

County Information

James City County, Virginia

Parcel ID (PIN): 2430100032B
LRSN: 35730
Property Address: 6895 RICHMOND ROAD
 WILLIAMSBURG, VA
 23188
Subdivision: No Data
Owner's Name: COLONIAL HERITAGE LLC C/O
 LENNAR/VERMONT WHITE
Mailing Address: 1480 PARK MEADOW DR ~STE 108
 CHANTILLY, VA 201512291

General Information

Property Class:	404, Commercial & Industrial	VA Senate District:	3
Zoning:	M1 Limited Business/Industrial	VA House District:	96
Zoning (additional):	No Data	Congressional District:	1
Air Approach:	No	Election District:	Stonehouse
Legal Acreage:	21.97	Voting Precinct:	Stonehouse B
Legal Description:	PARCEL A-2 COLONIAL HERITAGE COMMERCIAL PROPERTY	Polling Place:	Norge Elementary School
Primary Service Area:	Yes	Census:	804.02

To confirm utility information please contact JCSA at 757-229-7421

Schools

Elementary School: Norge
Middle School: Toano
High School: Warhill

Assessment Information

Valuation as of:	January 1, 2017	January 1, 2018	January 1, 2019
Effective for Billing:	July 1, 2017	July 1, 2018	July 1, 2019
Land Value:	\$.00	\$.00	\$.00
Improvement Value:	\$.00	\$.00	\$.00
Total Value:	\$.00	\$.00	\$.00

Ownership History

Previous Owner Name	Sale Date	Sale Price	Doc # or Deed Book/Pg
No Data	No Data	No Data	No Data
No Data	No Data	No Data	No Data
No Data	No Data	No Data	No Data

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Residential Uses	Accessory apartments, attached, in accordance with <u>section 24-32</u>	P	
	Accessory structures, as defined in <u>section 24-2</u>	P	
	Apartments	P	
	Group homes or residential facilities, for eight or fewer adults	P	
	Group homes or residential facilities, for nine or more adults		SUP
	Group quarters	P	
	Home care facilities	P	
	Home occupations, as defined	P	
	Independent living facilities	P	
	Multi-family dwellings up to and including four dwelling units	P	
	Multi-family dwellings more than four dwelling units	P	
	Single-family dwellings	P	
Commercial Uses	Accessory structures, as defined in <u>section 24-2</u>	P	
	Adult day care centers	P	
	Antique shops	P	
	Arts and crafts shops	P	
	Assisted living facilities	P	

DIVISION 15. - MIXED USE, MU

Sec. 24-514. - Statement of intent.

- (a) The purpose of the mixed use district is to promote a broad spectrum of land uses in more intensive developments on lands designated mixed use by the Comprehensive Plan. The Mixed Use District, MU, is designed to:
- (1) Promote a multiuse master-planned community which may include residential, commercial, industrial (with a focus on light industrial), office and other nonresidential uses;
 - (2) Provide flexibility, unity and diversity in land planning and development resulting in convenient and harmonious groupings of uses, structures and common facilities; varied type, design and layout of residential, employment and social centers; and appropriate relationships of open spaces to intended uses and structures which include attractive and usable open space linked by pedestrian walkways and/or bicycle paths;
 - (3) Reduce commuter driving demands on highways and roads by concentrating employment, housing and recreation opportunities in locations served by, or convenient to, public transportation; and
 - (4) Permit densities and intensities of development in excess of those normally permitted in customary residential and commercial zoning districts.
- (b) This shall be accomplished by providing for the development and/or redevelopment of a variety of land uses and structures within the Mixed Use District, MU, in accordance with the uses generally described in the Comprehensive Plan for areas designated mixed use. The Mixed Use District, MU, is the preferred zoning district for development within those areas designated mixed use in the Comprehensive Plan.

(Ord. No. 31A-141, 5-4-92; Ord. No. 31A-184, 12-8-98; Ord. No. 31A-276, 9-11-12)

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 24-516, shall supersede the master plan and conceptual or schematic plans.

- (2) *Construction phasing.* A project build-out schedule shall be submitted for review by the planning director, the planning commission and board of supervisors, in accordance with construction phasing guidelines adopted by the board of supervisors. The purpose of such phasing plan shall be to provide assurance to the board of supervisors that infrastructure improvements will be constructed in order to support the development intensities proposed. The project build-out schedule shall also provide assurances that the development will include both the proposed non-residential and residential elements at certain project milestones and/or at build-out.

(Ord. No. 31A-141, 5-4-92; Ord. No. 31A-276, 9-11-12; Ord. No. 31A-291, 8-13-13)

Sec. 24-516. - Development plans.

- (a) Development plans shall be submitted and reviewed in accordance with article III of this chapter or with the county's subdivision ordinance, whichever is applicable. Development plans may be submitted for review after approval of a master plan by the board of supervisors. All development plans shall be consistent with the master plan. Development plans may deviate from the master plan if the planning director concludes that the plan does not significantly alter the character of land uses or other features or conflict with any conditions placed on the approval of rezoning. A conceptual plan may be submitted for this purpose in a form sufficient to illustrate the proposed deviations. If the planning director determines that a proposed change would significantly deviate from the approved master plan, the applicant may submit alternative proposed development plans or proceed with amendment of a master plan in accordance with section 24-13.
- (b) Appeals. In the event the planning director disapproves the items specified in section 24-516 (a) or recommends conditions or modifications that are unacceptable to the applicant, the applicant may appeal the decision of the planning director to the development review committee which shall forward a recommendation to the planning commission.
- (c) Documentation satisfactory to the county attorney for the maintenance of common open space, recreation areas, sidewalks, parking, private streets and other privately owned but common facilities serving the project shall be submitted as part of any application for development plan review.

