

MAY 4 1992

ORDINANCE NO. 31A-142BOARD 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 IV, DISTRICTS, DIVISION 7, RESIDENTIAL PLANNED COMMUNITY DISTRICT, R-4, BY AMENDING SECTION 20-211, STATEMENT OF INTENT; SECTION 20-212, RESIDENTIAL PLANNED COMMUNITY DEFINED; SECTION 20-213, DOCUMENTS REQUIRED FOR SUBMISSION; SECTION 20-215, APPROVAL OF MASTER PLAN; RELATIONSHIP TO FINAL PLANS; AND SECTION 20-216, FINAL PLANS - SUBMISSION; CONTENTS GENERALLY; BY DELETING SECTION 20-220, CONVEYANCE OF LAND TO BOARD FOR PUBLIC PURPOSE; BY RENUMBERING SECTION 20-221, ADDITION OF LAND TO EXISTING COMMUNITY; SECTION 20-223, PERMITTED DENSITY WITHIN RESIDENTIAL AREAS; SECTION 20-229, EFFECT OF OTHER PROVISIONS OF ZONING AND SUBDIVISION REGULATIONS ON DIVISION; AND SECTION 20-230, SIGN REGULATIONS; BY RENUMBERING AND AMENDING SECTION 20-222, PERMITTED DENSITY OVERALL; SECTION 20-224, OPEN SPACE REQUIREMENTS; SECTION 20-225, PERMITTED USES; SECTION 20-226, LIMITATIONS; SECTION 20-227, UTILITIES; SECTION 20-228, STREET IMPROVEMENTS; AND SECTION 20-231, HEIGHT LIMITS; BY AMENDING DIVISION 8, MULTI-FAMILY RESIDENTIAL DISTRICT, R-5, BY AMENDING SECTION 20-241, STATEMENT OF INTENT; SECTION 20-242, PERMITTED USES; SECTION 20-243, USES PERMITTED BY SPECIAL USE PERMIT ONLY; SECTION 20-244, MINIMUM SITE SIZE; SECTION 20-246, SETBACK REQUIREMENTS; SECTION 20-247, MINIMUM LOT WIDTH; SECTION 20-248, YARD REGULATIONS; SECTION 20-249, DENSITY REQUIREMENTS FOR TOWNHOUSES, APARTMENTS, AND CONDOMINIUMS; SECTION 20-251, REQUIREMENTS FOR IMPROVEMENTS AND DESIGN; AND SECTION 20-252, DENSITY BONUSES; AND BY DELETING DIVISION 10, MANUFACTURED HOME SUBDIVISION DISTRICT, R-7, BY DELETING SECTIONS 20-284 THROUGH 20-305; TO ALLOW THESE DISTRICTS TO MORE CLOSELY CONFORM WITH THE ADOPTED COMPREHENSIVE

PLAN IN ORDER TO PROTECT THE PUBLIC HEALTH, SAFETY AND WELFARE OF THE RESIDENTS OF JAMES CITY COUNTY BY ENSURING THAT AN ADEQUATE SUPPLY OF DECENT, SAFE AND SANITARY HOUSING EXISTS FOR COUNTY CITIZENS AND TO MAINTAIN AND IMPROVE THE HIGH LEVEL OF ENVIRONMENTAL QUALITY IN THE COUNTY.

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 20-211, Statement of Intent; Section 20-212, Residential Planned Community Defined; Section 20-213, Documents Required for Submission; Section 20-215, Approval of Master Plan; Relationship to Final Plans; Amendments; and Section 20-216, Final Plans - Submission; Contents Generally; Variations from Approved Master Plan; by renumbering Section 20-220, Addition of Land to Existing Community; Section 20-222, Permitted Density Within Residential Areas; Section 20-228, Effect of other Provisions of Zoning and Subdivision Regulations on Division; and Section 20-229, Sign Regulations; by renumbering and amending Section 20-221, Permitted Density Overall; Section 20-223, Open Space Requirements; Section 20-224, Permitted Uses; Section 20-225, Limitations; Section 20-226, Utilities; Section 20-227, Street Improvements; and Section 20-231, Height Limits; by amending Section 20-241, Statement of Intent; Section 20-242, Permitted Uses; Section 20-243, Uses Permitted by Special Use Permit Only; Section 20-244, Minimum Site Size; Section 20-246, Setback Requirements; Section 20-247, Minimum Lot Width; Section 20-248, Yard Regulations; Section 20-249, Density Requirements for Townhouses, Apartments, and Condominiums; Section 20-251, Requirements for Improvements and Design; and Section 20-252, Density Bonuses; by deleting Sections 20-284 through 20-305; to allow these districts to more closely conform with the adopted Comprehensive Plan in order and to protect the public

health, safety and welfare of the residents of James City County by ensuring that an adequate supply of decent, safe and sanitary housing exists for County citizens and to maintain and improve the high level of environmental quality in the County.

ARTICLE IV. DISTRICTS

DIVISION 7. RESIDENTIAL PLANNED COMMUNITY DISTRICT, R-4.

Section 20-211. Statement of Intent.

This District is intended to permit development, in accordance with a Master Plan, of large, cluster-type communities in a manner that will protect and preserve the natural resources, trees, watersheds, contours and topographic features of the land, protect and enhance the natural scenic beauty and permit the greatest amount of recreational facilities by leaving large areas permanently open. Within such communities, the location of all improvements shall permit a variety of housing accommodations in an orderly relationship to one another with the greatest amount of open area, and the least disturbance to natural features *and to implement the policies and designations of the Comprehensive Plan.* A Planned Residential District may include a variety of residential accommodations and light commercial activity, but no industrial development is permitted.

Section 20-212. Residential Planned Community Defined.

For purposes of this Article, a residential planned community shall be a large, planned development consisting of 400 acres or more under a single ownership or control. The residential planned community is predominated by residential land uses and open space, but also contains such uses as

recreation centers, fire stations, schools and retail establishments which make the residential planned community largely self-sufficient. An important feature of the residential planned community is its emphasis on site planning and the retention of large, ~~natural~~ open areas.

Section 20-213. Documents Required for Submission.

