

# Northumberland County Zoning Ordinance

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## Revision Notes:

- 1) 2-11-2010
  - a. Former Art. XV, Nonconforming Uses, was re-designated Art. XVI, and former §148-127 through 148-134, contained therein, were re-designated §148-139 through 148-146, respectively, 2-11-2010.

## Proposed Definitions

- i. **Footcandle-** The unit of measure expressing the quantity of light received on a surface. One footcandle is the illuminance produced by a candle on a surface one foot square from a distance of one foot.
- ii. **Fully Shielded Light-** A light constructed and installed in such a manner that all light emitted by the lamp, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the light, is projected below the horizontal plane through the light's lowest light-emitting part.
- iii. **Glare-** Lighting entering the eye directly from lights or indirectly from reflective surfaces that causes visual discomfort or reduced visibility.
- iv. **Light Trespass-** Light that falls beyond the property it is intended to illuminate.
- v. **Shielded Directional Light-** A light that includes an adjustable mounting device allowing aiming in any direction and contains a shield, louver, or baffle to reduce direct view of the lamp.
- vi. **Sky Glow-** The brightening of the nighttime sky that results from scattering and reflection of the artificial light by moisture and dust particles in the atmosphere. Sky Glow is caused by light directed or reflected upwards or sideways and reduces one's ability to view the night sky.
- vii. **Unshielded Light-** A light capable of emitting light in any direction including downwards.

## ARTICLE XV Additional Regulations

### § 148-125 Widening of highways and streets.

Whenever there shall be plans in existence, approved by either the State Department of Transportation or by the governing body, for the widening of any street or highway, the Commission may require additional front yard setbacks for any new construction or for any structures altered or remodeled adjacent to the future planned right-of-way for such proposed street or highway widening.

### § 148-126 Minimum off-street parking.

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There shall be provided, at the time of erection of any building or at the time any main building is enlarged, minimum off-street parking space with adequate provision for entrance and exit by standard-sized automobiles, as follows:

- A. In all districts where residential uses are permitted, there shall be provided, either in private garage or on the lot, space for the parking of two automobiles for each dwelling unit in a new building or each dwelling unit added in the case of the enlargement of an existing building.
- B. For churches, high schools, college and university auditoriums, and for theaters, general auditoriums, stadiums and other similar places of assembly, at least one parking space for every five fixed seats provided in said building.
- C. For hospitals, at least one parking space for each two beds' capacity, including infants' cribs and children's beds.
- D. For medical and dental offices, at least 10 parking spaces. Three additional parking spaces shall be furnished for each doctor or dentist in such offices in excess of three doctors or dentists.
- E. For fraternal lodges, hunting clubs, golf courses, yacht clubs, country clubs and marinas, at least 25 parking spaces shall be provided. Additional parking may be required by the governing body.
- F. For retail stores selling directly to the public, one parking space for each 200 square feet of retail floor space in the building.
- G. Parking spaces for post offices, one for each 50 box holders but not less than 10 spaces.
- H. Restaurants, one parking space per table or booth, plus six for employees.
- I. For motels, hotels, tourist homes and boardinghouses, one parking space per guest room plus adequate parking for employees as determined by the Zoning Administrator.
- J. Any other commercial building not listed above hereafter erected, converted or structurally altered shall provide one parking space for each 100 square feet of business floor space in the building.
- K. For industrial plants, one parking space for each employee working in the plant.
- L. Parking space as required in the foregoing shall be on the same lot with the main building, except that in the case of buildings other than dwellings, spaces may be located as far away as 600 feet. Every parcel of land hereafter used as a public parking area shall be surfaced with gravel, stone, asphalt or concrete. It shall have appropriate guards where needed as determined by the Zoning Administrator. Any lights used to illuminate said parking areas shall be so arranged as to reflect lights away from adjoining premises in a

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residential district. Any lights used to illuminate said parking areas shall be so arranged as to reflect lights away from adjoining premises as required by §148-128.

- M. Parking requirements shall at no time be considered sufficient for any other use of the premises, and additional spaces shall be provided to meet requirements when there is any change to a different industrial use or to a commercial use.

