

(Adopted by the Powhatan County Board of Supervisors on May 4, 2015)

(A redlined version is provided to facilitate comparison with previous provisions.)

CODE OF THE COUNTY OF POWHATAN, VIRGINIA
CHAPTER 83. ZONING ORDINANCE

Article IV. Village Growth Area Districts

Sec. 83-325. - Village growth area overlay districts.

The village growth area overlay districts established by this chapter are:

<i>Village growth area overlay districts</i>	
711 VSAP0	Route 711 Village Special Area Plan Overlay

Secs. 83-326—83-329. - Reserved.

~~Sec. 83-330. — Route 711 Village Special Area Plan Overlay (711 VSAP0).~~

~~The Route 711 Village Special Area Plan is designated in the comprehensive plan.~~

~~(1) *Purpose.* The purpose of the Route 711 Village Special Area Plan Overlay (711 VSAP0) District is to ensure development within the Route 711 village growth area is of high quality design that helps protect and enhance the county's attractiveness to residents and visitors, sustain and enhance the economic benefits of tourism, stabilize and improve area property values, and protect landowners from potential adverse impacts of adjacent development. Specifically, the district is intended to ensure that development allowed by underlying base districts incorporate high standards in site layout, architectural treatment, landscaping, and orientation.~~

~~The Route 711 Village Special Area Plan Overlay (711 VSAP0) District is further intended to implement the comprehensive plan's policies for future land use. The plan designates this area of the county a "special area plan" and recommends land uses to include small scale, low intensity commercial and office uses that have a neighborhood oriented market, as well as low to medium density residential uses. Businesses should not be so large or broad in scope of services as to attract substantial trade from outside the area.~~

~~(2) *Use standards.*~~

~~a. *Modified use standards.* The following standards shall apply within the Route 711 Village Special Area Plan Overlay (711 VSAP0) District in addition to the generally applicable use-specific standards in Article VII: Use Standards.~~

~~1. — Gas station.~~

- ~~i. A gas station is allowed only within a mixed-use development or a shopping center.~~
- ~~ii. Vehicular access shall be provided only via the mixed-use development's or shopping center's internal circulation system (not directly to an existing street).~~
- ~~iii. The station shall be designed with the same architectural treatment as the mixed-use development or shopping center.~~
- ~~iv. There shall be no more than two fuel dispensing islands, each with no more than two double-sided fuel dispensing units.~~

~~2. Convenience store.~~

- ~~i. A convenience store is allowed only within a shopping center, and only within a building containing at least three uses other than a convenience store. All uses within the building shall be connected by party walls or partitions to form one continuous structure.~~
- ~~ii. Vehicular access shall be provided only via the shopping center's internal circulation system.~~

~~(3) Modified intensity and dimensional standards. The following dimensional standards shall apply within the Route 711 Village Special Area Plan Overlay (711 VSAP) District in addition to the dimensional standards generally applicable in the underlying district.~~

~~a. Floor area limits.~~

~~1. Office development.~~

- ~~i. The gross floor area of an office park development shall not exceed 50,000 square feet.~~
- ~~ii. The gross floor area of any separate office building located outside an office park development shall not exceed 10,000 square feet.~~

~~2. Retail sales and service use.~~

- ~~i. The gross floor area of a shopping center shall not exceed 50,000 square feet.~~
- ~~ii. The gross floor area of any grocery store within a shopping center shall not exceed 20,000 square feet.~~
- ~~iii. The gross floor area of any separate building devoted to retail sales and service use(s) and located outside a shopping center shall not exceed 5,000 square feet.~~

~~3. Additional floor area with conditional use permit. Floor areas greater than the maximum floor area limits specified in subsections (1) and (2) above are allowed on approval of a conditional use permit in accordance with the conditional use permit provisions of Article II: Administration.~~

