

County of Hanover

Board Meeting : April 28, 1999

Subject: Consideration of Ordinance 99-03 - Growth Management Work Session Update

Summary of
Agenda Item:

On April 14, the Board held a work session regarding the growth management initiatives forwarded to the Planning Commission last October. The Commission was invited to participate in this session. Staff presented new statistics which appear to show the County's growth management efforts to be working: lot creation is down, the suburban/rural split for building permit issuance is closer to the County's adopted goal, and building permit issuance is only slightly higher than before (for single-family dwellings). With these statistics in mind, the staff presented the recommendations of both the Commission and the staff with regard to Ordinance 99-03, the first of the initiatives for which public hearings have been held. The two recommendations did not agree, so the staff suggested deferring action on the ordinance amendment until April 28, the date of the next Board meeting, to allow the staff to prepare a revised recommendation incorporating elements of both the Commission and the staff positions. The revised recommendation is attached.

County
Administrator's
Recommendation:

Adoption of the staff's recommendation.

Requested
Action:

The staff recommends the Board adopt Ordinance 99-03 as it pertains to AR-1 and AR-2 zoning; adopt the AR-6 section of the ordinance with revisions, to increase the maximum parcel size for application (from 25 acres up to 50 acres); and request the Commission recommend revisions to the RC district.

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STERLING E. RIVES, III
COUNTY ATTORNEY

MEMORANDUM

PLANNING OFFICE
PHONE 804-365-6171
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To: Hanover County Board of Supervisors

From: Michael E. Crescenzo, Director of Planning *ME*

Subject: Ordinance 99-03 - Revised Staff Recommendation

Date: April 22, 1999

Copies: Hanover County Planning Commission
Richard R. Johnson
Sterling E. Rives, III
John H. Hodges, AICP

BACKGROUND

At the work session on growth management held with the Planning Commission on April 14, the staff presented the following statistics regarding the County's growth during the past three years (including several months prior to the Board's actions on October 9, 1996):

1. The suburban/rural split is improving, from 56/44 in 1996 to 62/38 in 1998 (goal: 70/30).
2. Rural rezonings are down, from 361 acres approved in 1997 to 68 acres approved in 1998 (in both years, acreage in requests which were either denied or withdrawn exceeds acreage approved).
3. New rural subdivision lot creation has declined by over 85% from 1996 (206 new lots) to 1998 (29 new lots). Last year, new family division lots exceeded new lots created for speculative purposes (29 vs. 59).
4. New suburban subdivision lot creation has declined by over 50% (803 lots in 1996 vs. 392 lots in 1998).
5. Total lot creation has declined by over 56% in 2 years (1047 lots in 1996 vs. 444 lots in 1998).

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6. Building permits for new single-family detached dwellings have increased slightly, although the total number of permits has decreased (based on inclusion of multifamily dwellings in 1996 and 1997).

This information leads to the point made by the staff at the work session: all important indicators show that the actions taken by the Board to date are beginning to have an effect on the County's growth. While building permits remain high, the lots on which homes are being built are not being replaced. This suggests that the inventory of lots is being reduced, and that the rate of growth will continue to decline as fewer lots are available for development.

The recommendations presented at the work sessions diverge significantly. The Planning Commission's recommendation is for denial of the ordinance as drafted. They further recommend reconsideration of the County's rural strategies, in an effort to address all rural issues at one time. This would include consideration of establishment of a permanent suburban area boundary, the use of AR-1 and AR-2 zoning as transitional development from the suburban service area to the rural area, and recognition of agriculture's economic impact on the County. In addition, the Commission believes that the Rural Conservation District (RC) can be made more attractive with the inclusion of additional incentives.

The staff continues to recommend adoption of the ordinance amendment, believing that to do so would continue the effort to reduce the creation of new lots, thereby reducing the inventory of lots available. However, there are modifications to this recommendation which the staff would support, in an effort to combine appropriate elements of both the Commission and staff recommendations.

RECOMMENDATION (REVISED)

As mentioned in the work session presentation, the staff believes parts of both of the recommendations (Commission and staff) can be combined for Board action. Consequently, the revised recommendation of the staff is as follows:

1. Adoption of Ordinance 99-03 as it pertains to AR-1 and AR-2 zoning. As previously discussed, these districts have been used very little in the past several years, and other alternatives for creating smaller lots in the rural areas have been adopted (the Rural Conservation district has no minimum lot size). The use of these districts as transition from suburban to rural densities is not recommended by the staff, especially if the intent is their introduction into the suburban service area. Such transitioning can be better and more appropriately accomplished inside the suburban service area boundary through use of the proposed RS district (which provides a density range from 1 to 4 units per acre while requiring the use of public utilities).

2. Adoption of revisions to the AR-6 district, including revising the recommended maximum area for application from 25 acres to 50 acres. The staff understood the comments made by some of the speakers at the Board's public hearing on this issue, especially in the context of application of the RC district. Consequently, rather than recommending elimination of the AR-6 district for parcels 25 acres or larger (as originally recommended in Ordinance 99-03), the staff believes there may be a higher, more appropriate threshold for this limit. There have been discussions with potential applicants for RC districts on as few as 50 acres, so the staff is recommending 50 acres as the new maximum parcel size for AR-6 zoning. This new threshold should address most of the concerns expressed over applicability of the RC district on small parcels. However, the staff understands there may still be concern over this threshold; if it is revised upwards, staff recommends it be done in 25 acre increments (to 75 acres, for example).

3. Direct the Commission to review the Rural Conservation District in an effort to make it more attractive to applicants. The staff has been told that the district is difficult to understand and apply, and that the time for review and approval acts as a deterrent for its use. The Commission could consider appropriate revisions to the district to address these concerns.

As presented in the work session, the staff believes the issue of the permanent suburban boundary has been addressed appropriately. The text adopted by the Board in the Comprehensive Plan Update has specifically stated that the current boundary will not automatically be revised in five years, and that there are no current plans to extend the boundary beyond Ashland/Ashcake Road in the west and Cold Harbor Road in the east.

The Commission's concern regarding agriculture in the County is one which has also been identified by citizens in other workshops. The issue of agriculture as economic development is one which should be included in the economic development plan currently being prepared. This plan will also be presented to the Commission for their review and comment prior to action by the Board, thereby providing the opportunity for the Commission to address their concerns.

If there are any questions regarding the recommendation, please contact the staff.

O R D I N A N C E 9 9 - 0 3
Revised April 22, 1999

AN ORDINANCE TO AMEND THE HANOVER COUNTY CODE, APPENDIX, ZONING ORDINANCE, TO PROVIDE FOR REVISIONS TO THE AR-6, AGRICULTURAL RESIDENTIAL DISTRICT, TO ELIMINATE ITS APPLICATION ON PARCELS TWENTY-FIVE (25) ACRES OR GREATER IN AREA, AND TO REPEAL THE AR-1 AND AR-2 AGRICULTURAL RESIDENTIAL DISTRICTS.

BE IT ORDAINED BY THE HANOVER COUNTY BOARD OF SUPERVISORS:

1. That the Hanover County Code, Appendix, Title I: Zoning Ordinance, Article 5, Section 2, Agricultural Residential District, shall be amended to read in its entirety as follows:

ARTICLE 5. DISTRICT REGULATIONS

Section 2. AR-6, Agricultural Residential District.

2.1 Purpose of the district. The purpose of this district is to provide for spacious residential development for those who choose this environment; to provide for a full range of agricultural activities; and to protect agricultural land, as one of the county's most valuable natural resources, from the effect of objectionable, hazardous, and unsightly uses. The district is also intended to provide for protection of watersheds, water resources, forest areas, and scenic values.

2.2 Permitted uses. A building or land shall be used only for the following purposes:

1. Detached single-family dwellings.
2. Agriculture, including horticultural, chemical, or general farming, truck gardens, cultivation of field crops, orchards, groves, or nurseries for growing or propagation of plants, trees, and shrubs, including temporary sawmills for cutting trees grown on the premises and use of heavy cultivating machinery, spray planes, or irrigating machinery, dairy farming, keeping or raising for sale of large or small animals, reptiles, fish, birds, or poultry, and including structures for processing and sale of products raised on the premises; provided:
 - (a) Any sawmill, grain drier, commercial feed lot or hog raising operation shall be located at least two hundred fifty (250) feet from any dwelling not located on the premises.
 - (b) Structures for commercial poultry raising shall be located at least two hundred (200) feet from any dwelling not

located on the premises and at least one hundred (100) feet from any street or road.

- (c) Commercial slaughtering and processing of large animals, such as horses, cows, pigs, sheep, or goats shall not be conducted on the premises.

3. Reserved.
4. Dog kennels, noncommercial; provided any open pens, runs, cages or kennels or any place for keeping more than five (5) adult dogs shall be located at least two hundred (200) feet from any side or rear lot lines.
5. Golf courses, not lighted for night play and not including miniature golf courses, putting greens, driving ranges, and similar activities operated as a business, but including a building for a golf shop, locker room, and snack bar as an accessory use to a permitted golf course, providing no such building is located closer than one hundred (100) feet from adjoining property lines. Practice greens and tees may accompany a standard nine (9) hole or eighteen (18) hole golf course occupying at least seventy-five (75) acres.
6. Facilities and structures necessary for rendering utility service, including poles, wires, transformers, telephone booths, and the like for normal electrical power distribution or communication service, and pipelines or conduits for electrical, gas, sewer, or water service, but not including buildings, treatment plants, pumping or regulator stations, substations and power transmission lines which are permitted as conditional uses.
7. Grain storage structures.
8. Greenhouse, commercial.
9. Hospital or clinic for large or small animals; provided that all buildings, structures, pens, or open kennels shall be located at least two hundred (200) feet from any lot line.
10. Hospital or clinic for small animals (dogs, cats, birds, and the like); provided such hospital or clinic and any treatment rooms, cages, pens, or kennels be maintained within a completely enclosed, soundproof building, and that such hospital or clinic be operated in such a way as to produce no objectionable odors outside its walls.
11. Military bases and appurtenances and parks operated by the United States Government or agencies of the Commonwealth of Virginia.
12. Public and private forests, wildlife reservations, similar conservation projects.

13. Railroad rights-of-way, including a strip of land with tracks and auxiliary facilities for track operations, but not including passenger stations, freight terminals, switching and classification yards, repair shops, round houses, power houses, interlocking towers, and fueling, sanding and watering stations.
14. Recreational uses such as tennis courts, swimming pools, and other similar activities operated exclusively for the use of private membership and not for commercial purposes; provided that no such use, structure, or accessory use is located closer than fifty (50) feet to any adjoining property line.
15. Stable, public or commercial; provided that any building for keeping of animals shall be located at least two hundred (200) feet from any side or rear lot lines, and that there shall be housed on the premises no more than one horse or pony for each acre of land.
16. Stable, private, or keeping of horses, ponies or other livestock for personal enjoyment and not as a business; provided that any building for keeping of animals shall be located at least one hundred (100) feet from any side or rear lot lines and that there shall be housed or kept on the premises no more than one horse or pony for each acre of land.
17. Raising for sale of birds, bees, fish, rabbits, and other small animals, provided any use shall be located at least two hundred (200) feet from any side or rear lot lines.
18. Frog or fish farms, provided any use shall be located at least two hundred (200) feet from any side or rear lot lines.
19. Medical office, limited to two (2) doctors and their staffs (no more than two (2) staff members per doctor).

2.3 Permitted accessory uses.

1. 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.
2. Domestic storage in main building or in accessory building.
3. Garage, private.

4. Guest houses.
5. Home occupations in a main building.
6. Keeping of small animals, insects, reptiles, fish, or birds, but only for personal enjoyment or household use and not for a business, as an accessory to a nonfarm dwelling on a lot of not less than two (2) acres.
7. Servants' quarters.
8. Storage of a boat trailer or camp trailer or a boat, but not in front yard.
9. Swimming pool and game courts, lighted or unlighted, for use of occupants or their guests.
10. Signs as regulated in article 7, section 3.
11. Temporary buildings, the uses of which are incidental to construction operation during development being conducted on the same or adjoining tract or subdivision and which shall be removed upon completion or abandonment of such construction, or upon the expiration of a period of two (2) years of the time of erection of such temporary buildings, whichever is sooner.
12. Accessory off-street parking and loading spaces. Open or enclosed space for parking one commercial vehicle of not more than one ton capacity and used by the occupant of a dwelling shall be permitted as accessory.
13. The location of office or construction trailers for a period not to exceed one year.
14. Noncommercial fuel alcohol distillery.
15. Foster care and adult family care.

2.4 Conditional Uses. The following uses may be permitted as conditional uses if approved by the Board of Supervisors in accordance with the procedures set out in this appendix:

1. Airports and landing fields, provided they shall comply with the recommendations of the Federal Aviation Agency.
2. Camps, day or boarding, private or commercial.
3. Cemetery, including a crematorium.
4. Circus or carnival grounds, amusement park, zoo or midway, permanent or temporary for a specified time period.
5. Exposition center or fairground.

6. Heliport or helistop.
7. Hospitals and sanitariums.
8. Institutions, educational or philanthropic, including museums, art galleries and libraries.
9. Livestock auction market.
10. Private clubs.
11. Public or governmental buildings and uses, including schools, fire stations (volunteer or otherwise), parks, parkways, and playgrounds; and public boat landings.
12. Public utilities or public service uses, buildings, generating or treatment plants, pumping or regulator stations, substations and transmission lines.
13. Race track, any type, including horses, stock cars, or drag strip.
14. Recreation facility, commercially operated, such as fishing or boating lake, camp ground, picnic grounds, or dude ranch, and accessory facilities, including sale of food, beverages, bait, supplies and equipment.
15. Sanitary landfill or trash collection site.
16. (a) Excavation or filling, borrow pits, extraction of stone, sand or gravel, stripping of topsoil (but not including stripping of sod) and other major excavations other than for construction of swimming pools and foundations for buildings and other than those approved in connection with a street, subdivision or planned residential development.

(b) Crushing, treating, washing and/or processing of materials resulting from a use permitted in paragraph (a) above when conducted on the same property.
17. Sports area or stadium, commercial athletic field or baseball park.
18. Swimming or tennis club, commercially operated.
19. Reserved.
20. Radio or television broadcasting station or tower more than one hundred twenty-five (125) feet in height, provided construction and safety features are approved by the Administrator in accordance with applicable regulations and provided no hazard is created in an Airport Approach Zone.

21. Churches, rectories, parish houses, convents and monasteries, temples, and synagogues, or the expansion of any existing church, temple, or synagogue by more than fifty (50) percent of its floor area.
22. Agricultural and forestal support center.
23. Antique shop.

2.5 Uses permitted as special exceptions. The following uses may be permitted as special exceptions, if approved by the Board of Supervisors in accordance with the procedures set out in this appendix:

1. Temporary and conditional permits for the following uses:

- (a) Archery ranges.
- (b) Asphalt batching plants or concrete batching plants.
- (c) Commercial dog kennels.
- (d) Miniature golf courses or driving ranges.
- (e) Nonaccessory tents for special purposes.
- (f) Outdoor displays or promotional activities.
- (g) Pony rings.
- (h) Raising for sale of birds, bees, fish, rabbits and other small animals in an Overlay Urban Development District only.
- (i) Rifle or pistol ranges, trap, or skeet shooting.
- (j) Sawmill for cutting timber not grown on the premises.
- (k) Temporary buildings for use as a sales or rental office for an approved real estate development or subdivision.
- (l) A private garage for more than four (4) automobiles.
- (m) Cemetery for pets.
- (n) Convalescent homes, nursing homes, or homes for the aged.
- (o) Day nurseries or child or adult day care centers.
- (p) Frog or fish farms, in an Overlay Urban Development District only.
- (q) Sale of farm products not raised on the premises. Such sale shall be permitted only in conjunction with sales pursuant to section 2.3(1) above and only on a lot no less than ten (10) acres in area.

(r) Mobile homes for living quarters as follows:

- (1) accessory to a farm;
- (2) in cases of hardship, as defined in section 2.6B.2(b), below;
- (3) during the actual construction phase of a residential dwelling unit by the occupant of the mobile home;
- (4) or during the actual repair when the permanent dwelling of the applicant has been rendered uninhabitable by a fire, natural disaster, or sudden accidental event.

(s) Equipment storage yards accessory to a business office for construction or service contractors, operated as a home occupation, when located outside of the Overlay Urban Development District, provided:

- i) The maximum number of employees on site shall not exceed ten (10) per establishment.
- ii) There shall be no more than ten (10) pieces of motor propelled equipment stored per site, related to the designated use.
- iii) There shall be a minimum lot size of five (5) acres, and no more than two (2) acres shall be devoted to the use permitted pursuant to this section.
- iv) There shall be no associated structure on site larger than five thousand (5,000) square feet in size.
- v) When equipment storage is within one hundred (100) feet of a property zoned for residential use, the equipment shall be screened in accordance with the standards specified in Article 7, Section 2A.
- vi) Applications shall be accompanied by a sketch plan prepared in accordance with the standards specified in Article 7, Section 7.2.

(t) Home occupations in an accessory building, home craft shops, or retail sales businesses conducted as a home occupation.

(u) Sale of Christmas trees not raised on the premises.

(v) Auction sales, on a lot no less than ten (10) acres in area, located outside of the Overlay Urban Development District, with no more than four (4) such sales in any calendar year.

(w) Open or enclosed space for the storage of one (1) commercial vehicle with greater than one (1) ton capacity on property located outside of the Overlay Urban Development District

and outside of an approved subdivision, subject to the following standards:

- i) the Tax Parcel on which the vehicle is stored shall be a minimum of two (2) acres in area and shall have public road frontage;
 - ii) if the vehicle is stored in an open space, the space shall be located at least one hundred feet (100') from any property zoned for residential use or shall be screened in accordance with the standards specified in Article 7, Section 2A; and
 - iii) a sketch plan shall be submitted for review at the time of application, in accordance with the standards specified in Article 7, Section 7.2.
- (x) Bed and breakfast, in accordance with the specific standards and requirements of Article 7, Section 8.9.

2.6 Temporary mobile home use. Mobile homes may be used for a period of six (6) months from the date of an event rendering a dwelling uninhabitable, in the event of destruction of the dwelling or damage to the dwelling which renders the dwelling uninhabitable, provided that a permit for such use is obtained from the Zoning Administrator.

1. The Zoning Administrator shall have the authority to issue permits for such use if the applicant meets the following requirements:
 - (a) An application shall be filed in the Planning Office on a form provided by the Zoning Administrator. The application shall include a verified statement that use of the mobile home is necessary because of damage or destruction to a dwelling on the site where the mobile home will be located and that the mobile home will be used only as a dwelling for the residents of the original dwelling. The application shall also document the nature and date of the event causing the damage or destruction.
 - (b) The site must comply with all requirements of the Hanover County Code, including the Zoning Ordinance and Subdivision Ordinance.
2. The permit shall be valid for a period of six (6) months from the date of the event causing the damage or destruction.
3. The site shall remain in compliance with all requirements of the Hanover County Code, including the Zoning Ordinance and Subdivision Ordinance, during the term of the permit. The permit shall be void upon failure of the applicant to maintain compliance with all requirements.

4. Prior to the expiration date or the voiding of any permit the mobile home shall be removed from the site by the owner or applicant.

2.7 Standards for Special Exceptions for mobile homes as temporary living quarters.

1. For any request to use a mobile home as temporary living quarters during the actual construction phase of a residential dwelling unit by the occupant of the mobile home, or during the actual repair when the permanent dwelling of the applicant has been rendered uninhabitable by a fire, other natural disaster, or sudden accidental event, the following standards shall apply:
 - a. The time period for the initial Special Exception shall not exceed one (1) year from the date of approval. The total time period, including extensions, for the temporary use of the mobile home shall not exceed three (3) years from the date of approval of the Special Exception by the Board of Supervisors, except when permitted by the Board of Supervisors upon demonstration by the applicant of extenuating circumstances. When an extension is denied, or upon expiration of the Special Exception, the applicant shall remove the mobile home from the site within sixty (60) days of the date of denial or expiration.
 - b. When such a Special Exception is granted, improvements shall be completed in accordance with the following schedule:
 - 1) Year One (1): At a minimum, mobile home placement, well installation, septic tank installation, and provision of access shall be completed.
 - 2) Year Two (2): At a minimum, the Building Permit for the permanent dwelling shall be obtained, construction of the footing and the foundation completed, and the dwelling framed and protected from weather.
 - 3) Year Three (3): At a minimum, finish work shall be completed, a Certificate of Occupancy obtained, and the mobile home removed from the site within sixty (60) days of issuance of the Certificate of Occupancy.
 - c. Requests for extensions for completion during the three (3) year period following the date of original approval of the Special Exception by the Board of Supervisors may be granted by the Board of Supervisors upon demonstration by the applicant of continuing compliance with the schedule for completion as set forth in Section 2.6B-1(b) above, provided that the application for extension is filed prior to expiration of the Special Exception.
2. For any request to use a mobile home as temporary living quarters in the case of a hardship, the following standards shall apply:

- a. The time period for the initial Special Exception shall not exceed two (2) years from the date of original approval of the Special Exception by the Board of Supervisors. Extensions may be granted in two (2) year increments for the duration of the hardship, in accordance with the procedures and standards specified below.
 - b. "Hardship" shall be defined as being when, for health reasons verified by a medical practitioner, licensed by the State of Virginia, through provision of a signed certificate specifying same, a person requires continuous care by another, and both persons will reside on the same or adjoining Tax Map Parcels.
 - c. Extensions may be granted pursuant to the following procedures:
 - 1) The application for a Special Exception shall not be accepted unless a signed certificate, as described above, verifying the need for living assistance due to age or medical reasons, accompanies the application.
 - 2) Extensions for continued use of the mobile home may be granted upon review and approval by the Board of Supervisors of an application, accompanied by confirmation of the continuation of the hardship, filed prior to the two (2) year anniversary date of original approval of the Special Exception or of any subsequent extension.
 - 3) When an extension is denied, or upon expiration of a Special Exception, the applicant shall remove the mobile home from the site within sixty (60) days of the date of denial or expiration.
 - d. The Special Exception shall be issued to specific individual(s) only, and only for the duration of the verified hardship.
 - e. The mobile home may be occupied by either the person(s) needing care or the person(s) providing care. However, upon cessation of the hardship, the mobile home shall be removed from the site within sixty (60) days regardless of whether it is occupied by the person(s) needing care or providing care.
3. Consideration by the Board of Supervisors of a Special Exception request for placement of a mobile home for use as living quarters as specified herein shall include the potential for adverse impact of the use on the surrounding properties.

2.8 Minimum and maximum area for application; density. The minimum parcel size for consideration of AR-6, Agricultural Residential District zoning shall be four (4) acres. The maximum parcel size for consideration

of AR-6 zoning shall be ~~24.99~~ fifty (50) acres. The zoning request shall apply to the subject parcel in its entirety. For purposes of this section, the term "parcel" shall mean a unit of land created in accordance with all applicable regulations. Permissible density shall be calculated as follows:

- (1) For parcels four (4) to thirteen and 99/100 (13.99) acres in area: two (2) lots, with a minumum lot size of two (2) acres
- (2) For parcels fourteen (14) to twenty-four and 99/100 (24.99) acres in area: three (3) lots, with a minimum lot size of two (2) acres
- (3) For parcels twenty-five (25) acres or greater: one (1) lot for each 6.25 acres, with a minimum lot size of five (5) acres

Fractions resulting from the calculation shall be rounded down to the next whole number.

2.9 Subdivision lots prohibited. No lot less than twenty (20) acres in area which is part of a recorded subdivision shall be eligible for consideration for AR-6, Agricultural Residential District zoning.

2.10 Lot size requirements.

	<u>Minimum, Acres</u>	<u>Minimum, Feet</u>	
	<u>Lot Area</u>	<u>Lot Width</u>	<u>Lot Depth</u>
1. Single-family dwelling on the following proposed rights-of-way:	2 acres (except as provided above)		
(a) 160 ft. rights-of-way		450	200
(b) 80 ft. rights-of-way		400	200
(c) 60 ft. rights-of-way		275	200
(d) 50 ft. rights-of-way		250	200
2. Churches, rectories, parish houses, convents and monasteries, temples and synagogues	1 acre	200	200
3. Animal hospital, larger animals	10 acres	300	300
4. Animal hospital, small animals, open pens or kennels	5 acres	300	300
5. Recreation uses clubs, campgrounds	5 acres	200	200
6. Stable, commercial	5 acres	200	200
7. Stable, private	2 acres	200	200

8. Frog or fish farms, or the raising for sale of small animals

5 acres

200

200

9. Medical office

2 acres

300

200

Lot width is measured at the front lot line for any lot located along any public road except those public roads created through the subdivision process; for lots located along a private road or a public road created through the subdivision of a parcel, lot width is measured at a point within the front half of the total depth of the lot. When access to a lot exempt from subdivision requirements is provided by use of a right-of-way with a width of fifty (50) feet or less, the lot shall meet the minimum width requirements for any lot which has frontage on a fifty (50) foot right-of-way.

Minimum frontage for development on private roads or any other road created through subdivision is twenty (20) feet; frontage on any other public road shall be the minimum required lot width.

Proposed rights-of-way are those designated by the Major Thoroughfare Plan.

2.11 Yard requirements.

Minimum in Feet

	<u>Front Yard</u>	<u>Side Yard, Minimum</u>	<u>Side Yard, Aggregate</u>	<u>Rear Yard</u>
1. Single-family dwelling on the following proposed rights-of-way:				
(a) 160 ft. rights-of-way	125	25	50	40
(b) 80 ft. rights-of-way	100	25	50	40
(c) 60 ft. rights-of-way	70	25	50	40
(d) 50 ft. rights-of-way	60	25	50	30

Proposed rights-of-way are those designated by the Major Thoroughfare Plan.

2. Other structures same or as required in district regulations.

2.12 Height requirements. Single-family dwellings and all other structures not specifically exempted in article 7: Maximum height 2-2½ stories, but not to exceed 35 feet.

2.13 Off-street parking and loading requirements. Off-street parking and loading requirements are contained in article 7.