(a) Generally. The applicant shall submit the following documents to the Planning Director for submission to the Planning Commission:

- (1) Application for rezoning.
- (2) Master Plan, ~~21~~ *thirty* copies-, *ten* submitted with the application for rezoning with the balance of the required copies submitted at the request of staff in preparation for Planning Commission review.
- (3) Community Impact Statement, ~~ten~~ *thirty* copies-, *ten* submitted with the application for rezoning with the balance of the required copies submitted at the request of staff in preparation for Planning Commission review.

The purpose of the Master Plan and Community Impact Statement is to set an overall population and development ceiling for the Planned Community, to determine off-site impacts of the development, and to identify the general arrangement of *internal* land uses ~~within it~~.

- (b) Master Plan. The Master Plan shall be prepared by a licensed surveyor, engineer, architect, landscape architect or planner. A scale may be used so that the entire parcel can be shown on one piece of paper no larger than ~~30~~ *thirty-six* by ~~40~~ *forty-eight* inches. It shall include:
- (1) An insert map at a scale of not less than one inch to one mile, showing the property in relation to surrounding roads, subdivisions or major landmarks.
 - (2) A north arrow.
 - (3) The location of existing property lines, watercourses or lakes, wooded areas and existing roads which are within or adjoin the property.
 - (4) The approximate boundaries of each section, land use or density, a general circulation plan with an indication of whether streets are to be public or private, and the approximate location of recreation areas, sidewalks and other pedestrian access ways, common open space areas,

public facilities and areas proposed for dedication to public use within the project. Each residential section of the Master Plan shall be designated according to the following categories:

<u>Area Designation</u>	<u>Dwelling Type</u>
A	Single family
B	Two-family, multi-family structures containing three or four dwelling units, or townhouses
C	Multi-family structures less than three stories and containing more than four dwelling units
D	Multi-family structures of three or more stories and containing more than four dwelling units

The above designation shall be the highest and densest use to which such land may be put without amending the Master Plan. However, where the Planning Commission finds the project does not vary the basic concept or character of the planned community and where it does not exceed the maximum density permitted under Section 20-223, the Planning Commission may approve Final Plans for projects with lower densities or a lower category of uses than those shown on the Master

Plan without amending the Master Plan. Common open space shall be located *in a usable way and located* so as to enhance the living environment of the residential planned community. Generally this shall mean that the common open space shall be distributed throughout the community and not aggregated in large areas that provide little or no benefit to the individual uses or the community at large.

- (5) As marginal data it shall contain a table which shows, for each section or area of different uses, the use, approximate phasing, ~~approximate~~ *maximum* number of dwelling units and density for residential areas, square feet of floor space for commercial areas, and their acreage.
 - (6) Schematic plans which shall indicate the phasing of development and master water, sewer and drainage plans.
 - (7) A statement on the guarantees and assurances to be provided for the maintenance of common open space, recreation areas, sidewalks, parking, private streets, and other privately owned but common facilities serving the project.
- c) Community Impact Statement. The Community Impact Statement shall describe the probable effects of the proposed development upon the community. At a minimum, it shall address the following topics:

- (1) Adequacy of existing public facilities and services to serve the development. Analysis shall be made of sewer, water, schools, fire stations and other major locally financed facilities.;
- (2) Additional on-site and off-site public facilities or services which would be required as a result of the development.;
- (3) ~~Traffic to be generated by the development, the capacity of surrounding roads, specific road improvements necessary.~~

A traffic impact study shall be prepared by an individual or firm qualified to conduct traffic engineering studies in a manner and form acceptable to the Planning Director. Such study shall address projected traffic generation; internal and external traffic; turning movements and distribution at each access point; traffic distribution; capacity of surrounding roads; and road and access improvements;

- (4) Fiscal impact of the proposed development, such as estimated tax revenues to be generated versus the cost of public improvements to be financed by the County or the State. *Such study shall be prepared by an individual or firm qualified to conduct a fiscal impact analysis in a manner and form acceptable to the Planning Director;*

(5) Impact of construction and permanent changes in land use upon surrounding property, such as aesthetics, vegetation, stormwater drainage, noise and air or water pollution;
and

(6) Employment opportunities to be generated by the development.

Section 20-215. Approval of Master Plan; Relationship to Final Plans;
Amendments.

(a) *The procedures for approval of a Master Plan shall be as specified in Tthe procedures for public hearing and consideration by the Planning Commission and Board of Supervisors shall be as set forth in Section 20-15. The Board of Supervisors, if it approves the Master Plan, may impose conditions to such approval.*

(b) The residential planned community shall be established upon approval of the Master Plan by the Board of Supervisors. Thereafter, all amendments to the Master Plan shall be in accordance with Section 20-15 of this Chapter. Approved final plans, provided for in Section 20-216, shall supersede the Master Plan and schematic plans. The Zoning Administrator shall not issue a temporary Certificate of Occupancy or 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, shown on the final

plan by providing either a letter of credit, certified check, cash escrow, cash payment, or other surety, approved by the County Attorney.

Section 20-216. Final plans---Submission; Contents generally-; *Variations from approved Master Plan.*

~~Following the establishment of a residential planned community, and approval of the Board of Supervisors of a Master Plan therefore, the applicant may furnish the Planning Commission, seven (7) copies of a final plan of any part or section of the community shown on the Master Plan. The term "final plan" shall mean site plan or subdivision plat. Final plans shall be submitted for review in accord with Article II of this Chapter or with the County's Subdivision Ordinance, whichever is applicable. The final plans shall be consistent with the Master Plan as approved, but may vary to any degree which the Planning Commission believes does not vary the basic concept or character of the development.~~

~~Section 20-220. Conveyance of Land to Board for Public Purposes.~~

~~It shall be the obligation of the applicant, upon the approval of the Master Plan, to convey to the Board of Supervisors or its designee such lands as may be required herein. Prior to the recordation of any subdivision plat or the issuance of any building permit within any area designated on the Master Plan, the applicant shall, upon request of the~~

~~Board of Supervisors, furnish a deed or deeds, without consideration, to such amount or amounts of land as may be determined by the Board of Supervisors to be reasonably required as sites for additional or expanded public services, including, but not limited to education, fire protection and municipal functions, the need for which services has been or is reasonably anticipated in the future to be occasioned by the development of the residential planned community. The land or lands to which a deed or deeds is to be furnished hereunder may be selected by the applicant, but must be suitable from the standpoint of size, location and topography to the public purposes for which required. The amount of land required to satisfy the requirements of this Section shall be not more than four acres per 1,000 population, computed by reference to the maximum density permitted under the Master Plan. The obligation imposed upon applicant by this Section may be satisfied in whole or in part by written agreement between applicant and the Board of Supervisors. Failure of the applicant to comply with the requirements shall be grounds for withholding approval of any pending or future final plan.~~

Section 20-221 0. Addition of Land to Existing Community.

