Town of Charlotte Court House Zoning Ordinance

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Article 1. General Provisionsx

Sec. 1-1. Title

This ordinance and the official zoning map that is made part of it by reference, adopted by the town council of Charlotte Court House, Virginia on June 21, 2022, officially repeals the 1986 Zoning Ordinance, as amended, and will be known, cited, and referred to as the Town of Charlotte Court House Zoning Ordinance.

Sec. 1-2. Authority

This ordinance is adopted pursuant to General Assembly authorization in Code of Virginia, § 15.2-2200 et seq.

Sec. 1-3. Intent

The legislative intent of this ordinance is to promote the health, safety, and general welfare of the public, to achieve the purposes of zoning as set forth in the Code of Virginia, and to implement the comprehensive plan of the Town of Charlotte Court House.

Sec. 1-4. Applicability

1-4-1. After the effective date established in Sec. 1-8, this ordinance applies uniformly to all buildings and structures erected, all uses of land, water or buildings established, and all structural alterations or relocations of existing buildings, except those areas determined by law to be under the sole and sovereign control of the United States of America or the Commonwealth of Virginia. Compliance is required with regard to any of these activities, subject to the enforcement and penalty provisions in Sec. 3-2 of this ordinance.

1-4-2. All enlargements, additions, changes, and relocations of existing buildings and uses occurring after the effective date are subject to all regulations of this ordinance, except those areas determined by law to be under the sole and sovereign control of the United States of America or the Commonwealth of Virginia.

1-4-3. Legal existing buildings and uses at the time of the effective date which do not comply with this ordinance are subject to provisions of Article 8, Nonconformities.

Sec. 1-5. Exemptions

1-5-1. Electrical transmission lines

Electrical transmission lines of 150 kV or more, approved by the State Corporation Commission, are deemed to have satisfied the requirements of this ordinance. In addition, the following utility uses are exempt from the provisions of this article: poles, wires, cables, conduits, vaults, laterals, pipes, valves, meters, or any other similar equipment when used for the purpose of distributing service to individual customers within an approved or established service area. Telecommunications facilities, utility plants, and utility substations are subject to this ordinance.

Sec. 1-6. Unauthorized uses

Any use not expressly permitted by-right or permitted by conditional use permit in a specific district is prohibited in that district, unless and until the zoning ordinance is amended in accord with the procedures set forth in Sec. 3-1.

Sec. 1-7. Vesting

Vesting of existing or previously approved permits must be in accord with Code of Virginia §15.2-2307 and other Virginia law.

Sec. 1-8. Effective date

The effective date of this ordinance shall be from the date of its enactment, and each of its provisions shall be in force thereafter until amended or repealed.

Sec. 1-9. Severability

If any section or provision of this ordinance is decided by the courts to be unconstitutional or invalid, such decision will not affect the validity of this ordinance as a whole or any part of it other than the part held to be unconstitutional or invalid.

Sec. 1-10. Conflicting ordinances

Whenever any section or provision of this ordinance imposes higher standards than are required in any other applicable town ordinance, the provision of this ordinance governs. Whenever any section or provision of any federal or state statute or regulation imposes higher standards than are required by this ordinance, the provision of such statute or regulation governs.

Sec. 1-11. Establishment of districts

The Town of Charlotte Court House, Virginia, is hereby divided into districts as described in Article 4.

Sec. 1-12. Zoning map

The location and boundaries of these districts are shown on the official Zoning Map of the Town of Charlotte Court House, Virginia. Within thirty days after adoption of this ordinance, a copy of this official map shall be filed in the office of the clerk of the circuit court pursuant to Code of Virginia § 15.2-2234. The town clerk shall ensure that a current copy of town's zoning ordinances and map are publicly available during regular business hours in the clerk's office of the town.

Article 2. Definitions

For the purpose of this ordinance, certain words and terms are defined as follows. Words used in the present tense include the future. Words in the singular include the plural, and the plural includes the singular, unless the natural construction of the word indicates otherwise. A word used in the masculine includes the feminine and neuter.

Access. A physical connection to a parcel via a street.

Accessory building or structure. A building or structure located upon the same parcel as the principal use, building or structure, the use of which is incidental and subordinate to the use of the principal structure. Garages, carports, and storage sheds are common residential accessory buildings and structures. An accessory building is not a dwelling and shall not be used for housekeeping purposes.

Accessory use. Uses of land or buildings that are found on the same parcel as the principal use but are subordinate and incidental.

Addition (to an existing building). The enlargement of the usable space of a building, either by extending the footprint or by adding another level or partial level of floor space. (See also "alteration")

Adjacent. Nearby but not necessarily adjoining.

Adjoining. Touching or contiguous.

Adult assisted living. (See Assisted Living Facility)

Adult day care center. As defined in Code of Virginia § 63.2-100, a facility which provides supplementary care and protection during part of the day only to four (4) or more aged, infirm or disabled adults who reside elsewhere, except: (i) a facility or portion of a facility licensed by the State Board of Health or the Department of Mental Health, Mental Retardation and Substance Abuse Services; and (ii) the home or residence of an individual who cares for only persons related to him by blood or marriage.

Adult entertainment: Any use involving a focus on sexual activity or content, such as an adult bookstore, adult novelty items and paraphernalia, adult video or theater, cabaret, or massage parlor.

Agriculture, general. The tilling of soil, the raising of crops, horticulture, forestry, sod, viticulture, silviculture, aquaculture, apiculture, poultry and other fowl, horses and other livestock, including the keeping of animals customarily raised on farms, but not at intensive levels as defined in this ordinance. The term includes orchards, low-intensity grazing, and similar uses, but shall not include packing or processing plants, intensive agriculture, retail nurseries, livestock markets, slaughterhouses, commercial greenhouses, wayside stands, the keeping of animals not customarily raised on farms, processing of agricultural products, or sawmills.

Agriculture, hay production. Permanent grassland used for the production of hay or straw.

Agriculture, household livestock. Livestock kept on a short term basis for non-commercial use such as for educational purposes or consumption by members of the household residing on the premises; and which is at a scale and volume consistent with such intent.

Agriculture, household non-livestock. General agriculture excluding food animals and food producing animals which is intended for the non-commercial use and consumption by members of the household residing on the premises, and which is at a scale and volume consistent with such intent.

Agriculture, intensive. Any animal operation, including an animal feeding area, exceeding one (1) animal unit per gross acre occurring on a constant or continuing basis. One animal unit equals:
1.0 cows, other than mature dairy cows or veal calves
0.7 mature dairy cows (whether milked or dry) or veal calves
2.5 swine each weighing over 55 pounds
10 swine each weighing less than 55 pounds
0.5 horses
10 sheep or lambs
55 turkeys
100 laying hens or broilers

Alley. A public or private street that provides rear access to multiple properties.

Alteration. Any change in the total floor area, use, adaptability, or external appearance of an existing structure.

Amusement enterprises, temporary. A mainly outdoor establishment offering games, rides and other such entertainments on a temporary basis.

Ancillary. Incidental and subordinate; accessory.

Animal boarding. A place or establishment other than a pound or animal shelter where companion animals not owned by the proprietor are sheltered, fed and watered in exchange for a fee.

Animal feeding area. Any place or facility of an animal or livestock operation where animals are grouped together for any amount of time for feeding purposes, other than at large in a pasture area.

Animal shelter/Kennel. A facility, other than a private residential dwelling and its surrounding grounds, that is used to house or contain animals and that is owned, operated, or maintained by a nongovernmental entity including a humane society, animal welfare organization, society for the prevention of cruelty to animals, or any other organization operating for the purpose of finding permanent adoptive homes for animals.

Animal hospital/Vet Clinic. Establishment where treatment of animals is provided, and no related activity is conducted outside the main building.

Antenna. Any apparatus designed for telephonic, data, radio, or television communications through the sending and/or receiving of electromagnetic waves.

Approve. The word "approve" shall be considered to be followed by the words "or disapprove."

Art gallery. A place where works of art are displayed for viewing or for sale on a regular, ongoing basis.

Art studio. A place where works of art are created, and where viewing or sale may occur on a limited or intermittent basis as an accessory activity.

Assembly, place of. Any public or private space, located in an enclosed building, or on open ground or in a stadium, in which people gather for meetings, events, including clubs, lodges, religious worship, performances, and similar group functions.

Assembly, industrial. The act of attaching multiple separate parts to form larger, combined products for sale to consumers or businesses.

Assisted living facility. A place, establishment, or institution, operated for the maintenance or care of four (4) or more adults who are aged, infirm, or disabled and who are cared for in a primarily residential setting, in accordance with Code of Virginia § 63.2-100. The level of service provided for these adults shall include at least moderate assistance with the activities of daily living.

Bakery. A place where bread, cakes, cookies, or other baked foods are made or sold.

Basement. The portion of a building partially or completely below grade.

Bed and breakfast inn. A building, or portion of a building, where lodging and meals are provided in return for compensation, on a temporary basis for transient guests for fourteen (14) or fewer days, in six (6) or fewer guest rooms or suites.

Beverage or food processing. The production of food or beverages for human consumption through canning, smoking, pressing, cooking, freezing, dehydrating, fermenting, milling, or other such processes, but not including the slaughter of live animals.

Board of zoning appeals (BZA). The board of zoning appeals of the Town of Charlotte Court House, Virginia.

Brewery and bottling facilities. A place where beer or other malt liquors are produced and/or packaged (bottled).

Buffer. An area of land intended to separate and partially obstruct the view of two (2) adjacent land uses or properties from one another or from the street or to block noise or other nuisances.

Building. Any enclosed or open structure which is a combination of materials to form a construction for occupancy or use.

Building height. The vertical distance measured from the level of the curb or the established curb grade opposite the middle of the front of the building or structure to the highest point of the roof if a flat roof; to the deck line of a mansard roof, or to the mean height level between the eaves and ridge of a gable, hip, or gambrel roof. For buildings or structures set back from the street line, the height shall be measured from the average elevation of the ground surface along the front of the building or structure. (Also see tower height)

Building, main. The principal building or one of the principal buildings on a parcel, or the building or one of the principal buildings housing the principal use on the parcel.

Building permit. An official certificate of permission issued by the county to a builder to construct, enlarge, or alter a building or structure.

Building setback. The minimum (or maximum if designated as such) distance required between a building or use and a specified boundary line such as front, rear, or side lot line, public or private right-of-way, travelway, easement, future street right-of-way, or centerline.

By-right. A use or structure that is permitted without needing a zoning map amendment (rezoning) or a conditional use permit.

Campground. Land designed for or used to accommodate paying guests in tents designed for single families, motor homes or camping trailers owned by the guests.

Car wash. A building or area of land that provides facilities for washing and cleaning motor vehicles, which may use production line methods with a conveyor, blower, or other mechanical devices, and which may employ some hand labor.

Cemetery. Any land or structure used or intended to be used for the interment of human remains. The sprinkling of ashes or their burial in a biodegradable container on church grounds or their placement in a columbarium on church property shall not constitute the creation of a cemetery. The following uses shall be included in the approval of a cemetery without further zoning approval being required: all uses necessarily or customarily associated with interment of human remains, benches, ledges, walls, graves, roads, paths, landscaping, and soil storage consistent with federal, state, and local laws on erosion sediment control. Mausoleums, columbaria, chapels, administrative offices, and maintenance and storage areas that are shown in a legislative approval for the specific cemetery obtained at the request of the owner shall not require additional local legislative approval provided such structures and uses are developed in accordance with the original local legislative approval. This definition shall not supersede any permission required by an ordinance adopted pursuant to § 15.2-2306 relative to historic districts.

Certificate of occupancy. An official certificate of permission issued by the county to the owner of a building or structure to begin active use of the premise.

Change of use. When the activities on or within a building, structure, or parcel are changed from one use to another as defined or listed in this ordinance.

Child care center. (See Day care facility)

Church. (See Assembly, place of).

