

King George County, Virginia; Excerpt from Zoning Ordinance  
Highway Corridor Overlay District (“HCOD”)

SOURCE: <http://www.municode.com/Resources/gateway.asp?pid=12064&sid=46>

Retrieved April 03, 2008

ARTICLE 10. HIGHWAY CORRIDOR OVERLAY DISTRICT

Sec. 10.1. Title.

This ordinance shall be known and referenced as the "Highway Corridor Overlay District" (HCOD) of King George County.

Sec. 10.2. Purpose.

The purpose of this section is to maintain the long-term safety and mobility function of Route 3 and Route 301; to limit the number of conflict points and thereby, reduce the need for additional crossover locations and traffic signals; to promote improved pedestrian and vehicular circulation; to encourage land assembly and the most desirable use of land in accordance with the King George County Comprehensive Plan; to encourage designs which produce a desirable relationship between individual buildings, the circulation systems and adjacent areas; to control signage, visibility obstructions and clutter and to permit a flexible response of development to market factors as well as to provide incentives for development of a variety of land uses and activities of high quality.

Sec. 10.3. Areas of applicability.

(a) The HCOD shall be overlays to the existing underlying districts as shown on the official zoning ordinance map, and as such, the provisions (development standards, access and internal circulation standards, and sign design standards) of the HCOD shall serve as a supplement to the underlying district provisions. The uses permitted in the HCOD, whether by right or by a special exception permit, shall be as permitted in the applicable underlying district. Where there is any conflict between the provisions or requirements of any of the HCOD and those of any underlying district, the more restrictive provisions shall apply.

(b) The HCOD boundaries shall be established on the official zoning map and are hereby established along the HCOD roadways identified herein and the development standards within this Article shall apply to all property with frontage along the HCOD roadways. Within the HCOD, where the term "HCOD roadway" is used, it shall mean the following routes:

1. U.S. Route 301.
2. Route 3.

(c) The development standards set out herein shall apply to all property within the HCOD, except for the following:

1. Property that has been developed prior to the effective date of the adoption of the HCOD, June 28, 2001, shall be considered to be legal conforming uses and shall not be required to conform to the development standards (section 10.4, Development standards) set out herein, unless there is an expansion of floor area in excess of a cumulative total of 50 percent or ten thousand square feet which ever is less. However, landscaping standards shall only apply to that portion of the site where the new development abuts an HCOD roadway. Property shall be considered developed only if a final site plan in accordance with article 7, King George County Zoning Ordinance, has been submitted to the county for review, a subdivision plat in accordance with the King George County Subdivision Ordinance, has been submitted to the county for review, a building permit

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has been issued by king george county and/or a final occupancy permit has been issued by King George County.

2. Residential uses and farm related uses located on individual parcels that are not part of a subdivision, commercial or industrial development, permitted after the effective date of this ordinance, shall only be required to comply with the access and internal circulation (section 10.5) and minimum setback requirements (section 10.4.1) of the HCOD.

(d) *Exceptions for additional development requirements.* Exceptions to the development, access, and sign standards specified in article 10, Highway corridor overlay district, King George County Zoning Ordinance, may be granted by the planning commission in accordance with the procedures set out in this ordinance. Applications shall be made in writing to the zoning administrator and shall be accompanied by a site plan of the proposed development. An exception may be granted if the commission makes the following findings:

1. That the exception is reasonably necessary due to the physical constraints of the site, such as size, shape, topography, soils, or arrangement of existing improvements, that prevent construction in accordance with applicable standards without compromising the intent of this ordinance, and that the exception is the minimum departure from applicable standards necessary to provide relief;
2. That an exception would not unreasonably lower the level of service of the affected roads;
3. That the design and location of proposed on-site improvements are compatible with existing developed sites contiguous with and near to the site of the proposed development;
4. That the granting of the exception will not substantially affect adversely the use of adjacent and neighboring property;
5. That the granting of the exception will avoid the unnecessary replacement of existing landscaping and other improvements on site, if applicable, and will not result in unsafe circulation patterns on the site; and
6. That the granting of the exception will not endanger the public safety, or in any other respect impair the health, safety, comfort, and welfare of the inhabitants of the county.

(e) *Conflicting requirements.* Where the provisions of this article conflict with the requirements of the underlying zoning district, the more stringent standards shall apply.

Sec. 10.4. Development standards.

In addition to the existing development standards specified in the zoning ordinance, the following additional development standards specified in the zoning ordinance, the following additional standards shall apply in all underlying zoning districts with the HCOD.

