

JAN 10 2012

ORDINANCE NO. 31A-260BOARD OF SUPERVISORS  
JAMES CITY, VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 24, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE III, SITE PLAN, SECTION 24-147, CRITERIA FOR REVIEW.

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 Article III, Site Plan, Section 24-147, Criteria for review.

### Chapter 24. Zoning


#### ARTICLE III. SITE PLAN

##### Sec. 24-147. Criteria for review.

- (a) Upon application and review, the development review committee (DRC) and the commission, or the commission's designee(s), shall consider site plans if any of the following conditions are present:
- (1) The site plan proposes:
- a ~~a single building or group of buildings which contain a total floor area that exceeds 30,000 square feet or a multifamily unit development of 50 or more units, which is not subject to a binding master plan that has been legislatively approved; or~~
  - b a. *a fast food restaurant a multifamily development of 10 or more units which is not subject to a binding legislatively approved master plan; or*
  - e b. a shopping center; or
  - c. *a single building or group of buildings which contain a total floor area that exceeds 30,000 square feet which are not predominantly to be used as a warehouse, distribution*

*center, office, or for other industrial or manufacturing purpose. The term predominantly shall be defined as 85% of the total square feet of the building or more.*

- (2) There are unresolved ~~problems~~ *conflicts* between the applicant, adjacent property owners *and/or* any departmental reviewing agency. *Unresolved conflicts shall be defined as disagreements in the interpretation or application of ordinance requirements which have a material impact on the proposed developments off-site impacts and/or density, as determined by the planning director.*
- (b) Site plans which meet any of the conditions listed above shall generally be reviewed by the DRC and the commission in accordance with section 24-148. However, the commission's designee may consider and review, pursuant to section 24-149, any site plan which the ~~development manager~~ *economic development director* determines to creates or significantly expands a use which contributes to the achievement of the economic development goals of the Comprehensive Plan.
- (c) If site plans do not qualify for review by the commission or its designees under this section, they may be considered and reviewed administratively by the zoning administrator *under the terms of section 24-150.*

  
\_\_\_\_\_  
Mary K. Jones  
Chairman, Board of Supervisors

ATTEST:

  
\_\_\_\_\_  
Robert C. Middaugh  
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
MCLENNON	NAY
ICENHOUR	AYE
KENNEDY	AYE
JONES	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of January, 2012.