

**ADOPTED**

OCT 08 2024

ORDINANCE NO. 31A-361

**Board of Supervisors  
James City County, VA**

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 24, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE VI, OVERLAY DISTRICTS, BY ADDING NEW DIVISION 2, SCENIC ROADWAY OVERLAY DISTRICT, SR; BY ADDING NEW SECTION 24-564, STATEMENT OF INTENT; BY ADDING NEW SECTION 24-565, APPLICABILITY; BY ADDING NEW SECTION 24-566, SCENIC ROADWAYS DEFINED; AND BY ADDING NEW SECTION 24-567, SETBACK REQUIREMENTS.

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 VI, Overlay Districts, by adding new Division 2, Scenic Roadway Overlay District, SR; by adding new Section 24-564, Statement of intent; by adding new Section 24-565, Applicability; by adding new Section 24-566, Scenic roadways defined; and by adding new Section 24-567, Setback requirements.

## **Chapter 24. Zoning**

### **Article VI. Overlay Districts**

#### **Division 2. Scenic Roadway Overlay District, SR**

##### **Sec. 24-564. Statement of intent.**

The Scenic Roadway Overlay District is intended to protect and preserve the viewshed of scenic roadways. The district establishes an increased dwelling setback to maintain the existing rural character along the roadways. The district is intended to impose special requirements in addition to the regulations of the principal zoning district where it applies.

##### **Sec. 24-565. Applicability.**

The governing body of James City County, Virginia, hereby establishes and delineates on the zoning district map the Scenic Roadway Overlay District, to be referred to on the zoning district map by the symbol SR. Unless otherwise stated herein, the permitted uses and other regulations of the underlying zoning districts and all other sections of this Zoning Ordinance shall continue to apply.

##### **Sec. 24-566. Scenic roadways defined.**

A "scenic roadway," for the purposes of this district, shall include State Route 610 (Forge Road), State Route 603 (Diascund Road), and State Route 715 (North Riverside Drive).


##### **Sec. 24-567. Setback requirements.**

(a) Any unimproved parcel or lot in existence as of October 8, 2024, shall adhere to the following setback requirements:

1. For those parcels or lots containing a lot depth of greater than 500 feet, dwellings shall be located a minimum of 400 feet from the street right-of-way of a scenic roadway.
2. For those parcels or lots containing a lot depth of greater than 300 feet but less than or equal to 500 feet, dwellings shall be located a minimum of 200 feet from the street right-of-way of a scenic roadway.
3. For those parcels or lots containing a lot depth of 300 feet or less or those parcels approved as a flag lot, the applicable setback shall be determined by the underlying zoning district regulations.

An unimproved parcel or lot shall mean any parcel or lot which does not have a building placed upon or affixed to land. Any change in a recorded subdivision plat as defined in section 19-11 of the subdivision ordinance to circumvent the above requirements shall not be permitted.

(b) For any parcel or lot created after October 8, 2024, dwellings shall be located a minimum of 400 feet from the street right-of-way of a scenic roadway. For the purposes of a flag lot, the required minimum 400 feet from a scenic roadway may include the distance of the flag stem, however, no dwelling shall be located less than 75 feet from the front lot line nearest and parallel or approximately parallel to the street to which the lot has access as shown in section 19-41 of the subdivision ordinance.

  
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 Ruth M. Larson  
 Chair, Board of Supervisors

ATTEST:

  
 Teresa J. Saeed  
 Deputy Clerk to the Board

	VOTES			
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
NULL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HIPPLE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MCGLENNON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ICENHOUR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LARSON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of October, 2024.

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