

**ARTICLE IV - USE AND DESIGN STANDARDS**

**SEC. 30-80 USE AND DESIGN STANDARDS**

- (A) The standards contained in the district regulations in Article III shall apply to all of the following use types, unless specifically modified and/or superseded by the use and design standards below.
- (B) The standards listed as general standards shall apply in all districts in which the use type is permitted by right or permitted subject to approval of a special use permit, as indicated in Article III, District Regulations.
- (C) Where a specific zoning district is indicated, the standards listed below shall apply to that zoning district, in addition to any general standards listed for that use.

**SEC. 30-81 AGRICULTURAL AND FORESTRY USES**

**Sec. 30-81-1 (RESERVED)**

**Sec. 30-81-2 Commercial Feedlots (Confined Animal Feeding Operations)**

- (A) Commercial feedlots shall be prohibited in all AV districts.
- (B) General standards:
  1. Minimum setbacks: 150 feet from the right-of-way of any public road or road of record for dairy/beef cattle, 1000 feet for poultry, and 2500 feet for swine.  
  
250 feet from any property line other than the above right-of-way for dairy/beef cattle, 1000 feet for poultry, and 2500 feet for swine.  
  
300 feet from any dwelling for dairy/beef cattle, 1000 feet for poultry, and 2500 feet for swine.  
  
1000 feet from platted residential subdivisions, residentially zoned districts, mobile home parks, public schools, hospitals, churches, county and community recreation areas, and public facilities for dairy/beef cattle, 2000 feet for poultry, and 5000 feet for swine.  
  
250 feet from blue line streams for dairy/beef cattle, 2000 feet for poultry, and 3000 feet for swine; 1000 feet from public water sources for dairy/beef cattle, 2000 feet for poultry, and 3000 feet for swine.
  2. Minimum acreage requirements for dairy/beef cattle, poultry or swine operations shall be as determined by Virginia Department of Environmental Quality and the Nutrient Management Plans as approved by Department of Conservation and Recreation. In the case of differing acreage requirements, the greater shall apply.
  3. Any commercial feedlot proposed shall prepare and follow a management plan for responsible and environmentally safe management of all animal wastes. Such plan shall be approved by the Virginia Department of Environmental Quality, Department of Conservation, and any other required agencies.

4. Commercial feedlots shall be laid out and established consistent with the design recommendations and standards set forth in the most recent issue of Best Management Practices Handbook of the Virginia Department of Environmental Quality.

**(Ord. of 02.11.02)**

**Sec. 30-81-3 Farm Employee Housing**

(A) General standards:

1. An accessory manufactured home shall be permitted as an accessory use to an agricultural use exclusively for a farm employee and his/her family in accordance with the requirements contained in Section 30-82-6.
2. No more than one farm employee dwelling for every 25 acres of land, or portion thereof, in the agricultural use shall be permitted.
3. Multi-family housing may be constructed for orchards and other agricultural uses which rely on temporary seasonal employees. Such housing shall only be used for accommodating temporary seasonal employees during periods of their employment as a farm employee of the orchard or other agricultural use.
4. All farm employee housing shall comply with the setback requirements for a principal structure.

**Sec. 30-81-4 Forestry Operations**

(A) General standards:

1. The following restrictions shall apply to the establishment and operation of a temporary sawmill:
  - a. A temporary sawmill shall only be established to process timber cut from the parcel on which the temporary sawmill is located or on immediately adjacent parcels.
  - b. A special use permit shall be required from the board of supervisors, in accordance with Article I, for periods in excess of 6 months.
  - c. A temporary sawmill shall be located at least 200 feet from any residence located on an adjoining property.
  - d. No processing, milling, finishing, or artificial means of drying green lumber shall be associated with a temporary sawmill.
  - e. Green lumber and all other products and by-products from the temporary sawmill shall be removed from the site at least every 60 days.
  - f. Buildings associated with a temporary sawmill shall be limited to shelter for the sawmill equipment and essential shelter for personnel. No building shall be erected for the storage, processing or drying of green lumber.

**Sec. 30-81-5 Stable, Private**

(A) General standards:

1. Minimum lot size: 2 acres.
2. Maximum animal density: 1 animal per fenced acre. One acre per residence shall be subtracted from the total acreage to determine the number of animals allowed on each parcel.
3. Stables and corrals shall comply with all the setback requirements for accessory buildings.
4. Stables shall properly manage animal waste so as to not create a nuisance or health hazard to adjoining or nearby property owners.
5. Perimeter of all animal confinement areas shall be adequately fenced.

**(Ord. of 09.08.03)**

**Sec. 30-81-6 Stable, Commercial**

(A) General standards:

1. Minimum lot size: 5 acres.
2. Maximum animal density: 1 animal per fenced acre.
3. Minimum setback for stables and riding arenas: 50 feet from all property lines.
4. Accessory tack shops not exceeding 1,000 square feet are permitted in conjunction with commercial stables.
5. Commercial stables shall prepare and follow a management plan for responsible and environmentally safe management of all animal wastes. Such plan shall be approved, when required, by the Virginia Department of Environmental Quality, Division of Water. Animal waste shall not create a nuisance or health hazard to adjoining property owners.
6. Perimeter of all animal confinement areas shall be adequately fenced.

**Sec. 30-81-7 Wayside Stands**

(A) General standards:

1. Front yard setback: 35 feet from any public right-of-way.
2. Goods and/or merchandise shall be produced on the site of the stand, on adjoining contiguous property or on other properties owned or leased by the owner of the site on which the wayside stand is located.
3. Entrances and exits to roads shall be clearly delineated, shall be so located as to provide safe ingress and egress from roads, and shall be approved by the Virginia Department of Transportation.

- 4. Size limitation for stands: 1,500 square feet.
- 5. Side and rear yard setbacks shall comply with the requirements of the underlying zoning district for accessory structure.

**Sec. 30-81-8 Sewage Sludge Storage**

- (A) There shall be no storage of sewage sludge in the County except in districts noted on the permitted use table.
- (B) A special use permit shall not be required for storage of sewage sludge on a farm as long as such sludge is being stored (i) solely for land application on that farm and (ii) for a period no longer than 45 days. For the purpose of this section “farm” shall be defined as contiguous tracts of land titled in the name of the same owner.
- (C) Only Class A or B Biosolids shall be placed into storage facilities.
- (D) In order for a special use permit to be issued, the applicant shall present evidence that the storage of sewage sludge in the proposed facility will not adversely affect the public health, safety and welfare of its citizens and the environment.
- (E) The requirements of this section regarding storage of sewage sludge shall be in addition to the local testing and monitoring ordinance permitted under subsection C of §62.1-44.19:3 of the Code of Virginia as may be adopted by the Board of Supervisors as part of Chapter 7 of this Code from time to time.

**(Ord. of 07.23.07)**

**SEC. 30-82 RESIDENTIAL USES**

**Sec. 30-82-1 Accessory Apartments**

- (A) Intent - Accessory apartments afford an opportunity for the development of small rental units designed to meet the special housing needs of single persons, persons with fixed or limited income, and relatives of families who live or desire to live in the county. Accessory apartments provide a degree of flexibility for homeowners with changing economic conditions and/ or family structure, while providing a reasonable degree of protection for existing property values. In addition, these provisions are provided to recognize formally previously established apartments and provide for improved safety and physical appearance.
- (B) General standards:
  - 1. An accessory apartment shall only be considered as an accessory use to a detached single family residence and no accessory apartment shall be located in any structure other than the principal structure on the lot, except as otherwise permitted in subsection (C) below.
  - 2. Maximum floor area: Upon completion of the construction, the accessory apartment shall not contain more than 50 percent of the finished floor area of the principal dwelling located on the same lot, but in no case shall the accessory apartment exceed 1,000 square feet.

3. Only one accessory apartment shall be allowed on any one lot or parcel, and the owner of the property shall reside on the premises.
4. Exterior entrances to the apartment shall be located so as to appear as a single family dwelling.
5. Minimum floor area of the apartment: 300 square feet.
6. One parking space shall be required in addition to required parking for the principal dwelling.

(C) Additional standards in the AP and AR districts:

1. An accessory apartment may be permitted in a building other than the principal building provided:
  - a. The parcel contains a minimum of 3 acres.
  - b. The building in which it is located complies with all setback requirements for a principal building.

(D) General standards in the C-1 and C-2 districts, independent of the General standards above:

1. The accessory apartment shall be allowed only in the same structure as, and in conjunction with, an associated civic, office, or commercial use type.
2. The civic, office or commercial use type must occupy at least 50 percent of the gross floor area of the structure.

**(Ord. of 07.08.02)**

**Sec. 30-82-1.5 Alternative Discharging Sewage Systems**

(A) Intent - The existence of untreated sewage poses a clear and documented risk to public health and safety. The following provisions are intended to permit by special use permit the replacement of a failed septic system or other approved method of sewage disposal on property which contains a single family residence constructed prior to the date of this ordinance and where no other alternative for sewage disposal exists. These systems are not considered by Bedford County to be a proven nor acceptable technology for general application or new construction since they conflict with the growth management and resource protection policies contained in the county's comprehensive plan. However, these systems provide a more acceptable method of sewage disposal than no sewage disposal at all for residences which pre-existed this ordinance.

(B) Special Application Requirements and Procedures:

1. Formal application shall be made to the Virginia Department of Health (VDH) in accordance with Section 2.12 of the VDH regulations. No application to Bedford County will be accepted until a formal application has been submitted to and received by VDH.

2. In addition to the application requirements and procedures established in Article I of this ordinance, no application for a special use permit shall be considered until the information listed below is provided.
  - a. A copy of the application form and material(s) submitted to VDH;
  - b. Written documentation from VDH that all other methods of sewage disposal permitted in Virginia have been investigated and that the alternative discharging sewage system is the only remaining alternative for this improved property;
  - c. Documentation supporting conformance with the criteria contained in subsection (C) 2. below; and,
  - d. The tax map number, name and mailing address of all property owners 1,000 feet downstream of the proposed discharge point along the fall line, based on the most recent real estate books for Bedford County, or other municipality if appropriate.
3. In addition to all other notice requirements contained in Article I of this ordinance and otherwise required by law, all property owners located 1,000 feet downstream from the discharge point along the fall line shall be notified by first class mail at least 10 days prior to the public hearing(s). The zoning administrator shall be responsible for this notification. The applicant shall be responsible for the cost of postage.
4. Wherever possible, the review and consideration of a request for a special use permit shall be coordinated with the review procedures and requirements of VDH and the Virginia Department of Environmental Quality, Division of Water.

(C) General standards:

1. All proposed alternative discharging sewage systems shall comply with the regulations and requirements of the Virginia Department of Environmental Quality, Division of Water and the Virginia Department of Health (VDH) pursuant to Section 62.1-44.2 et seq. and Section 32.1-163 and 164 of the Code of Virginia, respectively, as may be amended. The primary regulations which govern the permitting and installation of these systems are contained in the VDH regulations titled "Alternative Discharging Sewage Treatment System Regulations for Individual Single Family Dwellings (VR 355-34-400)."
2. A special use permit request shall only be considered when the following criteria is met:
  - a. The residence is located more than 300 feet from an existing or proposed public sewer line, or when 300 feet or less, is otherwise unable to connect to public sewer due to topography or other physical constraint, as determined by the Bedford County Public Service Authority; and,
  - b. The proposed alternative discharging sewage system is solely for replacing a failed septic system or other approved method of sewage disposal for a property which contains a single family residence constructed prior to the effective date of this ordinance.

