

5-30.1. Regulations for Zoning District C-2, Bayside Conservation District.

(1) **Intent.** The intent of the C-2 district is to allow low density residential development in a manner which protects natural resources in a sensitive environment. The intent is further to prevent soil and shore erosion, to reduce hazards from flood, hurricane, and fire, and to protect wetlands. A limited amount of residential development is permitted and clustering is encouraged to achieve the district's intent.

(2) **Permitted Uses** (also listed in Table of Uses Permitted by District, Sec. 5-70).

- a. The use table in e below lists Permitted uses (P) through administrative review, uses permitted by Special Exception (SE), and uses permitted by Conditional Use Permit (CUP). Refer to Article 14 – Administrative Procedures Sections 14-16 thru 14-23 for procedures related to Special Exceptions (SEs) and Conditional Use Permits (CUPs). **(Revise as needed once Art 14 is revised and reorganized.)**
- b. Certain uses have additional, modified or more stringent standards listed in Article 9B Supplementary Use Regulations. References to those regulations are identified in the use table in (e) below for each use in which they apply.
- c. No building or structure shall be erected, added to, structurally altered, or land use be established or changed in use without a permit issued by the administrator.
- d. **In the C-2 district only one permitted principal use and its associated structures may be established on a single lot except as otherwise permitted by Special Exception or Conditional Use Permit (CUP).**
- e. **Use Table for C-2 Bayside Conservation District.**

Permitted Uses: C-2 Bayside Conservation District	Supplemental Regulations	P	SE	CUP
Agricultural, Animal, and Outdoor				
Agriculture				
Agricultural operation			√	
Agritourism			√	
Aquaculture facility	9B-2.20		√	
Farm brewery, limited	9B-2.40		√	
Farm distillery, limited	9B-2.40		√	
Farm wayside stand	9B-2.60		√	
Farm winery	9B-2.40		√	
Forestry operation		√		
Animal				
Animal care and/or training facility (Kennel)	9B-3.10		√	
Animal shelter, private	9B-3.10		√	
Animal training services	9B-3.20		√	

Permitted Uses: C-2 Bayside Conservation District	Supplemental Regulations	P	SE	CUP
Domestic pets		√		
Livestock, private use or enjoyment	9B-3.40	√		
Livestock, private use or enjoyment, requesting acreage reduction	9B-3.40		√	
Stable, commercial	9B-3.50	√		
Stable, private	9B-3.60	√		
Stable, private requesting acreage reduction	9B-3.60		√	
Outdoor				
Campground	9B-4.10			√
Camping, personal use or enjoyment	9D-30	√		
Firing range, outdoor	9B-4.20			√
Golf course				√
Hunting and fishing clubs		√		
Marina				√
Nature based tourism				√
Outdoor recreational club				√
Wetland mitigation bank				√
Civic and Institutional Uses				
Cemetery	9B-5.10			√
Churches and other places of worship		√		
Day care center, adult			√	
Day care center, child			√	
Family day home, 5-12 children	9B-5.20	√		
Fire and/or EMS company stations		√		
Food pantry / soup kitchen				√
Lodge halls and clubs				√
Museum		√		
Park, natural area, or community recreation facility	9B-5.30	√		
Public building / facility		√		
Residential group homes, 1-8 individuals	9B-5.40	√		
Residential group homes, 9+ individuals	9B-5.40			√
Schools, private in-home		√		
Schools, public elementary/secondary		√		
Consumer Products and Services (commercial)				
Event facility	9B-6.80			√
Firing range, indoor	9B-6.90			√
Sales, general store, country	9B-6.100		√	

Permitted Uses: C-2 Bayside Conservation District	Supplemental Regulations	P	SE	CUP
Consumer Products and Services (commercial) Lodging				
Bed and breakfast			√	
Inn				√
Industrial and Utilities				
Industrial				
Airstrip, private				√
Dredge spoil site				√
Freight containers as accessory structures	9D-10	√		
Manufacturing, extractive	9B-7.30			√
Mine, surface mineral	9B-7.40			√
Sawmills				√
Seafood processing plant				√
Utilities				
Commercial communication facility, major	9B-8.10		√	
Commercial communication facility, minor	9B-8.10	√		
Power utility-electric	9B-8.20			√
Solar energy facility, private large-scale, ground mounted	9B-8.30			√
Solar energy facility, private large-scale, roof mounted / solar canopy	9B-8.30	√		
Solar energy facility, private small-scale	9B-8.30	√		
Uses required for provision and maintenance of public utilities	9B-8.40	√		
Wind energy facility	9B-8.50	√		
Residential				
Ancillary residential structure or use	9B-9.10	√		
Dwelling, accessory	9B-9.20	√		
Dwelling, single-family detached, cluster	9B-9.50	√		
Dwelling, single-family detached, conventional	9B-9.60	√		
Home occupation, Type I	9B-9.70	√		
Home occupation, Type II	9B-9.70		√	

