

AT A WORK SESSION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 1ST DAY OF DECEMBER, 1999, AT 2:03 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Jack D. Edwards, Chairman, Berkeley District
David L. Sisk, Vice Chairman, Roberts District

John J. McGlennon, Jamestown District
Ronald A. Nervitt, Powhatan District
M. Anderson Bradshaw, Stonehouse District
Sanford B. Wanner, County Administrator
Frank M. Morton, III, County Attorney

B. WORK SESSION

1. BMP Management

Mr. John T. P. Horne, Manager of Development Management, introduced Mr. Darryl Cook, who presented the issues and recommendations related to the stormwater management program, the implementation and phasing of the recommendations. He reported on options for long term stormwater maintenance, and regional stormwater management.

Mr. Horne asked the Board for direction regarding the concept and scope of the shared maintenance program. He stated that if directed, further discussion of implementation and funding issues, and specific budget requests would be forthcoming at a later date.

Mr. Horne explained that before construction of a regional facility could occur, a stormwater master plan must be completed. He requested the transfer of funds for the cost of studies be transferred from Capital Improvements Program to Operating budget.

The Board agreed to support the transfer of funds.

CONTINUATION OF THE NOVEMBER 23, 1999, BOARD OF SUPERVISORS MEETING at 3:30 P.M.

7. Case No. SO-1-99. Comprehensive Revisions to the Subdivision Ordinance

Mr. Paul D. Holt, III, Senior Planner stated that the Grab Bag Zoning Ordinance Update Committee had reviewed the Subdivision Ordinance and recommended changes. He stated that the changes attempted to clarify the Ordinance, reflected changes in administrative procedure, created definitions which make terms more understandable, provided greater protection to citizens and created new definitions to define frequently used terms.

Staff determined three changes need specific consideration: 1) Section 19-29 Final plan - Submittal requirements -- septic tank size relative to the number of bedrooms; Section 19-60 Individual sewer; 2) Section 19-48, Future Right-of-Way Language -- street alignment and layout; and, 3) Section 19-71. Shared driveway requirements for minor subdivisions.

Board members and staff discussed appropriate wording in Section 19-29 to be added to plat regarding septic tank and soils information should be verified and reevaluated by the Health Department prior to any new construction.

After discussion, a majority of the Board members agreed to eliminate Section 19-48 (b)(3) regarding posting of sign at temporary terminus of street.

Board members and staff discussed and agreed to proposed language by staff of Section 19-71. Shared driveway requirements for minor subdivisions.

Board members and staff discussed the past reassignment of certain duties from Code Compliance Division to Environmental Division and Zoning Administrator.

Mr. Edwards opened the public hearing.

1. Mr. Mark Rinaldi, 10022 Sycamore Landing, stated that he felt additional language on the plat regarding number of bedroom was not meaningful information and spoke in opposition to the signage issue.

2. Mr. Jay Harrison, 4932 Grand Strand Drive, spoke in opposition to the signs as a means to inform citizens of possibility of future roadway.

Mr. Edwards closed the public hearing.

Mr. Bradshaw made a motion to approve the Ordinance amendments.

Mr. Edwards deferred the case to allow incorporation of amendments until following the joint meeting of the Board of Supervisors, Williamsburg-James City County School Board and Williamsburg City Council on December 15, 1999, at 7:00 p.m.

CLOSED MEETING

Mr. Edwards made a motion to go into closed session pursuant to Section 2.1-344(A)(7) of the Code of Virginia to consult with legal staff on a specific legal matter and Section 2.1-344(A)(3) of the Code of Virginia to consider acquisition of parcels of property, at 4:20 p.m.

On a roll call, the vote was: AYE: Nervitt, Sisk, McGlennon, Bradshaw, Edwards (5). NAY: (0).

Mr. Edwards reconvened the Board into open session, at 5:08 p.m.

Mr. Edwards made a motion to approve the closed meeting resolution.

On a roll call, the vote was: AYE: Nervitt, Sisk, McGlennon, Bradshaw, Edwards (5). NAY: (0).

RESOLUTION**CERTIFICATION OF CLOSED MEETING**

WHEREAS, the Board of Supervisors of James City County, Virginia, (Board) has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby certifies that, to the best of each member's knowledge: i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies; and, ii) only such public business matters were heard, discussed or considered by the Board as were identified in the motion, Section 2.1-344(A)(7) to discuss a specific legal matter and Section 2.1-344(A)(3) to consider acquisition of parcels of property.

