

# Citizen Information Paper

## On the February 2015 Board Consensus Draft Zoning Code (2/15 Draft)

### *Highlights of Changes made to the March 11, 2014 Public Hearing Draft of the Zoning Code*

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## Overview and Introduction

For the past two and a half years the Board of Supervisors (Board) has been working on revision of the current ordinances related to zoning and land use. The Board seeks comment from all citizens both pro and con in regard to the current draft zoning code now called the '2/15 Draft' document. This 2/15 draft is a continuation of the review process for the application dated January 15, 2014. On the following pages are highlights of specific changes made to the Public Hearing Draft of March 11, 2014 by the Board based on public input and Planning Commission review. In addition, densities are presented by district comparing the current zoning to the 2/15 proposal. The details of the overall Board process in developing the proposed code follow.

In the summer of 2012, the Board set as a specific objective: "Review and revise the zoning ordinance to promote business development by June 30, 2013." Because current zoning for Northampton County resides in three separate ordinances and consists of over 400 pages of law, board members also directed that the zoning code be simplified. To that end the Administrator convened a cross section of staff to draft a first document for consideration by the Board. During that process a variety of resources, e.g., the current comprehensive plan and more current studies related to its ongoing update, CBES, the local Farm Bureau board, aquaculture representatives, environmentalists and some fifty community leaders were engaged and ideas considered in developing the original rough draft. In July 2013 a rough draft was forwarded to the Board by staff for concurrence with the direction of work. In the fall of 2013, two public information meetings were advertised and held for the public to review and comment on the draft. In January 2014 a public hearing was set by the Board for March 11, 2014 to seek input on a new draft (Public Hearing Draft) with changes made by the Board based on public comments from the previous six months. Another round of public information meetings and a public hearing were held in the winter of 2014. The Planning Commission then began reviewing the public hearing draft for the legally prescribed maximum 100 days. Beginning in the summer 2014 the Board began a page by page review of the public hearing draft making changes in accordance with suggestions from some 200 written comments and a variety of conversation and published commentary plus the Planning Commission review. The Board also continued to hear from the public at its monthly meetings even though the public hearing process was concluded. The Board has now completed the latest review and has made changes. This paper highlights the major changes made by the Board to the Public Hearing Draft. The markup copy of these changes based on Board consensus and labeled the '2/15 Draft' is also available online at the County's website. Additional public hearings as may be required by law are planned for spring 2015.

## Chesapeake Bay Preservation Act (Designated Areas remain the same)

Currently all of Northampton County (NHCO) is within the Chesapeake / Atlantic Preservation (CAP) overlay district which is regulated by the Virginia Chesapeake Bay Preservation Act (Bay Act). Designating the Atlantic Ocean watershed (seaside) was not required by the Bay Act. The NHCO Comprehensive Plan set out as a goal that the seaside be included in the area regulated by the Bay Act, but does not provide for any planning studies or regulatory justifications for this goal. By including the seaside in the CAP not only is a land owner required to implement CAP performance standards on their property, but lowers the threshold for which they are required

to regulate erosion and sediment control and stormwater management measures, both separate and additional measures for water quality protection. Any areas within the CAP must implement these measures when they disturb 2,500 square feet of land or more. If the seaside were removed from the CAP, erosion and sediment control measure must be implemented at 10,000 square feet of land disturbance or more and stormwater management measures must be implemented at 1 acre of land disturbance area or more. In 2014 Northampton County had 32 Plans of Development requested. Of these, 14 had land disturbance below the State minimum threshold for erosion & sediment control and stormwater management regulation in areas without the Bay Act. Since the Bay Act applies to the entire county then they all were required to comply. Of these 7 projects (29 percent) were on the seaside. In its initial direction by the Board, staff was ordered to review all NHCO codes for compliance with state law and note any regulations that exceeded state law. Thus, last year 7 small projects had to comply with regulation beyond what is required by the state. With this directive, the Public Hearing Draft zoning code proposed to eliminate the CAP from the seaside because this designation exceeded the requirement of Virginia Code. Through the public hearing process, Planning Commission's review and Board of Supervisors' review of the Public Hearing Draft zoning code, the Board of Supervisors' determined that the CAP should remain on the seaside and this change is now reflected in the 2015 draft zoning code. During the same action the Board further directed the Planning Commission to study the effectiveness and impact of implementation of the Bay Act on the seaside with whatever scientific or quantitative support that may be available.

## Districts

## Density

### **Density Comparison of Current Zoning Districts vs. Proposed 2015 Zoning Districts**

A chart depicting the current zoning districts and their allowed densities compared to the 2/15 draft districts and densities can be found on the next page. The chart also shows how the 32 current zoning districts have been consolidated into 16 proposed districts.

**DENSITY - CHART A**  
**Comparison of current vs. 2015 proposed zoning districts**

	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
<b>CURRENT ZONING DISTRICTS</b>	C	V-1 WV-1 A/RB	H WH	V-2 WV-2	V-NB WV-NB	WV-WC	EB C-1
Maximum Density Dwelling unit(s) per Acre(s)	1 sfd unit / 50 acres	1 sfd unit / 20 acres  density may be increased in the A/RB to 1 sfd unit / 10 acres by the approval of an open space subdivision plan approval	2 sfd units/1 acre	2 sfd units/1 acre  density may be increased in the V-2 to 4 mfd units/1 acre with SUP approval	2 sfd units/1 acre  density may be increased in the V-NB to 4 mfd units/1 acre with SUP approval	N/A	N/A
<b>PROPOSED 2015 ZONING DISTRICT</b>	CNSV	AG	H	V	V-WB	V-C	C
Maximum Density Dwelling unit(s) per Acre(s)	1 sfd unit / 50 acres	1 sfd unit / 20 acres  density may be increased in the AG to 1 sfd unit / 10 acres by the approval of an cluster subdivision plan approval	2 sfd units/1 acre 4 mfd units/1 acre	4 sfd or mfd units/1 acre	4 sfd or mfd units/1 acre	4 sfd or mfd units/1 acre	N/A

**DENSITY - CHART B**  
**Comparison of current vs. 2015 proposed zoning districts**

	Column 8	Column 9	Column 10	Column 11	Column 12	Column 13	Column 14
<b>CURRENT ZONING DISTRICTS</b>	ECC	EI	ES-RV-R ES-CD-R1	ES-CD-RR	ES-RV-RR	ES-A-1	ES-RV-RM ES-CD-RM
Maximum Density Dwelling unit(s) per Acre(s)	2 sfd units/1 acre	N/A	1 sfd or mfd unit /20,000 sq. ft.	1 sfd or mfd unit / 1 acre	1 sfd or mfd unit / 3 acres	1 sfd unit / 20 acres plus bonus lots	1 sfd unit / 20,000 sq. ft. not specified for mfd
<b>PROPOSED 2015 ZONING DISTRICT</b>	CTCM	I	R	R-1	R-3	R-5	RM
Maximum Density Dwelling unit(s) per Acre(s)	2 sfd units/1 acre	N/A	1 sfd or mfd unit / 20,000 sq. ft.	1 sfd or mfd unit / 1 acre	1 sfd or mfd unit / 3 acres	1 sfd or mfd unit / 5 acres	1 sfd unit / 20,000 sq. ft. 1 mfd unit / 10,000 sq. ft.

