

AGENDA
JAMES CITY COUNTY PLANNING COMMISSION
June 5, 2013 – 7:00 p.m.

1. ROLL CALL
2. PUBLIC COMMENT
3. MINUTES
 - A. May 1, 2013 Regular Meeting 1
4. COMMITTEE/COMMISSION REPORTS
 - A. Development Review Committee (DRC)
 - B. Policy Committee
 - C. Regional Issues Committee/Other Commission Reports
5. PLANNING COMMISSION CONSIDERATIONS
 - A. Initiating Resolution - ZO-0005-2013/SO-0001-2013 Ordinances to amend JCC Code, Chapter 24, Zoning and Chapter 19, Subdivisions 11
6. PUBLIC HEARING CASES
 - A. Case No. AFD-09-86-1-2013, Gordon Creek Pickett Holdings Agricultural and Forestal District Addition 13
 - B. Case No. SUP-0006-2013, Creative Kids Child Development Center. 19
 - C. Case Nos. ZO-0005-2013/SO-0001-2013 Ordinances to amend JCC Code, Chapter 24, Zoning and Chapter 19, Subdivisions 53
7. PLANNING DIRECTOR’S REPORT
8. COMMISSION DISCUSSIONS AND REQUESTS
9. ADJOURNMENT

A REGULAR MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, WAS HELD ON THE FIRST DAY OF MAY, TWO-THOUSAND AND THIRTEEN, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101-F MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

1. ROLL CALL

Planning Commissioners

Present:

George Drummond

Chris Basic

Mike Maddocks

Tim O'Connor

Rich Krapf

Al Woods

Absent:

Robin Bledsoe

Staff Present:

Paul Holt, Planning Director

Leo P. Rogers, County Attorney

Leanne Reidenbach, Planner, III

Jennifer VanDyke, Planner

Mr. Al Woods called the meeting to order at 7:00 p.m.

2. PUBLIC COMMENT

Mr. Woods opened the public comment.

There being none, Mr. Woods closed the public comment.

3. MINUTES

Mr. Rich Krapf moved to approve the minutes from the April 3, 2013 meeting.

In a unanimous voice vote, the Commission approved the minutes. (6-0)

4. COMMITTEE / COMMISSION REPORTS

A. Development Review Committee

Mr. Woods noted that the Development Review Committee did not meet in April and accordingly there would be no report.

B. Policy Committee

Mr. Krapf reported that the Policy Committee met on April 11, 2013 to discuss the Coordinated Regional Comprehensive Planning Process and the Planning Division Work Program for FY14.

Mr. Krapf stated that the Committee concluded that the Summary Document for the Coordinated Regional Comprehensive Planning Process and the James City County/ Williamsburg/ York County Comprehensive Transportation Study should be endorsed by the Planning Commission and Board of Supervisors to recognize the effort that went into producing them. The Committee also recommended that the Regional Bikeways Map be adopted by the Planning Commission and the Board of Supervisors as an official document similar to the process that occurred in Williamsburg and York County.

Mr. Krapf noted that with respect to the Planning Division Work Plan for FY14, the Committee focused primarily on updates to the Zoning Ordinance and the FY14 Comprehensive Plan Update. For possible updates to the Zoning Ordinance, the Committee suggested the Rural Lands public engagement effort and reviewing accessory apartment standards be high priorities. Other miscellaneous housekeeping items would be medium priorities and review of emerging technologies would be low priority. The Committee recommended not pursuing amendments related to the keeping of chickens, meaning that the current ordinance standards remain in effect and enforcement of those standards would resume. The Committee did not add any additional topics to the list.

Mr. Krapf stated that regarding the FY14 Comprehensive Plan update, the Committee suggested a process that was smaller in scope than the full re-write of the 2009 Comprehensive Plan. The Committee members indicated that replicating the Citizen Survey would be an important element. The Committee believed that the Land Use, Transportation and Economic Development sections would need to be more closely examined but that other sections might remain substantially in their current state.

C. Regional Issues Committee

Mr. Mike Maddocks stated that the Regional Issues Committee met on April 23, 2013 and that the minutes for that meeting had been sent to the Planning Commission members.

Mr. Maddocks noted that Kevan Danker, Executive Director, presented a report on the Williamsburg Area Transit Authority.

Mr. Maddocks stated that Leonard Sledge, Director of Economic Development for the College of William & Mary, provided information on the College's new model for tuition.

Mr. Maddocks stated that there was a Coordinated Regional Comprehensive Plan status report provided by the planning administrators of the three localities. Mr. Maddocks noted that the Williamsburg Comprehensive Plan was adopted in January; the York County Comprehensive Plan is still under review; and the James City County Policy Committee has been reviewing the work products from the Coordinated Regional Comprehensive Planning Process.

Mr. Maddocks noted that there was a report on the activities of the Historic Triangle Collaborative by Sanford Wanner.

Mr. Maddocks stated that the Greater Williamsburg Chamber and Tourism Alliance announced that Ms. Karina Ferguson has been hired to handle the marketing effort for the Williamsburg Area Destination Marketing Committee.

Mr. Maddocks noted that there was a report from Mr. Jeff Lunsford, Deputy Executive Director of Administration, regarding the Jamestown/Yorktown Foundation.

Mr. Maddocks stated that the next meeting of the Regional Issues Committee has been changed from July 23, 2013 to July 30, 2013.

5. PUBLIC HEARING CASES

A. SUP-0003-2013, Route 199 Water Tank HRSD Pressure Reducing Station

Ms. Leanne Reidenbach, Senior Planner II, stated that Mr. Matthew Poe, on behalf of the Hampton Roads Sanitation District (HRSD), has applied to amend an existing special use permit for water and sewer facilities to install a pressure reducing station to help increase system capacity during wet weather and to minimize spill locations. The project consists of underground piping, two above-ground pumps, two above-ground diesel fuel tanks and screening landscaping.

Ms. Reidenbach noted that the property is surrounded by R-8, Rural Residential property that is designated Low Density Residential on the 2009 Comprehensive Plan. Water and sewer facilities are a specially permitted use in the R-8, Rural Residential district. A Special Use Permit for the existing water tank was approved in 1986, but since the pressure reducing station for the sanitary was not included under this initial SUP, a SUP amendment is required.

Ms. Reidenbach stated that due to the location of the pressure reducing station on Route 199, a Community Character Corridor, the applicant has agreed to minimize tree clearing, paint the pump houses a natural color that will blend with the surrounding woods and plant supplemental landscaping that will further screen the facility.

Ms. Reidenbach noted that while the 2009 Comprehensive Plan does not specifically include this use as a recommended use, staff recognizes that such facilities are important to the functioning of the overall sanitary sewer system and the property is already being used for a James City Service Authority (JCSA) water tank. The proposal is also compatible with the surrounding zoning and development.

Ms. Reidenbach stated that staff recommends that the Planning Commission recommend approval of the project to the Board of Supervisors subject to the conditions found in the staff report.

Mr. Woods opened the floor to questions from the Commissioners.

Mr. Woods inquired what could be concluded when both boxes regarding historic and archaeological sites are checked on the application.

Ms. Reidenbach responded that the property is not in an area of high archaeological sensitivity for the County and there is a minimal amount of land disturbance occurring, so the archaeological study condition was not imposed.

Mr. Woods inquired if the applicant wished to address the Commission.

Mr. Matthew Poe, HRSD Interceptor Engineer, noted that the localities in the region are developing a Regional Wet Weather Management Plan to address capacity concerns as well as future development needs.

Mr. Poe stated that the current project is an attempt to address pressure issues on the entire force main system. The essential function of the pressure reducing station will be to reduce pressures which will increase system capacity and reduce spill locations as well as sanitary spill volumes.

Mr. Poe stated that the HRSD is aware that the project location is of aesthetic concern and they are working with the Planning Division and the Colonial Williamsburg Foundation to have a visually pleasing product.

Mr. Krapf inquired whether the new pressure reducing station would work in conjunction with the existing tank or operate independently.

Mr. Poe responded that the pressure reducing station would operate independently. The tank on the site is actually owned by JCSA for the water supply.

Mr. Krapf inquired why that particular location was selected.

Mr. Poe noted that the force main essentially runs from Kingsmill to the Stonehouse area. This location is closer to the treatment plant which means that it has a positive impact upstream where the terminal pump stations connect to the force main. By being close to the treatment plant, more stations upstream will see the effects of reduced pressure and will be able to pump more flow during wet weather.

Mr. Woods inquired if the work was being done in response to a Consent Decree.

Mr. Poe responded most of the items in the Consent Decree will be addressed by the Regional Wet Weather Management Plan. He further noted that one of the requirements in the Consent Decree was to improve short term pressure and capacity issues. The current project is an interim solution until the permanent solutions can be developed and implemented.

Mr. Woods inquired if the permanent solutions have been identified.

Mr. Poe responded that the permanent solutions have not been identified. A study is currently underway for the entire region to identify those solutions.

Mr. Woods inquired who has verified that this project would be a short term solution.

Mr. Poe responded that HRSD, Planning Division staff and the JCSA have reviewed the site and the plans and agree that the project will be beneficial to the County.

Mr. Woods inquired about any environmental concerns related to the diesel fuel storage tanks.

Mr. Poe responded that the tanks will be double-walled and further containment will not be necessary.

Mr. Woods inquired if there would be alarm systems or just static double walled tanks.

Mr. Poe responded that the plans were not complete; however other similar tanks recently installed had alarm capabilities.

Mr. Woods inquired why the required 100-foot separation that is usually required by the Virginia Department of Health (VDH) is being waived.

Mr. Poe stated that the VDH has the 100-foot separation requirement for any facility that is considered treatment. The requirement may exist because of those instances in the treatment process where the stream may be exposed. Mr. Poe noted that this system is pressurized and the only time there is potential for spillage is in the event the force main breaks. Due to the nature of the project and the site characteristics, VDH has granted a waiver.

Mr. Woods opened the public hearing.

As no one wished to speak, Mr. Woods closed the public hearing.

Mr. Woods opened the floor for discussion.

Mr. Maddocks moved to recommend approval with the stated conditions.

Mr. Woods inquired if the applicant understood and agreed to the conditions.

Mr. Poe confirmed.

On a roll call vote the Planning Commission voted to recommend approval of the application with the conditions listed in the staff report. (6-0)

B. Case Nos. Z-0001-2013/SUP-0002-2013, Williamsburg Landing, Boatwright Circle

Ms. Jennifer VanDyke, Planner, stated that Mr. Paul Gerhardt of Kaufman & Canoles has applied on behalf of Williamsburg Landing, Inc. to amend the existing proffers and special use permit conditions to allow one additional independent living unit on Boatwright Circle.

Ms. VanDyke noted that the property is zoned R-5, Multifamily Residential with proffers and a portion of the property lies within the Airport Approach Overlay district. The property is designated as low density residential on the 2009 Comprehensive Plan. Retirement and care facilities are recommended.

Ms. VanDyke stated that the subject parcel together with the parcels to the north and east comprise Williamsburg Landing, a Continuing Care Retirement Community (CCRC). In 1993, the subject parcel was rezoned from R-8 to R-5, Multifamily Residential, with proffers. The applicant concurrently applied for a special use permit to allow the development of 27 dwelling units in the area now known as Boatwright Circle.

Ms. VanDyke noted that there is currently a maintenance shed at the approximate location of the proposed new unit. This facility will be demolished and replaced with a new facility on an adjacent parcel. The new unit constructed in its place will resemble the other units on Boatwright Circle. An architectural review condition was included to ensure consistency and compatibility with the adjacent residential structures.

Ms. VanDyke stated that a cash water proffer was determined to be unnecessary as the requested unit was approved during earlier land use decisions.

Ms. VanDyke noted that Williamsburg Landing management has engaged in conversations with residents in Boatwright Circle regarding the proposed changes. Management states that they received positive feedback and support for the project and no objections were expressed.

Ms. VanDyke stated that staff finds the proposed use to be consistent with the surrounding zoning and development and compatible with the 2009 Comprehensive Plan. Staff recommends the Planning Commission recommend approval of this application to the Board of Supervisors with the amended proffers and the conditions attached to the staff report.

Mr. Krapf congratulated Ms. VanDyke on her promotion to planner.

Mr. Woods asked the applicant if he wished to speak.

Mr. Paul Gerhardt stated that the conditions and proffers had been reviewed and were understood and agreed to. He noted that Mr. Montgomery, CEO of Williamsburg Landing, was present and would also be happy to answer any questions.

Mr. Krapf stated that he understood that the maintenance shed was being moved because of the noise generated early in the morning and inquired how far the shed was being moved.

Mr. Gerhardt indicated the approximate position of the shed on the location map and stated that the location of the shed will be seen on plans to be submitted in connection with the expansion of Woodhaven which is the nursing and assisted living component of the facility.

Mr. Woods opened the public comment.

As no one wished to speak, Mr. Woods closed the public hearing.

Mr. Woods opened the floor to discussion by the Commissioners.

Mr. Maddocks stated that he was appreciative of the services offered by Williamsburg landing and that it is an excellent resource for the aging population.

Mr. Maddocks moved to recommend approval with the proffers and stated conditions.

On a roll call vote the Planning Commission voted to recommend approval of the applications with the conditions listed in the staff report. (6-0)

6. PLANNING COMMISSION CONSIDERATION

A. Preparation for the May 28, 2013 Joint Planning Commission/Board of Supervisors Work Session

Mr. Paul Holt, Planning Director, stated that in preparation for the joint Planning Commission/Board of Supervisors work session currently scheduled for May 28, 2013, the Policy Committee recently discussed the Coordinated Regional Comprehensive Planning Process and the work products that resulted from that effort. The Committee also reviewed the Planning Division Work Plan for FY14, specifically focusing on priorities for updates to the Zoning Ordinance and held preliminary discussion on the focus and scale of the Comprehensive Plan Update process that will commence in FY14.

Mr. Holt noted that the staff report and supplemental materials were being shared with the full Planning Commission to facilitate broader discussion and to generate input for agenda items to be discussed at the joint work session.

Mr. Krapf requested that Mr. Holt review the distinction between endorsing and adopting a work product and how the choice would relate to its impact on the Comprehensive Plan, noting that the Committee had concluded that the Regional Bikeways Map should be adopted and the James City County/ Williamsburg/ York County Comprehensive Transportation Study should be endorsed.

Mr. Holt responded that the updated Regional Bikeways Map has been formally adopted as part of the Comprehensive Plan process in the other two localities. He noted that this is an important distinction in terms of future land use cases because it will have standing to give the County the policy basis with which to evaluate future land use applications.

Mr. Holt noted that the two other work products did not result in any new text for James City County and the Committee concluded that there was no need to formally adopt them.

Mr. Holt noted that the Committee felt it was important to acknowledge the effort involved with the Coordinated Regional Comprehensive Planning Process, conducting the Community Conversations and creating the resulting work products.

Mr. Drummond noted that he was pleased to see the positive effect the Regional Bikeway Map would have on the Grove Community since Pocahontas Trail currently lacked adequate room for bicycles and the sidewalks were not completed.

Mr. Holt stated that there was a separate project in progress through the Hampton Roads Transportation Planning Organization to improve the Pocahontas Trail corridor and that the project was a high priority for the Board of Supervisors.

Mr. Drummond inquired about the time frame for the project.

Mr. Holt responded that cuts had recently been made in Congestion Mitigation and Air Quality (CMAQ) funds which would affect the timing of many projects in the region.

Mr. Holt stated that staff has identified funding to do preliminary engineering and right of way acquisition; however, construction funds have not yet been identified.

Mr. Drummond inquired whether the funding issues would affect the Route 60 Relocation and Upgrading project.

Mr. Holt stated that the project had been part of the Long Range Transportation Plan for quite some time; however, funding for construction has not been identified.

Mr. Woods asked the Commissioners if they agreed that the recommendations of the Policy Committee as outlined in the staff report was accurate or if there should be any modifications.

Mr. Basic inquired what factors elevated the discussion of Rural Lands to be a high priority.

Mr. Holt responded that this was a follow-up action item from a Board of Supervisors work session in June 2012.

Mr. Krapf noted that the County is in the process of applying for a grant which will involve a two-year study of potential economic uses within the Rural Lands District, so the discussion would tie in well should the grant be awarded.