- (a) Additional land area may be added to an existing residential planned community if it is adjacent (except for public roads) and forms a logical addition to the existing residential planned community and if it is under the same ownership or control.

(b) The procedure for an addition shall be the same as if an original application were filed, and all of the requirements of this Article shall apply, except the minimum acreage requirement of 400 acres.

Section 20-222 1. Permitted Density Overall.

The gross density of the total area of the planned residential community shall not exceed two dwelling units per acre.

For the purpose of calculating gross density, gross acreage shall equal the sum of the total developable area and up to thirty-five percent of the total area as calculated below:

Gross Acreage

Percentage of Nondevelopable Area

Gross Acreage

Less than 35%

Total area of parcel.

More than 35%

Developable land plus up to 35% of the parcel's land.

Developable area shall consist of the total land area of the site minus stream beds, areas subject to flooding, marsh and areas with slopes exceeding a twenty-five percent gradient.

Section 20-223 2. Permitted Density Within Residential Areas.

The Master Plan shall designate the proposed dwelling unit densities within each residential area shown, according to the following categories:

<u>Area</u> <u>Designation</u>	<u>Dwelling Type</u>	<u>Maximum Gross Density</u> <u>(dwelling</u> <u>units per acre)</u>
A	single family	4
B	two-family, multi-family structures containing three or four dwelling units or townhouses	9.6
C	multi-family structures less than three stories and containing more than four dwelling units	12
D	multi-family structures of three or more stories and containing more than four dwelling units	18

Units for sale in condominium may be in any of the dwelling types listed above, and the number of dwelling units per acre shall be determined by the dwelling type.

Section 20-224 3. Open Space Requirements.

- (a) At least ~~40%~~ *forty percent* of the total acreage of the residential planned community shall be designated as open space. Such open space may include parks, lakes, walkways, trails, playground and recreation facilities, ~~golf- and~~ sports facilities, nonresidential clubhouse grounds, and rights-of-way and surface easements for drainage and other utilities over areas not within the lines of any residential lot. *Golf Courses may also be counted as open space for the purpose of meeting this requirement to a maximum of sixty percent of the required open space. For the purposes of this section only, required open space may also include roads and parking areas.*
- (b) The required open space shall contain recreation open space in the amount of one acre or more per ~~1,000 population~~ *350 dwelling units*. For the purposes of this section, recreational open space shall mean parks, playgrounds, swimming pools, tennis courts or other similar recreational facilities serving residents of the approved planned community.

Section 20-225 4. Permitted Uses.

In the Residential Planned Community District, R-4, structures to be erected or land to be used shall be for one or more of the following uses:

Single-family dwellings.

Two-family dwellings.

Townhouses and condominiums.

Apartments.

Rental of rooms to a maximum of three rooms.

Houses of worship.

Schools, libraries, fire stations, and post offices.

Parks, playgrounds, golf courses, tennis courts, swimming pools, and other public or private recreation areas.

Yacht clubs, private or commercial marinas, boat storage, and service facilities with sale of fuel in accordance with Section 20-89.

Hunting clubs, conservation areas and preserves.

Horse and pony farms, riding stables, horse show areas, horse racing tracks and polo fields.

Private clubs, civic or service clubs, lodges, and fraternal organizations.

Funeral homes, cemeteries, and memorial gardens.

Home occupations as defined.

Retail food stores, bakeries, and 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, sporting goods, drugs, plants and garden supplies, hardware and paint, home appliances sales and service, arts and crafts, handicrafts, antiques, gift and photography stores.

Photographer, artist, and sculptor studios.

Corporate, business, professional and governmental offices.

Barbershops and beauty shops.

Banks and other financial institutions.

Hospitals, nursing homes, and rest homes.

Doctor, dentist, and other medical clinics and offices.

Hotels, motels, tourist homes and convention centers.

Restaurants, fast food restaurants, tea rooms, and taverns.

Dinner theaters.

Indoor theaters, museums, public meeting halls, and outdoor entertainment, other than drive-in theaters.

Public billiard parlors, arcades, pool rooms, bowling alleys, dance halls and other centers of amusement.

Automobile service stations with sale of fuel in accordance with Section 20-89.

Property maintenance facilities, sheds or garages.

Equipment storage and restroom facilities in conjunction with other permitted uses.

Accessory buildings or structures, as defined.

Public utilities: Poles, lines, distribution transformers, pipes, meters, and other facilities necessary for the provision and maintenance of utilities including water and sewer facilities.

New or expansion of water impoundments for public or private use of less than 50 *fifty* acres and dam heights of less than 25 *twenty-five* feet.

Water impoundments for public or private use of more than 50 *fifty* acres and with dam heights of more than 25 *twenty-five* feet with a Special Use Permit.

Off-street parking as required by this Chapter.

Telephone exchanges and telephone switching stations.

All uses are subject to the limitations hereinafter provided.

Section 20-226 5. Limitations.

- (a) Commercial uses shall be located in well designed commercial areas of the residential planned community and shall be shown on the Master Plan and on pertinent final plans.
- (b) Not more than 20% *twenty* percent of the total area shall be devoted to commercial uses in the residential planned community, and such commercial uses are to be limited to the areas designated on the Master Plan and on pertinent final plans.
- (c) Uses in a residential planned community shall be permissible only in the general location shown on the approved Master Plan as previously set forth.

