

AN ORDINANCE AMENDING AND REENACTING PROVISIONS CONTAINED IN THE ZONING ORDINANCE OF THE COUNTY OF POWHATAN (CHAPTER 83), ARTICLE VIII (DEVELOPMENT STANDARDS), SECTION 83-475 AND SECTION 83-477 TO ESTABLISH AND APPLY ARCHITECTURAL AND DEVELOPMENT STANDARDS TO INSTITUTIONAL, COMMERCIAL, AND MIXED-USE DEVELOPMENT WITHIN ALL ZONING DISTRICTS BY COMBINING INTO ONE SECTION THE PROVISIONS IN EACH SECTION; AND AMENDING SECTION 83-455 AND SECTION 83-482 TO REVISE REFERENCES TO SECTION 83-475.

WHEREAS, §15.2-1427 and §15.2-1433 of the *Code of Virginia*, 1950, as may be amended from time to time, enable a local governing body to adopt, amend and codify ordinances or portions thereof; and

WHEREAS, §15.2-2280, §15.2-2285 and §15.2-2286 of the *Code of Virginia*, 1950, as amended, enables a local governing body to adopt and amend zoning ordinances; and

WHEREAS, the Powhatan County 2010 Long-Range Comprehensive Plan, in Chapter 8: Land Use and Community Character, recommends the implementation of improved rural and mixed-use design standards that further enhance the quality of development; and

WHEREAS, on June 5, 2018, the Powhatan County Planning Commission held a public hearing on this matter and all of those who spoke on this topic were heard; and

WHEREAS, on June 5, 2018, the Powhatan County Planning Commission voted to recommend to the Board of Supervisors approval of the request to amend the Zoning Ordinance of the County of Powhatan; and

WHEREAS, the Powhatan County Board of Supervisors caused to be published a notice of public hearing on this matter in the Powhatan Today on June 13th and 20th, 2018; and

WHEREAS, the full application was available for public inspection in the Powhatan County Administrator's Office, County Administration Building, 3834 Old Buckingham Road, Powhatan, Virginia 23139; and

WHEREAS, on June 25, 2018, the Powhatan County Board of Supervisors held a public hearing on this matter and all of those who spoke on this topic were heard.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF POWHATAN that Sections 83-455, 83-475, 83-477, and 83-482 are amended and reenacted as follows:

Sec. 83-455. - Off-street parking and loading.

...

(c) *General standards for off-street parking and loading areas.*

...

(3) *Location and arrangement.*

...

c. Placement. The location or placement of off-street parking and loading areas on a development site shall be limited in accordance with the standards of ~~section 83-475, Architectural design standards for businesses;~~ section 83-476, Multifamily and townhouse development standards in village growth area districts; ~~section 83-477, Institutional, commercial, and mixed-use development standards;~~ section 83-480, Large retail establishment standards, and section 83-482, Industrial development standards, as appropriate.

...

Sec. 83-475. —~~Repealed~~Architectural design standards for businesses.

~~(a) *Purpose.* To encourage originality, flexibility, innovation in site planning and development, including the architecture, landscaping, and graphic design of proposed developments.~~

~~(b) *Applicability.* The provisions of this article shall apply to all uses requiring site plan approval.~~

~~(c) *Consistent exterior design of building elevations.*~~

~~(1) A complementary visual identity shall be required for all sides of buildings visible to the general public from any roadway and/or public view within the same development. A physical transition (e.g. vegetative buffer) may be used to permit a different visual identity upon review and recommendation by the director.~~

~~(2) Architectural details on the front of a building shall not abruptly end but be continued on to the side walls.~~

~~(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. 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.~~

~~(2) Buildings shall have height variations to give the appearance of distinct elements. To add interest and reduce the scale of large buildings, variations in roof lines shall be used through the use of overhanging eaves, parapets, pop outs, height variations, and entrance features. Modulation (a measured setback or offset in a building face) shall be incorporated to reduce overall bulk and mass of buildings. The planes of exterior walls shall not run in one continuous direction more than 60 feet without an offset or setback.~~

