

## **ARTICLE 3**

### **PART 1**

### **3-100**

### **DISTRICTS**

For the purpose of this Ordinance, the following zoning districts and groups of zoning districts are established.

#### **RURAL ZONING DISTRICTS**

Conservation District ..... RC  
Agriculture District..... RA  
Rural Residential District..... RR-2

#### **RESIDENTIAL ZONING DISTRICT**

Residential - Village District ..... V  
Residential District, 1 Dwelling  
Unit/Acre ..... R-1  
Residential District, 2 Dwelling  
Units/Acre..... R-2  
Residential District, 3 Dwelling  
Units/Acre.....R-3  
Residential District, 4 Dwelling  
Units/Acre..... R-4  
Residential District, Townhouses ..... TH  
Residential District, Garden  
Apartments..... GA  
Residential District, Manufactured  
Dwelling Park ..... MDP

#### **COMMERCIAL ZONING DISTRICTS**

Commercial - Neighborhood ..... C-1  
Commercial - Highway..... C-2  
Commercial - Shopping Center  
Community/Regional..... C-3  
Commercial - Village..... CV

#### **INDUSTRIAL ZONING DISTRICTS**

Business Park.....BP  
Industrial Park..... I-1  
Industrial General ..... I-2

#### **PLANNED DEVELOPMENT DISTRICT**

Mixed Use.....PDMU

These districts are established to promote the orderly development of the several areas in a manner consistent with the uses for which they are suited. The regulations relate to the district which they affect and are designed to serve the welfare of those who own and/or occupy land in those districts. In the delineation of these districts, careful consideration is given to the predominant use and character, physical limitations, accessibility, the ability of the County to provide public services, and environmental consequences of the various uses. The regulations represent an effort to balance property rights and the health, safety and general welfare of all citizens.

1. **The Conservation (RC) District** contains those mountains which are environmentally sensitive, have physical limitations and contain much of the County's timber resource. The regulations are designed with emphasis on the conservation of these areas to minimize the potential adverse environmental impact while providing for compatible very low density residential uses.
2. **The Agriculture (RA) District** generally contains those areas where agriculture and forestry are the predominant uses or where significant agricultural lands or large lot farmette type residential development exists. The regulations are designed to assist in the protection and preservation of the agricultural uses and to mitigate land use conflicts between agricultural uses and appropriately limited residential development.
3. **The Rural Residential (RR-2) District** reflects the existence of rural residential development and/or those areas where agriculture and forestal activity is not the predominant use, and the soils and lot sizes are not generally suited for same.
4. **The Village (V) District** reflects the existence of small communities which historically have provided social and economic services to the rural areas. The regulations are designed to recognize the mixed use character of the village, encourage its rural service functions, and to provide for appropriate expansion of the village while maintaining its rural qualities. In addition to allowing home occupations as a right, this district can accommodate cottage industries where appropriate.
5. **The Residential (R-1, R-2, R-3 and R-4) Districts** are intended to promote and maintain single family residential communities, planned unit development at similar densities and non-residential uses consistent with the density, size and character of the districts. The R-2, R-3, and R-4 Districts are restricted to those areas designated as Service Districts in the Comprehensive Plan. The R-1 District is a general purpose District to be used in settlements and other areas of similar character.
6. **The Townhouse (TH) and Garden Apartment (GA) Districts** are intended to promote and maintain multi-family residential communities at various densities and to permit non-residential uses consistent with the density and character of the district. These districts are restricted to those areas designated as Service Districts in the Comprehensive Plan and require the provision of central water and sanitary sewer systems.
7. **The Manufactured Dwelling Park (MDP) District** is intended to accommodate the need for manufactured dwelling housing in an environment which promotes the health, safety and general welfare of its inhabitants. The District requires the provision of central water and sanitary sewer systems.

8. **The Commercial - Neighborhood (C-1) District** is generally a town center type district allowing neighborhood commercial activities and some residential uses. Its main purpose is to provide areas for neighborhood type retail and service convenience shopping. The areas should be located so as to provide pedestrian access from nearby neighborhoods. The size should relate to the neighborhoods served and the configuration should allow for internal pedestrian movement.
9. **The Commercial - Highway (C-2) District** is designed primarily to allow highway related commercial uses where vehicle access is the norm. It contains general commercial establishments serving the needs of the motoring public and the local needs for general commercial in which establishments are automobile oriented or are freestanding businesses where automobile access is the norm. These areas should be located so as to provide convenient automobile access while at the same time not overly congesting the transportation facilities. In general, primary highway access should be a prerequisite. The uses allowed contain a minimum of overlap with uses allowed in the C-1 and C-3 Districts to assure the appropriateness of uses vis-a-vis the areas designated and compatibility among uses.
10. **The Commercial - Shopping Center, Community/Regional (C-3) District** is designed primarily for the larger shopping center type needs. Community and Regional type needs are provided for. The acreage location thereof should relate to the needs of the trade area that will be served as well as the interrelationship among the planned areas. Site access, availability of public utilities and internal pedestrian movement are also considerations in area designation.
11. **The Commercial - Village (CV) District** is designed to allow commercial activities appropriate to the needs of the villages, recognizing the rural service function of such communities.
12. **The Business Park (BP) District** is designed to accommodate a broad mix of commercial business uses as well as clean industrial uses occurring primarily within structures. While it is envisioned that the District will be utilized primarily in the Service Districts, the District may also be utilized within Villages where the proposed business development is intended to be located on a parcel of land specifically identified in the Comprehensive Plan as appropriate for such use and rezoning. Data Center uses should only be located within a Service District when determined an appropriate location.
13. **The Industrial Park (I-1) District** is designed for industrial uses occurring both within structures and outdoors. It allows for public access type industrial uses as well as limited office and business service uses. In general the district contains uses which have minimal environmental impacts.
14. **The Industrial General (I-2) District** allows the full range of industrial uses, including heavier type industry with potentially significant impacts to the environment, surrounding properties, and/or the larger County. Public access uses are discouraged in the district because of the nature of uses permitted.

## **PART 3**

### **3-300**

### **USES**

The following uses are permitted as indicated in the following chart. All uses require a zoning permit. See paragraph 2-302 for interpretation.

The uses listed in the following chart are categorized as follows. The section numbers correspond to the standards for special permits and special exceptions in Article 5.

CATEGORY	SECTION	CATEGORY NAME
1	3-301	Residential Uses
2	3-302	Residential Businesses
3	3-303	Transient Housing
4	3-304	Community Uses
5	3-305	Educational Uses
6	3-306	Institutional Uses
7	3-307	Adaptive Uses
8	3-308	Temporary Uses
9	3-309	Outdoor Recreation
10	3-310	Recreation and Amusement
11	3-311	Public and Quasi-Public Uses
12	3-312	Commercial Retail
13	3-313	Commercial Business and Personal Services
14	3-314	Motor Vehicle Related Uses
15	3-315	Wholesaling and Processing
16	3-316	Limited Industrial
17	3-317	General Industrial
18	3-318	Agriculture
19	3-319	Extraction
20	3-320	Public Utilities
21	3-321	Transportation
22	3-322	Interment Uses
23	3-323	Floodplain Uses
24	3-324	(Section Deleted)
25	3-325	Modification of Lot Size, Width or Frontage
26	3-326	Decrease in Non-Common Open Space
27	3-327	Decrease in Common Open Space
28	3-328	Waiver of Type I Private Street in RA & RC Zones
29	3-329	Waiver of Public Street Requirement in Residential Zones
30	3-330	Waiver of Public Sewer Requirement
31	3-331	Waiver of Public/Central Water Requirement
32	3-332	Approval of a Use Not Otherwise Allowed

**KEY TO FOLLOWING CHART:**

A - Administrative Special Permit Required

P - Permitted Uses

SP - Special Permit Uses (Board)

SE - Special Exception Uses (Board)

C - Permitted In Cluster Subdivision Only

X - Site Plan Required (See Article 12)

BLANK - Use not allowed as listed in the zoning district represented by that column.