Section 20-227 6. Utilities.

- (a) All development within the R-4 District shall be served by publicly owned and operated water and sewer systems.
- (b) Extensions and expansion of public utilities to serve the development shall be governed by the regulations and policies governing service of the appropriate public agency.
- (c) *Recreational maintenance facilities, maintenance facilities, temporary sales offices, temporary construction offices and accessory structures may be permitted to temporarily operate on individual well and septic systems provided the following is met:*
 - (1) *The structure shall not be within the minimum connection distance for public utilities as determined by the James City Service Authority;*
 - (2) *Individual wells shall be approved by the Health Department and the Director of Code Compliance prior to preliminary site plan approval;*
 - (3) *Individual septic tank systems shall be approved by the Health Department prior to preliminary site plan approval;*

(4) *The structure shall connect to public water within five years from the date of final site plan approval and shall be guaranteed by appropriate surety, letter of credit, cash escrow, or other form of guarantee approved by the County Attorney and the Director of Code Compliance. The structure shall connect to public utilities within thirty days of the date that such facilities are constructed within the minimum connection distance for public utilities as determined by the James City Service Authority; and*

(5) *No more than one structure served by an individual well and septic system shall be permitted at one time within a Planned Community.*

Section 20-228 7. Street Improvements.

(a) All dedicated public streets shown on the final plan shall meet the design and construction requirements of the ~~State Virginia~~ Department of ~~Highways~~---and Transportation's standards or the County Subdivision Ordinance, whichever is greater. Such public streets shall be coordinated with the major transportation network shown in the County Comprehensive Plan.

(b) Private streets may be permitted upon approval of the Board of Supervisors and shall be coordinated with existing or planned streets of both the Master Plan and the County Comprehensive

Plan. Private streets shown on the final plan shall meet the requirements of the State Virginia Department of Highways Transportation, except as specified in (d) below.

The construction of streets whether public or private shall be guaranteed by appropriate surety, letter of credit, cash escrow, or other form of guarantee approved by the County Attorney and Director of Code Compliance.

- (c) To the extent streets are private rather than public, the applicant must also submit assurances satisfactory to the Planning Commission that a property owner's community association or similar organization has been legally established under which the lots within the area of the final plan will be assessed for the cost of maintaining private streets, and that such assessments shall constitute a pro rata lien upon the individual lots shown on the final plan.
- (d) The uniqueness of each proposal for a residential planned community requires that the specifications for the width, surfacing, construction and geometric design of streets, alleys, ways for public utilities and the specifications for curbs, gutters, sidewalks, street lights and storm water drainage be subject to modification from the specifications established in Chapter 17. The Planning Commission may, therefore, within the limits hereinafter specified, waive or modify the specifications

otherwise applicable for a particular facility where the Planning Commission finds that such specifications are not required in the interests of the residents of the residential planned community and that the modifications of such specifications are not inconsistent with the interests of the entire County.

It shall be the responsibility of the applicant to demonstrate to the satisfaction of the Planning Commission with respect to any requested waiver or modification:

- (1) That the waiver or modification will result in design and construction that is in accordance with accepted engineering standards;
- (2) That the waiver or modification is reasonable because of the uniqueness of the residential planned community or because of the large area of the residential planned community within which the nature and excellence of design and construction will be coordinated, pre-planned and controlled;
- (3) That any waiver or modification as to streets is reasonable with respect to the generation of vehicular traffic that is estimated will occur within the area of the Master Plan;

- (4) That any waiver or modification as to sidewalks in "B", "C", "D", or "E" density areas be justified on the basis of anticipated pedestrian traffic or because other provisions are made for pedestrian traffic.
- (5) That traffic lanes of streets are sufficiently wide to carry the anticipated volume and speed of traffic and in no case less than ten feet wide; and
- (6) That waivers or modifications as to base and surface construction of streets and as to the condition of ditches or drainage way be based upon soil tests for CBR value and erosion characteristics of the particular subgrade support soils in the area.

Section 20-229 8. Effect of other Provisions of Zoning and Subdivision Regulations on Division.

The provisions of this Division shall not be limited by any provision of any other part of the County Zoning or Subdivision Regulations inconsistent herewith.

Section 20-~~230~~ 29. Sign Regulations.

To assure an appearance and condition which is consistent with the purposes of the Residential Planned Community District, R-4, outdoor signs on the properties within the district shall comply with the regulations for exterior signs in Article VII of this Chapter, except that unique signing systems may be approved by the Planning Commission and the Board of Supervisors where such sign systems contribute significantly to the character of the Residential Planned Community. However, in no case shall the sign square foot size exceed the maximum allowed in Article VII of this Chapter. Home occupation signs shall not be permitted in the Residential Planned Community District.

Section 20-~~231~~ 0. Height Limits.

Buildings may be erected up to ~~60~~ sixty feet in height from grade to the top of the structure, including all penthouse, electrical, plumbing, elevator, water tank or other accessory functions, but excluding those items listed in subsection (b) below.

- (a) A building in excess of ~~60~~ sixty feet in height but not in excess of 100 feet, from grade to the top of the structure, including all penthouse, electrical, plumbing, elevator, water tank, radio, television, and microwave antennas and towers or other accessory functions, but excluding those items listed in

subsection (b) below, may be erected only upon the granting of a height limitation waiver by the Board of Supervisors. Upon application, the Board of Supervisors may grant a height limitation waiver upon finding that:

- (1) Such building is in accordance with the uses, densities, design, and traffic analysis shown on the original Master Plan;
- (2) Such building will not obstruct light from adjacent property;
- (3) Such building will not impair the enjoyment of historic attractions and areas of significant historic interest;
- (4) Such building will not impair property values in the surrounding area;
- (5) Such building is adequately designed and served from the standpoint of safety, and the County Fire Chief certifies that the fire safety equipment to be installed is adequately designed and that the building is reasonably well located in relation to fire stations and equipment, so as to offer adequate protection to life and property; and
- (6) Such building will not be contrary to the public health, safety and general welfare.

- (b) Church spires, belfries, cupolas, monuments, water towers, chimneys, flues, flag poles, home television antennas and home radio aerials are exempt. Parapet walls may be up to four feet above the height of the building on which the wall rests.

