		SUP
	Country clubs and golf courses, public or private		SUP
	Drug stores	P	
	Dry cleaners and laundries	P	
	Farmer's market	P	
	Feed, seed and farm supply stores	P	
	Firearms sales and service	P	
	Firing and shooting ranges, limited to a fully enclosed building		SUP
	Flea markets		SUP
	Funeral homes	P	
	Gift and souvenir stores	P	
	Grocery stores	P	
	Health and exercise clubs, fitness centers	P	
	Heliports and helistops, as an accessory use		SUP
	Hospitals		SUP
	Hotels, motels and tourist homes	P	
	Indoor centers of amusement including billiard halls, arcades, pool rooms, bowling alleys, dance clubs and bingo halls	P	
	Indoor sport facilities (excluding firing and shooting ranges)	P	
	Indoor theaters	P	
	Janitorial service establishments	P	
	Kennels and animal boarding facilities	P	
	Limousine services (with maintenance limited to a fully enclosed building)	P	
	Lodges, civic clubs, fraternal organizations and service clubs	P	
	Lumber and building supply (with storage limited to a fully enclosed building or screened from view with landscaping and fencing with a maximum height of 12 feet)	P	
	Machinery sales and service (with storage and repair limited to a fully enclosed building)	P	
	Marinas, docks, piers, yacht clubs, boat basins, boat storage and servicing, repair and sale facilities for the same; if fuel is sold, then in accordance with section 24-38	P	
	Marine or waterfront businesses to include the receipt, storage and transshipment of waterborne commerce or seafood receiving, packaging or distribution	P	
Medical clinics or offices	P		
Museums	P		

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Commercial	New and/or rebuilt automotive parts sales (with storage limited to a fully enclosed building)	P	
	Nursing homes		SUP
	Off-street parking as required by section 24-54	P	
	Office supply stores	P	
	Outdoor centers of amusement, including miniature golf, bumper boats and waterslide parks		SUP
	Outdoor sports facilities, including golf driving ranges, batting cages and skate parks		SUP
	Parking lots, structures or garages	P	
	Pet stores and pet supply sales	P	
	Photography, artist and sculptor stores and studios	P	
	Places of public assembly, including houses of worship and public meeting halls	P	
	Plumbing and electrical supply and sales (with storage limited to a fully enclosed building)	P	
	Printing, mailing, lithographing, engraving, photocopying, blueprinting and publishing establishments	P	
	Radio and television stations and accessory antenna or towers which are 60 feet or less in height	P	
	Research, development and design facilities or laboratories	P	
	Restaurants, including fast food restaurants, tea rooms, coffee shops, taverns and micro-breweries	P	
	Retail and service stores, including the following stores: alcohol, appliances, books, cabinets, cameras, candy, carpet, coin, department, dressmaking, electronics, florist, furniture, furrier, garden supply, gift, gourmet foods, greeting cards, handicrafts, hardware, home appliance, health and beauty aids, ice cream, jewelry, locksmith, music, office supply, optical goods, paint, pet, photography, picture framing, plant supply, secretarial services, shoes, sporting goods, stamps, tailor, tobacco and pipes, toys, travel agencies, upholstery, variety, wearing apparel, and yard goods	P	
	Security service offices	P	
	Taxi service	P	
Theme parks greater than 10 acres in size		SUP	
Vehicle repair and service, including tire, transmission, glass, body and fender, and other automotive product sales, new and/or rebuilt (with major repair limited to a fully enclosed building and storage of parts and vehicles screened from adjacent property by landscaping and fencing)	P		

