



County of King William, Virginia

**PLANNING COMMISSION MEETING**

**JULY 5, 2022 – 7:00 P.M.**

**KING WILLIAM COUNTY ADMINISTRATION BUILDING  
KING WILLIAM, VIRGINIA**

1. Call to Order
2. Roll Call
3. Review and Adoption of Meeting Agenda
4. Review and Approval of Minutes:
  - a. June 7, 2022
  - b. June 23, 2022
5. Public Comment Period – Speakers: *One opportunity of 3 minutes per individual or 5 minutes per Group on Non-Public Hearing Matters*
6. Old Business
  - a. Subdivision and Zoning Ordinance
7. New Business
  - a. Election of New Chairperson
8. Staff and/or Special Committee Reports
  - a. Edmunds Reports provided by Christina Grover
  - b. Violation Logs
  - c. Commissioner Comments
9. Adjournment

ITEM 4 APPROVAL OF MINUTES

JUNE 7, 2022

JUNE 23, 2022



**MINUTES  
KING WILLIAM COUNTY  
PLANNING COMMISSION  
REGULAR MEETING OF JUNE 7, 2022**

A regular meeting of the Planning Commission of King William County, Virginia, was held on the 7<sup>th</sup> day of June 2022, beginning at 7:00 p.m. in the King William County Board Room of the Administration Building and via Zoom.

**Agenda Item 1. CALL TO ORDER**

The meeting was called to order by Chairman John Breeden at 7:00 p.m.

**Agenda Item 2. ROLL CALL**

**The members were polled:**

Matt Sluder	Aye
Bonnie Hite	Aye
Don Wagner	Aye
Stephen Greenwood	Aye (Zoom)
John Breeden	Aye

Also in Attendance:

Sherry Graham, Director of Planning  
Barbara Trimmer, Planning Secretary

**Agenda Item 3. REVIEW AND ADOPTION OF MEETING AGENDA**

Chairman Breeden requested a motion to adopt the meeting agenda. Mr. Wagner moved for the adoption of the June 7, 2022, meeting agenda; Ms. Hite seconded motion.

**The vote was unanimous on this motion.**

#### **Agenda Item 4. REVIEW AND APPROVAL OF MINUTES**

There were no amendments to the May 3, 2022, minutes. Chairman Breeden requested a motion to approve the minutes as presented. A motion was made by Ms. Hite and seconded by Mr. Sluder.

**The vote was unanimous on this motion.**

#### **Agenda Item 5. PUBLIC COMMENT PERIOD**

The Chairman opened the floor for public comments.

Ms. Sybil Rose spoke on issues that she is having with an adjacent kennel and would like for the Planning Commission to re-visit the ordinance.

There being no one else requesting to speak, the Public Comment Period was closed.

#### **Agenda Item 6a. PUBLIC HEARING – CUP 01-22 CHARLES SNEAD**

Mr. Charles Snead request a conditional use permit in order to operate a campground on his property located at 281 Roane Oak Trail. The campground would consist of four platformed campsites, a larger platformed gazebo, six recreation vehicle sites, a primitive tent camping area and nine additional camp sites. Mr. Snead is also proposing to have a check-in office, dump station, guesthouse, bath house with a laundry, boathouse, a large and small gazebo. Ms. Graham presented the case to the Planning Commission and informed the members that this property currently operates a B & B with a maximum occupancy of eight, and one camping areas with a maximum occupancy of six. There are also additional recreational facilities that people use daily. The Planning Department has received numerous complaints about the noise and traffic coming from the applicant's property. If the Planning Commission recommends approval, staff recommends that the thirteen conditions outlined in the memo be added as part of the approval process.

Mr. Snead presented his case to the Planning Commission along with a power point. He stated that his business was seasonal from May until October. Mr. Snead also discussed his previous cup request for a campground in 2017 which he withdrew. Mr. Snead did not agree with the following conditions:

- 2) Necessary safeguards such as noise levels from amplified noise, fireworks, gunfire, explosions, ATV's will be prohibited for the protection of surrounding property, persons, and the neighborhood values.

Mr. Snead would like to use his own ATV for the operation but not permit any guests to use ATV's.

- 5) The owner is required to have a separate entrance for guests and not use the existing shared private lane “Roane Oak Trail” with the residents that live and have property on Roane Oak Trail.

Mr. Snead stated that VDOT will not permit a second entrance but that he could widen the entrance to 36’ and only use 140’ of Roane Oak Trail.

- 6) The property shall have a maximum capacity of fifty (50) people on the property at one time, including without limitation guests, invitees, owners, contractors, and other persons.

Mr. Snead stated that fifty people is not feasible and would like two hundred people.

- 11) There shall be no outdoor use of amplified music or sound.

Mr. Snead request clarity on this condition.

The Planning Commission members asked questions about the violation letters that have been sent to Mr. Snead.

Chairman Breeden opened the Public Hearing. The following people spoke in opposition of the request:

Lisa Mason, 392 Roane Oak Trail: Ms. Mason discussed the issues with the guest house, handicapped parking, not having 200’ to any property line, landscaping, the pond and trails, septic system issues, and easement. The road maintenance agreement and any improvements can only be made by a majority vote. She discussed the music that comes from Mr. Snead’s property and thought that there is supposed to be no music unless a special event permit had been obtained. She stated that the music is not buffered.

Peter Mason, 392 Roane Oak Trail: Mr. Mason opposes the application and discussed the structures that have been constructed without obtaining any permits. Mr. Mason would like for the Planning Commission to put the applicant on a five-year probationary period.

Richard Meador, 230 Roane Oak Trail: Mr. Meador complained about the traffic and the number of people coming down there.

Victor Einarsson, 397 Roane Oak Trail: Mr. Einarsson complained about the music and stage shows. He also stated that Mr. Snead advertises as a 2-star hotel. Mr. Einarsson also discussed the violations from 2016 through 2022 and the easement agreement.

Tom Davidson, 15271 River Road: Mr. Davidson complained about the noise and the violations on Mr. Snead’s property.

Jeremy Shupe, 580 Roane Oak Road: Mr. Shupe complained about the traffic on the road and having people turning around in his driveway, speeding up and down the road and throwing trash out.

Leon Wainwright, 177 Roane Oak Road: Complained about the traffic and safety issues.

Tracy Wainwright Carrollton, 27485 King Willian Road: Ms. Carrollton grew up at 177 Roane Oak Road and discussed what is advertised on the applicant's website and has issues with the proposed campground.

A letter of opposition was received by Mr. Barber and was read by Mr. Sluder.

A petition with 20 signatures of people in opposition was also submitted to the Planning Commission.

There being no one further to speak, the Public Hearing was closed. A discussion was held among the Planning Commission members.

Chairman Breeden requested a motion to recommend approval or denial of CUP-01-22. Mr. Wagner made a motion, seconded by Mr. Sluder to recommend that the Board deny the request for a conditional use permit for a campground, and further, that based on the years of abuse of the neighboring property owners, the Board cancel all current permits held by Mr. Snead for the Bed and Breakfast, campground, and any and all other uses of parcel 29-72D except for the previous use of the property as a residence, therefore, allowing the adjacent owners to live in peace and tranquility of their rural property that they sought when purchasing their property.

**Members were polled:**

Mr. Hite	Aye
Mr. Wagner	Aye
Mr. Greenwood	Nay
Mr. Sluder	Aye
Mr. Breeden	Aye

**The vote carried 4 to 1.**

**Agenda Item 7. OLD BUSINESS**

7.a Subdivision and Zoning Ordinance

The Planning Commission discussed possible changes to the Subdivision and Zoning Ordinance and will also look at the light industrial and table of permitted uses and the PUD ordinances of other counties. A work session will be held on June 23, 2022.

Ms. Graham gave a brief update on the Sweet Sue solar project.

**Agenda Item 8. NEW BUSINESS**

None

**Agenda Item 9. STAFF AND COMMITTEE REPORTS**

Reports were given to the Commission members at the meeting.

**Agenda Item 10. ADJOURNMENT**

There being no further business, Chairman Breeden adjourned the meeting at 10:00 p.m.

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**John Breeden, Chairman**

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**Sherry Graham, Commission Secretary**

**MINUTES  
KING WILLIAM COUNTY  
PLANNING COMMISSION  
WORK SESSION OF JUNE 23, 2022**

A work session of the Planning Commission of King William County, Virginia, was held on the 23<sup>rd</sup> day of June 2022, beginning at 7:00 p.m. in the King William County Board Room of the Administration Building and via Zoom.

**Agenda Item 1. CALL TO ORDER**

The meeting was called to order by Chairman John Breeden at 7:00 p.m.

**Agenda Item 2. ROLL CALL**

**The members were polled:**

Matt Sluder	Aye
Bonnie Hite	Aye
Don Wagner	Aye
Stephen Greenwood	Aye
John Breeden	Aye

Also in Attendance:

Percy Ashcraft, County Administrator  
Sherry Graham, Director of Planning  
Christina Grover, Zoning Administrator (Zoom)  
Barbara Trimmer, Planning Secretary

**Agenda Item 3. DISCUSSION OF SUBDIVISION AND ZONING ORDINANCE**

The members of the Planning Commission discussed the proposed changes to sections of the Subdivision and Zoning Ordinance. Changes from the June 7<sup>th</sup> meeting were discussed. 2(a) of the Cluster Subdivision was added by in and under 2(b) the lot size for lots not served by public water or sewer was changed to 60,000 square feet.

Under modifications to front yard, verbiage needed to be added that the accessory structure would not be located directly in front of the dwelling.

Landscaping was also discussed.

The Commission members will also look at Hanover's and adjacent county light industrial use, special events, event venues and temporary sales.

The Planning Commission will hold a work session with the Board of Supervisors on July 20, 2022, at 7:00 p.m. We will try to have Renee Robinson with Hanover and King William Habitat for Humanity come and speak on affordable housing.

**Agenda Item 9. ADJOURNMENT**

There being no further business, the meeting adjourned at 8:56 p.m.

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**John Breeden, Chairman**

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**Sherry Graham, Commission Secretary**

ITEM 5 SUBDIVISION & ZONING ORDINANCE  
DISCUSSED CHANGES WITH PROPOSED WORDING

# Review of Zoning and Subdivision Ordinances Adopted September 27, 2021

## Division 2 – Primary Zoning District Yard, Height, and Bulk Requirements

### Section 86-136. TCO Transportation Corridor Overlay District. (page 84)

6. Building exteriors. Building exteriors visible from U.S. Highway 360 or State Highway 30 shall consist of brick, stone, or hardi-plank siding unless approved by the Zoning Administrator approved by the Planning Commission prior to zoning approval.

