

ORDINANCE NO. 31A-123

**JUL 2 1990****BOARD OF SUPERVISORS  
JAMES CITY COUNTY  
VIRGINIA**

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 20, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE I. IN GENERAL, SECTION 20-2. DEFINITIONS; SECTION 20-7. CERTIFICATE OF OCCUPANCY; SECTION 20-12. MINIMUM OFF-STREET PARKING; SECTION 20-14. MAINTENANCE OF LANDSCAPING AND SCREENING; ARTICLE II. SITE PLAN, SECTION 20-39. SAME-SUBMITTAL CONTENTS; BY DELETING SECTION 20-42. TRANSITIONAL SCREENING REQUIREMENTS; BY AMENDING ARTICLE IV. DISTRICTS, DIVISION I, GENERALLY, SECTION 20-89. SPECIAL REQUIREMENTS FOR ESTABLISHMENTS SELLING OR DISPENSING VEHICULAR FUELS; SECTION 20-91. OUTDOOR OPERATIONS AND STORAGE; DIVISION 8. MULTI-FAMILY RESIDENTIAL DISTRICT, R-5, SECTION 20-246. SETBACK REQUIREMENTS; SECTION 20-248. YARD REGULATIONS; SECTION 20-251. REQUIREMENTS FOR IMPROVEMENTS AND DESIGN; DIVISION 10. MANUFACTURED HOME SUBDIVISION DISTRICT, R-7, BY DELETING SECTION 20-295. PERIMETER LANDSCAPE REGULATIONS; BY AMENDING DIVISION 11. LIMITED BUSINESS DISTRICT, LB, SECTION 20-311. YARD REGULATIONS; SECTION 20-312. SPECIAL PROVISIONS FOR THE ADJUSTMENT OF YARD AND OPEN SPACE REQUIREMENTS; BY DELETING SECTION 20-313. OPEN SPACE REGULATIONS; BY AMENDING DIVISION 12. GENERAL BUSINESS DISTRICT, B-1, SECTION 20-333. YARD REGULATIONS; SECTION 20-334. SPECIAL PROVISIONS FOR THE WAIVER OF YARD REQUIREMENTS; BY DELETING SECTION 20-335. OPEN SPACE REGULATIONS; BY AMENDING DIVISION 13. LIMITED INDUSTRIAL DISTRICT, M-1, SECTION 20-355. SIDE AND REAR YARDS; BY DELETING SECTION 20-356. PERIMETER LANDSCAPE REGULATIONS; BY AMENDING SECTION 20-357. SPECIAL PROVISIONS FOR THE WAIVER OF AREA, LOT WIDTH, YARD AND YARD SETBACK REQUIREMENTS; DIVISION 14. GENERAL INDUSTRIAL DISTRICT, M-2, SECTION 20-380. SIDE OR REAR YARDS; BY DELETING SECTION 20-381. PERIMETER LANDSCAPE

REGULATIONS; BY AMENDING SECTION 20-382. SPECIAL PROVISIONS FOR THE WAIVER OF AREA, LOT WIDTH, YARD AND SETBACK REQUIREMENTS; ARTICLE VIII. PLANNED UNIT DEVELOPMENT DISTRICTS, SECTION 20-482. REQUIREMENTS FOR IMPROVEMENTS AND DESIGN; SECTION 20-483. SETBACK, SIDE AND REAR YARD REQUIREMENTS; AND SECTION 20-486. SETBACK REQUIREMENTS FOR INDUSTRIAL USE.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia that Chapter 20, Zoning, is hereby amended and reordained by amending Section 20-2. Definitions; Section 20-7. Certificate of occupancy; Section 20-12. Minimum off-street parking; Section 20-14. Landscaping and tree preservation requirements, Section 20-39. Same-submittal contents; by deleting Section 20-42. Transitional screening requirements; by amending Section 20-89. Special requirements for establishments selling or dispensing vehicular fuels; Section 20-91. Outdoor operations and storage; Section 20-246. Setback requirements; Section 20-248. Yard regulations; Section 20-251. Requirements for improvements and design; by deleting Section 20-295. Perimeter landscape regulations; by amending Section 20-311. Yard regulations; Section 20-312. Special provisions for the adjustment of yard requirements by deleting Section 20-313. Open space regulations; by amending Section 20-333. Yard regulations; Section 20-334. Special provisions for the waiver of yard requirements; by deleting Section 20-335. Open space regulations; by amending Section 20-355. Side and rear yards; by deleting 20-356. Perimeter landscape regulations; by amending Section 20-357. Special provisions for the waiver of area, lot width, yard and yard setback requirements; Section 20-380. Side or rear yards; by deleting Section 20-381. Perimeter landscape regulations; by amending Section 20-382. Special

provisions for the waiver of area, lot width, yard and setback requirements; Section 20-482. Requirements for improvements and design; Section 20-483. Setback, side and rear yard requirements; and Section 20-486. Setback requirements for industrial use.

#### ARTICLE I. IN GENERAL\*

##### Section 20-2. Definitions.

For the purposes of this Chapter the following words and phrases shall have the meanings respectively ascribed to them by this Section:

**Caliper.** The diameter of a tree trunk measured six (6) inches above ground level for nursery stock.

**Diameter Breast Height.** The diameter of a tree trunk measured four and five tenths (4.5) feet from the ground.

**Landscape Open Space, Area or Strip.** An area containing living plant materials, including trees, flowers, shrubs or grass. Landscape areas may include pedestrian walks, ornamental objects, decorative planting, lawns, and wooded areas, but at least fifty (50%) percent of the area must be vegetated. Landscape open space, areas or strips shall not include any building, parking surface, or structure except as stated above, or any wet detention pond or infiltration trench.

**Open Space.** Space suitable for recreation, gardens or landscaping which may include areas left in their natural state, trails, ponds, stream banks, recreation areas, areas of excessive slopes, low-lying areas and marshes and landscape areas required by this Chapter. Such space must be free of automobile traffic and parking, and be readily accessible to all those for whom it is required.

**Shrubs.** For the landscaping requirements of this Chapter, a shrub shall be defined as a low growing woody plant having several permanent stems which is, at planting, 18 inches if evergreen or 22 inches if deciduous.