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Commercial	Vehicle and trailer sales and services (with major repair limited to a fully enclosed building)	P	
	Vehicle rentals	P	
	Vehicle service stations; if fuel is sold, then in accordance with section 24-38		SUP
	Veterinary hospitals (with all activities limited to a fully enclosed building with the exception of supervised animal exercise while on a leash)	P	
	Wholesale and warehousing (with storage limited to a fully enclosed building)	P	
Civic	Nonemergency medical transport		SUP
	Fire stations	P	
	Governmental offices	P	
	Libraries	P	
	Post offices	P	
	Schools, public or private		SUP
Utility	Antennas and towers in excess of 60 feet in height		SUP
	Electrical generation facilities (public or private), steam generation facilities, and electrical substations with a capacity of 5,000 kilovolt amperes or more and electrical transmission lines capable of transmitting 69 kilovolts or more		SUP
	Railroad facilities including tracks, bridges and stations. Spur lines which are to serve and are accessory to existing or proposed development adjacent to existing railroad rights-of-way and track and safety improvements in existing railroad rights-of-way, are permitted generally and shall not require a special use permit		SUP
	Telephone exchanges and telephone switching stations	P	
	Tower mounted wireless communications facilities in accordance with division 6, Wireless Communications Facilities, in excess of 60 feet in height		SUP
	Transmission pipelines, public or private, including pumping stations and accessory storage, for natural gas, propane gas, petroleum products, chemicals, slurry coal and any other gases, liquids or solids. Extensions for private connections to existing pipelines, which are intended to serve an individual residential or commercial customer and which are accessory to existing or proposed development, are permitted generally and shall not require a special use permit		SUP

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Utility	Wireless communications facilities that utilize alternative mounting structures, or are camouflaged, and comply with division 6, Wireless Communications Facilities	P	
	Water facilities, public or private, and sewer facilities (public), including, but not limited to, treatment plants, pumping stations, storage facilities and transmission mains, wells and associated equipment such as pumps to be owned and operated by political jurisdictions. However, the following are permitted generally and shall not require a special use permit: <ul style="list-style-type: none"> (a) Private connections to existing mains that are intended to serve an individual customer and that are accessory to existing or proposed development, with no additional connections to be made to the line; and (b) Distribution lines and local facilities within a development, including pump stations 		SUP
Open	Timbering, in accordance with section 24-43	P	
Industrial Uses	Processing, assembly and manufacture of light industrial products or components, with all storage, processing, assembly and manufacture conducted indoors or under cover, with no dust, noise, odor or other objectionable effect.		SUP
	Waste disposal facilities		SUP

(Ord. No. 31A-88, § 20-82, 4-8-85; Ord. No. 31A-96, 4-7-86; Ord. No. 31A-102, 6-1-87; Ord. No. 31A-121, 5-21-90; Ord. No. 31A-143, 5-4-92; Ord. No. 31A -145, 7-6-92; Ord. No. 31A-167, 3-26-96; Ord. No. 31A-174, 1-28-97; Ord. No. 31A-176, 5-26-98; Ord. No. 31A-180, 9-8-98; Ord. No. 31A-236, 8-12-08; Ord. No. 31A-244, 2-9-10; Ord. No. 31A-262, 1-10-12)

Sec. 24-391. Area requirements.

No area requirements.

(Ord. No. 31A-88, § 20-83, 4-8-85; Ord. No. 31A-262, 1-10-12)

Chapter 24

ARTICLE V. DISTRICTS

DIVISION 11. LIMITED BUSINESS/INDUSTRIAL DISTRICT, M-1

Sec. 24-410. Statement of intent.

The primary purpose of the Limited Business/Industrial District, M-1, is to establish an area where the principal use of land is for limited business/industrial operations which are not ordinarily compatible with adjacent residential development. The specific intent of this district is to accomplish the following:

- (1) Encourage the use of land for limited business and industrial purposes;
- (2) Prohibit residential developments on land reserved for limited business and industrial uses;
- (3) Permit certain commercial and office uses in a manner which is compatible with limited business and industrial uses; and
- (4) Establish minimum requirements to protect the health, safety and welfare of the citizens of James City County from the effects or impacts commonly associated with the development of limited business and industrial uses.

(Ord. No. 31A-88, § 20-87, 4-8-85; Ord. No. 31A-144, 6-1-92; Ord. No. 31A-263, 1-10-12)

Sec. 24-411. Use list.

Reference section 24-11 for special use permit requirements for certain commercial uses and exemptions.