2. That the Hanover County Code, Appendix, Title I: Zoning Ordinance, Article 5, Sections 2A, AR-1, Agricultural Residential District, and 2B, AR-2, Agricultural Residential District, shall be and are hereby repealed.
3. That all AR-1 and AR-2 districts approved by ordinance adopted by the Hanover County Board of Supervisors prior to [the date of adoption of this ordinance] shall continue in effect and be subject to the ordinance provisions of the AR-1 and AR-2 districts in effect on [the date of adoption of this ordinance]. Copies of the district provisions shall be on file in the Hanover County Planning Office for reference.
4. This Ordinance shall be effective upon adoption.

Public Hearing: _____

Mr. STANLEY:	Aye ☐	Nay ☐	Absent ☐	Abstain ☐
Mr. GORDON:	Aye ☐	Nay ☐	Absent ☐	Abstain ☐
Mr. ERNST:	Aye ☐	Nay ☐	Absent ☐	Abstain ☐
Mr. GILES:	Aye ☐	Nay ☐	Absent ☐	Abstain ☐
Mr. KLOTZ:	Aye ☐	Nay ☐	Absent ☐	Abstain ☐
Mr. WADE:	Aye ☐	Nay ☐	Absent ☐	Abstain ☐
Mr. WARD:	Aye ☐	Nay ☐	Absent ☐	Abstain ☐

Adopted: _____

Richard R. Johnson, Clerk
Hanover County Board of Supervisors

Final copy reviewed by:

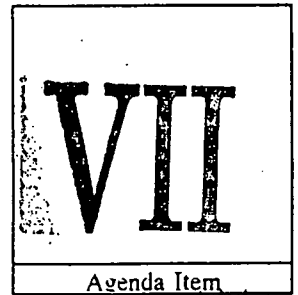
- Planning Department: _____

File
Ord 99-03



County of Hanover

Board Meeting : April 14, 1999



Work Session held by
~~Agenda Item~~ Hanover County
Board of Supervisors
Meeting of 4/14/99
Richard R. Johnson
County Administrator/Clerk
to the Board of Supervisors

Subject: Growth Management Initiatives Work Session with Planning Commission

Summary of
Agenda Item:

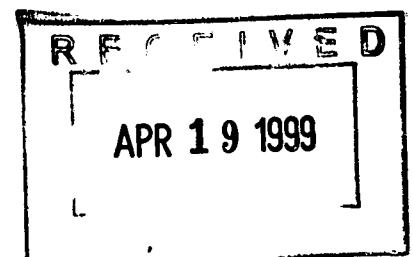
In August, 1998, at the request of the Board, the Planning staff presented several options for growth management in conjunction with the pending adoption of the Comprehensive Plan Update. The Board deferred consideration of the management initiatives until after action on the plan. On September 28, 1998, the Plan Update was adopted by the Board. At their subsequent meeting in October, the Board directed three growth management initiatives to the Planning Commission for review and recommendation. These three items - 1) revision of the AR-6 district/repeal of the AR-1 and AR-2 districts; 2) adoption of a "suburban cluster" district; and 3) adoption of a Corridor Enhancement Overlay District - have been the subjects of several Commission workshops from December, 1998, to the present. To date, the Commission has held one public hearing (the AR districts) and plans another on April 22 (the "suburban cluster" district). The work session with the Board provides the opportunity for the Commission and the staff to discuss the status of each of these initiatives.

The Commission is invited to dinner at the Hanover Tavern at 5:30 p.m. on Wednesday, April 14, prior to the work session, which will begin at 7:00 p.m. in the Board Room, Wickham Building. There will be no presentations on the initiatives at dinner. At 7:00 p.m., the staff will make a brief presentation on the issues and the initiatives, and the Commission may be invited to make a presentation as well. Afterward, time for discussion of the initiatives among the Board and the Commission is scheduled.

A copy of the staff report and Commission recommendation for the AR district revisions is attached. The other initiatives will be discussed at the work session.

County
Administrator's
Recommendation: Not applicable.

Requested
Action: Not applicable.



Alamy

File -
Ord-99-03

PUBLIC NOTICE

Notice is hereby given that the Hanover County Board of Supervisors and the Hanover County Planning Commission have scheduled a Joint Workshop on **Wednesday, April 14, 1999, at 7:00 P. M.**, in the Board Room of the Henry Taylor Wickham Building at Hanover Courthouse, Hanover, Virginia, to discuss the Growth Management Initiatives forwarded by the Board of Supervisors to the Planning Commission in October, 1998, for their review and consideration.

The Board and the Commission will meet at 5:30 P.M. at the Hanover Tavern for dinner prior to the workshop.

All interested parties are invited to attend.

DO NOT PRINT BELOW THIS LINE

Received: _____

Advertised: April 8, 1999

Date: April 6, 1999

Requested by: _____

____ Typist

____ Drafter

____ Reviewer

/jds/ads 99

BOARD OF SUPERVISORS

JOHN E. GORDON, JR., CHAIRMAN
SOUTH ANNA DISTRICT

ELTON J. WADE, SR., VICE-CHAIRMAN
COLD HARBOR DISTRICT

TIMOTHY E. ERNST
ASHLAND DISTRICT

THOMAS F. GILES, JR.
CHICKAHOMINY DISTRICT

R. J. KLOTZ, JR.
HENRY DISTRICT

AUBREY M. STANLEY, JR.
BEAVERDAM DISTRICT

J. T. "JACK" WARD
MECHANICSVILLE DISTRICT



HANOVER COUNTY

P. O. Box 470
HANOVER, VIRGINIA 23069-0470

WEB SITE WWW.CO.HANOVER.VA.US

August 12, 1999

Revised

Correspondence

RICHARD R. JOHNSON
COUNTY ADMINISTRATOR

CECIL R. HARRIS, JR.
DEPUTY COUNTY
ADMINISTRATOR

JOHN H. HODGES
DEPUTY COUNTY ADMINISTRATOR

STERLING E. RIVES, III
COUNTY ATTORNEY

PLANNING OFFICE
PHONE 804-365-6171
FAX 804-365-6232

Mr. Otis L. Hall, Chairman
Hanover County Planning Commission
4406 River Road
Mechanicsville, Virginia 23116

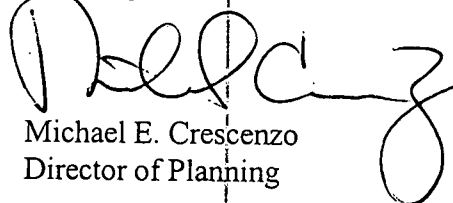
RE: ~~Approval of Ordinance Amendment 99-03, Repealing~~ AR-1 and AR-2 Districts
(Date of Adoption Corrected)

Dear Mr. Hall:

At their meeting of **April 28, 1999**, the Hanover County Board of Supervisors, on a motion by Mr. Stanley, seconded by Mr. Klotz, voted to APPROVE the above captioned Ordinance Amendment. A copy of the approved text is attached.

Should you have any questions concerning this Ordinance, do not hesitate to contact me.

Sincerely,


Michael E. Crescenzo
Director of Planning

MD/jds/ord 2
Attachment

cc: The Honorable Aubrey M. Stanley, Jr., Supervisor
Hanover County Planning Commission
A. Lisa Barker, Esq.
William R. Johnson, Jr.
Jenni Pendergrass
Richard Paul
Elizabeth H. Daniel
Peggy Sparks

ORDINANCE 99-03

AN ORDINANCE TO AMEND THE HANOVER COUNTY CODE, APPENDIX, ZONING ORDINANCE, TO REPEAL THE AR-1 AND AR-2 AGRICULTURAL RESIDENTIAL DISTRICTS.

BE IT ORDAINED BY THE HANOVER COUNTY BOARD OF SUPERVISORS:

1. That the Hanover County Code, Appendix, Title I: Zoning Ordinance, Article 5, Sections 2A, AR-1, Agricultural Residential District, and 2B, AR-2, Agricultural Residential District, shall be and are hereby repealed.
2. That all AR-1 and AR-2 districts approved by ordinance adopted by the Hanover County Board of Supervisors prior to April 28, 1999, shall continue in effect and be subject to the ordinance provisions of the AR-1 and AR-2 districts in effect on April 28, 1999. Copies of the district provisions shall be on file in the Hanover County Planning Office for reference.
3. This Ordinance shall be effective upon adoption.

On motion of Mr. Stanley, seconded by Mr. Klotz, the members of the

Board of Supervisors voted to approve Ordinance No. 99-03 as follows:

	Vote:
John E. Gordon, Jr.	Aye
Elton J. Wade, Sr.	Aye
Timothy E. Ernst	Aye
Thomas F. Giles, Jr.	Aye
R. J. Klotz, Jr.	Aye
Aubrey M. Stanley, Jr.	Aye
J. T. "Jack" Ward	Aye

Public Hearing: March 24, 1999

Adopted: April 28, 1999


Richard R. Johnson, Clerk
Hanover County Board of Supervisors

	Vote:
John E. Gordon, Jr.	Aye
Elton J. Wade, Sr.	Aye
Timothy E. Ernst	Aye
Thomas F. Giles, Jr.	Aye
R. J. Klotz, Jr.	Aye
Aubrey M. Stanley, Jr.	Aye
J. T. "Jack" Ward	Aye

Ordinance approved.

Consideration of Ordinance No. 99-03 - Growth Management Work Session Update

Mr. Crescenzo explained that at the Board's Work Session with the Planning Commission on April 14th the Staff described several options based on the recommendations of the Planning Commission and the Staff but recommended deferral of consideration until this meeting so that the Staff could consider how to combine recommendations and bring a recommendation back to the Board. The Director of Planning advised that the Staff had provided the Board with a draft Ordinance which would eliminate the AR-1 and AR-2 Districts as originally recommended, included adoption of revisions to the AR-6 District, included a grandfather provision that would allow any applications submitted for AR-6 in good faith before this date to continue through the process, recommending the Rural Conservation District be remanded to the Planning Commission, as requested, for review and consideration of ways to make the District easier to obtain and go through the process, and did not recommend further consideration of a permanence of urban boundary. The Planning Commission and the Staff recommended adoption of the Ordinance Amendment provided to the Board.

Board Members had been provided with a copy of a letter from Ms. Jane C. Osby, Coordinator for the Hanover Citizens' Federation, requesting that the Board delete AR-1 and AR-2 from the County's list of zoning classifications. (Planning Exhibit No. 1) Board Members were also provided with a copy of a letter from Ms. Catherine Patterson, President of the Hanover Citizens for Quality of Life, encouraging the Board to adopt Ordinance 99-03. (Planning Exhibit No.2)

Mr. Giles yielded time to Mr. Joe O'Connor, Hanover County Planning Commission Member representing the Cold Harbor Magisterial District, to address the Board. Mr. O'Connor came forward and discussed with Mr. Giles the Planning Commission's idea of mapping a "green line".

After some general discussion by the Board with the Staff of a "foreseeable future line", Mr. Stanley moved that the Board adopt Paragraphs 2 and 3 on Page 13 of Ordinance 99-03 and Paragraph 5 on Page 14 as shown below:

2. That the Hanover County Code, Appendix, Title I: Zoning Ordinance, Article 5, Sections 2A, AR-1, Agricultural Residential District, and 2B, AR-2, Agricultural Residential District, shall be and are hereby repealed.

3. That all AR-1 and AR-2 districts approved by ordinance adopted by the Hanover County Board of Supervisors prior to (the date of adoption of this ordinance) shall continue in effect and be subject to the ordinance provisions of the AR-1 and AR-2 districts in effect on (the date of adoption of this ordinance). Copies of the district provisions shall be on file in the Hanover County Planning Office for reference.

5. This ordinance shall be effective upon adoption.

Mr. Klotz seconded the motion.

ORDINANCE 99-03

AN ORDINANCE TO AMEND THE HANOVER COUNTY CODE, APPENDIX, ZONING ORDINANCE, TO REPEAL THE AR-1 AND AR-2 AGRICULTURAL RESIDENTIAL DISTRICTS.

BE IT ORDAINED BY THE HANOVER COUNTY BOARD OF SUPERVISORS:

1. That the Hanover County Code, Appendix, Title I: Zoning Ordinance, Article 5, Sections 2A, AR-1, Agricultural Residential District, and 2B, AR-2, Agricultural Residential District, shall be and are hereby repealed.

2. That all AR-1 and AR-2 districts approved by ordinance adopted by the Hanover County Board of supervisors prior to April 28, 1999, shall continue in effect and be subject to the ordinance provisions of the AR-1 and AR-2 districts in effect on April 28, 1999. Copies of the district provisions shall be on file in the Hanover County Planning Office for reference.

3. This Ordinance shall be effective upon adoption.

The members of the Board of Supervisors voted to approve Ordinance No. 99-03

as follows:

	Vote:
John E. Gordon, Jr.	Aye
Elton J. Wade, Sr.	Aye
Timothy E. Ernst	Aye
Thomas F. Giles, Jr.	Aye
R. J. Klotz, Jr.	Aye
Aubrey M. Stanley, Jr.	Aye
J. T. "Jack" Ward	Aye

Motion approved.

Mr. Wade moved that the Board keep the AR-6 for over 25 acres and take no action regarding AR-6, and Mr. Giles seconded the motion.

With regard to the AR-6 rezonings in the County, Mr. Klotz suggested that a spreadsheet be developed by Staff showing AR-6 rezonings, the district, the size of the parcel, the number of lots being created, action by the Planning Commission, and the action by the Board. He asked that each time the Board considers an AR-6 request that this spreadsheet be provided.

	Vote:
John E. Gordon, Jr.	Aye
Elton J. Wade, Sr.	Aye
Timothy E. Ernst	Aye
Thomas F. Giles, Jr.	Aye
R. J. Klotz, Jr.	Aye
Aubrey M. Stanley, Jr.	Aye
J. T. "Jack" Ward	Aye

Motion approved.

Mr. Giles moved that the Board send the "RC" District to the Planning Commission for review and recommendations on how to make it more attractive to applicants.

Mr. Klotz seconded the motion.

	Vote:
John E. Gordon, Jr.	Aye
Elton J. Wade, Sr.	Aye
Timothy E. Ernst	Aye
Thomas F. Giles, Jr.	Aye
R. J. Klotz, Jr.	Aye
Aubrey M. Stanley, Jr.	Aye
J. T. "Jack" Ward	Aye

Motion approved.

Appointments

Mr. Gordon nominated for appointment Mr. Joe Lawson to serve on the Adjustments and Appeals Board. Term ends April 30, 2000.

	Vote:
John E. Gordon, Jr.	Aye
Elton J. Wade, Sr.	Aye
Timothy E. Ernst	Aye
Thomas F. Giles, Jr.	Aye
R. J. Klotz, Jr.	Aye
Aubrey M. Stanley, Jr.	Aye
J. T. "Jack" Ward	Aye

Nomination approved.

Mr. Ward nominated for appointment Mrs. Barbara Evans to serve on the Social Services Board from the Mechanicsville Magisterial District. By filling this vacancy, the term ends December 31, 1999.

	Vote:
John E. Gordon, Jr.	Aye
Elton J. Wade, Sr.	Aye
Timothy E. Ernst	Aye
Thomas F. Giles, Jr.	Aye
R. J. Klotz, Jr.	Aye
Aubrey M. Stanley, Jr.	Aye
J. T. "Jack" Ward	Aye

Nomination approved.

Announcements

Mr. Ward gave a brief report on the Richmond Airport. He also provided a copy of a letter from a parent of children at Atlee High School and Rural Point Elementary School expressing concern about the \$3.00 per family member ticket charge when attending her daughter's J. V. Softball Game at Atlee High School. (A copy is filed with the Board's papers.)

Adjournment

At 9:50 p.m., the Chairman declared the meeting adjourned to Wednesday, May 12, 1999, at St. Paul's Episcopal Church at 5:30 p.m.

Minutes submitted by Elizabeth H. Daniel.

BOARD OF SUPERVISORS

JOHN E. GORDON, JR., CHAIRMAN
SOUTH ANNA DISTRICT

ELTON J. WADE, SR., VICE-CHAIRMAN
COLD HARBOR DISTRICT

TIMOTHY E. ERNST
ASHLAND DISTRICT

THOMAS F. GILES, JR.
CHICKAHOMINY DISTRICT

R. J. KLOTZ, JR.
HENRY DISTRICT

AUBREY M. STANLEY, JR.
BEAVERDAM DISTRICT

J. T. "JACK" WARD
MECHANICSVILLE DISTRICT



HANOVER COUNTY

P. O. Box 470
HANOVER, VIRGINIA 23069-0470

WEB SITE WWW.CO.HANOVER.VA.US

July 20, 1999

RICHARD R. JOHNSON
COUNTY ADMINISTRATOR

CECIL R. HARRIS, JR.
DEPUTY COUNTY
ADMINISTRATOR

JOHN H. HODGES
DEPUTY COUNTY ADMINISTRATOR

STERLING E. RIVES, III
COUNTY ATTORNEY

PLANNING OFFICE
PHONE 804-365-6171
FAX 804-365-6232

Mr. Otis L. Hall, Chairman
Hanover County Planning Commission
4406 River Road
Mechanicsville, Virginia 23116

RE: Approval of Ordinance Amendment 99-03 Repealing AR-1 and AR-2 Districts

Dear Mr. Hall:

At their meeting of March 24, 1999, the Hanover County Board of Supervisors, on a motion by Mr. Stanley, seconded by Mr. Klotz, voted to APPROVE the above captioned Ordinance Amendment. A copy of the approved text is attached.

Should you have any questions concerning this Ordinance, do not hesitate to contact me.

Sincerely,

Michael E. Crescenzo
Director of Planning

MD/jds/ord 2
Attachment

cc: The Honorable Aubrey M. Stanley, Jr., Supervisor
Hanover County Planning Commission
A. Lisa Barker, Esq.
William R. Johnson, Jr.
Jenni Pendergrass
Richard Paul
Elizabeth H. Daniel
Peggy Sparks

BOARD OF SUPERVISORS

JOHN E. GORDON, JR., CHAIRMAN
SOUTH ANNA DISTRICT

ELTON J. WADE, SR., VICE-CHAIRMAN
COLD HARBOR DISTRICT

TIMOTHY E. ERNST
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R. J. KLOTZ, JR.
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BEAVERDAM DISTRICT

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MECHANICSVILLE DISTRICT



HANOVER COUNTY

P. O. Box 470
HANOVER, VIRGINIA 23069-0470

WEB SITE WWW.CO.HANOVER.VA.US

August 12, 1999

Revised

RICHARD R. JOHNSON
COUNTY ADMINISTRATOR

CECIL R. HARRIS, JR.
DEPUTY COUNTY
ADMINISTRATOR

JOHN H. HODGES
DEPUTY COUNTY ADMINISTRATOR

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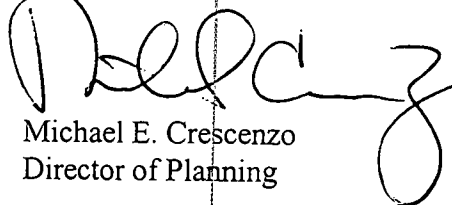
RE: Approval of Ordinance Amendment 99-03, Repealing AR-1 and AR-2 Districts
(Date of Adoption Corrected)

Dear Mr. Hall:

At their meeting of **April 28, 1999**, the Hanover County Board of Supervisors, on a motion by Mr. Stanley, seconded by Mr. Klotz, voted to APPROVE the above captioned Ordinance Amendment. A copy of the approved text is attached.

Should you have any questions concerning this Ordinance, do not hesitate to contact me.

Sincerely,



Michael E. Crescenzo
Director of Planning

MD/jds/ord 2
Attachment

cc: The Honorable Aubrey M. Stanley, Jr., Supervisor
Hanover County Planning Commission
A. Lisa Barker, Esq.
William R. Johnson, Jr.
Jenni Pendergrass
Richard Paul
Elizabeth H. Daniel
Peggy Sparks

ORDINANCE 99-03

AN ORDINANCE TO AMEND THE HANOVER COUNTY CODE, APPENDIX, ZONING ORDINANCE, TO REPEAL THE AR-1 AND AR-2 AGRICULTURAL RESIDENTIAL DISTRICTS.

BE IT ORDAINED BY THE HANOVER COUNTY BOARD OF SUPERVISORS:

1. That the Hanover County Code, Appendix, Title I: Zoning Ordinance, Article 5, Sections 2A, AR-1, Agricultural Residential District, and 2B, AR-2, Agricultural Residential District, shall be and are hereby repealed.
2. That all AR-1 and AR-2 districts approved by ordinance adopted by the Hanover County Board of Supervisors prior to April 28, 1999, shall continue in effect and be subject to the ordinance provisions of the AR-1 and AR-2 districts in effect on April 28, 1999. Copies of the district provisions shall be on file in the Hanover County Planning Office for reference.
3. This Ordinance shall be effective upon adoption.

On motion of Mr. Stanley, seconded by Mr. Klotz, the members of the

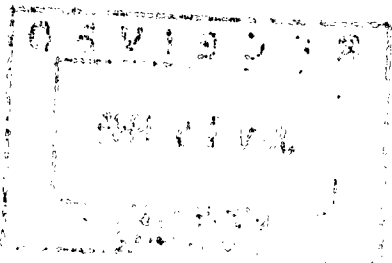
Board of Supervisors voted to approve Ordinance No. 99-03 as follows:

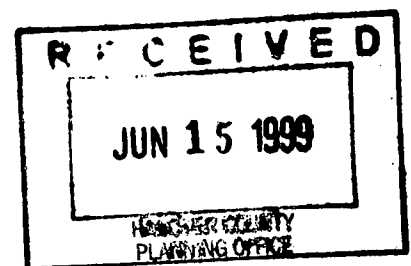
	Vote:
John E. Gordon, Jr.	Aye
Elton J. Wade, Sr.	Aye
Timothy E. Ernst	Aye
Thomas F. Giles, Jr.	Aye
R. J. Klotz, Jr.	Aye
Aubrey M. Stanley, Jr.	Aye
J. T. "Jack" Ward	Aye

Public Hearing: March 24, 1999

Adopted: April 28, 1999


Richard R. Johnson, Clerk
Hanover County Board of Supervisors





Consent

HANOVER COUNTY

REQUEST FOR INFORMATION

(Revised 02/25/97)

NAME ROBERT E. DAVIS, JR.

ADDRESS 5330 SCANDIA ROAD
SANDSTON, VA. 23150

TELEPHONE 737-8277

DESCRIPTION OF INFORMATION REQUESTED - AR-1 + AR-2 Ord. Rec.

VERBAL REQUEST ☐

WRITTEN REQUEST ☐ (Attach to this form)

COPIES REQUESTED _____ OR INSPECTION REQUIRED _____

IF COPIES REQUESTED, ESTIMATED CHARGE (25 cents/page) _____

* * * * *

DATE REQUEST RECEIVED 6/1 RECEIVED BY H. Gayles

REQUEST DENIED (CITE CODE SECTION) _____

REQUEST APPROVED BY DIRECTOR, DEPUTY DIRECTOR,
OR PRINCIPAL PLANNER _____

CHARGE FOR COPY AND SEARCH TIME _____ DATE PAID _____

DATE OF RESPONSE _____
(No later than 5 working days after date of receipt)

EXTENSION NOTICE SENT _____

EXTENSION DEADLINE _____
(No later than 7 working days after initial deadline)

DATE INFORMATION SENT TO APPLICANT BY FIRST
CLASS MAIL/HAND DELIVERY OR DATE OF INSPECTION
BY APPLICANT _____

IF NECESSARY, COPIES OF REQUEST TO CO. ATTY,
AND CO. ADMINISTRATOR _____
Date _____

File

ORDINANCE 99 - 03
Revised April 27, 1999

AN ORDINANCE TO AMEND THE HANOVER COUNTY CODE, APPENDIX, ZONING ORDINANCE, TO PROVIDE FOR REVISIONS TO THE AR-6, AGRICULTURAL RESIDENTIAL DISTRICT, TO ELIMINATE ITS APPLICATION IN CERTAIN INSTANCES, AND TO REPEAL THE AR-1 AND AR-2 AGRICULTURAL RESIDENTIAL DISTRICTS.

BE IT ORDAINED BY THE HANOVER COUNTY BOARD OF SUPERVISORS:

1. That the Hanover County Code, Appendix, Title I: Zoning Ordinance, Article 5, Section 2, Agricultural Residential District, shall be amended to read in its entirety as follows:

ARTICLE 5. DISTRICT REGULATIONS

Section 2. AR-6, Agricultural Residential District.

2.1 Purpose of the district. The purpose of this district is to provide for spacious residential development for those who choose this environment; to provide for a full range of agricultural activities; and to protect agricultural land, as one of the county's most valuable natural resources, from the effect of objectionable, hazardous, and unsightly uses. The district is also intended to provide for protection of watersheds, water resources, forest areas, and scenic values.

2.2 Permitted uses. A building or land shall be used only for the following purposes:

1. Detached single-family dwellings.
2. Agriculture, including horticultural, chemical, or general farming, truck gardens, cultivation of field crops, orchards, groves, or nurseries for growing or propagation of plants, trees, and shrubs, including temporary sawmills for cutting trees grown on the premises and use of heavy cultivating machinery, spray planes, or irrigating machinery, dairy farming, keeping or raising for sale of large or small animals, reptiles, fish, birds, or poultry, and including structures for processing and sale of products raised on the premises; provided:
 - (a) Any sawmill, grain drier, commercial feed lot or hog raising operation shall be located at least two hundred fifty (250) feet from any dwelling not located on the premises.
 - (b) Structures for commercial poultry raising shall be located at least two hundred (200) feet from any dwelling not

located on the premises and at least one hundred (100) feet from any street or road.

- (c) Commercial slaughtering and processing of large animals, such as horses, cows, pigs, sheep, or goats shall not be conducted on the premises.

