

Zoning Ordinance Update

Supplemental Regulations for Residential, Civic, & Ag Uses

PC/BOS Joint Meeting

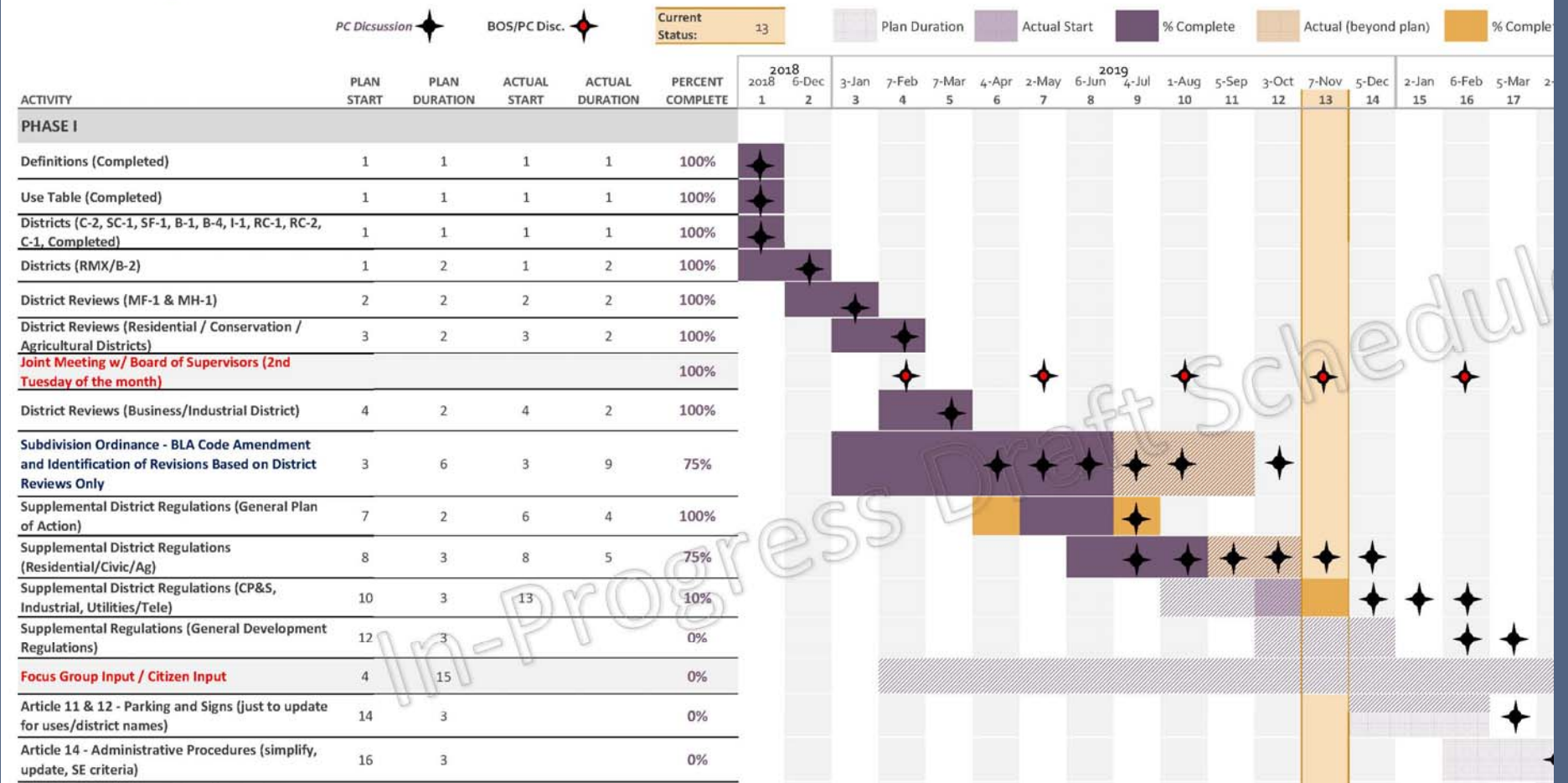
November 12, 2019



The land of the life worth living.

Schedule

Zoning Ordinance Rewrite (Work Plan)



Article 9 – Supplementary Regs

CATEGORY	CURRENT SECTION AND TITLE	PROPOSED SECTION AND TITLE	EXISTING OR PROPOSED
Other	9.0 General	N/A	Existing
Agriculture		<u>9-1.11 Application of Biosolids</u>	Proposed
Agriculture		<u>9-1.12 Aquaculture facility</u>	Proposed
Agriculture	RC-1/2 Misc. Column related to Intensive livestock production	<u>9-1.13 Concentrated Animal Feeding Operation</u>	Proposed
Agriculture	RC-1/2 Misc. Column related to Farm winery, farm brewer, farm distillery	<u>9-1.14 Farm winery, farm brewery limited, farm distillery limited</u>	Proposed
Agriculture	9.23 Seasonal Sales and Farmers Markets	<u>9-1.15 Farmers Market and Farm Produce Stand</u>	Existing
Agriculture		<u>9-1.16 Farm livestock market</u>	Proposed
Agriculture		<u>9-1.17 Farm wayside stand.</u>	Proposed
Animal		<u>9-1.21 Animal services facility</u>	Proposed
Animal	9.26 Chicken-keeping	<u>9-1.22 Chicken-keeping, backyard</u>	Existing
Animal		<u>9-2.23 Kennel</u>	Proposed
Animal	9.20 Keeping of livestock, for personal enjoyment	<u>9-1.24 Livestock, private use or enjoyment</u>	Existing
Animal	9.19 Commercial stables	<u>9-1.25 Stable, commercial</u>	Existing
Animal	9.18 Private stables	<u>9-1.26 Stable, private</u>	Existing
Outdoor		<u>9-1.31 Campground</u>	Proposed
Outdoor		<u>9-1.32 Firing range, outdoor</u>	Proposed
Outdoor		<u>9-1.33 Hunting and fishing clubs</u>	Proposed
Civic & Institutional		<u>9-2.1 Cemetery</u>	Proposed
Civic & Institutional		<u>9-2.2 Family day home</u>	Proposed
Civic & Institutional		<u>9-2.3 Park, natural area, or community facility</u>	Proposed
Civic & Institutional		<u>9-2.4 Residential group homes that are exempt - less than 8</u>	Proposed
Civic & Institutional	9.21 Transitional Homes and transitional community facilities	<u>9-2.5 Transitional Homes and transitional community facilities</u>	Existing