In the Limited Business/Industrial District, M-1, buildings to be erected or land to be used shall be for one or more of the following or similar uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Residential	An apartment or living quarters for a guard, caretaker, proprietor or the person employed on the premises, which is clearly secondary to the commercial or industrial use of the property	P	
Commercial	Accessory uses and structures as defined in section 24-2	P	
	Adult day care centers	P	
	Antique shops	P	
	Arts and crafts, hobby and handicraft shops	P	
	Auction houses	P	
	Bakeries or fish markets	P	
	Banks and other financial institutions	P	

Use Category	Use List	Permitted Uses	Specially Permitted Uses	
Commercial	Barber shops and beauty salons	P		
	Business and professional offices	P		
	Catering and meal preparation	P		
	Child day care centers	P		
	Contractor offices, equipment storage yards, shops and warehouses (with materials and equipment storage limited to a fully enclosed building or screened with landscaping and fencing with a maximum height of 12 feet from adjacent property)	P		
	Convenience stores; if fuel is sold, then in accordance with section 24-38			SUP
	Convention centers	P		
	Courier services	P		
	Data processing centers	P		
	Drug stores	P		
	Dry cleaners and laundries	P		
	Farmer's market	P		
	Fast food restaurants			SUP
	Feed, seed and farm supply stores	P		
	Firearms sales and service	P		
	Firing and shooting ranges (limited to a fully enclosed building)	P		
	Funeral homes	P		
	Gift and souvenir stores	P		
	Grocery stores	P		
	Health and exercise clubs, fitness centers	P		
	Heliports, helistops and accessory uses			SUP
	Hospitals			SUP
	Hotels and motels with accessory retail sales, barber shops and beauty shops located within the hotel or motel, for the principal benefit of the resident guest	P		
	Indoor centers of amusement including billiard halls, arcades, pool rooms, bowling alleys, dance clubs and bingo halls	P		
	Indoor sport facilities, including firing and shooting ranges	P		
	Indoor theaters	P		
	Janitorial service establishments	P		
	Kennels and animal boarding facilities	P		
	Laboratories, research and development centers	P		
	Laser technology production	P		
	Limousine services (with maintenance limited to a fully enclosed building)	P		
	Lodges, civic clubs, fraternal organizations and service clubs	P		

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Commercial	Lumber and building supply (with storage limited to a fully enclosed building or screened with landscaping and fencing with a maximum height of 12 feet from adjacent property)	P	
	Printing, mailing, lithographing, engraving, photocopying, blueprinting and publishing establishments	P	
	Machinery sales and service (with storage and repair limited to a fully enclosed building or screened from adjacent property with landscaping and fencing with a maximum height of 12 feet)	P	
	Marinas, docks, piers, yacht clubs, boat basins, boat storage and servicing, repair and sale facilities for the same; if fuel is sold, then in accordance with section 24-38	P	
	Marine or waterfront businesses to include the receipt, storage and transshipment of waterborne commerce or seafood receiving, packaging or distribution	P	
	Medical clinics or offices, including emergency care and first aid centers	P	
	Museums	P	
	New and/or rebuilt automotive parts sales (with storage limited to a fully enclosed building or screened from adjacent property with landscaping and fencing with a maximum height of 12 feet)	P	
	Nursing homes		SUP
	Nurseries	P	
	Off-street parking as required by section 24-54	P	
	Office supply stores	P	
	Outdoor centers of amusement, including miniature golf, bumper boats and waterslide parks		SUP
	Outdoor sports facilities, including golf courses, driving ranges, batting cages and skate parks, with water and sewer facilities for golf courses as approved by the board of supervisors		SUP
	Parking lots, structures or garages	P	
	Pet stores and pet supply sales	P	
	Photography, artist and sculptor stores and studios	P	
	Places of public assembly, including houses of worship and public or private meeting halls	P	

