

Zoning Ordinance Update

Working Draft Remaining Items Discussion

PC / BOS Joint Meeting

May 5, 2022

Topics

1. Lot line, front definition
2. Inn definition and where/how permitted
3. Interpretation of district boundaries
4. Uses not listed and the ZA authority
5. Accessory structure setbacks
6. Home Occupations
7. District Names



Lot line, front

Lot line, front: The line separating the lot from a street on which it fronts. ~~On a corner lot, the front shall be deemed to be along the shorter dimension of the lot; and where the dimensions are equal, the front shall be on that street on which a predominance of other lots in the block front.~~ On lots with multiple street frontages or other unique situations where the front lot line is not clearly defined, the front line shall be determined by the applicant in consultation with the zoning administrator at the time of initial application for the principal structure a zoning permit.



Staff & county attorney have concerns with the ordinance stating the applicant will determine the front lot line. However, this is not inconsistent with current practice.

Use Definitions - Lodging

Bed and breakfast:

- owner/operator-occupied
- no more than five (5) guest bedrooms
- typically provides breakfast for guests

No B&Bs currently in Gloucester

Inn:

- A building or group of buildings w/ sleeping and/or living accommodations for transient occupancy
- No more than ~~20 individuals~~ **50 rooms**
- Services such as maid service, restaurants, meeting rooms, personal services, and/or recreation facilities.



Inn at Warner Hall

Hotel:

- A building or group of buildings w/ sleeping and/or living accommodations for transient occupancy
- Services such as maid service, restaurants, meeting rooms, personal services, and/or recreation facilities.



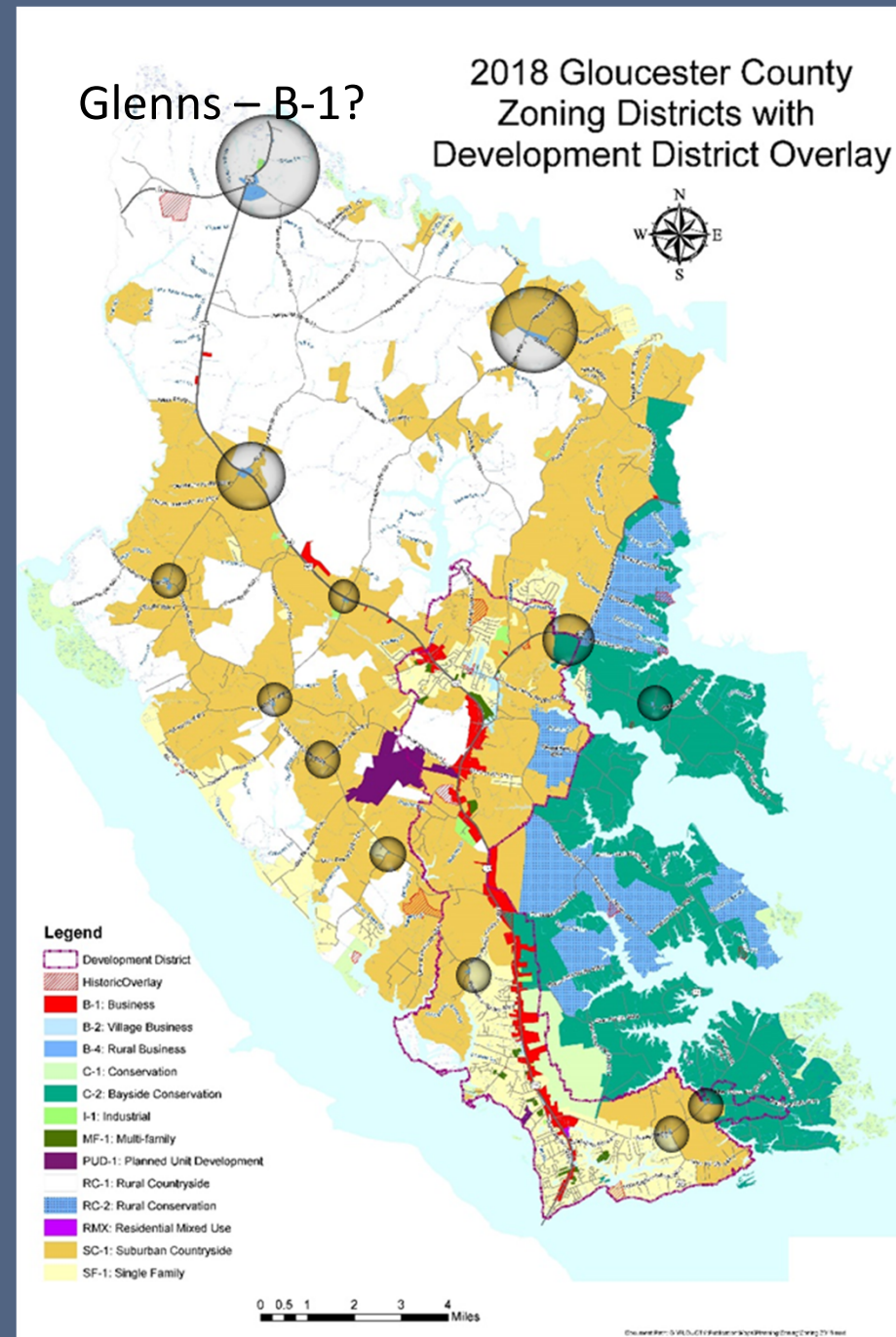
Holiday Inn & Hampton Inn

Use Definitions - Lodging

Inn: A building or group of buildings, other than a hotel or bed and breakfast home, with no more ~~30~~ 50 rooms containing sleeping and/or living accommodations used only for transient occupancy. Such uses generally provide additional services such as daily maid service, meals, and personal services. Facilities may also include restaurants, meeting rooms, and/or recreation facilities.