**DENSITY - CHART C**  
**Comparison of current vs. 2015 proposed zoning districts**

	Column 15	Column 16	Column 17
<b>CURRENT ZONING DISTRICTS</b>	ES-EB-CW	(FLOATING DISTRICTS) MHP ES-PRV PID SED	TE-1 TE-2 TE-NB TE-CG
Maximum Density Dwelling unit(s) per Acre(s)	NA	Established through Re-zoning	Densities ranged from 1 per 5 acres to 5 per acre
<b>PROPOSED 2015 ZONING DISTRICT</b>	WW	PUD	No new district designations.
Maximum Density Dwelling unit(s) per Acre(s)	NA	Established through Re-zoning	

The following information can be concluded from the above chart:

(1) The density in the current Hamlet and Waterfront Hamlet districts is 2 single-family dwelling units per acre. In the 2/15 Draft, the density is also 2 single-family dwelling units per acre in the Hamlet district, but also includes a density of 4 multi-family dwelling units per acre providing for multi-family dwellings. The purpose for increased density is to encourage cost effective housing within the existing hamlets.

(2) The density in the current Village-2 allows for 2 single-family dwelling units per acre and by special use permit a density of 4 multi-family dwelling units per acre. In the 2/15 Draft the Village district density is increased to 4 single-family units but remains the same for 4 multi-family dwelling units per acre without the requirement of obtaining a special use permit. The purpose for increased density is to encourage cost effective development of housing within the existing villages.

(3) The density in the current Village-Neighborhood Business allows for 2 single-family dwelling units per acre and by special use permit a density of 4 multi-family dwelling units per acre. In the 2/15 draft the Village-Waterfront Business district increases density to 4 single-family or 4 multi-family dwelling units per acre without the requirement of obtaining a special use permit.

(4) No density regulations apply to the current Waterfront Village-Waterfront Commercial district, but the 2/15 draft Village-Commercial district limits the density to 4 single-family or 4 multi-family dwelling units per acre.

(5) A density of 1 multi-family unit per 10,000 square feet has been established in the 2/15 draft Residential Mixed district.

(6) Existing floating districts, which are planned unit development districts by other names such as Mobile Home Parks and Planned Industrial Districts having specifically defined density and design standards, have been consolidated into a general PUD (planned unit development district) in the 2/15 draft. A PUD allows the applicant to propose densities with many other conditions and design features which must be reviewed and approved at a public hearing as part of the rezoning process.

(7) The 2/15 draft districts do not include any town edge districts. Each parcel designated on the current map as a TE district has been re-mapped on the draft 2015 zoning map as the most appropriate corresponding district from the list of draft districts.

### **Accessory units**

Except for three zoning districts, the current zoning code provides for accessory dwelling units by special use permit in zoning districts which allow a single-family dwelling. The accessory dwelling must comply with the density standards for the district in which it is located. The Board of Supervisors as part of their special use permit approval may place conditions on the accessory dwelling unit. The 2/15 draft permits the construction of an accessory dwelling unit in any district which permits a principal single family dwelling and the accessory dwelling is not counted for density calculation. To qualify as an accessory dwelling unit, it meets certain standards such as: 1) both on same lot; 2) accessory dwelling limited to 2 or less bedrooms; 3) only one accessory dwelling is permitted for each principal single family unit; 4) both units and parcel are owned by the same party; 5) the accessory unit must have approved water and septic systems and meet the building code.

However, if the accessory dwelling exceeds these standards, it becomes an additional single family unit which counts as a separate unit for density calculation. The additional single family unit is discussed below.

### 2nd Principal Dwelling on a Parcel

If an accessory dwelling unit does not meet accessory dwelling standards, it may be constructed as an additional single family unit on a single parcel if it meets performance standards. To qualify as an additional single family unit (a second principal dwelling), the principal dwelling unit plus the additional single family dwelling must conform to the overall density of a parcel. For example, if a 100 acre parcel zoned agriculture has one house on the property, a second, or additional, single family dwelling could be added since the density is one unit per 20 acres. Such additional dwelling units also must be served by approved *separate and independent* water and septic systems. In addition the second dwelling must meet setbacks from the original dwelling unit to allow later subdivision if necessary for conveyance to a separate owner. Implementation of the current zoning code would require an owner to subdivide to place an additional single family dwelling on a parcel even if density regulations could be met.

### Shoreline Width

The Board has adjusted shoreline width minimums to the following for each district listed:

CNSV	Ag	H	V	CTCM	R	R-1	R-3	R-5	RM	VWB	WW
250	125	60	60	90	100	90	115	125	90	none	n/a
<b>250</b>	<b>125</b>	<b>205</b>	<b>205</b>	<b>90</b>	<b>100</b>	<b>150</b>	<b>175</b>	<b>250</b>	<b>90</b>	<b>60</b>	<b>60</b>

Zoning Districts are listed across the top. All values are stated in feet. The first row is the values from the Public Hearing Draft in March 2014. The bottom row is the values from the 2/15 Board consensus draft.

## USES

### List of Uses by District and changes made to 2014 Public Hearing Draft

The major changes between the March 2014 Public Hearing draft and the 2/15 board consensus draft are listed in the Addendum. The lists show new uses in bold black and proposed deletions as strike through. These changes were made as a result of public comment, Planning Commission recommendation, staff recommendation and/or Board of Supervisors consensus. This list does not show all of the uses permitted or by Special Use Permit for each district. For a complete version of the district use lists please visit the Northampton County website at [www.co.northampton.va.us](http://www.co.northampton.va.us).

