



AGENDA

WYTHEVILLE PLANNING COMMISSION MEETING

THURSDAY, JUNE 08, 2023 AT 6:00 PM
COUNCIL CHAMBERS - 150 EAST MONROE STREET
WYTHEVILLE, VA 24382

1. **CALL TO ORDER** - CHAIRMAN JOHN W. JONES, JR.
2. **ESTABLISHMENT OF QUORUM** - CHAIRMAN JOHN W. JONES, JR.
3. **CONSENT AGENDA**
 - A. Minutes of the regular meeting of April 13, 2023 **(requires motion and vote)**
4. **CITIZENS' PERIOD**
5. **OTHER BUSINESS**
 - A. Presentation of the Conceptual Plan of the Asbury Lane Subdivision by Assistant Town Manager Holeton
 - B. Consider a Subdivision Variance Request for the property located on Asbury Lane and make a recommendation to the Wytheville Town Council for the approval/denial of the Subdivision Variance Request **(requires motion and roll call vote)**
 - C. Presentation of the draft Unified Development Ordinance (UDO) Development Standards by Planning Director John Woods
6. **ADJOURNMENT**
 - A. Additional Attachments - April 2023 Council Actions
 - B. Additional Attachments - May 2023 Council Actions

3-A



MINUTES

WYTHEVILLE PLANNING COMMISSION MEETING

THURSDAY, APRIL 13, 2023 AT 6:00 PM
COUNCIL CHAMBERS - 150 EAST MONROE STREET
WYTHEVILLE, VA 24382

1. **UNAPPROVED MINUTES**

RE: ATTENDANCE

MEMBERS PRESENT:

Vice-Chairman Brad Litton, Vice-Mayor Cathy Pattison, Mr. George Wittwer, Mr. David Schmidt, Ms. Lisa Anderson, Mr. Keith Jones

MEMBERS ABSENT:

Chairman John Jones

OTHERS PRESENT:

Mayor Beth Taylor, Assistant Town Manager Elaine Holeton, Chief Deputy Clerk Brandi Jones, Planning Director John Woods, Kathy Laster, Don Laster, Denise Clay, Bradley Tate

RE: CALL TO ORDER

Vice-Chairman Litton called the meeting to order.

2. **RE: ESTABLISHMENT OF QUORUM**

Vice-Chairman Litton established that a quorum of Planning Commission members was present.

3. **RE: CONSENT AGENDA**

Vice-Chairman Litton stated that he would like to welcome Mr. Keith Jones to the Wytheville Planning Commission.

Vice-Chairman Litton presented the consent agenda consisting of the minutes of the regular meeting of March 9, 2023. He inquired of the Commission if there was a motion to approve the consent agenda as presented.

Motion made by Mr. Wittwer, Seconded by Ms. Anderson.

Voting Yea: Vice-Chairman Litton, Vice-Mayor Pattison, Ms. Anderson, Mr. Schmidt, Mr. K. Jones, Mr. Wittwer.

4. RE: CITIZENS' PERIOD

Vice-Chairman Litton advised that the next agenda item is Citizens' Period. He stated there are two citizens listed on the sign-in sheet who noted that they wished to address the Planning Commission during Citizens' Period. Vice-Chairman Litton inquired if Ms. Kathy Laster would please come to the podium and state her name and address for the recording of the minutes.

Ms. Kathy Laster was recognized and stated that she resides at 440 Fairfield Lane. She advised that she is one of two property owners in the Fairfield-Glade Subdivision. Ms. Laster commented that she is attending the meeting on behalf of her neighbors while they are out of town. She noted that she believes they had sent an email to Town staff, however, she will read their statement to the Planning Commission, if necessary. Vice-Chairman Litton asked Ms. Laster to read their statement to the Commissioners. Ms. Laster reiterated that she is sharing this statement on behalf of her neighbors, Sharon and Dennis Hackler, and she continued to read their statement regarding smaller lot sizes with no minimum house size into the record as follows:

We are of the opinion that this should only be applicable to the future subdivisions, and not existing subdivisions of record. A developer should not be allowed to re-subdivide lots in existing subdivisions and make them smaller to allow for more density. Citizens have purchased lots in existing subdivisions based on plats that have been recorded in the courthouse. Also, lots have been purchased and existing homes built in a subdivision according to a minimum house size. An individual should not be able to construct a smaller home than is, currently, allowed in the existing subdivision of record. Again, lots were purchased with the assurance that under the existing subdivision that a certain size home would be required. Therefore, we request that the proposed changes not be applicable to existing subdivisions of record. For informational purposes we are located in Fairfield-Glade Subdivision, which is zoned R-3 Residential. Thank you for considering our comments.

Ms. Laster noted that, currently, Sharon and Dennis Hackler own Lot 25 in the Fairfield-Glade Subdivision. She thanked the Commissioners for allowing her to speak. Vice-Chairman Litton thanked Ms. Laster for her comments.

Ms. Denise Clay was recognized and stated that she resides at 545 Tremough Drive. She remarked that at the March meeting, Planning Director Woods stated that the Planning Commission should remove minimum square footage requirements in residential zoning areas. Ms. Clay commented that she feels as if this would be a losing proposition for the Town. She stated that smaller homes generate less taxes and that smaller homes would drive down the value of existing homes. Ms. Clay continued to express her concerns to the Commissioners. She thanked the Planning Commission for allowing her to speak. Vice-Chairman Litton thanked Ms. Clay for her comments.

Vice-Chairman Litton inquired if there was anyone else attending the meeting who wished to address the Planning Commission during Citizens' Period. There being none, he proceeded with the agenda.

5. **RE: OTHER BUSINESS**

A. **RE: RESOLUTION - RECOGNIZING FORMER PLANNING COMMISSIONER M. BRADLEY TATE**

Vice-Chairman Litton advised that the next agenda item is the adoption and presentation of a resolution recognizing former Planning Commissioner Mr. M. Bradley Tate for his efforts while serving on the Wytheville Planning Commission. Vice-Chairman Litton inquired if there was a motion to adopt the resolution recognizing former Planning Commissioner Mr. M. Bradley Tate for his efforts while serving on the Wytheville Planning Commission.

Motion made by Mr. K. Jones, Seconded by Ms. Anderson.

Voting Yea: Vice-Chairman Litton, Vice-Mayor Pattison, Ms. Anderson, Mr. Schmidt, Mr. K. Jones, Mr. Wittwer.

Vice-Chairman Litton invited Mr. Tate to come forward for the presentation of the resolution and to have a photo taken. A copy of the resolution is attached and made part of the minutes.

B. **RE: SUMMARY OF THE WYTHE COUNTY HOUSING ANALYSIS**

Vice-Chairman Litton advised that the next item on the agenda is a summary of the Wythe County Housing Analysis with a specific focus on how the Unified Development Ordinance (UDO) rewrite applies to the recommendations made as part of the housing study. Assistant Town Manager Holeton gave a brief overview of the Housing Analysis. Planning Director Woods stated that the analysis suggests that the estimated housing needs for Wythe County and the Wytheville area are 800 market-rate apartments, 80 affordable apartments, 40 affordable senior apartments, 50 patio homes and approximately 100 single-family townhomes. He advised that recommendations were also made on how to make those needs feasible. Planning Director Woods noted that those recommendations are to modify the lot size requirements and the frontage requirements. He stated that in the proposed UDO, the required lot size in an R-2 Residential Zoning District would be reduced from 10,000 to 8,000 square feet, and, in an R-3 Residential Zoning District, it would be reduced from 9,000 to 6,000 square feet. Planning Director Woods continued to discuss the recommendations for lot size modifications with the Commission. Vice-Chairman Litton stated that he thinks there needs to be more discussion about the minimum home size in the future. Mr. Schmidt commented that he does not agree with a larger home having to be located beside a tiny home because he feels that it will devalue the larger home. He noted that he agrees that more discussion needs to take place. Planning Director Woods commented that the Withers Road area is considered a preferred area of town and that this area has tiny homes, condos, 4,000 square foot homes, etc., and that this is still considered the preferred area of town by him and others.

Assistant Town Manager Holeton noted that the average housing price range that people are wanting is approximately \$170,000-\$250,000, however, the few houses that are on the market are well above that price. She remarked that, essentially, what

is happening is that working class people are getting priced out of the housing market. Assistant Town Manager Holeton noted stated that with the glove factory being built, Wytheville is going to need more workforce housing. She stated that one of the ways to do this is to reduce the square footage of homes. Assistant Town Manager Holeton remarked that she respects all the viewpoints being discussed at this meeting. Mr. Wittwer commented that there are approximately 2,600 jobs coming into the area, and there is no housing to offer people. He stated that the medium salary looks to be approximately \$35,000 per year, and the workers have to have somewhere to live. Mr. Wittwer commented that he feels like there will be more opportunities in rentals for the factory workers because of their income level, rather than purchasing small homes. Discussion continued regarding the future of the housing market.

Vice-Chairman Litton advised that he would like for the Planning Commission members and other members of the community to think about the topic of small homes and to email their thoughts to Planning Director Woods. He remarked that this is only a draft ordinance, and if ideas are not shared then Director Woods does not know what everyone thinks or how to proceed. Mr. Wittwer commented that what Town officials do not want, is for the workers who are relocating here for work, to live elsewhere and commute to Wytheville because then the Town loses the opportunity for property tax, food tax, etc. Ms. Anderson remarked that she does not think a small home would look appropriate in a subdivision such as King Hills, Loretto, etc., because there would be no balance between the larger and smaller homes. Planning Director Woods explained that subdivisions, such as those, have covenants, therefore, they would not be affected by the minimum home size if that is addressed in the subdivision covenants. Vice-Chairman Litton commented that if anyone could provide any feedback regarding the proposed requirements, to please contact Planning Director Woods. Discussion continued regarding the proposed requirements for the future Subdivision Ordinance.

C. **RE: REVIEW OF UPDATES TO THE DRAFT UNIFIED DEVELOPMENT ORDINANCE (UDO)**

Vice-Chairman Litton advised that the next agenda item is the review of the updates to the draft Unified Development Ordinance (UDO) since the March meeting. Planning Director Woods reviewed the new draft of the UDO, since the March meeting, which includes parking standards and landscape standards. He noted that some of the parking standards will include two parking spaces per single family dwelling, one parking space for accessory dwelling units, one parking space per studio unit for multi-family dwellings, etc. Planning Director Woods reviewed the need for additional parking standards in different areas of town. He stated that he thinks it would be good for retail to set a soft maximum for parking, so that it does not spill out into residential neighborhoods, except for when there are special events. Planning Director Woods reviewed the landscape standards, and he noted that he has made little change to this section of the UDO. He stated that Town staff recommends three levels of buffer yards. Planning Director Woods explained that the recommended buffer yards are basic buffer yards, full buffer yards and full buffer yards with a

required architectural screening. He then discussed the recommended buffer yards in more detail with the Commission.

D. **RE: OVERVIEW REGARDING THE 2023 SOUTHWEST VIRGINIA HOUSING SUMMIT**

Vice-Chairman Litton advised that the next agenda item is the overview regarding the 2023 Southwest Virginia Housing Summit. Assistant Town Manager Holeton gave an overview of the 2023 Southwest Virginia Housing Summit. She stated that the Housing Summit is sponsored by the Joint Industrial Development Authority (JIDA) of Wythe County, which will be held on Wednesday, April 26, 2023, at the Wytheville Meeting Center. Assistant Town Manager Holeton advised that the Commissioners have the information in their packets regarding the Housing Summit and the information regarding how to register online, if they are interested in attending.

6. **RE: ADJOURNMENT**

There being no further business to discuss, a motion was made, seconded and carried to adjourn the meeting (7:16 p.m.).

Bradford M. Litton, Vice-Chairman

Brandi N. Jones, Chief Deputy Clerk

5-A



Town of Wytheville Subdivision Review SUBD-ASBURY

SITE INFORMATION:

Name of Subdivision: Plat showing Major Division for the Property of Fusion Holdings, LLC

Location of Subdivision: North of Holston Road, north and west of the Carrington Center along Asbury Lane and east of Van-Mar Drive.

Tax map no. of involved parcels: Tax map no. 25-70A

Number of Existing Lots: 1 tax parcel (two title tracts per deed)

Number of Proposed Lots: 21 New Lots ranging from 0.346 Acres to 2.425 Acres in size with a 12.9 Acre residual parcel

Proposed Use: Residential Present Use: Residential Conforming Use: Yes

Other Regulatory Agencies Involved: VDOT (Road Acceptance into Urban Maintenance Inventory System, VDH (Approval of designed septic systems for new proposed vacant lots)

Intended Water Supply: Public

Intended Sanitary Sewer Disposal: Private sewage systems

Submittal phase: **First draft (preliminary)**

Name of Owner/Subdivider: Fusion Holdings, LLC

Name of Surveyor/Engineer: Hurt and Proffitt, Bradley Tate, RLS

Magisterial District/Locality Designation: East Wytheville Mag. Dist.

Current zone designation shown: R-1 Residential

PRELIMINARY REQUEST FOR VARIANCE TO THE CURRENT TOWN OF WYTHEVILLE SUBDIVISION ORDINANCE:

Requested Variance:

5-22.3: Paved Surface Width.

- The current Town of Wytheville Subdivision Ordinance requires 30’ of paved surface for new streets. This proposed division intends to rehab and utilize the existing 18’ of paved surface that is in place along Asbury Lane.
- VDOT has currently granted the approval to accept the existing width of 18 feet as adequate.
- The Town will defer to the requirements and approvals stipulated by VDOT. This will allow the Town to enroll this street into the Urban Maintenance program and receive maintenance funding that can be applied to this street if accepted.
- The Town Engineering and Zoning Staff Agree that the existing 18’ of paved surface is adequate considering the proposed posted speed limit of 25 MPH will apply to this street.

5-22.4: Curb and Gutter.

- There is currently no curb and gutter along Holston Road with connects with Asbury Lane, and currently there are no foreseeable plans to install curb and gutter along Holston Road.
- This request is common in areas that are not surrounded by existing Curb and Gutter.
- The Street currently has grass ditches along each side to address stormwater runoff generated by the street.
- The Town Engineering and Zoning Staff Agree that the request is a reasonable request and could be approved.

5-21.1: Street Right of way Width.

- The current Town of Wytheville Subdivision Ordinance requires 50’ minimum right of ways for new streets being considered for acceptance.
- The proposed right of way width is 40’.
- VDOT has granted the approval to accept the proposed right of way width of 40’. The infrastructure found serving the current road can be accommodated within this right of way width.
- The Town will defer to the requirements and approvals stipulated by VDOT. This will allow the Town to enroll this street into the Urban Maintenance program and receive maintenance funding that can be applied to this street if accepted.

- The Town Engineering and Zoning Staff Agree that the proposed 40' right of way will be adequate considering the volume and speed of traffic proposed along this corridor.

Preliminary Plat Review for other potential Variance Requests.

From review of the First Draft Submission of the proposed subdivision plat in conjunction with review of the Current Town of Wytheville Subdivision ordinance, the Engineering Staff does not see any other potential needs for variance request other than the three above stated requests.

Status of Proposed First Draft Submission:

Currently the first draft is going through the final portions of the initial Subdivision Review. Addition discussions are still being held with the Virginia Department of Transportation regarding requirements that need to be met by the developer for Asbury Lane to be eligible for addition to the Urban Maintenance program.

Items being discussed are,

- *road & right of way alignment*
- *the potential to install private parallel parking spaces adjacent to the proposed right of way within the Carrington Center property.*
- *Location of proposed installed water line to serve the division.*
- *Minor items of stormwater collection and control.*

Other agencies which will be involved in the approval process will include the Virginia Department of Health. The VDH will approve work performed by a private AOSE. This professional will be utilized to develop VDH approved Septic systems on each of the proposed new lots. Notes pertinent to the VDH approval will be applied to the final plat prior to submission for Town Council and VDH approval.

This site also potentially meets the definition of a “Common Plan of Development” as defined by the Virginia Department of Environmental Quality which may require additional stormwater control measures. Per VA DEQ;

A **common plan of development or sale** is a contiguous area where separate and distinct construction activities may be taking place at different times on different schedules. Permit coverage is required if one acre or greater of land will be disturbed, regardless of the size of the individually owned or developed sites. For example, if a developer buys a 20-acre lot and builds roads with the intention of building homes or other structures in the future, or if the land is parceled off or sold, and construction occurs on plots that are less than an acre by separate,

independent builders, these activities would still be subject to stormwater permitting requirements. A larger common plan of development or sale applies to various types of land development including but not limited to residential, commercial or industrial use.

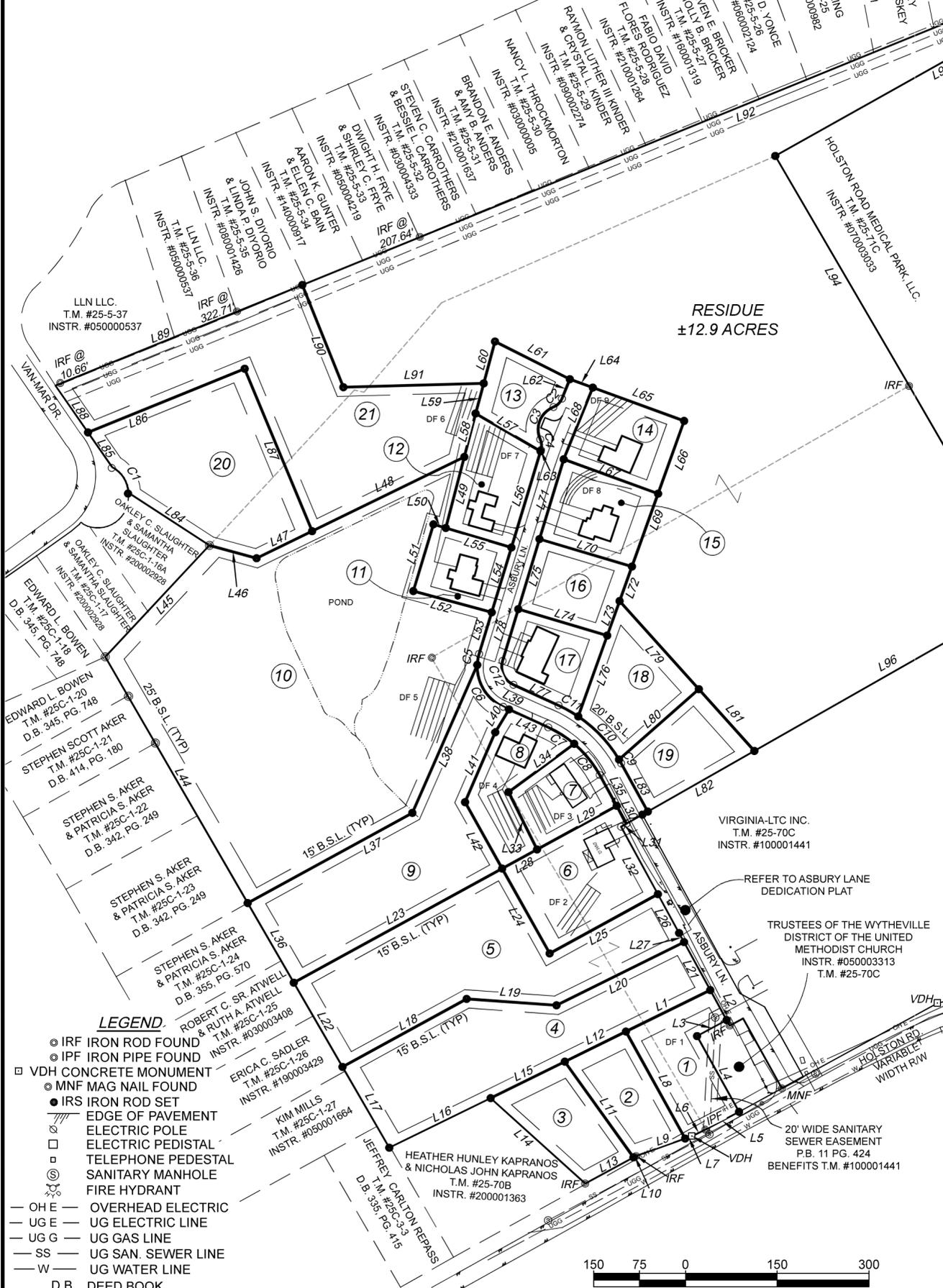
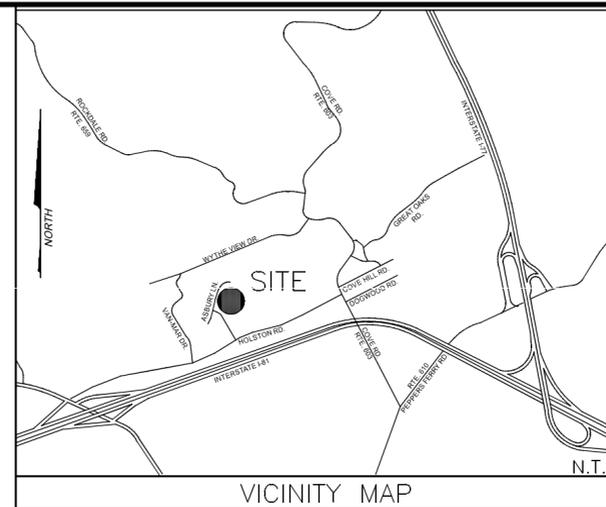
Single-Family Detached Residential Structures

The submission of a registration statement and the development of a project-specific Stormwater Pollution Prevention Plan (including project-wide erosion and sediment control and stormwater management plans) are required for a residential common plan of development or sale. As single family detached residential properties are transferred to new owners or operators within a common plan of development or sale, the new owner or operator is automatically authorized to discharge under the general permit and is not required to submit a registration statement to DEQ portion of the permit fee (additional fees to the local VSMP Authority may apply). Operators must comply with the terms and conditions of the general permit provided that they comply with the terms and conditions of the general permit including the preparation of a Stormwater Pollution Prevention Plan (SWPPP) for each new single family detached residential structure.

If this is determined, the development would be required to seek General Permit Coverage through the Virginia Department of Environmental Quality.

The Engineering Staff will submit the initial First Draft review to the developer to begin addressing comments and concerns issued by the involved agencies.

