



County of King William, Virginia

**PLANNING COMMISSION MEETING  
AUGUST 9, 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. July 5, 2022
5. Public Comment Period – Speakers: *One opportunity of 3 minutes per individual or 5 minutes per Group on Non-Public Hearing Matters*
6. Public Hearing
  - a. Updates to the Zoning and Subdivision Ordinance
7. Old Business
8. New Business
9. Staff and/or Special Committee Reports
  - a. Edmunds Reports provided by Christina Grover
  - b. Violation Logs
  - c. Commissioner Comments
10. Adjournment

**3.**

**July 5, 2022**

**Meeting Minutes**



**MINUTES  
KING WILLIAM COUNTY  
PLANNING COMMISSION  
REGULAR MEETING OF JULY 5, 2022**

A regular meeting of the Planning Commission of King William County, Virginia, was held on the 5th day of July 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 Vice Chairman Matthew Sluder at 7:00 p.m.

**Agenda Item 2. ROLL CALL**

**The members were present:**

Darrell Kellum  
Bonnie Hite  
Don Wagner  
Stephen Greenwood  
Vice Chairman Matthew Sluder

**Also in Attendance:**

Percy Ashcraft, County Administrator  
Christina Grover, Zoning Administrator  
Barbara Trimmer, Planning Secretary

**Agenda Item 3. ELECTION OF NEW CHAIRPERSON**

**Chairman**

Vice Chairman Sluder informed the Planning Commission that Chairman John Breeden was not reappointed to the Planning Commission at the June 27, 2022 Board of Supervisors meeting. Darrell Kellum was appointed to the Planning Commission by the Board of Supervisors at the June 27, 2022 meeting. Vice Chairman Sluder requested a motion to select a new Chairman. Mr. Wagner made a motion, seconded by Ms. Hite to elect Matthew Sluder as Chairman.

**The members were polled:**

Stephen Greenwood	Abstained
Darrell Kellum	Aye
Bonnie Hite	Aye
Don Wagner	Aye
Matthew Sluder	Aye

**Vice Chairman**

Chairman Sluder requested a motion to elect a new Vice-Chairman. Ms. Hite made a motion, seconded by Mr. Kellum to elect Don Wagner as Vice Chairman.

**The members were polled:**

Don Wager	Aye
Stephen Greenwood	Nay
Darrell Kellum	Aye
Bonnie Hite	Aye
Matthew Sluder	Aye

**Agenda Item 4. REVIEW AND ADOPTION OF MEETING AGENDA**

Vice Chairman Sluder requested a motion to adopt the meeting agenda. Ms. Hite moved for the adoption of the July 5, 2022, meeting agenda; Mr. Wagner seconded the motion.

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

**Agenda Item 5. REVIEW AND APPROVAL OF MINUTES**

Chairman Sluder requested a motion to approve the minutes as presented. A motion was made by Ms. Hite to approve the June 7, 2022 and June 23, 2022, minutes as submitted. Mr. Greenwood seconded the motion.

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

**Agenda Item 6. PUBLIC COMMENT PERIOD**

The Chairman opened the floor for public comments.

There being no one in person or via Zoom to speak, the Public Comment Period was closed.

**Agenda Item 7. OLD BUSINESS**

There was a discussion of the current Subdivision and Zoning Ordinance, and these items will be discussed at a Special Called Joint Work Session with the Board of Supervisors on Wednesday, July 20, 2022.

**Agenda Item 8. NEW BUSINESS**

None

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

Planning and Zoning Six Month Work Plan was presented to the Board by Percy Ashcraft.

Edmonds Reports and Violation Logs were presented to the Board Ms. Grover.

**Agenda Item 9. ADJOURNMENT**

There being no further business, Chairman Sluder adjourned the meeting at 8:50 p.m.

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**Matthew Sluder, Chairman**

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**Sherry Graham, Commission Secretary**

**6a.**

**Public Hearing**

**Updates to the Zoning and  
Subdivision Ordinance**



King William County  
Est. 1702

Board of Supervisors

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Department of Community Development

William L. Hodges, First District  
Travis J. Moskalski, Second District  
Stephen K. Greenwood, Third District  
David E. Hansen, Fourth District  
Robert W. Ehrhart, Fifth District

**DATE:** August 9, 2022  
**TO:** King William County Planning Commission  
**FROM:** Sherry Graham, Director of Planning  
**SUBJECT:** Changes to the Zoning and Subdivision Ordinance

**REQUEST FOR ACTION**

Final review and approval of proposed changes to the Zoning and Subdivision Ordinance. Additional review on landscaping and industrial zoning and uses needs to be completed prior to consideration of adopting those sections of the ordinance.

**SUMMARY**

Attached are the changes made to the September 27, 2021, approved Zoning and Subdivision Ordinance. Additional changes were made during the joint work session that was held on July 20, 2022.

**ATTACHMENTS**

Attached are copies of the existing ordinances with proposed changes.



## King William County Public Hearing Notice

The Planning Commission of King William County, Virginia will hold a Public Hearing on Tuesday, August 9, 2022, at 7:00 p.m., or as soon thereafter, in the Board Meeting Room of the County Administration Building, 180 Horse Landing Road, King William, Virginia, and via Zoom to receive public comments on the following matter:

### Amendments to the Zoning and Subdivision Ordinance:

- a. Transportation Corridor Overlay, Building Exteriors
- b. Agriculture-Private
- c. Exempt Subdivisions
- d. Cluster Subdivision
- e. Modification to Front Yard Regulations
- f. Accessory Dwelling Units
- g. Kennels, private
- h. Event Venues & Special Events
- i. Temporary Sales
- j. Landscaping
- k. Definitions
- l. Use Matrix
- m. Minimum Site Area and Dimensional Regulations for Primary Zoning Districts (Water Towers)
- n. Major Subdivisions (driveways)

All interested persons may appear and present their views in person or via Zoom as applicable. Those attending via Zoom must preregister at [kingwilliamcounty.us](http://kingwilliamcounty.us) by noon on the day of the meeting. If a member of the public cannot attend, comments may be submitted by mail to 180 Horse Landing Road, #4, King William, VA 23086; by email to [sgraham@kingwilliamcounty.us](mailto:sgraham@kingwilliamcounty.us) or by calling 804-769-4980. Comments received by 12:00 noon on the day of the hearing will be distributed to Board Members and made a part of the public record. All records pertaining to this matter may be viewed in the Office of Community Development at 180 Horse Landing Road, King William, VA during regular business hours. Anyone needing assistance or accommodations under the provisions of the American with Disabilities Act should contact the Department of Planning at (804)769-4980 or [sgraham@kingwilliamcounty.us](mailto:sgraham@kingwilliamcounty.us).

By Authority of  
Sherry L. Graham  
Director of Planning  
Ad to run July 27<sup>th</sup> and August 3<sup>rd</sup>, 2022

## 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 Event-Private* means a private event such as a birthday party, family reunions, that is by invitation only. Private events are defined as events that include persons who have not been charged an admission or made a contribution towards the costs of such gathering or assembly for the purpose of amusement, entertainment, or similar common purpose on private property where the special event is to be located.
  - *Special Event-Public* means an event such as a circus, fair, carnivals, festivals which is advertised to the public. Events in which the public is invited on public and private property which may affect public safety, health, or welfare but its impact on surrounding property.
  - *Special Event-Charity or Religious* means an event such as a fund raiser held by a non-profit organization or a church affiliation. The zoning permit fee will be waived for charity or religious special events.
  - *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 alleyway, 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

member of the immediate family is defined as any person who is a natural or legally defined offspring, stepchild, spouse, sibling, grandchild, grandparent or parent of the owner.