### Single Wide Mobile Homes

Single wide mobile homes are permitted by right in agriculture districts per Virginia Code. In the current zoning code single wide mobile homes are permitted by right in only conservation and agriculture districts. The 2/15 draft permits single wide mobile homes by right in conservation, agriculture, R-5, hamlet and village districts. Single wide mobile homes are permitted with special use permit in the R, R-1 and R-3 districts. In the current zoning code, single wide mobile homes require a special use permit in hamlet and village district. In the current code mobile home parks are a floating district. In the 2/15 draft mobile home parks may be created in the same way as a floating district through a planned unit development (PUD).

## **Planned Unit Developments (PUD) (rezoning required)**

Planned Unit Developments are areas characterized by unified site design for a variety of housing types and densities, clustering of buildings, common open space, and a mix of building types and land uses including, but not limited to, residential developments, mixed-use developments, mobile home parks, or even solar energy projects. Project planning and density calculation are performed for the entire development rather than on an individual lot basis.

Planned unit developments are intended to provide for variety and flexibility in design necessary to implement the varied goals as set forth in the comprehensive plan. Through a planned unit development district approach, the regulations are intended to accomplish the purposes of zoning and other applicable regulations to the same extent as regulations of conventional districts.

Benefits of a planned development include less infrastructure costs, more efficient provision of public safety services, less environmental impact, and through the provision of affordable housing achieve significant economic and social integration. A rezoning is required in order to establish a PUD.

## **Working Waterfront**

The development of the Working Waterfront (WW) district resulted from public comment, Planning Commission recommendations and staff assistance. The Working Waterfront district aims to preserve and enhance uses that are traditionally found in working waterfronts like aquaculture, fishing and nature based tourism by allowing a limited number of uses, either permitted or by special use. As proposed, no residential uses are allowed in the Working Waterfront district to ensure the traditional types of uses are not in competition with those types of uses.

The Working Waterfront designation is proposed in Willis Warf and Oyster as well as other locations throughout the county on the seaside and bayside with active working waterfronts. These include areas in Bayford, Cherrystone and Red Bank as well as landing sites at the end of Martins Landing Rd, Bulls Landing and Magotha Rd. A Village-Waterfront Business District (V-WB) is proposed that would only apply to Oyster and Willis Wharf. The designation of parcels within Willis Wharf and Oyster as WW and V-WB was used as a tool to re-enforce the goals set out in the Willis Wharf and Oyster village plans.

Identification of working waterfronts is also being conducted on a regional level through several Planning District Commissions including the Accomack-Northampton PDC, Hampton Roads PDC, Middle Peninsula PDC and Northern Neck PDC.

## **Town Edge**

In the current zoning code (Chapter 154 Northampton Code) a new district was formed around towns to encourage development around existing incorporated towns. The prior zoning such as agriculture or commercial was eliminated and replaced with the Town Edge district. Its purpose according to the Code: "The intent of this primary district is to provide potential development areas adjacent to incorporated towns which may, in the future, be served by extensions of public water and sewer services from the towns. Growth and increased development are intended to occur simultaneously with the provision of public infrastructure,

including, but not limited to, public sewer and water, to support such growth and development. Four secondary districts are provided...” Meetings between the towns and the county were scheduled to discuss the implementation of this district. In fact, no new development as a result of rezoning has occurred in the Town Edge District since its inception. Thus, the ‘2/15 Draft’ eliminates the district in favor of returning the properties to their prior zoning or a use consistent with its adjacent uses. This allows prospective users of the property to know without having to rezone what the property permissions are. A significant detriment to new development is the requirement of a lengthy rezoning application and approval process before the Planning Commission and Board.

## **Performance Standards**

Performance standards are used widely in zoning ordinances to put limits on offensive or intrusive use of property. As an example, a small retail store may fit into a hamlet district to serve local customers and thus a commercial use may be permitted by right in the district. However, if such a small retail store also included spot lights or loud music at night, it would no longer be suitable for a hamlet neighborhood. Thus, performance standards are included in the zoning code or other ordinances so that the expected use of a small retail store will not have ill effects on neighbors. Regardless of district if a business receives heavy truck traffic deliveries, it must accommodate those on site and clear of roads. Parking must also be situated on site unless redeveloping in an existing business neighborhood. Dark Skies standards are preserved to minimize light pollution. Screening with plant material is required to soften buildings from adjacent or highway views. The amount of screening depends on adjacent zoning districts or public view shed.

Thus, performance standards are there to protect the public from abusive land uses. So to generally assume that a district use that may include retail or commercial will result in an offensive use is wrong because of the protections provided by performance standards. In addition, if any rezoning were requested, the community would have the opportunity to review specific plans of development and provide input and comment for Board consideration.

Special Use Permits provide a means of allowing uses that generally would be expected in a district, but may require certain impacts to be mitigated by conditions established as part of the special use permit. The special use permit process is for uses that more likely would have conditions that could be offensive to the public, thus the applicant for development is required to inform the public of their plans and allow public input on details of their plan prior to approval. The current code has thousands of uses which require some type of special use permit which cost the applicant and county to process. Today the special use permission request must be advertised and reviewed by both the Planning Commission and Board and approved by the Board prior to allowing the use. For example, the establishment of a kayak eco-tour service for two kayaks in Willis Wharf’s or Oyster’s Waterfront Village Waterfront Commercial District requires a special use permit. This is an example of where special uses requirements are excessive and were eliminated. In addition the current code has thousands of listed uses and if the use you desire is not listed, it is not allowed. The 2/15 Draft uses broader uses and states that similar uses may also be included.

Some have commented that they prefer most all uses be required to get a special use permit. They prefer to have the right to comment on any use that may be visible in their neighborhood or on their drive to the local market. Such opinions also include the notion that the special use requirement protects *their* property rights. In

fact the idea of property rights in the United States is based on a property owner's right to use his or her property in a reasonable, non-offensive manner without having to ask a community for permission first. Performance Standards, along with other local laws regarding public safety and welfare, are there to protect the community values and quality of life, not to prevent a property owner from beneficial use of their property in a reasonable manner.

The 2/15 Draft uses a blend of "by right/permitted" uses and "special use permit" uses. A special use permit is required for uses that could more likely be offensive despite the performance standards. The 2/15 Draft reflects the Planning Commission's and Board's best efforts to strike a balance between your ability to use your property and your neighbor's rights to enjoy the use of their property.

### **Performance Standards for Domestic Husbandry**

Performance standards for domestic husbandry have been expanded from the March 11, 2014 public hearing draft to specify the number of farm animals allowed depending on the lot size and number and weight of the farm animals. As a result of public comment, Domestic Husbandry is now proposed to be a permitted use in the R-3 district.

