

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 24, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE V, DISTRICTS, BY AMENDING DIVISION 3, LIMITED RESIDENTIAL DISTRICT, R-1, SECTION 24-232, USE LIST; DIVISION 4, GENERAL RESIDENTIAL DISTRICT, R-2, SECTION 24-252, USE LIST; 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; DIVISION 6, MULTIFAMILY RESIDENTIAL DISTRICT, R-5, SECTION 24-305, USE LIST; DIVISION 7, LOW DENSITY RESIDENTIAL DISTRICT, R-6, SECTION 24-328 PERMITTED USES AND SECTION 24-329 USES PERMITTED BY SPECIAL USE PERMIT ONLY; DIVISION 14, PLANNED UNIT DEVELOPMENT DISTRICTS, PUD, SECTION 24-493, USE LIST; DIVISION 15, MIXED USE, MU, SECTION 24-518, USE LIST; AND DIVISION 17, ECONOMIC OPPORTUNITY, EO, SECTION 24-536.4, USE LIST.

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 V, Districts, by amending Division 3, Limited Residential District, R-1, Section 24-232, Use list; Division 4, General Residential District, R-2, Section 24-252, Use list; 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; Division 6, Multifamily Residential District, R-5, Section 24-305, Use list; Division 7, Low Density Residential District, R-6, Section 24-238, Permitted uses and Section 24-329 Uses permitted by special use permit only; Division 14, Planned Unit Development Districts, PUD, Section 24-493, Use List; Division 15, Mixed Use, MU, Section 24-518, Use list; and Division 17, Economic Opportunity, EO, Section 24-536.4 Use List.

**Chapter 24. Zoning**

**Article V. Districts**

**Division 3. Limited Residential District, R-1**

**Sec. 24-232. Use list.**

In the limited residential district, R-1, structures to be erected or land to be used, shall be for the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Commercial Uses	Community recreation facilities, including parks, playgrounds, clubhouses, boating facilities, <del>swimming pools, ball fields, tennis courts, and other similar recreation facilities</del> and athletic facilities including but not limited to swimming pools, ball fields, tennis courts, and other similar recreation facilities which are primarily used by residents of the neighborhood within which the facility is located.	P	
	Community recreation facilities, including parks, playgrounds, clubhouses, boating facilities, and athletic facilities including but not limited to swimming pools, ball fields, tennis courts, and other similar recreation facilities which include the recurring use by a team, organization, or other entity who are not primarily residents of the neighborhood within which the facility is located.		SUP

#### Division 4. General Residential District, R-2

##### Sec. 24-252. Use list.

In the general residential district, R-2, structures to be erected or land to be used, shall be for the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Commercial Uses	Community recreation facilities, including parks, playgrounds, clubhouses, boating facilities, <del>swimming pools, ball fields, tennis courts, and other similar recreation facilities</del> and athletic facilities including but not limited to swimming pools, ball fields, tennis courts, and other similar recreation facilities which are primarily used by residents of the neighborhood within which the facility is located.	P	
	Community recreation facilities, including parks, playgrounds, clubhouses, boating facilities, and athletic facilities including but not limited to swimming pools, ball fields, tennis courts, and other similar recreation facilities which include the recurring use by a team, organization, or other entity who are not primarily residents of the neighborhood within which the facility is located.		SUP

### Division 4.1. Residential Redevelopment District, R-3

#### Sec. 24-273.2. Use list.

In the residential redevelopment district, R-3, structures to be erected or land to be used, shall be for the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Commercial Uses	Community recreation facilities, including parks, playgrounds, clubhouses, boating facilities, <del>swimming pools, ball fields, tennis courts, and other similar recreation facilities</del> and athletic facilities including but not limited to swimming pools, ball fields, tennis courts, and other similar recreation facilities which are primarily used by residents of the neighborhood within which the facility is located.	P	
	Community recreation facilities, including parks, playgrounds, clubhouses, boating facilities, and athletic facilities including but not limited to swimming pools, ball fields, tennis courts, and other similar recreation facilities which include the recurring use by a team, organization, or other entity who are not primarily residents of the neighborhood within which the facility is located.		SUP

### Division 5. Residential Planned Community District, R-4

#### Sec. 24-281. Use list.

In the residential planned community district, R-4, structures to be erected or land to be used, shall be for the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Commercial Uses	Parks, playgrounds, golf courses, <del>tennis courts, swimming pools and other public or private recreational facilities</del> and athletic facilities including but not limited to swimming pools, ball fields, tennis courts, and other similar recreation facilities public or private, which are primarily used by residents of the neighborhood within which the facility is located.	P	
	Parks, playgrounds, golf courses, and athletic facilities including but not limited to swimming pools, ball fields, tennis courts, and other similar recreation facilities public or private, which include the recurring use by a team, organization, or other entity who are not primarily residents of the neighborhood within which the facility is located.		SUP