- *Subdivision, farmstead* means a subdivision of two to seven lots where the lots are a minimum of 15 acres in size.
- *Subdivision, major* means a subdivision with more than four lots and may contain lots of less than 15 acres. The term "major subdivision" shall include any subdivision of more than four lots, which is designed and developed as a single unit, regardless of the number of owners and/or subdividers involved, or the number of parcels or tracts of land encompassed, by the subdivision. The term "major subdivision" shall also include any subdivision which initially contains fewer than five lots, but which is intended to become a subdivision of more than four lots at some future time through additions. Any proposed subdivision which standing alone would qualify as a minor subdivision, but which will adjoin an existing minor subdivision shall be classified as a major subdivision and shall meet all the requirements of this article pertaining thereto if the total number of lots in the two subdivisions exceeds four and:
  1. The proposed minor subdivision will be created from the remainder of the tract or parcel of land from which the existing subdivision was created, irrespective of any change of ownership of such remainder since the creation of the existing subdivision;
  2. Access to the proposed subdivision is through the existing minor subdivision;
  3. The two subdivisions have the same or similar names; or
  4. The lot numbering system for the two subdivisions suggests that the proposed subdivision is an expansion of the existing one.
- *Subdivision, minor* means a subdivision other than a major subdivision or a single-lot subdivision that results in the creation of no more than four platted lots.
- *Subdivision, single-lot* means a subdivision with only one lot, whether or not exempt from the requirements of Article XVIII - Division 3.
- *Substantial alteration* means an expansion or modification of a building or development that would result in a disturbance of land exceeding an area of 2,500 square feet in the resource management area only.
- *Tasting room* means an establishment with the primary purpose of serving alcoholic beverages, along with food, that are produced either on site or off site by the brewery, distillery, or winery that owns the tasting room.
- *Taxidermy* means the art of preparing, stuffing, and mounting the skins of animals, which may include freeze drying.
- *Temporary Sales* means temporary stands or outdoor areas for sale of Christmas trees, and the like not to exceed ninety (90) days. A zoning permit is required.
- *Temporary Stands for sale of fireworks* not to exceed fourteen (14) days per calendar year. A zoning permit is required
- *Temporary Open-air Stands for seasonal sales of products raised on the premises.* A zoning permit is required.
- *Temporary structure* means a structure that will not remain erected on a parcel for a length longer than 60 days. The erection of a temporary structure requires a temporary structure permit.
- *Tidal shore* means land contiguous to a tidal body of water between the mean low water level and the mean high water level.
- *Tidal wetlands* means vegetated and non-vegetated wetlands as deemed in the Code of Virginia §28.2-1300.
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King William County Zoning and Subdivision Ordinance

TABLE OF MINIMUM SITE AREA AND DIMENSIONAL REGULATIONS FOR PRIMARY ZONING DISTRICTS						
	A-C	R-R	R-1	B-1	B-2	I
	500	300	150	100	100	100
Minimum Lot Frontage (in feet)						
Fronting Primary Road	400	200	200	100	100	100
Fronting Secondary Road	300	200	150	100	100	100
Fronting Subdivision Street	150	150	100	100	100	100
Minimum Setback (in feet)						
From Primary Road	100	75	75	75	75	75
From Secondary Road	75	50	40	50	50	50
From Subdivision Street	50	50	40	50	50	50
Minimum Yard (main building – in feet)						
Side	25	25	15	0 <sup>3</sup>	0 <sup>3</sup>	0 <sup>4</sup>
Rear	50	50	40	0 <sup>3</sup>	0 <sup>3</sup>	0 <sup>4</sup>
Minimum Yard (accessory buildings – in feet)						
Side	15 <sup>5</sup>	15	15	0 <sup>6</sup>	0 <sup>6</sup>	0 <sup>6</sup>
Rear	15 <sup>5</sup>	15	15	0 <sup>6</sup>	0 <sup>6</sup>	0 <sup>6</sup>
Maximum Height (in feet)						
	45 <sup>7</sup>	45	45	45	100 <sup>8</sup>	100 <sup>8</sup>

<sup>1</sup> The minimum lot area for a family subdivision shall be 3 acres.

<sup>2</sup>15,000 square feet (sf) for properties served by both public water and sewer;  
20,000 sf served by public water only or public sewer only;  
30,000 sf not served by public water or public sewer

<sup>3</sup>50 foot main building setback required from any residentially zoned parcel

<sup>4</sup>100 foot main building setback required from any residentially zoned parcel

<sup>5</sup>For non-agricultural accessory buildings only

<sup>6</sup>25 foot accessory building setback required from any residentially zoned parcel

<sup>7</sup>Agricultural structures may exceed 45 feet in height as long as they are exempt under the building code.

<sup>8</sup>No part of a building that is located within 200 horizontal feet of any R-R or R-1 residential zoning district may exceed 45 feet in height.

<sup>9</sup>The minimum lot size, area and setbacks do not apply to public utility parcels owned or operated by the County.

**Sec. 86-111. Adjustments and special provisions to lot area and dimensional regulations in the A-C zoning district.**

Adjustments and special provisions to lot area and dimensional regulations in the A-C zoning districts are as follows:

Minimum Lot Size and Dimensions

King William County Zoning and Subdivision Ordinance

	Area	Width	Depth
Veterinary hospital: large animals	10 acres	500 feet	300 feet
Veterinary hospital: small animals, open pens, or kennels	5 acres	300 feet	300 feet
Stable, commercial	10 acres	-	-
Stable, private	2 acres	200 feet	200 feet

**Sec. 86-112. Modifications to lot area regulations.**

1. Requirements for lot area per family do not apply to dormitories, fraternities, sororities, and other similar living quarters which are accessory to a permitted use and which have no cooking facilities in individual rooms or apartments.
2. Requirements for lot area per family do not apply to rental units in a hotel, motel, motor lodge or rooms in a rooming house, boardinghouse, or lodging house or an Accessory dwelling unit.
3. Multiple buildings on a single lot: More than one main building may be located upon a lot or tract only in the following instances:
  - a. Institutional buildings;
  - b. Public or semipublic buildings;
  - c. Multiple-family dwellings or condominiums under approved site plans;
  - d. Attached single-family dwellings with two times the required lot area for a single-family dwelling;
  - e. Convalescent or nursing homes for the aged; and
  - f. Tenant houses on a farm in accord with applicable district regulations.
4. The provisions of this section shall not be construed to allow the location or erection of any building or portion of a building outside of the buildable area of the lot.
5. 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 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.
6. For any lots where the rear and side yards are located in the Resources Protection Area, accessory buildings and structures may be located in a front yard in order to be located outside of the Resources Protection Area.

## King William County Zoning and Subdivision Ordinance

3. *Screening, loading, and storage.* Screening shall be required in accordance with the requirements of section 86-295. Loading docks shall be provided at the side or rear only. All outside storage shall be located only in the rear or side yard and shall be screened from view at the property line from a public road or adjoining A-C, R-R, or R-1.
4. *Installation of landscaping.* Required landscaping shall be installed in accordance with the requirements of section 86-293.
5. *Access.* Each B-1, B-2, or I development site shall be limited to one point of access for every 500 feet of frontage on U.S. Highway 360 or State Highway 30. To the extent feasible, parking areas shall be arranged so that circulation among or between various businesses can be accomplished without reentering a primary public highway. A-C, R-R, or R-1 parcels subdivided after the effective date of this section shall be required to share a single entrance on U.S. Highway 360 or State Highway 30.
6. *Building exteriors.* Building exteriors visible from U.S. Highway 360 or State Highway 30 shall consist of brick, stone, stucco, drivet, decorative block, or hardi-plank siding unless reviewed by the Planning Commission and approved by the Board of Supervisors prior to zoning approval. ~~be approved by the Zoning Administrator.~~
7. *Roofs.* Roofing materials shall consist of wood, tin, copper, slate, terra cotta, standing seam metal or dimensional fiberglass shingles. Pitched roofs shall be provided wherever practicable, and any flat roof shall have a parapet wall to screen from view at ground level at the property line the flat roof and any roof mounted equipment.
8. *Architectural.* All principal buildings within a single development project shall have a complementary architectural appearance with the use of similar building materials, scale, color and other architectural features.
9. *Signs.* All business identification signs shall be monument signs not to exceed 15 feet in height for individual businesses and 20 feet in height for businesses with multiple tenants. Pole signs and free-standing signs shall be prohibited. Electronic or digital signage, as permitted pursuant to article X, shall be equipped with a device to automatically dim the brightness during night or low-light conditions.
10. *Lighting.* Any on-site lighting shall be "shoe-box" style lighting fixtures, or equivalent, to conceal the lighting source and minimize spillover or glare on adjoining properties. Any lighting used under canopies shall be recessed to minimize glare. Lighting shall be reduced to no more than a security level following close of daily operations.
11. *Underground utilities.* Utility lines, including, but not limited to, electric, CATV, and telephone, shall be placed underground. This requirement applies to lines serving individual sites within the development as well as utility lines providing service to the development. Existing overhead utility lines may be extended to a terminal pole at the property line, as needed, and thence placed underground.

### **Sec. 86-137. Chesapeake Bay Preservation Area**

**State Law reference**— Chesapeake Bay Preservation Act, Code of Virginia, §10.1-2100 et seq.; board to develop criteria, Code of Virginia, §10.1-2107; local Chesapeake Bay Preservation Areas, Code of Virginia, §10.1-2109; wetlands, Code of Virginia, §28.2-1300 et seq.; Ground Water Management Act of 1992, Code of Virginia, §62.1-254 et seq.

#### **Sec. 86-137.1. Applicability.**

The requirements of this article shall apply to all development and redevelopment involving land disturbance, the creation of a construction footprint or a change in an existing construction footprint. Agricultural activities and silvicultural activities are subject to the specific provisions applicable to those activities, as noted herein.

**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				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

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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	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

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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.