3. All systems proposed for use in Bedford County shall be classified under Section 2.25 of the VDH regulations as having either preliminary or general approval for use in Virginia. Systems with experimental approval shall be prohibited in Bedford County.
4. In Bedford County, the location of the discharge point shall be limited to a year-round stream as defined in Section 3.2 of the VDH regulations, except as allowed in item (C)5 below.
5. Use of an intermittent stream or dry ditch as the discharge point may be permitted by the board of supervisors under the following conditions:
  - a. The use of an intermittent stream or dry ditch is included as a specific condition of the special use permit;
  - b. Specific conditions are attached to the permit pertaining to additional levels of treatment, security of the discharge point, ownership of the property or a perpetual easement for a distance downstream from the discharge point, and other criteria essentially to protect the public health and safety; and,
  - c. None of the conditions attached to the permit are less restrictive than the requirements contained in Section 3.7 of the VDH regulations unless specifically varied or modified by VDH and incorporated into the conditions of the special use permit.
6. Prior to issuance of an operating permit by VDH, a notice shall be recorded with the clerk of the circuit court advising future purchasers of the legal obligations associated with the method of sewage disposal located on the property. At a minimum, this shall include notice that the approval must be re-permitted every five years or upon change of ownership as required by VDH regulations, that a maintenance contract must remain in full force at all times, that VDH shall have the right of access to the property, and that the health department and Bedford County do not warrant in any way the continued compliance with county, state, and federal standards and assumes no liability for the continued use of this technology for sewage disposal. This document shall be approved by the county attorney's office prior to recordation.
7. A copy of all formal and informal testing results required under Section 3.11 of the VDH regulations shall be submitted to the county health department and the county department of planning, in addition to any other agency or location required by law.
8. Any special use permit approved by Bedford County shall run concurrently with the operating permit approved by VDH. Upon expiration or revocation of the operating permit, the special use permit shall also expire or be revoked. No special use permit shall be valid for a period greater than five years.
9. Requests to renew a permit of an existing system shall be considered as though it were a separate and new request for a special use permit and shall meet all of the requirements of this ordinance. Recurring requests for a permit due to repeated revocations of an operating permit or failure to comply with the requirements of the VDH regulations, including failure to maintain a current maintenance contract at

all times, may be sufficient grounds for denial of a new special use permit by the board of supervisors.

- 10. Any violation of the VDH regulations for the construction, operation and maintenance of an alternative discharging sewage system shall be considered a violation of any special use permit approved under this ordinance.
- 11. Any variance or waiver approved by VDH shall not automatically be binding on the board of supervisors in considering or approving a special use permit.

**Sec. 30-82-2 Home Beauty/Barber Salon**

- (A) Intent - Under certain unique circumstances, a small-scale beauty and/or barber shop may be an appropriate use within a residential dwelling. The standards and procedure for establishing such uses are intended to limit the scope and nature of such uses and insure compatibility with the adjoining properties.
- (B) In the AP, AR, and in all residential districts, including residential use types in the PRD, PCD, and PID, the following standards shall apply:
  - 1. The applicant shall submit documentation that an infirmity exists which prevents either the salon operator or a permanent occupant of the dwelling unit from regularly leaving the dwelling to pursue gainful employment.
  - 2. The salon shall be limited to one chair only.
  - 3. The retail sale of beauty and barber supplies shall be prohibited.
- (C) In the AV, C-1, and C-2 districts, a home beauty/barber salon shall be limited to no more than two chairs.

**(Ord. of 06.14.99)**

**Sec. 30-82-3 Home Occupations, Type I and Type II**

- (A) Intent - These provisions are adopted in recognition that certain small-scaled commercial activities may be appropriate accessory uses within residential dwellings. The character and scale of such commercial activities must be subordinate and incidental to the principal use of the premises for dwelling purposes, and must be consistent with the predominant residential character of the property and/or surrounding neighborhood. In addition, these provisions are intended to limit the size of such home occupations so as to not create an unfair competitive advantage over businesses located in commercially zoned areas.
- (B) General standards:
  - 1. More than one home occupation may be permitted provided the total floor area used for all home occupations do not exceed the applicable Type I or Type II standard.
  - 2. No dwelling or structure shall be altered, occupied, or used in a manner which would cause the premises to differ from a character consistent with a residential use. The use of colors, materials, construction, lighting, or other means inconsistent with a residential use shall be prohibited.

3. There shall be no outside storage of goods, products, equipment, or other materials associated with the home occupation. No toxic, explosive, flammable, radioactive, or other hazardous materials used in conjunction with the home occupation shall be used, sold, or stored on the site. The sale of firearms as a home occupation shall be prohibited.
4. The type and volume of traffic generated by a home occupation shall be consistent with the traffic generation characteristics of other dwellings in the area. In addition, the lot or property on which the home occupation is conducted shall not have any parking spaces added to it during the time the home occupation is being conducted, nor shall any parking space be used that was not customarily or regularly used prior to that time.
5. The home occupation shall not involve the commercial delivery of materials or products to or from the premises.
6. The home occupation shall not increase demand on water, sewer, or garbage collection services to the extent that the combined demand for the dwelling and home occupation is significantly more than is normal to the use of the property for residential purposes.
7. No equipment or process shall be used in a home occupation which creates noise in excess of 60dB(A) measured at the property line, or vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the premises or through common walls. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises or through common walls.
8. No activity in conjunction with a home occupation shall be conducted before 7:00 a.m. or after 10:00 p.m. that adversely impacts or disturbs adjoining property owners.

(C) Additional standards for all Type I home occupations:

1. The maximum floor area permitted for a home occupation shall be 10 percent of the finished floor area of the dwelling unit. Storage of goods or products shall not exceed 5 percent of the finished floor area.
2. No one other than permanent residents of the dwelling shall be engaged or employed in such occupation.
3. There shall be no display or storage of goods or products visible from the public or private right-of-way or adjacent property.
4. The sale of goods or products produced on the premises, or providing services which involve the consumer coming to the premises shall be limited to no more than 8 customers or vehicles per day. Baby sitting for 5 or less children shall be permitted.
5. Lessons in the applied arts shall be permitted, provided the class size for any lesson does not exceed 5 students at any one time and shall not exceed 10 students in any one week period.
6. No sign may be placed on the property advertising the home occupation.

7. No advertising through local media, including telephone books, and flyers shall call attention to the residential address of the home occupation.
8. An accessory building or structure may be used with the home occupation, provided that the total floor area devoted to the home occupation in the accessory structure and dwelling unit does not exceed 10 percent of the finished floor area of the dwelling unit.

(D) Additional standards for all Type II home occupations:

1. The maximum floor area permitted for a home occupation shall be 25 percent of the finished floor area of the dwelling unit. Storage of goods or products shall not exceed 10 percent of the finished floor area.
2. One person who is not a permanent resident of the dwelling may be engaged or employed in the home occupation.
3. An accessory building or structure may be used with the home occupation, provided that the total floor area devoted to the home occupation in the accessory structure and dwelling unit does not exceed 25 percent of the finished floor area of the dwelling unit.
4. Lessons in the applied arts shall be permitted, provided the class size for any lesson does not exceed 5 students at any one time and shall not exceed 10 students in any one week period.
5. One non-illuminated sign, a maximum of 2 square feet in area, shall be permitted per dwelling, regardless of the number of home occupations within the dwelling. Any sign must conform with the provisions of Article V of the zoning ordinance.

**Sec. 30-82-4 Kennel, Private**

(A) General standards:

1. Minimum lot size: 1 acre.
2. A private kennel shall be permitted only when accessory to a single family dwelling.
3. Exterior runs, pens, and other confined areas designed to house 4 or more animals shall be set back at least 25 feet from any property line. For the purposes of this section, perimeter fencing of a yard shall not be considered a confined area.

**Sec. 30-82-5 Manufactured Home**

(A) Intent - Manufactured homes provide a viable and affordable housing option for a segment of the county's population. This housing option is provided in areas predominately of agricultural and forest use with minimal requirements, consistent with the state code. This option is also provided under certain design criteria in more residentially developed areas where they will not conflict with developments planned for site built dwellings.

(B) General standards on individual lots outside manufactured home parks:

1. No manufactured homes constructed before July 1, 1976 shall be erected, installed, occupied or sold in Bedford County, except under the following conditions:
  - a. The manufactured home existed in the county prior to the effective date of this ordinance and shall be allowed to be relocated and/or remain in a mobile home park; and,
  - b. A manufactured home located outside of a mobile home park shall be allowed to remain subject to the provisions for non-conforming uses contained in Article I of this ordinance.
2. The manufactured home shall be mounted on and anchored to a permanent foundation, and skirted in accordance with the provisions of the Virginia Uniform Statewide Building Code.

(C) Additional standards in R-1 and R-2 districts:

Intent – The intent of this section is to allow manufactured homes in areas that were originally developed for manufactured housing but are now zoned R-1 or R-2. This section is not intended to allow for the expansion of these areas but to allow for infill development.

1. The zoning administrator may be authorized to allow manufactured homes in R-1 and R-2 districts if the following standards and guidelines are met:
  - a. Seventy percent (70%) of the homes in the surrounding area are manufactured homes or manufactured homes (Class A).
  - b. Fifty percent (50%) of the parcels in the surrounding area have functioning housing units on them.
  - c. Surrounding areas for (a) and (b) above shall be defined as a platted subdivision containing 25 lots or more or an area encompassing 1,500 feet from each property line, as determined by the zoning administrator.
2. Prior to allowing a manufactured home, the zoning administrator shall give all property owners in the surrounding area written notice of the request, and an opportunity to respond to the request within 21 days of the date of notice. If any property owner in the surrounding area objects to said request in writing within the time specified above, the request shall be transferred to the board of zoning appeals for decision. The person filing the appeal shall be responsible for all required application and legal ad costs.
3. The zoning administrator or planning commission shall be authorized to place conditions on the approval of the manufactured home. These conditions may include: building design considerations (pitch of roof, permanent foundation, etc.); and screening and landscaping requirements to reduce any impacts on adjacent properties.

(Ord. of 02.11.02; Ord. of 03.07.05)

**Sec. 30-82-6 Manufactured Homes, Accessory**

- (A) Intent - These regulations are adopted in recognition that certain families would benefit from living arrangements that allowed family members to reside in close proximity to each other but in separate dwelling units on the same lot. Also recognized in these provisions is the need for affordable housing alternatives for farm employees on bona-fide farm operations.
  
- B) General standards:
  - 1. The accessory manufactured home shall be located on the same lot as a principal dwelling. The principal structure may be a manufactured home meeting the requirements of this ordinance.
  
  - 2. The accessory manufactured home shall only be occupied by:
    - a. A person or persons immediately related to the person or family in the principal dwelling. For the purposes of this section, immediately related shall be any person or persons who are natural or legally defined offspring, sibling, parent, or grandparent of the owner of the principal dwelling; OR,
  
    - b. A farm employee and his/her family in accordance with the provisions for farm employee housing contained in this Article.
  
  - 3. The accessory manufactured home and the principal dwelling shall be located on the same lot of record. The lot of record must meet the minimum lot size for the district in which it is located.
  
  - 4. The accessory manufactured home must be located behind the building line of the principal dwelling and shall meet the minimum side and rear yard setback requirements for principal structures in the district in which it is located.
  
  - 5. The accessory manufactured home shall be anchored, stabilized, and skirted in accordance with the provisions of the Virginia Uniform Statewide Building Code.

**(Ord. of 06.14.99)**

- (C) Special Application Procedures:
  - 1. Persons interested in obtaining a permit to install an accessory manufactured home shall make application to the zoning administrator, who shall have the authority to review and decide upon all applications.
  
  - 2. In considering any application for an accessory manufactured home, the zoning administrator may visit the proposed site to view the proposed location and the character of the surrounding area. In making a determination to issue or deny any application, the zoning administrator shall consider all of the following factors:
    - a. The purposes of the zoning ordinance outlined in Article I.
  
    - b. The effect of the proposed accessory manufactured home on the conservation of surrounding properties and their values, and its effect on the existing use and character of the property.

- c. The general land use compatibility of the accessory manufactured home in relation to surrounding properties.
- 3. If the zoning administrator determines that the proposal does not conform to any of the location, use or design standards contained in the above, the zoning administrator shall deny the application and notify the applicant in writing. Any such denial may be appealed to the board of zoning appeals.
- 4. If the zoning administrator determines that the proposal conforms to the provisions of this section, the zoning administrator shall mail a first class letter to all adjacent property owners notifying each owner of the county's intent to issue a permit for the accessory manufactured home. All parties shall be given fifteen days from the date of the notice to object formally in writing to the issuance of the permit. If an objection is filed, it shall be considered an appeal of the decision of the zoning administrator, and shall be considered by the board of zoning appeals. The person filing the appeal shall be responsible for all required application and legal ad costs.
- 5. If no interested party objects within fifteen days of the date of the notice to the adjacent property owners, the zoning administrator may approve the accessory manufactured home permit.