(Ord. No. 31A-141, 5-4-92; Ord. No. 31A-276, 9-11-12)

Sec. 24-517. - Reserved.

Editor's note— Ord. No. 31A-337, adopted September 12, 2017, repealed 24-517. Former § 24-517 pertained to minimum area of districts and derived from Ord. No. 31A-141, adopted May 4, 1992; and Ord. No. 31A-276, adopted September 11, 2012.

Sec. 24-518. - Use list.

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

	Automobile rental	P	
	Automobile repair and service including tire, transmission, glass, body and fender, and other automotive products sales (new and/or rebuilt) and service with major repair under cover and storage of parts and vehicle storage screened from adjacent property by landscaping and fencing	P	
	Automobile service stations; if fuel is sold, then in accordance with <u>section 24-38</u>	P	
	Banks and other similar financial institutions	P	
	Barber and beauty shops	P	
	Business, professional and governmental offices	P	
	Campgrounds		SUP
	Child day care centers	P	
	Community recreation facilities, public or private, including parks, playgrounds, clubhouses, boating facilities, swimming pools, ball fields, tennis courts and other similar recreation facilities	P	
	Continuing care retirement facilities	P	
	Contractor offices, equipment storage yards, shops and warehouses with storage under cover or screened with landscaping and fencing from adjacent property	P	
	Convenience stores; if fuel is sold, then in accordance with <u>section 24-38</u>	P	
	Data processing centers	P	
	Drug stores	P	

	Dry cleaners and laundries	P	
	Employment services or agencies	P	
	Farmer's markets	P	
	Fast food restaurants		SUP
	Feed, seed and farm supply stores	P	
	Fish farming	P	
	Flea markets		SUP
	Funeral homes, cemeteries and memorial gardens	P	
	Gift stores	P	
	Golf courses		SUP
	Greenhouses and nurseries	P	
	Handicrafts stores	P	
	Health clubs, exercise clubs and fitness centers	P	
	Home occupations as defined	P	
	Hotels, motels, tourist homes and convention centers	P	
	Indoor sport facilities	P	
	Indoor theaters	P	
	Janitorial service establishments	P	
	Limousine service	P	
	Lumber and building supply with storage limited to a fully enclosed building or screened with landscaping and fencing from adjacent property	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 <u>section 24-38</u>		SUP
	Marine or waterfront businesses to include the receipt, storage and transshipment of waterborne commerce, or seafood receiving, packing or distribution under cover or screened with landscaping and fencing from adjacent property		SUP
	Medical offices	P	
	Museums		SUP
	Off-street parking as required by article II, division 2 of this chapter	P	
	Office supply stores, secretarial and duplicating services	P	
	Parking lots and garages	P	
	Photographer, picture, artist and sculptor stores and studios	P	
	Plumbing and electrical supply with storage limited to a fully enclosed building or screened with landscaping and fencing from adjacent property	P	
	Printing and publishing establishments	P	
	Property maintenance facilities, sheds or garages	P	
	Public billiard parlors, arcades, pool rooms, bowling alleys, dance halls and other indoor centers of amusement	P	
	Rental of more than three rooms in a single-family dwelling unit		SUP
	Rental of rooms to a maximum of three rooms	P	

	Restaurants, tea rooms and taverns	P	
	Retail and service stores, including the following stores: books, cabinet, candy, carpet, coin, department, dressmaking, florist, furniture, furrier, garden supply, greeting card, gunsmith (excluding shooting ranges), hardware, home appliance sales and service, ice cream, jewelry sales and service, locksmith, music and records, paint, pet, picture framing, plant supply, shoe, sporting goods, stamp, tailor, tobacco and pipes, toys, travel bureau, upholstery, wearing apparel, and yard goods	P	
	Retail food stores, bakeries and fish markets	P	
	Security service offices	P	
	Shooting ranges, indoor		SUP
	Skilled nursing facilities (nursing homes)	P	
	Taxi services	P	
	Theme parks		SUP
	Truck stops; if fuel is sold, then in accordance with <u>section 24-38</u>		SUP
	Truck terminals; if fuel is sold, then in accordance with <u>section 24-38</u>		SUP
	Vehicle and trailer sales and service (with major repair limited to a fully enclosed building)	P	
	Veterinary hospitals	P	
Agricultural Uses	Wineries		SUP
Civic Uses	Fire stations	P	
	Libraries	P	

	Nonemergency medical transport	P	
	Places of public assembly	P	
	Post offices	P	
	Schools	P	
Utility Uses	Communications facilities (public or private), including, but not limited to, antennas, towers and support structures; or multi-antenna systems. All facilities shall comply with article II, division 6 of this chapter.		SUP
	Communications facilities (public or private), including, but not limited to, antennas, towers and support structures, that utilize alternative mounting structures and/or are camouflaged, and comply with article II, division 6 of this chapter.	P	
	Electrical generation facilities, public or private, electrical substations with a capacity of 5,000 kilovolt amperes or more and electrical transmission lines capable of transmitting 69 kilovolts or more		SUP
	Telephone exchanges and telephone switching stations	P	
	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. However, 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

	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. However, 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		
	Water impoundments, new or expansion of	P	
Open Uses	Timbering in accordance with <u>section 24-43</u>	P	
Industrial Uses	Food processing and storage, but not the slaughter of animals	P	
	Heavy equipment sales and service, with major repair under cover or screened with landscaping and fencing from adjacent property	P	
	Heliports, helistops and accessory uses		SUP
	Hospitals and mental health facilities	P	
	Industrial and technical training schools	P	
	Machinery sales and service with major repair under cover	P	
	Manufacture and assembly of musical instruments, toys, novelties and rubber and metal stamps	P	
	Manufacture and bottling of soft drinks and wine	P	