H. BOARD CONSIDERATION**1. 2000 Legislative Program**

Mr. Frank M. Morton, III, County Attorney, presented five items to be introduced on behalf of the County and two items to support as the proposed 2000 Legislative Program.

Mr. Sisk made a motion to approve the resolution.

Mr. Nervitt asked about how to proceed to make the General Assembly aware of the need to address water issues and desalinization.

Mr. Wanner stated that a letter to the State Water Commission would be prepared requesting it to make a recommendation to the General Assembly.

On a roll call, the vote was: AYE: Nervitt, Sisk, McGlennon, Bradshaw, Edwards (5). NAY: (0).

RESOLUTION**2000 LEGISLATIVE PROGRAM**

WHEREAS, it is appropriate for the Board of Supervisors to consider a legislative program to present to the 2000 session of the General Assembly.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby endorse the attached 2000 Legislative Program and urges its consideration and passage as appropriate.

G. CONTINUATION OF PUBLIC HEARINGS**8. Ordinance Amendment, Chapter 2, Administration, Employment of Off-Duty Officers**

Mr. Morton stated that the proposed ordinance permitted County police officers and deputy sheriffs to engage in off-duty employment subject to the rules promulgated by the Chief of Police or Sheriff.

Staff recommended approval of the ordinance.

Mr. Edwards opened the public hearing, and as no one wished to speak, he closed the public hearing.

Mr. McGlennon made a motion to approve the ordinance.

On a roll call, the vote was: AYE: Nervitt, Sisk, McGlennon, Bradshaw, Edwards (5). NAY: (0).

9. Ordinance Amendment, Chapter 12, for Business Licenses for Wholesale Druggists

Mr. Morton stated that the ordinance amendment moved the requirement and fee for a wholesale druggist's business license from Section 12-28, Alcoholic beverages, to Section 12-21, Rates of license taxes and fees.

Staff recommended approval of the ordinance.

Mr. Edwards opened the public hearing, and as no one wished to speak, he closed the public hearing.

Mr. Bradshaw made a motion to approve the ordinance.

On a roll call, the vote was: AYE: Nervitt, Sisk, McGlennon, Bradshaw, Edwards (5). NAY: (0).

11. Case No. ZO-11-99. Submittal Requirements for Rezoning and Special Use Permit Requests

Mr. Paul D. Holt, III, Senior Planner, stated that the Grab Bag Zoning Ordinance Update Committee looked at submittal requirements for rezonings, special use permits, and commercial special use permits and recommended changes requiring a community impact statement with infrastructure and quality of life information; a binding master plan; and supplemental information in accordance with the policy in conjunction with Section 24-17 of the Zoning Ordinance.

The Grab Bag Zoning Ordinance Update Committee determined that the proposed changes would ensure that projects which have substantial impacts on roads, water supply and distribution, public facilities, archaeology, environment, fiscal resources, and aesthetics of the County could be better planned and mitigated.

In concurrence with staff, the Grab Bag Zoning Ordinance Update Committee and the Planning Commission unanimously recommended approval of the ordinance and policy.

Mr. Edwards opened the public hearing.

2. Mr. Mark Rinaldi, 10022 Sycamore Landing, asked about the adequate public facilities test report and fiscal impact analysis.

Mr. Holt responded that the adequate public facilities test was approved previously and the fiscal impact analysis was a requirement for zoning for R-4 or PUD.

Mr. Bradshaw suggested language of Section 24-23(a)(1)(a)(4) be changed to state ... adequate public facilities report in accordance with Board of Supervisors policy.

The Board agreed.

Mr. Edwards closed the public hearing.

Mr. McGlennon made a motion to approve the amended ordinance.

On a roll call, the vote was: AYE: Nervitt, Sisk, McGlennon, Bradshaw, Edwards (5). NAY: (0).

Mr. Sisk made a motion to recess until the James City County Board of Supervisors, Williamsburg City Council, and Williamsburg/James City County School Board joint meeting, 7:00 p.m., December 15, 1999.

On a roll call, the vote was: AYE: Nervitt, Sisk, McGlennon, Bradshaw, Edwards (5). NAY: (0).

The Board recessed at 5:38 p.m.