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	52.36'	50.00'	60°00'01"	N 29°56'48" W	50.00'
C2	20.15'	25.00'	46°11'13"	N 44°58'45" E	19.61'
C3	64.40'	40.00'	92°15'04"	N 21°56'50" E	57.67'
C4	17.84'	25.00'	40°52'39"	S 03°44'22" E	17.46'
C5	18.47'	73.00'	14°29'40"	N 09°27'07" E	18.42'
C6	85.91'	73.00'	67°25'47"	S 31°30'36" E	81.04'
C7	50.54'	183.00'	15°49'25"	N 57°18'47" W	50.38'
C8	66.43'	183.00'	20°47'54"	S 39°00'07" E	66.06'
C9	7.21'	223.00'	1°51'13"	N 29°31'47" W	7.21'
C10	98.26'	223.00'	25°14'42"	S 43°04'44" E	97.46'
C11	37.07'	223.00'	9°31'24"	N 60°27'47" W	37.02'
C12	47.18'	33.00'	81°55'27"	S 24°15'46" E	43.27'



- PARCEL '1'
0.530 ACRES (23,076 SQ.FT.)
- PARCEL '2'
0.450 ACRES (19,623 SQ.FT.)
- PARCEL '3'
0.502 ACRES (21,871 SQ.FT.)
- PARCEL '4'
1.681 ACRES (73,225 SQ.FT.)
- PARCEL '5'
1.998 ACRES (87,025 SQ.FT.)
- PARCEL '6'
0.755 ACRES (32,870 SQ.FT.)
- PARCEL '7'
0.381 ACRES (16,588 SQ.FT.)
- PARCEL '8'
0.474 ACRES (20,648 SQ.FT.)
- PARCEL '9'
1.675 ACRES (72,967 SQ.FT.)
- PARCEL '10'
5.894 ACRES
- PARCEL '11'
0.346 ACRES (15,083 SQ.FT.)
- PARCEL '12'
0.479 ACRES (20,845 SQ.FT.)
- PARCEL '13'
0.345 ACRES (15,039 SQ.FT.)
- PARCEL '14'
0.473 ACRES (20,617 SQ.FT.)
- PARCEL '15'
0.490 ACRES (21,342 SQ.FT.)
- PARCEL '16'
0.429 ACRES (18,687 SQ.FT.)
- PARCEL '17'
0.434 ACRES (18,926 SQ.FT.)
- PARCEL '18'
0.583 ACRES (25,414 SQ.FT.)
- PARCEL '19'
0.500 ACRES (21,766 SQ.FT.)
- PARCEL '20'
1.474 ACRES (64,222 SQ.FT.)
- PARCEL '21'
2.425 ACRES (105,614 SQ.FT.)
- RESIDUE PARCEL
13.418 ACRES

PARCEL '1'		
LINE	BEARING	DISTANCE
L1	N 63°33'35" E	153.87'
L2	S 28°22'28" E	56.30'
L3	S 61°14'35" W	55.08'
L4	S 28°45'25" E	142.67'
L5	S 67°53'48" W	62.35'
L6	S 61°13'29" W	24.28'
L7	S 70°13'29" W	12.01'
L8	N 28°42'37" W	201.42'

PARCEL '2'		
LINE	BEARING	DISTANCE
L8	S 28°42'37" E	201.42'
L9	S 70°13'29" W	65.24'
L10	S 61°17'23" W	4.81'
L11	N 35°22'19" W	193.91'
L12	N 63°33'35" E	111.60'

PARCEL '3'		
LINE	BEARING	DISTANCE
L11	S 35°22'19" E	193.91'
L13	S 61°17'23" W	90.00'
L14	N 47°35'49" W	209.23'
L15	N 63°33'35" E	135.34'

PARCEL '4'		
LINE	BEARING	DISTANCE
L1	S 63°33'35" W	153.87'
L2	S 63°33'35" W	111.60'
L15	S 63°33'35" W	135.34'
L16	S 63°42'05" W	154.79'
L17	N 29°47'14" W	153.76'
L18	N 61°02'09" E	231.95'
L19	S 85°53'04" E	147.11'
L20	N 63°25'14" E	233.13'
L21	S 28°22'28" E	90.00'

PARCEL '5'		
LINE	BEARING	DISTANCE
L20	S 63°25'14" W	233.13'
L19	N 85°53'04" W	147.11'
L18	S 61°02'09" W	231.95'
L22	N 29°47'14" W	160.29'
L23	N 61°02'09" E	389.25'
L24	S 28°57'51" E	160.27'
L25	N 61°02'09" E	202.13'
L26	S 28°22'28" E	72.95'
L27	S 28°22'28" E	17.05'

PARCEL '6'		
LINE	BEARING	DISTANCE
L25	S 61°02'09" W	202.13'
L24	N 28°57'51" W	160.27'
L28	N 61°02'09" E	65.10'
L29	N 61°02'09" E	148.80'
L30	S 28°36'10" E	33.52'
L31	S 60°06'19" W	10.26'
L32	S 28°22'28" E	126.59'

PARCEL '7'		
LINE	BEARING	DISTANCE
L29	S 61°02'09" W	148.80'
L33	N 26°09'36" W	105.57'
L34	N 53°23'15" E	133.68'
L35	S 28°36'10" E	58.19'

PARCEL '8'		
LINE	BEARING	DISTANCE
L28	S 61°02'09" W	65.10'
L42	N 28°57'51" W	125.31'
L41	N 23°08'27" E	125.54'
L40	N 30°52'40" E	43.96'
L43	S 65°13'29" E	70.60'
L34	S 53°23'15" W	133.68'
L33	S 26°09'36" E	105.57'

PARCEL '9'		
LINE	BEARING	DISTANCE
L38	S 23°28'26" W	286.47'
L37	S 61°02'09" W	307.44'
L44	N 29°47'14" W	468.53'
L45	N 42°42'43" E	250.70'
L46	S 74°32'49" E	80.06'
L47	N 63°45'31" E	101.22'
L48	N 63°45'31" E	277.25'
L49	S 14°25'22" W	121.19'
L50	N 73°18'03" W	21.12'
L51	S 16°36'44" W	115.04'
L52	S 74°39'29" E	132.88'
L53	S 16°41'57" W	71.70'

PARCEL '11'		
LINE	BEARING	DISTANCE
L52	N 74°39'29" W	132.88'
L51	N 16°36'44" E	115.04'
L50	S 73°18'03" E	21.12'
L55	S 73°18'03" E	111.89'
L54	S 16°41'57" W	111.89'

PARCEL '12'		
LINE	BEARING	DISTANCE
L49	N 14°25'22" E	121.19'
L58	N 14°25'22" E	74.16'
L57	S 59°32'21" E	123.19'
L56	S 16°41'57" W	163.89'

PARCEL '13'		
LINE	BEARING	DISTANCE
L57	N 59°32'21" W	123.19'
L59	N 14°57'35" E	51.42'
L60	N 14°57'35" E	71.53'
L61	S 63°01'30" E	137.18'
L62	S 21°53'09" W	34.57'
L63	S 16°41'57" W	2.24'

PARCEL '14'		
LINE	BEARING	DISTANCE
L65	S 69°45'20" E	159.05'
L66	S 19°31'11" W	127.53'
L67	N 69°45'20" W	164.32'
L68	N 21°53'09" E	127.59'

PARCEL '15'		
LINE	BEARING	DISTANCE
L67	S 69°45'20" E	164.32'
L69	S 19°31'11" W	127.65'
L70	N 73°18'03" W	157.72'
L71	N 16°41'57" E	137.63'

PARCEL '16'		
LINE	BEARING	DISTANCE
L70	S 73°18'03" E	157.72'
L72	S 19°31'11" W	60.45'
L73	S 19°31'11" W	60.45'
L74	N 73°18'03" W	151.77'
L75	N 16°41'57" E	120.76'

PARCEL '17'		
LINE	BEARING	DISTANCE
L74	S 73°18'03" E	151.77'
L76	S 19°31'11" W	141.74'
L77	N 65°13'29" W	81.14'
L78	N 16°41'57" E	89.27'

PARCEL '18'		
LINE	BEARING	DISTANCE
L76	N 19°31'11" E	141.74'
L79	N 19°31'11" E	60.45'
L79	N 41°38'45" W	194.83'
L80	N 48°18'51" E	174.69'

PARCEL '19'		
LINE	BEARING	DISTANCE
L80	N 48°18'51" E	174.69'
L81	S 41°38'45" E	136.55'
L82	S 60°06'19" W	200.51'
L83	N 28°36'10" W	90.61'

PARCEL '20'		
LINE	BEARING	DISTANCE
L47	S 63°45'31" W	101.22'
L46	N 74°32'49" W	80.06'
L84	N 56°40'14" W	158.35'
L85	N 34°31'30" W	69.38'
L86	N 67°39'36" E	276.77'
L87	S 22°20'24" E	290.01'

PARCEL '21'		
LINE	BEARING	DISTANCE
L48	S 63°45'31" W	277.25'
L87	N 22°20'24" W	290.01'
L86	S 67°39'36" W	276.77'
L88	N 34°31'30" W	94.07'
L89	N 67°38'03" E	436.41'
L90	S 21°39'45" E	181.71'
L91	N 88°24'55" E	229.40'
L89	S 14°67'35" W	51.42'
L58	S 14°25'22" W	74.16'

RESIDUE PARCEL		
LINE	BEARING	DISTANCE
L90	N 21°39'45" W	181.71'
L92	N 67°38'03" E	1567.53'
L93	S 60°28'19" W	777.87'
L94	S 29°58'02" E	438.33'
L95	S 29°47'05" E	396.62'
L96	S 60°26'19" W	519.21'
L87	N 41°38'45" W	136.55'
L79	N 41°38'45" W	194.83'
L72	N 19°31'11" E	60.45'
L69	N 19°31'11" E	127.65'
L66	N 19°31'11" E	127.53'
L65	N 69°45'20" W	159.05'
L64	N 69°45'20" W	40.02'
L61	N 63°01'30" W	137.18'
L60	S 14°57'35" W	71.53'
L91	S 88°24'55" W	229.40'



HURT & PROFFIT
INSPIRED / RESPONSIVE / TRUSTED

276.228.0008
370 S 4TH STREET
WYTHEVILLE, VA. 24388

Section 5, Item A.
HAND P.C.O
WYTHEVILLE, VA. 24388
ENVIRONMENTAL
ENGINEERING • SURVEYING • LAND DEVELOPMENT • ENVIRONMENTAL
CONSTRUCTION TESTING & INSPECTION • CULTURAL RESOURCE

PLAT SHOWING

MAJOR DIVISION FOR THE PROPERTY OF

FUSION HOLDINGS, LLC.

TOWN OF WYTHEVILLE, WYTHE COUNTY, VIRGINIA

PROJECT NO.	20230156
FILE NO.	
LAT.	36.966738°
LONG.	-81.089896°
DATE:	05/08/2023
DRAWN BY:	JHG
CHECKED BY:	MBT

COMMONWEALTH OF VIRGINIA
M. BRADY TATE
Lic. No. 2794
PRELIMINARY
LAND SURVEYOR

SHEET NO.	REV.
1 OF 2	

May 08, 2023, 1:16pm \\data01\Projects\2023\20230156\Survey\CAD\dwg\sub\plots.dwg

NOTES:

1. THIS PLAT HAS BEEN PREPARED FROM AN ACTUAL FIELD SURVEY DONE AS PER DATE OF THIS PLAT AND THERE ARE NO VISIBLE EASEMENTS OR ENCROACHMENTS EXCEPT AS SHOWN.
2. THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT, THEREFORE, NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.
3. THE AREA SHOWN HEREON IS LOCATED IN FLOOD HAZARD ZONE 'X' AND IS NOT LOCATED WITHIN FLOOD HAZARD ZONE 'A' FOR A 100 YEAR FLOOD AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY AS SHOWN ON COMMUNITY-PANEL MAP #51197C0204D & MAP #51197C0204D DATED 05-02-2008.
4. NEW LOTS 1 THROUGH 3 WILL BE SERVED BY PUBLIC WATER AND PUBLIC SANITARY SEWER. NEW LOTS 4 THROUGH 21 ARE SERVED BY PUBLIC WATER AND PRIVATE SANITARY SEWER.
5. THE ORIGINAL ACREAGE FOR THE SUBJECT PROPERTY IS 36.544 ACRES. THE INTENT OF THIS PLAT IS TO CREATE TWENTY ONE (21) NEW LOTS AND ONE RESIDUE LOT FROM THE TWO (2) EXISTING LOTS.
6. THE SUBJECT PROPERTY IS CURRENTLY ZONED R-1 (RESIDENTIAL). REFER TO ARTICLE VI (RESIDENTIAL R-1) OF THE CURRENT TOWN OF WYTHEVILLE ZONING ORDINANCE, WHICH STATES FRONT BUILDING SETBACK LINE IS A MINIMUM OF 20' BUT SHALL FOLLOW THE STREET LINE OF THE FRONT WALL OF NEIGHBORING HOUSES, REAR SETBACK LINE IS 25', AND SIDE SETBACK LINE IS 15'.
7. SUBJECT PROPERTY HAS REQUESTED VARIANCE FOR THE FOLLOWING SUBDIVISION ORDINANCES:
 5-22.4 - CURB AND GUTTER REQUIREMENT
 5-22.3 - 30 FOOT WIDE ASPHALT ROADWAY
 5-21.1 - STREET RIGHT OF WAY LESSER THAN 50 FOOT WIDE
8. THE FOLLOWING LOTS SHALL HAVE A BLANKET SANITARY EASEMENT TO HAVE EGRESS/INGRESS TO REPAIR, MAINTAIN, OR REPLACE SEPTIC DRAINFIELDS AND SANITARY SERVICE LINES. LOT 11 SHALL BENEFIT FROM A BLANKET SANITARY EASEMENT THAT ENCUMBERS LOT 21. LOT 17 SHALL BENEFIT FROM A BLANKET SANITARY EASEMENT THAT ENCUMBERS LOT 10.
9. LOTS 4, 5, 9, 10, 13, 16, 18, 19, 20, AND 21 ARE CURRENTLY BEING EVALUATED FOR SEPTIC DRAINFIELD PERMITS.
10. LOTS 6, 7, 8, 11, 12, 14, 15, AND 17 HAVE PERMITTED SEPTIC DRAINFIELDS PERMITS.
11. WATER, ELECTRIC, AND TELEPHONE SERVICE CONNECTIONS WILL BE ALONG ASBURY LANE.
12. 15' WIDE PUBLIC UTILITY EASEMENTS ALONG ASBURY LANE HEREBY CREATED.

OWNER'S CONSENT

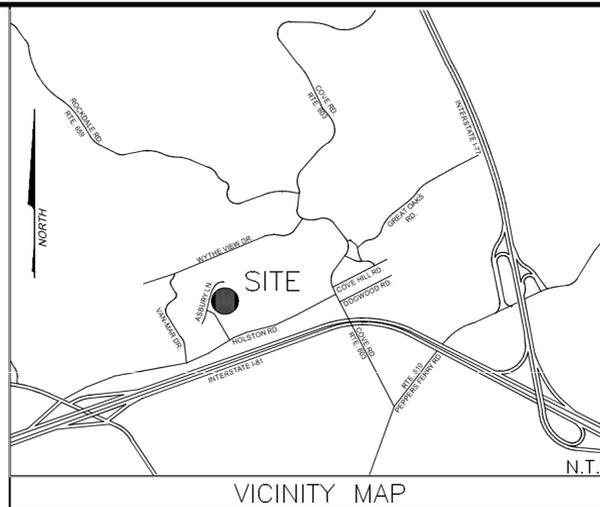
THIS IS TO CERTIFY THAT THIS MINOR SUBDIVISION AS SHOWN HEREON HAS BEEN PREPARED WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS AND TRUSTEES, IF ANY.

REPRESENTATIVE OF FUSION HOLDINGS, LLC.

COMMONWEALTH AT LARGE TO WIT:
STATE OF VIRGINIA

COUNTY/CITY OF _____

I, _____, A NOTARY PUBLIC IN AND FOR THE STATE AFORESAID, DO HEREBY CERTIFY THAT THE OWNERS/REPRESENTATIVES WHOSE NAMES ARE SIGNED HEREON HAVE ACKNOWLEDGED THE SAME BEFORE ME THIS ____ DAY OF _____, 20____. MY COMMISSION EXPIRES: _____.



NOTARY PUBLIC

PROPOSED HAMMERHEAD TURNAROUND

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	66.43'	183.00'	20°47'54"	N 39°00'07" W	66.06'
C2	50.54'	183.00'	15°49'25"	N 57°18'47" W	50.38'
C3	85.91'	73.00'	67°25'47"	N 31°30'36" W	81.04'
C4	18.47'	73.00'	14°29'40"	N 09°27'07" E	18.42'
C5	17.84'	25.00'	40°52'39"	N 03°44'22" W	17.46'
C6	64.40'	40.00'	92°15'04"	N 21°56'50" E	57.67'
C7	20.15'	25.00'	46°11'13"	N 44°58'45" E	19.61'
C8	47.18'	33.00'	81°55'27"	S 24°15'46" E	43.27'
C9	37.07'	223.00'	9°31'24"	S 60°27'47" E	37.02'
C10	98.26'	223.00'	25°14'42"	S 43°04'44" E	97.46'
C11	7.21'	223.00'	1°51'13"	S 29°31'47" E	7.21'

LINE	BEARING	DISTANCE
L1	S 60°06'19" W	10.26'
L2	S 60°06'19" W	29.75'
L3	N 28°36'10" W	33.52'
L4	N 28°36'10" W	58.19'
L5	N 65°13'29" W	70.60'
L6	N 65°13'29" W	10.54'
L7	N 16°41'57" E	71.70'
L8	N 16°41'57" E	111.89'
L9	N 16°41'57" E	165.89'
L10	N 16°41'57" E	2.24'
L11	N 21°53'09" E	34.57'
L12	S 69°45'20" E	40.02'
L13	S 21°53'09" W	127.59'
L14	S 16°41'57" W	137.63'
L15	S 16°41'57" W	120.76'
L16	S 16°41'57" W	89.27'
L17	S 65°13'29" E	81.14'
L18	S 28°36'10" E	90.81'

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT ALL OF THE REQUIREMENTS OF THE TOWN COUNCIL AND THE ORDINANCES OF TOWN OF WYTHEVILLE, VIRGINIA, REGARDING THE PLATTING OF SUBDIVISIONS WITH THE TOWN HAVE BEEN MET. I ALSO CERTIFY THAT THE SOURCE OF TITLE SHOWN FOR THE SUBJECT PARCEL IS THE LAST INSTRUMENT IN THE CHAIN OF TITLE.

BRADLEY TATE, L.S. NO. 2794 DATE _____

TOWN OF WYTHEVILLE CERTIFICATE OF APPROVAL:

THIS MAJOR DIVISION AND DEDICATION OF RIGHT-OF-WAY AS SHOWN HEREON IS APPROVED BY THE UNDERSIGNED AND IS EXEMPT FROM THE PROVISIONS OF THE TOWN OF WYTHEVILLE SUBDIVISION ORDINANCE AND MAY BE ADMITTED TO RECORD.

AGENT TOWN OF WYTHEVILLE _____

SOURCE OF TITLE: T.M #25-70A

THE AREA SHOWN WAS ACQUIRED BY FUSION HOLDINGS, LLC. FROM BW REAL ESTATE HOLDING, LLC. BY DEED DATED MARCH 20, 2023 AS RECORDED IN INSTR. #230000691 OF THE CIRCUIT COURT CLERKS OFFICE OF WYTHE COUNTY, VIRGINIA.

DRAIN FIELD PERMIT NUMBERS

- DF 1 #90-198-274
- DF 2 #99-198-391
- DF 3 #97-198-247
- DF 4 #92-198-1536
- DF 5 #98-198-148
- DF 6 #92-198-1465
- DF 7 #87-198-147
- DF 8 #06-198-094 (#07-198-098)
- DF 9 #98-198-025

ASBURY LANE
0.808 ACRES (35,199 SQ. FT.)
40' WIDE R/W PARCEL

VIRGINIA-LTC INC.
T.M. #25-70C
INSTR. #100001441

HURT & PROFFIT

INSPIRED / RESPONSIVE / TRUSTED



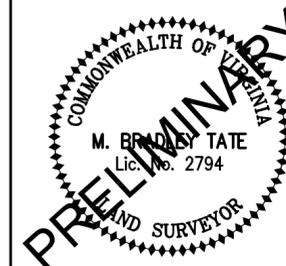
276.228.0008
370 S 4TH STREET

HANDP.CO
WYTHEVILLE, VA. 2438

ENGINEERING • SURVEYING • LAND DEVELOPMENT • ENVIRONMENTAL
CONSTRUCTION TESTING & INSPECTION • CULTURAL RESOURCE

PLAT SHOWING
MAJOR DIVISION FOR THE PROPERTY OF
FUSION HOLDINGS, LLC.
TOWN OF WYTHEVILLE, WYTHE COUNTY, VIRGINIA

PROJECT NO.	20230156
FILE NO.	
LAT.	36.966738°
LONG.	-81.089896°
DATE:	05/08/2023
DRAWN BY:	JHG
CHECKED BY:	MBT



SHEET NO. 2 OF 2	REV.
---------------------	------

OWNER'S CONSENT
 THIS IS TO CERTIFY THAT THIS MINOR SUBDIVISION AS SHOWN HEREON HAS BEEN PREPARED WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS AND TRUSTEES, IF ANY.

REPRESENTATIVE OF VIRGINIA-LTC INC.

COMMONWEALTH AT LARGE TO WIT:
 STATE OF VIRGINIA
 COUNTY/CITY OF _____

I, _____, A NOTARY PUBLIC IN AND FOR THE STATE AFORESAID, DO HEREBY CERTIFY THAT THE OWNERS/REPRESENTATIVES WHOSE NAMES ARE SIGNED HEREON HAVE ACKNOWLEDGED THE SAME BEFORE ME THIS ____ DAY OF _____, 20__.

NOTARY PUBLIC

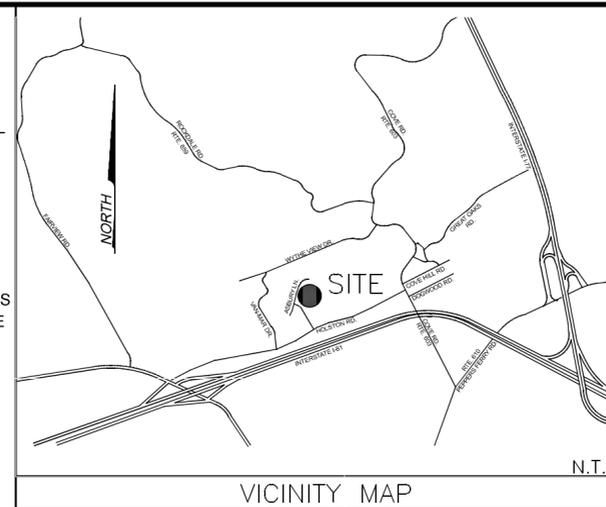
OWNER'S CONSENT
 THIS IS TO CERTIFY THAT THIS MINOR SUBDIVISION AS SHOWN HEREON HAS BEEN PREPARED WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS AND TRUSTEES, IF ANY.

REPRESENTATIVE OF FUSION HOLDINGS, LLC.

COMMONWEALTH AT LARGE TO WIT:
 STATE OF VIRGINIA
 COUNTY/CITY OF _____

I, _____, A NOTARY PUBLIC IN AND FOR THE STATE AFORESAID, DO HEREBY CERTIFY THAT THE OWNERS/REPRESENTATIVES WHOSE NAMES ARE SIGNED HEREON HAVE ACKNOWLEDGED THE SAME BEFORE ME THIS ____ DAY OF _____, 20__.

NOTARY PUBLIC



VICINITY MAP

- LEGEND**
- IRF IRON ROD FOUND
 - IPF IRON PIPE FOUND
 - MNF MAG NAIL FOUND
 - IRS IRON ROD SET
 - ▬▬▬ EDGE OF PAVEMENT
 - ⊕ ELECTRIC POLE
 - ELECTRIC PEDISTAL
 - ⊕ TELEPHONE PEDISTAL
 - ⊕ SANITARY MANHOLE
 - ⊕ FIRE HYDRANT
 - OH E — OVERHEAD ELECTRIC
 - UG E — UG ELECTRIC LINE
 - UG G — UG GAS LINE
 - SS — UG SAN. SEWER LINE
 - W — UG WATER LINE
 - D.B. DEED BOOK
 - T.M. TAX MAP

LINE	BEARING	DISTANCE
L1	N 28°45'25" W	131.78'
L2	S 61°14'35" W	24.99'
L3	N 28°22'28" W	173.94'
L4	N 28°22'28" W	199.55'
L5	N 60°06'19" E	40.01'
L6	S 28°22'28" E	335.46'
L7	S 61°15'11" E	46.03'
L8	S 28°45'25" E	131.63'
L9	S 61°02'01" W	40.00'

SURVEYOR'S CERTIFICATE
 I HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT ALL OF THE REQUIREMENTS OF THE TOWN COUNCIL AND THE ORDINANCES OF TOWN OF WYTHEVILLE, VIRGINIA, REGARDING THE PLATTING OF SUBDIVISIONS WITH THE TOWN HAVE BEEN MET. I ALSO CERTIFY THAT THE SOURCE OF TITLE SHOWN FOR THE SUBJECT PARCEL IS THE LAST INSTRUMENT IN THE CHAIN OF TITLE.

BRADLEY TATE, L.S. NO. 2794 DATE _____

TOWN OF WYTHEVILLE CERTIFICATE OF APPROVAL:
 THIS DEDICATION OF RIGHT-OF-WAY AS SHOWN HEREON IS APPROVED BY THE UNDERSIGNED AND IS EXEMPT FROM THE PROVISIONS OF THE TOWN OF WYTHEVILLE SUBDIVISION ORDINANCE AND MAY BE ADMITTED TO RECORD.

AGENT TOWN OF WYTHEVILLE

SOURCE OF TITLE: T.M. #25-70
 THE AREA SHOWN WAS ACQUIRED BY VIRGINIA-LTC INC. FROM WYTHEVILLE HEALTHCARE PROPERTIES I, LLC. BY DEED DATED JUNE 1, 2010 AS RECORDED IN INSTR. #100001441 OF THE CIRCUIT COURT CLERKS OFFICE OF WYTHE COUNTY, VIRGINIA.

SOURCE OF TITLE: T.M. #25-70A
 THE AREA SHOWN WAS ACQUIRED BY FUSION HOLDINGS, LLC. FROM BW REAL ESTATE HOLDING, LLC. BY DEED DATED MARCH 20, 2023 AS RECORDED IN INSTR. #230000691 OF THE CIRCUIT COURT CLERKS OFFICE OF WYTHE COUNTY, VIRGINIA.

ASBURY LANE
 0.475 ACRES (20,709 SQ. FT.)
 40' WIDE R/W PARCEL

FUSION HOLDINGS, LLC.
 INSTR. #23000691
 T.M. #25-70A

VIRGINIA-LTC INC
 INSTR. #100001441
 T.M. #25-70

TRUSTEES OF THE
 WYTHEVILLE DISTRICT OF
 THE UNITED METHODIST
 CHURCH
 INSTR. #050003313
 T.M. #25-70C

- NOTES:**
- THIS PLAT HAS BEEN PREPARED FROM AN ACTUAL FIELD SURVEY DONE AS PER DATE OF THIS PLAT AND THERE ARE NO VISIBLE EASEMENTS OR ENCROACHMENTS EXCEPT AS SHOWN.
 - THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT, THEREFORE, NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.
 - THE AREA SHOWN HEREON IS LOCATED IN FLOOD HAZARD ZONE 'X' AND IS NOT LOCATED WITHIN FLOOD HAZARD ZONE 'A' FOR A 100 YEAR FLOOD AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY AS SHOWN ON COMMUNITY-PANEL MAP #51197C0204D DATED 05-02-2008.
 - THE HATCHED AREA REPRESENTS THE AREA TO BE CONVEYED FROM T.M. #25-70A. THIS AREA CONSISTS OF 0.064 ACRES (2,787 SQ.FT.).
 - 0.411 ACRES (17,922 SQ.FT.) IS BEING CONVEYED FROM T.M. #25-70.
 - NEW PROPERTY LINES L4 THROUGH L9.

HURT & PROFFIT

INSPIRED / RESPONSIVE / TRUSTED



HANDP.CO
 WYTHEVILLE, VA. 24388
 276.228.0008
 370 S 4TH STREET
 ENGINEERING • SURVEYING • LAND DEVELOPMENT • ENVIRONMENTAL
 GEOTECHNICAL • CONSTRUCTION TESTING & INSPECTION • CULTURAL RESOURCE

PLAT SHOWING
 RIGHT OF WAY DEDICATION AND LOT LINE REVISION
 FOR THE PROPERTY OF
T.M. #25-70 & T.M. #25-70A
 TOWN OF WYTHEVILLE, WYTHE COUNTY, VIRGINIA

PROJECT NO.	20230156
FILE NO.	
LAT.	36.966738°
LONG.	-81.089896°
DATE:	04-27-2023
DRAWN BY:	JHG
CHECKED BY:	MBT



SHEET NO. 1 OF 1 REV.