10.4.1. *Setbacks.* The front setback for all structures within the HCOD shall be as follows:

TABLE INSET:

Zoning District	Setback
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A-1 Limited Agricultural District	50 Feet
A-2 Rural Agricultural District	50 Feet
A-3 General Agricultural District	50 Feet
R-1 One-Family Dwelling District	50 Feet
R-2 General Dwelling District	50 Feet
R-3 Multifamily Dwelling District	50 Feet
C-1 Retail Commercial District	50 Feet
C-2 General Trade District	50 Feet
I-1 Industrial Light	50 Feet
I Industrial District	50 Feet
R-C Resort Community District	50 Feet

10.4.2*Fencing.* With the exception of ornamental fencing, fences erected after the effective date of this ordinance on sites located along HCOD designated roads shall be located in the side or rear yard only. However, ornamental fencing may be erected inside the front yard.

10.4.3*Landscaping.* Street landscaping shall be required along any property line that abuts the right-of-way of any HCOD roadway. A landscaping strip 25 feet in depth shall be located adjacent to the abutting right-of-way. One tree shall be planted for each 40 linear feet of the landscaping strip; however, this shall not be construed as requiring the planting of trees of trees on 40-foot centers. A minimum of three shrubs with a maximum height of two and one-half feet shall be randomly planted between each tree. The first 25feet on both sides of any accessory driveway pavement is excluded from this requirement. Where street landscaping required by this section conflicts with street planting requirements of the Virginia Department of Transportation (VDOT), the regulations of VDOT shall govern. Landscaping material and planting shall conform to the standards of article 7, section 7.12.j. Planting specifications, King George County Zoning Ordinance.

10.4.4*Lighting.* All Exterior lights, including canopy lights, shall be arranged and installed so that the direct or reflected illumination does not exceed one-half foot-candle above background measured at the lot line of any adjoining residential or agricultural parcel or public right-of-way. Lighting standards shall be of a directional type capable of shielding the light source from direct view.

10.4.5*Loading spaces.* On sites along HCOD roads, loading spaces shall be located only within side or rear yards and shall be out of view of the HCOD roadway. Loading spaces shall not be in conflict with parking spaces or travel ways.

10.4.6*Outside storage areas.* All outdoor storage areas shall be visually screened from public streets, internal roadways and adjacent property. Screening shall consist of a solid board fence, masonry wall, or dense evergreen plant materials in accordance with the standards of article 7, section 7.12.j., Planting specifications, King George County

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Zoning Ordinance. All such screening shall be of sufficient height to screen storage areas from view. Outdoor storage shall include the parking of all company-owned and operated vehicles, with the exception of passenger vehicles.

10.4.7 *Parking areas.* Where required parking areas are located to the rear or the side of the main building or development area, the required front setback may be reduced to 30 feet.

10.4.8 *Preservation of existing trees.* It is the intent of this section that a proposed development be so designed as to minimize the disturbance or destruction of any existing healthy trees on the site. To satisfy this intent, no healthy deciduous tree with a caliper of 15 inches or greater, measured at diameter breast height [four and one-half feet above ground level], shall be removed from the site unless such trees are replaced. Such trees shall be shown as an existing condition and included on the landscaping plan required at the time of site plan approval. No replacement tree shall have a caliper of less than three inches, measured six inches from the ground, at the time of planting and the total caliper of replacement trees shall equal or exceed the total caliper of trees 15 inches or greater removed from the site. These replacement trees shall be in addition to landscaping required under other sections of this ordinance. However, such trees may be removed without replacement within the area of any road, storm water management structure, utility easement on site, or of the footprint of the building, parking lot, or entrance to the site, and within 20 feet of the foundation of the structure and within ten feet of the perimeter of the driveway or parking area.

10.4.9 *Stormwater detention and retention structures, and best management practices (BMP's).* When a stormwater detention, retention structures or BMP either encroaches into a required side or rear yard setback or abuts a property line a continuous ten-foot deep landscape strip in accordance with the HCOD Landscaping Standards, exclusive of easements shall be located adjacent to any such stormwater detention, retention structure or BMP. Such structures shall not be located in any required landscaped buffer areas.

10.4.10 *Utility lines and structures.* Utility service lines shall be located so as to minimize disturbance of any tree of 15-inch caliper or greater on site. All junction and access boxes, when located on sites along HCOD roads, shall be screened from view with landscaping. All utilities shall be placed underground regardless of the underlying zoning district unless otherwise approved by King George County. New and relocated utilities are to be placed outside of the HCOD right-of-way unless otherwise approved by the Virginia Department of Transportation, King George County and/or the King George County Service Authority.

Sec. 10.5. Access and internal circulation standards.

The purpose and intent of this subsection is to maximize the functional capacity and maintain the level of service of HCOD roadways; to minimize the number of access points and other public rights-of-way; to promote the sharing of access and the ability to travel between sites; to provide pedestrian circulation networks among residential, commercial and recreational areas; and to enhance safety and convenience for uses of the HCOD.