~~(3) Windows, doors, shutters, balconies, canopies, and other architectural design elements such as corners, rooflines and offsets shall be used to help add visual interest.~~

~~(4) Service and delivery areas shall be located away from any roadway and/or public view of pedestrian and primary customer vehicular circulation areas. When such activities must be located in areas visible from roadways, they must be screened in accordance with the screening provisions of section 83-465, Screening.~~

~~(5) Architecture which is the result of "corporate", or franchise style must fulfill all requirements of this chapter and complement the surrounding architectural style of existing buildings at the discretion of the director.~~

~~(e) *Colors.*~~

~~(1) Facade colors for all portions of the building shall be low reflectance, subtle, neutral or earth tone colors (no primary colors). Building trim and accent areas may feature brighter colors that complement the building's overall appearance.~~

~~(2) Junction and accessory boxes including meter boxes (excluding glass) and any pipes or conduit to boxes shall be the same color as the building.~~

~~(f) *Roofs.*~~

~~(1) No visible low slope (pitch less than 3 to 12) roofs shall be permitted on buildings. A flat roof may only be used if screened around the perimeter by decorative parapet walls or similar treatments that are an integral part of the architecture.~~

~~(2) All rooftop equipment shall be screened from view.~~

~~(3) Buildings with multiple uses or in excess of 25,000 square feet shall have alternating roof structures to give the appearance of multiple buildings unless a different design is endorsed by the director.~~

~~(g) Multiple buildings. Projects with multiple buildings (including shopping centers) shall have a consistent and distinct identity through the use of similar and compatible architectural design of buildings and roofs including materials, colors, and style.~~

~~(h) Other architectural design standards.~~

~~(1) Wall mounted exhaust fans shall be screened or painted to match the building.~~

~~(2) Chain link security fencing shall have a dark vinyl coating rather than a bare galvanized steel finish.~~

~~(3) Exterior light fixtures shall conform with the requirements of section 83-469, Exterior lighting.~~

...

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

(a) *Purpose.* These institutional, commercial, and mixed-use development standards, ~~which apply in village growth area districts,~~ are intended to:

- (1) Protect and enhance a pleasant environment for working and shopping and promote the desirability of investment and occupancy in business and other properties;
- (2) Protect and enhance community property values in order to provide an adequate tax base to the county to enable it to provide required services to its citizens;
- (3) Encourage originality, flexibility, and innovation in site planning and development;
- (4) Encourage establishment of a strong sense of place with vibrant institutional, commercial, and mixed-use development in village growth areas and other appropriate locations;
- (5) Encourage a more pedestrian-friendly environment through attention to human-scale development;
- (6) Foster greater compatibility between adjacent residential and nonresidential development; and
- (7) Limit the negative impacts of automobile-oriented development ~~in the village growth area districts.~~

(b) *Applicability.*

(1) *General.* Except as provided otherwise in this section, the standards in this section shall apply ~~in village growth area districts~~ to:

- a. All new institutional, commercial, and mixed-use development, including large retail establishments;
- b. Any expansion or alteration of an existing institutional, commercial, or mixed-use development where the expansion increases the development's gross floor area by 50 percent or more, or the alteration involves 50 percent or more of the development's gross floor area.

(2) *Review for compliance.* Review for compliance with the standards of this subsection shall occur during review of an application for site plan approval (Article II, Administration) or a zoning compliance permit (Article II, Administration), as appropriate. Site plan applications shall include

drawings, renderings, or perspectives of a professional quality which illustrate the scale; massing; roof shape; window size, shape, and spacing; and exterior materials of the structure and their color.

(c) *Parking location.*

(1) *Village center districts.* In Village Center (VC) and Village Center Planned Development (VC-PD) Districts, all required off-street surface parking shall be located to the side or rear of the front facade of the principal building(s).