Article 9 – Supplementary Regs

CATEGORY	CURRENT SECTION AND TITLE	PROPOSED SECTION AND TITLE	EXISTING OR PROPOSED
Consumer		9-3.1 Adult business	Proposed
Consumer		9-3.2 Automobile impound facility	Proposed?
Consumer		9-3.3 Automobile/vehicle storage	Proposed?
Consumer Products/Services		9-3.4 Commercial indoor entertainment, amusement or sports	Proposed
Consumer Products/Services		9-3.5 Commercial outdoor entertainment, amusement, or sports, (minor/major)	Proposed
Consumer	9-30 Event facilities	9-3.6 Event facilities	Existing
Consumer		9-3.7 Hotels/hospitals/vets	Proposed?
Consumer		9-3.8 Sales, general store, country	Proposed?
Consumer		9-3.9 Sales, retail indoor	Proposed
Consumer		9-3.10 Sales, retail outdoor	Proposed
Consumer	9.23 Seasonal Sales and Farmers Markets	9-3.11 Seasonal sales	Existing
Consumer		9-3.12 Vehicle and engine repair service	Proposed?
Industrial		9-4.1 Contractor storage yards	Proposed
Industrial		9-4.2 Dredge spoil site	Proposed
Industrial		9-4.3 Industry, light, medium, heavy	Proposed
Industrial		9-4.4 Junkyard/landfill	Proposed
Industrial		9-4.5 Manufacturing, craft	Proposed
Industrial	9.17 Extractive manufacturing	9-4.6 Manufacturing, extractive	Existing
Industrial	9.29 Surface mineral mining	9-4.7 Mine, surface mineral	Existing
Industrial		9-4.8 Recycling facility, indoor	Proposed
Industrial		9-4.9 Recycling facility, outdoor	Proposed
Industrial		9-4.10 Seafood processing plant	Proposed
Industrial		9-4.11 Warehouse, mini	Proposed
Utilities	9.13 Commercial communication facilities	9-4.12 Commercial communication facilities	Existing
Utilities	9.28 Solar energy facilities	9-4.13 Solar energy facilities	Existing
Utilities	9.22 Small wind energy facilities	9-4.14 Wind energy facility, small system	Existing
Residential		9-5.1 Ancillary residential structure or use	Proposed
Residential		9-5.2 Dwelling, multifamily	Proposed
Residential	9.27 Accessory apartments and accessory dwellings	9-5.3 Dwelling, secondary	Existing
Residential	5.3 Town house	9-5.4 Dwelling, single family attached (townhouse)	Proposed
Residential	5.4 Conservation and countryside district development provisions	9-5.5 Dwelling, single family detached, cluster	Proposed
Residential		9-5.6 Dwelling, single family detached, conventional	Proposed
Residential	9.9 Home occupations	9-5.7 Home occupations	Existing

Article 9 – Supplementary Regs

CATEGORY	CURRENT SECTION AND TITLE	PROPOSED SECTION AND TITLE	EXISTING OR PROPOSED
Other - open space	9.15 Common open space within certain major subdivisions	Coordinate with Subdivision Ordinance Update. Add to "General Development Standards Applicable to All Districts"	Existing
Other - open space	9.16 Common open space and common improvement regulations	Coordinate with Subdivision Ordinance Update. Add to "General Development Standards Applicable to All Districts"	Existing
Other - subdivision	9.11 Family transfers	Coordinate with Subdivision Ordinance Update	Existing
Other - condo	9.12 Condominium development	Handle in the definitions section under definition for condominium -or- add a section to "General Development Standards Applicable to All Districts" under Outdoor storage, display and sales	Existing
Other - outdoor storage, display, sales		Add to "General Development Standards Applicable to All Districts" under Outdoor storage, display and sales -or- include in supplementary use regulations for each use needed	Proposed
Other - uses	9.5 Erection of more than one principal structure on a lot	Add to "General Development Standards Applicable to All Districts"	Existing
Other - uses	9.2 Conversion of dwelling to more units	Add to "General Development Standards Applicable to All Districts"	Existing
Other - Building Heights	9.7 Exception to height regulations	Add to each district under the height table -or- Add to "General Development Standards Applicable to All Districts" under buildings	Existing
Other - Setbacks	9.6 Architectural projections	Added to each district under the setbacks table.	Existing
Other - Setbacks	9.10 Exemption to yard regulations	Added to each district under the setbacks table.	Existing
Other - Setbacks	9.14 Front yard requirements adjacent to substandard rights-of-way	Add "General Development Standards Applicable to All Districts" -or- Add to all district regulations under setbacks	Existing
Other - Setbacks	9.8 Side and rear yard requirements for nonresidential uses abutting residential districts	Add to "General Development Standards Applicable to All Districts" under screening and buffering requirements	Existing
Other - Setbacks	9.4 Visibility at intersections	Add to "General Development Standards Applicable to All Districts"	Existing
Temporary	9.25 Freight containers	Add to "General Development Standards Applicable to All Districts"	Existing
Temporary	9.3 Temporary buildings, construction trailers, temporary portable storage containers, temporary portable waste collection containers, manufactured homes and travel trailers	Add to "General Development Standards Applicable to All Districts"	Existing
Temporary	9.24 Temporary family health care	Add to "General Development Standards Applicable to All Districts"	Existing
Temporary	9-3.1 Temporary offices	Add to "General Development Standards Applicable to All Districts"	Existing
Temporary		Food trucks /snow cone businesses regulations?	Proposed
Temporary		Porta Potty regulations?	Proposed

Residential Uses

- Ancillary residential structure/ use
- Dwelling, multifamily
- Dwelling, secondary →
- Dwelling, single family attached (townhouse)
- Dwelling, single family detached, cluster
- Dwelling, single family detached, conventional
- Home occupations →