Section 20-232 1 - Section 20-240. Reserved

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

Section 20-241. Statement of Intent.

The Multi-Family Residential District, R-5, is composed of moderate to high density residential areas and other such areas where similar development is likely to occur. It is the purpose of this District to provide for a harmonious and orderly relationship between multi-family residential uses and lower density residential uses or nonresidential uses. A further purpose is to require that development within this District be adequately served by public facilities, ~~and~~ that adequate open space and recreational areas be provided for the use of residents and for buffering of adjoining property *and to implement the policies and designations of the Comprehensive Plan.*

Section 20-242. Permitted Uses.

In the Multi-Family Residential District, R-5, structures to be erected or land to be used shall be for the following uses held for rent, for sale by individual unit, or for sale in condominium:

~~Single family dwellings~~

~~Two family dwellings.~~

~~Three family and four family dwellings.~~

~~Townhouses.~~

~~Apartments.~~

~~Accessory apartments in accord with Section 20-92.~~

~~Rental of one room.~~

~~Accessory buildings or structures as defined.~~

~~Community recreation facilities, including parks, playgrounds, clubhouses, boating facilities, swimming pools, ballfields, tennis courts, and other similar recreation facilities.~~

~~Retail shops associated with community recreation facilities.~~

~~Golf courses, country clubs.~~

~~Houses of worship.~~

~~Schools, libraries and fire stations.~~

~~Marina, boat dock or waterfront recreational facilities.~~

~~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 or marinas.~~

~~Off street parking as required by this Chapter.~~

~~Signs, as permitted by Article VII of this Chapter.~~

~~Water impoundments of less than 50 acres and with dam heights of less than 25 feet.~~

~~Day care and child care centers.~~

~~Residential cluster developments in accordance with Article IX of this chapter.~~

Accessory apartments in accord with Section 20-92.

Accessory buildings or structures as defined.

Apartments.

Coin laundries which are accessory to other residential uses and for the primary use of its residents.

Community recreation facilities, including parks, playgrounds, clubhouses, boating facilities, swimming pools, ballfields, tennis courts, and other similar recreation facilities.

Day care and child care centers.

Golf courses, country clubs.

Houses of worship.

Marina, boat dock or waterfront recreational facilities.

Off-street parking as required by this Chapter.

Rental of one room.

Retail shops associated with community recreation facilities.

Residential cluster developments in accordance with Article IX of this chapter.

Restaurants which are accessory to permitted private clubs or marinas.

Schools, libraries and fire stations.

Signs, as permitted by Article VII of this Chapter.

Single-family dwellings contained within a cluster development in accordance with Article IX of this chapter.

Three-family and four-family dwellings.

Townhouses.

Two-family dwellings.

Water impoundments of less than fifty acres and with dam heights of less than twenty-five feet.

Section 20-243. Uses Permitted by Special Use Permit Only.

In the Multi-Family Residential District, R-5, buildings to be erected or land to be used for the following or similar uses shall be permitted only after issuance of a Special Use Permit by the Board of Supervisors:

~~General hospitals, sanatoria, and rest homes.~~

~~Nursing homes and facilities for the residence and or care of the aged.~~

~~Home care facilities.~~

~~Professional and business offices located in the same structure as and in conjunction with multi-family uses.~~

~~Governmental offices.~~

~~Temporary offices in accordance with Section 20-93.~~

~~Lodges, civic clubs, fraternal organizations, service clubs.~~

~~Cemeteries and memorial gardens.~~

~~New or expansion of water impoundments for public or private use of 50 acres or more and a dam height of 25 feet or more.~~

~~Rental of two or three rooms.~~

~~Public or private water and sewer facilities, including but not limited to treatment plants, pumping stations, storage facilities and transmission mains, wells and associated equipment such as pumps to be owned and operated by political jurisdictions. However, private connections to existing mains which are intended to serve an individual residential or commercial customer and which are accessory to existing or proposed development, and distribution lines and local facilities within a subdivision or development are permitted generally and shall not require a Special Use Permit.~~

~~Public or private transmission pipelines, including pumping stations and accessory storage, for natural gas, propane gas, petroleum products, chemicals, slurry coal and any other gases, liquids or solids. However, private extensions or connections to existing pipelines, which are intended to serve an individual residential or commercial customer and which are accessory to existing or proposed development, are permitted generally and shall not require a Special Use Permit.~~

~~Public or private electrical generation facilities, electrical substations with a capacity of 5,000 kilovolt amperes or more, and electrical transmission lines capable of transmitting 69 kilovolts or more.~~

~~Railroad facilities including tracks, bridges, switching yards and stations. However, spur lines which are to serve and are accessory to existing or proposed development adjacent to existing railroad rights of way and track and safety improvements in existing railroad rights of way, are permitted generally and shall not require a Special Use Permit.~~

~~Telephone exchanges and telephone switching stations.~~

Cemeteries and memorial gardens.

General hospitals, sanatoria, and rest homes.

Governmental offices.

Home care facilities.

Lodges, civic clubs, fraternal organizations, service clubs.

New or expansion of water impoundments for public or private use of fifty acres or more and a dam height of twenty-five feet or more.

Nursing homes and facilities for the residence and/or care of the aged.

Professional and business offices located in the same structure as and in conjunction with multi-family uses.

Public or private electrical generation facilities, electrical substations with a capacity of 5,000 kilovolt amperes or more, and electrical transmission lines capable of transmitting sixty-nine kilovolts or more.

Public or private transmission pipelines, including pumping stations and accessory storage, for natural gas, propane gas, petroleum products, chemicals, slurry coal and any other gases, liquids or solids. However, private extensions or connections to existing pipelines, which are intended to serve an individual residential or commercial customer and which are accessory to existing or proposed development, are permitted generally and shall not require a Special Use Permit.

Public or private water and sewer facilities, including but not limited to treatment plants, pumping stations, storage facilities and transmission mains, wells and associated equipment such as pumps to be owned and operated by political jurisdictions. However, private connections to existing mains which are intended to serve an individual residential or commercial customer and which are accessory to existing or proposed

development, and distribution lines and local facilities within a subdivision or development are permitted generally and shall not require a Special Use Permit.