	Manufacture and processing of textiles and textile products in structures of not more than 5,000 square feet	P	
	Manufacture, compounding, assembly or treatment of products made from previously prepared paper, plastic, metal, textiles, tobacco, wood, paint, fiber glass, glass, rubber, leather, cellophane, canvas, felt, fur, horn, wax, hair and yarn in structures of not more than 5,000 square feet	P	
	Manufacture, compounding, assembly or treatment of products made from previously prepared paper, plastic, metal, textiles, tobacco, wood, paint, fiber glass, glass, rubber, leather, cellophane, canvas, felt, fur, horn, wax, hair and yarn in structures of 5,000 square feet and greater		SUP
	Manufacture, compounding, processing or packaging of cosmetic, toiletry and pharmaceutical products	P	
	Manufacture of carpets and carpet yarns in structures of not more than 5,000 square feet	P	
	Manufacture of pottery and ceramic products, using kilns fired only by gas or electricity	P	
	Manufacture or assembly of appliances, tools, firearms, hardware products and heating, cooling or ventilating equipment	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	P	
	Petroleum storage		SUP

	Private streets within "qualifying industrial parks" in accordance with <u>section 24-55</u>	P	
	Processing, assembly and manufacture of light industrial products or components, with all storage, processing, assembly and manufacture conducted indoors and under cover, with no dust, noise, odor or other objectionable effect	P	
	Publicly owned solid waste container sites		SUP
	Railroad facilities including tracks, bridges and stations. However, 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
	Research, development and design facilities or laboratories	P	
	Resource recovery facilities		SUP
	Solid waste transfer stations		SUP
	Warehouse, storage and distribution centers with storage under cover or screened with landscaping and fencing from adjacent property	P	
	Water well drilling establishments		SUP
	Welding and machine shops with storage limited to a fully enclosed building or screened with landscaping and fencing from adjacent property	P	

(Ord. No. 31A-141, 5-4-92; Ord. No. 31A-145, 7-6-92; Ord. No. 31A-150, 4-5-93; Ord. No. 31A-152, 8-16-93; Ord. No. 31A-167, 3-26-96; Ord. No. 31A-176, 5-26-98; Ord. No. 31A-184, 12-8-98; Ord. No. 31A-242, 7-14-09; Ord. No. 31A-276, 9-11-12; Ord. No. 31A-291, 8-13-13; Ord. No. 31A-293, 8-12-14; Ord. No. 31A-328, 11-8-16)

Sec. 24-519. - Density.

(a) The number of dwelling units which may be constructed in any residential or mixed use-residential area designation as indicated on the master plan shall be determined by the number of gross acres at the site and the use proposed. The maximum densities of dwelling units per acre which may be constructed are:

<i>Area Designation</i>	<i>Dwelling Type</i>	<i>Base Gross Density (Dwelling Units Per Acre)</i>	<i>Maximum Gross Density with density bonus (see table under <u>section 24-519 (c)</u>)</i>
A	Single-family structures	3	6
B	Multi-family dwellings containing up to four dwelling units	5	10
C	Multi-family dwellings containing more than four dwelling units	6	12
D	Apartments	9	18

(b) The density of a proposed development shall be calculated as the number of units divided by the gross acreage. For the purposes of this section, the gross acreage shall be calculated as follows:

Percent non-developable land	Percent of gross acreage added to the developable land
0-20 percent	Use total parcel acreage
21-40 percent	20
41-70 percent	15
71-100 percent	10

Illustration of Gross Acreage Calculation

(a) If a 50 acre parcel has seven acres of non-developable land, then the non-developable area of the site is 14 percent. Since 14 percent is less than 20 percent, the total area of the parcel is used to

calculate allowed density.

- (b) If the 50 acre parcel instead had 14 acres of non-developable land, then the non-developable area of the site is 28 percent. Since 28 percent is between 21 percent and 40 percent, the total developable area of the parcel (36 acres) and 20 percent of the total parcel acreage (ten acres) are added together to obtain the total acreage used to calculate allowed density (46 acres).

In this example, if an applicant sought a density of two dwelling units per acre, they would yield a maximum of 100 units in (a) and 92 units in (b).

- (c) In addition to the base density standards from section 24-519 (a) a density bonus can be achieved with the provision of options as detailed below. In order to achieve the densities listed below, the developer shall make assurances in a master plan or otherwise for the density bonus items.

Bonus increase from base density	Required density bonus points from list below
Up to the base density	0
Greater than the base density, up to and including 33 percent above the base density	2
Greater than 33 percent above the base density, up to and including 66 percent above the base density	4
Greater than 66 percent above the base density, up to and including 100 percent above the base density	6

	Bonus Item Options	Bonus Points
A.	For every 10 percent of the units committed to provision of affordable and workforce housing (starting above the threshold set in the county's housing opportunities policy).	2, up to a max of 4
B.	Designing a stormwater management plan that meets Chesapeake Bay Preservation Ordinance standards and requirements through extensive use of better site design/low impact development techniques, as approved by the engineering and resource protection division.	1.5