(3) **Minimum Lot Area and Maximum Residential Density.**

a. Lot size:

- i. Minimum lot area: 5 acres (or as specified in Article 9B Supplementary Use Regulations for specific uses)

- ii. Minimum frontage/average lot width: 250 feet (or as specified in Article 9B Supplementary Use Regulations for specific uses)
- b. Density: Maximum residential density: 0.2 dwelling units per gross acre; See Section 9B-9.50 for clustered single family residential and Section 9B-9.20 for **accessory** dwellings.

(4) **Lot coverage.** As required by other local, state, or federal regulations including but not limited to Chesapeake Bay Preservation and Stormwater Management Ordinances.

(5) **Setback requirements.**

a. Setback table.

	Front	Side	Rear
Principal Building / Structure	75 feet	50 feet	100 feet
Accessory Building / Structure	75 feet	5 feet	5 feet

- b. Additional Setback Regulations:
 - i. For nonconforming lots of record see Section 10-3 Nonconforming lots of record.
 - ii. If lot is part of a cluster subdivision, the setbacks shall be the same as those required for the cluster subdivision. See Article 9B-9.50 for cluster developments.
 - iii. There is no setback requirement for fences **or retaining walls**; however on corner lots **they must comply with Article 9E Other Regulations “Visibility at Intersections” Section 9E-30** and fences within the Highway Corridor Overlay District must comply with Article 6A Highway Corridor Development District setbacks.
 - iv. Architectural projections, as defined in Article 2, shall be considered parts of the building to which attached and shall not project into the required minimum front, side, or rear yard and shall comply with the requirements of the Virginia Uniform Statewide Building Code.
 - v. **There is no setback requirement for residential utilities and utility shelters such as well pump houses, heating, ventilation, and air conditioning (HVAC) units, generators, and the like.**
 - vi. **Where a development requiring a site plan is proposed to encompass and be situated on multiple existing lots, the lot lines separating said lots shall be vacated through the preparation and recordation of a plat in accordance with the subdivision ordinance. There shall be no fee for boundary line vacation plats necessitated by this requirement. The recordation of such plat shall be required prior to site plan approval. In the event the development**

proposed can stand alone on each of the lots and in compliance with all applicable setback, parking, and other zoning requirements, then vacation of the lot lines shall not be required. Buildings cannot straddle property lines unless they meet building code requirements and are located in a zoning district where setback requirements do not apply.

(6) Building / Structure Requirements. Maximum footprint and height.

	Maximum Footprint	Maximum Height <i>See i & ii below.</i>
Principal Building / Structure	None	50 feet
Accessory Building / Structure	None	35 feet <i>See iii below.</i>

i - The height limitations do not apply to buildings / structures used for agricultural purposes or to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy except where the height of such structures will constitute a hazard to the safe landing and take-off of aircraft at an established airport. For uses such as commercial communication facilities, solar energy facilities, utilities, and wind energy facilities see associated Article 9B Supplementary Use Regulations.

*ii - The maximum permitted height of principal buildings located in designated special flood hazard areas inundated by the one hundred (100) year flood shall be **an additional five (5) feet above the** height limitation set forth **above.***

iii - If an accessory building meets principal building setback requirements, it may also utilize the same maximum height.

(7) Other Requirements. (None)

(8) Other Regulations. The following regulations may be applicable to uses in this district.

- a. See Article 6A Highway Corridor Development District. For lots located along Route 17 additional requirements apply.
- b. See Article 9A for Supplementary Regulations applicable to all Districts.
- c. See Article 9B for Supplementary Use Regulations

- d. See Article 9C for Screening and Buffering regulations
- e. See Article 9D for regulations related to Temporary and Accessory Uses/Structures.
- f. See Article 10 for regulations related to Nonconformities.
- g. See Article 11 for regulations related to Off-Street Parking and Loading Facilities.
- h. See Article 12 for regulations related to Signs.