

## RESOLUTION

### ZONING ORDINANCE TRANSITION

WHEREAS, the Board of Supervisors is considering comprehensive revisions and amendments to sections of Chapter 24, Zoning, of the Code of the County of James City, Virginia, as described in Case Nos. ZO-5-98, ZO-13-98, and ZO-14-98; and

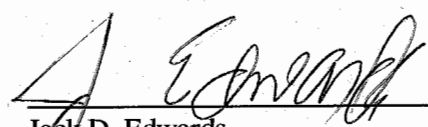
WHEREAS, the orderly transition from the existing zoning regulations to revised regulations requires a transition ordinance to affect changes in law.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby grandfathers proposed developments which meet the criteria identified below under the regulations in effect prior to the May 25, 1999, adoption of the comprehensive revisions to the James City County Zoning Ordinance, as described in Case Nos. ZO-5-98, ZO-13-98, and ZO-14-98, if one or more of the following are met:

1. A proposed development with proffered conditions that:
  - a. define the permitted densities or number of lots or dwelling units; or
  - b. were accepted by the County after July 1, 1990, which included a requirement for the dedication of real property of substantial value, for substantial cash payments, or for construction of substantial public improvements, the need for which was not generated solely by the rezoning itself; or
2. A proposed development with a cluster master plan approved on or before May 25, 1999; or
3. A subdivision which has received preliminary subdivision approval on or before May 25, 1999; or
4. A proposed development that has been rezoned to R-1 or R-2 on or after July 1, 1990; or
5. A proposed development in which at least one section has received preliminary subdivision approval for a major subdivision after July 1, 1990, and has maintained preliminary approval or received final subdivision approval.

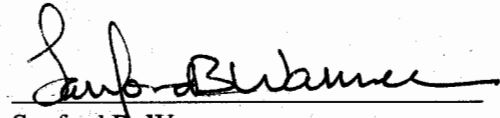
BE IT FURTHER RESOLVED by the Board of Supervisors of James City County, Virginia, that for the purposes of this resolution, "proposed development" shall mean one parcel or several contiguous parcels of land zoned the same, which were part of a single rezoning application, or shown on a conceptual or master plan as being a single development.

BE IT FURTHER RESOLVED that because the Board of Supervisors regards the adoption of the ordinance revisions in Case Nos. ZO-5-98, ZO-13-98, and ZO-14-98 as the end of a unified revision process begun with Case No. ZO-1-97, the adoption of the above provisions for grandfathering in this resolution is appropriate. Future ordinance revisions may well have more limited grandfathering provisions.



Jack D. Edwards  
Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner  
Clerk to the Board

| SUPERVISOR | VOTE |
|------------|------|
| NERVITT    | NAY  |
| SISK       | AYE  |
| MCGLENNON  | AYE  |
| BRADSHAW   | AYE  |
| EDWARDS    | NAY  |

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

ZO-5;13;14-98.res