3. Reserved.
4. Dog kennels, noncommercial; provided any open pens, runs, cages or kennels or any place for keeping more than five (5) adult dogs shall be located at least two hundred (200) feet from any side or rear lot lines.
5. Golf courses, not lighted for night play and not including miniature golf courses, putting greens, driving ranges, and similar activities operated as a business, but including a building for a golf shop, locker room, and snack bar as an accessory use to a permitted golf course, providing no such building is located closer than one hundred (100) feet from adjoining property lines. Practice greens and tees may accompany a standard nine (9) hole or eighteen (18) hole golf course occupying at least seventy-five (75) acres.
6. Facilities and structures necessary for rendering utility service, including poles, wires, transformers, telephone booths, and the like for normal electrical power distribution or communication service, and pipelines or conduits for electrical, gas, sewer, or water service, but not including buildings, treatment plants, pumping or regulator stations, substations and power transmission lines which are permitted as conditional uses.
7. Grain storage structures.
8. Greenhouse, commercial.
9. Hospital or clinic for large or small animals; provided that all buildings, structures, pens, or open kennels shall be located at least two hundred (200) feet from any lot line.
10. Hospital or clinic for small animals (dogs, cats, birds, and the like); provided such hospital or clinic and any treatment rooms, cages, pens, or kennels be maintained within a completely enclosed, soundproof building, and that such hospital or clinic be operated in such a way as to produce no objectionable odors outside its walls.
11. Military bases and appurtenances and parks operated by the United States Government or agencies of the Commonwealth of Virginia.
12. Public and private forests, wildlife reservations, similar conservation projects.

13. Railroad rights-of-way, including a strip of land with tracks and auxiliary facilities for track operations, but not including passenger stations, freight terminals, switching and classification yards, repair shops, round houses, power houses, interlocking towers, and fueling, sanding and watering stations.
14. Recreational uses such as tennis courts, swimming pools, and other similar activities operated exclusively for the use of private membership and not for commercial purposes; provided that no such use, structure, or accessory use is located closer than fifty (50) feet to any adjoining property line.
15. Stable, public or commercial; provided that any building for keeping of animals shall be located at least two hundred (200) feet from any side or rear lot lines, and that there shall be housed on the premises no more than one horse or pony for each acre of land.
16. Stable, private, or keeping of horses, ponies or other livestock for personal enjoyment and not as a business; provided that any building for keeping of animals shall be located at least one hundred (100) feet from any side or rear lot lines and that there shall be housed or kept on the premises no more than one horse or pony for each acre of land.
17. Raising for sale of birds, bees, fish, rabbits, and other small animals, provided any use shall be located at least two hundred (200) feet from any side or rear lot lines.
18. Frog or fish farms, provided any use shall be located at least two hundred (200) feet from any side or rear lot lines.
19. Medical office, limited to two (2) doctors and their staffs (no more than two (2) staff members per doctor).

2.3 Permitted accessory uses.

1. 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.
2. Domestic storage in main building or in accessory building.
3. Garage, private.

4. Guest houses.
5. Home occupations in a main building.
6. Keeping of small animals, insects, reptiles, fish, or birds, but only for personal enjoyment or household use and not for a business, as an accessory to a nonfarm dwelling on a lot of not less than two (2) acres.
7. Servants' quarters.
8. Storage of a boat trailer or camp trailer or a boat, but not in front yard.
9. Swimming pool and game courts, lighted or unlighted, for use of occupants or their guests.
10. Signs as regulated in article 7, section 3.
11. Temporary buildings, the uses of which are incidental to construction operation during development being conducted on the same or adjoining tract or subdivision and which shall be removed upon completion or abandonment of such construction, or upon the expiration of a period of two (2) years of the time of erection of such temporary buildings, whichever is sooner.
12. Accessory off-street parking and loading spaces. Open or enclosed space for parking one commercial vehicle of not more than one ton capacity and used by the occupant of a dwelling shall be permitted as accessory.
13. The location of office or construction trailers for a period not to exceed one year.
14. Noncommercial fuel alcohol distillery.
15. Foster care and adult family care.

2.4 Conditional Uses. The following uses may be permitted as conditional uses if approved by the Board of Supervisors in accordance with the procedures set out in this appendix:

1. Airports and landing fields, provided they shall comply with the recommendations of the Federal Aviation Agency.
2. Camps, day or boarding, private or commercial.
3. Cemetery, including a crematorium.
4. Circus or carnival grounds, amusement park, zoo or midway, permanent or temporary for a specified time period.
5. Exposition center or fairground.

6. Heliport or helistop.
7. Hospitals and sanitariums.
8. Institutions, educational or philanthropic, including museums, art galleries and libraries.
9. Livestock auction market.
10. Private clubs.
11. Public or governmental buildings and uses, including schools, fire stations (volunteer or otherwise), parks, parkways, and playgrounds; and public boat landings.
12. Public utilities or public service uses, buildings, generating or treatment plants, pumping or regulator stations, substations and transmission lines.
13. Race track, any type, including horses, stock cars, or drag strip.
14. Recreation facility, commercially operated, such as fishing or boating lake, camp ground, picnic grounds, or dude ranch, and accessory facilities, including sale of food, beverages, bait, supplies and equipment.
15. Sanitary landfill or trash collection site.
16. (a) Excavation or filling, borrow pits, extraction of stone, sand or gravel, stripping of topsoil (but not including stripping of sod) and other major excavations other than for construction of swimming pools and foundations for buildings and other than those approved in connection with a street, subdivision or planned residential development.

(b) Crushing, treating, washing and/or processing of materials resulting from a use permitted in paragraph (a) above when conducted on the same property.
17. Sports area or stadium, commercial athletic field or baseball park.
18. Swimming or tennis club, commercially operated.
19. Reserved.
20. Radio or television broadcasting station or tower more than one hundred twenty-five (125) feet in height, provided construction and safety features are approved by the Administrator in accordance with applicable regulations and provided no hazard is created in an Airport Approach Zone.

21. Churches, rectories, parish houses, convents and monasteries, temples, and synagogues, or the expansion of any existing church, temple, or synagogue by more than fifty (50) percent of its floor area.
22. Agricultural and forestal support center.
23. Antique shop.

2.5 Uses permitted as special exceptions. The following uses may be permitted as special exceptions, if approved by the Board of Supervisors in accordance with the procedures set out in this appendix:

1. Temporary and conditional permits for the following uses:

- (a) Archery ranges.
- (b) Asphalt batching plants or concrete batching plants.
- (c) Commercial dog kennels.
- (d) Miniature golf courses or driving ranges.
- (e) Nonaccessory tents for special purposes.
- (f) Outdoor displays or promotional activities.
- (g) Pony rings.
- (h) Raising for sale of birds, bees, fish, rabbits and other small animals in an Overlay Urban Development District only.
- (i) Rifle or pistol ranges, trap, or skeet shooting.
- (j) Sawmill for cutting timber not grown on the premises.
- (k) Temporary buildings for use as a sales or rental office for an approved real estate development or subdivision.
- (l) A private garage for more than four (4) automobiles.
- (m) Cemetery for pets.
- (n) Convalescent homes, nursing homes, or homes for the aged.
- (o) Day nurseries or child or adult day care centers.
- (p) Frog or fish farms, in an Overlay Urban Development District only.
- (q) Sale of farm products not raised on the premises. Such sale shall be permitted only in conjunction with sales pursuant to section 2.3(1) above and only on a lot no less than ten (10) acres in area.

- (r) Mobile homes for living quarters as follows:
- (1) accessory to a farm;
 - (2) in cases of hardship, as defined in section 2.6B.2(b), below;
 - (3) during the actual construction phase of a residential dwelling unit by the occupant of the mobile home;
 - (4) or during the actual repair when the permanent dwelling of the applicant has been rendered uninhabitable by a fire, natural disaster, or sudden accidental event.
- (s) Equipment storage yards accessory to a business office for construction or service contractors, operated as a home occupation, when located outside of the Overlay Urban Development District, provided:
- i) The maximum number of employees on site shall not exceed ten (10) per establishment.
 - ii) There shall be no more than ten (10) pieces of motor propelled equipment stored per site, related to the designated use.
 - iii) There shall be a minimum lot size of five (5) acres, and no more than two (2) acres shall be devoted to the use permitted pursuant to this section.
 - iv) There shall be no associated structure on site larger than five thousand (5,000) square feet in size.
 - v) When equipment storage is within one hundred (100) feet of a property zoned for residential use, the equipment shall be screened in accordance with the standards specified in Article 7, Section 2A.
 - vi) Applications shall be accompanied by a sketch plan prepared in accordance with the standards specified in Article 7, Section 7.2.
- (t) Home occupations in an accessory building, home craft shops, or retail sales businesses conducted as a home occupation.
- (u) Sale of Christmas trees not raised on the premises.
- (v) Auction sales, on a lot no less than ten (10) acres in area, located outside of the Overlay Urban Development District, with no more than four (4) such sales in any calendar year.
- (w) Open or enclosed space for the storage of one (1) commercial vehicle with greater than one (1) ton capacity on property located outside of the Overlay Urban Development District

and outside of an approved subdivision, subject to the following standards:

- i) the Tax Parcel on which the vehicle is stored shall be a minimum of two (2) acres in area and shall have public road frontage;
 - ii) if the vehicle is stored in an open space, the space shall be located at least one hundred feet (100') from any property zoned for residential use or shall be screened in accordance with the standards specified in Article 7, Section 2A; and
 - iii) a sketch plan shall be submitted for review at the time of application, in accordance with the standards specified in Article 7, Section 7.2.
- (x) Bed and breakfast, in accordance with the specific standards and requirements of Article 7, Section 8.9.

2.6 Temporary mobile home use. Mobile homes may be used for a period of six (6) months from the date of an event rendering a dwelling uninhabitable, in the event of destruction of the dwelling or damage to the dwelling which renders the dwelling uninhabitable, provided that a permit for such use is obtained from the Zoning Administrator.

1. The Zoning Administrator shall have the authority to issue permits for such use if the applicant meets the following requirements:
 - (a) An application shall be filed in the Planning Office on a form provided by the Zoning Administrator. The application shall include a verified statement that use of the mobile home is necessary because of damage or destruction to a dwelling on the site where the mobile home will be located and that the mobile home will be used only as a dwelling for the residents of the original dwelling. The application shall also document the nature and date of the event causing the damage or destruction.
 - (b) The site must comply with all requirements of the Hanover County Code, including the Zoning Ordinance and Subdivision Ordinance.
2. The permit shall be valid for a period of six (6) months from the date of the event causing the damage or destruction.
3. The site shall remain in compliance with all requirements of the Hanover County Code, including the Zoning Ordinance and Subdivision Ordinance, during the term of the permit. The permit shall be void upon failure of the applicant to maintain compliance with all requirements.

4. Prior to the expiration date or the voiding of any permit the mobile home shall be removed from the site by the owner or applicant.

2.7 Standards for Special Exceptions for mobile homes as temporary living quarters.

1. For any request to use a mobile home as temporary living quarters during the actual construction phase of a residential dwelling unit by the occupant of the mobile home, or during the actual repair when the permanent dwelling of the applicant has been rendered uninhabitable by a fire, other natural disaster, or sudden accidental event, the following standards shall apply:
 - a. The time period for the initial Special Exception shall not exceed one (1) year from the date of approval. The total time period, including extensions, for the temporary use of the mobile home shall not exceed three (3) years from the date of approval of the Special Exception by the Board of Supervisors, except when permitted by the Board of Supervisors upon demonstration by the applicant of extenuating circumstances. When an extension is denied, or upon expiration of the Special Exception, the applicant shall remove the mobile home from the site within sixty (60) days of the date of denial or expiration.
 - b. When such a Special Exception is granted, improvements shall be completed in accordance with the following schedule:
 - 1) Year One (1): At a minimum, mobile home placement, well installation, septic tank installation, and provision of access shall be completed.
 - 2) Year Two (2): At a minimum, the Building Permit for the permanent dwelling shall be obtained, construction of the footing and the foundation completed, and the dwelling framed and protected from weather.
 - 3) Year Three (3): At a minimum, finish work shall be completed, a Certificate of Occupancy obtained, and the mobile home removed from the site within sixty (60) days of issuance of the Certificate of Occupancy.
 - c. Requests for extensions for completion during the three (3) year period following the date of original approval of the Special Exception by the Board of Supervisors may be granted by the Board of Supervisors upon demonstration by the applicant of continuing compliance with the schedule for completion as set forth in Section 2.6B-1(b) above, provided that the application for extension is filed prior to expiration of the Special Exception.
2. For any request to use a mobile home as temporary living quarters in the case of a hardship, the following standards shall apply:

- a. The time period for the initial Special Exception shall not exceed two (2) years from the date of original approval of the Special Exception by the Board of Supervisors. Extensions may be granted in two (2) year increments for the duration of the hardship, in accordance with the procedures and standards specified below.
 - b. "Hardship" shall be defined as being when, for health reasons verified by a medical practitioner, licensed by the State of Virginia, through provision of a signed certificate specifying same, a person requires continuous care by another, and both persons will reside on the same or adjoining Tax Map Parcels.
 - c. Extensions may be granted pursuant to the following procedures:
 - 1) The application for a Special Exception shall not be accepted unless a signed certificate, as described above, verifying the need for living assistance due to age or medical reasons, accompanies the application.
 - 2) Extensions for continued use of the mobile home may be granted upon review and approval by the Board of Supervisors of an application, accompanied by confirmation of the continuation of the hardship, filed prior to the two (2) year anniversary date of original approval of the Special Exception or of any subsequent extension.
 - 3) When an extension is denied, or upon expiration of a Special Exception, the applicant shall remove the mobile home from the site within sixty (60) days of the date of denial or expiration.
 - d. The Special Exception shall be issued to specific individual(s) only, and only for the duration of the verified hardship.
 - e. The mobile home may be occupied by either the person(s) needing care or the person(s) providing care. However, upon cessation of the hardship, the mobile home shall be removed from the site within sixty (60) days regardless of whether it is occupied by the person(s) needing care or providing care.
3. Consideration by the Board of Supervisors of a Special Exception request for placement of a mobile home for use as living quarters as specified herein shall include the potential for adverse impact of the use on the surrounding properties.

2.8 Minimum and maximum area for application; density. The minimum parcel size for consideration of AR-6, Agricultural Residential District zoning shall be four (4) acres. ~~The maximum parcel size for consideration~~

~~of AR-6 zoning shall be 24.99 acres~~ No request for AR-6 zoning shall result in the creation of more than eight (8) lots regardless of the size of the parcel for which the district is requested. The zoning request shall apply to the subject parcel in its entirety. For purposes of this section, the term "parcel" shall mean a unit of land created in accordance with all applicable regulations. Permissible density shall be calculated as follows:

- (1) For parcels four (4) to thirteen and 99/100 (13.99) acres in area: two (2) lots, with a minimum lot size of two (2) acres
- (2) For parcels fourteen (14) to twenty-four and 99/100 (24.99) acres in area: three (3) lots, with a minimum lot size of two (2) acres
- (3) For parcels twenty-five (25) acres or greater: one (1) lot for each 6.25 acres, with a minimum lot size of five (5) acres

Fractions resulting from the calculation shall be rounded down to the next whole number.

2.9 Subdivision lots prohibited. No lot ~~less than twenty (20) acres~~ in area which is part of a recorded subdivision shall be eligible for consideration for AR-6, Agricultural Residential District zoning.

2.10 Lot size requirements.

		<u>Minimum, Acres</u>		<u>Minimum, Feet</u>	
		<u>Lot Area</u>	<u>Lot Width</u>	<u>Lot Depth</u>	
1.	Single-family dwelling on the following proposed rights-of-way:	2 acres (except as provided above)			
	(a) 160 ft. rights-of-way		450	200	
	(b) 80 ft. rights-of-way		400	200	
	(c) 60 ft. rights-of-way		275	200	
	(d) 50 ft. rights-of-way		250	200	
2.	Churches, rectories, parish houses, convents and monasteries, temples and synagogues	1 acre	200	200	
3.	Animal hospital, larger animals	10 acres	300	300	
4.	Animal hospital, small animals, open pens or kennels	5 acres	300	300	
5.	Recreation uses clubs, campgrounds	5 acres	200	200	
6.	Stable, commercial	5 acres	200	200	

7.	Stable, private	2 acres	200	200
8.	Frog or fish farms, or the raising for sale of small animals	5 acres	200	200
9.	Medical office	2 acres	300	200

Lot width is measured at the front lot line for any lot located along any public road except those public roads created through the subdivision process; for lots located along a private road or a public road created through the subdivision of a parcel, lot width is measured at a point within the front half of the total depth of the lot. When access to a lot exempt from subdivision requirements is provided by use of a right-of-way with a width of fifty (50) feet or less, the lot shall meet the minimum width requirements for any lot which has frontage on a fifty (50) foot right-of-way.

Minimum frontage for development on private roads or any other road created through subdivision is twenty (20) feet; frontage on any other public road shall be the minimum required lot width.

Proposed rights-of-way are those designated by the Major Thoroughfare Plan.

2.11 Yard requirements.

<u>Minimum in Feet</u>				
	<u>Front Yard</u>	<u>Side Yard, Minimum</u>	<u>Side Yard, Aggregate</u>	<u>Rear Yard</u>
1. Single-family dwelling on the following proposed rights-of-way:				
(a) 160 ft. rights-of-way	125	25	50	40
(b) 80 ft. rights-of-way	100	25	50	40
(c) 60 ft. rights-of-way	70	25	50	40
(d) 50 ft. rights-of-way	60	25	50	30

Proposed rights-of-way are those designated by the Major Thoroughfare Plan.

2. Other structures same or as required in district regulations.

2.12 Height requirements. Single-family dwellings and all other structures not specifically exempted in article 7: Maximum height 2-2½ stories, but not to exceed 35 feet.

2.13 Off-street parking and loading requirements. Off-street parking and loading requirements are contained in article 7.

2. That the Hanover County Code, Appendix, Title I: Zoning Ordinance, Article 5, Sections 2A, AR-1, Agricultural Residential District, and 2B, AR-2, Agricultural Residential District, shall be and are hereby repealed.

3. That all AR-1 and AR-2 districts approved by ordinance adopted by the Hanover County Board of Supervisors prior to [the date of adoption of this ordinance] shall continue in effect and be subject to the ordinance provisions of the AR-1 and AR-2 districts in effect on [the date of adoption of this ordinance]. Copies of the district provisions shall be on file in the Hanover County Planning Office for reference.

4. Complete applications for AR-6 zoning which have been filed before the close of business on April 28, 1999, shall be reviewed in accordance with the provisions of the AR-6, Residential Agricultural District, in effect on that date.

5. This Ordinance shall be effective upon adoption.

Public Hearing: _____

Mr. STANLEY:	Aye ☐	Nay ☐	Absent ☐	Abstain ☐
Mr. GORDON:	Aye ☐	Nay ☐	Absent ☐	Abstain ☐
Mr. ERNST:	Aye ☐	Nay ☐	Absent ☐	Abstain ☐
Mr. GILES:	Aye ☐	Nay ☐	Absent ☐	Abstain ☐
Mr. KLOTZ:	Aye ☐	Nay ☐	Absent ☐	Abstain ☐
Mr. WADE:	Aye ☐	Nay ☐	Absent ☐	Abstain ☐
Mr. WARD:	Aye ☐	Nay ☐	Absent ☐	Abstain ☐

Adopted: _____

Richard R. Johnson, Clerk
Hanover County Board of Supervisors

Final copy reviewed by:

- Planning Department: _____

F. 1e-
99-03

VIRGINIA: At a Public Hearing of the Hanover County Planning Commission in the Board Room of the Henry Taylor Wickham Building of Hanover County Courthouse, Hanover County, Virginia, on Thursday, February 25, 1999, at 7:05 p.m.

PRESENT: Mr. Robert R. Setliff, Chairman
Mr. Otis L. Hall, Vice Chairman
Mr. Albert L. Hobbs
Mr. Don G. Morgan
Mr. Harris K. Swann
Ms. Edmonia P. Iverson
Mr. Joe D. O'Connor

ALSO

PRESENT: Mr. Michael E. Crescenzo
A. Lisa Barker, Esq.
Mr. Keith Thompson
Ms. Jenifer Reiner
Ms. Betty S. Gray

ORDINANCE 99 - 03 An Ordinance to amend the Hanover County Code, Appendix, Zoning Ordinance, to provide for revisions to the AR-6, Agricultural Residential District, to eliminate its application on parcels twenty-five (25) acres or greater in area, and to repeal the AR-1 and AR-2 Agricultural Residential Districts.

Motion by Mr. Hall, seconded by Mr. Hobbs, to recommend approval of Ordinance 99-03 as submitted.

Call for question:

Mr. Hobbs	Aye
Mr. O'Connor	Nay
Ms. Iverson	Nay
Mr. Hall	Aye
Mr. Swann	Nay
Mr. Morgan	Nay
Mr. Setliff	Nay

Motion denied 5 to 2.

Upon a motion by Mr. Setliff, seconded by Mr. Swann, the Planning Commission voted to recommend for the ordinances to stay as they are currently written; to ask for the Planning Commission to be charged with revising the rural strategies including reconsideration of establishment of a greenline; stressing the economic importance of agriculture on economic development in the County; to have the Director of Economic Development work with the Farm Bureau to have equal footing with industrial and commercial development; also to make the Rural Conservation Ordinance more attractive to encourage it's use. This motion would also recommend denial of the amendment of the Ordinance 99-03.

Call for question:

Mr. Hobbs	No
Mr. O'Connor	Aye
Ms. Iverson	Aye
Mr. Hall	No
Mr. Swann	Aye
Mr. Morgan	Aye
Mr. Setliff	Aye

Motion approved 5 to 2.

Meeting adjourned at 8:53 p.m.

VIRGINIA: At a regular meeting of the Board of Supervisors for Hanover County held in the Boardroom of the Henry Taylor Wickham Building on the 14th day of October, 1998, at 7:00 p.m.

Present: Mr. Aubrey M. Stanley, Jr., Chairman
Mr. John E. Gordon, Jr., Vice-Chairman
Mr. Timothy E. Ernst
Mr. R. J. Klotz, Jr.
Mr. Elton J. Wade, Sr.
Mr. J. T. "Jack" Ward
Mr. Richard R. Johnson, County Administrator
Mr. Sterling E. Rives, III, County Attorney

Absent: Mr. Thomas F. Giles, Jr.

RESOLUTION

WHEREAS Hanover County, in consideration of the public necessity, convenience, general welfare, and good zoning practice, deems it in the best interest of the County to amend the Zoning Ordinance from time to time as necessary; and

WHEREAS Section 15.2-2306, Code of Virginia, 1950, as amended, enables the Hanover County Board of Supervisors to amend existing zoning ordinances to provide for consideration of appropriate requirements for application of agricultural-residential zoning districts and rural conservation districts; and

WHEREAS the Board of Supervisors desires to amend Hanover County's Zoning Ordinance to revise the maximum area requirements for application of the AR-6, Agricultural Residential District within the rural areas of the County; and

WHEREAS the Board further desires to amend the Zoning Ordinance to revise the RC, Rural Conservation District standards to permit the consideration of golf courses and private clubs to be located on conservation lots within Rural Conservation developments.

NOW, THEREFORE, BE IT RESOLVED by the Hanover County Board of Supervisors that the Hanover County Planning Commission is authorized to advertise for public hearing a proposed Ordinance Amendment to Title I., Article 5, to provide for modification of the maximum lot size for application for AR-6, Agricultural Residential District zoning and to revise the

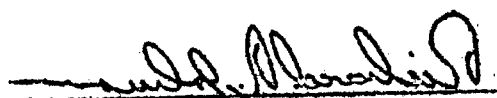
listed permitted areas for construction lots within a Rural Conservation District to include:

courses and private clubs.

On motion of Mr. Klotz, seconded by Mr. Ward, the members of the Board of

Supervisors voted to approve this Resolution as follows:

Vote:	
Aye	J. T. Jack, Ward
Aye	Ellen J. Wade Sr.
Aye	John E. Gordon, Jr.
Absent	Thomas F. Glick, Jr.
Aye	Timothy E. Ernst
Aye	R. J. Klotz, Jr.
Nay	Andrew M. Scamley, Jr.


Richard R. Johnson, Clerk
Hancock County Board of Supervisors

Date: October 16, 1998

VIRGINIA: At a regular meeting of the Board of Supervisors for Hanover County held in the Boardroom of the Henry Taylor Wickham Building on the 14th day of October, 1998, at 7:00 p.m.

Present: Mr. Aubrey M. Stanley, Jr., Chairman
Mr. John E. Gordon, Jr., Vice-Chairman
Mr. Timothy E. Ernst
Mr. R. J. Klotz, Jr.
Mr. Elton J. Wade, Sr.
Mr. J. T. "Jack" Ward
Mr. Richard R. Johnson, County Administrator
Mr. Sterling E. Rives, III., County Attorney

Absent: Mr. Thomas F. Giles, Jr.

RESOLUTION

WHEREAS Hanover County, in consideration of the public necessity, convenience, general welfare, and good zoning practice, deems it in the best interest of the County to amend the Zoning Ordinance from time to time as necessary; and

WHEREAS Section 15.2-2306, Code of Virginia, 1950, as amended, enables the Hanover County Board of Supervisors to amend existing zoning ordinances to provide for consideration of appropriate requirements for application of agricultural-residential zoning districts; and

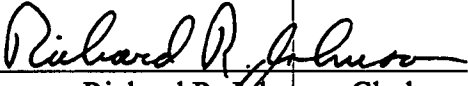
WHEREAS the Board of Supervisors desires to amend Hanover County's Zoning Ordinance to eliminate the AR-1, Agricultural Residential, and AR-2, Agricultural Residential, Districts from the ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Hanover County Board of Supervisors that the Hanover County Planning Commission is authorized to advertise for public hearing a proposed Ordinance Amendment to Title I, Article 5, to provide for deletion of the AR-1, Agricultural Residential District, and AR-2, Agricultural Residential District, from the Zoning Ordinance.

On motion of Mr. Klotz, seconded by Mr. Ward, the members of the Board of Supervisors voted to approve this Resolution as follows:

J. T. "Jack" Ward	Vote:
Elton J. Wade, Sr.	Aye
John E. Gordon, Jr.	Aye
Thomas F. Giles, Jr.	Aye
Timothy E. Ernst	Absent
R. J. Klotz, Jr.	Aye
Aubrey M. Stanley, Jr.	Aye
	Nay

Dated: October 16, 1998


Richard R. Johnson, Clerk
Hanover County Board of Supervisors

ORDINANCE 99 - 03
Revised April 27, 1999

AN ORDINANCE TO AMEND THE HANOVER COUNTY CODE, APPENDIX, ZONING ORDINANCE, TO PROVIDE FOR REVISIONS TO THE AR-6, AGRICULTURAL RESIDENTIAL DISTRICT, TO ELIMINATE ITS APPLICATION IN CERTAIN INSTANCES, AND TO REPEAL THE AR-1 AND AR-2 AGRICULTURAL RESIDENTIAL DISTRICTS.