5-C

Article 7. Site Development Standards

7.1. Purpose

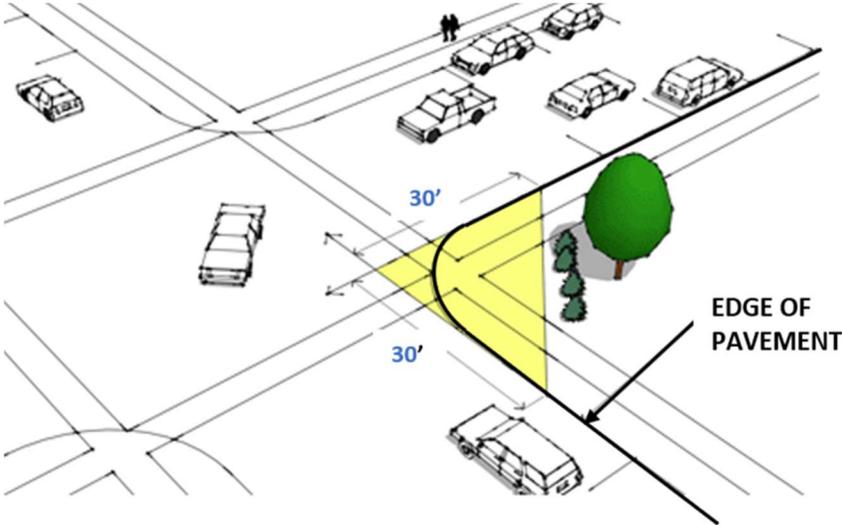
- A. Site development standards are provided to guide the development of structures and similar improvements on properties throughout the Town of Wytheville. Site development standards apply generally to all development within all zoning districts. They differ from Special Provisions for Conditional Uses, which only apply to specific uses in specific locations around the community.

7.2. Clear Sight Triangle

A. Clear Sight Triangle Requirements

- 1. The clear sight triangle formed by the face of curb or pavement edge of the street and the similar edge of an intersecting street, alley, or driveway surface; and a line connecting points 30 feet from the intersection of said lines. (See figure 7.1 below.)

Figure 7.1: Clear Sight Triangles



- 2. Except in the B-2 DT or any DTB district, no building, structure, or improvement, including landscape, shall be erected, placed, planted, or maintained so as to interfere with a clear sight area located between the heights of 3 feet and 10 feet above the crown of a street, driveway, or alley. A clear sight area shall be established for all streets and alleys, whether public or private.
- 3. The Town Engineer or designee may require a larger clear sight area, as provided by [Virginia Department of Transportation Road Design Manual Appendix F](#), when necessary to provide for the safe movement of pedestrians and vehicles.

7.3. Fencing and Outdoor Wall Standards

A. Purpose

1. To protect the public health, safety, and welfare by guiding the placement of fences and similar structures within the landscape and to assure that the following factors guide fence placement.
 - a. Fences are installed in a way that enhances the beauty and character of the Town of Wytheville.
 - b. Fences are of a height and scale appropriate for their location.
 - c. Fences do not obstruct important lines of sight for motorists and pedestrians.
 - d. Fences do not encroach on adjoining properties or impede legal access rights that may exist along public rights-of-way, private rights-of-way, or other relevant types of access easements.

B. General Standards

1. The provisions of this section do not apply to retaining walls. See Section 7.6 for retaining wall standards.
2. Location: Fences and walls shall be wholly contained within the owner's property. For the purpose of establishing fence locations, "wholly contained" shall mean at least one (1) foot within the property line. This requirement shall not apply to Division or Boundary Fences, which may be located on adjoining property lines after following the procedures specified in the [Code of Virginia § 55.1-2821-2826](#) and by presenting evidence that those procedures have been completed.
3. Permit Required: A building permit and fee are required for all fences described herein except for portable kennels not affixed to the ground or runs of thirty (30) feet or less of decorative open fencing that is less than four (4) feet tall.
4. No fence or wall shall be permitted within the Town right-of-way and any fence or wall located within the Town right-of-way is subject to removal at the owner's expense. This provision does not imply that temporary fences necessary for construction activity or special events cannot be installed along a public right-of-way with appropriate traffic management plans that are approved by the Town of Wytheville Engineer, Public Works Director, and Zoning Administrator.
5. All fences and walls are subject to compliance with all applicable provisions of the Uniform Statewide Building Code.
6. No fence shall obstruct views at any entrance onto public right-of-way or located in the sight triangle of any street or alley intersection including private streets and alleys.
7. When fences and walls are constructed on lots on which no structure exists, "Front Yard" is deemed to be the minimum front yard setback required in the zoning district in which the fence or wall is being placed.

8. The “attractive side” of a fence must face outward along any street, including corner and double frontage lots, and when protecting a pool. It is recommended to face the “attractive side” out in all other instances, although there is no requirement.
9. When a fence is intended to provide multiple functions as defined by the fence types found in the table at the end of this section (7.3), the more restrictive regulations for all applicable fence types shall apply. If the applicable regulations appear to be in conflict, the Zoning Administrator or his or her designee shall review the circumstances and render a final opinion on requirements for said fence.
10. Barbed wire, razor wire, or other sharply pointed materials may be used in industrially zoned districts provided said material is over seven (7) feet above the ground and any projections at the top shall be over the fence owner’s property and shall not overhang onto abutting property.
11. Barbed wire may also be used in agricultural fencing in the A-1 Zoning District and to repair or replace grandfathered agricultural fencing in other zoning districts.

**C. Provisions for Fences in Residential Districts
(R-1, R-2, R-2 FH, R-3, R-4, RA, RB-1, RB-2, RH, and RMH)**

1. Fence locations by height and degree of opacity within residential districts are as follows:
 - a. Front Yard:
 - 1.) Fences and walls up to four (4) feet in height and up to 50% solid may be erected in the front yard of any lot.
 - 2.) No fence or wall more than four (4) feet in height or more than 50% solid shall be erected in any front yard except as required to meet screening requirements in specific zoning district regulations.
 - b. Side Yards:
 - 1.) Fences and walls up to four (4) feet in height and up to 100% solid may be erected in the side or rear yards of any lot.
 - 2.) A fence or wall up to 100% solid, more than four (4) feet in height and up to eight (8) feet in height may be erected in the side yard provided that the fence is at least fifteen (15) feet behind the front yard setback line of the existing structure, and street side corner parcels have a setback of at least five (5) feet from the public right-of-way in residential districts.
 - c. Rear Yard:
 - 1.) A fence or wall up to eight (8) feet in height and up to 100% solid may be erected in any rear yard.

**D. Provisions for Fences in Business and Industrial Districts
(MA, B-1, B-2, B-2 DT, BMX, BTS, DTB-1, DTB-2, DTB-3, M-1, and M-2)**

1. Required Fencing, Screening, And Enclosure:

- a. Activities incidental to permitted uses, which are not conducted wholly within a completely enclosed building, shall be conducted within an area enclosed on all sides by a fence that meets the regulations for an “Access Control” fence as described in Table 7.2 of Section 7.3.F.
 - b. In cases where activities described in Section 7.3.D.1.a could pose a hazard to individuals entering the site, the fence enclosure shall also meet the regulations for a “High Security Production Area” fence as described in Table 7.2 of Section 7.3.F. Potentially hazardous outdoor uses include, but are not limited to, manufacturing or assembly of products, servicing or repair of equipment, refinement or machining of materials, storage or staging of equipment, or transfer of raw materials and chemicals.
 - c. In cases where visibility of activities described in Section 7.3.D.1.a are of a nature that would adversely affect the value or enjoyment of adjoining property, the required fence must also meet the regulations for a “Screen” fence as described in Table 7.2 of Section 7.3.F. Outdoor uses requiring screen fencing shall include, but not be limited to, storage of materials or products not intended for retail sale, storage of trucks or other service vehicles, junk yards, storage of inoperative vehicles, automobile graveyards, towing and wrecker service yards, and outdoor assembly or manufacturing of products. Screen fences required under this provision must be maintained in good repair continuously while the potentially offensive uses are present.
 - d. Outdoor retail sales display areas shall be conducted wholly within an area enclosed on all sides by a fence that meets the regulations for an “Outdoor Product Sales or Display” fence as described in Table 7.2 of Section 7.3.F. Signs that require an unobstructed view, sales of automobiles, sales of manufactured homes, or sales of accessory buildings are exempted from the fencing requirement.
 - e. Signs that require an unobstructed view, and employee and visitor parking areas are exempt from the fencing and screening requirement.
 - f. Utilities and other equipment, such as HVAC units, that require natural air circulation, an unobstructed view, or other technical consideration necessary for proper operation, should be sited to allow adequate space for safe operation while still meeting requirements for fencing and screening. The Zoning Administrator may grant an exception where evidence is provided that unobstructed access or view of the public utility or other equipment is required for safe operation. This exception does not include storing of any materials.
2. Fence locations by height and degree of opacity within business and industrial districts are based on the following regulations:
- a. Front Yard:
 - 1.) Fences and walls up to four (4) feet in height and up to 50% solid may be erected in the front yard of any lot.

- 2.) No fence or wall more than four (4) feet in height or more than 50% solid shall be erected in any front yard except as required to meet screening requirements in specific zoning district regulations.
 - 3.) Certain open style safety fence types up to eight (8) feet tall, including agricultural, detention pond safety, public facility, and utility security fences, are permitted in front yards within business and industrial districts. In no case shall these fences encroach on sight triangles or block sight lines at any entrance.
- b. Side Yards:
- 1.) Fences and walls up to four (4) feet in height and up to 100% solid may be erected in the side or rear yards of any lot.
 - 2.) A fence or wall up to eight (8) feet in height and 100% solid may be erected in the side yard provided that the fence is at least fifteen (15) feet behind the front yard setback line of the existing structure and street side corner parcels have a setback of at least ten (10) feet from the public right-of-way in nonresidential districts.
- c. Rear Yard:
- 1.) A fence or wall up to eight (8) feet in height and up to 100% solid may be erected in any rear yard.

E. Property Areas

- 1. The Table 7.1 describes the five (5) areas used to regulate fence height and location on parcels within the Town of Wytheville. The five (5) diagrams that follow the table offer a graphic representation of each of the five areas.

Table 7.1: Description of The Five (5) Regulatory Areas for Fencing of Parcels

Area Label	Area Description
A	Entire parcel except in sight triangles.
B	Behind front yard setback line.
C	Fifteen (15) feet behind front yard setback line, with a street side setback from the public right-of-way on side corner parcels of five (5) feet in residential zones and ten (10) feet in other zones.
D	Only within building envelope (front, side, and rear yard setback lines).
E	Entire parcel and may encroach on right-of-way provided that installation is temporary, and that plans to safely accommodate pedestrian and vehicular traffic are approved by the Town of Wytheville Engineer, Public Works Director, and the Zoning Administrator.

Figure 7.2: Fencing Area 'A', Allowable Area for Fences up to Four (4) Feet Tall and At Least 50% Open.

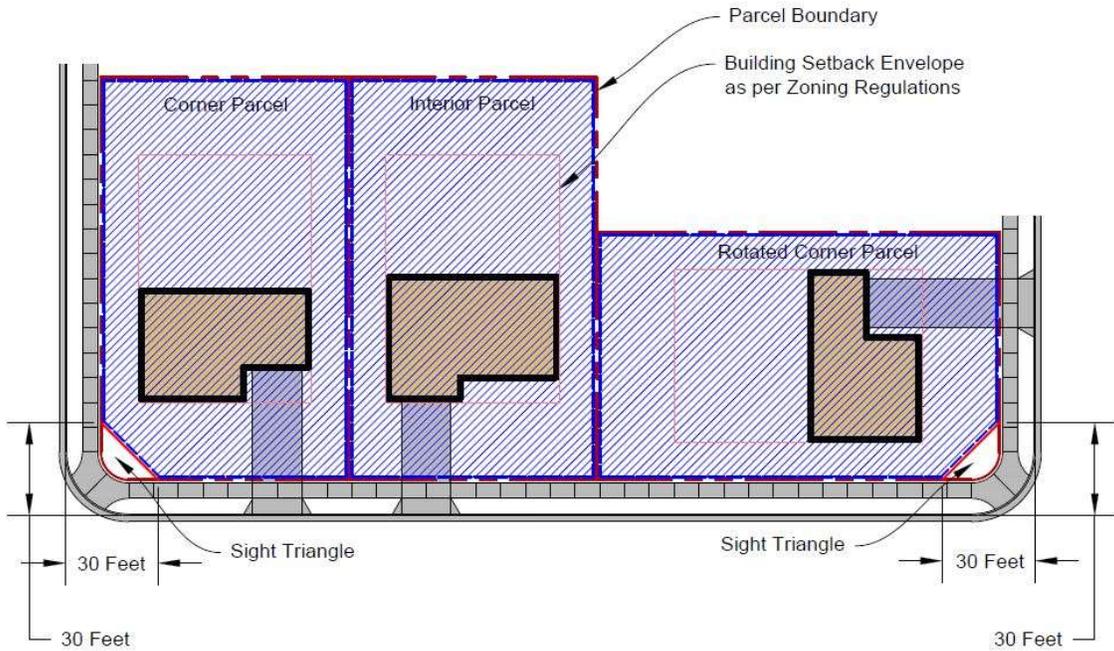


Figure 7.3: Fencing Area 'B', Allowable Area for Solid Fences up to Four (4) Feet Tall

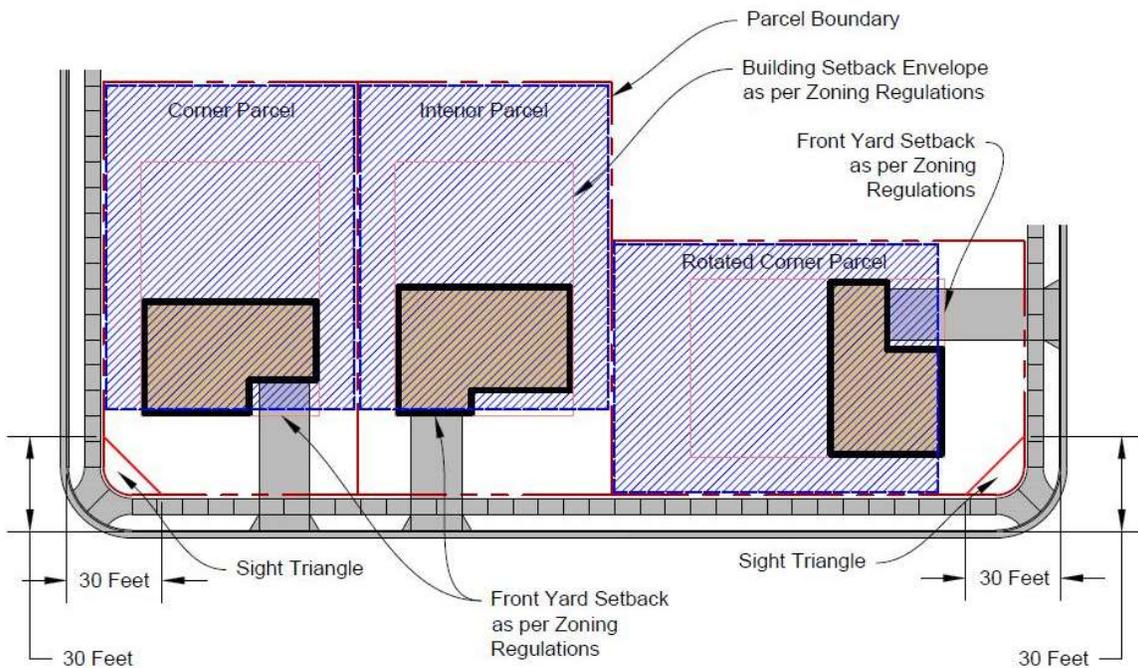


Figure 7.4: Fencing Area 'C', Allowable Area for Fences up to Eight (8) Feet Tall

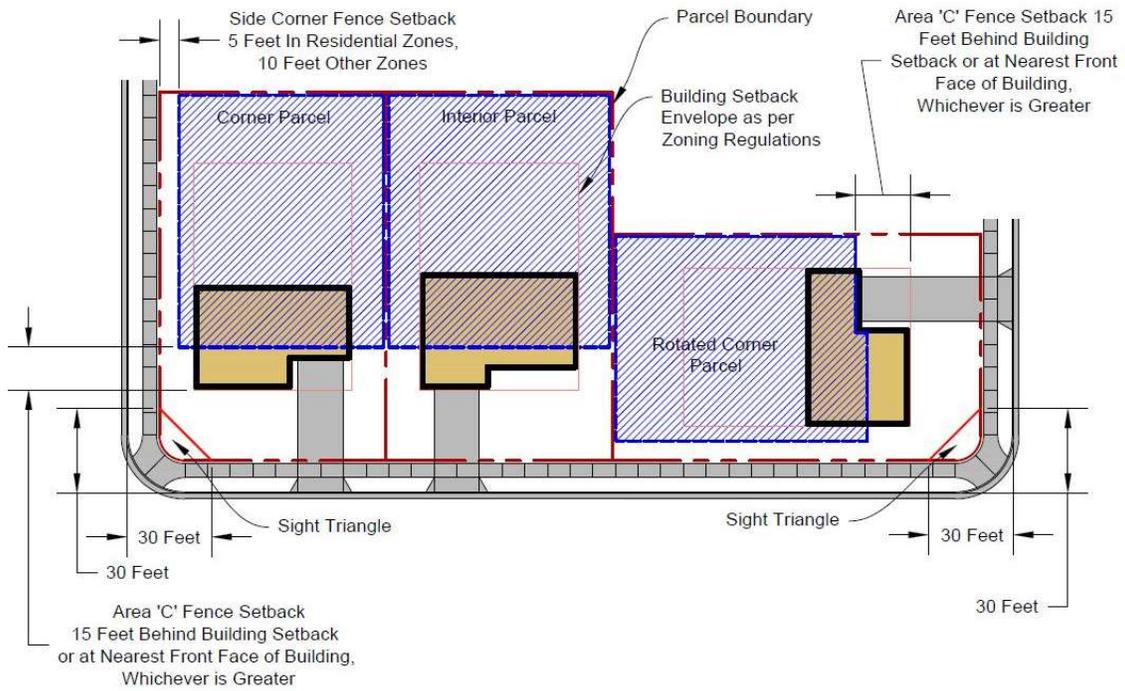


Figure 7.5: Fencing Area 'D', Allowable Area for Fences More than Eight (8) Feet Tall or with Potential Negative Impacts on Adjacent Parcels

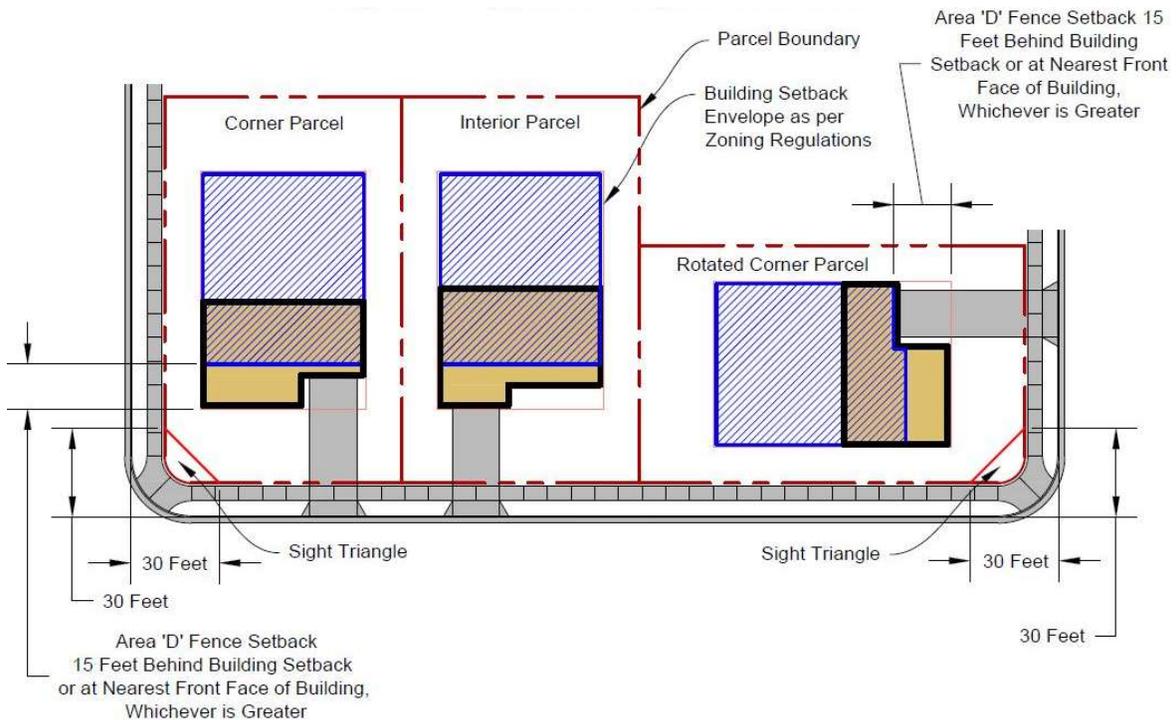
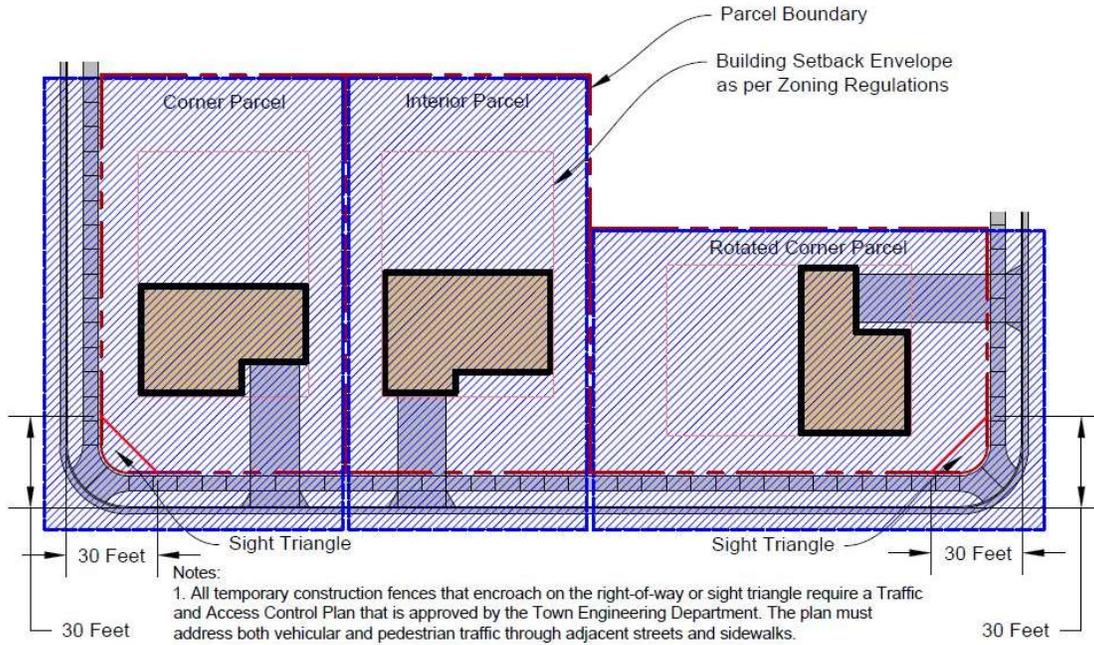


Figure 7.6: Fencing Area 'E', Allowable Area for Temporary Construction and Event Fences



Notes:
1. All temporary construction fences that encroach on the right-of-way or sight triangle require a Traffic and Access Control Plan that is approved by the Town Engineering Department. The plan must address both vehicular and pedestrian traffic through adjacent streets and sidewalks.

2. Permits for temporary construction fences are valid for up to six (6) months. For construction projects that continue for more than six (6) months, renewals will require a reevaluation of the effectiveness of the Traffic and Access Control Plan.