See Page III-4 for Key																			
	SITE PLAN	RC	RA	RR-2	V	R-1	R-2	R-3	R-4	TH	GA	MDP	C-1	C-2	C-3	CV	BP	I-1	I-2
<b>3-301 RESIDENTIAL USES (CATEGORY 1)</b>																			
1. Residential Development																			
a. Dwelling, Single-Family Detached		P	P	P	P	P	P	P	P	P			p <sup>23</sup> SP	p <sup>23</sup>	p <sup>23</sup>	P/SE		p <sup>23</sup>	p <sup>23</sup>
b. Dwelling, Single-Family Attached	X	SE C	SE C	SE C	SE C	C	C	C	C	P	P					P/SE			
c. Dwelling, Multi-Family	X									P	P					P/SE			
d. Dwelling above Commercial	X												SE			P/SE			
2. Dwelling, Manufactured		A	P**	A	A	A	A	A	A			P (1)							
3. Accessory Dwelling Unit		A	A	A	A	A	A	A	A										
4. Dwelling Duplex		SE	SE	SE	SE	SE	SE	SE											
(1) Site plan required																			
<b>3-302 RESIDENTIAL BUSINESS (CATEGORY 2)</b>																			
1. Minor Home Occupations		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A	A
2. Major Home Occupations		SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP		SP	SP
3. Family Day Homes		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A	A
		SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP		SP	SP
<b>3-303 TRANSIENT HOUSING (CATEGORY 3)</b>																			
1. Hotel, Motel	X													P	SE		SE	SE	
2. Tourist Home/Boarding House	X	SP	SP		SP								SP						
3. Short Term Rentals		A/SP	A/SP	A/SP	A/SP	A/SP							A/SP			A/SP			
<b>3-304 COMMUNITY USES (CATEGORY 4)</b>																			
1. Meeting Halls for social, fraternal, civic, public and similar organizations	X		SP		SP								P	P			P	SE	SE
2. Any recreational or social uses operated by a non-profit organization where membership is limited to residents of nearby residential areas	X	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP							
3. Any recreational or social uses approved as part of a subdivision or site plan and operated for use of residents only	X	P	P	P	P	P	P	P	P	P	P	P							
<b>3-305 EDUCATIONAL USES (CATEGORY 5)</b>																			
1. Preschool/Nursery School	X	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	P	P	P		A	SP	
2. Primary School	X		SE	SE	SE	SE	SE	SE	SE	SE			SE						
3. Secondary/Advanced School	X		SE	SE		SE	SE	SE	SE										
4. a. Technical School, Indoor, 20,000 sq. ft. or less in size	X		SE										P	P		SP/SE	P	A/SP	A/SP
b. Technical School, Indoor, greater than 20,000 sq. ft. in size	X		SE										SP	P		SP/SE	P	A/SP	A/SP
5. Technical School, Outdoor	X	SE	SE											SE			SP	SE	
6. College/University	X		SE			SE	SE										P		
7. Dormitory, fraternity/sorority house or other residential facilities for use by students, faculty or other affiliated with an educational institution	X		SP	SP		SP	SP												
<b>3-306 INSTITUTIONAL USES (CATEGORY 6)</b>																			
1. Day Care Center, Child or Adult	X	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	P	P	P	P	A	SP	
2. a. Place of Worship, Minor	X	SP	SP	SP	SP	SP	SP	SP	SP				SP	SP	SP	SP/SE			
b. Place of Worship, Major	X	SE	SE	SE	SE	SE	SE	SE	SE				SE	SE	SE	SE			
2. c. Monastery, retreat or similar religious residential facility	X	SP	SP	SP															
3. Residential Care Facility	X		SP	SP	SP	SP	SP	SP	SP	SP									
4. Medical Care Facility, Minor, limited to facilities which have a capacity of less than 20 beds	X		SE	SP		SP	SP	SP					SP						
5. Medical Care Facility, Major	X		SE			SE	SE	SE					SE	SP					
6. Residential Care Facility greater than 25 persons	X		SE	SE	SE	SE	SE	SE	SE	SE									
7. Continuing Care Facility	X					SE	SE	SE	SE	SE	SE								
8. Transitional Family Housing	X		SE			SE													

See Page III-4 for Key																				
	SITE PLAN	RC	RA	RR-2	V	R-1	R-2	R-3	R-4	TH	GA	MDP	C-1	C-2	C-3	CV	BP	I-1	I-2	
3-307 ADAPTIVE USES (CATEGORY 7)																				
1. Adaptive uses (see Section 5-701)	X	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE									
3-308 TEMPORARY USES (CATEGORY 8)																				
1. Mobile home while constructing a dwelling (maximum one year)		A	A	A	A	A	A	A	A											
2. Mobile Home, Farm		A	A		A															
3. Carnival, circus, festival, fair, tractor pull, horse show, dog show, steeplechase, pony ride, turkey shoot, sale of Christmas trees and other seasonal commodities and other similar activities		SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP			SP	SP	SP	
4. Construction office		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
5. Occupancy of Recreational Vehicle while repairing/rebuilding after casualty or natural disaster		A	A	A	A	A	A	A	A											
6. Subdivision/apartment sales rental office for a period of less than 2 years		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A				
7. Subdivision/apartment sales retail office for a period longer than 2 years		SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP				
8. Mobile Eating Establishments		P/A	P/A	P/A	P/A								P/A	P/A	P/A	P/A	P/A	P/A	P/A	
3-309 OUTDOOR RECREATION (CATEGORY 9)																				
1. Country Club/Golf Course, public or private	X	SP	SP	SP		SP														
2. Swimming/Tennis (Racquet) facility, public or private	X		SP	SP	SP	SP	SP	SP	SP				SP	P	P	SP/SE	A	P		
3. Firing Range, skeet or trapshooting facility (indoor or outdoor)	X	SE	SE											SE			A	SE		
4. Baseball hitting range and archery range (Indoor or Outdoor)	X	SP	SP											SP			A			
5. Camps, recreation grounds, lodges and resorts	X	SE	SE																	
6. Tent campground	X	SE	SE																	
7. Recreational Vehicle Park	X		SE											SE						
8. (Deleted)																				
9. (Deleted)																				
10. Drive-in or other movie theatre	X													SP						