~~b. Setback from Route 711.~~

- ~~1. Buildings shall be set back at least 70 feet from the closer of the existing right-of-way or future right of way (as approved by VDOT) for Route 711 for all parcels east of Bernards Creek.~~
 - ~~2. Buildings shall be set back at least 145 feet from the closer of the centerline of the existing roadway or future right of way (as approved by VDOT) for Route 711 for all parcels west of Bernards Creek.~~
 - ~~3. For commercial development, no parking lot, gas pump, or vehicular travel lanes (other than a crossing entrance or exit) shall be located within the required setback area.~~
- ~~(4) Modified development standards. The following development standards shall apply within the Route 711 Village Special Area Plan Overlay (711 VSAPO) District in addition to the generally development standards in Article VIII: Development Standards.~~
- ~~a. Access and circulation.~~
 - ~~1. An existing parcel fronting Route 711 may have a single driveway access connection on Route 711, provided that additional driveway connections on Route 711 may be allowed where the parcel has 625 feet or more of frontage along Route 711 or where a traffic impact analysis demonstrates that proposed additional driveway connections will improve the safety and efficiency of travel along Route 711.~~
 - ~~2. Access to new lots created along Route 711 shall be provided via shared access, service drives, and/or internal subdivision streets.~~
 - ~~3. Residential, commercial, and mixed-use developments shall provide right turn lanes/tapers from Route 711 into the development site that are at least 400 feet long, and shall provide left turn lanes from Route 711 into the development site where recommended by VDOT.~~
 - ~~b. Landscaping, buffers, screening, and tree protection.~~
 - ~~1. Landscaping along Route 711. Within the setback area along Route 711 required in section 83-330(3)b., Setback from Route 711, new development shall comply with the following standards:

 - ~~i. The minimum types, numbers, and size of plants shown in the table below are required per 50 lineal feet of setback area along Route 711:~~~~

<i>Table 83-330(4)b.1.: Planting Requirements Along Route 711 Frontage</i>			
<i>Type</i>	<i>Minimum Number</i>	<i>Minimum Size (At Planting)</i>	<i>Minimum Height (At Planting)</i>
Large deciduous canopy tree	1	3.5 inch caliper	12 feet

Small deciduous canopy tree	1	2.5 inch caliper	10 feet
Evergreen tree	1	n/a	6 feet
Medium shrub	5	n/a	18 inches

- ii. ~~Existing woodlands shall be retained, and may count towards compliance with the planting requirements in (i) above.~~
- iii. ~~The use of Virginia native species is encouraged over non-native species (e.g., red cedar instead of Leyland cypress).~~
- iv. ~~The use of rail fencing and/or dry stack stone walls is encouraged.~~
- 2. ~~Landscaping of vehicular use areas. Vehicular use areas shall include at least one large deciduous canopy tree of at least two and one half inch caliper per 162 square feet of area contained in landscaped islands.~~
- e. ~~Commercial and mixed use design standards. New commercial or mixed use development shall comply with the following additional design standards:~~
 - 1. ~~Building facade materials shall be limited to wood, brick, stone, decorative block, or stucco. The use of metal or vinyl siding or plain face concrete block is subject to review and approval by the director.~~
 - 2. ~~No building shall be stylized so as to use the building itself as advertising.~~
 - 3. ~~Architectural pedestrian amenities such as benches, fountains, decorative light fixtures, planters, and awnings shall be provided.~~
 - 4. ~~Any roof visible from an adjoining street or property shall be constructed of wood, tile, standing seam metal, heavy grade architectural fiberglass shingles, or slate.~~
 - 5. ~~Chain link or wire fences shall be prohibited.~~
 - 6. ~~Use of traditional architectural building styles from 1700 to 1900 is encouraged.~~
- d. ~~Signage. All freestanding signs shall be monument style and subject to the following standards:~~
 - 1. ~~All signs shall be set back at least ten feet from any property line or public street right of way.~~
 - 2. ~~The maximum height of signs shall be six feet.~~
 - 3. ~~The maximum sign copy area of identification signs for office parks, shopping centers, and unified mixed use developments shall be 50 square feet; for all other signs, the maximum sign copy area shall be 24 square feet.~~

4. ~~Internally illuminated signs shall be prohibited.~~

5. ~~Any ground lighting of signs shall be screened from adjoining public streets and properties.~~

Secs. 83-~~331~~330—83-339. - Reserved.

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Article VII. Use Standards

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Sec. 83-432. - Standards for specific principal uses.

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(e) *Commercial classification.*

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(6) *Retail sales and service uses.*

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c. Convenience store. A convenience store use that is combined with a gas station use shall comply with the standards (including districts where permitted) applicable to each use, including the standards in subsection (e)(8)d., Gas station, below.

A convenience store located within the 711 Village Special Area Plan shall comply with the additional standards as follows:

1. A convenience store is allowed only within a shopping center, and only within a building containing at least three (3) uses other than a convenience store.
2. All uses within the building shall be connected by party walls or partitions to form one (1) continuous structure.
3. Vehicular access shall be provided only via the shopping center's internal circulation system.