Circuit court. The circuit court of Charlotte County, Virginia

Clinic. Any institution, place, building, or agency, whether or not licensed or required to be licensed by the State Board of Health or the State Hospital Board, by or in which facilities are maintained, furnished, conducted, operated, or offered for the daytime care (out-patient basis), prevention, diagnosis or treatment of human disease, pain, injury, deformity or physical condition, whether medical or surgical, of two (2) or more non-related mentally or physically sick or injured persons, or for the care of two (2) or more non-related persons requiring or receiving medical, surgical or nursing attention or service as acute, chronic, convalescent, aged, physically disabled, or crippled. This term shall not include general hospitals, sanatorium, sanitarium, nursing home, intermediate care facility, extended care facility, mental hospital, mental retardation facility, medical schools and other related institutions and facilities.
Code of Virginia. The Code of Virginia 1950, as amended.

Commission. (See Planning Commission)

Companion animal. Any domestic or feral dog, domestic or feral cat, nonhuman primate, guinea pig, hamster, rabbit not raised for human food or fiber, exotic or native animal, reptile, exotic or native bird, or any feral animal or any animal under the care, custody, or ownership of a person or any animal that is bought, sold, traded, or bartered by any person. Agricultural animals, game species, or any animals regulated under federal law as research animals shall not be considered companion animals for the purposes of this ordinance.

Comprehensive plan. The comprehensive plan of the Town of Charlotte Court House, Virginia, prepared and adopted under the provisions of Code of Virginia § 15.2-2223.

Consumer service business. Establishments primarily engaged in the repair, care, maintenance or customizing of personal property that is worn or carried about the person, or is a physical component of the person, such as the following which will serve as illustration: hair salons, shoe repair, opticians, and similar places of business. Consumer service businesses do not include dry cleaning plants, or linen or diaper service establishments, but may include activities defined under the term Retail Store.

Contractor (tradesman) shop. The shop of a person who is skilled in a particular craft.

Convenience store/fuel station. A facility which provides fuel service such as gas pumps, either self-service or full service, and which may or may not offer for sale limited household goods, groceries, and prepared food.

County. Charlotte County, Virginia.

Day care facility. An establishment which is licensed or approved to operate as a childcare center or a senior citizen care center in the Commonwealth of Virginia. For child care uses, this includes enrolling children for whose care tuition, fees or other forms of compensation are charged and a child day program is offered to: (i) two or more children under the age of 13 in a facility that is not the residence of the provider or of any of the children in care; or (ii) 13 or more children at any location (See Family day home).

Detached. Structures or buildings that are not physically connected by any structural components such as walls, roofs, overhangs, patios, or the like.

Driveway. A graded area paved or unpaved, that provides an entryway for vehicle access to a parcel from a street.

Dwelling or dwelling unit. A building or structure, or any portion thereof, providing complete, independent living facilities for one (1) or more persons, including permanent provisions for living, sleeping, cooking, eating, and sanitation.

Dwelling, accessory unit. A subordinate dwelling unit within or attached to a single-family dwelling unit or as a detached structure for use as a complete, independent living facility with provisions for living, sleeping, cooking, eating, and sanitation. Such a dwelling unit is an accessory use to the main dwelling.

Dwelling, duplex. (See Dwelling, two-family).

Dwelling, manufactured home. A structure subject to federal regulation, which is transportable in one or more sections or when erected on site is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to

the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained in the structure. This does not include recreational vehicles.

Dwelling, multifamily. A building consisting of three or more dwelling units separated by floors or party walls with no openings.

Dwelling, single-family. A structure arranged or designed to be occupied by one family, the structure having only one dwelling unit.

Dwelling, two-family. A structure arranged or designed to be occupied by two families, the structure having only two dwelling units separated by floors or party walls with no openings.

Easement. A grant of one (1) or more of the property rights by the owner to, or for the use by, the public, a corporation, or another person or entity.

Educational facility - Basic includes:

Day school and preschool. Facility for instruction of children of preschool age.

Elementary, intermediate, and secondary. Institutions offering instruction between the grades of kindergarten and 12 or as defined by the State Department of Education.

Educational facility – Other includes:

Trade or vocation. Facility where instruction is given in subjects other than normally provided in colleges and secondary schools such as business, industrial, or cultural arts.

College or University. Facility where advanced, post-secondary instruction is provided, in liberal arts, science or professional studies, which may include undergraduate and/or graduate level curricula and may include on-site housing for full-time students.

Emergency services. The public organizations that respond to and deal with emergencies when they occur, to include those that provide police, ambulance, and firefighting services.

Family. An individual; or two (2) or more persons related by blood, marriage, adoption, or guardianship, and/or not more than two (2) unrelated persons living together as a single housekeeping unit in a dwelling or dwelling unit.

Family day home. Any child day program offered in the residence of the provider or the home of any of the children in care for up to 12 children under the age of 13, exclusive of the provider's own children and any children who reside in the home, when at least one child receives care for whose care tuition, fees or other forms of compensation is charged. Family day homes with 1-4 children, exclusive of the provider's own children and any children who reside in the home shall be treated as residential occupancy by a single family.

Farmer’s market. A place where locally grown produce and goods are sold on a temporary or seasonal basis to the general public.

Farm stands. The sale of local agricultural products and value-added products, either outdoors or within a temporary or permanent structure, where the vendor selling the products is engaged in production agriculture.

Farm winery. An establishment:
Located on a farm with a producing vineyard, orchard or similar growing area and with facilities for fermenting and bottling wine on the premises where the owner or lessee manufactures wine that contains not more than 18 percent alcohol by volume; or
Located in the town with a producing vineyard, orchard or similar growing area or agreements for purchasing grapes or fruits from agricultural growers within the Commonwealth, and with facilities for fermenting and bottling wine on the premises where the owner or lessee manufactures wine that contains not more than 18 percent alcohol by volume.
As used in this definition, the term owner or lessee shall include a cooperative formed by an association of individuals for the purposes of manufacturing wine. In the event such cooperative is licensed as a farm winery, the term "farm" as used in this definition includes all of the land owned or leased by the individual members of the cooperative, as long as such land is located in the town. A minimum of 51 percent of the fresh fruits or agricultural products used at the Virginia Farm Winery for the production of wine shall be grown or produced on the farm or at the winery and no more than 25 percent of the fruits, fruit juices or other agricultural products shall be grown outside the Commonwealth. Accessory uses at a Virginia Farm Winery may include commercial wineries, wine tasting rooms at which wine tasting occurs, accessory food sales related to wine tasting occurs, and wines produced on-site are sold. The area for wine-tasting and accessory food sales shall not exceed 25 percent of the area of the structures at a Virginia Farm Winery.

Financial institution. A business in which customers frequent the site for purposes of buying and selling securities, obtaining loans, depositing and withdrawing money, and the like.

Floor area, gross. The sum of the total horizontal areas of the several floors of a building from the interior face of exterior walls, or from the centerline of a wall separating two buildings. Gross floor area shall include basements, enclosed porches and atriums, elevator shafts and stairwells at each story. The following are excluded from gross floor area: cellars, outside balconies which do not exceed a projection of six (6) feet beyond the exterior walls of the building; parking structures above or below grade; rooftop mechanical structures; penthouses enclosing only mechanical equipment; any space where the floor-to-ceiling height is less than six and a half (6.5) feet, floor space not used for human habitation; and enclosed or structural walkways designed and used exclusively for pedestrian access between buildings and/or parking structures. The gross floor area of structures devoted to bulk storage of materials including, but not limited to, grain elevators and petroleum storage tanks, shall be computed by counting each 10 feet of height or fraction thereof as being equal to one (1) floor.

Floor area ratio (FAR). The ratio of the total amount of gross floor area on a lot to the total land area of the lot.

Food processing. (See "beverage or food processing")

Frontage. The minimum width of a parcel measured from one side lot line to the other along a straight line parallel to the street or if curved, parallel to the tangent to the curve of the street, on which no point shall be farther away from the street upon which the parcel fronts than the building setback line as defined and required in this ordinance.

Funeral home/crematorium. An establishment where the deceased are prepared for burial or cremation.

Garage, private. Accessory building designed or used for the storage of automobiles owned and used by the occupants of the building to which it is accessory.

Garage, public. A building or portion thereof, other than a private garage, designed or used for parking or storing motor-driven vehicles.

Gas station. See Convenience store/fuel station

Golf course/driving range. Any golf course publicly or privately owned, on which the game of golf is played, including accessory uses and buildings customarily thereto.

Governing authority. Town Council, Charlotte Court House, Virginia.

Grade. The slope of the ground surface on a parcel, typically expressed as a percentage of 90 degrees from parallel to the ground.

Gross floor area (GFA). See Floor area, gross.

Group home. A residential facility in which no more than eight mentally ill, intellectually disabled or developmentally disabled persons reside with one or more resident counselors or other staff persons. A "residential facility" means any group home or other residential facility for which the Virginia Department of Behavioral Health and Developmental Services is the licensing authority pursuant to the Code of Virginia. For the purposes of this ordinance a group home shall be treated as residential occupancy by a single family per Code of Virginia § 15.2-2291. Mental illness and developmental disability shall not include current illegal use of or addiction to a controlled substance as defined in Code of Virginia § 54.1-3401, as amended.

Heavy truck. A truck with gross vehicle weight rating (GVWR) of more than 14,000 pounds.

Heavy equipment. Equipment, including trailers, designed for construction, logging, and any related or similar use with a GVWR of more than 14,000 pounds.

Historic landmark. Any building or place listed on the National Register of Historic Places or on the Register of the Virginia Historic Landmarks Commission.

Historic district review board. The board established by town council pursuant to Sec. 4-4.

Home occupation. An accessory use to a dwelling, in which the occupation or activity is clearly incidental and secondary to use of the premises as a dwelling, and which is carried on wholly or in part within a main building or accessory building by a member of the family who resides on the premises, and where services are performed in such a way that visits to the premises by members of the public or deliveries are infrequent and that the character and intensity of the use is compatible with the quiet nature of residential neighborhoods.

Hospital. Any institution, place, building, or agency, whether or not licensed or required to be licensed by the State Board of Health or the State Hospital Board, by or in which facilities are maintained, furnished, conducted, operated, or offered for the overnight care (in-patient basis), prevention, diagnosis or treatment of human disease, pain, injury, deformity or physical condition, whether medical or surgical, of ten (10) or more non-related mentally or physically sick or injured persons, or for the care of ten (10) or more non-related persons requiring or receiving medical, surgical or nursing attention or service as acute, chronic, convalescent, aged, physically disabled, or crippled; including but not limited to general hospitals, sanatorium, sanitarium, nursing home, intermediate care facility, extended care facility, mental hospital, urgent care facility, medical schools and other related institutions and facilities, whether operated for profit or nonprofit, and whether privately owned or operated by a local government unit. This

term shall not include a physician's office, medical clinics, or first aid station for emergency medical or surgical treatment, medical laboratory.

Hotel. One or more buildings containing a total of seven (7) or more guest rooms, designed for or used for 30 or fewer consecutive days during a year for tourists or transients, with garage or parking space conveniently located to each unit. Cooking facilities may be provided for each unit.

Hunting cabin. A dwelling unit used only for temporary and seasonal use, by the owner or by tenants, only for the purpose of providing shelter for participants in hunting activities.

Junk. Old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber, debris, waste, or junked, dismantled, or wrecked automobiles, or parts thereof, iron, steel, and other old or scrap ferrous or nonferrous material.

Junkyard. An establishment or place of business which is maintained, operated, or used for storing, keeping, buying, or selling junk, or for the maintenance or operation of an automobile graveyard, and the term shall include garbage dumps and sanitary fills.

Land coverage. The amount of the surface area of a parcel that is covered with buildings or structures; expressed as a percentage of the total parcel area.

Library. Public or private institution for the collection, storage, and loaning, but not sale, of books, audio and video recordings, and other informational materials.

Livestock. Includes cervidae animals (deer); capradae animals (goats); fish or shellfish in aquaculture facilities; enclosed rabbits or hares raised for human food or fiber; or any other individual animal specifically raised for food or fiber, except companion animals, intensive livestock as defined herein, and poultry.

Lot. See Parcel of land.

Lot, corner. A parcel adjoining on two or more streets at their intersection. Of the two sides of a corner lot the front shall be deemed to be the shorter of the two sides fronting on a street.

Lot, flag. A parcel that is in compliance with the minimum requirements for parcel area but does not meet the required frontage at the setback line, due to being configured with a narrow panhandle, flag, or pipestem providing access to the bulk of the parcel, which is located behind the bulk of one or more other parcels.