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Commercial	Plumbing and electrical supply and sales (with storage limited to a fully enclosed building or screened with landscaping and fencing with a maximum height of 12 feet from adjacent property)	P	
	Printing, mailing, lithographing, engraving, photocopying, blueprinting and publishing establishments	P	
	Private streets within “qualifying industrial parks” in accordance with section 24-62	P	
	Radio and television stations and accessory antenna or towers, self supported, (not attached to buildings) which are 60 feet less in height	P	
	Research, development and design facilities or laboratories	P	
	Restaurants, tea rooms, coffee shops, taverns and micro-breweries, not to include fast food restaurants	P	
	Retail and service stores, including the following stores: alcohol, appliances, books, cabinets, cameras, candy, carpet, coin, department, dressmaking, electronics, florist, furniture, furrier, garden supply, gourmet foods, greeting card, hardware, home appliance, health and beauty aids, ice cream, jewelry, locksmith, music, optical goods, paint, pet, picture framing, plant supply, shoes, sporting goods, stamps, tailor, tobacco and pipes, toys, travel agencies, upholstery, variety, wearing apparel, and yard goods	P	
	Retail food stores	P	
	Security service offices	P	
	Tattoo parlors		SUP
	Taxi service	P	
	Theme parks greater than 10 acres in size		SUP
	Truck stops; if fuel is sold, then in accordance with section 24-38		SUP
	Truck terminals; if fuel is sold, then in accordance with section 24-38		SUP
	Vehicle and trailer sales and service (with major repair limited to a fully enclosed building and screened from adjacent property by landscaping and fencing with a maximum height of 12 feet)	P	

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Commercial	Vehicle repair and service, including tire, transmission, glass, body and fender, and other automotive product sales, new and/or rebuilt (with major repair limited to a fully enclosed building and storage of parts and vehicles screened from adjacent property by landscaping and fencing with a maximum height of 12 feet)	P	
	Vehicle rentals	P	
	Vehicle service stations; if fuel is sold, then in accordance with section 24-38	P	
	Veterinary hospitals (with all activities limited to a fully enclosed building with the exception of supervised animal exercise)	P	
	Warehousing, wholesaling, storage and distribution centers (with storage limited to a fully enclosed building or screened by landscaping and fencing with a maximum height of 12 feet from adjacent property)	P	
	Water impoundments, new or expansion of, less than 50 acres and with dam heights of less than 25 feet	P	
	Water impoundments, new or expansion of, greater than 50 acres, or with dam heights of less than 25 feet or more		SUP
	Water well drilling establishments	P	
	Welding and machine shops (with storage limited to a fully enclosed building or screened from adjacent property with landscaping and fencing with a maximum height of 12 feet)	P	
Civic	Nonemergency medical transport	P	
	Fire stations	P	
	Governmental offices	P	
	Libraries	P	
	Post offices	P	
	Schools, public or private		SUP
Utility	Antennas and towers, self supported, which are 60 feet or less in height	P	
	Antennas and towers (not attached to buildings) in excess of 60 feet in height		SUP
	Electrical generation facilities (public or private), steam generation facilities, electrical substations with a capacity of 5,000 kilovolt amperes or more and electrical transmission lines capable of transmitting 69 kilovolts or more		SUP

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Utility	Railroad facilities including tracks, bridges and switching stations. Spur lines which are to serve and are accessory to existing or proposed development adjacent to existing railroad rights-of-way and track and safety improvements in existing railroad rights-of-way, are permitted generally and shall not require a special use permit		SUP
	Telephone exchanges and telephone switching stations	P	
	Tower mounted wireless communications facilities in accordance with division 6, Wireless Communications Facilities, less than 60 feet in height	P	
	Tower mounted wireless communications facilities in accordance with division 6, Wireless Communications Facilities, in excess of 60 feet in height		SUP
	Transmission pipelines, public or private, including pumping stations and accessory storage, for natural gas, propane gas, petroleum products, chemicals, slurry coal and any other gases, liquids or solids. Extensions for private connections to existing pipelines, which are intended to serve an individual residential or commercial customer and which are accessory to existing or proposed development, are permitted generally and shall not require a special use permit		SUP
	Wireless communications facilities that utilize alternative mounting structures, or are camouflaged, and comply with division 6, Wireless Communications Facilities	P	
	Water facilities (public or private) and sewer facilities (public), including, but not limited to, treatment plants, pumping stations, storage facilities and transmission mains, wells and associated equipment, such as pumps to be owned and operated by political jurisdictions. The following are permitted generally and shall not require a special use permit: <ul style="list-style-type: none"> (a) Private connections to existing mains that are intended to serve an individual customer and that are accessory to existing or proposed development, with no additional connections to be made to the line; and (b) Distribution lines and local facilities within a development, including pump stations 		SUP