Railroad facilities including tracks, bridges, switching yards and stations. However, spur lines which are to serve and are accessory to existing or proposed development adjacent to existing railroad rights-of-way and track and safety improvements in existing railroad rights-of-way, are permitted generally and shall not require a Special Use Permit.

Rental of two or three rooms.

Single-family dwellings

Telephone exchanges and telephone switching stations.

Temporary offices in accordance with Section 20-93.

Section 20-244. Minimum Site Size.

The minimum site size for a multi-family district shall be ~~3~~ *three* acres.

Section 20-246. Setback requirements.

- (a) All single family dwellings and their accessory structures shall be located at least ~~35~~ *thirty-five* feet from the right-of-way of any peripheral street which abuts or borders the site and which has a right-of-way ~~50~~ *fifty* feet or greater

in width. If the street right-of-way is less than ~~50~~ *forty* feet wide, such buildings and structures shall be located a minimum of ~~60~~ *sixty* feet from the center line of the street.

- (b) All other structures shall be located a minimum of ~~50~~ *forty* 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~~ *forty* feet or more. In the event such street has a right-of-way width which is less than ~~50~~ *forty* feet, such structures shall be located a minimum of ~~75~~ *seventy-five* feet from the center line of the street. An additional ~~25~~ *twenty-five* 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~~ *twenty-five* 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 20-247. Minimum Lot Width.

The minimum lot width measured at the setback line shall be ~~80~~ *eighty* feet for single family dwellings; 100 feet for a two-family dwelling on one lot; and ~~50~~ *fifty* feet for each unit of a two-family, three-family, or four-family dwelling where each dwelling unit is located on a separate lot; provided, however, the minimum lot width may be reduced to ~~20~~ *twenty* feet for interior unit lots where the units are constructed in a row. For all other principal uses there shall be no minimum lot width in the R-5 District.

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 twenty 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~~
thirty-five feet shall be increased by one foot for each one
foot in height in excess of ~~35~~ *thirty-five* feet.

Section 20-249. Density Requirements for Townhouses, Apartments, and
Condominiums.

*No project shall have a gross density (including bonuses) of more
than twelve units per acre.*

*For the purpose of calculating gross density, gross acreage shall
equal the sum of the total developable area and up to thirty-five percent of
the total area as calculated below:*

Gross Acreage

Percentage of Nondevelopable Area

Less than 35%

More than 35%

Gross Acreage

Total area of parcel.

*Developable land plus
up to 35% of the
parcel's land.*

*Developable area shall consist of the total land area of the site
minus stream beds, areas subject to flooding, marsh and areas with slopes
exceeding a twenty-five percent gradient.*

The number of dwelling units which may be constructed shall be determined by the number of net developable gross 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 25% gradient.~~ The number of units which may be constructed are as follows:

DWELLING UNITS PER ACRE

<u>Number of units</u>	<u>Townhouses and Multi-family structures under three stories</u>	<u>Multi-family structures three stories or more</u>
1-100	8	10
101-200	7	9
Over 200	6	8

Property shall not be subdivided to circumvent this section, and project phases shall be considered one development.

Units for sale in condominium may be in townhouse or apartment-like structures and the number of dwelling units per acre shall be permitted accordingly. The densities specified above in this section shall not apply to two-, three-, and four-family dwellings.

Section 20-251. Requirements for improvements and design.

- (a) Sewer and water. All dwelling units within the Multi-Family Residential District, R-5, shall be served by publicly owned and operated sewer and water systems.
- (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.
- (c) Recreation. A playground area or areas with playground equipment shall be provided by the developer. Such areas shall be centrally located and total at least one-half acre for every ~~50~~ *fifty* dwelling units; provided, that the total shall not exceed ~~10%~~ *ten percent* of the gross area of the site. For multi-family projects with less than ~~50~~ *fifty* dwelling units, the recreation areas shall total ~~10%~~ *ten percent* of the gross acreage of the site. The developer shall provide and install playground equipment specified on the site plan prior to the issuance of any Certificates of Occupancy. Recreation areas and facilities may be deeded to a residents' association.
- (d) Utility lines. All utility lines, including electrical, telephone, and cable television, shall be placed below ground.

(e) Parking. Off-street parking facilities shall be provided in accordance with Section 20-12 of this Chapter.

~~(f) Bicycle storage racks. Bicycle storage and parking racks shall be provided with a capacity of 0.5 space for each dwelling unit in townhouse, apartment, and condominium developments.~~

~~(g)~~ (f) Streets. All streets shall meet the design and construction requirements of the State Virginia Department of Highways--and Transportation, or the requirements of the County Subdivision Regulations, whichever is greater. All streets shall be consistent with the major thoroughfare plan of the County Comprehensive Plan. The traffic generated by a Multi-Family Residential District, R-5, shall not exceed the capacity of adjoining thoroughfares. The daily traffic shall be determined by multiplying the number of proposed dwelling units by ~~seven (7) vehicle trips per day~~ *the appropriate trip generation rate as listed in the latest edition of a book entitled Trip Generation published by the Institute of Transportation Engineers* and compared to the existing traffic and road capacity as determined by the Highway Engineer. The construction of private streets shall be guaranteed by appropriate surety,

letter of credit, cash escrow or other form of guarantee approved by the County Attorney and Director of Code Compliance.

~~(h)~~ (g) Fire hydrants. Fire hydrants shall be at locations and of types approved by the Director of Code Compliance and County Fire Chief. No structure within the project shall be further than 400 feet from a hydrant.

~~(i)~~ (h) Trash collection. If containers are provided, they shall be conveniently located to serve all dwelling units. The sites for such containers shall be attractively screened by natural vegetation, landscaping or fences.

~~(j)~~ (i) Streetlights. Streetlights shall be provided, as required by Section 20-12(B)(5) of this Chapter and the County Subdivision Ordinance. All streetlights shall be specified on the site plan, generally at intersections and in parking lots and other public areas. The light shall be directed so as not to produce objectionable glare on adjacent property or into residences within the development. No lighting fixture on pedestrian or bicycle paths, or parking lots shall exceed a height of ~~15~~ *fifteen* feet.