## ARTICLE VIII: USE AND DESIGN STANDARDS

### Division 1 – Agricultural Uses

#### **Sec. 86-151. Agriculture, intensive.**

Intensive agriculture includes the commercial raising of cattle, swine, poultry, and the drying and storage of grains, peas, beans and other agriculture products except for hay. All such facilities shall:

1. Setback 100 feet from any public road;
2. Setback 200 feet from any residential district;
3. Setback 400 feet from any residence not located on the same parcel, religious assemblies, public or private schools, and other public-owned facilities;
4. Submit an approved Nutrient Management Plan and any Federal and State permits.

#### **Sec. 86-151.1 Agriculture, Private Use.**

1. Private stables and other livestock housing facilities used for keeping horses or livestock shall be at least 100 feet from all property lines. The setbacks do not apply to fencing or pastures.
2. Private stables and other livestock housing 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 or 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.
3. Applicability. This section applies only to the events and activities and does not apply to the agricultural operation itself.
4. Poultry, including fowl, ducks, and other birds kept for the production of eggs for domestic consumption, specifically excluding roosters, geese, guinea fowls, turkeys, emu, ostrich, 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, emu, ostrich and peafowl, a conditional use permit shall be required. Any coop housing the birds must be located a minimum of 50' from the adjacent property line. No coop or pen housing the birds shall be located in the front yard.
5. This does not apply to parcels located in the A-C agricultural-conservation or R-R rural residential zoning districts.

## **Division 2 - Residential Uses**

### **Sec. 86-154. Accessory dwelling unit.**

An accessory dwelling unit can take the form of the following, subject to these restrictions.

1. An accessory dwelling unit that is contained within a single family dwelling may equal the existing finished square footage of the primary dwelling, such as a basement, attic, or additional level.
2. An accessory dwelling unit that is attached to the primary single-family dwelling, or as a dwelling unit located above a detached accessory structure, shall be no more than one half the size of the finished square footage of the primary dwelling unit located on the subject property.
3. An accessory dwelling structure that is detached shall be no more than 800 gross square feet **unless a conditional use permit has been approved.**
4. Only one Accessory dwelling is allowed per parcel.
5. A recreational vehicle, travel trailer, camper, or similar vehicle shall not be used as an Accessory dwelling.
6. An accessory dwelling shall obtain all proper permits and comply with all applicable requirements of the Virginia Department of Health.
7. Accessory dwellings shall comply with all applicable provisions of the Industrialized Building Safety Law (§ 36-70 et seq.) and the Uniform Statewide Building code (§36-97 et seq.).

### **Sec. 86-155. Dishes.**

Microwave antennae (dishes) in excess of 24 inches in diameter used for reception of television signals from satellites shall not be located within the minimum front yard setback.

### **Sec. 86-156. Electric, telephone, cable TV, and service lines.**

House service lines and cables for electric power utilities, telephone and cable television service to residential uses shall be considered an accessory use under this ordinance.

### **Sec. 86-157. Family health care structures, temporary.**

Temporary family health care structures shall be subject to the following standards:

1. Such structures shall comply with all setback requirements that apply to the primary structure.
2. Only one family health care structure shall be allowed on a lot or parcel of land.
3. The structure shall be no more than 300 gross square feet and shall comply with all applicable provisions of the Industrialized Building Safety Law (§36-70 et seq.) and the Uniform Statewide Building Code (§36-97 et seq.).
4. Prior to installing a temporary family health care structure, a permit must be obtained from the County and associated fees paid.
5. Any family health care structure shall comply with all applicable requirements of the Virginia Department of Health.
6. No signage advertising or promoting the existence of the structure shall be permitted on the exterior of the structure or anywhere on the property.
7. Any temporary family health care structure shall be removed within 60 days of the date on which the temporary family health care structure was last occupied by a mentally or physically impaired family member receiving services or assistance.
8. The County may revoke the permit if the permit holder violates any provision of this section.

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than eight feet in height. All fences and walls shall have a uniform and durable character and shall be property maintained.

3. Inoperative vehicles or parts thereof shall not be collected or stored outside the required fence or in piles more than six feet in height.
4. The collection or storage of any material containing or contaminated with dangerous explosives, chemicals, gases, or radioactive substances is prohibited.
5. Every junkyard, salvage yard or automobile wrecking yard or graveyard shall be operated and maintained in such a manner as not to allow the breeding of rats, flies, mosquitoes, or other disease-carrying animals and insects.

### **Sec. 86-232—86-244. Reserved.**

## **Division 6 – Miscellaneous Uses**

### **Sec. 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 200 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.
4. **Kennels to be located behind the primary residence.**

### **Sec. 86-246. Parking facility.**

The following general standards shall apply to all parking facilities:

1. No motor vehicle work shall be permitted in association with a parking facility except under emergency service work.
2. Parking shall be the principal use of all parking facilities. Spaces may be rented for parking but no other business of any kind shall be conducted in the structure except County sanctioned farmer's markets or permitted mobile restaurants.

### **Sec. 86-247. Resource extraction.**

Excavation or filling, borrow pits, extraction, processing, and removal of sand or gravel and stripping of topsoil and other major excavations in a district where listed as a conditional use permit and subject to the following conditions for major borrow pits, clay pits, mines, quarries, sand, and gravel mining and similar operations:

1. The excavations shall be confined to areas located at least 50 feet from all adjoining property lines, at least 100 feet from any and all adjoining property lines in any residential or any business district, and at least 200 feet from any dwelling or any and all property lines in any platted subdivision except that excavations may be conducted within such limits, provided that the written consent of the owners of such adjoining properties is secured.
2. The excavation shall be confined to areas located at least 200 feet from the right-of-way lines of any existing or platted street, road or highway, except that where the ground level is higher than the road, the Board may permit excavations down to the road level.

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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 **which may also include a berm** 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. **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 King William County tree canopy chart; shrubbery shall be provided according to the requirement specified above.** 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;

be deemed to meet the requirements of this article. Any further division or resubdivision in any such subdivision after the effective date of this article shall, however, comply with all applicable provisions of this article.

**Sec. 86-438. Exempt Subdivisions.**

1. Any subdivision, as defined herein, shall be exempt from the requirements of this article if all the following are met:
  - a. Every lot of the subdivision is 25 acres or greater in area,
  - b. The subdivision is in an area zoned agricultural/conservation,
  - c. Every lot abuts an existing **primary or** secondary highway,
  - d. The subdivision complies with the general platting requirements of King William County,
  - e. The subdivision shall meet any Virginia Department of Transportation (VDOT) safety and/or design requirements.
2. Any further subdivision of a previously exempted lot pursuant to this exemption shall constitute a major subdivision **except for family divisions and on parcels of 50 acres or more** and shall be subject to all applicable governing ordinances and requirements.
3. All prospective subdivisions for this classification shall be reviewed by the agent, who shall determine if the above criteria have been met. Such subdivisions shall have language to be placed on the plat to indicate that it is an exempt subdivision and accordingly any further subdivision of the parcels shall constitute a major subdivision and must comply with all appropriate County regulations.

**Sec. 86-439. Classification of certain subdivisions**

In making a determination as to whether a subdivision is major, farmstead, minor or cluster, as defined herein, the agent shall consider the definitions and requested lot sizes but shall not consider any lots in such subdivision which were lawfully recorded by plat of subdivision and/or deed in the office of the Clerk of the Circuit Court prior to the adoption of this ordinance.

**Sec. 86-440. Division of sale or gift to immediate family members.**

1. In accordance with Code of Virginia §15.2-2244, a single division of a lot or parcel for the purpose of sale or gift to a member of the immediate family of the property owner shall be permitted, subject only to any express requirement contained in the Code of Virginia and to any requirement imposed by the Board of Supervisors that all lots of less than five acres have reasonable right-of-way of 20 feet providing ingress and egress to a dedicated recorded public street or thoroughfare. Only one such division shall be allowed per family member and shall not be for the purpose of circumventing this section. For the purpose of this section, a member of the immediate family is defined as any person who is a natural or legally defined offspring, spouse, grandchild, grandparent, sibling, parent, niece, or nephew of the owner.
2. As allowed by Code of Virginia §15.2-2244.1, the parcel from which a family division is proposed shall be held by the subdivider for a minimum of five consecutive years prior to the date of subdivision and subdivided parcels or lots from such family divisions shall be held by the immediate family member for a minimum of three years from the date of subdivision to prevent the use of this section to circumvent the subdivision ordinance. A variance request may go to the Board of Zoning Appeals when a changed circumstance would require the transfer of the property to a nonmember of the immediate family.
3. All prospective subdivisions for this classification shall be reviewed by the agent, who shall determine if the above criteria have been met. Such subdivisions shall have language to be placed on the plat to indicate that it is a family transaction, who is involved and what is their family relationship.

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environment. They must be located and designed in compliance with the comprehensive plan and land use ordinances.