Inns are permitted by right in B-R (B-4). However, they are currently limited to 20 individuals.

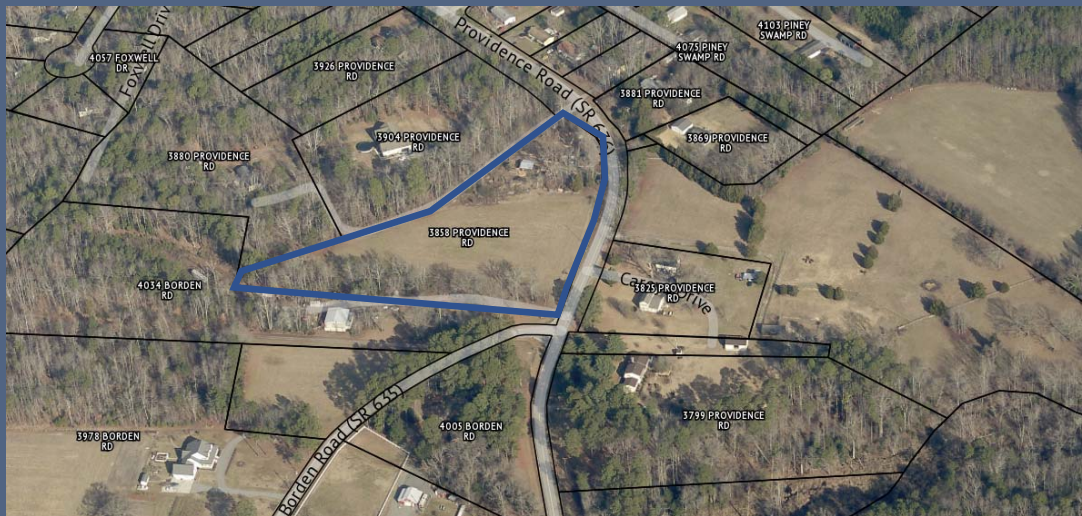
Given the increase to 50 rooms and the location of many B-4 properties, staff and the PC are suggesting that they be permitted by CUP.