**Tree.** For the landscaping requirements of this Chapter, a tree shall be defined as: (a) a deciduous shade tree having a minimum caliper of 1-1/2 inches at planting, or (b) an evergreen tree at least eight (8) feet in height, and a minimum caliper of 1-1/4 inches if single stemmed at planting, or eight (8) feet in height if multi-stemmed at planting. The term tree shall not include ornamental trees as defined below.

**Tree, mature.** Any deciduous or evergreen tree with a minimum diameter breast height of twelve (12) inches which is free of disease and significant damage.

Tree, ornamental. For the landscaping requirements of this Chapter, an ornamental tree shall be defined as a deciduous or evergreen tree which, if single stemmed is eight (8) feet in height and has a minimum caliper of 1-1/4 inches, at planting, or if multi-stemmed has a height of eight (8) feet at planting.

Tree, specimen. Any tree with a minimum diameter breast height of 24 inches which is free of disease and significant damage or which is notable by virtue of its outstanding size and quality for its particular species.

Section 20-7. Certificate of occupancy.

Land may be used or occupied and buildings structurally altered or erected may be used or changed in use only after a Certificate of Occupancy has been issued by the Zoning Administrator. Such a certificate shall state that the building or the proposed use, or the use of the land, complies with the provisions of this Chapter. A similar certificate shall be issued for the purpose of maintaining, renewing, changing, or extending a nonconforming use. The certificate shall be issued within ten (10) days after the erection or structural alteration of such building or part has conformed with the provisions of this Chapter and all applicable codes and ordinances. Upon the request of the holder of a permit the Zoning Administrator may issue a temporary Certificate of Occupancy for a building or structure, or part thereof, before the entire work covered by the permit shall have been completed, provided such portion or portions may be occupied safely prior to full completion of the building or structure without endangering life or public welfare.

The Zoning Administrator shall not issue a temporary certificate of occupancy until the applicant has guaranteed the completion of public improvements, including, but not limited to, public roads, public water and public sewer facilities, or the completion of required landscape areas and plantings shown on the approved site plan or other approved plan by providing either a letter of credit, certified check, cash escrow or cash payment approved by the county attorney.

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 as required in Section 20-14 and provision for entrance and exit by standard sized automobiles, as follows:

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 ten (10) or more parking spaces, shall comply with the following:

1. The parking lot shall be constructed so that spaces are grouped into bays. At the end of each bay, a landscape island of at least nine (9) feet in width and fifteen (15) 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 landscape island shall be increased to nine (9) feet in width and thirty (30) feet in length. A parking bay may not be constructed to a length of more than two hundred feet without constructing a landscape island. The Administrator may approve islands which vary from nine by fifteen (9 x 15) foot or nine by thirty (9 x 30) foot rectangles in order to provide desirable geometric design features such as rounded corners and angles to facilitate maneuvering of automobile traffic. However, in no case shall the total area of an island be decreased as a result of such design change.
2. All landscape areas contiguous to parking bays shall be protected from intrusion by vehicles by curbs or bumpers. Parking areas shall not be located within five (5) feet of any building. Driveways shall not be located within five (5) feet of any building except where vehicular access is necessary.
3. 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 (30) feet.
4. The design of the parking lot shall meet the minimum geometric standards presented in the following table:

MINIMUM OFF-STREET PARKING AREA DIMENSIONS

<u>Angle of Parking (degrees)</u>	<u>Direction of Traffic</u>	<u>Dimension of Stall (feet)</u>	<u>Width of Aisle (feet)*</u>
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	23

\* Minimum width of traffic aisles in parking lots for two-way traffic shall be twenty-four (24) feet.

The minimum aisle dimension of any parking lot designed to accommodate at least five hundred (500) vehicles and intended for long-term parking may be reduced by four (4) feet provided: the lot is designed and marked for one-way traffic; the parking spaces form an angle of eighty (80)

degrees to ninety (90) degrees with the aisle; each vehicle is individually guided to a parking space by an attendant; and the safety and effective operation of the lot has been clearly demonstrated.

For the purpose of this section, the phrase "long-term parking" shall mean parking the duration of which is on the average six (6) hours or more.

5. 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 stormwater and a drainage plan shall be submitted with the site plan and approved by the Director of Code Compliance.
6. 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. If provided, 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 paragraph (B) "Design," but shall comply with the requirements of paragraph (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.
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 (12) feet wide and forty (40) feet long. For parallel bus parking spaces, the minimum size shall be twelve (12) feet wide by fifty (50) 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 (24) 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 stormwater and a drainage plan shall be submitted with the site plan and approved by the county engineer.
5. 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 (30) feet.

D. Minimum off-street parking requirements.

2. Commercial uses: Commercial and institutional uses shall be divided into various categories according to the parking demand which they generate, as follows:
  - (g) Planned shopping centers, with four (4) or more stores using a common parking lot, shall provide parking spaces according to the following schedule:

<u>Total Retail Floor Area in Square Feet</u>	<u>Number of Spaces per 1,000 Square Feet</u>
1 - 100,000	4
100,001 - 300,000	5
Over 300,000	5.5

Where a theater is proposed in conjunction with any shopping center which contains at least sixty thousand (60,000) square feet of retail floor area, the number of parking spaces required for the theater may be reduced by twenty-five (25) percent of what would have been required under (b) above.

Section 20-14. Landscaping and tree preservation requirements

A. Statement of intent

The purpose of this Section is to promote the public health, safety and welfare by providing for the preservation, installation and maintenance of trees and plant materials which will:

1. Ensure development which is consistent with the goals of the Comprehensive Plan related to natural resources, environmental and land use standards, Greenbelt Roads, and aesthetics;

2. Retain the historic and natural character of James City County by reducing the visual impact of signs, parking lots, buildings and structures and protecting, preserving and enhancing its natural physical wooded character with emphasis on preserving the existing tree canopy and other indigenous vegetation and providing such canopy and vegetation where it does not exist;
3. Minimize the environmental and land use impacts of developments associated with noise, glare, dust, and movement; changes in appearance, character and value of neighboring properties; and effects on air and water quality, stormwater runoff, groundwater recharge and soil erosion by preserving existing tree canopies and indigenous vegetation and restoring such canopies and vegetation and providing other landscape features;
4. Promote traffic safety by controlling views and visually defining circulation patterns; and
5. Provide more comfortable exterior spaces and conserve energy by preserving and providing tree canopies and other landscape features which provide shade and windbreaks.