**Sec. 30-82-7 Manufactured Home, Class A**

- (A) Intent - Manufactured homes provide a viable and affordable housing option for a segment of the county’s population. This housing option is provided under certain design criteria in large portions of the county where they will not conflict with developments planned for site built dwellings.
- (B) General standards:
  - 1. The manufactured home shall have the tow assembly, wheels and axles removed and be mounted on and anchored to a permanent foundation in accordance with the provisions of the Virginia Uniform Statewide Building Code.
  - 2. The manufactured home shall have a minimum width of 23 feet.
  - 3. The manufactured home shall be covered with a non-reflective material customarily used on a site-built dwelling, such as but, not limited, to lap siding, plywood, brick, stone, or stucco.
  - 4. The roof shall be covered with non-reflective materials, such as but not limited to, fiberglass shingles, asphalt shingles, or wood shakes.
  - 5. The manufactured home shall be declared a permanently-affixed dwelling and taxed as real estate.
- (C) Additional standards in R-1 district:

Intent – The intent of this section is to allow manufactured homes (Class A) in areas that were originally developed for manufactured housing but are now zoned R-1. This section is not intended to allow for the expansion of these areas but to allow for infill development.

1. The zoning administrator may be authorized to allow manufactured homes (Class A) in an R-1 district if the following standards and guidelines are met:
  - a. Seventy percent (70%) of the homes in the surrounding area are manufactured homes or manufactured homes (Class A).
  - b. Fifty percent (50%) of the parcels in the surrounding area have functioning housing units on them.
  - c. Surrounding areas for (a) and (b) above shall be defined as a platted subdivision containing 25 lots or more or an area encompassing 1,500 feet from each property line, as determined by the zoning administrator.
2. Prior to allowing a manufactured home (Class A), the zoning administrator shall give all property owners in the surrounding area written notice of the request, and an opportunity to respond to the request within 21 days of the date of notice. If any property owner in the surrounding area objects to said request in writing within the time specified above, the request shall be transferred to the board of zoning appeals for decision. The person filing the appeal shall be responsible for all required application and legal ad costs.
3. The zoning administrator or planning commission shall be authorized to place conditions on the approval of the manufactured home (Class A). These conditions may include: building design considerations (pitch of roof, permanent foundation, etc.); and screening and landscaping requirements to reduce any impacts on adjacent properties.

**(Ord. of 02.11.02; Ord. 03.07.05)**

**Sec. 30-82-8 Manufactured Home, Emergency**

- (A) Intent - These regulations are adopted in recognition that temporary emergency housing options may be necessitated by fire, flood, or other unforeseen and sudden acts of nature.
- (B) General standards:
  1. The zoning administrator may authorize the emergency use of a manufactured home on a lot if the building official certifies that the permanent dwelling on the lot has been lost or destroyed by a fire, flood, or other unforeseen and sudden act of nature, and as a result is uninhabitable.
  2. Only one emergency manufactured home shall be permitted on any lot of record. It shall be located on the same lot as the destroyed dwelling, and must be occupied only by the person, persons, or family, whose dwelling was destroyed.
  3. The accessory manufactured home shall be less than 19 feet in width.
  4. The emergency manufactured home shall meet all setback and yard requirements for the district in which it is located. It shall be anchored and stabilized in accordance with the provisions of the Virginia Uniform Statewide Building Code.
  5. The emergency manufactured home must be removed as soon as reconstruction or replacement of the uninhabitable dwelling is complete, or within a 12-month period

of its placement on the site, whichever is sooner. A one time extension of up to 6 additional months may be granted by the zoning administrator if substantial reconstruction of the destroyed dwelling has occurred, and work has, and is continuing to progress. A final certificate of zoning compliance for the reconstructed dwelling shall not be issued until the emergency manufactured home is removed from the site.

- (C) Federal Disasters - Where the President of the United States has declared a federal disaster, the zoning administrator, upon consent of the county administrator, may authorize the placement of temporary manufactured homes supplied by the Federal Emergency Management Agency (FEMA) to disaster victims who lost their homes. In such cases, all zoning and building code requirements shall be waived in favor of FEMA standards. The period for temporary placement of manufactured homes shall be 12 months, unless FEMA authorizes an extension for an additional 12 months.

**Sec. 30-82-9    Manufactured Home Park**

- (A) General standards:

- 1.     Minimum tract size for any new or expanding park: 5 contiguous acres.
- 2.     Minimum frontage for any new or expanding park: 50 feet on a publicly owned and maintained street.
- 3.     Maximum density for any new or expanding park served by a public water and sewer system: 7 dwelling units per gross acre. Lower densities may be required if the park is not served by public water and sewer.
- 4.     In a manufactured home park the manufactured home shall be less than 19 feet in width and shall otherwise comply with the requirements of this Article.
- 5.     A Type C buffer yard, as defined in Article V of this ordinance, shall be installed along the side and rear perimeter of the park. No square footage allocated to a manufactured home lot shall be located within any portion of a required buffer yard.

- (B) Minimum lot requirements:

- 1.     Minimum area for each lot: 4,000 square feet, which shall be clearly marked on the ground by permanent flush stakes.
- 2.     Minimum width for each lot: 40 feet.

- (C) Minimum setback requirements:

- 1.     Front yard, from any interior driveway or street: 20 feet.
- 2.     Front yard, from any perimeter driveway or street: 30 feet.
- 3.     From side of lot: 5 feet.
- 4.     From rear of lot: 10 feet.
- 5.     From any other manufactured home: 26 feet.

6. Accessory buildings: Behind front face of manufactured home based on the front yard; AND, 3 feet from any boundary of lot.

(D) Additional lot improvements:

1. Each manufactured home lot shall have a pad constructed for the placement of a manufactured home in full compliance with the area, lot, and setback requirements of this section.
2. All manufactured homes shall be anchored to the pad in accordance with the provisions of the Virginia Uniform Statewide Building Code.
3. Each manufactured home shall be skirted with a durable material.

(E) Outdoor Living Areas and Storage Facilities:

1. A private outdoor living and service area shall be provided. These outdoor areas shall meet the following:
  - a. Contain at least 300 square feet;
  - b. Contain a hard surface patio of at least 100 square feet, unless the lot exceeds 6,000 square feet; and,
  - c. Assure reasonable privacy and visual appeal through the use of walls, fences, and/or plantings around the perimeter of this area.
2. Each manufactured home lot shall be provided with a minimum of 300 cubic feet of storage area. This shall be accomplished by one of the following:
  - a. Common storage areas available within the park; or,
  - b. Within an accessory structure installed by the park owner or management, or required of the occupant of the lot by the park owner or management.

(F) Recreation Areas:

1. Minimum usable space for recreational areas: 8 percent of the gross area of the manufactured home park.
2. Criteria for all recreational areas:
  - a. Minimum countable space: 5,000 contiguous square feet.
  - b. Minimum horizontal dimension: 50 feet, except that areas with a horizontal distance of not less than 20 feet shall be counted as open space provided such areas contain facilities such as, but not limited to, bikeways, exercise trails, tot lots, gazebos, picnic tables, etc.
  - c. Space shall not include manufactured home lots, buffer yards, street right-of-ways, open parking areas, or driveways.

- d. Recreational areas shall include passive and active facilities and be of an appropriate nature and location to serve the residents of the park. This may include facilities such as recreation centers, swimming pools, tennis and basketball courts, and similar facilities.
- 3. Maintenance of the designated recreation areas shall be the responsibility of the park management.

(G) Management Office, Service, and Community Facilities:

- 1. An office area, devoted solely to the management of the park shall be allowed within the manufactured home park.
- 2. Retail convenience sales, located and designed to serve the daily needs of only the park residents are allowed within a manufactured home park provided:
  - a. Such sales must be located within the same building as the management office, and must not exceed 50 percent of the total gross floor area of the building.
  - b. No business signs associated with these sales are displayed on the exterior of the building, or are otherwise displayed to be visible from any public right-of-way. No other forms of advertising shall be used that are intended to market the convenience sales to non-park residents.
- 3. Service facilities such as laundries, and owner provided storage areas may be provided within the park to serve primarily the needs of the residents. These facilities may be combined in the same building as the park's management office, or may be located in other areas of the park.

(H) Streets and Walkways:

- 1. Private streets shall be allowed within a manufactured home park provided the surfacing materials and design comply with all applicable county standards for such streets, or to VDOT secondary road standards, whichever are more restrictive.
- 2. The private street system shall provide convenient circulation by means of minor streets (serving 40 or fewer manufactured home lots), and collector streets (serving more than 40 manufactured home lots). Street widths shall be as follows:
  - a. Collector streets with parking on both sides: 36 feet wide.
  - b. Collector streets with no parking: 30 feet wide.
  - c. Minor streets with parking on one side: 28 feet wide.
  - d. Minor streets with no parking: 20 feet wide.
  - e. One-way minor streets with no parking: minimum of 11 feet wide.
- 3. Cul-de-sacs on private streets shall have a minimum diameter of 80 feet.

4. The maximum gradient shall be 12 percent for private collector streets, and 16 percent for private minor streets.
5. Manufactured home lots not served by a public or private street may be served by a walkway, trail or bikeway, provided such pathway serves the front, rear, or side of the manufactured home lot. Each pathway shall be constructed of a hard-surface, or gravel material, and shall have a minimum width of three feet.

(I) Parking:

1. Each manufactured home lot shall have the equivalent of two parking spaces. At least one of these spaces shall be provided on the manufactured home lot, unless the lot is accessed by a pathway as provided in this article.
2. All other parking spaces shall be:
  - a. Provided within 150 feet of the manufactured home to be served;
  - b. Located within a common parking area; and,
  - c. Designed and constructed to meet county standards.
3. Parking spaces shall be provided for the management office, and other community facilities to serve the convenience and needs of the residents.
4. Additional parking spaces, not required by this section may be provided along certain private streets where adequate width is provided, as specified above.

(J) Utilities:

1. All new utility lines within the park shall be placed underground.
2. Parks shall be served by public water and sewerage systems.

(K) Refuse Disposal:

1. Refuse disposal shall be the responsibility of park management. Common refuse areas shall be provided throughout the park. All refuse areas shall be screened with a solid, durable material meeting the requirements of this ordinance.

(L) In manufactured home parks established prior to June 1, 1986, existing manufactured homes may be replaced with manufactured home consistent with this article provided all of the following standards are met:

- a. The manufactured home meets the side and rear yard setback for accessory structures, as specified in the underlying zoning district, from the property line of the park;
- b. The manufactured home is anchored and skirted in accordance with the provisions of the Virginia Statewide Uniform Building Code Prior to occupancy.

**(Ord. of 06.14.99)**

**Sec. 30-82-10 (Reserved)**

**Sec. 30-82-11 Multi-family Dwelling**

- (A) Intent - The following minimum standards are intended to accommodate multi-family dwellings, ensuring adequate separation and other design characteristics to create a safe and healthy residential environment while protecting adjoining uses which are less intensive.
  
- (B) General standards:
  - 1. Minimum front yard setback: 30 feet from any street right-of-way for all structures.
  - 2. Minimum side yard setback: 20 feet for principal structures.
  - 3. Minimum rear yard setback: 25 feet for principal structures.
  - 4. Additional setbacks in the form of a buffer yard shall be required in accordance with Article V where the property adjoins a less intensive zoning district.
  - 5. Each multi-family building shall be separated by 40 feet between facing living areas. This separation may be reduced to 20 feet when both multi-family buildings contain windowless walls.
  - 6. Where buildings are placed at right angles (90 degrees) to one another and both interior walls are windowless, the minimum separation of buildings shall be 20 feet.
  - 7. Standards for open space and recreational areas required below:
    - a. Shall be in addition to any buffer yard required under Article V of this ordinance;
    - b. Shall be in addition to, and not be located in, any required front, side, or rear yard setback;
    - c. Shall have a horizontal dimension of at least 50 feet, except that areas with a horizontal distance of not less than 20 feet shall be counted as open space provided such areas contain facilities such as, but not limited to, bikeways, exercise trails, tot lots, gazebos, picnic tables, etc.;
    - d. Shall not include proposed street right-of-ways, open parking areas, driveways, or sites reserved for other specific uses; and,
    - e. Shall be of an appropriate nature and location to serve the residents of the multi-family development.
  
- (C) Additional standards in the AV district:
  - 1. Minimum lot size: 20,000 square feet for the first dwelling unit, plus 5,000 square feet for each additional unit.
  - 2. Maximum density: 8 dwelling units per acre.