C.	Undertaking or funding a stream restoration project or stormwater management facility retrofit within the same sub-watershed, as identified by an approved watershed management plan or by the engineering and resource protection division.	1.5
D.	Achieving green building certification using EarthCraft, LEED or equivalent program for all units	1
E.	Dedicating to the county a public use site, the developable portion of which is suitable for a public facility, as determined by the county administrator or designee.	1
F.	Constructing a greenway trail and dedicating a public use easement in a location indicated by the approved Greenway Master Plan, the Virginia Outdoors Plan, or such other useful and logical location as approved by the parks and recreation director or designee.	1
G.	Preserving a single area of healthy, mature, mixed hardwood forestland at least two acres in size, within the developable portion of the site. The planning director may request that the developer provide confirmation, prepared by a certified horticulturalist, that these qualities are present.	1
H.	Preserving one of the following underlined environmentally-related conservation features. The underlined item must constitute at least 5 percent of the developable area of the site.	1
	1. <u>100 foot buffers</u> around non-RPA wetland features (isolated wetlands), intermittent streams, or from floodplain zones A or AE (where not already part of the RPA), or from the edge of the RPA buffer	
	2. <u>Soils in hydrologic groups A and B, as defined by the USDA, and as verified on-site by a licensed geotechnical engineer</u> (retain at least 50 percent of these soils on site)	
	3. <u>Conservation area as identified by an approved watershed management plan</u>	
	4. <u>Wildlife habitat corridors</u> that:	

	<ul style="list-style-type: none"> • Protect a corridor at least 100 feet in width from one protected area (on or off the development property) to another protected area, and 	
	<ul style="list-style-type: none"> • Consist of mature forestland 	
I.	Providing pedestrian accommodations on one side of all internal roadways, where this would exceed the requirements set forth in <u>section 24-35</u> of this chapter.	1
J.	Developing binding design guidelines for the development that include superior architectural and design standards. Elements that the guidelines shall address include, but need not be limited to, provision of rear or side loading garages; use of universal design concepts; and attention to the quality of, and variation in, elements of the units such as facade materials and colors; windows, roof pitches, porches and entryways; and heights and setbacks from the right-of-way. Design guidelines shall be submitted concurrent with the master plan, and shall be reviewed and approved by the planning director.	0.5
K.	Providing a 100-foot buffer from the internal edge of a right-of-way buffer and/or perimeter buffer (must constitute at least five percent of the developable area of the site).	0.5
L.	Preserving and rehabilitating an on-site structure identified in the document entitled Historical Structures Survey, prepared by Virginia Department of Historic Resources, and dated May 2008. The structure may be re-used as a community clubhouse or private residence with appropriate deed restrictions. If the proposed cluster is within a community character area (CCA) designated by the comprehensive plan, this bonus would also be available for rehabilitation and legal preservation of a structure elsewhere within that CCA.	0.5

- (d) To achieve the intent of a mixed use development, more than one land use category shall be used and no single use or use category shall exceed 80 percent of the developable land area within a mixed use area, as delineated on the master plan. Where the mixed use development contains one or more mixed use structures (vertical mixed use), the developable land area may be converted to square feet to demonstrate compliance with this requirement.

Illustration of vertical mixed use buildings calculation.

For a vertical mixed use building of 60,000 square feet in size, no one use could exceed 48,000 square feet.

- (e) For areas designated neighborhood commercial or community commercial on the comprehensive plan, all proposed structures should be mixed use structures (vertical mixed use) and residential floor area should not exceed 50 percent of the total floor area. Either of these criteria may be modified if specifically shown on a master plan approved by the board of supervisors that exceeds mixed use designation development standards in the comprehensive plan.

(Ord. No. 31A-141, 5-4-92; Ord. No. 31A-276, 9-11-12; Ord. No. 31A-278, 11-27-12; Ord. No. 31A-337, 9-12-17)

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. The requirements of this section shall supplement the requirements of the county's Chesapeake Bay Preservation Ordinance, 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:

- (1) Perpetual easement(s) of no less than 50 feet in width dedicated to James City County or another group approved by the county adjoining any road designated as a Community Character Corridor on the Comprehensive Plan.
- (2) Buffer area(s) of no less than 50 feet around an RMA wetland as measured from the landward edge of the wetland.
- (3) Preservation of any archaeological site, any landmark registered in the Virginia Landmarks Register, the National Register of Historic Places or National Historic Site register.
- (4) Preservation of any developable area onsite that is set aside to meet the county's natural resource policy where preservation of such area is not required by other local, state or federal law.
- (5) Bikeways, bike paths, hiking trails, greenways or other similar amenity, excluding sidewalks.
- (6) Public or private picnic areas, parks, plazas or other gathering areas.
- (7) Public or private community facilities such as swimming pools, tennis courts, and recreation buildings. Golf courses may also be counted as open space for the purpose of meeting the open space requirement to a maximum of 60 percent of the required open space.

Open space area shall be protected by easements, maintenance agreements and/or other assurances satisfactory to the county attorney.

(Ord. No. 31A-141, 5-4-92; Ord. No. 31A-276, 9-11-12; Ord. No. 31A-337, 9-12-17)

Sec. 24-521. - Height of structures.

- (a) Structures may be erected up to 60 feet in height from grade to the top of the structure, including all

church spires, belfries, cupolas, athletic field lighting, monuments, flagpoles, penthouse, electrical, plumbing, elevator, water tank or other accessory functions which are part of the structure.