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.* Cluster Subdivisions are allowed one lot per 5 acres.
    - i. If the subdivision utilizes public water and sewer, then a 30 percent increase in the number of lots shall be permitted.
    - ii. For every three additional lots that are dedicated for affordable housing, serving households with incomes that are below 80 percent of the area median income, two additional market rate lots shall be permitted.
  - 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~~ 40,000 sf if the lot is not served by either public water or public sewer. Lots served by a private septic must accommodate an approved septic field with a 100 percent reserve field or other approved onsite wastewater or discharge system as approved by VDH or appropriate state agency.
  - c. *Yard and dimension requirements.*
    - i. There are no lot width or area requirements except as provided in subparagraph (2).
    - ii. Any lots abutting the exterior boundary of the cluster subdivision shall be of the same size and dimensions as would be required of conventional development. Unless separated by a conservation area that is not less than 100 feet in width, a lot shall be considered to be abutting the exterior boundary.
    - iii. Rear and side yards shall be set forth on the preliminary plat to be approved by the subdivision agent in conformance with the overall character and intent of the proposed subdivision. No structure, well, or sewerage system shall be closer than ten feet to any side or rear property line.
    - iv. The minimum front-yard setback shall be set forth on the preliminary plat to be approved by the subdivision agent in conformance with the overall character and intent of the proposed subdivision.
    - v. If shared access arrangements are otherwise permitted and the same are proposed within the cluster subdivision, an easement establishing the right-of way and maintenance responsibilities shall be recorded at such time as the lots are created and the existence of such easement shall be noted on the face of the plat creating the lots.
  - d. *Conservation Areas.* A minimum of seventy (70) percent of the total area of the parcel shall be required conservation areas. The conservation area may contain mass drainfields and their reserve area, but not individual drainfields or the required yards for individual lots. The conservation areas shall be permanently protected and maintained by a Home Owner's Association which at the time of final subdivision approval for any property as a cluster subdivision, the property owner shall record documents satisfactory to the County establishing ownership and control of the conservation areas, requiring their preservation in perpetuity, and prohibiting further division of the conservation areas. Conservation areas shall be clearly designated on the approved subdivision plat.
  - e. *Street requirements.* Access for any cluster subdivision shall be directly to/from a public street with at least 50 feet of frontage to accommodate an appropriate right-

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of-way. No residential lot shall have direct access to a road located outside the Cluster subdivision.

- f. *Utility Requirements.* Water and Sewer facilities may either be served by a public system or systems approved by VDH. Centralized utilities shall be maintained by a Home Owner's Association (unless otherwise operated by a public or private utility) which shall be established prior to final plat approval. Applicable Home Owners' Association documents shall be reviewed for consistency with the requirements of this Subdivision Ordinance by the County Attorney prior to final plat approval.
- g. In addition to the general platting requirements set forth in Division 3 of the Subdivision Ordinance, the location(s) of any historic resources on both the subject and adjacent parcels, including cemeteries, and archeological features as reflected in available County records shall be designated.
- h. The following additional development standards shall apply:
  - i. Floodplains, wetlands, and steep slopes shall, to the maximum extent practicable, be protected from clearing, grading or filling. Lots shall be designed to minimize necessary grading or filling, and to take advantage of the existing topography and landforms to the extent practicable.
  - ii. Lots, to the maximum extent practicable, shall be designed to preserve and maintain existing tree lines between fields or meadows, pastures, meadows, orchards, and mature woodlands, especially those containing a significant wildlife habitat, and to minimize development in open fields and pastures.
  - iii. Existing views from public thoroughfares shall be preserved to the maximum extent practicable and include a 20' landscaping buffer, consisting of sight obscuring native species of trees in areas if needed to accomplish this requirement.
  - iv. Lots, to the maximum extent practicable, shall be designed to avoid important historic, archaeological, or cultural sites.
  - v. Ridge tops and hill tops shall be contained within conservation areas to preserve scenic views. Trees, to the maximum extent practicable, shall not be removed from ridge tops or hill tops.
  - vi. Roads shall be designed to mitigate the impact on conservation areas.

Secs. 86-457 – 86-459 Reserved

### **Sec. 86-460. Major subdivisions.**

1. *Intent.* Major subdivisions have five or more lots and therefore will have greater impact on the environment, highways and surrounding communities than will smaller subdivisions. Therefore, more stringent design standards and approval procedures are required for major subdivisions. It is the intent of this division to ensure that major subdivisions become assets rather than burdens to the County.
2. *Improvements.*
  - a. *Fire protection.* The installation of adequate fire hydrants for fire protection in a subdivision at locations approved by the agent shall be required when a central water system is installed in the subdivision of more than 25 lots. Fire protection system shall be designed, installed and provide pressure and fire flows in accordance with King William County water and sewer standards.

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b. *Underground utilities.* All utility lines, except those in the I industrial district, including, but not limited to, electric, CATV, telephone, or other lines shall be placed underground. This requirement shall apply to lines serving individual sites within the development and to utility lines providing service to the development. Where aerial utility service is extended from lines, located across U.S. Highway 360, such lines may be carried overhead to a terminal pole located along the thoroughfare right-of-way but not within the subdivision, where the lines shall be placed underground. This shall not apply to electric transmission lines, the placement of which is regulated by the state corporation commission. Where aerial utility lines, excluding service lines traverse the property proposed for subdivision, such lines may remain overhead unless the lines are subsequently moved, in which case, they shall be placed underground. Relocation of existing poles placed within an easement contiguous to the highway right-of-way which adjoins the property being subdivided, when done as part of construction of an entrance to the subdivision shown on an approved subdivision plat, shall be exempt from these requirements.

c. All driveways must have a concrete apron that meets VDOT standards. The remainder of the driveway must consist of concrete with a minimum thickness of 4" or asphalt with a minimum thickness of 2" and a granular base aggregate of 6" to 8" in thickness. The driveway must be sloped towards the street to eliminate standing water.

3. *Landscaping.* For all subdivisions in which landscaping is voluntarily proffered, proposed or required, plans showing the general location(s) and type of materials to be used shall be provided with the preliminary plat. After approval of the preliminary plat by the agent, a landscape plan shall be prepared by a certified landscape architect and included in the construction plans and specifications for all required physical improvements to be installed in the subdivision, with detailed and specific lists of all materials to be used, the location(s) of the materials, and the proposed location(s) of each tree and shrub to be planted. Where existing plantings are to be retained, specifics as to materials and location(s), as well as proposed methods for protection during construction, shall be included in the plans. Landscaping shall be secured pursuant to this article with suitable maintenance and performance guaranties given at the time of final platting.

a. *Landscaped buffers along existing and planned public roads:* For all subdivisions developed in R-R and R-1 residential districts, a buffer shall be located along all public roads (not within subdivisions) existing on the date of final subdivision approval and all roads designated on the major thoroughfare plan on which the subdivision fronts, to a minimum depth of 50 feet. Existing deciduous trees with a caliper of two inches or greater, and coniferous trees four feet or greater in height, shall be retained within the buffer. If the buffer has no trees, the frontage shall either be landscaped in accordance with King William County screening requirements, or improved with a landscaped, sculpted, non-linear undulating landform with an average height of three feet. The landform shall be landscaped with low-maintenance vegetation.

- ~~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, Heavy, means to provide for manufacturing, processing, assembly, distribution, service and repair uses that carry out a portion of their operation outdoors or require outdoor storage areas. Any nuisance associated with such uses should not generally extend beyond the boundaries of the site. This district should normally be applied on the interior of industrial areas adjacent to collector and local industrial public roadways such that uses are separated from any adjacent residential areas by a higher quality Industrial or Commercial District.~~

- ~~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, Light, means allow for low to medium intensity uses that involve the manufacture, fabrication, assembly, or processing of primarily finished materials. This zoning district is characterized by medium and large lots and is designed to promote the development of uses such as auto service centers, research and development parks, construction industries, incidental wholesale and retail activity, outdoor storage, and assembly/light manufacturing uses. Residential uses of any kind are prohibited in this district with the exception of emergency shelters.~~

- ~~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.~~

~~Industry, Medium, is intended to accommodate a broad range of manufacturing and industrial uses. Permitted activity may vary from medium to higher intensity uses that involve the manufacture, fabrication, assembly, or processing of raw and/or finished materials. This zoning district is characterized by large lots and is designed to promote the development of uses such as industrial processing and assembly warehousing. Residential uses of any kind are prohibited in this district.~~

Uses permitted in medium and heavy industrial zoning districts:

1. Animal Hospitals and Shelters
2. Breweries, Wineries and Distilleries
3. Equipment Rentals
4. Fleet Services
5. General Contractor Services
6. General Industrial Uses
7. Vehicle and Equipment Sales/Rentals
8. Land Treatment
9. Recycling Depots
10. Recycled Materials Drop-off Centers
11. Auctioneering Establishments
12. Automotive and Equipment Repair Shops

Hanover County

Industrial District Requirements

## DIVISION 13. - M-1, Limited Industrial District.

## Section 26-161. - Purpose of the district.

The purpose of this district is to provide sufficient space in appropriate locations for certain types of business and manufacturing, relatively free from offense, in modern landscaped buildings, to make available more attractive locations for these businesses and industries, and to provide opportunities for employment closer to places of residence with corresponding reduction of travel time from home and work. Certain commercial uses are permitted, primarily for service to employees in the district. Typical development in the district would be that which is commonly known as an "industrial park." In order to preserve the land for industry and to avoid conflicts between industry and residences, future residential uses are restricted.