10.5.1 *Access to HCOD roadways.*

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(a) Any parcel or assembly of parcels having frontage along a HCOD roadway shall be permitted only one direct access to that HCOD roadway, unless an access plan is submitted to, and approved by the planning commission for more than one access point. However, additional access points, associated with subdivision, commercial, or industrial development, shall also provide access to adjacent parcel for existing or future development.

(b) Existing parcels of land shall not be denied access to a public highway if no reasonable shared or cooperative access is possible, at the time of development.

(c) The planning commission may approve additional direct access points to HCOD roadways if it is demonstrated that the proposed design accomplishes the purpose of the HCOD. Access design must conform or exceed the minimum guidelines contained in the Site Handbook, Fredericksburg District Office of the Virginia Department of Transportation.

(d) For those parcels not permitted direct access to an HCOD roadway, indirect access may be provided by the following methods:

- i. Access to the site may be provided by an existing or planned public street;
- ii. Access to the site may be provided via the internal circulation of a subdivision, shopping center, an office complex, or similar group of buildings having access in accordance with an approved access plan. No additional direct access shall be provided to the site from a public street intended to carry through traffic over and above those entrances, which may exist to provide access to the shopping center, office complex or similar group of buildings. Access through the side or rear setback is encouraged, provided that the access meets VDOT's standards for commercial entrances, is safe, internal and generally perpendicular to the setback.
- iii. Access may be provided by a service drive and/or shared access that provides controlled access to the site.
- iv. Developers of all parcels or lots located at existing or proposed crossovers and/or intersections shall submit an access plan to the county for approval that addresses access for the surrounding area. The access plan shall demonstrate the ability to provide adequate access to surrounding properties via cross-easement or similar agreement(s). An access plan shall be submitted and approved prior to preliminary plat or site plan approval. Such access plan shall be drawn to scale, including dimensions and distances, and clearly delineate the traffic circulation system and the pedestrian circulation system as coordinated with adjacent properties, including the location and width of all streets, driveways, access aisles, entrance to parking areas, walkways and bicycle paths.
- v. Right-in right-out curb cuts between median cross-overs along an HCOD roadway may be approved if a traffic analysis can appropriately show that there will be no reduction in the level of service for the affected roadway, as determined by the Virginia Department of Transportation.

*10.5.2 Internal circulation.* Sites shall be designed to achieve direct and convenient pedestrian and vehicular circulation between adjacent properties of existing and future development, unless otherwise approved by the county.

*10.5.3 Traffic impact analysis.* A traffic impact analysis shall be submitted to the county with a request for site plan approval, per article 7, Site plan regulations, King George

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County Zoning Ordinance. The traffic impact analysis shall be prepared in accordance with the applicable VDOT standards for such an analysis.

Sec. 10.6. Sign design standards.

10.6.1 *Signage plan.* A unified system of signage and graphics shall be designed for each individual development in accordance with the sign regulations of this ordinance.

Signage concepts shall be considered during the design of buildings, so that signage and graphics are architecturally incorporated into those buildings and the site they inhabit. Size, height, location, material and color shall relate to buildings and site design.

10.6.2 *Freestanding sign design.* Freestanding signs shall be encased within a structure that is architecturally related to and compatible with the main building(s) and overall architectural design of the development.

10.6.3 *Landscaping.* Landscaping shall be integrated with each individual freestanding sign.

10.6.4 *Illumination.*

(a) *External illumination.* External lighting shall be limited to light fixtures utilizing white, not colored, lighting and shall not be blinking, fluctuating or moving. External lighting shall be provided by concealed and/or screened spots or floods and shall be arranged and installed so that direct or reflected illumination does not exceed one-half footcandle above background measured at the lot line of any adjoining residential or agricultural parcel or public right-of-way.

(b) *Internal illumination.* Internal lighting shall be limited to internal light contained with translucent letters and internally illuminated sign boxes, provided the background or field on which the copy and/or logos are placed is opaque. The area illuminated is restricted to the sign face only. White light shall be used to illuminate any sign and the direct or reflected illumination shall not exceed one-half footcandle above background measured at the lot line of adjoining residential or agricultural parcel or public right-of-way.

10.6.5 *Sign package.* Prior to erection of any sign, with the exception of a temporary construction sign, a comprehensive sign package shall be submitted to the county pursuant to the sign standards and article 7, Site plan regulations of this ordinance. The plan shall show the size and location of the sign and the property identification. In the case of projecting signs and outdoor advertising structures, completed specifications and methods of anchoring and support shall be required. The sign package shall provide detailed renderings to include colors, sizes, lighting, location, etc., for all signs within any development.