(2) *All other districts.* In all other instances, no more than 50 percent of the number of off-street parking spaces shall be surface parking located between the front of the principal building(s) and the street it faces ~~unless the parking is screened from view from the street by other buildings or landscaping.~~

(2)(3) *Modifications.* Upon request by the property owner or applicant, the director may approve modifications to this subsection to allow additional parking between the front of the principal building(s) and adjacent streets, provided that off-street parking spaces located between the front of the principal building(s) and adjacent streets are screened with a landscaped berm, a decorative wall or fence, or landscaping that exceeds the minimum requirements established by this chapter. Such approval shall be in writing and include justification for the modification, such as lot size or configuration, natural conditions (such as the presence of watercourses or topography), or other unique site conditions and/or characteristics of the associated use.

(d) *Building orientation and configuration.*

(1) The primary entrances of buildings shall be oriented towards a street along the perimeter of the development, towards streets or driveways interior to the development, or towards open space areas, courtyards, or plazas.

(1)(2) Buildings on corner lots shall include a prominent architectural feature of greater height than the rest of the roof, such as a tower or similar feature, at the corner of the building closest to the intersection.



Figure 83-477(d)(1): Building orientation to the street.

(e) *Pedestrian-oriented facades.* Building facades facing streets, open space areas, courtyards, or plazas shall incorporate a combination of pedestrian entrances, arcades, awnings, pedestrian-level display

windows, and storefronts that provide shade, provide visual interest, and otherwise encourage pedestrian activity along the building frontage.

(e)(f) *Building architecture and design.*

(1) Projects with multiple buildings (including shopping centers) shall have a consistent and distinct identity through the use of similar and compatible architectural design of buildings and roofs, including materials, colors, and style.

(2) For all commercial and mixed-use development, a Development Design Pattern Book must be submitted to the Planning Commission for review and approval prior to approval of any site plan within the development to ensure that the architecture of proposed structures is compatible with surrounding development; recommendations made within the comprehensive plan; recommendations made within the Countywide Development Guidebook; and standards set forth in this section. All structures within the development must adhere to guidelines established by the approved Development Design Pattern Book, and any deviations from those guidelines must be approved by the director, with written documentation justifying the request. The Development Design Pattern Book shall include:

- a. Written descriptions and graphics explaining how the development complements existing development in the surrounding area and relates to recommendations made in the comprehensive plan and Countywide Development Guidebook; and
- b. Written descriptions and graphics explaining the theme and physical form of the project's architectural design. The written description shall identify specific materials, colors, and architectural details that are permitted within the development.

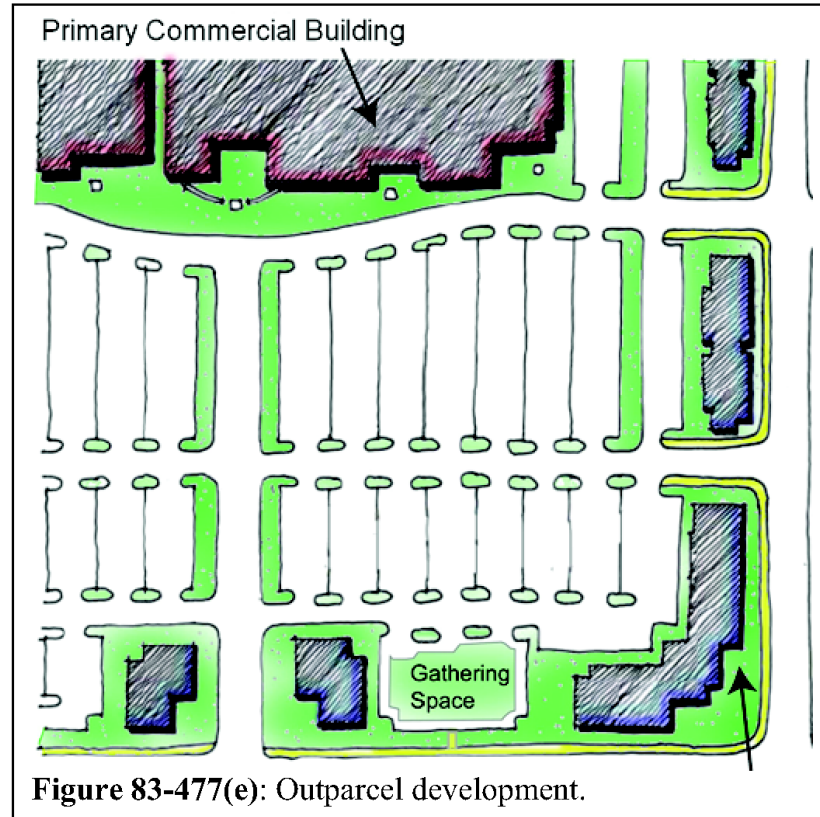
(f)(3) Development composed of multiple buildings totaling 20,000 or more square feet of gross floor area shall be configured to:

- a. Break up the site into a series of smaller "blocks" defined by vehicle accessways, pedestrian walkways, or other circulation routes;
- b. Frame the corner of an adjacent street intersection or entry point to the development;
- c. Frame and enclose a "Main Street" pedestrian or vehicle access corridor within the development site;
- d. Frame and enclose on at least three sides of parking areas, public spaces, or other site amenities; or
- e. Frame and enclose outdoor dining or gathering spaces for pedestrians between buildings.

(f)(g) *Outparcel development.*

(1) To the maximum extent practicable, outparcels and their buildings shall be configured and located to define street edges, development entry points, and spaces for gathering or seating between buildings.

(2) Spaces between buildings on outparcels shall be configured with small-scale pedestrian amenities such as plazas, seating areas, pedestrian connections, and gathering spaces (See Figure 83-477(e): Outparcel Development).



(h) Materials.

- (1) Building façade materials shall be limited to wood, brick, stone, decorative block, stucco, or other materials with a similar appearance, durability, and quality. The use of metal or vinyl siding is subject to review and approval by the director.
- (2) At least 70 percent of building façades visible from existing or planned roadways shall be constructed of wood, brick, stone, and/or other materials with a similar appearance, durability, and quality. No more than 30 percent of building facades visible from existing or planned roadways shall be adorned with stucco or decorative block.
- (3) 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.
- (4) Chain link security fencing shall have a dark vinyl coating rather than a bare galvanized steel finish.
- (5) Wall-mounted exhaust fans shall be painted to match the building or screened from view.

(i) Colors.

- (1) Façade colors for all portions of the building shall be low reflectance, subtle, neutral or earth-tone colors (no primary colors). Building trim and accent areas may feature brighter colors that complement the building's overall appearance.
- (2) Junction and accessory boxes, including meter boxes (excluding glass), and any pipes or conduit to boxes shall be the same color as the building.

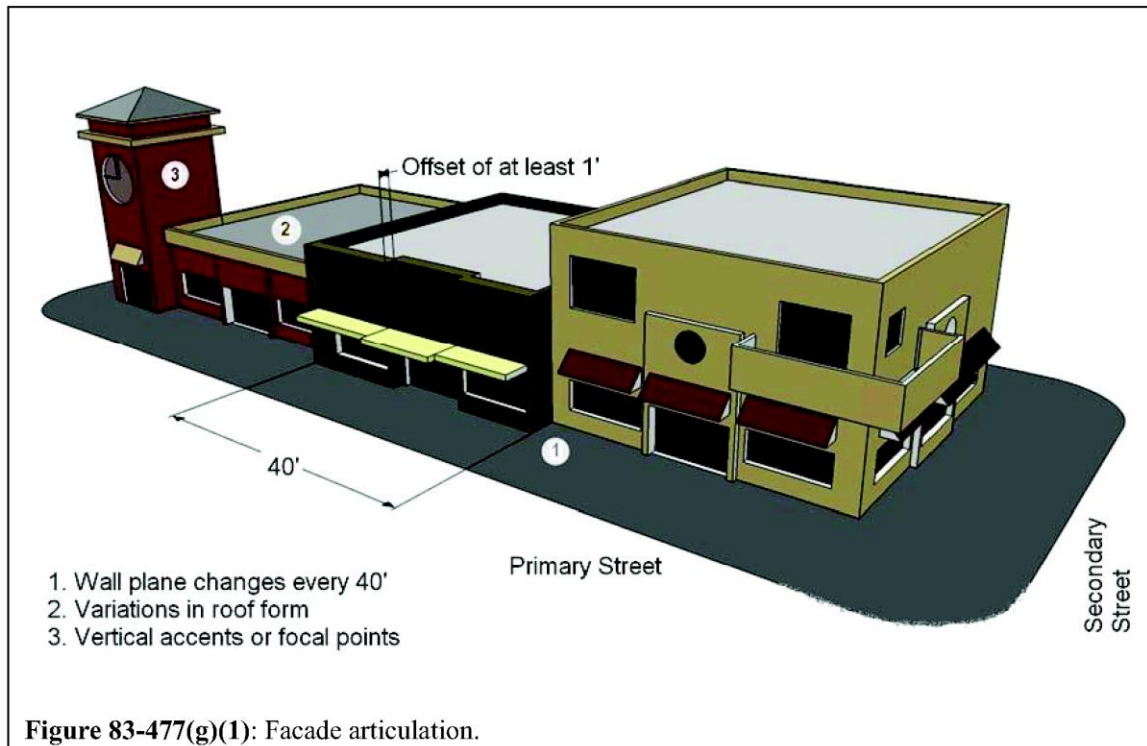
(j) Roofs.