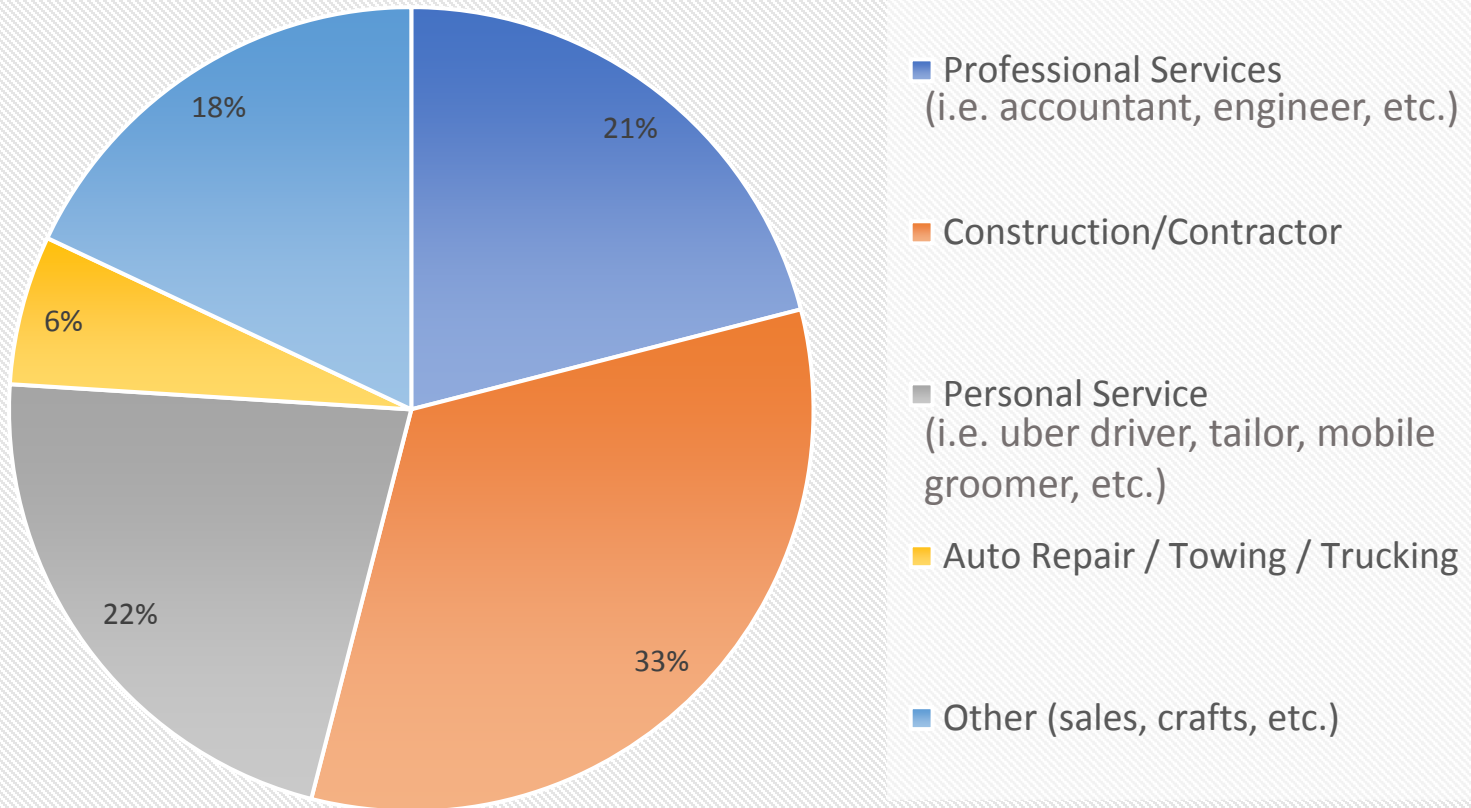


Home Occupations

- Home occupations in the county
- Things to consider when regulating home occupations
- Regulations – existing / proposed discussion