BE IT ORDAINED BY THE HANOVER COUNTY BOARD OF SUPERVISORS:

1. That the Hanover County Code, Appendix, Title I: Zoning Ordinance, Article 5, Section 2, Agricultural Residential District, shall be amended to read in its entirety as follows:

ARTICLE 5. DISTRICT REGULATIONS

Section 2. AR-6, Agricultural Residential District.

2.1 Purpose of the district. The purpose of this district is to provide for spacious residential development for those who choose this environment; to provide for a full range of agricultural activities; and to protect agricultural land, as one of the county's most valuable natural resources, from the effect of objectionable, hazardous, and unsightly uses. The district is also intended to provide for protection of watersheds, water resources, forest areas, and scenic values.

2.2 Permitted uses. A building or land shall be used only for the following purposes:

1. Detached single-family dwellings.
2. Agriculture, including horticultural, chemical, or general farming, truck gardens, cultivation of field crops, orchards, groves, or nurseries for growing or propagation of plants, trees, and shrubs, including temporary sawmills for cutting trees grown on the premises and use of heavy cultivating machinery, spray planes, or irrigating machinery, dairy farming, keeping or raising for sale of large or small animals, reptiles, fish, birds, or poultry, and including structures for processing and sale of products raised on the premises; provided:
 - (a) Any sawmill, grain drier, commercial feed lot or hog raising operation shall be located at least two hundred fifty (250) feet from any dwelling not located on the premises.

- (b) Structures for commercial poultry raising shall be located at least two hundred (200) feet from any dwelling not located on the premises and at least one hundred (100) feet from any street or road.
 - (c) Commercial slaughtering and processing of large animals, such as horses, cows, pigs, sheep, or goats shall not be conducted on the premises.
3. Reserved.
 4. Dog kennels, noncommercial; provided any open pens, runs, cages or kennels or any place for keeping more than five (5) adult dogs shall be located at least two hundred (200) feet from any side or rear lot lines.
 5. Golf courses, not lighted for night play and not including miniature golf courses, putting greens, driving ranges, and similar activities operated as a business, but including a building for a golf shop, locker room, and snack bar as an accessory use to a permitted golf course, providing no such building is located closer than one hundred (100) feet from adjoining property lines. Practice greens and tees may accompany a standard nine (9) hole or eighteen (18) hole golf course occupying at least seventy-five (75) acres.
 6. Facilities and structures necessary for rendering utility service, including poles, wires, transformers, telephone booths, and the like for normal electrical power distribution or communication service, and pipelines or conduits for electrical, gas, sewer, or water service, but not including buildings, treatment plants, pumping or regulator stations, substations and power transmission lines which are permitted as conditional uses.
 7. Grain storage structures.
 8. Greenhouse, commercial.
 9. Hospital or clinic for large or small animals; provided that all buildings, structures, pens, or open kennels shall be located at least two hundred (200) feet from any lot line.
 10. Hospital or clinic for small animals (dogs, cats, birds, and the like); provided such hospital or clinic and any treatment rooms, cages, pens, or kennels be maintained within a completely enclosed, soundproof building, and that such hospital or clinic be operated in such a way as to produce no objectionable odors outside its walls.
 11. Military bases and appurtenances and parks operated by the United States Government or agencies of the Commonwealth of Virginia.

12. Public and private forests, wildlife reservations, similar conservation projects.
13. Railroad rights-of-way, including a strip of land with tracks and auxiliary facilities for track operations, but not including passenger stations, freight terminals, switching and classification yards, repair shops, round houses, power houses, interlocking towers, and fueling, sanding and watering stations.
14. Recreational uses such as tennis courts, swimming pools, and other similar activities operated exclusively for the use of private membership and not for commercial purposes; provided that no such use, structure, or accessory use is located closer than fifty (50) feet to any adjoining property line.
15. Stable, public or commercial; provided that any building for keeping of animals shall be located at least two hundred (200) feet from any side or rear lot lines, and that there shall be housed on the premises no more than one horse or pony for each acre of land.
16. Stable, private, or keeping of horses, ponies or other livestock for personal enjoyment and not as a business; provided that any building for keeping of animals shall be located at least one hundred (100) feet from any side or rear lot lines and that there shall be housed or kept on the premises no more than one horse or pony for each acre of land.
17. Raising for sale of birds, bees, fish, rabbits, and other small animals, provided any use shall be located at least two hundred (200) feet from any side or rear lot lines.
18. Frog or fish farms, provided any use shall be located at least two hundred (200) feet from any side or rear lot lines.
19. Medical office, limited to two (2) doctors and their staffs (no more than two (2) staff members per doctor).

2.3 Permitted accessory uses.

1. 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.

2. Domestic storage in main building or in accessory building.
3. Garage, private.
4. Guest houses.
5. Home occupations in a main building.
6. Keeping of small animals, insects, reptiles, fish, or birds, but only for personal enjoyment or household use and not for a business, as an accessory to a nonfarm dwelling on a lot of not less than two (2) acres.
7. Servants' quarters.
8. Storage of a boat trailer or camp trailer or a boat, but not in front yard.
9. Swimming pool and game courts, lighted or unlighted, for use of occupants or their guests.
10. Signs as regulated in article 7, section 3.
11. Temporary buildings, the uses of which are incidental to construction operation during development being conducted on the same or adjoining tract or subdivision and which shall be removed upon completion or abandonment of such construction, or upon the expiration of a period of two (2) years of the time of erection of such temporary buildings, whichever is sooner.
12. Accessory off-street parking and loading spaces. Open or enclosed space for parking one commercial vehicle of not more than one ton capacity and used by the occupant of a dwelling shall be permitted as accessory.
13. The location of office or construction trailers for a period not to exceed one year.
14. Noncommercial fuel alcohol distillery.
15. Foster care and adult family care.

2.4 Conditional Uses. The following uses may be permitted as conditional uses if approved by the Board of Supervisors in accordance with the procedures set out in this appendix:

1. Airports and landing fields, provided they shall comply with the recommendations of the Federal Aviation Agency.
2. Camps, day or boarding, private or commercial.
3. Cemetery, including a crematorium.

4. Circus or carnival grounds, amusement park, zoo or midway, permanent or temporary for a specified time period.
5. Exposition center or fairground.
6. Heliport or helistop.
7. Hospitals and sanitariums.
8. Institutions, educational or philanthropic, including museums, art galleries and libraries.
9. Livestock auction market.
10. Private clubs.
11. Public or governmental buildings and uses, including schools, fire stations (volunteer or otherwise), parks, parkways, and playgrounds; and public boat landings.
12. Public utilities or public service uses, buildings, generating or treatment plants, pumping or regulator stations, substations and transmission lines.
13. Race track, any type, including horses, stock cars, or drag strip.
14. Recreation facility, commercially operated, such as fishing or boating lake, camp ground, picnic grounds, or dude ranch, and accessory facilities, including sale of food, beverages, bait, supplies and equipment.
15. Sanitary landfill or trash collection site.
16. (a) Excavation or filling, borrow pits, extraction of stone, sand or gravel, stripping of topsoil (but not including stripping of sod) and other major excavations other than for construction of swimming pools and foundations for buildings and other than those approved in connection with a street, subdivision or planned residential development.

(b) Crushing, treating, washing and/or processing of materials resulting from a use permitted in paragraph (a) above when conducted on the same property.
17. Sports area or stadium, commercial athletic field or baseball park.
18. Swimming or tennis club, commercially operated.
19. Reserved.

20. Radio or television broadcasting station or tower more than one hundred twenty-five (125) feet in height, provided construction and safety features are approved by the Administrator in accordance with applicable regulations and provided no hazard is created in an Airport Approach Zone.
21. Churches, rectories, parish houses, convents and monasteries, temples, and synagogues, or the expansion of any existing church, temple, or synagogue by more than fifty (50) percent of its floor area.
22. Agricultural and forestal support center.
23. Antique shop.

2.5 Uses permitted as special exceptions. The following uses may be permitted as special exceptions, if approved by the Board of Supervisors in accordance with the procedures set out in this appendix:

1. Temporary and conditional permits for the following uses:
 - (a) Archery ranges.
 - (b) Asphalt batching plants or concrete batching plants.
 - (c) Commercial dog kennels.
 - (d) Miniature golf courses or driving ranges.
 - (e) Nonaccessory tents for special purposes.
 - (f) Outdoor displays or promotional activities.
 - (g) Pony rings.
 - (h) Raising for sale of birds, bees, fish, rabbits and other small animals in an Overlay Urban Development District only.
 - (i) Rifle or pistol ranges, trap, or skeet shooting.
 - (j) Sawmill for cutting timber not grown on the premises.
 - (k) Temporary buildings for use as a sales or rental office for an approved real estate development or subdivision.
 - (l) A private garage for more than four (4) automobiles.
 - (m) Cemetery for pets.
 - (n) Convalescent homes, nursing homes, or homes for the aged.
 - (o) Day nurseries or child or adult day care centers.

- (p) Frog or fish farms, in an Overlay Urban Development District only.
- (q) Sale of farm products not raised on the premises. Such sale shall be permitted only in conjunction with sales pursuant to section 2.3(1) above and only on a lot no less than ten (10) acres in area.
- (r) Mobile homes for living quarters as follows:
 - (1) accessory to a farm;
 - (2) in cases of hardship, as defined in section 2.6B.2(b), below;
 - (3) during the actual construction phase of a residential dwelling unit by the occupant of the mobile home;
 - (4) or during the actual repair when the permanent dwelling of the applicant has been rendered uninhabitable by a fire, natural disaster, or sudden accidental event.
- (s) Equipment storage yards accessory to a business office for construction or service contractors, operated as a home occupation, when located outside of the Overlay Urban Development District, provided:
 - i) The maximum number of employees on site shall not exceed ten (10) per establishment.
 - ii) There shall be no more than ten (10) pieces of motor propelled equipment stored per site, related to the designated use.
 - iii) There shall be a minimum lot size of five (5) acres, and no more than two (2) acres shall be devoted to the use permitted pursuant to this section.
 - iv) There shall be no associated structure on site larger than five thousand (5,000) square feet in size.
 - v) When equipment storage is within one hundred (100) feet of a property zoned for residential use, the equipment shall be screened in accordance with the standards specified in Article 7, Section 2A.
 - vi) Applications shall be accompanied by a sketch plan prepared in accordance with the standards specified in Article 7, Section 7.2.
- (t) Home occupations in an accessory building, home craft shops, or retail sales businesses conducted as a home occupation.

- (u) Sale of Christmas trees not raised on the premises.
- (v) Auction sales, on a lot no less than ten (10) acres in area, located outside of the Overlay Urban Development District, with no more than four (4) such sales in any calendar year.
- (w) Open or enclosed space for the storage of one (1) commercial vehicle with greater than one (1) ton capacity on property located outside of the Overlay Urban Development District and outside of an approved subdivision, subject to the following standards:
 - i) the Tax Parcel on which the vehicle is stored shall be a minimum of two (2) acres in area and shall have public road frontage;
 - ii) if the vehicle is stored in an open space, the space shall be located at least one hundred feet (100') from any property zoned for residential use or shall be screened in accordance with the standards specified in Article 7, Section 2A; and
 - iii) a sketch plan shall be submitted for review at the time of application, in accordance with the standards specified in Article 7, Section 7.2.
- (x) Bed and breakfast, in accordance with the specific standards and requirements of Article 7, Section 8.9.

2.6 Temporary mobile home use. Mobile homes may be used for a period of six (6) months from the date of an event rendering a dwelling uninhabitable, in the event of destruction of the dwelling or damage to the dwelling which renders the dwelling uninhabitable, provided that a permit for such use is obtained from the Zoning Administrator.

1. The Zoning Administrator shall have the authority to issue permits for such use if the applicant meets the following requirements:
 - (a) An application shall be filed in the Planning Office on a form provided by the Zoning Administrator. The application shall include a verified statement that use of the mobile home is necessary because of damage or destruction to a dwelling on the site where the mobile home will be located and that the mobile home will be used only as a dwelling for the residents of the original dwelling. The application shall also document the nature and date of the event causing the damage or destruction.
 - (b) The site must comply with all requirements of the Hanover County Code, including the Zoning Ordinance and Subdivision Ordinance.

2. The permit shall be valid for a period of six (6) months from the date of the event causing the damage or destruction.
3. The site shall remain in compliance with all requirements of the Hanover County Code, including the Zoning Ordinance and Subdivision Ordinance, during the term of the permit. The permit shall be void upon failure of the applicant to maintain compliance with all requirements.
4. Prior to the expiration date or the voiding of any permit the mobile home shall be removed from the site by the owner or applicant.

2.7 Standards for Special Exceptions for mobile homes as temporary living quarters.

1. For any request to use a mobile home as temporary living quarters during the actual construction phase of a residential dwelling unit by the occupant of the mobile home, or during the actual repair when the permanent dwelling of the applicant has been rendered uninhabitable by a fire, other natural disaster, or sudden accidental event, the following standards shall apply:
 - a. The time period for the initial Special Exception shall not exceed one (1) year from the date of approval. The total time period, including extensions, for the temporary use of the mobile home shall not exceed three (3) years from the date of approval of the Special Exception by the Board of Supervisors, except when permitted by the Board of Supervisors upon demonstration by the applicant of extenuating circumstances. When an extension is denied, or upon expiration of the Special Exception, the applicant shall remove the mobile home from the site within sixty (60) days of the date of denial or expiration.
 - b. When such a Special Exception is granted, improvements shall be completed in accordance with the following schedule:
 - 1) Year One (1): At a minimum, mobile home placement, well installation, septic tank installation, and provision of access shall be completed.
 - 2) Year Two (2): At a minimum, the Building Permit for the permanent dwelling shall be obtained, construction of the footing and the foundation completed, and the dwelling framed and protected from weather.
 - 3) Year Three (3): At a minimum, finish work shall be completed, a Certificate of Occupancy obtained, and the mobile home removed from the site within sixty (60) days of issuance of the Certificate of Occupancy.

- c. Requests for extensions for completion during the three (3) year period following the date of original approval of the Special Exception by the Board of Supervisors may be granted by the Board of Supervisors upon demonstration by the applicant of continuing compliance with the schedule for completion as set forth in Section 2.6B-1(b) above, provided that the application for extension is filed prior to expiration of the Special Exception.
- 2. For any request to use a mobile home as temporary living quarters in the case of a hardship, the following standards shall apply:
 - a. The time period for the initial Special Exception shall not exceed two (2) years from the date of original approval of the Special Exception by the Board of Supervisors. Extensions may be granted in two (2) year increments for the duration of the hardship, in accordance with the procedures and standards specified below.
 - b. "Hardship" shall be defined as being when, for health reasons verified by a medical practitioner, licensed by the State of Virginia, through provision of a signed certificate specifying same, a person requires continuous care by another, and both persons will reside on the same or adjoining Tax Map Parcels.
 - c. Extensions may be granted pursuant to the following procedures:
 - 1) The application for a Special Exception shall not be accepted unless a signed certificate, as described above, verifying the need for living assistance due to age or medical reasons, accompanies the application.
 - 2) Extensions for continued use of the mobile home may be granted upon review and approval by the Board of Supervisors of an application, accompanied by confirmation of the continuation of the hardship, filed prior to the two (2) year anniversary date of original approval of the Special Exception or of any subsequent extension.
 - 3) When an extension is denied, or upon expiration of a Special Exception, the applicant shall remove the mobile home from the site within sixty (60) days of the date of denial or expiration.
 - d. The Special Exception shall be issued to specific individual(s) only, and only for the duration of the verified hardship.

- e. The mobile home may be occupied by either the person(s) needing care or the person(s) providing care. However, upon cessation of the hardship, the mobile home shall be removed from the site within sixty (60) days regardless of whether it is occupied by the person(s) needing care or providing care.
3. Consideration by the Board of Supervisors of a Special Exception request for placement of a mobile home for use as living quarters as specified herein shall include the potential for adverse impact of the use on the surrounding properties.

2.8 Minimum and maximum area for application; density. The minimum parcel size for consideration of AR-6, Agricultural Residential District zoning shall be four (4) acres. ~~The maximum parcel size for consideration of AR-6 zoning shall be 24.99 acres~~ No request for AR-6 zoning shall result in the creation of more than eight (8) lots regardless of the size of the parcel for which the district is requested. The zoning request shall apply to the subject parcel in its entirety. For purposes of this section, the term "parcel" shall mean a unit of land created in accordance with all applicable regulations. Permissible density shall be calculated as follows:

- (1) For parcels four (4) to thirteen and 99/100 (13.99) acres in area: two (2) lots, with a minimum lot size of two (2) acres
- (2) For parcels fourteen (14) to twenty-four and 99/100 (24.99) acres in area: three (3) lots, with a minimum lot size of two (2) acres
- (3) For parcels twenty-five (25) acres or greater: one (1) lot for each 6.25 acres, with a minimum lot size of five (5) acres and no more than eight (8) lots per parcel

Fractions resulting from the calculation shall be rounded down to the next whole number.

2.9 Subdivision lots prohibited. ~~No lot less than twenty (20) acres in area~~ which is part of a recorded subdivision shall be eligible for consideration for AR-6, Agricultural Residential District zoning.

2.10 Lot size requirements.

	<u>Minimum, Acres</u>	<u>Minimum, Feet</u>	
	<u>Lot Area</u>	<u>Lot Width</u>	<u>Lot Depth</u>
1. Single-family dwelling on the following proposed rights-of-way:	2 acres (except as provided above)		
(a) 160 ft. rights-of-way		450	200
(b) 80 ft. rights-of-way		400	200
(c) 60 ft. rights-of-way		275	200
(d) 50 ft. rights-of-way		250	200
2. Churches, rectories, parish houses, convents and monasteries, temples and synagogues	1 acre	200	200
3. Animal hospital, larger animals	10 acres	300	300
4. Animal hospital, small animals, open pens or kennels	5 acres	300	300
5. Recreation uses clubs, campgrounds	5 acres	200	200
6. Stable, commercial	5 acres	200	200
7. Stable, private	2 acres	200	200
8. Frog or fish farms, or the raising for sale of small animals	5 acres	200	200
9. Medical office	2 acres	300	200

Lot width is measured at the front lot line for any lot located along any public road except those public roads created through the subdivision process; for lots located along a private road or a public road created through the subdivision of a parcel, lot width is measured at a point within the front half of the total depth of the lot. When access to a lot exempt from subdivision requirements is provided by use of a right-of-way with a width of fifty (50) feet or less, the lot shall meet the minimum width requirements for any lot which has frontage on a fifty (50) foot right-of-way.

Minimum frontage for development on private roads or any other road created through subdivision is twenty (20) feet; frontage on any other public road shall be the minimum required lot width.

Proposed rights-of-way are those designated by the Major Thoroughfare Plan.

2.11 Yard requirements.

<u>Minimum in Feet</u>				
	<u>Front Yard</u>	<u>Side Yard, Minimum</u>	<u>Side Yard, Aggregate</u>	<u>Rear Yard</u>
1. Single-family dwelling on the following proposed rights-of-way:				
(a) 160 ft. rights-of-way	125	25	50	40
(b) 80 ft. rights-of-way	100	25	50	40
(c) 60 ft. rights-of-way	70	25	50	40
(d) 50 ft. rights-of-way	60	25	50	30

Proposed rights-of-way are those designated by the Major Thoroughfare Plan.

2. Other structures same or as required in district regulations.

2.12 Height requirements. Single-family dwellings and all other structures not specifically exempted in article 7: Maximum height 2-2½ stories, but not to exceed 35 feet.

2.13 Off-street parking and loading requirements. Off-street parking and loading requirements are contained in article 7.

2. That the Hanover County Code, Appendix, Title I: Zoning Ordinance, Article 5, Sections 2A, AR-1, Agricultural Residential District, and 2B, AR-2, Agricultural Residential District, shall be and are hereby repealed.

3. That all AR-1 and AR-2 districts approved by ordinance adopted by the Hanover County Board of Supervisors prior to [the date of adoption of this ordinance] shall continue in effect and be subject to the ordinance provisions of the AR-1 and AR-2 districts in effect on [the date of adoption of this ordinance]. Copies of the district provisions shall be on file in the Hanover County Planning Office for reference.

4. Complete applications for AR-6 zoning which have been filed before 4:30 p.m. on April 28, 1999, shall be reviewed in accordance with the provisions of the AR-6, Residential Agricultural District, in effect on that date.

5. This Ordinance shall be effective upon adoption.

Public Hearing: _____

Mr. STANLEY:	Aye ☐	Nay ☐	Absent ☐	Abstain ☐
Mr. GORDON:	Aye ☐	Nay ☐	Absent ☐	Abstain ☐
Mr. ERNST:	Aye ☐	Nay ☐	Absent ☐	Abstain ☐
Mr. GILES:	Aye ☐	Nay ☐	Absent ☐	Abstain ☐
Mr. KLOTZ:	Aye ☐	Nay ☐	Absent ☐	Abstain ☐
Mr. WADE:	Aye ☐	Nay ☐	Absent ☐	Abstain ☐
Mr. WARD:	Aye ☐	Nay ☐	Absent ☐	Abstain ☐

Adopted: _____

Richard R. Johnson, Clerk
Hanover County Board of Supervisors

Final copy reviewed by:

- Planning Department: _____

Fair Bodden Civic Association

10181 Pollard Creek Road, Mechanicsville, VA 23116
Phone (804) 730-2912

April 28, 1999

Members of the Hanover County Board of Supervisors
Attention: Mr. Michael E. Crescenzo, Director
Department of Planning
Hanover County
P.O. Box 470
Hanover, Virginia 23069

Re: Elimination of AR-1 and AR-2, and modifications to AR-6

Mr. Chairman and Members of the Board:

Please be aware that the Fair Bodden Civic Association is concerned that the Board of Supervisors be firm in supporting the recommendations recently made by the Hanover County Planning staff in its March 12, 1999 memorandum.

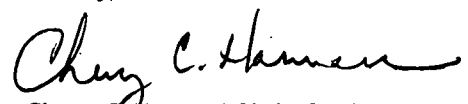
At our association meeting of April 27, 1999 our membership voted unanimously to support the repeal of the AR-1 and AR-2 from the Zoning Ordinance. The membership also voted to support the repeal of AR-6, if the motion upon the floor includes AR-1, AR-2 and Ar-6.

Our membership, including over 90 families in the Fire Lane-Pollard Creek area of Henry District, is opposed to the density of development the AR-1 and AR-2 permits. We are extremely concerned that the Board is starting to soften its position on meeting the 2.5% growth management goal so recently adopted. We were alarmed when we read in the April 26, 1999 HEARLD PROGRESS that Chairman Gordon is "satisfied that the numerous growth management strategies the board has taken has done the job." We do not agree that the job is done.

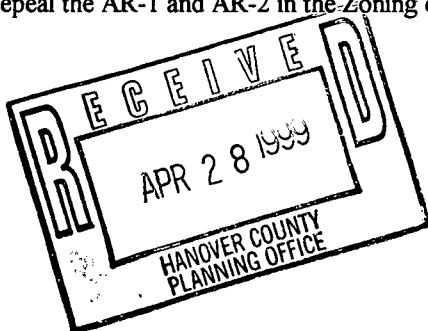
Based on September 30, 1998 data we know Hanover school enrollment increased 3.8%. For the coming 1999-2000 year, the School Board projects the biggest enrollment increase in the county's history- 4.8%. (See page 10, Tab 2, Hanover County School Board 1999-2000 Annual Financial Plan.) Even with the additions being completed at area schools, by next fall all of the following schools STILL will have modular units on their grounds: Atlee High, Chickahominy Middle, Liberty Middle, Patrick Henry High, Stonewall Middle, Battlefield Park Elementary, Cold Harbor Elementary and Mecahnicsville Elementary. All of these schools are and will be over staffing capacity. This does not reflect the over capacity of core facilities and the ever increasing ratio of support staff/ guidance counselors to students.. How can the Board ignore this data? How can the Board ignore the problems stemming from such overcrowding: the dangerous, crowded roads around schools, when parents and children are trying to get to work, school, etc. Try Atlee Station Road at 8:00 a.m. on any school morning. Or try getting a message or forgotten homework to your child while at school, only to be told that the school has so many students it has a policy prohibiting communications. Is this the way we want to live in Hanover?

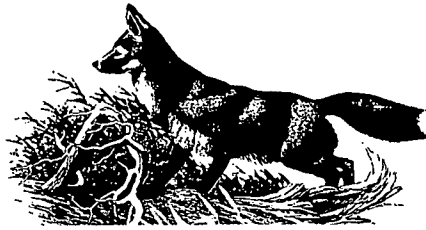
While we applaud and appreciate the vision and work accomplished by this Board to date, we strongly disagree that enough growth management policies have been enacted to reach our growth goals of 2.5%. We urge you to be ever vigilant and to take every action which will promote rather than undercut the goal of managing growth in an effort to maintain a decent quality of life in Hanover. We urge you to adopt the recommendations of the planning staff and repeal the AR-1 and AR-2 in the Zoning ordinance.

Sincerely,



Cherry C. Harman, Chair for the
Rural Land Development Committee





Hanover Citizens for Quality of Life

P.O. Box 6334, Ashland, VA 23005

April 28, 1999

Mr. Michael Crescenzo
Planning Director
Hanover County
P.O. Box 470
Hanover, Virginia 23069-0470

Dear Mr. Crescenzo,

Hanover Citizens for Quality of Life wishes to express support for the staff recommendations on growth management initiatives, as articulated in the April 14 meeting of the Board of Supervisors and Planning Commission.