- (1) Principal buildings shall incorporate roof pitches between 3:12 and 12:12, or incorporate a parapet at least three feet high with a three-dimensional cornice around a flat roof. Alternative roof forms or pitches may be allowed for small roof sections over porches, entryways, or similar features.
- (2) Any roof visible from an adjoining street or property shall be constructed of wood, tile, standing seam metal, heavy-grade architectural fiberglass shingles, slate, or other materials with a similar appearance, durability, and quality.
- (3) All roof vents, pipes, antennas, satellite dishes, and other roof penetrations and equipment (except chimneys) shall be located on the rear elevations or otherwise be configured, to the maximum extent practicable, to have a minimal visual impact as seen from the street.
- (4) Buildings with multiple uses or in excess of 25,000 square feet shall have alternating roof structures to give the appearance of multiple buildings unless a different design is approved by the director.

~~(g)(a) Maximum building size in village center districts. In Village Center (VC) and Village Center Planned Development (VC-PD) districts, total building area shall not exceed 45,000 square feet.~~

~~(h)~~(k) Façade articulation.

- (1) *Offsets required.* Street-facing front building facades that are greater than 60 feet wide shall be articulated with wall offsets (e.g. projections or recesses in the façade plane) that are at least one foot deep, at least ten feet wide, and spaced no more than 40 feet apart.
- (2) *Offset alternatives.* The following alternatives can be used alone or in combination as an alternative to the required front façade offsets:
 - a. Distinct changes in façade texture, materials, or color that follow the same dimensional standards as the offset requirements;
 - b. Roofline variations that vertically align with a corresponding wall offset or change in façade texture, materials, or color, including changes in roof form and/or the height of parapet walls; or
 - c. Vertical accents or focal points.
- (3) *Side facades.* The ~~street-facing~~ side facades of buildings visible to the general public from any roadway and/or public view shall be articulated with the same façade details as provided on the building's front façade, or be screened from off-site views through fences, walls, or landscaping at least eight feet high. Unless such screening is provided, architectural details and materials on the front of the building shall not abruptly end but be continued to the side walls.
- (4) *Outbuildings.* Outbuildings located in front of other buildings within the same development shall include a consistent level of façade articulation and building form detail on all sides of the building as well as exterior materials and colors that are compatible with the primary building in the development.