Mr. Woods noted that the Policy Committee discussed in depth all of the items to be considered for ordinance amendments and in relation to other matters Rural Lands was determined to be a high priority.

Mr. Basic inquired if this was a continuation of a previous discussion as opposed to a new effort.

Mr. Holt noted that this was part of an ongoing discussion over several years. Staff had provided a comprehensive report to the Board of Supervisors last year which resulted in several action items for follow-up.

Mr. Woods noted that there was also considerable discussion regarding the value of the joint Planning Commission meetings and the public forums.

Mr. Woods requested that Mr. O'Connor update the Commissioners on the Policy Committee's conclusions.

Mr. O'Connor noted that there was a consensus that the Committee wanted to acknowledge the work of the three jurisdictions in the Coordinated Regional Comprehensive Planning Process. The Committee felt strongly that the information gathered during the process should be part of the continuing process to address common areas of interest, while maintaining individuality of each locality's comprehensive plan.

Mr. Woods requested that Mr. Holt discuss what the next steps would be related to the recommendations of the Policy Committee.

Mr. Holt noted that staff would develop the supporting materials to facilitate the discussion with the Board of Supervisors at the joint work session.

7. PLANNING DIRECTOR'S REPORT

Mr. Holt stated that he had nothing to add to the printed report that had been provided.

Mr. Drummond stated that he was impressed by the cooperation among the three localities during the Coordinated Regional Comprehensive Planning Process.

Mr. Woods noted that it was a good first step which needs to continue.

Mr. O'Connor inquired whether the Development Review Committee (DRC) has conducted the semi-annual parking review of New Town.

Mr. Holt noted that there had been some recent inquiries and would follow up on the schedule for the comprehensive review.

Mr. Basic noted that in 2012 the schedule had been followed regarding the periodic submittals; however, there had been no substantive change since the previous review. The developer had requested deferral on the submittal and the DRC agreed to the deferral.

Mr. O'Connor noted that he was interested in the impact of the recent development in Settlers Market on parking.

8. PLANNING COMMISSION DISCUSSION AND REQUESTS

Mr. Krapf inquired what the process would be for sharing agenda topics and materials among the Planning Commissioners and the Board of Supervisors for the joint work session.

Mr. Woods noted that the vision was that the communication would flow in both directions and that materials would be supplied in advance of the meeting to allow for adequate consideration.

Mr. Krapf inquired if it had been determined what block of time would be devoted to the discussion.

Mr. Holt noted that staff would confirm the details about the meeting and provide the information to the Commissioners. Mr. Holt further noted that an agenda packet would be provided well in advance of the meeting.

Mr. Woods inquired when the Commissioners could expect confirmation of the date and time.

Mr. Holt responded that the date and time should be confirmed within the week.

9. ADJOURNMENT

Mr. Maddocks moved to adjourn the meeting.

The meeting was adjourned at 7:46 p.m.

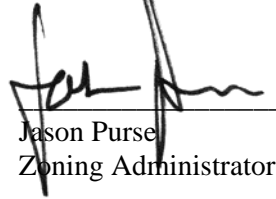
Al Woods, Chairman

Paul D. Holt, III, Secretary

MEMORANDUM

DATE: June 5, 2013
TO: Planning Commission
FROM: Jason Purse, Zoning Administrator
SUBJECT: Initiating Resolution – Z0-0005-2013 and SO-0001-2013

Staff, after having an opportunity to review all of the changes from the comprehensive Ordinance update process, has identified a number of items that need to be corrected, a number of which are housekeeping in nature. Staff recommends the Planning Commission adopt the attached resolution to initiate consideration of this amendment to the Zoning and Subdivision Ordinances in accordance with Virginia Code §15.2-2240 et seq. This amendment appears later in the agenda.



Jason Purse
Zoning Administrator

Attachments:

- Initiating Resolution

RESOLUTION

INITIATION OF CONSIDERATION OF AMENDMENT TO THE ZONING ORDINANCE ZO-0005-2013 and SUBDIVISION ORDINANCE SO-0001-2012

WHEREAS, the Planning Commission of James City County, Virginia, is charged by Virginia Code §15.2-2240 et seq. to prepare and recommend to the Board of Supervisors various land development plans and ordinances, specifically including a zoning ordinance and necessary revisions thereto as seem to the Commission to be prudent; and

WHEREAS, on November 24, 2009, the Board of Supervisors adopted the 2009 Comprehensive Plan; and

WHEREAS, in order to make the Zoning Ordinance more consistent with the Comprehensive Plan, public review and comment of draft amendments is required, pursuant to Virginia Code §15.2-2285; and

WHEREAS, the Planning Commission is of the opinion that the public necessity, convenience, general welfare, or good zoning practice warrant the consideration of amendments.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of James City County, Virginia, does hereby request staff to initiate review of JCC Code, Chapter 24, Zoning, Article I, In General; Article II, Division 1, In General; Special Regulations, Division 2, Highways, Streets, Parking and Loading; Division 3, Exterior Signs; Division 6, Wireless Communications Facilities; Article III, Site Plan; Article V, Division 3, Limited Residential District, R-1; Division 4, General Residential District, R-2; Division 4.1, Residential Redevelopment District, R-3; Division 5, Residential Planned Community, R-4; Division 6, Multifamily Residential District, R-5; Division 9, Limited Business District, LB; Division 10, General Business District, B-1; District 11, Limited Business/Industrial District, M-1; District 12, General Industrial District, M-2; Division 14, Planned Unit Development, PUD; Division 15, Mixed Use, MU; Division 17, EO; Article VI, Overlay Districts, Division 3, Floodplain Area Regulations; Chapter 19, Subdivisions; for the purpose of clarifying, correcting references, and making changes due to formatting errors and omissions during the comprehensive ordinance update process and for considering the M-2 General Industrial District use list. The Planning Commission shall hold at least one public hearing on the consideration of amendments of said Ordinances and shall forward its recommendation thereon to the Board of Supervisors in accordance with law.

Al Woods
Chair, Planning Commission

ATTEST:

Paul D. Holt, III
Secretary

Adopted by the Planning Commission of James City County, Virginia, this 5th day of June, 2013

**AGRICULTURAL & FORESTAL DISTRICT-09-86-1-2013. Gordon Creek AFD, Pickett Holdings
Addition Staff Report for the June 5, 2013 Planning Commission Public Hearing**

This staff report is prepared by the James City County Planning Division to provide information to the AFD Advisory Committee, Planning Commission, and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

PUBLIC MEETINGS

AFD Advisory Committee
Planning Commission
Board of Supervisors

Building F Board Room; County Government Complex

May 9, 2013 4:00 p.m.
June 5, 2013 7:00 p.m.
July 9, 2013 7:00 p.m. (tentative)

SUMMARY FACTS

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|-----------------------|---|
| Applicant: | Meade Spotts |
| Land Owner: | Pickett Holdings, LLC |
| Proposal: | Addition of 349 acres of land to the Gordon Creek AFD |
| Location: | 2171 Bush Neck Road |
| Tax Map/Parcel Nos.: | 3510100001 |
| Parcel Size: | 349 acres |
| Zoning: | A-1, General Agricultural |
| Comprehensive Plan: | Rural Lands/ Conservation Area |
| Primary Service Area: | Outside |
| Staff Contact: | Luke Vinciguerra Phone: 253-6783 |

STAFF RECOMMENDATION

Staff recommends that the Planning Commission recommend approval of the 349 acre Pickett Holdings property to the Gordon Creek AFD to the Board of Supervisors subject to the conditions listed at the end of the report.

At their May 9, 2013 meeting, the AFD Advisory Committee recommended approval of the application by a vote of 6-0.

Project Description

Mr. Meade Spotts has applied to enroll 349 acres of property located at 2171 Bush Neck Road into the Gordon Creek AFD. The parcel is heavily wooded and is used for forestal activities. There are no structures on the property. The property is contiguous to many other parcels in the existing AFD.

The Gordon Creek AFD currently consists of approximately 3,203 acres located in and around the Centerville Road/News Road area. The AFD contains parcels which front on the following roads: News Road, John Tyler Highway, Centerville Road, Bush Neck Road, Jolly Pond Road and Brick Bat Road.

Surrounding Land Uses and Development

This section of the County is largely undeveloped and heavily wooded. Many of the surrounding properties are in the Gordon Creek or Yarmouth AFD.

Comprehensive Plan

The Comprehensive Plan designates these parcels as Rural Lands and Conservation Area. Land Use Action 6.1.1 of the 2009 Comprehensive Plan states the County shall “support both the use value assessment and Agricultural and Forestal (AFD) programs to the maximum degree allowed by the *Code of Virginia*.”

Analysis

The proposed addition meets the minimum area and proximity requirements for inclusion into the AFD. Approval of this application would bring the size of the district to 3,552 acres. This addition would be subject to the following conditions, consistent with other properties in the district:

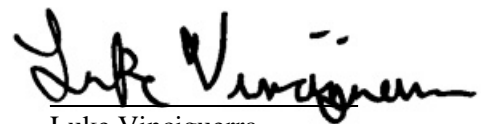
1. The subdivision of land is limited to 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner’s immediate family. Parcels of up to five acres, including necessary access roads, may be subdivided for the siting of communications towers and related equipment provided: a.) the subdivision does not result in the total acreage of the District to drop below 200 acres; and b.) the subdivision does not result in a remnant parcel of less than 25 acres.
2. No land outside the Primary Service Area (PSA) and within the AFD may be rezoned and no application for such rezoning shall be filed earlier than six months prior to the expiration of the District. Land within the AFD may be withdrawn from the District in accordance with the Board of Supervisors’ Policy Governing the Withdrawals of Property from AFDs, adopted September 28, 2010, as amended.
3. No special use permit shall be issued except for agricultural, forestal, or other activities and uses consistent with the State Code, Section 15.2-4301 et. seq., which are not in conflict with the policies of this District. The Board of Supervisors, at its discretion, may issue special use permits for wireless communications facilities on AFD properties which are in accordance with the County’s policies and ordinances regulating such facilities.

RECOMMENDATION:

Staff recommends that the Planning Commission recommend approval of the 349 acre Pickett Holdings property to the Gordon Creek AFD to the Board of Supervisors subject to the conditions listed in the staff report. At their May 9, 2013 meeting, the AFD Advisory Committee recommended approval of the application by a vote of 6-0.

Attachments:

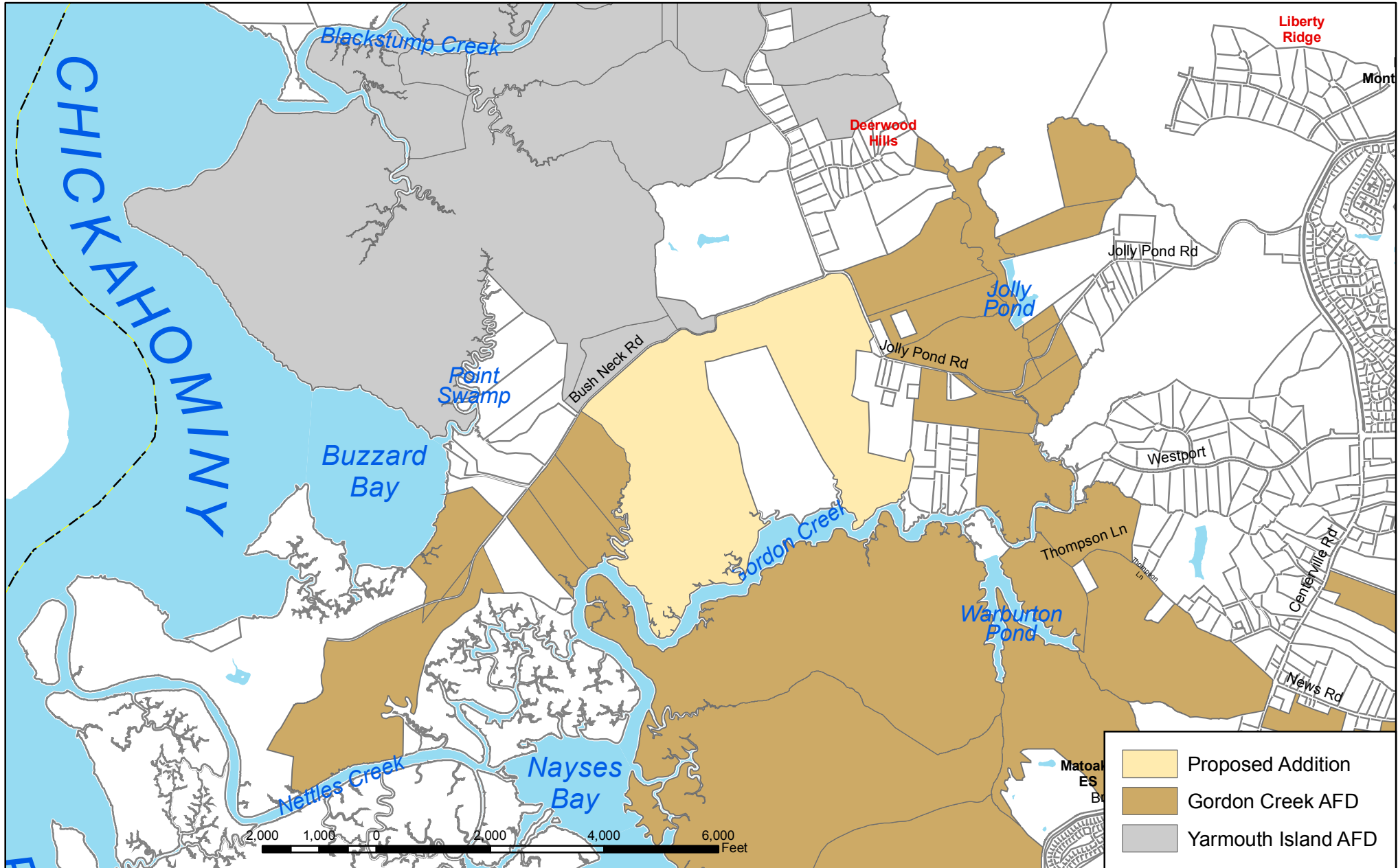
1. Location Map
2. Unapproved AFD Committee minutes



Luke Vinciguerra

AFD-09-86-2013

Gordon Creek AFD Addition



UNAPPROVED MINUTES OF THE AGRICULTURAL AND FORESTAL ADVISORY COMMITTEE OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 9th DAY OF MAY, TWO THOUSAND AND THIRTEEN, AT 4:00 P.M. AT THE HUMAN SERVICES BUILDING, 5249 OLDE TOWNE ROAD, WILLIAMSBURG, VIRGINIA.

1. Roll Call:

Members Present

Mr. Hitchens
Ms. Garrett
Mr. Icenhour
Mr. Harcum
Mr. Ford
Mr. Abbott

Also Present

Mr. Luke Vinciguerra (Planning)

Absent

Mr. Bradshaw
Ms. Smith
Mr. Richardson

2. New Business:

Approval of the September 13, 2012 & October 18, 2012 Meeting Minutes

Minutes for both meetings were approved unanimously.

• **Gordon Creek Pickett Holdings Addition**

Mr. Vinciguerra presented the staff report and stated that Mr. Meade Spotts is requesting the addition of +/- 349 acres of land zoned A-1, General Agricultural, into the Gordon Creek Agricultural and Forestal district located at 2171 Bush Neck Road. He noted that the property was designated Rural Lands and Conservation Area by the Comp Plan.

On a motion made by Mr. Abbott, the Committee unanimously recommended the addition of the property into the Gordon Creek AFD to the Planning Commission and Board of Supervisors.

Members discussed the vacancy on the Committee and unanimously endorsed the applications of William C. Taylor and William Rae Harcum to serve on the Committee to the Board of Supervisors.

The meeting was adjourned at 4:06 p.m.

