

ORDINANCE NO. 31A-67

AN ORDINANCE TO AMEND CHAPTER 20, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY BY AMENDING ARTICLE 1, SECTION 20-12, MINIMUM OFF-STREET PARKING.

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 Article 1, Section 20-12, Minimum off-street parking, to read as follows:

CHAPTER 20

ZONING

Article 1. In General.

Section 20-12. Minimum off-street parking.

There shall be provided at the time of erection of any main building or at the time any main building is enlarged, minimum off-street parking with adequate landscaping and provision for entrance and exit by standard sized automobiles, as follows:

A. General provisions.

1. No certificate of occupancy shall be issued for any structure which does not comply with these requirements; however, structures already in use or those which have already received site plan approval are exempted, provided that:

(a) exempted buildings remain in continuous use and at no time remain vacant or unused for a continuous period of one year.

(b) no parking lot for any exempted property is enlarged or materially altered. In the event an existing parking lot is to be enlarged or materially altered, the existing parking area as well as the new parking area shall be brought into conformance with this chapter; provided however, the Commission may waive the requirements for revised setbacks and geometric design standards found in B. 1, 2 and 5 below as they apply to existing parking areas with cement, asphalt, or hard surface pavement; provided further, that prior to such waiver being granted, the applicant shall demonstrate the costs of complying with these standards would impose a severe hardship, or that insufficient area exists to allow such revision.

For purposes of this section, enlarged or materially altered shall mean expansion or change in the parking lot which either increases the number of parking spaces by more than 15% or reduces the landscaped areas of the parking lot by more than 15%. Nothing in this section is intended to prohibit paving or surfacing of parking lots, the installation of curbs or bumpers, or other improvements which do not effect the number of spaces or the areas of the site dedicated to landscaped open space.

(c) any parking lot constructed between July 11, 1977 and which conforms to the landscaping and geometric design standards adopted as Ordinance No. 31A-42 on July 11, 1977 shall be considered as meeting those standards for landscaping and geometric design as contained herein; however, any expansion or enlargement shall meet those requirements in effect at the time of the expansion or enlargement.

2. Required off-street parking spaces shall be located on the same lot as the structure or use to which they are accessory or on a lot adjacent thereto which has the same zoning classification.

3. Required off-street parking spaces may be provided jointly for two or more uses, subject to permanent easements that will assure access and availability. The number of such combined parking spaces to be required shall equal eighty percent of the sum of the amounts which would be required for each of the separate uses. Where such joint parking lots are proposed, they shall have one common point of ingress and egress, shall be designed as one parking lot, and shall have both properties shown on the site plan.

4. Off-street parking spaces shall be used solely for the parking of vehicles in operating conditions by patrons, occupants or employees of the use to which such parking is accessory. Permanent storage of vehicles shall not be allowed. Storage of vehicles for sale shall not be allowed.

5. Site plans, in accordance with Article II of this Chapter, shall be submitted for all new off-street parking areas with four or more spaces, or for any additions to existing off-street parking areas.

6. Parking areas required by this section are intended to accommodate the off-street parking needs of the customers and employees of commercial, institutional, industrial, and residential uses. They are specifically intended to eliminate the need for parking along adjoining streets and roads. As such, all required parking areas shall be generally accessible and free of charge to the customers and employees they are designed to serve. Separate lots for employees and customers may be permitted; but parking for a fee, meter or rent of the minimum number of spaces required by this section shall be by conditional use permit only.

7. Parking spaces for the handicapped and any necessary curb cuts and ramps shall be provided in all parking lots in conformance with the standards for numbers and design found in the Virginia Uniform Statewide Building Code.

B. Design.

Parking areas shall be arranged for functional efficiency and convenience and shall be designed to be amenable to surrounding property. Parking areas accessory or otherwise, containing more than ten parking spaces shall comply with the following:

1. The parking area shall be separate from the street right-of-way and property lines by a landscaped strip at least ten feet in width. Ingress and egress shall be provided through driveway openings only. In the event a joint parking lot is proposed, the required landscaped strip along the common property line shall be waived.

2. The parking area shall be constructed so that spaces are grouped into bays. At the end of each bay, a landscaped island of at least ten feet in width and fifteen feet in length shall be built to separate the bays from each other or from traffic lanes. When the parking bays contain double rows of parking spaces, the landscaped island shall be increased to ten feet in width and thirty feet in length.

3. The landscaped area within the parking lot shall not be less than 7.5% of the surface area of the parking lot. The perimeter landscaped strip required by this chapter shall be excluded from the calculations of the minimum landscaped percentage; except that any portion of the perimeter landscaped strip which exceeds the minimum required may be counted as up to one-third of the required landscaped percentage or against up to 2.5% of the surface area of the parking lot. Parking lots with two bays or less of single rows or parking may include the entire perimeter landscaped strip, including the minimum required, in the calculation of the landscape percentage without limitation.