Sanford B. Wanner
Sanford B. Wanner
Clerk to the Board

DEC 1 1999

ORDINANCE NO. 55A-28

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 2, ADMINISTRATION, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE IV, OFFICERS AND EMPLOYEES, DIVISION 2, SPECIFIC OFFICERS, BY ADDING SECTION 2-16.6, EMPLOYMENT OF OFF-DUTY POLICE OFFICERS AND DEPUTY SHERIFFS.

An ordinance to amend and reordain Chapter 2, Administration, of the Code of the County of James City, Virginia, by amending Article IV, Officers and Employees, Division 2, Specific Officers, by adding Section 2-16.6, Employment of off-duty police officers and deputy sheriffs.

Article IV. Officers and Employees

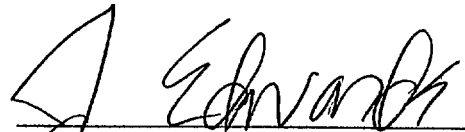
Division 2. Specific Officers

Sec. 2-16.6. Employment of off-duty police officers and deputy sheriffs.

Upon individual application to, and approval by, the chief of police or the sheriff, as appropriate, police officers and deputy sheriffs may engage in off-duty employment, including employment which may occasionally require such officers to use their police powers in the performance of such employment, subject to such rules, regulations and conditions applying to such off-duty employment as the chief of police and sheriff, respectively, may prescribe for their departments.

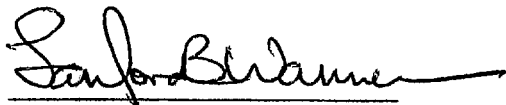
State law reference - Code of Va. §15.2-1712 - Employment of off-duty officers.

Ordinance to Amend and Reordain
Chapter 2, Administration
Page 2



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 1st day of December, 1999.

ADOPTED 203

DEC 1 1999.

ORDINANCE NO. 16A-23

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 12, LICENSES, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE II, SPECIFIC BUSINESSES AND ACTIVITIES, SECTION 12-21, RATES OF LICENSE TAXES AND FEES; AND SECTION 12-28, ALCOHOLIC BEVERAGES.

BE IT ORDAINED, by the Board of Supervisors of the County of James City, Virginia, that Chapter 12, Licenses is hereby amended and reordained by amending Section 12-21, Rates of license taxes and fees; and Section 12-28, Alcoholic beverages.

Chapter 12. Licenses

Article II. Specific Businesses and Activities

Sec. 12-21. Rates of license taxes and fees.

Except as may be specifically otherwise provided by this chapter or other law, there shall be an annual license fee of \$30.00 charged to any class of business requiring a license pursuant to this chapter that has gross receipts exceeding \$4,000.00 but less than \$50,000.00. For all businesses requiring a license pursuant to this chapter with gross receipts of \$50,000.00 or more the annual charge shall be either the \$30.00 license fee or the tax calculated based on the rate set forth below for the class of enterprise listed, whichever is greater. For the purpose of this chapter, gross receipts shall be the aggregate of all gross receipts for all licensable enterprises at a particular place of business.

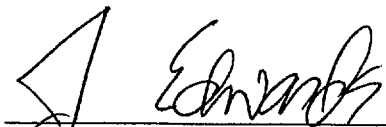
Ordinance to Amend and Reordain
Chapter 12. Licenses
Page 2

~~(13) For each wholesale druggist license, \$10.00 per year.~~

Sec. 12-28. Alcoholic beverages.

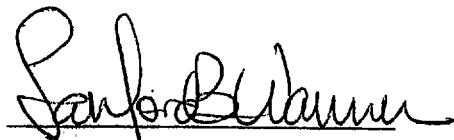
(a) Every person engaged in dispensing alcoholic beverages shall become liable for license taxes as follows:

(6) For each wholesale wine distributor's license, \$50.00 per annum, and for each wholesale druggist license, \$10.00 per annum;



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 1st day of December, 1999.

A D O P 205D

DEC 1 1999

ORDINANCE NO. 31A-201

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 I, IN GENERAL, SECTION 24-10, PUBLIC HEARING REQUIRED; SECTION 24-11, SPECIAL USE PERMIT REQUIREMENTS FOR CERTAIN COMMERCIAL USES; EXEMPTIONS; SECTION 24-13, AMENDMENT OF CHAPTER; AND BY ADDING SECTION 24-23, SUBMITTAL 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 Section 24-10, Public hearing required; Section 24-11, Special use permit requirements for certain commercial uses; Exemptions; Section 24-13, Amendment of chapter; and by adding Section 24-23, Submittal requirements.