Ms. Smith, Chair

Luke Vinciguerra, Planner

Case No. SUP-0006-2013, Creative Kids Child Day Care Center
Staff Report for the June 5, 2013 Planning Commission Public Hearing

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

PUBLIC HEARINGS

| | | |
|-----------------------|--------------|-----------------------|
| Planning Commission: | June 5, 2013 | 7:00 p.m. |
| Board of Supervisors: | July 9, 2013 | 7:00 p.m. (tentative) |

Building F Board Room; County Government Complex

SUMMARY FACTS

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|-----------------------|--|
| Applicant: | Ms. Tracey Williams |
| Land Owner: | Ms. Tracey Williams |
| Proposal: | To operate a child day care center in a residential neighborhood and to increase the number of children in the existing center from 9 to 20. |
| Location: | 701 Mosby Drive |
| Tax Map/Parcel: | 4140300103 |
| Parcel Size: | 0.39 acres |
| Existing Zoning: | R-2, General Residential |
| Comprehensive Plan: | Low Density Residential |
| Primary Service Area: | Inside |

STAFF RECOMMENDATION

This proposal seeks to increase the number of children in an existing child day care center which has been operating with complete licensure from the Virginia Department of Social Services (DSS) but without a Special Use Permit (SUP) as required by the Zoning Ordinance.

On May 13, 2013, staff became aware of restrictive covenants associated with Ms. William's neighborhood, discussed below, and subsequently informed the applicant. Prior to becoming aware of the covenants, Planning staff had indicated to the applicant that staff would support bringing the use into compliance with current zoning regulations and permitting a modest increase in the number of children at the day care center from 9 to 12, but not 20 children as requested. However, based on current county policy, staff does not recommend approval of this application.

Restrictive covenants for James Terrace state that "no lot in the tract shall be used except for residential purposes." In a memorandum explaining the role of private covenants in zoning decisions, (attachment no. 2) the County Attorney has indicated that the Board should not, as a matter

of public policy, take action which conflicts with restrictive covenants and that staff should recommend denial of such applications.

Should the Planning Commission wish to approve the application and allow for up to 20 children, staff has proposed conditions to help mitigate the impacts created by the proposed use and would bring the existing child day care center into compliance with the Zoning Ordinance.

Staff Contact:

Jose Ribeiro, Senior Planner

Phone: 253-6685

PROJECT DESCRIPTION

Ms. Tracey Williams has applied for a SUP to allow for the operation of a child day care center in an existing single-family detached house located at 701 Mosby Drive. This property is zoned R-2, General Residential, which requires an SUP for the operation of a child day care center.

A day care service is currently operating from her residence with a maximum of 9 children. Child day care facilities of 5 children or less are permitted by-right as a home occupation. In 2006, Ms. Williams submitted an application for a child day care center which was approved by the County as a home occupation. According to Ms. Williams, she was unaware that an SUP was required at the time she applied for a license with DSS to increase the capacity of her program from 5 to 9 children. A child day care center is defined by the ordinance as “an establishment offering group care to six or more children away from their home for any part of the day.”

In addition to bringing the use into compliance with the Zoning Ordinance, Ms. Williams is proposing to increase the capacity of her program to 20 children. Ms. Williams also proposes to move out of her residence and turn the entire dwelling into a day care center. Ms. Williams has submitted to DSS a functional design plan (a footprint of her house) which is used to determine the adequacy of square footage required per each child. According to DSS, the calculation is based on one child per 35 net square feet of area on a per floor basis. On May 3, 2013, DSS submitted a letter (attachment no. 3) to Ms. Williams indicating that the reported square footage will provide for a projected capacity of 24 children. However, final determination for licensure is based upon an on-site investigation by the assigned licensing inspector and a review of the filed application. Actual inspection of this area may alter the projected capacity for the center.

Ms. Williams proposes to operate her child day care center from 6:00 a.m. to 12:00 a.m. Monday through Friday and from 7:00 a.m. to 12:00 a.m. from Saturday to Sunday. Currently, Ms. Williams is licensed by DSS to operate 24 hours a day, 7 days a week. On March 27, 2013, the DRC considered Ms. Williams request to increase the occupancy at her child day care center. The DRC members provided input to both the applicant and staff and recommended that Mrs. Williams inform her neighbors of her proposal. Copies of letters from neighbors stating their support to Ms. William’s proposal and letters of recommendation from clients are included for your reference (attachments nos. 6 and 7 respectively).

The Planning Commission previously approved a policy for child day care centers located in the interior of residential neighborhoods. The policy recommends that three conditions be placed on any

such application: 1) a three-year limit in order to monitor the impacts of the day care center; 2) no signage shall be permitted; and 3) no additional exterior lighting shall be permitted. Staff has included these conditions as part of this application, and a copy of the policy has also been provided for your reference (attachment no. 4).

Engineering and Resource Protection (ERP):

Staff Comments: Staff has reviewed this application and has recommended approval. Staff notes that should additional improvements resulting in any increase in impervious area occur the applicant shall have to comply with stormwater regulations.

James City Service Authority (JCSA):

Staff Comments: The site is located within the Primary Service Area (PSA) and it is served by public water and sewer. JCSA has reviewed this application and has recommended approval. A Water Conservation Agreement (SUP condition No. 7) for the proposed use will be reviewed and approved by JCSA.

Virginia Department of Transportation (VDOT):

VDOT Comments: VDOT had no concerns with the proposed SUP. No traffic improvements were recommended or proposed by VDOT.

Staff Comments: Staff acknowledges that, due to the varying parental schedules, children will be picked up and dropped off at varying times, thus helping to ease potential traffic congestion at peak hours. However, staff has concerns that an increase in the number of children from 9 to 20 will increase the volume of traffic above what could be expected in a residential neighborhood on a cul-de-sac street. Also, staff has concerns that parking may not be adequate. While the ordinance does not specify a minimum parking calculation for daycares, staff has typically used a formula of one space per employee, plus one space per four children. Accordingly, a minimum of five parking spaces will be required plus additional spaces for employees. Ms. Williams has indicated that her driveway is wide enough to accommodate multiple vehicles at one time.

Virginia Department of Health (VDH):

Staff Comments: The VDH is the agency responsible for monitoring food preparation and cleanliness standards at the day care facility. The VDH has recommended that the applicant contact the Peninsula Health Department to discuss a plan for food service.

Virginia Department of Social Services (DSS):

Staff Comments: The DSS is the agency responsible for monitoring and licensing the day care facility. The DSS granted a license for the child day care serving 9 children ranging from 11-months through 12-years old which is due to expire August 20, 2013. As part of the licensure renew process, Ms. Williams has indicated her desire to serve children 16-months through five-years of age.

Building Safety and Permits (BSP):

Staff Comments: Staff notes that should the child day care center maintain its current occupancy or increases to 12 children, no structural alterations to the house or installation of fire/safety mechanisms, such as a sprinkler system, will be required. However, once the occupancy number rises

above 12 children, monitored fire alarms along with the installation of exit doors in every room where children are cared for would be required in accordance with Virginia Uniform Statewide Building Code (USBC).

COMPREHENSIVE PLAN

The 2009 Comprehensive Plan Land Use Map designates this parcel as Low Density Residential. Recommended uses are primarily residential but schools, churches, and very limited commercial uses are also allowed upon meeting the following standards (2009 Comprehensive plan, article 4-d, page 141) with staff analysis in *italics*:

- a. Complements the residential character of the area;
Staff finds that a day care center for 20 children is more appropriately located in a commercial or mixed-use zoned area. Of particular concern for staff are the proposed hours of operation from 6:00 a.m. to 12:00 a.m. Monday-Friday and from 7:00 a.m. to 12:00 a.m. from Saturday-Sunday. Staff is concerned that these hours of operation have the potential to bring activity, particularly in the evening hours, which may disturb the quieter character associated with a residential neighborhood. Staff is also concerned with the possibility of Ms. Williams moving out and turning her residence into a complete commercial use, therefore affecting the residential character of the neighborhood.
- b. Have traffic, noise, lighting and other impacts similar to surrounding residential uses;
Staff finds that a day care center for 20 children has the potential to create additional vehicular traffic and noise in the neighborhood. Staff is particularly concerned that these impacts would occur during evening hours. While staff does not expect the increase in vehicular traffic to be substantial, it will likely create more traffic, and potentially more noise, than what would be generally expected in a residential neighborhood.
- c. Generally be located on collector or arterial roads at intersections;
The property is not located on a major road. However, it is situated near the intersection of Mosby Drive and Penniman Road. The fact that the property is not located deep into the neighborhood but near a major road may alleviate some of its traffic impacts to the rest of the neighborhood.
- d. Provide adequate screening and buffering to protect the character of nearby residential areas;
and
Adjacent property to the east appears to have some vegetation that creates a natural buffer. Staff is not aware of any fences or other screening materials located at the child day care center.
- e. Generally intended to support the residential community in which they are located.
According to Mrs. Williams, the child day care center supports the needs of parents not only in her neighborhood but also in other areas in the county and nearby localities.

STAFF RECOMMENDATION

Staff finds that the increase from 9 to 20 children and the hours of operation, as proposed, to be inconsistent with the residential character of the neighborhood. Staff does not support the applicant moving out of the home in order to accommodate more than 12 children and turning the residence into a purely commercial use. Absent the restrictive covenants, staff would be supportive of a modest increase from 9 to 12 children and hours of operation that are more typical of other day care centers. However, given the existing conflict between the proposed land use and the restrictive covenants, staff does not support this application.

This proposal seeks to increase the number of children in an existing child day care center which has been operating with complete licensure from the Virginia Department of Social Services (DSS) but without a Special Use Permit (SUP) as required by the Zoning Ordinance.

On May 13, 2013, staff became aware of restrictive covenants associated with Ms. William's neighborhood, discussed below, and subsequently informed the applicant. Prior to becoming aware of the covenants, Planning staff had indicated to the applicant that staff would support bringing the use into compliance with current zoning regulations and permitting a modest increase in the number of children at the day care center from 9 to 12, but not 20 children as requested. However, based on current county policy, staff does not recommend approval of this application.

Restrictive covenants for James Terrace state that "no lot in the tract shall be used except for residential purposes." In a memorandum explaining the role of private covenants in zoning decisions, (attachment no. 2) the County Attorney has indicated that the Board should not, as a matter of public policy, take action which conflicts with restrictive covenants and that staff should recommend denial of such applications.

Should the Planning Commission wish to approve the application and allow for up to 20 children, staff has proposed conditions to help mitigate the impacts created by the proposed use and would bring the existing child day care center into compliance with the Zoning Ordinance.

1. **Occupancy:** No more than 9 children shall be cared for at the child day care center at any one time.
2. **Hours of Operation:** Hours of operation shall be limited from 6 a.m. to 8 p.m., Monday through Friday.
3. **Residency.** The owner/operator of the child day care center shall reside on the property for the duration of the validity of the special use permit.

4. **Validity of Special Use Permit:** This SUP shall be valid for a period of 36 months from the date of approval during which the child day care center owner shall maintain (and renew or obtain as necessary) all needed County and State permits to operate the child day care center.
5. **Signage:** No signage shall be permitted which relates to the use of the property as a child day care center.
6. **Lighting.** No additional exterior lighting shall be permitted on the property, other than lighting typically used at a single family residence.
7. **Water Conservation Agreement.** The Applicant shall be responsible for developing water conservation standards to be submitted to and approved by the James City Service Authority and subsequently for enforcing these standards. The standards shall address such water conservation measures as limitations on the installation and use of approved landscaping design and materials to promote water conservation and minimize the use of public water resources. The James City Service Authority (JCSA) shall receive and approve the standards within sixty (60) days after approval of this SUP.
8. **Food preparation:** No commercial food preparation or laundry services shall be provided as part of the operation of the child day care center. For purposes of this condition, “commercial food preparation or laundry services” shall be defined as meaning any food preparation or laundry services provided at the center that are not directly related to, and intended to serve the needs of, the children being cared for and/or the day care center staff.
9. **Severance Clause:** This SUP is not severable. Invalidation of any word, phrase, clause, sentences, or paragraph shall invalidate the reminder.

A handwritten signature in black ink, appearing to read 'Jose Ribeiro', with a horizontal line underneath.

Jose Ribeiro, Senior Planner

ATTACHMENTS:

1. Location map
2. Memorandum from the County Attorney dated May 28, 2009
3. Letter from the Department of Social Services dated May 3, 2013
4. Child Day Care Centers Located in the interior of Residential Neighborhoods Policy
5. Map showing support letters for the proposed use
6. Support letters from neighbors for the proposed use (8 letters)
7. Letters of recommendation from clients (7 letters)
8. Restrictive Covenants for James Terrace Subdivision

JCC-SUP-0006-2013

Creative Kids Child Day Care Center



MEMORANDUM

DATE: May 28, 2009
TO: Allen J. Murphy, Planning Director
FROM: Leo P. Rogers, County Attorney *L.P.R.*
SUBJECT: The Role of Private Covenants in Zoning Decisions

ISSUE

In light of a recent conflict between a land use requested via special use permit and restrictions contained in restrictive covenants to which the subject parcel is bound, I am providing guidance as to what effect such restrictive covenants have on the pending special use permit request. Further, I will elaborate upon the County's general policy regarding restrictive covenants.

RESTRICTIVE COVENANTS GENERALLY

Restrictive covenants are deed restrictions that apply to parcels of property, which are usually located within a neighborhood. The method by which restrictive covenants may be interpreted or enforced is usually set forth within the covenants themselves; however, in all cases the interpretation and enforcement is handled privately and not by the County. While the Board of Supervisors has acknowledged that interpretation and enforcement of covenants is indeed a private matter, historically the Board has declined to approve rezoning or special use permit requests to establish a use which is in clear violation of known restrictive covenants. This precedent is grounded in public policy concerns, as it makes no practical sense to approve a land use which violates community rules and may result in private enforcement.

In 1986, the Board declined to approve a SUP request in the Poplar Hall neighborhood, in part, because of a conflict with the applicable restrictive covenants. While deliberating on a previous request for the establishment of a child care facility in Poplar Hall, a restrictive covenant which stated that "all lots shall be used only for residential purposes" was brought to the Board's attention. After determining that the child care facility as proposed was clearly in conflict with this restrictive covenant, the Board did not approve the SUP.

Based upon a recent case decided by the Virginia Supreme Court, the Board's 1986 decision appears to have been correct. When determining that daily rental of a parcel was a "residential" use and in compliance with restrictive covenants to which the parcel was subject, the Court found that unless it was defined otherwise, restricting the property to a "residential" use or purpose basically means that use of the property is limited to living purposes only. Clearly, operation of a child care facility, which requires a special use permit, on a parcel is not limiting its use to living purposes only; consequently, such use is not "residential" and is therefore, in my opinion precluded by the restrictive covenants.

SUP-0004-2009

Special use permit number SUP-0004-2009 (the "SUP") was submitted to the County on January 23, 2009. The SUP seeks to establish a child day care facility located in the Poplar Hall neighborhood. The proposed facility will handle a maximum of twelve children.¹ Following an analysis of the proposed expansion, staff recommended approval of the SUP. At the May 6, 2009 meeting of the Planning Commission, a resident of the neighborhood stated that the child care facility was in conflict with the restrictive covenants to which each parcel in the Poplar Hall neighborhood was bound. Neither staff nor the Planning Commission was previously aware of these private covenants.

Following the May Planning Commission meeting, a copy of the restrictive covenants was provided to staff. As previously mentioned, one of the Poplar Hall restrictive covenants states that "[a]ll lots shall be used only for residential purposes."

CONCLUSION

General Policy

While the interpretation and enforcement of restrictive covenants is a private matter, recommending approval of a use which is clearly contrary to an applicable restrictive covenant makes no practical sense and runs afoul of public policy. That said, staff is not responsible for researching the land records for restrictive covenants in each case. As I have previously recommended, staff should amend the rezoning and special use permit application forms to include an affirmation by the applicant that there are no restrictive covenants which preclude establishment of the proposed use and that the applicant has consulted with the homeowners association, if any. Should staff later become aware of a restrictive covenant which clearly precludes a proposed use, staff should immediately alert the applicant and offer an opportunity to cure (via withdrawal of the application or proof that the covenant is inapplicable or otherwise not relevant). Assuming the applicant does not satisfactorily cure the problem, staff should recommend denial of the application.

