



~~Northumberland County, Virginia~~

~~Proposed Zoning Amendments~~

~~“Purpose” Section~~

~~Planning Commission Review of Section 1~~

~~Public Hearing: November 20, 2008~~

~~Work session: December 18, 2008~~

~~Section 1~~

Note: This file contains the approved changes to the “Purpose” sections of the Zoning Districts. PC Approval was on Dec 18, 2008 in the form of acceptance of the Staff Recommendations.

For information and reference, the “Purpose” section of the new, Staff proposed **ARTICLE VII Multi-family Residential Dwelling District R-4** is included at the end of this paper.

Note that the PC reserved the right to modify these “purposes” based on later analysis and public hearings before submitting to the BOS for approval.

~~The material on the following pages is the first of eight sets of review material that is published for public comment. Each of these sets represents recommended changes to part of the existing Chapter 148 Zoning Regulations. The material consists of the current zoning language in black and recommended changes in red. The first section available for public comment consists of the “Purposes” of the various zoning districts.~~

~~The Planning Commission will hold a public hearing on the proposed language of Section 1 on November 20, 2008 which will be followed by a working session on December 18, 2008.~~

~~Comments will be received by Luttrell Tadlock, Assistant County Administrator, P.O. Box 129, Heathsville, VA 22473 or delivered to the Office of Building and Zoning located at 72 Monument Place, Heathsville. Comments may also be sent by e-mail to ltadlock@co.northumberland.va.us.~~

~~The second section, review of the zoning districts, will be made available on December 31, 2008.~~

CURRENT REGULATION PURPOSES AND APPROVED PC CHANGES

ARTICLE I General Provisions

§ 148-1. Adoption of standards.

Be it ordained, by the governing body of Northumberland County, Virginia, for the purpose of promoting the health, safety or general welfare of the public and or further accomplishing the objectives of § 15.2-2283, the following be adopted as the zoning ordinance of Northumberland County, Virginia, together with the accompanying maps included in the Land Use Chapter of the Comprehensive Plan.

§ 148-2. Purpose.

This chapter has been designed to:

- A. Provide for adequate light, air, convenience of access and safety from fire, flood and other dangers.
- B. Reduce or prevent congestion in the public streets and highways.
- C. Facilitate the creation of a convenient, attractive and harmonious community.
- D. Maintain the rural character of the county and protect the working and residential waterfront from pollution and inappropriate and unsightly encroachments.
- ~~D~~E. Expedite the provisions of adequate police and fire protection, disaster evacuation, civil defense, transportation, water sewage, flood protection, schools, parks, forests, playgrounds, recreational facilities, airports and other public requirements.
- ~~E~~F. Protect against destruction of or encroachment upon historic areas.
- ~~F~~G. Protect against one or more of the following: overcrowding of land, undue density of population in relation to the existing or available community facilities including sewage disposal, existing or available, obstruction of light and air, danger and congestion in travel and transportation or loss

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of life, health or property from fire, flood, panic or other dangers.

~~G~~H. Encourage economic development activities that provide convenient and desirable employment and enlarge the tax base.

~~I~~ Provide for the preservation of agricultural, forested, and other lands of significance for the protection of the natural environment and water quality.

~~J~~ Promote the creation and preservation of affordable housing suitable for meeting the current and future needs of the locality.

ARTICLE II Conservation District C-1

§ 148-5. Purpose.

This district covers the portions of the County which are occupied by various open uses, such as forests, parks, farms, lakes, marshlands and wetlands ~~subject to the Wetlands Board~~. This district is established for the specific purpose of ~~facilitating existing and future farming operations, conservation of conserving open space, forests and~~ water and other natural resources, reducing soil erosion, protecting watersheds and reducing hazards from flood and fire. Uses not consistent with the existing character of this district or with the provisions of any other law, state or federal, applicable to these portions of the County are not permitted.

ARTICLE III Agricultural District A-1

§ 148-17. Purpose.