### **Performance Standards for Intensive Farming**

Intensive farming setbacks are 500 feet from shorelines, perennial streams, nontidal wetlands and property lines. This setback is for all uses, structures and buildings including waste storage facilities, disposal practices and structures, storage structures, shelters, feeding, handling, and containment structures.

Other performance standards for intensive farming include:

Type C perimeter screening

Waste storage facilities and disposal practices and structures be maintained and operated as provided for in the Va. Code.

All standards that apply to domestic and traditional husbandry shall also apply to intensive farming.

## Addendum

### Fact Sheet – Point by Point Response to Fliers

During the past year there have been fliers and emails distributed by interested citizens regarding the effect of the proposed zoning code if implemented. Some citizens have expressed to the Board their confusion over the statements made in some of these fliers. Here is a list of some of the points made in those fliers and emails (reproduced in bold type below) followed by a statement of the facts with regard to the current 2/15 Draft:

#### **Flier Says: Rezoning of nearly 3,000 acres of agricultural lands to residential and commercial use**

The intent of the map redistricting is to assign current, built uses in districts consistent with their actual use. This affords protection of their property and neighborhood by aligning their current use with similar uses in a district that is like their current use. In fact, 3960 currently agriculturally zoned acres were redistricted to other uses more consistent with their actual current use or in the case of commercial property, their highest and best use consistent with adjacent existing uses and planned infrastructure. In addition, 4845 acres were rezoned from other uses to Agriculture. The net change in the proposed draft is an increase in agricultural district zoning by 885 acres of land. The flier statement is misleading. The County will have more agriculture district land.

#### **Flier Says: Elimination of Town Edge Districts and bypass local input into what uses will be allowed on the edge of incorporated towns**

Town Edge has been eliminated. True. The reason it was eliminated is that the Town Edge has not led to any new development adjacent to the towns. It was the intent of the Town Edge to encourage development near the towns, which is still the objective of the 2/15 draft zoning code. The problem with Town Edge was the difficulty to use the district to develop. It was structured in a way that created multiple layers of approvals at public hearings. This additional process is not attractive to people who want to develop. The proposed 2/15 draft code is intended to allow low impact uses near the towns without requiring a rezoning hearing. The specific zone proposed is similar to its original zoning prior to 2009 or based on the best type of use considering its adjacent uses and potential traffic generation. Eliminating town edge, simplifies the zoning process but still retains a special use requirement or requires performance standards for more intense uses or allows for a rezoning.

**Flier Says: Allowing invasive uses on agricultural lands, many without notice to neighbors, such as: waste incinerators, wastewater treatment plants, prisons, racetracks, shooting ranges, biomass oil refineries, manure storage, large scale poultry houses and more.**

Below are the 2/15 draft uses allowed in agriculture by right and the crossed out uses were deleted by the Board from the Public Hearing draft. Uses in bold type below are either a new use or redefined use.

Accessory dwelling - attached or detached

Accessory uses, structures or buildings

Adult day care center

Agricultural business office

**Agricultural crop production operation**

Agricultural research facility

Agriculture - domestic husbandry

Agriculture - intensive farming

Agriculture - traditional husbandry

**Agricultural support business**

~~Agriculture - production of a crop for food, fiber or fuel~~

**Animal shelter or pound**

**Artist and artisan studio < 1,000 sq. ft.**

Aquaculture

Aquaculture facility

**Aquaculture operation**

Assisted living facility (more than 12 people)

Basic utilities

Bed and breakfast

~~Biomass conversion to alternate fuel - small scale~~

Cemetery

Child day center

Children's residential facility (more than 12 people)

Civic groups, clubs and organizations

College

Educational services

Emergency services

**Family day home (1-5 people)**

**Family day home (6-12 people)**

**Farm stand**

Fishing - finfish and shellfish

**Fishing, commercial**

~~Floriculture and horticulture~~

**Floriculture operation**

~~Funeral home~~

Golf course

Government offices

Home occupations

**Horticulture operation**

~~Hospital~~

~~Hunting, commercial~~

~~Inn~~

~~Library~~

~~Manure storage structures, compost structures and lagoons~~

~~Marina~~

~~Medical facility~~

~~Meteorological towers~~

~~Migrant labor camp~~

~~Museum~~

~~Nature tourism~~

~~Office, professional or business~~

~~Park, may include indoor / outdoor recreation~~

~~Ponds, agricultural irrigation~~

~~Kennel or pound~~

~~Recreation, indoor~~

~~Recreation, outdoor~~

~~Recreational playing field~~

~~Recreational vehicle park and camp grounds~~

~~Religious institution, place of worship~~

**Residential facility (1-8 people)**

~~Research facility~~

**Sales, agricultural products and accessory goods**

~~School, primary or secondary~~

**SFD attached - , mixed use building**

~~SFD detached~~

~~SFD detached - double / triple wide manufactured home~~

~~SFD detached - singlewide manufactured home~~

~~SFD detached - temporary emergency housing~~

~~SFD detached - assisted living facility (1 to 12 people)~~

~~SFD detached - children's residential facility (1 to 12 people)~~

~~SFD detached - family day home (1 to 12 children)~~

~~SFD detached - temporary family health care housing~~

**Silviculture operation**

~~Temporary construction office building~~

~~Transit center~~

**Transit stop**

Uses similar to permitted uses

Uses, structures and buildings accessory to permitted uses

Vacation rental home

Veterinarian business

**Viticulture operation**

~~Waste water treatment plant~~

Wildlife and marine life preservation area

Wind turbine, small scale and wind mills ≤ 35 ft. in total height

Wind turbine, small scale > 120 ft. and ≤ 199 ft. in total height

Wind turbine, small scale > 35 ft. and ≤ 120 ft. in total height

Winery - licensed farm wineries

Wireless communication facilities

As is evident from the above list neither the public hearing draft nor the 2/15 draft have by right uses of prison, waste incinerators and the like. Uses such as waste water treatment plant were originally considered given the potential needs of some farm operations to provide treatment for operating by-products. The Board agreed that agricultural land should be focused on agriculture.

### **Flier Says: Changing density to as much as 400% over current limits**

Very little density increase is proposed. Densities are generally the same except in Hamlet the density can double to about 4/acre if building multi-family. Village is the same density if a special use permit is obtained under current zoning. The ability of building multi-family units, like a duplex or small apartment building has been added by right in some districts. The statement above must be taken from the extreme and unusual case where single family homes in the village district gets twice (200%) the density and the ability to build a second

principal dwelling. In fact, the minimum size where in two houses can exist with setbacks and separate water and septic systems are installed is one half acre, thus the density could not in practice get to a 400% increase.