SUP-0004-2009

There is an existing, applicable restrictive covenant limiting use of the subject parcel to "residential purposes." Based upon the recent Virginia Supreme Court case and upon the Board's previous determination, it is clear that establishment of a child day care facility is not a "residential purpose." In my opinion, this application conflicts with the restrictive covenants and the Board should not, as a matter of public policy, take action which conflicts with restrictive covenants. Accordingly, staff should recommend denial.

¹ Currently, the owner of the property provides child care for five children on the property. "Child day care centers" are defined by County Code as "an establishment offering group care to six or more children away from their own home for any part of a day"; accordingly, the provision of child care services to five or fewer children does not require prior County approval. It is unclear whether the covenants could be privately enforced to require closing the current operation.



COMMONWEALTH of VIRGINIA
DEPARTMENT OF SOCIAL SERVICES

May 3, 2013

Ms. Tracey Butler
Creative Kids CDC, LLC
701 Mosby Drive
Williamsburg, Virginia 23185

Dear Ms. Butler,

This letter will confirm receipt and review of the functional design features and floor/site plans for a child day center to be located at 701 Mosby Drive, Williamsburg, Virginia. The site plan details a one-story building with four rooms of the building being used by the children in care. The number of toilets and sinks will allow for a capacity of 40 children based on the applicable ratio for preschoolers; however, the reported square footage will provide for a projected capacity of 24 children. Please note the reported square footage did not include measurements for obstructions noted on the diagram and the square footage may be altered when actual measurements of all areas are taken.

This drawing has been reviewed for the required square footage standards as well as toilets and sinks relevant to the Standards for Licensing Child Day Centers and they appear to meet all of the requirements. Your request indicates you will serve children 16 months through five years. Please note your Certificate of Occupancy obtained from the city/county in which you reside must specify the population you are permitted to serve. Changing tables must be located in a manner that allows for sight and sound supervision during diapering.

The playground will provide for a projected capacity of 290 children based on your reported acreage. This projected capacity is based on the playground square footage provided. Please be advised that equipment with climbing or moving parts will require resilient surfacing of some type and the appropriate fall zones as required by the American Society for Testing and Materials standards and National Program for Playground Safety.

Please note that the final determination for licensure is based upon an on-site investigation by the assigned licensing inspector and a review of the filed application. Actual inspection of this area may alter the projected capacity for the center.

James City County Planning Commission's Policy Committee
Child Day Care Centers Located in the Interior of Residential Neighborhoods
June 22, 2001

Policy Committee Recommendation for Child Day Care Centers Located in the Interior of Residential Neighborhoods:

1. If planning staff determines there are significant impacts on a neighborhood as a result of a child day care center, staff shall recommend denial of any child day care center located on a residential lot in the interior of a subdivision.
2. The Policy Committee recommends that the current threshold for requiring a special use permit for a child day care center shall remain as is (more than 5 children requires a special use permit), and each application will continue to be reviewed on a case by case basis. This threshold is based upon state licensing requirements, building permit requirements, land use impacts and home occupations limitations, and the Policy Committee finds that this threshold is appropriate for Commission and Board review.
3. ~~Should the Planning Commission and Board of Supervisors choose to recommend~~ approval of a special use permit application for a child day care center located on a residential lot in the interior of a subdivision, the Policy Committee recommends adding the following conditions:
 - there shall be a three-year time limit in order to monitor the impacts of the day care center;
 - no signage shall be permitted on the property;
 - no additional exterior lighting shall be permitted on the property, other than lighting typically used at a single-family residence.

**Location Map for Adjacent Property Owners Who Have
Submitted Letters of Support for SUP-0006-2013**



5/7/13 (DATE)

Neighbor 706

I am acknowledging that I am or we are aware that my neighbor Tracey Williams @ 701 Mosby Drive is requesting for an increase of 24 kids at her residence where she has been residing for 22 years. I also have been told that Tracey Williams has been operating her 24hour child care service in the same location for 7years. I am the neighbor at 706 Mosby Drive, Williamsburg, VA, 23185. I am for or not for the increase of 20-24 children in my community which would be classified as a daycare center.

Chang McStay (Signature)

Comments:

4-9-13 (DATE)

Neighbor 705

I am acknowledging that I am or we are aware that my neighbor Tracey Williams @ 701 Mosby Drive is requesting for an increase of 24 kids at her residence where she has been residing for 22 years. I also have been told that Tracey Williams has been operating her 24hour child care service in the same location for 7years. I am the neighbor at 705 Mosby Drive, Williamsburg, VA, 23185. I am for or not for the increase of 20-24 children in my community which would be classified as a daycare center.

Barbara Williams (Signature)

Comments:

5/7/13 (DATE)

Neighbor 703

I am acknowledging that I am or we are aware that my neighbor Tracey Williams @ 701 Mosby Drive is requesting for an increase of 24 kids at her residence where she has been residing for 22 years. I also have been told that Tracey Williams has been operating her 24hour child care service in the same location for 7years. I am the neighbor at 703 Mosby Drive, Williamsburg, VA, 23185. I am for or not for the increase of 20-24 children in my community which would be classified as a daycare center.

Richard Doran (Signature)

Comments:

5/7/13 (DATE)

Neighbor 702

I am acknowledging that I am or we are aware that my neighbor Tracey Williams @ 701 Mosby Drive is requesting for an increase of 24 kids at her residence where she has been residing for 22 years. I also have been told that Tracey Williams has been operating her 24hour child care service in the same location for 7 years. I am the neighbor at 702 Mosby Drive, Williamsburg, VA, 23185. I am for or not for the increase of 20-24 children in my community which would be classified as a daycare center.

Lauren Williams (Signature)

Comments:

Great!

4/9/13 (DATE)

Neighbor 700

I am acknowledging that I am or we are aware that my neighbor Tracey Williams @ 701 Mosby Drive is requesting for an increase of 24 kids at her residence where she has been residing for 22 years. I also have been told that Tracey Williams has been operating her 24hour child care service in the same location for 7years. I am the neighbor at 700 Mosby Drive, Williamsburg, VA, 23185. I am for or not for the increase of 20-24 children in my community which would be classified as a daycare center.

DS (Signature)

Comments:

5/7/13 (DATE)

Neighbor 703 Penniman Rd

I am acknowledging that I am or we are aware that my neighbor Tracey Williams @ 701 Mosby Drive is requesting for an increase of 24 kids at her residence where she has been residing for 22 years. I also have been told that Tracey Williams has been operating her 24hour child care service in the same location for 7years. I am the neighbor at _____ Mosby Drive, Williamsburg, VA, 23185 or neighbor at 703 Penniman Rd. I am for or not for the increase of 20-24 children in my community which would be classified as a daycare center.

Myrae Bruckley (Signature)

Comments:

5-7-13 (DATE)

Neighbor 901

I am acknowledging that I am or we are aware that my neighbor Tracey Williams @ 701 Mosby Drive is requesting for an increase of 24 kids at her residence where she has been residing for 22 years. I also have been told that Tracey Williams has been operating her 24hour child care service in the same location for 7years. I am the neighbor at _____ Mosby Drive, Williamsburg, VA, 23185 or neighbor at 901 Penniman Rd. I am for or not for the increase of 20-24 children in my community which would be classified as a daycare center.

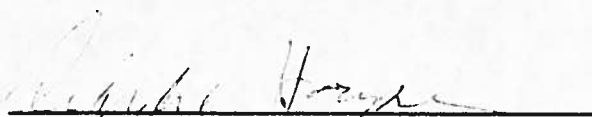
Robert H. Scott (Signature)

Comments:

7-7-2013 (DATE)

Neighbor 801

I am acknowledging that I am or we are aware that my neighbor Tracey Williams @ 701 Mosby Drive is requesting for an increase of 24 kids at her residence where she has been residing for 22 years. I also have been told that Tracey Williams has been operating her 24hour child care service in the same location for 7years. I am the neighbor at _____ Mosby Drive, Williamsburg, VA, 23185 or neighbor at 801 Penniman Rd. I am for or not for the increase of 20-24 children in my community which would be classified as a daycare center.

 (Signature)

Comments:

Damica R. Faison
246 New Hope Road
Williamsburg VA
23185

757 603 7561

3/26/13

To Whom it may concern:

Tracey Butler is favored by both of my young girls for her high energy and nurturing attitude. Since my almost 3 year old has been attending, her speech and social development has progressed greatly. Also the playground in her backyard has helped her develop physically.

My now 5 year old had a harder time getting to know Tracey as she had no previous experience in a daycare setting before attending her elementary school.

The convenience of having Tracey so close to my home is wonderful. I would greatly benefit if she were able to have more children in her

care because often she does not have the room to keep ~~her~~^{them} in the evening and I work ~~a~~ mostly evenings. So it would cut down on my cost for daycare to not have to send them to someone else.

I fully believe that Tracey is a great role model for my girls. and I fully intend to keep her as a sitter/daycare provider as long as possible

Damecia Faison

To whom this may concern:

I have known Tracy Butler a Child Care Provider for a number of years.

Tracy is very good with children and gives her Child Care children, much love and attention.

There aren't many 24 hour childcare providers around in Williamsburg, VA.

I know I have worked with children 46 years and Tracey puts her all into her Child Care as well as her love for her own family.

Sincerely,

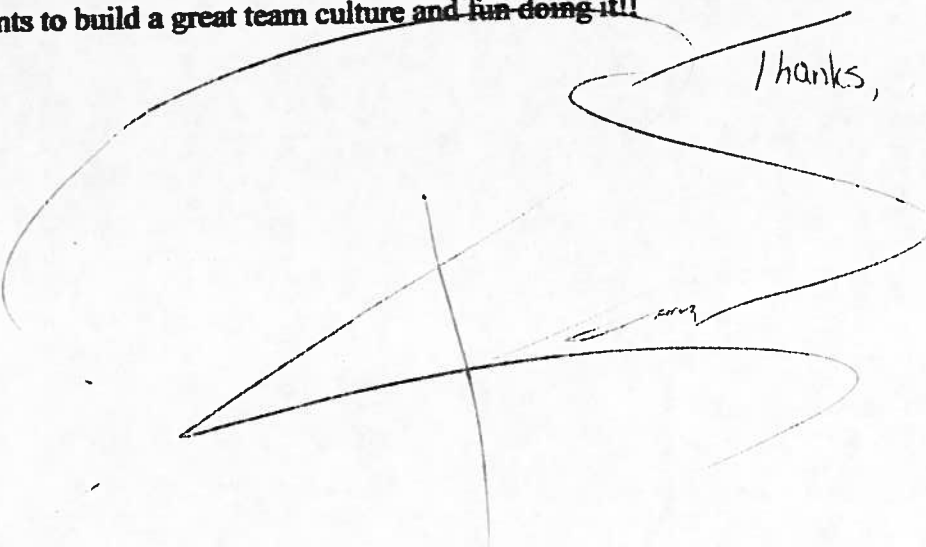
Evette Jemerson

Recommendation for Tracey Butler:

Tracey Butler is a dynamic, self-directed consummate Leader. Tracey is a very talented leader who brought a great deal to children at her day care center and the community. Inspiring and motivating is certainly one of her signature strengths and she leveraged this to help build excitement and momentum around key priorities with children in the community and in the center she led. Tracey is a passionate leader that delivers great results while making development and recognition a key part of her talent strategy. During the 15 years knowing Tracey, she helped me be a more effective leader with communication and strategy.

Tracey is a creative leader who thinks about a total solution. She is proactive and progressive in her thinking. She focuses on training and development which in turn creates long-term solutions. Tracy possesses a high emotional IQ and a senior level understanding of operating a business. She gives honest and valued feedback to her subordinates and peers. She can manage both across and up the chain of command. Her insight allows her to get to the root cause and diminish or eliminate problems. Tracey has strong qualities around teaching and coaching and she is a fabulous trainer. Tracey brings a very sound and well-rounded skill set as well as innate enthusiasm and is a key contributor to children. I would recommend Tracey to any business that wants to build a great team culture and fun doing it!!

Thanks,



To Whom It May Concern:

I have known Tracey Butler in a variety of capacities for many years. She has been my daughter's child care provider for the past 8years and my son's for 8months. In addition, she is the god mother to my children and takes full responsibility for my shortcoming with them. She is a true definition of Acts of Kindness! Her heart is huge and she does not mind assisting others who may be in need, no individual in her eyes is a stranger.

Tracey is organized, efficient, extremely competent, a great caregiver and has an excellent rapport with people of all ages and ethnicities. Her communication skills, both written and verbal are marvelous. I would not trade the level of care Tracey provides to my children to anyone else unless it was an immediate family member.

In summary, I highly recommend approving the expansion of TYI Home Care request or endeavor she may pursue. Other parents should be granted the high level of comfort, professionalism and love for their children that Tracey provides. Every child in she cares for has advanced in academics and achieve on a higher level than their peers. She will be a valuable asset and great instructor to any child and or parent that comes into her presence.

If you have any questions, please do not hesitate to contact me. I can be reached via email; holland81@live.com or by phone; 804-501-0053.


Regards,

Tasha Holland

3-25-13

To whom it may concern

Mrs Tracy Butler was highly recommended to me by my single father coach from CDR. She has been exceptional in caring for my daughter while I have to work. Penelope loves going in the morning ^{evenings} she enjoys her time there everyday. ~~From~~ Mrs Butler has been great w/ working with my long hours & transporting her to & from her pre-school during the week. I would advise anyone looking for childcare her direction

Thank you,
Walter Garner


494 Penniman rd
Williamsburg VA
23185

Annette Robinson
321 Peachtree Lane
Yorktown, VA. 23693
March 25, 2013

To: Whom It May Concern

It is with great pleasure that I submit a letter of reference on behalf of Tracey Butler.

I had the pleasure of working with Tracey Butler for several years while I was employed as the Child Care Coordinator with the City of Williamsburg Human Services. As a child care worker Tracey proved to be a hard worker, and committed to providing quality child care services to the children she cared for. She always went that extra mile to assist parents who were looking for jobs, in school or attending mandated court appearances. She would work extra hours to accommodate their schedules; during the hours other child care centers was closed or refuse to service customers.

Tracey is a person who parents can depend to care for their children. She provides a safe and loving environment.

Respectfully submitted,

Annette Robinson
757-508-1607

3/26/2013

TO: It whom may concern.

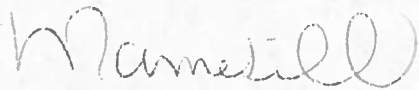
Mrs. Tracey Butler has been such a great help to me after struggling trying to find a provider .

She is reliable, dependable, professional and most of everything she is flexible with my schedule and hours that changes every week. She has a great personality and positive attitude.

My son enjoys her great activities and being under her care.

Norma Tannehil 757 5615981

108 Cooley Rd Apt E Williamsburg VA 23188

A handwritten signature in cursive script, appearing to read "Norma Tannehil", written in dark ink.

CORPORATION.

IN WITNESS WHEREOF, the said BENEL CORPORATION has caused these presents to be executed on its behalf by G. BEN LEVINSON and its corporate seal hereunto affixed, duly attested by SIDNEY B. FRANK, its Secretary, both of said officers being duly authorized therefor, the day and year hereinabove written.

BENEL CORPORATION

Seal Affixed:

BY G. Ben Levinson, President

ATTEST:

Sidney B. Frank
Secretary

STATE OF VIRGINIA

AT LARGE, to-wit:

I, David G. Blalock, a Notary Public in and for the State aforesaid, at large, whose commission expires on the 23rd day of August, 1954, do hereby certify that G. BEN LEVINSON and SIDNEY B. FRANK, President and Secretary respectively of BENEL CORPORATION, whose names are signed to the foregoing writing or instrument, hereto annexed, bearing date on the 30th day of April, 1952, have this day acknowledged the same before me in my State aforesaid.

GIVEN under my hand this 30th day of April, 1952.

David G. Blalock

Notary Public

State of Virginia

City of Williamsburg and County of James City, to-wit:

In the office of the Clerk of the Court for the City and County aforesaid, on the 30th day of April, 1952 this dedication of Plat was presented and with the certificate annexed, admitted to record at 4:40 P. M.