## ARTICLE VIII: USE AND DESIGN STANDARDS

### Division 1 – Agricultural Uses (page 106)

#### Section 86-151.1

##### Agriculture, private use

Private stables and other facilities used for keeping horses or livestock shall be at least 100 feet from all property lines and at least 300 feet from any adjacent property owner's residence.

Private stables and other facilities used for keeping horses or livestock must be located on a lot in the agricultural or rural residential zoning district that is at least five acres in size. On a five-acre lot in the agricultural or rural residential zoning district, there may be up to a total of two of any of the following animals: horses, ponies, cows, or a total of five of any of the following animals; sheep, goats, swine, llamas, or alpacas. For every acre in addition to the first five acres, there may be a total of one additional; horse, pony, cow, or a total of three sheep, goats, swine, llamas, or alpacas. This limitation does not apply to lots ten acres or larger in an agricultural-conservation zoning district.

Poultry, including fowl, ducks, and other birds kept for the production of eggs for domestic consumption, specifically excluding roosters, geese, guinea fowls, turkeys and peafowl, may be permitted in the R-1 Suburban-Residential zoning on parcels less than five acres in size provided there are no more than ten birds per parcel as a by-right use, however, the birds must be kept in a coop and shall not be permitted to free-range. In order to have more than ten birds and/or any roosters, geese, guinea fowls, turkeys and peafowl, a conditional use permit shall be required. Any coop housing the birds must be located a minimum of 100 feet from the adjacent property line and at least 300 feet from any adjacent property owner's residence. No coop or pen housing the birds shall be located in the front yard.

## ARTICLE XVIII: SUBDIVISIONS

### Section 86-438. Exempt Subdivisions. (page 194)

- c. Every lot abuts an existing **primary or** secondary highway.

Note: Under the new ordinance, Single lot, Minor residential, Farmstead, allow access to a primary or secondary highway

2. Any further subdivision of a previously exempted lot pursuant to this exemption shall constitute a major subdivision **except for family divisions** and shall be subject to all applicable governing ordinances and requirements.

### Section 86-456. Cluster subdivisions (page 202)

2. Improvements. Cluster subdivisions shall comply with all requirements outlined in Section 86-454 in this Ordinance, with the following modifications:

- a. Number of lots. **In calculating the total number of lots allowed** Cluster Subdivisions are allowed one lot per 5 acres.
- b. Lot area. Lots shall have a minimum lot size of 15,000 sf for lots served by both water and sewer, 20,000 sf if lots are served by public water or public sewer only, and ~~30,000~~ **60,000** sf if the lot is not served by either public water or sewer.

### Modifications to front yard regulations. (page 73)

**Accessory buildings and structures shall not be constructed in a front yard on a lot that is less than five acres. An accessory building may be constructed in a front yard on a lot that is five acres or more provided that the requirements for front yard setbacks in Article VI , Division 2, Sec 86-110 are met and the size of the accessory structure does not exceed 50% of the first floor area of the main dwelling, and not located directly in front of the primary dwelling, and in conformity with all other applicable provisions of this ordinance**

#### Division 2 – Residential Uses

### Section 86-154. Accessory dwelling unit. (page 107)

3. An accessory dwelling that is detached shall be no more than 800 gross square feet **unless a conditional use permit has been approved.**

#### Division 6 – Miscellaneous Uses (page 124)

### Section 86-245. Kennel, private.

All private kennels must:

1. Provide a setback of at least 100 feet from the property lines;
2. Provide a setback of at least 300 feet from any residence not on the associated parcel;
3. Provide screening that is approved by the Zoning Administrator that visually blocks the front and closest side property lines.

### **Special Events and Event Venues**

Definition of Special Event: *Special event* means circuses, fairs, carnivals, festivals, weddings, family reunions or other types of special events that:

1. Run for no longer than two weeks
2. Are intended to or likely to attract substantial crowds
3. Are unlike the customary or usual activities generally associated with the property where the special event is to be located. (page 37)

Definition of Event Venue: *Event venue* means a location that hosts affairs, including but not limited to, banquets, dinners, parties, weddings and the like for up to three consecutive days, for which attendance is permitted only by invitation or reservation. (page 21)

#### **Sec. 86-191. Event venue. (page 115)**

Event venues shall comply with the following general standards:

1. Structures used for an event in whole or in part and requiring a building permit by King William County must have a valid certificate of occupancy prior to use.
2. The minimum yard setbacks for the district shall apply to all structures, including but not limited to, tents and portable toilets that are used in whole or in part for the event.
3. Parking may be provided on a pervious or impervious surface. If the parking area is on grass or in a field, the applicant shall reseed or restore the parking area within 30 days of the event.
4. The private water supply and onsite sewage system serving the event shall be approved by the Virginia Department of Health.
5. Temporary improvements to accommodate the event, such as but not limited to tents and portable toilets, must be removed within 48 hours of the event's cessation.
6. Signs advertising the event must comply with the sign article of this ordinance.
7. Lighting for the event must comply with the exterior lighting standards article of this ordinance.
8. There shall be no outdoor use of amplified sound later than 9:00 p.m. on Sundays through Thursdays or later than 10:00 p.m. on Fridays or Saturdays.
9. The Zoning Administrator must be notified at least 30 days prior to each event.

An event venue is permitted with approval of a CUP. The matrix does not address special events.

### **Temporary Sales**

Under the old ordinance:

Temporary stands, or outdoor areas for sale of Christmas trees, and the like. (Permitted in B-1, B-2, M, and in the A-C district ~~with approval of a CUP~~. **not to exceed ninety (90) days**.)

Temporary stands for sale of fireworks not to exceed **fourteen** ~~ten~~ days per calendar year. (Permitted in B-1 and B-2)

Temporary open-air stands for seasonal sales of products raised on the premises. (Permitted in A-C, B-1, B-2, and M)

### **Landscaping, Article XI, (page 136)**

A copy of the new ordinance attached for discussion.

ITEM 5 SUBDIVISION & ZONING ORDINANCE  
DEFINITIONS (INDUSTRY, SPECIAL EVENT)  
INTENT OF THE I – INDUSTRIAL DISTRICT

## King William County Zoning and Subdivision Ordinance

that such related facility must be incidental and subordinate to the main use and must be an integral part of the hospital operations.

- *Hotel* also referred to as a motel or motor lodge; means a building or group of attached or detached buildings containing lodging units intended primarily for rental or lease to transients by the day, week, or month. Such uses generally provide additional services such as daily maid service, restaurants, meeting rooms, and/or recreation facilities.
- *Hunt camp* means an area of a property devoted to the temporary, seasonal use for a camp dedicated for hunting that often includes a structure for sleeping, but not for permanent use. The structure may or may not include such features as a kitchen, indoor plumbing, and other amenities found in a typical dwelling unit. A hunt camp may include facilities such as private kennels or pens.
- *Impervious cover* means a surface composed of any material that significantly impedes or prevents natural infiltration of water into the soil. Impervious surfaces include, but are not limited to; roofs, buildings, streets, parking areas, and any concrete, asphalt, or compacted gravel surface.
- *Industry, heavy*, means manufacturing with significant external effects, or which pose significant risks due to the involvement of explosives, radioactive materials, poisons, pesticides, herbicides, or other hazardous materials in manufacturing or other processes
- *Industry, light*, means processing, manufacturing, compounding, assembly, packaging, treatment or fabrication of materials and products, from processed or previously manufactured materials. Light industry is capable of operation in such a manner as to control the external effects of the manufacturing process, such as smoke, noise, soot, dirt, vibration, odor, and the like. Uses may include, but are not limited to, a machine shop, the manufacturing of apparel, electrical appliances, electronic equipment, camera and photographic equipment, ceramic products, cosmetics and toiletries, business machines, paper products (but not the manufacture of paper from pulpwood), musical instruments, medical appliances, tools or hardware, plastic products (but not the processing of raw materials), pharmaceuticals or optical goods, bicycles, any other product of a similar nature.
- *Industry, medium*, means goods which are generally mass produced from raw materials on a large scale through the use of an assembly line or similar process, usually for sale to wholesalers or other industrial or manufacturing uses. Medium industry produces moderate external effects such as smoke, noise, soot, dirt, vibration, odor, and the like.
- *Intersection means* the area embraced within the prolongation of the lateral boundary lines of two or more streets which join one another at an angle whether or not one such street crosses the other.
- *Junkyard* means any area of land lying within 100 feet of a state highway or more than 200 square feet of land area in any location used as an establishment or place of business which is maintained, operated or used for storing, keeping, buying or selling junk, and the term includes garbage dumps and sanitary fills.
- *Kennel, commercial* means any location where raising, grooming, caring for, or boarding of dogs, cats, or other small animals for commercial purposes is conducted.
- *Kennel, private* means keeping of five or more dogs which are all owned and licensed by a single owner and kept on the same property.
- *Land disturbance or land disturbing activity* means any activity which may result in soil erosion or the movement of sediments including grubbing, grading, excavating, utility line installation, or any surface preparation for the support of development or redevelopment, but not including silvicultural or agricultural activities
- *Landscaping* means the improvement of the appearance of an area by the planting of trees, grass, shrubs, or other plant or related materials.

## King William County Zoning and Subdivision Ordinance

an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an imaginary enclosure of no more than six cubic feet and (ii) all other wireless equipment associated with the facility has a cumulative volume of no more than 28 cubic feet, or such higher limit as is established by the Federal Communications Commission. The following types of associated equipment are not included in the calculation of equipment volume: electric meter, concealment, telecommunications demarcation boxes, back-up power systems, grounding equipment, power transfer switches, cut-off switches, and vertical cable runs for the connection of power and other services (Code of Virginia §15.2-2316.3).