B. Administration

1. Landscape plan: when required

A landscape plan is required for any site plan or residential plan for development subject to paragraph C.2.d. (5 & 6) and shall be submitted at the time of application for plan approval. The landscape plan shall be prepared and approved in accordance with Article II, Site Plan.

2. Plan requirements and determinations

Where requirements of this Section are based on zoning or planning designations, such designations shall be determined by the County Zoning District Map, Comprehensive Plan and Six-Year Secondary Road Plan, and the official planning and zoning documents of the adjoining jurisdiction if applicable. Required landscape areas shall exclude any planned future right-of-way as designated on the Comprehensive Plan, Six-Year Primary or Secondary Road Plan, Peninsula Area Transportation Plan, or any road plan adopted by the Board of Supervisors.

3. Installation of required landscaping, performance guarantee

Where a landscape plan is required, landscaping shall be installed and existing trees shall be preserved in conformance with the approved landscape plan. A Certificate of Occupancy shall not be issued until all



landscaping has been installed in accordance with the approved landscape plan unless the installation of any incompleated landscaping is guaranteed as provided in Section 20-7.

4. Maintenance of landscaping

The owner, or his agent, shall be responsible for the maintenance, repair and replacement of all landscaping materials, fences and barriers as may be required by the provisions of this Section. All plant materials, including existing trees preserved to meet the requirements of this Section, shall be tended and maintained in a healthy growing condition, replaced when necessary, and kept free of refuse and debris. Fences and walls shall be maintained in good repair. Replacement material shall conform to the original intent of the approved landscape plan and any replacement planting shall meet the minimum requirements of this Section.

5. Modification, substitution, transfer

The Commission or Planning Director may modify, permit substitutions for any requirement of this Section, or permit transfer of required landscaping on a site upon finding that: 1) such requirement would not promote the intent of this Section; 2) the proposed site and landscape plan will satisfy the intent of this Section and its landscape area requirements to at least an equivalent degree as compared to a plan that strictly complies with the minimum requirements of this Section; 3) the proposed site and landscape plan will not reduce the total amount of landscape area or will not reduce the overall landscape effects of the requirements of this Section as compared to a plan that strictly complies with the minimum requirements of this Section; 4) such modification, substitution, or transfer shall have no additional adverse impact on adjacent properties or public areas; and 5) the proposed site and landscape plan, as compared to a plan that strictly complies with the minimum requirements of this Section, shall have no additional detrimental impacts on the orderly development or character of the area, adjacent properties, the environment, sound engineering or planning practice, Comprehensive Plan, or on achievement of the purposes of this Section. Requests for modifications, substitutions or transfers may be granted in the following cases:

- a. The proposed landscape plan, by substitution of technique, design, or materials of comparable quality, but differing from those required by this Section, will achieve results which clearly satisfy the overall purposes of this Section in a manner clearly equal to or exceeding the desired effects of the requirements of this Section;

- b. The proposed landscape plan substantially preserves, enhances, integrates and complements existing trees and topography;
- c. Where, because of unusual size, topography, shape or location of the property, or other unusual conditions, excluding the proprietary interests of the developer, strict application of the requirements of this Section would result in significant degradation of the site or adjacent properties;
- d. The proposed landscape design or materials involve a readily discernible theme, historic or otherwise, or complements an architectural style or design;
- e. Where it is necessary to allow the subdivision of property on which commercial or industrial units will be for sale, for sale in condominium, or for lease, and such units are constructed as part of a multi-unit structure in which the units share common walls or are part of a multiple-structure development, and the entire development has been planned and designed as a cohesive, coordinated unit under a single master plan; or
- f. Where transfers of required landscape areas to other areas on a site are necessary to satisfy other purposes of this Section, including transfers to increase screening or preserve existing trees provided such transfers do not reduce overall landscape requirements for a development.

Requests for modifications, substitutions or transfers shall be filed in writing with the Planning Director, and shall identify the specific requirement of this Section and the reasons and justifications for such request together with the proposed alternative. Depending upon whether the landscape plan is subject to commission or administrative review, the commission or Planning Director shall approve, deny, conditionally approve or defer action on such request and shall include a written statement certifying the above findings. The commission or Planning Director may require the applicant to provide plans, documentation or other materials to substantiate these findings.

In the case of approvals or conditional approvals, this statement shall include a finding as to the public purpose served by such recommendation, particularly in regard to the purposes of this Section. The Planning Director shall notify the applicant in writing as to the reasons for such action within 30 days of submittal of administrative plans meeting all applicable submittal criteria or within five working days of such decision by the commission.

C. General requirements for all uses requiring a landscape plan

1. Standards for tree protection and impervious cover

Existing mature and specimen trees shall be integrated into the overall plan of development and shall be preserved so as to promote the intent of this Section. The commission or Planning Director, depending upon the applicable review process, may require that certain mature trees or specimen trees be preserved upon determination that they contribute significantly to the character of the County and that preservation is necessary to satisfy the intent of this Section. The purpose of this paragraph is to protect such trees and other amenities which could otherwise be lost due to careless site design or construction. All trees to be preserved shall be protected in accordance with the standards of this Section.

a. Tree protection

- (1) All trees to be preserved shall be protected before, during and after the development process in accordance with specifications contained in the Virginia Erosion and Sediment Control Handbook. The applicant shall include a conservation checklist for review and approval by the Director of Code Compliance which shall ensure that the specified trees will be protected in accordance with these specifications.
- (2) Trees or groups of trees to be preserved shall be clearly marked in the field. All specimen trees shall be clearly marked. Groups of trees shall be preserved rather than single trees. Trees and groups of trees to be preserved shall be enclosed by a substantial, temporary fence or barrier located and maintained outside the drip line before commencement of clearing or grading. The fence or barrier shall remain throughout construction and any subsequent grading or excavation unless otherwise approved on a clearing and grading plan. In no case shall materials, debris, fill, vehicles or equipment be stored within this enclosure, nor shall the topsoil layer be disturbed except in accordance with tree protection standards approved as part of the conservation checklist. The developer shall be responsible for ensuring these areas are protected in accordance with this Section. Where

changes from the existing natural grade level are necessary, permanent protective structures such as tree walls or wells shall be properly installed in accordance with the Virginia Erosion and Sediment Control Handbook.

b. Tree removal

Outside impervious areas, diseased trees, or trees weakened by age, storm, fire or other injury may be removed provided trees are replanted in accordance with paragraph C.2.a. Selective hand clearing and intermittent thinning may be permitted outside impervious areas by the Director of Code Compliance for necessary visibility, maintenance, and lawn management.

