

ADOPTED

NOV 2 1992

ORDINANCE NO. 31A-147

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 II, SITE PLAN, BY AMENDING SECTION 20-48, FINAL APPROVAL--TERM OF VALIDITY; TO ALLOW THIS SECTION TO CONFORM TO STATE CODE.

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 20-48, Final Approval--Term of Validity; to change the term of validity for approved site plans from one year to five years.

#### ARTICLE II. SITE PLAN

Section 20-48. Final plan--term of validity.

Final approval of a site plan submitted under the terms of this Article shall expire ~~4~~ *five* years after the date of such approval. During that period all building permits shall be obtained or the development shall be put into use. When building permits have been issued, the site plan approval shall run concurrently with the building permit term of validity for only those improvements covered by a permit.

*The approved final site plan shall be valid for a period of five years from the date of approval. For so long as the final site plan remains valid in accordance with the provisions of this Section, no change or amendment to any County ordinance, map, resolution, policy or plan adopted subsequent to the date of approval of the final site plan shall adversely affect the right of the developer*

*or successor in interest to commence and complete an approved development in accordance with the lawful terms of the site plan unless there has been a mistake, fraud or a change in circumstances substantially affecting the public health, safety or welfare.*

*Application for minor modifications to approved site plans made during the five year term of validity shall not constitute a waiver of provisions of this Section nor shall the approval of such minor modifications extend the period of validity. Any minor modification shall be made in accordance with Section 20-49.*

*The provisions of this Section shall not be construed to affect any litigation nonsuited and thereafter refiled, the authority of the governing body to impose valid conditions upon approval of any special use permit, conditional use permit or special exception, the application to parcels of land subject to final site plans, to the greatest extent possible, of the provisions of Chapter 19B, Chesapeake Bay Preservation, or any County ordinance adopted to comply with the requirements of the federal Clean Water Act Section 402 (p.) Stormwater Program and regulations promulgated thereunder by the Environmental Protection Agency.*



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 2nd day of  
November, 1992.

s2048o92.ord