Teste:

P. E. 13, p. 12

Virginia B. Paehlward Clerk

KNOW ALL MEN BY THESE PRESENTS:

EX.
Orig. mailed
to Marshall
B. Blalock
Newport News
Va. 5-1-52
Va. E. Clerk
No tax

WHEREAS, BENEL CORPORATION, a corporation organized and existing under the laws of the State of Virginia, is the owner and proprietor of that certain parcel or tract of land divided into building lots and known as JAMES TERRACE, SECTION NO. 5 as shown on plat of said property entitled, "JAMES TERRACE, SECTION NO. 5", duly recorded in the Clerk's Office of the Circuit Court of the City of Williamsburg and County of James City in Plat Book 13, page 13; and,

WHEREAS, BENEL CORPORATION, in order to provide, and in order to insure all lot purchasers, a uniform mode of development of the property shown on said plat desires that all of the said lots embraced on said plat be sold subject to certain restrictive covenants, conditions and easements.

NOW, WHEREFORE, BENEL CORPORATION hereby declares, covenants and agrees

each and all of said lots as shown on said plat shall be sold and held by the purchasers thereof, their heirs and assigns, subject to the following restrictions, covenants, conditions, limitations and reservations, to-wit:

1. No lot in the tract shall be used except for residential purposes, and no building shall be erected, altered, placed or permitted to remain on any lot other than one detached single family dwelling, not to exceed two and one-half stories in height and a private garage for not more than two cars.

2. No dwelling shall be permitted on any lot in the subdivision at a cost of less than Seven Thousand (\$7,000.00) Dollars. The ground floor area of the main structure, exclusive of one story open porches and garages, shall be not less than seven hundred (700) square feet for either a one story dwelling, or a dwelling of more than one story.

3. No building shall be located on any lot nearer to the front lot line or nearer to the side street line than the minimum building setback lines shown on the recorded plat. In any event, no building shall be located on any lot nearer than thirty (30) feet to the front lot line, or nearer than fifteen (15) feet to any side street line. No building shall be located nearer than five (5) feet to an interior lot line, except that no side yard shall be required for a garage or other permitted accessory building located thirty (30) feet or more from the minimum building setback line. No dwelling shall be located on any interior lot nearer than fifteen (15) feet to a rear lot line. For the purposes of this covenant, eaves, steps and open porches shall not be considered as a part of a building, provided, however, that this shall not be construed to permit any portion of a building on a lot to encroach upon another lot.

4. No dwelling shall be erected or placed on any lot having a width of less than forty (50) feet at ^{the} minimum setback line, nor shall any dwelling be erected and placed on any lot having an area of less than eleven thousand (11,000) square feet.

5. No noxious or offensive trade or activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

6. No structure of a temporary character, trailer, basement, tent, shack, garage, barn, or other outbuilding shall be used on any lot at any time as a residence either temporarily or permanently.

7. No sign of any kind shall be displayed to the public view on any lot except one professional sign of not more than one square foot, one sign of not more than five square feet advertising the property for sale or rent, or signs used by a builder to advertise the property during the construction and sales period.

8. No animals, livestock, or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats, or other household pets may be kept provided that they are not kept, bred, or maintained for any commercial purpose.

9. No lot shall be used or maintained as a dumping ground for rubbish, ^{not} trash, garbage or other waste shall be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary conditions.

10. No individual sewage-disposal system shall be permitted on any lot

other than one detached single family dwelling, not to exceed two and one-half stories in height and a private garage for not more than two cars.

2. No dwelling shall be permitted on any lot in the subdivision at a cost of less than Seven Thousand (\$7,000.00) Dollars. The ground floor area of the main structure, exclusive of one story open porches and garages, shall be not less than seven hundred (700) square feet for either a one story dwelling, or a dwelling of more than one story.

3. No building shall be located on any lot nearer to the front lot line or nearer to the side street line than the minimum building setback lines shown on the recorded plat. In any event, no building shall be located on any lot nearer than thirty (30) feet to the front lot line, or nearer than fifteen (15) feet to any side street line. No building shall be located nearer than five (5) feet to an interior lot line, except that no side yard shall be required for a garage or other permitted accessory building located thirty (30) feet or more from the minimum building setback line. No dwelling shall be located on any interior lot nearer than fifteen (15) feet to a rear lot line. For the purposes of this covenant, eaves, steps and open porches shall not be considered as a part of a building, provided, however, that this shall not be construed to permit any portion of a building on a lot to encroach upon another lot.

4. No dwelling shall be erected or placed on any lot having a width of less than forty (50) feet at ^{the} minimum setback line, nor shall any dwelling be erected and placed on any lot having an area of less than eleven thousand (11,000) square feet.

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7. No sign of any kind shall be displayed to the public view on any lot except one professional sign of not more than one square foot, one sign of not more than five square feet advertising the property for sale or rent, or signs used by a builder to advertise the property during the construction and sales period.

8. No animals, livestock, or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats, or other household pets may be kept provided that they are not kept, bred, or maintained for any commercial purpose.

9. No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall ^{not} be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary conditions.

10. No individual sewage-disposal system shall be permitted on any lot unless such system is designed, located and constructed in accordance with the requirements, standards and recommendations of the State of Virginia and the County of James City.

Approval of such system as installed shall be obtained from such authority.

11. No individual water supply system shall be permitted on any lot unless such system is located, constructed and equipped in accordance with the requirements, standards and recommendations of the State of Virginia and the County of James City.

12. Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat and over the rear ten (10) feet of each lot.

13. These covenants are to run with the land and shall be binding on all parties or persons claiming under them for a period of fifty (50) years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of ten (10) years unless an instrument signed by a majority of the then owners of the lots has been recorded, agreeing to change said covenants in whole or in part.

14. If the parties hereto, or any of them, or their heirs or assigns, shall violate or attempt to violate any of the covenants herein, it shall be lawful for any other person or persons owning any real property situated in said development or subdivision to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenant and either to prevent him or them from so doing or to recover damages or other dues for such violation.

15. Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

IN WITNESS WHEREOF, the said BEMEL CORPORATION has caused these presents to be signed by its President and its corporate seal hereunto affixed, duly attested by its Secretary, this 30th day of APRIL, 1952.

BEMEL CORPORATION

Seal affixed.

By G. Ben Levinson, President.

ATTEST:

Sidney B. Frank
Secretary

STATE OF VIRGINIA

AT LARGE, to-wit:

I, DAVID G. BEALOCK, a Notary Public in and for the State aforesaid, at large, whose commission expires on the 23rd day of August, 1954, do hereby certify that G. BEN LEVINSON and SIDNEY B. FRANK, President and Secretary, respectively, of BEMEL CORPORATION, whose names are signed to the foregoing writing or instrument, hereto annexed, bearing date on the 30 day of APRIL, 1952, have acknowledged the same before me in my State aforesaid.

GIVEN under my hand this 30 day of April, 1952.

David G. Bealock

Notary Public

MEMORANDUM

DATE: June 5, 2013

TO: Planning Commission

FROM: Jason Purse, Zoning Administrator
Christopher Johnson, Principal Planner

SUBJECT: ZO-0005-2013, Zoning Ordinance Amendments, Corrections
SO-0001-2013, Subdivision Ordinance Amendments, Corrections

Staff recently completed the 18-month comprehensive ordinance update process. The various districts were updated in groups, but were also amended at staggered times throughout the process. Now that the fully revised ordinance has been in daily use for some time, a number of consistency and clarity issues have been identified. With the exception of the M-2, General Industrial District, these proposed changes do not represent policy changes in the ordinance, they are merely an attempt to bring an additional level of consistency to the ordinance. The proposed amendments specifically are:

The Highways, Streets, Parking and Loading; Landscaping; Off-street Parking; and Site Plan articles of the ordinance are currently cross referenced in multiple sections. This ordinance update seeks to establish a uniform terminology throughout the ordinance and update all cross references.

Similarly, during the update process, other terms, such as “building safety and permits” and “engineering and resource protection” were used to replace outdated division names. In some instances, not all of the references were completely updated.

A definition for “Places of public assembly” is being added to the ordinance. Staff had previously changed the use list tables to include places of public assembly, including houses of worship, lodges, meeting halls, etc. In an effort to stream line the use list tables, staff has removed references to similar uses from the use tables and will include them in the newly created definition for clarity purposes. Again, this is not a policy change, but rather a way to ensure consistency in interpretation.

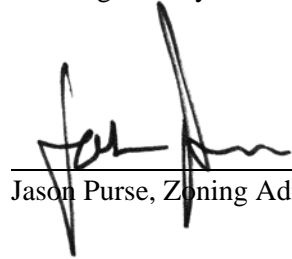
In the R-4, Residential Planned Community District, one section of the ordinance was inadvertently deleted from the previous approved version. There are no setback requirements in the R-4 District, but there was an ordinance provision that required any proposed setbacks to be shown on the final plans. The section also contained language requiring easements for lots where minimal setbacks would necessitate access easements on adjacent property. The proposed amendments would re-insert this language.

In the LB, Limited Business, B-1, General Business, and M-1, Limited Business/Industrial District’s, a small number of uses are proposed to be renamed, moved or added to correct formatting errors and omissions inadvertently made when the use lists were converted into the currently adopted use tables. Based on a recent analysis of undeveloped M-2 properties in concert with the Office of Economic Development, the recommended changes to the General Industrial District also propose a broader list of revisions that correct formatting errors and inadvertent omissions and removes many commercial (e.g., retail) uses that do not represent the highest and best use of the most intense industrially zoned land in the County, which is limited in the amount remaining.

Additional changes include clarification of “building mounted” screening for alternative mounted Wireless Communication Antennas; replacing “bond” with “surety” in the subdivision ordinance; including medical offices as a stated use in MU (it is currently allowed as a business or professional office, but we have a specific designation for “medical offices”); and adding an erosion and sediment control plan as an acceptable plan for the soil stockpile ordinance.

Staff recommends the Planning Commission recommend approval of these changes to the Zoning and Subdivision Ordinances to the Board of Supervisors.

The Policy Committee is scheduled to review these changes at its meeting on May 31, 2013.



Jason Purse, Zoning Administrator



Christopher Johnson, Principal Planner

Attachments:

1. Zoning Ordinance
2. Subdivision Ordinance

ORDINANCE NO. _____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 19, SUBDIVISIONS, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE I, GENERAL PROVISIONS, SECTION 19-15, FEES, SECTION 19-17, SPECIAL PROVISIONS FOR FAMILY SUBDIVISIONS; BY AMENDING ARTICLE III, REQUIREMENTS FOR DESIGN AND MINIMUM IMPROVEMENTS, SECTION 19-33, LOCATION OF UTILITIES, SECTION 19-40, LOT ACCESS AND FRONTAGE, SECTION 19-51, STREET CONSTRUCTION STANDARDS, SECTION 19-64, INSPECTION OF PUBLIC WATER, SEWER, AND STORMWATER SYSTEM, SECTION 19-70 ESTABLISHMENT OF HOMEOWNERS ASSOCIATION, AND SECTION 19-73, SHARED DRIVEWAY REQUIREMENTS FOR MINOR SUBDIVISIONS.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 19, Subdivisions, is hereby amended and reordained by amending Article I, General Provisions, Section 19-15, Fees, Section 19-17, Special provisions for family subdivisions; by amending Article III, Requirements for Design and Minimum Improvements, Section 19-33, Location of utilities, Section 19-40, Lot access and frontage, Section 19-51, Street construction standards, Section 19-64, Inspection of public water, sewer, and stormwater system, Section 19-70, Establishment of homeowners association, and Section 19-73, Shared driveway requirements for minor subdivisions

Chapter 19

SUBDIVISIONS

Sec. 19-15. Fees.

(3) Inspection fee for stormwater installations. There shall be a fee for the inspection by the ~~stormwater division~~ *engineering and resource protection division* of public stormwater installations and private stormwater installations required in accordance with section 23-10(4). Such fee shall be \$900 per practice for each best management practice constructed and \$.90 per foot for every foot of stormwater drain or channel constructed and shall be submitted at the time of filing an application for a land disturbance permit.

Sec. 19-17. Special provisions for family subdivisions.

(5) Each lot or parcel of property shall front on a road which is part of the transportation department system of primary or secondary highways or shall front upon a private drive or road which is in a right-of-way or easement of not less than 20 feet in width. Such right-of-way shall remain private and shall include a driveway within it consisting of, at a minimum, an all-weather surface of rock, stone or gravel, with a ~~M~~ minimum depth of three inches and a minimum width of ten feet. The right-of-way shall be maintained by the adjacent property owners in a condition passable at all times. The provision of an all-weather drive shall be guaranteed in accordance with section 19-72 ~~74~~. An erosion and sediment control plan with appropriate surety shall be submitted for approval if the proposed right-of-way and drive construction disturbs more than 2,500 square feet.

Sec. 19-33. Location of utilities.

(c) Where approved by the transportation department, with the exception of sewer laterals and water service lines, all utilities shall be placed within easements or street rights-of-way, unless otherwise required by the service authority, ~~in accordance with "Typical Utility Details" (see Appendix A) as published by the service authority or as may be otherwise approved by the agent.~~

Sec. 19-40. Lot access and frontage.

Each lot shall abut and have access to a proposed public street to be dedicated by the subdivision plat or to an existing publicly dedicated street. *For flag lots,* ~~The~~ minimum lot frontage abutting such public street right-of-way shall be 25 feet. In zoning districts which permit private streets and where such streets have been approved via the process specified in section 24-62 of the zoning ordinance, the access and minimum lot frontage requirements can be met through frontage on a private street. If the existing streets do not meet the minimum transportation department width requirement, including adequate right-of-way to accommodate the appropriate pavement width, drainage, sidewalks and bikeways, the subdivider shall dedicate adequate right-of-way necessary for the street to meet such minimum requirement.

Sec. 19-51. Street construction standards.

(a) Subdivision streets, unless otherwise specifically provided for in this chapter, shall be paved and dedicated for public use in the state system of primary or secondary highways. Streets shall have a right-of-way width in accordance with transportation department standards. Street construction plans shall be submitted to the transportation department for approval as part of the subdivision review process required by this chapter. Construction of subdivision streets, unless otherwise permitted by this chapter, shall be in conformance with transportation department standards and accepted into the state system of primary or secondary highways prior to release of the construction surety ~~bond~~. Streets of the entire subdivision as depicted on the master plan shall be designed to fit into a street hierarchy separating streets into categories based on traffic levels in accordance with transportation department standards.

Sec. 19-64. Inspection of public water, sewer, and stormwater system.

(b) Inspection of public stormwater system installations shall be the responsibility of the county. Any subdivider of a subdivision shall obtain a certificate to construct stormwater system installations prior to either altering existing installations or building new installations. Surety provided in accordance with section 19-72 ~~74~~ shall not be released until approved in accordance with section 19-74(b).

Sec. 19-70. Establishment of homeowners association.

Within any major subdivision approved under this article in which an area is intended to be used in common for recreation and/or conservation, or other public or semipublic purposes, or where other improvements have been made in which operation and/or maintenance is the responsibility of the homeowners, no lot shall be approved, recorded, sold, or used within the development until appropriate documents in a form approved by the county attorney have been executed. Such documents shall set forth the following:

- a. The nature of the permanent organization under which common ownership is to be established, including its purpose, and provisions establishing requirements for mandatory membership;
- b. How it shall be governed and administered;
- c. The provisions made for permanent care and maintenance of the common property or improvements, including ~~bonds~~ *surety* when required by the county;
- d. The method of assessing the individual property for its share of the cost of adequately administering, ~~and~~ maintaining and replacing such common property; and

- e. The extent of common interest held by the owner of each individual parcel in the tract held in common with others.

Sec. 19-73. Shared driveway requirements for minor subdivisions.

(d) No such subdivision shall be recorded until appropriate shared care and maintenance documents in a form approved by the county attorney have been executed. Such documents shall be recorded concurrently with the subdivision plat and shall set forth the following:

- (1) The provisions made for permanent care and maintenance of the shared driveway and any associated easement, including ~~bonds~~ *surety* when required by the county; and
- (2) The method of assessing the individual property for its share of the cost of adequately administering, maintaining and replacing such shared driveway.