2. Site landscaping and tree protection requirements

- a. General landscape area standards. Existing trees shall be retained to the maximum extent possible in all landscape areas. Such trees may be removed to accommodate necessary utilities or drainage structures, or where necessary to abate demonstrable public health or safety hazards. All required landscape areas, other than landscape areas adjacent to buildings and within parking lots, as required below in paragraph C.2.b. and C.2.e., shall contain a number of trees equal to at least one tree and three shrubs per four hundred (400) square feet of total landscape area provided. At least thirty five (35) percent of these trees shall have a minimum caliper of 2-1-2 inches. Fifteen (15) to twenty five (25) percent of the required trees shall be ornamental trees. At least twenty five (25) percent of the total required trees and twenty five (25) percent of the required shrubs shall be evergreen. All required plantings shall conform with the most recent edition of American Standard for Nursery Stock published by the American Association of Nurserymen and shall be planted in accordance with the most recent edition of Guidelines for Planting Landscape Trees and Planting and Care of Trees and Shrubs published by the Virginia Cooperative Extension Service. Required planting materials shall be of a species that promotes the intent of this Section and that is compatible with the proposed planting environment. Transplanting for the purpose of achieving a larger size tree may be approved provided it is done in accordance with accepted horticultural and silvicultural practices.

Each mature existing tree may be counted toward meeting the required minimum number of trees, with one viable mature tree substituting for two planted trees and one viable specimen tree substituting for three planted trees. However, no credit shall be given for any mature tree or specimen tree which is not protected in full compliance with the tree protection standards above in paragraph C.1. In such cases, planted trees shall be provided as required above. Planted trees and shrubs shall be reasonably distributed throughout the site singly or in groups, with an appropriate mix of planting types and species which achieves the purposes of this Section. Required landscape areas shall be designed so as to not create vehicular and pedestrian hazards.

- b. Landscape areas adjacent to buildings. A landscape area which is a minimum of ten (10) feet wide shall be provided adjacent to buildings. Up to one half of this area may be transferred elsewhere on the site. This area shall contain a number of trees and shrubs equal to at least one ornamental tree or five (5) shrubs per two hundred (200) square feet of planting area provided.
  
- c. Landscape area along right-of-way. A landscape area having an average width of thirty (30) feet shall be provided adjacent to any existing or planned public road right-of-way. Such landscape areas may be reduced to an average width of twenty (20) feet or ten (10) percent of the average lot depth, whichever is greater, on lots with less than sixty five thousand (65,000) square feet which were recorded or legally in existence prior to July 3, 1990. Any required landscape area along a right-of-way shall have a minimum width of fifteen (15) feet. All landscape areas along a right-of-way shall contain a minimum amount of square footage which shall be determined by multiplying the applicable average width requirement above times the length of the right-of-way frontage. In no case shall any portion of any landscape area located more than forty five (45) feet from the right-of-way be counted toward meeting the requirements of this paragraph. All landscape areas along right-of-ways shall be continuous along the road right-of-way frontage except where driveway, utility or other breaks are necessary, and shall be designed in a manner that achieves the intent of this Section. All existing viable trees or specimen trees shall be preserved within this landscape area and protected in accordance with the above tree protection standards in paragraph C.1. Such landscape area shall be supplemented where necessary with planted trees and shrubs to achieve the minimum number of trees and shrubs specified in paragraph C.2.a. above.

d. Screening

- (1) Transitional screening. Transitional screening between conflicting land uses and districts shall be provided as required in this paragraph and in paragraph D. Such screening areas shall be left in their undisturbed natural state and supplemented where necessary in accordance with paragraph C.2.a. and with additional plantings to provide an effective visual screen. Such areas shall be continuous except where driveways, utilities, and other breaks are necessary. All breaks shall cross transitional screening areas at right angles. Where such breaks are necessary, different design requirements may be imposed to achieve an equivalent screening effect. Transitional screening areas shall not contain accessory structures, storage, parking or loading.
- (2) Additional Transitional Screening Requirements. If the Commission determines that noise, dust and debris, glare or other objectionable impacts created by a proposed development will have a detrimental effect on adjoining properties which will not be adequately addressed by transitional screening required by this Section, the Commission may increase minimum transitional screening requirements or setbacks and may require landscaping or architectural barriers which provide a visual screen between a proposed development and adjoining properties.
- (3) Objectionable features. Objectionable features shall be visually screened by landscaping or architectural barriers from or by adjacent residential districts, agricultural districts which are designated for residential use on the Comprehensive Plan, and public streets. Objectionable feature may include, but are not limited to the following: refuse areas, storage yards, loading areas, and detention ponds.
- (4) Historic landmarks and buildings. The commission may require screening of any use, or portion thereof, upon a determination that the use would otherwise have a negative visual impact on property listed on the Virginia Historical Landmarks Register.
- (5) Multiple frontage lots. Lots with multiple frontages shall have screening provided between the rear of the principle use or building and the public right-of-way.

- (6) Residential developments not subject to Article II, site plans. Major subdivisions of residential developments as defined in Chapter 17, shall conform with screening requirements for multiple frontage lots. Such developments shall also provide transitional screening along any property line which is adjacent to or across a peripheral public street from any multi-family, commercial, or industrial zoning district. The amount of transitional screening shall be based on the zoning district adjacent to or across a peripheral public street from the proposed residential development. Such residential developments shall provide transitional screening in accordance with the requirements for the multi-family, commercial or industrial district contained in paragraph D.

e. Off-Street parking lot landscaping.