- 3. When adjoining a lot containing a single-family dwelling, a Type C buffer yard as described in Article V shall be provided.
- 4. Common open space and recreational areas required: 5 percent of the total lot area for parcels of 2 to 5 acres, and 10 percent for parcels over 5 acres. No open space is required for parcels under 2 acres.

(D) Additional standards in the R-3 district:

- 1. Minimum lot size: 7,200 square feet for the first dwelling unit, plus 3,630 square feet for each additional unit.
- 2. Maximum density: 12 dwelling units per acre.
- 3. The property shall be served by public sewer and water.
- 4. Common open space and recreational areas required: 5 percent of the total lot area for parcels of 2 to 5 acres, and 10 percent for parcels over 5 acres. No open space is required for parcels under 2 acres.

(E) Additional standards in the R-4 district:

- 1. Minimum lot size: 7,200 square feet for the first dwelling unit, plus 1,815 square feet for each additional unit.
- 2. Maximum density: 24 dwelling units per acre.
- 3. The property shall be served by public sewer and water.
- 4. Common open space and recreational areas required: 5 percent of the total lot area for parcels of 2 to 5 acres, and 10 percent for parcels over 5 acres. No open space is required for parcels under 2 acres.

(F) General standards in the C-1 district, independent of the general standards above:

- 1. The multi-family use shall be allowed only in the same structure as, and in conjunction with, an associated civic, office, or commercial use type.
- 2. The civic, office or commercial use type must occupy at least 50 percent of the gross floor area of the structure.

**Sec. 30-82-12 Single Family Dwelling, Detached (Zero Lot Line Option)**

(A) Intent - The following zero lot line provisions are intended to offer greater flexibility in providing a variety of housing options to meet the changing demands and needs of the public, while providing standards which afford a reasonable degree of protection for surrounding properties.

(B) In the R-1, R-2, R-3 or R-4 districts and residential use types in the PCD, PRD, and PID, within a common development, one interior yard per lot may be equal to zero for single family detached dwellings, subject to the following additional criteria:

1. Minimum tract size of the common development: 3 acres or on tracts less than 3 acres with a special use permit from the board of zoning appeals pursuant to Article I.
2. The minimum lot size, frontage and front and rear yard setbacks required in the district regulations may be reduced up to 20 percent, provided:
  - a. The lot is an interior lot and does not adjoin a lot outside of the common development designated for zero lot line use; or,
  - b. The lot adjoins a Type C or greater buffer yard; or,
  - c. The lot adjoins land zoned as commercial or industrial.
3. Minimum side yard opposite the zero yard: 15 feet.
4. No two dwelling units built under these provisions shall be attached along the common property line (See single family, attached).
5. The normal side yard setback requirement must be maintained adjacent to any lot with an existing structure not within the common development; or not otherwise designated for zero lot line use.
6. No windows, doors, or other openings shall be permitted in the wall of a building which faces the designated zero lot line within 5 feet of the property line.
7. A perpetual five-foot wall-maintenance easement shall be provided on the lot adjacent to the zero lot line property line. This easement shall be kept clear of structures or any other improvement which would infringe on the use of the easement, with the exception of freestanding walls and fences. This easement shall be shown on the plat and incorporated into each deed transferring title to the property.
8. A copy of the plat approved by the subdivision agent of the county shall be submitted to the zoning administrator. The zoning administrator shall make the appropriate notation on the official zoning map that the affected lots have been approved for zero lot line dwellings.

**(Ord. of 06.14.99)**

**Sec. 30-82-13 Single Family Dwelling, Attached**

- (A) Intent - The following provisions are intended to offer greater flexibility in providing a variety of housing options to meet the changing demands and needs of the public. The standards below are intended to accommodate new developments of attached single-family dwellings, as well as to allow attached single-family dwellings as in-fill development on scattered sites in existing residential areas.
- (B) General standards within a common development containing three or more acres:
  1. The minimum lot size, frontage, and front and rear yard setbacks required in the district regulations may be reduced up to 20 percent, provided:

- a. The lot is an interior lot and does not adjoin a lot outside of the common development designated for attached single family dwellings; or,
  - b. The lot adjoins a Type C or greater buffer yard; or,
  - c. The lot adjoins land zoned as commercial or industrial.
2. Minimum side yard opposite the common lot line between two attached dwellings: 15 feet.
3. A copy of the plat approved by the subdivision agent of the county shall be submitted to the zoning administrator. The zoning administrator shall make the appropriate notation on the official zoning map that the affected lots have been approved for attached dwellings.
- (C) General standards on existing lots or in new developments containing less than three acres:  
Minimum side yard opposite the common lot line between two attached dwellings: 15 feet.
- (D) Public street frontage shall not be required for any proposed lot of record platted for single-family attached development within R-3 and R-4 districts.

**Sec. 30-82-14 Townhouses**

- (A) Intent - It is the intent of this section that townhouses be allowed in areas where they are or may be appropriately intermingled with other compatible types of housing. The purpose of the following design standards is to ensure the efficient, economical, comfortable and convenient use of land and open space and serve the public purposes of zoning by providing an alternative to conventional arrangements of yards and buildable areas.
- (B) General standards:
- 1. All townhouse developments shall be served by public sewer and water.
  - 2. The facades of townhouses in a group shall be varied by changed front yards and variations in design so that no more than four abutting townhouses will have the same front yard setback and the same or essentially the same architectural treatment of facades and roof lines.
  - 3. The minimum separation between any building containing a group of five or more townhouse units shall be 40 feet from any other townhouse building. The minimum separation between any building containing a group of four or fewer townhouse units shall be 20 feet from any other building containing a group of four or fewer townhouses.
  - 4. The height of all townhouses shall be limited to 45 feet. Accessory buildings shall not exceed 15 feet.
  - 5. Accessory structures for townhouse units shall be permitted only in rear yard areas and shall be no larger than 10 feet by 10 feet in area.
  - 6. Only one yard, either the front yard or the rear yard, or in the case of an end unit, the side yard, shall be improved with a driveway or other impermeable surface

intended for the storage of motor vehicles or for access to a garage, or other parking areas.

7. The maximum building and lot coverage requirements applying to townhouses shall be computed for the site of the entire development.
8. Public street frontage shall not be required for any proposed lot of record platted for townhouse development within R-3 and R-4 districts. In the AV and R-2 districts, the applicant shall designate as part of the special use permit application, the location of any lot that is not proposed to front on a public street.

(C) Additional standards in the AV district:

1. Maximum gross density: 8 townhouse units per acre.
2. Minimum parcel size: 20,000 square feet for the first dwelling unit, plus 5,445 square feet for each additional unit.
3. Front yard setbacks for each group of townhouse units: an average of 15 feet, and not be less than 10 feet for any individual townhouse unit. No common parking area, common driveway, or street right-of-way shall be permitted within the required front yard area.
4. A side yard setback of 15 feet shall be provided for each end residence in any group of townhouses adjoining a property boundary of the development, or a street right-of-way, private drive, parking area, or walkway intended for the common use of townhouse occupants.
5. Minimum rear yard setback: 25 feet.
6. Minimum lot size for individual townhouse lots: 2,000 square feet for interior lots and 2,500 square feet for end lots.
7. Minimum width for individual townhouse lots: 20 feet, measured from center of wall to center of wall, or outside of end wall.
8. Maximum number in a group or block of townhouses: 4 townhouse units.
9. The maximum building and lot coverage shall comply with the requirements for the AV district.
10. When a townhouse development adjoins a single family dwelling, a Type C buffer yard as described more fully in Article V shall be provided.

(D) Additional standards in the R-2 district:

1. Maximum gross density: 8 townhouse units per acre.
2. Minimum parcel size: 20,000 square feet for the first dwelling unit, plus 5,445 square feet for each additional unit.
3. Front yard setbacks for each group of townhouse units: an average of 15 feet, and not be less than 10 feet for any individual townhouse unit. No common parking

area, common driveway, or street right-of-way shall be permitted within the required front yard area.

4. A side yard setback of 15 feet shall be provided for each end residence in any group of townhouses adjoining a property boundary of the development. Where a group of townhouses adjoin a private drive or parking area or walkway intended for the common use of townhouse occupants, the side yard setback shall be 10 feet.
5. Minimum rear yard setback: 25 feet.
6. Minimum lot size for individual townhouse lots: 2,000 square feet for interior lots and 2,500 square feet for end lots.
7. Minimum width for individual townhouse lots: 18 feet, measured from center of wall to center of wall or outside end wall.
8. Maximum number in a group or block of townhouses: 10 townhouse units.
9. Maximum coverage for townhouse developments:
  - a. Building coverage: 35 percent.
  - b. Lot coverage: 60 percent.

(E) Additional standards in the R-3 district:

1. Maximum gross density: 12 townhouse units per acre.
2. Minimum parcel size: 7,200 square feet for the first dwelling unit, plus 3,630 square feet for each additional unit.
3. Front yard setbacks for each group of townhouse units: an average of 15 feet, and not be less than 10 feet for any individual townhouse unit. No common parking area, common driveway, or street right-of-way shall be permitted within the required front yard area.
4. A side yard setback of 15 feet shall be provided for each end residence in any group of townhouses adjoining a property boundary of the development. Where a group of townhouses adjoin a private drive or parking area or walkway intended for the common use of townhouse occupants, the side yard setback shall be 10 feet.
5. Minimum rear yard setback: 25 feet.
6. Minimum lot size for individual townhouse lots: 1,800 square feet for interior lots and 2,300 square feet for end lots.
7. Minimum width for individual townhouse lots: 18 feet, measured from center of wall to center of wall or outside end wall.
8. Maximum number in a group or block of townhouses: 10 townhouse units.
9. Maximum coverage for townhouse developments:

- a. Building coverage: 40 percent.
- b. Lot coverage: 65 percent.

(F) Additional standards in the R-4 district:

- 1. Maximum gross density: 18 townhouse units per acre.
- 2. Minimum parcel size: 7,200 square feet for the first dwelling unit, plus 2,420 square feet for each additional unit.
- 3. Front yard setback for each group of townhouse units: an average of 15 feet, and not less than 10 feet for any individual townhouse unit. Common parking areas, driveways, and rights-of-way may be permitted within the front yard setback.
- 4. A side yard setback of 15 feet shall be provided for each end residence in any group of townhouses adjoining a property boundary of the development. Where a group of townhouses adjoin a private drive or parking area or walkway intended for the common use of townhouse occupants, the side yard setback shall be 10 feet.
- 5. Minimum rear yard setback: 25 feet.
- 6. Minimum lot size for individual townhouse lots: 1,600 square feet for interior lots and 2,100 square feet for end lots.
- 7. Fifty percent of the individual townhouse lots shall be allowed to have a minimum width of 14 feet, measured from center of wall to center of wall. The remaining lots shall have a width greater than 14 feet.
- 8. Maximum number in a group or block of townhouses: 10 townhouse units.
- 9. Maximum coverage for townhouse developments:
  - a. Building coverage: 45 percent.
  - b. Lot coverage: 70 percent.

**Sec. 30-82-15 Two-family Dwelling**

- (A) In the AV and R-1 districts the minimum lot size shall be 30,000 square feet.
- (B) In the R-2, R-3, and R-4 districts the minimum lot size shall be 10,000 square feet.
- (C) General standards in the C-1 district:
  - 1. The two family dwelling use shall be allowed only in the same structure as, and in conjunction with, an associated civic, office, or commercial use type.
  - 2. The civic, office, or commercial use type must occupy at least 50 percent of the gross floor area of the structure.

**SEC. 30-83 CIVIC USES**

**Sec. 30-83-0.5 Animal Shelter**

(A) General standards:

1. If associated kennels for the shelter are located indoors in a solid masonry structure, no silencer shall be required. If associated kennels are in a frame structure or outdoors, the animal shelter shall install and operate a kennel silencer.
2. Animal waste shall be disposed of in a manner acceptable to the Virginia Department of Health.
3. Crematoria or land burial of animals in association with an animal shelter shall be prohibited on the site.
4. The minimum area required for an animal shelter shall be 2 acres.
5. All facilities associated directly with the animal shelter, whether indoors or outdoors, shall be set back a minimum of 100 feet from any property line.
6. When adjoining a residential use type, a Type C, Option 2 buffer in accordance with Article V shall be provided along the property line which adjoins the residential use type.
7. All daytime outdoor runs and pens associated with an animal shelter shall be set back a minimum of 100 feet from any property line.