**Flier Says: Reducing lot widths along the seaside villages from the current 250' to 60' or less**

Seaside zoning is mostly agriculture or conservation with a 250' shoreline width in place in the proposed 2/15 draft. The 60' shoreline width is only for Working Waterfront and Village Waterfront Business. These districts are designed to aid working waterfront uses and provide more flexible use of property for waterman. A small amount of waterfront land is zoned Hamlet and Village which is proposed to be 205' waterfront lot widths. Further, the entire seaside outside of working ports has a conservation district which includes a 100' shoreline building setback as a buffer along the shore. The complete conservation district shoreline was added when the CBPA was removed, but it remains even though the Board has reinstated the CBPA overlay on the Atlantic side.

**Flier says: Eliminates Mobile Home Parks as an allowed zoning district, making it illegal for existing mobile home parks to expand or add more homes.**

Currently a district exists for mobile home parks. This is changed to a Planned Unit Development (PUD) permission requiring such parks to present their plan of development for a public hearing before the Planning Commission and Board of Supervisors. Existing mobile home parks will continue as non-conforming uses. Such existing parks could replace existing mobile homes with new mobile homes and can add mobile home sites if they are on lots previously approved in a plan of development. Otherwise the expansion of an existing mobile home park would require filing a new PUD for approval.

**Flier Says: Eliminates the Chesapeake Bay Preservation Act on lands east of Route 13**

This idea was originally proposed in tandem with a 100' wide conservation district building setback along the entire seaside coast excepting the working harbor areas. It was proposed to reduce the restrictions placed on waterman as to operations along their waterfront limiting development within 100 feet of the water's edge. The idea was to make it easier to have efficient operations like a grading shed right at the docks without conflict from the 100 foot CBPA buffer. Since the aquaculture association informed the Board of their opposition to eliminating the CBPA from the seaside, the Board left in place the CBPA type regulations across the entire county as they are today. The 2/15 draft reflects this in proposed Chapter 158: Chesapeake Bay Preservation Act of Northampton County code.

**Flier Says: Bypasses the Planning Commission approval for many uses that now require special use permit**

There are currently thousands of individual uses which require special use permits. The Board directed the simplification of the process. The 2/15 draft greatly simplifies the list of uses. Many special use permit requirements were eliminated in favor of performance standards in an effort to get to the same result without forcing citizens to go through the time consuming and costly process of a special use permit. For uses which could potentially be offensive even following performance standards, an effort was made to include such uses as allowed only with a special use permit. Special use permits are still employed in the 2/15 draft.

**Flier Says: Dramatically increases density in most zoning districts, increasing the number of dwellings per acre from 400-4000%**

This statement is completely wrong. See the density chart to form your own conclusion.

**Flier Says: PUDs allowed anywhere land is available**

Yes, that is the PUD concept. It allows for the development of a cohesively designed development with its own rules, all of which must be reviewed by the Planning Commission and Board of Supervisors with public hearings and the opportunity for the proponent to offer proffers for the betterment of the community at large. A PUD must follow the rezoning process for approval. The current code has a similar provision for PUD type development.

**Flier Says: The proposed zoning ordinance flies in the face of the current Comprehensive Plan and violates the Commonwealth's stated goals, objectives, code and law. It proposes to (flier comment continues with bold type below followed by factual statement):**

**Calling for large scale development and paving of lands along the aquifer spine and thus violates state code 15.2-2223 and 15.2-2283**

This cited code offers guidance to communities as to what should be considered in designing a zoning code. It addresses the balance needed between many simultaneous topics all dealing with the public good. In fact less than 787 acres have been zoned commercial in the 2/15 draft. That's less than 1% of all land (.6% in fact). If such land is developed it must comply with environmental regulations including the retention of on-site rain water for percolation into the aquifer to address this specific concern. Also included among the things that should be considered is the economic viability of the county and the welfare and employment of its people. The proposed 2/15 draft is based on much research and study compiled by civic minded people, elected officials and staff.

**Counter state initiatives to support agriculture by rezoning nearly 3,000 acres of ag. land to residential or commercial use**

In fact the 2/15 draft proposes an increase in agriculture zoning district by 885 acres. Some land zoned agriculture but used as residential or commercial is proposed to be zoned for its actual use. Other lands currently not zoned agriculture but used as a farm are rezoned to agriculture.

**Eliminating mobile home parks as a permitted use**

Single wide mobile homes are permitted by right in agriculture districts per Virginia Code. In the current zoning code single wide mobile homes are permitted by right in only conservation and agriculture districts. The 2/15 draft permits single wide mobile homes by right in conservation, agriculture, R-5, hamlet and village districts. Single wide mobile homes are permitted with special use permit in R, R-1, and R-3 districts. In the current zoning code, single wide mobile homes require a special use permit in hamlet and village district. In the current code mobile home parks are a floating district. In the 2/15 draft they could be created as a PUD.

**Violates the stated goals for the Commonwealth in regard to density by increasing the number of houses per acre by over 4000%, running contrary to Code 15.2-2284**

The overall density of the 2/15 draft is greater than the current zoning by 100% or about twice. This density calculation does not include the count of accessory dwellings such as a mother-in-law cottage on a parcel. Most all of the increased density is in village and hamlet districts to focus growth in existing

neighborhoods and stimulate redevelopment or in former agriculture districts where existing homes on non-farm parcels were zoned to their actual use. There was no stated density increase in conservation and agriculture districts which got larger. The 2/15 draft density is still less than that possible under the current comprehensive plan. The statement above is wrong. In addition, it should be noted that there is no Virginia law with regard to increasing density by 4000%. The cited law actually says:

§ 15.2-2284. Matters to be considered in drawing and applying zoning ordinances and districts

Zoning ordinances and districts shall be drawn and applied with reasonable consideration for the existing use and character of property, the comprehensive plan, the suitability of property for various uses, the trends of growth or change, the current and future requirements of the community as to land for various purposes as determined by population and economic studies and other studies, the transportation requirements of the community, the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services, the conservation of natural resources, the preservation of flood plains, the protection of life and property from impounding structure failures, the preservation of agricultural and forestal land, the conservation of properties and their values and the encouragement of the most appropriate use of land throughout the locality.

The above guidance was adhered to by your Board of Supervisors.