- *Small-scale conversion of biomass* means the conversion of any renewable biomass into heat, power, or biofuels (Code of Virginia §15.2-2288.01).
- *Soils, highly erodible* means (excluding vegetation) with an erodibility index (EI) from sheet and rill erosion equal to or greater than eight. The erodibility index for any soil is deemed as the product of the formula  $RKLS/T$ , where K is the soil susceptibility to water erosion in the surface layer; R is the rainfall and runoff; LS is the combined effects of slope length and steepness; and T is the soil loss tolerance.
- *Soils, highly permeable* means soils with a given potential to transmit water through the soil profile. Highly permeable soils are identified as any soil having a permeability equal to or greater than six inches of water movement per hour in any part of the soil profile to a depth of 72 inches (permeability groups "rapid" and "very rapid") as found in the latest edition of the "National Soil Survey Handbook" of November 1996, in the "Field Office Technical Guide" of the U.S. Department of Agriculture, Natural Resources Conservation Service.
- *Solar facility, medium-scale* means a facility that generates electricity from sunlight primarily to reduce onsite consumption of utility power for commercial and industrial applications. Sites are between one to three acres with a maximum capacity of 999 kilowatts.
- *Solar facility, roof* means a system consisting of solar panels, modules, accessory structures and related equipment (e.g., heat exchanger, pipes, inverter, wiring, storage) that collects solar energy and converts it into heat and/or electricity in which the solar panels are located on the roof of a residential dwelling unit (Code of Virginia §15.2-2288.7).
- *Solar facility, small-scale* means a facility that either: (a) generates less than 15 kilowatts electricity from sunlight, consisting of one or more Photovoltaic (PV) systems and other appurtenant structures and facilities within the boundaries of the site; or (b) utilizes sunlight as an energy source to heat or cool buildings, heat or cool water, or produce electrical or mechanical power by means of any combination of collecting, transferring, or converting solar-generated energy; and (c) meets at least one of the following criteria: has a disturbance zone equal to or less than an acre; is mounted on or over a building, parking lot, or other previously disturbed area; or utilizes integrated PV only.
- *Solar facility, utility-scale* means a facility that generates electricity from sunlight which will be used to provide electricity to a utility provider. Sites are generally over two acres and have a capacity in excess of one megawatt.
- *Solid waste* means any garbage, refuse, sludge and other discarded material, including solid, liquid, semisolid or contained gaseous material, resulting from industrial, commercial, mining and agricultural operations and from community activities.
- *Special event* means circuses, fairs, carnivals, festivals, weddings, family reunions or other types of special events that:
  1. Run for no longer than two weeks
  2. Are intended to or likely to attract substantial crowds

## King William County Zoning and Subdivision Ordinance

3. Are unlike the customary or usual activities generally associated with the property where the special event is to be located.
- *Special exception* means a special use exception, yard exception or height exception specifically listed in this ordinance that is a use not permitted in a particular district except by a conditional use permit granted under the provisions of this ordinance.
  - *Specialty food shop* means the use of land, such as a coffee, candy, or ice cream shop, where the primary client consumption is off-site with limited seating and the product is limited to one type or line of food service and the food preparation is such that:
    1. All odors must be contained within the establishment and specialized equipment may be required to contain the odors;
    2. It does not involve “cooking” but the application of heat, by microwave or the boiling of water for beverages, shall not be considered “cooking” for purposes of this definition; and
    3. No open flame heat source is used.
  - *Specialty shop* means a small-scale (less than 2,500 square feet per business) retail use which offers for sale items of art or crafts, or which offers for sale items related to a specific theme, such as kitchen wares and pet care.
  - *Stable, commercial* means the sheltered boarding of horses or ponies, or other livestock, for a revenue generating purpose. Included in this definition are horse riding academies and horse, or livestock, grooming operations.
  - *Stable, private* means the keeping, breeding, or raising of horses or ponies, or other livestock, exclusively for the personal use and enjoyment of the owner or occupant of the property or the riding of horses or ponies by the owner or occupant of the property and their guests.
  - *Stockyard* means a facility intended for the keeping and storing of livestock in association with a slaughterhouse or abattoir.
  - *Store, general.* See *General retail*.
  - *Store, grocery* means a retail business primarily engaged in the sale of unprepared food for personal or household preparation and consumption. Such a facility may engage in incidental sales of prepared foods for personal consumption on-or off-site.
  - *Store, neighborhood convenience* means an establishment primarily engaged in the provision of frequently or recurrently needed goods for household consumption, such as prepackaged food and beverages, and limited household supplies and hardware. Convenience stores shall not include fuel pumps or the selling of fuel for motor vehicles. Typical uses include neighborhood markets and country stores.
  - *Story* means that portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between such floor and the ceiling next above it. For the purpose of height measurement for any building other than a detached single-family dwelling, a basement shall be counted as a story if its ceiling is five feet above the level from which the height of the building is measured.
  - *Story, half,* means a partial story under a gable, hip, or gambrel roof, the wall plates of which on at least two opposite exterior sides are not more than two feet above the floor of such story; provided, however, that any such story used as a separate dwelling unit, by other than a janitor or other employee and his family, shall be counted as a full story.
  - *Street* means a public or private thoroughfare which affords the principal means of access to abutting properties, and whether designated as a freeway, expressway, thoroughfare, highway, road, parkway, avenue, boulevard, lane, place, circle, or however otherwise designated.
  - *Street line (right-of-way line)* means a dividing line between a lot, tract, or parcel of land and a contiguous street, and also referred to as a right-of-way-line.

King William County Zoning and Subdivision Ordinance

envisioned as the major development style of this R-R district, although slightly higher densities are acceptable where public water is provided for larger subdivisions.

3. *Intent of the R-1 suburban residential district.* The R-1 district is to provide for higher residential development together with recreational facilities, public uses, and accessory uses as may be necessary or are normally compatible with residential surroundings. Since substantial tracts of vacant land are or may be included in the R-1 district, agricultural and open uses are permitted, but in general, urbanization is planned, and utilities and public services exist or are planned which will be adequate for the types of development contemplated. While a major purpose of the R-1 district is to protect and conserve areas of predominantly single-family detached residences, other types of residences may be permitted in order to provide for a wide spectrum of housing needs, provided that these new units are of generally compatible architectural character and are located on tracts of sufficient size so that necessary amenities can be provided and harmonious relationships between residences of different types ensured by means of careful planning and the process of subdivision plat review and approval.
4. *Intent of the B-1 local business district.* The B-1 district is to provide primarily for retail shopping and personal service uses, to be developed either as a unit or in individual parcels, and to serve the needs of families living in the County or the needs of the traveling public on the highways. To enhance the general character of the B-1 district, its function of local service, and its compatibility with its surroundings, the size of certain uses is limited.
5. *Intent of the B-2 general business district.* The B-2 district is to provide sufficient space in appropriate locations for a wide variety of commercial and light industrial activities, serving a wide area of the County and generally located in or near development centers where a mixture of commercial and service activity now exists or is planned, but which uses are not characterized by extensive warehousing, frequent heavy trucking activity, or the nuisance factors of dust, odor, and noise, associated with medium or heavy industrial activity.
6. *Intent of the I industrial district.* The I district is to provide for a wide variety of manufacturing, fabricating, processing, wholesale distributing and warehousing uses appropriately located for access by highways and providing a controlled environment within which signage is limited, uses are to be conducted generally within completely enclosed buildings, and a moderate amount of landscaping is required. In order to preserve the land for industry, to reduce extraneous traffic, and avoid future conflicts between industry and other uses, business and service uses are limited primarily to those which will be useful to employees in the I district and residential uses are restricted.

**Sec. 86-101—86-109. Reserved.**

**Division 2 – Primary Zoning District Yard, Height and Bulk Requirements**

**Sec. 86-110. Minimum site area and dimensional regulations for primary zoning districts**

TABLE OF MINIMUM SITE AREA AND DIMENSIONAL REGULATIONS FOR PRIMARY ZONING DISTRICTS						
	A-C	R-R	R-1	B-1	B-2	I
Minimum Lot Area						
	5-acres <sup>1</sup>	3-acres	Dependent upon public utilities <sup>2</sup>	N/A	N/A	N/A
Minimum Lot Depth (in feet)						

ITEM 5 SUBDIVISION & ZONING ORDINANCE

USE MATRIX

**ARTICLE VII: USE MATRIX**

**Sec. 86-140. Use matrix.**

1. The following table provides all use types and all zoning districts where the use type is permitted ("R") or permitted with approval of a conditional use permit ("C") in accordance with the requirements of this ordinance.
2. All uses listed in Tables 1 and 2 not specifically permitted ("R") or permitted with approval of a conditional use permit ("C") are prohibited.
3. Overlay Districts: Regardless of whether the use table lists a use type as permitted or permitted with approval of a conditional use permit, the use type shall be restricted or prohibited by the requirements of any overlay district.

**KING WILLIAM COUNTY USE MATRIX**

Uses by Category	A-C	R-R	R-1	B-1	B-2	I
<i>R = by-right use</i> <i>C = conditional use</i>						
<b>AGRICULTURAL</b>						
Abattoir	C					C
Agriculture	R	R				
Agriculture, intensive	R					
Agritourism	R					
Biomass	R					R
Conservation easement	R	R	R	R	R	R
Fish hatchery	R					
Forestry	R	R				R
Greenhouse, commercial	R			C	C	R
Greenhouse, private	R	R	R			
Livestock market	C					
Nursery	R			R	R	R
Sawmill, permanent	C					R
Sawmill, temporary	R					R
Small-scale conversion of biomass	R					R

King William County Zoning and Subdivision Ordinance

Uses by Category	A-C	R-R	R-1	B-1	B-2	I
Stable, commercial	R					
Stable, private	R	R	R			
Stockyard	C					C
Wayside stand	R			R	R	
Wildlife reservation	R					
Winery	R					
Wood yard	R					R
<b>RESIDENTIAL</b>						
Accessory dwelling unit	R	C	C			
Dwelling, attached single-family	C	C	R			
Dwelling, detached single-family	R	R	R			
Dwelling, manufactured home	R	R	R			
Dwelling, modular home	R	R	R			
Dwelling, multi-family		C	C			
Dwelling, townhouse	C	C	C			
Dwelling, two-family	C	C	R			
Family health care structure, temporary	R	R	R			
Group home	R	R	R			
Guesthouse	R					
Living quarters	R			R	R	
Manufactured home park		C				
<b>COMMERCIAL</b>						
Auction house				R	R	R
Automobile auction house					R	R
Automobile repair service					R	R

King William County Zoning and Subdivision Ordinance

Uses by Category	A-C	R-R	R-1	B-1	B-2	I
Automobile dealership					R	
Bed and breakfast	R	C		R		
Boarding house (Rooming house)	C			C	C	
Brewery or distillery					R	R
Brewpub or tasting room				R	R	R
Campground	C					
Camp, day or youth	C					
Camp, recreational	C					
Car wash				C	R	
Commercial indoor amusement				R	R	
Commercial indoor entertainment				R	R	
Commercial indoor sports and recreation					R	R
Commercial outdoor entertainment				C	C	R
Commercial outdoor sports and recreation	C			C	C	C
Commercial vehicle repair service					R	R
Consumer repair service				R	R	
Convalescent home				R	R	
Crematory				R	R	R
Day care center				R	R	
Equipment sales and rental					R	R
Event venue	C	C	C	C	C	
Extermination business					R	R
Family day home (5-12 individuals)	C	C	C			
Farm supply and service establishment					R	
Farmer's market	R			R	R	
Financial institution				R	R	