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(8) *Vehicle/equipment sales and service uses.*

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d. Gas station. Gas stations shall comply with the following standards:

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7. If a gas station use is located within the 711 Village Special Area Plan, then the following additional standards shall apply:

- i. A gas station is allowed only within a mixed-use development or a shopping center;
- ii. Vehicular access shall be provided only via the mixed-use development's or shopping center's internal circulation system (not directly to an existing street);

- iii. The station shall be designed with the same architectural treatment as the mixed-use development or shopping center;
- iv. There shall be no more than two (2) fuel dispensing islands, each with no more than double-sided fuel dispensing units.

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Article VIII. Development Standards

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Sec. 83-451. - Access and circulation.

See chapter 68 (Subdivisions), Code of Ordinances for standards for vehicular, bicycle, and pedestrian access and circulation.

Except that the following modified development standards shall apply within the 711 Village Special Area Plan in addition to the standards in Article VIII: Development Standards.

(a.) Access and circulation.

- (1) An existing parcel fronting Route 711 may have a single driveway access connection on Route 711, provided that additional driveway connections on Route 711 may be allowed where the parcel has 625 feet or more of frontage along Route 711 or where a traffic impact analysis demonstrates that proposed additional driveway connections will improve the safety and efficiency of travel along Route 711.
- (2) Access to new lots created along Route 711 shall be provided via shared access, service drives, and/or internal subdivision streets.
- (3) Residential, commercial, and mixed-use developments shall provide right turn lanes/tapers from Route 711 into the development site that are at least 400 feet long, and shall provide left turn lanes from Route 711 into the development site where recommended by VDOT.

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Sec. 83-461. - Landscaping and buffers.

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(c) General requirements for landscaping.

(1) New planting standards.

- a. At the time of planting, vegetation included as part of required landscaping shall comply with the size standards.
 - 1. Deciduous canopy or shade trees shall have a caliper of at least two-and-one-half inches and shall be at least ten feet in height above ground level, except in the 711 Village Special Area Plan where deciduous canopy or shade trees shall have a caliper of at least three-and-one-half inches and shall be at least twelve feet in height above ground level at the time of planting.

Understory, small maturing, or ornamental trees shall have a caliper of at least one inch and shall be at least eight feet in height above ground level, except in

the 711 Village Special Area Plan where small deciduous canopy or shade trees shall have a caliper of at least two-and-one-half inches and shall be at least ten feet in height above ground level at the time of planting.

3. Evergreen trees shall be at least five feet in height above ground level, except in the 711 Village Special Area Plan where evergreen trees shall be at least six feet in height above ground level at the time of planting.
4. Shrubs shall be upright in nature and at least 18 inches in height above ground level.

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Sec. 83-466. - Fences and walls.

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(f) *Appearance.*

- (1) *Customary materials.* Fences shall be constructed of any combination of treated wood posts and planks, rot-resistant wood (such as cypress or redwood), wrought iron, decorative metal materials, or chain link, except for multifamily, townhouse, institutional, commercial, and mixed use development in the village growth area districts where chain link or wire fences are prohibited. Walls shall be constructed of brick, stone, masonry materials, or products designed to resemble these materials. Where certain materials are specified for particular types of screening or buffering fences or walls, all other materials are prohibited.

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Sec. 83-475. - Architectural design standards for businesses.

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(d) *Exterior architecture standards.*

- (1) No building exterior visible from existing or planned roadways shall be constructed entirely of metal or unadorned concrete block, or of architectural materials inferior in quality, appearance or detail to any other exterior of the same building. At least 40 percent of the exterior walls of such buildings shall be covered with such siding materials as wood siding, brick, stone, split block, stucco, precast concrete or such material as recommended by the director. Building façade materials shall be limited to wood, brick, stone, decorative block or stucco. The use of metal or vinyl siding or plain face concrete block is subject to review and approval by the Director. Use of green or environmentally materials shall be encouraged.

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Sec. 83-477. - Institutional, commercial, and mixed-use development standards in village growth area districts.

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(k) *Roofs.*

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(3) Any roof visible from an adjoining street or property shall be constructed of wood, tile, standing stem metal, heavy grade architectural fiberglass shingles, or slate.