Lot, interior. Any parcel other than a corner lot.

Lot of record. A parcel whose boundaries are described within a plat or deed recorded in the Office of the Clerk of the Circuit Court of Charlotte County.

Lumen. A unit of luminous flux, a measure of the total "amount" of visible light in a defined beam or angle, emitted by a source.

Luminaire. A complete lighting unit, consisting of one or more lamps (bulbs or tubes that emit light), along with the socket and other parts that hold the lamp in place and protect it, wiring that connects the lamp to a power source, and a reflector that helps direct and distribute the light, sometimes referred to as a lighting “fixture”.

Luminaire, full cut off. A luminaire from which no light is emitted above horizontal, and light dispersion or direct glare does not exceed 2.5 percent at an angle of 90-degrees above nadir (perpendicular to the ground surface), applied to all angles around the luminaire.

Manufacture and/or manufacturing. The processing and/or converting of raw, unfinished material, or products, or either of them, into articles or substances of different character.

Manufactured home, or mobile home. (See Dwelling, manufactured home)

May. The word "may" is permissive. The word "shall" and the word "must" are mandatory and not discretionary.

Microbrewery. A facility for the production and packaging of beer and/or other malt beverages for distribution retail or wholesale on or off premises with a maximum capacity of not more than 15,000 barrels per year (31gallons per barrel), and which may include as an accessory use a restaurant not to exceed more than 25 percent of the total floor area of the principal use.

Mobile home (see Dwelling, Manufactured home).

Motor home. Any private motor vehicle with a normal seating capacity of not more than 10 persons, including the driver, designed primarily for use as temporary living quarters for human beings.

Museum. An institution devoted to the procurement, care, study, display and exhibition of objects of lasting interest or value.

Must. (See May)

Nursing home. Any facility or any identifiable component of any facility licensed pursuant to Code of Virginia § 32.1-123 in which the primary function is the provision, on a continuing basis, of nursing services and health-related services for the treatment and inpatient care of two or more nonrelated individuals, including facilities known by varying nomenclature or designation such as convalescent homes, skilled nursing facilities or skilled care facilities, intermediate care facilities, extended care facilities and nursing or nursing care facilities.

Office. A building, room or group of rooms used for conducting the clerical and management functions of a business, profession, service, or government. For the purpose of this ordinance, an office shall not involve manufacturing, fabrication, production, processing, assembling, cleaning, testing or repair of materials, goods, or products.

Off-street parking area. Space provided for vehicular parking outside the dedicated street right-of-way.

Parcel, Parcel of land, or Lot. A measured portion of land either shown on a plat of record within the land records of the Circuit Court of Charlotte County or described by metes and bounds or other legal description within a deed of records.

Parcel, depth of. The average horizontal distance between the front and rear lot lines.

Parcel, double frontage. An interior lot having frontage on two streets.

Parcel, width of. The average horizontal distance between the side lot lines.

Parking lot. An area not within a building where motor vehicles may be stored for the purposes of temporary, daily, or overnight off-street parking. For the purposes of this ordinance, parking lots are defined as any area used for the display or parking of any and all types of vehicles, boats, farm machinery, lawn and garden equipment, or heavy construction equipment, whether or not these items are for sale or lease, including, but not limited to, parking and display areas for automobile dealerships and service stations. For the purposes of parking lot landscaping, the term "parking lot" shall mean and refer only to a parking lot containing 20 or more spaces.

Pasture. A grassy area where animal livestock roams at low intensity to graze.

Place of assembly (see Assembly, Place of)

Planning Commission. The planning commission of the Town of Charlotte Court House, Virginia.

Plat, plat of subdivision. The schematic representation of land divided or to be divided and information in accordance with the provisions of Code of Virginia § 15.2-2241, 15.2-2242, 15.2-2258, 15.2-2262, and 15.2-2264, and other applicable statutes.

Plat of record. A plat of subdivision approved by the town and recorded in the land records of the Circuit Court of Charlotte County, Virginia.

Poultry. Any domestic fowl and game birds raised in captivity, including but not limited to chickens, turkeys, ducks, or geese, raised for meat, eggs, feathers or other purposes.

Public use. Any land use or facility owned and operated by the town, or by an agency of the Commonwealth of Virginia, or the United States government.

Public amusement. An outdoor area with rides, shows, refreshments, games of chance or skill, and/or other entertainment.

Public water and sewer systems. A water or sewer system owned and operated by a municipality or county, or owned and operated by a private individual or a corporation approved by the municipality or county and properly licensed by the State Corporation Commission, and subject to special regulations as set forth in this ordinance. Also see Code of Virginia §§15.2-2126, 15.2-2127 and §§15.2-2149 through 15.2-2151.

Recreational facility - indoor. An indoor commercial sports or amusement facility open to the general public for a fee offering facilities such as billiard tables, pinball machines, bowling, video games, roller rinks, ice rinks, swimming pools, bingo parlors, hard or soft courts, but not including any activity that offers a return or payout of remuneration.

Recreational facility - outdoor. An outdoor commercial sports or amusement facility open to the general public for a fee offering facilities for non-motor-vehicle-based activities such as golf driving range, miniature golf, batting and pitching cages, hard or soft courts, pony rides, swimming pools, water slides, ice rinks, but not including amusement rides or regular live entertainment.

Recreational facility – fitness/educational. An indoor educational facility open to the general public for a fee including fitness center, dance studio, martial arts studio, art education studio, and similar facilities which is not classified as recreational facility indoor or outdoor.

Refuse bin. A container holding trash, garbage, recyclables, reclaimables, or other waste on a temporary basis.

Residential treatment facility. A place which provides intensive and highly structured mental health, substance abuse, or neurobehavioral service, or services for co-occurring disorders in a residential setting, other than an inpatient service.

Restaurant. Any building in which, for compensation, food or beverages are dispensed for consumption on the premises, including, among other establishments, cafes, tea rooms, confectionery shops or refreshment stands.

Retail store. Buildings for display and sale of merchandise at retail or for the rendering of personal services for individual consumers, for use and consumption by the purchaser, not for resale. Examples to serve as illustrations include grocery store, drugstore, food store, candy shop, dry goods and notions store, antique store, gift shop, hardware store, appliance store, furniture store, and florist.

Sawmill (or chip mill): An operation consisting of machinery and equipment used for the purpose of sawing logs into lumber, either finished or unfinished, which may include planning, milling or other processing of wood into lumber and may include pertinent processing and storage areas for raw materials and/or finished wood products.

Sawmill, Permanent: A sawmill which is intended to remain on same parcel of land with logs, or other raw material to be processed, brought to the site from other locations.

Sawmill, temporary. A portable sawmill for the processing of timber cut only from that property or from adjoining property.

Service station. Buildings, shops and other premises where the primary use is passenger automobile service, repair, maintenance or storage within an enclosed building and/or on the premises thereof. Services may or may not include fuel service such as gas pumps either self-serve or full service.

Setback. The minimum distance as prescribed with this ordinance by which buildings, structures, uses, lot lines, or other elements must be separated.

Sign. Display of figures or copy visible to the public for the purpose of making anything known or attracting attention. The term sign includes the sign structure and commercial flags; but excludes works of art; architectural features; or rocks, trees or natural objects that do not include or imply a commercial message attached.

Sign, sandwich board or A-frame. A two-sided portable sign hinged or attached at the top of the sign panels.

Sign structure. Includes the supports, uprights, bracing, and framework of any structure, be it single-faced, double-faced, v-type, or otherwise, exhibiting a sign.

Sign, temporary. A sign applying to a seasonal or other brief activity permitted by the zoning district regulations.

Site plan. The proposal for a construction project, structure, use, development, or a subdivision including all covenants, grants or easements and other conditions relating to use, location and bulk of buildings, signage, density of development, common open space, public facilities and such other information as

required by the zoning or subdivision ordinance to which the proposed development or subdivision is subject.

Shall. (See May).

Slaughterhouse. A facility where animals are killed or processed into meat products.

Solar facility. A small-scale facility not to exceed 40 kilowatts where the primary use is to generate energy from sunlight to reduce the onsite consumption of utility power. A solar facility does not include a solar facility exceeding 40 kilowatts.

Stable. A building for the lodging and feeding of animals.

Store. See Retail store.

Stormwater management facilities. Facilities designed to reduce pollutants from, detain and/or retain, or provide a discharge point for stormwater to best preserve or mimic the natural hydrologic cycle, to accomplish goals of reducing combined sewer overflows or basement sewer backups, and/or to fit within or improve the capacity of existing infrastructure.

Street or road. A thoroughfare which affords the principal means of vehicle access to adjoining property. A street or road may be public or private.

Street or road, public. A public street or road is one which is owned by a public entity or that portion which is maintained by the Virginia Department of Highways (VDOT)

Street line. The front boundary of a parcel.

Structure. Anything constructed or erected, the use of which requires permanent location on the ground, or attachment to something having a permanent location on the ground.

Temporary family health care structure. A transportable residential structure, providing an environment facilitating a caregiver's provision of care for a mentally or physically impaired person, that: (i) is primarily assembled at a location other than its site of installation; (ii) is limited to one (1) occupant who shall be the mentally or physically impaired person or, in the case of a married couple, two (2) occupants, one of whom is a mentally or physically impaired person, and the other requires assistance with one (1) or more activities of daily living as defined in Code of Virginia § 63.2-2200, as certified in writing by a physician licensed in the Commonwealth; (iii) has no more than 300 gross square feet; and (iv) complies with applicable provisions of the Industrialized Building Safety Law (§ 36-70 et seq.) and the Virginia Uniform Statewide Building Code (§ 36-97 et seq.). Placing the temporary family health care structure on a permanent foundation shall not be required or permitted.

Town. The town of Charlotte Court House, Virginia.

Town council. The town council of the Town of Charlotte Court House, Virginia.

Use, accessory. A subordinate use, customarily incidental to and located upon the same parcel occupied by the main use.

Utility lines, utility facilities, public utility. Facilities for the generation, production, storage, transmission, or distribution for sale of electric energy, natural or manufactured gas (other than in

enclosed portable containers), geothermal resources for sale for heat, light or power, or for the furnishing of telephone service, sewerage facilities or water supply. (See also Code of Virginia § 56-265.1)

Variance. A reasonable deviation from those provisions regulating the size or area of a parcel of land, or the size, area, bulk or location of a building or structure when (i) the strict application of the ordinance would effectively prohibit or unreasonably restrict the utilization of the property, and (ii) the need for the deviation would not be shared generally by other properties, and provided such variance is not contrary to the intended spirit and purpose of the ordinance, and would result in substantial justice being done. The term "variance" shall not include a change in use which change shall be accomplished by a rezoning or by a conditional zoning.

VDOT. Virginia Department of Transportation.

Warehouse: A building used primarily for the storage of goods and materials.

Wholesale establishment. A business and its premises where the principal activity is the sales of goods in bulk to distributors for the purpose of resale, and where direct sales to the general public are limited.

Wind energy system. A facility at which wind is converted to another form of energy.

Winery, farm. (See Farm winery)

Yard. An open space on a parcel unoccupied and unobstructed from the ground upward, defined by the required setback requirements of this ordinance, except as otherwise provided herein.

Yard, front. An open space on the same parcel as a building between the front setback line and the street line and extending across the full width of the parcel.

Yard, rear. An open, unoccupied space on the same parcel as a building between the rear setback line and the rear line of the parcel and extending the full width of the parcel.

Yard, side. An open, unoccupied space on the same parcel as a building between the side setback line the side line of the parcel and extending from the front yard line to the rear yard line.

Zoning administrator. The zoning administrator duly appointed by the town council of the Town of Charlotte Court House, Virginia.

Article 3. Administration and Procedures

Sec. 3-1. General Provisions

This ordinance shall be administered and enforced by the zoning administrator, who shall be appointed by the town council to carry out these duties. The zoning administrator shall serve at the pleasure of town council and shall have the duties as outlined in this chapter and as are conferred upon him by the Code of Virginia § 15.2-2286(4). In so doing, the zoning administrator shall be considered the agent of the town, and approval or disapproval by the zoning administrator shall constitute approval or disapproval as though it were given by the town council. The zoning administrator may consult with the planning commission on matters contained herein. The zoning administrator has the authority to ensure compliance with this ordinance pursuant to Code of Virginia § 15.2-2299, on behalf of the town council, including:

(a) Ordering in writing the remedying of any condition found in violation of this ordinance.

