

KING WILLIAM COUNTY, VIRGINIA
NOTICE OF INTENT TO ADOPT AND PUBLIC HEARING

Ordinance #12-07

**An Ordinance to Amend Chapter 86 – Zoning
of the King William County Code**

**to Change the Process for Review and Approval of Special Exceptions,
to Eliminate the Availability of Special Exceptions for Certain Uses,
to Make Certain Special Exception Uses Permitted Uses,
and to Update Provisions Related to Conditional Zoning**

The King William County Board of Supervisors will hold a Public Hearing on Monday, September 24, 2012 at 7:30 p.m. in the King William County Administration Building Board Room at 180 Horse Landing Road, King William Court House, to receive public comment and to consider adoption of an ordinance to amend Chapter 86 - Zoning of the King William County Code. The proposed ordinance was recommended for approval by the Planning Commission after a public hearing on August 21, 2012.

The proposed Ordinance #12-07 will amend Chapter 86 (Zoning Ordinance) of the King William County Code. A summary of the amendments is as follows:

The Code of Virginia allows localities to specify that certain land uses will be permitted by special exception. The County may cause special exceptions (sometimes called conditional uses) to be approved by the Board of Zoning Appeals or by the Planning Commission and the Board of Supervisors. King William County currently provides for some approvals to be granted by one method and some by the other. The proposed amendments will establish the Planning Commission and the Board of Supervisors as the sole method of approval for all special exceptions and will refer to all such exceptions as “conditional uses”. The proposed amendments will also change the following uses from special exceptions to permitted uses in the same zoning districts: restaurant or cafeteria with outside seating; sewage treatment system – private individual alternative system; accessory apartment on the same site as a business when not occupied by owner; bed and breakfast facility in a private home, dwelling for resident watchmen, residential accessory buildings and uses. The proposed amendments will remove the following uses currently permitted by special exception: compatible business uses not otherwise listed in the chapter; subdivision with lot that does not meet minimum lot area requirements; general advertising sign, maximum area of 100 square feet; general advertising sign not exceeding 200 square feet; boat shed or house as an accessory use only.

The proposed amendments will adjust and renumber existing sections of the Zoning Ordinance to place existing development standards and review criteria in the appropriate locations within the Zoning Ordinance (Chapter 86 of the County Code), and accomplish the same task with procedural and review standards for variances and appeals of administrative decisions before the Board of Zoning Appeals.

The proposed amendments to the Conditional Zoning provisions of Chapter 86 will update and align them with changes to the Code of Virginia and will eliminate unnecessary restatement of

requirements of state law governing the administration of the process. The current practice of accepting proffered conditions and cash proffers is not changed.

The following King William County Code sections will be affected by the proposal:

Sec. 86-172. – Explanation of symbols in table; Sec. 86-173. – Interpretation of the table; Sec. 86-208. – Development standards for turkey shoots/shooting matches; Sec. 86-209. – Development standards for excavation or filling uses; Sec. 86-210. – Development standards for accessory apartments; Section 86-664. – Powers and duties of board of zoning appeals; Sec. 86-703. – Conditional zoning; Sec. 86-741. – Purpose of article; Sec. 86-742. – Proffer in writing; Sec. 86-743. Interpretation of proffered conditions; Sec. 86-744 and Sec. 86-745 – Reserved; Sec. 86-745. – Annotation of zoning district map; Sec. 86-746. – Enforcement of conditions; Sec. 86-747. – Conformity with development plans; Sec. 86-748. – Change of approved conditions; Sec. 86-749. – Review of zoning administrator’s decision.

All interested persons may appear and present their views at the above time and place. If a member of the public cannot attend, comments may be submitted by mail to P. O. Box 215, King William, VA 23086; by fax to (804) 769-4964, or by email to countyadmin@kingwilliamcounty.us. Comments received by 12:00 noon on the day of the hearing will be distributed to Board members and made a part of the public record. A complete copy of the proposed ordinance may be viewed in the Office of the County Administrator at 180 Horse Landing Road, King William, VA, during regular business hours or at www.kingwilliamcounty.us. Anyone needing assistance or accommodation under the provisions of the Americans with Disabilities Act should contact the County Administrator’s Office at (804) 769-4927 or countyadmin@kingwilliamcounty.us.

By the authority of
Trenton L. Funkhouser
County Administrator