King William County Zoning and Subdivision Ordinance

Uses by Category	A-C	R-R	R-1	B-1	B-2	I
Flea market, indoor				R	R	
Flea market, outdoor					C	R
Funeral home	C			R	R	R
Garden center				R	R	
Gasoline station				R	R	
General retail				R	R	
Halfway house	C			C	C	
Home occupation, Type I	R	R	R			
Home occupation, Type II	C	C	C			
Hotel	C			C	C	
Kennel, commercial	C			C	C	R
Life care facility				R	R	
Manufactured home sales					R	R
Marina	C			C	C	
Mini-warehouse facility					R	R
Office, general				R	R	R
Office, medical				R	R	
Outdoor storage				C	C	R
Parking facility				C	R	R
Pawn shop				C	C	
Personal improvement services				R	R	
Personal services				R	R	
Recreational vehicle sales and service					R	R
Restaurant, drive-in				R	R	
Restaurant, fast food				R	R	
Restaurant, general				R	R	

King William County Zoning and Subdivision Ordinance

Uses by Category	A-C	R-R	R-1	B-1	B-2	I
Restaurant, mobile				R	R	R
Restaurant, small				R	R	
Shooting range, indoor				C	C	C
Shooting range, outdoor	C					
Shooting range, private	R	R				
Shopping center				R	R	
Short term business rental	R	C	C			
Specialty food shop	C			R	R	
Specialty shop				R	R	
Store, grocery					R	
Store, neighborhood convenience	C			R	R	
Taxidermy	C				R	R
Trade school	C			R	R	R
Veterinary hospital	C			R	R	R
Wholesale sales					R	R
<b>INDUSTRIAL</b>						
Industry, heavy						C
Industry, light					C	R
Industry, medium						R
Petroleum or chemical storage over 30,000 gallons						C
Petroleum or chemical storage up to 30,000 gallons						R
Power generation plant						C
Railroad facility						C
Research and development				R	R	R
Resource extraction	C					R
Salvage and scrap service						C

King William County Zoning and Subdivision Ordinance

Uses by Category	A-C	R-R	R-1	B-1	B-2	I
Sanitary landfill						C
Truck /freight terminal						R
Warehousing and distribution						R
<b>CIVIC</b>						
Community center			R	R	R	
Correctional institution						C
Cultural institution	C	C	C	R	R	C
Educational facility	C	C	C	R	R	
Emergency shelter	C			R	R	R
Governmental facility				R	R	R
Greenway	R	R	R	R	R	R
Hospital				R	R	
On-site sewage disposal	R	R	R	R	R	R
On-site water supply	R	R	R	R	R	R
Post office				R	R	R
Public assembly					C	C
Public maintenance and service facility					R	R
Public park and recreational area	R	R	R	R	R	R
Public recreation assembly	R	R	R	R	C	
Public water and sewer system	C	C	R	R	R	R
Recreation facility, public	C			C	R	
Recycling center					C	R
Refuse collection site						C
Religious assembly	R	R	R	R	C	C
Transfer station	R	R	R	R	R	R
Utility service, major	C	C	C	C	C	R

King William County Zoning and Subdivision Ordinance

Uses by Category	A-C	R-R	R-1	B-1	B-2	I
Utility service, minor	R	R	R	R	R	R
Water control structure	R	R	R	R	R	R
Water tower			R	R	R	R
<b>MISCELLANEOUS</b>						
Accessory structure	R	R	R	R	R	R
Airport or helipad	C					C
Bikeway	R	R	R	R	R	R
Boathouse	C	C	C	C	C	C
Boatshed	R	R	R	R	R	R
Cemetery	R	R		R	R	
Club, private	C			R	R	R
Country Club	C	C	C	C	C	
Hunt camp	R					
Kennel, private	R	R	C			
Picnic shelter or area	R	R	R	R	R	R
Pier, private	R	R	R	R	R	R
Pier, commercial	C	C	C	C	C	R
Pier, community	C	C	C			
Pier gazebo, large	C	C	C	C	C	C
Pier gazebo, small	R	R	R	R	R	R
Recreation facility, private	R	R	R			
Shooting, private recreational	R	R				
<b>Telecommunications and Solar Facilities</b>						
Amateur radio antenna	R	R	R	R	R	R
Antenna, private	R	R	R	R	R	R
Base station						R

King William County Zoning and Subdivision Ordinance

Uses by Category	A-C	R-R	R-1	B-1	B-2	I
Broadcasting or communication tower	C					C
Communications service					C	R
Micro-wireless facility	R	R		R	R	R
Small-cell facility	R	R	R	R	R	R
Solar facility, medium-scale	C			C	C	R
Solar facility, roof small-scale	R	R	R	R	R	R
Solar facility, utility-scale	C					

**Sec. 86-141—86-150. Reserved.**

ITEM 5 SUBDIVISION & ZONING ORDINANCE  
EVENT VENUE & SPECIAL EVENTS

King William County Zoning and Subdivision Ordinance

Financial Institutions - bank teller lane	3	Teller window/tube
Professional Personal Service - dry-cleaning/laundry	3	Cleaner/laundry window
Retail Sales - pharmacy	3	Pharmacy window
Restaurant	6	Order box/speaker
	4*	Pick-up window
Other	To be determined by County. Such determination shall consider any study prepared by an engineer or other qualified design professional.	
<p>* These spaces are required in addition to the stacking spaces required to be located behind the order box/speaker and shall be located between the pickup window and the order box/speaker.</p>		

**Sec. 86-191. Event venue.**

Event venues shall comply with the following general standards:

1. Structures used for an event in whole or in part and requiring a building permit by King William County code must have a valid certificate of occupancy prior to use.
2. The minimum yard setbacks for the district shall apply to all structures, including but not limited to, tents and portable toilets that are used in whole or in part for the event.
3. Parking may be provided on a pervious or impervious surface. If the parking area is on grass or in a field, the applicant shall reseed or restore the parking area within 30 days of the event.
4. The private water supply and onsite sewage system serving the event shall be approved by the Virginia Department of Health.
5. Temporary improvements to accommodate the event, such as but not limited to tents and portable toilets, must be removed within 48 hours of the event's cessation.
6. Signs advertising the event must comply with the sign article of this ordinance.
7. Lighting for the event must comply with the exterior lighting standards article of this ordinance.
8. There shall be no outdoor use of amplified sound later than 9:00 p.m. on Sundays through Thursdays or later than 10:00 p.m. on Fridays or Saturdays.
9. The Zoning Administrator must be notified at least 30 days prior to each event.

ITEM 5 SUBDIVISION & ZONING ORDINANCE  
LANDSCAPE REQUIREMENTS  
KING WILLIAM-CURRENT

## **ARTICLE XI. LANDSCAPING, SCREENING, AND FENCING**

### **Sec. 86-290. Purpose and intent.**

The purpose of this section is to establish standards for landscape architecture, site design, site buffering, and landscape screening. With the intent of preserving and promoting the health, safety, and general welfare of the County, these regulations are based on the following goals:

1. Preserve and enhance the aesthetic character of the County;
2. Protect the quality of the County's natural rivers, streams, and wetlands;
3. Enhance erosion control;
4. Improve the relationship between adjacent properties through screening and buffering;
5. Promote economic development in the County's neighborhoods, historic districts, and entrance corridors.

### **Sec. 86-291. Application of landscape standards.**

1. These landscape requirements shall apply to:
  - a. All new developments, or redevelopments, requiring an approved site plan as specified by this ordinance.
  - b. All properties seeking rezoning or conditional use permit under the requirements of this ordinance.
2. These requirements shall not apply to parcels containing single-family detached dwellings or two-family dwellings.

### **Sec. 86-292. Landscape plan requirements.**

The landscape plan shall include:

1. Location, type, size, height, and number of proposed plantings.
2. Planting specifications and installation details.
3. Location and size of all existing plants and trees to be retained during construction, as well as protection measures to be implemented during construction.
4. Location, size and other related design details for all hardscape improvements, signage, recreational improvements and open space areas, fences, walls, barriers and other related elements.
5. Designation of required setbacks, yards and screening areas.
6. Location of other man-made site features, parking lots, hardscape improvements, overhead structures and underground utilities to ensure that landscape materials will not be in conflict with the placement and operation of these improvements.

### **Sec. 86-293. General standards.**

1. Required landscaping shall be installed prior to the issuance of a certificate of occupancy. When the planting of landscaping conflicts with the planting season, a certificate of occupancy may be issued subject to the owner or developer providing surety in an amount approved by the Zoning Administrator for any remaining plantings. The owner or developer shall provide a development

## King William County Zoning and Subdivision Ordinance

agreement which sets a deadline by which the plantings will be installed to be approved by the Zoning Administrator. The surety and agreement must both be in a form approved by the County attorney.

2. Existing healthy trees and shrubs shall be credited toward any minimum landscaping required by this section, provided they meet minimum size standards and are protected before and during construction and maintained thereafter in a healthy growing condition.
3. The owner of the property upon which the required landscaping or buffering is installed shall be responsible for maintenance and replacement. If any required tree, shrub, or other landscaping element shall die or be removed after issuance of the certificate of occupancy, the developer, his or her successors or assigns, shall replace each by the end of the next planting season with trees or shrubs of the same or similar species, type, color, or character.
4. Landscaping shall not obstruct the view of motorists using any street, private driveway, parking isles, or the approach to any street intersection so as to constitute a traffic hazard or a condition dangerous to the public safety.
5. All required landscape materials shall conform to the following minimum size or height standards at the time of planting:
  - a. Deciduous shade trees: 2" caliper
  - b. Ornamental and understory trees: 4' height
  - c. Coniferous trees: 6' height
  - d. Shrubs: 12" spread or height

### **Sec. 86-294. Buffering.**

Landscape buffering is intended to provide a year-round visual screen between two or more properties in order to minimize visual and other adverse impacts. Buffering may consist of fencing, evergreens, boulders, mounds, or a combination of materials.

1. A landscape buffer area shall be required where a commercially or industrially zoned development abuts an agricultural or residential zoning district, or where multi-family residential development abuts any property zoned A-C or R-R. Landscape buffers shall be approved by the Zoning Administrator during the site plan process.
2. In the above conditions, a continuous six-foot high buffer with a minimum width of 25 feet shall be required. Buffers shall be comprised of:
  - a. A combination of solid masonry wall or opaque fence at least six feet in height and landscaping consisting of six deciduous trees per 100 linear feet of buffer; or,
  - b. Landscaping consisting of:
    - i. One (1) evergreen tree per seven linear feet of buffer, which shall be placed in two staggered rows six feet apart;
    - ii. One (1) understory tree per twenty-five linear feet of buffer;
    - iii. One (1) deciduous tree per fifty linear feet of buffer.
    - iv. One (1) shrub per three linear feet of buffer; and,

## King William County Zoning and Subdivision Ordinance

3. Plants should be sufficiently large and planted in such a fashion that a year-round screen at least six (6) feet in height shall be produced within one growing season.
4. No buildings, structures, storage of materials, or parking shall be permitted within a buffer area.
5. Buffer plantings shall be maintained in perpetuity in such a way as to ensure that the buffering requirements of this ordinance continue to be met. Any dead or dying plants shall be removed within thirty (30) days of notification by the Zoning Administrator and shall be replaced by the property owner during the next viable planting season.