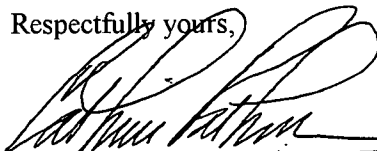
We encourage the board to adopt Ordinance 99-03 to eliminate AR-1 and AR-2, and to restrict application of AR-6 to lots larger than 25 acres. We oppose the creation of a "transition zone" outside the suburban service area, where AR-1 and AR-2 would be allowed. Transitions can be made by using density variations within the suburban service area; a good example is the lower density zone along Rural Point Road. We also oppose alterations to the current RC ordinance, especially those which would lessen the percentage of land preserved or those which would add density bonuses. We do not think that there is any necessity for these rural strategies to be referred back to the Planning Commission.

We are in favor of allowing open-space conservation design in Hanover's suburban service area. We support the efforts to create better design options through the RS district.

And finally, we advocate design standards for road corridors. We are anxious to see a Corridor Overlay ordinance in place before development begins along Pole Green Road. We are not convinced that formation of a committee to study the issues--as recommended by the Planning Commission--is necessary or desirable, given the need for rapid action. We believe that discussion and action can and should occur within the standard workshop format of the Planning Commission.

Please share these comments with the Board of Supervisors at this evening's meeting.

Respectfully yours,


Catherine Patterson
President



Patrick Henry Concerned Citizens Association

April 28, 1999

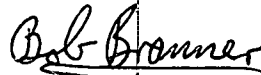
Board of Supervisors
Hanover County, Virginia

Gentlemen:

Our association strongly recommends that the Board adopt the Staff report which eliminates the AR-1 and AR-2 zonings and modifies the AR-6 and RC classifications. We may have some questions concerning the RC changes, which can be clarified by further Staff explanation. However, the fact remains, that if this Board is seriously involved with growth management in Hanover, it will promptly adopt the Staff report. Let's not tinker with the basic strategy the Staff has developed to conform to the Board's directive, to develop a plan to attain the 2.25% annual growth rate as specified in the Comprehensive Plan, with measures such as a transition zone outside the present suburban service area.

Take this opportunity to indicate to the citizens of Hanover that this Board will honor its decision to put in place a reasonable growth plan for Hanover. Though the short time following the final draft of the Staff report did not permit a specific response from each group, it is our belief that most citizens' groups and subdivision associations who participated in the recent and lengthy Comp. Plan Update concur with the above strategies and expect your favorable action on the Staff report.

Respectfully,



Bob Branner, President
PHCCA



File: 99-03

April 28, 1999

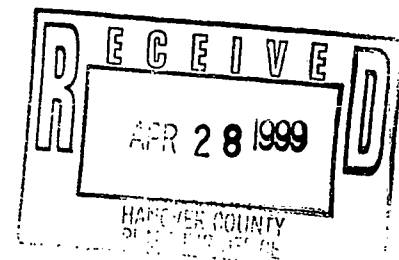
Dear Hanover Board of Supervisors:

The member groups of the Hanover Citizens' Federation would like to request the Board delete AR1 and AR2 from the county's list of zoning classifications. Hanover's current position as one of the highest growth counties in the state requires steps be taken to reduce a rate of growth which is not fiscally sustainable at a low tax rate. These zonings do not mesh with the Comprehensive Plan's stated goal of maintaining the county's 80% rural area. In fact, they were ill conceived, if that rural area is indeed planned to remain for farming and forestry.

The consideration of a "transitional zone" is another matter of concern. Our Comprehensive Plan has already taken into account transition between the suburban service area and the rural areas of the county. We saw this neatly suggested by the Planning Staff with the recent inclusion of the 1-2 density on the outer boundaries of the Rural Point and Elmont areas in the update of the Plan last year. This density clearly already allows and encourages the lowest density inside the service line. To even consider an additional ring of 1-house-per-acre density outside the suburban service area is unconscionable without at least preparing a build-out map of the county (which this group and others have requested for a long time). Such a build-out map, we think, would clearly show it unwise to expand an area of residential density outside the current SSA---not to mention the landslide of developers ready to build and citizens who would enjoy the opportunity to get away from water and sewer bills!

With all due respect,

Jane C. Osby, Coordinator
Hanover Citizens' Federation



April 13, 2000

VIRGINIA: At a Workshop Meeting of the Hanover County Planning Commission in the Board Room of the Henry Taylor Wickham Building of the Hanover County Courthouse, Hanover County, Virginia, on Thursday, April 13, 2000 at 7:00 p.m.

PRESENT: Mr. Joe D. O'Connor, Chairman
Mr. Harris K. Swann, Vice-Chairman
Mr. Albert L. Hobbs, Jr.
Mrs. Edmonia P. Iverson
Mrs. Elizabeth W. Moorhouse
Mr. Don G. Morgan
Mr. Robert R. Setliff

**ALSO
PRESENT:** Mr. Michael E. Crescenzo
Mr. David P. Maloney
A. Lisa Barker, Esquire
Ms. Betty S. Gray

The meeting was called to order by the Chairman at 7:05 P.M.

Discussion of the Criteria for Application of the AR-6, Agricultural Residential District

Mr. Maloney said this was a continuation of discussion regarding the AR-6 District. Staff has previously based its recommendations regarding compatibility on the average lot size of surrounding parcels. During the work session on March 9, 2000 issues were raised as to whether the Comprehensive Plan addressing "compatibility" should be eliminated, and the concern that the "compatibility" issue had prevented property owners from applying for AR-6 zoning.

He noted that Mr. Swann had expressed concern with some of the permitted uses not being compatible, such as sawmills. It was suggested that some of the Rural Conservation District criteria could be utilized to develop proffers that could address some compatibility issues.

April 13, 2000

He said the Comprehensive Plan will be reviewed next year and it was not the recommendation of the Staff to amend the Plan at this time, but rather to resolve/define "compatibility."

The Staff suggested specific guidelines to be used in determining "compatibility" such as:
comparing the proposed lot sizes with existing lots within a certain radius of the property;
identifying the uses of nearby properties; and considering proffered conditions to mitigate
potential conflict with the existing community.

Mr. Maloney presented slides showing representations of how the one-half-mile radius
criteria would be applied to five-acre parcels or greater with the use of the GIS system. He said
applying this type of analysis along with the uses, character of the surrounding properties, and
proffered conditions would help to develop a broader measure of "compatibility" rather than
relying on just one particular measure.

Mr. Swann did not understand how an AR-6 is less compatible than a RC in the A-1 District.

Mr. Maloney said that 70% of the RC is to remain in open space which, is not necessarily the case in the AR-6.

Mr. Crescenzo noted there is also the issue of character preservation of the area which, is a prime consideration for a RC.

There was general discussion. The Staff suggested that maintaining the "compatible criteria" would provide a more visual formula in determining "compatibility" issues. Mr. Maloney said by combining the aforementioned proposed guidelines, specific proffers would address the compatibility issues and address the specific issues of the community.

Mr. Swann felt the use of the radius was rather questionable.

April 13, 2000

Mr. Maloney noted that at the last meeting an issue was raised about the appropriateness of agricultural and other uses in the high density rural areas in the AR-6 District. He said utilizing this analysis to craft proffers, the property owner could agree to prohibit inappropriate uses from occurring on the land.

Mr. O'Connor asked if anyone wanted to comment.

Mr. Cameron Wood, Director of Hanover Association of Businesses, spoke. He said the term "compatibility" in the Comprehensive Plan and AR-6 criteria literally "pits neighbor against neighbor." He felt the *uses* in an area are what create the proper planning perspective. He felt using five acres, as a potential threshold would not work, as there are a lot of ten-acre lot subdivisions that are purely residential use.

Mr. Setliff felt that a five-acre lot would never be considered anything other than a rural lot, and he felt it was a good idea to have *uses* as one of the criteria.

There was general discussion. Ms. Barker said the term "compatibility" is subject to interpretation and is used in the Comprehensive Plan as a general mathematical equation to help decide issues in zoning cases.

Mr. Crescenzo said one of the issues in the consideration of an application is the "use" of the property that surrounds the subject parcel; however, consideration of the predominance of lots that surround the parcel in question is also a valid criterion.

He said several years ago the Commission redefine the A-1 district to be twenty acre lots and greater because there was a concern that the ten acre lots were not the best size for the rural part of the County, and because the ten acre lot size was maintained, by *definition* the ten acre lot in the A-1 district is a rural lot. He said the Staff is trying to decide where in the rural areas the AR-6 is appropriate in lieu of the A-1 zoning.

April 13, 2000

Mr. Swann asked how many ten-acre lots in Hanover are anything more than a residential lot.

Mr. Crescenzo felt that was irrelevant because by definition the ten-acre lot in the A-1 zone is the permitted rural lot size.

Mr. Swann felt it was logical to say that ten-acre lots are nothing more than residential lots.

Mr. Crescenzo reiterated that the A-1 is an agricultural district and is intended to be used to preserve the rural areas of the County. He said to say it is anything other than an agricultural district goes against the purpose of the district.

Mr. Swann said he did not know of any single ten acre lot in South Anna that is anything other than a residential lot. He felt that because of the A-1 permitted uses being left in the AR-6, he did not understand why the AR-6 would not fit in any of the A-1 areas.

Mr. Crescenzo explained that there are places in the County because of previous divisions in the A-1 district resulted in residential lots clustered along a frontage or in an old "4 for 25", but the use of five acre lots might be appropriate because it is not the intrusion that it otherwise might be. He said it would not be logical or reasonable to take a large tract of land, for example, surrounded with ten-acre lots and cut it up into five-acre lots.

Mr. Setliff expressed his belief that the County should encourage agricultural uses regardless of lot size in the rural portions of the County.

Mr. Crescenzo noted the Board has made it clear that they would prefer to have a RC development.

Mr. Setliff felt it would be better to try to make a liberal interpretation of the AR-6 zoning request with respect to lot size and compatibility.

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Mr. O'Connor felt that the ½ mile radius was a fair radius.

Mr. Maloney reiterated the compatibility would be judged by both the lot size along with the existing use and proposed use of the property.

Mr. Dan Williams, Henry District, expressed concern with community neighbors not accepting expansion of their communities very well. He questioned whether a ten acre lot size in the agricultural district could in some way be "looked at in a slightly different manner."

Mr. Arentment, Beaverdam District, felt the one half mile radius would not include a large enough area. He felt the term "compatibility" should be redefined because "it's ambiguous."

Mr. Jamie Davis, Cold Harbor District, felt by using this particular radius more rural areas would end up with the RC and the more density areas will end up with AR-6.

Mr. Setliff felt it was important to keep the farm owners in mind because their major investment is their land.

Mrs. Emma Lee Davenport, Beaverdam District, felt the term "compatibility" is unfair to property owners. She said a lot of times the AR-6 is used for family divisions and sometimes the compatibility issues keep this from occurring. She said the developer is going to make the numbers work or they are not going to develop the property and the person that suffers is the property owner.

Mr. Swann said it is not just the property owner but also the potential homebuyer that is being harmed.

Mr. Ron Martin, Henry District, said there are so many people that were raised in the County but cannot return because they cannot afford to buy a home. He felt the value of the farmer's investment (his property value) is diminishing largely due to the strict requirements on

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the developer. He said a lot of potential developers consider the ten-acre development because it is too costly and too uncertain to do an AR-6 or a RC.

Mr. O'Connor noted that accessible housing is a problem partly due to the market demand of the "high dollar for the land" and he was unsure of what can be done to effect the land value that is already pre-existing to make it affordable.

Mr. Martin said that obviously developers are looking for the best way to make a profit. He said the success of providing accessible housing in other jurisdictions is primarily due to allowing small enough lots that the developer can make a profit and make that product available for the first time buyer.

Mr. O'Connor said this is trying to be accomplished through the Residential Single Development.

Mr. Martin said the problem with the RS is that the developer has to pay for the conservation area; therefore, he calculates this into the cost of the lots. He said a developer would not consider developing accessible housing if the County puts restraints on them so that they cannot afford to do it.

Mr. George Haw, Henry District, felt that the one half mile radius was not a large enough area for pieces of property in the forty to eighty acre ranges. He said the growth will come regardless and if there is not enough flexibility for the AR-6 the landowners will be the ones to be penalized.

~~Mr. Maloney recapped that the purpose of the meeting was to address/define the "compatibility" issue.~~

Mr. Crescenzo reiterated that the Staff was trying to provide criteria to use in the AR-6 district and give some logical consideration to the way the criteria can be applied.

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Mr. O'Connor felt to eliminate the term "compatibility" would only eliminate the ability to truly evaluate a piece of property and see that it is properly used.

Mr. Swann said the Commission needed to honor the commitment that was made when the "4 for 25" was eliminated, as he felt that the citizens were confident that the AR-6 was going to be acceptable in the whole A-1 area. He felt that additional criteria would just complicate the issue, and that the AR-6 should be acceptable in the A-1 district. He disagreed with not removing some of the permitted uses available in the AR-6 because they acceptable in the agricultural district. He said he would not have a problem with demanding some type of proffers if the AR-6 is made acceptable in the whole A-1 district. He also felt it is wrong to rule out ten-acre lots.

Mr. Setliff felt that a five-acre lot outside the Urban Area is a rural lot. He agreed with Mr. Swann and felt a commitment was made to the citizens that this district would be better for the County and it's citizens.

Mr. Swann suggested setting the standards in the AR-6 and to make it acceptable in the A-1 area.

Mr. Hobbs felt this would open up the A-1 district for more development, which is contrary to what the Commission has been trying to do.

Mr. Swann felt this was not any different than having the RC.

Mr. O'Connor felt there was a substantial difference. He noted that the RC was developed in response to trying to preserve the rural character of the County. He said "compatibility" is something that is considered in every case, and he felt to develop a more detailed criterion was not what the citizen, that had spoken, wanted.

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There was general discussion. Mr. O'Connor felt there was not a consensus among the Commissioners on criteria and compatibility.

Mr. Hobbs felt the AR-6 is more of an opening up development as opposed to the RC.

Mr. Swann said the density is the same in both; however, he felt the cost in the RC is higher which impacts both the landowner and the buyer.

Mr. Hobbs said that if development were not made easier it would surely affect the 70/30 ratio.

Mr. Crescenzo noted that all of the comments were good but they needed to be addressed during the Comprehensive Plan review next year.

The Planning Commission recessed at 9:40 P.M.

The Meeting reconvened at 9:53 P.M.

Mr. Swann MOVED TO RECOMMEND that the AR-6 be an acceptable development in all of the A-1 area and for the Staff to appoint a committee to draft requirements that would consider buffering, flexible lot size, and road standards for an AR-6 subdivision.

Mr. Hobbs questioned whether Mr. Swann was proposing that the AR-6 be acceptable anywhere in the rural area.

Mr. Swann agreed.

Mr. Setliff seconded the motion.

There was general discussion. Mr. O'Connor asked if Mr. Swann was suggesting eliminating the term "compatibility."

Mr. Swann did not believe that compatibility was a valid argument to turn down an AR-6.

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Mr. O'Connor noted that in the establishment of the AR-6 the standards that were set applied to the subdivisions. He felt that creating higher standards would only increase the request for ten-acre lots. He was in support of the Staff's recommendations, as he felt compatibility is important when making decisions in rezonings; therefore, he was not in support of the motion.

Mrs. Moorhouse was not in support of the motion. She expressed concern with the possibility of AR-6 being turned into a RC without the preservation lot.

Mr. Setliff felt having more requirements would contribute to discouragement of possible applicants, and therefore was not in support of the motion.

Mr. O'Connor called for the question.

The vote was as follows:

Mr. Hobbs	Nay
Mrs. Iverson	Nay
Mrs. Moorhouse	Nay
Mr. Morgan	Nay
Mr. O'Connor	Nay
Mr. Setliff	Nay
Mr. Swann	Aye

The motion was defeated 6 to 1.

Mr. Hobbs moved to RECOMMEND THE OUTLINE AS PRESENTED BY THE STAFF WITH THE ONE-HALF MILE RADIUS AND TO RE-EXAMINE THE DISTRICT IN EIGHTEEN MONTHS.

Mrs. Moorhouse seconded.

Mrs. Iverson felt that the one half mile radius would not be a wide enough area.

Mr. Setliff suggested a one-mile radius.

April 13, 2000

There was general discussion on the appropriate distance for the radius and the lot size criteria. Mr. Crescenzo explained that the five-acre lot size was used because that is the minimum lot size for compatibility in the AR-6.

Mr. Hobbs AMENDED THE MOTION TO THREE-QUARTERS OF A MILE
RADIUS.

Mr. O'Connor seconded.

There was general discussion on whether to include ten-acre lots in the radius.

Mr. Setliff felt that ten-acre lots are residential lots not farms.

Mr. Crescenzo said if every ten-acre lot in the A-1 zone were considered residential there would not be an agricultural district.

Mr. O'Connor called for the question.

The vote was as follows:

Mr. Hobbs	Aye
Mrs. Iverson	Nay
Mrs. Moorhouse	Aye
Mr. Morgan	Aye
Mr. O'Connor	Aye
Mr. Setliff	Nay
Mr. Swann	Nay

The motion carried 4 to 3.

Consideration of Possible Changes to the RC, Rural Conservation District

Upon a motion by Mr. Morgan, seconded by Mr. Hobbs this discussion was deferred to May 11, 2000.

Miscellaneous Matters

Appointment of 301 Review Committee (Business Representatives)

April 13, 2000

Mr. Crescenzo said to date there had not been any nominations from the Hanover Business Community; however, the Staff did plan to have nominations at the next meeting.

ADJOURNMENT

There being no further business the meeting was adjourned at 10:27 P.M.

Chairman

Secretary

BOLD / PC WORKSESSION:

3/26/99

5:30-7:00 - DINNER

7:00-9:00 - MEETING

STAFF - 20 MIN PRESENTATION

- POT ISSUES IN PERSPECTIVE
- INSTITUTY ISSUES
- ADDRESS CRITICS
- STAFF DUTY TO FACILITATE COMMISSION

- GROWTH PRIMER ISSUE

- IS IT A PROBLEM?

- NEED TO PLAN

- ~~ISSUE~~

- ~~COLLIDOR~~

- SUBURBAN CLUSTER

746-3773

MEETING
TO ADDRESS
GROWTH
ISSUES

DRAFT - REVIEW & COMMENT

Joint Meeting on Growth Management Initiatives Hanover County Board of Supervisors/Hanover County Planning Commission

While it is easy to be diverted from the main issue - growth and its management - it is important to consider basic questions in defining the issue:

1. Is there a problem?

Yes, the Staff believes so. Although we project a return to the historic growth rate, in the short term this rate is being exceeded. To the staff, this is the major problem with which we need to deal. This is partly to blame on the "backlog" of lots created or available over the last several years. Even though the Board accepted proffers which "timed" growth over a period of years, past Boards accepted language which allowed this growth to be cumulative. Consequently, projects which would have been built over a period of years were built over shorter periods, with no limits. (AshCreek is an example of this; when the project wasn't developed immediately, it meant that the 600+ lots originally planned for timed release onto the market came onto that market as fast as the subdivision could be recorded. More recent projects have proffers which limit this impact if the property isn't developed immediately, or if fewer lots are built on within a given year, by limiting the number of building permits in a subdivision per calendar year, and limiting the permits that can be carried over from one year to the next.)

In addition, it is intended that the County's growth be 70% suburban, 30% rural; at present, this ratio is closer to 60/40. While part of this rural growth spurt is based on lots created years ago which are only now being developed, it is important to **reduce the capacity for creation of new lots in the rural areas of the County.**

The Board took the necessary first steps in 1996, when the old "4 for 25" rule was eliminated in favor of up-to-date subdivision regulations and literal interpretations of the A-1 district requirements. In addition, to answer the criticism that these changes were adversely affecting property owners who had planned their futures based on property development, the Board adopted the AR-6 district - a zoning classification with the goal of providing a means of recovering lost density for property owners in the rural areas.

It is important to note two things here: one, the district was based on the same density as the A-1 zone, to remain "density-neutral" in its application; and two, that the district was available as an alternative to A-1 **only through rezoning, which by necessity involves consideration of other site-specific issues when considering appropriateness of the request.** In other words, zoning property from A-1 to AR-6 was not intended to be "a done deal". The provision of cash proffers through the rezoning process was NOT the only criterion for approval of AR-6 zoning, although there are those who would have you believe otherwise. Since the adoption of this district, other Board actions have addressed this same issue, most notably the creation and adoption of the Rural Conservation District, a zoning classification which provides the same density (1 lot/6.25 acres) and includes the same proffer

considerations as AR-6 while providing for protection of active farmland and/or creation of permanent open space. This district was created to provide an alternate "density-neutral" means of recovering old A-1 density while addressing the problem of protection of the County's rural character, an issue specifically identified in the latest update of the Comprehensive Plan as one to which attention needs to be paid.

At this point, it is important to state that the Staff does NOT believe there is a problem with the County's Comprehensive Plan, which has been in effect for twenty years and has provided the necessary tool to both manage and direct growth appropriately. It is the plan which has provided the basis for maintenance of the historic growth rate of 2.5% (annual average). The plan, if adhered to, will also provide the mechanism for a return to this rate, as it has in the past.

2. But is growth inevitable?

The Staff believes that some growth IS inevitable, and that the County's goal should be the management of that growth. The plan was designed to accomplish this end, with certain areas designated for development only at specified times (the "phasing plan", a unique tool which has helped to maintain the County's historic growth rate for nearly 20 years). The plan assumes an AVERAGE annual rate of 2.5%; this rate fluctuates from year to year, and while we may be in a period of higher rates now, it is projected that the rates will come down over the next several years to again average our historic rate.

It has been alleged that the County has steadfastly refused to consider programs used successfully in other jurisdictions to address growth. To date, no one has identified an approach used elsewhere in Virginia which the Staff has ignored. True, there are some programs (transferrable development rights, for example) used in other states, but we cannot adopt these programs without legislative support. Other programs, such as the purchase of development rights, were specifically investigated, only to find them infeasible for application at the present time. In addition, some programs offered as ways to reduce growth (PDRs, for example) were found to do little or nothing to achieve this goal. Such programs do provide ways to protect agriculture, or create open space, and, as such, are still worth future consideration - in fact, the Board has directed the staff to continue to look at such programs for possible future application. The staff is not aware of any other programs which have been identified for application in Hanover County which have not been considered.

3. With the adoption of cash proffers, doesn't growth pay for itself?

Unfortunately, one of the misconceptions regarding the Board's adoption of AR-6 zoning for density recovery was that, by going through the zoning process, the cash proffers would address the residential impacts. As has been shown in the past, cash proffers do NOT cover the ongoing costs of growth. They do, however, significantly reduce the impacts of the CAPITAL costs associated with growth. It is important to include in the consideration of the cost of growth the impact of adherence to the Comprehensive Plan: the plan recommends the 70/30 split between residential and commercial assessed value toward which the staff continues to work. Land

use patterns and phasing of development (especially residential) are calculated to achieve this 70/30 split. Changes in the land use plan which increase the potential for commercial/industrial development and reduce possible residential development help in the effort to achieve this ratio, although changes in residential designations need to be carefully considered so as not to cause a significant reduction in the planned residential development within the Suburban Service Area boundary. This could lead to the need to expand the boundary in order to maintain the availability of land on which residential density calculations are based.

However, if cash proffers and tax revenues are taken together, growth DOES essentially "pay for itself". Consider, for example, the County's Five-Year Plan, which includes several projects approved through referendum by approximately 60% of Hanover voters. This plan pays for the improvements necessitated by growth with no tax increase (other than the one already approved by voters). The County is providing an outstanding parks and recreation program, building new schools, replacing antiquated fire stations, AND maintaining both the quality and level of services demanded by citizens, all within revenue projections.

Can we do better? Of course. New commercial and industrial development will only enhance our ability to maintain tax rates without sacrificing amenities for our citizens. An active economic development program will help to entice these new projects to Hanover County, and this may necessitate consideration of changes to the plan to accommodate them. The County is still working to achieve the 70/30 ratio, though, and there may be "tweaks" to the plan necessary to achieve these long-range goals.

4, So where does this leave us with regard to the Growth Management Initiatives forwarded by the Board to the Planning Commission for comment?

To date, the Commission has spent significant time and effort on the three initiatives sent to them: 1) the changes in the rural districts (AR-6, AR-2, and AR-1); 2) the creation of the "suburban cluster" district; and 3) the corridor enhancement overlay district.

The Commission held a public hearing on the rural ordinance amendment on February 25, 1999. At that time, after due consideration of the possible effects of the proposed changes, they recommended that the Board NOT ADOPT the amendment. Instead, they asked the Board to direct the "rural strategies" issues back to them for further work, and requested that the Board consider use of AR-1 and AR-2 zoning along the current boundary of the suburban service area as a transition to the rural areas of the County. They also asked for revisions to the Rural Conservation District, to provide greater incentives for its use. They believe that the AR-6 district is a viable option for application in the rural areas of the County, and that there was a "commitment" made at the time of adoption to make this district readily available to anyone requesting it.

The Commission held a workshop on the Corridor Enhancement Overlay district in January. At that time, there was an equal number of citizens who supported the district and businessmen who opposed it. The Commission deferred further consideration in favor of creation of a subcommittee to work on the ordinance, using the draft as a basis for revisions.

The "suburban cluster district" (Residential Single-family District, or RS) was the subject of three workshops, with significant help from interested citizens, developers, and others. The draft ordinance has undergone several revisions, and will be the subject of a public hearing on April 22. To date, the staff has been approached by at least two interested parties who plan to submit requests for RS zoning as soon as it is created.

5. What does the staff recommend?

The issue of growth in the rural areas of the County needs to be addressed. The staff believes that a reduction in the ability to create new lots will help to begin reduction in the growth rate, since replenishment of the current stock of available building lots would be cut off. It is the development of this existing stock that is helping to drive the rate of growth upward.

To this end, the staff continues to recommend that the AR-1 and AR-2 districts be eliminated. There have been few requests for this zoning in the recent past, and the last two requests were inappropriate for the area in which they were proposed, leading to denials by the Board. With the advent of RC zoning, small lots are now available in the rural areas with lower density and fewer off-site impacts.