F. Fence Location and Permit Requirement Tables

Table 7.2: Fence Types, Zoning Districts Where Permitted, and Special Requirements by Fence Type

Purpose of Fence	Districts Where Permitted	Special Requirements	Height	Opacity	Allowable Site Areas
Access Control	All	<ul style="list-style-type: none"> This general category of fences may be subject to requirements for other fence types, such as screening and material quality based on site conditions, zoning regulations, and intended uses. 	Up to 8 feet	Open or Solid	C
Agricultural	A-1	<ul style="list-style-type: none"> Agricultural fencing should be open and allow visibility from offsite. Provisions for installation of agricultural fence in nonagricultural zones shall not constitute permission to maintain cattle or other livestock in nonagricultural zones. 	Up to 8 feet	Open	A
	All zones when proposed agricultural use is permitted in that zone.				
Animal Control Kennels and Cages, Commercial	A-1, B-2, M-1, M-2	<ul style="list-style-type: none"> Fences shall be open to allow observation of the animals. Exceptions may be granted when required for the safety or wellbeing of the animals. 	Up to 8 feet	Open	D
Animal Control Kennels and Cages, Private	3 or fewer dogs – All zones	<ul style="list-style-type: none"> Fences shall be open to allow observation of the animals. Exceptions may be granted when required for the safety or wellbeing of the animals. 	Up to 8 feet	Open	≤3 dogs C
	4 or more dogs – A-1, B-2, M-1, M-2		Up to 8 feet	Open	≥4 dogs D
Architectural Buffer Yard Screen	All	<ul style="list-style-type: none"> All screen fences should be 80% or more solid. 	Up to 8 feet	≥ 80% Solid	C
Character or Image	All	<ul style="list-style-type: none"> Ornamental and durable materials are required. Utilitarian fence materials such as chain link or other wire fence are not allowed. 	≤ 4 feet	≤ 50% Solid	A
			> 4 feet	> 50% Solid	B
			> 4 feet	Open or Solid	C

Table 7.2: Fence Types, Zoning Districts Where Permitted, and Special Requirements by Fence Type (Continued)

Purpose of Fence	Districts Where Permitted	Special Requirements	Height	Opacity	Allowable Site Areas
Construction	All	<ul style="list-style-type: none"> • These fences are temporary only. • All temporary construction fences encroaching on the right-of-way or sight triangle require a Traffic and Access Control Plan to be approved by the Town of Wytheville Engineer, Public Works Director, and Zoning Administrator. The plan must provide safe passage for both vehicular and pedestrian traffic through adjacent streets and sidewalks. Temporary pedestrian facilities, traffic control devices and/or detours may be required. • Permits for temporary construction fences are valid for up to six (6) months. For construction projects that continue for more than six (6) months, renewals will require a reevaluation of the effectiveness of the Traffic and Access Control Plan. 	Up to 8 feet	Open or Solid	E
Detention Pond Safety	All	<p>Safety fences are not typically required for stormwater detention ponds except when any one or more of the following conditions are present:</p> <ul style="list-style-type: none"> • Poned depths greater than 3 feet are expected. • Side slopes of 3:1 or steeper are present. • The basin is situated near schools or playgrounds, pedestrian areas, or other areas where children are expected to frequent. • It is recommended by the responsible design engineer or, if the Town will become responsible for maintenance of the facility, then by a representative of the Town of Wytheville. 	Up to 8 feet	Open	A
Dumpster Enclosure	B-1, B-2, B-2 DT, DTB-1, DTB-2, DTB-3, MA, M-1, M-2, R-3	<ul style="list-style-type: none"> • All screen fences should be 80% or more solid. • Dumpster enclosures are required for all commercial and industrial uses, and for all multi-family uses with five (5) or more units. • Dumpster enclosures must screen all four (4) sides of the dumpster(s) by utilizing a solid gate at the access point unless the dumpster access is not visible from any street. • Where the dumpster access is not visible from any public street or right-of-way, the solid gate may be omitted but screening of the remaining three (3) sides is required. 	Up to 8 feet	≥ 80% Solid	C

Table 7.2: Fence Types, Zoning Districts Where Permitted, and Special Requirements by Fence Type (Continued)

Purpose of Fence	Districts Where Permitted	Special Requirements	Height	Opacity	Allowable Site Areas
Excessive Height Fences	B-1, B-2, B-2 DT, M-1, M-2	<ul style="list-style-type: none"> Fences taller than 8 feet are treated as a building and must meet applicable building setback requirements. Excessive Height Fences are subject to the same building and site plan review requirements as buildings and other site structures. Ornamental materials shall be used when located along arterial and collector roadways. 	> 8 feet	Open or Solid	D
Guardrail Safety	All	<ul style="list-style-type: none"> Guardrail fences are required by code to be 42 inches tall. Must utilize vertical balustrades with no openings larger than four (4) inches wide to discourage climbing. Retaining walls and steep slopes over four (4) feet in height must be engineered by an appropriate licensed professional. A guardrail fence is required when a pedestrian area is located above the wall, the wall is near a school, playground, or other area where children are expected to frequent. A guardrail fence is required when recommended by the responsible design engineer, or if the Town will become responsible for maintenance of the facility, by a representative of the Town of Wytheville. 	42 inches	Open	A
High Security Production Area	M-1, M-2	<ul style="list-style-type: none"> Permitted uses shall be conducted wholly within a completely enclosed building or within an area enclosed on all sides by a solid masonry wall, a solid board fence, or a slatted chain link fence of at least six (6) feet in height. Fence system shall include lockable gates. Gates for pedestrian access shall be self-closing and locking. Fence shall be designed to prevent climbing through the design or use of barbed wire that is above seven (7) feet in height and does not extend beyond the property line. 	Up to 8 feet	Open or Solid (Unless screening is required for the use.)	D
HVAC Screen	All	<ul style="list-style-type: none"> All screen fences should be 80% or more solid. 	≤ 4 feet	≥ 80% Solid	B
			> 4 feet	> 80% Solid	C

Table 7.2: Fence Types, Zoning Districts Where Permitted, and Special Requirements by Fence Type (Continued)

Purpose of Fence	Districts Where Permitted	Special Requirements	Height	Opacity	Allowable Site Areas
HVAC Security	All	<ul style="list-style-type: none"> When located between the building and the street, an HVAC Screen Fence is required. 	Up to 8 feet	Open or Solid	C
Managed Care and Safety (Includes memory care, daycare, preschool, school, group home, and pool safety fences.)	All	<ul style="list-style-type: none"> These safety fences are subject to all applicable building and safety code requirements. Openings should not be greater than four (4) inches. Gates should be self-closing and self-latching/locking. The fence should not be climbable. Fence material shall be open to allow visibility to monitor the space and should not be obstructed by landscaping, except that solid fence materials may be used when necessary to protect the security of residents or neighbors. 	Up to 8 feet	Open (Solid fence may be used when required for the safety of residents or neighbors.)	C
Outdoor Café	B-1, B-2, B-2 DT, DTB-1, DTB-2, DTB-3, M-1, PUD	<ul style="list-style-type: none"> Applies to onsite outdoor eating areas in commercial and industrial zones, and in Planned Unit Developments. Ornamental materials are required. 	Up to 4 feet	Open or Solid	A
Outdoor Product Sales or Display	B-1, B-2, B-2 DT, DTB-1, DTB-2, DTB-3, M-1	<ul style="list-style-type: none"> Ornamental materials are required when located facing a public roadway. 	Any Height	Open or Solid	D
Public Facility	All	<ul style="list-style-type: none"> Ornamental materials shall be used when located along arterial and collector roadways and in residential zones. 	Up to 8 feet	Open Utilitarian Style	C
				Open Ornamental materials	A
Recreation Equipment	All	<ul style="list-style-type: none"> Recreation equipment fence shall incorporate appropriate padding and similar safety devices to protect participants in sporting activities and events. 	Any Height	Open	D

Table 7.2: Fence Types, Zoning Districts Where Permitted, and Special Requirements by Fence Type (Continued)

Purpose of Fence	Districts Where Permitted	Special Requirements	Height	Opacity	Allowable Site Areas
Screening	All	<ul style="list-style-type: none"> All screen fences should be 80% or more solid. Screen fences must effectively block the view of the area to be screened from the street and/or other adjacent off-site areas. For fence types that look different on one side than the other side, the more attractive side should face the street. Such screen fence shall be constructed of opaque materials such as treated wood, vinyl, brick, masonry, or other similar material and shall be constructed to provide an attractive and durable barrier. Slatted chain link fence may be used only in business and industrial zones where no existing residential use is present on adjacent parcels, no residentially zoned areas are adjacent, and no arterial street frontage is present. Screen fencing must be located to provide the best possible screening of the area intended to be screened. On sloping sites, this may require a location away from the property line, such as at the top of a graded slope created to form a building pad. Where a screen fence is required by this ordinance, the minimum height is six (6) feet. 	Up to 8 feet	≥ 80% Solid	C

Table 7.2: Fence Types, Zoning Districts Where Permitted, and Special Requirements by Fence Type (Continued)

Purpose of Fence	Districts Where Permitted	Special Requirements	Height	Opacity	Allowable Site Areas
Sidewalk Café	B-2 DT DTB-1, DTB-2, DTB-3	<ul style="list-style-type: none"> A renewable one (1) year permit is required. Renewal reviews will be conducted concurrently with Special Exception Permit Reviews. Applies only to outdoor eating areas located on public sidewalks in traditional downtown urban settings. Free flow of pedestrian traffic along the sidewalk must be maintained. Typically, that requires a minimum of six (6) feet with eight (8) feet or more preferred. Fence must be self-supporting and fully removeable without damage to sidewalk materials. All materials must be ornamental, high quality, and durable. Moveable planters with small shrubs may be used in lieu of traditional fencing to define eating areas. These regulations may be used for sidewalk eating areas located in privately-owned shopping venues. 	≤ 4 feet	Open	E
Storage Area	RA, B-1, B-2, B-2 DT, DTB-1, DTB-2, DTB-3 M-1, M-2	<ul style="list-style-type: none"> Storage screen fences are required when outdoor storage is present. Entrances to individual enclosed self-service storage units shall be enclosed within a fence. Ornamental materials shall be used when located along arterial and collector roadways. Where possible, building perimeters may serve as all or part of the storage area fencing. 	Up to 8 feet	Open or Solid	C
Utility Security	All	<ul style="list-style-type: none"> Ornamental materials screen fence is required for residential zones, and along collector roads and arterial streets. Where utilitarian style fencing such as chain link is used, a front yard setback, equal to or greater than the front yard building setback, and landscape screen shall be provided. 	Up to 8 feet	Solid Utilitarian Style	C
				Solid Ornamental Materials	A

7.4. Landscaping and Buffer Yard Requirements:

A. Purpose

1. To provide for landscaping that protects the visual and environmental quality of the community while assuring safe driving conditions along Town streets and roadways. Guiding principles for landscaping include the following:
 - a. To encourage landscaping that will screen and mitigate views of utilitarian areas, secondary building facades and parking areas.
 - b. To encourage landscaping that enframes or highlights significant architectural features of buildings, such as entrances and architectural features.
 - c. To preserve line of site and improve safety for motorists, pedestrians, and cyclists using Town streets, roadways, sidewalks and trails.

B. General Site Landscaping and Maintenance:

1. All areas of a site that are not used for structures, accessory buildings, parking areas or other permanent improvements shall be landscaped with appropriate trees, shrubs, ground covers, mulch, or other long term top dressing to prevent erosion and to create an attractive environment. Trees that exceed the minimum number required for parking area landscaping are not subject to the minimum size standards found in Section 7.5.D below and may be of any type, size, or standard chosen by the site developer. The Town encourages the responsible use of landscaping, which is above and beyond these minimum requirements, to promote beauty, natural habitat and environment protection.
2. Landscape features required by this section (7.5) shall be maintained for the life of the use on the property on which they are required. If plant materials are removed due to disease, death, storm damage, property maintenance, or for other reasons, appropriate replacement plant materials shall be installed to serve the intended landscape functions of this ordinance.

C. Parking Area Perimeter and Interior Landscape Requirements:

1. **Applicability:** All new or renovated commercial and multiple-family parking areas which exceed twelve (12) spaces, or 5,000 square feet of parking and driveway area shall be subject to the requirements of this section (7.5).
2. **Parking Area Perimeters Adjacent to a Right-of-Way:** A landscaped strip of at least eight (8) feet in width shall be provided on the portion of the site, which is located adjacent to either a public or private right-of-way. The landscaped strip shall be planted with deciduous or evergreen trees at the equivalent of one tree for every thirty feet (30') of street frontage as a minimum.
 - a. Trees may be grouped to enframe important sightlines or viewsheds, or to facilitate the location of utilities and driveway entrances.
 - b. Trees shall meet the standard of Section 7.5.D below.

- c. In addition to the required trees, the landscape strip shall be landscaped with appropriate shrubs, ground covers, mulch, or other long term top dressing to prevent erosion and to create an attractive environment. Plant materials used in the landscape strip shall be located to preserve lines of sight for motorists and pedestrians using driveway entrances, streets, and sidewalks in the area.
3. **Parking Area Perimeters Adjacent to Other Parcels:** A landscaped strip of not less than eight (8) feet in width shall be provided along each adjoining parcel. Such landscaped strip shall be planted with at least one (1) deciduous tree for every thirty (30) lineal feet of strip. Trees shall meet the standard of Section 7.5.D below. Where two parking lots are adjacent and developed concurrently, the strip may be eight (8) feet wide total or four (4) feet wide from the property line for each lot.
- a. The landscape strip between parking areas on adjacent parcels may be waived if a shared parking agreement is established and access is maintained between the two parcels.
 - b. Placement of trees and shrubs shall not obstruct sight triangles at driveway entrances and street corners. Required sight triangles are established in Section 7.2.
 - c. Alternative landscaping proposals may be presented for consideration; however, this standard shall be used as a guide for the landscaping practices. All deciduous trees shall conform to the standard of this Article. At the owner's or developer's option, twenty-five (25) percent of the deciduous tree requirement may be replaced with evergreen trees. All trees shall be maintained in accordance with the provisions of this Article.
4. **Parking Area Interior Landscaping Requirements:** At least one planting island with minimum nominal dimensions of nine (9) feet by eighteen (18) feet shall be provided for every twelve (12) parking or loading spaces proposed. Where the calculation of the planting island requirements results in a fraction of an island, the number of islands required shall be rounded to the next lowest number of islands unless the number is zero (0), in which case the number shall become one (1). Each island with a square footage of 350 square feet or more shall be planted with at least one (1) healthy, deciduous tree meeting the requirements of Section 7.5.D below.
- a. **Site Flexibility:** The owner shall have the option of providing lineal planting islands perpendicular to the parking spaces with a minimum width of five (5) feet in lieu of the nine (9) foot by eighteen (18) foot planting islands, when needed to preserve the integrity of the site. In the lineal islands, there shall be planted at least one (1) deciduous tree for every thirty (30) feet or fraction thereof. The applicant may aggregate some or all the landscaping islands to preserve existing trees located within such a parking area or area to become parking.

- b. Twenty-five (25) percent of the required trees in the planting islands may be substituted with an evergreen tree of at least six (6) feet in height. All shall comply with the provisions of Section 7.3.D below.
- c. Shrubs and ground cover shall be installed in each planting island to provide full coverage of the area and shall be placed to complement the tree landscaping.
- d. Landscaping material shall be located within the planting islands in a manner to protect the plants from automobile bumpers and allow for the mature size of the species.

D. Parking Area Tree Standards and Maintenance Requirements:

- 1. Each tree shall be a minimum of two and one-half (2-½) inches in caliper measured six (6) inches from the ground. All trees shall be maintained and guaranteed by the installer for a period of one year and shall be appropriately watered, pruned, and protected during the one-year period. All trees shall also be appropriately protected from traffic and vehicle bumper overhangs by curbing, stop blocks, or other acceptable means. Trees and landscape strips shall be appropriately maintained by mowing, weeding, mulching, trimming, pruning, etc. for the life of the property.

E. Buffer Yards and Screening

- 1. Purpose:
 - a. The purpose of buffer yards is to improve viewsheds and to reduce the noise between abutting and potentially incompatible uses. Buffer yards are intended to ease the transition between zone districts and are necessary to promote the general health, safety, and welfare of the community. Buffer yards achieve this end goal by achieving the following goals:
 - 1.) Preventing visual pollution.
 - 2.) Preventing the overcrowding of land.
 - 3.) Preventing the undue congregation of people and vehicles.
 - 4.) Promoting the peaceful enjoyment of property within the Town of Wytheville.
- 2. Buffer Yards Required:
 - a. Where significant differences in elevation exist between uses that may require screening, the Zoning Administrator may require that the location buffer yards be shifted to maximize the effectiveness of screening.
 - b. Protection of Less Intense Uses: A buffer yard shall be required with new development or the physical modification of property, to include change in uses, of any property when the said property under development or change is located in a zone district that abuts a different zoning district of lower

intensity use. For example, if a new manufacturing facility or retail facility is proposed to be built adjacent to a residential zoning district, a buffer yard will be required.

- c. Protection of Existing Residential Uses in Commercial Zones: A buffer yard shall be required with the new development of any, commercial or industrial use of property when an existing residential use is present on an adjoining lot within a zoning district of similar or higher intensity use. The buffer yard in this case shall only be required on the portion of the property adjacent to the adjoining residential use. For example, if a new manufacturing facility or retail facility is proposed to be built adjacent to an existing dwelling located in the same zoning district or similar high intensity zoning district, a buffer yard will be required, but only along the common boundary with the property where the dwelling is located.
 - 1.) Existing Commercial, or Industrial Use: This requirement shall not be construed to mean that construction of a new residential use on an adjoining lot would trigger a requirement for an established business or industrial use to retrofit their site with a buffer yard, unless qualifying new development occurs at said existing business or industrial use as indicated in Section 7.5.E.2.c.3.) below.
 - d. When a public right-of-way separates the development of property of higher intensity, the following criteria shall apply, regardless of whether the zoning line is on one side or the other or the center of the public right-of-way:
 - 1.) If the right of way for an alley, street or highway is less than fifty (50) feet in width, a buffer yard with screening shall be provided for that portion of the higher intensity use abutting the right of way, alley, street, or highway.
 - 2.) If the right of way for an alley, street or highway is fifty (50) feet or more in width, no buffer yard or screening shall be required for the portion of the higher intensity use abutting the right of way, alley, street, or highway.
 - e. When a site plan is submitted to further develop an existing developed property or to accommodate a change in land use, buffer yard and screening requirements may only be applied to those portions of the property that abut properties of lesser intensity that are directly affected by the proposed improvements or change in land use, as determined by the Zoning Administrator.
3. Zoning District Intensities:
- a. For the purposes of this Article zone districts shall be ranked by level of intensity. Category 1 shall be the least intensive, and Category 7 shall be the most intensive. When a zoning district of greater intensity is rezoned or developed adjacent to a zoning district of lesser intensity, a buffer yard and screening shall be provided. Table 7.3 lists the zoning districts by intensity

and indicates the type of buffer yard that shall be required between the various zoning districts.

Table 7.3: Zoning District Intensities and Buffer Yard Requirements

Higher Intensity District (Where buffer is to be located.)	Lower Intensity Zoning District to be Screened by Buffer Yard						
	Category 1 R-1, RH	Category 2 R-2, R-3	Category 3 R-2 FH, R-4, RB-1, RB-2	Category 4 A-1	Category 5 MA, RA	Category 6 RMH, B-1, B-2, B-2 DT, BMX, BTS, DTB-1, 2, or 3	Category 7 M-1, M-2
Category 2 R-2, R-3	Basic	None	None	None	None	None	None
Category 3 R-2 FH, R-4, RB-1, RB-2	Basic	Basic	None	None	None	None	None
Category 4 A-1	Basic	Basic	None	None	None	None	None
Category 5 MA, RA	Full	Basic	None	None	None	None	None
Category 6 RMH, B 1, B 2, B 2 DT, BMX, BTS, DTB 1, 2, or 3	Full plus architectural screen	Full plus architectural screen	Full	Basic	Basic	None	None
Category 7 M-1, M-2	Full plus architectural screen	Full plus architectural screen	Full	Full	Basic	Basic	None

4. Buffer Yard Specifications:

- a. **Basic Buffer Yard:** Basic buffer yards are intended for locations where minor incompatibilities may exist between uses. Basic buffer yards shall have the following characteristics:
 - 1.) A basic buffer yard shall be a minimum of twelve (12) feet wide and shall be continuous except as provided in Section 7.5.E.5 General Standards for Buffer Yards below.
 - 2.) The buffer yard shall contain vegetative screening that shall consist of at least one row of buffer yard trees spaced at 20'-0" on center maximum. Trees within the row may be staggered up to 5 feet within the buffer yard to provide variety.

- b. **Full Buffer Yard:** A full buffer yard is intended to screen high intensity land uses from surrounding lower intensity land uses when excessive noise or visual pollution is of moderate or lower concern.
 - 1.) A full buffer yard shall be a minimum of 20'-0" wide and shall be continuous except as provided in Section 7.5.E.5 *General Standards for Buffer Yards* below.
 - 2.) The buffer yard shall contain vegetative screening that shall consist of at least two rows of specified trees spaced at least 5 feet apart. Trees in each row shall be spaced at 20'-0" on center maximum, staggered from the opposite row such that the effect is a staggered row of trees spaced a maximum of ten (10) feet apart.

- c. **Full Buffer Yard Plus Architectural Screen:** When the use to be separated by the buffer yard is so intense as to render the use of the vegetative screen ineffective, the architectural screen will provide additional visual and acoustic separation.
 - 1.) A full buffer yard with architectural screen shall be a minimum of 20'-0" wide and shall be continuous except as provided in Section 7.5.E.5 *General Standards for Buffer Yards* below.
 - 2.) The buffer yard shall contain vegetative screening that shall consist of at least two rows of specified trees spaced at least 5 feet apart. Trees in each row shall be spaced at 20'-0" on center maximum and be offset from the opposite row such that the effect is a staggered row of trees spaced a maximum of ten (10) feet apart when measured along the property line.
 - 3.) A full buffer yard plus architectural screen shall include an architectural screen fence of at least six (6) feet in height. Such architectural screen shall be an opaque fence of treated wood, vinyl, brick, or other decorative masonry and shall be constructed to provide an attractive and durable barrier. See Section 7.3 for general fencing and screening regulations.
 - 4.) **Effective Placement for Screening:** The architectural screen fence shall be placed within the buffer yard to maximize screening. Whenever the buffer yard is located on a sloping area, the architectural screen fence shall be located on the higher elevation side of the buffer yard. Whenever the buffer yard is located on a mostly level ground, the architectural screen fence shall be centered in the buffer yard with the two rows of trees placed on opposite sides of the architectural screen. Tree spacing shall meet the requirements of the full buffer yard as specified in Section 7.5.E.4.b. above.

5. General Standards for Buffer Yards:

- a. **Tree and Shrub Selection:** The trees shall be selected from the list of trees approved in Appendix A and shall consist of at least sixty percent (60%)

evergreen, no more than twenty percent (20%) semi-evergreen and no more than twenty percent (20%) deciduous.

- 1.) Trees shall be a minimum of five (5) feet tall at the time of planting and shall be healthy nursery stock.
 - 2.) The planting of these percentages of trees shall be evenly spaced.
 - 3.) Tree and shrub species shall be of the types and sizes that will provide the required screening when considering site conditions such as topography and structure height.
 - 4.) The Zoning Administrator shall determine the appropriateness of selections and may require revisions to the plans submitted for review prior to approval.
 - 5.) Planting shall occur at an appropriate time of year to ensure healthy tree growth.
- b. Adequate Buffer: Buffer yards shall contain vegetative and architectural screening that achieves appropriate screening of the different intensity uses. Appropriate screening shall mean that within three years of planting an individual standing within fifty (50) feet of the buffer yard will not be able to see the ground plane and primary uses of the site.
- c. Slope: The maximum slope of any buffer yard shall be 2H:1V. Additional width shall be added to any portion of any buffer yard which exceeds this slope to achieve a final slope of that does not exceed 2H:1V.
- d. Location: The buffer yard shall be located entirely within the higher intensity zoning district and/or the land abutting the zoning district line, or adjacent right-of-way if such right-of-way separates the lot from the zoning district line. Exception: The buffer yard may be placed in the lower intensity zoning district or partially within both zoning districts if both sides of the zoning district line and entire buffer yard width are under common ownership. When the buffer yard is placed wholly or partially on the land of lower intensity, a permanent easement shall be provided over any portion of the buffer yard not within the higher intensity zoning district.
- e. Entrances Allowed: Driveways and pedestrian entrances serving the site, from a street or other right-of-way, may cross the buffer yard.
- f. Maintenance: Buffer yards shall be maintained in a natural condition free of structures, loading or storage areas, parking, roads, or driveways except as provided for entrances in Section 7.5.E.5.d above.
- g. Modifications: Buffer yards required by this section (7.5) shall be applied equally to all similarly situated properties. A requested modification to the buffer requirements shall be submitted in writing and provide justification for the request. An approved modification to these standards may be granted in writing by the Zoning Administrator if the Zoning Administrator

finds any of the following circumstances exist on the proposed building site, or surrounding properties:

- 1.) Natural land characteristics such as topography or existing vegetation on the proposed building site would achieve the same intent of this section (7.5).
 - 2.) Innovative architectural design or landscaping is employed on the building site to achieve an equivalent buffering and screening effect.
 - 3.) The required screening would be ineffective due to the proposed topography of the site, the topography of adjacent and surrounding sites, and/or the location of the improvements on the site.
 - 4.) Site conditions exist that would not permit the placement of screens, or in the case of vegetative screens would hinder their survival. If such conditions exist, the Zoning Administrator may require alternative screens be provided.
- h. Other Jurisdictions: When property lines abut an adjacent jurisdiction, the Administrator shall determine the specific screening and buffering requirements along that property line after consideration of the zoning designation and/or land use of the adjacent property. Requirements shall not exceed those that would be required for similarly situated/zoned property within the Town.
- i. Line of sight. When buffer yards abut a public right of way, the size and type of buffer yard shall accommodate safe line of sight distances around the required screening.
- j. Surety: Buffer yards and screening shall be continuous and in place at the time of occupancy. If screening is not complete due to the season or other considerations, a bond for the full value of the screening shall be obtained and kept in effect until the screening is complete.

F. Deviations from the Required Parking Landscape Plans:

- 1. Minor deviations from the provisions of this section (7.5) may be permitted by the Zoning Administrator if the proposed landscaping provides island and strip planting area equal to or greater than that required herein. Any development or redevelopment of any site shall incorporate the applicable landscaping improvements identified in the original plan and shall incorporate the requirements of this section (7.5) in the new or revised plan.
- 2. Redevelopment shall be defined as any construction work which removes and replaces the paving and curb and gutter for an area greater than 5,000 square feet. It shall not be construed to mean patching, overlay parking, sealing, or marking the pavement for parking lots.

G. Recommended Plant Materials for Buffer Yards

1. The plant materials listed in the Table 7.4 are approved for buffer yard plantings. The Zoning Administrator may approve other varieties of plant materials if evidence is provided that the alternative plant materials will be more effective at providing the required screening.