Chapter 24. Zoning

ARTICLE I. IN GENERAL

Sec. 24-10. Public hearing required.

Prior to issuance of a special use permit a public hearing shall be held by the planning commission and by the board of supervisors; provided, however, that a special use permit for a manufactured home, temporary classroom trailer, a family subdivision may be issued after a public hearing is held by the board of supervisors only. Whenever the planning commission is not required to hold a public hearing, it need not consider the permit nor make a recommendation to the board of supervisors for such permit. The fee for a special use permit shall be in accordance with section 24-7 of this chapter.

Ordinance to Amend and Reordain
 Chapter 24. Zoning
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Sec. 24-11. Special use permit requirements for certain commercial uses; exemptions.

(a) *General requirements.* A special use permit issued by the board of supervisors shall be required for:

- (1) Any convenience store;
- (2) Any commercial building ~~or group of buildings~~ which exceeds 10,000 square feet of floor area; or
- (3) Any commercial building ~~or group of buildings~~, not including office uses, which generates, or would be expected to generate, ~~150 a total of 100~~ or more additional trips to and from the site during the peak hour of the operation, based on the application of the Institute of Transportation Engineers (ITE) traffic generation rates contained in the latest edition of its book entitled *Trip Generation*. The applicable trip generation rate shall be determined by the planning director. The planning director may permit other traffic generation rates to be used if an individual or firm qualified to conduct traffic engineering studies documents that the use would not reasonably be expected to generate the amount of peak hour traffic projected by application of ITE traffic generation rates, provided the documentation is acceptable to the planning director. ~~or~~
- ~~(4) Automobile and gasoline service stations.~~

(b) *New buildings, additions or expansions.* A special use permit shall be required for a new building, addition or expansion when:

- (1) In combination with the existing structure, it exceeds the thresholds set forth in paragraph (a);
- (2) It adds 5,000 square feet or more of commercial floor area or, in combination with other new buildings, additions or expansions, generates 75 or more peak-hour trips than generated by the existing or approved use on May 21, 1990, or than approved in a special use permit, whichever is greater; and
- (3) It is located on the same property as the existing structure or other parcel which is a logical component of such property. Factors to determine whether a parcel is a logical component include:
 - a. Common ownership or control of the parcels under consideration by the same person(s) or entity(ies), or similar or related entities;
 - b. Regardless of factor a. above, shared access to public roads, shared parking arrangements, shared traffic circulation or shared service areas; and
 - c. Proximity. For the purpose of this paragraph, "proximity" means adjacent parcels, parcels separated by property under common ownership or control by the same

Ordinance to Amend and Reordain
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person(s) or entity(ies) or similar or related entities, or parcels separated by a public or private right-of-way.

(c) *Design and submittal requirements.* Any building or use and addition or expansion thereto requiring a special use permit under this section shall comply with the following regulations ~~requirements of section 24-23~~

- (1) ~~Any use requiring a special use permit under this section for which the existing and proposed use is five acres or more in area shall include a binding master plan prepared in accordance with section 24-484(b)(1)-(5). The master plan shall depict and bind the approximate boundaries and general location of all principal land uses and their building square footage and height, roads, right-of-ways, accesses, open spaces, public uses and other features to be located on the site for which approval is sought. The planning director may require other features, including general location and approximate boundaries of buildings, structures or parking areas, to be incorporated into the master plan where deemed necessary due to the size of the development, access to or location of public roads, distance from residential areas, presence of environmentally sensitive areas or availability of public utilities. The master plan shall be reviewed and approved and thereafter become binding upon approval of the special use permit by the board of supervisors. Thereafter, all amendments to the master plan shall be in accordance with section 24-13 of this chapter. Final site plans may be approved after approval of a master plan by the board of supervisors. All final site plans shall be consistent with the master plan, but may deviate from the master plan if the zoning administrator concludes, after reviewing written comments from the planning director, the site plan does not alter the basic concept or character of the development or conflict with any conditions placed on the special use permit. If the zoning administrator determines that a proposed change would deviate from the approved master plan, the amendment shall be submitted and approved in accordance with section 24-13.~~
- (2) ~~A traffic impact study shall be submitted with any such special use permit application prepared by an individual or firm qualified to conduct traffic engineering studies in a manner and form acceptable to the planning director. Such study shall address projected traffic generation, internal and external traffic, turning movements and distribution at each access point, traffic distribution, capacity of surrounding roads, and road and access improvements.~~
- (3) ~~Vehicular access points and drives shall be designed to encourage smooth traffic flow, with controlled turning movements and minimum hazards to vehicular and pedestrian traffic. Buildings, parking areas and drives shall be arranged in a manner that encourages pedestrian access and minimizes traffic movement. No more than one access point on each abutting public street shall be permitted unless specifically approved by the board of supervisors after reviewing the applicant's traffic impact study.~~
- (d) *Exemptions.* The following shall be exempt from the requirements of this section:

