

ADOPTED

JUL 14 2009

ORDINANCE NO. 31A-242

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 I, IN GENERAL, SECTION 24-2, DEFINITIONS; AND ARTICLE V, DISTRICTS, DIVISION 2, GENERAL AGRICULTURAL DISTRICT, A-1, SECTION 24-213, USES PERMITTED BY SPECIAL USE PERMIT ONLY; DIVISION 8, RURAL RESIDENTIAL DISTRICT, R-8, SECTION 24-349, USES PERMITTED BY SPECIAL USE PERMIT ONLY; DIVISION 15, MIXED USE, MU, SECTION 24-521, 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 24-2, Definitions; Section 24-213, Uses permitted by special use permit only; Section 24-349, Uses permitted by special use permit only; and Section 24-521, Permitted uses.

Chapter 24. Zoning

Article I. In General

Sec. 24-2. Definitions.

For the purposes of this chapter, the following words and phrases shall have the meaning respectively ascribed to them by this section:

Home care facility. A residential facility for the care of four or more persons who require the protection of a supervised group setting or nine or more persons who are mentally ill, ~~mentally-retarded~~ *intellectually disabled*, or developmentally disabled.

Article V. Districts.

Division 2. General Agricultural District, A-1

Sec. 24-213. Uses permitted by special use permit only.

In the General Agricultural District, A-1, buildings to be erected or land to be used for the following uses shall be permitted only after the issuance of a special use permit approved by the board of supervisors in accordance with the procedures, guides and standards of sections 24-9 and 24-10 and such other guides and standards as may be contained in this chapter.

Family care homes, foster homes, or group homes serving physically handicapped, mentally ill, ~~mentally retarded~~ *intellectually disabled*, or other developmentally disabled persons, for more than five such persons.

Division 8. Rural Residential District, R-8

Sec. 24-349. Uses permitted by special use permit only.

In the Rural Residential District, R-8, 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 approved by the board of supervisors in accordance with the procedures, guides and standards of sections 24-9 and 24-10 and such other guides and standards as may be contained in this chapter:

Family care homes, foster homes, or group homes serving physically handicapped, mentally ill, ~~mentally retarded~~ *intellectually disabled*, or other developmentally disabled persons for more than five such persons.

Division 15. Mixed Use, MU

Sec. 24-521. Permitted uses.

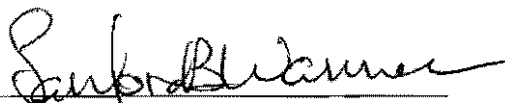
In the mixed use districts, all structures to be erected or land to be used shall be for one or more of the following uses:

(2) *Nonresidential uses:*

Family care homes, foster homes or group homes serving physically handicapped, mentally ill, ~~mentally retarded~~ *intellectually disabled* or other developmentally disabled persons, for more than five persons.

James G. Kennedy
Chairman, Board of Supervisors

ATTEST:


Sanford B. Wanner
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
GOODSON	AYE
JONES	AYE
MCGLENNON	AYE
ICENHOUR	AYE
KENNEDY	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of July, 2009.