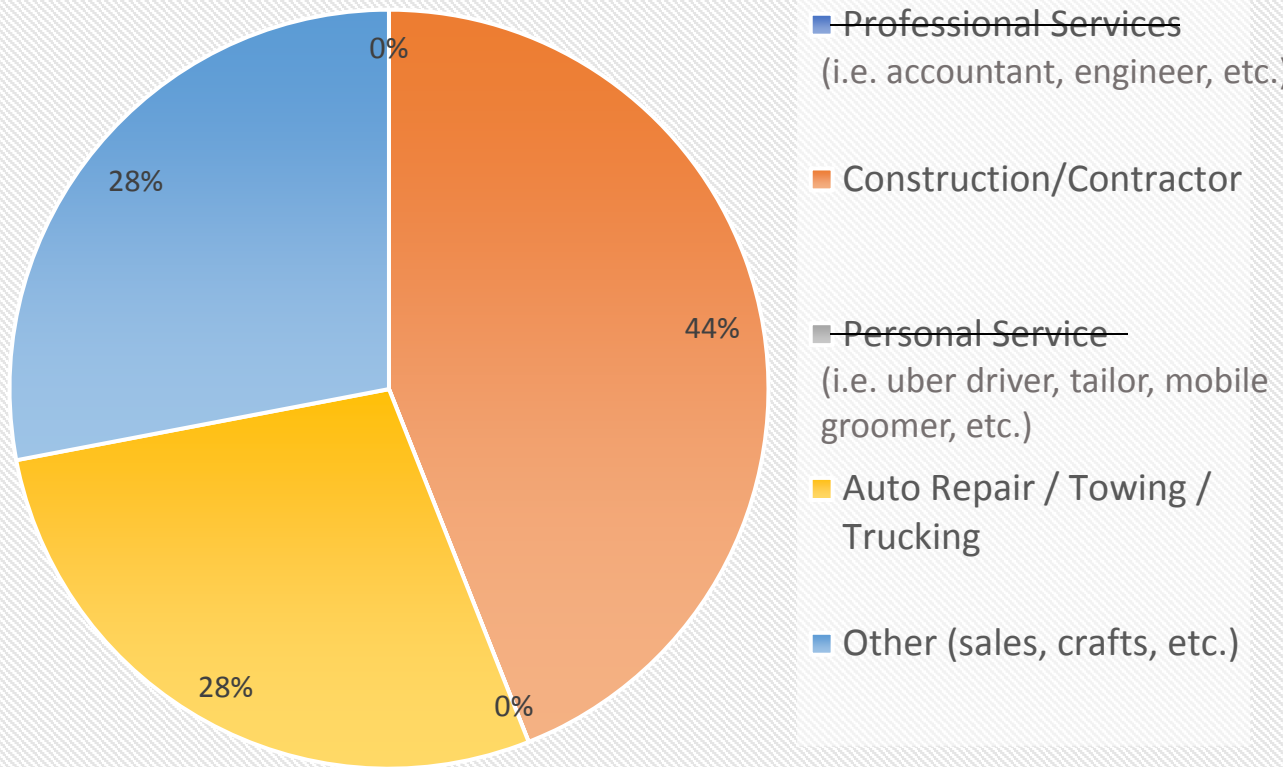
Home Occupations – Business Types

Home Occupation Types Permitted the Past Year
(251 total permitted by right)



Home Occupations – Denied

Home Occupations Denied by Business Type
Since 2009 (18 total denied)

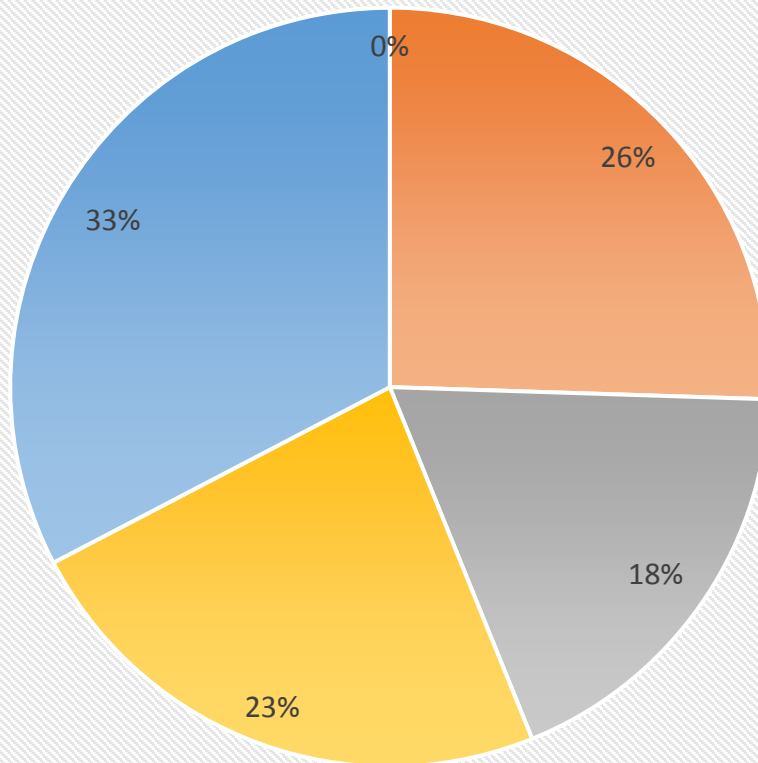


Reasons for Denials:

- Use not compatible w/ district (6)
- Use not provided for - not an HOP (4)
- Exceeds max. area (2)
- Storage of trucks / heavy equipment (2)
- Not bona fide residence (2)
- Outside storage of equipment (1)
- Inadequate acreage for livestock (1)

Home Occupation – Complaints

Home Occupation Complaints by Business Type - Since 2013
(44 total complaints)



- Professional Services
(i.e. accountant, engineer, etc.)
- Construction/Contractor
- Personal Service
(i.e. hair dresser, tailor, etc.)
- Auto Repair / Towing / Trucking
- Other (sales, crafts, etc.)

Home Occupations

Things to consider when regulating home occupations

- Enforcement: limited resources, inability to prove, complaint driven
- Compatibility with the district:
 - Residential -vs- commercial
 - Property rights -vs- property values (adjacent)
 - Impacts to quality of life for adjacent property owners
 - Noise ordinance: 10 PM to 7 AM (typical noise from vehicles not covered in noise ordinance)

Home Occupations

Things to consider when regulating home occupations, continued

- Commercial real estate taxes -vs- residential real estate taxes
 - Commercial use of residential can lower assessed values of adj residential property
 - Fewer rules, less incentive to move to business district
- Public -vs- private roads: road maintenance on private roads varies – need case by case review
- Current regulations are comparable to other similar localities

Home Occupation Regulations

Outdoor storage



Home Occupation Regulations

Outdoor Storage	Districts										
	Conserv	Agriculture		Residential				Mixed Use	Business		Industrial
	C-1	AG-1 (RC-1)	AG-2 (RC-2)	R-BC (C-2)	R-SC (SC-1)	R-SF (SF-1)	R-MF (MF-1)	R-MH (MH-1)	VMX (B-2/VMX)	B-G (B-1)	B-R (B-4)
Current	No outside storage.										
Recommended by PC	N/A	Allowed w/ 5 acre min lot size and screening; otherwise Special Exception (SE) required			Special Exception (SE) Required						N/A

1. What constitutes outside storage?
Vehicles, equipment, products, etc.?
2. What constitutes screening (screen type / screened from what)?
Fence, vegetation, buildings / adjacent residences, r-o-w, at the property line