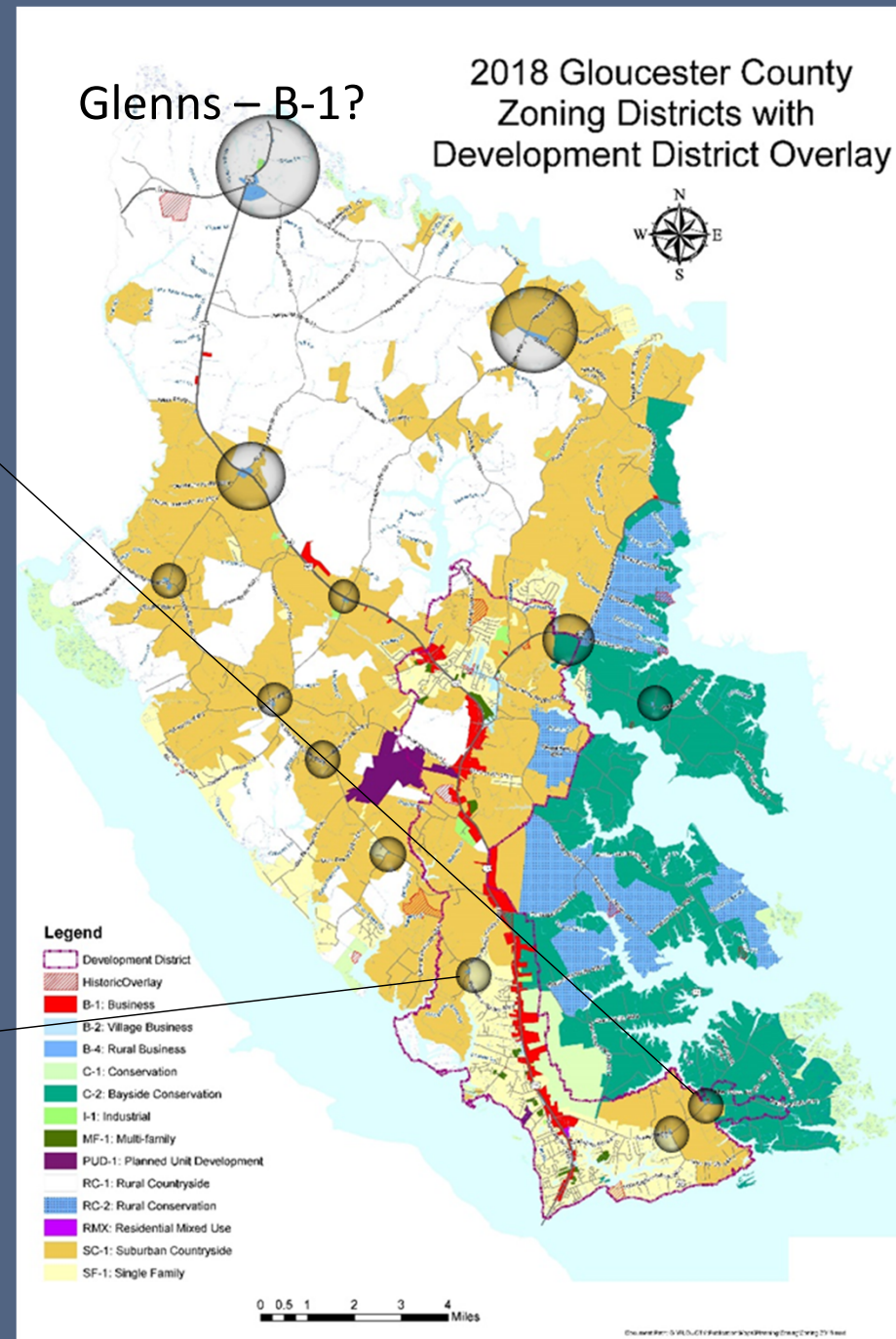
Use Definitions - Lodging



4.5-acres B-4 property at end of Guinea Rd



4-acre B-4 parcel near new state park



Use Definitions – Lodging Facilities

| Proposed per draft ordinance | Districts | | | | | | | | | | | |
|------------------------------|-----------|-------------------------|-------------------------|------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------------|-----------------------|----------------------------|-----|
| | Conser | Agriculture | | Residential | | | | Mixed Use | Business | | Industrial | |
| | C-1 | RC-1 AG-1 | RC-2 AG-2 | C-2 R-BC | SC-1 R-SC | SF-1 R-SF | MF-1 R-MF | MH-1 R-MH | B-2/ RMX VMX | B-1 B-G | B-4 B-R | I-1 |
| Bed and Breakfast | | SE | SE | SE | SE | SE | | | P | <u>P</u> | P | |
| Inn | | <u>CUP</u> | <u>CUP</u> | <u>CUP</u> | | | | | P | P | P <u>CUP</u> | |
| Hotel | | | | | | | | | | P | | |

Does the Board agree?

Yes, require a CUP for Inns in B-R

Another option is to allow smaller scale facilities by right (up to 20 rooms?) and requiring a CUP for facilities over that amount.

Article 3. Interpretation of District Boundaries

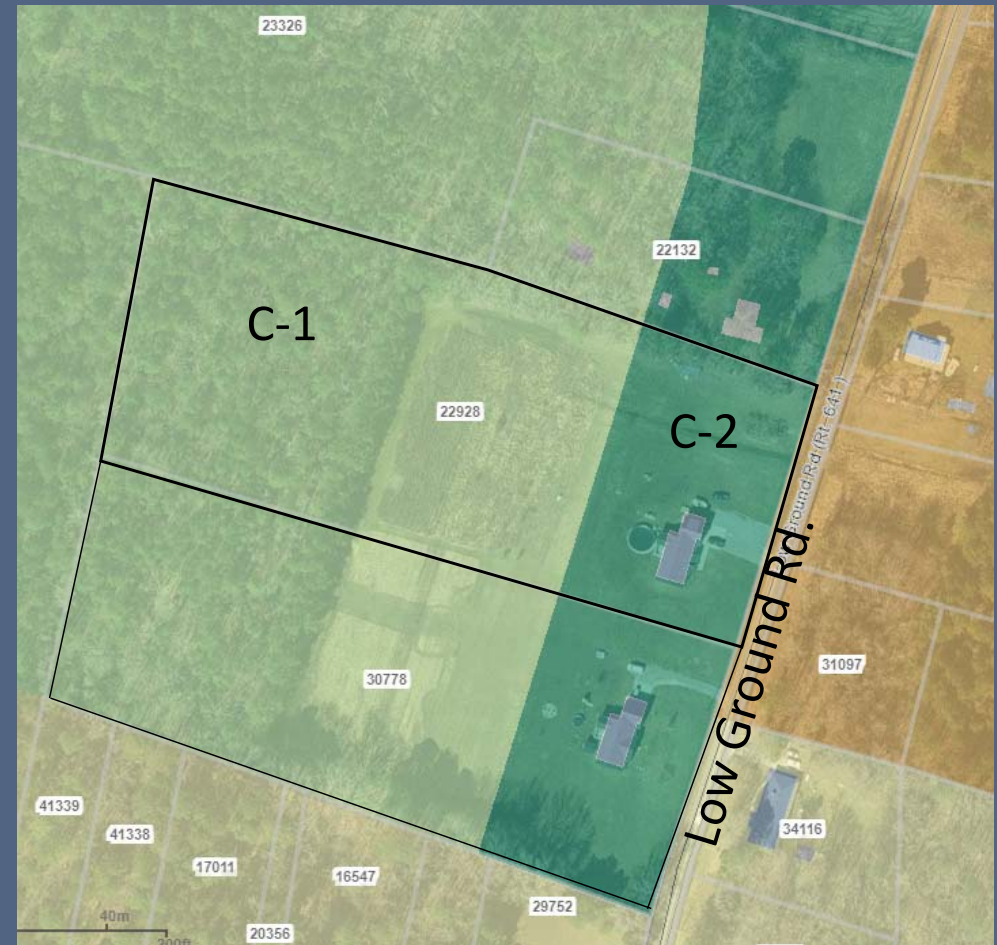
Section 3-5.

“Where existing district boundaries do not follow property lines, such boundaries shall be treated as property lines for the purposes of this ordinance and setbacks shall apply.”

This is not a regulation change.