Table 7.4: Recommended Trees and Shrubs for Buffer Yard Plantings

Common Name	Species	Other Information
Evergreen Species (greater than or equal to 60%)		
Douglas Fir	<i>Pseudotsuga menziesii</i>	Prefers acidic or neutral soil that is well-drained, though it can also be found in its native habitat of rocky mountain slopes. It is sensitive to drought.
Eastern Red Cedar	<i>Juniperus virginiana</i>	A tree species with a number of different cultivars/varieties. In its native form, it is well suited for those poor, rocky sites with thin and/or dry soils. Eastern red cedar prefers a relatively higher pH and is a suitable choice around limestone outcroppings.
White Pine	<i>Pinus strobus</i>	To be located where maintenance is possible with suitable equipment and 25 feet away from structures, fences, etc. i.e., similar to WCC's location. White Pine is not recommended as a screening plant for narrow planting strips adjacent to parking lots due to die-back of lower branches as trees mature.
Concolor Fir	<i>Abies concolor</i>	Tolerates nearly any type of well-drained soil, including loam, sand, or acidic soil. However, clay may present a problem.
Norway Spruce	<i>Picea abies</i>	Grows in acidic, loamy, moist, sandy, well-drained and clay soils. It has some drought tolerance. Various fungal diseases are becoming more prevalent with Norway Spruce. Use of this tree should be limited. Bagworm is a common pest that can significantly damage these trees.
Blue Spruce	<i>Picea pungens</i>	Blue Spruce offers an interesting color accent and creates a dense foliage screen with a slower growth rate than Norway Spruce. The Blue Spruce adapts well to many soils—growing in acidic, loamy, moist, rich, sandy, well-drained and clay soils. It requires normal moisture with moderate tolerance to flooding and drought. Use of this tree should be limited. Bagworm is a common pest that can significantly damage or kill these trees.
Deodar Cedar	<i>Cedrus deodara</i>	Less cold tolerant, only recommended for warmer microclimates. Grows in acidic, loamy, moist, sandy, well-drained and clay soils. It prefers moist soil but has good drought tolerance. Some references list this as a hardiness zone 6 while others recommend only down to zone 7.
Atlas Cedar	<i>Cedrus atlantica</i> 'Glauca'	A bold, pyramidal form with sparkling silvery blue foliage. A spectacular specimen for large landscape areas. Drought tolerant, when established.

Table 7.4: Recommended Trees and Shrubs for Buffer Yard Plantings (Continued)

Common Name	Species	Other Information
False Cypress	Chamaecyparis pisifera	Extremely adaptable, but prefers moist, loamy, well-drained, lime-free soils.
Leyland Cypress	x Cupressocyparis leylandii	Noted for rapid growth & slender shape, however, over time Leyland Cypress can become quite broad so it is important to provide adequate space. It grows well in a wide variety of soil and climate conditions and makes an excellent wind break. Susceptible to wind damage and dieback when mature. Mass plantings of this variety should be avoided but it can be intermixed with other species.
English Yew	Taxus baccata	This is a columnar form of yew that can become a large tree up to 60 feet tall if allowed to grow unrestrained. Most parts of the plant are poisonous, with toxins that can be absorbed through inhalation and through the skin. The fruit tends to attract flies.
Hicks Yew	Taxus x media 'Hicksii'	This is a smaller columnar form yew that forms a large shrub or small tree up to 20 feet tall. An excellent evergreen shrub for tall hedges and privacy screens. Most parts of the plant are poisonous. The fruit tends to attract flies.
Northern White Cedar	Thuja occidentalis	As a native tree can reach up to 60 feet. Often called American Arborvitae. Adaptable to most soil types and is somewhat shade tolerant. Grows well in wetter to average soil moisture conditions.
Eastern Arborvitae	Thuja occidentalis 'Techny'	Has dense foliage. Medium to tall hedges or screens.
Eastern Arborvitae	Thuja occidentalis 'Nigra'	Good for tall hedges. Not recommended for dry locations.
Eastern Arborvitae	Thuja occidentalis 'Emerald-Green' or 'Smaragd'	Smaller form with dense foliage. Slower growing but will provide a dense hedge with closer plantings. Emerald Green Arborvitae is approved for use below powerlines but is vulnerable to damage by foraging deer. Bagworm is a common pest that can significantly damage these trees.
Giant Arborvitae	Thuja plicata x 'Green Giant'	A large fast growing and disease resistant evergreen screen. Moderate drought tolerance. Bagworm is a common pest that can significantly damage these trees.
Rocky Mountain Juniper	Juniperus scopulorum 'Wichita Blue'	Prefers good drainage. Beautiful blue foliage. Mature height up to 15 feet.
American Holly	Ilex opaca	Pyramidal evergreen that bears dark green, non-glossy, spine-tipped leaves. Moist, well-drained, acidic soils. Prefers sandy, sandy loam, medium loam. Not good in clay.

Table 7.4: Recommended Trees and Shrubs for Buffer Yard Plantings (Continued)

Common Name	Species	Other Information
Smooth Cypress (Arizona)	Hesperocyparis arizonica, AKA Cupressus arizonica var. 'glabra'	Arizona cypress is drought-tolerant, fast-growing, and relatively short-lived (30-50 years). Arizona cypress is relatively trouble-free and moderately deer resistant, making it a good choice for screening when compared to other fast-growing evergreen choices. It can be used as a specimen tree or for windbreaks.
Nellie R Stevens Holly	Ilex	Vigorous growing with a broad pyramidal tree-like form, dense branching, and lustrous, dark green, leathery foliage. An excellent hedge, screen, or specimen. This is one of the best broadleaf evergreen options for colder climates.
Foster #2 Holly	Ilex x attenuata	Not very cold or wind tolerant. These require some type of shelter from cold and wind. Recommended to be planted where not in western exposure.
Semi-Evergreen Species (no more than 20% when used in a buffer yard for screening purposes)		
Pin Oak	Quercus palustris	Pin Oak is native and is faster growing. It has a graceful slender appearance. Tolerates wet feet and requires acidic soils but is adaptable to drier conditions.
Dawn Redwood	Metasequoia glyptostroboides	Deciduous conifer; ideal for wet planting conditions.
Bald Cypress	Taxodium distichum	Deciduous conifer; ideal for wet or dry planting conditions.
European Beech	Fagus sylvatica	Dense foliage is retained on branches during part or all of the winter. The cultivar 'Purpurea' has purple foliage.
American Beech	Fagus grandifolia	Dense foliage is retained on branches during part or all of the winter.
Deciduous Species (no more than 20% when used in a buffer yard for screening purposes)		
Flowering Dogwood	Cornus florida	Select disease resistant varieties. 'Appalachian Joy', 'Appalachian Blush', 'Appalachian Snow', and 'Appalachian Mist' are very resistant to powdery mildew.
Kousa Dogwood	Cornus kousa	Some varieties have an interesting branch structure visible in winter. It is an attractive Flowering Dogwood. Kousa has red crabapple-like berries and starts flowering at about the time Flowering Dogwood ceases flowering.
Pagoda Dogwood	Cornus alternifolia	Should be planted near the edges of the buffer yards to appreciate its pagoda-like form.
Redbud	Cercis canadensis	A suitable candidate for rocky outcrop buffer yards, especially when paired with Eastern Red Cedar. See above.
Downey Serviceberry	Amelanchier arborea	Grows well in acidic, moist, and well-drained soils.

Table 7.4: Recommended Trees and Shrubs for Buffer Yard Plantings (Continued)

Common Name	Species	Other Information
Shadblow Serviceberry	Amelanchier canadensis	It is a shrubby tree that can be left alone to grow into a suckering shrub or pruned to a multi or single-stemmed tree.
Flowering Crabapple	Malus species	Beautiful flowering tree but susceptible to leaf damage by insects and disease.
Carolina Silverbell	Halesia caroliniana or Halesia tetraptera	Carolina silverbell or silverbell tree, is a small, deciduous, understory tree native to the Piedmont and southern Appalachian Mountains.
Shrubs (less than 10%)		
Osmanthus	Osmanthus heterophyllus	Osmanthus is a dense, upright, bushy evergreen shrub that typically grows to 8-10' tall and as wide in cultivation. It is vulnerable to damage in the coldest winters. It should be sited in a protected location with winter mulch. It is best grown in rich, consistently moist, well-drained garden soils in full sun to part shade. Best with part afternoon shade in hot summer climates. Tolerates heavy clay soil. Drought tolerant once established. Clip off growing tips to maintain compact size and to encourage bushiness.
Viburnum	Viburnum rhytidophyllum 'Leatherleaf'	Easily grown in average, medium, well-drained soil in full sun to part shade. Foliage may die back (sometimes to the ground) in sub-zero winter temperatures. Viburnum rhytidophyllum, commonly called Leatherleaf Viburnum, is an evergreen shrub, which can reach a height of 6-10'.
Carolina Cherry Laurel	Prunus laurocerasus 'Schipkaensis'	Cherry laurel is an evergreen shrub or small tree. With its erect habit and glossy green leaves this plant grows up to 20' tall and can spread to 10 feet wide. Good mix for foreground planting with taller trees in background.

H. Recommended Trees and Tree-Like Shrubs for Street Tree and Landscape Plantings

1. The trees and treelike shrubs shown in Table 7.5 are approved for required landscaping generally. However, trees for use as street trees, parking lot island and parking lot perimeter locations should be selected from trees that are recommended as street trees using the following criteria:
 - a. Trees designated as “Y” have been approved for use as street trees or in required parking lot planter islands near other parking lot infrastructure.
 - b. Trees designated as “P”, having potential as street trees, should only be used when maintenance will be provided by the owner or applicant.
 - c. Trees recommended for large planting areas may only be used as street trees with planting areas at least 20 feet wide in the narrowest dimension.
 - d. Trees designated as “N” may be used in general landscaping but are not approved for parking lot islands or street tree use.
2. The Zoning Administrator may approve other varieties of trees if evidence is provided that the alternative trees will be better suited for the site aesthetics and that the variety of tree is suited to local climate and site conditions.
3. **Key to Table 7.5 Street Tree Column:** Y = Appropriate form for a street tree, P = Has potential as a street tree, but may require specialized pruning or has special soil requirements, N = Not well suited for use in a street tree environment, L = Large planting area required.

Table 7.5: Recommended Trees and Tree-Like Shrubs for Street Tree and Landscape Plantings

Common Name	Botanical Name	Street Tree	Comments
LOW HEIGHT ZONE- UNDER UTILITY LINES (Trees that do not exceed 20 feet in mature height, or that may need infrequent crown height reduction.)			
Striped or Snakebark Maple	<i>Acer pensylvanicum</i>	P	Large shrub or small tree to 15-25' tall. Prefers full to partial shade. Not suitable for dry and/or exposed south facing sites
Amur Maple	<i>Acer tartaricum ginnala</i>	P	Typically grows as a small, upright spreading tree with a dense, rounded crown or as a large multi-stemmed shrub. It matures over time to 15-20' tall.
Allegheny Serviceberry	<i>Amelanchier laevis</i>	P	Multi-stem but can be trimmed for single stem; not prone to disease and pests.
Downy Serviceberry	<i>Amelanchier arborea</i>	P	Deciduous, early-flowering, large shrub or small tree which typically grows 15-25' tall. Flowers give way to small edible berries which mature to a dark purple in early summer. Avoid planting in traffic sight lines due to shrubby growth habit.

Table 7.5: Recommended Trees and Tree-Like Shrubs for Street Tree and Landscape Plantings (Continued)

Common Name	Botanical Name	Street Tree	Comments
Shadblow Serviceberry	<i>Amelanchier canadensis</i>	P	Deciduous, early-flowering, large shrub or small tree which typically grows 15-30' tall. Narrow habit, early fall color yellow to gold.
Chinese Fringe Tree	<i>Chionanthus retusus</i>	Y	This plant is noted for its profuse spring bloom of fragrant white flowers. It is most often seen in cultivation as a large, multi-stemmed, deciduous shrub growing to 10-20' tall. Sensitive to Emerald Ash Borer
White Fringe Tree	<i>Chionanthus virginicus</i>	Y	Shrub or small tree with a spreading, rounded habit that typically grows 12-20' tall. Spring flowers feature airy clusters (4-6" long) of creamy white petals. Sensitive to Emerald Ash Borer
Pagoda Dogwood	<i>Cornus alternifolia</i>	Y	Small deciduous tree or large multi-stemmed shrub typically growing 15-25' tall with distinctive layered horizontal branching. Avoid planting in traffic sight lines due to shrubby growth habit.
Cornelian Cherry Dogwood	<i>Cornus mas</i> 'Spring Glow'	Y	Slow-growing, small tree or large shrub preferring sun or partial shade. Avoid planting in traffic sight lines due to shrubby growth habit. Several other varieties of <i>Cornus mas</i> may be suitable if "Spring Glow" is unavailable.
Wahoo or Strawberry Tree	<i>Euonymus atropurpureus</i>	N	Deciduous native shrub or small tree which is most often grown for its attractive red berries and fall color. The native variety should be planted rather than the invasive <i>Euonymus elata</i> , which is non-native.
Franklin Tree	<i>Franklinia alatamaha</i>	N	Usually a single-trunk tree with a rounded crown or as a multi-stemmed shrub. As a single trunk tree, it can grow to 20' tall.
Little Gem Magnolia	<i>Magnolia grandiflora</i> 'Little Gem'	N	Broadleaf evergreen tree noted for attractive dark green leaves and large fragrant flowers. 'Little Gem' is a much smaller and slower growing cultivar that typically grows as a compact upright multi-stemmed shrub or small tree to 20' tall. Should only be planted in sheltered locations due to lack of cold hardiness.
Saucer Magnolia	<i>Magnolia soulangiana</i>	P	Broad shrub or small tree that typically rises to 20-25' tall with a rounded crown. Spring flower displays are a spectacle. 'Jane' cultivar flowers later often avoiding damage of late frosts. Avoid planting in traffic sight lines due to shrubby growth habit.
Star Magnolia	<i>Magnolia stellata</i>	P	Small deciduous tree that typically grows 15-20' tall with a spreading, rounded crown. Noted for its compact size and early spring bloom of showy white flowers. Avoid planting in traffic sight lines due to shrubby growth habit.
Flowering Crabapple	<i>Malus hybrids.</i>	Y	Deciduous shrubs or trees that grow up to 26'. They can be very showy for a brief period in spring. Some cultivars have ornamental fruit. Use caution to select a variety best suited to our area.
Purple Leaf Plum	<i>Prunus cerasifera</i>	Y	Purple-leaf plum trees can add interest dark red to purple foliage and abundant white to pink spring blossoms. Use caution to select a variety best suited to our area.
Hoptree or Wafer-Ash	<i>Ptelea trifoliata</i>	N	Dense, rounded, deciduous shrub or small tree which occurs in open woods, glades, ravines, thickets, and prairies. Typically grows to 10-20' tall. Unpleasant leaf and pollen fragrance.

Table 7.5: Recommended Trees and Tree-Like Shrubs for Street Tree and Landscape Plantings (Continued)

Common Name	Botanical Name	Street Tree	Comments
Nannyberry	<i>Viburnum lentago</i>	N	Large, upright, multi-stemmed, suckering, deciduous shrub which typically grows to 10-18' tall with a spread of 6-12', but may also be grown as a small, single trunk tree.
(Large shrubs that can be pruned into tree form for use under overhead utility lines.)			
Possum Haw Holly	<i>Ilex decidua</i>	N	Upright shrub or small tree with a spreading, rounded crown which typically grows 7-15' tall Very high potential for small tree.
Mountain Laurel	<i>Kalmia latifolia</i>	N	Mountain Laurel is a gnarled, multi-stemmed, broadleaf evergreen shrub or small tree. Old growth specimens could be tree form, prefers moist well drained acidic soil and shade
Crepe Myrtle	<i>Lagerstroemia indica</i>	N	Small tree or large shrub with showy summer flowers and slow growth habit. Plant only cold hardy cultivars such as 'Natchez,' 'Lipan,' and 'Tonto.'
Hobblebush	<i>Viburnum lantanoides</i>	N	A 6-12 ft., open, straggling shrub, often with pendulous outer branches. Flat-topped clusters of white flowers have a lacy effect. Does not lend itself to tree form.
Doublefile Viburnum	<i>Viburnum plicatum tomentosum</i>	N	Dense, upright, multi-stemmed, deciduous shrub that typically matures to 8-15' tall. Showy spring flowers and layered branches mimic Dogwood. Difficult to make tree form.
Blackhaw Viburnum	<i>Viburnum prunifolium</i>	N	Usually grown as a large, upright, multi-stemmed, deciduous shrub with an irregular crown, but it also may be grown as a small, single trunk tree. As a shrub, it typically grows 12-15' tall with a spread of 6-12', but as a tree may reach a height of 30'. It is shade tolerant and flowers in the spring.
Siebold Viburnum	<i>Viburnum sieboldii</i>	N	Upright, rounded, multi-stemmed, deciduous shrub or small tree that typically grows to 15-20' tall and to 10-15' wide.
Chaste Tree	<i>Vitex agnus-castus</i>	N	Vase-shaped, deciduous shrub to 10-15' tall, or trained as a single trunk tree to 20' tall. In cold winter areas in USDA Zones 5-6, it is more often grown as a 3-5' tall herbaceous perennial. Marginal hardiness, best in full sun, attracts butterflies, aromatic leaves.
MEDIUM HEIGHT ZONE- NEAR UTILITY LINES (Trees that exceed 20 feet in mature height; if used under easement will require more frequent pruning if planted in good growing location.)			
Trident Maple	<i>Acer buergeranum</i>	Y	Deciduous tree that typically grows slowly to 20-30'. Variable but attractive fall color.
Hedge Maple	<i>Acer campestre</i>	P	Small, low-branched, dense, rounded, deciduous tree or large multi-stemmed shrub that typically grows in cultivation to 25-35' tall. Well suited for hedgerows.
Japanese Maple	<i>Acer palmatum</i>	N	Deciduous shrub or small tree that typically grows to 10-25' tall. Very graceful foliage pattern. Not well suited to street settings. Vulnerable to lawn weed control chemicals.
American hornbeam	<i>Carpinus caroliniana</i>	Y	Slow-growing, deciduous, small to medium-sized understory tree with an attractive globular form. Typically grows 20-35' tall.

Table 7.5: Recommended Trees and Tree-Like Shrubs for Street Tree and Landscape Plantings (Continued)

Common Name	Botanical Name	Street Tree	Comments
Eastern Redbud	<i>Cercis canadensis</i>	Y	Deciduous, native, often multi-trunked understory tree with a rounded crown that typically matures to 20-30' tall with a slightly larger spread. Beautiful early pink flower display. Can be short-lived.
White Redbud	<i>Cercis canadensis</i> 'Texas White'	Y	Small accent tree covered with elegant white flowers in early spring, followed by thick, glossy dark-green leaves. Typically grows to 20' with similar spread.
Dogwood	<i>Cornus florida</i>	N	Small deciduous tree that typically grows 15-30' tall with a low-branching, broadly pyramidal but flat-topped habit. It may be the most beautiful of the native American flowering trees. Caution should be used to select disease resistant cultivars.
Kousa Dogwood	<i>Cornus kousa</i>	Y	Small, deciduous flowering tree or multi-stemmed shrub that typically grows 15-30' tall. Flowers later than native dogwood when tree is in full foliage.
Stellar Dogwood	<i>Cornus x rutgerinensis</i>	P	The Hybrid Flowering Dogwood is a cross between the Flowering Dogwood, <i>Cornus Florida</i> , and Kousa Dogwood, <i>Cornus kousa</i> .
Thornless Cockspur Hawthorne	<i>Crataegus crus-galli</i> var. <i>inermis</i>	Y	Deciduous tree or shrub noted for being very dense and providing robust shade, but unlike <i>C. crusfalli</i> which has 4-inch thorns, the 'inermis' variety is thornless. The tree grows to a medium-large size of around 20 to 30 feet.
Washington Hawthorne	<i>Crataegus phaenopyrum</i>	N	Noted for its attractive flowers and foliage, bright red fruits and fall color. It is a small, low-branching, deciduous tree that typically grows 25-30' tall with a rounded crown.
Carolina Silverbell	<i>Halesia diptera</i>	N	Small deciduous tree or large shrub that is native to floodplains, stream banks, wet woods, and swampy areas. It grows with a rounded form to 20-30' tall.
Galaxy Magnolia	<i>Magnolia x 'Galaxy'</i>	P	'Galaxy' blooms late enough in spring (2-3 weeks after early blooming magnolias) that its flowers are unlikely to suffer any significant frost damage. It typically matures over time to 20-30' tall.
Merrill Magnolia	<i>Magnolia x loebneri</i> 'Merrill'	N	Deciduous hybrid magnolia (<i>M. kobus</i> × <i>M. stellata</i>). It is a small tree typically growing to 20-30' tall with a rounded crown. It is more often grown in a multi-trunked form than as a single trunk tree.
Eastern Hophornbeam	<i>Ostrya virginiana</i>	N	Small to medium-sized, understory tree with a rounded crown. Typically grows 25-40' tall with a slightly smaller spread. Not known for strong fall color.
Sourwood	<i>Oxydendron arboreum</i>	P	In cultivation, it typically grows 20-25' tall with a straight, slender trunk and narrow oblong crown. Leaves produce consistently excellent fall color, typically turning crimson red.
Persian Parrotia	<i>Parrotia persica</i>	P	Small to medium sized, single trunk, deciduous tree eventually growing 20-40' tall or a large, multi-stemmed shrub growing to 15' tall. Leaves emerge reddish-purple in spring, mature to a lustrous, medium to dark green in summer and change to variable shades of yellow, orange, and red in fall.

Table 7.5: Recommended Trees and Tree-Like Shrubs for Street Tree and Landscape Plantings (Continued)

Common Name	Botanical Name	Street Tree	Comments
Chinese Pistache	<i>Pistacia chinensis</i>	Y	Small deciduous tree that typically grows to 30-35' tall with an oval rounded crown. Fall color is variable but often appears in quality shades of yellow, orange and red.
Flowering Apricot	<i>Prunus mume</i>	P	Primarily grown for its mid to late winter bloom of pink flowers. Typically grows to 15-20' tall with a rounded form.
Okame Cherry	<i>Prunus x 'Okame'</i>	Y	Small deciduous tree with an upright, rounded crown. It grows 15 to 25 ft. tall and 15 to 20 ft. wide. Blooms earlier than other cherries. its mildly fragrant, rosy-pink flowers may be harmed by a late freeze.
Yoshino Cherry	<i>Prunus x yedoensis</i>	Y	Graceful ornamental flowering cherry tree that typically grows 30-40' tall with a spreading, broad-rounded, open crown. Best known for spring cherry blossoms in Washington DC.
Flameleaf Sumac	<i>Rhus copallina</i>	N	Deciduous shrub or small tree, which occurs in dryish soils on hillsides, open woods, glades, fields and along the margins of roadsides. Typically grows to 10' tall.
Japanese Stewartia	<i>Stewartia pseudocamellia</i>	P	Small, slow-growing, pyramidal, deciduous tree. Typically mature over time to 20-40' tall with a slightly narrower canopy width. Camellia-like white flowers appear in early summer.
Japanese Snowbell	<i>Styrax japonicus 'Pink Chimes'</i>	N	Broadleaf deciduous small tree or, more likely, a shrub, light pink flowers.
Fragrant Snowbell	<i>Styrax obassia</i>	N	Small, slender, upright tree with ascending branches and rounded crown or a large shrub. Typically grows 20-30' tall. Smooth gray bark exfoliates on the trunks of older trees revealing an attractive orange inner layer and resulting winter interest.
Japanese Tree Lilac	<i>Syringa reticulata</i>	N	Small tree or large shrub. In tree form, it grows to 30' tall and 20' wide with an oval-rounded crown. Fragrance of flowers may be unpleasant.
Tall trees that can be used near (but not under) utility lines due to their more upright or narrow crowns.			
Red Maple	<i>Acer rubrum</i>	Y	Medium-sized, deciduous tree native to Eastern North America. It typically grows 40-60' tall with a rounded oval crown. Prized for its bright red fall color. Vulnerable to lawn weed control chemicals.
River Birch	<i>Betula nigra</i>	Y	Vigorous, fast-growing, medium-sized, native deciduous tree which occurs on floodplains, swampy bottomlands and along streams. Foliage pattern is airy and exfoliating bark provides four-season interest.
European Hornbeam	<i>Carpinus betulus 'Columnaris'</i>	Y	Medium-sized, deciduous tree that grows 40-60' tall with a pyramidal to oval-rounded crown. 'Columnaris Nana' is a dwarf, slow growing to 8 feet, conical to columnar tree with dense foliage that turns golden yellow in fall.
Columnar European Hornbeam	<i>Carpinus betulus 'Fastigiata'</i>	Y	Displays a dense narrow, fastigiata form in youth, but gradually acquires a tear drop or oval-vase shape with age, typically maturing to 40' tall and 30' wide.
Blue Atlas Cedar	<i>Cedrus atlantica (Glauca Group)</i>	P	Evergreen conifer with bluish foliage. Mature specimens can reach 40-60' (less frequently to 120') tall. Best used as a specimen tree for architectural interest.

Table 7.5: Recommended Trees and Tree-Like Shrubs for Street Tree and Landscape Plantings (Continued)

Common Name	Botanical Name	Street Tree	Comments
American Yellowwood	<i>Cladrastis kentukea</i>	P	Medium-sized, deciduous tree that typically grows 30-50' tall with upright branching and a broad, rounded crown. It is noted for its fragrant white spring flowers, autumn seed pods and yellow fall color.
Ginkgo	<i>Ginkgo biloba</i>	Y	Large, deciduous tree that matures to 100' tall. Bright yellow fall foliage. Dramatic branch structure patterns. Plant male specimens only.
Southern Magnolia	<i>Magnolia grandiflora</i>	Y	Broadleaf evergreen tree that is noted for its attractive dark green leaves and its large, extremely fragrant flowers. It typically grows to 60-80' tall with a pyramidal to rounded crown. Frost hardiness is marginal in our area and this tree should only be used in sheltered areas.
Sweet Bay Magnolia	<i>Magnolia virginiana</i>	P	Typically grows as either a 15-20' tall tree with a spreading, rounded crown or as a shorter, suckering, open, multi-stemmed shrub. Features cup-shaped, sweetly fragrant (lemony), 9-12 petaled, creamy white, waxy flowers. More frost hardy than <i>Magnolia grandiflora</i> .
English Oak	<i>Quercus robur</i> 'Fastigiata'	Y	Narrow-upright, columnar form of English oak featuring dense, upright branching that rises at a sharp and narrow angle from the trunk. It typically matures to 50-60' tall and to 10- 20' wide.
Japanese Zelkova	<i>Zelkova serrata</i>	Y	Medium to large deciduous tree, typically growing to 50-80' tall with a spreading, upward-branching, vase-shaped crown.
Tall or large trees that can be used in large areas located away from utility lines due to their broad crowns. These trees should be planted at least 10 feet from any paved area and at least 20 feet from any building foundations or retaining walls.			
Fruitless Sweetgum	<i>Liquidambar styraciflua</i> 'Rotundiloba'	L	Does not produce or rarely produces the spiny, "gumball" fruits. It grows slower and has a more open pyramidal shape than the species. Excellent fall color.
Tulip Tree or Tulip Poplar	<i>Liriodendron tulipifera</i>	L	Large, stately, deciduous tree of eastern North America that typically grows 60-90'.
Fraser Magnolia	<i>Magnolia fraseri</i>	N	Native deciduous magnolia. Large, simple, tropical-looking leaves have earlobe-shaped bases. Large creamy-white flowers appear from late April to early May,
Black Gum or Black Tupelo	<i>Nyssa sylvatica</i>	L	A stately tree with a straight trunk and rounded crown (more pyramidal when young) that typically grows 30-50' tall, but occasionally to 90'. Fruits mature to a dark blue and are attractive to birds and wildlife. Spectacular scarlet fall color.
American Sycamore	<i>Platanus occidentalis</i>	L	The American sycamore is a wide-canopied, deciduous tree, usually 75-100 ft. tall, with a massive trunk and open crown of huge, crooked branches. The bark of large, old trunks sloughs off in scales or plates leaving a smooth, whitish inner bark.
Shumard Oak or Swamp Red Oak	<i>Quercus shumardii</i>	L	Shumard's oak is a pyramidal tree, growing 50-90 ft. and becoming more open at maturity.