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Chapter 24. Zoning
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- (1) Any use or building and expansion or addition thereto with preliminary site plan approval prior to May 21, 1990;
- (2) Any use or building and expansion or addition thereto for which the start of construction began prior to May 21, 1990, in accordance with a site plan approved prior to that date;
- (3) Any use or building and expansion or addition thereto shown on a proffered binding master plan that binds the general location of all of the features on the plan as required under this section;
- (4) Any building located in a mixed use district, residential planned community district or planned unit development district; or
- (5) Any building predominantly used as a warehouse, distribution center, office, or for other industrial or manufacturing purposes. *For purposes of this exemption only, the term "predominantly" shall mean 85 percent of the total square feet of the building or more.*

Sec. 24-13. Amendment of chapter.

As provided for by section 15.2-2286(7) of the Code of Virginia, the board of supervisors may from time to time amend, supplement or change by ordinance the boundaries of the districts or the regulations herein established; any such amendment may be initiated by resolution of the board of supervisors or by motion of the planning commission or by petition of any property owner, contract purchaser with the owner's written consent, or the owner's agent thereof of the property which is the subject of the proposed zoning map amendment, addressed to the board of supervisors. Petitions for change or amendment shall be on forms provided by the county and filed with the application fee established by section 24-7 of this chapter *comply with the requirements of section 24-23*. These changes may be made, provided:

- (1) The planning commission and the board of supervisors shall each hold at least one public hearing in relation thereto at which parties in interest and citizens shall have an opportunity to be heard.
- (2) That notice shall be given of the time and place of such hearing by publication as a box advertisement in at least two issues of some newspaper having a general circulation in the jurisdiction. Such notice shall specify the time and place of hearing at which persons affected may appear and present their views, not less than six days nor more than 21 days after final publication. After enactment of any such plan, ordinance or amendment, further publication thereof shall not be required.
- (3) When a proposed amendment of the zoning ordinance involves a change in the zoning classification of 25 or less parcels of land, then, in addition to the advertising as required above, written notice shall be given by the planning commission at least five days before the hearing to the owner or owners, their agent or the occupant of each parcel involved and to

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the owners, their agent or the occupant of all abutting property and property immediately across the street from the property affected. When a proposed amendment of the zoning ordinance involves a change in the zoning map classification of more than 25 but less than 500 parcels of land, then, in addition to the advertising as above required, written notice shall be given at least five days before the hearing to the owner, owners or their agent of each parcel of land involved. One notice sent by first class mail to the last known address of such owner as shown on the current real estate assessment books shall be deemed adequate compliance with this requirement; provided, that a representative of the local commission shall make affidavit that such mailings have been made and file such affidavit with the papers in the case. Nothing in this paragraph shall be construed as to invalidate any subsequently adopted amendment or ordinance because of the inadvertent failure by the representative of the planning commission to give written notice to the owner, owners or their agent of any parcel involved. Such notice shall be sent in accordance with section 15.2-2204 of the Code of Virginia.

- (4) No plan, ordinance or amendment shall be enacted, amended or re-enacted unless the board of supervisors has referred the proposal to the planning commission for its recommendation or has received the planning commission recommendation. Failure of the planning commission to report 90 days after the first meeting of the commission after the proposed plan, amendment or reenactment has been referred to the commission shall be deemed approval. After the public hearing required in subsection (1) above, the board may make appropriate changes or corrections in the ordinance or proposed amendment.
- (5) A petition for a plan or amendment substantially the same as one previously considered shall not be reconsidered within a one-year period from the date the similar petition was decided.

Sec. 24-23. Submittal requirements.