(b) Ensuring compliance with this ordinance, bringing legal action, including injunction, abatement, or other appropriate action or proceeding subject to appeal pursuant to Code of Virginia §15.2-2311, and Sec. 3-2 of this ordinance.

(c) In specific cases, making findings of fact and, with concurrence of the town attorney, conclusions of law regarding determinations of rights accruing under Code of Virginia § 15.2-2307 or § 15.2-2311.C.

(d) Responding to requests for a decision or determination on zoning matters within the scope of the zoning administrator's authority, including interpretation of the ordinance and the zoning map. The zoning administrator shall respond in writing to such requests within 30 days unless the requester has agreed to a longer period

(e) The zoning administrator may establish reasonable additional administrative forms and procedures deemed necessary for the proper administration of this ordinance, subject to administrative approval by town council.

(f) Granting modifications as provided in Code of Virginia § 15.2-2286 subsection 4.

(g) Such other powers as may be granted by the Code of Virginia.

Sec. 3-2. Compliance and Enforcement

3-2-1. Conformance with ordinance by all departments, officials and public employees

No town employee or official having authority or responsibility under this ordinance shall render any written order, requirement, decision, determination, permit or approval, pertaining to any land, building, structure, or use that does not comply with the requirements of this ordinance. The town council may change, modify or reverse, at any time, any written order, requirement, decision, determination, permit or approval that was obtained through malfeasance of the zoning administrator or other administrative officer, or through fraud. At any time, with the concurrence of the town attorney, the town clerk may modify any written order, requirement, decision, determination, permit or approval, as necessary to correct clerical errors.

3-2-2. Compliance

The regulations set forth in this ordinance shall be considered the minimum requirements to protect public health, safety, comfort, prosperity and general welfare.

3-2-3. Restraining, correcting or abating violations of ordinance

Pursuant to Code of Virginia § 15.2-2208, any violation or attempted violation of this ordinance, may be restrained, corrected, or abated by injunction or other appropriate proceeding.

3-2-4. Violations—General

3-2-4.1. The following persons are hereby declared to be subject to the enforcement provisions of this section:

a) An owner of property determined to be in violation of this ordinance or of any regulation adopted pursuant to this ordinance found to exist on his property.

b) Any person, whether owner, lessee, principal, agent, employee or otherwise, who violates a provision of this ordinance, or permits any such violation, or fails to comply with any of the requirements hereof, or who erects any building or structure or uses any building or land in violation of the provisions of this ordinance.

3-2-4.2. The following conduct is hereby declared to be unlawful and subject to the enforcement provisions of this section:

(a) Violation of any provision of this ordinance or of any regulation adopted pursuant to authority conferred by it.

(b) Any building erected or improvements constructed contrary to any of the provisions of this ordinance and any use of any building or land which is conducted, operated or maintained contrary to any of the provisions of this ordinance or contrary to any plan, permit, certificate, variance or approval issued under the provisions of this ordinance.

(c) Failure to maintain improvements required under the terms of an approval granted under this section in a condition that ensures protection of the public safety and general welfare. It is the purpose of this section to ensure that those site improvements intended for benefit of the public or protection of adjacent properties, but not dedicated to public use or otherwise transferred to government ownership, are maintained in a condition that permits those intentions to be fulfilled.

(d) Procurement of any amendment or any required permit, certificate or approval through misrepresentation of any material fact.

(e) Initiating any land disturbing activity, or any activity for which a zoning permit is required, without obtaining all necessary approvals and permits.

3-2-5. Violations—Notice and correction order; appeals

3-2-5.1. Written complaint. Whenever a violation of this ordinance occurs, or is alleged to have occurred, any person may file a written violation complaint with the town clerk to the attention of the zoning administrator. The zoning administrator must properly record such complaint, investigate it, and take appropriate action if warranted.

3-2-5.2. Except as otherwise specifically provided in this ordinance, the zoning administrator may, upon finding that an owner or any person is or has been engaging in conduct declared unlawful by this ordinance, issue a violation notice and/or correction order directing such person to stop engaging in such conduct.

3-2-5.3. The issuance of a violation notice and/or correction order shall suspend the effect of any approval, permit, plan, variance or certificate previously issued that relates to the property

or premises subject to the order until such time as the violation notice and/or correction order is withdrawn by the zoning administrator or is stayed by an appeal to the board of zoning appeals.

3-2-5.4. The zoning administrator may, if so specified in the violation notice or correction order, revoke any permit or certificate previously issued.

3-2-5.5. Any written notice of a zoning violation or a written order of the zoning administrator shall include a statement informing the recipient that he may have a right to appeal the notice of a zoning violation or a written order to the board of zoning appeals, and that the decision shall be final if not appealed within the applicable time period. The appeal shall be taken by filing with the zoning administrator, and with the board of zoning appeals, a notice of appeal specifying the grounds thereof.

3-2-5.6. Where a violation notice or correction order is issued and such violation has not ceased within such reasonable time as the zoning administrator has specified, he shall institute such action as may be necessary to terminate the violation. The zoning administrator may initiate injunction, mandamus, abatement, criminal or civil warrant, or any other appropriate action to prevent, enjoin, abate or remove such violation of any provision of this ordinance.

3-2-6. Violations—Criminal penalties

Pursuant to Code of Virginia § 15.2-2286(A)(5), any person convicted of any violation of this ordinance shall be subject to the following:

3-2-6.1. The person shall have committed a misdemeanor offense punishable by a fine of not less than fifty dollars ($50.00) nor more than one thousand dollars ($1,000.00).

3-2-6.2. If the violation is uncorrected at the time of conviction, the court shall order the convicted person to abate or remedy the violation in compliance with this ordinance within a time period established by the court. Failure to remove or abate such violation within the time period established by the court shall constitute a separate misdemeanor offense punishable by a fine of not less than one hundred dollars ($100.00) nor more than one thousand five dollars ($1,500.00), and any such failure during any succeeding ten-day period shall constitute a separate misdemeanor offense for each ten-day period, punishable by a fine of not less than one hundred fifty dollars ($150.00) nor more than two thousand dollars ($2,000.00).

3.2-6.3. Such additional fines and penalties as may be allowed under the Code of Virginia.

3-2-7. Violations—Civil penalties

3-2-7.1. In accordance with the Code of Virginia §15.2-2209, there is hereby established a uniform schedule of civil penalties for violations of the following specified provisions of this ordinance.

3-2-7.2. Any violation of any provision of this ordinance, excluding any zoning violation resulting in injury to any persons, shall be deemed an infraction and may be

punishable by a civil penalty of one hundred dollars ($100.00) for the initial summons and two hundred dollars ($200.00) for each additional summons.

3-2-7.3. Each day during which any violation of the provisions scheduled above is found to have existed shall constitute a separate offense. However, in no event shall any such violation arising from the same set of operative facts be charged more frequently than once in any ten-day period, nor shall any such violation arising from the same set of operative facts result in civil penalties which exceed a total of five thousand dollars ($5,000.00).

3-2-7.4. The designation of a particular violation of this ordinance as an infraction under this section shall preclude the prosecution of such as a criminal misdemeanor, except for any violation resulting in injury to any person or persons, which may be so prosecuted.

3-2-8. Remedies not exclusive

The remedies provided for in this section are cumulative and not exclusive and shall be in addition to any other remedies provided by law.

Sec. 3-3. Permit applications

3-3-1. Permits, appeals, and reviews

3-3-1-1 Ministerial Permits
(a) Zoning permit (Sec. 3-3-5.1)
(b) Temporary use permit (Sec. 3-3-5.2)
(c) Site plan (Sec. 3-3-5.3)

3-3-1-2 Non-Town Permits
(a) Erosion and Sediment Control, Stormwater, and Building Permits (Sec. 3-3-6)
(b) Virginia Department of Transportation (VDOT) Review and Permits (Sec. 3-3-7)

3-3-1.2 Discretionary Permits
(a) Historic district permit (Sec. 3-4)
(b) Conditional use permit (Sec. 3-5)

3-3-1-3. Board of Zoning Appeals
(a) Variance (Sec. 3-6)
(b) Appeals (Sec. 3-7)
(c) Board of Zoning Appeals (Sec. 3-8)

3-3-1-4. Other
(a) Public facilities review (“2232”) (Sec. 3-9)
(b) Amendment to zoning ordinance or map (Sec. 3-10)
(c) Comprehensive plan amendment (Sec. 3-11)

3-3-2. Application submission forms

In order to pursue any type of development approval required by this ordinance, an application must be submitted to the zoning administrator, accompanied by the items specified in the town's application submission requirements, which may include an application fee. All submission requirements are established by the town council and may be amended from time to time by the council through administrative action. The zoning administrator may waive any item on the application submission form except for the application fee if he or she determines that it is not pertinent or necessary to determining conformance with this ordinance. The zoning administrator may also require additional information if necessary, to determine conformance with the requirements of this ordinance.

3-3-3. Administrative fees

The town intends for part of the cost of administering this ordinance to be borne by those responsible for development. Therefore, a fee schedule, prescribed by the town council and modified by it from time to time through administrative action, will apply to all permits, reviews, and processing required by this ordinance.

3-3-4. Payment of delinquent taxes prior to filing a land use application

Prior to, or in conjunction with, filing of an application for any type of land use or other permit provided for in this ordinance, the applicant must produce evidence that any delinquent town real estate taxes or other charges that constitute a lien on the subject property properly assessed against the subject property have been paid in full, in accordance with Code of Virginia § 15.2-2286B.

3-3-5. Procedures for review and approval

3-3-5.1 Zoning permit

(a) No land, building or structure, or any use thereof, shall be established, constructed, reconstructed, enlarged, or altered within the town except in accordance with the requirements of this ordinance, and no building permit, land disturbing permit, or other development approval shall be granted unless and until the zoning administrator verifies, through issuance of a written zoning permit, that the proposed use or development meets the requirements of this ordinance.
Only those uses specifically listed as permitted or permissible in each zoning district are allowed in that district. A person may apply to amend the zoning ordinance to add one or more uses to the use list, in accord with the procedures set forth in Sec. 3-10-3.

(b) Applications for a zoning permit shall be made on forms provided by the town.

(c) Each application for a zoning permit shall be accompanied by the following, in addition to any other items specified in the town's application submission form:

i. A site development plan approved by the town for the development, with the specific date of approval; or, for uses or developments for which no approved site plan is required, a scaled drawing showing the dimensions of the structure and parcel. The drawing shall clearly show the size and shape of the parcel of land on which the proposed structure is to be constructed, the nature of the proposed use of the building or land, and the location of such building or use with respect to the

property lines of said parcel of land and to the right-of-way of any street adjoining said parcel of land, and to any required setbacks or yards for that zoning district.

ii. The physical address, tax map identification number, and other information necessary to allow the zoning administrator to ascertain the identity and location of the property that is the subject of the application.

iii. A description of the nature, general location and characteristics of the land, building, structure, or use thereof that are the subject of the requested zoning permit.

iv. An application fee as set forth on the town's current fee schedule.

(d) The zoning administrator may request any other information, which the zoning administrator may deem necessary for consideration of the application and for a determination of whether the land, building, structure or use thereof is in accordance with the requirements of the zoning ordinance.

(e) Upon a determination that the required information has been submitted, the zoning administrator shall act on the application within ten (10) business days of such determination. If the zoning administrator determines that the application complies with all applicable requirements of the zoning ordinance, the zoning administrator shall issue a zoning permit.

(d) If the zoning administrator determines that a different or additional approval is required (conditional use permit, site plan, subdivision, etc.) the zoning administrator shall deny the zoning permit and shall instruct the applicant as to what procedures and approvals are necessary.

(e) Validity. A zoning permit is valid for one year. If an applicant has not completed construction of the building or commenced the proposed change of use after one year of receiving the permit, the permit is void and the applicant may re-apply.