See Page III-4 for Key																			
	SITE PLAN	RC	RA	RR-2	V	R-1	R-2	R-3	R-4	TH	GA	MDP	C-1	C-2	C-3	CV	BP	I-1	I-2
11. Golf driving range	X													P	SP				
12. Golf, miniature	X												SP	P					
13. Commercial hunting and fishing preserve		SE	SE																
14. Spectator and Non-Spectator Field Events and Activities (Class A): steeplechase and other equestrian events, rodeos, dog and livestock shows, horse and tractor pulls, field sports, fireworks display, fairs and circuses, civil war reenactments and encampments and and scouting encampments	X	SE	SE											SE	SE		SE	SE	SE
15. Spectator and Non-Spectator Field Events and Activities (Class B): equestrian events, rodeos, field sports, scholastic athletic contests, dog and livestock shows, horse and tractor pulls, festivals, arts and craft shows and related fund raising for charitable or non-profit activities, civil war reenactments and encampments, and scouting encampments	X	SE	SE											SE	SE		SE	SE	SE
16. Spectator and Non-Spectator Field Events and Activities (Class C): equestrian events and field sports, rodeos, scholastic athletic contests, festivals, arts and craft shows, and related fund raising for charitable or non-profit activities, family reunions, wedding receptions and similar receptions, picnics, educational seminars, and community-related arts, cultural, agricultural, and educational activities	X	SE	SE											SE	SE		SE	SE	SE
17. Team Recreation Sports		A	A																
18. Paintball Recreation Fields	X		SE																
19. Outdoor Sports/Activity Center	X	SE	SE																
3-310 RECREATION AND AMUSEMENT (CATEGORY 10)																			
1. Private clubs	X	SP	SP	SP	SP	SP	SP	SP	SP				SP	P	P	SP/SE	SP		
2. Theatre, indoor	X												P	P	P	P/SE			
3. (Deleted)																			
4. Bowling alley	X												SP	P	P		P		
5. (Deleted)																			
6. Skating rink, ice or roller, non-spectator	X													P	P		P	SP	
7. Skating rink, ice or roller, spectator sports	X													SE	SE			SE	
8. Marina, dock or boating facility	X		SP	SP		SP	SP	SP	SP										
9. Dance hall	X													SP		SP/SE			
10. Indoor Sports/Activity Center 25,000 sq. ft. or less	X												A/SP <sup>17</sup>	P	P	SP/SE	P	P	SE
11. Indoor Sports/Activity Center greater than 25,000 sq. ft.	X												SE	SE	SE	SE	SP	SP	SE

See Page III-4 for Key																				
	STIE PLAN	RC	RA	RR-2	V	R-1	R-2	R-3	R-4	TH	GA	MDP	C-1	C-2	C-3	CV	BP	I-1	I-2	
3-311 PUBLIC AND QUASI-PUBLIC USES (CATEGORY 11)																				
1. Conference center	X	SE	SE											P			SP			
2. Penal/correctional facility	X		SE																SE	
3. Post Office	X				SP								P	P	P	P/SE	P	SP		
4. Animal shelter	X		SP											P			P			
5. Museum	X		SP		SP	SP	SP	SP	SP				SP	P	P	SP/SE	SP	SP		
6. Civic center (governmental)	X												P		P		P	P		
7. Arena/Stadium	X		SE											SE				SE		
8. Library	X				SP	SP	SP	SP	SP				P	SP	P	P/SE	P			
9. Public Safety Facility, (fire, rescue, police station or substation facility)	X		SE	SE	SE	SE							SE	SE		SE	P	P	P	
10. Parks & Recreation Facilities (Civic), athletic	X	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP/SE		SP	SP	
11. Parks & Recreation Facilities (Governmental/Civic), nonathletic	X	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P/SE	P	P	P	
12. Fairgrounds	X		SP	SP	SP	SP								SP				SP		
13. Sanitary Facility (Governmental)	X	SE	SE	SE		SE													SE	
14. Solid Waste Transfer Station (Governmental)	X		SE	SE	SE	SE								SE				SE	SE	
15. Parking Facilities, public or private		SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	
16. Governmental Facilities, County	X	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	
17. Recycling Containers, Governmental	X	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	P	P	P	P/SE	P	P	P	
18. Governmental Athletic Recreational Uses	X	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P/SE		P	P	
3-312 COMMERCIAL RETAIL (CATEGORY 12)																				
1. Antique shops less than 3,000 sq. ft.	X		SP	SP	SP								P	P	P	P				
2. Retail sales and rental establishment and shopping center less than 5,000 sq.ft.	X												P	P	P	P				
3. Retail sales and rental establishment and shopping center 5,000 to 20,000 sq.ft.	X												P	P	P	P/SE				
4. Retail sales establishment and shopping center 20,000 to 50,000 sq. ft.	X												SP	P	P	SE				
5. Retail sales establishment and shopping center 50,000 to 100,000 sq. ft.	X												SE	SE	SE					
6. Retail sales establishment and shopping center more than 100,000 sq. ft.	X													SE	SE					
7. Convenience store	X												P	P	P	SP/SE		SP		
8. Retail sales in conjunction with Category 13 through 17 uses		SE	SE										P	P	P		A	A	A	
9. Fuel yard, retail	X													SP				SE	SE	
3-313 COMMERCIAL BUSINESS AND PERSONAL SERVICES (CATEGORY 13)																				
		A <sup>28</sup> /SP	A <sup>28</sup> /SP	A <sup>28</sup> /SP		A <sup>28</sup> /SP								SP	SP		SP	SP		
1. a. Kennel, Minor	X	/SP	/SP	/SP		/SP								SP	SP		SP	SP		
1. b. Kennel, Major	X	SE	SE	SE		SE								SE	SE		SE	SE		
2. Veterinary Clinic	X	SP	SP	SP	SP									P	P	P	SP/SE	P	P	
3. Funeral home less than 5,000 sq. ft.	X													P	P			P		
4. Funeral home more than 5,000 sq. ft.	X													SP	P		SP/SE	P		
5. Farm supply establishment	X		SP		SP									SP <sup>17</sup>	P		SP/SE	P		
6. Financial institutions	X													P	P	P	P/SE	P	P	
7. Business or Professional Office, less than 20,000 sq. ft.	X													P	P	P	P/SE	P	SP/SE	
8. Business or Professional Office, 20,000 sq. ft. to 50,000 sq. ft.	X													SP <sup>17</sup>	P	P	P/SE	P	SE	
9. Business or Professional Office over 50,000 sq. ft.	X													SP <sup>17</sup>	SP <sup>17</sup>	SP <sup>17</sup>		P	SE	



