

ORDINANCE NO. 31A-79

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 20, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, ARTICLE IX, PLANNED UNIT DEVELOPMENT DISTRICTS, SECTION 20-151(a)(1), PLANNED UNIT DEVELOPMENT - RESIDENTIAL (PUD-R), PERMITTED USES.

BE IT ORDAINED by the Board of Supervisors of the County of James City, that Chapter 20, Zoning, of the Code of the County of James City, Article IX, Planned Unit Development Districts, Section 20-151(a)(1), Planned Unit Development - Residential (PUD-R), Permitted Uses, is hereby amended and reordained.

CHAPTER 20

ZONING

**ADOPTED**

**OCT 17 1983**

Article IX. Planned Unit Development Districts

**BOARD OF SUPERVISORS  
JAMES CITY COUNTY  
VIRGINIA**

Section 20-151. Planned Unit Development - Residential (PUD-R).

All Planned Unit Development Districts categorized as Residential (PUD-R) shall comply with the requirements of this Section.

(a) Permitted uses. In the Planned Unit Development District - Residential (PUD-R), all structures to be erected or land to be used shall be for one or more of the following uses held for rent, for sale, for sale by individual unit, or for sale in condominium:

(1) RESIDENTIAL USES.

Single-family attached and detached dwellings.  
Two-family dwellings.  
Townhouses and garden apartments.  
Apartments with three or more stories.  
Accessory structures for maintenance.  
Parks, playgrounds, swimming pools, recreation buildings and clubhouses.  
Churches.  
Golf courses.  
Schools, both private and public.  
Marinas, boat docks and waterfront activities.  
Coin laundries which are accessory to other residential uses and for the primary use of its residents.  
Restaurants which are accessory to permitted private clubs and marinas.  
Fire stations.  
Off-street parking as required by this Chapter.  
Signs, as permitted by this Chapter.  
Nursing home and facilities for the residence and/or care of the aged.

(2) COMMERCIAL USES.

Retail food stores, bakeries, fish markets.  
Dry cleaners and laundries.  
Department stores, wearing apparel, furniture, carpet, shoe, tailor, dressmaking, candy, ice cream, florist, furrier, locksmith, pet,

picture framing, stamp and coin, travel bureau, upholstery, yard goods, toys, music and records, tobacco and pipes, jewelry sales and service, books, greeting cards and sporting goods stores.

Drug stores and barber or beauty shops.

Restaurants, tea rooms and taverns.

Banks and other financial institutions.

Plants and garden supply, hardware and paint, and home appliance sales and service, with storage under cover.

Automotive service stations, with major repair under cover, or retail sale of automotive accessory items.

Photography studios and sales, artist and sculptor studios, arts and crafts and handicraft shops, antique shops, reproduction and gift shops.

Corporate, business, and professional offices.

Doctors, dentists and other medical clinics or offices.

In-door theaters, museums and public meeting halls.

Public billard parlors, bowling alleys, dance halls, private clubs, lodges and other forms of amusement, with a Conditional Use Permit.

Schools, fire stations, post offices, public utilities, churches, libraries.

Funeral homes.

Radio and television stations, with a Conditional Use Permit required if any antenna or tower is to exceed sixty (60) feet in height.

(b) Requirements for commercial uses. If commercial uses specified in (2) of Subsection (a) above are included within the District, they shall be separate from residential uses, located in well planned commercial areas and so designated on the Master Plan. In a PUD-R, the commercial area or areas with accompanying parking shall not exceed a total of thirty (30) percent of the gross area of the District. The commercial areas shall be located adjacent to a collector street or major thoroughfare so that through traffic is not routed through residential areas of the PUD.

(c) Setback requirements. A landscaped setback of at least seventy-five (75) feet shall be maintained between residential structures and the right-of-way of public roads which abut the site. This may be reduced to fifty (50) feet in the case of commercial structures. No minimum setbacks shall be required from private roads which are internal to the site.

A minimum landscaped setback of at least thirty five (35) feet shall be maintained from all property lines. Where multi-family townhouse or commercial structures in a PUD-R adjoin an existing R-1, R-2, R-3, or R-6 District, the minimum setback shall be seventy-five (75) feet.

"Landscaped area", "landscaped setback", "landscaped strip", or "perimeter open space area" as herein used are defined as areas containing shrubs, trees, flowers, grass, mulch, etc. 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 cleared or removed and new trees or vegetation to be planted. Such plan is subject to the approval of the Site Plan Review Committee. In general, where trees are required, they shall be of a minimum height of seven (7) feet, with one tree per thirty (30) linear feet of landscaped area and more or less evenly distributed. Where

approved, hedges, shrubs, ground cover or flower beds may substitute in part for the planting of trees. Existing trees and natural vegetation shall be retained wherever possible, particularly where they border adjacent property. Setbacks may not be used for parking.

(d) Density. The number of dwelling units which may be constructed shall be determined by the number of net developable acres at the site and the use proposed. The net developable acres shall equal the total gross acres of the site minus stream beds, areas subject to flooding, marsh and areas with slopes exceeding a twenty-five (25) percent gradient. The number of units which may be constructed are:

USE	DWELLING UNITS PER ACRE
Single-family detached	5.5
Single-family attached or Two-family dwellings	7.5
Townhouses	13.0
Garden apartments	16.0
Apartments of three stories or more	18.0

(1-24-77)

  
Perry M. DePue, Chairman  
Board of Supervisors

ATTEST:

  
James B. Oliver, Jr.  
Clerk to the Board

Adopted by the Board of Supervisors, James City County, Virginia, this  
17th day of October, 1983.

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