

NOV 15 1979

ORDINANCE NO. 31A-58

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND CHAPTER 20, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY BY AMENDING THE FOLLOWING DIVISION OF ARTICLE IV, DISTRICTS: DIVISION 1, GENERALLY, SECTION 20-27, USES NOT SPECIFICALLY PERMITTED IN ANY DISTRICT.

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 by amending the following division of Article IV, Districts: Division 1, Generally, Section 20-27, Uses Not Specifically Permitted in any District, to read as follows:

CHAPTER 20

ZONING

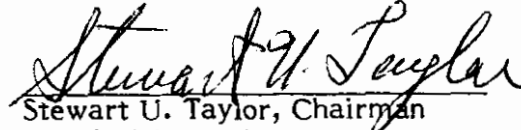
Article IV. Districts.

Division 1, Generally.

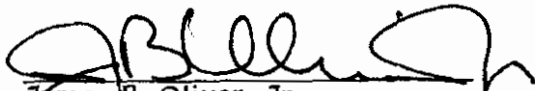
Section 20-27. Special permits.

In order to provide for good zoning practices, the purpose the zoning district seeks to accomplish, to provide for adjustments in the relative location of uses and buildings of the same or different classification, and to promote the usefulness of these regulations, special use permits, limited as to location by the district regulations are permitted as set forth under the terms of this chapter. In considering an application for a special use permit in those districts allowing them, the Planning Commission and the Board of Supervisors shall give due regard to the James City County Comprehensive Plan, the nature and condition of adjacent uses and structures, and the probable effect upon them of the proposed exception. They shall also take into account the special characteristics, design, location, construction, methods and hours of operation, effect on traffic conditions, or any other aspects of the particular use or structure that may be proposed by the applicant. If the Planning Commission and the Board of Supervisors should find, after the hearing, that the proposed establishment or use will not adversely affect the health, safety, or welfare of persons residing or working on the premises or in the neighborhood, will not unreasonably restrict an adequate supply of light and air to adjacent property, nor increase congestion in the streets, nor increase public danger from fire, nor impair the character of the district or adjacent districts, nor be incompatible with the Comprehensive Plan of James City County, nor likely reduce or impair the value of buildings or property in surrounding areas, but find instead that such establishment or use will be in substantial accordance with the general purpose and objectives of this Ordinance, the Board of Supervisors shall grant the special use permit. In those instances where the Planning Commission or the Board of Supervisors finds that the proposed use may be likely to have an adverse affect, they shall determine whether such affect may be avoided by the imposition of special requirements or conditions, including, but not limited, to location, design, construction, equipment, maintenance and/or hours of operation, in addition to those expressly stipulated in this Ordinance.

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


Stewart U. Taylor, 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 fifteenth day of November, 1979.