## § 148-127 Airport/airstrip approach zone.

- A. The Commission shall determine whether there exists any areas which would come under the United States Federal Aviation Agency's criteria for determining obstruction to air navigation. If such an area exists, it shall be marked on the Zoning Map in the office of the Zoning Administrator.
- B. Places of public assembly, such as schools, hospitals, churches, apartment houses, theaters, community centers and nursing homes, shall not be erected or otherwise located in an area which would be classified as an airport/airstrip approach zone. This zone contains an area of 11,000 feet from the end of any runway. For airports accommodating commercial jet aircrafts, the zone extends out 3 1/2 miles from the end of any runway.
- C. The Zoning Administrator shall consult with the United States Federal Aviation Agency and prepare such height and other regulations governing the construction of buildings within the airport/airstrip approach zone. Following approval by the governing body, the Zoning Administrator shall enforce these regulations.

## § 148-128 Lighting.

~~Any provision for lighting exterior spaces for any use shall be so arranged as to reflect the light away from adjoining residences.~~

The following lighting standards shall apply to all exterior lighting sources, including but not limited to lighting for parking, access drives, and walkways, gasoline canopy lighting, and internally and externally illuminated signs. Site plans shall include a lighting plan, drawn to the same scale as the site plan, to demonstrate compliance with the following standards.

- A. All lighting shall be designed, located, fully shielded, and arranged so as not to direct glare on adjoining streets, or properties. For zoning districts C-1, A-1 and all residential districts, the intensity at adjoining streets or residential properties shall not exceed 0.5 foot-candles. For zoning districts B-1 and M-1, the intensity at adjoining streets or properties, the intensity shall not exceed 1.5 foot-candles. If the intensity on adjoining property lines does exceed the foot-candle previously mentioned, then lighting does not need to be shielded.

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B. Site lighting other than that needed for security purposes shall be set on a timer system that shuts off all but security lighting by 11:00 pm.

~~A.C.~~ Excepted from these requirements are roadway and airport lighting, lighting activated by motion sensor devices, temporary circus, fair, carnival, or civic uses, construction or emergency lighting, temporary lighting, and lighting associated with agricultural pursuits. For the purpose of this ordinance, a fully shielded fixture shall be defined as an outdoor lighting fixture that is shielded or constructed so that all light emitted is projected below a horizontal plane running through the lowest part of the fixture.

## **§ 148-129 Environmental Protection.**

Activities must comply with all local, state, and federal regulations.

~~A. Erosion and sediment control. All proposed land uses and construction shall be undertaken in compliance with the Erosion and Sediment Control Handbook for Northumberland County. [Editor's Note: See Ch. 64, Erosion and Sediment Control.]~~

~~B. Reclamation of land. Any applicant proposing a use which will tend to degrade the land shall submit and implement a plan for reclamation of said land, to be approved by the Zoning Administrator.~~

~~C. Pollution. Any discharge of material or waste into the air, water or land must be in compliance with state regulations, and the applicant must file a statement with the Zoning Administrator as to the location and nature of the discharge and the agencies which have been notified.~~

## **§ 148-130 Screening.**

At the discretion of the Zoning Administrator, the following uses shall be screened from public view and adjacent residential properties in a manner to be approved by the Zoning Administrator:

- A. Sawmills.
- B. Mobile home parks.
- C. Veterinary, dog or cat hospital, with runways.
- D. Sand and gravel pits.
- E. Commercial feed lots.
- F. Livestock markets.
- G. Contractors' equipment storage yards.

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~~H. Storage warehouses.~~

~~H.~~ \_\_\_\_\_ Asphalt or concrete batching plants.

~~I.~~ Concrete works.

J. Truck and motor freight terminals.

K. Auto/truck dismantling or junkyards

~~K.L.~~ Shipping Containers

## § 148-131 Fencing.

At the discretion of the Zoning Administrator, the following uses shall have adequate fencing, to be approved by the Zoning Administrator:

- A. Farming with livestock.
- B. Veterinary, dog or cat hospitals, with runways.
- C. Sand and gravel pits.
- D. Commercial feed lots.
- E. Lumber and building supplies.
- F. Machinery sales and services.
- G. Contractor equipment storage yards.
- H. Asphalt or concrete batching plants.
- I. Concrete works.
- J. Swimming or tennis clubs, commercial.

