

Section 5-3. Regulations for Zoning District AG-1, Rural Countryside District

5-3.1 Intent. The Rural Countryside district is an agriculture district. The intent of the AG-1 district is to conserve farm and forest land and to encourage agricultural activities, thereby helping to ensure that commercial agriculture and silviculture will continue as long term land uses and viable economic activities within the county. The AG-1 district is also established to preserve natural features and the rural landscape, while allowing low density residential development when it is located and designed to minimize its impact on agricultural land, farming and silviculture, and sensitive environmental features; to create attractive rural developments; and to respect existing features of the rural landscape. Cluster development is encouraged to better achieve these goals.

5-3.2 Permitted Uses (also identified in Table of Uses Permitted by District, Sec. 5-14).

The following table 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 (SE’s) and Conditional Use Permits (CUPs). **(Revise as needed once Art 14 is revised and reorganized.)**

The Zoning Administrator may permit similar uses by written determination if the Administrator determines that nature of the use is essentially the same as the listed use and that the impacts are no greater. **Uses not specifically defined may be permitted by a Conditional Use Permit.** The uses are subject to all other applicable requirements contained in the ordinance. Certain uses have additional, modified or more stringent standards listed in Article 9 Supplementary Use Regulations.

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. In the AG-1 district, buildings or other structures associated with the production of agricultural or forestal products are exempt from obtaining a zoning permit and the district regulations identified in items 5-3.3 thru 5-3.7 on the following pages.

Permitted Uses	Supplemental Regulations	P	SE	CUP
Agricultural, Animal, and Outdoor				
Agriculture				
Agricultural operation		√		
Agritourism		√		
Application of Biosolids	9-xx	√		
Aquaculture facility	9-xx	√		
Concentrated animal feeding operation	9-xx	√		
Farm brewery, limited	9-xx	√		
Farm distillery, limited	9-xx	√		
Farmers' market	9-23		√	
Farm livestock market				√
Farm produce stand	9-23		√	
Farm wayside stand		√		
Farm winery	9-xx	√		
Forestry operation		√		
Animal				
Animal services facility			√	
Kennel			√	
Livestock, private use or enjoyment	9-20	√		
Livestock, private use or enjoyment, requesting acreage reduction	9-20		√	
Stable, commercial	9-19	√		
Stable commercial requesting acreage reduction	9-19		√	
Stable, private	9-18	√		
Stable, private requesting acreage reduction	9-18		√	
Outdoor				
Campground	9-xx		√	
Firing range, outdoor	9-xx			√
Golf course			√	
Hunting and fishing clubs		√		
Marina				√
Nature based tourism			√	
Outdoor recreational club			√	
Wetland mitigation bank				√
Civic and Institutional Uses				
Cemetery	9-xx	√		
Churches and other places of worship		√		
Day care center, adult			√	
Day care center, child			√	
Family day home, 5-12 children	9-xx	√		

Permitted Uses	Supplemental Regulations	P	SE	CUP
Fire and/or EMS company stations		√		
Lodge halls and clubs			√	
Museum		√		
Park, natural area, or community facility	9-xx	√		
Residential group homes, 1-8 individuals		√		
Residential group homes, 9+ individuals				√
Schools, private and post secondary	9-xx*			√
Schools, public elementary/secondary	9-xx*	√		
Transitional Home, 1-8 individuals				√
Consumer Products and Services (commercial)				
Commercial outdoor entertainment, amusement, or sports, major				√
Commercial outdoor entertainment, amusement or sports, minor				√
Event facility	9-30			√
Sales, general store, country			√	
Sales, retail/wholesale, outdoor				√
Consumer Products and Services (commercial) Lodging				
Bed and breakfast			√	
Inn				√
Industrial and Utilities				
Industrial				
Airport, commercial				√
Airstrip, private				√
Contractor storage yards			√	
Dredge spoil site				√
Industry, light			√	
Manufacturing, craft			√	
Manufacturing, food and beverage production and/or processing				√
Mine, surface mineral	9-29			√
Organic waste recycling facility				√
Sawmills		√		

Permitted Uses	Supplemental Regulations	P	SE	CUP
Seafood processing plant			√	
Utilities				
Commercial communication facility, major	9-13		√	
Commercial communication facility, minor	9-13	√		
Solar energy facility, large-scale	9-28	√		
Solar energy facility, small-scale	9-28	√		
Solar energy facility, utility -scale	9-28	√		
Utilities		√		
Wind energy facility	9-22	√		
Residential				
Ancillary residential structure or use	9-xx	√		
Dwelling, secondary	9-27	√		
Dwelling, single-family detached, cluster	9-xx	√		
Dwelling, single-family detached, conventional		√		
Home occupation, Type I	9-9	√		
Home occupation, Type II	9-9		√	
Manufactured Home	9-xx	√		

5-3.3 Minimum Lot Area and Maximum Residential Density.