**(Ord. of 05.27.08)**

**Sec. 30-83-1 Camps**

(A) General standards:

Any outdoor activity area, swimming pool, or ball field or court which adjoins a residential use type shall be landscaped with one row of small evergreen trees in accordance with Article V along the property line adjoining the residential use type. Where night-time lighting of such areas is proposed, large evergreen trees shall be required in a location appropriate to screen adjoining residences.

(B) Additional standards in the AP Districts:

1. The minimum area for a camp shall be 10 contiguous acres.
2. Multiple structures may be constructed on the property, such as cabins, lodges, and other facilities typical of a camp provided that all structures comply with the setback requirements for a principal structure from adjoining property lines.
3. Each building intended to accommodate members shall be accessible via an all weather road suitable to accommodate emergency vehicles serving the property.
4. One year-round residence, including a manufactured home, may be constructed as a caretakers home in addition to other facilities on the property.

**Sec. 30-83-2 Cemetery**

(A) General standards:

1. Minimum parcel size: 10 acres.
2. No interment shall occur within 25 feet of the property line.

(B) Any cemetery associated with a place of religious assembly on the same or adjoining parcel or for the burial of members of a family on private property shall be exempt from general standards (A)1 above, and the necessity of obtaining a special use permit provided the following:

1. The owners of any residence located within 250 feet, excluding residences separated by a public street, consent in writing to the proposed cemetery; and,
2. The cemetery is located at least 300 feet from any public property containing a well used in connection with a public water supply.
3. The location is sufficiently documented, in the opinion of the zoning administrator, and recorded in the office of the clerk of circuit court to inform adequately prospective and future property owners of the presence and location of such cemeteries.

**Sec. 30-83-3 Civic Clubs**

When a club adjoins a residential use type, a Type C buffer yard in accordance with Article V shall be provided along the property line which adjoins the residential use type.

**Sec. 30-83-3.5 Community Dock Location**

(A) Intent-The intent of this section is to establish standards and guidelines for the construction of community docks and similar structures on or over the waters of the Commonwealth; and to promote safe navigation and use of the water.

(B) Such docks and similar structures shall not be approved unless the following standards are met:

1. The dock extends channelward less than one third (1/3) of the distance across a cove or channel; and
2. The dock extends channelward from the closed end of a cove less than forty (40) feet beyond the ten (10) foot water depth; and
3. The dock is separated by a minimum of thirty (30) feet from an existing dock or minimum fifteen (15) from an existing dock at the closed end of the cove; and
4. The dock does not encroach into the extended property lines of an adjoining lot or if it does, the owner of the adjoining lot indicates in writing his understanding and approval of the proposed dock design and encroachment; and

5. The proposed dock does not encroach closer than thirty (30) feet to a public channel marker or other navigational aid.

(C) The County will not accept an application for a special use permit for a dock or similar structure unless the applicant has received approval of the dock by Appalachian Power and/or the Federal Energy Regulatory Commission (FERC).

**(Ord. of 05.27.08)**

**Sec. 30-83-4 Community Recreation**

Any outdoor activity area, swimming pool, or ball field or court which adjoins a residential use type shall be landscaped with one row of small evergreen trees in accordance with Article V along the property line adjoining the residential use type. Where night-time lighting of such areas is proposed, large evergreen trees shall be required in a location appropriate to screen adjoining residences.

**Sec. 30-83-5 Day Care Center**

(A) General standards:

- 1. All day care centers shall comply with the minimum standards for Day Care Centers established by the Virginia Department of Social Services, as may be amended, unless specifically exempt from those minimum standards.
- 2. A certificate of zoning compliance to operate a day care center shall be approved provided that a license to operate a day care center from the Virginia Department of Social Services is approved prior to beginning operation of the center. Failure to maintain a valid license approved by the Virginia Department of Social Services shall be considered a violation of this ordinance.

**Sec. 30-83-6 Educational Facilities, College/University, Primary/Secondary**

(A) General standards:

- 1. Any outdoor activity area, ball field or court, or stadium which adjoins a residential use type shall be landscaped with one row of small evergreen trees in accordance with Article V along the property line adjoining the residential use type. Where night-time lighting of such areas is proposed large evergreen trees shall be required in a location appropriate to screen adjoining residences.
- 2. Any area constructed in conjunction with an educational facility intended for the overnight storage of school buses which adjoins a residential use type shall provide Type C buffer yard as specified in Article V of this ordinance.

(B) In the AR district, the maximum building coverage shall be 20 percent and the maximum lot coverage 50 percent of the total lot area.

**Sec. 30-83-7 Family Day Care Home**

(A) General standards:

1. Family day care homes, where applicable, shall comply with the minimum standards for family day care homes established by the Virginia Department of Social Services, as may be amended.
2. When a license is required, a copy of the license to operate a family day care home approved by the Virginia Department of Social Services shall be presented to the zoning administrator prior to the issuance of a certificate of zoning compliance to operate a family day care home.

**Sec. 30-83-8 Park and Ride Facility**

Park and ride facilities shall be exempt from all maximum building and lot coverage requirements contained in this ordinance.

**Sec. 30-83-8(a). Public Maintenance and Service Facilities.**

- (A) In the EP district, these facilities shall be used to service and maintain only EP district properties and/or access thereto.

(Ord. of 03.26.07)

**Sec. 30-83-9 Public Parks and Recreational Areas**

Any outdoor activity area, ball field or court, or stadium which adjoins a residential use type shall be landscaped with one row of small evergreen trees in accordance with Article V along the property line adjoining the residential use type. Where night-time lighting of such areas is proposed large evergreen trees shall be required in a location appropriate to screen adjoining residences.

**Sec. 30-83-10 Religious Assembly**

- A. General standards:
  1. Any outdoor activity area, swimming pool, or ball field or court which adjoins a residential use type shall be landscaped with one row of small evergreen trees in accordance with Article V along the property line adjoining the residential use type. Where night-time lighting of such areas is proposed large evergreen trees shall be required in a location appropriate to screen adjoining residences.
  2. When a place of religious assembly adjoins a residential use type, a Type C buffer yard in accordance with Article V shall be provided between the parking area(s) and the residential use type.
  3. Exterior lighting shall comply with Section 30-94 of the Zoning Ordinance
- B. In the AP and AR districts, the maximum building coverage shall be 20 percent and the maximum lot coverage 50 percent of the total lot area.
- C. Additional standards in the I-1, I-2 and PID districts:

All new or proposed worship facilities and assemblies require a special use permit within these districts. The Special Use Permit provides an opportunity to assess the potential

impact on public health, safety and well-being and allows an opportunity to assess whether a substantial burden is being imposed on the applicant.

D. Religious Assembly Resolution Panel - should an applicant allege the strict application of zoning or subdivision regulations intentionally, unintentionally or unnecessarily impedes religious exercise, imposes a substantial burden or appears to violate the First Amendment to the U.S. Constitution and/or the Religious Land Use and Institutionalized Persons Act of 2000, a review process is established to assess such impact.

1. The review panel is a voluntary option available to an applicant who alleges that a substantial burden or conflict with prevailing law is felt to exist. A panel review process is provided herein.
  - a. Nothing in this ordinance shall prohibit an aggrieved party from electing not to use the panel and instead seek relief in an appropriate court of law.
  - b. With the concurrence of the applicant, a voluntary panel will be assembled to review the grievance.
  - c. The objective of the panel is to determine if opposing positions of the county and applicant might be amicably reconciled.
  - d. Composition of the Panel:
    - (1) The applicant shall designate two persons to present its issues.
    - (2) The Planning Commission shall appoint two representatives of which one or more may be a Commission member. These two appointees shall represent the county.
    - (3) These four panel members shall together agree upon a fifth appointee who will complete the composition of the panel.
    - (4) The panel is authorized to establish a meeting date, time, and location in accordance with state law. The panel shall review the grievance and based upon a determination of a simple majority of those assembled, may recommend actions appropriate to its findings.
    - (5) The Zoning Administrator shall attend meetings of the resolution panel in an advisory capacity, as such he shall have the right to participate in discussions and to answer questions, and however, he shall not be allowed to vote.
    - (6) A record of the panel minutes, and any recommendations shall be maintained by the Division of Planning.
    - (7) The panel may present its report to the Planning Commission who shall make such information available to the Board of Supervisors.
    - (8) The Planning Commission and/or the Board of Supervisors may request that the panel appear at a meeting to review its report.

- e. If warranted, either the Planning Commission or Board of Supervisors may initiate amendment(s) to the Zoning and/or Subdivision Ordinances.

**(Ord. of 11.12.08)**

**Sec. 30-83-11 Safety Services, Private/Public**

When a safety services establishment adjoins a residential use type, a Type C buffer yard in accordance with Article V shall be provided along the property line which adjoins the residential use type.

**Sec. 30-83-12 Utility Services, Major**

**(A) General standards:**

1. In considering an application for a special use permit, the planning commission and board of supervisors shall consider the justification for the location of the proposed utility service and any alternative locations which may be available.
2. The minimum lot size may be reduced as part of approval of the special use permit provided all setback and yard requirements are met and all other dimensional requirements are achieved.
3. The height limitation contained in each district may be increased as part of the approval of the special use permit, subject to any other height limitation contained in Article III.
4. No major utility service shall be located within 100 feet of an existing residence.
5. Except in the I-1 and I-2 districts, outdoor storage of materials and equipment, except during construction of the utility facility, shall be prohibited in association with a major utility service, unless specifically requested and approved as part of the special use permit. In the I-1 and I-2 districts outdoor storage areas shall comply with the screening provisions contained in Article V.
6. Buildings and facilities shall be designed and constructed to be compatible with the surrounding area, so that these facilities or structures will not adversely affect nearby properties.
7. Except in the I-1 and I-2 districts, Type E screening and buffering consistent with Article V of this Ordinance shall be required, unless specifically modified as a part of the approved special use permit.
8. All sewer and water utility services shall be publicly owned and operated by a government agency unless otherwise recommended by the Public Service Authority and approved by the board of supervisors.
9. Sewer and water utility services shall be designed with a service area and capacity consistent with the purposes of the respective zoning district and the recommendations of the comprehensive plan.

**(Ord. of 03.07.05)**

**SEC. 30-84 OFFICE USES**

**Sec. 30-84-1 General Office**

When a general office use adjoins a residential use type, a Type C buffer yard in accordance with Article V shall be provided along the property line which adjoins the residential use type.

**Sec. 30-84-2 Medical Office**

When a medical office use adjoins a residential use type, a Type C buffer yard in accordance with Article V shall be provided along the property line which adjoins the residential use type.

**Sec. 30-84-3 Financial Institutions**

(A) General standards:

All drive-through windows shall conform to the standards for drive-through facilities contained in Article V.

(B) Additional standards in the AV District:

When a financial institution adjoins a residential use type, a Type C buffer yard in accordance with Article V shall be provided along the property line which adjoins the residential use type.

**SEC. 30-85 COMMERCIAL USES**

**Sec. 30-85-1 Adult Entertainment**

Any adult entertainment shall be a minimum of 250 feet from any residence, church, school, day care facility, or park.

**Sec. 30-85-2 Agricultural Services**

(A) In the AP, AR, AV, and NC districts, any outdoor storage area for agricultural equipment awaiting repair which is visible from a public right-of-way or an adjoining property shall be provided with a Type C buffer yard in accordance with Article V. When the storage area and/or repair facilities are clearly visible from a residence on an adjoining property a Type D buffer yard shall be provided.

(B) In the C-2, PRD, PCD, I-2, and PID districts any outdoor storage area for agricultural equipment awaiting repair shall be placed in a storage yard. The storage yard shall be fully screened from public view and shall be set back at least 100 feet from any adjoining residential district.

**Sec. 30-85-3 Antique Shops**

(A) General standards:

When adjoining a residential use type, a Type C buffer yard in accordance with Article V shall be provided along the property line which adjoins the residential use type.

(B) In the AR and AV Districts:

1. Antique shops shall not exceed 3,000 square feet in gross floor area.
2. When adjoining a residential use type, a Type C buffer yard in accordance with Article V shall be provided along the property line which adjoins the residential use type.