Staff is proposing to add the language above to make it clear that setbacks do apply to split zoned parcels.

If the Board agrees with this clarification, staff recommends that with the ZO update adoption we fix the split zoned parcels that would be unnecessarily negatively affected by this clarification, such as the image to the right.

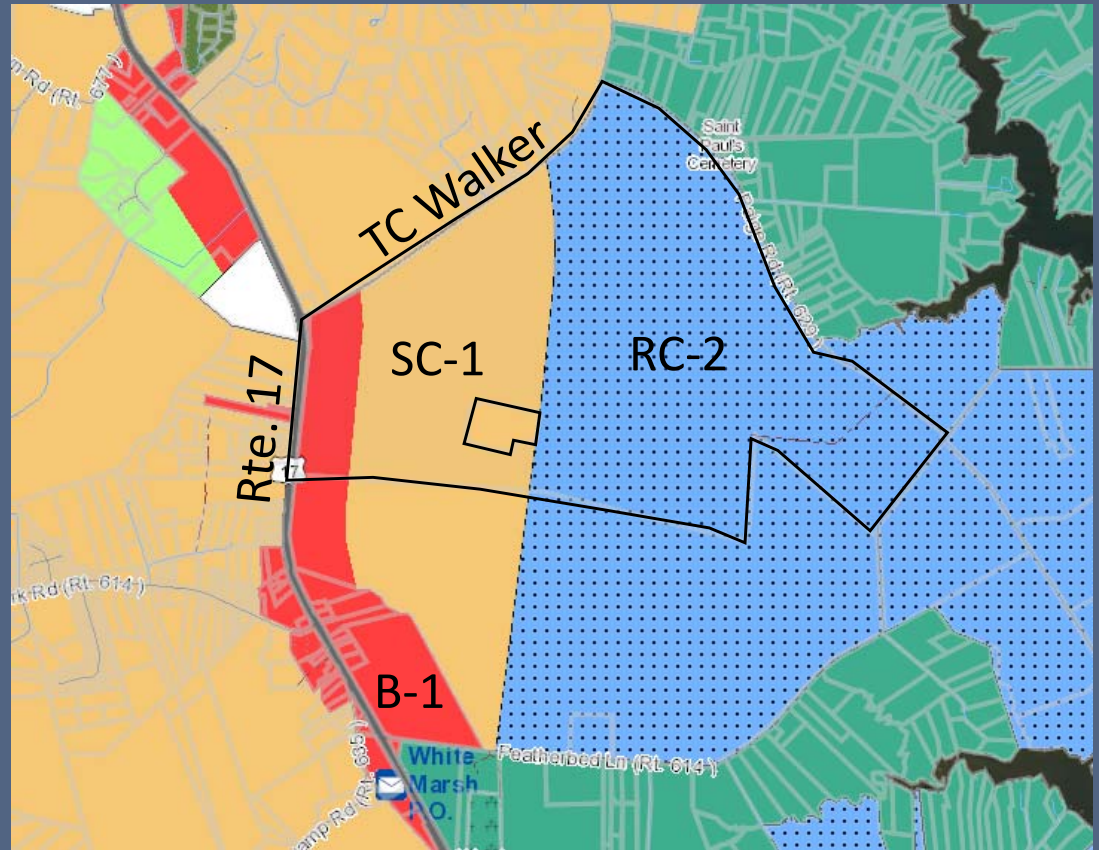


Article 3. Interpretation of District Boundaries

Section 3-5.

“Where existing district boundaries do not follow property lines, such boundaries shall be treated as property lines for the purposes of this ordinance **and setbacks shall apply.**”

In instances such as the image to the right, treating zoning district boundaries as property lines makes more sense.



Article 5. District Regulations

Standard District Regulations - Permitted uses language

~~“The Zoning administrator may permit similar uses by written determination if the Administrator determines that nature of the use is essentially the same as the listed use and that the impacts are no greater. The uses are subject to all other applicable requirements contained in the ordinance.”~~

This statement is language that was proposed to be included in the district regulations for every district.

However, the county attorney stated: “Beyond ZA’s authority; too vague.” Statement will be removed throughout the ordinance.

Article 5. District Regulations

Standard District Regulations – Setback Table

~~“Setback may be reduced if waived by the Gloucester County Building Official based on fire code.”~~

The above statement refers to accessory structures in the VMX (B-2 and RMX), B-G (B-1), B-R (B-4), and I-1 districts.

The County Attorney struck through the statement in all districts.

Staff proposes reduction of the accessory structure setback to zero feet in districts where the principal structure setback is zero (Village Business and General Business).

All structures would still have to meet building code and non-residential to residential screening and buffering standards if applicable.