See Page III-4 for Key																			
	SITE PLAN	RC	RA	RR-2	V	R-1	R-2	R-3	R-4	TH	GA	MDP	C-1	C-2	C-3	CV	BP	I-1	I-2
10. Business or Professional Office, 6 or less employees	X	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP								
11. Drive-through facility in conjunction with any commercial business	X												SE <sup>17</sup>	SE <sup>17</sup>	SE <sup>17</sup>	SE <sup>17</sup>	SE <sup>21</sup>	SE	
12. Eating establishment	X												P	P	P	P/SE	P <sup>22</sup>	SP	
13. Eating establishment, fast food	X												SP <sup>17</sup>	P	P	SP/SE	P <sup>22</sup>	SP	
14. Repair service establishment less than 5,000 sq. ft.	X												P	P	P	P	P	P	P
15. Repair service establishment more than 5,000 sq. ft.	X												SP <sup>17</sup>	SP <sup>17</sup>	SP <sup>17</sup>	SP/SE	P	P	P
16. Laundry/dry-cleaning drop-off, pick-up facility	X												P	P	P	P/SE	P	P	
17. Laundry/dry cleaners/laundromat less than 5,000 sq. ft.	X												SP	P	P		P	P	P
18. Laundry/dry cleaners/laundromat more than 5,000 sq. ft.	X												SP <sup>17</sup>	SP	SP		P	P	P
19. Furniture repair, cabinet making, upholstery, less than 5,000 sq. ft.	X												P	P	P	P	P	P	P
20. Furniture repair, cabinet making, upholstery, more than 5,000 sq. ft.	X												SP	SP	SP	P/SE	P	P	P
21. Broadcasting studio	X		SP										P	P	P		P	P	
22. Barber/beauty shop													P	P	P	P/SE	P		
23. Carpentry, plumbing, electrical, printing, welding, sheet metal shops, less than 5,000 sq. ft.	X												P	P	P	SP	P	P	P
24. Carpentry, plumbing, electrical, printing, welding, sheet metal shops more than 5,000 sq. ft.	X												SP	SP	SP		P	P	P
25. Artisan's workshop and studio	X												P	P	P	P/SE	P	P	
26. Taxidermist shop	X		SP										SP	SP			P		
27. Portable Toilet Rental	X													SP				SP	SP
28. Sex Offender Treatment	X												SP	SP	SP	SP/SE	SP		
29. Event Facility	X												P/SP						
3-314 MOTOR VEHICLE RELATED USES (CATEGORY 14)																			
1. Vehicle Storage, Indoor	X												A/SP	A	A			A	
2. (Deleted)																			
3. Auto repair garage	X												SP	P	SP	SP/SE		P	SE
4. Auto service station	X												SP	P	SP	SP/SE		SP	
5. Auto body/painting establishments	X													P		SP/SE		P	P
6. Motor vehicle impoundment, towing																			
a. maximum of 10 vehicles	X												SP	SP				P	P
b. maximum of 30 vehicles	X																	P	P
c. more than 30 vehicles	X																	SP	SP
7. Junkyard/automobile graveyard	X																		SE
8. Automobile sales, rental and service (including motorcycles and recreational vehicles)	X												SP	P	SP	SP/SE	A <sup>20</sup>	A/SP	
9. Truck and heavy equipment sales, rental and service	X													P			A <sup>20</sup>	SP	P
10. Farm equipment sales, rental and service	X		SP	SP									SP	P		SP/SE	SP	P	SP
11. Mobile home sales, rental and service	X											SP		SP				SP	
12. Motor vehicle wash	X												SP	P	SP	SP/SE		SP	SP
13. Recreational Vehicle Storage Area	X												SP	P				A	A
14. Automobile Inventory Storage	X																		SP
15. Vehicle transportation service establishments																			
a. Maximum of 10 vehicles	X													P			P	P	P
b. More than 10 vehicles	X													SP			SP	A	

See Page III-4 for Key																				
	SITE PLAN	RC	RA	RR-2	V	R-1	R-2	R-3	R-4	TH	GA	MDP	C-1	C-2	C-3	CV	BP	I-1	I-2	
<b>3-315 WHOLESALING AND PROCESSING (CATEGORY 15)</b>																				
1. Auction establishment	X		SP										SP	P		SP/SE	P	P		
2. Commercial storage and processing of bulk agricultural products	X	SP	SP											SP			P	P	P	
3. On-site processing and sales of agricultural and aquicultural products	X	P	P														P	P	P	
4. a. Livestock Exchange	X		SP																SP	
b. Abattoir in conjunction with Livestock Exchange	X		SE																SE	
5. a. Warehousing including Self-Storage Facilities	X													SP		A/SE	P	P	P	
b. Distribution Center on 10 acres or less																	P	P	P	
c. Distribution Center on more than 10 acres																	SE	SE	SE	
6. Wholesale trade establishment with associated retail sales (50,000 sq. ft. or under)	X													SP			P	P	P	
7. Wholesale trade establishment with associated retail sales (over 50,000 sq. ft.)	X													SE			SE	SE	SE	
8. Frozen food lockers	X												SP	P	SP	SP/SE		P	P	
9. Bottling plant	X													SP				P	P	
10. Carpet and rug cleaning	X												SP	P				P	P	
11. Petroleum products bulk storage	X													SE				SE	SE	
12. Stone monument processing	X																		P	
13. Outdoor Auctions for automobiles, trucks, heavy equipment, farm equipment boats, recreational vehicles & trailers	X																	SE	SE	
<b>3-316 LIMITED INDUSTRIAL (CATEGORY 16)</b>																				
1. Enclosed laboratories and facilities for manufacturing, assembling, and research and development	X	SE	SE											SP			P	P	P	
2. Blacksmith shops	X	SE	SP														P	P	P	
3. Cottage Industry	X															A/SE				
4. Data Center using recycled water for cooling and with all new power lines, including transmission or substation feedlines, placed underground	X																P <sup>2,3</sup>			
<b>3-317 INDUSTRIAL (CATEGORY 17)</b>																				
1. General Industrial Use substantially screened from view, less than one acre	X	SE	SE														A	P	P	
2. General Industrial Use, substantially screened from view, more than one acre used	X		SE														A	P	P	
3. Contractors offices, shops and material storage yards with all equipment and materials contained entirely within a building or completely screened from view	X												A	A	A	A/SE	A	P	P	
4. Sawmills	X	SP	SP															SP	P	
5. Heavy Industrial Uses (those uses specifically listed in 5-1703)	X																	SE	SE	
6. Explosives storage	X	A*	A*														A*	A*	A*	
7. Abattoir (up to 4 acres)	X																	SE	SE	
7.a. Abattoir (up to 4 acres) Wild Game Processing Only	X																	SP	SP	
8. Abattoir (more than 4 acres)	X																	SE	SE	
8.a. Abattoir (more than 4 acres) Wild Game Processing Only	X		SE		SE													SE	SE	
9. Storage or Disposal of Nonagricultural	X		SE														A	A	A	
*Refer to Section 5-1704, Additional Standards for Explosives Storage in the RA, RC, I-1, and I-2 Zoning Districts																				