(Ord. No. 12-08, § 3, 1-9-13)

## Sec. 26-162. - Special conditions.

The uses permitted in this district shall be subject to the following special conditions:

1. All uses shall be conducted within a completely enclosed building with no open storage of raw, in process, or finish material and supplies or waste material, except as specifically provided for in the district regulations or as may be permitted outside of the SDO Suburban Development Overlay as special exceptions by the Board. Finished or semi-finished products manufactured on the premises may be stored in the open if screened from the street by landscaping, fences, walls, or berms.
2. All main plant buildings shall be of permanent and durable construction and limited to thirty-five (35) feet in height, unless otherwise approved by the Board.
3. Adequate parking and loading space shall be provided off-street for all employees and traffic to the building; if necessary, in excess of the minimum requirements set forth in division 4 of article 5.
4. Loading operations shall be conducted at the side or rear of buildings. Service drives or other areas shall be provided for off-street loading, and in such a way that in the process of loading or unloading, no truck will block the passage of other vehicles on the service drive or extend into any other public or private drive or street used for traffic circulation.
5. The front yard shall include a landscaped buffer at least twenty-five (25) feet in depth measured from the front property line or the future right-of-way line shown on the adopted major thoroughfare plan, whichever is greater. The buffer shall be landscaped with at least one (1) deciduous tree, two (2) inches in caliper measured two (2) feet from the ground when planted, and one (1) evergreen tree, at least six (6) feet in height when planted, for each fifty (50) feet of lineal frontage; at least one (1) shrub, at least eighteen (18) inches in spread when planted, for each thirty (30) feet of lineal frontage; and other ground cover reasonably dispersed throughout the yard. The landscaping shall be maintained in a neat and attractive condition.
6. No parking shall be permitted within the required landscaped buffer. No storage of material or products shall be permitted in the required front yard.
7. All fencing shall be of uniform and durable character, shall be of masonry, wood, wrought iron, chain link,

or similar material, and shall be properly maintained. No fences of wire, plastic, or vinyl shall be permitted.

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

Section 26-163. - Permitted uses.

A building or land shall be used only for the following purposes:

1. Any use permitted in the B-1 Neighborhood Business District, except for greenhouses and nurseries for growing plants, trees, and shrubs.
2. The manufacturing, compounding, processing, packaging or treatment of the following:
  - (a) Apparel.
  - (b) Bakery products.
  - (c) Bicycles and children's vehicles.
  - (d) Blinds and shades.
  - (e) Carpets and rugs.
  - (f) Containers, boxes, baskets, or products of similar nature, but not plastic products.
  - (g) Cosmetics.
  - (h) Electrical lighting equipment.
  - (i) Electronic and computer products.
  - (j) Fabricated sheet metal products.
  - (k) Fasteners, buttons, needles and pins.
  - (l) Fiber and filament, artificial.
  - (m) Fiber, fabric.
  - (n) Food and beverages (blending, bottling, canning, manufacturing, packaging, or processing), but not distilling of beverages, slaughtering of animals, or processing or bulk storage of grain or feeds for animals.
  - (o) Furniture, cabinets and related products.
  - (p) Household appliances and small electrical equipment.
  - (q) Jewelry and silverware.
  - (r) Mattresses.
  - (s) Medical equipment and supplies.
  - (t) Musical instruments.
  - (u) Office supplies, except paper manufacturing.
  - (v) Perfumes.
  - (w) Pharmaceuticals and medicines.
  - (x) Soap (compounding only).
  - (y) Sporting and athletic goods.

- (z) Textile and fabric finishing.
  - (aa) Textile furnishings.
  - (bb) Tools and dies.
  - (cc) Toys, games and dolls.
  - (dd) Vitreous enameled metal products.
3. Agriculture and forestry, as permitted in the A-1 agricultural district.
  4. Cold storage.
  5. Data processing, ISPs, search portals and related services.
  6. Drafting services.
  7. Dwellings for resident watchmen and caretakers employed on the premises.
  8. Fitness center (not recreational facility).
  9. Machine shops.
  10. Motion picture and sound recording industries.
  11. Nursery for growing or propagation of plants, trees, and shrubs.
  12. The permanent placement or removal of clean earth fill, including all related excavation and filling activities, provided:
    - (a) If the placement or removal is done in connection with the development of a property and the clean earth fill is being relocated on the same property, such placement or removal shall be permitted when it is done in furtherance of an approved site plan or construction plan.
    - (b) If the placement or removal is done in connection with the development of another property and the clean earth fill is either being transported to or from the property, such placement or removal shall be permitted when the source and destination of the clean earth fill are properly permitted with the applicable state and local regulatory authorities.
    - (c) If the placement of fill is not being done in furtherance of an approved site plan or construction plan and the average depth of clean earth fill being added is greater than one (1) foot, the property owner shall record a plat, approved by the director of public works, showing the locations where the fill has been placed. This plat shall be recorded in the office of the clerk of the circuit court of the county, within thirty (30) days of the conclusion of the placement or filling activities on the property.
  13. Photographic processing or blueprinting.
  14. Printing and publishing.
  15. Railroad spur tracks.
  16. Research and testing in the physical, engineering and life sciences (but not testing of combustion engines or explosives).
  17. Self-storage warehouse facility, in accordance with the standards of section 26-297.
  18. Sports and recreational instruction (indoor).
  19. Telecommunications towers and related facilities, but not towers:
    - (a) Greater than fifty (50) feet in height, on properties that are located within the "FAA Part 77 Area" as

depicted on the public works facilities plan in the county comprehensive plan, and

(b) Greater than one hundred feet (100') in height on all other properties.

20. Warehousing, storage, wholesaling and distribution (not truck terminals).

21. Wineries (not including vineyards).

(Ord. No. 12-08, § 3, 1-9-13)

Section 26-164. - Permitted accessory uses.

1. For those B-1 Neighborhood Business District uses permitted above, any permitted accessory use that is permitted under the B-1 Neighborhood Business District regulations is allowed.
2. Accessory uses as follows, on a farm of ten (10) acres or more:
  - (a) Accessory structures for sale or processing of farm products raised on the premises.
  - (b) Accessory open or enclosed storage of farm materials, products, or equipment.
  - (c) Accessory farm buildings, including barns, stables, sheds, tool rooms, shops, bins, tanks, and silos.
  - (d) Dwellings for persons permanently employed on the premises.
3. The location of office or construction trailers for a period not to exceed one (1) year.
4. Promotional events, in accordance with the following:
  - a. A permit is issued by the Director. All requests for promotional event permits shall be submitted at least five (5) business days before the promotional event. The application for a promotional event permit shall describe the activities planned and shall contain a sketch plan showing the location of existing structures, parking areas, vehicle entrances and exits, and pedestrian walkways, and the proposed location of the promotional event activities.
  - b. A promotional event permit may be issued for a period not to exceed three (3) consecutive days.
  - c. Promotional events involving the outdoor display of goods and merchandise shall be conducted within an area immediately adjacent to the place where such items are customarily sold.
  - d. No required off-street parking space, area used for vehicular ingress or egress, access drive or loading area shall be utilized for such display or activity.
  - e. A promotional event permit shall not authorize yard sales, flea markets, or other display or sale of used merchandise other than that normally sold by the business holding the promotional event.
  - f. Promotional events may only occur during the normal business hours of operation on the property.
  - g. If a private sidewalk or pedestrian way in front of the building is used for the display of merchandise or for any activity related to the promotional event, a minimum width of four feet must remain unobstructed for pedestrian use.

All other promotional events shall be considered "promotional activities."

5. Parking garages, accessory to permitted uses.
6. Storage of goods used in or produced by permitted commercial and industrial uses or related activities, subject to applicable district regulations.
7. Telecommunications arrays, located on an existing structure, provided the following requirements are met:

- a. The existing structure shall be in compliance with all currently applicable regulations.
- b. The height of the existing structure shall not be increased by more than ten (10) percent or ten (10) feet, whichever is less; provided, for properties located within the Hanover County Airspace Map area, no such increase may be permitted if the increase in height creates a hazard for the Hanover County Airport for existing, future or planned airspaces. In determining whether a proposed structure or addition to an existing structure creates such a hazard, the Director may consult with the Federal Aviation Administration and the Virginia Department of Aviation.
- c. The arrays shall not cause any interference with, or adverse impact on, the county's communications system.
- d. Any equipment cabinets or structures placed on the ground to serve the array(s) shall be screened in accordance with section 26-263, unless visually obstructed by existing vegetation or other structures on site.
- e. The arrays shall not be permitted if lighting, beacons, or other safety devices are required by the Federal Communications Commission, the Federal Aviation Administration, or any other governing agency.

