

FEB 22 2005

ORDINANCE NO. 31A-216

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 24, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE V, DISTRICTS, DIVISION 1, GENERALLY, SECTION 24-200, PUBLIC UTILITIES; DIVISION 5, RESIDENTIAL PLANNED COMMUNITY DISTRICT, R-4, SECTION 24-289, UTILITIES; AND DIVISION 14, PLANNED UNIT DEVELOPMENT DISTRICTS, SECTION 24-499, PERMITTED USES.

BE IT ORDAINED, by the Board of Supervisors of the County of James City, Virginia, that Chapter 24, Zoning, is hereby amended and reordained by amending Section 24-200, Public utilities; Section 24-289 Utilities; and Section 24-499, Permitted uses.

Chapter 24. Zoning

Article V. Districts

Division 1. Generally

Section 24-200. Public utilities.

(a) Except where a public utility requires a special use permit, public utilities shall be allowed as a permitted use in each zoning district. Public utilities include poles, power lines, distribution transformers or substations, pipes, meters, telephone exchanges and other facilities necessary for the provision and maintenance of utilities, including water and sewer facilities, water storage tanks facilities, pumping or regular stations.

(b) The height of public water storage facilities may exceed the height limits specified by a zoning district upon the issuance of a special use permit and a height waiver by the board of supervisors.

The height waiver shall meet the requirements for a height waiver of the zoning district in which the public water storage facility is located.

~~(b)~~ (c) The location of all utilities and utility easements shall be shown on the site plans, or subdivisions plats, as appropriate. New utilities are to be placed underground except for required transformers, switching equipment, meter pedestals, telephone pedestals, outdoor lighting poles and meter and service connections attached to buildings. In consideration of voltage requirements, existing overhead service, existing tree cover and physical features of the site and the surrounding area, the planning commission may waive requirements for underground utilities upon a favorable recommendation of the development review committee. Waivers in subdivisions must comply with section 19-18 of the subdivision ordinance.

Division 5. Residential Planned Community District, R-4

Section 24-289. Utilities.

(d) Water facilities (public) and sewer facilities (public), 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 shall be a permitted use only after the issuance of a special use permit by the board of supervisors. However, the following are permitted generally and shall not require a special use permit:

(1) *Private connections to existing mains, that are intended to serve an individual customer and are accessory to existing or proposed development, with no additional connections to be made to the line;*

(2) *Distribution lines and local facilities within a development; including pump stations.*

Division 14. Planned Unit Development Districts

Section 24-499. Permitted uses.

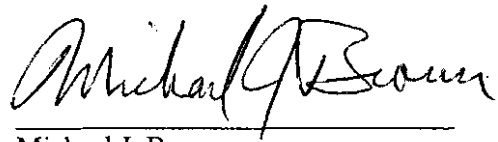
(c) In the planned unit development district, residential (PUD-R) or commercial (PUD-C), all structures to be erected or land to be used for the following uses shall be permitted only after the issuance of a special use permit by the board of supervisors.

(1) Tower mounted wireless communication facilities in accordance with division 6, Wireless Communications Facilities.

(2) *Water facilities (public) and sewer facilities (public), 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, the following are permitted generally and shall not require a special use permit:*

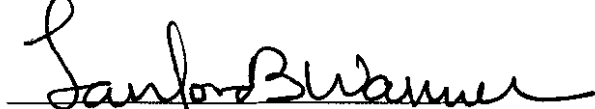
a. *Private connections to existing mains, that are intended to serve an individual customer and are accessory to existing or proposed development, with no additional connections to be made to the line;*

b. *Distribution lines and local facilities within a development; including pump stations.*



Michael J. Brown
Chairman, Board of Supervisors

ATTEST:


Sanford B. Wagner
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
HARRISON	AYE
GOODSON	AYE
MCGLENNON	AYE
BRADSHAW	AYE
BROWN	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 22nd day of February,
2005.