The staff also continues to recommend elimination of the AR-6 district, since it provides a way to quickly create building lots with few, if any, amenities and results in the subdivision of the entire parcel on which the district is applied. If A-1 zoning is a bad way to divide agricultural property, AR-6 is worse, since the result is the same, but with 60% more lots. The staff agrees with the Commission that the RC district should be revised, to make it easier to use. However, for the reasons outlined above, the staff would continue to recommend NO INCREASE in the density for the RC district.

Pending further action on the remaining two initiatives (suburban cluster and corridor overlay), the staff makes no additional recommendations at this time.

FINAL 3/99

**COMMUNITY DEVELOPMENT
GROWTH STATISTICS
1996-98**

CATEGORY	CALENDAR YEAR					
	1996		1997		1998	
1. Building Official						
A. Residential						
Total New Single Family Units	1081		1117		1134	
Total New Multifamily Units	133		150		0	
Total New Residential Units	1214		1267		1134	
(Percentage SF Suburban/Rural)	(56/44)		(58/42)		(62/38)	
B. Business (Commercial and Industrial)						
Total # New Commercial Construction	57		45		105	
Total Value New Commercial Construction (000)	51,686		26,924		17,827	
Average: Value/Unit Commercial Const.(000)	906.8		598.5		169.8	
2. Planning Approved and Denied/Withdrawn						
A) Zoning Acreage (By Category)	APPR	Withdrawn/Denied	APPR	Withdrawn/Denied	APPR	Withdrawn/Denied
AR6, 1,2,RC	11.2	6.1	360.5	412	68.0	188
R1-3	138.5	7.8	233.6	34	292.5	--
R 4-5	0	0	0		0	--
BO-B-3	6.0	0	27.6	6.0	61.0	--
O/S-M-3	431.0	0	71.3	17.7	23.0	--
TOTAL (Residential/Business/Industrial)	150/437		594/99		361/84	
B) Potential Rezoning Residential Lots						
Rural No. of Lots (AR1-6+RC)	3	2	59	62	16	111
Suburban No. of Lots (All other R Districts)	277	18	408	41	491	
Percentage Suburban Lots Created	98%		87%		97%	

CATEGORY	CALENDAR YEAR		
	1996	1997	1998
C) Subdivisions			
Area by Zoning Category			
A-1	1547.55	1871.7	370.5
AR-1-6+RC	78.21	330.7	142.1
R1-5	430.72	341.1	201.4
Business (B-O - B-3)	33.15	125.8	27.1
Ind. (OS - M-3)	0	175.9	10.7
Sub Lots Created (by Zoning Categories)			
A-1/Family SOE)	206/23)	195/37)	29/59)
AR 1-6 + RC	30	48	23
R1-5	803	683	392
Business	8	11	7
Industrial	0	4	2
Total Sub Lots Recorded	1047	941	444
Total Family Lots Approved (AR-6/SOE)	0/23	4/37	12/59
3. Utilities			
A. Percentage New Residential Units on W/S (SF + MF)	61%	63%	62%
B. Utility Customer Base			
Water	11,946	12,625	13,291
Sewer	11,446	11,973	12,689
C. Inventory of Unrecorded/Available			
Residential Lots	3,984	4,059	3,722
(Potential Lots to be Connected as of Dec 31)			

CATEGORY	CALENDAR YEAR		
	1996	1997	1998
4. Public Works			
A. Landfill Tonnage Total	36,376	36,916	36,252
Paid Tons	6,907	7,650	5,032
Residential Tons	29,469	29,266	31,220
5. Parks and Recreation			
A. Total Recreation Participation	47,567	50,757	61,449
(Percentage Increase)		(7%)	(21%)
B. Special Events	21,699	37,341	46,003
(Percentage Increase)		(72%)	(23%)
C. Athletics	5,624	7,079	10,488
		(26%)	(48%)

BOARD OF SUPERVISORS

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HENRY DISTRICT

AUBREY M. STANLEY, JR.
BEAVERDAM DISTRICT

J. T. "JACK" WARD
MECHANICSVILLE DISTRICT



HANOVER COUNTY

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MEMORANDUM

RICHARD R. JOHNSON
COUNTY ADMINISTRATOR

CECIL R. HARRIS, JR.
DEPUTY COUNTY
ADMINISTRATOR

JOHN H. HODGES
DEPUTY COUNTY ADMINISTRATOR

STERLING E. RIVES, III
COUNTY ATTORNEY

PLANNING OFFICE
PHONE 804-365-6171
FAX 804-365-6232

To: Hanover County Board of Supervisors

From: Michael E. Crescenzo, Director of Planning *ME*

Subject: Planning Commission Recommendation - Ordinance 99-03

Date: March 18, 1999

At the public hearing held on Thursday, February 25, 1999, a motion to recommend approval of the above-referenced ordinance amendment failed. On a subsequent motion by Mr. Setliff, seconded by Mr. Swann, the Commission voted to recommend that the Board **DENY** the ordinance amendment as drafted.

The Commission expressed its belief that the current ordinance language regarding AR-6, AR-2, and AR-1 should remain as adopted, but requested the Board reconsider the recently-adopted rural strategies by charging the Planning Commission with revision of the appropriate ordinances. This could include rewriting the RC, Rural Conservation District to make it more attractive as an optional method of rural development, and reconsideration of appropriate application of AR-1 and AR-2 zoning.

Further, the Commission asked for the idea of adoption of a "greenline" to be reconsidered, with possible application of AR-1 and AR-2 zoning between the current boundary of the Suburban Service Area and the designated greenline, as a means of transitioning from higher- to lower-density residential development.

The Commission also urged the Board to stress the importance of agriculture and farming as economic development in Hanover County, and to direct the County's Economic Development Director work with the Farm Bureau to place agriculture on an "equal footing" with other forms of economic growth, including industrial and commercial development.

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To: Hanover County Board of Supervisors

From: Michael E. Crescenzo, Director of Planning

Subject: Ordinance 99-03: Revisions to the AR-6, Agricultural Residential District and Repeal of the AR-1 and AR-2, Agricultural Residential Districts

Date: March 12, 1999

This ordinance amendment is requested to revise the application of AR-6 zoning, to limit its use to parcels of 24.99 acres or smaller. AR-6 zoning would be eliminated from application to any parcel of 25 acres or more. In addition, in response to the language incorporated into the latest update of the County's Comprehensive Plan, the ordinance would repeal AR-1 and AR-2 zoning from the Zoning Ordinance.

BACKGROUND

In September, 1998, the Board adopted the latest Comprehensive Plan update. At that time, the Board also directed the staff to provide ideas on the implementation of the growth strategies incorporated in the plan. In October, the staff presented what are referred to as the Growth Management Initiatives. The Commission has held several workshops on these ordinances, including the Corridor Overlay district, the "suburban cluster" ordinances, and the rural development ordinances. The ordinance which is the subject of this public hearing, the rural development ordinance, addresses the issue of retention of rural character and residential development outside of the suburban service area.

ANALYSIS

The issue of elimination of the AR districts (AR-1 and -2 in their entirety; AR-6 for application on lots of 25 acres or greater) has been discussed in a workshop before the Commission in January. At that time, the staff pointed out that the new RC district provides the same density for property owners as the AR-6 district, but does so in a way which helps to protect agriculture and open space while preserving the rural character of Hanover County. It also allows for the same density without having to

essentially eliminate the property by subdividing all of the land into lots. The AR-1 and AR-2 districts are becoming less and less useful, since application of these districts is dependent on 1) a favorable LESA evaluation and 2) appropriate context. Two recent requests were denied by the Board because the application of such zoning in the surrounding area was inappropriate, even though one of the applications had a favorable LESA evaluation (which only provides a basis to consider the rezoning request; it doesn't mandate the rezoning). By limiting to two the districts which would be appropriate for use outside of the suburban service area, residential growth in the rural areas can be better controlled and the character better protected.

RECOMMENDATION

Based on the foregoing discussion, the staff recommends **APPROVAL** of the draft amendment as attached. This draft would revise the language of the AR-6 district to limit its application to parcels of 24.99 acres or smaller, and assures that parcels of 24.99 acres cannot be subdivided and then rezoned (since all divisions of property are now "subdivisions", and subdivision lots are not eligible for AR-6 zoning). It would also eliminate the AR-1 and AR-2 districts from the Zoning Ordinance. Both of these actions are seen as steps to address the issue of rural development and residential growth within the agricultural areas of the County. An ordinance with the appropriate text is attached.

At their public hearing on this issue on February 25, 1999, the Planning Commission recommended **DENIAL** of the requested ordinance amendment. They expressed their interest in having the Board allow them to reconsider the "rural strategies", including definition of a "green line", but believed that elimination of AR-6 zoning was inappropriate given the commitments they believe were made at the time AR-6 zoning was created. The staff disagrees with this position, believing instead that the "commitment" was to provide a mechanism for property owners to recover the old "4 for 25" densities available prior to October 9, 1996. On that date, the RC, Rural Conservation District did not exist; it has subsequently been created to provide for the same density, but with retention and protection of agricultural land and open spaces. The staff believes this accomplishes the same end while addressing the issue of retention of rural character.

attachments

ORDINANCE 99 - 03
Revised March 12, 1999

AN ORDINANCE TO AMEND THE HANOVER COUNTY CODE, APPENDIX, ZONING ORDINANCE; TO PROVIDE FOR REVISIONS TO THE AR-6, AGRICULTURAL RESIDENTIAL DISTRICT, TO ELIMINATE ITS APPLICATION ON PARCELS TWENTY-FIVE (25) ACRES OR GREATER IN AREA, AND TO REPEAL THE AR-1 AND AR-2 AGRICULTURAL RESIDENTIAL DISTRICTS.

BE IT ORDAINED BY THE HANOVER COUNTY BOARD OF SUPERVISORS:

1. That the Hanover County Code, Appendix, Title I: Zoning Ordinance, Article 5, Section 2, Agricultural Residential District, shall be amended to read in its entirety as follows:

ARTICLE 5. DISTRICT REGULATIONS

Section 2. AR-6, Agricultural Residential District.

2.1 Purpose of the district. The purpose of this district is to provide for spacious residential development for those who choose this environment; to provide for a full range of agricultural activities; and to protect agricultural land, as one of the county's most valuable natural resources, from the effect of objectionable, hazardous, and unsightly uses. The district is also intended to provide for protection of watersheds, water resources, forest areas, and scenic values.

2.2 Permitted uses. A building or land shall be used only for the following purposes:

1. Detached single-family dwellings.
2. Agriculture, including horticultural, chemical, or general farming, truck gardens, cultivation of field crops, orchards, groves, or nurseries for growing or propagation of plants, trees, and shrubs, including temporary sawmills for cutting trees grown on the premises and use of heavy cultivating machinery, spray planes, or irrigating machinery, dairy farming, keeping or raising for sale of large or small animals, reptiles, fish, birds, or poultry, and including structures for processing and sale of products raised on the premises; provided:
 - (a) Any sawmill, grain drier, commercial feed lot or hog raising operation shall be located at least two hundred fifty (250) feet from any dwelling not located on the premises.
 - (b) Structures for commercial poultry raising shall be located at least two hundred (200) feet from any dwelling not located on the premises and at least one hundred (100) feet from any street or road.

(c) Commercial slaughtering and processing of large animals, such as horses, cows, pigs, sheep, or goats shall not be conducted on the premises.

3. Reserved.
4. Dog kennels, noncommercial; provided any open pens, runs, cages or kennels or any place for keeping more than five (5) adult dogs shall be located at least two hundred (200) feet from any side or rear lot lines.
5. Golf courses, not lighted for night play and not including miniature golf courses, putting greens, driving ranges, and similar activities operated as a business, but including a building for a golf shop, locker room, and snack bar as an accessory use to a permitted golf course, providing no such building is located closer than one hundred (100) feet from adjoining property lines. Practice greens and tees may accompany a standard nine (9) hole or eighteen (18) hole golf course occupying at least seventy-five (75) acres.
6. Facilities and structures necessary for rendering utility service, including poles, wires, transformers, telephone booths, and the like for normal electrical power distribution or communication service, and pipelines or conduits for electrical, gas, sewer, or water service, but not including buildings, treatment plants, pumping or regulator stations, substations and power transmission lines which are permitted as conditional uses.
7. Grain storage structures.
8. Greenhouse, commercial.
9. Hospital or clinic for large or small animals; provided that all buildings, structures, pens, or open kennels shall be located at least two hundred (200) feet from any lot line.
10. Hospital or clinic for small animals (dogs, cats, birds, and the like); provided such hospital or clinic and any treatment rooms, cages, pens, or kennels be maintained within a completely enclosed, soundproof building, and that such hospital or clinic be operated in such a way as to produce no objectionable odors outside its walls.
11. Military bases and appurtenances and parks operated by the United States Government or agencies of the Commonwealth of Virginia.
12. Public and private forests, wildlife reservations, similar conservation projects.
13. Railroad rights-of-way, including a strip of land with tracks and auxiliary facilities for track operations, but not including passenger stations, freight terminals, switching and classification yards, repair shops, round houses, power houses,

interlocking towers, and fueling, sanding and watering stations.

14. Recreational uses such as tennis courts, swimming pools, and other similar activities operated exclusively for the use of private membership and not for commercial purposes; provided that no such use, structure, or accessory use is located closer than fifty (50) feet to any adjoining property line.
15. Stable, public or commercial; provided that any building for keeping of animals shall be located at least two hundred (200) feet from any side or rear lot lines, and that there shall be housed on the premises no more than one horse or pony for each acre of land.
16. Stable, private, or keeping of horses, ponies or other livestock for personal enjoyment and not as a business; provided that any building for keeping of animals shall be located at least one hundred (100) feet from any side or rear lot lines and that there shall be housed or kept on the premises no more than one horse or pony for each acre of land.
17. Raising for sale of birds, bees, fish, rabbits, and other small animals, provided any use shall be located at least two hundred (200) feet from any side or rear lot lines.
18. Frog or fish farms, provided any use shall be located at least two hundred (200) feet from any side or rear lot lines.
19. Medical office, limited to two (2) doctors and their staffs (no more than two (2) staff members per doctor).

2.3 Permitted accessory uses.

1. 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.
2. Domestic storage in main building or in accessory building.
3. Garage, private.
4. Guest houses.
5. Home occupations in a main building.

6. Keeping of small animals, insects, reptiles, fish, or birds, but only for personal enjoyment or household use and not for a business, as an accessory to a nonfarm dwelling on a lot of not less than two (2) acres.
7. Servants' quarters.
8. Storage of a boat trailer or camp trailer or a boat, but not in front yard.
9. Swimming pool and game courts, lighted or unlighted, for use of occupants or their guests.
10. Signs as regulated in article 7, section 3.
11. Temporary buildings, the uses of which are incidental to construction operation during development being conducted on the same or adjoining tract or subdivision and which shall be removed upon completion or abandonment of such construction, or upon the expiration of a period of two (2) years of the time of erection of such temporary buildings, whichever is sooner.
12. Accessory off-street parking and loading spaces. Open or enclosed space for parking one commercial vehicle of not more than one ton capacity and used by the occupant of a dwelling shall be permitted as accessory.
13. The location of office or construction trailers for a period not to exceed one year.
14. Noncommercial fuel alcohol distillery.
15. Foster care and adult family care.

2.4 Conditional Uses. The following uses may be permitted as conditional uses if approved by the Board of Supervisors in accordance with the procedures set out in this appendix:

1. Airports and landing fields, provided they shall comply with the recommendations of the Federal Aviation Agency.
2. Camps, day or boarding, private or commercial.
3. Cemetery, including a crematorium.
4. Circus or carnival grounds, amusement park, zoo or midway, permanent or temporary for a specified time period.
5. Exposition center or fairground.
6. Heliport or helistop.
7. Hospitals and sanitariums.

8. Institutions, educational or philanthropic, including museums, art galleries and libraries.
9. Livestock auction market.
10. Private clubs.
11. Public or governmental buildings and uses, including schools, fire stations (volunteer or otherwise), parks, parkways, and playgrounds; and public boat landings.
12. Public utilities or public service uses, buildings, generating or treatment plants, pumping or regulator stations, substations and transmission lines.
13. Race track, any type, including horses, stock cars, or drag strip.
14. Recreation facility, commercially operated, such as fishing or boating lake, camp ground, picnic grounds, or dude ranch, and accessory facilities, including sale of food, beverages, bait, supplies and equipment.
15. Sanitary landfill or trash collection site.
16. (a) Excavation or filling, borrow pits, extraction of stone, sand or gravel, stripping of topsoil (but not including stripping of sod) and other major excavations other than for construction of swimming pools and foundations for buildings and other than those approved in connection with a street, subdivision or planned residential development.
(b) Crushing, treating, washing and/or processing of materials resulting from a use permitted in paragraph (a) above when conducted on the same property.
17. Sports area or stadium, commercial athletic field or baseball park.
18. Swimming or tennis club, commercially operated.
19. Reserved.
20. Radio or television broadcasting station or tower more than one hundred twenty-five (125) feet in height, provided construction and safety features are approved by the Administrator in accordance with applicable regulations and provided no hazard is created in an Airport Approach Zone.
21. Churches, rectories, parish houses, convents and monasteries, temples, and synagogues, or the expansion of any existing church, temple, or synagogue by more than fifty (50) percent of its floor area.

22. Agricultural and forestal support center.

23. Antique shop.

2.5 Uses permitted as special exceptions. The following uses may be permitted as special exceptions, if approved by the Board of Supervisors in accordance with the procedures set out in this appendix:

1. Temporary and conditional permits for the following uses:

- (a) Archery ranges.
- (b) Asphalt batching plants or concrete batching plants.
- (c) Commercial dog kennels.
- (d) Miniature golf courses or driving ranges.
- (e) Nonaccessory tents for special purposes.
- (f) Outdoor displays or promotional activities.
- (g) Pony rings.
- (h) Raising for sale of birds, bees, fish, rabbits and other small animals in an Overlay Urban Development District only.
- (i) Rifle or pistol ranges, trap, or skeet shooting.
- (j) Sawmill for cutting timber not grown on the premises.
- (k) Temporary buildings for use as a sales or rental office for an approved real estate development or subdivision.
- (l) A private garage for more than four (4) automobiles.
- (m) Cemetery for pets.
- (n) Convalescent homes, nursing homes, or homes for the aged.
- (o) Day nurseries or child or adult day care centers.
- (p) Frog or fish farms, in an Overlay Urban Development District only.
- (q) Sale of farm products not raised on the premises. Such sale shall be permitted only in conjunction with sales pursuant to section 2.3(1) above and only on a lot no less than ten (10) acres in area.
- (r) Mobile homes for living quarters as follows:
 - (1) accessory to a farm;

- (2) in cases of hardship, as defined in section 2.6B.2(b), below;
 - (3) during the actual construction phase of a residential dwelling unit by the occupant of the mobile home;
 - (4) or during the actual repair when the permanent dwelling of the applicant has been rendered uninhabitable by a fire, natural disaster, or sudden accidental event.
- (s) Equipment storage yards accessory to a business office for construction or service contractors, operated as a home occupation, when located outside of the Overlay Urban Development District, provided:
- i) The maximum number of employees on site shall not exceed ten (10) per establishment.
 - ii) There shall be no more than ten (10) pieces of motor propelled equipment stored per site, related to the designated use.
 - iii) There shall be a minimum lot size of five (5) acres, and no more than two (2) acres shall be devoted to the use permitted pursuant to this section.
 - iv) There shall be no associated structure on site larger than five thousand (5,000) square feet in size.
 - v) When equipment storage is within one hundred (100) feet of a property zoned for residential use, the equipment shall be screened in accordance with the standards specified in Article 7, Section 2A.
 - vi) Applications shall be accompanied by a sketch plan prepared in accordance with the standards specified in Article 7, Section 7.2.
- (t) Home occupations in an accessory building, home craft shops, or retail sales businesses conducted as a home occupation.
- (u) Sale of Christmas trees not raised on the premises.
- (v) Auction sales, on a lot no less than ten (10) acres in area, located outside of the Overlay Urban Development District, with no more than four (4) such sales in any calendar year.
- (w) Open or enclosed space for the storage of one (1) commercial vehicle with greater than one (1) ton capacity on property located outside of the Overlay Urban Development District and outside of an approved subdivision, subject to the following standards:

- i) the Tax Parcel on which the vehicle is stored shall be a minimum of two (2) acres in area and shall have public road frontage;
 - ii) if the vehicle is stored in an open space, the space shall be located at least one hundred feet (100') from any property zoned for residential use or shall be screened in accordance with the standards specified in Article 7, Section 2A; and
 - iii) a sketch plan shall be submitted for review at the time of application, in accordance with the standards specified in Article 7, Section 7.2.
- (x) Bed and breakfast, in accordance with the specific standards and requirements of Article 7, Section 8.9.

2.6 Temporary mobile home use. Mobile homes may be used for a period of six (6) months from the date of an event rendering a dwelling uninhabitable, in the event of destruction of the dwelling or damage to the dwelling which renders the dwelling uninhabitable, provided that a permit for such use is obtained from the Zoning Administrator.

1. The Zoning Administrator shall have the authority to issue permits for such use if the applicant meets the following requirements:
 - (a) An application shall be filed in the Planning Office on a form provided by the Zoning Administrator. The application shall include a verified statement that use of the mobile home is necessary because of damage or destruction to a dwelling on the site where the mobile home will be located and that the mobile home will be used only as a dwelling for the residents of the original dwelling. The application shall also document the nature and date of the event causing the damage or destruction.
 - (b) The site must comply with all requirements of the Hanover County Code, including the Zoning Ordinance and Subdivision Ordinance.
2. The permit shall be valid for a period of six (6) months from the date of the event causing the damage or destruction.
3. The site shall remain in compliance with all requirements of the Hanover County Code, including the Zoning Ordinance and Subdivision Ordinance, during the term of the permit. The permit shall be void upon failure of the applicant to maintain compliance with all requirements.
4. Prior to the expiration date or the voiding of any permit the mobile home shall be removed from the site by the owner or applicant.

2.7 Standards for Special Exceptions for mobile homes as temporary living quarters.

1. For any request to use a mobile home as temporary living quarters during the actual construction phase of a residential dwelling unit by the occupant of the mobile home, or during the actual repair when the permanent dwelling of the applicant has been rendered uninhabitable by a fire, other natural disaster, or sudden accidental event, the following standards shall apply:
 - a. The time period for the initial Special Exception shall not exceed one (1) year from the date of approval. The total time period, including extensions, for the temporary use of the mobile home shall not exceed three (3) years from the date of approval of the Special Exception by the Board of Supervisors, except when permitted by the Board of Supervisors upon demonstration by the applicant of extenuating circumstances. When an extension is denied, or upon expiration of the Special Exception, the applicant shall remove the mobile home from the site within sixty (60) days of the date of denial or expiration.
 - b. When such a Special Exception is granted, improvements shall be completed in accordance with the following schedule:
 - 1) Year One (1): At a minimum, mobile home placement, well installation, septic tank installation, and provision of access shall be completed.
 - 2) Year Two (2): At a minimum, the Building Permit for the permanent dwelling shall be obtained, construction of the footing and the foundation completed, and the dwelling framed and protected from weather.
 - 3) Year Three (3): At a minimum, finish work shall be completed, a Certificate of Occupancy obtained, and the mobile home removed from the site within sixty (60) days of issuance of the Certificate of Occupancy.
 - c. Requests for extensions for completion during the three (3) year period following the date of original approval of the Special Exception by the Board of Supervisors may be granted by the Board of Supervisors upon demonstration by the applicant of continuing compliance with the schedule for completion as set forth in Section 2.6B-1(b) above, provided that the application for extension is filed prior to expiration of the Special Exception.
2. For any request to use a mobile home as temporary living quarters in the case of a hardship, the following standards shall apply:
 - a. The time period for the initial Special Exception shall not exceed two (2) years from the date of original approval of the Special Exception by the Board of Supervisors.

Extensions may be granted in two (2) year increments for the duration of the hardship, in accordance with the procedures and standards specified below.

- b. "Hardship" shall be defined as being when, for health reasons verified by a medical practitioner, licensed by the State of Virginia, through provision of a signed certificate specifying same, a person requires continuous care by another, and both persons will reside on the same or adjoining Tax Map Parcels.
 - c. Extensions may be granted pursuant to the following procedures:
 - 1) The application for a Special Exception shall not be accepted unless a signed certificate, as described above, verifying the need for living assistance due to age or medical reasons, accompanies the application.
 - 2) Extensions for continued use of the mobile home may be granted upon review and approval by the Board of Supervisors of an application, accompanied by confirmation of the continuation of the hardship, filed prior to the two (2) year anniversary date of original approval of the Special Exception or of any subsequent extension.
 - 3) When an extension is denied, or upon expiration of a Special Exception, the applicant shall remove the mobile home from the site within sixty (60) days of the date of denial or expiration.
 - d. The Special Exception shall be issued to specific individual(s) only, and only for the duration of the verified hardship.
 - e. The mobile home may be occupied by either the person(s) needing care or the person(s) providing care. However, upon cessation of the hardship, the mobile home shall be removed from the site within sixty (60) days regardless of whether it is occupied by the person(s) needing care or providing care.
3. Consideration by the Board of Supervisors of a Special Exception request for placement of a mobile home for use as living quarters as specified herein shall include the potential for adverse impact of the use on the surrounding properties.

2.8 Minimum and maximum area for application; density. The minimum parcel size for consideration of AR-6, Agricultural Residential District zoning shall be four (4) acres. The maximum parcel size for consideration of AR-6 zoning shall be 24.99 acres. The zoning request shall apply to the subject parcel in its entirety. For purposes of this section, the term "parcel" shall mean a unit of land created in accordance with all

applicable regulations. Permissible density shall be calculated as follows:

- (1) For parcels four (4) to thirteen and 99/100 (13.99) acres in area: two (2) lots, with a minimum lot size of two (2) acres
- (2) For parcels fourteen (14) to twenty-four and 99/100 (24.99) acres in area: three (3) lots, with a minimum lot size of two (2) acres

Fractions resulting from the calculation shall be rounded down to the next whole number.

2.9 Subdivision lots prohibited. No lot less than ~~twenty (20)~~ **twenty-four and 99/100 (24.99)** acres in area which is part of a recorded subdivision shall be eligible for consideration for AR-6, Agricultural Residential District zoning.