See Page III-4 for Key																			
	SITE PLAN	RC	RA	RR-2	V	R-1	R-2	R-3	R-4	TH	GA	MDP	C-1	C-2	C-3	CV	BP	I-1	I-2
<b>3-318 AGRICULTURE (CATEGORY 18)</b>																			
1. Crop/Livestock Farm		P	P	P	P	P								P	P			P	P
2a. Horse Farm		P	P	P	P	P								P	P			P	P
			P																
2b. Equestrian Instruction		SP	SE <sup>18</sup>	SP	SP	SP													
2c. Horse Show			SE																
3. Dairy farm		SP	P	SP	SP	SP												SP	SP
4. Cattle feed lot greater than 300 head		SP	P	SP														SP	SP
5. Swine farm greater than 20 sows		SP	P	SP														SP	SP
6. Truck farm		P	P	P	P	P								P	P			P	P
7. Poultry farm (over 1000 birds)		SP	P	SP														SP	SP
8. Orchard/vineyard		P	P	P	SP	SP												SP	SP
9. Plant nursery/greenhouse (less than 10,000 sq. ft.) wholesale only		P	P	P	P	P								P				P	P
10. Greenhouse (more than 10,000 sq. ft.) wholesale only	X	SP	P	SP	SP	SP								P				P	P
11. Plant nursery/greenhouse retail sales	X	SP	SP	SP	SP	SP								P				P	P
12. Forestry		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
13. Distillation of industrial alcohol (ethanol) in conjunction with a farming operation		SP	SP	SP	SP	SP												SP	SP
14. Land application of Class B Biosolids			A																
15. Class B biosolids storage facility			SE																SE
16. a. Aquaculture occupying <10,000 sq. ft. of land area, closed system only; wholesale only			P																SE
16. b. Aquaculture, 10,000 sq. ft. or more of land area, or with non-closed system, or with retail sales			SE																
17. Farm Winery with accessory uses, including up to 2 events or activities per month as set forth in Section 6-401(9)		P	P																
18.1 Farm Winery with Extended Business Hours and/or up to 2 events or activities per month as set forth in Section 6-401(9), plus 1 Special Event per month pursuant to Section 5-1810.1			A	A															
18.2 Farm Winery with additional Special Events per Section 5-1810.2	X	SE	SE																
19. Aviary, Commercial		SP	SP	SP															
20. Lumber Yard with incidental retail sales of less than 5,000 square feet in size	X													P			P	P	
21. Adaptive Reuse Within Non-Common Open Space	X	SE	SE																
22. Farmer's Market	X		SP																
23. Petting Zoo	X		SP																
24. Abattoir	X		SE																
<b>3-319 EXTRACTION (CATEGORY 19)</b>																			
1. Mining, quarrying, mineral processing (on-site) including associated concrete batching and asphalt mixing	X	SE	SE																SE
<b>3-320 PUBLIC UTILITIES (CATEGORY 20)</b>																			
1. Electrical substation distribution centers and transformer stations	X	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE		SE	SE		SE	SE	SE
1.a. Battery Energy Storage System, Tier 2	X		SE														SE	SE	SE
2. Natural gas, oil and other petroleum products metering, regulation, compressor and local office space incidental thereto and necessary for the operation of such stations but not including any storage facilities	X	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE					P	P	P
3. Above ground water and sewer pumping storage facilities	X	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE
4. Water and sewage pumping and storage facilities, below ground		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
5. Electrical generating plants and facilities	X		SE																SE
6. Utility transmission facilities not subject to State Corporation Commission	X	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE		SE	SE		SE	SE	SE
7. Sewage treatment system, disposal and water purification	X	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE

See Page III-4 for Key																			
	SITE PLAN	RC	RA	RR-2	V	R-1	R-2	R-3	R-4	TH	GA	MDP	C-1	C-2	C-3	CV	BP	I-1	I-2
8. Telecommunications Facilities, Radio, Television, Microwave, Antenna and Transmitting																			
	X	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*
	Equipment*	X	SE	SE										SE	SE	SE	SE	SE	SE
*Refer to Article 11, Standards for Telecommunications Towers and Antennas regarding the criteria which must be met for such																			
3-321 TRANSPORTATION (CATEGORY 21)																			
1. Airports, landing strips and heliports (including flight instructions)	X	SE <sup>27</sup>	SE <sup>27</sup>	SE		SE											SE	SE	SE
2. Helistops	X	SP	SP	SP		SP								SP	SP		SP	SP	SP
3. Motor freight terminal	X													SP				A/SE	SE
4. Truck Stop	X													SE				SP	SP
5. a. Bus/rail terminal - passengers	X												SP	SP	SP	SP/SE	SP	SP	
b. Rail freight terminal/depot	X																P	P	P
6. Incidental Uses in Conjunction with a Transportation Use	X	A	A										A	A	A	A/SE		A	A
3-322 INTERMENT USES (CATEGORY 22)																			
1. Interment uses	X	SP	SP	SP	SP	SP	SP	SP	SP				SP					SP	SP
3-323 FLOODPLAIN USES (CATEGORY 23)																			
		SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE
3-324 (SECTION DELETED)																			
3-325 MODIFICATION OF LOT SIZE, WIDTH OR FRONTAGE (CATEGORY 25)																			
														SE	SE	SE	SE		SE
3-326 DECREASE IN NON-COMMON OPEN SPACE (CATEGORY 26)																			
		SE	SE																
3-327 DECREASE IN COMMON OPEN SPACE (CATEGORY 27)																			
				SE		SE	SE	SE	SE										
3-328 (DELETED) (CATEGORY 28)																			
3-329 WAIVER OF STREET REQUIREMENTS (CATEGORY 29)																			
		SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE							
3-330 WAIVER OF CENTRAL SEWER REQUIREMENT (CATEGORY 30)																			
		A/SE	A/SE	A/SE	A/SE	A/SE	A/SE	A/SE	A/SE	A/SE	A/SE	A/SE	A/SE	A/SE	A/SE	A/SE	A/SE	A/SE	A/SE
3-331 WAIVER OF CENTRAL WATER (CATEGORY 31)																			
		A/SE	A/SE	A/SE	A/SE	A/SE	A/SE	A/SE	A/SE	A/SE	A/SE	A/SE	A/SE	A/SE	A/SE	A/SE	A/SE	A/SE	A/SE
3-332 APPROVAL OF A USE NOT OTHERWISE ALLOWED (CATEGORY 32)																			
1. Long-Standing Uses		SE	SE										SE	SE	SE	SE		SE	SE
2. Uses Established Pursuant to Erroneous County Approval or Act		SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE		SE	SE
3. Properties Historically Utilized Solely for Commercial Purposes			SE	SE		SE													

## **PART 4**

## **3-400**

## **USE REGULATIONS**

The requirements in the chart below and the following footnotes pertaining thereto are established as indicated.

### **FOOTNOTES:**

1. The density shown does not necessarily represent the permitted density that will be allowed for any given lot. See 2-308 and 3-301 for specifics. The density shown is the maximum possible. Where non-common open space is platted one dwelling unit shall be allocated to each parcel thereof. For lots of less than ten (10) acres existing as of May 21, 1981, one family transfer shall be permitted in the RA and RC zoning district, provided that the family transfer and residue lots shall be in conformance with all other applicable provisions of the Zoning and Subdivision ordinances.
2. In the RA and RC districts, any development providing 85% non-common open space shall be considered a cluster development.
3. Applies to mobile home lots; state road frontage not required for individual mobile home spaces.
4. Minimum yard for Commercial and Industrial zoning districts is the distance shown (if greater than zero) or height of building, whichever is greater. Minimum yard is zero where so shown, irrespective of building height.
5. Side yard requirement applies to end units only. In single family attached developments with other than row house configurations, yard requirement applies to all external units.
6. If a yard is provided where not required, it shall be not less than twelve (12) feet wide.
7. In the RA/Rural Agricultural and RC/Rural Conservation zoning districts, height may be increased from thirty-five (35) feet to forty (40) feet on parcels at least ten (10) acres in size, provided that the minimum yard requirements applicable to the structure shall be increased by two (2) feet for every one (1) foot of additional increase in height.
8. For cluster requirements in all Residential and Rural Zoning Districts, see Section 2-406.
9. For residential developments - administrative lots and family transfers as defined in the Subdivision Ordinance - lot size and bulk requirements shall be shown for conventional developments in the R-1 District. For family transfers - the minimum lot size of the residue parcel shall be two (2) acres.
10. Where a lot does not front on a street, the minimum front yard requirement shall be fifteen (15) feet, which yard shall not include any part of the parking area or driveway. Such yard shall be measured from the front lot line or the edge of the access easement where the easement is less than fifty (50) feet in width.
11. In no case shall less than one-half (1/2) of the required front yard be within the lot. (Referring to Section 3-404, "Minimum Front Yard".)
12. NOTE: Front yards shall be measured from the centerline of street, or centerline of nearest pair of lanes in the case of a street with more than two lanes.
13. For residential development in the RA or RC zoning district wherein less than 85 percent open space is desired see Paragraph 5-2600 for standards.
14. In the RA and RC zoning districts, the 85 percent open space requirement is not applicable to lots of less than 30 acres.
15. In the TH Zoning District, for conventional and cluster single family detached development, the density, lot size, lot width and bulk requirements shall be the same as those for conventional and cluster developments as specified for the R-4 Zoning District.
16. A reduction in the front yard setback for any building may be approved by the Zoning Administrator in conjunction with site plan review and/or zoning approval, or by the Board of Supervisors when approving a Special Exception or a Special Permit provided that the approving authority finds that:

- A. the setback provided is consistent with older, established buildings in the immediate area; OR
- B. the setback is consistent with any design guidelines or requirements established by the Comprehensive Plan, if any such guidelines or requirements exist.