7.5. Lighting

A. Purpose

1. The intent of this Section is to regulate the use of outdoor artificial lighting by balancing the health, safety, and welfare of the public with the detrimental effects light can have on the nighttime environment. To do so, this Section provides standards for various forms of lighting that will:
 - a. Minimize light pollution and glare.
 - b. Maintain safe nighttime environment in areas that necessitate outdoor lighting.
 - c. Conserve energy.
 - d. Preserve the restful quality of nighttime by eliminating intrusive artificial light and lighting that unnecessarily contributes to “sky glow,” which has a negative impact on the rural character of the County.
 - e. Reduce light trespass from light sources onto adjacent properties, including rights-of-way, especially those used for residential purposes.

B. Exemptions

1. The following are exempt from the lighting requirements set forth in this Section:
 - a. Lighting which is provided, required, or regulated by local, state, or federal law.
 - b. Temporary lighting for construction activities, agricultural uses, emergency activities, fairs, civic activities, and other similar uses.
 - c. Vehicular lighting.
 - d. Holiday lighting.

C. Prohibited Lighting

1. The following are prohibited:
 - a. Flashing, revolving, intermittent, or high intensity beams used for exterior lighting.
 - b. Laser source lights or any similar high intensity light for outdoor advertising or entertainment, when projected above the horizontal.
 - c. Searchlight for advertising purposes.
 - d. Any lighting that is determined by the Zoning Administrator to create a safety or personal security hazard.

D. General Lighting Standards

1. The Zoning Administrator may approve deviations from these standards if evidence is provided to show that those deviations are warranted to protect public health, safety, and/or welfare.

2. The most effective reduction in glare from artificial light sources can be achieved by hiding the light source from the normal line of sight for individuals. The use of cutoff fixtures and indirect lighting techniques will afford individuals better nighttime visibility with lower lumen levels than higher lumen output fixtures with a visible light source. Lighting designers should strive to reduce planned light levels by avoiding high glare fixtures.
3. The following standards shall be considered for multi-family uses with five or more units, mixed-use, commercial, or industrial development:
 - a. Adequate lighting shall be provided for surface parking lots used by the public at night that exceed twenty (20) parking spaces.
 - b. In no case shall any lighting impair the vision of motorists.
 - c. Light sources shall not cast excessive light upon adjacent property or upon a public right-of-way. The maintained horizontal illuminance at grade at adjoining streets shall not exceed 0.5-foot candles, and the maintained horizontal at grade illuminance at adjoining residential properties shall not exceed 0.1-foot candles. Any lighting fixture shall be of such design as to minimize the amount of ambient lighting perceptible from adjacent properties, including, but not limited to, the use of cut-off fixtures or shields.
 - d. Fixtures shall be mounted in such a manner that the cone of light is not directed at any adjacent property line that causes light to trespass on the adjacent property.
 - e. All exterior light fixtures shall include a cover, shield, directional lens, or other means to prevent light from shining into the night sky.
 - f. Lighting poles cannot exceed twenty-five (25) feet in height, as measured from the ground to the base of the fixture.
 - g. Only white or off-white (light yellow tones) may be used.
 - h. Only LED, fluorescent, metal halide, mercury vapor, or color corrected high-pressure sodium light may be used.
 - i. Canopy lighting shall be recessed and flush mounted. That portion of the canopy façade not included in the sign area shall not be illuminated.

E. Lighting Level Standards

1. Exterior lighting shall be designed at or below the following average maintained horizontal illuminance levels for the various uses. Uniformity shall not exceed the ratio listed in Table 7.6, which is a measure of the maximum lighting achieved within the area to the minimum lighting within the area.

Table 7.6: Illuminance Levels for Various Uses

Use or Application	Average Fc	Uniformity
Business and Industrial Uses		
Auto Dealerships	20	—
Commercial Building Exteriors	20	—
Loading Docks	20	10:1
Malls, Buildings	10	—
Parking Areas, Commercial	5	15:1
Parking Areas, Residential	2	15:1
Parks & Gardens	0.2	—
Protective Entrances, Storage Areas	5	10:1
Multi-Family Residential Uses with Five or More Units		
Residential Security and Yard Lighting	0.5	—
Sporting and Recreational Facilities		
Archery, Badminton, Baseball, Softball, Pools, Tennis Courts, Horseshoe Pitching Shuffleboard	10	3:1
Football, Soccer	30	4:1
Golf, Driving Range, Miniature Golf	10	3:1
Playgrounds	5	10:1
Tournament Softball	20	3:1
Tournament Tennis Courts	30	4:1
Other Uses:		
As determined by the Zoning Administrator based on like use and compatibility with surrounding area.		

F. C. Lighting Control Requirements

1. Automatic Switching Requirements
 - a. Controls shall be provided that automatically extinguish all outdoor lighting when sufficient daylight is available using a control device or system such as a photoelectric switch, astronomic time switch or equivalent functions from a programmable lighting controller, building automation system or lighting energy management system, all with battery or similar backup power or device.
2. Exceptions to Lighting Control Requirements
 - a. Automatic lighting controls are not required for the following:
 - 1.) Lighting under canopies.
 - 2.) Lighting for parking garages, garage entrances, and similar conditions.

G. Automatic Lighting Reduction Requirements

1. The owner or operator of a facility shall establish curfew time(s) after which outdoor lighting shall be reduced or turned off depending on site needs.
2. Exceptions: Lighting reductions are not required for any of the following:
 - a. With the exception of landscape lighting, lighting for residential properties including multiple residential properties not having common areas.

- b. Code required lighting for steps, stairs, walkways, and building entrances.
- c. When in the opinion of the Zoning Administrator, lighting levels must be maintained.
- d. Motion activated lighting.
- e. Lighting governed by special use permit in which times of operation are specifically identified.
- f. Businesses that operate on a 24-hour basis.

7.6. Parking and Access Standards

A. Purpose

- 1. To provide adequate and appropriate parking and to reduce stormwater runoff by reducing impervious surfaces. Guiding principles for developing parking resources include the following:
 - a. Parking design should prioritize parking for typical day-to-day uses rather than for infrequent events that may attract a large crowd.
 - b. Innovative approaches to reduce the need for parking are encouraged such as carpooling, shuttle services, public transit, and providing infrastructure for walking and cycling such as bike lockers, sidewalks, and shared use trails.
 - c. Shared parking agreements are encouraged, such as leasing agreements that establish shared parking with adjacent properties.
 - d. Environmentally friendly construction techniques are encouraged to reduce impervious surfaces.
- 2. To provide safe access to buildings and other venues. Guiding principles for access include the following:
 - a. Access points should comply with sound traffic planning standards including applicable VDOT and MUTCD standards. The Zoning Administrator shall review and approve site access locations in accordance with VDOT, MUTCD standards and/or other design regulations.
 - b. Where possible, shared driveways should be utilized to improve traffic safety. The spacing of driveways and access locations shall be designed to minimize conflict points and accommodate turning maneuvers.
 - c. Onsite driveways and drive aisles should be designed to provide adequate space for the movement of vehicles that will use the site, including any required truck-based deliveries and emergency response vehicles.

B. Access Requirements

- 1. Access from Streets: The Zoning Administrator or Town Engineer may limit driveway access points along designated arterial and collector streets to the spacing shown in the table below to assure safe travel along roadways, prevent congestion, minimize conflict between vehicular traffic entering the

site and other through traffic, protect pedestrian traffic, and provide for the movement of emergency response vehicles.

- a. Where possible, shared driveway entrances are strongly encouraged. Commercial entrances should be located to maximize access to adjoining parcels and minimize the need for multiple commercial entrances.
- b. Driveway entrances generally should not be located within the functional area of a signalized intersection per [VDOT Appendix F: Access Management Design Standards for Entrances and Intersections](#). Where no location outside of the functional area of the intersection is available, the entrance shall be subject to VDOT review and may be limited to right-in-right-out only.
- c. Minimum separation between driveway entrances shall conform to the standards set in Table 7.7: Driveway Entrance Spacing by Designated Speed Limit along designated arterial or collector streets.

Table 7.7: Driveway Entrance Spacing by Designated Speed Limit

Posted Speed on Arterial or Collector Street (mph)	Centerline to Centerline Driveway Spacing (feet)	Approx. Number of Driveways per 500-Foot Block Face
20	85	About 6
25	105	5
30	125	4
35	150	3
40	185	3
45	230	2

- 2. Entrance Design. Parking lot entrances from designated arterial or collector streets or roadways shall adhere to the regulations of [VDOT Appendix F: Access Management Design Standards for Entrances and Intersections](#).
- 3. Flooding Access: If stormwater runoff of a 25-year storm could be reasonably anticipated to inundate, block, destroy or otherwise obstruct a principal means of access to a residential development, the principal means of access shall be designed and constructed to provide unobstructed access at the time of flooding and/or an alternate means of access shall be provided.
- 4. Sidewalks shall be constructed to provide safe pedestrian access between vehicular and bicycle parking areas and building entrances. Where public sidewalks are provided along the public street frontage, additional sidewalks shall be provided to facilitate safe pedestrian access to building entrances.
- 5. For site developments that anticipate vehicular traffic in excess of 200 trips per day, a traffic engineering study shall be provided, which either offers evidence that existing configuration of the roadway is adequate to safely accommodate the additional traffic, or that specifies the improvements that will be installed within the public right-of-way to accommodate the additional traffic.
- 6. See the Town of Wytheville Street and Utility Standards Manual for approved entrance details.

C. Parking Lot Design and Construction Standards

1. Parking lot Dimension Standards: Parking layouts shall follow the minimum geometric requirements found in Table 7.8: Parking Lot Geometric Requirements.

Table 7.8: Parking Lot Geometric Requirements

Parking Angle	Stall Width	Stall Depth	Aisle Width
90°	9 ft.	18 ft. when facing externally. 20 ft. facing other parking spaces.	24 ft.
60°	9 ft.	18 ft. when facing externally. 20 ft. facing other parking spaces.	One-way 18 ft. Two-way 24 ft.
45°	9 ft.	18 ft. when facing externally. 20 ft. facing other parking spaces.	One-way 14 ft. Two-way 24 ft.
30°	9 ft.	18 ft. when facing externally. 20 ft. facing other parking spaces.	One-way 11 ft. Two-way 24 ft.
0° (Parallel)	8 ft.	22 ft.	One-way 12 ft. Two-way 24 ft.

2. Every area used for the parking of vehicles that is accessible to the public or visible from the public street, shall be surfaced with asphalt, concrete, concrete unit pavers, pervious paving materials or crushed rock. Crushed rock is considered an impervious paving unless it is installed using methods that permit the free flow of water into the underlying soil mass by preventing compaction by normal vehicular traffic.
3. Curb Radii at Aisle Ends: Typical curb radii where a parking drive aisle meets a collector drive aisle shall be a minimum of 10 feet. For aisles that will be utilized by tractor-trailers or other large vehicles a truck movement analysis shall be provided to verify that the pathway will accommodate large vehicles expected to use the aisle.
4. If large trucks, tractor trailer rigs, trash trucks, or similar large vehicles are expected to regularly access the site for deliveries, pickups, trash collection, or other similar activities, reinforced paving capable of supporting the weight of those vehicles shall be provided along the typical truck delivery route.
5. Parking areas shall have appropriate bumper guards or curbs where needed to prevent accidental vehicular movement and to define parking spaces. The distinction between bumper guards or curbs shall be reliant on the parking surface, use, pedestrian paths, and spaces adjacent to the parking area. The Zoning Administrator is enabled to make this determination based on the parking lot area.
6. Any lights used to illuminate said parking areas shall be so arranged as to reflect the light away from adjoining premises in any residential district and designed in accordance with the site lighting provisions of this Article.

D. Parking Structures

1. In addition to all other applicable requirements, each parking structure shall be subject to the following:
 - a. Any parking structure constructed fronting along a designated arterial street shall have a façade treatment that fulfills one or more of the following objectives:
 - 1.) Street level space suitable for retail, service, or office use.
 - 2.) Outdoor eating space suitable for a neighboring restaurant or restaurant located on the street level of the parking structure.
 - 3.) Usable plaza space with amenities for seating, street tables, bicycle parking or similar use.
 - 4.) Display space for public art such as public sculptures, murals or similar artwork subject to approval by the Downtown Wytheville organization.
 - b. Mechanical equipment or other utility hardware on the roof, ground, or building shall be screened from public view to the reasonable satisfaction of the Zoning Administrator with materials harmonious with the building or they shall be located so as not to be visible from public view.
 - c. Air handlers shall be located so that emissions are directed away from any adjoining residential development and other occupied structures.
 - d. The structure shall be designed so that the light from all vehicle headlights and all lighting fixtures will not routinely shine directly outside the structure.

E. Residential and Lodging Venue Parking Standards

1. For all residential and short-term lodging uses, parking spaces shall be provided for vehicular parking according to Table 7.9: Residential Parking Standards.

Table 7.9: Residential Parking Standards

Residential Unit Type	Parking Requirements
Single family dwelling	2 spaces
Accessory dwellings	1 space (May be provided on-street if on-street spaces are available.)
Studio unit (whether the unit is an apartment, townhouse, or condominium).	1 space
Apartment, townhouse, or condominium with 1 bedroom	1.25 spaces
Apartment, townhouse, or condominium with 2 bedrooms	1.75 spaces
Apartment, townhouse, or condominium with 3 bedrooms	2.25 spaces
Apartment, townhouse, or condominium with 4 or more bedrooms	2.75 spaces
Hotels, motels, bed and breakfast inns, homestays and similar lodging facilities	1 space per sleeping unit plus sufficient parking for employees onsite during peak occupancy.

2. Where the total parking requirement computation for a structure or group of structures results in a fractional space being required, the next whole number shall be deemed to be the number of spaces required.
3. Parking space required for dwellings in residential zoning districts shall be on the same lot as the dwelling. Parking spaces required for dwellings and lodging venues located in business, industrial, or mixed-use zoning districts (Zoning districts that allow business or industrial uses as well as residential uses) may be located on adjoining sites when a shared parking agreement is in effect.
4. For larger multifamily housing complexes, including apartments, townhouses, condominiums or similar facilities, an applicant/developer may be granted a reduction in the total parking space requirements by submitting a parking analysis that shows factors that demonstrate a reduced need for parking. Factors indicating a reduced need for parking might include the presence of subsidized rental units, proximity to public transportation, and/or proximity to retail and employment venues that are accessible via public transportation, existing sidewalks, walking trails, or bike paths. To receive a reduction in parking requirements, the multifamily housing complex must be located within one-half mile of a public transportation stop or qualifying retail and employment venue. The Zoning Administrator is authorized to approve a reduction in parking requirements when the submitted request can be supported by reliable data that demonstrate that the parking plan submittal is adequate for the proposed use and space.

F. Commercial and Industrial Off-Street Parking Standards

1. Parking Analysis Required: Prior to new construction or expansion of any commercial or industrial use, a parking analysis shall be provided with a site plan showing how those parking needs will be fulfilled. A narrative explaining

the rationale for the number of off-street parking spaces proposed shall be included with the parking analysis and plan. The parking analysis must include relevant information as listed below. The Zoning Official may request additional information upon review of the initial analysis submittal.

- a. The anticipated number of employees, staff, volunteers, or similar individuals involved in management or operational functions of the establishment or venue at peak hours of operation.
 - b. The anticipated number of customers to be in the facility at peak hours of operation of any retail, service, or similar establishment.
 - c. The anticipated number of guests or customers to be present at peak hours of operation of a restaurant or lodging facility.
 - d. The anticipated number of people attending any meeting, performance, church service or similar gatherings.
 - e. Expected hours of operation and peak demand relative to available parking in within 1,000 feet of the site. Shared use of parking facilities is encouraged wherever use patterns allow maximization of parking area usage.
 - f. Availability of public transportation or private shuttle services that target the staff and/or users of the facility.
 - g. Availability of bicycle and pedestrian access to and from adjacent neighborhoods. This shall include bicycle parking available to staff or users of the facility.
 - h. Availability of ride sharing and carpooling incentives for employees and/or users of a facility.
 - i. Availability of parking in designated public parking lots or on-street parking.
 - j. Establishment of shared parking agreements between nearby venues that have a demonstrated parking surplus.
 - k. Any additional factors that may justify either an increase or decrease in the amount of parking to be provided.
 - l. A conceptual site plan shall be provided showing the location of parking spaces, ADA accessible parking spaces as required by the Americans with Disabilities Act, entrances, access for delivery trucks, access for emergency vehicles, and pedestrian walkways and paths. For minor developments with fewer than 20 parking spaces, and preliminary submittals, a hand-drawn conceptual plan may suffice. For projects providing more than 20 parking spaces or 5,000 square feet of parking area including aisles, a stamped drawing by a professional engineer, architect or landscape architect shall be provided prior to final approval.
2. Minimum Parking Requirements: There are no minimum parking requirements for commercial and industrial uses, however, it is the responsibility of the developer or applicant to demonstrate that adequate parking is provided for the proposed use of the site. Where available, public parking and on-street parking may be used to satisfy the parking needs for the proposed use in commercial, medical arts, and industrial zoning districts.

Shared parking agreements with nearby venues that have a parking surplus are encouraged.

3. **Maximum Parking Limits:** Maximum parking spaces permitted for various commercial and general assembly uses are shown in Table 7.10: Maximum Parking Standards for Various Commercial Uses. The Zoning Administrator is enabled to allow additional parking spaces above the maximum with sufficient evidence demonstrating the need as part of the parking analysis. For uses that cannot be categorized with the use types in this table, the maximum parking allowed shall be determined by the Zoning Administrator after review of the parking analysis and plan.

Table 7.10: Maximum Parking Standards for Various Commercial Uses

Type of Use	Maximum Parking Standard
General retail and service uses.	1 space per 250 square feet of retail floor space excluding storage and employee service areas.
Restaurants with eat-in dining.	1 space per 100 square feet or 1 space for every table, booth, or two barstools, whichever is greater.
Professional office uses that do not require significant client traffic, Industrial, manufacturing, or similar uses.	1 space per planned employee workstation, plus visitor parking that may be recommended by the parking analysis.
Medical, dental, or similar clinical examination facilities.	1.5 spaces per exam room plus 1 space per planned employee workstation, plus visitor parking that may be recommended by the parking analysis.
Hospitals.	1 space per patient or exam room plus 1 space per planned employee workstation, plus visitor parking that may be recommended by the parking analysis.
Assembly halls, theaters, stadiums, or similar uses.	1 space per every 3 seats or other spaces provided for attendees in the main assembly area.

4. Designated space shall be provided for the loading and unloading of trucks and commercial delivery vehicles for any establishment where regular deliveries are anticipated.

7.7. Retaining Walls

A. Purpose:

1. To encourage the reasonable development of property along major streets and provide for access thereto upon reasonable slope gradients.
2. To encourage development that relates to the scale and elevation of the adjacent streets.
3. To assure that underground utilities are accessible for repair and maintenance.
4. This section regulates the construction, height, location, and material of retaining walls along all arterial and collector streets in the town.

B. Definition:

1. Retaining Wall: A wall or similar structure built or designed to retain or restrain forces of soil or other materials at a grade change to hold the soil or other materials on the up-hill side from slumping, sliding, or falling; a wall or terraced combination of walls used to retain more than 18 inches of materials and not used to support, provide a foundation for, or provide a wall for a building or structure.

C. No retaining wall in excess of 4'-0" in height may be constructed unless it conforms to the following:

1. Retaining walls must be set back at least four (4) feet from the property line, right-of-way, or easement line.
2. Retaining walls shall be designed by a professional engineer who is licensed to practice in Virginia.
3. Retaining walls shall be designed and sited to provide ample separation from adjoining uses and property owners to allow for required maintenance and future replacement of the wall. This may require significant setbacks from adjoining parcels or easement agreements that would allow for future maintenance work to proceed.
4. The plans for such retaining walls shall be submitted to the Town of Wytheville Building Official for review and approval and issuance of a building permit.
5. A "Guardrail Safety" fence, as described in Section 7.3.F Table 7.2, is required when pedestrians or children may be expected to be near the top of the wall. Guardrail safety fences shall be 42" in height +/- 3". In no case shall fences, rails, or other extensions of the retaining wall extend from the top of the retaining wall more than 4'-0". All fences, retaining walls, or barriers shall be designed to meet applicable building codes and shall be decorative in nature. No chain link fences, woven wire fences, barbed wire fences shall be permitted.

7.8. Signs

A. Purpose:

1. The purposes of this sign ordinance are to protect the public health, safety, and welfare as follows:
 - a. To preserve viewsheds and the scenic beauty of Wytheville and surrounding areas.
 - b. To protect the safety of motorists and pedestrians by reducing distractions.
 - c. To preserve available land for alternative land uses.
 - d. To protect community and neighborhood character while providing a convenient, attractive, and harmonious environment.

- e. To assure preservation of historical and cultural resources within Wytheville while protecting the visual quality of historic districts.
- f. To protect property values.
- g. To regulate the size, color, illumination, movement, materials, location, height, and condition of all signs placed on private property.
- h. To encourage economic development by providing opportunities for convenience and clarity in commercial landscapes.

B. Interpretation:

- a. Section 7.7 Signs shall be interpreted in a manner consistent with the First Amendment guarantee of free speech.
- b. Signs not expressly permitted as being allowed by right under this Section (7.7), by specific reference in another provision of this UDO, the Town Code; or otherwise expressly allowed by law, the Town Zoning Administrator, Town Manager, Board of Zoning Appeals, Virginia Constitution, or the Constitution of the United States, are forbidden.
- c. If any provision of this Section (7.7) is found by a court of competent jurisdiction to be invalid, such finding shall not affect the validity of other provisions of this Section (7.7) which shall be given effect without the invalid provision.
- d. A sign placed on land or on a building for the purpose of identification, protection, or directing persons to a use conducted therein shall be deemed to be an integral but accessory and subordinate part of the principal use of land or building. Therefore, the intent of this Section (7.7) is to establish limitations on signs in order to ensure they are appropriate to the land, the building, and/or the use to which they are appurtenant and are adequate for their intended purpose while balancing the individual and community interests identified above in Section 7.7.A Purpose.
- e. Wherever this Section (7.7) permits a sign with business or commercial content, non-commercial content is also permitted subject to the same requirements of size, color, illumination, movement, materials, location, height, and construction.

C. Intent:

- a. This Section (7.7) allows communication through signage while encouraging aesthetic quality in the design, location, size, and purpose of all signs.
- b. These regulations are intended to promote signs that are compatible with the use of the property to which they are appurtenant, the landscape and architecture of surrounding buildings; and that are legible, appropriate to the activity to which they pertain, are not distracting to motorists, and are constructed and maintained in a structurally sound and attractive condition.
- c. These regulations distinguish between portions of the Town designed for primarily vehicular access and portions of the Town designed for primarily pedestrian access.

- d. These regulations do not regulate every form and instance of visual speech that may be displayed anywhere within the jurisdictional limits of the Town. Rather, they are intended to regulate those forms and instances that are most likely to meaningfully affect one or more of the purposes set forth above.
- e. These regulations do not entirely eliminate all of the harm that may be created by the installation and display of signs. Rather, they strike an appropriate balance that preserves ample channels of communication by means of visual display while still reducing and mitigating the extent of the harm caused by signs.

D. Permit required:

- 1. General: A sign permit is required prior to the display and installation of any sign except as provided in Section 7.7.E Permit Not Required, of this Section or shown in the tables found in Section 7.7.L Permitted Sign Tables. Failure to obtain a required permit prior to installation of a sign is a violation of the Zoning Ordinance and subject to enforcement in accordance with Section ???.
- 2. Application for Permit: The process for obtaining a sign permit is as follows:
 - a. An application for a sign permit shall be filed with the Town Building Official using the online permitting portal furnished by that department. The applicant shall provide sufficient information to determine if the proposed sign is permitted under the zoning ordinance and other applicable laws, regulations, and ordinances. An application for a temporary sign shall state the dates intended for the installation and removal of the sign.
 - b. The Town Zoning Administrator or designee shall promptly process the sign permit application and approve the application, reject the application, or notify the applicant of deficiencies in the application. Any application that complies with all provisions of this zoning ordinance, the building code, and other applicable laws, regulations, and ordinances shall be approved.
 - c. If the application is rejected, the Town shall provide the reason(s) for the rejection in writing. An application shall be rejected for noncompliance with the terms of the zoning ordinance, building code, or other applicable law, regulation, or ordinance.
- 3. Permit Fee: A nonrefundable fee as set forth in the fee schedule adopted by the Town Council shall be paid after approval of the sign permit application.
- 4. Duration and Revocation of Permit: If installation of a permitted sign is not commenced within six (6) months following the issuance of a sign permit, the permit shall be void. The applicant may be granted a six (6) month extension of time to start installation if requested before the permit expiration date. The Town may revoke a sign permit under any of the following circumstances:
 - a. The Town determines that information in the application was materially false or misleading.
 - b. The sign as installed does not conform to the sign permit application.