K. Swimming pools, private.

~~K.L.~~ Auto/truck dismantling or junkyards

## § 148-132 Additional setbacks.

In addition to setbacks required in other sections of this chapter, the following uses shall require the additional setback as specified:

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- A. Recreation camps, campgrounds and travel trailer camps: 25 feet.  
| ~~Marinas, commercial or club type: 25 feet.~~
- B. Marinas, public or private, ~~noneommercial~~ with or without restaurants: 25 feet.
- C. Seafood processing, commercial aquaculture: 50 feet.
- D. Sawmills and wood chipping/grinding facility: 100 feet. [Amended 11-14-2002]
- E. Light industry: 25 feet.
- F. Portable sawmills: 100 feet.
- G. Food processing and canning: 50 feet.
- H. Sand and gravel pits: 50 feet.
- I. Commercial feed lots: 100 feet.
- J. Livestock markets: 100 feet.
- K. Contractors' equipment storage yard: 25 feet.
- L. Storage warehouse: 25 feet.
- M. Asphalt or concrete batching plant: 50 feet.
- N. Boat building: 50 feet.
- O. Concrete works: 50 feet.
- P. Flour mill and grain milling: 25 feet.

## § 148-133 Additional side yards.

In addition to side yards required in other sections of this chapter, the following uses shall require the additional side yards as specified:

- A. Recreation camps, campgrounds and travel trailer camps: 25 feet.  
| ~~Marinas, commercial or club type: 25 feet.~~
- B. Marinas, public or private, ~~noneommercial~~ with or without restaurants: 25 feet.

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- C. Seafood processing, [commercial aquaculture](#): 25 feet.
- D. Sawmills and wood chipping/grinding facility: 50 feet. [Amended 11-14-2002]
- E. Light industry: 25 feet.
- F. Portable sawmills: 50 feet.
- G. Food processing and canning: 25 feet.
- H. Sand and gravel pits: 50 feet.
- I. Commercial feed lots: 50 feet.
- J. Livestock markets: 50 feet.
- K. Contractors' equipment storage yard: 25 feet.
- L. Storage warehouse: 10 feet.
- M. Asphalt or concrete batching plant: 25 feet.
- N. Boat building: 25 feet.
- O. Concrete works: 25 feet.
- P. Flour mills and grain milling: 25 feet.

## **§ 148-134 Piers.**

- A. Private noncommercial piers shall be located no less than 10 feet from the property line unless two adjacent property owners construct one pier that is on the property line. [Amended 4-14-1988; 12-13-1990]
- B. Open-sided shelter roofs or gazebo-type structures shall not be placed on private noncommercial piers. [Added 7-13-2006]
- C. Commercial piers and piers associated with marinas shall be located no less than 10 feet from the side property line and, if permitted by the governing body, may be covered.

## **§ 148-135 Boathouses.**

**[Added 4-13-1989; amended 7-14-1994; 5-11-1995]**

- A. Boathouses shall meet the following criteria.

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1. Boathouses shall not exceed 20 feet in height, 18 feet in width and 36 feet in length, unless in the opinion of the Board of Supervisors the physical features of the site, such as the property owner's length of shoreline, the elevation of the bank, the type of other structures in the area, etc., are such that a boathouse of a larger dimension would not be out of conformity with the surrounding area. In addition, two adjacent property owners may construct one boathouse that is on the property line which cannot exceed 36 feet by 36 feet by 20 feet in height. Boathouses' lengths and widths are measured from the support pilings, and the height is measured from the top of the roof ridge to mean low water.
2. The minimum length of the applicant's shoreline shall not be less than 100 feet (measured in a straight line from the intersection of the side property line with the mean low waterline), and the pier and boathouse shall not be located less than 25 feet from the side property line.
3. The leaseholder of any oyster ground encroached upon by the proposed boathouse must be notified, as well as all the adjacent property owners, including owners across the waterway, if the waterway is less than 500 feet in width.
4. The boathouse shall be in the most suitable location from surrounding properties, and any adverse impacts to adjoining properties, whether abutting or nearby, shall be minimal.

### B. Other conditions and restrictions that will be considered.

1. A dwelling, as defined within this chapter, must be completed prior to construction of the boathouse.
2. All exposed materials shall be painted, stained or salt treated. Treated materials are required for all wood members contacting the water.
3. All roofs shall have an "A" pitch of no less than four on 12, with eaves and soffits not exceeding 18 inches in width.
4. Except for the support pilings, top plates or headers, all sides of the boathouse will be open, with an obstructed view from the waterline to the bottom of the top plate or support header.
5. A fire extinguisher must be located within the boathouse, accessible from the pier.

### **§ 148-136 Mobile/manufactured homes.** **[Amended 2-14-1989; 11-8-1990]**

- A. No individual mobile/manufactured home shall be located or relocated within Northumberland County until a building permit is granted. No building permit shall be granted for residential use of a mobile/manufactured home in Northumberland County

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until an approved water well and septic tank disposal system has been installed and certified operational by the County Sanitarian, Virginia Department of Health.