And provided further, that,

- C. sufficient area is provided to accommodate construction requirements, including drainage; and
  - D. sufficient area is provided to accommodate a full streetscape along the street, to include sidewalks and street trees, where appropriate.
17. A special permit shall not be required and the use shall be permitted by-right if the use is proposed to be located within a shopping center that has been approved by special permit or special exception and if the proposed use is consistent with any limitations of the shopping center special permit or special exception approval and all other requirements of the Zoning Ordinance.
18. A Special Exception is only required when property is located within non-common open space.
19. The 100' setback shall be provided where a new industrial use is proposed on a property adjoining a property in a residential district that is currently developed with residential uses.
20. Use limited to rental only.
21. No drive-through shall be allowed for Eating Establishments within the BP District.
22. No single "eating establishment" or "eating establishment, fast food" shall exceed 2,000 gross square feet in size.
23. Single-Family Detached Residential Units are permitted by-right on lots where such houses **legally** existed prior to January 9, 2014, to include the expansion of such residences, the construction of accessory structures customarily found with residential uses, except in no case shall an accessory dwelling unit be allowed. Single-family uses shall be subject to the use regulations set forth in Part 4 of Article 3 for conventional single-family residential development in the R-4 zoning district. New dwellings are only permitted in the CV and C-1 Districts on newly created lots or lots where a house did not exist as of January 9, 2014, subject to approval of a Special Permit and the standards set forth in Section 5-103.1.
24. For corner lots zoned I-1 or I-2, a reduction in one (1) of the front yard setbacks may be approved by the Zoning Administrator in conjunction with site plan review and/or zoning approval, subject to the following:
- A. the setback reduction shall be permitted along the road frontage that provides entrance access to the subject parcel; AND
  - B. all screening/buffering and sidewalk requirements shall be met along the frontage where the setback reduction is proposed.
25. A data center use shall only be located in a Service District when proposed in the Business Park District.
26. When a fifty (50) foot easement for a private street traverses or abuts a lot and is not required to provide road frontage or lot width requirements, the following setbacks shall apply:
- A. Fifteen (15) feet measured from the edge of easement when the private street traverses the lot.
  - B. The side setback for the appropriate zoning district when the private street abuts the lot.

27. Within the Agriculture (RA) and Conservation (RC) Districts, Landing Strips that consist of a single grass-surfaced runway or helipad that have been in existence since prior to May 19, 1981 where the use has not been discontinued for a period of more than two years, are considered a non-conforming use where the landing strip has not been expanded after May 19, 1981, and all necessary State and Federal registration and/or licensing requirements are completed.
28. A minor kennel, where animals are kept for breeding purposes and not more than four (4) litters are whelped in a calendar year, may be approved through Administrative Permit subject to the standards found in Section 5-1301.1.a. A Site Plan shall not be required for a minor kennel approved through the Administrative Permit process.
29. The Board of Supervisors may, by approval of a proffered rezoning, approve a structure with a height greater than the limitation found in 3-406, subject to the following:
  - A. The maximum height shall be specifically proffered by the applicant and accepted by the Board of Supervisors; and
  - B. The Board of Supervisors shall be satisfied that approval of a proffer is a more appropriate course than a rezoning to a classification permitting the height requested; and
  - C. The Board of Supervisors shall be satisfied that the proposed height shall not have an adverse impact on the light and air or adjacent and nearby properties; and
  - D. The applicant provides certification from the Department of Fire, Rescue and Emergency Management that the proposed building can be properly protected in case of fire, and will not endanger improvements on adjacent properties; and
  - E. The structure will not constitute a hazard to aerial navigation. A proposal within the Airport Area District shall not be approved unless the Federal Aviation Administration certifies in writing the proposal does not constitute a hazard to aerial navigation.

GENERAL NOTES: A hyphen as an entry in the chart below indicates that either that item is not applicable or that the particular item is not regulated in that case.

In the CV District a majority of the uses are labeled as either P/SE or SP/SE.  
Please see Section 3-504.3 for the specific Use Limitations for the District.

USE LIMITATIONS		RC <sup>2,9</sup>	RA <sup>2,9</sup>	RR-2	V	R-1	R-2	R-3	R-4 <sup>15</sup>	TH	GA	MDP	C-1	C-2	C-3	CV	BP/ I-1	I-2
3-401	Maximum Density (DU/A) <sup>1</sup>	*	*	0.5	1.4	0.9	2	3	4	7	13	8	-	-	-	-	-	-
3-402	Minimum Lot Size (acres or thousand sq.ft.)																	
	1. Conventional	2a.	2a.	2a.	30	40	20	10.5	10	1.8	-	3a.	15	30	8a.	20	None	None
	2. Cluster	30	30	30	10	25	10	8.5	1.8 townhouse 5 single- family	-	-	-	-	-	-	-	-	-
3-403	Minimum Lot Width (Ft.)																	
	Conventional	400	300	200	90	135	90	80	70	-	-	40 <sup>3</sup>	80	100	80	80	80	80
	Cluster	200	200	90	70	90	70	50	50									
3-404	Minimum Front Yard (Ft.) <sup>4,10,11,12,16,17, 24</sup>																	
	Conventional																	
	1. Local Road or Minor Collector	75	75	75	50	60	50	50	50	50	50	50	See §3- 504.2	75	75	See §3- 504.3	75	75
	2. Major Collector	90	90	90	65	75	65	65	65	65	65	65	See §3- 504.2	90	90	See §3- 504.3	90	90
	3. All Minor Arterial or Interstate; and Freeway/ Expressway, or Principal Arterial outside Service Districts	105	105	105	80	90	80	80	80	80	80	80	See §3- 504.2	105	105	See §3- 504.3	105	105
	4. On Principal Arterial, Freeway, or Route 215 within Service Districts	150	150	150		150	150	150	150									
	Cluster																	
	1. Local Road or Minor Collector	75	75	75	50	50	50	50	50									
	2. Major Collector	90	90	90	65	65	65	65	65									
	3. All Minor Arterial or Interstate; and Freeway/ Expressway, or Principal Arterial outside Service Districts	105	105	105	80	80	80	80	80									
	4. On Principal Arterial, Freeway or Route 215 within Service Districts	150	150	150		150	150	150	150									
3-405	Minimum Side and Rear Yard (Ft.) <sup>4</sup>																	
	1. Residential and Rural Districts																	
	Conventional	50	25	25	15	25	15	15	10	15 <sup>5</sup>	25	25	-	-	-	-	-	-
	Cluster	25	25	25	10	15	10	12 total, minimum 5 per side	12 total, minimum 5 per side									
	2. Commercial and Industrial Districts																	
	a. Adjoining Commercial Districts	-	-	-	-	-	-	-	-	-	-	-	See §3- 504.2	0 <sup>6</sup>	0 <sup>6</sup>	0 <sup>6</sup>	25	25
	b. Adjoining Industrial Districts												See §3- 504.2	0	0	0	0	0
	c. Adjoining Rural or Residential Districts	-	-	-	-	-	-	-	-	-	-	-	See §3- 504.2	50	50	25	75/ 100 <sup>19</sup>	75/ 100 <sup>19</sup>
3-406	Maximum Building Height (Ft.) <sup>7</sup>	35	35	35	35	35	35	35	35	35	35	20	35	65	60	35	45	45
3-407	Maximum Lot Coverage (%)	-	-	-	-	-	-	-	-	20	20	25	40	45	30	30	50	70
3-408	Minimum Open Space (%) <sup>8</sup>																	
	1. Conventional	85	85	35	0	25	20	15	15	30	30	30	-	-	-	-	-	-
	2. Clustered	85	85	50	50	50	50	50	50	-	-	-	-	-	-	-	-	-
	3. Special Exception Permit <sup>13</sup>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
3-409	Minimum Landscaped Green Space (%)	-	-	-	-	-	-	-	-	-	-	-	10	10	15	10	15	10
3-410	Minimum District Size (Acres)	-	-	50	-	-	-	-	-	-	-	10	2	5	10	-	3/5	10
3-411	Minimum Development Size (Acres)	-	-	-	-	-	-	-	-	-	-	10	-	-	10	-	-	-
*Sliding scale density as set forth in Section 2-308																		