Parking areas, accessory or otherwise, containing ten or more parking spaces shall contain landscaping and landscape areas in accordance with all of the following:

- (1) Preservation of trees. Parking lots shall be designed and constructed so that existing viable trees are preserved in a manner which will meet the intent and satisfy the requirements in this Section to the maximum extent possible. Where such existing trees do not fully satisfy these requirements, additional trees shall be planted in an amount which meets or exceeds the stated minimum requirements. The requirements in this paragraph shall be in addition to other requirements stated in this Section.
- (2) Landscape area. Total landscape area within the parking lot, exclusive of any perimeter landscape areas or any landscape areas around the building, shall not be less than ten (10) percent of the surface area of the parking lot, including drives and circulation areas. On lots or parcel shaving less than 65,000 square feet which were recorded or legally in existence prior to July 3, 1990, total landscape area within the parking lot shall not be less than seven and five tenths (7.5) percent of the surface area of the parking lot including drives and circulation areas.
- (3) Planting requirements. Landscape areas within a parking lot shall contain a minimum of one tree and two shrubs for each five (5) parking spaces in the parking lot. On lots or parcels having

less than 65,000 square feet which were recorded or legally in existence prior to July 3, 1990, landscape areas within the parking lot shall contain a minimum of one (1) tree and two (2) shrubs for each ten (10) parking spaces in the parking lot. At least fifty (50) percent of the required trees shall be deciduous shade trees with a 2-1-2 inch minimum caliper, and at least twenty five (25) percent of the required shrubs shall be evergreen. As provided above, each mature existing tree or specimen tree may be counted toward meeting the required minimum number of trees, with one viable mature tree substituting for two planted trees and one viable specimen tree substituting for three planted trees. No credit shall be given for any mature or specimen tree which is not protected in full compliance with the tree protection standards in paragraph C.1. above. Required trees shall be reasonably distributed throughout the parking lot in a manner that promotes the intent of this Section, and shall be spaced no more than seventy five (75) feet apart throughout the parking lot. In addition to the above tree and shrub requirements, all parking lots shall be visually screened from public road right-of-ways by evergreen plantings or berms. Such berms shall have a maximum side slope ratio of three horizontal feet to one vertical (3:1) foot, and a level crown with a minimum width of three (3) feet for maintenance and planting purposes. Any berm shall be designed and constructed to ensure that proper erosion prevention and control practices have been utilized.

- (4) Special requirements for bus parking lots. Bus parking areas shall contain landscape areas in accordance with the above requirements except that plantings shall be provided as follows: a) one tree and two shrubs shall be provided for each two bus parking spaces, with at least fifty (50) percent of the required trees consisting of deciduous shade trees with a 2-1-2 inch minimum caliper; and b) in addition to the foregoing tree and shrub requirements, bus parking areas shall be visually screened from all public road right-of-ways by evergreen landscaping or berms to the maximum extent possible. Any berms shall meet the requirements of paragraph 3 above.



D. Landscape requirements by zoning district

All uses and developments requiring a site plan and landscape plan in accordance with Article II, Site Plan, and this Section shall comply with the above requirements and those which follow. Where no landscape requirements are provided for a specific zoning district, the landscape plan shall be prepared in accordance with the requirements for the district which is deemed by the Planning Director, to be the most similar to the character of the proposed use, situation and surrounding conditions. In making this determination, the following shall be considered: the characteristics of the proposed use and surrounding area, existing Zoning and Comprehensive Plan designations, and use regulations of this Chapter. At a minimum, required setbacks and yards shall be provided as landscape areas which meet the requirements of this Section.

1. R-5, Multi-family residential district

- a. Setbacks. Setbacks from existing or planned peripheral public street right-of-ways shall contain a landscape area having an average width of thirty (30) feet in accordance with paragraph C.2.c. above. The balance of the setback and setbacks from internal streets shall contain existing trees and plantings in conformance with paragraphs C.2.a. above. This requirement shall not apply to single-family dwellings.
- b. Yards. All required yards shall contain existing trees and plantings in conformance with paragraphs C.2.a. above. This requirement shall not apply to single-family dwellings.
- c. Transitional screening. For developments with two hundred (200) or less units, a transitional screening area in accordance with paragraph C.2.d., with a minimum width of thirty (30) feet shall be provided within the first thirty (30) feet of yard area or setback from any property line when adjacent to or across a peripheral public street from any residential district other than R-5 or any agricultural district designated for low density residential or rural residential on the Comprehensive Plan. For larger developments, such transitional screening area shall be a minimum of thirty five (35) feet in width.

2. R-7, manufactured home subdivision and manufactured home park

- a. Perimeter landscape area. A perimeter landscape area at least 30 feet in width shall be provided around the entire site in addition to all other yard requirements in manufactured home subdivisions and parks. Such landscape area shall be provided in accordance with paragraphs C.2.a., and above C.2.c.

3. LB, Limited Business District; B-1, General Business District; M-1, Limited Industrial District; M-2, General Industrial District

a. Side and rear landscape area. A landscape area adjoining all side and rear property lines shall be provided which is at least 15 feet in width. Along the rear property lines, such landscape area may be reduced to a minimum of 10 feet in width or 5 percent of the average lot depth, whichever is greater, on lots with less than 65,000 square feet which were recorded or legally in existence prior to July 3, 1990. Such landscape area shall be landscaped in accordance with paragraph C.2.a. above. Such area may be broken by necessary driveways or utilities perpendicular to the property line.

b. Transitional Screening. Landscape areas along property lines of properties zoned LB, B-1, M-1 and M-2 shall be increased to the following widths when adjacent to or across a public street from a residential district or agricultural district if designated residential on the Comprehensive Plan:

LB District: 30 Feet  
B-1 District: 35 Feet  
M-1 District: 35 Feet  
M-2 District: 50 Feet

Such landscape areas shall be exclusive of any planned future right-of-way and shall be left in an undisturbed natural state and supplemented with additional plantings to create a visual screen in accordance with paragraph C.2.d. above.

c. Minimum Landscape Open Space. At a minimum, the following percentages of the total lot area for properties in LB, B-1, M-1 and M-2 districts shall be maintained as landscape open space:

LB Districts: 35% of total lot area  
B-1 Districts: 30% of total lot area  
M-1 District: 30% of total lot area  
M-2 District: 25% of total lot area

4. PUD, Planned Unit Development District

- a. Setbacks. Setbacks from existing or planned peripheral public street right-of-ways shall contain a landscape area having an average width of thirty (30) feet in accordance with paragraph C.2.c. above. The balance of that setback and setbacks from internal streets shall contain existing trees and plantings in conformance with paragraph C.2.a. above. Landscape requirements along internal streets shall not apply to single-family dwellings. Requirements of this paragraph shall not apply to active recreation playing areas designated on the Master Plan and approved in accordance with Article VIII.
- b. Yards. All yards shall contain existing trees and plantings in conformance with paragraph C.2.a. above. This requirement shall not apply to single-family dwellings or active recreation playing areas designated on the Master Plan and approved in accordance with Article VIII.
- c. Transitional screening.
  - (1) Residential. Where a multi-family or townhouse structure in a PUD district is located adjacent to or across a peripheral public street from an R-1, R-2, R-3, R-6 or R-7 residential district or agricultural district if designated low density residential or rural residential on the Comprehensive Plan, a thirty five (35) foot wide transitional screening area in accordance with paragraph C.2.d. above shall be provided within the first 35 feet of yard area or setback from any property line adjoining such district.
  - (2) Commercial, industrial, public or institutional uses. Where a commercial, industrial, public or institutional use in a PUD district is located adjacent to or across a peripheral public street from any residential district or agricultural district if designated for residential use on the Comprehensive Plan, transitional screening shall be provided in accordance with requirements for LB, B-1, M-1 or M-2 districts as required in paragraph D.3.b. above. The applicable transitional screening requirements shall be determined by the Planning Director in accordance with paragraph D above.