3-3-5.2 Temporary use permit

(a) Permit and application requirements. A zoning permit for a temporary use is required for temporary uses permitted in individual zoning districts. Application for such permit shall be made at least ten (10) business days prior to the date on which the permit is to take effect. The application shall be made on a form provided by the zoning administrator and shall include information about the proposed use, products to be sold, signage, and related licenses and permits.

(b) Public uses excluded. Any use located on government-owned property and approved by the town, shall not be considered a temporary use subject to these restrictions.

(c) Signs. Notwithstanding other regulations governing signs in this ordinance, only one sign is permitted for each temporary use, which shall be displayed only during the period approved for the temporary use.

(d) Revocation of temporary permit. The zoning administrator may revoke a temporary permit at any time subsequent to the failure of the owner or operator of the permitted

temporary use to observe all requirements of the law with respect to the maintenance and conduct of the use, and any conditions of the permit that were designated by the zoning administrator when issued. Upon receipt of notice of revocation of the permit, the property owner or operator of such activity shall cease operation of the activity immediately. The foregoing provisions shall not be deemed to preclude the use of any other remedy prescribed by law with respect to violations of the provisions of this ordinance.

3-3-5.3 Site plan

(a) Site plan required. A site plan or basic drawing acceptable to the zoning administrator is required for all structures and uses and must be obtained prior to the issuance of a zoning permit or building permit:

(b) Exceptions. No site plan is required for the following:

i. Any use approved as a temporary use except in the Historic District.

ii. Any agricultural activity except as otherwise provided in this ordinance.

(d) Site plan procedures.

i. Acceptance of a complete application. The zoning administrator must issue a written determination within fifteen (15) business days of receipt of the application as to whether it is complete in accordance with the submission requirements set forth by the town council as adopted and updated administratively from time to time.

ii. Staff review. Once a site plan has been accepted for review, the zoning administrator may request information, evaluation and opinion regarding the plan from other town officials, officials or authorities of the county government; from officials, departments, or agencies of the Commonwealth of Virginia; or from other qualified persons as may from time to time be retained.

iii. Action. If the zoning administrator finds that the site plan conforms to applicable ordinances, he must notify the applicant in writing that he has approved the plan. If the zoning administrator finds that the site plan does not conform to applicable ordinances and other law, he must notify the applicant in writing that he has disapproved the plan, specifying the causes for disapproval and the steps necessary to correct them. A submitted or a resubmitted site plan must be acted upon within forty-five (45) days of acceptance as complete by the zoning administrator, or it will be deemed to be approved unless the time limit has otherwise been extended in writing by the applicant or as a result of review by VDOT or other state agency or public authority authorized by state law pursuant to Code of Virginia, §15.2-2259.

iv. Appeal. Any person aggrieved of any decision of the zoning administrator pursuant to this section may file an appeal in accord with Sec. 3-7 Appeals.

v. Easement. No public easement, right-of-way, or public dedication shown on any site development plan shall be accepted for dedication for public use until such

proposed dedication has been approved by the town council and evidence of such approval is shown on the instrument to be recorded.

vi. Expiration. Approval of a site plan in accordance with this ordinance shall expire twelve (12) months after the date of approval unless building permits have been obtained for construction and a foundation established.

vii. Extension. Extensions may be granted upon written request by the applicant to the zoning administrator, at least forty-five (45) days prior to lapse of approval. Any extension requires the extension of all bond and surety agreements. A six-month extension may be granted at the discretion of the zoning administrator. Further extensions may be authorized only by town council approval upon the applicant showing a good cause.

viii. Changes and revisions. No change, revision, or deletion may be made on any pending or final site plan nor on any accompanying data sheet where approval has been endorsed on the plat or sheets unless authorization for such changes is granted in writing by the approving body or the zoning administrator through processing in the same manner as the original site development plan.

(e) Third-Party Review. The town may retain qualified third-parties to review portions of a conditional use permit application and the site plan that are outside the town's areas of expertise. Any out-of-pocket costs incurred by the town for such review by qualified third-parties shall be paid by the applicant. The third-party reviewers and their estimated costs will be submitted to the applicant for approval before the costs are incurred. At the town's discretion, such review by a qualified third-party, selected, retained and paid for by the applicant may be considered.

(f) Required bonds and surety. Posting and release of bonds shall be in accordance with the procedures set forth in the Charlotte Court House Subdivision Ordinance.

3-3-6. Erosion and Sediment Control, Stormwater, and Building Permits

(a) Erosion and sediment control. Prior to conducting land-disturbing activity within the town, the person responsible for such activity must submit to Charlotte County, and receive approval for, an erosion and sediment control plan, in accordance with the Charlotte County Code of Ordinances.

(b) Stormwater management. Prior to conducting land-disturbing activity within the town, the person responsible for such activity must obtain approval by the Virginia Department of Environmental Quality (DEQ), or the authorized Virginia Stormwater Management Plan Authority approved by DEQ, in accordance with 9VAC25-850, and 9VAC25-870, of a stormwater management plan consistent with the requirements of the Virginia Stormwater Management Act and regulations.

(c) Building permit. Prior to commencing work to construct, enlarge, alter, repair, convert or demolish a building or structure, or a portion of a building or structure, a contractor or property owner must obtain a building permit from the Charlotte County building inspector, in accordance with procedures and fees as established by the Charlotte County board of

supervisors, and in accordance with the Virginia Uniform Statewide Building Code. A zoning permit must be obtained from the town, in accord with Sec. 3-3-5.1 Zoning permit, prior to receiving a building permit from the county.

3-3-7. Virginia Department of Transportation (VDOT) Review and Permits

(a) Development Review by Virginia Department of Transportation ("527" review). In accord with Code of Virginia, §15.2-2222.1 (B) and §15.2-2222.1 (C), the Virginia Department of Transportation (VDOT) must review any proposed rezoning, site plan or subdivision plat that substantially affects transportation on state-controlled highways as defined by VDOT. Specific submission requirements and procedures are promulgated by VDOT.

(b) Commercial Entrance Review. Commercial entrances onto public roads are reviewed by VDOT for approval. Reconstruction, relocation, commercial entrance consolidation, or upgrading, or a combination of these, may be required when there is a change in commercial use by either the property owner or by a tenant, or when the property is subject of a site plan or subdivision plat review by the town.

(c) Driveway Permit. An approved driveway permit from VDOT is required prior to the installation of any residential or non-residential driveway connecting to a public road.

Sec. 3-4. Historic district permit

3-4-1. Application materials

Applications for a Historic District Permit must include the following information for consideration by the historic district review board in addition to permit requirement in Sec. 3-3. Permit applications:

i. Architectural elevations drawn to scale;
ii. Site plan drawn to scale, showing location and dimensions of major features;
iii. Complete materials list;
iv. Photographs or drawings relating proposed project to surrounding streetscape;
v. Proposed colors;
vi. Lighting;
vii. Landscaping, when applicable.
viii. For sign permits:
    (1) Scale drawing of the proposed sign;
    (2) Proposed materials for the sign, support, and lighting method;
    (3) Samples of style and size of lettering; and
    (4) Sketch or photograph showing proposed location of sign on building or site

3-4-2. Waiver of certain requirements

Upon written request from the applicant, the zoning administrator may tentatively waive any of the above requirements deemed not to be necessary for review of the application. These waivers may be over-ruled by the historic district review board if additional information is determined to be required at the Board's meeting to consider the application.

3-4-3. Demolition

No historic landmark, building or structure within the district shall be razed, demolished or moved until the razing, demolition or moving thereof has been approved by the historic district review board, or, on appeal, by the town council after consultation with the review board, except that the owner of the property is entitled to demolish such landmark, building or structure provided that he complies with the provisions of Code of Virginia § 15.2-2306A.3.

3-4-4. Appeals on historic district permits

i. Appeal of decision by historic district review board. Applicants or property owner within the town limits may appeal a decision of the historic district review board to the town council, by filing a petition to the council setting forth the alleged illegality of the action of the review board, provided the petition is submitted within thirty (30) days after the final decision is rendered by the board.

ii. Appeal of decision by town council. An appellant may appeal a decision by the town council to the circuit court by filing a petition at law, setting forth the alleged illegality of the action of the town council, provided the petition is filed within thirty (30) days after the final decision is rendered by the council.

Sec. 3-5. Conditional use permit

3-5-1. Purpose

Conditional use permits may be granted to establish or construct only those uses or structures that are listed within the regulations of a given zoning district as being permissible by conditional use permit. In considering a conditional use permit, the planning commission may recommend, and in granting a conditional use permit, the town council may impose, reasonable conditions on the use of the property to protect the public health, safety and general welfare.

3-5-2. Initiation

An applicant must provide the information necessary to review and act on the petition, as required by the town as set forth in an application submission form and the application fee as set forth in the current fee schedule.

3-5-3. Acceptance of application

The zoning administrator must issue a written determination within fifteen (15) business days of receipt of the application as to whether it is complete or incomplete. If the application is incomplete, the zoning administrator will identify for the applicant any deficiencies.

3-5-4. Planning commission review and action

After determining that an application is complete, the zoning administrator shall refer the application to the planning commission for review. The planning commission shall act on the application within sixty (60) days of receiving it from the zoning administrator. Before submitting its recommendation to the town council, the planning commission shall hold a public hearing, which may be a joint public hearing with the town council, after notice as required by Code of Virginia § 15.2-2204. The planning commission shall then

make its recommendation to the town council as to whether the application complies with the conditional use provisions in the particular district, the criteria in Sec. 2-3-5.5(f), and the comprehensive plan, including verification that the use is specifically authorized within the district, and whether it should be approved or denied and whether conditions should accompany any approval.

3-5-5. Town council review and action

The town council shall hold a public hearing, after notice as required by Code of Virginia § 15.2-2204, and shall consider the recommendations of the commission before granting or denying approval of a conditional use permit. At their discretion, the town council and planning commission may hold a joint public hearing.

3-5-6. Criteria for consideration.

In considering a conditional use permit application, the following factors must be considered. The applicant must address these factors in the statement of justification. The applicant may also include information on other relevant issues and the planning commission and town council may consider other relevant issues in evaluating the application.

i. Whether the proposed use is consistent with the comprehensive plan.
ii. Whether the impacts of the proposed use on surrounding properties and public facilities, services, and infrastructure will be adequately mitigated so as to protect adjacent owners and the general public.
iii. The compatibility of the proposed use with other existing, planned, or proposed uses in the neighborhood, and adjacent parcels.
iv. The timing and phasing of the proposed use and the duration of the proposed use.
v Whether the proposed use will result in the preservation or destruction, loss, or damage of any significant topographic or physical, natural, scenic, agricultural, archaeological, or historic features.
vi Whether the proposed use at the specified location will contribute to or promote the welfare of the public.
vii Whether the proposed use will provide desirable employment and enlarge the tax base by encouraging economic development activities consistent with the comprehensive plan.
viii The effect of the proposed use in enhancing affordable shelter opportunities for residents of the town.

3-5-7. Expiration.

Unless otherwise provided in the conditions of approval, any conditional use permit will expire if the applicant does not obtain a building permit for the facility or otherwise commences the use within nine months of its issuance. The zoning administrator may grant an extension of up to three months upon written application and for good cause shown. Any request for an extension of more than three months shall require a new application.

Sec. 3-6. Variance

3-6-1. Petitions

Petitions for variances or interpretations of district map or boundaries may be made by any property owner, tenant, government official, or board. Such petitions shall be made to the zoning administrator in accordance with the requirements of this ordinance and the rules of the board of zoning appeals. The petition and

accompanying maps, plans, or other information shall be transmitted promptly to the secretary of the board of zoning appeals (BZA), who shall place the matter on the docket. A copy of the petition shall be sent to the planning commission which may send a recommendation to the BZA or appear as a party in the hearing. Once a petition has been considered by the BZA, the BZA shall not reconsider substantially the same petition within a period of one (1) year from the date the initial petition was filed with the zoning administrator.

3-6-2. Time

The BZA shall fix a reasonable time for the hearing of the petition, give public notice thereof as required by Code of Virginia § 15.2-2204, as well as due notice to the parties in interest, and decide the same within sixty (60) days. Written notice shall be given by the board of zoning appeals at least five (5) days before the hearing to the owner or owners or their agent, of each parcel involved and to the owner or owners or their agents, of all adjoining property and property immediately across the street or road from the property affected. When giving any required notice to the owners, their agents or the occupants of adjoining property and property immediately across the street or road from the property affected, the board may give such notice by first-class mail rather than by registered or certified mail.