**Sec. 30-85-4 Automobile Dealership, New**

(A) General standards:

1. Outdoor display areas in conjunction with automobile sales shall be constructed of the same materials required for off-street parking areas as required in Appendix C.
2. A 10-foot planting strip shall be provided adjacent to any public street right-of-way. Within this planting strip, one large deciduous, large evergreen, or small deciduous tree shall be planted every 30 linear feet. Such planting materials shall otherwise comply with the landscaping requirements contained in Article V.
3. The storage and/or display of motor vehicles in the planting strip required above shall be prohibited.
4. Exterior display or storage of new or used automobile parts is prohibited.
5. Body and fender repair services are permitted provided:
  - a. The area devoted to such services do not exceed 20 percent of the gross floor area.
  - b. The repair facilities are at least 150 feet from any adjoining residential district.
  - c. Any spray painting takes place within a structure designed for that purpose and approved by the Bedford County building official.
  - d. Any vehicle awaiting body repair or painting, or is missing major mechanical or body parts, or has been substantially damaged shall be placed in a storage yard. The storage yard shall be fully screened from public view and shall be set back at least 100 feet from any adjoining residential district.

**Sec. 30-85-5 Automobile Dealership, Used**

(A) General standards:

1. Outdoor display areas in conjunction with automobile sales shall be constructed of the same materials required for off-street parking areas as required in Appendix C.
2. A 10-foot planting strip shall be provided along the frontage adjacent to any public street right-of-way. Within this planting strip, one large deciduous, large evergreen or small deciduous tree shall be planted every 30 linear feet. Such planting

materials shall otherwise comply with the landscaping requirements contained in Article V.

- 3. The storage and/or display of motor vehicles in the planting strip required above shall be prohibited.
- 4. Exterior display or storage of new or used automobile parts is prohibited.
- 5. Any vehicle which is missing major mechanical or body parts or have been substantially damaged shall be placed in a storage yard. The storage yard shall be fully screened from public view and shall be set back at least 100 feet from any adjoining residential district.

**Sec. 30-85-5(a). Automobile Rental/Leasing**

- (A) In the EP district, these facilities shall be permitted only with a special use permit.

**(Ord. of 03.26.07)**

**Sec. 30-85-6 Automobile Repair Services, Major**

- (A) General standards:

- 1. All vehicles stored on the premises in excess of 72 hours shall be placed in a storage yard. The storage yard shall be fully screened from public view and shall be set back at least 100 feet from any adjoining residential district.
- 2. Body and fender repair services shall be subject to the following:
  - a. The repair facilities are at least 150 feet from any adjoining residential district.
  - b. Any spray painting takes place within a structure designed for that purpose and approved by the Bedford County building official.
- 3. Exterior display or storage of new or used automobile parts is prohibited.

**Sec. 30-85-7 Automobile Repair Services, Minor**

- (A) General standards:

- 1. Exterior display or storage of new or used automobile parts is prohibited.
- 2. Equipment and vehicles stored overnight on the premises shall be behind the front building line or at least 35 feet from the public right-of-way, whichever is greater.

- (B) Additional standards in the AV District:

- 1. When adjoining a residential use type, a Type C buffer yard in accordance with Article V shall be provided along the property line which adjoins the residential use type.

- 2. The site shall front directly on and have direct access to a publicly owned and maintained street.

(C) Additional standards in the EP district:

- 1. There shall be a maximum of four service bays, one of which may be oversized to permit a bus or recreational vehicle to pull through for service.
- 2. Where adjoining a residential or civic use type, a Type F, Option 2 buffer yard in accordance with Article V shall be provided along the property line which adjoins the residential or civic use type.
- 3. No independent advertising through local media shall call attention to the Explore Park location of the business.

**(Ord. of 03.26.07)**

**Sec. 30-85-8 Automobile Parts/Supply, Retail**

(A) General standards:

- 1. Exterior display or storage of new or used automobile parts is prohibited.
- 2. Equipment and vehicles stored overnight on the premises shall be behind the front building line or at least 35 feet from the public right-of-way, whichever is greater.

(B) Additional standards in the AV District:

- 1. When adjoining a residential use type, a Type C buffer yard in accordance with Article V shall be provided along the property line which adjoins the residential use type.
- 2. The site shall front directly on and have direct access to a publicly owned and maintained street.

**Sec. 30-85-9 Bed and Breakfast**

(A) General standards:

- 1. The owner, owner's family, or owner's representative shall reside on the same parcel occupied by the bed and breakfast establishment.
- 2. No more than five guest sleeping rooms shall be utilized for a bed and breakfast establishment.
- 3. Any building erected, enlarged or modified to accommodate a bed and breakfast shall maintain the appearance of a single-family residence. No rooms shall have direct entrance or exit to the outside of the building, except that emergency exits when required by the fire marshal may be provided for emergency purposes only.
- 4. Guests may stay no more than 30 consecutive nights in any one calendar year. The operator of the bed and breakfast shall maintain a log of all guests, including their

name, address, license plate number, and length of stay, and shall make the log available to county staff upon request.

- 5. Meals shall be provided only to overnight guests and no cooking shall be permitted in guest rooms.
- 6. Required parking areas for guests and employees shall be provided on-site.
- 7. Health department approval for sewage disposal, water supply, and kitchen facilities shall be submitted prior to issuance of a certificate of zoning compliance.

**(Ord. of 09.08.03)**

**Sec. 30-85-9(a). Business Support Services.**

- (A) In the EP district, no independent advertising through local media shall call attention to the Explore Park location of the business.

**(Ord. of 03.26.07)**

**Sec. 30-85-10 Campground**

- (A) General standards in the AP, AR, AV, PRD, C-2, PCD and PID districts:

- 1. The minimum area for a campground shall be 10 contiguous acres.
- 2. Each campsite shall be set back a minimum distance of 50 feet from the perimeter property line of the campground.
- 3. The maximum density shall be 14 sites per gross acre. Each campsite designed for recreational vehicles shall have a minimum space of 2,000 square feet with a minimum width of 30 feet. Areas devoted solely for tent camping shall provide at least 400 square feet per campsite.
- 4. Vacation cottages may be constructed within a campground provided that a minimum land area of 4,000 square feet is designated solely for the first dwelling unit in a cottage, with an additional 2,000 square feet of land area provided for each additional dwelling unit within the cottage. The maximum floor area of a cottage shall be 30 percent of the site.
- 5. The primary access road shall be paved in accordance with the latest editions of the Virginia Department of Transportation’s Subdivision Street Requirements Manual. Such paving shall extend from the public street right-of-way to the entrance station. Interior roads and access to individual sites shall consist at a minimum of an all weather gravel surface. All interior roads shall be 18 feet minimum width for two-way travel or 10 feet minimum width for one-way travel. No campsite shall have direct access to a public street.
- 6. One manufactured home, or single-family residence, established pursuant to this ordinance, may be located in a campground as a caretaker's residence.
- 7. The following uses and activities shall be prohibited at a campground:

- a. The sale, storage, use, or occupancy of any manufactured home, except as provided above.
  - b. The sale of recreational vehicles and the storage of unoccupied units not in a condition for safe occupancy.
8. Indoor and outdoor recreational facilities are permitted for the exclusive use of campground tenants. At least 15 percent of the campground area shall be developed and improved for recreational uses. In calculating the required area, common walkways and related landscaping may be included provided that such space is at least 20 feet in width. At least half of the required recreation area shall be for active recreation, such as swimming pools, ball fields, and play lots for small children. No developed recreational areas shall be located within the required yard setbacks for the district.
  9. Retail sales for the convenience of campground tenants are permitted. Items are limited to food, concessions, recreational supplies, personal care items, and other items clearly supportive of campground tenants' needs.
  10. Guests may stay no more than 180 nights in any one calendar year. The operator of a campground shall maintain a log of all guests, including their name, address, license plate number, and length of stay, and shall make the log available to county staff upon request.
  11. The site shall have direct access to a publicly owned and maintained street.

**(Ord. of 06.14.99; Ord. of 03.26.07; Ord. of 09.25.07)**

**Sec. 30-85-11 Car Wash**

(A) General standards:

1. Car wash facilities shall comply with Article V's stacking spaces and drive-through facilities requirements.

**(Ord. of 07.08.02)**

**Sec. 30-85-12 Clinic**

When adjoining a residential use type, a Type C buffer yard in accordance with Article V shall be provided along the property line which adjoins the residential use type.

**Sec. 30-85-13 Construction Sales and Services**

(A) General standards:

1. A 10-foot planting strip shall be provided along the frontage adjacent to any public street right-of-way. Within this planting strip, one large deciduous, large evergreen or small deciduous tree shall be planted every 30 linear feet. Such plantings shall otherwise comply with the landscaping requirements contained in Article V.
2. The storage and/or display of goods and materials in the planting strip required above shall be prohibited.

- 3. All exterior storage areas of goods and materials shall be fenced.

**Sec. 30-85-14 Convenience Store**

(A) General standards:

- 1. Limited sale of foods prepared on the premises may be allowed provided no more than 20 percent of the floor areas is devoted to seating facilities. Seating areas in excess of this shall constitute a fast food restaurant.
- 2. Exterior display of merchandise for sale is allowed under the following conditions:
  - a. On a paved walkway within three feet of the building.
  - b. Ice machines and soft drink vending machines, in operating condition, shall be stored under roofed areas.
- 3. The display of vehicles "for sale" is prohibited.

(B) Additional standards in the NC district:

- 1. No convenience store shall exceed 2,000 square feet of gross floor area.
- 2. When adjoining a residential use type, a Type C buffer yard in accordance with Article V shall be provided along the property line which adjoins the residential use type.

(C) Additional standards in the AV District:

- 1. No convenience store shall exceed 3,000 square feet of gross floor area.
- 2. When adjoining a residential use type, a Type C buffer yard in accordance with Article V shall be provided along the property line which adjoins the residential use type.

(D) Additional standards in the EP district:

- 1. No convenience store shall exceed three thousand (3,000) square feet of gross floor area.
- 2. Where adjoining a residential or civic use type, a Type F, Option 2 buffer yard in accordance with Article V shall be provided along the property line which adjoins the residential or civic use type
- 3. No independent advertising through local media shall call attention to the Explore Park location of the business.

**(Ord. of 03.26.07)**

**Sec. 30-85-15 Equipment Sales and Rentals**

(A) General standards:

1. A 10-foot planting strip shall be provided along the frontage adjacent to any public street right-of-way. Within this planting strip, one large deciduous, large evergreen or small deciduous tree shall be planted every 30 linear feet. Such plantings shall other comply with the landscaping requirements contained in Article V.
2. The storage and/or display of goods and materials in the planting strip required above shall be prohibited.
3. All exterior storage areas of goods and materials shall be fenced.

**Sec. 30-85-16 Garden Center**

(A) General standards:

1. A 10-foot planting strip shall be provided along the frontage adjacent to any public street right-of-way. Within this planting strip, one large deciduous, large evergreen or small deciduous tree shall be planted every 30 linear feet. Such plantings shall other comply with the landscaping requirements contained in Article V.
2. The storage and/or display of goods and materials in the planting strip required above shall be prohibited.
3. All exterior storage areas of goods and materials shall be fenced.

(B) Additional standards in the AP, AR and AV districts:

When adjoining a residential use type, a Type C buffer yard in accordance with Article V shall be provided along the property line which adjoins the residential use type.

**Sec. 30-85-17 Gasoline Station**

(A) General standards:

Bulk storage of fuel shall be pursuant to the standards established by the National Fire Prevention Association (NFPA) and the U.S. Environmental Protection Agency (EPA).

(B) Additional standards in the AV and NC districts:

1. No more than four stations designed for dispensing fuel shall be located on site.
2. Fuel dispensers shall be located at least 30 feet from any public street right-of-way, and shall be located at least 100 feet from any adjoining residential use type.
3. When adjoining a residential use type, a Type C buffer yard in accordance with Article V shall be provided along the property line which adjoins the residential use type.

(C) Additional standards in the EP district:

1. No more than four (4) fueling islands designed for dispensing fuel shall be located on site.

- 2. Where adjoining a residential or civic use type, a Type F, Option 2 buffer yard in accordance with Article V shall be provided along the property line which adjoins the residential or civic use type.
- 3. No independent advertising through local media shall call attention to the Explore Park location of the business.