~~(k) Site plan. A site plan for the project must be approved in accordance with Article II of this Chapter.~~

~~(1)~~ (j) Building height. A building may exceed ~~35~~
thirty-five feet in height only upon the granting of a
height limitation exemption by the Board of Supervisors.
Upon application, the Board of Supervisors may grant a
height limitation exception upon finding that:

- (1) Such building will not obstruct light from adjacent property;
- (2) Such building will not impair the enjoyment of historic attractions and areas of significant historic interest;
- (3) Such building will not impair property values in the surrounding area;
- (4) Such building is adequately designed and served from the standpoint of safety, and the County Fire Chief certifies that the fire safety equipment to be installed is adequately designed and that the building is reasonably well located in relation to fire stations and equipment, so as to offer adequate protection to life and property; and
- (5) Such building would not be contrary to the public health, safety and general welfare.

- ~~(m)~~ (k) Maximum number of units and facade variety. A maximum of ten townhouse units shall be included in one structure. The facade of townhouses within a group shall be changed by variation in the depth of front yards, building materials and-or design, so that no more than two abutting units shall be of like appearance.
- ~~(n)~~ (l) Private yards. Each two-family dwelling unit and each townhouse unit shall open directly into a private yard of a minimum of 200 square feet.
- ~~(o)~~ (m) Minimum distances. The distance between two main structures on a single lot shall be a minimum of the height of the taller structure. Accessory structures shall be a minimum of ~~10~~ ten feet from any other structure.
- ~~(p)~~ (n) Drainage Facilities. Adequate facilities for the control of storm water, erosion and sedimentation shall be provided in accordance with the Virginia Erosion and Sediment Control Handbook and the Virginia Department of Highways and Transportation's Drainage Manual.
- ~~(q)~~ (o) 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.

~~(r)~~ (p) Guarantee for improvements. The Zoning Administrator shall not issue a temporary Certificate of Occupancy or 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, shown on the approved site plan by providing either a letter of credit, certified check, cash escrow, cash payment, or other surety, approved by the County Attorney.

~~(s)~~ (q) Maintenance of common open space, recreation facilities, etc. The maintenance of common open space, recreation facilities, sidewalks, parking, private streets and other privately owned but common facilities serving the project shall be guaranteed by the developer, project owner or a properly established homeowners' association.

Section 20-252. Density Bonuses.

In order to encourage attractive architectural and site designs which are harmonious with adjoining property, to encourage the preservation of open space within and around higher density development, to encourage preservation and restoration of historic sites, and to encourage developers to go beyond the minimum standards of the Zoning Ordinance, the Planning Commission may

approve the following percentage increases of dwelling units where superior design offsets the problems which would otherwise be created. Density bonuses shall not exceed a maximum of an additional twenty percent (~~20%~~):

- (a) Setback bonus. For every ~~25~~ *twenty-five* feet of setback, in addition to the minimum required from the right-of-way of each peripheral road or adjoining property line which borders the site, 1.5 percent additional dwelling units may be added. Maximum additional setback on each side for which a bonus may be given shall be 100 feet or a maximum ~~6%~~ *six percent* bonus for each side of the site. The total setback shall be calculated from the right-of-way or property line to the nearest building on the site. For the purposes of calculation, the site is considered to have four sides. For irregularly shaped parcels, a flexible method of calculation may be used by the Planning Director so the total bonus shall not exceed ~~20%~~ *twenty percent* for this Section.
- (b) Recreation bonus. If the applicant designates, improves and fully develops recreational facilities in excess of the playgrounds required in Section 20-251(c) above, the Planning Director may recommend a bonus of ~~9%~~ *nine percent* additional dwelling units be granted. Such areas shall be conveniently located and consist of some combination of facilities such as tennis courts, large playgrounds, ball fields, swimming pools,

tot lots, bike trails or other like items. Recreation facilities for which a density bonus is granted shall be fully completed before any Certificates of Occupancy may be issued.

(c) Landscape design. If the applicant presents an unusually attractive and harmonious site plan and building design which retains, relates to and enhances the natural vegetation and terrain of the site or which proposes unusually extensive landscaping and planting of borders, entrances, recreation areas, street frontage, areas surrounding buildings or common open space, the Planning Director may recommend a bonus of ~~12%~~ *twelve percent* additional dwelling units be granted. In order to promote superior design, the award of this bonus shall be made only in cases where the design of the project is clearly superior to the design of typical projects of its type in the community and where the applicant goes beyond the minimum standards required by this Chapter.

(d) Public facilities. In the event a school, fire station, library, park or other public facility shown in the public facilities plan is proposed in or near the parcel, if the developer is willing to reserve a site suitable for the purpose intended and if the governing body is willing to acquire this site within ~~24~~ *twenty-four* months of the approval of the final site plan, the Planning Director may

recommend a bonus of 9% *nine percent* additional dwelling units be granted to the number of units allowable on the remainder of the parcel.

~~In addition to the 20% density bonus provided for above, the Board of Supervisors may award a density bonus not to exceed a maximum of 10% of the base number of units after a recommendation has been received from the Planning Commission. The award of this density bonus shall be made by the Board of Supervisors only in cases where extraordinary design features such as those listed in (a) through (d) are combined to provide a design clearly superior to typical projects of a similar nature in the community.~~

~~DIVISION 10. MANUFACTURED HOME SUBDIVISION DISTRICT, R-7~~

~~Section 20-284. Statement of Intent.~~

~~The Manufactured Home Subdivision District, R-7, is composed of manufactured home subdivisions, and certain open areas where similar development appears likely to occur. The regulations for this District are designed to stabilize and protect the essential characteristics of the District, to promote and encourage a suitable environment for family life and to limit activities of a commercial nature. To these ends, development is limited to manufactured homes placed on individual parcels and certain public and semipublic, institutional and other related uses.~~

~~Section 20-285. Permitted Uses.~~

~~In the Manufactured Home Subdivision District, R 7, structures to be erected or land to be used, shall be for the following uses:~~