### **Sec. 86-295. Screening.**

1. Screening shall be required to conceal specific areas from both on-site and off-site views. Such areas shall be screened at all times, regardless of adjacent uses, adjacent districts, or other proximate landscaping material. Specific areas to be screened include:
  - a. Trash, recycling, and grease containers (including dumpsters and cardboard recycling containers).
  - b. Loading and service areas.
  - c. Outdoor storage areas (including storage tanks).
  - d. Ground-based utility equipment with size in excess of 12 cubic feet.
  - e. Ground level electrical and mechanical units, including heating, ventilation, and air conditioning units.
2. The above-mentioned areas shall be screened using an appropriate combination of landscape plants, fencing, or masonry walls to adequately screen them from views both on and off the subject property.
3. Access to all grease containers, recycling and trash containers, and other outside storage shall be through gates capable of closure when not in use. All gates shall be closed when not in use.
4. Screening plantings shall be maintained in perpetuity in such a way as to ensure that the buffering requirements of this ordinance continue to be met. Any dead or dying plants shall be removed within thirty (30) days of notification by the Zoning Administrator and shall be replaced by the property owner during the next viable planting season.

### **Sec. 86-296. Parking lot landscaping.**

All vehicle parking areas shall include landscaping, both within the interior of the parking area and around its perimeter, to provide shade, screen views, mitigate runoff, and provide aesthetic appeal. However, the landscape provisions of this section shall not apply to off-street parking for individual single or two-family residential dwellings, or for parking structures or vehicle display areas.

1. Parking Lots Adjacent to Lot Lines: For parking lots immediately adjacent to lot lines, the following landscape regulations shall apply:
  - a. Where a parking lot (or a private driveway providing access to a parking lot or building entry) abuts a property line not common with the right-of-way of a street, a landscaping strip of two and one-half (2 1/2) feet in width shall be located between the parking lot and the abutting property line.

## King William County Zoning and Subdivision Ordinance

- b. A minimum of one tree for each forty (40) feet of contiguous property line shall be planted in the landscape strip.
  2. Parking Lots Adjacent to Public Streets: For parking lots and private access adjacent to public streets which are subject to site plan approval, the following landscape regulations shall apply:
    - a. Where a parking lot (or a private driveway providing access to a parking lot or building entry) abuts a public right-of-way for a County street, a landscaping strip of five (5) feet in width (not including the pedestrian path) shall be located between the parking lot or private driveway and the right-of-way line.
    - b. A minimum of one tree for each forty (40) feet of property line common with the public right-of-way shall be planted in the landscaping strip.
  3. All parking lots of thirty (30) or more spaces shall contain within the interior of the parking lot not less than one tree for every twelve (12) continuous parking spaces or fraction thereof. Such trees shall be dispersed throughout the interior of the parking lot. In the case of redevelopment proposals, this parking lot tree requirement is only applicable to those proposals that necessitate additional parking spaces over those that are currently provided.
  4. Landscaped planting islands (located such that parking spaces are on opposing sides of the planting island) shall be developed in parking lots meeting the following criteria:
    - a. The total size of the parking lot exceeds one hundred fifty (150) total parking spaces.
    - b. Parking lot layout incorporates three or more double-loaded or single-loaded parking bays which are contiguous and parallel to each other.
    - c. Planting islands which are designed to be perpendicular to the parking bay shall be constructed for every other parking bay.
    - d. Planting islands shall have a minimum width of six (6) feet to allow for bumper overhang and shall otherwise provide adequate width for the growth and maintenance of the intended landscape materials to be planted therein.
  5. The primary landscaping materials used in parking lots shall be trees which provide shade or are capable of providing shade at maturity. Shrubs and other live planting material may be used to complement the primary, tree landscaping.
  6. The landscaping shall be dispersed throughout the parking lot, with interior dimensions of any planting area (i.e. interior parking median) sufficient to protect and maintain all landscaping materials planted therein.

### **Sec. 86-297. Walls and fences.**

Fences and walls may be used within landscaped areas to provide buffering, privacy, separation, security, or for aesthetic reasons, but may not create an unsightly or unsafe condition on or off of the public or private property on which the fence or wall is proposed.

1. The provisions of this section shall apply to all construction, reconstruction, or replacement of fences or walls except:
  - a. those required for support of a principal or accessory structure;
  - b. engineered retaining walls necessary to the development of a site;

## King William County Zoning and Subdivision Ordinance

- c. temporary fences for construction activities, trees protection, and erosion and sediment control.
2. Fences or walls shall not be located within the public right-of-way.
3. Fences and walls may be located within any required yard or setback.
4. Fences located within an easement shall receive written authorization from the easement holder or the County (as appropriate). The County shall not be responsible for damage to, or the repair or replacement of, fences that must be removed to access such easements or facilities.
5. No fence or wall shall be installed in a manner or in a location so as to block or divert a natural drainage flow on to or off of any other land, unless the fence or wall has specifically been approved as part of an approved stormwater management plan.
6. A fence or wall in any residential zoning district shall not exceed 7 feet in height above the existing grade without approval of a conditional use permit.
7. A fence or wall in any commercial zoning district shall not exceed 8 feet in height above the existing grade without approval of a conditional use permit.
8. No fence or wall shall be constructed in a manner or in a location that impairs safety or sight-lines for pedestrians and vehicles traveling on public rights of way.
9. All fences and walls and associated landscaping shall be maintained in good repair and in a safe and attractive condition. The owner of the property on which a fence or wall is located shall be responsible for maintenance, including but not limited to, the replacement of missing, decayed, or broken structural and decorative elements.

### **Sec. 86-298. Recommended plants.**

Landscaping plans and plantings installed within the County should generally be sustainable and biologically diverse with emphasis on trees and plants native to Virginia and the King William region.

1. Landscape designers shall make every effort to use healthy and locally sourced, trees, shrubs, and other plants, and to create landscapes that minimize the need for maintenance and irrigation. Invasive species are not recommended.
2. Final plant selections should be made by property owners in consultation with qualified landscape professionals, and should consider specific site conditions, disease resistance, and other qualities to ensure healthy and beautiful landscapes.

### **Sec. 86-299. Compliance.**

The landscaping standards shall be enforced by the King William County Zoning Administrator.

1. The Zoning Administrator may reduce full buffering and screening to partial buffering and screening as deemed appropriate when commercial uses are in-kind with adjacent uses.
2. An appeal to the Board may be taken by any person aggrieved or by any officer, department, board or bureau of the County affected by any decision of the Zoning Administrator in enforcement of this section as outlined in article IV, Division 7 of this ordinance.

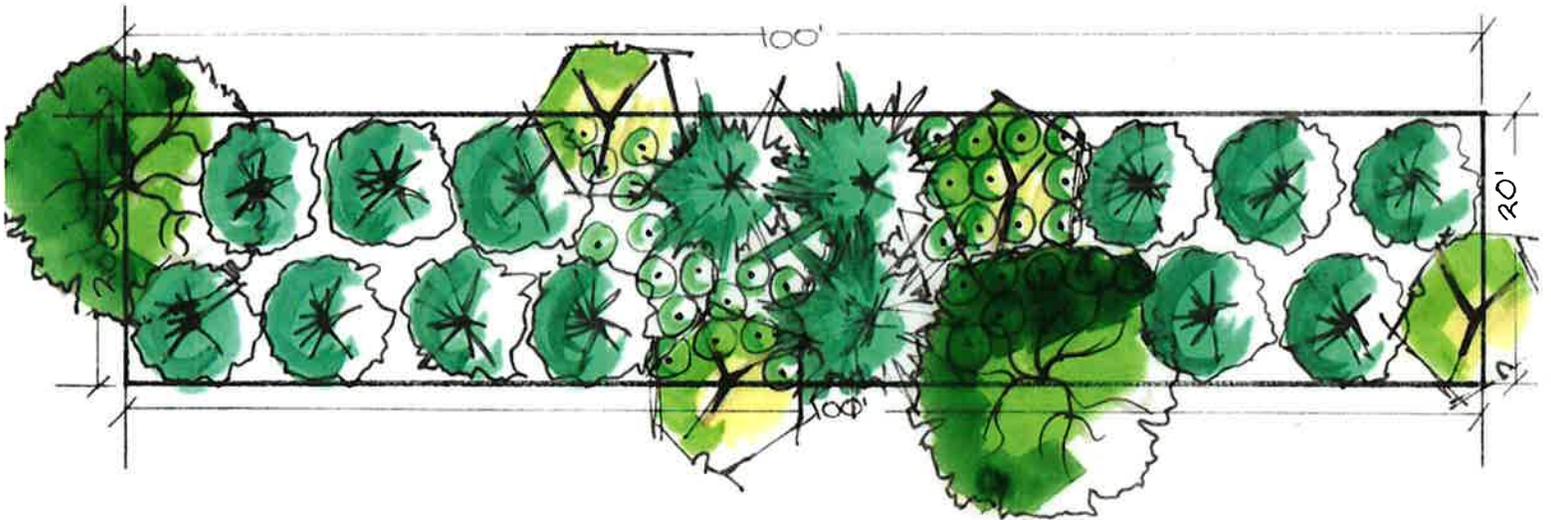
### **Secs. 86-300—86-309. Reserved.**

ITEM 5 SUBDIVISION & ZONING ORDINANCE  
LANDSCAPE REQUIREMENTS  
HANOVER

## 20' Commercial Buffer at 100 Linear Feet

Planting Requirements per 100 linear feet:

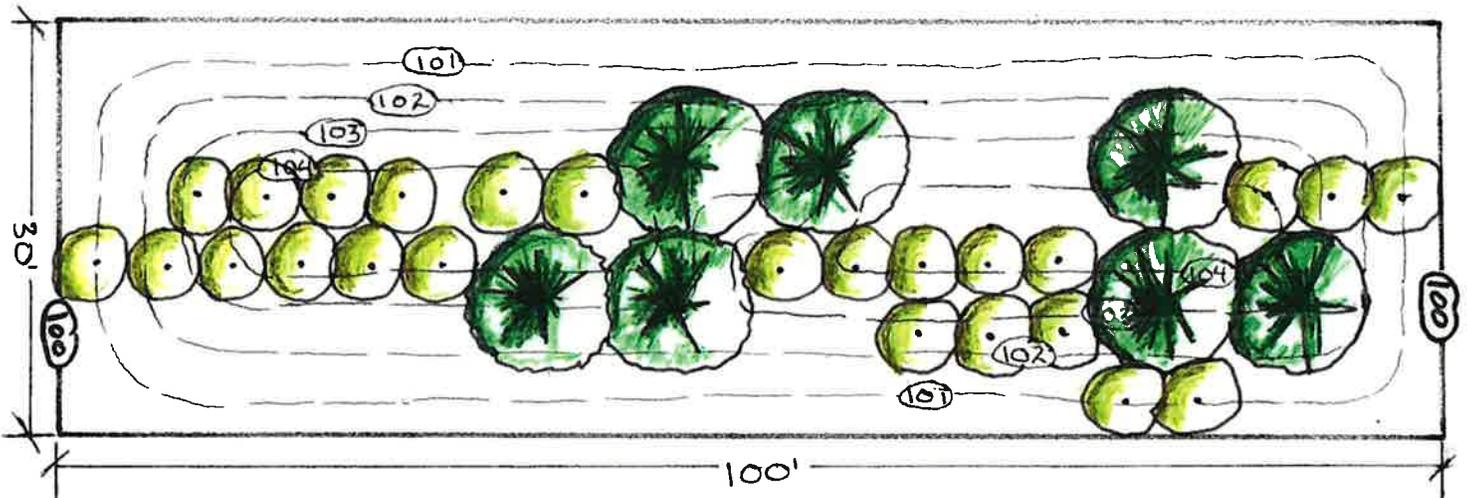
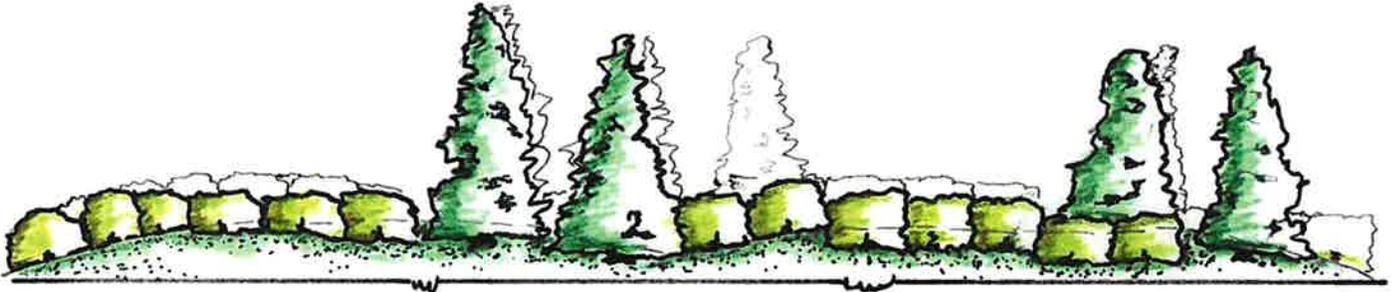
<u>Plant Type</u>	<u>Quantity</u>	<u>Total</u>
Small Deciduous Tree	4	Trees Required: 21
Large Deciduous Tree	2	Shrubs Required: 34
Evergreen Tree	15	
Evergreen Shrub	34	



### 30' Commercial Buffer at 100 Linear Feet

Planting Requirements per 100 linear feet:

<u>Plant Type</u>	<u>Quantity</u>	<u>Total</u>
Evergreen Tree	7	Trees Required: 7
Evergreen Shrub	25	Shrubs Required: 25
Berm		



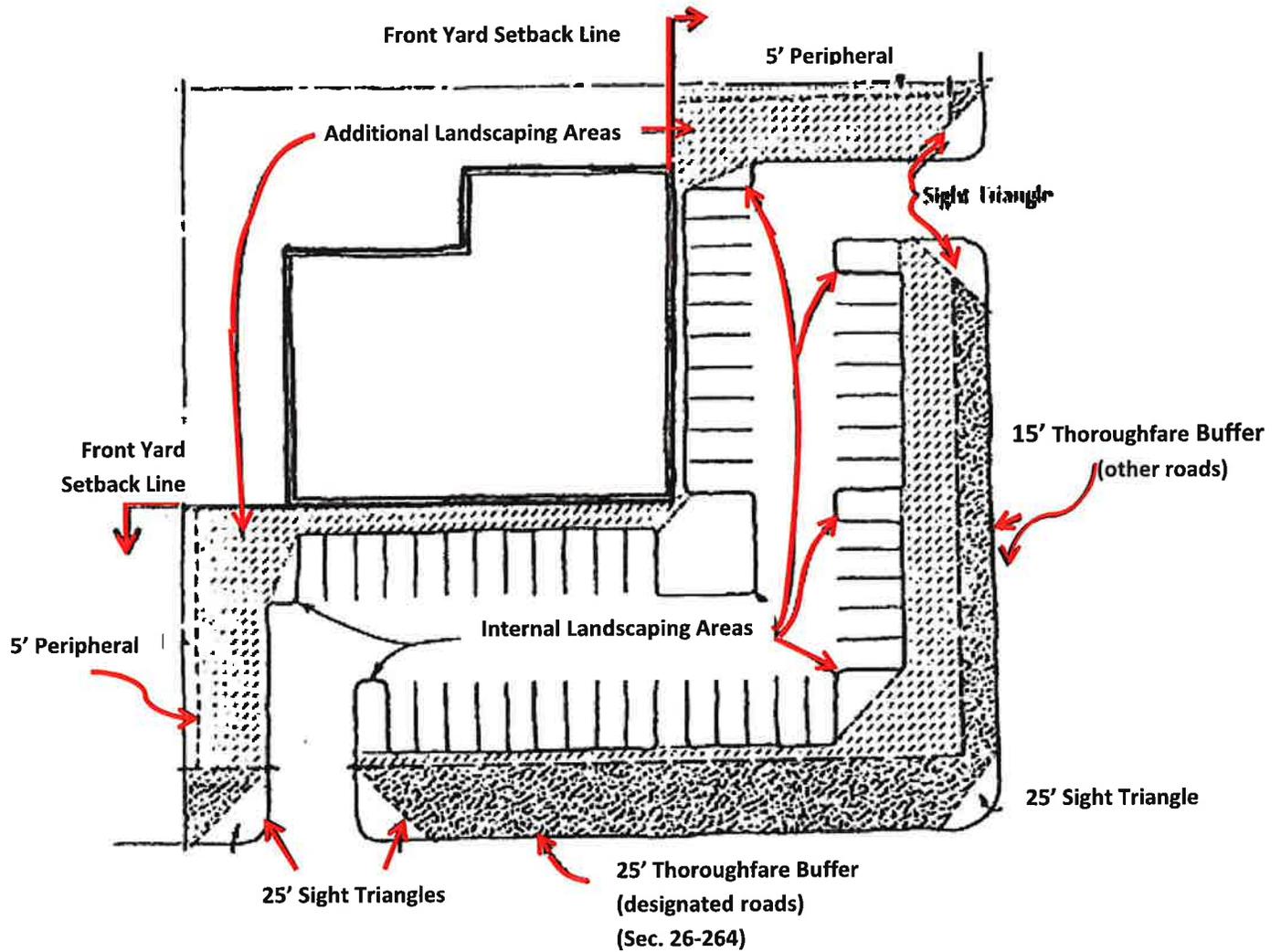
## **Suburban Development Overlay District**

Art. 4, Div. 2 – Sec. 26-192

Art. 5, Div. 5 - Sec. 26-264

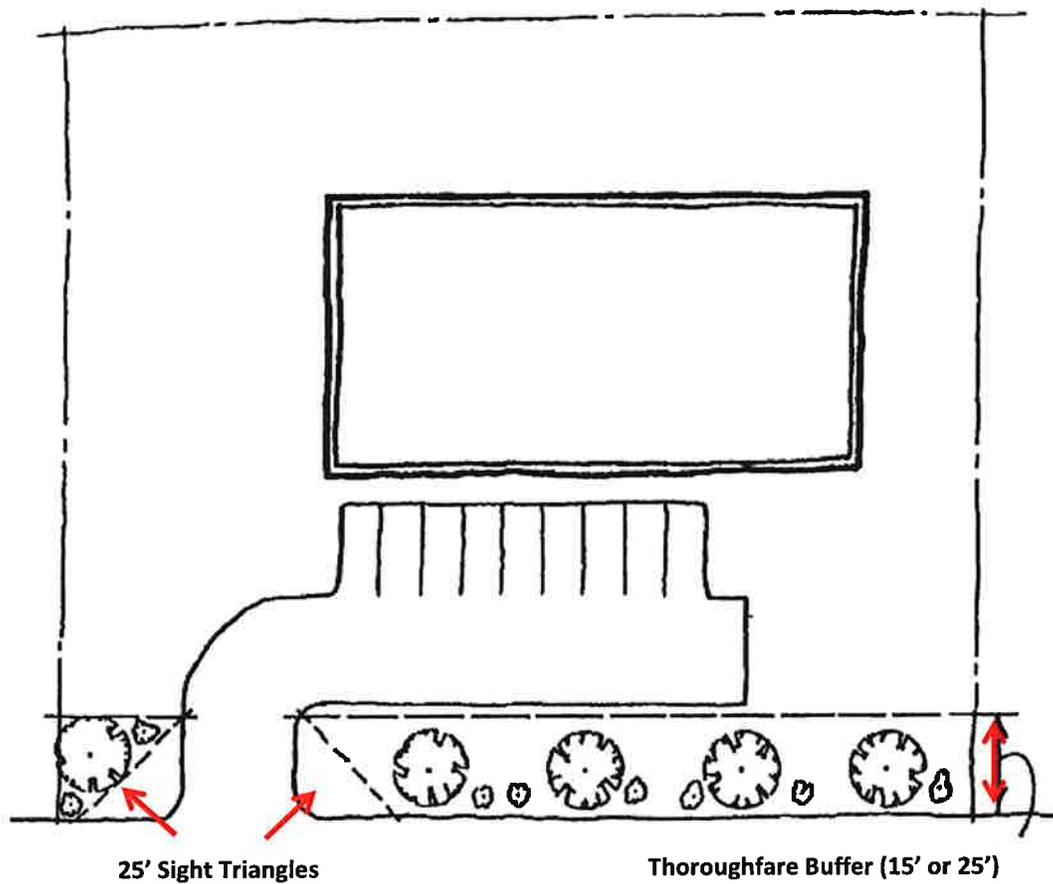
Non-residential sites located within the Suburban Development Overlay District with parking lots in excess of 4500 square feet are required to provide internal landscaping in accordance with the district standards. The following illustrations are examples of how these landscaping requirements may be applied to a particular site.