## USES by DISTRICT

The following pages show the major changes to the use lists for each district. The lists show new uses in bold black and proposed deletions as strike through. Some uses that had definitional changes or were subdivided but otherwise included may not be shown. Refer to the actual 2/15 draft text for the full list. These changes were made as a result of public comment, Planning Commission recommendation, staff recommendation and/or Board of Supervisors consensus. This list does not show all of the uses permitted or by Special Use Permit for each district. For a complete lists please visit the Northampton County website at [www.co.northampton.va.us](http://www.co.northampton.va.us).

### §154.1-204 CONSERVATION (CNSV).

The following uses are permitted in this district.

**Artist and artisan studio ≤ 1,000 sq. ft.**  
~~Biomass conversion to alternate fuel—small scale~~  
**Farm stand**

**Single-wide mobile home**  
**SFD, detached**

The following uses require the issuance of a special use permit.

~~Office, professional or business~~  
~~Recreation and sports, motorized and motor vehicle related~~  
~~Recreation and sports, shooting related~~  
**Utility distribution plant or yard**

### §154.1-205 AGRICULTURAL (AG).

The following uses are permitted in this district.

~~Adult day care center~~  
**Agriculture support business**  
**Animal shelter or pound**  
**Artist and artisan studio ≤ 1,000 sq. ft.**  
~~Biomass conversion to alternate fuel—small scale~~  
~~Cemetery~~  
~~Child day center~~  
~~College~~  
~~Educational services~~  
**Farm stand**  
**Funeral home**  
~~Golf course~~  
~~Hospital~~  
~~Inn~~

~~Library~~  
~~Manure storage structures, compost structures and lagoons~~  
~~Marina~~  
~~Medical facility~~  
~~Office, professional or business~~  
~~Kennel or pound~~  
~~Recreation, indoor~~  
~~Recreational vehicle park and camp grounds~~  
**Sales, agricultural products and accessory goods**  
~~School, primary or secondary~~  
~~Transit center~~  
**Transit stop**  
~~Waste water treatment plant~~

The following uses require the issuance of a special use permit.

**Adult day center**  
**Artist and artisan studio > 1,000 sq. ft.**  
**Child day center**  
**College**  
~~Commercial services~~  
~~Commercial vehicle services~~  
**Educational services**  
**Funeral home**  
**Inn**  
**Kennel**  
**Library**

**Medical facility**  
**Office, professional or business ≤ 2,500 sq. ft.**  
**Recreational vehicle park and camp grounds**  
**Research facility**  
**Residential facility (more than 8 people)**  
~~Recreation and sports, motorized and motor vehicle related~~  
**School, primary or secondary**  
**Utility distribution plant or yard**  
**Waste related**  
**Waste water treatment plant**

## §154.1-206 HAMLET (H).

The following uses are permitted in this district.

Agricultural business office

**Artist and artisan studio**

Assisted living facility (more than 12 people)

Biomass conversion to alternate fuel—small scale

Cemetery

Children's residential facility (more than 12 people)

**Commercial services ≤ 2,500 sq. ft.**

College

Commercial services

Educational services

**Farm stand**

**Office, professional or business ≤ 2,500 sq. ft.**

Office, professional or business

Personal services ≤ 2500 sq. ft.

Ponds, agricultural irrigation

Recreation, indoor

Recreation, outdoor

Research facility

Restaurant

**Restaurant with no drive thru ≤ 2,500 sq. ft.**

Sales, retail general ≤ 2,500 sq. ft.

**Single-wide mobile home**

Wind turbine, small ≥ 35 ft. and ≤ 120 ft. in total height

The following uses require the issuance of a special use permit.

Adult day care center

**Agriculture support business**

**Animal shelter or pound**

College

**Commercial services > 2,500 sq. ft.**

Commercial vehicle services ≤ 2,500 sq. ft.

Educational services

Medical facility

Kennel or pound

**Office, professional or business > 2,500 sq. ft.**

**Personal services > 2,500 sq. ft.**

**Ponds, agricultural irrigation**

**Recreation, indoor**

**Recreation, outdoor**

Recreation and sports, motorized and motor vehicle related

**Restaurant with drive thru**

**Residential facilities (more than 8 people)**

**Retail food and beverage production**

Research facility

Sales, retail convenience

**Sales, retail general > 2,500 sq. ft.**

**Utility distribution plant or yard**

Wind turbine, small scale > 120 ft. and ≤ 199 ft. in total height

Wind turbine, small scale > 35 ft. and ≤ 120 ft. in total height

## §154.1-207 VILLAGE (V).

The following uses are permitted in this district.

Adult day care center

**Artist and artisan studio**

Assisted living facility (more than 12 people)

Biomass conversion to alternate fuel—small scale

Cemetery

Child day center

Educational services

**Commercial services ≤ 2,500 sq. ft.**

Dredge spoil disposal site

**Farm stand**

Government offices

**Inn**

**Office, professional or business ≤ 2,500 sq. ft.**

**Personal services ≤ 2500 sq. ft.**

Recreational vehicle park and camp grounds

Research facility

**Residential facility (1-8 people)**

Sales, agricultural products and accessory goods

**Sales, retail convenience ≤ 2,500 sq. ft.**

**Sales, retail general, ≤ 2500 sq. ft.**

**School, primary or secondary**

**Single-wide mobile home**

Viticulture operation

Waste water treatment plant

Wind turbine, small scale > 120 ft. and ≤ 199 ft. in total height

Wind turbine, small scale > 35 ft. and ≤ 120 ft. in total height

**Winery, licensed farm**

The following uses require the issuance of a special use permit.

Biomass conversion to alternate fuel—large scale

**Child day center**

**Commercial services > 2,500 sq. ft.**

Commercial Vehicle services ≤ 2,500 sq. ft.

**Dredge spoil disposal site**

**Government offices**

Inn

**Medical facility**

Mining or excavating of soil or other natural resources

**Office professional or business > 2,500 sq. ft.**

**Personal services > 2,500 sq. ft.**

**Recreational vehicle park and camp grounds**

**Sales, retail general, over 2500 sq. ft.**

**Waste water treatment plant**

Utility distribution plant or yard

Wind turbine, small scale > 35 ft. and ≤ 120 ft. in total height

### §154.1-208 VILLAGE – COMMERCIAL (V – C).

The following uses are permitted in this district.

