

ORDINANCE NO. _____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 19, SUBDIVISIONS, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE II, PROCEDURES AND DOCUMENTS TO BE FILED, BY AMENDING SECTION 19-27, PRELIMINARY PLAN - SUBMITTAL REQUIREMENTS; AND BY AMENDING ARTICLE III - REQUIREMENTS FOR DESIGN AND MINIMUM IMPROVEMENTS, BY ADDING SECTION 19-73.1, STREET TREES

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 II, Procedures and Documents to be Filed, by amending Section 19-27, Preliminary plan - Submittal requirements; and amend Article III - Requirements for Design and Minimum Improvements by adding Section 19-73.1, Street trees.

Chapter 19. Subdivisions

Article II. Procedures and Documents to be Filed

Section 19-27. Preliminary plan - Submittal requirements.

(q) For proposed major subdivisions and multifamily subdivisions, a landscape plan showing street trees per section 19-73.1 street trees, and any applicable requirements of article II, division 4 of the zoning ordinance.

Article III. Requirements for Design and Minimum Improvements

Section 19-73.1. Street trees.

Street trees shall meet the following requirements:

- a) In all major subdivisions, deciduous shade trees shall be planted as street trees along all rights-of-way within the subdivision. Such trees shall be located within a five-foot (5') landscape preservation easement contiguous to such right-of-way. Where located within an easement, the subdividing landowner shall dedicate the easement together with a maintenance easement to the property owners' association or other entity approved by the agent and county attorney. Street trees may also be located within the right-of-way. When located within the right-of-way the trees will need to meet any applicable VDOT standards and maintenance provisions. Street trees should only be located within the right-of-way when topographic, utility or other constraints prohibit the landscape preservation easement from being located adjacent to the right-of-way.*
- b) The easement or right-of-way shall contain at a minimum, one (1) tree planted approximately every forty feet (40').*
- c) All trees planted to meet this requirement shall have a minimum caliper of one and one half inch (1-1/2") and conform to the provisions of section 24-94 of the zoning ordinance. Existing trees within the landscape preservation easement that are protected and preserved in accordance with the standards contained in the zoning ordinance may be used to satisfy the planting requirement.*
- d) All street trees shall be deciduous shade trees that are native species or street trees commonly planted in James City County and adaptive to the soils and climate of James City County. If an applicant wishes to substitute the required shade trees with an evergreen or ornamental tree, a landscape modification request form referenced in section 24-91 of the zoning ordinance may be submitted for consideration by the planning director.*
- e) Installation. Unless otherwise approved by the director of planning or his designee plantings shall occur between September and February while the plant materials are dormant. Installation shall be guaranteed in accordance with article IV of this chapter.*