This district covers the portions of the County which are occupied by various open uses, ~~such as including farms, orchards, vineyards,~~ forests, ~~and parks or farms.~~ This district is established for the specific purpose of facilitating existing and future farming and forestry operations, ~~conservation of~~ water and other natural resources, reducing soil erosion, protecting watersheds and reducing hazards from flood and fire. To ensure the success of the above goals, it is necessary to maintain as low a density of residential development as possible is reasonable. The character of this district should remain agricultural in nature, with residential, -industry or small commercial business permitted only allowed in it when it will benefit the immediate area without degrading the environment.

When 6 lots or more are proposed for residential subdivision or mixed subdivision usage the area shall be rezoned into the appropriate Residential District (R-1, R-2, R-4 or R-5) depending on the residential nature and location.

ARTICLE IV Residential General District R-1

§ 148-30. Purpose.

The purpose of this district is to promote and encourage a suitable environment for family life compatible with a low intensity of land use. This district is composed of ~~certain~~ low to medium concentrations of residential uses, plus certain open areas where similar development appears likely to occur. Certain commercial, public, semipublic and institutional uses of a character that complements residential communities are permitted and encouraged insofar as they are integral to the local (or immediate) community. Cluster development and conservation design principles also are encouraged.

~~The regulations for this district, to promote and encourage, insofar as compatible with the intensity of land use, a suitable environment for family life composed of an adult population with some children and to permit certain commercial uses of a character unlikely to develop general commercial or industrial uses. This residential district is not completely residential, as it includes public and semipublic, institutional and other related uses. However, it is basically residential in character and, as such, should not be spotted with commercial and industrial uses.~~

ARTICLE V Residential Waterfront District R-2

§ 148-42. Purpose.

The purpose of this district is to protect the water and shorelines of the County by providing for safe and orderly shoreline development. In this district, residential, recreational and conservancy uses are permitted ~~and as are~~ a limited number of commercial uses that would be compatible with the residential character of the local (or immediate) area.

ARTICLE VI Residential Restricted District R-3

§ 148-54. Purpose.

The purpose of this district is to allow for ~~medium~~ high density residential development on nonconforming lots of record, provided that said lots were recorded prior to September 1, 1974, and lot sizes are generally shared by other property owners in the same vicinity.

ARTICLE VII Business General District B-1

§ 148-64. Purpose.

It is the purpose of this district to focus light commercial development in Villages (commercial hub and support areas) as defined in the Comprehensive Plan to allow the development and redevelopment of land in a village for mixed commercial and residential uses.

~~Generally, this district covers these areas of the County intended for the conduct of general business to which the public requires direct and frequent access. This includes such uses as retail stores, banks, theaters, business offices, restaurants, taverns, garages and service stations. This district, but which is not characterized either by constant heavy trucking, other than stocking and delivery of light retail goods, or by any nuisance factors other than occasioned by incidental light and noise of congregation of people and passenger vehicles. This includes such uses as retail stores, banks, theaters, business offices, restaurants, taverns, garages and service stations.~~

The Business General District is established herein to assist in the fulfillment of the land use provisions of the Comprehensive Plan. It is the intent of this district, consistent with the plan, to provide for and preserve the character of these existing currently unincorporated population and commercial centers in the County, and to promote the configuration of new development into reasonable and effective service areas for the proper and efficient provision of water, sewerage, fire and police protection, and other public services.

This district is applicable to the areas in the Comprehensive Plan identified as Commercial Hub and Village Support Areas.

For new residential developments of 10 acres or more, and for redevelopment or infill development of 3 acres or more located within or adjacent to or overlapping the Commercial Hub or Village Support Areas as defined in the Comprehensive Plan, the overlay requirements of Article TBD Village Development Overlay District, VO-1 are to be applied.

ARTICLE VIII Industrial ~~Light~~ District M-1

§ 148-73. Purpose.

~~The primary purpose of this district is to permit certain industries, which do not in any way detract from residential desirability, to locate in any area adjacent to residential uses. The provisions relating to height of building, horsepower, hearing, flammable liquids or explosives, controlling emission of fumes, odors and/or noise, landscaping and the number of persons employed are imposed to protect and foster adjacent residential desirability while permitting industries to locate near a labor supply.~~

The purpose of this district is to provide areas in which the use of land and buildings is for industrial purposes including manufacturing and assembly plants involving processing, storage, warehousing, wholesaling and distribution. It is the intent that uses be conducted so that noise, odor, dust, and glare of all operations are confined within an enclosed building. Where, due to the special requirements of an industry, operations must be conducted outside of an enclosed building, or storage of goods and materials is necessary outside of an enclosed building, adequate measures must be taken, using fencing or vegetated buffers to protect adjoining properties and the general welfare of the County. In general, residential usages are discouraged in this district.