(a) Lot size:

1. Minimum lot area: 5 acres
2. Minimum frontage/average lot width: 250 feet

(b) Density:

1. Maximum residential density: 0.2 dwelling units per gross acre; see article 9-xx for clustered single family residential and article 9-27 for secondary dwellings.

5-3.4 Lot coverage. As required by other local, state, or federal regulations including but not limited to Chesapeake Bay Preservation and Stormwater Management Ordinances.

5-3.5 Setback requirements.

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

(a) Additional Setback Regulations:

1. For nonconforming lots of record see Section 10-3 Nonconforming lots of record.
2. If lot is part of a cluster subdivision, the setbacks shall be the same as those required for the cluster subdivision. See article 9-xx for cluster developments.
3. There is no setback requirement for fences, however fences on corner lots must comply with General Development Regulations “Visibility at Intersections” section x-xx and fences within the Highway Corridor Overlay District must comply with Article 6A Highway Corridor Development District setbacks. *(confirm we don't want fences in the 50' setback area of HCDD).*
4. 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.

5-3.6 Building Requirements. Maximum building footprint and height.

	Maximum Footprint	Maximum Height <i>See 1 below.</i>
Principal Building	None	50 feet
Accessory Building	None	35 feet <i>See 2 below.</i>

1 - The height limitations contained in the official schedule of district regulations do not apply to buildings intended for agricultural uses or to spires, belfries, cupolas, antennas, water tanks, windmills, 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 9 Supplementary Regulations.

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

5-3.7 Other Requirements.

- (a) See Article 11 General Development Standards for requirements related to Screening and Buffering, Off-Street Parking and Loading Facilities, and Signs.
- (b) **Development and use activities shall not result in the destruction, loss, or damage of a natural, scenic, or historic features listed on the national or state register of historic places.**

5-4. Regulations for Zoning District AG-2, Rural Conservation District

5-4.1 Intent. The Rural Conservation district is an agriculture district. The intent of the AG-2 is to protect the natural resources of the Bayside area of the county, to preserve prime agricultural soils, to protect watersheds and wildlife habitat, to reduce hazards from flood, hurricane, and fire, to protect wetlands, and to preserve large contiguous areas of open space and forests. A limited amount of residential development is permitted and clustering is encouraged to achieve the district's intent.

5-4.2 Permitted Uses (also identified in Table of Uses Permitted by District, Sec. 5-14).

The following table 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 (SE’s) and Conditional Use Permits (CUPs). **(Revise as needed once Art 14 is revised and reorganized.)**

The Zoning Administrator may permit similar uses by written determination if the Administrator determines that nature of the use is essentially the same as the listed use and that the impacts are no greater. **Uses not specifically defined may be permitted by a Conditional Use Permit.** The uses are subject to all other applicable requirements contained in the ordinance. Certain uses have additional, modified or more stringent standards listed in Article 9 Supplementary Use Regulations.

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. In the AG-2 district, buildings or other structures associated with the production of agricultural or forestal products are exempt from obtaining a zoning permit and the district regulations identified in items 5-4.3 thru 5-4.7 on the following pages.

