

ADOPTED

AUG 20 1990

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

ORDINANCE NO. 31A-124

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 20, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE X. OVERLAY DISTRICTS, DIVISION 1. RESERVOIR PROTECTION OVERLAY DISTRICT, RP, SECTION 20-529. PROHIBITED USES.

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 20-529. Prohibited Uses.

CHAPTER 20. ZONING

ARTICLE X. OVERLAY DISTRICTS

DIVISION 1. RESERVOIR PROTECTION OVERLAY DISTRICT, RP

Section 20-529. Prohibited Uses.

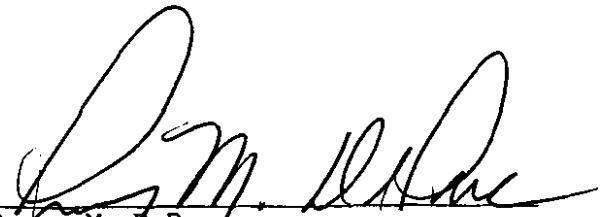
- (a) The following uses shall be prohibited within the Reservoir Protection Overlay District:
 - (1) Storage or production of hazardous wastes as defined in Section 32.1-177 of the Code of VA, 1950, as amended.

- (2) Transmission and distribution pipelines, pumping stations, storage facilities or treatment plants, and any associated equipment, used to transport liquefied natural gas, liquid petroleum products, or slurry coal.
- (3) Transmission and distribution pipelines, pumping stations, storage facilities or treatment plants, and any associated equipment, used to transport treated or untreated sewage except for the following:
 - a. Transmission and distribution pipelines, pumping stations, and any associated equipment which provide or are designed to provide sewer services solely for property in the Reservoir Protection Overlay District; or
 - b. Transmission and distribution pipelines, pumping stations, and any associated equipment, for which the General Manager of the James City Service Authority has certified in writing the following:
 1. The design and construction methods to be employed will minimize the danger of any damage to the quality of public water supplies;
 2. Alternative locations for the above facilities outside the Reservoir Protection Overlay District would make the costs of the facilities financially unfeasible;
 3. The above facilities are necessary to serve development which is consistent with the Comprehensive Plan; and
 4. The above facilities provide or are designed to provide sewer services predominantly for property in the Reservoir Protection Overlay District.
- (4) Land application of industrial wastes (as defined in guidelines prepared by the Division of Code Compliance).
- (5) Commercial livestock feeding operations. For the purposes of this article, the term commercial livestock feeding operation shall mean a lot, yard, structure, corral, or other area in which more than 500 animal units (as defined by the U. S. Environmental Protection Agency) of livestock are confined primarily for the purpose of feeding, growing, raising, holding, and birthing prior to slaughter or sale. The term does not include areas which are being used for the raising of crops or other vegetation upon which livestock are allowed to graze or feed.

(6) Sanitary landfills.

(b) The following uses shall be prohibited within 200 feet of a tributary stream and within 200 feet of the normal pool of a water supply reservoir (these distances shall be horizontal measurements):

- (1) Bulk storage of petroleum and asphalt products and compounds.
- (2) Storage of hazardous substances in reportable quantities as listed in 44 Fed. Reg. 50777 et seq. (1979).



Perry M. DePue
Chairman, Board of Supervisors

ATTEST:



David B. Norman
Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia,
this 20th day of August, 1990.

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