Adult day care center

Agricultural business office

Agriculture support business

Artist and artisan studio

Assisted living facility (more than 12 people)

Biomass conversion to alternate fuel – small scale

Cemetery

College

Farm stand

Industrial services

Motel or hotel

Motorized and motor vehicle related sports and recreation

Ponds, agricultural irrigation

Research facility

Restaurant

Restaurant with no drive thru ≤ 2,500 sq. ft.

Sales, retail bulk

Sales, wholesale and industrial

Transit center

Wastewater treatment plant

The following uses require the issuance of a special use permit.

Animal shelter or pound

Commercial Vehicle services ≤ 2,500 sq. ft.

Ponds, agricultural irrigation

Research facility

Utility distribution plant or yard

College

Restaurant

Restaurant with drive thru

Sales, retail bulk

### §154.1-209 VILLAGE – WATERFRONT BUSINESS (V – WB).

The following uses are permitted in this district.

Accessory dwelling, attached or detached

Accessory uses, structures and buildings

Artist and artisan studio

Aquaculture operation

Basic utilities

Bed and breakfast

Civic groups, clubs and organizations

Commercial services ≤ 2,500 sq. ft.

Educational services

Emergency services

Family day home (1-5 people)

Family day home (6-12 people)

Farm stand

Fishing, commercial

Government offices

Home occupations

Inn

Marina

Mixed use building, MFD

Museum

Nature tourism

Office, professional or business ≤ 2,500 sq. ft.

Park,

Personal services ≤ 2,500 sq. ft.

Recreation, indoor

Recreation, outdoor

Religious institution, place of worship

Research facility

Restaurant with no drive thru ≤ 2,500 sq. ft.

Residential facility (1-8 people)

Retail food and beverage production

Sales, retail convenience ≤ 2,500 sq. ft.

Sales, retail general . ≤ 2,500 sq. ft.

SFD, attached

Mixed use building, SFD

SFD, detached

Temporary emergency housing

Single-wide mobile home

Temporary family health care housing

Temporary construction office

Transit stop

Uses similar to permitted uses

Vacation rental home

Veterinarian business

Wildlife and marine life preservation area

Wind turbine, small scale and wind mill ≤ 35 ft. in total height

Wireless communication facility

Working waterfront support uses, structures and buildings

The following uses require the issuance of a special use permit.

College  
Dredge spoil disposal site  
Hotel or motel  
Uses similar to special use permit uses  
Restaurant

Restaurant with drive thru  
Sales, retail general, > 2,500 sq. ft.  
Utility distribution plant or yard  
Wind turbine, small scale > 35 ft. and ≤ 120 ft. in total height

### **§154.1-210 WORKING WATERFRONT (WW).**

The following uses are permitted in this district.

Accessory uses, structures and buildings  
Artist and artisan studio  
Aquaculture operation  
Basic utilities  
Farm stand  
Fishing, commercial  
Marina  
Nature tourism

Temporary construction office building  
Transit stop  
Uses similar to permitted uses  
Uses, structures and buildings accessory to permitted uses  
Wildlife and marine life preservation area  
Working waterfront uses, structures and buildings  
Working waterfront support uses, structures and buildings

The following uses require the issuance of a special use permit.

Dredge spoil disposal site  
Government offices  
Museum  
Research facility  
Uses similar to special use permit uses  
Utility distribution plant or yard

Wind turbine, small scale and wind mill ≤ 35 ft. in total height  
Wind turbine, small scale > 120 ft. and ≤ 199 ft. in total height  
Wind turbine, small scale > 35 ft. and ≤ 120 ft. in total height  
Wireless communication facility

### **§154.1-211 COTTAGE COMMUNITY (CTCM).**

The following uses are permitted in this district.

Adult day care center  
Artist and artisan studio  
Assisted living facility (more than 12 people)  
Biomass conversion to alternate fuel—small scale  
Cemetery  
Commercial services  
Farm stand  
Government offices  
Library  
Marina

Personal services  
Recreation, indoor  
Recreation, outdoor  
Research facility  
Restaurant  
Restaurant with no drive thru ≤ 2,500 sq. ft.  
Sales, retail convenience  
Single-wide mobile home  
Wind turbine, small > 35 ft. and ≤ 120 ft. in total height

The following uses require the issuance of a special use permit.

Adult day care center  
Commercial vehicle services  
Marina  
Office, professional or business  
Personal services ≤ 2,500 sq. ft.  
Utility distribution plant or yard

Sales, retail general, ≤ 2,500 sq. ft.  
Wind turbine, small > 120 ft. and ≤ 199 ft. in total height  
Wind turbine, small scale > 35 ft. and ≤ 120 ft. in total height

### **§154.1-212 COMMERCIAL (C).**

The following uses are permitted in this district.

Agriculture support business

Animal shelter or pound

Artist and artisan studio  
~~Biomass conversion to alternate fuel—small scale~~  
~~Cemetery~~  
~~Children's residential facility (more than 12 people)~~  
Farm stand  
Golf course  
Heliport  
~~Research facility~~  
Restaurant with drive thru

Restaurant with no drive thru  $\leq 2,500$  sq. ft.  
~~SFD detached~~  
Transit center  
~~Utility distribution plant or yard~~  
~~Waste related~~  
Wind energy facility / wind energy test facility / wind turbine,  
large scale / wind turbine, utility-scale  
~~Wind turbine, small scale  $> 120$  ft. and  $\leq 199$  ft. in total height~~  
~~Wind turbine, small scale  $> 35$  ft. and  $\leq 120$  ft. in total height~~

The following uses require the issuance of a special use permit.

Airfield  
Heliport  
Utility distribution plant or yard  
Waste related

~~Research facility~~  
Sales, flammable materials  
Wind turbine, small scale  $> 35$  ft. and  $\leq 120$  ft. in total height

### **§154.1-213 INDUSTRIAL (I).**

The following uses are permitted in this district.

Agricultural support business  
Animal shelter or pound  
Artist and artisan studio  
~~Biomass conversion to alternate fuel—small scale~~  
~~Biomass conversion to alternate fuel—large scale~~  
~~Cemetery~~  
~~Civic groups, clubs and organizations~~  
Fishing, commercial  
~~Heavy manufacturing~~  
Heliport  
Mining or excavating of soil or other natural resources  
~~Museum~~  
Park, may include indoor / outdoor recreation

~~kennel or pound~~  
~~Recreation, indoor~~  
~~Recreation, outdoor~~  
Sales, flammable materials  
~~Sales, agricultural products and accessory goods~~  
Transit center  
~~Uses, structures and buildings accessory to permitted uses~~  
~~Utility distribution plant or yard~~  
~~Waste related~~  
Wind energy facility / wind energy test facilities / wind turbine,  
large scale / wind turbine, utility-scale  
~~Wind turbine, small scale  $> 120$  ft. and  $\leq 199$  ft. in total height~~  
~~Wind turbine, small scale  $> 35$  ft. and  $\leq 120$  ft. in total height~~

The following uses require the issuance of a special use permit.