**(Ord. of 03.26.07)**

**Sec. 30-85-18 Golf Course**

When the clubhouse, parking areas, or maintenance facilities adjoin a residential use type, a Type C buffer yard in accordance with Article V shall be provided along the property line which adjoins the residential use type.

**Sec. 30-85-19 Kennel, Commercial**

(A) General standards:

- 1. Each commercial kennel shall install and operate a kennel silencer.
- 2. Animal waste shall be disposed of in a manner acceptable to the department of health.
- 3. Crematoria or land burial of animals in association with a commercial kennel shall be prohibited.

(B) Additional standards in the AP, AR, and AV districts:

- 1. The minimum area required for a commercial kennel shall be 2 acres.
- 2. All facilities associated directly with the commercial kennel, whether indoors or outdoors, shall be set back a minimum of 100 feet from any property line.
- 3. When adjoining a residential use type, a Type C buffer yard in accordance with Article V shall be provided along the property line which adjoins the residential use type.

(C) Additional standards in the C-2 district:

All outdoor runs, training areas, and pens associated with a commercial kennel shall be set back a minimum of 100 feet from any property line.

**Sec. 30-85-20 Landscaping & Lawn Care Services**

(A) General standards:

- 1. A 10-foot planting strip shall be provided along the frontage adjacent to any public street right-of-way. Within this planting strip, one large deciduous, large evergreen, or small deciduous shall be planted every 30 linear feet. Such plantings shall also additionally comply with the landscaping requirements contained in Article V.

2. The storage and/or display of goods and materials in the planting strip required above shall be prohibited.
3. All exterior storage areas of goods and materials shall be fenced and screened from view.

(B) Additional standards in the AV district:

When adjoining a residential use type, a Type C buffer yard in accordance with Article V shall be provided along the property line which adjoins the residential use type.

**Sec. 30-85-21 Mini-warehouse**

(A) General standards:

1. The minimum lot size shall be 2 acres.
2. The minimum front yard setback shall be 35 feet.
3. No security fencing, security gate, or other obstruction to vehicle access shall be permitted in the required front yard setback or in any buffer yard required pursuant to Article V.
4. All interior driveways shall be at least 26 feet wide when cubicles open onto one side only and at least 30 feet wide when cubicles open onto both sides to accommodate loading and unloading at individual cubicles. When interior drives are specified to be "one way only" the widths shall be at least 26 feet wide. Adequate turning radiuses shall be provided, where appropriate, for a 30-foot long single unit truck or moving van. Materials and design shall otherwise conform to the standards contained in latest edition of the Virginia Department of Transportation Subdivision Street Requirement Manual and Appendix C.
5. No door openings for any cubicle shall be constructed facing any residentially zoned property.
6. The following uses shall be prohibited:
  - a. Auctions by tenants, commercial wholesale or retail sales, or miscellaneous or garage sales.
  - b. The servicing, repair, or fabrication of motor vehicles, boats, trailers, lawn mowers, appliances, or other similar equipment.
  - c. The operation of power tools, spray-painting equipment, table saws, lathes, compressors, welding equipment, kilns, or other similar equipment.
  - d. The establishment of a transfer and storage business.
  - e. The storage of flammable, highly combustible, explosive, or hazardous materials shall be prohibited.

7. Outdoor storage areas shall be used for the storage of motor vehicles, trailers, and recreational vehicles only. All outdoor storage areas shall be screened from adjoining properties by a 10-foot landscaped area consisting of small evergreen trees and evergreen shrubs in accordance with Article V.
8. Accommodations for a live-in manager shall be permitted.

(B) Additional standards in the AR District:

1. The minimum front yard setback shall be 50 feet.
2. No door openings for a cubicle shall be constructed facing any residential use type.
3. When adjoining a residential use type, a Type C buffer yard in accordance with Article V shall be provided along the property line which adjoins the residential use type.

**Sec. 30-85-22 Manufactured Home Sales**

(A) General standards:

1. A 10-foot planting strip shall be provided along the frontage adjacent to any public street right-of-way. Within this planting strip, one large deciduous, large evergreen or small deciduous tree shall be planted every 30 linear feet. Such planting materials shall otherwise comply with the landscaping requirements contained in Article V.
2. The storage and/or display of manufactured homes in the planting strip required above shall be prohibited.
3. The storage of manufactured homes on the premises which are not suitable for occupancy shall be prohibited.
4. Temporary or permanent occupancy of manufactured homes on the premises shall be prohibited.

**Sec. 30-85-23 Recreational Vehicle Sales and Service**

(A) General standards:

1. A 10-foot planting strip shall be provided along the frontage adjacent to any public street right-of-way. Within this planting strip, one large deciduous, large evergreen or small deciduous tree shall be planted every 30 linear feet. Such planting materials shall otherwise comply with the landscaping requirements contained in Article V.
2. The storage and/or display of recreational vehicles in the planting strip required above shall be prohibited.
3. Any recreational vehicle which is missing major mechanical or body parts or has been substantially damaged shall be placed in a storage yard. The storage yard

shall be fully screened from public view and shall be set back at least 100 feet from any adjoining residential district.

**Sec. 30-85-24 Restaurant, Family**

(A) General standards:

1. When adjoining a residential use type, a Type C buffer yard in accordance with Article V shall be provided along the property line which adjoins the residential use type.
2. Health department approval for sewage disposal, water supply and kitchen facilities shall be submitted prior to issuance of a building permit for a family restaurant.

**Sec. 30-85-25 Restaurant, General**

(A) General standards:

1. When adjoining a residential use type, a Type C buffer yard in accordance with Article V shall be provided along the property line which adjoins the residential use type.
2. Health department approval for sewage disposal, water supply and kitchen facilities shall be submitted prior to issuance of a building permit for a general restaurant.

**Sec. 30-85-26 Restaurant, Drive-In and Fast Food**

(A) General standards:

1. All drive-through windows shall comply with the standards for drive-through facilities contained in Article V.
2. A special use permit shall not be required for any fast food restaurant that is located within a shopping center (excluding out parcels) and which does not propose drive-in or curbside service.

(B) In the EP District:

1. A special use permit shall be required only if drive through facilities are part of the drive-in or fast food restaurant.

**(Ord. of 03.26.07)**

**Sec. 30-85-26(a) Retail Sales.**

In the EP District:

1. A special use permit shall be required for any retail sales use, building or structure that exceeds fifty thousand (50,000) square feet of gross floor area.

**(Ord. of 03.26.07)**

**Sec. 30-85-27 Truck Stop**

The truck stop site shall be a minimum of 10 acres.

**SEC. 30-86 INDUSTRIAL USES**

**Sec. 30-86-1 Asphalt Plants**

(A) General standards:

1. A Type F buffer yard shall be required in accordance with Article V.
2. In considering a special use permit request for an asphalt plant, in addition to the special use permit standards contained in Article I of this ordinance, the board of zoning appeals shall specifically consider and set standards for the following:
  - a. The maximum height of any structure and any additional setback requirements necessary to compensate for any increased height.
  - b. Specific measures to control dust during the construction and operation of the plant.
  - c. Specific levels of noise permitted during the daytime and nighttime operation of the plant, as measured at adjacent property lines, and any additional requirements for the design or operation of the plant intended to reduce noise.

**Sec. 30-86-2 Composting**

(A) General standards:

1. The area designed for composting shall be located greater than 300 feet from all property boundaries.
2. The area designated for composting is located more than 1,000 feet from any occupied dwelling not located on the same property as the composting area.
3. The area designated for composting is not located within an area designated as a floodplain as defined in the Code of Virginia.
4. The area designated for composting is located more than 300 feet from any body of water.
5. The agricultural operation has at least one acre of ground suitable to receive yard waste for each 150 cubic yards of finished compost generated annually.
6. The total time for the composting process and storage of the material being composted or has been composted shall not exceed 18 months prior to its field application or sale as a horticultural or agricultural product.

**Sec. 30-86-3 Construction Yards**

(A) General standards:

All materials stored on the premises overnight shall be placed in a storage yard. The storage yard shall be fully screened from surrounding views in accordance with Article V, and shall be set back at least 100 feet from any adjoining residential district.

(B) In the AV district, the following standards shall apply:

1. The maintenance and repair of all vehicles and equipment shall be conducted within an enclosed building.
2. In considering a special use permit request for a construction yard, in addition to the above standards and the general special use permit standards contained in Article I of this ordinance, the board of zoning appeals may consider and set standards for the following:
  - a. The provisions for screening of any vehicles, equipment, materials and storage yard, and screening and buffering, in accordance with Article V, of the entire construction yard.
  - b. The maximum height of any structure and any additional setback requirements necessary to compensate for any increased height.
  - c. Specific measures to control dust on the site.
  - d. Specific levels of noise permitted on the site, as measured at adjacent property lines.
  - e. Limit the hours of operation.

**Sec. 30-86-4 Custom Manufacturing**

(A) General standards:

1. A custom manufacturing establishment shall meet all the requirements for a principal structure.
2. All activities associated with a custom manufacturing establishment, other than loading and unloading, shall be conducted within an enclosed building.

(B) Additional standards in the AP, AR, and AV districts:

1. Maximum square footage for a custom manufacturing establishment: 3,000 square feet.
2. When there is a residential use type on an adjoining lot, a Type C buffer yard in accordance with Article V shall be provided along the common property line.
3. The site shall front directly on and have direct access to a publicly owned and maintained street.

(C) Additional standards in the AP and AR districts:

1. The custom manufacturing establishment shall be accessory to a single family dwelling.
2. No custom manufacturing establishment shall be located on lot containing less than three (3) acres.

**Sec. 30-86-5 Recycling Centers and Stations**

(A) General standards:

1. Where receptacles for recyclable materials are located outside of a building, they shall be located so as to not disrupt or interfere with on site traffic circulation, required fire lanes or required parking, loading, or stacking areas.
2. A specific circulation pattern shall be established to provide safe and easy access to recycling receptacles. Adequate space shall be provided for the unloading of recyclable materials.
3. A regular schedule for picking up recycled materials shall be established and maintained.
4. The site shall be maintained free of litter.
5. Where receptacles for recyclable materials are located outside of a building, they shall be screened from public view in accordance with Article V.

**Sec. 30-86-6 Resource Extraction**

(A) General standards:

1. No surface mining or extraction activity shall be conducted within 100 feet of the exterior property line nor within 200 feet of any residential property or planned residential subdivision. The setback shall not be used for any purpose during the period of excavation, including overburden and spoil storage, except the minimum necessary for access roads.
2. Access to the site shall be located so that truck traffic does not travel through any planned residential development, and shall otherwise be located to have as little as possible impact on residentially developed areas.
3. Access roads shall be maintained in a dust free manner. All access roads shall be constructed so as to intersect as nearly as possible at right angles with public streets and roads.
4. Off street parking areas adequate for all employees' vehicles and trucks shall be provided.
5. In addition to the application requirements for a special use permit, a master plan of the proposed site shall be submitted for consideration. This plan shall specify all physical changes or improvements to the property, methods for controlling drainage, run-off, and potential ponding on the site, erosion and sediment control measures to be employed, an evaluation of the impact of the proposed activity on groundwater resources, methods for securing the site from illegal entry, proposed

access routes and impacts on public roads, a phasing plan including time frames for the extraction activities, and proposed reclamation and re-use of the site upon completion of the mining or excavation activity.

**Sec. 30-86-7 Scrap and Salvage Yards**

(A) General standards:

1. All scrap and salvage materials, and all associated vehicles and equipment stored on the premises overnight shall be placed in a totally enclosed building or in a fenced storage yard. The storage yard shall be fully screened from surrounding views in accordance with Article V, and shall be set back at least 100 feet from any adjoining residential district.
2. The site development and operation shall be in accordance with all of the regulations of the Virginia Department of Environmental Quality.
3. No land development activities shall be undertaken until the appropriate permits are approved by the Virginia Department of Environmental Quality.

**Sec. 30-86-8 Transfer Station**

(A) General standards:

1. Any transfer station shall be either owned, operated, and/or approved by Bedford County.
2. The site development and operation shall be in accordance with all of the regulations of the Virginia Department of Environmental Quality, including special conditions, for a transfer station.
3. No land development activities shall be undertaken until the appropriate permits are approved by the Virginia Department of Environmental Quality.

