

MAR 13 1978

ORDINANCE NO. 31A-45

BOARD OF SUPERVISORS  
JAMES CITY COUNTY  
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN THE CODE OF THE COUNTY OF JAMES CITY,  
CHAPTER 20, ZONING, ARTICLE II, SITE PLAN.

BE IT ORDAINED by the Board of Supervisors of James City County that  
Chapter 20, Zoning, of the Code of the County of James City, be and the  
same is, hereby, amended and reordained by amending Article II, Site Plan,  
to read as follows:

## CHAPTER 20

## ZONING

## Article II. Site Plan

Section 20-16. Certain plans subject to review by Planning Commission.

For the purpose of assuring public safety, good arrangement and  
insuring harmony with the Comprehensive Plan, site plans for the follow-  
ing major uses and additions and expansions thereto shall be subject to  
review for approval by the Planning Commission's Site Plan Review Commit-  
tee and the Zoning Administrator:

- (a) Multiple-family dwellings.
- (b) Townhouses.
- (c) Churches; temples, synagogues; cemeteries.
- (d) Docks, marinas, wharves, piers, bulkheads and the like and  
any over-water structures, except private over-water piers and boat  
houses accessory to a single-family dwelling.
- (e) Hotels; motels and motor lodges.
- (f) Business, commercial and industrial buildings and develop-  
ments.
- (g) Mobile home parks.
- (h) Campgrounds and recreational vehicle parks.
- (i) Public parks, recreation facilities.
- (j) Public utilities or public service or transportation uses;  
buildings, generating, purification or treatment plants; water storage  
tanks; pumping or regulator stations; telephone exchange, transformer  
or substations; and power transmission lines.
- (k) Schools and State institutions.
- (l) Hospitals and nursing homes.
- (m) State and public buildings.
- (n) Towers.

Section 20-16.1. Same -- Density transfers.

Site plans shall be submitted to the Planning Commission's Site  
Plan Review Committee for all proposed residential developments which

use the density transfer provisions.

Section 20-17. Preapplication conference.

Before filing an application for approval of a site development plan, the developer may confer with the Administrator or his designee and such other agencies of the County and State as he or the Administrator deems advisable concerning the general proposal. Such action does not require formal application or filing of a site plan and is not to be construed as an application for approval in computing time limitations in relation thereto.

Section 20-18. Preliminary plan -- Submittal generally.

Seven copies of a preliminary site plan shall be submitted to the Administrator or his designee who shall review the plans for compliance with these regulations and the requirements for preliminary site plans and shall transmit such plans to the Site Plan Review Committee with his comments for their review. The Committee shall consider the preliminary site plan submittal within thirty days; provided, that all materials are presented in accord with requirements set forth in this section.

Section 20-18.1. Same -- Exceptions.

Upon application and review, the Administrator may grant preliminary approval, provided that:

(a) All materials are presented in accordance with the requirements set forth in this chapter.

(b) No unresolved problems exist between the applicant, adjacent property owners, or any departmental reviewing agency, and the site plan is for either:

- (1) An addition to an existing use with a floor area no greater than 75% of the total floor area of the existing use, or
- (2) A single business, commercial, or industrial building with a total floor area not to exceed 5,000 square feet, and a maximum height of 35 feet from grade to the top of the structure.

Section 20-19. Same -- Submittal contents.

The preliminary site plan shall be submitted in at least two parts.

(a) The first shall be a site survey and layout showing existing physical features and the proposed development. The site plan shall as a minimum contain:

- (1) Title of project.
- (2) Name of engineer, architect, landscape architect and/or surveyor.
- (3) Location of site by an insert map at a scale no less than 1"=2000'.
- (4) Indication of the scale, north arrow, zoning and such information as the names and numbers of adjacent roads, streams, and bodies of water, railroads, and subdivisions, or other landmarks sufficient to clearly identify the location of the property.
- (5) Boundary survey of site.
- (6) All existing and proposed streets and easements, their names, numbers, and width; existing and proposed utilities, watercourses and their names and owners.
- (7) Location, type, and size of all entrances to the site.
- (8) Existing topography and proposed finished contours.
- (9) Woodline before site preparation with species and average diameter of trees indicated with location and diameter of single trees in open areas. Areas to be screened, fenced, walled and/or landscaped, with approximate arrangements, plant types and sizes.
- (10) Provisions for off-street parking, loading spaces and pedestrian walkways; calculations indicating the number of parking spaces required and the number provided.
- (11) Number of floors, floor area, height, and location of each building.
- (12) For a multifamily residential development, the number, size and type of dwelling units; location, type, and percentage of total acreage of recreation facilities.
- (13) Detailed site layout showing water and sanitary sewer plan including profiles, garbage and trash disposal facilities, fire hydrants.
- (14) Provisions for the adequate control of storm water drainage and erosion and sedimentation, indicating all proposed temporary and permanent control measures.
- (15) Computations notation to include the total site area, and the amount and percentage of the site covered by open space and buildings, or dwelling units for multifamily residential developments.

(b) Notification of adjacent property owners.

It shall be the responsibility of the applicant for site plan approval to notify all adjoining property owners, advising them of the submission of preliminary plans to the County and that plans are on file and available for review in the County Department of Planning and Development. No site plan shall be reviewed until the applicant presents evidence to the satisfaction of the Administrator, or his designee, that all property owners contiguous to and sharing a common property line with said applicants or whose property lies directly across from the proposed

development, have been notified in writing prior to the time the preliminary site plan is reviewed. Evidence that such notice was sent by mail to the last known address of such owner as shown on the current real estate tax assessment books shall be deemed adequate compliance.

The submittal of a site plan with insufficient information shall result in the return of the plans to the applicant without review; such deficiencies shall be noted in written form.

Section 20-19.1. Same -- Public access.

All preliminary site plans shall be kept on file in the Department of Planning and Development and will be available for review by all interested persons during normal business hours for no less than 5 working days prior to receiving preliminary approval.

This 5 day period shall begin at the time the applicant has submitted sufficient evidence to the Administrator that all adjacent property owners have been notified as required in this chapter.

Section 20-20. Same -- Review criteria.

The Site Plan Review Committee and the Zoning Administrator shall examine and consider site plans with respect to:

(a) Intensity of land use including developable acreage, density and adequate provisions of open space and recreational facilities as appropriate to the site usage and to the Comprehensive Plan.

(b) Design and layout of the site including buildings; signs; recreation facilities; garbage and trash disposal facilities; sedimentation and erosion controls; storm drainage, sanitary waste disposal, and water supply exit and entrance points on the site including approximate line sizes; areas to be landscaped with approximate arrangement and plant types and sizes indicated; and provisions for pedestrian and vehicular traffic movements within and adjacent to the site. Particular emphasis shall be placed upon the review of on-site aesthetics; of public safety features; environmental, historic and vegetative preservations; and efficient layout of buildings, parking areas, off-street loading and unloading; movement of people, goods and vehicles (including emergency vehicles) from access roads, within the site, between buildings and vehicles and between buildings. Vehicular access to the site shall be designed to aid overall traffic flow and to permit vehicles a safe ingress and egress.

Design standards contained in this chapter as they relate to circulation, parking, performance standards, location of structures, setbacks, yards, bulk, height and coverage shall apply to site plan approval. The design criteria established in the James City County Subdivision Ordinance and applicable standards of the State Department of Highways shall apply, where appropriate, to site plan approval.

Section 20-21. Same -- Notification of findings; processing.

The Administrator or his designee shall notify in writing the applicant, owner or developer regarding the findings of the Site Plan Review Committee. Notification shall be given within ten working days following the review by the Site Plan Review Committee or the Administrator.

Section 20-21.1. Same -- Term of validity; extension; resubmittal.

After approval, a preliminary site plan shall be valid for a period of six months. A complete final site plan must be presented and properly filed with the Administrator or his designee, prior to the termination date of the preliminary site plan. However, if an extension of this period is needed due to extenuating circumstances, it may be granted only after submittal of the reasons for the requested extension in writing to the Administrator. The Administrator may grant an extension of up to six months, after which time the site plan shall no longer be valid.

Section 20-21.2. Final site plan -- Submittal generally.