5. Special requirements for certain uses

- a. Commercial, Industrial or Public Uses Exceeding 20,000 square feet. Where such uses exceed twenty thousand (20,000) square feet in gross floor area, the landscape area adjoining all side and rear property lines shall be increased to at least twenty (20) feet in width, in addition to meeting other requirements of this Section. Such area shall be landscaped in accordance with paragraphs C.1. and C.2.a. above and may contain necessary driveways or utilities which are perpendicular to the property line.

ARTICLE II. SITE PLAN

Section 20-39. Same--Submittal Contents.

The site plan shall as a minimum contain:

- (i) A landscape plan showing wood line 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, and size and type of trees to be removed having a minimum diameter breast height of twelve (12) inches.

ARTICLE IV. DISTRICTS.

DIVISION 1. GENERALLY.

Section 20-89. Special requirements for establishments selling or dispensing vehicular fuels.

The following special requirements shall apply to automobile service stations, truck stops, truck terminals and other establishments selling or dispensing motor vehicle fuels in any District in which they are located:

- (1) Minimum lot area shall be 20,000 square feet.
- (2) Minimum lot width at the setback line shall be 200 feet or 150 feet where self-service gasoline pumps are subordinate to general retail uses and no repair is conducted.
- (3) No fuel service island or pump canopy shall be located within 15 feet of any adjoining road right-of-way or property line.

- (4) The width of curb openings shall not exceed 35 feet. Where two or more curb openings are proposed, they shall be no closer than 25 feet apart; except that where required for the safe maneuvering of trucks, the curb openings may be increased to a width of 60 feet, and curb openings shall be no closer than 75 feet apart.
- (5) Curb openings shall be no closer than ten feet from an adjoining property line and no closer than 25 feet from a street intersection. Curb openings for truck terminals and truck stops shall be no closer than 25 feet from an adjoining property line.
- (6) Two off-street parking spaces shall be provided for each service bay plus a total of three spaces for employee parking.
- (7) If dumpsters are provided, they shall be screened from adjacent properties by vegetation, landscaping, or fences. Dumpsters shall be placed on concrete pads with a drainage system as required by the Health Department.

Section 20-91. Outdoor operations and storage.

Any commercial or industrial operation or storage, conducted in whole or in part out-of-doors shall:

- (a) Set back a minimum of 35 feet from the right-of-way of any street identified on a functional classification with a right-of-way 50 feet or greater in width and 60 feet from the center line of any street identified on a functional classification with a right-of-way less than 50 feet in width, except that the outdoor display of plant materials shall be set back ten feet from any road right-of-way 50 feet or greater in width and 35 feet from the center line of any road right-of-way less than 50 feet in width; and
- (b) Be well drained with adequate provisions to control storm drainage and erosion; and
- (c) Where the ground cover would be routinely disturbed because of the nature of the activity to be conducted or because of vehicular traffic, the area shall be maintained in an all weather surface; and
- (d) Be screened from adjacent property by landscaping and fencing, except the outdoor displays for sale of vehicles, equipment, machinery and plant materials are exempt from the screening requirements where such screening would interfere with the visibility of the items for sale from a public road; and
- (e) Be limited to uses and items to be stored which do not create noise, odor, dust, or other objectionable effects. The effects of an activity shall be measured at the nearest property line.

DIVISION 8. MULTI-FAMILY RESIDENTIAL DISTRICT, R-5.

Section 20-246. Setback requirements.

- (a) All single family dwellings and their accessory structures shall be located at least 35 feet from the right-of-way of any peripheral street which abuts or borders the site and which has a right-of-way 50 feet or greater in width. If the street right-of-way is less than 50 feet wide, such buildings and structures shall be located a minimum of 60 feet from the center line of the street.
- (b) All other structures shall be located a minimum of 50 feet from the right-of-way of any peripheral street which abuts or borders the site and has a right-of-way width of 50 feet or more. In the event such street has a right-of-way width which is less than 50 feet, such structures shall be located a minimum of 75 feet from the center line of the street. An additional 25 foot setback from peripheral roads identified on a functional classification shall be required for any structure which exceeds one story.
- (c) All structures shall be located a minimum of 25 feet from any street which is internal to the project. Exceptions may be given for service drives, driveways, parking areas, alleys and cul-de-sac roads.
- (d) Off-street parking shall not be permitted within required setbacks, except that parking spaces for single family and two-family dwellings may be located within the required setback.

Section 20-248. Yard regulations.

- (a) For developments containing two hundred (200) or less dwelling units, all structures shall be located a minimum of thirty five (35) feet from any property line which adjoins property in a multi-family residential district, a business district, an industrial district, an agricultural district which is designated for multi-family, commercial, or industrial use on the Comprehensive Plan; or public property. For developments containing more than two hundred (200) dwelling units, all structures shall be located a minimum of fifty (50) feet from any property line which adjoins property in a multi-family residential district; a business district, an industrial district, an agricultural district which is designated for multi-family, commercial, or industrial use on the Comprehensive Plan; or public property.

- (b) For developments containing two hundred (200) or less dwelling units, all structures shall be located a minimum of fifty (50) feet from any property line which adjoins property which is in a residential district other than the R-5, or in an agricultural district designated for low density residential or rural residential on the Comprehensive Plan. For developments containing more than two hundred (200) dwelling units, all structures shall be located a minimum of seventy five (75) feet from any property line which adjoins property which is in a residential district other than the R-5, or in an agricultural district designated for low density residential or rural residential on the Comprehensive Plan. The minimum yard requirement shall be increased by twenty five (25) feet for any structures which exceed one story.
- (c) Off-street parking shall be excluded from the first forty (40) feet of yard nearest the property line.
- (d) Single family and two-family dwellings.