### Division 6. Multifamily Residential District, R-5

#### Sec. 24-305. Use list.

In the multifamily residential district, R-5, structures to be erected or land to be used, shall be for the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Commercial Uses	Community recreation facilities, including parks, playgrounds, clubhouses, boating facilities, <del>swimming pools, ball fields, tennis courts, and other similar recreation facilities</del> and athletic facilities including but not limited to swimming pools, ball fields, tennis courts, and other similar recreation facilities which are primarily used by residents of the neighborhood within which the facility is located.	P	
	Community recreation facilities, including parks, playgrounds, clubhouses, boating facilities, and athletic facilities including but not limited to swimming pools, ball fields, tennis courts, and other similar recreation facilities which include the recurring use by a team, organization, or other entity who are not primarily residents of the neighborhood within which the facility is located.		SUP

### Division 7. Low Density Residential District, R-6

#### Sec. 24-328. Permitted uses.

In the low density residential district, R-6, structures to be erected or land to be used shall be for the following uses:

Community recreation facilities, including parks, playgrounds, clubhouses, boating facilities, ~~swimming pools, ball fields, tennis courts, and other similar recreation facilities~~ and athletic facilities including but not limited to swimming pools, ball fields, tennis courts, and other similar recreation facilities which are primarily used by residents of the neighborhood within which the facility is located.

#### Sec. 24-329. Uses permitted by special use permit only.

In the low density residential, R-6, buildings to be erected or land to be used for the following or similar uses shall be permitted only after the issuance of a special use permit by the board of supervisors:

Community recreation facilities, including parks, playgrounds, clubhouses, boating facilities, and athletic facilities including but not limited to swimming pools, ball fields, tennis courts, and other similar recreation facilities which include the recurring use by a team, organization, or other entity who are not primarily residents of the neighborhood within which the facility is located.

### Division 14. Planned Unit Development Districts, PUD

#### 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
Commercial Uses	Community recreation facilities, including parks, playgrounds, clubhouses, boating facilities, <del>swimming pools, ball fields, tennis courts, and other similar recreation facilities</del> and athletic facilities including but not limited to swimming pools, ball fields, tennis courts, and other similar recreation facilities which are primarily used by residents of the neighborhood within which the facility is located.	P	
	Community recreation facilities, including parks, playgrounds, clubhouses, boating facilities, and athletic facilities including but not limited to swimming pools, ball fields, tennis courts, and other similar recreation facilities which include the recurring use by a team, organization, or other entity who are not primarily residents of the neighborhood within which the facility is located.		SUP

### Division 15. Mixed Use, MU

#### Sec. 24-518. Use list.

In the mixed use districts, 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
Commercial Uses	Community recreation facilities, public or private, including parks, playgrounds, clubhouses, boating facilities, <del>swimming pools, ball fields, tennis courts, and other similar recreation facilities</del> and athletic facilities including but not limited to swimming pools, ball fields, tennis courts, and other similar recreation facilities which are primarily used by residents of the neighborhood within which the facility is located.	P	
	Community recreation facilities, public or private, including parks, playgrounds, clubhouses, boating facilities, and athletic facilities including but not limited to swimming pools, ball fields, tennis courts, and other similar recreation facilities which include the recurring use by a team, organization, or other entity who are not primarily residents of the neighborhood within which the facility is located.		SUP

**Division 17. Economic Opportunity, EO**

**Sec. 24-536.4 Use list.**

In the economic opportunity districts, 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
Commercial Uses	Community recreation facilities, public or private, including parks, playgrounds, clubhouses, boating facilities, <del>swimming pools, ball fields, tennis courts, and other similar recreation facilities</del> and athletic facilities including but not limited to swimming pools, ball fields, tennis courts, and other similar recreation facilities which are primarily used by residents of the neighborhood within which the facility is located.	P	
	Community recreation facilities, public or private, including parks, playgrounds, clubhouses, boating facilities, and athletic facilities including but not limited to swimming pools, ball fields, tennis courts, and other similar recreation facilities which include the recurring use by a team, organization, or other entity who are not primarily residents of the neighborhood within which the facility is located.		SUP

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Michael J. Hipple  
Chairman, Board of Supervisors

ATTEST:

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Teresa J. Saeed  
Deputy Clerk to the Board

	VOTES				
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>	
SADLER	_____	_____	_____	_____	
ICENHOUR	_____	_____	_____	_____	
MCGLENNON	_____	_____	_____	_____	
LARSON	_____	_____	_____	_____	
HIPPLE	_____	_____	_____	_____	

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of May, 2023.

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