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(m) Pedestrian amenities. Architectural pedestrian amenities such as benches, fountains, decorative light fixtures, planters, and awnings shall be provided subject to review and approval by the Director.

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Sec. 83-488. - Signage.

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(d) *General sign standards.*

(1) *Illumination.* Signs may be internally or externally illuminated provided the external illumination shall be concealed or screened and properly focused upon the sign itself as to prevent glare upon the ~~surrounding area~~ adjoining public streets and properties, except in the 711 Village Special Area Plan where internally illuminated signage shall be prohibited.

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(e) *Sign standards for business uses.*

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(3) *Freestanding signs.* Freestanding signs are permitted in accordance with the following standards:

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d. Sign area and height standards. The area and height of freestanding identification signs for business uses shall comply with the standards set forth in table 83-488(e)(3)d. below for the development, use, or building type listed, except that in the Route 711 Special Area Plan all signs shall have a maximum height not to exceed six (6) feet, and a maximum sign area of 24 square feet, or 50 square feet for commercial planned developments, office parks, shopping centers, and unified mixed-use developments.

Table 83-488(e)(3)d.: Maximum Area and Height of Freestanding Identification Signs for Business Uses		
Development, Use, or Building Type	Maximum Sign Area ^{1,2}	Maximum Sign Height
Greenhouse or nursery	50 s.f.	15 ft.
Assisted living facility	50 s.f.	15 ft.
Day care use	50 s.f. ³	15 ft.
Hospital	50 s.f.	15 ft.

Nursing home	50 s.f.	15 ft.
Club or lodge	50 s.f.	15 ft.
Kennel	50 s.f. ³	15 ft.
Eating or drinking establishment ⁴	50 s.f. ³	15 ft.
Office use located within Office Parks ³	32 s.f. ³	10 ft.
Office park ⁵	100 s.f.	20 ft.
Office use	50 s.f.	15 ft.
Recreation facility	32 s.f.	15 ft.
Motion picture theater	20 s.f. per screen, up to a maximum of 100 s.f. ⁶	15 ft.
Golf course	50 s.f.	15 ft.
Golf driving range	50 s.f.	15 ft.
Miniature golf course	50 s.f.	15 ft.
Bowling alley or skating rink	50 s.f.	15 ft.
Fitness center	50 s.f.	15 ft.
Shopping center ^{5, 7}	100 s.f.	20 ft.
Lawn and garden store	50 s.f.	15 ft.
Funeral home	50 s.f.	15 ft.
Other retail sales and service use	50 s.f. ³	15 ft.
Hotel or motel	75 s.f.	15 ft.
Bed and breakfast inn	20 s.f.	8 ft.
Automotive repair and servicing	50 s.f.	15 ft.
Gas station ⁸	50 s.f. ⁹	15 ft.
Vehicle/equipment sales or rental	50 s.f.	15 ft.
Industrial park ⁵	100 s.f.	20 ft.

Industrial use occupying 25 acres or less	50 s.f.	15 ft.
Industrial use occupying more than 25 acres	100 s.f.	15 ft.

Notes: s.f. = square feet ft. = feet DU = dwelling units

1. Sign area may be increased by 25 percent if the sign is a changeable copy sign, except for motion picture theater, commercial planned development, shopping center, office park, and industrial park signs.
2. Sign area may be increased by 15 percent if the sign is a monument sign that does not exceed eight feet in height.
3. Maximum sign area = 36 s.f. and maximum sign height = 10 ft. if the use is located within an office park, commercial planned development, shopping center, or industrial park.
4. Restaurants with drive-through service may provide for each stacking lane one menu/order board with maximum sign area of 32 s.f. and a maximum height of 6 ft.
5. See section 83-488(e)(4), Signage for commercial planned development, shopping centers, office parks, and industrial parks.
6. A minimum sign area of 50 s.f. is allowed.
7. Maximum sign area = 32 s.f. and maximum sign height = 10 ft. if the use is located on an outparcel of a shopping center.
8. Gas station signs may advertise fuel prices.
9. Maximum sign area for gas stations that share a building and common access with another commercial use may be increased by 25 s.f.

e. Setbacks.

1. Monument signs shall be set back at least five feet from any property line, except in the Route 711 Special Area Plan where all signs shall be setback at least ten feet from any property line or public street right-of-way.

All other freestanding signs shall be set back at least ten feet from any property line.

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