ORDINANCE NO. _____

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, SECTION 24-3, PURPOSE OF CHAPTER; ZONING MAP; BY AMENDING ARTICLE II, SPECIAL REGULATIONS, DIVISION 1, IN GENERAL, SECTION 24-46, SOIL STOCKPILING; DIVISION 2, SECTION 24-58, SPECIAL PROVISIONS FOR BUS PARKING; DIVISION 3, EXTERIOR SIGNS, SECTION 24-74, EXEMPTIONS; DIVISION 6, WIRELESS COMMUNICATIONS FACILITIES, SECTION 24-122, ANTENNA MOUNTING; BY AMENDING ARTICLE III, SITE PLAN, SECTION 24-159, COMPLIANCE WITH SITE PLAN REQUIRED; BY AMENDING ARTICLE V, DISTRICTS; DIVISION 3, LIMITED RESIDENTIAL DISTRICT, R-1, SECTION 24-232, USE LIST, SECTION 24-242, OPEN SPACE WITHIN MAJOR SUBDIVISIONS; DIVISION 4, GENERAL RESIDENTIAL DISTRICT, R-2, SECTION 24-252, USE LIST, SECTION 24-263, OPEN SPACE WITHIN MAJOR SUBDIVISIONS; DIVISION 4.1, RESIDENTIAL REDEVELOPMENT DISTRICT, R-3, SECTION 24-273.2, USE LIST; DIVISION 5, RESIDENTIAL PLANNED COMMUNITY DISTRICT, R-4, SECTION 24-281, USE LIST, SECTION 24-287, RESERVED; DIVISION 6, MULTIFAMILY RESIDENTIAL DISTRICT, R-5, SECTION 24-305, USE LIST, SECTION 24-310, REQUIREMENTS FOR IMPROVEMENTS AND DESIGN; DIVISION 9, LIMITED BUSINESS DISTRICT, LB, SECTION 24-368, USE LIST; DIVISION 10, GENERAL BUSINESS DISTRICT, B-1, SECTION 24-390, USE LIST, SECTION 24-392, SETBACK REQUIREMENTS, SECTION 24-398, SIGN REGULATIONS AND PARKING REQUIREMENTS, SECTION 24-399, SITE PLAN REVIEW; DIVISION 11, LIMITED BUSINESS/INDUSTRIAL DISTRICT, M-1, SECTION 24-411, USE LIST, SECTION 24-420, SIGN REGULATIONS AND PARKING REQUIREMENTS; DIVISION 12, GENERAL INDUSTRIAL DISTRICT, M-2, SECTION 24-436, USE LIST, SECTION 24-445, SIGN REGULATIONS AND PARKING REQUIREMENTS; DIVISION 14, PLANNED UNIT DEVELOPMENT DISTRICT, PUD, SECTION 24-491, REQUIREMENTS FOR IMPROVEMENTS AND DESIGN, SECTION 24-493, USE LIST; DIVISION 15, MIXED USE, MU, SECTION 24-515, DOCUMENTS REQUIRED FOR SUBMISSION, SECTION 24-518, USE LIST, SECTION 24-520, OPEN SPACE, SECTION 24-522, REQUIREMENTS FOR IMPROVEMENTS AND DESIGN; DIVISION 17, ECONOMIC OPPORTUNITY, EO, SECTION 24-536.4, USE LIST, SECTION 24-536.5, REQUIREMENTS FOR IMPROVEMENTS AND DESIGN; AND BY AMENDING ARTICLE VI, DIVISION 3, FLOODPLAIN AREA REGULATIONS, SECTION 24-588, COMPLIANCE AND LIABILITY.

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 I, In General, Section 24-2, Definitions, Section 24-3, Purpose of chapter; zoning map; by amending Article II, Special Regulations, Division 1, In General, Section 24-46, Soil stockpiling; Division 2, Section 24-58, Special provisions for bus parking; Division 3, Exterior Signs, Section 24-74, Exemptions; Division 6, Wireless Communications Facilities, Section 24-122, Antenna mounting; by amending Article III, Site Plan, Section 24-159, Compliance with site

plan required; by amending Article V, Districts; Division 3, Limited Residential District, R-1, Section 24-232, Use list, Section 24-242, Open space within major subdivisions; Division 4, General Residential District, R-2, Section 24-252, Use list, Section 24-263, Open space within major subdivisions; Division 4.1, Residential Redevelopment District, R-3, Section 24-273.2, Use list; Division 5, Residential Planned Community District, R-4, Section 24-281, Use list, Section 24-287, Reserved; Division 6, Multifamily Residential District, R-5, Section 24-305, Use list, Section 24-310, Requirements for improvements and design; Division 9, Limited Business District, LB, Section 24-368, Use list; Division 10, General Business District, B-1, Section 24-390, Use list, Section 24-392, Setback requirements, Section 24-398, Sign regulations and parking requirements, Section 24-399, Site plan review; Division 11, Limited Business/Industrial District, M-1, Section 24-411, Use list, Section 24-420, Sign regulations and parking requirements; Division 12, General Industrial District, M-2, Section 24-436, Use list, Section 24-445, Sign regulations and parking requirements; Division 14, Planned Unit Development District Districts, PUD, Section 24-491, Requirements for improvements and design, Section 24-493, Use list; Division 15, Mixed Use, MU, Section 24-515, Documents required for submission, Section 24-518, Use list, Section 24-520, Open space, Section 24-522, Requirements for improvements and design; Division 17, Economic Development District, EO, Section 24-536.4, Use list, Section 24-536.5, Requirements for improvements and design; and by amending Article VI, Division 3, Floodplain Area Regulations, Section 24-588, Compliance and liability.

Chapter 24

ARTICLE I. IN GENERAL

Sec. 24-2. Definitions.

Places of public assembly. Places of public assembly include public or private meeting halls, fraternal organizations, houses of worship, civic clubs, and lodges.

Sec. 24-3. Purpose of chapter; zoning map.

(b) This chapter is designed to give reasonable consideration to each of the following purposes, where applicable:

(1) To provide for adequate light, air, convenience of access and safety from fire, flood, ~~impending~~ *impounding* structure failure and other dangers;

(6) To protect against one or more of the following: overcrowding of land; undue density of population in relation to the community facilities existing or available; obstruction of light and air; danger and congestion in travel and transportation; or loss of life, health or property from fire, flood, ~~impending~~ *impounding* structure failure, panic or other dangers;

ARTICLE II. SPECIAL REGULATIONS

DIVISION 1. IN GENERAL

Sec. 24-46. Soil stockpiling.

(d) *Development plans.* The location, size and dimensions of all stockpiles shall be shown on any associated development plan and approved as part of a site plan, *site erosion and sediment control plan* or construction plan for a subdivision prior to development. At a minimum the plan shall include:

DIVISION 2. HIGHWAYS, STREETS, PARKING AND LOADING

Sec. 24-58. Special provisions for bus parking.

(f) *Surface and drainage of parking areas.* Bus parking areas shall be surfaced with gravel, stone, asphalt or concrete and shall be maintained in good repair. Adequate drainage shall be provided for the removal of stormwater and a drainage plan shall be submitted with the site plan and approved by the ~~environmental~~ director *of engineering and resource protection*.

DIVISION 3. EXTERIOR SIGNS

Sec. 24-74. Exemptions.

(18) Off-premises, directional, temporary, and generic open-house realty signs may be erected in any zoning district in accordance with the following regulations:

a. The function of such signs shall be limited to directional purposes, as opposed to the advertisement of an individual realtor or realty firm. The signs shall be generic in style and color. No specific realtor or realty firm name(s) shall appear on such signs provided; however, the registered trademark of the National Association of Realtors, the equal housing opportunity logo, and identification as provided for in ~~(19)~~ *18* h. below shall be permitted.

DIVISION 6. WIRELESS COMMUNICATIONS FACILITIES

Sec. 24-122. Antenna mounting.

2. *Alternative mounting structure - WCFs.* WCFs determined by the planning director to be utilizing alternative mounting structures as defined by this ordinance shall be permitted in all zoning districts and shall conform to the following criteria:

(4) *Building mounted A* antennas shall be mounted in a manner that is architecturally compatible with the structure on which they are located as determined by the planning director. ~~All Building mounted~~ antennas (excluding whip antennas under five feet in height) shall be completely screened or camouflaged from view from residentially zoned areas or adjacent roadways.

ARTICLE III. SITE PLAN

Sec. 24-159. Compliance with site plan required.

(a) *Inspection and supervision during development:*

(1) Unless otherwise specifically provided in this chapter, the construction standards for all on-site and off-site improvements required by this chapter, the site plan or other documents approved by the county shall conform to county design and construction standards. The director of building safety and permits, ~~or the director of engineering and resource protection, as applicable,~~ or ~~his~~ *their* agents shall, after approval of the plan and specifications, inspect construction of all improvement and land disturbances to assure conformity with the approved plans to the maximum extent possible.

(2) The owner or agent shall notify the director of ~~building safety and permits~~ *engineering and resource protection* in writing three days prior to the beginning of all street or storm sewer work shown to be constructed on the site plan.

(3) The ~~stormwater division~~ *engineering and resource protection division* shall, after approval of the plan and specifications, inspect construction of all stormwater installations, including but not limited to BMPs, stormdrains, channels, inlets, and outfalls to assure conformity with the approved plans to the maximum extent possible.

Chapter 24

ARTICLE V. DISTRICTS

DIVISION 3. LIMITED RESIDENTIAL DISTRICT, R-1

Sec. 24-232. Use list.

| Use Category | Use List | Permitted Uses | Specially Permitted Uses |
|--------------|--|----------------|--------------------------|
| Residential | Single-family detached dwellings with a maximum gross density of one dwelling unit per acre in accordance with section 24- 234 233(a) | P | |
| | Single-family detached dwellings with a maximum gross density of more than one dwelling unit per acre in accordance with section 24- 234 233(b) | | SUP |
| Commercial | Off-street parking as required by section 24-53 <i>article II, division 2 of this chapter</i> | P | |
| Civic | Places of public assembly, including houses of worship and public meeting halls | | SUP |

Sec. 24-242. Open space within major subdivisions.

(a) Within every subdivision consisting of 50 or more lots, there shall be planned and set aside permanently an amount of open space to be maintained exclusively for conservation and recreation purposes.

(1) Non-developable areas outside of private lots shall be maintained as open space and should be protected through a conservation easement dedicated to the county or other legal entity approved by the county attorney.

(2) In addition, ten percent of the developable area shall also be set aside as open space. The developable area open space may include, but is not limited to:

a. Areas on site necessary to meet county policies pertaining to natural resources, archaeology, and parks and recreation;

b. Areas on site used to achieve density bonus points in accordance with ~~§ section 24-234~~ 233(b);

c. The following areas, up to the percent specified:

1. Required right-of-way and perimeter buffers cannot exceed 50 percent of the developable open space required, and

2. ~~Stormwater~~ management facilities cannot exceed 20 percent of the developable open space required (this limitation applies to structural best management practices such as wet and dry ponds, but does not apply to bioretention or other low impact design measures).

(3) For the purposes of meeting the developable open space requirements ~~specified in (c)~~, open space area may not include:

a. Area on any individual private lots or yards, with the exception of easements for streetscapes; or

b. Land within public road rights-of-way and utility or drainage easements.

(4) For the purpose of meeting the developable area open space requirements ~~specified in (c)~~, open space shall be arranged on the site in a manner that is suitable in its size, shape, and location for the conservation and recreational uses intended, with adequate access for all residents. At a minimum, the open space shall adhere to the following standards:

DIVISION 4. GENERAL RESIDENTIAL DISTRICT, R-2

Sec. 24-252. Use list.

| Use Category | Use List | Permitted Uses | Specially Permitted Uses |
|--------------|--|----------------|--------------------------|
| Residential | Single-family detached dwellings with a maximum gross density of one dwelling unit per acre, either <ul style="list-style-type: none">• in accordance with section 24-254 253(a),or contained within a residential cluster development in accordance with article VI, division 1 of this chapter | P | |

| | | | |
|------------|--|---|-----|
| | Single-family detached dwellings with a maximum gross density of more than one dwelling unit per acre, either <ul style="list-style-type: none"> • in accordance with section 24-254 253(b), or contained within a residential cluster development in accordance with article VI, division 1 of this chapter | | SUP |
| Commercial | Off-street parking as required by section 24-53 <i>article II, division 2 of this chapter</i> | P | |
| Civic | Places of public assembly, including houses of worship and public meeting halls | | SUP |

Sec. 24-263. Open space within major subdivisions.

(a) Within every subdivision consisting of 50 or more lots, there shall be planned and set aside permanently an amount of open space to be maintained exclusively for conservation and recreation purposes.

(1) Non-developable areas outside of private lots shall be maintained as open space and should be protected through a conservation easement dedicated to the county or other legal entity approved by the county attorney.

(2) In addition, ten percent of the developable area shall also be set aside as open space. The developable area open space may include, but is not limited to:

- a. Areas on site necessary to meet county policies pertaining to natural resources, archaeology, and parks and recreation;
- b. Areas on site used to achieve density bonus points in accordance with section 24-254 253(b);
- c. The following areas, up to the percent specified:
 1. Required right-of-way and perimeter buffers cannot exceed 50 percent of the developable open space required, and
 2. Stormwater management facilities cannot exceed 20 percent of the developable open space required (this limitation applies to structural best management practices such as wet and dry ponds, but does not apply to bioretention or other low impact design measures).

(3) For the purposes of meeting the developable open space requirements ~~specified in (c)~~, open space area may not include:

- a. Area on any individual private lots or yards, with the exception of easements for streetscapes, or
- b. Land within public road rights-of-way and utility or drainage easements.

(4) For the purpose of meeting the developable area open space requirements ~~specified in (c)~~, open space shall be arranged on the site in a manner that is suitable in its size, shape, and location for the conservation and

recreational uses intended, with adequate access for all residents. At a minimum, the open space shall adhere to the following standards:

DIVISION 4.1. RESIDENTIAL REDEVELOPMENT DISTRICT, R-3

Sec. 24-273.2. Use list.

| Use Category | Use List | Permitted Uses | Specially Permitted Uses |
|--------------|--|----------------|--------------------------|
| Commercial | Off-street parking as required by section 24-53 <i>article II, division 2 of this chapter</i> | P | |
| | Places of public assembly, such as meeting halls and houses of worship | P | |

DIVISION 5. RESIDENTIAL PLANNED COMMUNITY DISTRICT, R-4

Sec. 24-281. Use list.

| Use Category | Use List | Permitted Uses | Specially Permitted Uses |
|--------------|--|----------------|--------------------------|
| Residential | Accessory apartments <i>in accordance with section 24-32</i> | P | |
| Commercial | Off-street parking as required by section 24-53 <i>article II, division 2 of this chapter</i> | P | |
| Civic | Places of public assembly, such as houses of worship, public meeting halls, lodges or fraternal organizations | P | |

Sec. 24-287. Proposed deed of easement and setbacks

(a) Easements and covenants shall clearly establish the rights of two abutting properties where main buildings are to be constructed on or within five feet of a property line. Such easements/covenants shall establish the rights of each affected owner to gain access to each owner's building for purposes of essential maintenance and service.

(b) Lot sizes and setback lines shall be shown on final plans.

Sec. 24-~~287~~ 288 – 24-303. Reserved.

DIVISION 6. MULTIFAMILY RESIDENTIAL DISTRICT, R-5

Sec. 24-305. Use list.

| Use Category | Use List | Permitted Uses | Specially Permitted Uses |
|--------------|----------|----------------|--------------------------|
|--------------|----------|----------------|--------------------------|

| | | | |
|------------|---|---|--|
| Commercial | Off-street parking as required by section 24-53 <i>article II, division 2 of this chapter</i> | P | |
| Civic | Places of public assembly, including houses of worship and public meeting halls | P | |

Sec. 24-310. Requirements for improvements and design.

(b) *Open space.* There shall be planned and set aside permanently an amount of open space to be maintained exclusively for conservation and recreation purposes.

(1) Non-developable areas shall be maintained as open space and shall not be included on any private lot, and should be protected though a conservation easement dedicated to the county or other legal entity approved by the county attorney.