3-6-3. Grant of variance

A variance may be granted where a property owner can show that his property was acquired in good faith and where by reason of the exceptional narrowness, shallowness, size or shape of a specific piece of property at the time of the effective date of the ordinance, or where by reason of exceptional topographic conditions or other extraordinary situation or condition of the property, the strict application of the terms of the ordinance would effectively prohibit or unreasonably restrict the utilization of the property, as distinguished from a special privilege or convenience sought by the applicant. No such variance shall be authorized by the BZA unless it finds that:

i. The strict application of the ordinance would unreasonably restrict the use of the property;
ii. The condition is not shared generally by other properties in the same zoning district and the same vicinity;
iii. The authorization of the variance will not be of substantial detriment to adjacent property and that the character of the district will not be changed by the granting of the variance;
iv. The condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance; and
v. The condition was not caused or produced by actions of the owner of the property.

3-6-4. Public Hearing

In authorizing a variance the BZA may impose such conditions regarding the location, character and other features of the proposed structure or use as it may deem necessary in the public interest, and may require a guarantee or bond to ensure that the conditions imposed are being and will continue to be in compliance.

3-6-4.1 No nonconforming use of neighborhood lands, structures or buildings in the same district, and no permitted or nonconforming use of lands, structures or buildings in other districts shall be considered grounds for the issuance of a variance.

3-6-4.2 Under no circumstance shall the BZA grant a variance to allow a use not permitted by this ordinance in the district involved or to allow a use not permitted under state law.

3-6-4.3 If the BZA finds, after public hearing, that the conditions above enumerated have been satisfied and the BZA further finds that the variance is the minimum variance that will make possible the reasonable use of the land, building or structure, it may grant the variance. If, for any reason, any of the above findings cannot be made, the BZA shall deny the petition for a variance. The required findings must be made a part of the board's order.

Sec. 3-7. Appeals (Also see Sec. 4-4 for historic district permit appeals)

3-7-1. Who may appeal

An appeal to the BZA may be taken by any aggrieved person or by any officer, department, or board of the town affected by any decision of the zoning administrator or any administrative official in the administration or enforcement of this ordinance. Such an appeal shall be taken within thirty (30) days, a notice of appeal specifying the grounds thereof.

3-7-2. Notice of right of appeal

Any written notice of a zoning violation or a written order of the zoning administrator shall include a statement informing the recipient that he may have a right to appeal such notice or order within thirty (30) days of date of the written notice in accordance with this section, and that the decision shall be final and unappealable if not appealed within thirty (30) days.

3-7-3. Appeal process

(a) The official whose action is appealed shall forthwith transmit to the BZA, all the papers constituting the records upon which the action appealed from was taken.

(b) The BZA shall fix a reasonable time for the hearing of an application or appeal, give public notice thereof pursuant to Code of Virginia § 15.2-2204, as well as due notice to the parties in interest and decide the same within sixty (60) days.

(c) In reviewing the actions of administrative officials, the BZA may, so long as its action is in conformity with the terms of this ordinance, reverse or affirm, wholly or partly, or may modify the decision or determination appealed from a town official. The concurring vote of a majority of the members shall be necessary to reverse any order, requirement, decision or determination of a town official or to decide in favor of the applicant on any matter upon which it is required to pass under the ordinance or to affect any variance from this ordinance.

(d) An appeal to the BZA from any action of an official taken pursuant to this ordinance shall stay the effect of the action appealed from; provided, however, that an appeal shall not operate as a stay if the official performing such action certifies to the BZA that the public health or safety requires that the action remain in effect pending a decision on the appeal. If such a certification is made to the BZA, the person pursuing the appeal may contest the accuracy of the certification. The BZA shall in such case immediately hear and determine the question of whether the action appealed from should be stayed pending a decision on the merits of the appeal.

3-7-4 Appeal to circuit court

A person who is aggrieved by any decision of the BZA may appeal the decision to the circuit court within 30 days after the final decision of the board, in accordance with the procedure and requirements set forth within Code of Virginia § 15.2-2314.

Sec. 3-8. Board of Zoning appeals (BZA)

3-8-1. Board Members

3-8.1.1 A board of zoning appeals is hereby established, which shall consist of three, five or seven members appointed by the circuit court for a term of five years. All appointments for vacancies occurring otherwise than by expiration of term shall be for the unexpired term.

3-8-1.2. One of the appointed members may be an active member of the planning commission. Otherwise, no member shall hold any other public office within the town.

3-8-1.3. Any BZA member may be removed for malfeasance, misfeasance or nonfeasance in office, or for other just cause, by the court which appointed him, following a hearing that was held after at least 15 days' notice was provided.

3-8-1.4. Membership and organization of the BZA shall be in accordance with the provisions of Code of Virginia § 15.2-2308. Additionally, the members of the board of zoning appeals shall comply with the requirements of the Virginia State and Local Government Conflict of Interests Act, set forth within Code of Virginia § 2.2-3100.

3-8-2. Powers of the Board of Zoning Appeals

The BZA shall have the powers and duties referenced within Code of Virginia § 15.2-2309. The board of zoning appeals, in appropriate cases and subject to appropriate conditions and safeguards, shall have the following powers and duties:

3-8-2.1. Administrative appeals. To hear and decide appeals from any order, requirement, decision or determination made by the zoning administrator or an administrative officer in the administration or enforcement of this ordinance or of any ordinance adopted pursuant hereto. The decision on such appeal shall be based on the board's judgment of whether the zoning administrator or officer was correct. The board shall consider the purpose and intent of any applicable ordinances, laws, and regulations in making its decision.

3-8-2.2 Variances. To authorize upon appeal, or original application in specific cases, a variance from the terms of this ordinance when the strict application of the ordinance would unreasonably restrict the use of the property. If a reasonable use of the property exists prior to granting a variance, no such variance shall be granted.

3-8-2.3. Boundaries. To decide, after notice and hearing, applications for interpretation of the district map where there is any uncertainty as to the location of a district boundary. The board may interpret the map in such way as to carry out the intent and purpose of this ordinance for the section or district in question. The board shall not have the power to change substantially the locations of district boundaries as established by ordinance.

Sec. 3-9. Public facilities review ("2232")

3-9-1. Conformance with comprehensive plan

In accord with the Code of Virginia, §15.2-2232, no street, park or other public area or public building or public structure, public utility, public building or public service corporation facility other than a railroad facility or an underground natural gas or underground electrical distribution facility of a public utility as defined in Code of Virginia, §56-265.1(b) within its certificated service territory, whether publicly or privately owned, may be constructed, established or authorized unless and until its general location or approximate location, character and extent has been submitted to and approved by the planning commission as being substantially in accord with the adopted comprehensive plan. Construction of streets and other public infrastructure that have been approved through the subdivision or site plan process for a private development is considered to be in conformance with the comprehensive plan for the purposes of this section.

3-9-2. Minor improvements are exempt

Widening, narrowing, extension, enlargement, vacation or change of use of streets or public areas shall likewise be submitted for approval, but paving, repair, reconstruction, improvement, drainage or similar work and normal service extensions of public utilities or public service corporations shall not require approval, unless involving a change in location or extent of a street or public area.

3-9-3. Review and approval procedures

3-9-3-1 Application. An applicant, whether a property owner or a government agency, must file an application for a public facilities review with the zoning administrator and must meet the applicable minimum submission requirements as prescribed for a zoning permit.

3-9-3-2 Planning commission public hearing. In connection with any such determination, the planning commission may hold a public hearing, after notice as required by Code of Virginia §15.2-2204.

3-9-3-3 Planning commission findings. The planning commission shall communicate in writing its findings to the town council, indicating its reasons for approval or disapproval. Failure of the commission to act within sixty (60) calendar days of submission of an application, unless such time is extended by the council, shall be deemed approval.

3-9-4. Appeal to the town council.

The owners or their agents may appeal the decision of the planning commission to the town council within ten (10) days after the decision of the commission. The appeal shall be by written petition to the council setting forth the complete reasons for the appeal. The appeal must be heard by the town council within sixty (60) calendar days of its filing. The town council may overrule the commission by a majority vote.

Sec. 3-10. Amendment to zoning ordinance or map

3-10-1. Purpose

Pursuant to Code of Virginia, §15.2-2285, whenever the public necessity, convenience, general welfare, or good zoning practice requires, the town council may by ordinance amend, supplement, or change the zoning regulations set forth within this ordinance, the zoning district boundaries, or the zoning classifications of property.

3-10-2. Initiation by town

Any amendment may be initiated by: (i) resolution of the town council; or (ii) motion of the planning commission. Any such resolution or motion by town council or commission proposing the rezoning shall state the public purposes.

3-10-3. Initiation by owner.

The owner, or a contract purchaser or the owner's agent with the owner's written consent, may submit an application proposing a zoning map amendment to change the zoning classification of property that is the subject of the application, and/or an amendment to the text of the zoning ordinance. The petition shall be addressed to the town council. In the event the petition is not granted, the town council will not reconsider the same petition within a period of one year.

3-10-3.1. As part of such petition, the applicant must provide the information necessary to review and act on the petition, as required by the town as set forth in an application submission form adopted by the town council administratively, which may be amended from time to time, including the application fee as set forth in the current fee schedule.

3-10-3-2. Acceptance of application. The zoning administrator must issue a written determination within ten (10) business days of receipt of the application as to whether it is complete. If the application is not complete, the zoning administrator will identify for the applicant any deficiencies.

3-10-3.3. As part of any such petition, a property owner may voluntarily proffer, in writing, reasonable conditions to be applied to the development of the property in addition to the regulations provided within the zoning ordinance for the proposed zoning district. Proffered development conditions shall be submitted by the owner in advance of the required public hearings on the petition, so that the proffered conditions can be referenced in the advertisement of the public hearing.

3-10-3.4. Proffered development conditions, and the town council's consideration and acceptance of such conditions, shall be in accordance with Code of Virginia, §15.2-2296 through §15.2-2298, as may be applicable.

3-10-4. Decision period

All motions, resolutions or petitions for amendment to the zoning ordinance and/or zoning map shall be acted upon and a decision made within twelve (12) months from the date of the first planning commission meeting following acceptance of a completed application, as determined by the zoning administrator. However, upon request of the applicant, or with the applicant's consent, the time for approval may be extended beyond such twelve (12) month period.

3-10-5. Withdrawal of application

Any application filed pursuant to this section may be withdrawn at any time upon written request by the applicant. No action shall be required by the council or commission following withdrawal of a motion, resolution or petition for amendment to the zoning ordinance or map. In the event of and upon such withdrawal, processing of the motion, resolution or petition shall cease without further action.

3-10-6. Suspension of application

At any time during the review process, an applicant may request that the planning commission or town council suspend its review for a specified period not to exceed sixty (60) days. If such request is granted, the timeline for town action will be extended for the same amount of time as the requested suspension. Any application that is suspended for greater than a total of sixty (60) days as part of any application process shall be considered withdrawn. An applicant may withdraw an application at any time, by written notice to the zoning administrator. An application is deemed to be withdrawn upon receipt of such notice by the zoning administrator. Any application withdrawn for any reason must be resubmitted for review and shall be subject anew to the applicable fees and the full time period for review.

3-10-7. Planning commission process

No zoning ordinance text or zoning map shall be amended or reenacted unless the town council has referred the proposed amendment or reenactment to the planning commission for its recommendations. Acceptance by the town of an application submitted by an owner in conjunction with the procedures set forth in this ordinance shall constitute referral of the requested amendment to the planning commission. Failure of the commission to report one hundred (100) days after the first meeting of the commission after the proposed amendment or reenactment has been referred to the commission, shall be deemed approval by the commission, unless the proposed amendment or reenactment has been withdrawn by the applicant prior to the expiration of the time period.