Home Occupation Regulations

Outdoor operations



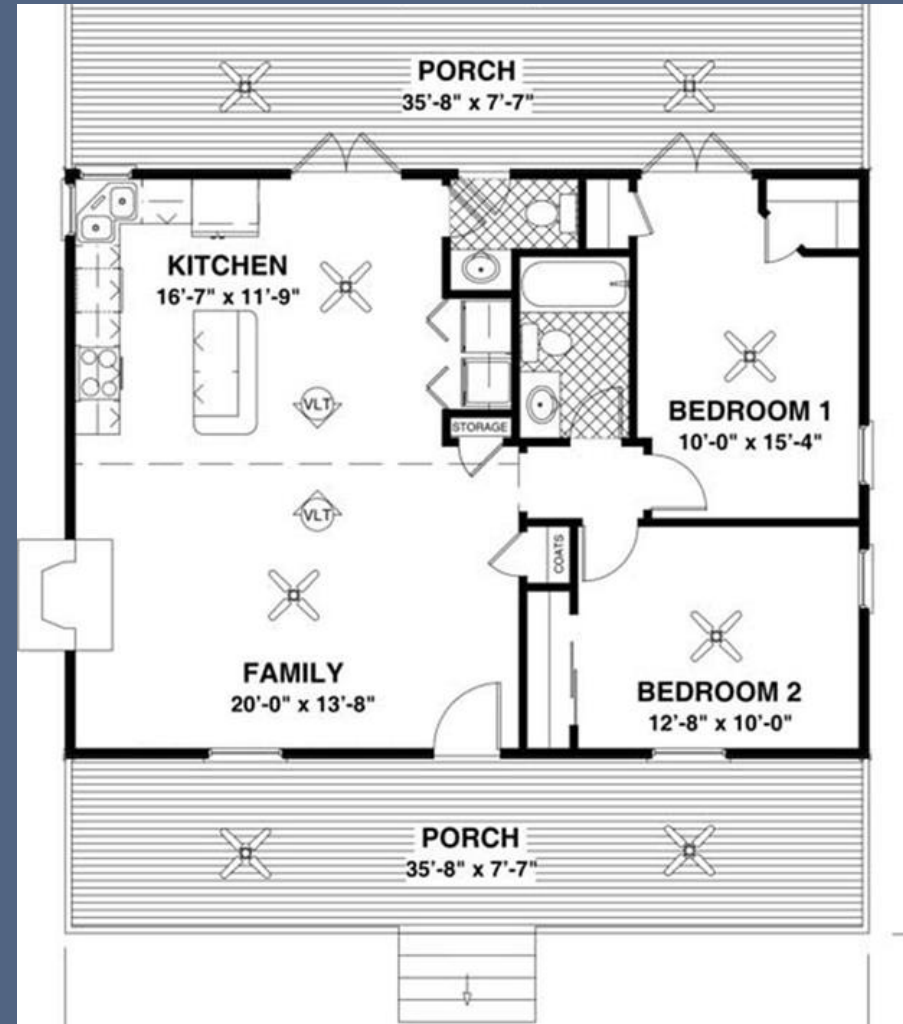
Home Occupation Regulations

Outdoor Operations	Districts										
	Conserv	Agriculture		Residential				Mixed Use	Business		Industrial
	C-1	AG-1 (RC-1)	AG-2 (RC-2)	R-BC (C-2)	R-SC (SC-1)	R-SF (SF-1)	R-MF (MF-1)	R-MH (MH-1)	VMX (B-2/VMX)	B-G (B-1)	B-R (B-4)
Current	No outdoor operations.										
Recommended by PC	N/A	Allowed w/ 5 acre min lot size, screening, and principal setbacks; Otherwise SE required			Special Exception (SE) Required						N/A

Home Occupation Regulations

Percentage (%) of principal SF utilized for the business

- Maximum floor area permitted for a home occupation is based on a percentage of the finished floor area of the residence



Home Occupation Regulations

% of principal utilized for the business	Districts										
	Conserv	Agriculture		Residential				Mixed Use	Business		Industrial
	C-1	AG-1 (RC-1)	AG-2 (RC-2)	R-BC (C-2)	R-SC (SC-1)	R-SF (SF-1)	R-MF (MF-1)	R-MH (MH-1)	VMX (B-2/VMX)	B-G (B-1)	B-R (B-4)
Current	35% maximum										
Recommended by PC	N/A	35% maximum; Otherwise SE required (up to 49% maximum)			35% maximum						N/A

Home Occupation Regulations

Commercial vehicles
≤ 7,500 lbs.



Mercedes Sprinter



Ford 350 Super Duty

Home Occupation Regulations

Commercial vehicles ≤7,500 lbs.	Districts											
	Conserv	Agriculture		Residential					Mixed Use	Business		Industrial
	C-1	AG-1 (RC-1)	AG-2 (RC-2)	R-BC (C-2)	R-SC (SC-1)	R-SF (SF-1)	R-MF (MF-1)	R-MH (MH-1)	VMX (B-2/VMX)	B-G (B-1)	B-R (B-4)	I-1
Current	One (1) commercial vehicle permitted											
Recommended by PC	N/A	One (1) allowed. More allowed w/ 5-acre lot size, screening & public road; Otherwise SE required					One (1) commercial vehicle permitted					N/A

1. How many commercial vehicles are allowed?
 - If more than one is allowed are they calculated in the maximum SF allowed for the business?
2. What constitutes a vehicle? Do trailers count?

Home Occupation Regulations

Commercial vehicles
> 7,500 lbs.



Dump Truck



Tractor Trailer

Home Occupation Regulations

Commercial vehicles >7,500 lbs.	Districts										
	Conserv	Agriculture		Residential				Mixed Use	Business		Industrial
	C-1	AG-1 (RC-1)	AG-2 (RC-2)	R-BC (C-2)	R-SC (SC-1)	R-SF (SF-1)	R-MF (MF-1)	R-MH (MH-1)	VMX (B-2/VMX)	B-G (B-1)	B-R (B-4)
Current	Not permitted; not compatible w/ district										
Recommended by PC	N/A	SE required			Not permitted				N/A		N/A

Home Occupation Regulations

Parking Restrictions



Home Occupation Regulations

Parking restrictions	Districts										
	Conserv	Agriculture		Residential				Mixed Use	Business		Industrial
	C-1	AG-1 (RC-1)	AG-2 (RC-2)	R-BC (C-2)	R-SC (SC-1)	R-SF (SF-1)	R-MF (MF-1)	R-MH (MH-1)	VMX (B-2/VMX)	B-G (B-1)	B-R (B-4)
Current	Not addressed										
Recommended by PC	N/A	On same property									N/A