(Ord. No. 12-08, § 3, 1-9-13; Ord. No. 13-05, § 7, 7-23-14)

#### Section 26-165. - Conditional uses.

The following uses may be permitted as conditional uses:

1. Any conditional use permitted in the A-1, Agricultural District or the B-1, Neighborhood Business District.
2. Auditorium or lecture hall and recreation facilities primarily for employees in the district.
3. Greenhouses, commercial, wholesale or retail.
4. Parking garages, commercial or public.
5. Sports and recreational instruction (outdoor).

(Ord. No. 12-08, § 3, 1-9-13)

#### Section 26-166. - Special exceptions.

- (1) Any special exception permitted in the A-1, agricultural district, other than a bed and breakfast, not otherwise permitted in this district may be permitted as a special exception if approved by the Board.
- (2) Uses permitted as special exceptions outside of the SDO Suburban Development Overlay District. The following uses may be permitted as special exceptions outside of the SDO Suburban Development Overlay District if approved by the Board:
  - a. Agricultural or farm implements, manufacture, sale, storage, or repair.
  - b. Contractor's equipment storage yard or plant or rental of equipment commonly used by contractors.
  - c. Fertilizer storage in bags or bulk storage of liquid or dry fertilizer in tanks or in a completely enclosed building, but not manufacture or processing.
  - d. Flour and feed milling, processing, and packaging.
  - e. Grain storage.

- f. Lumber and other building material, storage and sales, open or enclosed, but not manufacture, steel fabrica  
junk storage.
- g. Outdoor storage of goods or materials used in or produced by permitted commercial and industrial uses  
or related activities, subject to applicable district regulations.

(Ord. No. 12-08, § 3, 1-9-13)

Section 26-167. - Other uses not specifically listed.

Other uses not specifically listed: A proposed use that is substantially similar to a use that is a permitted use, a permitted accessory use, a conditional use, or a use permitted as a special exception in this zoning district may be permitted if the Director determines, after considering the proposed use's operating characteristics and impact on the neighboring properties, roads and community, that:

- 1. The proposed use is not likely to create any more danger to health and safety in surrounding areas than the listed use; and
- 2. The proposed use will not create any more offensive noise, vibration, dust, emissions, heat, smoke, odor, glare, and other objectionable influences than the listed use and will not have a greater traffic or parking impact than the listed use.

If the Director determines that the proposed use may be permitted, the regulations applicable to the use listed in the district regulations shall apply to the proposed use.

(Ord. No. 12-08, § 3, 1-9-13)

Section 26-168. - Lot size requirements.

	Minimum Square Feet		Minimum Feet	
	Average Lot Area	Minimum Lot Area	Lot Width	Lot DepthMinimum
All uses	43,560 (one acre)	40,000	150	200

Notes:

- 1. Averaging lot area is permitted only in subdivisions of two (2) or more lots.
- 2. Lot width is measured at the building line.
- 3. Minimum street frontage is one hundred (100) feet.

(Ord. No. 12-08, § 3, 1-9-13)

Sec. 26-169. - Yard requirements.

	Minimum in Feet			
	Front Yard	Side Yard Minimum	Side Yard Aggregate	Rear Yard
All uses—Street 50 feet or greater in width	35	10	—	25

## Notes:

1. Side and rear yards required only adjacent to a residential district.
2. The front yard setback shall be measured from the future right-of-way line as shown on the major thoroughfare plan.
3. Loading platforms for rail service may extend into a required side or rear yard.

(Ord. No. 12-08, § 3, 1-9-13; Ord. No. 15-01, § 2, 3-11-15)

## Section 26-170. - Height restrictions.

The following height restrictions shall apply in this district:

1. Telecommunications towers and related facilities:
  - a. Permitted by right:
    - (i) On properties located within the "FAA Part 77 Area" as depicted on the public works facilities plan in the county comprehensive plan, shall not exceed fifty (50) feet;
    - (ii) On all other properties, shall not exceed one hundred (100) feet.
  - b. Permitted with a special exception: shall not exceed one hundred forty (140) feet.
  - c. Permitted with a conditional use permit: may exceed one hundred forty (140) feet.
2. All structures not specifically exempted in [section 26-248](#) shall not exceed a height of two and one-half (2.5) stories or thirty-five (35) feet, whichever is less.

(Ord. No. 12-08, § 3, 1-9-13)

## DIVISION 14. - M-2, Light Industrial District.

## Section 26-171. - Purpose of the district.

The purpose of this district is to provide for a wide variety of light manufacturing, fabricating, processing, wholesale distributing, and warehousing uses appropriately located for access by major thoroughfares or railroads. Commercial uses and open storage of materials are permitted but new residential development is excluded.

(Ord. No. 12-08, § 3, 1-9-13)

Section 26-172. - Permitted uses.

A building or land shall be used only for the following purposes:

1. Any use permitted in the B-O, business office district, B-1, neighborhood business district, or the M-1, limited industrial district.
2. The manufacturing, compounding, processing, packaging or treatment of the following:
  - (a) Containers, boxes, baskets or products of similar nature made from metal, fiber or plastic products.
  - (b) Converted paper products.
  - (c) Disinfectants, or related industrial or household chemical compounds (blending only).
  - (d) Fabricated ornamental iron products and other fabricated metal products (not structural), including firearms.
  - (e) Flour and feed (milling, processing, and packaging only).
  - (f) Heating, ventilating, cooking and refrigeration supplies and appliances.
  - (g) Industrial electrical equipment.
  - (h) Ice, including dry ice.
  - (i) Ink (mixing only).
  - (j) Leather and allied products, but not tanning operations.
  - (k) Machinery.
  - (l) Paperboard boxes.
  - (m) Plastics and rubber products.
  - (n) Plating, electrolytic process.
  - (o) Plumbing supplies.
  - (p) Pottery and figurines or similar ceramic products and kilns (fired by electricity or gas only).
  - (q) Signs.
  - (r) Tobacco and tobacco products (including wholesale and distribution).
  - (s) Vegetable oil.
  - (t) Veneer, plywood and engineered wood products.
  - (u) Wood containers and pallets.
3. Agricultural or farm implements, manufacture, sale, storage or repair.
4. Aluminum extrusion, rolling, fabrication and forming, foundry products (electrical only).
5. Animal hospital.
6. Automobile, tractor, truck, bus, motorcycle body and fender repair.
7. Automobile, tractor, truck, bus, motorcycle radiator repair and cleaning.
8. Automobile, tractor, truck, bus, motorcycle repair, general.
9. Automobile, tractor, truck, bus, motorcycle tire retreading, recapping and vulcanizing.

10. Automobile, tractor, truck, bus, motorcycle transmission repair service.
11. Blacksmith shop.
12. Boat and boat trailer sales and storage, both new and used, including display, repair, and storage, and including accessory uses.
13. Brewery.
14. Carpet and rug cleaning.
15. Coal and wood yards, coke storage and sales.
16. Coating, engraving, and allied activities.
17. Commercial and industrial machinery and equipment sales, rental and leasing.
18. Commercial landscaping operation.
19. Construction equipment sales, rental or leasing.
20. Contractor's equipment storage yard or plant or rental of equipment commonly used by contractors.
21. Craft brewery.
22. Dry cleaning plants.
23. Exterminating establishment.
24. Fertilizer storage in bags or bulk storage of liquid or dry fertilizer in tanks or in a completely enclosed building, but not manufacture or processing.
25. Furniture refinishing.
26. Grain storage.
27. Greenhouses, commercial, wholesale or retail.
28. Industrial gases (storage, transfer and distribution only; provided that such storage occurs in tanks no larger than five thousand (5,000) gallons and does not exceed twenty thousand (20,000) gallons per lot).
29. Industrial vocational training school, including internal combustion engines.
30. Insecticides and fungicides (blending only).
31. Kennels, boarding or otherwise.
32. Laundry and linen services.
33. Lumber and other building material, storage and sales, open or enclosed, but not manufacture, steel fabricating or junk storage.
34. Lumber yards.
35. Millwork.
36. Poultry packing and slaughtering (wholesale).
37. Product finishing (enameling, lacquering, etc.).
38. Railroad switching yard, primarily for railroad service in the district, team tracks and spur tracks.
39. Recreational vehicle sales and rentals, both new and used, including display, repair, and storage, and including accessory uses.
40. Tire sales and service.

41. Transportation equipment manufacturing, except locomotive and railroad car building and repair.
42. Truck sales and repairs, including body or fender repairs.
43. Truck terminal.
44. Vehicle storage area (not parking garages), including the storage of empty trailers.
45. Water well drilling services.
46. Welding or soldering shops.