Permitted Uses	Supplemental Regulations	P	SE	CUP
Agricultural, Animal, and Outdoor				
Agriculture				
Agricultural operation		√		
Agritourism		√		
Aquaculture facility	9-xx	√		

Permitted Uses	Supplemental Regulations	P	SE	CUP
Concentrated animal feeding operation	9-xx	√		
Farm brewery, limited	9-xx	√		
Farm distillery, limited	9-xx	√		
Farmers' market	9-23		√	
Farm livestock market				√
Farm produce stand	9-23		√	
Farm wayside stand		√		
Farm winery	9-xx	√		
Forestry operation		√		
Animal				
Animal services facility			√	
Kennel			√	
Livestock, private use or enjoyment	9-20	√		
Livestock, private use or enjoyment, requesting acreage reduction	9-20		√	
Stable, commercial	9-19	√		
Stable commercial requesting acreage reduction	9-19		√	
Stable, private	9-18	√		
Stable, private requesting acreage reduction	9-18		√	
Outdoor				
Campground	9-xx		√	
Firing range, outdoor	9-xx			√
Golf course			√	
Hunting and fishing clubs		√		
Marina				√
Nature based tourism			√	
Outdoor recreational club			√	
Wetland mitigation bank				√
Civic and Institution Uses				
Cemetery	9-xx	√		
Churches and other places of worship		√		
Day care center, adult			√	
Day care center, child			√	
Family day home, 5-12 children	9-xx	√		
Fire and/or EMS company stations		√		
Lodge halls and clubs			√	

Permitted Uses	Supplemental Regulations	P	SE	CUP
Museum		√		
Park or natural area	9-xx	√		
Residential group homes, 1-8 individuals		√		
Residential group homes, 9+ individuals				√
Schools, private and post secondary				√
Schools, public elementary /secondary	9-xx	√		
Consumer Products and Services (commercial)				
Commercial outdoor entertainment, amusement or sports, minor				√
Event facility	9-30			√
Sales , general store, country			√	
Consumer Products and Services (commercial) Lodging				
Bed and breakfast			√	
Inn				√
Industrial and Utilities				
Industrial				
Airstrip, private				√
Dredge spoil site				√
Industry, light			√	
Manufacturing, craft			√	
Manufacturing, food and beverage production and//or processing				√
Sawmills				√
Seafood processing plant			√	
Utilities				
Commercial communication facility, major	9-13		√	
Commercial communication facility, minor	9-13	√		
Solar energy facility, large-scale	9-28			√
Solar energy facility, small-scale	9-28	√		
Solar energy facility, utility -scale	9-28			√
Utilities		√		
Wind energy facility	9-22	√		

Permitted Uses	Supplemental Regulations	P	SE	CUP
Residential				
Ancillary residential structure or use	9-xx	√		
Dwelling, secondary	9-27	√		
Dwelling, single-family detached, cluster	9-xx	√		
Dwelling, single-family detached, conventional		√		
Home occupation, Type I	9-9	√		
Home occupation, Type II	9-9		√	
Manufactured Home	9-xx	√		

5-4.3 Minimum Lot Area and Maximum Residential Density.

(a) Lot size:

1. Minimum lot area: 5 acres
2. Minimum frontage/average lot width: 250 feet

(b) Density:

1. Maximum residential density: 0.2 dwelling units per gross acre; see article 9-xx for clustered single family residential and article 9-27 for secondary dwellings.

5-4.4 Lot coverage. As required by other local, state, or federal regulations including but not limited to Chesapeake Bay Preservation and Stormwater Management Ordinances.

5-4.5 Setback requirements.

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

(a) Additional Setback Regulations:

1. For nonconforming lots of record see Section 10-3 Nonconforming lots of record.

2. If lot is part of a cluster subdivision, the setbacks shall be the same as those required for the cluster subdivision. See article 9-xx for cluster developments.
3. There is no setback requirement for fences, however fences on corner lots must comply with General Development Regulations “Visibility at Intersections” section x-xx and fences within the Highway Corridor Overlay District must comply with Article 6A Highway Corridor Development District setbacks. **(confirm we don’t want fences in the 50’ setback area of HCDD).**
4. 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.

5-4.6 Building Requirements. Maximum building footprint and height

	Maximum Footprint	Maximum Height <i>See 1 below.</i>
Principal Building	None	50 feet
Accessory Building	None	35 feet <i>See 2 below.</i>

1 - The height limitations contained in the official schedule of district regulations do not apply to buildings intended for agricultural uses or to spires, belfries, cupolas, antennas, water tanks, windmills, 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 9 Supplementary Regulations.

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

5-4.7 Other Requirements.

- (a) See Article 11 General Development Standards for requirements related to Screening and Buffering, Off-Street Parking and Loading Facilities, and Signs.

(b) Development and use activities shall not result in the destruction, loss, or damage of a natural, scenic, or historic features listed on the national or state register of historic places.

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