**3-501****All Districts**

1. Except as otherwise qualified in this Ordinance, all uses shall comply with the performance standards set forth in Article 9.
2. In addition to regulations of this Ordinance, junkyards shall be subject to the provisions of Chapter 3 of the Code of Virginia, Automobile Graveyards.

**3-502****All Residential Districts**

No sale of goods or products shall be permitted except as accessory and incidental to a permitted, special permit or special exception use.

**3-503****All Rural Districts**

In the Rural Zoning Districts, agriculture and forestry are the preferred use. The operation at any time of any machinery used in farming and forestry procedures and all other agricultural operations shall be permitted and have preference over all other uses.

**3-504.1****All Commercial and Industrial Districts**

1. On a corner lot no entrance shall be located closer than sixty (60) feet to the right-of-way line of the intersecting streets.
2. Except where frontage is on a service drive, a freestanding use shall have no more than two (2) entrances on any single right-of-way and such curb cuts shall have a minimum distance of forty (40) feet between them.
3. Except on a cul-de-sac, no entrance shall be located closer than twenty (20) feet to a side or rear lot line unless a common entrance serves adjacent uses, and in no instance shall the distance between entrances serving adjacent land uses be less than forty (40) feet.
4. Outdoor storage and display areas shall be permitted only on the same lot with and ancillary to a permitted, special permit or special exception use. The outdoor area devoted to storage, loading or display of goods shall be limited to that area so designated on an approved site plan.
5. All Commercial and Industrial 1 Districts:
  - A. All outdoor storage and loading areas shall be enclosed by screening, and areas devoted to outdoor display of goods offered for sale or rental shall be screened when such areas abut a residential district at a side or rear lot line or are separated by an alley.
  - B. Motor vehicle storage and impoundment facilities shall be used only for temporary storage of wrecked and/or inoperable and/or abandoned vehicles, but shall not include the dismantling, wrecking or sale of said vehicles or parts thereof. Such storage and impoundment facilities shall be completely screened from view, and shall not be located in any required front yard.

- C. Servicing of leased items and equipment shall occur in areas completely screened from the public and accomplished without impact to adjacent properties.
- 6. The sale of dogs and cats shall be prohibited. Sale in this instance shall not include dog or cat adoption events hosted by private non-profit or rescue groups in commercial districts.

### 3-504.2

#### **C-1 Commercial Neighborhood District**

- 1. Setbacks:
  - A. Front:
 

Buildings shall be set back no more than 20 feet from the front property line, with the area between buildings and the street limited to sidewalks, street trees, seating areas and other traditional streetscape elements.

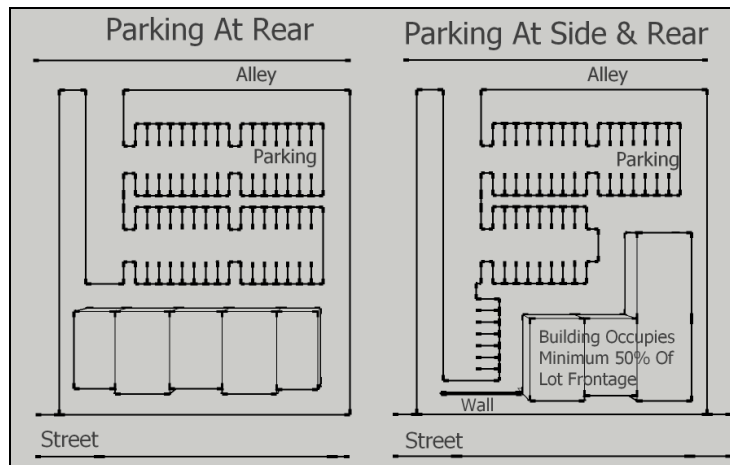
Exceptions:

    - i. Along streets where existing buildings have established a lesser average setback, buildings shall be set back no further than the average setback of nearby existing buildings.
    - ii. Adjacent to Route 29, buildings shall be set back a minimum of 50 feet from the property line, with the area between the property line and the building preserved as a landscaped buffer, with allowances for pedestrian facilities.
    - iii. Buildings may be set back further to accommodate utilities or other existing easements.
    - iv. This setback shall not apply to additions to existing buildings.
    - v. A larger setback may be approved for a new single family dwelling in conjunction with a special permit.
  - B. Side and Rear:
    - i. Adjoining Rural or Residential Zoning Districts: Minimum 25 feet
    - ii. All others: No minimum requirement.
- 2. Building Orientation: Buildings shall generally be oriented to face existing public streets, with a primary building entrance facing the existing street, or on a corner including the existing street. In larger developments where new streets are created as part of the development, it is not anticipated that all streets will be faced with buildings or that every building will face a street. In determining which streets shall be faced with buildings, priority shall be given to existing public streets, then new public streets, and finally new private streets, or as otherwise established in conjunction with special permit or special exception approval.
- 3. Building Massing: Commercial and Mixed Use-Buildings exceeding 5,000 square feet in size shall be designed such that the mass of the building is broken into smaller elements consistent with a neighborhood scale. The goal is to achieve the appearance and massing of multiple smaller buildings rather than one single large building using changes in building setbacks and height emphasized by changes in materials and/or architectural details. All building façades visible from streets or public spaces shall have a maximum width of 30 to 40 feet of continuous vertical surface, after which:
  - a minimum 3 foot change in plane of the wall shall be provided;

- or a minimum 3 foot change in roof height plus vertical articulation through a change in materials or architectural features.

4. Access and Parking:

- A. Vehicular access onto the site shall be provided from rear alleys or access easements from adjoining properties, where available. New streets shall generally be laid out to establish a street grid connecting into and through adjoining properties.
- B. Off-street parking shall be located behind buildings. Parking may also be located beside buildings if: necessary in order to meet minimum parking requirements; buildings occupy more of the street frontage than is occupied by the parking; the parking is set back at least 10 feet behind the building façade; and a 2-3 foot wall or combination of wall and dense hedge is constructed in front of the parking area to screen the parking and create a hard edge to continue the building face.