## Landscaping Requirements (Generally)



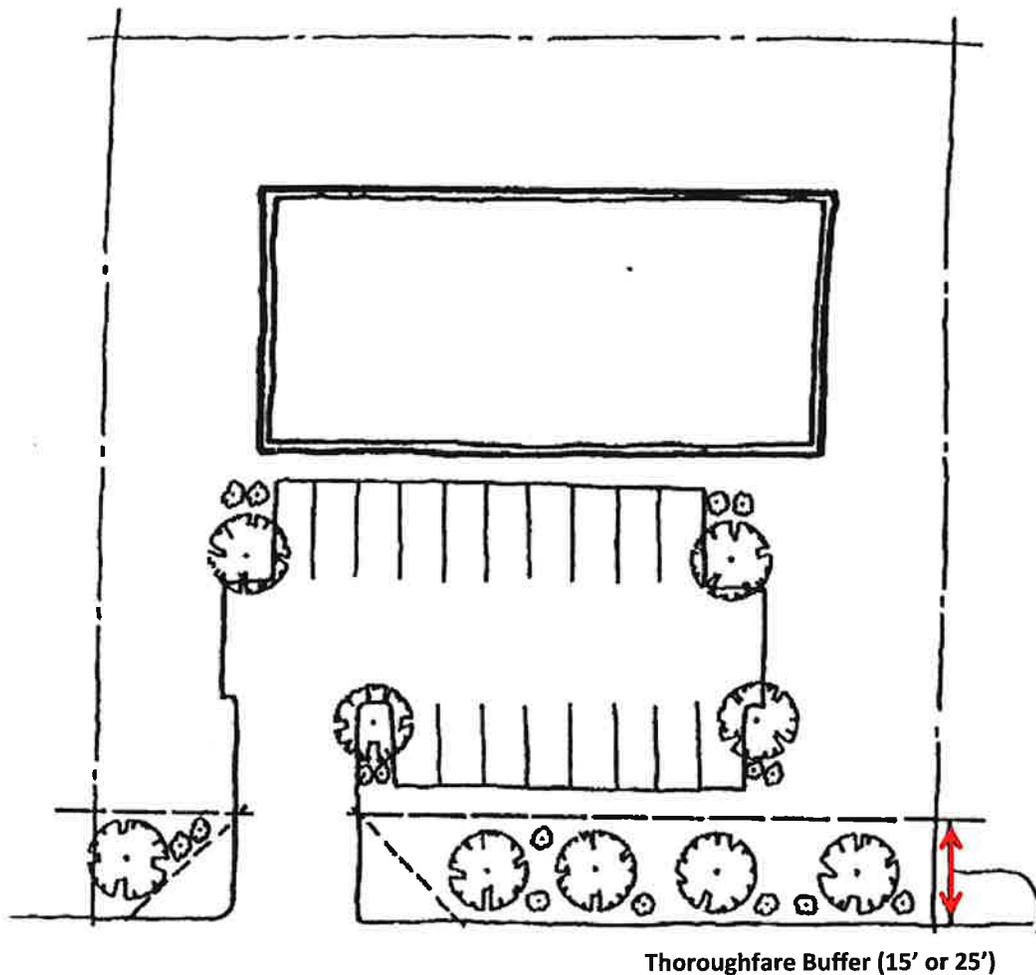
See Section 26-192 for specific guidelines for internal landscaping and Section 26-264 for requirements applicable to Thoroughfare Buffers.

**Requirements for Parking Lots with more than 4500 square feet of parking area**



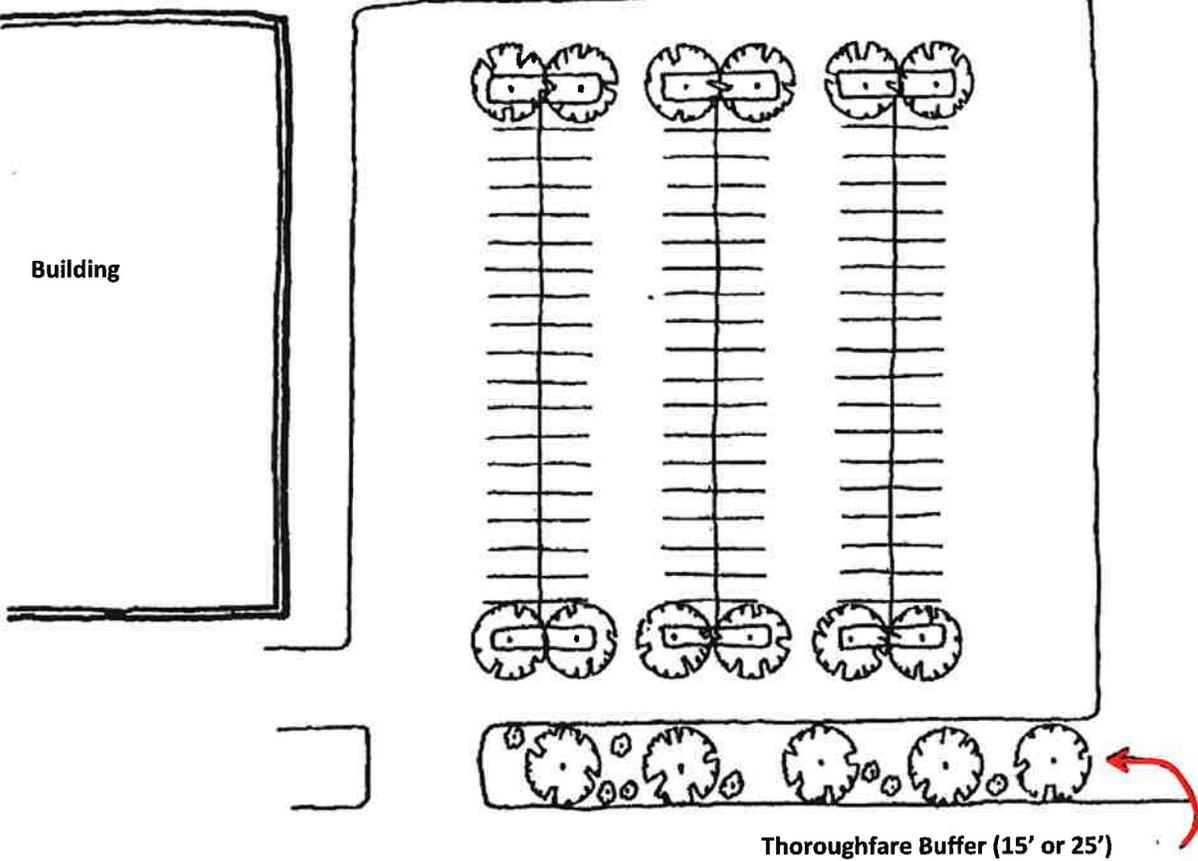
See Section 26-192(1)(c) for specific guidelines for internal landscaping and Section 26-264 for requirements applicable to Thoroughfare Buffers.

**Requirements for Parking Lots with Area between 4500 - 9000 Square Feet**



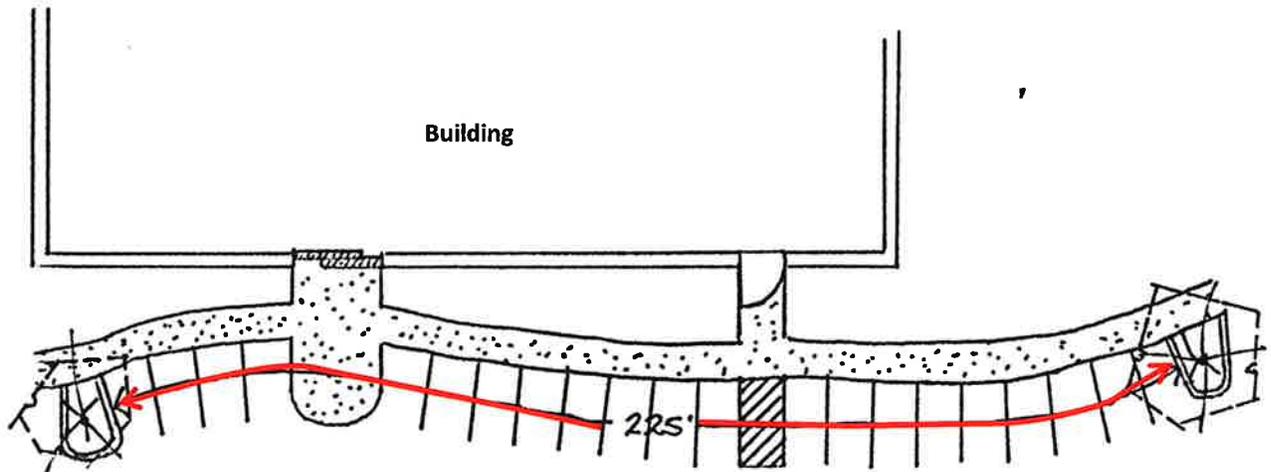
See Section 26-192(1)(d) for specific guidelines for internal landscaping and Section 26-264 for requirements applicable to Thoroughfare Buffers.

**Requirements for Parking Lots with 9000 square feet or greater of parking area**



See Section 26-192(1)(e) for specific guidelines for internal landscaping and Section 26-264 for requirements applicable to Thoroughfare Buffers.

## Spacing Between Required Landscape Islands



Section 26-192(1)(e)(4) provides for a maximum of 225 linear feet between certain landscaping islands. This illustration demonstrates how that measurement is to be calculated when parking spaces are not arranged in a straight line.

DIVISION 5. - Landscaping Regulations.

Section 26-263. - Screening and planting standards.

- (a) When screening is required through specific district regulations or through supplemental regulations contained in this ordinance, the following minimum standards shall apply:
1. Where a "continuous visual screen" or "screening" is specified, such screen may be comprised of either plant materials or structural materials, such as masonry or wood fencing.
  2. Where a "masonry wall," "ornamental wall," or "fence" is specified, such structure shall be at least six (6) feet in height and shall be so constructed as to provide a permanent, year-round visual barrier from surrounding properties. Chain link, wire mesh, or similar fence materials may only be used in industrial districts and only when additional acceptable material is also used in such a manner as to provide the required visual barrier. Materials may be slats inserted into the wire fabric or boards attached directly to the frame to form the required visual barrier. Acceptable material shall be redwood, cedar, or other woods which have been pressure-treated, or 9-gauge polyethylene tubular slats in wood tones (slats shall have a minimum density of .951).
  3. Where a "hedge," "compact evergreen hedge," "foliage" or "screen planting" is specified, such planting shall be acceptable evergreen shrubs, trees or plants planted in accordance with standards specified below. If plant material dies within an existing vegetative screen installed prior to the effective date of this ordinance, replacement trees or shrubs may be installed under the original standards or the new guidelines and tree list.

(b) Planting standards.