3-10-8. Planning commission public hearing

The commission shall hold at least one public hearing on a proposed amendment of the zoning ordinance or zoning map, after notice as required by Code of Virginia § 15.2-2204. The planning commission may recommend appropriate changes in the proposed amendment as a result of the hearing. Upon the completion of its work, the commission shall forward the proposed amendment to the town council, together with its recommendations and appropriate explanatory materials.

3-10-9. Town council public hearing

Before approving and adopting any amendment of this ordinance, or to the zoning map, the town council shall hold at least one public hearing thereon, pursuant to public notice as required by Code of Virginia § 15.2-2204. In the case of a proposed amendment to the zoning map, the public notice shall state the general usage and density range of the proposed amendment and the general usage and density range, if any, set forth in the applicable part of the comprehensive plan. However, no land may be zoned to a more intensive use classification than was contained in the public notice without an additional public hearing after notice required by Code of Virginia § 15.2-2204. Following the public hearing, the town council may make appropriate changes or corrections in the proposed amendment.

3-10-10. Joint public hearing

The town council and the planning commission may hold a joint public hearing following proper public notice under Code of Virginia § 15.2-2204.

3-10-11. Criteria for consideration

In considering requests or applications for text amendments or zoning map amendments to this ordinance, the planning commission and town council must consider, among other factors, whether:

i. The rezoning is consistent with the purposes of zoning as set forth in Code of Virginia §15.2-2283 and the purposes and intent of this ordinance.

ii. The rezoning would, if granted, further the public interest, and whether it conforms with the goals, objectives, and policies and other provisions and purposes of the comprehensive plan.

iii. The rezoning is justified by changed or changing conditions.

Sec. 3-11. Comprehensive plan amendment

3-11-1 Town council amendment

If the town council desires an amendment to the comprehensive plan, it may prepare such and refer it to the local planning commission for public hearing or direct the planning commission to prepare an amendment and submit it to public hearing within sixty (60) days or such longer timeframe as may be specified by the council. In acting on any amendments to the plan, the town council shall act within ninety (90) days of the planning commission's recommending resolution. If the planning commission fails to make a recommendation on the amendment within the aforesaid timeframe, the town council may conduct a public hearing, which shall be advertised as required by Code of Virginia § 15.2-2204.

3-11-2. Amendment process

Comprehensive plan amendments will be processed on an annual basis, with January 1 being the filing deadline. Comprehensive plan amendments shall be submitted to the zoning administrator. In general, a comprehensive plan amendment is required if:

3-11-2.1 The request is for a zoning district other than that which is shown on the comprehensive plan; or when any portion of the request extends a comprehensive plan policy or land use area boundary which is indicated as a definite location in the plan such as a road, ridge line, or drainage divide; and/or

3-11-2.2 The density requested exceeds the density as depicted in the comprehensive plan, or

3-11-2.3 Facilities and utilities such as schools, sewage treatment plants, community facilities, and the like are addressed in the plan and are to be eliminated or located elsewhere, or when they are to be added to a subject property other than as shown in the comprehensive plan.

3-11-3. Limits on comprehensive plan amendments

Comprehensive plan amendments for essentially the same request on the same property will be processed no more than once every two years from the date of final determination of the previous application.

3-11-4. Submission requirements

An applicant must provide the information necessary to review and act on the requested amendment, as required by the town as set forth in an application submission form, including the application fee as set forth in the current fee schedule. The application shall include a statement of justification in which the applicant shall address one or more of the following:

3-11-4.1 Change in circumstances. There has been a significant change in surrounding land use since the original or latest comprehensive plan process.

3-11-4.2 Goals. The goals of the comprehensive plan would be better met with the proposed modification, or better implemented if such amendments are adopted.

3-11-4.3 Creative concepts. Innovative approaches to land use not currently contemplated in the comprehensive plan.

3-11-4.4 Oversights. The subject property was omitted, misinterpreted or mis-designated in the original or latest comprehensive plan process.

3-11-4.5 Hardship. An applicant has a unique hardship, as defined in this ordinance, on the subject property not identified in the original or latest comprehensive plan process.

Article 4. Zoning Districts

Sec. 4-1. Intent of Districts

4-1-1. Business District (B)

This district provides flexibility and variety of development for retail, service, and civic uses with light industrial and residential uses as secondary uses. Development form and character shall promote the economic and social vitality and serve as the commercial hub of the town. For purposes of zoning district boundaries this includes Business District North and Business District South.

4-1-2. Rural Residential (RR)

This district shall encourage the preservation of agricultural lands and general agricultural activities that are compatible with residential uses and public uses within and adjacent to the town boundaries. Low density development is allowed, as well as general agricultural uses such as conventional crop cultivation and low-intensity, small scale livestock grazing. The Rural Residential district will promote the protection of area water supply and the conservation of natural and scenic resources.

4-1-3. General Residential (GR)

This district shall be composed of quiet, low-density residential areas plus certain open areas where similar residential development appears likely to occur. The regulations for this district are designed to stabilize and protect the essential characteristics of the district, to promote and encourage an enjoyable environment for family life, and to prohibit most activities of a commercial nature. To these ends, development is limited to single family dwellings providing homes for the residents plus certain other uses, such as schools, parks, churches, and public facilities that serve the residents of the district.

4-1-4. Village Center (VC)

The Village Center District encourages a mix of residential, commercial, and civic uses that create a village atmosphere while promoting quality of life, historic preservation and pedestrian activity. A variety of housing types and compact, pedestrian-oriented development are permitted. Infill projects and new development shall be compatible with the character of existing parcels and buildings.

4-1-5. Historic District (HD)

This district is intended to preserve and enhance landmarks, buildings, places, and structures within the district in which historic events occurred or that have special public value because of notable historic, architectural, archaeological, artistic, or cultural heritage or interest, of such significance as to warrant conservation and preservation. The Historic District is an overlay district that is super imposed over other general use districts defined in this ordinance and shown on the zoning map. For purposes of zoning district boundaries this includes Historic District North and Historic District West.

Sec. 4-2. District Maps and Boundaries

4-2-1. Zoning Maps

The zoning maps (Appendix D) provide a visual representation of the locations and boundaries of the zoning districts. The zoning maps are for representative purposes only. To determine the zoning for a particular parcel, or for a point within a parcel, refer to the zoning boundaries as defined in Sec. 4-2-2, Appendix B, and Appendix C.

4-2-2. Zoning Boundaries

Zoning district boundary ranges are derived from the legal boundary between certain adjoining parcels as recorded in the land records of the Clerk of the Circuit Court of Charlotte County, Virginia on the date of adoption of this ordinance. The district boundaries are defined relative to their position within a range along certain streets as designated in Appendices B and C, and extending away from those designated street frontages, without crossing any other designated street, a certain distance as defined below. Starting and ending points of the ranges along the designated street are demarcated by virtual pins which are located where certain parcels adjoin at their boundary with the public right of way. Zoning district boundary ranges are listed in Appendix B. The virtual pins which mark these boundaries are listed in Appendix C. See Appendix E for exceptions.

4-2.2.1. Business District North, Business District South: Between the virtual pins which mark the beginning and ending of district ranges, these zoning districts extend from the centerline of the designated street a distance of 300 feet perpendicular from that centerline. If the designated street fronting a district comes to an end within town limits, then the district includes the area defined by an arc radiating 300 feet from the centerline of the end of the street. See Appendix E for exceptions.

4-2.2.2. Village Center North, Village Center South: Between the virtual pins which mark the beginning and ending of district ranges, these zoning districts extend from the centerline of the designated street a distance of 200 feet perpendicular from that centerline. If the designated street fronting a district comes to an end within town limits, then the district includes the area defined by an arc radiating 200 feet from the centerline of the end of the street. See Appendix E for exceptions.

4-2.2.3. General Residential: Any point that is not included in the boundaries of zoning districts as described above within this section, and is 200 feet or less from the centerline of any public street in front of it, is zoned General Residential. See Appendix E for exceptions.

4-2.2.4. Rural Residential: Any point that is not included in the boundaries of zoning districts as described above within this section, and is further than 200 from the centerline of any public street in front of it, is zoned Rural Residential. See Appendix E for exceptions.

4-2.2.5. Historic District North, Historic District West: Between the virtual pins which mark the beginning and ending of district ranges, these zoning districts extend from the centerline of the designated street a distance of 200 feet perpendicular from that centerline. If the designated street fronting a district comes to an end within town limits, then the district includes the area defined by an arc radiating 200 feet from the centerline of the end of the street. See Appendix E for exceptions.

4-2.2.6. Independent of parcel boundaries: Because zoning district boundaries are defined by distances perpendicular from the centerlines of streets, and are derived from but do not follow parcel

boundaries, zoning boundaries may run through the interior of parcels. Parts of the same parcel may be in different zoning districts.

4-2.2.7. Enclosed parcels or portions included: Any area less than one acre in size which is completely enclosed on all sides by the same zoning district will be included in that district.

Sec. 4-3. Dimensional requirements matrix and Use matrix

4-3-1. Dimensional requirements matrix

Districts	**Minimum Front Setback**	**Minimum Frontage**	**Minimum Side and Rear Setbacks**	**Building Height Maximum**	**Minimum Parcel Size**
Rural Residential (RR)	50 ft	100 feet	Side: Primary 15 ft Side: Agricultural 50 ft Side: Accessory 10 ft Rear: Primary 50 ft Rear: Accessory 5 ft	Residential Structures: 40 ft Farm Structures: 50 ft	1 acre
General Residential (GR)	50 ft	70 feet	Side: Primary 15 ft Side Accessory: 5 ft Rear: Primary 35 ft Rear: Accessory 5 ft	40 ft	3/4 acre
Village Center (VC)	20 ft	30 feet	Side: 5 ft except 20 ft minimum when adjoining RR or GR Rear: Primary 20 ft Rear Accessory: 5 ft	40 ft	No minimum
Business (B)	20 feet	30 ft	Side: 5 ft except 20 ft min when adjoining RR or GR Rear: Primary 20 ft Rear Accessory: 5 ft	45 ft	No minimum

4-3-1.1. Measurements

(a) Front setback is measured from the nearer of the front property line or the edge of the road pavement.

(b) Accessory structures must be no taller than primary structure.

(c) For properties crossing zoning districts, if the structure itself is positioned in multiple zoning districts the most restrictive requirements shall apply to such structure.

4-3-1.2. Exemption for appurtenances

Church spires and town water structures are exempt from height limits. Parapet walls, chimneys, flues, antennae, cornices, necessary mechanical apparatus, solar panels, and similar building projections may exceed the established height limit for the district by not more than four (4) feet.

4-3-2. Use Matrix

See Appendix A for Use Matrix

Sec. 4-4. Historic District

4-4-1. Purpose of the Historic District

The purpose of this district is to provide for protection against destruction or encroachment upon historic areas, buildings, monuments, or other features, or buildings and structures of recognized architectural significance which contribute or will contribute to the cultural, social, economic, political, artistic, or architectural heritage of the town and the Commonwealth of Virginia. It is the purpose of the district to preserve the designated historic areas and historic landmarks and other historic or architectural features, and their surroundings within a reasonable distance, from destruction, damage, defacement, and obvious incongruous development or uses of land and to insure that buildings, structures, streets, walkways, or signs shall be erected, reconstructed, altered, or restored so as to be kept architecturally compatible with the character of the general area in which they are located and with the historic buildings or structures within the district.

4-4-2. Criteria for Establishing Historic Districts--General Character

The boundaries of the Historic District were drawn to include areas containing buildings or places in which historic events occurred or having special public value because of notable architectural or other features relating to the cultural or artistic heritage of the community, of such significance as to warrant conservation and preservation. The district may include either individual buildings or places of such character, and a reasonable distance beyond, or it may include areas or groupings of structures which have significance relative to their patterns of development or social and economic or architectural interrelationships even though some structures in the area might not possess significant merit when considered alone.

4-4-3. Criteria of Properties Included Within Historic District

Consistent with the criteria set forth in this ordinance, the town has designated the area to be included in the Historic District as shown on the town's zoning map adopted with this ordinance. In recognition of the historic development of the town, the Historic District includes two subdistricts: (1) an area to the north of town known as the East Historic district; and (2) an area in the center of town known as the West Historic district. All references in this ordinance to the Historic District includes both subdistricts.