- B. Once all requirements have been met regarding the placement of a mobile home within Northumberland County, except for the installation of a water and septic disposal system, the Building Official shall provide to the applicant a conditional certificate, which shall guarantee the issuance of a building permit when the approved water well and septic tank disposal system has been installed and certified operational by the County Sanitarian, Virginia Department of Health
- C. Mobile/manufactured home parks must meet the following requirements:
1. The mobile/manufactured home park (MHP) is designed so that it will be harmonious in appearance with the existing or intended character of the general vicinity and that such use will not change the character of the area or be detrimental to existing properties.
  2. The MHP must meet all sanitary requirements of the State Health Department and provide a central water system.
  3. The minimum size of the MHP is 10 acres. The maximum density of a MHP shall not exceed a total of three manufactured homes per gross acre. Each manufactured home within the park shall be placed on an individual lot that shall contain a minimum of 10,890 square feet. Each lot shall have a minimum width of 75 feet.
  4. At least 10% of the MHP shall be reserved for recreational and open uses. This area may include areas within buildings designed for recreational use. The yard requirements for individual lots within the MHP shall not be included as part of this requirement.
  5. A fifty-foot [wide](#) evergreen vegetated buffer shall be maintained from all adjacent roads, and a twenty-five-foot [wide](#) evergreen vegetated buffer shall be maintained from all adjacent properties. The vegetated buffer shall be a minimum of six feet in height with no openings other than the required entrances and exits to streets or public spaces.
  6. Each home shall be so placed on its lot that no part of said home shall be closer than 50 feet to any other home, 50 feet to any service building and 75 feet to any boundary property line of the MHP.
  7. No home space shall be designed for direct access to a street outside the boundaries of the park. All interior access rights-of-way shall be at least 50 feet in width, and an all-weather maintained road at least 20 feet in width shall be constructed. All dead-end streets shall have a cul-de-sac which is not less than

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100 feet in diameter.

8. The MHP shall provide for a central location for the collection and removal of trash.
9. Individual sites cannot be sold or transferred, and all utilities must be underground.
10. Every park site shall have a minimum of two parking spaces per unit at a width of 15 feet per parking space.

D. Requirements for temporary storage of mobile/manufactured homes in various districts.  
[Added 3-13-2003]

1. Approval to store a mobile/manufactured home must be obtained from the Zoning Administrator;
2. Only one mobile/manufactured home shall be stored on a given lot;
3. Storage of a mobile/manufactured home shall not exceed six months. If storage needs exceed six months, approval must be obtained from the governing body;
4. There shall be no occupancy of the mobile/manufactured home during the storage period.

**§ 148-137 Travel trailers.**

Travel trailers shall meet the following requirements:

A. Travel trailer units shall be tied into an approved Health Department sewerage system unless they are located in an area (campground or subdivision) which has a dumping station approved by the Health Department, or are located on the same property and adjacent to the main residence and no compensation is involved.

B. A conditional use permit is required for any exception to Subsection (1) above. [Added 11-13-1986]

C. No full time occupancy allowed.

**§ 148-137 Hunt clubs.**

**[Added 7-9-1992]**

Hunt clubs shall meet the following requirements:

- A. No hunt club shall operate within Northumberland County until a ~~special exceptions~~ conditional use permit has been issued.

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- B. The roster of all members of any hunt club must be submitted annually prior to a date established by the Zoning Administrator.
- C. The hunt club shall have a water sewerage disposal system for the submitted roster approved by the Northumberland County Health Department.
- D. There shall be a vegetated buffer of 200 feet from adjoining residences and 100 feet from all other property lines, with no activities within these buffer areas. A landscape plan may be required by the Zoning Administrator.
- E. Three off-street parking spaces shall be provided for every four members of the organization.
- F. No animals shall be kept on the property unless supervised daily and permitted by the Board of Supervisors.
- G. The hunt club shall be free of all trash and debris.
- H. All exterior or outdoor lighting shall be so arranged as to reflect light away from adjoining properties. Hours of outdoor lighting shall be determined by the Board of Supervisors.
- I. Any discharging of firearms on the site is prohibited unless specifically permitted by the Board of Supervisors

**§ 148-~~137~~-138 Reserved.**

Editor's Note: Prior to its re-designation as §148-138, 2-11-2010, this section was designated §148-126, Sludge and sludge storage facilities, which was repealed 2-19-2004. See now Ch. 39, Biosolids.