2.10 Lot size requirements.

	<u>Minimum, Acres</u>	<u>Minimum, Feet</u>	
	<u>Lot Area</u>	<u>Lot Width</u>	<u>Lot Depth</u>
1. Single-family dwelling on the following proposed rights-of-way:	2 acres (except as provided above)		
(a) 160 ft. rights-of-way		450	200
(b) 80 ft. rights-of-way		400	200
(c) 60 ft. rights-of-way		275	200
(d) 50 ft. rights-of-way		250	200
2. Churches, rectories, parish houses, convents and monasteries, temples and synagogues	1 acre	200	200
3. Animal hospital, larger animals	10 acres	300	300
4. Animal hospital, small animals, open pens or kennels	5 acres	300	300
5. Recreation uses clubs, campgrounds	5 acres	200	200
6. Stable, commercial	5 acres	200	200
7. Stable, private	2 acres	200	200
8. Frog or fish farms, or the raising for sale of small animals	5 acres	200	200
9. Medical office	2 acres	300	200

Lot width is measured at the front lot line for any lot located along any public road except those public roads created through the subdivision process; for lots located along a private road or a public road created through the subdivision of a parcel, lot width is measured at a point within the front half of the total depth of the lot. When access to a lot exempt from subdivision requirements is provided by use of a right-of-way with a width of fifty (50) feet or less, the lot shall meet the minimum width requirements for any lot which has frontage on a fifty (50) foot right-of-way.

Minimum frontage for development on private roads or any other road created through subdivision is twenty (20) feet; frontage on any other public road shall be the minimum required lot width.

Proposed rights-of-way are those designated by the Major Thoroughfare Plan.

2.11 Yard requirements.

		<u>Minimum in Feet</u>			
		<u>Front Yard</u>	<u>Side Yard, Minimum</u>	<u>Side Yard, Aggregate</u>	<u>Rear Yard</u>
1.	Single-family dwelling on the following proposed rights-of-way:				
	(a) 160 ft. rights-of-way	125	25	50	40
	(b) 80 ft. rights-of-way	100	25	50	40
	(c) 60 ft. rights-of-way	70	25	50	40
	(d) 50 ft. rights-of-way	60	25	50	30

Proposed rights-of-way are those designated by the Major Thoroughfare Plan.

2. Other structures same or as required in district regulations.

2.12 Height requirements. Single-family dwellings and all other structures not specifically exempted in article 7: Maximum height 2-2½ stories, but not to exceed 35 feet.

2.13 Off-street parking and loading requirements. Off-street parking and loading requirements are contained in article 7.

2. That the Hanover County Code, Appendix, Title I: Zoning Ordinance,

Article 2, Sections 2A, AR-1, Agricultural Residential District, and hereby repealed.
 2B, AR-2, Agricultural Residential District, shall be and hereby repealed.

3. That all AR-1 and AR-2 districts approved by ordinance adopted by the Hanover County Board of Supervisors prior to the date of adoption of this ordinance shall continue in effect and be subject to the ordinance provisions of the AR-1 and AR-2 districts in effect on the date of adoption of this ordinance. Copies of the district provisions shall be on file in the Hanover County Planning Office for reference.

4. This Ordinance shall be effective upon adoption.

Public Hearing: _____

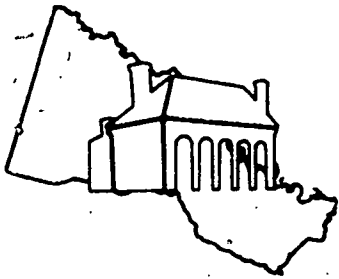
Mr. STANLEY:	Aye	[[	May	[[	Absent	[[	Absent	[[
Mr. GORDON:	Aye	[[	May	[[	Absent	[[	Absent	[[
Mr. ERNST:	Aye	[[	May	[[	Absent	[[	Absent	[[
Mr. GILES:	Aye	[[	May	[[	Absent	[[	Absent	[[
Mr. KLOTS:	Aye	[[	May	[[	Absent	[[	Absent	[[
Mr. WADE:	Aye	[[	May	[[	Absent	[[	Absent	[[
Mr. WARD:	Aye	[[	May	[[	Absent	[[	Absent	[[

Adopted: _____

Richard R. Johnson, Clerk
 Hanover County Board of Supervisors

Final copy reviewed by: _____

Planning Department: _____

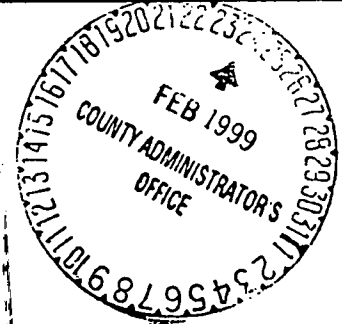
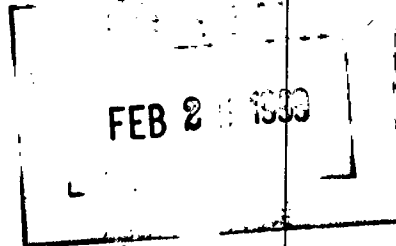


HANOVER ASSOCIATION OF BUSINESSES

File -
and 99-3 Mike

February 22, 1999

Mr. Richard Johnson
Hanover County Board of Supervisors
P.O. Box 470
Hanover, VA 23069



Re: AR-1, AR-2 & AR-6
Agricultural Residential Zoning District

Dear Richard:

On October 9, 1996, you made a covenant with the A-1 Agriculture District property owners in Hanover County. You agreed they would not lose their right to divide their land into a density of four lots per every 25 acres. You said you needed to provide that the rural divisions of land paid their way, through cash proffers, just as the urban service area subdivisions pay their way, through your cash proffer policy. You also promised that you would find a way to preserve large areas of rural farm and forest land through the development of a viable Rural Cluster Ordinance.

At that point in time, rural property owners believed we had gotten beyond the belief that the way to preserve rural character was to simply increase the lot size. However, once it was all said and done, they and we realized that the new proposals, as drafted and approved, would do nothing but drive housing into the rural areas, drive down land values, and force each and every homeowner, to purchase 10 acres as a home site. We all knew the new proposals would do nothing to preserve any farm or forest land. Larger lot sizes simply devour open space for no good reason, and the approved Rural Cluster District set standards (against the advice of the County's own experts) that physically and economically would not work and therefor the district is not being utilized, as intended to preserve rural character.

Now, we ask, where is the problem? The AR-1, AR-2, AR-6, and the RCD (if improved so that there were incentives) have all accomplished their intended

purpose. There are fewer and fewer large acreage subdivisions, even in this exceptionally good market, coming on line. The market has nearly absorbed the inventory of available large acreage lots created before October 9, 1996, and now is the time to allow the existing AR districts to function as intended to collect cash proffers, set development standards, and thru an improve RCD preserve rural character.

Before you eliminate the only districts you have to enable the collection of cash proffers in the rural areas, remember the covenant you made with the rural property owners on October 9, 1996; and consider that your current proposals in the residential districts, if approved, are likely to drive development into the rural A-1 Agriculture district.

We earnestly believe that these proposals are ill advised from all perspectives. You will lose cash proffers, you will lose development standards, you will not foster the preservation of farm and forest land, you will drive development from the suburban areas to the rural areas, and most importantly you break a trust you gave to the property owners in the A-1 Agriculture district. Hanover.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dan Williams".

President
Hanover Association of Businesses

BOARD OF SUPERVISORS

JOHN E. GORDON, JR., CHAIRMAN
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ELTON J. WADE, SR., VICE-CHAIRMAN
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BEAVERDAM DISTRICT

J. T. "JACK" WARD
MECHANICSVILLE DISTRICT



HANOVER COUNTY

P. O. Box 470
HANOVER, VIRGINIA 23069-0470

WEB SITE WWW.CO.HANOVER.VA.US

MEMORANDUM

RICHARD R. JOHNSON
COUNTY ADMINISTRATOR

CECIL R. HARRIS, JR.
DEPUTY COUNTY
ADMINISTRATOR

JOHN H. HODGES
DEPUTY COUNTY ADMINISTRATOR

STERLING E. RIVES, III
COUNTY ATTORNEY

PLANNING OFFICE
PHONE 804-365-6171
FAX 804-365-6232

To: Hanover County Planning Commission

From: Michael E. Crescenzo, Director of Planning *ME*

Subject: Ordinance 99-03: Revisions to the AR-6, Agricultural Residential District and Repeal of the AR-1 and AR-2, Agricultural Residential Districts

Date: February 18, 1999

This ordinance amendment is requested to revise the application of AR-6 zoning, to limit its use to parcels of 24.99 acres or smaller. AR-6 zoning would be eliminated from application to any parcel of 25 acres or more. In addition, in response to the language incorporated into the latest update of the County's Comprehensive Plan, the ordinance would repeal AR-1 and AR-2 zoning from the Zoning Ordinance.

BACKGROUND

In September, 1998, the Board adopted the latest Comprehensive Plan update. At that time, the Board also directed the staff to provide ideas on the implementation of the growth strategies incorporated in the plan. In October, the staff presented what are referred to as the Growth Management Ordinances. The Commission has held several workshops on these ordinances, including the Corridor Overlay district, the "suburban cluster" ordinances, and the rural development ordinances. The ordinance which is the subject of this public hearing, the rural development ordinance, addresses the issue of retention of rural character and residential development outside of the suburban service area.

ANALYSIS

The issue of elimination of the AR districts (AR-1 and -2 in their entirety; AR-6 for application on lots of 25 acres or greater) has been discussed in a workshop before the Commission in January. At that time, the staff pointed out that the new RC district provides the same density for property owners as the AR-6 district, but does so in a way which helps to protect agriculture and open space while preserving the rural character of Hanover County. It also allows for the same density without having to

Hanover County Planning Commission
Page Two
February 18, 1999

essentially eliminate the property by subdividing all of the land into lots. The AR-1 and AR-2 districts are becoming less and less useful, since application of these districts is dependent on 1) a favorable LESA evaluation and 2) appropriate context. Two recent requests were denied by the Board because the application of such zoning in the surrounding area was inappropriate, even though one of the applications had a favorable LESA evaluation (which only provides a basis to consider the rezoning request; it doesn't mandate the rezoning). By limiting to two the districts which would be appropriate for use outside of the suburban service area, residential growth in the rural areas can be better controlled and the character better protected.

RECOMMENDATION

Based on the foregoing discussion, the staff recommends **APPROVAL** of the draft amendment as attached. This draft would revise the language of the AR-6 district to limit its application to parcels of 24.99 acres or smaller. It would also eliminate the AR-1 and AR-2 districts from the Zoning Ordinance. Both of these actions are seen as steps to address the issue of rural development and residential growth within the agricultural areas of the County. An ordinance with the appropriate text is attached.

attachments

O R D I N A N C E . 9 9 - 0 3
February 25, 1999

AN ORDINANCE TO AMEND THE HANOVER COUNTY CODE, APPENDIX, ZONING ORDINANCE, TO PROVIDE FOR REVISIONS TO THE AR-6, AGRICULTURAL RESIDENTIAL DISTRICT, TO ELIMINATE ITS APPLICATION ON PARCELS TWENTY-FIVE (25) ACRES OR GREATER IN AREA, AND TO REPEAL THE AR-1 AND AR-2 AGRICULTURAL RESIDENTIAL DISTRICTS.

BE IT ORDAINED BY THE HANOVER COUNTY BOARD OF SUPERVISORS:

1. That the Hanover County Code, Appendix, Title I: Zoning Ordinance, Article 5, Section 2, Agricultural Residential District, shall be amended to read in its entirety as follows:

ARTICLE 5. DISTRICT REGULATIONS

Section 2. AR-6, Agricultural Residential District.

2.1 Purpose of the district. The purpose of this district is to provide for spacious residential development for those who choose this environment; to provide for a full range of agricultural activities; and to protect agricultural land, as one of the county's most valuable natural resources, from the effect of objectionable, hazardous, and unsightly uses. The district is also intended to provide for protection of watersheds, water resources, forest areas, and scenic values.

2.2 Permitted uses. A building or land shall be used only for the following purposes:

1. Detached single-family dwellings.
2. Agriculture, including horticultural, chemical, or general farming, truck gardens, cultivation of field crops, orchards, groves, or nurseries for growing or propagation of plants, trees, and shrubs, including temporary sawmills for cutting trees grown on the premises and use of heavy cultivating machinery, spray planes, or irrigating machinery, dairy farming, keeping or raising for sale of large or small animals, reptiles, fish, birds, or poultry, and including structures for processing and sale of products raised on the premises; provided:
 - (a) Any sawmill, grain drier, commercial feed lot or hog raising operation shall be located at least two hundred fifty (250) feet from any dwelling not located on the premises.
 - (b) Structures for commercial poultry raising shall be located at least two hundred (200) feet from any dwelling not located on the premises and at least one hundred (100) feet from any street or road.

(c) Commercial slaughtering and processing of large animals, such as horses, cows, pigs, sheep, or goats shall not be conducted on the premises.

3. Reserved.
4. Dog kennels, noncommercial; provided any open pens, runs, cages or kennels or any place for keeping more than five (5) adult dogs shall be located at least two hundred (200) feet from any side or rear lot lines.
5. Golf courses, not lighted for night play and not including miniature golf courses, putting greens, driving ranges, and similar activities operated as a business, but including a building for a golf shop, locker room, and snack bar as an accessory use to a permitted golf course, providing no such building is located closer than one hundred (100) feet from adjoining property lines. Practice greens and tees may accompany a standard nine (9) hole or eighteen (18) hole golf course occupying at least seventy-five (75) acres.
6. Facilities and structures necessary for rendering utility service, including poles, wires, transformers, telephone booths, and the like for normal electrical power distribution or communication service, and pipelines or conduits for electrical, gas, sewer, or water service, but not including buildings, treatment plants, pumping or regulator stations, substations and power transmission lines which are permitted as conditional uses.
7. Grain storage structures.
8. Greenhouse, commercial.
9. Hospital or clinic for large or small animals; provided that all buildings, structures, pens, or open kennels shall be located at least two hundred (200) feet from any lot line.
10. Hospital or clinic for small animals (dogs, cats, birds, and the like); provided such hospital or clinic and any treatment rooms, cages, pens, or kennels be maintained within a completely enclosed, soundproof building, and that such hospital or clinic be operated in such a way as to produce no objectionable odors outside its walls.
11. Military bases and appurtenances and parks operated by the United States Government or agencies of the Commonwealth of Virginia.
12. Public and private forests, wildlife reservations, similar conservation projects.
13. Railroad rights-of-way, including a strip of land with tracks and auxiliary facilities for track operations, but not including passenger stations, freight terminals, switching and classification yards, repair shops, round houses, power houses,

interlocking towers, and fueling, sanding and watering stations.

14. Recreational uses such as tennis courts, swimming pools, and other similar activities operated exclusively for the use of private membership and not for commercial purposes; provided that no such use, structure, or accessory use is located closer than fifty (50) feet to any adjoining property line.
15. Stable, public or commercial; provided that any building for keeping of animals shall be located at least two hundred (200) feet from any side or rear lot lines, and that there shall be housed on the premises no more than one horse or pony for each acre of land.
16. Stable, private, or keeping of horses, ponies or other livestock for personal enjoyment and not as a business; provided that any building for keeping of animals shall be located at least one hundred (100) feet from any side or rear lot lines and that there shall be housed or kept on the premises no more than one horse or pony for each acre of land.
17. Raising for sale of birds, bees, fish, rabbits, and other small animals, provided any use shall be located at least two hundred (200) feet from any side or rear lot lines.
18. Frog or fish farms, provided any use shall be located at least two hundred (200) feet from any side or rear lot lines.
19. Medical office, limited to two (2) doctors and their staffs (no more than two (2) staff members per doctor).

2.3 Permitted accessory uses.

1. 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.
2. Domestic storage in main building or in accessory building.
3. Garage, private.
4. Guest houses.
5. Home occupations in a main building.

6. Keeping of small animals, insects, reptiles, fish, or birds, but only for personal enjoyment or household use and not for a business, as an accessory to a nonfarm dwelling on a lot of not less than two (2) acres.
7. Servants' quarters.
8. Storage of a boat trailer or camp trailer or a boat, but not in front yard.
9. Swimming pool and game courts, lighted or unlighted, for use of occupants or their guests.
10. Signs as regulated in article 7, section 3.
11. Temporary buildings, the uses of which are incidental to construction operation during development being conducted on the same or adjoining tract or subdivision and which shall be removed upon completion or abandonment of such construction, or upon the expiration of a period of two (2) years of the time of erection of such temporary buildings, whichever is sooner.
12. Accessory off-street parking and loading spaces. Open or enclosed space for parking one commercial vehicle of not more than one ton capacity and used by the occupant of a dwelling shall be permitted as accessory.
13. The location of office or construction trailers for a period not to exceed one year.
14. Noncommercial fuel alcohol distillery.
15. Foster care and adult family care.

2.4 Conditional Uses. The following uses may be permitted as conditional uses if approved by the Board of Supervisors in accordance with the procedures set out in this appendix:

1. Airports and landing fields, provided they shall comply with the recommendations of the Federal Aviation Agency.
2. Camps, day or boarding, private or commercial.
3. Cemetery, including a crematorium.
4. Circus or carnival grounds, amusement park, zoo or midway, permanent or temporary for a specified time period.
5. Exposition center or fairground.
6. Heliport or helistop.
7. Hospitals and sanitariums.

8. Institutions, educational or philanthropic, including museums, art galleries and libraries.
9. Livestock auction market.
10. Private clubs.
11. Public or governmental buildings and uses, including schools, fire stations (volunteer or otherwise), parks, parkways, and playgrounds; and public boat landings.
12. Public utilities or public service uses, buildings, generating or treatment plants, pumping or regulator stations, substations and transmission lines.
13. Race track, any type, including horses, stock cars, or drag strip.
14. Recreation facility, commercially operated, such as fishing or boating lake, camp ground, picnic grounds, or dude ranch, and accessory facilities, including sale of food, beverages, bait, supplies and equipment.
15. Sanitary landfill or trash collection site.
16. (a) Excavation or filling, borrow pits, extraction of stone, sand or gravel, stripping of topsoil (but not including stripping of sod) and other major excavations other than for construction of swimming pools and foundations for buildings and other than those approved in connection with a street, subdivision or planned residential development.

(b) Crushing, treating, washing and/or processing of materials resulting from a use permitted in paragraph (a) above when conducted on the same property.
17. Sports area or stadium, commercial athletic field or baseball park.
18. Swimming or tennis club, commercially operated.
19. Reserved.
20. Radio or television broadcasting station or tower more than one hundred twenty-five (125) feet in height, provided construction and safety features are approved by the Administrator in accordance with applicable regulations and provided no hazard is created in an Airport Approach Zone.
21. Churches, rectories, parish houses, convents and monasteries, temples, and synagogues, or the expansion of any existing church, temple, or synagogue by more than fifty (50) percent of its floor area.

22. Agricultural and forestal support center.

23. Antique shop.

2.5 Uses permitted as special exceptions. The following uses may be permitted as special exceptions, if approved by the Board of Supervisors in accordance with the procedures set out in this appendix:

1. Temporary and conditional permits for the following uses:

- (a) Archery ranges.
- (b) Asphalt batching plants or concrete batching plants.
- (c) Commercial dog kennels.
- (d) Miniature golf courses or driving ranges.
- (e) Nonaccessory tents for special purposes.
- (f) Outdoor displays or promotional activities.
- (g) Pony rings.
- (h) Raising for sale of birds, bees, fish, rabbits and other small animals in an Overlay Urban Development District only.
- (i) Rifle or pistol ranges, trap, or skeet shooting.
- (j) Sawmill for cutting timber not grown on the premises.
- (k) Temporary buildings for use as a sales or rental office for an approved real estate development or subdivision.
- (l) A private garage for more than four (4) automobiles.
- (m) Cemetery for pets.
- (n) Convalescent homes, nursing homes, or homes for the aged.
- (o) Day nurseries or child or adult day care centers.
- (p) Frog or fish farms, in an Overlay Urban Development District only.
- (q) Sale of farm products not raised on the premises. Such sale shall be permitted only in conjunction with sales pursuant to section 2.3(1) above and only on a lot no less than ten (10) acres in area.
- (r) Mobile homes for living quarters as follows:
 - (1) accessory to a farm;

- (2) in cases of hardship, as defined in section 2.6B.2(b), below;
 - (3) during the actual construction phase of a residential dwelling unit by the occupant of the mobile home;
 - (4) or during the actual repair when the permanent dwelling of the applicant has been rendered uninhabitable by a fire, natural disaster, or sudden accidental event.
- (s) Equipment storage yards accessory to a business office for construction or service contractors, operated as a home occupation, when located outside of the Overlay Urban Development District, provided:
- i) The maximum number of employees on site shall not exceed ten (10) per establishment.
 - ii) There shall be no more than ten (10) pieces of motor propelled equipment stored per site, related to the designated use.
 - iii) There shall be a minimum lot size of five (5) acres, and no more than two (2) acres shall be devoted to the use permitted pursuant to this section.
 - iv) There shall be no associated structure on site larger than five thousand (5,000) square feet in size.
 - v) When equipment storage is within one hundred (100) feet of a property zoned for residential use, the equipment shall be screened in accordance with the standards specified in Article 7, Section 2A.
 - vi) Applications shall be accompanied by a sketch plan prepared in accordance with the standards specified in Article 7, Section 7.2.
- (t) Home occupations in an accessory building, home craft shops, or retail sales businesses conducted as a home occupation.
- (u) Sale of Christmas trees not raised on the premises.
- (v) Auction sales, on a lot no less than ten (10) acres in area, located outside of the Overlay Urban Development District, with no more than four (4) such sales in any calendar year.
- (w) Open or enclosed space for the storage of one (1) commercial vehicle with greater than one (1) ton capacity on property located outside of the Overlay Urban Development District and outside of an approved subdivision, subject to the following standards:

- i) the Tax Parcel on which the vehicle is stored shall be a minimum of two (2) acres in area and shall have public road frontage;
 - ii) if the vehicle is stored in an open space, the space shall be located at least one hundred feet (100') from any property zoned for residential use or shall be screened in accordance with the standards specified in Article 7, Section 2A; and
 - iii) a sketch plan shall be submitted for review at the time of application, in accordance with the standards specified in Article 7, Section 7.2.
- (x) Bed and breakfast, in accordance with the specific standards and requirements of Article 7, Section 8.9.

2.6 Temporary mobile home use. Mobile homes may be used for a period of six (6) months from the date of an event rendering a dwelling uninhabitable, in the event of destruction of the dwelling or damage to the dwelling which renders the dwelling uninhabitable, provided that a permit for such use is obtained from the Zoning Administrator.

1. The Zoning Administrator shall have the authority to issue permits for such use if the applicant meets the following requirements:
 - (a) An application shall be filed in the Planning Office on a form provided by the Zoning Administrator. The application shall include a verified statement that use of the mobile home is necessary because of damage or destruction to a dwelling on the site where the mobile home will be located and that the mobile home will be used only as a dwelling for the residents of the original dwelling. The application shall also document the nature and date of the event causing the damage or destruction.
 - (b) The site must comply with all requirements of the Hanover County Code, including the Zoning Ordinance and Subdivision Ordinance.
2. The permit shall be valid for a period of six (6) months from the date of the event causing the damage or destruction.
3. The site shall remain in compliance with all requirements of the Hanover County Code, including the Zoning Ordinance and Subdivision Ordinance, during the term of the permit. The permit shall be void upon failure of the applicant to maintain compliance with all requirements.
4. Prior to the expiration date or the voiding of any permit the mobile home shall be removed from the site by the owner or applicant.

2.7 Standards for Special Exceptions for mobile homes as temporary living quarters.

1. For any request to use a mobile home as temporary living quarters during the actual construction phase of a residential dwelling unit by the occupant of the mobile home, or during the actual repair when the permanent dwelling of the applicant has been rendered uninhabitable by a fire, other natural disaster, or sudden accidental event, the following standards shall apply:
 - a. The time period for the initial Special Exception shall not exceed one (1) year from the date of approval. The total time period, including extensions, for the temporary use of the mobile home shall not exceed three (3) years from the date of approval of the Special Exception by the Board of Supervisors, except when permitted by the Board of Supervisors upon demonstration by the applicant of extenuating circumstances. When an extension is denied, or upon expiration of the Special Exception, the applicant shall remove the mobile home from the site within sixty (60) days of the date of denial or expiration.
 - b. When such a Special Exception is granted, improvements shall be completed in accordance with the following schedule:
 - 1) Year One (1): At a minimum, mobile home placement, well installation, septic tank installation, and provision of access shall be completed.
 - 2) Year Two (2): At a minimum, the Building Permit for the permanent dwelling shall be obtained, construction of the footing and the foundation completed, and the dwelling framed and protected from weather.
 - 3) Year Three (3): At a minimum, finish work shall be completed, a Certificate of Occupancy obtained, and the mobile home removed from the site within sixty (60) days of issuance of the Certificate of Occupancy.
 - c. Requests for extensions for completion during the three (3) year period following the date of original approval of the Special Exception by the Board of Supervisors may be granted by the Board of Supervisors upon demonstration by the applicant of continuing compliance with the schedule for completion as set forth in Section 2.6B-1(b) above, provided that the application for extension is filed prior to expiration of the Special Exception.
2. For any request to use a mobile home as temporary living quarters in the case of a hardship, the following standards shall apply:
 - a. The time period for the initial Special Exception shall not exceed two (2) years from the date of original approval of the Special Exception by the Board of Supervisors.

Extensions may be granted in two (2) year increments for the duration of the hardship, in accordance with the procedures and standards specified below.