(Ord. No. 12-08, § 3, 1-9-13; Ord. No. 14-12, § 6, 12-10-14)

Section 26-173. - Permitted accessory uses.

1. For those B-O Business Office District, B-1 Neighborhood Business District and M-1 Limited Industrial District uses permitted above, any permitted accessory use that is permitted under the corresponding district regulations is allowed.
2. The location of office or construction trailers for a period not to exceed one (1) year.
3. Parking garages, accessory to permitted uses.
4. Promotional events, in accordance with the following:
  - a. A permit is issued by the Director. All requests for promotional event permits shall be submitted at least five (5) business days before the promotional event. The application for a promotional event permit shall describe the activities planned and shall contain a sketch plan showing the location of existing structures, parking areas, vehicle entrances and exits, and pedestrian walkways, and the proposed location of the promotional event activities.
  - b. A promotional event permit may be issued for a period not to exceed three (3) consecutive days.
  - c. Promotional events involving the outdoor display of goods and merchandise shall be conducted within an area immediately adjacent to the place where such items are customarily sold.
  - d. No required off-street parking space, area used for vehicular ingress or egress, access drive or loading area shall be utilized for such display or activity.
  - e. A promotional event permit shall not authorize yard sales, flea markets, or other display or sale of used merchandise other than that normally sold by the business holding the promotional event.
  - f. Promotional events may only occur during the normal business hours of operation on the property.
  - g. If a private sidewalk or pedestrian way in front of the building is used for the display of merchandise or for any activity related to the promotional event, a minimum width of four feet must remain unobstructed for pedestrian use.

All other promotional events shall be considered "promotional activities."

5. Storage of goods or materials used in or produced by permitted commercial and industrial uses or related activities, subject to applicable district regulations.
6. Telecommunications arrays, located on an existing structure provided the following requirements are met:
  - a. The existing structure shall be in compliance with all currently applicable regulations.
  - b. The height of the existing structure shall not be increased by more than ten (10) percent or ten (10) feet,

whichever is less; provided, for properties located within the Hanover County Airspace Map area, no such increase may be permitted if the increase in height creates a hazard for the Hanover County Airport for existing, future or planned airspaces. In determining whether a proposed structure or addition to an existing structure creates such a hazard, the Director may consult with the Federal Aviation Administration and the Virginia Department of Aviation.

- c. The arrays shall not cause any interference with, or adverse impact on, the county's communications system.
- d. Any equipment cabinets or structures placed on the ground to serve the array(s) shall be screened in accordance with section 26-263, unless visually obstructed by existing vegetation or other structures on site.
- e. The arrays shall not be permitted if lighting, beacons, or other safety devices are required by the Federal Communications Commission, the Federal Aviation Administration, or any other governing agency.

(Ord. No. 12-08, § 3, 1-9-13; Ord. No. 13-05, § 8, 7-23-14)

#### Section 26-174. - Conditional uses.

The following uses may be permitted as conditional uses:

1. Any conditional use permitted in the A-1, Agricultural District or the B-1, Neighborhood Business District.
2. Carwash or vehicle washing facility, automatic or otherwise.
3. Parking garages, commercial or public.
4. Private power generation plants, producing electricity for other users.
5. Propane Storage and distribution.
6. Sports and recreational instruction (outdoor).
7. Stable or riding academy.
8. Storage, transfer and distribution of industrial gases, where such gases are stored in tanks in excess of five thousand (5,000) gallons, or where the total storage of such gases on a lot exceeds twenty thousand (20,000) gallons.
9. Theaters, including drive-in theaters.
10. Truck stops.
11. Wholesale Motor Vehicle Auction.

(Ord. No. 12-08, § 3, 1-9-13)

#### Section 26-175. - Special exceptions.

The following uses may be permitted as special exceptions:

1. Any special exception permitted in the A-1, Agricultural District and not included in the list of permitted uses for the M-2 District except for bed and breakfasts.
2. Roof structures placed over fuel pumps at filling stations, when such structures are constructed within the required front yard setback.

3. A fence more than four (4) feet high in a required front yard, where such fence is necessary for the protective property of a permitted use.
4. Sale, display, and storage of used automobiles as accessory to an automobile repair business that was in operation on the same zoning lot on January 1, 2020.

(Ord. No. 12-08, § 3, 1-9-13; Ord. No. 20-12, § 1, 8-28-20)

Section 26-176. - Other uses not specifically listed.

Other uses not specifically listed: A proposed use that is substantially similar to a use that is a permitted use, a permitted accessory use, a conditional use, or a use permitted as a special exception in this zoning district may be permitted if the Director determines, after considering the proposed use's operating characteristics and impact on the neighboring properties, roads and community, that:

1. The proposed use is not likely to create any more danger to health and safety in surrounding areas than the listed use; and
2. The proposed use will not create any more offensive noise, vibration, dust, emissions, heat, smoke, odor, glare, and other objectionable influences than the listed use and will not have a greater traffic or parking impact than the listed use.

If the Director determines that the proposed use may be permitted, the regulations applicable to the use listed in the district regulations shall apply to the proposed use.

(Ord. No. 12-08, § 3, 1-9-13)

Section 26-177. - Lot size requirements.

All uses: None except as may be required by the health official to meet sanitary standards.

(Ord. No. 12-08, § 3, 1-9-13)

Section 26-178. - Yard requirements.

	Minimum in Feet			
	Front Yard	Side Yard Minimum	Side Yard Aggregate	Rear Yard
All uses—Street 50 feet or greater in width	35	10	—	25

Notes:

1. Side and rear yards required only adjacent to a residential district.
2. The front yard setback shall be measured from the future right-of-way line as shown in the major thoroughfare plan.

(Ord. No. 12-08, § 3, 1-9-13)

Section 26-179. - Height restrictions.

The following height restrictions shall apply in this district:

1. Telecommunications towers and related facilities:
  - a. Permitted by right:
    - (i) On properties located within the "FAA Part 77 Area" as depicted on the public works facilities plan in the county comprehensive plan, shall not exceed fifty (50) feet;
    - (ii) On all other properties, shall not exceed one hundred (100) feet.
  - b. Permitted with a special exception: shall not exceed one hundred forty (140) feet.
  - c. Permitted with a conditional use permit: may exceed one hundred forty (140) feet.
2. All structures not specifically exempted in section 26-248 shall not exceed a height of three (3) stories or forty-five (45) feet, whichever is less.

(Ord. No. 12-08, § 3, 1-9-13)

DIVISION 15. - M-3, Heavy Industrial District.

Section 26-180. - Purpose of the district.

The purpose of this district is to provide for a variety of industrial operations, but to restrict or prohibit those industries which have characteristics likely to produce serious adverse effects within or beyond the limits of the district. Certain potentially hazardous industries are permitted only after public hearings and review to assure protection of the public interest and surrounding property and persons. It is the intention of the district to preserve the land in the district for industrial use and to exclude new residential or commercial development except for certain specified uses deemed appropriate adjuncts to industrial operations.

(Ord. No. 12-08, § 3, 1-9-13)

Section 26-181. - Permitted uses.

A building or land shall be used only for the following uses:

1. Any use permitted in the M-2 light industrial district.
2. The manufacturing, compounding, processing, packaging, fabrication or treatment of the following:
  - (a) Abrasive wheels, stones, paper, cloth, and related products.
  - (b) Adhesives, but not glue or size manufacture.
  - (c) Alcohol, industrial.

- (d) Animal fats and oils (refining and blending).
- (e) Asphalt or asphalt products, or central asphalt mixing and batching.
- (f) Bleaching products.
- (g) Brick, firebrick, and clay products (except coal fired).
- (h) Candles, including wax or tallow manufacture.
- (i) Cement, lime, gypsum, or plaster of Paris.
- (j) Ceramic wall and floor tiles.
- (k) Cider and vinegar.
- (l) Cleaning and polishing preparations, dressings and blackings.
- (m) Concrete products or central mixing and proportioning plant.
- (n) Cotton ginning.
- (o) Cotton wadding and linter.
- (p) Cottonseed oil, refining.
- (q) Dye and dyestuffs.
- (r) Film, photographic.
- (s) Fish curing or smoking, fish oils and meal.
- (t) Flour plant, pneumatic drop and forging hammering.
- (u) Galvanizing or plating (hot dip).
- (v) Glass and glass products.
- (w) Industrial gases.
- (x) Inks, from primary raw materials (including colors and pigments).
- (y) Jute, hemp and sisal products.
- (z) Leather and hide tanning and finishing.
- (aa) Linoleum and other hard-surface floor coverings (except wood).
- (bb) Manufactured homes.
- (cc) Matches.
- (dd) Meat or fish product manufacturing, including slaughtering or preparation for packaging.
- (ee) Monuments and architectural stone.
- (ff) Plastic material and synthetic resins (processing only).
- (gg) Pulp, paper and paperboard.
- (hh) Reconstituted wood products.
  - (ii) Soap products.
  - (jj) Starch.
- (kk) Stone products.
  - (ll) Structural iron and steel products.
- (mm) Textile bleaching.