The minimum side yard for each single family dwelling or two family dwelling shall be five feet. The minimum rear yard shall be 20 feet. The minimum side and rear yards for structures accessory to single family or two-family dwellings shall be five feet for structures one story or less, and ten feet for structures exceeding one story.

The side and rear yards for any structure in excess of 35 feet shall be increased by one foot for each one foot in height in excess of 35 feet.

Section 20-251. Requirements for improvements and design.

- (b) Open Space. At least thirty five percent (35) of the gross area of the site shall be retained in open space as defined in Section 20-2.
- (q) Natural features and amenities. Existing features which would enhance the residential environment or the County as a whole such as trees, watercourses, historic spots and similar features shall be preserved to the maximum extent possible.

DIVISION 11. LIMITED BUSINESS DISTRICT, LB.

Section 20-311. Yard regulations.

- (a) The minimum side yard shall be 20 feet for each main structure. The minimum rear yard shall be 20 feet.
- (b) All accessory structures shall be located at least ten feet from any side lot line.

- (c) The minimum side yard shall be increased to thirty-five (35) feet if the side yard adjoins property in a residential district, or an agricultural district that is designated for residential use on the Comprehensive Plan and the minimum rear yard shall be increased to 35 feet if the rear yard adjoins property in a residential district or an agricultural district that is designated for residential use on the Comprehensive Plan. The minimum side and rear yards for any section of a structure in excess of thirty five (35) feet in height shall be increased one foot for each two (2) feet of height in excess of 35 feet.

Section 20-312. Special provisions for the adjustment of yard requirements.

To allow the subdivision of commercial property on which commercial units for sale, for sale in condominium, or for lease are constructed as part of a multi-unit structure in which the units share common walls or as part of a multiple-structure commercial development, and the entire development has been planned and designed as a comprehensive coordinated unit under a single master plan; the Planning Commission may grant, at its discretion, a waiver from any part of Section 20-311 upon finding:

- (a) The overall complex or structure, if considered as a single unit, meets all of the requirements of Section 20-311; and
- (b) Adequate parking is provided as per the requirements of this Chapter, and where determined necessary by the commission, adequate easements or other agreements are recorded to guarantee access and maintenance of the parking areas and other common areas; and
- (c) Adequate provisions are made to assure compliance with Article VIII of this Chapter, and where determined necessary by the commission, adequate easements or agreements are recorded to allow grouping of signs on one standard, placement of signs in common areas or other appropriate arrangements made necessary because of the reduced yard area of the individual units; and
- (d) The complex or structure is adequately designed and serviced from the standpoint of safety, and the county fire chief certifies that the fire safety equipment to be installed is adequately designed and the county building official certifies the complex is designed to conform to the BOCA Code, so as to offer adequate protection to life and property.

DIVISION 12. GENERAL BUSINESS DISTRICT, B-1.

Section 20-333. Yard regulations.

- (a) Buildings shall be located twenty (20) feet or more from side or rear property lines, except that the minimum side yard shall be fifty (50) feet if the side yard adjoins property in a



residential district, or an agricultural district that is designated for residential use on the Comprehensive Plan, and the minimum rear yard shall be fifty (50) feet if the rear yard adjoins property in a residential district or an agricultural district that is designated for residential use on the Comprehensive Plan. The minimum side and rear yards shall be increased an additional one foot for each one foot of building height in excess of thirty-five (35) feet.

- (b) All accessory structures shall be located at least ten feet from any side or rear lot line.

Section 20-334. Special provisions for the waiver of yard requirements.

To allow the subdivision of commercial property on which commercial units for sale, for sale in condominium, or for lease are constructed as part of a multi-unit structure in which the units share common walls or as part of a multiple-structure commercial development, and the entire development has been planned and designed as a cohesive, coordinated unit under a single master plan, the planning commission may grant, at its discretion, a waiver from any part of Section 20-333 upon finding:

- (a) The overall complex or structure, if considered as a single unit, meets all of the requirements of Section 20-333;
- (b) Adequate parking is provided as per the requirements of this Chapter, and where determined necessary by the commission, adequate easements or other agreements are recorded to guarantee access and maintenance of the parking areas and other common areas;
- (c) Adequate provisions are made to assure compliance with Article VIII of this Chapter, and, where determined necessary by the commission, adequate easements or agreements are recorded to allow grouping of signs on one standard, placement of signs in common areas or other appropriate arrangements made necessary because of the reduced yard area of the individual units; and
- (d) The complex or structure is adequately designed and serviced from the standpoint of safety, and that the county fire chief certifies that the fire safety equipment to be installed is adequately designed and the county building official certifies the complex is designed to conform to the BOCA Code, so as to offer adequate protection to life and property.

DIVISION 13. LIMITED INDUSTRIAL DISTRICT, M-1.

Section 20-355. Side and rear yards.

- (a) Structures shall be located twenty (20) feet or more from side or rear property lines. The side and rear yards for any section of a structure in excess of thirty-five (35) feet in height shall be increased one foot for each two (2) feet of height in excess of thirty-five (35) feet.
- (b) The minimum side yard shall be increased to seventy-five (75) feet if the side yard adjoins property in a residential district, or an agricultural district that is designated for residential use on the Comprehensive Plan and the minimum rear yard shall be increased to seventy-five (75) feet if the rear yard adjoins property in a residential district or an agricultural district that is designated for residential use on the Comprehensive Plan. The minimum side and rear yards for any section of a structure in excess of thirty-five (35) feet in height shall be increased one foot for each two feet (2) of height in excess of thirty-five (35) feet.
- (c) Accessory structures may be located within the required side or rear yards upon approval of the Planning Commission; provided, however, that no structure shall be located within ten (10) feet of any property line.

Section 20-357. Special provisions for the waiver of area, lot width, yard and yard setback requirements.