Article 5. District Regulations

District Regulations Summary Table (continued)¹

1/4/22

| Zoning District | Minimum Lot Size | Width / Frontage (feet) | Density (dwelling units per acre) ² | Maximum Lot Coverage | Setbacks (feet) ³ | | | Maximum Footprint | Building Height (feet) ⁴ |
|---------------------------------------|------------------|---|--|----------------------|---|---------------------------------------|---------------------------------------|------------------------|-------------------------------------|
| | | | | | Front | Side | Rear | | |
| R-MH Manufactured Home Park | 5 acres | 50' on a public road / 200' average lot width | Without public water and sewer 1.45 Units per acre | - | 50 Principal 50 Accessory | 35 Principal 35 Accessory | 35 Principal 35 Accessory | None | 35 Principal 20 Accessory |
| | | | With public water or sewer 2.18 Units per acre | | | | | | |
| | | | With public water and sewer 4.36 Units per acre | | | | | | |
| R-MF Multi-Family | 5,000 SF | 50' | 8 Units per acre ⁵ (12 units per acre w/ CLIP ⁵) | - | 35 Principal 35 Accessory | 10 Principal 5 Accessory | 30 Principal 5 Accessory | None | 50 Principal 35 Accessory |
| VMX Village Mixed-Use ⁶ | 2,500 SF | 25' | 16 Units per acre ⁵ | 90% | Principal - 5 min /30 max ⁶ Accessory - Not in front yard | 0 Principal 5 Accessory | 0 Principal 5 Accessory | 10,000 SF ⁶ | 45 Principal 35 Accessory |
| B-G General Business | - | - | - | 90% | 50 Principal 50 Accessory | 0 Principal 5 Accessory | 0 Principal 5 Accessory | None | 60 Principal 35 Accessory |
| B-R Rural Business | - | - | - | 90% | 35 Principal 35 Accessory | 10 Principal 5 Accessory | 20 Principal 5 Accessory | None | 50 Principal 35 Accessory |
| I-1 Limited Industrial | 1 acre | Must have deeded access to a public road | - | 90% | 35 Principal 35 Accessory | 20 Principal 5 Accessory | 20 Principal 5 Accessory | None | 65 Principal 65 Accessory |

Proposed HOP Regulations

Board asked the PC to review 2 items

1. Commercial vehicles related to home occupations.
2. Identification of certain uses that either:
 - Are not permitted as a home occupation, or
 - Automatically require a Special Exception



Proposed HOP Regulations

Definition

Home Occupation: An accessory use of a residential property which is a business owner's bona fide residence involving the provision of goods and/or services in accordance with Section 9B-9.7 of this ordinance. This definition shall be further classified as Type I and Type II home occupations.

- Type I home occupations are permitted by right provided they meet the requirements of Section 9B-9.7.
- Type II home occupations are permitted by Special Exception (SE) and are subject to the requirements of Section 9B-9.7.

Proposed HOP Regulations

1. Commercial vehicles related to HOPs

No more than two (2) commercial vehicles are permitted by right. The following restrictions apply.

- i. All vehicles must be stored on the parcel(s) where the home occupation is located or another legally permitted location.
- ii. Lots $\geq \frac{1}{2}$ acre - 1 of the permitted commercial vehicles may be a vehicle with a GVWR of over 14,000.
 - Only one vehicle of this size is permitted per parcel regardless of the number of home occupations permitted.
- iii. Lots $< \frac{1}{2}$ acre - vehicles over 14,000 GVWR are not permitted.
- iv. Applicant shall provide documentation showing the vehicle(s) GVWR if requested.

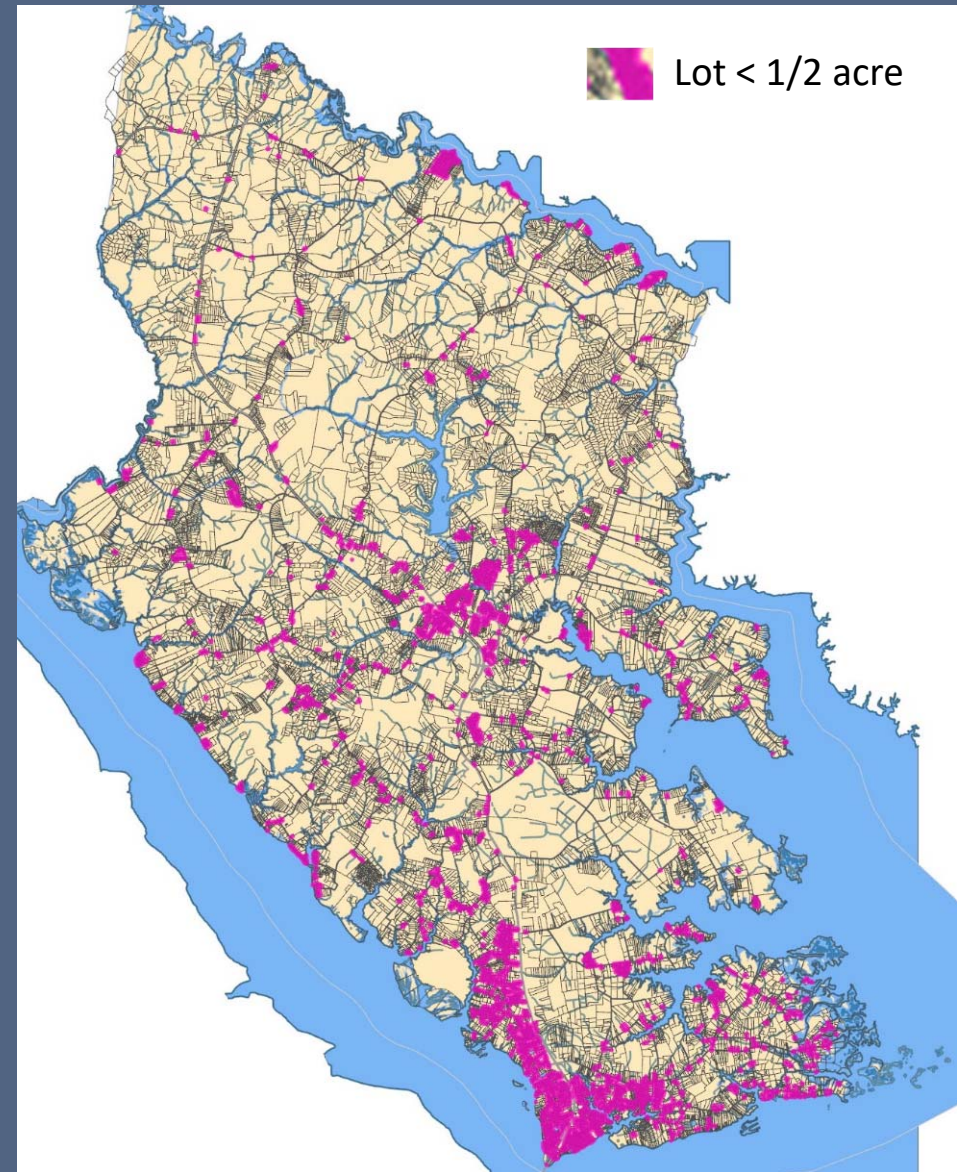
Gross vehicle weight rating (GVWR)