1. All screening shall comprise of evergreen plants, including broadleaf evergreens. Plants shall be at least six (6) feet in height at time of planting, or if using smaller plants (minimum height three (3) feet) they may be installed on a berm so that the combination of the berm and plant equals a height six (6) feet.
2. Plantings shall be staggered to achieve the required visual screen. If the distance to be screened exceeds fifty (50) feet in length, at least two different types of evergreens shall be used. If using plants with different spacing requirements, the plants may be planted, as an example, with the back row at ten (10) feet on center and the front row at eight (8) feet on center. Examples of acceptable evergreen species and plant spacing to fulfill this requirement are as follows:

The following trees shall be planted at ten (10) feet on center with the rows six (6) feet apart (staggered, triangular spacing):

Abies concolor	White (concolor) Fir
Calocedrus decurrens	California Incense Cedar
Chamaecyparis nootkatensis	Alaskan Cedar
Chamaecyparis obtuse	Hinoki Falsecypress

Chamaecyparis pisifera	Japanese Falsecypress
Chamaecyparis thyoides	Atlantic White Cedar
Cryptomeria japonica	Japanese Cedar
Magnolia grandiflora	Southern Magnolia
Picea abies	Norway Spruce
Picea pungens	Colorado Spruce
Pinus aristata	Bristlecone Pine
Pinus bungeana	Lacebark Pine
Pinus densiflora	Japanese Red Pine
Pinus nigra	Austrian Pine
Pinus strobus	Eastern White Pine
Pinus sylvestris	Scotch Pine
Pinus taeda	Loblolly Pine
Pinus thunbergiana	Japanese Black Pine
Tsuga canadensis	Canadian Hemlock
Tsuga caroliniana	Carolina Hemlock

The following evergreen trees shall be planted at eight (8) feet on center with the rows six (6) feet apart (staggered, triangular spacing):

Cupressocyparis leylandii	Leyland Cypress
Cupressus arizonica	Arizona Cypress
Ilex opaca	American Holly

Ilex x Nellie Stevens	Nellie Stevens Holly
Ilex x Marynell	Marynell Holly
Juniperus chinensis	Chinese Juniper
Juniperus scopulorum	Colorado Red Cedar
Juniperus semiglobosa	Russian Juniper
Juniperus virginiana	Eastern Red Cedar
Myrica cerafera	Southern Waxmyrtle
Thuja occidentalis	White Cedar
Thuja orientalis	Oriental Arborvitae

The following evergreen shrubs shall be planted four (4) feet on center with triangular spacing:

Cephalotaxus fortunei	Plum Yew
Ilex cornuta burfordii (not dwarf)	Chinese Burford Holly
Ilex cornuta	Chinese Holly
Ilex crenata (not dwarf i.e. helleri)	Japanese Holly
Ilex glabra (not compacta)	Inkberry Holly
Ilex vomitoria	Yaupon Holly
Illicium Floridanum	Florida Anise
Illicium parviflorum	Common Anise
Ligustrum obtusifolium	Border Privet
Magnolia virginiana	Sweet Bay Magnolia

Osmanthus americanus	Devilwood
Osmanthus heterophyllus	False Holly
Prunus caroliniana	Carolina Cherrylaurel
Prunus laurocerasus schipkaensis	Schip Laurel
Rhododendron catawbiense	Catawba Rhododendron
Taxus baccata (not dwarf)	Common Yew
Viburnum obovatum	Walters Viburnum
Viburnum x pragense	Prague Viburnum
Viburnum rhytidophyllum	Leatherleaf Viburnum
Viburnum tinus	Laurustinus

(Ord. No. 12-08, § 3, 1-9-13)

Section 26-264. - Buffers; General standards.

- (a) When a commercial site is located on a designated major thoroughfare, at least fifteen (15) feet shall be maintained along the road frontage as a buffer. When a site has frontage on Route 360, 301, 1, 33, 54, or 30, the buffer shall be increased to twenty-five (25) feet. The following standards shall apply to buffers required by this section:
1. The buffer shall be measured from the front property line.
  2. No parking area or structure, except for permitted signage, shall be located within the buffer.
  3. The buffer shall be landscaped with
    - a. at least one deciduous tree, at least two (2) inches in caliper measured six (6) inches from the ground when planted, with branching no closer than five (5) feet to the ground, or one evergreen tree, at least six (6) feet in height when planted, for each fifty (50) feet of lineal frontage;
    - b. at least one shrub, at least eighteen (18) inches in spread when planted, for each thirty (30) feet of lineal frontage, planted and maintained at twenty-four (24) inches in height or lower; and
    - c. other ground cover reasonably dispersed throughout the buffer.
  4. No required plantings shall be placed within the required sight distance triangle on site.
  5. When the buffer includes undulating berms, the berms shall have a minimum height of three (3) feet and a gradient of no more than 3:1. No berms shall be located within the sight distance triangle at each entrance to

the site. Where such berms are provided, there shall be a fifty-percent reduction in the number of required trees within the thoroughfare buffer, with such credit being calculated at the rate of two hundred (200) square feet of canopy per tree as shown in the Hanover County tree canopy chart; shrubbery shall be provided according to the requirement specified above.

- (b) *Outside speakers.* Outside speakers used in conjunction with any establishment shall not be audible beyond the property line of the establishment.

(Ord. No. 12-08, § 3, 1-9-13)

Section 26-265. - Standards for trees and shrubs used in buffers.

Minimum standards for trees and shrubs used in buffers:

*Tree and Shrub Sizing Table:*

Type	Minimum height at maturity (in feet)	Minimum width at maturity (in feet)	Minimum size at time of planting
Evergreen trees	15'	8'	6' in height
Small deciduous trees	15'	None	Single stem: 1.5" in caliper (measured 2' from ground) Multiple stem: 10' in height
Large deciduous trees	35'	None	2" in caliper (measured 2' from ground)
Shrubs	4'	4'	2' in height

1. Sizes at maturity and any other matters related to whether a tree or shrub meets the requirements of this section shall be determined by reference to the American Horticultural Society, the Virginia Landscape and Nursery Association, or other industry-recognized standards applicable to Hardiness Zone 7.
2. Evergreen trees and shrubs must be of varieties that do not lose their lower branching structure as the trees and shrubs mature.
3. All newly installed landscaping shall be placed in mulched and stabilized planting beds of groups of three or more. In all other areas, ground cover shall be provided.
4. For buffers in which more than twenty (20) trees are required, no individual species shall exceed thirty percent (30%) of the total number of plants required within the buffer.
5. After submission of a preliminary site plan, the applicant shall set up an appointment with the Planning Department for an inspection of the proposed material to be saved.
  - a. Plant materials that are to be saved and used to meet the buffer requirements shall be clearly delineated

- on the landscape plan and marked in the field prior to the Planning Department's inspection.
  - b. A tree protection plan certified by a Landscape Architect, Certified Horticulturist or ISA Certified Arborist must be provided to the Planning Department prior to site plan approval.
  - c. Tree protection measures shall be installed, inspected and certified by a Landscape Architect, Certified Horticulturist or ISA Certified Arborist prior to land disturbance.
6. The number of required trees and shrubs for buffers may be reduced fifteen percent (15%) when all the trees or shrubs used to satisfy a listed requirement are native or drought-resistant. In order to qualify as a native or drought-resistant plant, the applicant must provide the following information with the site plan:
- a. Documentation that the species is classified as drought-resistant in Hardiness Zone 7 or native to Virginia by the American Horticultural Society, the Virginia Department of Conservation and Recreation, or other industry-recognized standard;
  - b. Evidence that the conditions on the site are suitable for the cultural requirements of the species, including the current and future size of the tree or shrubs and the water and light requirements of the tree or shrub; and
  - c. Documentation that the species is not listed on the Virginia Department of Conservation and Recreation Invasive Species list.

(Ord. No. 12-08, § 3, 1-9-13)

Section 26-266. - Buffers for industrial uses.

When an M-1, M-2, or M-3 district adjoins an AR- or R-zoned district, or when an M-1, M-2, or M-3 district adjoins an A-1-zoned property on which there is a residence within two hundred (200) feet of the common property line, a buffer shall be provided in accordance with the standards set forth in Table I or Table II below:

1. Table I: Standards for buffers utilizing all newly planted vegetation

Minimum depth of buffer (measured from property line)	40 foot wide buffer (minimum)	30 foot minimum width buffer (berm required)	20 foot minimum width buffer (no berm)
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<p>Minimum number of required trees and shrubs:</p>	<p>One tree for every five linear feet of buffer length and                  One shrub for every four linear feet of buffer length  <i>Note:</i> No less than 30% and no more than 50% of the trees are to be evergreen</p>	<p>One evergreen tree per fifteen linear feet of buffer and                  One evergreen shrub per four linear feet of buffer  <i>Note:</i> Trees and shrubs are to be planted on the berm</p>	<p>One evergreen tree per seven linear feet of buffer;                  One evergreen shrub per three linear feet of buffer;                  One small deciduous tree per twenty-five linear feet of buffer; and                  One large deciduous tree per fifty linear feet of buffer</p>
<p>Berm (if applicable)</p>	<p>n/a</p>	<p>Design: Undulating and serpentine                  Height: At least four (4) feet for a minimum of sixty percent (60%) of the length of the buffer*                  Slope: Maximum three to one ratio (3:1), unless otherwise approved by the Planning Department and the Department of Public Works.</p>	<p>n/a</p>

\* When a berm is used in an area that naturally contains a slope steeper than a ratio of 12:1 (8%), the Planning Department may require that the height of the berm be modified and other design features adjusted so that the same screening effect is created as is intended by the Table I standards.

2. Table II: Standards for buffers utilizing some or all existing vegetation

<p>Minimum depth of buffer (measured from property line)</p>	<p>40 foot wide buffer (minimum)</p>	<p>20 foot minimum width buffer (no berm)</p>
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<p>Minimum number of required trees and shrubs:</p>	<p>Same as listed for 40' wide buffer in Table I</p>	<p>Same as listed for 20' wide buffer in Table I, provided that at least thirty three percent (33%) of the existing plant material to be used toward buffer requirements shall be trees</p>
<p>Supplementation requirements for buffers using existing vegetation</p>	<p>Where the Table II buffers are denuded or void of existing vegetation ("gaps") for ten (10) or more linear feet or the existing stand of trees have no branches or understory growth lower than six feet from the ground, supplementation is required in the form of evergreen trees and shrubs planted as follows:</p> <ol style="list-style-type: none"> <li>1. Placement can be a straight line staggered,</li> <li>2. Trees shall be seven feet on center or less</li> <li>3. Shrubs shall be three feet on center or less</li> </ol>	

3. The following additional requirements shall apply to the buffers provided for in Tables I and II:
  - a. Existing vegetation used to satisfy buffer requirements shall comply with the minimum standards for trees and shrubs in Section 26-265.
  - b. The Planning Department shall determine the suitability of existing vegetation for buffers and the necessity for supplemental plantings as established in Section 26-264.
  - c. Prior to certificate of occupancy, all planted and preserved trees and shrubs shall be inspected to verify that the trees and shrubs are healthy and meet the minimum requirements set forth in this section.

(Ord. No. 12-08, § 3, 1-9-13; Ord. 15-01, § 3, 3-11-15)