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Open	Timbering, in accordance with section 24-43	P	
Industrial	Heavy equipment sales and service (with major repair limited to a fully enclosed building or screened with landscaping and fencing from adjacent property)	P	
	Industrial dry cleaners or laundries	P	
	Industrial or technical training centers or schools	P	
	Manufacture and assembly of musical instruments, toys, novelties, and rubber and metal stamps	P	
	Manufacture and bottling of soft drinks, water and alcoholic beverages	P	
	Manufacture and processing of textiles and textile products	P	
	Manufacture and storage of ice, including dry ice	P	
	Manufacture, assembly, or fabrication of sheet metal products	P	
	Manufacture, compounding, assembly or treatment of products made from previously prepared paper, plastic, metal, textiles, tobacco, wood, paint, fiber, glass, rubber, leather, cellophane, felt, fur, horn, wax, hair, yarn, and stone	P	
	Manufacture, compounding, processing and packaging of cosmetics, toiletries and pharmaceutical products	P	
	Manufacture, compounding, processing or packaging of food and food products, but not the slaughter of animals		SUP
	Manufacture of cans and other products from previously processed metals	P	
	Manufacture of carpets and carpet yarns	P	
	Manufacture of furniture	P	
	Manufacture of glass and glass products	P	
	Manufacture of pottery and ceramic products using kilns fired by gas or electricity	P	
	Manufacture or assembly of appliances, tools, firearms, hardware products and heating, cooling or ventilation equipment	P	
	Manufacture or assembly of electronic instruments, electronic devices or electronic components	P	
	Manufacture or assembly of medical, drafting, metering, marine, photographic and mechanical instruments and equipment	P	
	Manufactured home or mobile home sales	P	
Petroleum storage and retail distribution		SUP	

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Industrial	Processing, assembly and manufacture of light industrial products or components (with all storage, processing, assembly and manufacture conducted indoors or under cover, with no dust, noise, odor or other objectionable effect)		SUP
	Propane storage, distribution or sale		SUP
	Recycling center or plant	P	
	Resource recovery facilities		SUP
	Solid waste transfer stations and container sites, public or private		SUP
	Waste disposal facilities		SUP

(Ord. No. 31A-88, § 20-88, 4-8-85; Ord. No. 31A-110, 9-12-88; Ord. No. 31A-128, 12-3-90; Ord. No. 31A-144, 6-1-92; Ord. No. 31A-146, 8-3-92; Ord. No. 31A-150, 4-5-93; Ord. No. 31A-152, 8-16-93; Ord. No. 31A-167, 3-26-96; Ord. No. 31A-176, 5-26-98; Ord. No. 31A-177, 8-18-98; Ord. No. 31A-208, 8-13-02; Ord. No. 31A-214, 8-10-04; Ord. No. 31A-236, 8-12-08; Ord. No. 31A-263, 1-10-12)

Sec. 24-412. Outdoor operations and storage.

Any commercial or industrial operation or storage conducted in whole or in part out-of-doors shall meet the requirements of section 24-98(c).

(Ord. No. 31A-144, 6-1-92; Ord. No. 31A-263, 1-10-12)

Sec. 24-413. Area requirements and minimum lot width.

(a) Minimum lot size shall be 10,000 square feet.

(b) Minimum width of lots shall be 75 feet at the setback line.

(Ord. No. 31A-88, §§ 20-89, 204-89.1, 4-8-85; Ord. No. 31A-144, 6-1-92; Ord. No. 31A-263, 1-10-12)

Sec. 24-414. Setback requirements.

(a) Structures shall be located 50 feet or more from any street right-of-way which is 50 feet or greater in width. Where the street right-of-way is less than 50 feet in width, structures shall be located 75 feet or more from the center line of the street. The minimum setback of any portion of a structure which is in excess of 35 feet in height shall be increased one foot for each two feet of the structure's height in excess of 35 feet.

(b) The minimum setback shall also be increased to a minimum of 75 feet from any street with a right-of-way 50 feet or greater in width and 100 feet from any street with a right-of-way of less than 50 feet of width when the property immediately across the street is zoned residential. The minimum setback of any portion of a structure across the street from property zoned residential which is in excess of 35 feet in height shall be increased one foot for each two feet of the structure's height in excess of 35 feet.

