

## § 157.036 AGRICULTURE, GENERAL (A-1).

(A) *Purpose and intent.* The purpose of this District is to encourage continued agricultural and forest uses and preserve the rural areas of the county where urban services, such as public water and sewer facilities, are not available or planned for future installation. This District generally corresponds to areas of the County Comprehensive Plan Future Land Use Map as the Agricultural District. At the same time, the District is intended to provide for limited residential development for those who choose to live in a rural environment and to protect this development where it occurs. This District recognizes the importance of agricultural and forest production as an important component of the county's past, present, and future well being. If more intensive uses are desired for property located in the Agricultural, General A-1 District, a change in zoning classification shall be considered.

### (B) *Permitted uses.*

(1) The Agricultural, General A-1 District consists, for the most part, of larger parcels of land in agricultural and forest uses. When the District boundaries were established, some smaller parcels were included in the Agricultural, General A-1 District. Where these parcels are two acres (87,120 square feet) or less in size, the regulations of the Residential, General R-2 District shall govern with the exception of two-family dwellings as a permitted use; unless such parcels receive an approved rezoning entitling them to all uses of the district to which they are rezoned.

(2) For parcels greater than two acres in size in the Agricultural, General A-1 District, structures to be erected or land to be used shall be for one or more of the following uses:

- (a) The tilling of the soil, raising of crops and animals, and forestry;
- (b) Single-family dwellings;
- (c) Individual manufactured homes;
- (d) Boat docks, launch ramps, and shoreline stabilization projects (private). County wetlands permit may be required;
- (e) Churches;
- (f) Schools;
- (g) Parks/playgrounds and community recreational facilities (noncommercial);
- (h) Home occupations;
- (i) Cemeteries;
- (j) Greenhouses and horticultural nurseries, with display/sales area and office space for wholesale and/or retail sales of plants. Garden supplies and related items are allowed for sale. Landscape businesses are also allowed;
- (k) Golf courses which may include driving ranges, practice greens, clubhouse with restaurant, pro shop, equipment and maintenance facilities, and other accessory structures and uses customarily associated with golfing;
- (l) Public boating, fishing, and swimming facilities including, but not limited to: ramps; docks; piers; pools; mooring piles; walkways; sanitary facilities; and beaches;
- (m) Preserves or conservation areas;
- (n) Childcare facilities, including preschool classes;
- (o) Home professional offices which are limited to the following: surveyor; real estate sales; lawyer; doctor; dentist; contractor; architect; caterer; and similar professions. The employment of

persons, other than those residing in the home, is limited to five individuals and includes only those individuals actually conducting work on the premises. The sale of goods and merchandise is prohibited; and

(p) Accessory structures are permitted as defined, however, garages, carports, porches and stoops attached to the main building shall be considered part of the main building.

(C) *Special exception uses.* Special exception uses include:

- (1) Bed and breakfast establishments;
- (2) Retirement home or home nursing facility;
- (3) Commercial animal kennels and veterinary facility (including animal cemeteries and animal crematoriums);
- (4) Mining activities including removal of sand and gravel;
- (5) Campgrounds for tents, campers, travel trailers, or other recreational vehicles;
- (6) Livestock auction market;
- (7) Fire stations or rescue squad facilities;
- (8) Rifle or pistol shooting range and trap or skeet shooting;
- (9) Sewage treatment facility for treatment of septic system waste;
- (10) Intensive livestock or poultry operations;
- (11) Reestablishment or conversion of use in existing structures that have previously been retail businesses;
- (12) Commercial marina and facilities for building or servicing boats;
- (13) Antique shop (including upholstery shop and furniture repair shop);
- (14) Post office;
- (15) Contractors equipment storage yard;
- (16) Clubs or lodges for hunting (including kennels), fishing, and other sports activities;
- (17) Facilities necessary for rendering local public utility service. Buildings, treatment plants, water storage tanks, pumping or regulating stations, storage yards, and substations, county sanctioned recycling centers, and refuse collection centers may be considered as special exceptions. Underground utility service shall be required except where shown to be not feasible;
- (18) Migrant or seasonal worker housing facilities;
- (19) Private airstrip;
- (20) Wireless telecommunications facilities;
- (21) Assembly/retreat facility;
- (22) Limited food service and sales permitted as an accessory use to the following special exception uses: antique shops; bed and breakfasts; campgrounds for tents, campers, travel trailers, or other recreational vehicles; livestock auction markets; commercial marinas; clubs or lodges; and assembly/retreat facilities. Requires an annual review by the Land Use Administrator to ensure food service and sales remains a secondary use. Evidence must be provided that appropriate regulatory authorities have been consulted and permits issued; and

(23) Solar power facility, large photovoltaic.

(D) *Limitations on subdivisions.*

(1) In order to maintain the viability of lands for agricultural and forest production within this District, uses are somewhat restrictive. When more intensive uses are desired, rezoning of the property shall be considered where it can be demonstrated that the more intensive use is warranted and in keeping with the County Comprehensive Plan. To protect against premature subdivision of land and fragmentation of productive agricultural and forestlands, subdivisions are controlled to maintain the uses mentioned in the purpose and intent of this District. Within this District, the density of new parcels shall not exceed one parcel per 20 acres, with the parent parcel being allowed to be divided into a maximum of 15 lots. For parcels 20 acres or less in size and for the first 20 acres of parcels greater than 20 acres in size, a density of one parcel per two and one-half acres shall be permitted, up to a maximum of four lots.