Electricity generation facility  
Heavy manufacturing  
Heliport  
Mining or excavating of soil or other natural resources

Prison  
Utility distribution plant or yard  
Waste related  
Wind turbine, small scale  $> 35$  ft. and  $\leq 120$  ft. in total height

### **§154.1-214 RESIDENTIAL (R).**

The following uses are permitted in this district.

~~Agricultural business office~~  
~~Agricultural research facility~~  
Artist and artisan studio  
~~Aquaculture~~  
~~Aquaculture facility~~  
~~Biomass conversion to alternate fuel—small scale~~  
~~Cemetery~~  
~~Civic groups, clubs and organizations~~  
~~Educational services~~  
~~Emergency services~~

Farm stand  
~~Government offices~~  
~~Library~~  
MFD  
~~Personal services~~  
~~Recreation, indoor~~  
~~Recreation, outdoor~~  
~~Research facility~~  
~~Sales, agricultural products and accessory goods~~  
Wind turbine, small  $> 35$  ft. and  $\leq 120$  ft. in total height

The following uses require the issuance of a special use permit.

Airfield  
Heliport  
Recreation, indoor  
Recreation, outdoor  
Residential facility (more than 8 people)

Single-wide mobile home  
Utility distribution plant or yard  
Wind turbine, small scale > 35 ft. and ≤ 120 ft. in total height  
Wind turbine, small > 120 ft. and ≤ 199 ft. in total height

### **§154.1-215 RESIDENTIAL – 1 (R – 1).**

The following uses are permitted in this district.

Agricultural business office  
Agricultural research facility  
Artist and artisan studio  
Aquaculture  
Aquaculture facility  
Assisted living facility (more than 12 people)  
Biomass conversion to alternate fuel – small scale  
Cemetery  
Civic groups, clubs and organizations  
Educational services  
Emergency services  
Farm stand

Government offices  
Library  
MFD  
Personal services  
Recreation, indoor  
Recreation, outdoor  
Research facility  
Sales, agricultural products and accessory goods  
Wildlife and marine life preservation area  
Wind turbine, small > 35 ft. and ≤ 120 ft. in total height  
Winery – licensed farm wineries

The following uses require the issuance of a special use permit.

Heliport  
Recreation, indoor  
Recreation, outdoor  
Residential facility (more than 8 people)  
Single-wide mobile home

Wildlife and marine life preservation area  
Wind turbine, small scale > 35 ft. and ≤ 120 ft. in total height  
Wind turbine small > 120 ft. and ≤ 199 ft. in total height

### **§154.1-216 RESIDENTIAL – 3 (R – 3).**

The following uses are permitted in this district.

Adult day care center  
Agricultural business office  
Agricultural research facility  
Agriculture - domestic husbandry  
Artist and artisan studio  
Assisted living facility (more than 12 people)  
Biomass conversion to alternate fuel – small scale  
Cemetery  
Children's residential facility (more than 12 people)  
Civic groups, clubs and organizations  
Educational services

Emergency services  
Farm stand  
Fishing, commercial  
Government offices  
Library  
Personal services  
Recreation, indoor  
Recreation, outdoor  
Research facility  
Sales, agricultural products and accessory goods  
Wind turbine, small > 35 ft. and ≤ 120 ft. in total height

The following uses require the issuance of a special use permit.

Agriculture – domestic husbandry  
Airfield  
Heliport  
Nature tourism  
Recreation, indoor  
Recreation, outdoor

Recreation and sports, motorized and motor vehicle related  
Recreation and sports, shooting related  
Residential facility (more than 8 people)  
Single-wide mobile home  
Wind turbine, small scale > 35 ft. and ≤ 120 ft. in total height  
Wind turbine, small > 120 ft. and ≤ 199 ft. in total height

**§154.1-217 RESIDENTIAL – 5 (R –5).**

The following uses are permitted in this district.

- Adult day care center
- Agricultural business office
- Agricultural research facility
- Artist and artisan studio**
- Assisted living facility (more than 12 people)
- Biomass conversion to alternate fuel—small scale
- Cemetery
- Child day center
- Educational services
- Emergency services
- Farm stand**
- Government offices
- Library

- Personal services
- Ponds, agricultural irrigation
- Recreation, indoor
- Recreation, outdoor
- Research facility
- Sales, agricultural products and accessory goods
- Single-wide mobile home**
- SFD detached—Temporary emergency housing
- SFD detached—assisted living facility (1 to 12 people)
- SFD detached—children’s residential facility (1 to 12 people)
- SFD detached—family day home (1 to 12 children)
- SFD detached—Temporary family health care housing
- Wind turbine, small > 35 ft. and ≤ 120 ft. in total height

The following uses require the issuance of a special use permit.

- Airfield
- Golf course**
- Mining or excavating of soil or other natural resources
- Ponds, agricultural irrigation**
- Recreation and sports, motorized and motor vehicle related
- Recreation and sports, shooting related

- Recreation, indoor**
- Recreation, outdoor**
- Residential facility (more than 8 people)**
- Wind turbine, small scale > 35 ft. and ≤ 120 ft. in total height

**§154.1-218 RESIDENTIAL MIXED (RM).**

The following uses are permitted in this district.

- Adult day care center
- Assisted living facility (more than 12 people)
- Biomass conversion to alternate fuel—small scale
- Cemetery
- Civic groups, clubs and organizations
- Educational services
- Farm stand**
- Government offices
- Library
- Office, professional or business ≤ 2,500 sq. ft.**

- Personal services
- Recreation, indoor
- Recreation, outdoor
- School, primary or secondary**
- Viticulture operation**
- Wildlife and marine life preservation area
- Wind turbine, small > 35 ft. and ≤ 120 ft. in total height
- Winery, licensed farm**

The following uses require the issuance of a special use permit

- Child day center**
- Recreation, indoor**
- Recreation, outdoor**
- Residential facility (more than 8 people)**
- Single-wide mobile home**
- Wind turbine, small scale > 35 ft. and ≤ 120 ft. in total height
- Wind turbine, small > 120 ft. and ≤ 199 ft. in total height