- (b) A structure in excess of 60 feet in height but not in excess of 100 feet from grade to the top of the structure, including all church spires, belfries, cupolas, athletic field lighting, monuments, flagpoles, penthouse, electrical, plumbing, elevator, water tank, or other accessory functions may be erected only upon the granting of a height limitation waiver by the board of supervisors.
- (c) Upon application for a height limitation waiver, the payment of appropriate fees, notification of adjacent property owners and following a public hearing, the board of supervisors may grant a height limitation waiver upon finding that:
 - (1) Such structure is in accordance with the uses, densities, design and traffic analysis shown on the original master plan;
 - (2) Such structure will not obstruct light from adjacent property;
 - (3) Such structure will not impair the enjoyment of historic attractions and areas of significant historic interest and surrounding developments;
 - (4) Such structure will not impair property values in the surrounding area;
 - (5) Such structure is adequately designed and served from the standpoint of safety and the county fire chief finds that the fire safety equipment to be installed is adequately designed and that the structure is reasonably well located in relation to fire stations and equipment, to offer adequate protection to life and property; and
 - (6) Such structure would not be contrary to the public health, safety or general welfare.
- (d) Heights of communications facilities shall be permitted in accordance with division 6, communications facilities, antennas, towers and support structures.

(Ord. No. 31A-141, 5-4-92; Ord. No. 31A-145, 7-6-92; Ord. No. 31A-166, 1-23-96; Ord. No. 31A-176, 5-26-98; Ord. No. 31A-223, 4-11-06; Ord. No. 31A-232, 12-11-07; Ord. No. 31A-276, 9-11-12; Ord. No. 31A-328, 11-8-16)

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

- (a) *Complementary design.* Mixed-use districts are intended to have an integrated character with strong unifying design elements and therefore shall meet the following standards:
 - (1) *Unified building design.* Building design should be coordinated with regard to color, materials, architectural form and detailing to achieve design harmony, continuity, and horizontal and vertical relief and interest.
Development shall focus on pedestrian-scaled design, mixing uses within buildings, and general design standards (such as landscaping, road design, etc.).
 - (2) *Unified open space.* Projects shall include a unifying internal system of pedestrian-oriented paths, open spaces and walkways that function to organize and connect buildings, and provide connections to common origins and destinations (such as transit stops, restaurants, child care facilities and convenience shopping centers). All buildings or building clusters within the development must be connected with linkages other than roads (i.e., sidewalks, bikeways or multi-use paths). The master plan shall utilize open space and natural features that serve as buffers and transitions to adjacent area(s). See section 24-520 for more details on open space.

- (b) *Water and sewer.* All structures and uses within a mixed use districts shall be served by publicly owned and water and sewer systems.
- (c) *Recreation areas.* Residential areas and mixed use structures and areas designated on the master plan shall be provided with a recreation area or areas adequate to meet the needs of the residents. The developer shall provide and install playground equipment, playfields, tennis courts or other recreation facilities in accordance with the guarantees established as part of master plan or final development plan approval. The composition of the facilities to be installed shall be approved by the planning director. Such facilities shall be owned and maintained by the developer or a residents' association.
- (d) *Parking.* Off-street parking facilities shall be provided in accordance with the off-street parking requirements of article II, division 2 of this chapter.
- (e) *Outdoor lighting.* Outdoor lighting shall be provided as required by article II, division 7 of this chapter and the county subdivision ordinance.
- (f) *Natural features and amenities.* Existing features such as specimen trees, wildlife habitats, watercourses, historical sites and similar irreplaceable assets shall be shown on the master plan and site plan and preserved to the maximum extent possible.
- (g) *Signs.* All signs within a mixed use district shall comply with article II, division 3 of this chapter.
- (h) *Traffic circulation.* Vehicular access points and drives shall be designed to encourage smooth traffic flow with controlled turning movements and minimum hazards to vehicular and pedestrian traffic. Buildings, parking areas and drives shall be arranged in a manner that encourages pedestrian access and minimizes traffic movement. All streets shall be constructed and designed in accordance with section 24-524.
- (i) *Landscaping.* All landscaping and tree preservation shall be undertaken in accordance with article II, division 4 of this chapter and Chapter 23 of the county code, the Chesapeake Bay Preservation Ordinance.
- (j) *Dwelling units* , regardless of structure type, shall be clustered or otherwise grouped to maximize the preservation of open space and other aesthetic amenities consistent with the intent of article VI, division 1, Residential Cluster Development.
- (k) *Pedestrian accommodation.* Pedestrian accommodations shall be provided in accordance with Section 24-35.

(Ord. No. 31A-141, 5-4-92; Ord. No. 31A-184, 12-8-98; Ord. No. 31A-205, 5-8-01; Ord. No. 31A-276, 9-11-12; Ord. No. 31A-291, 8-13-13)

Sec. 24-523. - Setback and buffer requirements.

- (a) *Landscape area(s) along right(s)-of-way.* A landscape area shall be provided along right(s)-of-way in accordance with section 24-98.
- (b) *Perimeter buffer.* A perimeter buffer shall be planned and maintained along the perimeter property lines of the development, except for areas adjacent to rights-of-way. The minimum perimeter buffer depth shall be in accordance with the table below. The buffer shall be left in its natural undisturbed state and/or planted with additional or new landscape trees, shrubs and other vegetative cover. Landscaping guidelines for perimeter buffers shall follow the requirements specified in section 24-96 of this chapter.

Mixed Use Master Plan Area Designation	Adjacent Development*	Perimeter Buffer Width (in feet)
Single-family (A)	Residential	15
	Commercial	30
	Industrial	50
Multi-family and apartments (B,C,D)	Residential	30
	Commercial	30
	Industrial	50
Commercial and office (E,G), institutional and public uses (I)	Residential	30
	Commercial	0
	Industrial	0
Wholesale and warehouse (F), light industrial (H)	Residential	50
	Commercial	0
	Industrial	0
Areas of common open space (J)	Residential	50 if active recreation is present (pool, clubhouse, etc.) or 0 if area is passive open space
	Commercial	
	Industrial	
Structures containing a mixture of uses (M), other structures, facilities or amenities (X)	Residential	30
	Commercial	0
	Industrial	0
Master plans with multiple area designations within a given land bay or tract	Residential	Max buffer width for each of the listed uses

	Commercial	Max buffer width for each of the listed uses
	Industrial	Max buffer width for each of the listed uses

* Residential=land zoned R-1, R-2, R-3, R-4, R-5, R-8, PUD-R, MU (area designations A, B, C, D), A-1; Commercial=land zoned LB, B-1, RT, EO, PL, MU (area designations E,G, I, M, X), PUD-C; Industrial=land zoned M-1, M-2, MU (area designations F, H).