- c. The sign violates the zoning ordinance, building code, or other applicable law, regulation, or ordinance.
- 5. Overlay and Special District Regulations: Signs in certain overlay and special districts shall adhere to additional regulations as follows:
- 6. Signs in the B-2DT require approval of the Design Committee of Downtown Wytheville Inc. except when a sign permit is not required as provided in Section 7.7.E, or in the tables found in Section 7.7.L.
- 7. Signs in the Entrance Corridor Overlay District shall adhere to the height, length and quantity restrictions found in the table found in Section 7.7.L entitled Signs in Industrial Districts, Medical Arts District and in the Entrance Corridor Overlay District.
- 8. Signs in the Small-Lot/Small-Home Overlay Zone shall conform regulations for the underlying zoning district as found in the tables in Section 7.7.L.

E. Permit not required:

- 1. The following signs are exempt from permit requirements:
 - a. Signs owned or installed by a governmental body or required by law. Such signs required for official public use are exempt from the regulations of this Section (7.7) in all Zoning Districts. This shall include official notices or advertisements posted or displayed by or under the direction of any public or court officer in the performance of his official or directed duties.
 - b. Flags as defined herein, provided that no freestanding pole shall be installed in the public right-of-way nor be within five (5) feet of a service drive, travel lane or adjoining street.
 - c. The changing of messages on changeable copy signs and marquee signs with changeable copy.
 - d. In agricultural and residential districts, including the A-1, R-1, R-2, R-2 FH, R-3, R-4, RA, RB-1, RB-2, RH and RMH zoning districts, up to four (4) temporary signs per premises with a total area not exceeding 16 square feet in sign face area and not to exceed four (4) feet in height. Temporary signs allowed under this provision are still subject to the 90 consecutive day, twice per year limit as described in the temporary sign definition.
 - e. In commercial, medical arts and industrial districts, including the B-1, B-2, B-2 DT, DTB-1, DTB-2, DTB-3, M-1, M-2, and MA zoning districts, up to four (4) temporary signs per premises with a total area not to exceed 36 square feet in sign face area. Temporary signs allowed under this provision are still subject to the 90 consecutive day, twice per year limit as described in the temporary sign definition. Additional temporary signs may be allowed by permit in some zoning districts. See the tables for the relevant zoning district in Section 7.7.L for details.
 - f. Temporary Signs – Extended Use: These are signs that are not intended to be permanent, but which are required for indeterminate periods as follows:

- 1.) One (1) sign, no more than twelve (12) square feet in area, located on property where a building permit is active.
- 2.) On any property for sale or rent, not more than one (1) sign with a total area of up to twelve (12) square feet and a maximum height of six (6) feet when the sign abuts a road with a speed limit of 25 miles per hour or less, and when the sign abuts a road with a speed limit greater than 25 miles per hour not more than one (1) sign with a total area of up to thirty-two (32) square feet and a maximum height of six (6) feet.
- g. In agricultural and residential districts, including the A-1, R-1, R 2, R 2 FH, R-3, R-4, RA, RB 1, RB 2, RH and RMH zoning districts, one (1) portable sign not exceeding six (6) square feet in sign face area.
- h. In commercial, medical arts and industrial districts, including the B 1, B-2, B-2 DT, DTB 1, DTB 2, DTB 3, M-1, M-2, and MA zoning districts, one (1) portable sign not exceeding ten (10) square feet in sign face area. Additional signs may be allowed by permit in some zoning districts. See the tables for the relevant zoning district in Section 7.7.L for details.
- i. Repair of an existing legally nonconforming sign as allowed in Section 7.7.K
- j. One (1) minor sign per premises in non-residential zoning districts and residential business districts. Additional minor signs may be allowed by permit in some zoning districts. See the tables for the relevant zoning district in Section 7.7.L for details.
- k. A-frame or chalkboard signs of ten (10) square feet of sign face area or less that are located more than fifty (50) feet from the nearest public right of way. A-frame signs of other sizes or located closer to a public right-of-way may be allowed by permit in some zoning districts. See the tables for the relevant zoning district in Section 7.7.L for details.
- l. Pavement markings. Any painted sign or symbol applied directly and entirely to and flush with an asphalt, concrete, or similar paved surface for the purpose of traffic safety and/or control. Pavement markings may be subject to review as part of the site plan approval process.
- m. Temporary signs or banners attached to the inside of store windows, except those signs specified as "prohibited signs" in this Section (7.7), provided that the aggregate area of all window signs on each window or door does not exceed twenty-five percent (25%) of the total area of the window or door.

F. Prohibited Signs:

- 1. In addition to signs prohibited elsewhere in this Code or by applicable state or federal law, the following signs are prohibited:
- 2. General Prohibitions:
 - a. Signs that violate any law of the Commonwealth of Virginia relating to outdoor advertising.
 - b. Signs attached to natural vegetation.

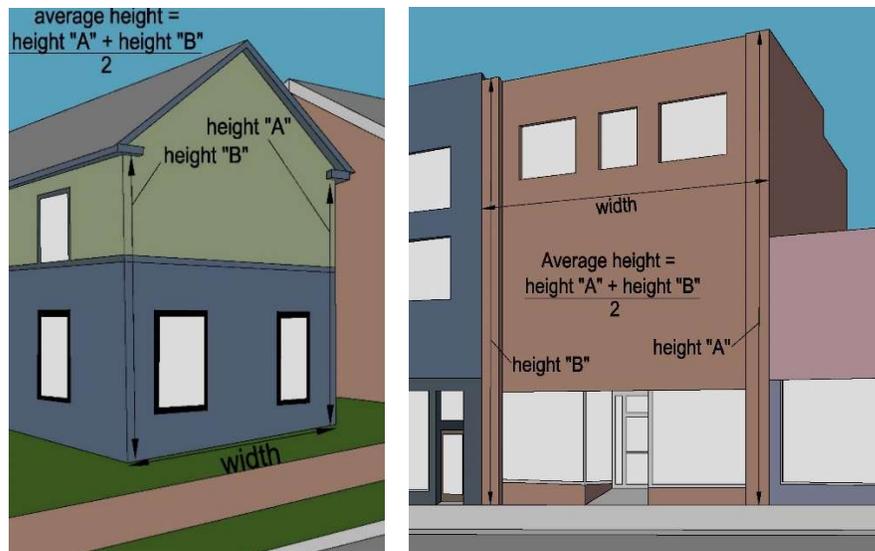
- c. Signs simulating, or which are likely to be confused with, a traffic control sign, traffic signal, or any other sign displayed by a public authority. Any such sign is subject to immediate removal and disposal by an authorized Town official as a nuisance.
 - d. Vehicle or trailer signs as defined herein.
 - e. Any sign displayed without complying with all applicable regulations of this Section (7.7).
3. Prohibitions Based on Materials:
- a. Animated signs as defined, flashing signs or electronic signs displaying flashing, scrolling or intermittent lights or lights of changing degrees of intensity, except where such signs are expressly permitted within this Section (7.7).
 - b. Signs attached with moveable supports, chains, or similar devices. Moveable supports can be subject to wear that could result in failure or collapse of the mounting hardware.
 - c. Signs or displays consisting of flexible illuminated tubing or strings of lights outlining property lines or open sales areas, rooflines, doors, windows, or wall edges of any building, except for temporary decorations not to exceed three (3) months per year. Lighting displays fabricated with durable materials intended for long term exposure to weather are exempt from this requirement.
 - d. Signs that emit smoke, flame, scent, mist, aerosol, liquid, or gas.
 - e. Signs that emit sound.
 - f. Any electronic sign that generates a series of moving images, pulses, flashes, or similar distracting images using technology such as an LED digital display, or other video system, whether displayed on a building, vehicle, or mobile unit. This does not include electronic or digital signs that display a static image which changes at four (4) second or longer intervals.
 - g. Strings of flags or pendants visible from, and within 50 feet of, any public right-of-way.
4. Prohibitions Based on Location:
- a. Off-premises signs, unless specifically permitted by this Section (7.7).
 - b. Signs installed on public land or within the public right-of-way unless approved by an authorized Town official in writing. Any sign not so authorized is subject to immediate removal and disposal by any authorized official. Removal of the sign under this provision does not preclude prosecution of the person responsible for the sign.
 - c. Signs on the roof surface or extending above the roofline of a building or its parapet wall.
 - d. A sign that obstructs free or clear vision, or otherwise causes a safety hazard for vehicular, bicycle, or pedestrian traffic due to its location, including any sign located in the vision triangle formed by any two (2) intersecting streets, as regulated by the provisions of Section 7.2.

- e. Signs at or near any curve in a street in such a manner as to obstruct the clear vision of traffic from any one point on such curve to any other point on such curve or to any other point not more than 400 feet apart, as measured between each point from the nearest edge of the pavement.
- f. Side and rear wall signs facing and within 100 feet of a residential district.

G. Measurements and Calculation of Sign Face Area:

- 1. Support Structures: Supports, uprights, or structure on which any sign is supported shall not be included in determining the sign face area unless such supports, uprights or structure are designed in such a way as to form an integral background of the display. When a sign is placed on a fence, wall, planter, or other similar structure that is designed to serve a separate purpose other than to support the sign, the entire area of such structure shall not be computed. In such cases, the sign face area shall be computed in accordance with the other provisions of this Section (7.7).
- 2. Allowable Wall Sign face area: The area of a wall for use in calculating maximum allowable sign face area shall be calculated in the following manner.
 - a. The area of the wall is calculated by multiplying the width by height of the wall. The height shall be measured by calculating the average vertical distance from grade to the top of the wall of a flat roof or parapet wall; or to the eave line of a gable, hip, or gambrel roof. (See diagram below.)

Figure 7.7: Wall Area Calculations



- b. In instances where there are multiple tenants or users on a property or in a building, which are located in distinct storefronts so as to be visible from a public right-of-way or publicly accessible parking lot, the measurement of wall area shall be determined for each individual establishment.
- c. In instances where there are multiple tenants or users within a single building, which are not visibly distinguishable when viewed from a public right-of-way or publicly accessible parking lot, the measurement of wall

area shall be determined for all parties shall not exceed the maximum sign face area computed as if there were a single tenant or user.

- 3. Sign face area: Sign face area is calculated under the following principles.
 - a. With signs that are regular polygons or circles the area can be calculated by the mathematical formula for that polygon or circle. With signs that are not regular polygons or circles, the sign face area is calculated using all that area within a maximum of three (3) abutting or overlapping rectangles that enclose the sign face. (See diagram below.)

Figure 7.8: Sign Face Area Calculations



- b. The support for the sign face, whether it is columns, a pylon, or a building, or part thereof, shall not be included in the sign face area.
 - c. The area of a cylindrical or spherical sign shall be computed by multiplying one-half of the circumference by the height of the sign.
 - d. For a marquee sign, only the area of the message shall be used in sign face area computation.
 - e. The sign face area for a double-faced sign shall be measured on one side only. If the sign face areas differ, the larger sign face area shall be used.
 - f. For projecting signs with a thickness of four (4) inches or more, the sign face area also includes the area of the visible sides of the sign, calculated as a rectangle enclosing each entire side view.
 - g. A combined area sign may have up to four (4) faces, joined at the corners at 90 degree or less angles with no face exceeding the area normally allocated a single ground/freestanding sign face.
- 4. Height Measurement: Measured as the vertical distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be the higher elevation of either the existing elevation at the edge of pavement closest to the sign location, or the existing grade at the

time of the installation of the sign, exclusive of any filling, berming, or mounding primarily for the purpose of mounting or elevating the sign.

5. Maximum Height: The maximum height for any sign shall be 35 feet unless otherwise specified within this Section.

H. Maintenance and Removal:

1. All signs shall be constructed and mounted in compliance with the Virginia Uniform Statewide Building Code.
2. All signs and components thereof shall be maintained in good repair and in a safe, neat, and clean condition. Signs showing visible signs of wear, fading, chipped paint, rotting or rusting structure, or non-working components after inspection by the building official, must be repaired or may be subject to code enforcement as a nuisance. Such signs shall be put in a safe and good state of repair, or removed, within 30 days of a written notice to the owner and/or permit holder.
3. The building official may cause to have removed or repaired immediately without written notice any sign which, in his opinion, has become insecure, in danger of falling, or otherwise unsafe, and, as such, presents an immediate threat to the safety of the public. If such action is necessary to render a sign safe. The cost of such emergency removal or repair shall be at the expense of the owner or lessee thereof.
4. The owner of any sign advertising a use that has ceased operating shall, within 60 days of the cessation, replace the sign face with a blank face.
5. Historic Signs: Preservation of historic signs is encouraged. Signs identified as historic or that contribute to a designated historic district or site should be preserved as recommended by the Virginia Department of Historic Resources, State Historic Preservation Office, or their representative. Preservation and maintenance of historic signs shall conform to the recommendations of Preservation Brief 25 of the U.S. Department of the Interior, National Park Service, Cultural Resources and Preservation Assistance Division.
6. Temporary displays must be maintained in good condition, whether permitted, allowed without permit, or otherwise; this includes temporary signs, flags, and holiday displays. Strings of lights designed for temporary seasonal use must be in safe working condition and shall not be displayed for more than three (3) months per calendar year. Any power source for temporary displays must comply with all applicable building and electrical codes. Worn or deteriorated displays must be removed, repaired, or replaced subject to the regulations contained herein.



I. Electronic Message Signs:

1. Electronic message signs (including the primary message and any and all secondary messages, backgrounds, etc.) are required to remain static for at

least four (4) seconds and may not flash or change intensity by pulsing, pulsating, or other similar visual effect.

- 2. Electronic message signs are prohibited in the B-2 DT, DTB-1, DTB-2, DTB-3 Business Zoning Districts and within any portions of the B-2 Business Zoning District that are part of the Wytheville Historic District.
- 3. See the tables in Section 7.7.L for zoning districts where electronic message signs are allowed.

J. General requirements:

- 1. Placement:
 - a. Signs in all zoning districts except for the B-2 DT, DTB-1, DTB-2, and DTB-3 Zoning Districts, permanent freestanding signs shall be set back a minimum of five (5) feet from any public right-of-way and a minimum of five (5) feet from all other property lines.
 - b. In the B-2 DT, DTB-1, DTB-2, AND DTB-3 Business Zoning Districts, all permanent freestanding signs must remain a minimum of two (2) feet from the back of the right-of-way line.
 - c. In the B-2 DT, DTB-1, DTB-2, AND DTB-3 Zoning Districts, projecting signs mounted on building facades may project a maximum of 72 inches over public property, or to within 48 inches of the face of curb of any roadway, whichever is less. This provision shall not prevent maintenance, repair, reconstruction, or preservation of historic signs and cultural features including, but not limited to, signs, marquees, public art, and similar cultural objects. (See Figure 7.9.)

Figure 7.9: Projecting Signs in Downtown Zoning Districts

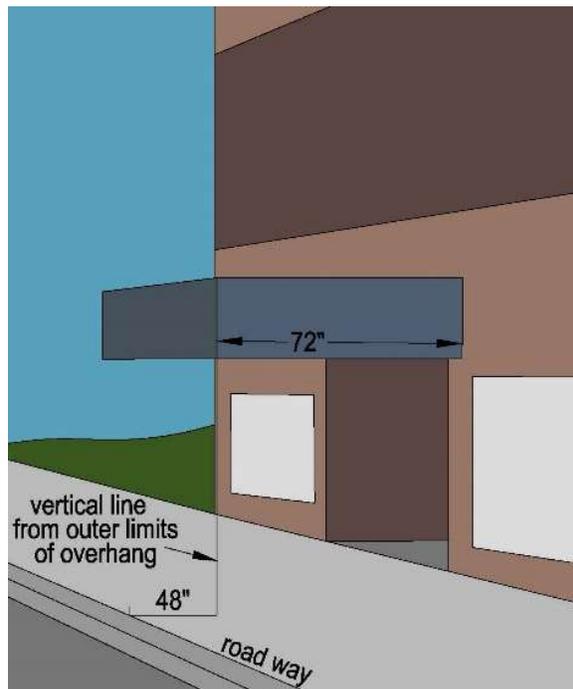
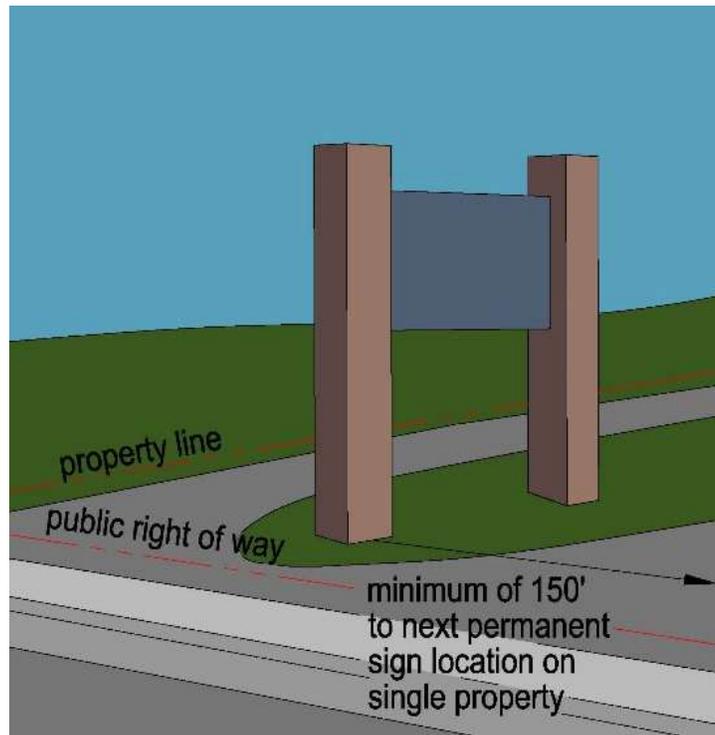


Figure 7.10: Freestanding Sign Separation



- d. When two or more permanent ground mounted or freestanding signs are to be located on one (1) premises, those signs must be separated by a minimum of 150 feet. (See Figure 7.10.)
- e. Residence signs in residential districts shall be wall-mounted in close proximity to the front door.
- 2. Glint and Glare: The illumination from any sign resulting in any internal or external artificial light source that adversely affects surrounding properties, causes offensive glare, or creates a traffic hazard shall be prohibited. Furthermore, no sign shall be permitted to affect highway safety or shine directly into a residential dwelling unit.
- 3. Size and Dimensional Requirements: The tables in Section 7.7.L set forth the sign type, number, sign face area, and maximum sign height allowed in each zoning district. (In lieu of following the strict regulations as contained in Section 7.7.L, a comprehensive sign plan may be submitted for a common plan development.
- 4. Structural Safety: All signs shall conform to relevant building code standards and meet the following requirements.
 - a. Sealed engineering and/or architectural plans may be required to assure that footings and structures are in compliance with building code requirements and meet applicable wind load standards.
 - b. Signs must be mounted in a way that prevents repeated movement due to wind or other forces.

- 5. Illumination:
 - a. All permitted signs in non-residential zoning districts, and signs of one (1) square foot of sign face area or less in residential zoning districts, may be backlit, internally lighted, or indirectly lighted, unless such lighting is specifically prohibited in this Section.
 - b. Signs larger than one (1) square foot in sign face area in residential zoning districts may be illuminated with external or indirect lighting sources as described below.
 - c. External or Indirect Illumination: Where indirect lighting is used to illuminate a sign, the source shall be shielded to reduce glint and glare. Projecting signs shall be indirectly illuminated or have shielded indirect lighting. Indirect lighting shall consist of full cut-off or directionally shielded lighting fixtures that are aimed and controlled so that the directed light shall be restricted to the sign to minimize glint, glare, and light trespass. The beam width shall not be wider than that needed to light the sign.
 - d. Internal Illumination: Internally illuminated signs shall have a light-colored copy on a dark-colored or opaque background, so that the copy is legible during the day and night and to reduce nighttime glare. When illuminated, the sign shall appear to have an illuminated copy with a dark or non-illuminated background. (This requirement shall not apply to internally illuminated individual characters, letters, or shapes that do not contain copy on the sign face. Neon lighting is not considered to be internal lighting.)

K. Nonconforming Signs:

- 1. Establishment of Legal Nonconforming Status: Signs lawfully existing on the effective date of this Ordinance or prior ordinances, which do not conform to the provisions of this Section, and signs which are accessory to a nonconforming use shall be deemed to be nonconforming signs and may remain except as qualified below. The burden of establishing nonconforming status of signs and of the physical characteristics/location of such signs shall be that of the owner of the property. Upon notice from the zoning administrator, a property owner shall submit verification that sign(s) were lawfully existing at time of installation. Failure to provide such verification shall be cause for order to remove sign(s) or bring sign(s) into compliance with the current ordinance.
- 2. Modification of Nonconforming Signs: Nonconforming sign shall not be enlarged nor shall any feature of a nonconforming sign, such as illumination, be increased. A sign face may be changed so long as the new face is equal in sign face area.
- 3. Maintenance of Nonconforming Signs: Nonconforming signs may be maintained and kept in good repair without jeopardizing legal nonconforming status.
- 4. Relocation of Nonconforming Signs: Nonconforming sign shall not be moved for any distance on the same lot or to any other lot unless such change in location will make the sign conform in all respects to the provisions of this Section.

5. Damaged Nonconforming Signs: A nonconforming sign that is destroyed or damaged by any natural disaster may be restored within two (2) years after such destruction or damage but shall not be enlarged in any manner.
6. Removal of Nonconforming Signs:
 - a. A nonconforming sign that is removed for any cause other than a natural disaster shall not be reconstructed but may be replaced with a sign that is in full accordance with the provisions of this Section.
 - b. It is the responsibility of the applicant to obtain a permit for a replacement sign prior to removal of a nonconforming sign.
 - c. A nonconforming sign structure shall be subject to the removal provisions of Section 7.7.H when the use to which it is accessory has not been in operation for a period of two (2) years or more. Such sign structure shall be removed by the owner or lessee of the property. If the owner or lessee fails to remove the sign structure, the zoning administrator or designee shall give the owner thirty (30) days' written notice to remove it. Upon failure to comply with this notice, the zoning administrator or designee may enter the property upon which the sign is located and remove any such sign or may initiate such action as may be necessary to gain compliance with this provision. The cost of such removal shall be chargeable to the owner of the property.

L. Table of Design Standards for Permitted Signs:

1. The tables that follow provide a detailed description of the requirements for the various sign types within the various zoning districts of the Town of Wytheville. The tables also identify which sign types require permitting and in which zoning districts they are allowed.

Table 7.11: Signs in A-1 Agricultural District

Table 7.11: Signs in A-1 Agricultural District					
General Signage Requirements:					
Except as otherwise prohibited in this Section, the following signs are permitted as accessory to agricultural uses in the A-1 Zoning District.					
Sign Type	Maximum Number of Signs	Cumulative Maximum Square Feet of Sign Face	Maximum Height	Time and Location Requirements	Permit Required
Changeable Copy, Freestanding, Ground-Mounted, Monument, Pole	1	32	6 feet	Setback at least 5 feet from the right-of-way line. Must be removed or repaired if deteriorated or damaged.	Yes
Wall	1 per wall	25% of the total wall area.	Not to exceed wall height.	Wall signs facing residentially zoned abutting properties are prohibited.	Yes
Minor	Not Regulated	6 square feet maximum per sign.	8 feet	Locations subject to review as part of a site plan zoning review.	No
A-Frame, Banner, Feather, Portable, Temporary	6	36	6 feet	May be displayed no more than 90 consecutive days and twice per year. Setback three (3) feet minimum from right-of-way. For multi-family units, signs shall be within ten (10) feet of the entrance door. Must be removed if deteriorated or damaged.	Up to 4 signs with a total sign face area of 16 square feet or less do not require a permit. More than 4 signs or more than 16 square feet of sign face area requires a permit.
Flag, Holiday Display	Not restricted	Not restricted	Flag poles 30 feet. Holiday displays not regulated.	Must be removed, replaced, or repaired if deteriorated or damaged.	No
Temporary Sign - Extended Use	1	12	6 feet	On properties with an active building permit	No
	1	12 on roads with 25 MPH speed limit or less 32 on roads with speed limits greater than 25 MPH	6 feet	On properties for sale or rent	No

Table 7.12: Signs in Residential Districts

Table 7.12: Signs in Residential Districts					
General Signage Requirements:					
Except as otherwise prohibited in this Section, the following signs are permitted as accessory to residential uses in residential districts. Residential districts shall include R-1, R-2, R-2C, R-3, R-4, RH, and RMH. Residential uses include single family homes and individual units in multi-family complexes. Internally illuminated signs larger than one square foot in sign face area, moving signs, and electronic message signs are prohibited on residential properties in all residential districts.					
Sign Type	Maximum Number of Signs	Cumulative Maximum Square Feet of Sign Face	Maximum Height	Time and Location Requirements	Permit Required
Temporary	4	16	4 feet	May be displayed no more than 90 consecutive days and twice per year. Setback three (3) feet minimum from right-of-way. For multi-family units, signs shall be within ten (10) feet of the entrance door. Must be removed if deteriorated or damaged.	No
A-Frame Portable	1	6	4 feet	May be displayed no more than 90 consecutive days and twice per year. Setback three (3) feet minimum from right-of-way. For multi-family units, signs shall be within ten (10) feet of the entrance door. Must be removed if deteriorated or damaged.	No
Residence Sign	1	6	6 feet	Setback at least five (5) feet from the right-of-way line. Must be removed or repaired if deteriorated or damaged.	No
Flag Holiday Display	Not restricted	Not restricted	Flag poles 30 feet. Holiday displays not regulated.	Must be removed, replaced, or repaired if deteriorated or damaged.	No
Temporary Sign - Extended Use	1	12	6 feet	On properties with an active building permit	No
	1	12 on roads with 25 MPH speed limit or less 32 on roads with speed limits greater than 25 MPH	6 feet	On properties for sale or rent	No

Table 7.12: Signs in Residential Districts (Continued)

General Signage Requirements for Various Non-residential Uses in Residential Zoning Districts:

Except as provided otherwise in this Section, the following sign types are permitted in addition to those listed in this table above, as accessory to non-residential uses in residential districts. Non-residential uses include multi-family housing complexes with five or more units, funeral homes, churches, and other grandfathered commercial or institutional uses. Internally illuminated signs larger than one square foot in sign face area, moving signs, and electronic message signs are prohibited as accessory uses for non-residential uses in all residential districts.