- (nn) Wall board and plaster, building, insulation, and composition flooring.
- (oo) Wire rope and cable.
- (pp) Wood preservation.
- (qq) Wood trusses.
- 3. Acetylene, generation and storage.
- 4. Distillery (alcoholic and alcoholic spirits (nonindustrial)).
- 5. Engine testing (internal combustion engines), but not jet engines or rockets.
- 6. Mulch processing facility, subject to the following:
  - a. The minimum lot area shall be five (5) acres;
  - b. No machinery or equipment related to the facility shall be operated between the hours of 7:00 p.m. and 7:00 a.m.;
  - c. No such facility shall be located within 250 feet of an existing off-site residential structure; and
  - d. No support structure shall exceed 5,000 square feet in area.
- 7. Research and development in the physical, engineering and life sciences (not testing of explosives).
- 8. Parking garages, commercial or public.
- 9. Private clubs.
- 10. Propane Storage and distribution.
- 11. Railroad car and locomotive building and repair.
- 12. Railroad switching and classification yards, repair and cleaning shops, round houses, powers houses, interlocking towers, and fueling, sanding, and watering stations.
- 13. Refractories (other than coal fired).
- 14. Sand and gravel storage and distribution, but not crushing or grinding.
- 15. Sawmills and planing mills.

(Ord. No. 12-08, § 3, 1-9-13; Ord. No. 14-12, § 7, 12-10-14)

#### Section 26-182. - Permitted accessory uses.

1. For those M-2 light industrial district uses permitted above (which includes, by reference, certain uses permitted in the B-O business office district, B-1 neighborhood district and M-1 limited industrial districts), any permitted accessory use that is permitted under the corresponding district regulations is allowed.
2. The location of office or construction trailers for a period not to exceed one (1) year.
3. Parking garages, accessory to permitted uses.
4. Promotional events, in accordance with the following:
  - a. A permit is issued by the Director. All requests for promotional event permits shall be submitted at least five (5) business days before the promotional event. The application for a promotional event permit shall describe the activities planned and shall contain a sketch plan showing the location of existing structures, parking areas, vehicle entrances and exits, and pedestrian walkways, and the proposed location of the promotional event activities.

- b. A promotional event permit may be issued for a period not to exceed three (3) consecutive days.
- c. Promotional events involving the outdoor display of goods and merchandise shall be conducted within an area immediately adjacent to the place where such items are customarily sold.
- d. No required off-street parking space, area used for vehicular ingress or egress, access drive or loading area shall be utilized for such display or activity.
- e. A promotional event permit shall not authorize yard sales, flea markets, or other display or sale of used merchandise other than that normally sold by the business holding the promotional event.
- f. Promotional events may only occur during the normal business hours of operation on the property.
- g. If a private sidewalk or pedestrian way in front of the building is used for the display of merchandise or for any activity related to the promotional event, a minimum width of four feet must remain unobstructed for pedestrian use.

All other promotional events shall be considered "promotional activities."

- 5. Sale, display, and storage of used automobiles which have been repaired or assembled on the same zoning lot. All such display or storage shall be within a completely enclosed building.
- 6. Storage of goods or material used in or produced by permitted commercial and industrial uses or related activities, subject to applicable district regulations.
- 7. Telecommunications arrays, located on an existing structure, provided the following requirements are met:
  - a. The existing structure shall be in compliance with all currently applicable regulations.
  - b. The height of the existing structure shall not be increased by more than ten (10) percent or ten (10) feet, whichever is less; provided, for properties located within the Hanover County Airspace Map area, no such increase may be permitted if the increase in height creates a hazard for the Hanover County Airport for existing, future or planned airspaces. In determining whether a proposed structure or addition to an existing structure creates such a hazard, the Director may consult with the Federal Aviation Administration and the Virginia Department of Aviation.
  - c. The arrays shall not cause any interference with, or adverse impact on, the county's communications system.
  - d. Any equipment cabinets or structures placed on the ground to serve the array(s) shall be screened in accordance with section 26-263, unless visually obstructed by existing vegetation or other structures on site.
  - e. The arrays shall not be permitted if lighting, beacons, or other safety devices are required by the Federal Communications Commission, the Federal Aviation Administration, or any other governing agency.

(Ord. No. 12-08, § 3, 1-9-13; Ord. No. 13-05, § 9, 7-23-14)

#### Section 26-183. - Conditional uses.

The following uses may be permitted as conditional uses:

- 1. Any conditional use permitted in the A-1, Agricultural District or the B-1 Neighborhood Business District.
- 2. The manufacturing, compounding, processing, packaging, fabrication or treatment of the following:

- (a) Asbestos products or abatement services.
  - (b) Chemical and allied products.
  - (c) Disinfectants or related industrial or household chemical compounds.
  - (d) Explosives, including ammunition and fireworks, and explosive storage.
  - (e) Insecticides and fungicides.
  - (f) Paint and coating.
  - (g) Pesticide, fertilizer, and other agricultural chemicals.
  - (h) Petroleum and coal products.
  - (i) Primary metals.
  - (j) Rendering and meat byproduct processing.
3. Atomic laboratories.
  4. Automobile wrecking yard.
  5. Car wash or vehicle washing facility, automatic or otherwise.
  6. Incinerator, industrial or public.
  7. Junkyards, open or enclosed storage of junk.
  8. Materials recovery facilities.
  9. Petroleum storage.
  10. Private power generation plants, producing electricity for other users.
  11. Radioactive waste handling.
  12. Steam generation plants producing steam for others.
  13. Storage of dead animals, offal, garbage and waste products.
  14. Stockyard.
  15. Stone crushing and grinding.
  16. Testing of jet engines and rockets.
  17. Truck stops.

(Ord. No. 12-08, § 3, 1-9-13)

#### Section 26-184. - Special exceptions.

The following uses may be permitted as special exceptions:

1. Any special exception permitted in the A-1, Agricultural District and not included in the list of permitted uses for the M-3 district except for bed and breakfasts.
2. Roof structures placed over fuel pumps at filling stations, when such structures are constructed within the required front yard setback.
3. A fence more than four (4) feet high in a required front yard, where such fence is necessary for the protection of the property of a permitted use.
4. Sale, display, and storage of used automobiles as accessory to an automobile repair business that was in

operation on the same zoning lot on January 1, 2020.

(Ord. No. 12-08, § 3, 1-9-13; Ord. No. 20-12, § 2, 8-28-20)

Section 26-185. - Other uses not specifically listed.

Other uses not specifically listed: A proposed use that is substantially similar to a use that is a permitted use, a permitted accessory use, a conditional use, or a use permitted as a special exception in this zoning district may be permitted if the Director determines, after considering the proposed use's operating characteristics and impact on the neighboring properties, roads and community, that:

1. The proposed use is not likely to create any more danger to health and safety in surrounding areas than the listed use; and
2. The proposed use will not create any more offensive noise, vibration, dust, emissions, heat, smoke, odor, glare, and other objectionable influences than the listed use and will not have a greater traffic or parking impact than the listed use.

If the Director determines that the proposed use may be permitted, the regulations applicable to the use listed in the district regulations shall apply to the proposed use.

(Ord. No. 12-08, § 3, 1-9-13)

Section 26-186. - Lot size requirements.

All uses: None except as may be required by the health official to meet sanitary standards.

(Ord. No. 12-08, § 3, 1-9-13)

Section 26-187. - Yard requirements.

	Minimum in Feet			
	Front Yard	Side Yard Minimum	Side Yard Aggregate	Rear Yard
All uses—Street 50 feet or greater in width	35	10	—	25

Notes:

1. Side and rear yards required only adjacent to a residential district.
2. The front yard setback shall be measured from the future right-of-way line as shown in the major thoroughfare plan.

(Ord. No. 12-08, § 3, 1-9-13)

Section 26-188. - Height restrictions.

The following height restrictions shall apply in this district:

1. Telecommunications towers and related facilities:
  - a. Permitted by right:
    - (i) On properties located within the "FAA Part 77 Area" as depicted on the public works facilities plan in the county comprehensive plan, shall not exceed fifty (50) feet;
    - (ii) On all other properties, shall not exceed one hundred (100) feet.
  - b. Permitted with a special exception: shall not exceed one hundred forty (140) feet.
  - c. Permitted with a conditional use permit: may exceed one hundred forty (140) feet.
2. All structures not specifically exempted in Section 26-248 shall not exceed a height of fifty (50) feet.

(Ord. No. 12-08, § 3, 1-9-13)

**9a and b.**

**Reports**

**(To be given to Commission  
Members at Meeting)**