1. Prohibit storage for home occupations on vacant lots as ancillary uses (recent complaints / zoning enforcement)

Home Occupation Regulations

All employees must
reside at the
residence



Home Occupation Regulations

Employees must reside at the residence	Districts										
	Conserv	Agriculture		Residential				Mixed Use	Business		Industrial
	C-1	AG-1 (RC-1)	AG-2 (RC-2)	R-BC (C-2)	R-SC (SC-1)	R-SF (SF-1)	R-MF (MF-1)	R-MH (MH-1)	VMX (B-2/VMX)	B-G (B-1)	B-R (B-4)
Current	All employees must reside at the residence										
Recommended by PC	N/A	No change - All employees must reside at the residence; Otherwise SE required (Type II)									N/A

Home Occupation Regulations

Employees not residing at residence or customer traffic



Home Occupation Regulations

Employees not residing at residence or customer traffic	Districts										
	Conserv	Agriculture		Residential				Mixed Use	Business		Industrial
	C-1	AG-1 (RC-1)	AG-2 (RC-2)	R-BC (C-2)	R-SC (SC-1)	R-SF (SF-1)	R-MF (MF-1)	R-MH (MH-1)	VMX (B-2/VMX)	B-G (B-1)	B-R (B-4)
Current	SE required										
Recommended by PC	N/A	SE required									N/A

Home Occupation Regulations

Structure must maintain residential character



Home Occupation Regulations

Must maintain residential character	Districts										
	Conserv	Agriculture		Residential				Mixed Use	Business		Industrial
	C-1	AG-1 (RC-1)	AG-2 (RC-2)	R-BC (C-2)	R-SC (SC-1)	R-SF (SF-1)	R-MF (MF-1)	R-MH (MH-1)	VMX (B-2/VMX)	B-G (B-1)	B-R (B-4)
Current	Required										
Recommended by PC	N/A	Required									N/A

Home Occupation Regulations

Signs	Districts										
	Conserv	Agriculture		Residential				Mixed Use	Business		Industrial
	C-1	AG-1 (RC-1)	AG-2 (RC-2)	R-BC (C-2)	R-SC (SC-1)	R-SF (SF-1)	R-MF (MF-1)	R-MH (MH-1)	VMX (B-2/VMX)	B-G (B-1)	B-R (B-4)
Current	Prohibited										
Recommended by PC	N/A	Allowed per the district (generally 4 SF res/20 ag)									N/A

as per the district – can only regulate size and location – not content

Home Occupation Regulations

Consider prohibited business types for HOP's



Home Occupation Regulations

Prohibited business types	Districts										
	Conserv	Agriculture		Residential				Mixed Use	Business		Industrial
	C-1	AG-1 (RC-1)	AG-2 (RC-2)	R-BC (C-2)	R-SC (SC-1)	R-SF (SF-1)	R-MF (MF-1)	R-MH (MH-1)	VMX (B-2/VMX)	B-G (B-1)	B-R (B-4)
Current	Those not compatible with the district										
Recommended by staff	N/A	See handouts (tow truck, engine repair, ?)									N/A

Home Occupation Regulations

Home occupations in secondary dwellings?



Home Occupation Regulations

HOPs in secondary dwellings	Districts										
	Conserv	Agriculture		Residential				Mixed Use	Business		Industrial
	C-1	AG-1 (RC-1)	AG-2 (RC-2)	R-BC (C-2)	R-SC (SC-1)	R-SF (SF-1)	R-MF (MF-1)	R-MH (MH-1)	VMX (B-2/VMX)	B-G (B-1)	B-R (B-4)
Current	HOPs allowed in bona-fide residence										
Recommended by staff	N/A	?									N/A

Questions?

Final Thoughts?

Ready to move on?



Ancillary residential structure or use

- Must meet ~~principal~~ accessory front and side yard setbacks —~~excluding piers~~
 - ~~Piers min 5 foot setback from adjoining parcel~~
- Maximum height 35'
 - Can go up to 50' if meet principal setbacks



Use	Districts											
	Conserv.	Agriculture		Residential					Mixed Use	Business		Industrial
	C-1	AG-1	AG-2	R-BC	R-SC	R-SF	R-MF	R-MH	VMX	B-G	B-R	I-1
Ancillary res structure/use		P	P	P	P	P			P			

Dwelling, multifamily

- Up to 12 DU / acre permitted with CUP
- CUP evaluation/approval criteria
 - Compliant with regulations of the zoning ordinance
 - Not detrimental to public health safety, etc.
 - Not injurious to adjacent property
 - Conforms to the character of the neighborhood
 - Public interest outweighs the individual interests adversely affected
 - No destruction of ecological, scenic archeological or historic importance
- Other evaluation/approval criteria
 - Traffic impacts
 - Setbacks / buffers



Dwelling, secondary

- B-G (B-1) and B-R (B-4) Districts
 - Only one permitted per commercial structure
 - No greater than 1,200 SF
 - In B-R can be either in the commercial structure or in an accessory structure
 - In B-G must be located in the commercial structure
 - SE required in B-1



B-R



B-G



B-G

Dwelling, secondary

- Ag, Rural Residential, & Single-family



- ~~• Owner of the lot must occupy the principal dwelling as their primary residence for all or some portion as primary or secondary residence.~~

- Other middle peninsula localities either don't allow (Essex/K&Q) or don't specify (Middlesex)
- Other Hampton Roads localities specify no rentals and/or require owner occupancy of at least one dwelling

- Only one secondary dwelling per primary residence (currently 2 are permitted – 1 in the primary residence and 1 in an accessory structure)

- No other localities researched allow more than 1 secondary dwelling

Dwelling, secondary

- Ag, Rural Residential and Single-family, continued
 - Lots \leq 2 acres – 800 SF or 35% of the principal structures gross floor area; in no case = or > than the principal dwelling
 - Lots $>$ 2 acres – 800 SF or 49% of the principal structures gross floor area; in no case = or > than the principal dwelling
 - Other localities cap SF at 400, 800, and 1,000 or cap # bedrooms.

Dwelling, secondary

- Ag, Rural Residential and Single-family, continued
 - Allow on lots with manufactured homes as primary dwelling
 - Manufactured home must be converted to real property. (Va. Code 46.2-653.1)
 - Not permitted in mobile home parks.