~~(i) *Pedestrian-oriented facades.* Building facades facing streets, open space areas, courtyards, or plazas shall incorporate a combination of pedestrian entrances, arcades, awnings, pedestrian-level display windows, and storefronts that provide shade, provide visual interest, and otherwise encourage pedestrian activity along the building frontage.~~

~~(j)(1) *Fenestration/transparency.* At least 30 percent of the street-facing façade area of the ground-level floor of buildings (as measured from the grade to the underside of the eave, top of the parapet, or the story line denoting the second floor) shall be occupied by doorways or transparent windows. Upon request by the property owner or applicant, the director may approve modifications to this subsection, provided that other architectural features are incorporated into street-facing façades to add visual interest, and such approval is in writing with justification for the modification.~~

~~(k)(a) *Mixed-use buildings in Village Center Districts.* Mixed-use buildings in the Village Center (VC) and Village Center Planned Development (VC-PD) districts shall meet the following standards:~~

~~(1) The ground level shall be devoted to commercial space; and~~

~~(2)(1) Ground-level commercial space shall be located along those facades adjacent to or most visible from primary street frontages or major pedestrian walkways.~~

~~(l) *Roofs.*~~

~~(1) Principal buildings shall incorporate roof pitches between 3:12 and 12:12, or incorporate a parapet at least three feet high with a three-dimensional cornice around a flat roof. Alternative roof forms or pitches may be allowed for small roof sections over porches, entryways, or similar features.~~

~~(2)(1) All roof vents, pipes, antennas, satellite dishes, and other roof penetrations and equipment (except chimneys) shall be located on the rear elevations or otherwise be configured, to the maximum extent practicable, to have a minimal visual impact as seen from the street.~~

~~(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.~~

(m) *Loading, service, and equipment areas.*

- (1) Loading, service, and equipment areas shall be located in a manner that minimizes their visibility from off-site areas, to the maximum extent practicable.
- (2) Loading, service, and equipment areas that are associated with an outparcel building shall be screened through the use of structural elements and similar materials attached to and integrated with the building.
- (3) Outdoor storage areas shall be screened in accordance with the standards for outdoor storage in Article VII, Use Standards.

(n) *Pedestrian amenities.* Architectural pedestrian amenities such as benches, fountains, decorative light fixtures, plantings, and awnings shall be provided subject to review and approval by the director.

(o) *Mixed-use buildings in Village Center Districts.* Mixed-use buildings in the Village Center (VC) and Village Center Planned Development (VC-PD) districts shall meet the following standards:

(1) The ground level shall be devoted to commercial space; and

(2) Ground-level commercial space shall be located along those facades adjacent to or most visible from primary street frontages or major pedestrian walkways.

~~(n)(p)~~ *Maximum building size in village center districts.* In Village Center (VC) and Village Center Planned Development (VC-PD) districts, total building area shall not exceed 45,000 square feet, unless a conditional use permit (CUP) is approved by the Board of Supervisors.

...

Sec. 83-482. - Industrial development standards.

...

(e) *Facade articulation.* General design standards in section ~~83-475, Architectural design standards for businesses~~ 83-477, Institutional, commercial, and mixed-use development standards, shall not apply. Instead, each street-facing building facade shall be horizontally and/or vertically articulated to avoid long, blank wall planes, by meeting at least one of the following standards:

- (1) Wall plane horizontal articulation. Each facade greater than 100 feet in length shall be articulated with wall offsets (e.g., projections or recesses in the facade plane), changes in facade color or material, or similar features that visually interrupt the wall plane horizontally such that the width of uninterrupted facade does not exceed 100 feet.
- (2) Vertical articulation. Each facade greater than 30 feet in height shall incorporate a change in the wall surface plane or in facade color or material that visually interrupts the wall plane vertically such that the height of uninterrupted facade does not exceed 30 feet.
- (3) Roof line variation. The facade shall include variations in roof planes and/or in the height of a parapet wall at least every 60 feet of roofline length along the facade.

In all other respects said Zoning Ordinance of the County of Powhatan shall remain unchanged and be in full force and effect.

This amendment shall take effect immediately upon passage.

APPROVED BY THE POWHATAN COUNTY BOARD OF SUPERVISORS ON _____, 2018.

**Carson L. Tucker, Chairman
Powhatan County Board of Supervisors**

ATTEST:

**Theodore Voorhees, Clerk
Powhatan County Board of Supervisors**

Recorded Vote:

David T. Williams	_____
Larry J. Nordvig	_____
Angela Y. Cabell	_____
William E. Melton	_____
Carson L. Tucker	_____