Chapter 24

ARTICLE V. DISTRICTS

DIVISION 12. GENERAL INDUSTRIAL DISTRICT, M-2

Sec. 24-435. Statement of intent.

The primary purpose of the General Industrial District, M-2, is to establish an area where the principal use of land is for industrial operations which are not compatible with residential or commercial service establishments. The specific intent of this district is to accomplish the following:

- (1) Encourage the use of land for industrial purposes;
 - (2) Prohibit residential and commercial service developments on land reserved for industrial uses; and
 - (3) Establish minimum requirements to protect the health, safety and welfare of the citizens of James City County from the effects of the development of industrial uses.
- (Ord. No. 31A-88, § 20-95, 4-8-85; Ord. No. 31A-144, 6-1-92)

Sec. 24-436. Use list.

Reference section 24-11 for special use permit requirements for certain commercial uses and exemptions.

In the General Industrial District, M-2, buildings to be erected or land to be used shall be for one or more of the following or similar uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Residential	An apartment or living quarters for a guard, caretaker, proprietor or the person employed on the premises, which is clearly secondary to the commercial or industrial use of the property	P	
Commercial	Accessory uses and structures as defined in section 24-2	P	
	Adult day care centers	P	
	Antique shops	P	
	Arts and crafts, hobby and handicraft shops	P	
	Auction houses	P	
	Bakeries or fish markets	<i>P</i>	
	Banks and other financial institutions	P	
	Barber shops and beauty salons	P	
	Business and professional offices	P	
	Catering and meal preparation	P	
	Child day care centers	P	
	Contractor offices, equipment storage yards, shops and warehouses (with materials and equipment storage limited to a fully enclosed building or screened with landscaping and fencing with a maximum height of 12 feet from adjacent property)	P	

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Commercial	Convenience stores; if fuel is sold, then in accordance with section 24-38		SUP
	Convention centers	P	
	Courier services	P	
	Data processing centers	P	
	Drug stores	P	
	Dry cleaners and laundries	P	
	Farmer's markets	P	
	Feed, seed and farm supply stores	P	
	Firearms sales and service	P	
	Firing and shooting ranges, limited to a fully enclosed building	P	
	Funeral homes	P	
	Gift and souvenir stores	P	
	Grocery stores	P	
	Health and exercise clubs, fitness centers	P	
	Heliports, helistops and accessory uses		SUP
	Hospitals		SUP
	Hotels and motels with accessory retail sales, barber shops and beauty shops located within the hotel or motel for the principal benefit of the resident guest	P	
	Indoor centers of amusement including billiard halls, arcades, pool rooms, bowling alleys, dance clubs and bingo halls	P	
	Indoor sport facilities, including firing and shooting ranges	P	
	Indoor theaters	P	
	Janitorial service establishments	P	
	Kennels and animal boarding facilities	P	
	Laboratories, research and development centers	P	
	Laser technology production	P	
	Limousine services (with maintenance limited to a fully enclosed building)	P	
	Lodges, civic clubs, fraternal organizations and service clubs	P	
	Lumber and building supply (with storage limited to a fully enclosed building or screened with landscaping and fencing with a maximum height of 12 feet from adjacent property)	P	
	Printing, mailing, lithographing, engraving, photocopying, blueprinting and publishing establishments	P	
	Machinery sales and service (with storage and repair limited to a fully enclosed building or screened from adjacent property with landscaping and fencing with a maximum height of 12 feet)	P	