In instances where a proposed mixed use area will form a logical component of an existing development (such as sharing entrances, roads, parking areas, etc.), the perimeter buffer shall be zero adjacent to the existing development, even if all, or components of, the existing development are not zoned mixed use.

- (c) *Buffer modifications; criteria for determination.* The width of the buffer specified in (b) may be reduced with approval of the planning director. The planning director will consider a buffer reduction only if the reduced buffers do not have additional adverse impact on adjacent properties or public areas when compared to the required buffers, and will not result in detrimental impacts to the orderly development or character of the area, the environment, sound engineering or planning practice, or the goals, objectives, strategies and policies of the comprehensive plan; and if one or more of the following criteria are met:
- (1) The site is designated a community character area on the comprehensive plan land use map, and the proposed buffer will better complement the design standards of the community character area.
 - (2) The adjacent properties have setbacks or buffers that are non-conforming with this section, and the proposed buffer will better complement the established setbacks or buffers of adjacent properties, where such buffers help achieve the goals and objectives of the comprehensive plan.
 - (3) The applicant has offered extraordinary site design which exceeds the development standards of the comprehensive plan.
 - (4) The buffer reduction will achieve results which clearly satisfy the overall purposes and intent of [section 24-86](#) (Landscaping and tree preservation requirements).
- (d) *Requests for modifications.* Requests for modifications pursuant to subsection (c) above shall be filed in writing with the planning director and shall identify the reasons for such requests together with the proposed alternative. The planning director shall approve, deny, or conditionally approve the request and shall include a written statement certifying that one or more of the above criteria are met.
- (e) *Appeals.* In the event the planning director disapproves the items specified in [section 24-523](#) (d) or recommends conditions or modifications that are unacceptable to the applicant, the applicant may appeal the decision of the planning director to the development review committee which shall forward a recommendation to the planning commission.
- (f) *No minimum lot size or yard requirements.* Except for required setbacks and/or buffer specified in (a) and (b) above, there shall be no minimum lot size nor minimum front, side or rear yard requirements for

any lot within a Mixed Use Development District, MU, other than as specified in approved final plans.

- (g) *Uses prohibited.* Setbacks and/or buffers shall not be used for streets or for parking except for entrances and driveways which may penetrate the setback and/or buffer.

(Ord. No. 31A-141, 5-4-92; Ord. No. 31A-226, 5-22-07; Ord. No. 31A-276, 9-11-12; Ord. No. 31A-337, 9-12-17)

Sec. 24-524. - Street improvements.

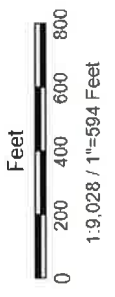
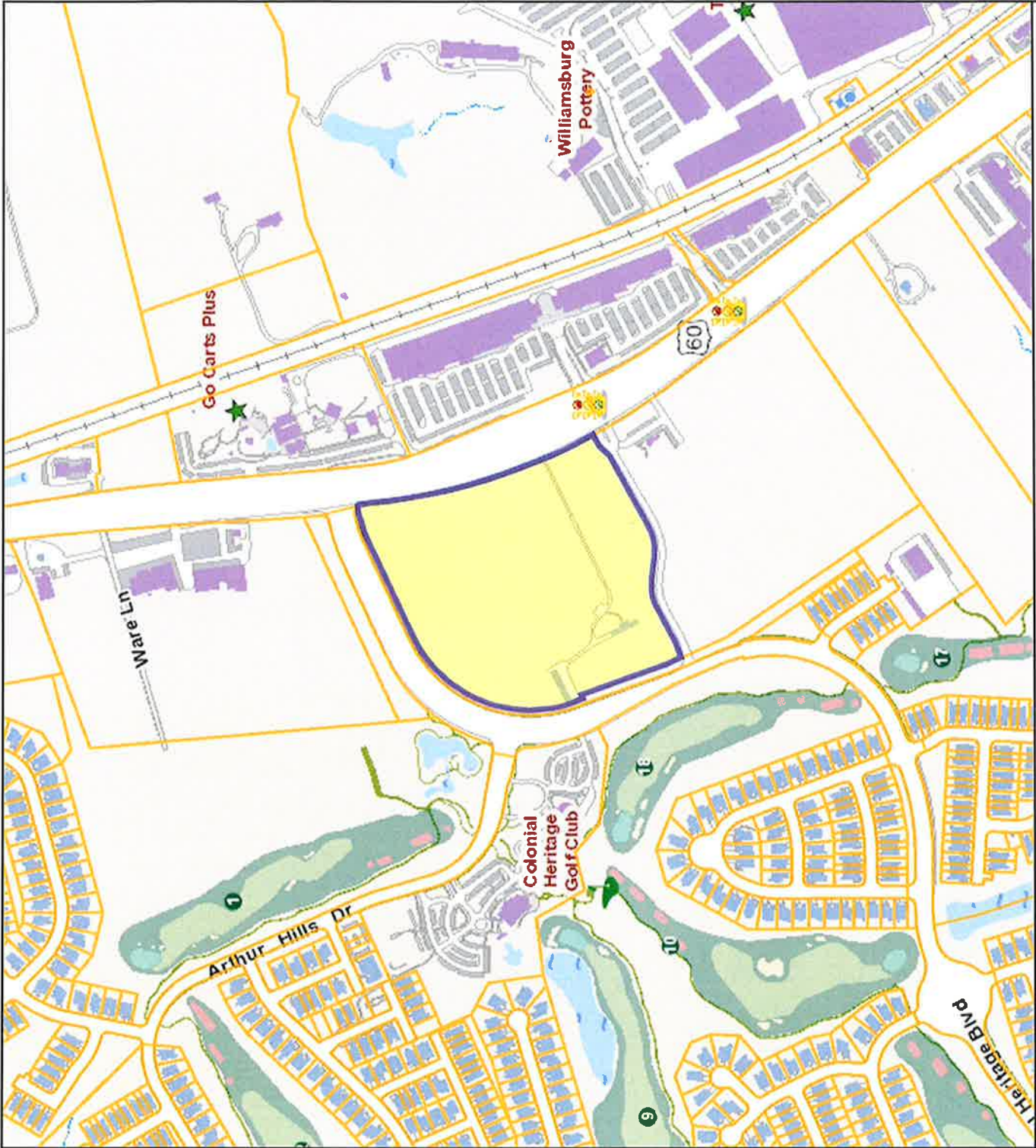
- (a) All dedicated public streets shown on the development plan shall meet the design and construction requirements of the Virginia Department of Transportation's standards or the county subdivision ordinance, whichever is greater. Such public streets shall be coordinated with the major transportation network shown in the county Comprehensive Plan.
- (b) Private streets may be permitted upon the approval of the board of supervisors in accordance with the provisions of section 24-62.