| | |
|---|--|
| Class 1 - 6,000 lbs & Less  Minivan Cargo Van SUV Pickup Truck |  |
| Class 2 - 6,001 to 10,000 lbs  Minivan Cargo Van Full-Size Pickup Step Van |  |
| Class 3 - 10,001 to 14,000 lbs  Walk-in Box Truck City Delivery Heavy-Duty Pickup |  |
| Class 4 - 14,001 to 16,000 lbs  Large Walk-in Box Truck City Delivery |  |
| Class 5 - 16,001 to 19,500 lbs  Bucket Truck Large Walk-in City Delivery |  |
| Class 6 - 19,501 to 26,000 lbs  Beverage Truck Single-Axle School Bus Rack Truck |  |
| Class 7 - 26,001 to 33,000 lbs  Refuse Furniture City Transit Bus Truck Tractor | |
| Class 8 - 33,001 lbs & Over  Cement Truck Truck Tractor Dump Truck Sleeper | |

Proposed HOP Regulations

Vehicles > 14,000 GVWR
are not permitted by
right on any lot < 1/2 acre

- Approx. 25% of parcels in the county are < 1/2 acre.
- Of those parcels approx. 67% are in the SF-1 district.



Proposed HOP Regulations

2. Identification of uses that either:

- Are not permitted as a home occupation, or
- Automatically require a SE



The PC decided to allow the regulations dictate what would be permitted and to list certain typical Type 1 and Type 2 businesses.



Proposed HOP Regulations

Type I HOPs...

Typically include home offices and/or other unobtrusive activities that do not have an impact on the primary use of the property, adjacent parcels, or surrounding area. They are permitted by right, provided:

- a) No equipment is used or process performed which creates smoke, cinders, dust, noise, vibration, glare, offensive odors, noxious gases, or is dangerous or detrimental to persons in the home or on adjacent property.
- b) No employee, volunteer, or customer traffic.
- c) No more than two (2) commercial vehicles are permitted (given the restrictions previously discussed).

BOS / PC Comment: Be sure it is clear that the 2 permitted commercial vehicles are to be owned by a person residing in the residence and employed by the HOP, not employee traffic.

Proposed HOP Regulations

Type II HOPs...

Are those which:

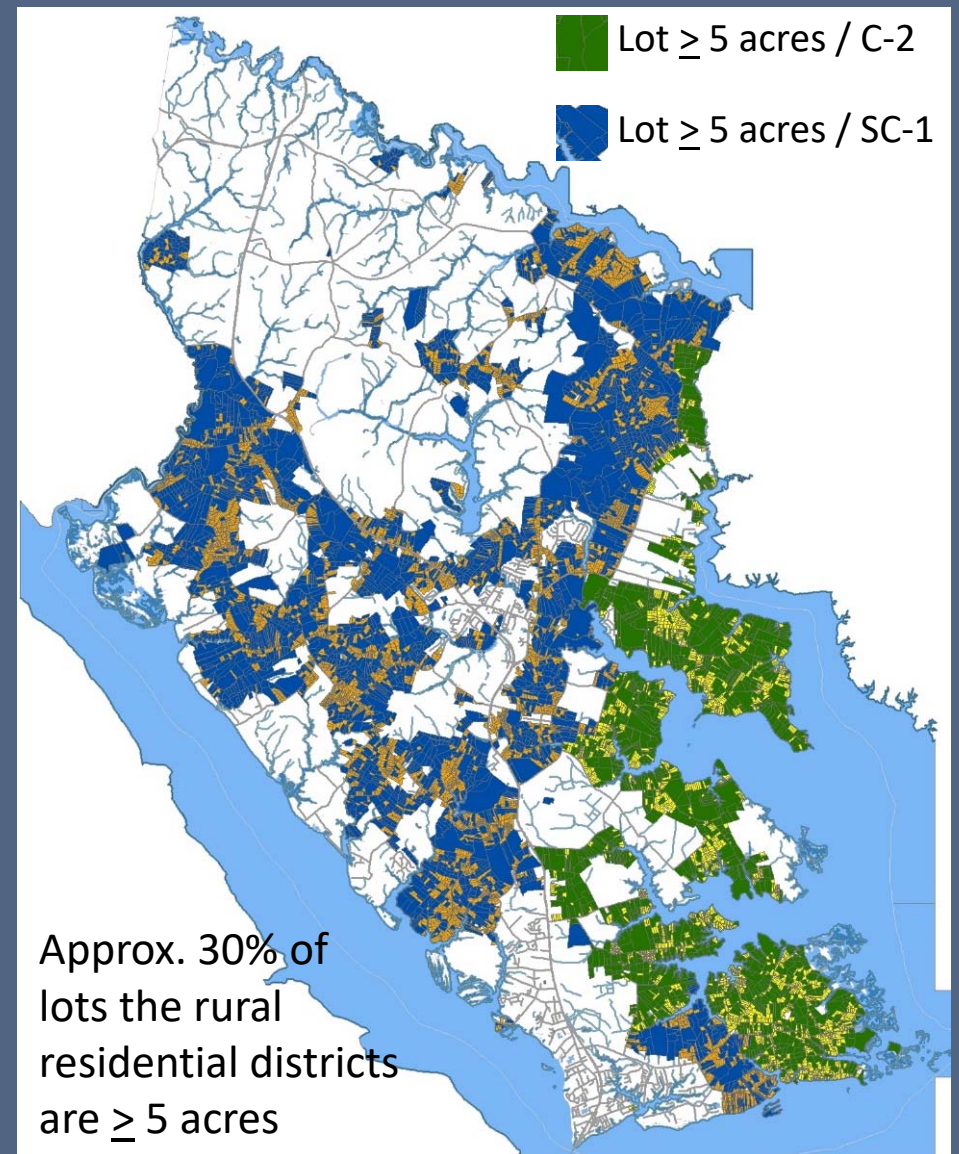
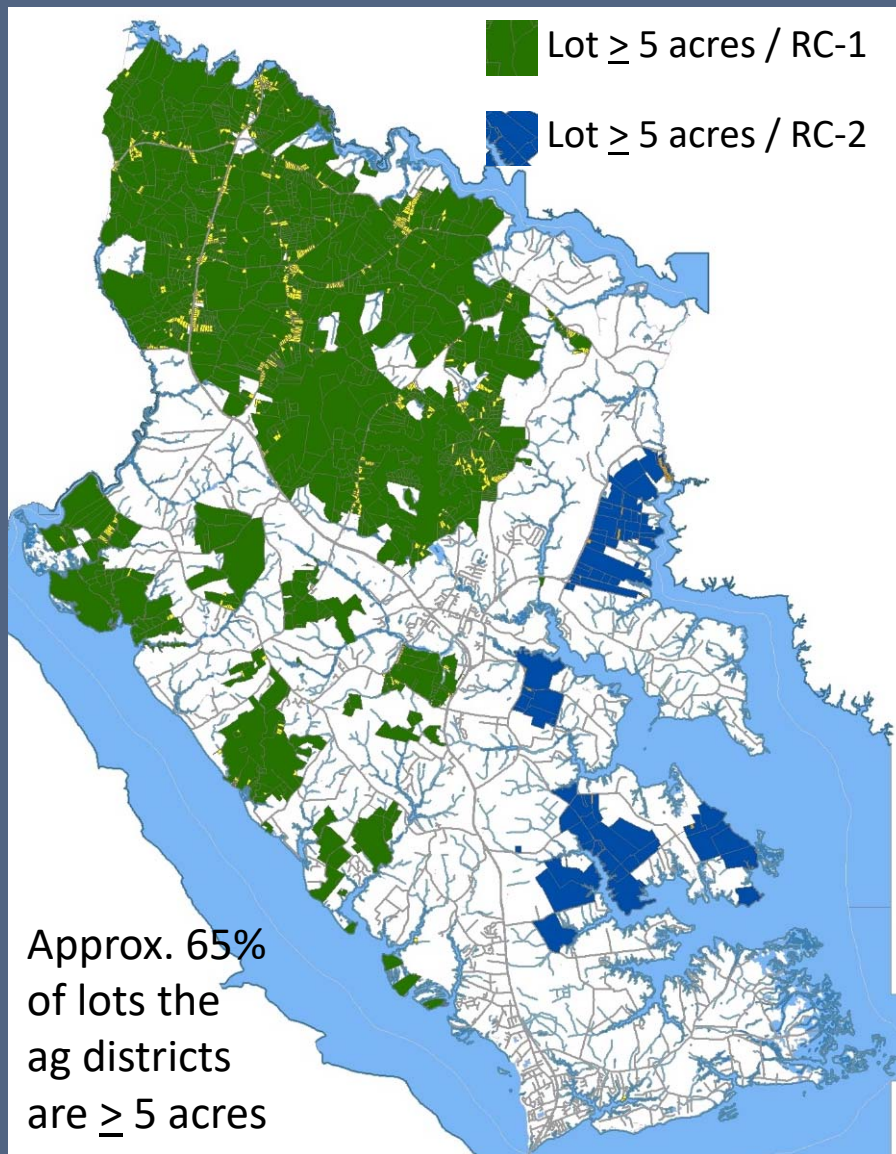
- exceed the indoor or outdoor area regulations and/or number of vehicles permitted for Type I home occupations,
- include customer, employee, or volunteer traffic, or
- entail other impacts such as those detailed in (4)(a) above.