4. "Landscaped area," "landscaped setback," "landscaped strip," "landscaped island," or "perimeter open space," as herein used are defined as areas containing shrubs, trees, flowers and grass. Such areas shall be shown on the site plan or a separate landscaping plan for the site which shows the size and type of existing trees, trees to be removed and new trees, shrubs, flowers and grass to be planted. A minimum of one tree, ten feet in height or taller shall be provided within the landscaped areas in the parking lot for each ten parking spaces in the lot. Existing trees and natural vegetation shall be retained wherever possible, particularly where they border adjacent property. All landscaped areas contiguous to parking bays shall be protected from intrusion by vehicles by curbs or bumpers.

5. Adequate lighting shall be provided if the uses which are served by the parking lot will be in operation at night. The lighting in parking lots shall be directed so as not to produce

objectionable glare on adjacent property or streets, and no lighting fixture shall exceed a height of thirty feet.

6. The design of the parking lot shall meet the minimum geometric standards presented in the following table:

MINIMUM OFF-STREET PARKING AREA DIMENSIONS

Angle of Parking (degrees)	Direction of Traffic	Dimension of Stall (feet)	Width of Aisle (feet)*
Parallel	One-way	8 x 22	12
45	One-way	9 x 18	12
60	One-way	9 x 18	18
90	Two-way	9 x 18	24

* Minimum width of traffic aisles in parking lots for two-way traffic shall be twenty-four feet.

7. Parking areas, driveways, and entrances shall be surfaced with gravel, stone, asphalt or concrete, and shall be maintained in good repair. Adequate drainage shall be provided for the removal of storm water and a drainage plan shall be submitted with the site plan and approved by the County Engineer.

8. The location, size, and number of entrances from parking areas onto public or private roads shall be shown on the site plan. Upon finding that on-site traffic circulation, off-site traffic flow, or public safety would be improved, the Planning Commission may require the location, number or size of entrances to be limited or increased.

C. Special provisions for bus parking.

Bus parking areas shall be arranged for functional efficiency and convenience and shall be designed to be amenable to surrounding property. Bus parking areas, accessory or otherwise, are exempted from the requirements of B. "Design," but shall comply with A. "General provisions" and with the following:

1. Site plans, in accordance with Article II of this Chapter, shall be submitted for all new off-street parking areas for buses or for any additions to existing off-street parking areas for buses. (This requirement supercedes A. 5 above.)

2. Parking areas to be used for bus parking shall be used for bus parking only. Signs shall be erected within the parking lot indicating those areas designated for bus parking only.

3. For perpendicular or angled parking, the minimum size of a bus parking space shall be twelve feet wide and forty feet long. For parallel bus parking spaces, the minimum size shall be twelve feet wide by fifty feet long. The width of aisles within bus parking lots shall be determined by the turning radii necessary to safely maneuver into and out of the parking spaces; however, shall in no case be less than twenty-four feet wide.

4. Bus parking areas shall be surfaced with gravel, stone, asphalt or concrete and shall be maintained in good repair. Adequate drainage shall be provided for the removal of storm water and a drainage plan shall be submitted with the site plan and approved by the County Engineer.

5. Bus parking areas which contain less than four spaces shall be separated from all street rights-of-way and property lines by a landscaped strip ten feet or greater in width. Bus parking areas which contain four or more spaces shall be separated from all street rights-of-way and property lines by a landscaped strip twenty feet or greater in width. The landscaped strip shall be planted with trees, shrubs, flowers or grass and shall contain at least one tree ten feet in height or greater for each ten bus spaces or fraction thereof.

6. Adequate lighting shall be provided if the uses which are served by the bus parking area will be in operation at night. The lighting shall be directed so as not to produce objectionable glare on adjacent property or streets, and no lighting fixture shall exceed a height of thirty feet.

D. Minimum off-street parking requirements.

1. Residential uses: The minimum number of off-street parking shall be one space per single-family residential unit. Other residential uses shall provide one and one-half spaces per residential unit.

2. Commercial uses: Commercial and institutional uses shall be divided into various categories according to the parking demand which they generate, as follows:

CATEGORY A. High Parking Demand Generators shall provide one parking space per two hundred square feet of retail floor area, to include:

General retail stores.

Retail food stores, bakeries, and fish markets.

Laundries and dry cleaners.

Wearing apparel, shoes, yard goods, toys, music and records, tailors, dressmakers, candy, ice cream, florist, furrier, locksmith, pet, picture framing, stamp and coin, travel bureau, tobacco and pipes, jewelry sales and service, books, greeting cards, and sporting goods stores.