Sign Type	Maximum Number of Signs	Cumulative Maximum Square Feet of Sign Face	Maximum Height	Time and Location Requirements	Permit Required
Awning Canopy	1	16	Shall not extend above the awning or canopy.	To be located above the principal building entrance or management office entrance of the non-residential use.	Yes
Monument Freestanding or Ground-Mounted Wall	1	32	6 feet	Setback at least 5 feet from the right-of-way line.	Yes

Table 7.13: Signs in Residential Business Districts

Table 7.13: Signs in Residential Business Districts					
General Signage Requirements:					
Except as otherwise prohibited in this Section, the following signs are permitted as accessory to residential business uses in residential business districts. Residential business districts shall include R-2 FH, RA, RB-1, and RB-2. Internally illuminated signs larger than one square foot in sign face area, moving signs, and electronic message signs are prohibited on residential properties in all residential districts.					
Sign Type	Maximum Number of Signs	Cumulative Maximum Square Feet of Sign Face	Maximum Height	Time and Location Requirements	Permit Required
Monument Freestanding or Ground-Mounted Wall Residence Sign	1	12	6 feet	Setback at least five (5) feet from the right-of-way line. Must be removed or repaired if deteriorated or damaged.	No
Temporary	4	16	4 feet	May be displayed no more than 90 consecutive days and twice per year. Setback three (3) feet minimum from right-of-way. For multi-family units, signs shall be within ten (10) feet of the entrance door. Must be removed if deteriorated or damaged.	No
A-Frame Portable	1	6	4 feet	May be displayed no more than 90 consecutive days and twice per year. Setback three (3) feet minimum from right-of-way. For multi-family units, signs shall be within ten (10) feet of the entrance door. Must be removed if deteriorated or damaged.	No
Flag Holiday Display	Not restricted	Not restricted	Flag poles 30 feet. Holiday displays not regulated.	Must be removed, replaced, or repaired if deteriorated or damaged.	No
Temporary Sign - Extended Use	1	12	6 feet	On properties with an active building permit	No
	1	12 on roads with 25 MPH speed limit or less 32 on roads with speed limits greater than 25 MPH	6 feet	On properties for sale or rent	No

Table 7.13: Signs in Residential Business Districts (Continued)

General Signage Requirements for Larger Non-residential Uses in Residential Zoning Districts:

Except as provided otherwise in this Section, the following sign types are permitted in addition to those listed in this table above, as accessory to non-residential uses in residential districts. Non-residential uses include multi-family housing complexes with five or more units, funeral homes, churches, and other grandfathered commercial or institutional uses. Internally illuminated signs larger than 12 square feet in sign face area, moving signs, and electronic message signs are prohibited as accessory uses for non-residential uses in all residential business districts.

Sign Type	Maximum Number of Signs	Cumulative Maximum Square Feet of Sign Face	Maximum Height	Time and Location Requirements	Permit Required
Awning Canopy	1	16	Shall not extend above the awning or canopy.	To be located above the principal building entrance or management office entrance of the non-residential use.	Yes
Monument Freestanding or Ground-Mounted Wall	1	32	6 feet	Setback at least 5 feet from the right-of-way line.	Yes

Table 7.14: Signs in Business and Mixed-Use Business Districts Except for Sites Located in an Entrance Corridor

Table 7.14: Signs in Business and Mixed-Use Business Districts Except for Sites Located in an Entrance Corridor					
General Signage Requirements:				Arterial Road Frontage:	Base Sign Area
<p>Sign types highlighted with yellow shading are subject to a total maximum sign face area. The maximum sign face area allowed per premises or common plan development is calculated based on adjacent street frontage along designated arterial and collector streets. Local streets are excluded from the frontage total. The total allowable sign area includes both on premises and off premises signs. Other time and/or location requirements apply to various sign types as indicated in this table.</p> <p>Except as provided otherwise in this Section, the following signs are permitted as accessory uses in the B-1, B-2, BMX, and BTS Business Districts.</p>				1 – 400 ft	90 ft ²
				401 – 600 ft	180 ft ²
				601 – 800 ft	270 ft ²
				801 – 1000 ft	360 ft ²
				1001 – 1200 ft	450 ft ²
				1201 – 1400 ft	540 ft ²
				1401 or more	600 ft ²
Sign Type	Maximum Number of Signs	Cumulative Maximum Square Feet of Sign Face	Maximum Height	Time and Location Requirements	Permit Required
Freestanding Ground Mounted Monument Pole	1 for every premises or common plan of development with up to 200 feet of street frontage. 1 additional for every full additional 200 feet of street frontage.	Counts toward total for “General Signage” in this table.	35 feet	Must be located at least five (5) feet away from any public right-of-way and fifteen (15) feet away from any other property line. May not obstruct sight triangles of any street or access driveway.	Yes
Awning Canopy Marquee Projecting	1	Counts toward total for “General Signage” in this table.	Not to exceed the height of the building, awning, or canopy where installed.	In the B-1 and B-2 Zoning Districts, these signs must be located at least five (5) feet away from any public right-of-way	Yes
Electronic Message	1	Counts toward total for “General Signage” in this table.	35 feet	Message or image must remain static for at least 4 seconds. Scrolling, flashing, or moving images are prohibited.	Yes
Window	2	Not Regulated.	N/A	Applies to signs permanently affixed to windows.	Yes
Wall	1 per wall	25% of the total wall area.	Not to exceed wall height.	Wall signs facing residentially zoned abutting properties are prohibited.	Yes

Table 7.14: Signs in Business and Mixed-Use Business Districts Except for Sites Located in an Entrance Corridor (Continued)

Sign Type	Maximum Number of Signs	Cumulative Maximum Square Feet of Sign Face	Maximum Height	Time and Location Requirements	Permit Required
Minor Directional	Not Regulated	6 square feet maximum per sign.	8 feet	Locations subject to review as part of a site plan zoning review.	No
Changeable Copy	1 per storefront	32	Freestanding signs, 6 feet Building mounted not to exceed building height.	Must be located at least five (5) feet away from any public right-of-way and fifteen (15) feet away from any other property line.	Yes
High Mast	1	600 square feet	High Mast – 130 feet	Permitted only within commercial zoning districts that are also located within the Interstate Corridor as defined herein.	Yes
Banner Feather Temporary	Number not limited	100 square feet total with a maximum of 32 square feet per sign.	8 feet	May be displayed no more than 90 consecutive days and twice per year. Setback minimum of 3 feet from right-of-way line.	Up to 4 signs with a total sign face area of 36 square feet or less do not require a permit. More than 4 signs or more than 36 square feet of sign face area requires a permit.
A-Frame Chalkboard Portable	1 per building or storefront	10 square feet per building or storefront	4 feet for signs placed on the ground or pavement. Wall mounted signs below 9 feet.	Setback minimum of 3 feet from right-of-way line.	No
Flags and Holiday Displays	Not restricted	Not restricted	Flag poles 30 feet. Holiday displays not regulated.	Setback minimum of 3 feet from right-of-way line.	No
Temporary Sign -Extended Use	1	12	6 feet	On properties with an active building permit	No
	1	32	6 feet	On properties for sale or rent	No

Table 7.15: Signs in Downtown Business Districts

Table 7.15: Signs in Downtown Business Districts					
General Signage Requirements:					
Except as provided otherwise in this Section, the following signs are permitted as accessory uses in B-2 DT, DTB-1, DTB-2 and DTB-3 zoning districts. Signs within Downtown business districts are subject to review for historic appropriateness by the Downtown Wytheville Design Committee.					
Sign Type	Maximum Number of Signs	Cumulative Maximum Square Feet of Sign Face	Maximum Height	Time and Location Requirements	Permit Required
Freestanding Ground Mounted Monument Pole	1 for every premises or common plan of development with 75 or more feet of street frontage and where building setback is greater than the sign width plus five (5) feet. Neon illumination is allowed.	90	20 feet	Must be located at least two (2) feet away from any public right-of-way and fifteen (15) feet away from any other property line. May not obstruct sight triangles of any street or access driveway.	Yes
Projecting	1 for every premises or common plan of development with a front building setback of less than five (5) feet. Neon illumination is allowed.	50	Not to exceed the height of the building where installed.	In the B-2 DT, DTB-1, DTB-2, AND DTB-3 Zoning District, these signs may project a maximum of 72 inches over public property, or to within 48 inches of the face of curb of any roadway, whichever is less.	Yes
Window	2	25% of the window surface area.	N/A	Applies to signs permanently affixed to windows.	Yes
Awning Canopy Marquee Wall	1 per wall. Neon illumination is allowed on Marquee and Wall signs.	25% of the total wall area.	Not to exceed wall, awning, canopy, or marquee height.	Signs located on historic building facades must be located within the portion of the façade designed to accommodate signage, such as a sign band, awning, or transom area. Wall signs facing residentially zoned abutting properties are prohibited.	Yes
Changeable Copy	1 per premises or common plan of development.	32	Freestanding signs, 6 feet Building mounted not to exceed building height.	Must be located at least five (5) feet away from any public right-of-way and fifteen (15) feet away from any other property line.	Yes

Table 7.15: Signs in Downtown Business Districts (Continued)

Sign Type	Maximum Number of Signs	Cumulative Maximum Square Feet of Sign Face	Maximum Height	Time and Location Requirements	Permit Required
Minor Directional	Not Regulated	6 square feet maximum per sign.	8 feet	Locations subject to review as part of a site plan zoning review.	No
Banner Feather Temporary	4	100 square feet total with a maximum of 32 square feet per sign.	8 feet	May be displayed no more than 90 consecutive days and twice per year. Setback minimum of three (3) feet from right-of-way line.	No
A-Frame Chalkboard Portable	1 per building or storefront	10 square feet per building or storefront	4 feet for signs placed on the ground or pavement. Wall mounted signs below 9 feet.	May be located on paved public sidewalk or on grass parkway strip within the public right-of-way but shall not block the flow of pedestrian traffic.	No
Flags and Holiday Displays	Not restricted	Not restricted	Flag poles 30 feet. Holiday displays not regulated.	Setback minimum of two (2) feet from right-of-way line.	No
Temporary Sign - Extended Use	1	12	6 feet	On properties with an active building permit	No
	1	32	6 feet	On properties for sale or rent	No

Table 7.16: Signs in Industrial Zoning Districts, Except for Sites Located in an Entrance Corridor

Table 7.16: Signs in Industrial Zoning Districts, Except for Sites Located in an Entrance Corridor					
General Signage Requirements: Sign types highlighted with yellow shading are subject to a total maximum sign face area. The maximum sign face area allowed per premises or common plan development is calculated based on adjacent street frontage along designated arterial and collector streets. Local streets are excluded from the frontage total. The total allowable sign area includes both on premises and off premises signs. Other time and/or location requirements apply to various sign types as indicated in this table. Except as provided otherwise in this Section, the following signs are permitted as accessory uses in industrial districts including the MA, M-1, and M-2 Zoning Districts. In addition, up to one (1) minor sign per tenant space, suite, or similar unit is permitted as a wall sign.				Arterial Road Frontage: 1 – 400 ft 401 – 600 ft 601 ft or more	Base Sign Area 90 ft ² 150 ft ² 270 ft ²
Sign Type	Maximum Number of Signs	Cumulative Maximum Square Feet of Sign Face	Maximum Height	Time and Location Requirements	Permit Required
Freestanding Ground Mounted Monument Pole	1 for every premises or common plan of development with up to 200 feet of street frontage. 1 additional for every full additional 200 feet of street frontage.	Counts toward total for “General Signage” in this table.	6 feet	Must be located at least five (5) feet away from any public right-of-way and fifteen (15) feet away from any other property line. May not obstruct sight triangles of any street or access driveway.	Yes
Awning Canopy Marquee Projecting	1	Counts toward total for “General Signage” in this table.	Not to exceed the height of the building, awning, or canopy where installed.	These signs must be located at least five (5) feet away from any public right-of-way	Yes
Electronic Message	1	Counts toward total for “General Signage” in this table.	6 feet	Message or image must remain static for at least 4 seconds. Scrolling, flashing, or moving images are prohibited.	Yes
Window	Not Regulated	Not Regulated	Not applicable	Applies to signs permanently affixed to windows.	No
Wall	1 per storefront.	25% of the total wall area.	Shall not exceed the height of the wall where the sign is affixed.	Shall not be located on any wall that faces an adjoining residential use.	Yes

Table 7.16: Signs in Industrial Zoning Districts, Except for Sites Located in an Entrance Corridor (Continued)

Sign Type	Maximum Number of Signs	Cumulative Maximum Square Feet of Sign Face	Maximum Height	Time and Location Requirements	Permit Required
Changeable Copy	1 per storefront	32	Freestanding signs, 6 feet Building mounted not to exceed building height.	Must be located at least five (5) feet away from any public right-of-way and fifteen (15) feet away from any other property line.	Yes
Directional Minor	Not Regulated	6 square feet maximum per sign.	8 Feet	Locations subject to review as part of a site plan zoning review.	No
High Mast	1	600 square feet	High Mast – 130 feet	Permitted only within commercial zoning districts that are also located within the Interstate Corridor as defined herein.	Yes
Banner Feather Temporary	Number not limited	100 square feet total with a maximum of 32 square feet per sign.	6 feet	May be displayed no more than 90 consecutive days and twice per year. Setback minimum of 3 feet from right-of-way line, or in the case	Up to 4 signs with a total sign face area of 36 square feet or less do not require a permit. More than 4 signs or more than 36 square feet of sign face area requires a permit.
A-Frame Chalkboard Portable	1 per building or storefront	10 square feet per building or storefront	4 feet for signs placed on the ground or pavement. Wall signs below 9 feet.		No
Flags and Holiday Displays	Not restricted	Not restricted	Flag poles 30 feet. Holiday displays not regulated.	Not regulated	No
Temporary Sign - Extended Use	1	12	6 feet	On properties with an active building permit	No
	1	12 on roads with 25 MPH speed limit or less 32 on roads with speed limits greater than 25 MPH	6 feet	On properties for sale or rent	No

Table 7.17: Signs in the Entrance Corridor Overlay District and, in the MA Medical Arts District

Table 7.17: Signs in the Entrance Corridor Overlay District and, in the MA Medical Arts District					
General Signage Requirements:					
Except as provided otherwise in this Section, the following signs are permitted as accessory uses in the MA Medical Arts Zoning District.					
Additional Entrance Corridor Requirements					
Signs shall have an effective height of no more than six (6) feet with a length limit of twenty-five (25) feet with a limit of four (4) different colors. Signs shall be of stone masonry, brick, wood, or other traditional materials. See Article 5 Section 5.24 Entrance Corridor Overlay District for more Information.					
Sign Type	Maximum Number of Signs	Cumulative Maximum Square Feet of Sign Face	Maximum Height	Time and Location Requirements	Permit Required
Electronic Message Freestanding Ground Mounted Monument Pole	1 for every premises or common plan of development.	150	6 feet	Must be located at least five (5) feet away from any public right-of-way and fifteen (15) feet away from any other property line. May not obstruct sight triangles of any street or access driveway. Electronic message or image must remain static for at least 4 seconds. Scrolling, flashing, or moving images are prohibited.	Yes
Awning Canopy Marquee Projecting	1		Not to exceed the height of the building, awning, or canopy where installed.	These signs must be located at least five (5) feet away from any public right-of-way	Yes
Window	Not Regulated	Not Regulated	Not applicable	Applies to signs permanently affixed to windows.	No
Wall	1 per storefront.	25% of the total wall area.	Shall not exceed the height of the wall where the sign is affixed.	Shall not be located on any wall that faces an adjoining residential use.	Yes
Changeable Copy	1 per storefront	32	Freestanding signs, 6 feet Building mounted not to exceed building height.	Must be located at least five (5) feet away from any public right-of-way and fifteen (15) feet away from any other property line.	Yes

Table 7.17: Signs in the Entrance Corridor Overlay District and, in the MA Medical Arts District (Continued)					
Sign Type	Maximum Number of Signs	Cumulative Maximum Square Feet of Sign Face	Maximum Height	Time and Location Requirements	Permit Required
Directional Minor	Not Regulated	6 square feet maximum per sign.	8 feet	Locations subject to review as part of a site plan zoning review.	No
Banner Feather Temporary	Number not limited	100 square feet total with a maximum of 32 square feet per sign.	6 feet	May be displayed no more than 90 consecutive days and twice per year. Setback minimum of 3 feet from right-of-way line, or in the case	Up to 4 signs with a total sign face area of 36 square feet or less do not require a permit. More than 4 signs or more than 36 square feet of sign face area requires a permit.
A-Frame Chalkboard Portable	1 per building or storefront	10 square feet per building or storefront	4 feet for signs placed on the ground or pavement. Wall mounted signs below 9 feet.		No
Flags and Holiday Displays	Not restricted	Not restricted	Flag poles 30 feet. Holiday displays not regulated.	Not regulated	No
Temporary Sign - Extended Use	1	12	6 feet	On properties with an active building permit	No
	1	12 on roads with 25 MPH speed limit or less 32 on roads with speed limits greater than 25 MPH	6 feet	On properties for sale or rent	No

7.9. Yards and Accessory Structures

A. Purpose

1. To protect the public health, safety, and welfare of the Town of Wytheville by regulating encroachment and other use of required yard areas in the following ways:
 - a. To encourage beautification of the built environment by providing space for landscaping.
 - b. To preserve and enhance the character of the Town.
 - c. To provide adequate space for emergency responders to access and serve the community.
 - d. To provide safe access to all citizens regardless of physical abilities.

B. Allowable Yard Encroachments

1. The yard space required for a use or structure shall, during its life, remain free of all uses or occupancies except as follows:
 - a. Accessory structures may encroach on required rear yards in conformance with the accessory structure regulations found in Section 7.9.C below.
 - b. Accessory Dwelling Units (ADUs) may encroach on required rear yards in conformance with the accessory dwelling unit regulations found in Article 8, Section 8.2 Accessory Dwelling Units.
 - c. Fences, walls or landscaping shall be permitted in any required yard, subject to the regulations found in Section 7.3 of this UDO.
 - d. Eaves, cornices, windowsills and belt courses may project into any required yard a distance not to exceed two feet.
 - e. A deck or patio may project beyond the front building line (but not into the front yard setback) or into a rear yard setback a distance not to exceed five feet.
 - f. Driveways shall be permitted in required yards but shall be three feet or more from any property line, except where such driveways are developed jointly as a common drive to adjoining lots.
 - g. Handicap ramps shall be allowed to encroach in all yards if the following criteria are met:
 - 1.) The encroachment by the ramp must be the minimum necessary to accomplish safe access.
 - 2.) The ramp must meet the current edition of the Virginia Uniform Statewide Building Code.
 - 3.) The minimum size of a building entry landing associated with the ramp shall meet Virginia Uniform Statewide Building Code requirements. The maximum building entry landing size allowed to encroach in a require yard shall be six (6) feet by six (6) feet.

- 4.) For single-family residential uses, a ramp that is constructed for temporary use must be removed three (3) months after the ramp is no longer needed for handicap access. This requirement shall not apply to ramps that are architecturally integrated with the dwelling and that have the character of a normal and natural building entrance.

C. Accessory Structures

- 1. Accessory structures are permitted in rear yards only.
- 2. The total ground area occupied by accessory structures may not exceed twenty-five percent (25%) of the rear yard area.
- 3. The physical form and use of accessory structures shall be secondary to and customarily incidental to the approved use of the primary use or building. Approved uses include those that are by-right uses, approved conditional uses, or uses approved by Special Exception Permit.
- 4. Accessory structures shall not be used as a dwelling unit unless the structure is in full compliance with the requirements of this UDO and the Building Code in effect within the Town of Wytheville when the structure is modified for use as an ADU. See the regulations for Accessory Dwelling Units in Article 8, Section 8.2 for ADU standards.
- 5. Accessory floor space such as garages, carports or other accessory space that is attached to the primary building shall be considered part of the primary building and are subject to the setback and other site development standards that apply to the primary structure.
- 6. Accessory structures shall meet the following setback requirements. Note: Eave height is measured from the ground to the eave of the roof.
 - a. The minimum side yard setback for accessory structures on corner lots shall be the same as for the primary structure.
 - b. Accessory structures with an eave height of twelve (12) feet or more are subject to the same building setback requirements as the primary structure.
 - c. Accessory structures with an eave height of eight feet six inches (8'6") but less than twelve (12) feet shall be located not less than five (5) feet from any party lot line or alley.
 - d. Accessory structures with an eave height of less than eight feet six inches (8'6") shall be located not less than three (3) feet from any party lot line or five (5) feet from any property line adjoining an alley.
 - e. Satellite dishes larger than three (3) feet in diameter shall be set back at least five (5) feet from the property line.

6-A

COUNCIL ACTION LETTER

Staff Assignments and Information

May 8, 2023

Number 568

ACTIONS TAKEN OR DISCUSSED

STAFF ASSIGNMENTS

1. Approved the meeting agenda, as amended.
2. Approved the consent agenda consisting of the minutes of the work session and the regular meeting of April 24, 2023.
3. Postponed until the May 22, 2023, Town Council meeting to take action on the request of D2U to close Main Street, between 4th and 1st Streets, and Tazewell and Church Streets, between Spring and Monroe Streets, on Saturday, December 9, 2023, from 10:00 a.m. to 10:00 p.m., for A Christmas to Remember event.
4. Approved the request of the Wytheville Training School Cultural Center to close Franklin Street, between 5th and 7th Streets, and 5th Street, between Franklin and Spring Streets, on Saturday, July 15, 2023, from 8:00 a.m. to 5:00 p.m., for the 2nd Annual Wytheville Training School Cultural Center Street Fair.
5. Approved Ordinance No. 1422, the Budget Ordinance for Fiscal Year 2023-2024, on first, but not final, reading.
6. Adopted a resolution regarding the Town obtaining a loan from the United States Department of Agriculture.
7. Set a public hearing for the May 22, 2023, Town Council meeting to consider an increase in the Real Property Taxes.
8. Set a public hearing for the June 12, 2023, Town Council meeting to consider financing water and sewer utility projects, and authorized the Town Manager to enter into a Municipal Advisory Services Agreement with the Virginia Local Government Finance Corporation (d/b/a VML/VACo Finance) to finance a loan up to \$2,266,834.

3. **Town Clerk** – place on next Town Council meeting agenda
4. **Assistant Town Manager** – notify applicant of approval
5. **Town Clerk** – place on next Town Council meeting agenda
6. **Assistant Town Manager** – forward resolution to USDA
7. **Chief Deputy Clerk** – forward legal notice to news media
8. **Chief Deputy Clerk** – forward legal notice to news media

- 9. Adopted a proclamation recognizing Clerk of Council Sherry Corvin for Professional Municipal Clerks Week.

- 10. Held a Closed Meeting according to § 2.2-3711 (A.) (1.) to discuss the hiring of a new Town Attorney and certified the Closed Meeting.

6-B

COUNCIL ACTION LETTER

Staff Assignments and Information

May 22, 2023

Number 569

ACTIONS TAKEN OR DISCUSSED

STAFF ASSIGNMENTS

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. Approved the meeting agenda. 2. Approved the consent agenda consisting of the minutes of the regular meeting of May 8, 2023. 3. Conducted a public hearing to consider a Master Fee and Rate Schedule that includes increases in zoning fees, utility rates and other various fees. 4. Adopted a Master Fee and Rate Schedule, with rate increases to the zoning fees, utility rates and various other fees, excluding increasing the fee for the Recreation Center Try-It Youth (4-12) and for Street Closure Requests (effective July 1, 2023). 5. Conducted a public hearing to consider a Real Property Tax Rate increase of \$.03 per \$100 valuation. 6. Adopted Ordinance No. 1423, an ordinance setting the Real Property Tax Rate at \$.03 per \$100 valuation for the Town of Wytheville, Virginia, on first and final reading (effective July 1, 2023). 7. Conducted a public hearing to consider Ordinance No. 1422, the Budget Ordinance for Fiscal Year 2023-24. 8. Adopted Ordinance No. 1422, the Budget Ordinance for Fiscal Year 2023-24 on second, but not final, reading. 9. Approved the request of D2U to close Main Street, between 4th and 1st Streets, and Tazewell and Church Streets, between Spring and Monroe Streets, on Saturday, December 9, 2023, from 10:00 a.m. to 10:00 p.m., for A Christmas to Remember event with an amended event map. | <ol style="list-style-type: none"> 4. Town Staff – implement new fees on July 1, 2023 6. Town Treasurer – implement new Real Property Tax Rate on July 1, 2023 8. Town Clerk – place on next Town Council meeting agenda for third and final reading 9. Assistant Town Manager – advise applicant of approval |
|---|---|

- 10. Adopted a resolution recognizing the George Wythe High School Future Business Leaders of America (FBLA) Team.
- 11. Set a public hearing for the June 26, 2023, Town Council meeting to consider amendments to the Fiscal Year 2022-23 Budget.

- 10. **Town Clerk** – have resolution delivered to George Wythe High School
- 11. **Chief Deputy Clerk** – send legal notice to news media