To allow the subdivision of industrial property on which industrial units for sale, for sale in condominium, or for lease are constructed as part of a multi-unit structure in which the units share common walls, or as part of a multiple-structure commercial development and the entire development has been planned and designed as cohesive, coordinated unit under a single master plan, the planning commission may grant, at its discretion, a waiver from any part of Section 20-352 upon finding:

- (a) The overall complex or structure, if considered as a single unit, meets all of the requirements of Section 20-352;
- (b) Adequate parking is provided as per the requirements of this Chapter, and, where determined necessary by the commission, adequate easements or other agreements are recorded to guarantee access and maintenance of the parking areas and other common areas;

- (c) Adequate provisions are made to assure compliance with the requirements of this Chapter with regards to signs, and, where determined necessary by the commission, adequate easements or agreements are recorded to allow grouping of signs on one standard, placement of signs in common areas or other appropriate arrangements made necessary because of the reduced frontage or yard area of the individual units; and
- (d) The complex or structure is adequately designed and serviced from the standpoint of safety, and that the county fire chief certifies that the fire safety equipment to be installed is adequately designed and the county building official certifies the complex is designed to conform to the BOCA Code, so as to offer adequate protection to life and property.

DIVISION 14. GENERAL INDUSTRIAL DISTRICT, M-2.

Section 20-380. Side or rear yards.

- (a) Structures shall be located twenty (20) feet or more from side or rear property lines. The side and rear yards for any section of a structure in excess of thirty-five (35) feet in height shall be increased one foot for each three (3) feet of height in excess of thirty-five (35) feet.
- (b) The minimum side yard shall be increased to seventy-five (75) feet if the side yard adjoins property in a residential district, or an agricultural district that is designated for residential use on the Comprehensive Plan and the minimum rear yard shall be increased to seventy-five (75) feet if the rear yard adjoins property in a residential district or an agricultural district that is designated for residential use on the Comprehensive Plan. The minimum side and rear yards for any section of a structure in excess of thirty-five (35) feet in height shall be increased one foot for each two (2) feet of height in excess of thirty-five (35) feet.
- (c) Accessory structures may be located within the required side or rear yards upon approval of the Planning Commission; provided, however, that no structure shall be located within 10 feet of any property line.

Section 20-382. Special provisions for the waiver of area, lot width, yard and setback requirements.

To allow the subdivision of industrial property on which industrial units for sale, for sale in condominium, or for lease are constructed as part of a multi-unit structure in which the units share common walls, or as part of a multiple-structure commercial development and the entire development has

been planned and designed as a cohesive, coordinated unit under a single master plan, the Planning Commission may grant, at its discretion, a waiver from any part of Section 20-377 through 20-380 upon finding:

- (a) The overall complex or structure, if considered as a single unit, meets all of the requirements of Sections 20-377 through 20-380; and
- (b) Adequate parking is provided as per the requirements of this Chapter, and, where determined necessary by the commission, adequate easements or other agreements are recorded to guarantee access and maintenance of the parking areas and other common areas;
- (c) Adequate provisions are made to assure compliance with the requirements of this Chapter with regards to signs, and, where determined necessary by the commission, adequate easements or agreements are recorded to allow grouping of signs on one standard, placement of signs in common areas or other appropriate arrangements made necessary because of the reduced frontage or yard area of the individual units; and
- (d) The complex or structure is adequately designed and serviced from the standpoint of safety, and that the county fire chief certifies that the fire safety equipment to be installed is adequately designed and the county building official certifies the complex is designed to conform to the BOCA Code, so as to offer adequate protection to life and property.

#### ARTICLE VIII. PLANNED UNIT DEVELOPMENT DISTRICTS.

##### Section 20-482. Requirements for improvements and design.

- (h) Natural features and amenities. Existing features which would add value to the residential development or to the County as a whole, such as trees, watercourses, historical sites and similar irreplaceable assets, shall be preserved to the maximum extent possible.

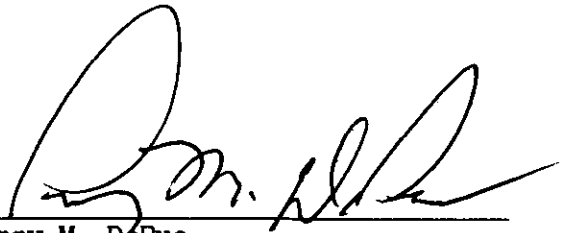
##### Section 20-483. Setback, side and rear yard requirements.

- (a) Residential. For residential uses a minimum landscape setback of fifty (50) feet shall be maintained from all property lines adjoining a different zoning district and or the right-of-way of any existing or planned public roads which abut the site. Where multi-family or townhouse structures in a PUD-R District adjoin an existing R-1, R-2, R-3, R-6 or R-7 District, or an A-1 or A-2 District that is designated for low density residential or rural residential on the Comprehensive Plan the minimum setback shall be seventy-five (75) feet.

- (b) Commercial. For commercial uses a minimum landscape setback of 75 feet shall be maintained from all property lines adjoining a different zoning district and or the right-of-way of any existing or planned public roads which abut the site.
- (c) Industrial, public, or institutional uses. For industrial, public, or institutional uses a minimum landscaped setback of one hundred (100) feet shall be maintained from all property lines adjoining a different zoning district and or the right-of-way of any existing or planned public roads which abut the site. Where industrial structures adjoin an existing residentially zoned District or an A-1 District that is designated for low density residential or rural residential on the Comprehensive Plan, the minimum landscaped setback shall be increased to one hundred twenty-five (125) feet.
- (d) Internal setbacks. Except for setbacks required on the perimeter of the District and except for industrial structures, there shall be no minimum lot size nor minimum front, side, or rear yard requirements for any lot within a Planned Unit Development District other than as specified in approved final plans.
- (e) Parking restrictions in setbacks. Landscape setbacks shall not be used for streets or for parking except for entrances which may penetrate the setback.

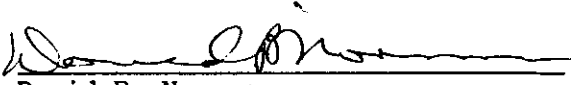
Section 20-486. Setback requirements for industrial use.

A minimum landscape setback of fifty (50) feet shall be required from streets which are internal to the site for any industrial structure.



Perry M. DePue  
Chairman, Board of Supervisors

ATTEST:



David B. Norman  
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
NORMENT	AYE
TAYLOR	NAY
EDWARDS	AYE
KNUDSON	AYE
DEPUE	AYE

Adopted by the Board of Supervisors of James City County, Virginia,  
this 2nd day of July, 1990.

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