(2) In addition, ten percent of the developable area shall also be set aside as open space. The developable area open space may include, but is not limited to:

- a. Areas on site necessary to meet county policies pertaining to natural resources, archaeology, and parks and recreation;
- b. Areas on site used to achieve density bonus points in accordance with section 24-308 ~~307~~;
- c. The following areas, up to the percent specified:
 - 1. Required right-of-way and perimeter buffers cannot exceed 50 percent of the developable open space required, and
 - 2. Stormwater management facilities cannot exceed 20 percent of the developable open space required (this limitation applies to structural best management practices such as wet and dry ponds, but does not apply to bioretention or other low impact design measures).

(3) For the purpose of meeting the developable open space requirements ~~specified in (b)~~, open space area may not include:

- a. Area on any individual private lots, with the exception of easements for streetscapes, or
- b. Land within public road rights-of-way and utility or drainage easements.

(4) Open space shall be arranged on the site in a manner that is suitable in its size, shape, and location for the conservation and recreational uses intended, with adequate access for all residents and served with adequate facilities for such purpose. Existing features which would enhance the residential environment or the county as a whole such as trees, watercourses, historic spots and similar features shall be preserved to the maximum extent possible.

DIVISION 9. LIMITED BUSINESS DISTRICT, LB

Sec. 24-368. Use list.

| Use Category | Use List | Permitted | Specially |
|--------------|----------|-----------|-----------|
|--------------|----------|-----------|-----------|

| | | Uses | Permitted Uses |
|------------|--|------|----------------|
| Commercial | Lumber and building supply (with storage limited to a fully enclosed building) | P | |
| | Off-street parking as required by section 24-54 <i>article II, division 2 of this chapter</i> | P | |
| | Places of public assembly, including houses of worship and public meeting halls | P | |
| Civic | Places of public assembly | P | |
| | Schools, public or private | | SUP |

DIVISION 10. GENERAL BUSINESS DISTRICT, B-1

Sec. 24-390. Use list.

| Use Category | Use List | Permitted Uses | Specially Permitted Uses |
|--------------|--|----------------|--------------------------|
| Commercial | Hotels, and motels and tourist homes | P | |
| | Off-street parking as required by section 24-54 <i>article II, division 2 of this chapter</i> | P | |
| | Places of public assembly, including houses of worship and public meeting halls | P | |
| | Retail food stores | P | |
| | Tourist homes | P | |
| Civic | Places of public assembly | P | |
| | Schools, public or private | | SUP |
| Utility | Antennas and towers, self supported, which are 60 feet or less in height | P | |
| | Antennas or towers in excess of 60 feet in height | | SUP |

Sec. 24-392. Setback Requirements.

Structures shall be located 50 feet or more from any street right-of-way which is 50 feet or greater in width. Where the street right-of-way is less than 50 feet in width, structures shall be located 75 feet or more from the centerline of the street.

(1) Setbacks may be reduced to 25 feet from any street right-of-way which is 50 feet or greater in width or 50 feet from the centerline of the street where the street right-of-way is less than 50 feet in width with approval of the ~~development review committee~~ *planning director*.

A site shall not be considered for a setback reduction if it is located on a planned road that is designated for widening improvements. A planned road includes any road or similar transportation facility as designated on the Comprehensive Plan, Six-Year Primary or Secondary Road Plan, Peninsula Area Transportation Plan or any road plan adopted by the board of supervisors. The development review committee planning director will consider a setback reduction only if the setback reduction will achieve results which clearly satisfy the overall purposes and intent of ~~section 24-86~~ *article II, division 4 of this*

chapter (Landscaping and Tree Preservation Requirements); if the setbacks do not negatively impact adjacent property owners; and if one or more of the following criteria are met:

- (a) The site is located on a Community Character Corridor or is designated a Community Character Area on the Comprehensive Plan Land Use Map, and proposed setbacks will better complement the design standards of the Community Character Corridor.
- (b) The adjacent properties have setbacks that are non-conforming with this section, and the proposed setbacks will better complement the established setbacks of adjacent properties, where such setbacks help achieve the goals and objectives of the Comprehensive Plan.
- (c) The applicant has offered site design which meets or exceeds the Development Standards of the Comprehensive Plan.

Sec. 24-398. Sign regulations and parking requirements.

- (a) To assure an appearance which is consistent with the purposes of the General Business District, B-1, outdoor signs on the properties within the district shall comply with the regulations for exterior signs in article II, division 3 of this chapter.
- (b) Off-street parking and off-street loading shall be provided as required in ~~sections 24-54 and 24-61~~ *article II, division 2 of this chapter*.

Sec. 24-399. Site plan review.

All buildings or complexes of buildings erected, altered or restored within the district shall be subject to site plan review in accordance with ~~section 24-142~~ *article III of this chapter*.

DIVISION 11, LIMITED BUSINESS/INDUSTRIAL DISTRICT, M-1

Sec. 24-411. Use list.

| Use Category | Use List | Permitted Uses | Specially Permitted Uses |
|--------------|--|----------------|--------------------------|
| Commercial | Off-street parking as required by section 24-54 <i>article II, division 2 of this chapter</i> | P | |
| | Places of public assembly, including houses of worship and public meeting halls | P | |
| Civic | Places of public assembly | P | |
| | Schools, public or private | | SUP |

Sec. 24-420. Sign regulations and parking requirements.

- (a) To assure an appearance which is consistent with the purposes of the Limited Business/Industrial District, M-1, outdoor signs on the properties within the district shall comply with the regulations for exterior signs in article II, division 3 of this chapter.

(b) Off-street parking and off-street loading shall be provided as required in ~~sections 24-54 and 24-61~~ *article II, division 2 of this chapter.*

DIVISION 12. GENERAL INDUSTRIAL DISTRICT, M-2

Sec. 24-436. Use List.

| Use Category | Use List | Permitted Uses | Specially Permitted Uses |
|--------------|--|----------------|--------------------------|
| Residential | An apartment or living quarters for a guard, caretaker, proprietor or the person employed on the premises, which is clearly secondary to the commercial or industrial use of the property | P | |
| Commercial | Accessory uses and structures as defined in section 24-2 | P | |
| | Adult day care centers | P | |
| | Antique shops | P | |
| | Arts and crafts, hobby and handiercraft shops | P | |
| | Auction houses | P | |
| | Bakeries or fish markets | P | |
| | Banks and other financial institutions | P | |
| | Barber shops and beauty salons | P | |
| | Business and professional offices | P | |
| | Catering and meal preparation | P | |
| | Child day care centers <i>as an accessory use to other permitted uses</i> | P | |
| | Contractor offices, equipment storage yards, shops and warehouses (with materials and equipment storage limited to a fully enclosed building or screened from adjoining property with landscaping and fencing with a maximum height of 12 feet | P | |
| | Convenience stores ; if fuel is sold, then in accordance with section 24-38 | | SUP |
| | Convention centers | P | |
| | Courier services | P | |
| | Data processing centers | P | |
| | Drug stores | P | |
| | Dry cleaners and laundries | P | |
| | Farmer's markets | P | |
| | Feed, seed and farm supply stores | P | |
| | Firearms sales and service | P | |
| | Firing and shooting ranges, limited to a fully enclosed building | P | |
| | Funeral homes | P | |
| | Gift and souvenir shops | P | |
| | Grocery stores | P | |

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| | Health and exercise clubs, fitness centers <i>as an accessory use to other permitted uses</i> | P | |
| | Heliports, helistops and accessory uses | | SUP |
| | Hospitals | | SUP |
| | Hotels and motels with accessory retail sales, barber shops and beauty shops located within the hotel or motel for the principal benefit of the resident guest | P | |
| | Indoor centers of amusement including billiard halls, arcades, pool rooms, bowling alleys, dance clubs and bingo halls | P | |
| | Indoor sports facilities, including firing and shooting ranges | P | |
| | Indoor theaters | P | |
| | Janitorial service establishments | P | |
| | Kennels and animal boarding facilities | P | |
| | Laboratories, research and development centers | P | |
| | Laser technology production | P | |
| | Limousine services (with maintenance limited to a fully enclosed building) | P | |
| | Lodges, civic clubs, fraternal organizations and service clubs | P | |
| | Lumber and building supply (with materials and equipment storage limited to a fully enclosed building or screened from adjoining property with landscaping and fencing with a maximum height of 12 feet) | P | |
| | Printing, mailing, lithographing, engraving, photocopying, blueprinting and publishing establishments | P | |
| | Machinery sales and service (with materials and equipment storage limited to a fully enclosed building or screened from adjoining property with landscaping and fencing with a maximum height of 12 feet) | P | |
| | Marinas, docks, piers, yacht clubs, boat basins, boat storage and servicing, repair and sale facilities for the same ; if fuel is sold, then in accordance with section 24-38 | P | |
| | Marine or waterfront businesses to include the receipt, storage and transshipment of waterborne commerce, or seafood, receiving, packaging or distribution | P | |
| | Medical clinics or offices, including emergency care and first aid centers | P | |
| | Museums | P | |
| | New and/or rebuilt automotive part sales (with storage limited to a fully enclosed building or screened from adjoining property with landscaping | P | |

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| | and fencing with a maximum height of 12 feet) | | |
| | Nursing homes | | SUP |
| | Nurseries | P | |
| | Off-street parking as required by section 24-52 <i>article II, division 2 of this chapter</i> | P | |
| | Office supply stores | P | |
| | Outdoor center of amusement, including miniature golf, bumper boats and waterslide parks | | SUP |
| | Outdoor sports facilities, including golf courses, driving ranges, batting cages and skate parks, with water and sewer facilities for golf courses as approved by the board of supervisors | | SUP |
| | Parking lots, structures or garages | P | |
| | Pet stores and pet supply stores | P | |
| | Photography, artist and sculptor stores and studios | P | |
| | Places of public assembly, including houses of worship and public or private meeting halls | P | |
| | Plumbing and electrical supply and sales (with materials and equipment storage limited to a fully enclosed building or screened from adjoining property with landscaping and fencing with a maximum height of 12 feet) | P | |
| | Printing, mailing, lithographing, engraving, photocopying, blueprinting and publishing establishments | P | |
| | Private streets within qualifying industrial parks in accordance with section 24-62 <i>article II, division 2 of this chapter</i> | P | |
| | Radio and television stations and accessory antenna or towers, self supported, not attached to buildings, which are 60 feet or less in height | P | |
| | Research, development and design facilities or laboratories | P | |
| | Restaurants, tea rooms, coffee shops, taverns, and micro-breweries, not to include fast food restaurants <i>as an accessory use to other permitted uses</i> | P | |
| | Retail and service stores, including the following stores : alcohol, appliances, books, cabinets, cameras, candy, carpet, coin, department, dressmaking, electronics, florist, furniture, furrier, garden supply, gourmet foods, greeting card, hardware, home appliance, health and beauty aids, ice cream, jewelry, locksmith, music, optical goods, paint, pet, picture framing, plant supply, shoes, sporting goods, stamps, tailor, tobacco and pipes, toys, travel agencies, upholstery, variety, wearing apparel, and yard goods | P | |
| | Retail food stores | P | |

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|-------|---|--------------|-----|
| | <i>Retail sales of products related to the main use, provided that the floor area for retail sales comprises less than 25 percent of the first floor area of the main use</i> | P | |
| | Security service offices | P | |
| | Taxi service | P | |
| | Theme parks greater than 10 acres in size | | SUP |
| | Truck stops ; if fuel is sold, then in accordance with section 24-38 | | SUP |
| | Truck terminals ; if fuel is sold, then in accordance with section 24-38 | | SUP |
| | Vehicle and trailer sales and service (with major repair limited to a fully enclosed building and screened from adjoining property by landscaping and fencing with a maximum height of 12 feet) | P | |
| | Vehicle rentals | P | |
| | Vehicle repair and service, including tire, transmission, glass, body and fender, and other automotive product sales, new and/or rebuilt (with major repair limited to a fully enclosed building and storage of parts and vehicles screened from adjoining property by landscaping and fencing with a maximum height of 12 feet) | P | |
| | Vehicle service stations; if fuel is sold, then in accordance with section 24-38 | P | |
| | Veterinary hospitals (with all activities limited to a fully enclosed building with the exception of supervised animal exercise) | P | |
| | Warehousing, wholesaling, storage and distribution centers (with storage limited to a fully enclosed building or screened from adjoining property by landscaping and fencing with a maximum height of 12 feet) | P | |
| | Water impoundments, new or expansion of, less than 50 acres and with dam heights of less than 25 feet | P | |
| | Water impoundments, new or expansion of, greater than 50 acres and with dam heights of less than 25 feet | | SUP |
| | Water well drilling establishments | P | |
| | Welding and machine shops (with storage limited to a fully enclosed building or screened from adjoining property with landscaping and fencing with a maximum height of 12 feet) | P | |
| Civic | Nonemergency medical transport | P | |
| | Fire stations | P | |
| | Government offices | P | |
| | Libraries | P | |

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|---------|--|---|-----|
| | Post offices | P | |
| | Schools, public or private | | SUP |
| Utility | Antennas and towers, self supported, which are 60 feet or less in height | P | |
| | Antennas and towers, not attached to buildings, in excess of 60 feet in height | | SUP |
| | Electrical generation facilities, public or private, steam generation facilities, electrical substations with a capacity of 5,000 kilovolt amperes or more and electrical transmission lines capable of transmitting 69 kilovolts or more | | SUP |
| | Railroad facilities including tracks, bridges and switching stations. Spur lines which are to serve and are accessory to existing or proposed development adjacent to existing railroad rights-of-way and track and safety improvements in existing railroad rights-of-way, are permitted generally and shall not require a special use permit | | SUP |
| | Telephone exchanges and telephone switching stations | P | |
| | Tower mounted wireless communications facilities in accordance with division 6, Wireless Communications Facilities, less than 60 feet in height | P | |
| | Tower mounted wireless communications facilities in accordance with division 6, Wireless Communications Facilities, in excess of 60 feet in height | | SUP |
| | Transmission pipelines, public or private, including pumping stations and accessory storage, for natural gas, propane gas, petroleum products, chemicals, slurry coal and any other gases, liquids or solids. Extensions for private connections to existing pipelines, which are intended to serve an individual residential or commercial customer and which are accessory to existing or proposed development, are permitted generally and shall not require a special use permit | | SUP |
| | Wireless communications facilities that utilize alternative mounting structures, or are camouflaged, and comply with division 6, Wireless Communications Facilities | P | |
| | Water facilities, public or private, 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. The following are permitted generally and shall not require a special use permit : | | SUP |

| | | | |
|------------|--|----------|------------|
| | (a) Private connections to existing mains that are intended to serve an individual customer and that are accessory to existing or proposed development, with no additional connections to be made to the line ; and (b) Distribution lines and local facilities within a development, including pump stations | | |
| Open | Timbering, in accordance with section 24-43 | P | |
| Industrial | <i>Asphalt mixing plants</i> | | <i>SUP</i> |
| | <i>Boiler shops</i> | <i>P</i> | |
| | <i>Breweries and other associated activities</i> | <i>P</i> | |
| | <i>Crushed stone, sand, gravel, or mineral mining ; storage and distribution of same</i> | | <i>SUP</i> |
| | <i>Drop forge industries, manufacturing, forgings with a power hammer</i> | <i>P</i> | |
| | Heavy equipment sales and service (with major repair limited to a fully enclosed building or screened from adjoining property with landscaping and fencing with a maximum height of 12 feet) | P | |
| | Industrial dry cleaners and laundries | P | |
| | Industrial or technical training centers or schools | P | |
| | Manufacture and assembly of musical instruments, toys, novelties, and rubber and metal stamps | P | |
| | Manufacture and bottling of soft drinks, water and alcoholic beverages | P | |
| | <i>Manufacture and compounding of chemicals</i> | | <i>SUP</i> |
| | <i>Manufacture and processing of acrylic and synthetic fibers</i> | <i>P</i> | |
| | Manufacture and processing of textiles and textile products | P | |
| | <i>Manufacture and sale of manufactured homes, mobile homes, modular homes and industrialized housing units</i> | <i>P</i> | |
| | <i>Manufacture and sale of wood and wood products</i> | <i>P</i> | |
| | Manufacture and storage of ice, including dry ice | P | |
| | Manufacture, assembly or fabrication of sheet metal products | P | |
| | Manufacture, compounding, assembly or treatment of products made from previously prepared paper, plastic, metal, textiles, tobacco, wood, paint, fiber glass, glass, rubber, wax, leather, cellophane, canvas, felt, fur, horn, hair, yarn, and stone | P | |
| | Manufacture, compounding, processing or packaging of food and food products, but not the slaughter of animals | | SUP |
| | <i>Manufacture of batteries</i> | <i>P</i> | |
| | <i>Manufacture of boats, marine equipment and boat trailers</i> | <i>P</i> | |