Drug stores.

Plants and garden supply, hardware and paint, and home appliance sales and service.

Antique, novelty, arts and crafts, and gift shops.

Libraries and post offices.

Lodges, civic clubs, fraternal organizations, service clubs, public billard parlors, arcades, pool rooms, dance halls, and private clubs.

All other commercial uses not specified in Category B or C below.

Category B. Moderate Parking Demand Generators shall provide one parking space per two hundred and fifty square feet of retail floor area, to include:

Banks and financial institutions.

Corporate, business and professional offices.

Lumber and building supply.

Plumbing and electrical supply.

Tire, transmission, glass, body and fender, and other automotive product sales and service.

Machinery sales and service.

Photography studios and sales and artist and sculptor studios.

Category C. Uses with unique requirements.

(a) Motels, hotels and tourist homes shall have one parking space per rental unit plus one parking space for every two hundred square feet of accessory, retail or business use.

(b) Theaters, auditoriums and places of public assembly shall have one parking space per five seats based upon the planned seating capacity.

(c) Hospitals, nursing homes or convalescent facilities shall provide one parking space for every three patients or beds, plus one parking space for each employee on the largest shift.

(d) Outdoor retail sales/display areas shall provide at least one parking space per five hundred square feet of area.

(e) Bowling alleys shall have three parking spaces per alley plus one space for every two hundred square feet of accessory business use.

(f) Barber shops and beauty shops shall have at least three spaces plus two spaces for every barber or beautician chair.

(g) Planned shopping centers, with four or more stores using a common parking lot, which contain from twenty thousand square feet to sixty thousand square feet of retail floor area shall provide at least one parking space for every two hundred and fifty square feet of retail floor area. Planned shopping centers which contain sixty thousand square feet or more of retail floor area shall provide at least one parking space for every three hundred square feet of retail floor area. Where a theater is proposed in conjunction with any shopping center which contains at

least sixty thousand square feet of retail floor area the number of parking spaces required for the theater may be reduced by twenty-five percent of what would have been required under (b) above. All shopping centers utilizing the provisions of this paragraph shall have a minimum landscaped strip along street rights-of-way of twenty feet and the landscaped strip along all other property lines shall be a minimum width of fifteen feet.

(h) Medical and dental clinics shall provide at least three parking spaces for each doctor or dentist having offices in such clinic.

(i) Mortuaries and funeral homes shall provide at least thirty parking spaces.

(j) Furniture stores, carpet show rooms and indoor vehicular sales show rooms shall have one parking space for every four hundred square feet of retail floor area.

(k) Restaurants shall have one parking space for every four seats based upon the maximum seating capacity allowed.

3. Industrial uses: Industries, warehouses and wholesale establishments not selling directly to the public shall provide a minimum of one parking space per two employees or the largest shift.

4. Where the required number of parking spaces is not set forth for a particular use in the preceding sections, where the applicant is uncertain as to final use or size of the structure or where there is no similar general type of use listed, the Commission shall determine the number of spaces to be provided.

5. Appeals, variances, special exceptions.

(a) Appeals. The Commission shall determine the category and the number of spaces required for each use. A property owner may appeal for a change of a commercial use from Category A to Category B or a less restrictive requirement within Category C; however, the burden of proof shall be upon the applicant to show that the particular activity will not reasonably generate parking demand sufficient to justify the parking requirement of its present classification. Appeals for changes to different parking classifications shall be made to the Board of Supervisors.

(b) Variances. A property owner may be granted a variance by the Board of Zoning Appeals from the minimum off-street parking requirements if it can be shown that due to unique circumstances, a particular activity would not reasonably be expected to generate parking demand sufficient to justify the parking requirement. Any variance granted by the Board of Zoning Appeals shall not allow a greater building area than would have been possible had the original parking requirement been enforced. The Board of Zoning

Appeals may place conditions upon the granting of a variance, and may require that the parking area not required upon the granting of the variance be landscaped in addition to the minimum landscaping requirements.

Jack D. Edwards, Chairman
Board of Supervisors

ATTEST:

James B. Oliver, Jr.
Clerk to the Board

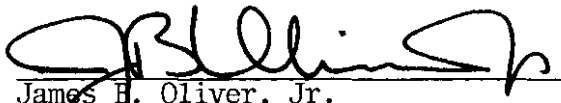
Adopted by the Board of Supervisors, James City County, Virginia,
this _____ day of _____, 1980.

WCP:cao



Jack D. Edwards, Chairman
Board of Supervisors

ATTEST:



James H. Oliver, Jr.
Clerk to the Board

Adopted by the Board of Supervisors, James City County, Virginia, this
8 day of September, 1980.