Dwelling, secondary

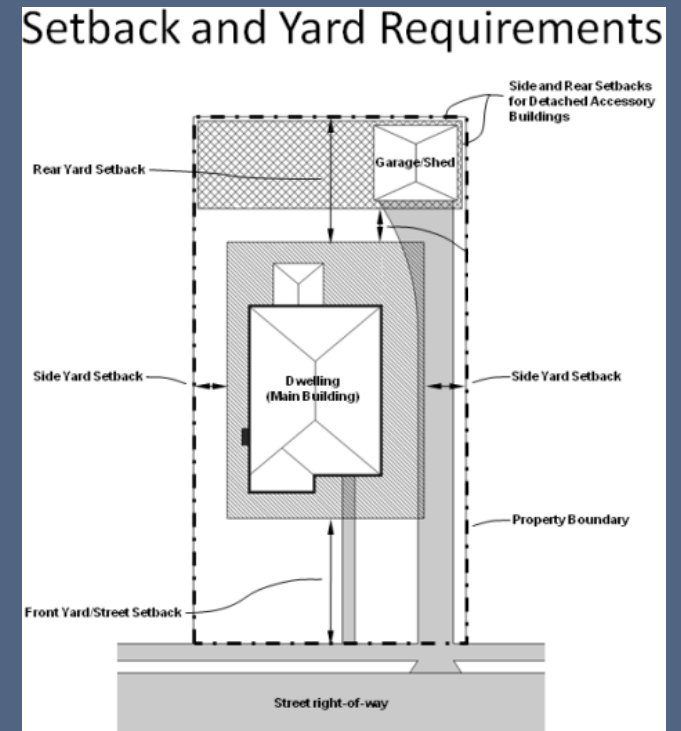
- Ag, Rural Residential and Single-family, continued
 - ~~If located in an accessory structure~~
 - ~~Building footprint of the detached structure containing the secondary dwelling — max 75% of the gross floor area footprint of the principal structure~~
 - Only JCC has similar requirement
 - Manufactured homes cannot be utilized as secondary dwellings

Accessory
Structure
75% max

Principal Residence

Dwelling, secondary

- Ag, Rural Residential and Single-family, continued
 - If located in an accessory structure
 - 15' ± 10' side and rear setbacks, or
 - As legally established prior to the date of this ordinance, if secondary dwelling is located in an existing accessory building (could be 5' or less)
 - Isle of Wight and JCC require secondary dwellings to meet principal setbacks. Others didn't specify.



Dwelling, single-family detached, conventional

- In Residential, Multi-family District (R-MF)
 - More than 1 single family detached dwelling on a lot can be allowed with a CUP



Civic Uses

- Cemeteries
- Churches
- Family day homes
- Park, natural area, and community facilities
- Residential Group Homes (1-8)
- Transitional homes and Transitional community facilities

Cemetery

- Exemptions

- Churchyard cemeteries
- Family cemeteries

- Setbacks (per Va. Code 57-26)

- 250 yards from any residence (If a state highway separates the residence 250 feet)
- 300 yards from any public water wells



- Must have frontage on or deeded access to a state road.

Use	Districts											
	Conserv	Agriculture		Residential					Mixed Use	Business		Industrial
	C-1	AG-1	AG-2	R-BC	R-SC	R-SF	R-MF	R-MH	VMX	B-G	B-R	I-1
Cemetery		SE <u>CUP</u>	SE <u>CUP</u>	SE <u>CUP</u>	SE <u>CUP</u>	SE <u>CUP</u>						

Churches & other places of worship

- Churches currently require additional setbacks in certain districts.
 - Staff proposed to utilize standard district setbacks.
 - When adjacent to residential, Article 9-8 will require additional setbacks/buffering

Use	Districts											
	Conserv	Agriculture		Residential					Mixed Use	Business		Industrial
	C-1	AG-1	AG-2	R-BC	R-SC	R-SF	R-MF	R-MH	VMX	B-G	B-R	I-1
Church		P	P	P	P	P	P	<u>P</u>	P	P	P	

Family Day Home



- There shall be no ~~signs~~(?), parking lots, or other features not normally found in a single-family neighborhood, but shall function in the manner of a normal single-family household and environment.
- Such a facility must comply with the minimum standards of the departments of building inspections, fire, and health.

Use	Districts											
	Conserv	Agriculture		Residential					Mixed Use	Business		Industrial
	C-1	AG-1	AG-2	R-BC	R-SC	R-SF	R-MF	R-MH	VMX	B-G	B-R	I-1
Family Day Home		P	P	P	P	<u>CUP</u>	<u>CUP</u>		<u>CUP</u>		<u>P</u>	

Park, natural area, or community facility

- “Lighting shall not shine directly on adjacent properties and shall not impair the safe movement of traffic. ~~All equipment and machinery shall be operated and maintained so as to minimize dust, noise, odor, and vibration.~~”
 - Add first sentence to General Development Standards
- **Proposed 50’ setback with screening for active recreational uses such as sports fields/courts, pools, etc. where adjacent to residential zones**

Use	Districts											
	Conserv	Agriculture		Residential					Mixed Use	Business		Industrial
	C-1	AG-1	AG-2	R-BC	R-SC	R-SF	R-MF	R-MH	VMX	B-G	B-R	I-1
Park, natural area...	P	P	P	P	P	P	P	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

Residential group home, 1-8 individuals

- Applicant for a group home shall have a license from either the Virginia Department of Behavioral Health and Developmental Services or the Virginia Department of Social Services.
 - Staff to obtain CA's opinion on having to permit in multi-family (district or facilities?) and if we can request a copy of the applicant's license.

Use	Districts											
	Conserv	Agriculture		Residential					Mixed Use	Business		Industrial
	C-1	AG-1	AG-2	R-BC	R-SC	R-SF	R-MF	R-MH	VMX	B-G	B-R	I-1
Residential group home, 1-8 ind.		P	P	P	P	P	P	P	P			

Transitional homes and Transitional Community Facilities

- Definitions:
 - Transitional Community Facility means a residential facility for the temporary accommodations of ~~more than eight (8)~~ nine (9) and up to a maximum of fifty (50) persons, including those on probation or parole, which provides supervision and appropriate levels of care, which may including counseling and rehabilitative services. This definition shall include homeless shelters.
 - Transitional Home means a residential facility for the temporary accommodations of no more than eight (8) persons, including those on probation or parole, which provides supervision and appropriate levels of care, which may including counseling and rehabilitative services.