- b. "Hardship" shall be defined as being when, for health reasons verified by a medical practitioner, licensed by the State of Virginia, through provision of a signed certificate specifying same, a person requires continuous care by another, and both persons will reside on the same or adjoining Tax Map Parcels.
 - c. Extensions may be granted pursuant to the following procedures:
 - 1) The application for a Special Exception shall not be accepted unless a signed certificate, as described above, verifying the need for living assistance due to age or medical reasons, accompanies the application.
 - 2) Extensions for continued use of the mobile home may be granted upon review and approval by the Board of Supervisors of an application, accompanied by confirmation of the continuation of the hardship, filed prior to the two (2) year anniversary date of original approval of the Special Exception or of any subsequent extension.
 - 3) When an extension is denied, or upon expiration of a Special Exception, the applicant shall remove the mobile home from the site within sixty (60) days of the date of denial or expiration.
 - d. The Special Exception shall be issued to specific individual(s) only, and only for the duration of the verified hardship.
 - e. The mobile home may be occupied by either the person(s) needing care or the person(s) providing care. However, upon cessation of the hardship, the mobile home shall be removed from the site within sixty (60) days regardless of whether it is occupied by the person(s) needing care or providing care.
3. Consideration by the Board of Supervisors of a Special Exception request for placement of a mobile home for use as living quarters as specified herein shall include the potential for adverse impact of the use on the surrounding properties.

2.8 Minimum and maximum area for application; density. The minimum parcel size for consideration of AR-6, Agricultural Residential District zoning shall be four (4) acres. The maximum parcel size for consideration of AR-6 zoning shall be 24.99 acres. The zoning request shall apply to the subject parcel in its entirety. Permissible density shall be calculated as follows:

- (1) For parcels four (4) to thirteen and 99/100 (13.99) acres in area: two (2) lots, with a minimum lot size of two (2) acres
- (2) For parcels fourteen (14) to twenty-four and 99/100 (24.99) acres in area: three (3) lots, with a minimum lot size of two (2) acres

Fractions resulting from the calculation shall be rounded down to the next whole number.

2.9 Subdivision lots prohibited. No lot less than twenty (20) acres in area which is part of a recorded subdivision shall be eligible for consideration for AR-6, Agricultural Residential District zoning.

2.10 Lot size requirements.

	<u>Minimum, Acres</u>	<u>Minimum, Feet</u>	
	<u>Lot Area</u>	<u>Lot Width</u>	<u>Lot Depth</u>
1. Single-family dwelling on the following proposed rights-of-way:	2 acres (except as provided above)		
(a) 160 ft. rights-of-way		450	200
(b) 80 ft. rights-of-way		400	200
(c) 60 ft. rights-of-way		275	200
(d) 50 ft. rights-of-way		250	200
2. Churches, rectories, parish houses, convents and monasteries, temples and synagogues	1 acre	200	200
3. Animal hospital, larger animals	10 acres	300	300
4. Animal hospital, small animals, open pens or kennels	5 acres	300	300
5. Recreation uses clubs, campgrounds	5 acres	200	200
6. Stable, commercial	5 acres	200	200
7. Stable, private	2 acres	200	200
8. Frog or fish farms, or the raising for sale of small animals	5 acres	200	200
9. Medical office	2 acres	300	200

Lot width is measured at the front lot line for any lot located along any public road except those public roads created through the subdivision process; for lots located along a private road or a public road created through the subdivision of a parcel, lot width is measured at a point

within the front half of the total depth of the lot. When access to a lot exempt from subdivision requirements is provided by use of a right-of-way with a width of fifty (50) feet or less, the lot shall meet the minimum width requirements for any lot which has frontage on a fifty (50) foot right-of-way.

Minimum frontage for development on private roads or any other road created through subdivision is twenty (20) feet; frontage on any other public road shall be the minimum required lot width.

Proposed rights-of-way are those designated by the Major Thoroughfare Plan.

2.11 Yard requirements.

<u>Minimum in Feet</u>				
	<u>Front Yard</u>	<u>Side Yard, Minimum</u>	<u>Side Yard, Aggregate</u>	<u>Rear Yard</u>
1. Single-family dwelling on the following proposed rights-of-way:				
(a) 160 ft. rights-of-way	125	25	50	40
(b) 80 ft. rights-of-way	100	25	50	40
(c) 60 ft. rights-of-way	70	25	50	40
(d) 50 ft. rights-of-way	60	25	50	30

Proposed rights-of-way are those designated by the Major Thoroughfare Plan.

2. Other structures same or as required in district regulations.

2.12 Height requirements. Single-family dwellings and all other structures not specifically exempted in article 7: Maximum height 2-2½ stories, but not to exceed 35 feet.

2.13 Off-street parking and loading requirements. Off-street parking and loading requirements are contained in article 7.

2. That the Hanover County Code, Appendix, Title I: Zoning Ordinance, Article 5, Sections 2A, AR-1, Agricultural Residential District, and 2B, AR-2, Agricultural Residential District, shall be and are hereby repealed.

3. That all AR-1 and AR-2 districts approved by ordinance adopted by the Hanover County Board of Supervisors prior to [the date of adoption of this ordinance] shall continue in effect and be subject to the ordinance provisions of the AR-1 and AR-2 districts in effect on [the date of adoption of this ordinance]. Copies of the district provisions shall be on file in the Hanover County Planning Office for reference.

4. This Ordinance shall be effective upon adoption.

Public Hearing: _____

Mr. STANLEY:	Aye ☐	Nay ☐	Absent ☐	Abstain ☐
Mr. GORDON:	Aye ☐	Nay ☐	Absent ☐	Abstain ☐
Mr. ERNST:	Aye ☐	Nay ☐	Absent ☐	Abstain ☐
Mr. GILES:	Aye ☐	Nay ☐	Absent ☐	Abstain ☐
Mr. KLOTZ:	Aye ☐	Nay ☐	Absent ☐	Abstain ☐
Mr. WADE:	Aye ☐	Nay ☐	Absent ☐	Abstain ☐
Mr. WARD:	Aye ☐	Nay ☐	Absent ☐	Abstain ☐

Adopted: _____

Richard R. Johnson, Clerk
Hanover County Board of Supervisors

Final copy reviewed by:

- Planning Department: _____
- County Attorney's Office: _____

ORDINANCE 99 - 03

February 10, 1999

AN ORDINANCE TO AMEND THE HANOVER COUNTY CODE, APPENDIX, ZONING ORDINANCE, TO PROVIDE FOR REVISIONS TO THE AR-6, AGRICULTURAL RESIDENTIAL DISTRICT, TO ELIMINATE ITS APPLICATION ON PARCELS TWENTY-FIVE (25) ACRES OR GREATER IN AREA, AND TO REPEAL THE AR-1 AND AR-2 AGRICULTURAL RESIDENTIAL DISTRICTS.

BE IT ORDAINED BY THE HANOVER COUNTY BOARD OF SUPERVISORS:

1. That the Hanover County Code, Appendix, Title I: Zoning Ordinance, Article 5, Section 2, Agricultural Residential District, shall be amended to read in its entirety as follows:

ARTICLE 5. DISTRICT REGULATIONS

Section 2. AR-6, Agricultural Residential District.

2.1 Purpose of the district. The purpose of this district is to provide for spacious residential development for those who choose this environment; to provide for a full range of agricultural activities; and to protect agricultural land, as one of the county's most valuable natural resources, from the effect of objectionable, hazardous, and unsightly uses. The district is also intended to provide for protection of watersheds, water resources, forest areas, and scenic values.

2.2 Permitted uses. A building or land shall be used only for the following purposes:

1. Detached single-family dwellings.
2. Agriculture, including horticultural, chemical, or general farming, truck gardens, cultivation of field crops, orchards, groves, or nurseries for growing or propagation of plants, trees, and shrubs, including temporary sawmills for cutting trees grown on the premises and use of heavy cultivating machinery, spray planes, or irrigating machinery, dairy farming, keeping or raising for sale of large or small animals, reptiles, fish, birds, or poultry, and including structures for processing and sale of products raised on the premises; provided:
 - (a) Any sawmill, grain drier, commercial feed lot or hog raising operation shall be located at least two hundred fifty (250) feet from any dwelling not located on the premises.
 - (b) Structures for commercial poultry raising shall be located at least two hundred (200) feet from any dwelling not located on the premises and at least one hundred (100) feet from any street or road.

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3. Reserved.
4. Dog kennels, noncommercial; provided any open pens, runs, cages or kennels or any place for keeping more than five (5) adult dogs shall be located at least two hundred (200) feet from any side or rear lot lines.
5. Golf courses, not lighted for night play and not including miniature golf courses, putting greens, driving ranges, and similar activities operated as a business, but including a building for a golf shop, locker room, and snack bar as an accessory use to a permitted golf course, providing no such building is located closer than one hundred (100) feet from adjoining property lines. Practice greens and tees may accompany a standard nine (9) hole or eighteen (18) hole golf course occupying at least seventy-five (75) acres.
6. Facilities and structures necessary for rendering utility service, including poles, wires, transformers, telephone booths, and the like for normal electrical power distribution or communication service, and pipelines or conduits for electrical, gas, sewer, or water service, but not including buildings, treatment plants, pumping or regulator stations, substations and power transmission lines which are permitted as conditional uses.
7. Grain storage structures.
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9. Hospital or clinic for large or small animals; provided that all buildings, structures, pens, or open kennels shall be located at least two hundred (200) feet from any lot line.
10. Hospital or clinic for small animals (dogs, cats, birds, and the like); provided such hospital or clinic and any treatment rooms, cages, pens, or kennels be maintained within a completely enclosed, soundproof building, and that such hospital or clinic be operated in such a way as to produce no objectionable odors outside its walls.
11. Military bases and appurtenances and parks operated by the United States Government or agencies of the Commonwealth of Virginia.
12. Public and private forests, wildlife reservations, similar conservation projects.
13. Railroad rights-of-way, including a strip of land with tracks and auxiliary facilities for track operations, but not including passenger stations, freight terminals, switching and classification yards, repair shops, round houses, power houses,

interlocking towers, and fueling, sanding and watering stations.

14. Recreational uses such as tennis courts, swimming pools, and other similar activities operated exclusively for the use of private membership and not for commercial purposes; provided that no such use, structure, or accessory use is located closer than fifty (50) feet to any adjoining property line.
15. Stable, public or commercial; provided that any building for keeping of animals shall be located at least two hundred (200) feet from any side or rear lot lines, and that there shall be housed on the premises no more than one horse or pony for each acre of land.
16. Stable, private, or keeping of horses, ponies or other livestock for personal enjoyment and not as a business; provided that any building for keeping of animals shall be located at least one hundred (100) feet from any side or rear lot lines and that there shall be housed or kept on the premises no more than one horse or pony for each acre of land.
17. Raising for sale of birds, bees, fish, rabbits, and other small animals, provided any use shall be located at least two hundred (200) feet from any side or rear lot lines.
18. Frog or fish farms, provided any use shall be located at least two hundred (200) feet from any side or rear lot lines.
19. Medical office, limited to two (2) doctors and their staffs (no more than two (2) staff members per doctor).

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1. 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.
2. Domestic storage in main building or in accessory building.
3. Garage, private.
4. Guest houses.
5. Home occupations in a main building.

6. Keeping of small animals, insects, reptiles, fish, or birds, but only for personal enjoyment or household use and not for a business, as an accessory to a nonfarm dwelling on a lot of not less than two (2) acres.
7. Servants' quarters.
8. Storage of a boat trailer or camp trailer or a boat, but not in front yard.
9. Swimming pool and game courts, lighted or unlighted, for use of occupants or their guests.
10. Signs as regulated in article 7, section 3.
11. Temporary buildings, the uses of which are incidental to construction operation during development being conducted on the same or adjoining tract or subdivision and which shall be removed upon completion or abandonment of such construction, or upon the expiration of a period of two (2) years of the time of erection of such temporary buildings, whichever is sooner.
12. Accessory off-street parking and loading spaces. Open or enclosed space for parking one commercial vehicle of not more than one ton capacity and used by the occupant of a dwelling shall be permitted as accessory.
13. The location of office or construction trailers for a period not to exceed one year.
14. Noncommercial fuel alcohol distillery.
15. Foster care and adult family care.

2.4 Conditional Uses. The following uses may be permitted as conditional uses if approved by the Board of Supervisors in accordance with the procedures set out in this appendix:

1. Airports and landing fields, provided they shall comply with the recommendations of the Federal Aviation Agency.
2. Camps, day or boarding, private or commercial.
3. Cemetery, including a crematorium.
4. Circus or carnival grounds, amusement park, zoo or midway, permanent or temporary for a specified time period.
5. Exposition center or fairground.
6. Heliport or helistop.
7. Hospitals and sanitariums.

8. Institutions, educational or philanthropic, including museums, art galleries and libraries.
9. Livestock auction market.
10. Private clubs.
11. Public or governmental buildings and uses, including schools, fire stations (volunteer or otherwise), parks, parkways, and playgrounds; and public boat landings.
12. Public utilities or public service uses, buildings, generating or treatment plants, pumping or regulator stations, substations and transmission lines.
13. Race track, any type, including horses, stock cars, or drag strip.
14. Recreation facility, commercially operated, such as fishing or boating lake, camp ground, picnic grounds, or dude ranch, and accessory facilities, including sale of food, beverages, bait, supplies and equipment.
15. Sanitary landfill or trash collection site.
16. (a) Excavation or filling, borrow pits, extraction of stone, sand or gravel, stripping of topsoil (but not including stripping of sod) and other major excavations other than for construction of swimming pools and foundations for buildings and other than those approved in connection with a street, subdivision or planned residential development.

(b) Crushing, treating, washing and/or processing of materials resulting from a use permitted in paragraph (a) above when conducted on the same property.
17. Sports area or stadium, commercial athletic field or baseball park.
18. Swimming or tennis club, commercially operated.
19. Reserved.
20. Radio or television broadcasting station or tower more than one hundred twenty-five (125) feet in height, provided construction and safety features are approved by the Administrator in accordance with applicable regulations and provided no hazard is created in an Airport Approach Zone.
21. Churches, rectories, parish houses, convents and monasteries, temples, and synagogues, or the expansion of any existing church, temple, or synagogue by more than fifty (50) percent of its floor area.

22. Agricultural and forestal support center.

23. Antique shop.

2.5 Uses permitted as special exceptions. The following uses may be permitted as special exceptions, if approved by the Board of Supervisors in accordance with the procedures set out in this appendix:

1. Temporary and conditional permits for the following uses:

- (a) Archery ranges.
- (b) Asphalt batching plants or concrete batching plants.
- (c) Commercial dog kennels.
- (d) Miniature golf courses or driving ranges.
- (e) Nonaccessory tents for special purposes.
- (f) Outdoor displays or promotional activities.
- (g) Pony rings.
- (h) Raising for sale of birds, bees, fish, rabbits and other small animals in an Overlay Urban Development District only.
- (i) Rifle or pistol ranges, trap, or skeet shooting.
- (j) Sawmill for cutting timber not grown on the premises.
- (k) Temporary buildings for use as a sales or rental office for an approved real estate development or subdivision.
- (l) A private garage for more than four (4) automobiles.
- (m) Cemetery for pets.
- (n) Convalescent homes, nursing homes, or homes for the aged.
- (o) Day nurseries or child or adult day care centers.
- (p) Frog or fish farms, in an Overlay Urban Development District only.
- (q) Sale of farm products not raised on the premises. Such sale shall be permitted only in conjunction with sales pursuant to section 2.3(1) above and only on a lot no less than ten (10) acres in area.
- (r) Mobile homes for living quarters as follows:
 - (1) accessory to a farm;

- (2) in cases of hardship, as defined in section 2.6B.2(b), below;
 - (3) during the actual construction phase of a residential dwelling unit by the occupant of the mobile home;
 - (4) or during the actual repair when the permanent dwelling of the applicant has been rendered uninhabitable by a fire, natural disaster, or sudden accidental event.
- (s) Equipment storage yards accessory to a business office for construction or service contractors, operated as a home occupation, when located outside of the Overlay Urban Development District, provided:
- i) The maximum number of employees on site shall not exceed ten (10) per establishment.
 - ii) There shall be no more than ten (10) pieces of motor propelled equipment stored per site, related to the designated use.
 - iii) There shall be a minimum lot size of five (5) acres, and no more than two (2) acres shall be devoted to the use permitted pursuant to this section.
 - iv) There shall be no associated structure on site larger than five thousand (5,000) square feet in size.
 - v) When equipment storage is within one hundred (100) feet of a property zoned for residential use, the equipment shall be screened in accordance with the standards specified in Article 7, Section 2A.
 - vi) Applications shall be accompanied by a sketch plan prepared in accordance with the standards specified in Article 7, Section 7.2.
- (t) Home occupations in an accessory building, home craft shops, or retail sales businesses conducted as a home occupation.
- (u) Sale of Christmas trees not raised on the premises.
- (v) Auction sales, on a lot no less than ten (10) acres in area, located outside of the Overlay Urban Development District, with no more than four (4) such sales in any calendar year.
- (w) Open or enclosed space for the storage of one (1) commercial vehicle with greater than one (1) ton capacity on property located outside of the Overlay Urban Development District and outside of an approved subdivision, subject to the following standards:

- i) the Tax Parcel on which the vehicle is stored shall be a minimum of two (2) acres in area and shall have public road frontage;
 - ii) if the vehicle is stored in an open space, the space shall be located at least one hundred feet (100') from any property zoned for residential use or shall be screened in accordance with the standards specified in Article 7, Section 2A; and
 - iii) a sketch plan shall be submitted for review at the time of application, in accordance with the standards specified in Article 7, Section 7.2.
- (x) Bed and breakfast, in accordance with the specific standards and requirements of Article 7, Section 8.9.

2.6 Temporary mobile home use. Mobile homes may be used for a period of six (6) months from the date of an event rendering a dwelling uninhabitable, in the event of destruction of the dwelling or damage to the dwelling which renders the dwelling uninhabitable, provided that a permit for such use is obtained from the Zoning Administrator.

1. The Zoning Administrator shall have the authority to issue permits for such use if the applicant meets the following requirements:
 - (a) An application shall be filed in the Planning Office on a form provided by the Zoning Administrator. The application shall include a verified statement that use of the mobile home is necessary because of damage or destruction to a dwelling on the site where the mobile home will be located and that the mobile home will be used only as a dwelling for the residents of the original dwelling. The application shall also document the nature and date of the event causing the damage or destruction.
 - (b) The site must comply with all requirements of the Hanover County Code, including the Zoning Ordinance and Subdivision Ordinance.
2. The permit shall be valid for a period of six (6) months from the date of the event causing the damage or destruction.
3. The site shall remain in compliance with all requirements of the Hanover County Code, including the Zoning Ordinance and Subdivision Ordinance, during the term of the permit. The permit shall be void upon failure of the applicant to maintain compliance with all requirements.
4. Prior to the expiration date or the voiding of any permit the mobile home shall be removed from the site by the owner or applicant.

2.7 Standards for Special Exceptions for mobile homes as temporary living quarters.

1. For any request to use a mobile home as temporary living quarters during the actual construction phase of a residential dwelling unit by the occupant of the mobile home, or during the actual repair when the permanent dwelling of the applicant has been rendered uninhabitable by a fire, other natural disaster, or sudden accidental event, the following standards shall apply:
 - a. The time period for the initial Special Exception shall not exceed one (1) year from the date of approval. The total time period, including extensions, for the temporary use of the mobile home shall not exceed three (3) years from the date of approval of the Special Exception by the Board of Supervisors, except when permitted by the Board of Supervisors upon demonstration by the applicant of extenuating circumstances. When an extension is denied, or upon expiration of the Special Exception, the applicant shall remove the mobile home from the site within sixty (60) days of the date of denial or expiration.
 - b. When such a Special Exception is granted, improvements shall be completed in accordance with the following schedule:
 - 1) Year One (1): At a minimum, mobile home placement, well installation, septic tank installation, and provision of access shall be completed.
 - 2) Year Two (2): At a minimum, the Building Permit for the permanent dwelling shall be obtained, construction of the footing and the foundation completed, and the dwelling framed and protected from weather.
 - 3) Year Three (3): At a minimum, finish work shall be completed, a Certificate of Occupancy obtained, and the mobile home removed from the site within sixty (60) days of issuance of the Certificate of Occupancy.
 - c. Requests for extensions for completion during the three (3) year period following the date of original approval of the Special Exception by the Board of Supervisors may be granted by the Board of Supervisors upon demonstration by the applicant of continuing compliance with the schedule for completion as set forth in Section 2.6B-1(b) above, provided that the application for extension is filed prior to expiration of the Special Exception.
2. For any request to use a mobile home as temporary living quarters in the case of a hardship, the following standards shall apply:
 - a. The time period for the initial Special Exception shall not exceed two (2) years from the date of original approval of the Special Exception by the Board of Supervisors.

Extensions may be granted in two (2) year increments for the duration of the hardship, in accordance with the procedures and standards specified below.

- b. "Hardship" shall be defined as being when, for health reasons verified by a medical practitioner, licensed by the State of Virginia, through provision of a signed certificate specifying same, a person requires continuous care by another, and both persons will reside on the same or adjoining Tax Map Parcels.
 - c. Extensions may be granted pursuant to the following procedures:
 - 1) The application for a Special Exception shall not be accepted unless a signed certificate, as described above, verifying the need for living assistance due to age or medical reasons, accompanies the application.
 - 2) Extensions for continued use of the mobile home may be granted upon review and approval by the Board of Supervisors of an application, accompanied by confirmation of the continuation of the hardship, filed prior to the two (2) year anniversary date of original approval of the Special Exception or of any subsequent extension.
 - 3) When an extension is denied, or upon expiration of a Special Exception, the applicant shall remove the mobile home from the site within sixty (60) days of the date of denial or expiration.
 - d. The Special Exception shall be issued to specific individual(s) only, and only for the duration of the verified hardship.
 - e. The mobile home may be occupied by either the person(s) needing care or the person(s) providing care. However, upon cessation of the hardship, the mobile home shall be removed from the site within sixty (60) days regardless of whether it is occupied by the person(s) needing care or providing care.
3. Consideration by the Board of Supervisors of a Special Exception request for placement of a mobile home for use as living quarters as specified herein shall include the potential for adverse impact of the use on the surrounding properties.

2.8 Minimum and maximum area for application; density. The minimum parcel size for consideration of AR-6, Agricultural Residential District zoning shall be four (4) acres. The maximum parcel size for consideration of AR-6 zoning shall be 24.99 acres. The zoning request shall apply to the subject parcel in its entirety. Permissible density shall be calculated as follows:

- (1) For parcels four (4) to thirteen and 99/100 (13.99) acres in area: two (2) lots, with a minimum lot size of two (2) acres
- (2) For parcels fourteen (14) to twenty-four and 99/100 (24.99) acres in area: three (3) lots, with a minimum lot size of two (2) acres

Fractions resulting from the calculation shall be rounded down to the next whole number.

2.9 Subdivision lots prohibited. No lot less than twenty (20) acres in area which is part of a recorded subdivision shall be eligible for consideration for AR-6, Agricultural Residential District zoning.

2.10 Lot size requirements.

	<u>Minimum, Acres</u>	<u>Minimum, Feet</u>	
	<u>Lot Area</u>	<u>Lot Width</u>	<u>Lot Depth</u>
1. Single-family dwelling on the following proposed rights-of-way:	2 acres (except as provided above)		
(a) 160 ft. rights-of-way		450	200
(b) 80 ft. rights-of-way		400	200
(c) 60 ft. rights-of-way		275	200
(d) 50 ft. rights-of-way		250	200
2. Churches, rectories, parish houses, convents and monasteries, temples and synagogues	1 acre	200	200
3. Animal hospital, larger animals	10 acres	300	300
4. Animal hospital, small animals, open pens or kennels	5 acres	300	300
5. Recreation uses clubs, campgrounds	5 acres	200	200
6. Stable, commercial	5 acres	200	200
7. Stable, private	2 acres	200	200
8. Frog or fish farms, or the raising for sale of small animals	5 acres	200	200
9. Medical office	2 acres	300	200

Lot width is measured at the front lot line for any lot located along any public road except those public roads created through the subdivision process; for lots located along a private road or a public road created through the subdivision of a parcel, lot width is measured at a point

within the front half of the total depth of the lot. When access to a lot exempt from subdivision requirements is provided by use of a right-of-way with a width of fifty (50) feet or less, the lot shall meet the minimum width requirements for any lot which has frontage on a fifty (50) foot right-of-way.

Minimum frontage for development on private roads or any other road created through subdivision is twenty (20) feet; frontage on any other public road shall be the minimum required lot width.

Proposed rights-of-way are those designated by the Major Thoroughfare Plan.

2.11 Yard requirements.

<u>Minimum in Feet</u>				
	<u>Front Yard</u>	<u>Side Yard, Minimum</u>	<u>Side Yard, Aggregate</u>	<u>Rear Yard</u>
1. Single-family dwelling on the following proposed rights-of-way:				
(a) 160 ft. rights-of-way	125	25	50	40
(b) 80 ft. rights-of-way	100	25	50	40
(c) 60 ft. rights-of-way	70	25	50	40
(d) 50 ft. rights-of-way	60	25	50	30

Proposed rights-of-way are those designated by the Major Thoroughfare Plan.

2. Other structures same or as required in district regulations.

2.12 Height requirements. Single-family dwellings and all other structures not specifically exempted in article 7: Maximum height 2-2½ stories, but not to exceed 35 feet.

2.13 Off-street parking and loading requirements. Off-street parking and loading requirements are contained in article 7.

2. That the Hanover County Code, Appendix, Title I: Zoning Ordinance, Article 5, Sections 2A, AR-1, Agricultural Residential District, and 2B, AR-2, Agricultural Residential District, shall be and are hereby repealed.

3. This Ordinance shall be effective upon adoption.

Public Hearing: _____

Mr. STANLEY:	Aye ☐	Nay ☐	Absent ☐	Abstain ☐
Mr. GORDON:	Aye ☐	Nay ☐	Absent ☐	Abstain ☐
Mr. ERNST:	Aye ☐	Nay ☐	Absent ☐	Abstain ☐
Mr. GILES:	Aye ☐	Nay ☐	Absent ☐	Abstain ☐
Mr. KLOTZ:	Aye ☐	Nay ☐	Absent ☐	Abstain ☐
Mr. WADE:	Aye ☐	Nay ☐	Absent ☐	Abstain ☐
Mr. WARD:	Aye ☐	Nay ☐	Absent ☐	Abstain ☐

Adopted: _____

Richard R. Johnson, Clerk
Hanover County Board of Supervisors

Final copy reviewed by:

- Planning Department: _____
- County Attorney's Office: _____