(a) *The following shall be submitted with any request for an amendment of this chapter, as provided for in section 24-13, or for any building or use and addition or expansion thereto which requires a special use permit under this chapter, provided however, applications for family subdivisions, manufactured homes and temporary classroom trailers shall be exempt from the requirements of this section.*

(1) *Community impact statement containing:*

a. *Infrastructure information:*

1. *A traffic impact study for all projects that expect to generate 100 or more weekday peak hour trips to and from the site during the peak hour of the operation, based on the application of the Institute of Transportation Engineers (ITE) traffic generation rates contained in the latest edition of its*

book entitled *Trip Generation*, or those projects with an entrance or exit onto a roadway with a level of service "D" or lower. The applicable trip generation rate shall be determined by the planning director. The planning director may permit other traffic generation rates to be used if an individual or firm qualified to conduct traffic engineering studies documents that the use would not reasonably be expected to generate the amount of peak hour traffic projected by application of ITE traffic generation rates, provided the documentation is acceptable to the planning director. Vehicular access points and drives shall be designed to encourage smooth traffic flow, with controlled turning movements and minimum hazards to vehicular and pedestrian traffic. Buildings, parking areas and drives shall be arranged in a manner that encourages pedestrian access and minimizes traffic movement. No more than one access point on each abutting public street shall be permitted unless specifically approved by the board of supervisors after reviewing the applicant's traffic impact study; and

2. A water and sewer impact study for all projects with an anticipated average daily flow greater than 30,000 gallons, and/or for proposed residential projects containing 100 lots or more; and

3. A conceptual stormwater management plan showing approximate location, footprint, and type of BMP; and

4. An adequate public facilities report in accordance with Board of Supervisors policy.

b. *Quality of life information*

1. A Phase IA historic and archaeological study if the property is identified as being a highly-sensitive area on the James City County archaeological assessment. If the property is identified as a moderately-sensitive area on the assessment, studies shall be provided in accordance with the currently adopted archaeological policy; and

2. An environmental inventory in accordance with the James City County Natural Areas policy; and

3. A fiscal impact analysis when the proposal includes residential dwelling units.

(2) Master plan prepared in accordance with section 24-484(b)(1)-(5). The master plan shall depict and bind the approximate boundaries and general location of all principal land uses and their building square footage and height, roads, right-of-ways, accesses, open spaces, public uses and other features to be located on the site for which

Ordinance to Amend and Reordain
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approval is sought. The planning director may require other features, including general location and approximate boundaries of buildings, structures or parking areas, to be incorporated into the master plan where deemed necessary due to the size of the development, access to or location of public roads, distance from residential areas, presence of environmentally sensitive areas or availability of public utilities. The master plan shall be reviewed and approved and thereafter become binding upon approval of a rezoning or a special use permit by the board of supervisors. Thereafter, all amendments to the master plan shall be in accordance with section 24-13 of this chapter. Final site plans may be approved after approval of a master plan by the board of supervisors. All final site plans shall be consistent with the master plan, but may deviate from the master plan if the zoning administrator concludes, after reviewing written comments from the planning director, the site plan does not alter the basic concept or character of the development or conflict with any conditions placed on the special use permit. If the zoning administrator determines that a proposed change would deviate from the approved master plan, the amendment shall be submitted and approved in accordance with section 24-13.


(3) Any other submittal requirement which may be required by this chapter.

(4) An application and fee in accordance with section 24-7 of this chapter.

(b) Supplemental information should be submitted in accordance with the "Supplemental Submittal Requirements for Special Use Permits and Rezonings" policy as adopted by the board of supervisors.

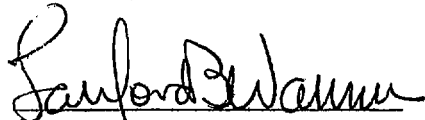
(c) Unless otherwise required by this chapter, upon written request by the applicant, the director of planning may waive any requirement under (a)(1) or (a)(2) above after finding that such information would not be germane to the application.

Secs. 24-2324 - 24-31. Reserved.



Jack D. Edwards
Chairman, Board of Supervisors

ATTEST:


Sanford B. Wanner
Clerk to the Board

SUPERVISOR	VOTE
NERVITT	AYE
SISK	AYE
MCGLENNON	AYE
BRADSHAW	AYE
EDWARDS	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 1st day of December, 1999.