(2) For calculating the number of new lots allowed, the parcel of record as of December 8, 2005, shall be considered to be the parent parcel. If the parent parcel has been divided subsequent to December 8, 2005, the number of additional lots allowed to be created from a child parcel shall be its proportionate share of the remaining lots that could be created from the parent parcel, unless rights to a different share of the remaining lots has been transferred to the child parcel by deed from its parent. The number of new lots allowed shall never exceed the parcel's share of the remaining lots that could have been created from its parent under density restrictions in existence on November 10, 1995.

(3) Parcels recorded prior to November 10, 1995, which are less than five acres in size may be subdivided into two lots without density restrictions provided minimum lot sizes, dimensions, and setbacks can be met.

(4) Family subdivisions, on parcels recorded prior to November 10, 1995, shall not be subject to density restrictions and shall not count toward the maximum number of new parcels allowed. However, any acreage encompassed by family subdivisions shall be subtracted from the acreage used to calculate the number of new lots allowed.

(E) *Lot size standards.*

(1) *Table of lot size standards.*

<b>Type</b>	<b>Minimum Lot Area</b>	<b>Minimum Lot Width (ft.)</b>	<b>Minimum Lot Depth (ft.)</b>
Churches	2 acres	200	200
Schools	5 acres	250	300
Single-family dwellings with either public or central water or sewerage but not both	30,000 sq. ft.*	100*	150
Single-family dwellings with individual water and sewerage systems	1 acre*	150*	200
Other uses	Other uses same as for single-family dwelling or as specified in district regulations		

Table notes:

\*: For lots fronting on a U.S. highway, the minimum lot size is two acres and minimum lot width of 200 feet. For lots fronting on a primary highway, the minimum lot size is one and one-half acres and minimum lot width of 200 feet. Lots that adjoin a U.S. or primary highway but do not

have vehicle access to the U.S. or primary highway shall be considered as not having frontage on a U.S. or primary highway.

(2) *Measuring.* Lot width shall be measured at the front yard setback line and shall continue to meet the minimum width requirement throughout the allowable building envelope.

(3) *Minimum street frontage.* Minimum street frontage for any lot shall be 25 feet.

(F) *Setback regulations.*

(1) The front yard setback shall be 75 feet or more from the centerline of any street or road right-of-way, but, in no event less than 50 feet from the edge of the right-of-way. This shall also be known as the "setback line". For lots fronting on a U.S. or primary highway, the front yard setback shall be 100 feet from the edge of the right-of-way.

(2) The minimum side yard for each main structure shall be 25 feet and the total width of the two required side yards shall be 50 feet or more.

(3) The minimum rear yard for each main structure shall be 25 feet.

(4) For lots recorded prior to August 10, 1989, which are 100 feet or less in width, the side yard setbacks are reduced to a total of 15 feet with no side yard setback to be less than five feet.

(5) For lots two acres or less in size recorded prior to August 10, 1989, which front on the Rappahannock River or its tidal tributaries and are to be used for residential purposes, the front yard setback shall be 25 feet from the edge of the street or road right-of-way.

(6) The minimum setback from a private street or road right-of-way, which is 25 feet or less in width, shall be 25 feet from the edge of the right-of-way.

(7) Accessory structures shall observe the front yard setback but may encroach into the side and rear yard areas to within five feet of the property lines.

(G) *Height regulations.*

<b>Type</b>	<b>Maximum Height</b>
Accessory structures	Not to exceed height of main structure
All other structures	2-1/2 stories not to exceed 35 ft.
Churches	2-1/2 stories not to exceed 45 ft.
Single-family dwellings	2-1/2 stories not to exceed 35 ft.

(H) *Special provisions for corner lots.* Corner lots must meet the front yard requirements along each street that the lot fronts on.

(I) *Signs.* Signs as permitted and described in §§ 157.090 through 157.110.

(J) *Parking and loading.* Off-street parking and loading design standards and space requirements for particular uses are contained in §§ 157.090 through 157.110.

(K) *Special provisions for Agricultural, General A-1 District.* The prevalent land uses in this District, agriculture and forestry, are accompanied by activities that may cause temporary conditions of noise, dust, and other nuisances that may be objectional. The District regulations recognize that other uses may occur and that individuals may wish to reside in areas that are primarily devoted to agriculture

and forestry. Any legal activity conducted for the purpose of agricultural or forest production, which at times may create objectional conditions, shall be tolerated within this District.

(Ord. passed 11-9-1995; Ord. passed 2-13-1997; Ord. passed 6-12-1997; Ord. passed 4-8-1999; Ord. passed 6-10-1999; Ord. passed 9-14-2000; Ord. passed 11-8-2001; Ord. passed 11-13-2003; Ord. passed 1-13-2005; Ord. passed 12-8-2005; Ord. passed 4-13-2006; Ord. passed 2-8-2007; Ord. passed 12-10-2009; Ord. passed 1-8-2015; Ord. passed 1-14-2016) Penalty, see § 157.999