

## Overview

King George County is updating, modernizing, and restructuring the zoning and subdivision ordinances into one seamless regulatory document. The revised zoning and subdivision ordinance will:

- Provide streamlined and user-friendly regulations;
- Incorporate best planning practices and current state code requirements;
- Address the goals and strategies identified in the Comprehensive Plan; and
- Consider citizen needs and issues identified through the public engagement process.

This process will be guided by County staff, the Planning Commission, and the Board of Supervisors with opportunities for input from stakeholders and citizens.

## Agenda

The May 31<sup>st</sup> meeting will focus on reviewing the proposed articles:

- Article V, Overlay Zoning Districts, Division 5, Military Compatibility Area Overlay District
- Article VI, Use Matrix

The following agenda is provided as an outline for discussion:

1. **Schedule & Progress to Date** – 5 minutes
2. **Proposed Article Review (TWO PARTS)** – 90+ minutes
  - a. **PART 1**
    - i. Article V, Division 5 MCAOD – 30+ minutes
  - b. **PART 2**
    - i. Article VI, Use Matrix – 60+ minutes
3. **Next Steps** – 5 minutes

## Schedule & Progress to Date

*See Attachment A* for the project schedule. Progress to date includes:

- **Staff Kickoff** – Held on July 14, 2021. The Berkley Group conducted a kickoff meeting with King George County staff to review the scope of work and deliverable items.
- **Joint BOS and PC Kickoff** – Held on September 15, 2021. During this meeting, the Berkley Group gave a presentation on the scope of work, schedule, and Zoning and Subdivision Ordinance diagnostic report.
- **Public Engagement** – Public engagement offered opportunities to collect community feedback on priorities for the ordinance update. An online public survey was conducted from October 1-31;

public workshops were held on October 20 and October 26; and stakeholder interviews were conducted on October 26.

- **Planning Commission Worksession #1** – Held on November 30, 2021. The focus of this meeting was to discuss the overall public engagement summary and key findings, and to review the proposed structure of the revised ordinance.
- **Planning Commission Worksession #2** – Held on January 25, 2022. The focus of this meeting was to review and discuss drafts of Article I, In General, Article II, Administration, Article III, Permits and Applications, and Article IX, Nonconformities. Edits and revisions were discussed and sent back for additional PC review on March 1, 2022.
- **Planning Commission Worksession #3** – Held on March 29, 2022. The focus of this meeting was to review and discuss drafts of Article IV, Primary Zoning Districts and Article V, Overlay Zoning Districts (sans Military Overlay). Edits and revisions were discussed and sent back for additional PC review on May 2, 2022.

### Proposed Article Review

*See Attachments B and C* for the proposed articles for review. During review, consider the editor’s footnotes. **The provided footnotes explain inclusions, omissions, modifications, etc.**

*See Attachment D* for the JLUS maps that are the basis for the MCAOD boundary and subarea.

*See Attachment E* for directions on navigating the Use Matrix during review.

*See Attachment F* for an example of text for “Rural Small Businesses” from Westmoreland County Zoning Ordinance (see “Home Occupations” in matrix for further detail.)

#### Attachment B: Article V, Division 5 – Military Compatibility Overlay District

This Article contains the outline and beginning stages for the Military Compatibility Overlay District. Proposed text includes applicability for the regulations, uses within the MCAOD and subareas, and administration provisions. There are placeholders for items that require further discussion and direction from Dahlgren, including standards for noise and frequency. The following items highlight significant proposals for the County’s updated ordinance:

- Placeholders have been provided for the following, to be discussed at the worksession with Dahlgren Representatives:
  - a. Subarea intents and descriptions
  - b. Noise standards/requirements
  - c. Frequency standards/requirements
  - d. Subarea 1, 2, and 3 additional requirements, if any
- Permitted, restricted, and prohibited uses for each Subarea have been provided. These uses were determined by direction found in the JLUS, as well as Army Regulation 200-1, Chapter 14.

- Language has been provided for the requirement of a Property Disclosure at the sale of any land, parcel, structure, etc. within the MCAOD – acknowledging that the buyer is aware of the sensitive location and its potential effects.
- Site Plans will be required for all development within the MCAOD; note, the relevant text in this draft will be moved to Article 3 after review. Site Plans for the MCAOD will also require a traffic impact analysis and notation of the MCAOD subarea designation.
- All applications attached to the MCAOD shall be sent to NSF Dahlgren for review; this includes by-right and SE applications, Comp Plan amendments, Text and Map amendments, and proposed land development regulation which would affect the intensity, density, or use of the land within the MCAOD and within 3,000 ft. of NSF Dahlgren.

#### Attachment C: Article VI – Use Matrix

Berkley Group staff reviewed the County’s existing uses and use definitions and made recommended changes – including addition of uses not currently supplied. **See Attachment E for directions on how to “read” and navigate this Use Matrix.**

The proposed uses and definitions include broader terms, additional uses, and some uses discussed during conversations with County staff and through public engagement. Consolidating and revising uses streamlines the ordinance, eases administration, and ensures that similar uses are regulated consistently within each zoning district. Broader terminology allows for greater adaptability and flexibility as new land uses arise.

The following list is not exhaustive, but highlights some changes of note:

A. Addition of modern uses such as:

- a. **“Restaurant, Mobile”** to open new avenues for commercial activity in select districts. This use would be subject to Use Performance Standards.
- b. **“Solar Energy, Small Scale”** and **“Solar Energy, Medium Scale”** to allow for homes and businesses to have solar for their building(s) or communities.
- c. **“Adult Store,”** which is recommended to be included to avoid legal disputes.

B. Consolidation of similar uses such as:

- a. **“Manufacturing, Light”** and **“Manufacturing, Heavy”** are proposed to consolidate over ten individual uses, easing administration.
- b. **“Recreation/Entertainment, Commercial Indoor”** and **“Recreation/Entertainment, Commercial Outdoor”** have both been proposed to consolidate various recreational uses – including bowling alleys and golf courses.

C. Addition of and/or revision to uses to align with Code of Virginia, such as:

- a. The “Family Home Day Care 1-4 Individuals” and “Family Home Day Care 5-12 Individuals” are proposed to replace “Family Day Home” in the existing Ordinance.
  - i. Code of Virginia requires that “Family Home Day Cares” for 5+ individuals must be licensed.
  - ii. Additionally, § 15.2-2292 of Code provides that “Family Day Homes” for 1-4 individuals are required to be allowed where single-family dwellings are permitted – while Family Day Homes for 5-12 individuals are at the discretion of the community.
- b. “Telecommunications Facility, Small Cell Facility” and “Amateur Radio Tower” have been proposed as permitted uses.

D. Addition of miscellaneous uses, such as:

- a. “Outdoor Furnaces,” which the existing Ordinance does *not* supply as a use but does provide use performance standards (See Section 4.13 of the existing Ordinance).

In addition, the Planning Commission is encouraged to consider and recommend uses that may require additional use performance standards – such as noise, placement, number of allowed instances on a property, among others. Berkley Group staff will present Article VII, Use Performance Standards at the next worksession.

### Next Steps

The Berkley Group will review any recommendations and comments for incorporation and continue drafting ordinance articles. Topics to be discussed at the next meeting include:

- Article VII, Use Performance Standards
- Related Definitions