~~Manufactured homes in accordance with Section 20-98.~~

~~Schools, libraries.~~

~~Houses of worship.~~

~~Fire stations.~~

~~Community recreation facilities, including parks, playgrounds, clubhouses, boating facilities, swimming pools, ball fields, tennis courts, and other similar recreation facilities.~~

~~Retail shops associated with community recreation facilities.~~

~~Golf courses, country clubs.~~

~~Home occupations.~~

~~Off street parking as required by this Chapter.~~

~~Accessory buildings or structures as defined.~~

~~Water impoundments of less than 50 acres and with a dam height of less than 25 feet.~~

~~Property maintenance facilities, sheds or garages.~~

~~Section 20-286. Uses Permitted by Special Use Permit Only.~~

~~In the Manufactured Home Subdivision District, R 7, structures to be erected or land to be used for the following or similar uses shall be permitted only after the issuance of a Special Use Permit by the Board of Supervisors.~~

~~Home-care facilities.~~

~~Lodges, civic clubs, fraternal organizations and service clubs.~~

~~Cemeteries and memorial gardens.~~

~~Day care and child care centers.~~

~~New or expansion of water impoundments for public or private use of 50 acres or more and a dam height of 25 feet or more.~~

~~Public or private water and sewer facilities, including but not limited to treatment plants, pumping stations, storage facilities and transmission mains, wells and associated equipment such as pumps to be owned and operated by political jurisdictions. However, private connections to existing mains which are intended to serve an individual residential or commercial customer and which are accessory to existing or proposed development, and distribution lines and local facilities within a subdivision or development, are permitted generally and without a Special Use Permit.~~

~~Public or private transmission pipelines, including pumping stations and accessory storage, for natural gas, propane gas, petroleum products, chemicals, slurry coal and other gases, liquids or solids. However, private extensions or connections to existing pipelines, which are intended to serve an individual residential or commercial customer and which are accessory to existing or proposed development, are permitted generally and shall not require a Special Use Permit.~~

~~Public or private electrical generation facilities, electrical substations with a capacity of 5,000 kilovolt amperes or more, and electrical transmission lines capable of transmitting 69 kilovolts or more.~~

~~Railroad facilities including tracks, bridges, switching yards and stations. However, spur lines which are to serve and are accessory to~~

~~existing or proposed development adjacent to existing railroad rights of way, and track and safety improvements in existing railroad rights of way, are permitted generally and shall not require a Special Use Permit.~~

~~Telephone exchanges and telephone switching stations.~~

~~Section 20-287. Area and Utility Requirements.~~

~~The minimum lot area shall be 7,500 square feet and all lots shall be served by public water and public sewer.~~

~~Section 20-288. Setback Requirements.~~

~~Structures shall be located a minimum of 25 feet from any street right of way which is 50 feet or greater in width, except that signs advertising sale or rent of property may be erected up to the property line. If the street right of way is less than 50 feet in width, structures shall be located a minimum of 50 feet from the center line of street. This shall be known as the "setback line", except that in subdivisions the following shall apply:~~

~~Where 40% or more of frontage on one side of a street within the same block is improved with buildings, no building shall project beyond the average front yard so established.~~

~~Section 20-289. Minimum Lot Width.~~

~~The minimum lot width at the setback line shall be 60 feet.~~

~~Section 20-290. Yard Regulations.~~

~~(a) Side. The minimum side yard for each main structure shall be ten feet. The minimum side yard for accessory structures shall be five feet, except that accessory buildings exceeding one story shall have a minimum side yard of ten feet.~~

~~(b) Rear. Each main structure with its longest dimension perpendicular to the principal street frontage shall have a minimum rear yard of 20 feet. Each main structure with its longest dimension parallel to the principal street frontage shall have a minimum rear yard of 35 feet.~~

~~Section 20-291. Height Limits.~~

~~Buildings may be erected up to two stories and shall not exceed 35 feet in height from grade, except that:~~

~~(a) The height limit for dwellings may be increased to 45 feet and to three stories, provided that there are two side yards for each permitted use, each of which is a minimum of ten feet, plus one foot or more of side yard for each additional foot of building height over 35 feet.~~

- (b) ~~A public or semipublic building such as a school, church, library or hospital may be erected to a height of 60 feet from grade, provided that the required front, side and rear yards shall be increased one foot for each foot in height over 35 feet.~~
- (c) ~~Church spires, belfries, cupolas, monuments, water towers, chimneys, flues, flag poles, home television antennas and home radio aerials may be erected to a total height of 60 feet from grade.~~
- (d) ~~No accessory building which is within ten feet of any property lot line shall be more than one story high. All accessory buildings shall be less than the main building in height; provided, however, the height of an accessory building may exceed the height of the main building if the grade of the lot is such that the elevation of the main building exceeds the elevation of the accessory building. The elevation of the main building and the accessory building shall be measured from the level of the curb or the established curb grade opposite the middle of the main building. In no case shall an accessory building be more than 35 feet in height.~~

~~Section 20-292. Special Provisions for Corner Lots.~~

- (a) ~~Of the two sides of a corner lot, the front shall be deemed the shorter of the two sides fronting on streets.~~

~~(b) No structure shall be located closer than 25 feet to the side street.~~

~~(c) Corner lots in subdivisions shall have a minimum width at the setback line of 75 feet.~~

~~Section 20-293. Sign Regulations.~~

~~To assure an appearance and condition which is consistent with the purposes of the Manufactured Home Subdivision District, R-7, outdoor signs on the properties within the District shall comply with the regulations for exterior signs in Article VII of this Chapter.~~

~~Section 20-294. Minimum Site Size.~~

~~The minimum site size for a manufactured home subdivision district shall be 10 acres.~~

~~Section 20-295. Section 20-305. Reserved~~



Jack D. Edwards
Chairman, Board of Supervisors

ATTEST:



David B. Norman
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
DEPUE	AYE
TAYLOR	AYE
SISK	AYE
KNUDSON	AYE
EDWARDS	AYE

Adopted by the Board of Supervisors of James City County, Virginia,
this 4th day of May, 1992.

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