(Ord. No. 31A-205, 5-8-01; Ord. No. 31A-255, 11-22-11; Ord. No. 31A-276, 9-11-12)

Secs. 24-525—24-534. - Reserved.

James City County, Virginia

Legend
□ Parcels



Title: Parcels

Date: 2/28/2020

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James City County, Virginia

Legend

Parcels



Title:

Date: 2/28/2020

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James City County, Virginia

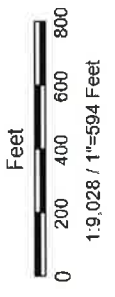
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□ Parcels



Title:

Date: 2/28/2020

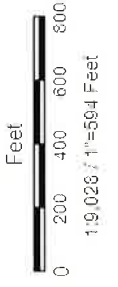


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James City County, Virginia

Legend

□ Parcels



Title:
















Date: 2/28/2020

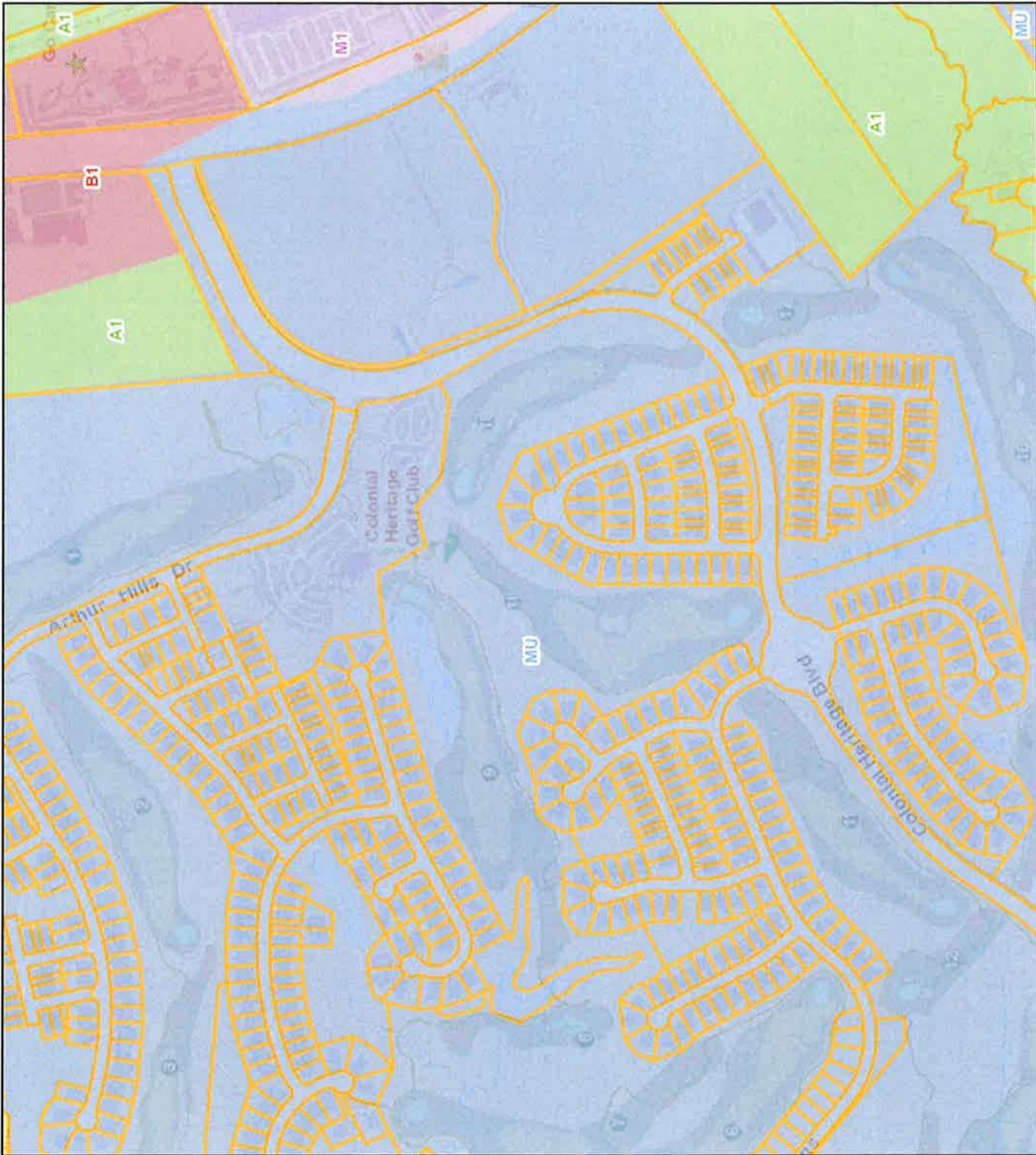
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James City County, Virginia