Examples of Type II home occupations include but are not limited to:

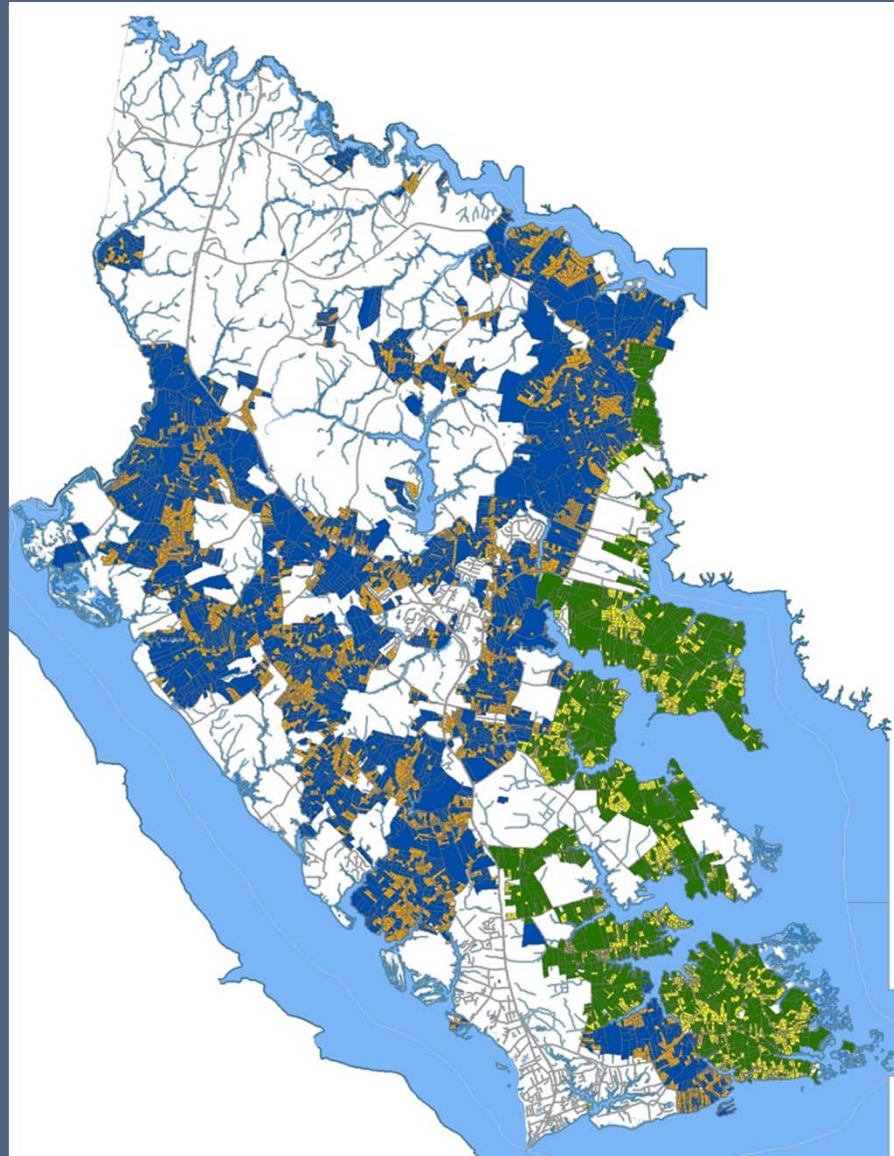
- a one chair hair salon,
- an accountant with employee or customer traffic, or
- a business use with outdoor storage or operations not located on a lot which permits such uses as described in (4)(e).



Proposed HOP Regulations



Proposed HOP Regulations



Ag and Rural
Residential
districts w lots
≥ 5 acres.

Formatting - District Names

We provided an update to the PC recently on our staff level discussion about changing the zoning district names.

BOS/PC Comment:
Agree with keeping current names as shown in the 2nd column.

They recommended to keep the current names. Do you agree? If so, we recommend a minor change to the B-2 district description as shown in the second column.

| District Type | Current District Names (PC Recommended) | Proposed District Names | Revised Proposed District Names w/ Naming Convention |
|---------------|---|---------------------------|--|
| Conservation | C-1 Conservation | C-1 Conservation | C-CO Conservation |
| Agriculture | RC-1 Rural Countryside | AG-1 Rural Countryside | A-RC Rural Countryside |
| | RC-2 Rural Conservation | AG-2 Rural Conservation | A-CO Rural Conservation |
| Residential | C-2 Bayside Conservation | R-BC Bayside Conservation | R-BC Bayside Conservation |
| | SC-1 Suburban Countryside | R-SC Suburban Countryside | R-SC Suburban Countryside |
| | SF-1 Single Family | R-SF Single Family | R-SF Single Family |
| | MF-1 Multi Family | R-MF Multi Family | R-MF Multi Family |
| | MH-1 Manufactured Homes | R-MH Manufactured Homes | R-MH Manufactured Homes |
| Mixed-Use | B-2 Village Mixed Use Business | VMX Village Mixed Use | M-VM Village Mixed Use |
| | RMX Residential Mixed Use | | |
| Business | B-1 General Business | B-G Business General | B-BG Business General |
| | B-4 Rural Business | B-R Business Rural | B-BR Business Rural |
| Industrial | I-1 Industrial | I-1 Industrial | I-IG Industrial General |

Next Steps

- Discuss remaining items w/ PC (HCDD, Village District, Sign definitions)
- Revise Administrative Articles (13-15) to correspond to revised Articles 1-9 as needed.
- One more joint meeting in August
- Prepare for county wide notification and PH's

Questions?