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Commercial	Marinas, docks, piers, yacht clubs, boat basins, boat storage and servicing, repair and sale facilities for the same; if fuel is sold, then in accordance with section 24-38	P	
	Marine or waterfront businesses to include the receipt, storage and transshipment of waterborne commerce or seafood receiving, packaging or distribution	P	
	Medical clinics or offices, including emergency care and first aid centers	P	
	Museums	P	
	New and/or rebuilt automotive parts sales (with storage limited to a fully enclosed building or screened from adjacent property with landscaping and fencing with a maximum height of 12 feet)	P	
	Nursing homes		SUP
	Nurseries	P	
	Off-street parking as required by section 24-53	P	
	Office supply stores	P	
	Outdoor centers of amusement, including miniature golf, bumper boats and waterslide parks		SUP
	Outdoor sports facilities, including golf courses, driving ranges, batting cages and skate parks, with water and sewer facilities for golf courses as approved by the board of supervisors		SUP
	Parking lots, structures or garages	P	
	Pet stores and pet supply sales	P	
	Photography, artist and sculptor stores and studios	P	
	Places of public assembly, including houses of worship and public or private meeting halls	P	
	Plumbing and electrical supply and sales (with storage limited to a fully enclosed building or screened with landscaping and fencing with a maximum height of 12 feet from adjacent property)	P	
	Printing, mailing, lithographing, engraving, photocopying, blueprinting and publishing establishments	P	
	Private streets within “qualifying industrial parks” in accordance with section 24-62	P	
	Radio and television stations and accessory antenna or towers, self supported, (not attached to buildings) which are 60 feet less in height	P	
	Research, development and design facilities or laboratories	P	
Restaurants, tea rooms, coffee shops, taverns, and micro-breweries, not to include fast food restaurants	P		

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Commercial	Retail and service stores, including the following stores: alcohol, appliances, books, cabinets, cameras, candy, carpet, coin, department, dressmaking, electronics, florist, furniture, furrier, garden supply, gourmet foods, greeting card, hardware, home appliance, health and beauty aids, ice cream, jewelry, locksmith, music, optical goods, paint, pet, picture framing, plant supply, shoes, sporting goods, stamps, tailor, tobacco and pipes, toys, travel agencies, upholstery, variety, wearing apparel, and yard goods	P	
	Retail food stores	P	
	Security service offices	P	
	Taxi service	P	
	Theme parks greater than 10 acres in size		SUP
	Truck stops; if fuel is sold, then in accordance with section 24-38		SUP
	Truck terminals; if fuel is sold, then in accordance with section 24-38		SUP
	Vehicle and trailer sales and service (with major repair limited to a fully enclosed building and screened from adjacent property by landscaping and fencing with a maximum height of 12 feet)	P	
	Vehicle rentals	P	
	Vehicle repair and service, including tire, transmission, glass, body and fender, and other automotive product sales, new and/or rebuilt (with major repair limited to a fully enclosed building and storage of parts and vehicles screened from adjacent property by landscaping and fencing with a maximum height of 12 feet)	P	
	Vehicle service stations; if fuel is sold, then in accordance with section 24-38	P	
	Veterinary hospitals (with all activities limited to a fully enclosed building with the exception of supervised animal exercise)	P	
	Warehousing, wholesaling, storage and distribution centers (with storage limited to a fully enclosed building or screened by landscaping and fencing with a maximum height of 12 feet from adjacent property)	P	
	Water impoundments, new or expansion of, less than 50 acres and with dam heights of less than 25 feet	P	
	Water impoundments, new or expansion of, greater than 50 acres, or with dam heights of less than 25 feet or more		SUP
Water well drilling establishments	P		

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Commercial	Welding and machine shops (with storage limited to a fully enclosed building or screened from adjacent property with landscaping and fencing with a maximum height of 12 feet)	P	
Civic	Nonemergency medical transport	P	
	Fire stations	P	
	Governmental offices	P	
	Libraries	P	
	Post offices	P	
	Schools, public or private		SUP
Utility	Antennas and towers, self supported, which are 60 feet or less in height	P	
	Antennas and towers (not attached to buildings) in excess of 60 feet in height		SUP
	Electrical generation facilities (public or private), steam generation facilities, electrical substations with a capacity of 5,000 kilovolt amperes or more and electrical transmission lines capable of transmitting 69 kilovolts or more		SUP
	Railroad facilities including tracks, bridges and switching stations. Spur lines which are to serve and are accessory to existing or proposed development adjacent to existing railroad rights-of-way and track and safety improvements in existing railroad rights-of-way, are permitted generally and shall not require a special use permit		SUP
	Telephone exchanges and telephone switching stations	P	
	Tower mounted wireless communications facilities in accordance with division 6, Wireless Communications Facilities, less than 60 feet in height	P	
	Tower mounted wireless communications facilities in accordance with division 6, Wireless Communications Facilities, in excess of 60 feet in height		SUP
	Transmission pipelines, public or private, including pumping stations and accessory storage, for natural gas, propane gas, petroleum products, chemicals, slurry coal and any other gases, liquids or solids. Extensions for private connections to existing pipelines, which are intended to serve an individual residential or commercial customer and which are accessory to existing or proposed development, are permitted generally and shall not require a special use permit		SUP