Legend

 Parcels
 Zoning

-  General Agriculture (A1)
-  General Business (B1)
-  General Industrial (M2)
-  General Residential (R2)
-  Limited Business (LB)
-  Limited Business/Industrial (M1)
-  Limited Residential (R1)
-  Low-Density Residential (R6)
-  Mixed Use (MU)
-  Multi-Family Residential (R5)
-  Planned Unit Development Commercial (PUD-C)
-  Planned Unit Development Residential (PUD-R)
-  Public Land (PL)
-  Residential Planned Community (R4)
-  Rural Residential (R8)



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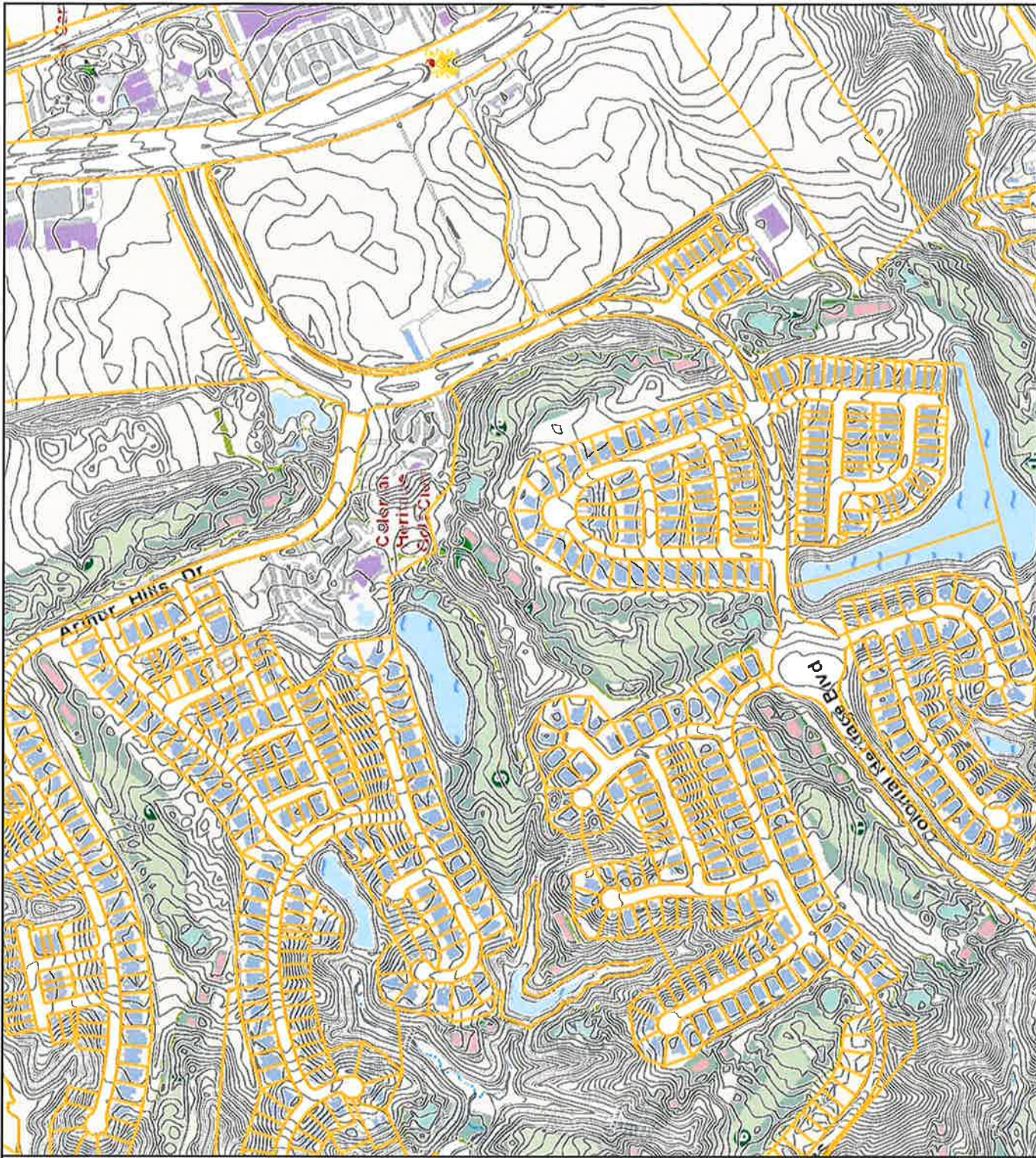
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James City County, Virginia

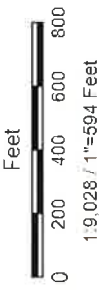
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- Parcels
- Contours



Title:

Date: 2/28/2020



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