Transitional Homes and Transitional Community Facilities

- Use shall obtain and maintain a license to operate issued by the Commonwealth of Virginia.
 - Staff to ask CA if we can require a copy of license.
- Additionally, the owner/applicant must submit an annual report to the zoning administrator, demonstrating compliance with all requirements and conditions.
- Minimum lot sizes? Setbacks? Or determine w/ CUP on a case by case basis?

Use	Districts											
	Conserv	Agriculture		Residential					Mixed Use	Business		Industrial
	C-1	AG-1	AG-2	R-BC	R-SC	R-SF	R-MF	R-MH	VMX	B-G	B-R	I-1
Transitional Community Facility										CUP		
Transitional home		CUP					CUP				CUP	

Agriculture Uses

- Application of Biosolids
- Aquaculture facility
- Concentrated animal feeding operations
- Farm brewery limited, farm distillery limited, and farm winery
- Farmers Market and Farm Produce Stand
- Farm livestock market
- Farm wayside stand

Application of Biosolids

- See Gloucester County Code Chapter 9.5 Health and Sanitation, Article IV Land Application of Biosolids for the procedures to be followed for land application of biosolids in the county.

Use	Districts											
	Conserv	Agriculture		Residential					Mixed Use	Business		Industrial
	C-1	AG-1	AG-2	R-BC	R-SC	R-SF	R-MF	R-MH	VMX	B-G	B-R	I-1
Application of biosolids		P										

Aquaculture Facility

- The applicant shall secure all appropriate permits required by federal, state, and local agencies.
- Setbacks shall be as required by the zoning district or as otherwise permitted by the Chesapeake Bay Preservation and Erosion Commission.
 - C-1 currently requires a 100' front, side and rear setbacks. Staff proposes to utilize the standard setbacks of the district (75' front/50' side/100' rear)

Use	Districts											
	Conserv	Agriculture		Residential					Mixed Use	Business		Industrial
	C-1	AG-1	AG-2	R-BC	R-SC	R-SF	R-MF	R-MH	VMX	B-G	B-R	I-1
Aquaculture Facility	SE	<u>P</u>	<u>P</u>	SE	<u>SE</u>					P	P	<u>P</u>

Concentrated Animal Feeding Operation



The applicant shall secure all appropriate permits required by federal, state, and local agencies. (DEQ VPDES Permit required)

2. Minimum lot size: 20 acres

3. Setbacks shall be as follows:

- a. From existing residences in a nonresidential district: 300 feet.
- b. From existing similar facilities not owned by the operator: 300 feet.
- c. From property lines and public roadways: 150 feet.
- d. From platted residential subdivisions, residentially zoned districts, manufactured home parks, schools, churches, publicly owned buildings and recreation areas, public

Use	Districts											
	Conserv	Agriculture		Residential					Mixed Use	Business		Industrial
	C-1	AG-1	AG-2	R-BC	R-SC	R-SF	R-MF	R-MH	VMX	B-G	B-R	I-1
Concentrated Animal Feeding Op		P	P									

Farm brewery, distillery, winery

- The applicant shall secure all appropriate permits required by federal, state, and local agencies.
- Property shall have frontage on, or exclusive deeded access to, a state-maintained road and be served by an entrance meeting the standards of the Virginia Department of Transportation. Waiver possible w/ approval of all property owners sharing the access.

Use	Districts											
	Conserv	Agriculture		Residential					Mixed Use	Business		Industrial
	C-1	AG-1	AG-2	R-BC	R-SC	R-SF	R-MF	R-MH	VMX	B-G	B-R	I-1
Farm brewery		P	P	<u>SE</u>	<u>SE</u>							
Farm distillery		P	P	<u>SE</u>	<u>SE</u>							
Farm winery		P	P	<u>SE</u>	<u>SE</u>							

Farmers Market & Farm Produce Stand



Farmers' Market



Farm Produce Stand

Use	Districts											
	Conserv	Agriculture		Residential					Mixed Use	Business		Industrial
	C-1	AG-1	AG-2	R-BC	R-SC	R-SF	R-MF	R-MH	VMX	B-G	B-R	I-1
Farmers market		SE	SE		<u>SE</u>				P	P	P	
Farm produce stand		SE	SE						P	P	P	

Farmers Market & Farm Produce Stand

- Application required to include:
 - Narrative of proposed activities
 - Sketch plan to scale showing parking, circulation, merchandise, etc.
 - Written authorization from property owner
 - Health Dept approvals or letter from VDH stating that none are required.
- Off-street parking and safe ingress/egress to the site required, VDOT approval may be required.
- Signs permitted in conformance with Article 12.
- Farmers Markets Only – No overnight storage of vehicles or permanent structures associated with the site's use as a farmers' market. **Temp structures OK during multi-day events.**
 - **Removal of limiting the permit to the season it is issued and the requirement for only daylight hours of operation.**

Farm Livestock Market

- A minimum right of way of fifty (50) feet to a state-maintained road. If access is not owned by the applicant, verification that they have the right to use the right-of-way for purposes of the proposed use.
- ~~Activities shall be conducted at least 500 feet from any residential district.~~
- Confirm w/ CA we can regulate in Ag



Use	Districts											
	Conserv	Agriculture		Residential					Mixed Use	Business		Industrial
	C-1	AG-1	AG-2	R-BC	R-SC	R-SF	R-MF	R-MH	VMX	B-G	B-R	I-1
Farm livestock market		<u>SE</u> <u>CUP</u>	<u>SE</u> <u>CUP</u>	<u>SE</u>							<u>SE</u> <u>CUP</u>	

Farm Wayside Stand



- Front yard setback: 35 feet
- At least fifty (50) percent of the merchandise shall be produced on the site or on other properties owned or leased by the owner of the site.
- Access shall be clearly delineated and provide safe ingress and egress, may be subject to review by VDOT.



Use	Districts											
	Conserv	Agriculture		Residential					Mixed Use	Business		Industrial
	C-1	AG-1	AG-2	R-BC	R-SC	R-SF	R-MF	R-MH	VMX	B-G	B-R	I-1
Farm wayside stand		P	P	SE	SE							

Questions?



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