ARTICLE IX Historical Site Overlay District [Added 3-9-1989] HO-1

§ 148-84. Purpose.

~~The purpose of this district is to provide special regulations for historic sites~~Special overlay regulations for historic sites are provided to promote the public welfare through protection and preservation of buildings, structures and sites of historic interest within Northumberland County and to increase the opportunities for educational, cultural, aesthetic and/or economic improvement. Additional purposes are to stabilize and improve surrounding property values while encouraging new buildings and developments that will be harmonious with existing historic buildings and sites (~~Historic Site District HSD~~).

ARTICLE XI Intensive Agricultural Livestock Operation [Added 4-11-1996]

§ 148-96. Purpose.

It is the intent of this article to provide for the continued security-well-being of Northumberland County's agricultural sector by encouraging the orderly and responsible growth of its livestock industry, including dairy, beef, swine, horses, sheep, goats, poultry or other similar animals consistent with protecting water quality as required by law.

ARTICLE XIII Planned Unit ~~Developments~~ Development District R-5

§ 148-111. Purpose.

~~For the purpose of assuring public safety, good arrangement and assuring harmony with the area, site plans are required for all planned unit developments as defined within this chapter. Site plans for such uses shall be subject to Planning Commission review with approval by the Board of Supervisors.~~

The purpose of this district is to provide for the orderly development of larger parcels wherein a mixture of residential, commercial and recreational uses are permitted in a planned development that would be compatible with the local (or immediate) area. Additional purposes are to protect the agricultural areas, natural resources, water and shorelines of the County and to manage the building density in order to maintain the rural character of the County. Cluster development is encouraged and application of conservation design principles is required.

A planned unit development (PUD) shall be a project based upon a unified plan. The PUD shall be designed and constructed by a single owner or group of owners acting jointly, involving a related group of residences, recreational facilities and associated or incidental commercial uses.

§ 148-112. Goals of the PUD District

Planned unit development zoning shall be granted to achieve the following objectives:

- A. To encourage unique and unified design and site planning of entire developments through the use of criteria which, when properly implemented, allow for flexibility in design and density bonuses.
- B. To preserve farmland and forests, yet provide the agricultural property owner the benefit of increased value of residential property in the County.
- C. To help meet the need for improved housing, commercial, recreational and institutional facilities.
- D. To increase the amenities readily accessible to all the residents of the development.
- E. To facilitate the conservation and preservation of natural resources.
- F. To facilitate the safest and most efficient and economical provision and maintenance of streets and utilities.
- G. To establish sound administration standards and procedures to achieve the above objectives

The following proposed new District was not presented to the PC for review in order to be able to have a more complete discussion during the Second Review Step.. This will put it into context with the other Districts and to limit the discussion in the First Step to the existing purposes. Only the Purpose is included below in order to provide a complete set of Purposes for the PC reference.

This new article is proposed to address the situation of multi-family dwellings being planned for a particular parcel. This happened recently in Reedville and this Article documents the decisions of the Board of Supervisors regarding density. It also includes information from the BOS Condo Work Session of June 9, 2006. (Note that multi-family units are frequently referred-to as "condos".)

The complete Article is planned to be reviewed as part of the Second Review Step as shown in the Master Schedule of the PC for the Zoning Review process.

ARTICLE VII Multi-family Residential Dwelling District R-4

§ 148-64. Purpose

The purpose of this district is to provide for safe and orderly development of multi-family dwellings to protect the water and shorelines of the County and to manage the density of other areas in order to maintain the rural character of the County. In this district, multi-family residential, single family residential, recreational and conservancy uses are permitted and a limited number of commercial uses that are compatible with the residential character of the local (or immediate) area.

§ 148-65. Applicability. The requirements of the Multi-family Residential Dwelling District, R-4 are applicable whenever an individual housing unit exceeds two dwelling unit(s) and a planned unit development is not appropriate.