Seven copies of a final site plan shall be submitted to the Administrator or his designee who shall review the plans for compliance with applicable County regulations, the requirements for final site plans and any conditions of preliminary approval. The Administrator shall provide a set of all submittals to relevant agencies or departments for their review and written comment.

Section 20-21.3. Same -- Submittal contents.

The final detailed plan shall be submitted in separate sheets or overlays as appropriate for accurate representation of the project.

Insufficient submittals may be returned to the applicant with written notification of deficiencies from the Administrator or his designee. The final plan shall as a minimum contain:

- (1) Title of project.
- (2) Name of engineer, architect, landscape architect and/or surveyor.
- (3) Location of site by an insert map at a scale no less than 1"=2000'.
- (4) Indication of the scale, north arrow, zoning and such information as the names and numbers of adjacent roads, streams, and bodies of water, railroads, and subdivisions or other landmarks sufficient to clearly identify the location of the property.
- (5) Boundary survey of site.

- (6) All existing and proposed streets and easements, their name, number and width; existing and proposed utilities, water courses and their names and owners.
- (7) Location, type, and size of all entrances to the site.
- (8) Existing topography and proposed finished contours.
- (9) Areas to be screened, fenced, walled and/or landscaped, with approximate arrangements, plant types and sizes.
- (10) Provisions for off-street parking, loading spaces and pedestrian walkways; calculations indicating the number of parking spaces required and the number provided.
- (11) Number of floors, floor area, height and location of each building.
- (12) For a multifamily residential development, the number, size and type of dwelling units; location, type and percentage of total acreage of recreation facilities.
- (13) All existing and proposed water supply and sanitary waste disposal facilities.
- (14) Provisions for the adequate control of storm water drainage and erosion and sedimentation, indicating all proposed temporary and permanent control measures.
- (15) Computations notation to include the total site area, and the amount and percentage of the site covered by open space and buildings, or dwelling units for multifamily residential developments.

Section 20-21.4. Same -- Action upon completion of review.

Upon successful completion of the final site plan review process, the Administrator or his designee shall transmit to the Building Official an approved set of plans. One copy of the plans shall be transmitted to the developer, owner or authorized project agent, and one copy of any correspondence and plans is to be retained by the Administrator or his designee.

Section 20-21.5. Same -- Term of validity; termination; extension, resubmittal.

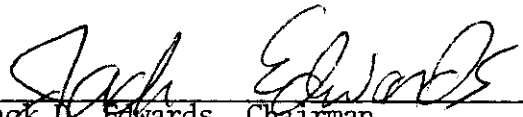
After approval, a final site plan shall be valid for a period of one year. If after one year from the date such plans were approved, construction has not commenced on the site, the Administrator or his designee shall notify the Building Official that approval of such plans has terminated. However, if due to extenuating circumstances an extension for approval is needed, it may be granted only after the submittal of the approved site plan with reasons for the requested extension attached. The Administrator may grant one extension of up to one year, after which time the site plan must be resubmitted for preliminary approval.

Section 20-21.6. Same -- Amendment.

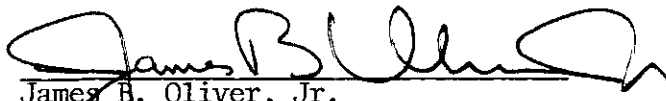
Upon application, an approved final plan may be amended by the Administrator; provided, that such proposed amendment does not:

- (a) Alter a recorded plat.
- (b) Conflict with the specific requirements of this article.
- (c) Change the general character or content of an approved development plan or use.
- (d) Have an appreciable effect on adjoining or surrounding property.
- (e) Result in any substantial change of major external access points.
- (f) Increase the approved number of dwelling units or height of buildings.
- (g) Decrease the minimum specified yards and open spaces or minimum or maximum specified parking and loading spaces.

This ordinance shall be in full force and effect from the date of its adoption.

  
\_\_\_\_\_  
Jack D. Edwards, Chairman  
Board of Supervisors

ATTEST:

  
\_\_\_\_\_  
James B. Oliver, Jr.  
Clerk to the Board

Adopted by the Board of Supervisors, James City County, Virginia,  
on the thirteenth day of March, 1978.