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|--|---|--------------|-----|
| | Manufacture of cans and other <i>metal</i> products from previously processed metals | P | |
| | Manufacture of carpets and carpet yarns | P | |
| | <i>Manufacture of cement, lime, gypsum, bricks and non-previously prepared stone products (i.e., stone and rock used for general erosion and sediment control or road construction)</i> | | SUP |
| | Manufacture of furniture | P | |
| | Manufacture of glass and glass products | P | |
| | Manufacture of pottery and ceramic products using kilns fired only by gas or electricity | P | |
| | <i>Manufacture or assembly of aircraft and aircraft parts</i> | P | |
| | Manufacture or assembly of appliances, tools, firearms, hardware products and heating, cooling or ventilation equipment | P | |
| | <i>Manufacture or assembly of automobiles, trucks, machinery or equipment</i> | P | |
| | Manufacture or assembly of electronic instruments, electronic devices or electronic components | P | |
| | Manufacture or assembly of medical, drafting, metering, marine, photographic and mechanical instruments and equipment | P | |
| | Manufactured home or mobile home sales | P | |
| | <i>Metal foundry and heavy weight casting</i> | P | |
| | <i>Petroleum refining</i> | | SUP |
| | Petroleum storage and retail distribution | | SUP |
| | Processing, assembly and manufacture of light industrial products or components, with all storage, processing, assembly and manufacture conducted indoors or under cover, with no dust, noise, odor or other objectionable effect | | SUP |
| | Propane storage, distribution or sale | | SUP |
| | <i>Ready mix concrete production</i> | | SUP |
| | Recycling center or plant | P | |
| | Resource recovery facilities | | SUP |
| | Solid waste transfer stations and container sites, public or private | | SUP |
| | <i>Structural iron and steel fabrication</i> | P | |
| | <i>Vehicle graveyards and scrap metal storage yards</i> | | SUP |
| | Waste disposal facilities | | SUP |
| | <i>Welding and machine shops including punch presses and drop hammers</i> | P | |
| | <i>Wood preserving operations</i> | | SUP |

Sec. 24-445. Sign regulations and parking requirements.

(a) To assure an appearance which is consistent with the purposes of the General Industrial District, M-2, outdoor signs on the properties within the district shall comply with the regulations for exterior signs in article II, division 3 of this chapter.

(b) Off-street parking and off-street loading shall be provided as required in ~~sections 24-54 and 24-61~~ *article II, division 2 of this chapter*.

DIVISION 14. PLANNED UNIT DEVELOPMENT DISTRICT, PUD

Sec. 24-491. Requirements for improvements and design.

(c) *Parking.* Off-street parking facilities shall be provided in accordance with the off-street parking requirements of ~~section 24-53~~ *article II, division 2 of this chapter*.

Sec. 24-493. Use list.

(a) In the planned unit development district, residential (PUD-R), all structures to be erected or land to be used shall be for the following uses:

| Use Category | Use List | Permitted Uses | Specially Permitted Uses |
|--------------|--|----------------|--------------------------|
| Residential | Accessory apartments <i>in accordance with section 24-32</i> | P | |
| Commercial | Off-street parking as required by section 24-53 <i>article II, division 2 of this chapter</i> | P | |
| Civic | Places of public assembly, such as houses of worship, public meeting halls, lodges or fraternal organizations | P | |

(b) In the planned unit development district, commercial (PUD-C), all structures to be erected or land to be used shall be for one or more of the following uses:

| | | | |
|------------|--|---|--|
| Industrial | Private streets within “qualifying industrial parks” in accordance with section 24-55 <i>62</i> | P | |
|------------|--|---|--|

DIVISION 15. MIXED USE DISTRICT, MU

Sec. 24-515. Documents required for submission.

(a) *Required documents.* The applicant shall submit documents in accordance with section 24-23 to the planning director prior to any rezoning or special use permit application consideration by the planning commission.

(1) Where applicable, the master plan shall contain a table which shows, for each section or area of different uses, the following:

a. The use;

- b. Construction phasing;
- c. Maximum number of dwelling units and density for residential areas;
- d. Maximum square feet of floor space for commercial, office or industrial areas;
- e. Maximum square feet of floor space and percentage mix of floor space of each use for those structures containing a mixture of uses; and
- f. Maximum acreage of each use.

The master plan shall depict and bind the approximate boundaries and general location of all principal land uses, structure square footage, number of dwelling units and densities, roads, rights-of-way, accesses, open spaces, public uses and other features located or to be located on the site. Upon approval by the board of supervisors, the master plan shall become binding. Thereafter, all amendments to the master plan shall be in accordance with section 24-13 of this chapter. Approved development plans, provided for in section 24-518 516, shall supersede the master plan and conceptual or schematic plans.

Sec. 24-518. Use list.

| Use Category | Use List | Permitted Uses | Specially Permitted Uses |
|--------------|--|----------------|--------------------------|
| Residential | Accessory apartments <i>in accordance with section 24-32</i> | P | |
| Commercial | Medical offices | P | |
| | Museums | | SUP |
| | Nonemergency medical transport | P | |
| | Off-street parking as required by section 24-53 <i>article II, division 2 of this chapter</i> | P | |
| Civic | Places of public assembly, such as houses of worship, public meeting halls, lodges or fraternal organizations | | |

Sec. 24-520. Open space.

Development within the mixed use districts shall provide usable open space area. The amount of open space shall be not less than ten percent of the developable area of the site. Nondevelopable area shall not be counted towards meeting the open space requirement. For the purposes of this article, open space does not include any landscape area in parking lots or adjacent to structures. The requirements of this section shall supplement the requirements of the county's Chesapeake Bay Preservation Ordinance, ~~section 24-86~~ *article II, division 4 of this chapter* (Landscaping and tree preservation requirements) and other county requirements relating to open space. For the purposes of this article, open space may include, but is not limited to:

Sec. 24-522. Requirements for improvements and design.

(d) *Parking.* Off-street parking facilities shall be provided in accordance with the off-street parking requirements of section ~~24-53~~ *article II, division 2 of this chapter*.

(i) *Landscaping*. All landscaping and tree preservation shall be undertaken in accordance with section 24-86 *article II, division 4 of this chapter* and Chapter 23 of the county code, the Chesapeake Bay Preservation Ordinance

DIVISION 17. ECONOMIC OPPORTUNITY, EO

Sec. 24-536.4. Use list.

| Use Category | Use List | Permitted Uses | Specially Permitted Uses |
|--------------|--|----------------|--------------------------|
| Commercial | Clubs, public or private, civic or service clubs, country clubs, lodges and fraternal organizations <i>Places of public assembly</i> | P | |
| | Off-street parking as required by section 24-53 <i>article II, division 2 of this chapter</i> | P | |
| Industrial | Private streets within “qualifying industrial parks” in accordance with section 24-55 62 | P | |

Sec. 24-536.5. Requirements for improvements and design.

(d) *Parking*. Off-street parking facilities, within the urban/residential core, shall be provided in accordance with the off-street parking requirements of ~~section 24-53~~ *article II, division 2 of this chapter*. The visibility of parking lots or structures shall be minimized by placement to the side or rear of buildings and/or with landscape screening.

(h) *Landscaping*. All landscaping and tree preservation shall be undertaken in accordance with ~~section 24-86~~ *article II, division 4 of this chapter* and chapter 23 of the County Code, the Chesapeake Bay Preservation Ordinance.

ARTICLE VI. OVERLAY DISTRICTS

DIVISION 3. FLOODPLAIN AREA REGULATIONS

Sec. 24-588. Compliance and liability.

(c) Records of actions associated with administering these regulations shall be kept on file and maintained by the ~~county engineer~~ *development manager or his designee*.

PLANNING DIRECTOR'S REPORT

June 2013

This report summarizes the status of selected Planning Division activities during the past month.

- **New Town.** The Design Review Board met on May 16th and approved several signs. They also considered alternative pavers for the crosswalks on Main Street, a conceptual plan for a 20,000 square foot office building on Discovery Park Blvd., revisions to Roper Homestead Park, lot layouts for Charlotte Park, and elevations and full site plans for Section 12, Petco (Section 9), and Monarch Bank and Parcel 2 retail building in Courthouse Commons. Finally, they reviewed a revised conceptual plan for 75 townhomes in Section 7 (in between the community pool and Casey Blvd.). Their next meeting is scheduled for August 15.
- **Rural Lands.** The County received a planning grant from the Commonwealth to develop a Rural Economic Development Strategic Plan and Planning and the Office of Economic Development recently began the process with the Rural Economic Development Committee. Staff is also working on a public input meeting for this summer related to rural topics in general. This meeting was recently discussed at the joint PC/BOS work session on May 28.
- **Regional Comprehensive Planning Effort.** The Planning Commission and Board of Supervisors held a work session on May 28 to discuss these topics and to give staff direction on a number of decision points.
- **Monthly Case Report.** For a list of all cases received in the last month, please see the attached document.
- **Historical Commission.** The Norge Depot ribbon-cutting event was held on May 10th. The Depot is home to an educational museum, meeting space and model railroad. Stop by and visit on Saturdays between 10 a.m. and 12 p.m. or Sundays between 2 and 4 p.m.
- **Board Action Results:**
 - May 14, 2013
 - Proposed FY 2014-2019 Secondary Six Year Plan. (5-0)

NEW CASES FOR JUNE

| Case Type | Case Number | Case Title | Address | Description | Planner | District |
|----------------------|--------------|--|----------------------|---|-------------------|---------------|
| Conceptual Plan | C-0024-2013 | 2013-17 Camp Peary Natural Resources Mgmnt Plan | | 2013-2017 Integrated Natural Resources Management Plan at AFETA Fort Peary (Camp Peary) to meet Federal requirements to review and update plan every 5 years. This iteration proposes a shoreline management plan and recommendation to conduct a new forest inventory and forest stand mapping | Leanne Reidenbach | |
| | C-0025-2013 | Reece Subdivision, 258 Sandy Bay Road | 258 SANDY BAY ROAD | Subdivide parcel into 3 lots. | Scott Whyte | 03-Berkeley |
| | C-0026-2013 | Cottage Hill Nursery | 7691 RICHMOND ROAD | Sell plants and landscaping supplies (Applicant plans to reside in existing dwelling on the property) | Jose Ribeiro | 01-Stonehouse |
| | C-0027-2013 | Candle Factory, Auction House | 7521 RICHMOND ROAD | Proposed auction house is a change of use for 4,319 sq. ft. of existing Candle Factory warehouse. Square footage would be divided in half, one half for storage and the other half for auction floor. Auctions would be held Friday night, Saturdays and Sundays | Jennifer VanDyke | 01-Stonehouse |
| Ordinance Amendments | SO-0001-2013 | Subdivision Ordinance Amendments and Corrections | | Minor amendments/corrections to subdivision ordinance | Jason Purse | |
| | ZO-0005-2013 | Zoning Ordinance Amendments and Corrections | | Minor amendments/corrections to zoning ordinance | Jason Purse | |
| Subdivision | S-0025-2013 | Jakob Residence | 4058 THORNGATE DRIVE | Plat to adjust setbacks | Jason Purse | 03-Berkeley |
| | S-0026-2013 | Bernfeld Family Subdivision, 6120 Centerville Rd | 6120 CENTERVILLE RD | Family subdivision creating four lots on 8.1867 acres. Existing conditions established with SUP-0011-2012 | Jennifer VanDyke | 02-Powhatan |
| | S-0027-2013 | White Hall - Sec. 2, Ph. M | 3401 ROCHAMBEAU DR | Final plat of 15 lots on 0.977 acres | Scott Whyte | 01-Stonehouse |

| Case Type | Case Number | Case Title | Address | Description | Planner | District |
|--------------------|---------------|--|-------------------------|---|-------------------|---------------|
| Site Plan | SP-0031-2013 | American Tower Mounts Bay Road SP Amend | 101 MOUNTS BAY ROAD | Installation of back-up generator for an existing WCF for emergency purposes | Jennifer VanDyke | 05-Roberts |
| | SP-0032-2013 | American Tower John Tyler Hwy SP Amend | 4315 JOHN TYLER HGWY | Installation of back-up generator for an existing WCF for emergency purposes | Jennifer VanDyke | 03-Berkeley |
| | SP-0033-2013 | Jacobs Industrial Center Parcel 6 | 190 INDUSTRIAL BLVD | Construction of 9,000 sq. ft. office/warehouse building with asphalt parking area and fenced gravel storage yard | Jose Ribeiro | 01-Stonehouse |
| | SP-0034-2013 | Bryant Contracting Complex SP Amend | 7754 RICHMOND ROAD | Amendment of site plan to phase construction; this is for phase 1 which includes new 80' x 130' shop building | Jason Purse | 01-Stonehouse |
| | SP-0035-2013 | White Hall East Offsite Sewer | 3611 ROCHAMBEAU DR | Route sewer main from Wellington to White Hall as required by proffers. Previous review occurred under Case No. SP-0007-2011 which was closed out in January 2013 due to inactivity | Leanne Reidenbach | 01-Stonehouse |
| | SP-0036-2013 | AT&T LTE Wave 4 NF 505 Tower, Industrial Rd. | 129 INDUSTRIAL BLVD U-B | Upgrade the antennas at the WCF site to add capacity and LTE service to the service area | Luke Vinciguerra | 01-Stonehouse |
| | SP-0037-2013 | Shops at Norge Crossing, Daddy 'O's Expansion SP Amend | 7500 RICHMOND ROAD | Installation of outdoor cooler; fencing and landscaping to screen | Scott Whyte | 01-Stonehouse |
| | SP-0038-2013 | Skiffes Creek Switching Station | | Dominion switching station located off of Pocahontas Trail. Requires SUP for transmission line | Leanne Reidenbach | |
| | SP-0039-2013 | Lumber Liquidators BMP Maintenance & Repair SP Amend | 3000 JOHN DEERE ROAD | Maintenance and repair of four existing BMP's | Jose Ribeiro | 01-Stonehouse |
| | SP-0040-2013 | Toano Business Center | 8105 RICHMOND ROAD #405 | Addition of Laser Tag Venue, units 101 - 104; Microbrewery, unit 105; MODU Systems America units 106-109 | Luke Vinciguerra | 02-Powhatan |
| | SP-0041-2013 | Bucktrout Funeral Home Alterations | 4124 IRONBOUND ROAD | Enclose existing rear entrance; interior alterations | Jose Ribeiro | 04-Jamestown |
| | SP-0042-2013 | Verizon Wireless Tower Lafayette H.S. SP Amend | 4460 LONGHILL ROAD | Replacement of antennas on existing WCF | Jennifer VanDyke | 02-Powhatan |
| | SP-0043-2013 | Ford's Colony, Westbury Hills Playground SP Amend | 230 WESTBURY HILLS | Replacement of playground equipment and installation of shade structure | Scott Whyte | 04-Jamestown |
| Special Use Permit | SUP-0005-2013 | Wellington, Windsor Ridge, Section 4 | 225 MEADOWCREST TRAIL | Allow a subdivision of greater than 1 dwelling unit per acre but less than 2 dwelling units per acre | Chris Johnson | 01-Stonehouse |
| | SUP-0006-2013 | Creative Kids Child Development Center | 701 MOSBY DRIVE | Bring existing day care into compliance with special use permit regulations for day care centers and increase the number of children from 9 to 20 | Jose Ribeiro | 05-Roberts |
| Rezoning | Z-0002-2013 | Wellington, Windsor Ridge, Section 4 | 225 MEADOWCREST TRAIL | Rezone 15 acres from PL, Public Lands to R-1, Limited Residential and allow for a 28 lot subdivision to be incorporated into Wellington/Windsor Ridge | Chris Johnson | 01-Stonehouse |