5. Multi-Family Residential Uses:

- A. Multi-family dwellings are permitted only in buildings where the first floor is devoted to commercial use, with residential use on the first floor limited to the minimum area needed to provide an entrance and lobby to the residential units.
- B. The total residential density shall not exceed 8 units per acre.
- C. In addition to the 10% minimum landscaped green space required by Section 3-409 for the C-1 zone, development incorporating 10 or more residential units shall provide a minimum of 2,000 square feet of consolidated, usable open space developed with amenities, with a minimum dimension of 30 feet in any direction. The consolidated open space shall be designed as an integral part of the development and shall be accessible to all residents by internal pedestrian sidewalks or walkways. An additional 200 square feet of consolidated, usable open space shall be provided for each unit over 10.

- 6. Modifications: Modifications from the standards set forth in this Section 3-504.2 may be approved by the Zoning Administrator in conjunction with Site Plan Approval, the Board of Supervisors in conjunction with Special

Exception, Special Permit or Rezoning approval upon a determination that one of the following standards is met:

- A. The alternative proposed does not diminish the overall development's neighborhood-scaled, pedestrian oriented character; or
- B. Because of unique physical characteristics of the property, the modification is necessary to allow reasonable use of the property; or
- C. Because of environmental features such as soils, wetlands, floodplains, drainage, the modification is desirable to avoid or protect such features; or
- D. The modification facilitates preservation of an existing structure of historic value; or
- E. In the case of open space required under Section 3-504.2.2 (C), above, the amount required may be reduced upon a finding that: 1) sufficient usable open space is already provided in the immediate area or 2) alternative features of the proposed development provide an amenity to residents equivalent or greater than the benefit of consolidated open space.

### **3-504.3**

#### **CV – Commercial Village District**

- 1. Building Size:
  - A. The maximum new building footprint for an individual new building shall not exceed 5,000 square feet, or between 5,000 and 10,000 square feet with a Special Exception.
  - B. The maximum new building size shall not exceed 10,000 square feet.
  - C. Multiple buildings are permitted on an individual site, subject to setback and other applicable requirements of this Ordinance.
  - D. Buildings existing, as of January 1, 2014, shall be allowed regardless of the size with the repair and/or restoration of these buildings permitted.
- 2. Building Orientation: Buildings generally shall be oriented to face existing streets, either public or private, and shall have a primary building entrance facing the street, or on a corner including the street. On larger parcels of land with multiple buildings internal to the site, all such buildings shall be oriented to face existing streets or newly created streets or lanes within the site. Buildings internal to a site that are not located along public or private streets shall not be subject to the minimum required front setback found in Section 3.E below.
- 3. Building Massing:
  - A. Buildings shall be designed such that the mass of the building is broken into smaller elements consistent with a village scale. The goal is to achieve the appearance and massing of multiple smaller buildings rather than one single larger building. This shall be accomplished using variations in building setbacks and height, and emphasized by variations in materials and/or architectural details.
  - B. Building massing for multi-family residential buildings shall resemble single-family detached dwellings within the village.
  - C. Single-Family Detached Residential shall be subject to the use regulations set forth in Part 4 of Article 3 for conventional single-family residential development in the Village (V) zoning district.

- D. Buildings shall be primarily at least twenty-five (25) feet in height. Single story buildings are permitted, provided that when multiple buildings front a public street, the majority of such buildings must have two (2) functional stories.
  - E. Front setbacks shall be minimized to the extent possible and shall not exceed fifty (50) feet. Buildings internal to a site that are not located along public or private streets shall not be subject to the minimum required front setback. Side and rear setbacks shall not be required for buildings internal to the site, subject to applicable building code requirements. However, side and rear setbacks shall be provided along the exterior of the site adjacent to rural and residentially zoned and used properties.
  - F. A minimum of a ten (10) foot difference in the front setback shall be required with respect to adjacent buildings.
- 4. Proposed variations from the foregoing standards for new buildings shall be permitted by the Zoning Administrator if the applicant can demonstrate that there are no viable building locations meeting such standards because of limitations arising from the necessary location of existing or proposed drainfields.
  - 5. Parking:  
Off-street parking generally shall be located behind or to the side of buildings. Parking to the side of a building shall be screened with walls, fencing and/or landscaping so as to be minimally visible from the street.
  - 6. Density:
    - A. Maximum commercial density shall be determined as a function of permissible building envelopes, taking into account setbacks and massing requirements set forth herein, and subject to other applicable regulations.
    - B. The total residential density shall not exceed six (6) units per acre.
    - C. No more than fifty percent (50%) of the total gross square footage of new buildings constructed after October 9, 2014 shall be in a residential use.

**3-505**

**Manufactured Dwelling Park District**

- 1. No space in a manufactured dwelling park shall be rented for residential use except for periods of thirty (30) days or more and no manufactured dwelling shall be located in any park unless it can be demonstrated that it meets the requirements of the Manufactured Dwelling Manufacturers Association "Manufactured Dwelling Standards for Plumbing, Heating and Electrical Systems".
- 2. All manufactured dwelling parks shall meet the requirements for same as set forth in the Virginia Uniform Statewide Building Code. The issuance of zoning and building permits is required prior to the location of each manufactured dwelling in a manufactured dwelling park.
- 3. All manufactured dwelling parks shall be subject to approval of a site plan in accordance with the provisions of Article 12.
- 4. Every manufactured dwelling space shall be shown on the site plan and clearly defined on the ground by permanent monuments. Such manufactured dwelling space shall not be put to record, shall not constitute a division or subdivision of land and shall not be transferred independently. However, streets, drainage, fire

hydrants, and similar improvements shall be provided in accordance with standards contained in the Subdivision Ordinance.

5. Every manufactured dwelling space shall be provided with a manufactured dwelling stand so designed to provide adequate support to the maximum anticipated loads during all seasons, and so located as to provide for the practical placement of a manufactured dwelling and its manufactured dwelling accessory structure in such a manner that such manufactured dwelling shall comply fully with all requirements of this Ordinance.
6. No structure shall be attached to any manufactured dwelling except for manufactured dwelling accessory structures as defined in this Ordinance. Manufactured dwelling accessory structures shall not exceed the height of the manufactured dwelling to which they are attached, nor will they exceed a height of eight feet if detached. The total of all manufactured dwelling accessory structures located on any one manufactured dwelling space will not exceed 500 square feet.
7. All areas designated as open space in the site plan shall be reserved for the exclusive use of the manufactured dwelling park's residents. The remaining area not available to the residents shall be used only by the manufactured dwelling park management for the operation and maintenance of the park.
8. All manufactured dwelling space shall abut on a driveway or private street, with unobstructed access to a public street.
9. All private streets and driveways within a manufactured dwelling park shall be constructed in accordance with the provisions of Part 3 of Article 7, Public and Private Streets.

**3-506**

**Townhouse and Garden Apartment Districts**

1. Not more than eight (8) dwelling units shall be located in one row of continuous townhouse units or in one continuous group of cluster homes.
2. Not more than 24 dwelling units shall be contained in a single apartment building.
3. A separate entrance to a public street shall be provided for each thirty (30) dwelling units.

**PART 6**

**3-600**

**ADDITIONAL REGULATIONS**

**3-601**

**All Residential Districts**

1. Refer to Article 2, General Regulations, for provisions which may qualify or supplement the regulations presented above.
2. Refer to Article 7, for off-street parking, loading and public and private street provisions.
3. Refer to Article 8 for regulations on signs.