**Sec. 30-86-9 Winery**

(A) General standards:

1. All activities associated with the winery, other than loading and unloading, shall be conducted within an enclosed building.
2. A winery establishment shall meet all the requirements for a principal structure.
3. When there is a residential use type on an adjoining lot, a Type C buffer yard in accordance with Article V shall be provided along the common property line.
4. The site shall front directly on and have direct access to a publicly owned and maintained street.

**SEC. 30-87 MISCELLANEOUS USES**

**Sec. 30-87-1 Amateur Radio Tower**

(A) General standards:

1. An amateur radio tower shall be considered as an accessory structure and shall comply with the minimum setback requirements for the respective zoning district.
2. The minimum setback requirement from the base of the tower to any residential structure on an adjoining lot shall be at least equal to 40 percent of the height of the tower, measured from the closest structural member of the tower (excluding guy lines). Guy lines shall be exempt from the minimum setback requirements in side and rear yards for the respective zoning district, but shall comply with the setback requirements for the front yard.
3. More than one tower shall be permitted provided all setback requirements have been met.
4. Towers shall be illuminated as required by the Federal Aviation Administration (FAA) and the Federal Communications Commission (FCC), but no lighting shall be incorporated if not required by either agency.
5. All amateur radio towers shall comply with any additional requirements established in the Airport Overlay District in Article III and the Emergency Communications Overlay District in Article III.

(B) In all Agricultural, Residential, Industrial, and Commercial zoning districts where amateur radio towers are permitted, the following additional standards shall apply:

The maximum height permitted by right for an amateur radio tower shall be 200 feet. Any tower which exceeds this height may be permitted only after obtaining a special use permit in accordance with Article I of this ordinance and the additional criteria established under (C) for such permits below.

(C) Where a special use permit is required by this ordinance, the following criteria shall be considered:

1. Any tower proposed within two miles of any general or commercial airport, or located at a ground elevation at or above 2,000 feet, average mean sea level, shall be referred to the operator/manager of the airport for review and comment prior to taking action on the special use permit application. Comments shall also be submitted from the Federal Aviation Administration (FAA) where FAA approval is otherwise required by law.
2. In accordance with the FCC's Memorandum Opinion and Order in PRB-1 also known as "Amateur Radio Preemption", 101 FCC2d 952 (1985), local regulation of amateur radio towers shall consider the following:
  - a. The FCC, in regulating and licensing amateur radio stations and operators, is operating under basic federal objectives which preempt certain local regulations which preclude amateur communications.

- b. Restrictions on the placement, screening, or height of towers based on health, safety or aesthetic considerations must reasonably accommodate amateur communications.
  - c. Restrictions must represent the minimum practicable regulation to accomplish the purpose of the district in which the tower is proposed, as well as the purpose of this ordinance as contained in Article I.
3. The specific height of the amateur radio tower shall be established as a condition of the special use permit.

**Sec. 30-87-2 Aviation Facilities, Private**

(A) General standards:

- 1. Written approval shall be obtained from the State Department of Aviation, and when located within 5 miles of any commercial airport, written approval from the Federal Aviation Administration.
- 2. No flight strip or heliport shall be located within 500 feet of any adjoining residential structure, other than residences planned in conjunction with the private aviation facility.
- 3. Buildings and structures, such as hangers and maintenance sheds, shall be considered accessory uses to the private airport, but shall otherwise comply with all requirements for a principal building or structure.
- 4. Nighttime use and operation of a private airport shall be prohibited unless specifically approved as part of the special use permit.

**Sec. 30-87-3 Wireless Communication**

(A) General standards:

- 1. The maximum height of any broadcasting tower shall be made a condition of the special use permit.
- 2. The minimum setback requirement from the base of the tower to any residential structure on an adjoining lot shall be at least equal to 40 percent of the height of the tower, measured from the closest structural member of the tower (excluding guy lines). Guy lines shall be exempt from the minimum setback requirements in side and rear yards for the respective zoning district, but shall comply with the setback requirements for the front yard.
- 3. The minimum set back from any property line abutting a road right-of-way for any other building or structure associated with a broadcasting tower shall be 50 feet and in all other instances shall be no less than 25 feet.
- 4. More than one tower shall be permitted provided all setback requirements have been met.
- 5. Towers shall be illuminated as required by the Federal Communications Commission (FCC) and the Federal Aviation Administration (FAA), but no lighting

shall be incorporated if not required by either agency, other than essential security lighting.

6. Any tower proposed within two miles of any general or commercial airport, or located at a ground elevation at or above 2,000 feet, average mean sea level, shall be referred to the operator/manager of the airport for review and comment. Comments shall also be submitted from the Federal Aviation Administration (FAA) where FAA approval is otherwise required by law.
7. All broadcasting towers shall comply with any additional requirements established in the Airport Overlay District in Article III and the Emergency Communications Overlay District in Article III.

**Sec. 30-87-4 Outdoor Gatherings**

(A) General standards:

1. Outdoor gatherings are required to obtain a temporary use permit and any other county required permits. The petitioner shall submit information indicating the individuals and/or parties sponsoring the event, the nature of the gathering, the events, displays and/or entertainment scheduled, the number of tickets to be sold, an estimate of the total number of people expected to attend, and the dates for which the permit is requested.
2. In addition, a detailed plan shall be submitted of all facilities to be provided in accordance with the following guidelines:
  - a. Adequate provisions for sanitation facilities, garbage and trash collection and disposal, and facilities for providing food, water, and lodging for persons at the gathering shall be provided.
  - b. The sponsors shall provide for adequate medical facilities, fire protection, and security of the site.
  - c. Adequate on-site parking shall be provided for all employees and patrons of the gathering. The parking layout shall be determined in advance of the festival, adequately marked on the site and shall be supervised during the festival in such a manner as to provide safe and convenient access to all patrons and employees, and to accommodate emergency service vehicles.
  - d. Adequate off-site circulation and traffic controls to provide safe ingress and egress to the gathering without burdening the existing road network or substantially disrupting the normal flow of traffic.
  - e. Any lighting installed for the gathering shall be directed away from adjoining properties and public rights-of-way, and shall not exceed one foot candle measured at the property boundary of the site.
  - f. The level of any music and other noise created by the gathering shall be directed away from any adjoining residence and may be specifically limited by the board of zoning appeals.

**Sec. 30-87-5 Parking Facilities**

Surface parking facilities containing 25 or more spaces shall include landscaped medians, peninsulas or planter islands. Such landscaped areas shall constitute no less than 10 percent of the total paved area. They shall be planned, designed and located to channel traffic flow, facilitate stormwater management, and define and separate parking areas and aisles. Each landscaped area shall be planted with a deciduous tree with a minimum diameter of one inch at the time of planting in accordance with Article V.

**Sec. 30-87-6 Shooting Ranges, Outdoor**

(A) General standards:

1. The perimeter property line and the site or area used as a shooting range or match shall be fenced, posted every 50 feet and otherwise restricted so that access to the site is controlled to insure the safety of patrons, spectators, and the public at large.
2. The sheriff of Bedford County shall review and approve the design and layout of any shooting range or match as to its safety to patrons of the range as well as surrounding property owners. As a general guide line, the following distances shall be maintained unless modified in writing by the county sheriff:
  - a. The minimum distance from any firing point measured in the direction of fire to the nearest property line shall not be less than 1000 feet;
  - b. Where a backstop is utilized to absorb the discharged load, the minimum distance may be 200 feet; and,
  - c. No firing point shall be located within 100 feet of an adjoining property line.

**Sec. 30-87-7. Transportation Terminal.**

(A) In the EP district the following standards shall apply:

1. This use is provided to allow various visitor transportation access options to be constructed within the Park.
2. Typical uses include train depot, marina, bus loading and unloading areas, and visitor shuttle services.

**(Ord. of 03.26.07)**

**SEC. 30-88 ACCESSORY USES AND STRUCTURES**

As defined in Article II, accessory uses and structures may be commonly found and associated with principal use types. Principal uses which are allowed by right or by special use may include accessory uses and activities, provided such accessory uses and activities are appropriate and incidental to the principal use, and provided they are designed and located in accordance with the intent and provisions of this ordinance.

**Sec. 30-88-1 Accessory Uses: Agricultural Use Types**

(A) Agricultural use types may include the following accessory uses, activities, or structures on the same site or lot:

1. Parking associated with a principal use.
2. The storage of agricultural equipment, products, or materials associated with the principal use.
3. Temporary sawmills in accordance with applicable use and design standards.
4. Other uses and activities necessarily and customarily associated with purpose and function of agricultural use types, as determined by the zoning administrator.
5. The production of compost.

**Sec. 30-88-2 Accessory Uses: Residential Use Types**

(A) Residential use types may include the following accessory uses, activities, or structures on the same site or lot:

1. Private garages and parking for the principal use.
2. Recreational activities and uses used by residents, including structures necessary for such uses.
3. Playhouses, gazebos, incidental household storage buildings, swimming pools, and other similar accessory structures.
4. Garage or yard sales provided that such sales occur no more than two days in a two month period.
5. Other uses and activities necessarily and customarily associated with purpose and function of residential use types, as determined by the zoning administrator.
6. Construction office or trailer associated with active construction on a site. A construction office or trailer shall be removed from an active construction site within 30 days of issuance of the final certificate of occupancy for the project.

**Sec. 30-88-3 Accessory Uses: Civic Use Types**

(A) Civic use types may include the following accessory uses, activities or structures on the same site or lot:

1. Parking for the principal use.
2. Accessory dwellings commonly associated with or necessitated by the location and operation of the principal use.
3. Food services operated incidental to the principal use and operated primarily for the convenience of employees, residents, or users of the principal use. Typical examples include cafeterias and dining halls.
4. Convenience commercial facilities clearly incidental to the principal use and operated primarily for the convenience of employees, residents, and users of the

principal use. Typical examples include museum gift shops, college bookstores, or snack bars clearly incidental to the principal use.

5. Other uses and activities necessarily and customarily associated with purpose and function of civic use types, as determined by the zoning administrator.
6. Construction office or trailer associated with active construction on a site. A construction office or trailer shall be removed from an active construction site within 30 days of issuance of the final certificate of occupancy for the project.

**Sec. 30-88-4 Accessory Uses: Office Use Types**

- (A) Office use types may include the following accessory uses, activities, or structures on the same site or lot:
1. Parking for the principal use.
  2. Recreational facilities available only to the employees of the office use type.
  3. Day care facilities available only to the employees of the office use type.
  4. Other uses and activities necessarily and customarily associated with purpose and function of office use types, as determined by the zoning administrator.
  5. One accessory dwelling unit occupied by employees responsible for the security of the use.
  6. Construction office or trailer associated with active construction on a site. A construction office or trailer shall be removed from an active construction site within 30 days of issuance of the final certificate of occupancy for the project.

**Sec. 30-88-5 Accessory Uses: Commercial Use Types**

- (A) Commercial use types may include the following accessory uses, activities or structures on the same site or lot:
1. Parking for the principal use.
  2. Accessory storage buildings or areas.
  3. One accessory dwelling unit occupied by employees responsible for the security of the use.
  4. Other uses and activities necessarily and customarily associated with purpose and function of commercial use types, as determined by the zoning administrator.
  5. Construction office or trailer associated with active construction on a site. A construction office or trailer shall be removed from an active construction site within 30 days of issuance of the final certificate of occupancy for the project.

**Sec. 30-88-6 Accessory Uses: Industrial Use Types**

- (A) Industrial use types may include the following accessory uses, activities, or structures on the same site or lot:
1. Parking for the principal use.
  2. Recreational facilities available only to the employees of the industrial use type.
  3. Day care facilities available only to the employees of the industrial use type.
  4. Cafeterias and sandwich shops available only to the employees of the industrial use type.
  5. Incidental retail sale of goods associated with the industrial use type, provided the square footage does not exceed 10 percent of the gross floor area or 3,000 square feet, whichever is less.
  6. One accessory dwelling unit occupied by employees responsible for the security of the use.
  7. Other uses and activities necessarily and customarily associated with purpose and function of industrial use types, as determined by the zoning administrator.
  8. Construction office or trailer associated with active construction on a site. A construction office or trailer shall be removed from an active construction site within 30 days of issuance of the final certificate of occupancy for the project.

**SEC. 30-89 (RESERVED)**