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Utility	Wireless communications facilities that utilize alternative mounting structures, or are camouflaged, and comply with division 6, Wireless Communications Facilities	P	
	Water facilities (public or private) and sewer facilities (public), including, but not limited to, treatment plants, pumping stations, storage facilities and transmission mains, wells and associated equipment, such as pumps to be owned and operated by political jurisdictions. The following are permitted generally and shall not require a special use permit: (a) Private connections to existing mains that are intended to serve an individual customer and that are accessory to existing or proposed development, with no additional connections to be made to the line; and (b) Distribution lines and local facilities within a development, including pump stations		SUP
Open	Timbering, in accordance with section 24-43	P	
Industrial	Heavy equipment sales and service (with major repair limited to a fully enclosed building or screened with landscaping and fencing from adjacent property)	P	
	Industrial dry cleaners or laundries	P	
	Industrial or technical training centers or schools	P	
	Manufacture and assembly of musical instruments, toys, novelties, and rubber and metal stamps	P	
	Manufacture and bottling of soft drinks, water and alcoholic beverages	P	
	Manufacture and processing of textiles and textile products	P	
	Manufacture and storage of ice, including dry ice	P	
	Manufacture, assembly, or fabrication of sheet metal products	P	
	Manufacture, compounding, assembly or treatment of products made from previously prepared paper, plastic, metal, textiles, tobacco, wood, paint, fiber, glass, rubber, leather, cellophane, felt, fur, horn, wax, hair, yarn, and stone	P	
	Manufacture, compounding, processing and packaging of cosmetics, toiletries and pharmaceutical products	P	
Manufacture, compounding, processing or packaging of food and food products, but not the slaughter of animals		SUP	

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Industrial	Manufacture of cans and other products from previously processed metals	P	
	Manufacture of carpets and carpet yarns	P	
	Manufacture of furniture	P	
	Manufacture of glass and glass products	P	
	Manufacture of pottery and ceramic products using kilns fired by gas or electricity	P	
	Manufacture or assembly of appliances, tools, firearms, hardware products and heating, cooling or ventilation equipment	P	
	Manufacture or assembly of electronic instruments, electronic devices or electronic components	P	
	Manufacture or assembly of medical, drafting, metering, marine, photographic and mechanical instruments and equipment	P	
	Manufactured home or mobile home sales	P	
	Petroleum storage and retail distribution		SUP
	Processing, assembly and manufacture of light industrial products or components, with all storage, processing, assembly and manufacture conducted indoors or under cover, with no dust, noise, odor or other objectionable effect		SUP
	Propane storage, distribution or sale		SUP
	Recycling center or plant	P	
	Resource recovery facilities		SUP
	Solid waste transfer stations and container sites, public or private		SUP
Waste disposal facilities		SUP	

(Ord. No. 31A-88, § 20-96, 4-8-85; Ord. No. 31A-110, 9-12-88; Ord. No. 31A-128, 12-3-90; Ord. No. 31A-144, 6-1-92; Ord. No. 31A-146, 8-3-92; Ord. No. 31A-150, 4-5-93; Ord. No. 31A-167, 3-26-96; Ord. No. 31A-176, 5-26-98; Ord. No. 31A-177, 8-18-98; Ord. No. 31A-214, 8-10-04; Ord. No. 31A-229, 9-25-07; Ord. No. 31A-236, 8-12-08; Ord. No. 31A-264, 1-10-12)

Sec. 24-437. Outdoor operations and storage.

Any commercial or industrial operation or storage conducted in whole or in part out-of-doors, shall meet the requirements of section 24-98(c) of this chapter.

(Ord. No. 31A-144, 6-1-92; Ord. No. 31A-264, 1-10-12)