4-4-4. Application of the District; Relation to Other Zoning Districts

To enable the district to operate in harmony with the plan for land use and population density embodied in this ordinance, the Historic District is created as a special district to be superimposed on other districts contained in these regulations and its boundaries are designated on the Zoning District Map. The uses, including housing types, minimum parcel requirements, minimum yard requirements, maximum height, and accessory uses and accessory signs, etc., shall be determined by the regulations applicable to the other districts over which the Historic District is superimposed except as these other district regulations may be modified by application of the regulations in the Historic District.

4-4-5. Permitted Uses

A building or land shall be used only for the following purposes, and except as provided herein, in each case subject to approval by the zoning administrator or Historic District Review Board as the case may

require in accordance with the standards set forth in this Section and the standards and procedures for administration and enforcement set forth elsewhere in this ordinance:

A. Any use or accessory use permitted in the zoning district in which the premises are situated and upon which the Historic District is superimposed.

B. Any use permitted by conditional permit in the zoning district in which the premises are located subject to the procedures and standards of this ordinance for approval of conditional permits and subject in all cases to review by the Historic District Review Board in accordance with the purposes and standards of the Historic District.

C. Any variance permitted in the zoning district in which the premises are located, are subject to the procedures and standards of this ordinance for approval of special exceptions and variances and subject to review by the Historic District Review Board and subject to specific findings of the board of zoning appeals regarding the purposes and standards of the Historic District; provided, however, that if said variance is of such a minor nature as to be exempted from review by the Historic District Review Board by the terms of the regulations in the Historic District, then no such review or report shall be required.

4-4-6. Historic District Review Board; Creation

For the general purposes of this Article as herein stated and specifically to preserve and protect historic places and areas in the town through the control of demolition of such places and through the regulation of architectural design and uses of structures in such areas, there is created a board known as the Historic District Review Board.

4-4-7. Historic District Review Board; Membership

The members of the Historic District Review Board are appointed by the town council. The membership shall consist of five voting members and one non-voting ex officio members. One voting member shall be appointed considering the recommendation of the Charlotte County Board of Supervisors who may but shall not be required to be a resident of the town. At least two voting members shall be either residents of the Historic District or own a structure located within the Historic District. The Historic District Review Board may include one member who is also a member of either, or both, of the Planning Commission or town council. For purposes of this section, a person may meet the qualification of owning a structure located within the Historic District if the person is a designee of a corporation, partnership, or other legal entity that owns a structure within the Historic District. At least four voting members shall be residents of the town. The ex officio member shall be the zoning administrator.

4-4-8. Historic District Review Board; Terms

Members shall be appointed for a term of five years. Original appointments shall be made such that the term of only one voting member shall expire each year. Appointments to fill vacancies shall be only for the unexpired term. Members may be reappointed to succeed themselves. A member whose term expires shall continue to serve until a successor is appointed and qualifies.

4-4-9. District Review Board; Qualifications

Members of the Historic District Review Board shall have demonstrated interest and knowledge in the historical and architectural development of the town and when possible a person with demonstrated architectural, building construction, or historical knowledge or a planning commission member.

4-4-10. Historic District Review Board; Organization

The Historic District Review Board shall elect from its own membership a chairman and vice chairman who shall serve annual terms and may succeed themselves. The chairman shall preside over all meetings in addition to having the duties and responsibilities of other members of the Board. The vice chairman shall preside over meetings of the Board in the absence of the chairman. The Historic District Review Board shall appoint a secretary and shall keep written minutes of its meetings.

4-4-11. Historic District Review Board; Procedures

The Board shall establish procedures for all matters coming before it for review and all meetings shall be open to the public. The Board shall meet in regular session at least quarterly and shall meet within 21 days after an application which requires the Board's consideration is accepted as complete.

4-4-12. Historic District Review Board; Powers and Duties

The Historic District Review Board shall have the power and authority for issuing or denying Certificates of Appropriateness for construction, reconstruction, substantial exterior alteration, razing, or relocation within the historic district. In addition, the Board shall have the following duties:

A. To assist and advise the town council, the planning commission, and other town departments, agencies, and property owners in matters involving historically significant sites at buildings or other properties in historic districts such as, but not limited to, appropriate land usage, parking facilities, and signs.

B. To continuously evaluate conditions and advise owners of historic landmarks or structures or other properties in historic districts on problems of preservation.

C. To conduct studies deemed necessary by the town council or planning commission concerning location of historic districts and means of preservation, utilization, improvement, and maintenance of historic assets in the town.

D. To propose additional historic districts or additions or deletions to districts.

E. To adopt standards for review to supplement the standards set forth in this ordinance.

F. To formulate recommendations to the town council concerning the establishment of an appropriate system of markers for selected historic sites and buildings, including proposals for the installation and care of such historic markers.

G. To cooperate with and enlist assistance from the Virginia Department of Historic Resources, the National Trust for Historic Preservation, and other interested parties both public and private in its efforts to preserve, restore, and conserve historic landmarks, buildings, sites, or areas within the town.

4-4-13. Summary of Administration Review Procedures

In general it is the purpose of this ordinance to establish review procedures for actions affecting properties in the Historic District which will be relatively simple with minimum delay for those actions which will have little if any permanent effect on the character of the historic district or on a significant structure but to require a more thorough review for actions which may have a substantial effect on the character of the district or on a significant structure. To this end, some actions are exempted from special historic and architectural review altogether, except as normal review may be necessary for issuance of a building permit. Other actions, depending on the possible consequences thereof, may be reviewed by the zoning administrator or by the Historic District Review Board acting with original jurisdiction, or, in the most serious cases, action by the town council following action by the Historic District Review Board. In all cases the decisions of the zoning administrator may be appealed to the Historic District Review Board, the decisions of the Historic District Review Board may be appealed to the town council, and the final decisions of the town council may be appealed to the circuit court.

4-4-14. Certain Minor Actions Exempted from Review by the Historic District Review Board

Within the Historic District certain minor actions which are deemed not to have permanent effects upon the character of the historic district are exempted from review for architectural compatibility by the Historic District Review Board. Such actions shall include the following and any similar actions which in the opinion of the zoning administrator will have no more effect on the character of the district than those listed:

A. Repainting the structure in the same color or a very similar color or painting the structure with those colors specified in the design guidelines. (Original painting of masonry surfaces is not exempted from review.)

B. Replacement of missing or broken windowpanes, roofing, tiles, porch floor, posts, rails, shingles, window frames, or shutters where no substantial change in design or material is proposed.

C. Addition or deletion of storm doors or storm windows, window gardens, or similar appurtenances and portable air conditioners located in existing windows, doors, or other existing wall openings (if no building permit is required for such addition or deletion).

D. Addition or deletion of television and radio antennas or skylights and solar collectors in locations not visible from a public street.

E. Landscaping involving minor grading, walks, temporary fencing, which will not substantially affect the character of the property and its surroundings.

F. If consistent with the design guidelines, erection of any sign permitted in a residential district and any permitted non-illuminated flat or wall sign not exceeding three inches from a wall and not exceeding four square feet.

G. Construction of off-street loading areas and off-street parking areas containing two (2) spaces or less.

H. Creation of outside storage having a structure footprint of less than forty-one (41) square feet which does not require structural changes or major grading and is not visible from a public street.

4-4-15. Certain Actions Recommended in Design Guidelines Exempted from Review by the Historic Review Board; Delegation of Authority

A. The zoning administrator may on his own authority or shall upon direction from Historic District Review Board, order that work be stopped and that an appropriate application be filed for review by the Historic District Review Board for any activity which requires approval by the Historic District Review Board in accordance with Section 4-4-16 of this ordinance.

B. The Historic District Review Board shall periodically review the design guidelines contained in this section.

C. The authority to perform any action under this section not granted to the zoning administrator shall remain with the Historic District Review Board.

4-4-16. Approval of Historic District Review Board Required

A. Except as herein otherwise provided in this article, within a historic district no building or structure, including signs, shall be erected, reconstructed, restored, or substantially altered in exterior appearance and no buildings or structures shall be razed or demolished and no permit authorizing same shall be granted unless and until the same is approved by the Historic District Review Board and a Certificate of Appropriateness has been issued by that body, with right of direct appeal to the town council as hereinafter provided, as being architecturally compatible with the historical, cultural, and/or architectural aspects of the structure and its surroundings.

B. "Substantial alterations" shall be defined as any and all work done on buildings, structures, or sites in a historic district other than those specifically exempted herein:

1. General examples of "non-substantial" alterations:
   a. Work done to prevent deterioration or to replace parts of a structure with similar materials in order to correct any deterioration, decay of, or damage to any structure or on any part thereof, or
   b. To restore same as nearly as practical to its condition prior to such deterioration, decay, or damage.

2. Examples of work not constituting "substantial alteration" include those minor actions exempted from review by 4-4-14 of this article.

3. General examples of work constituting "substantial alterations" include:

   a. Construction of a new building at any location or a new accessory building on a site within the Historic District.

   b. Any addition to or alteration of a building which increases the square footage of the building or otherwise alters substantially its size, height, contour, profile, or outline.

c. Any change or alteration of the exterior architectural style of a structure, including removal or rebuilding of porches, openings, dormers, window sashes, chimneys, columns, structural elements, stairways, terraces, and the like.

d. Any change or alteration of the exterior color scheme of the structure or any of its significant elements, including porches, openings, dormers, window sashes, awnings, canopies, chimneys, columns, stairways, terraces, or any other structural elements. This also applies to all structures within the Historic District.

e. Addition to or removal of one or more stories or alteration of a roof line.

f. Landscaping which involves major changes of grade or walls and fences.

g. Any other major actions not specifically covered by the terms of this section, but which would have a substantial effect on the character of the historic district.

C. In any case in which there might be some question as to whether a project may be exempted from review may constitute a minor action or may constitute "substantial alteration," the zoning administrator shall be contacted for an interpretation prior to commencement of work.

4-4-17. Certificate of Appropriateness

Evidence of the approval required under the terms of the Historic District shall be a certificate of appropriateness issued by the Historic District Review Board, or the zoning administrator as the case may require, stating that the demolition, moving, or changes in the exterior architectural appearance of the proposed construction, reconstruction, alteration, or restoration for which application has been made are approved by the Historic District Review Board or the zoning administrator as the case may require. The Historic District Review Board, or the zoning administrator in a case within his authority, may permit modifications of original proposals if such modifications are formally acknowledged, clearly described, and recorded in the records of the case. A certificate of appropriateness shall be in addition to any other permits required. Any action by applicants following issuance of a permit-requiring certificate of appropriateness shall be in accord with the application and material approved and any conditions appended thereto.

4-4-18. Design Guidelines; Standards for Review

A. In order to achieve the purposes of the Historic District, the Historic District Review Board shall be guided in its decisions by the design guidelines as authorized in subsection B of this section.

B. It shall be the duty of the Historic District Review Board to prepare, and adopt, and amend specific design guidelines, illustrated as necessary, for buildings, structures, and sites in the Historic District.

C. The Historic District Review Board shall recommend to town council a set of design guidelines. The design guidelines must be approved by the town council. The Historic District Review Board and town council shall hold at least one public hearing pursuant to Code of Virginia § 15.2204 prior to acting on the design guidelines.

4-4-19. Demolition; Alternate Procedure: Offer to Sell

A. Prior to approval of any application for demolition, modification, movement, or removal of a structure within the Historic District; the zoning administrator, the Historic District Review Board, or the town council, as applicable, shall review the application for its compatibility with each of the following guidelines.

1. Whether or not the structure is of such architectural or historic interest that its removal would be to the detriment of the character and integrity of the Historic District.

2. Whether or not the structure is of such interest or significance that it would qualify as a National, State, or local historic landmark.

3. Whether or not retention of the structure would help to preserve and protect a historic place or area of historic interest in the town.

4. Whether or not plans for future use of the site after demolition are appropriate, compatible, sympathetic, and complimentary to the character and integrity of the Historic District.

No subsequent application under Section 4-4-19.A regarding the structure may be made until more than one year after a final denial by the town council.

B. In addition to the right of appeal to the town council and the circuit court, the owner of a structure in the Historic District under the provisions of Code of Virginia 15.2-2306 shall, as a matter of right, be entitled to move, remove, modify, raze or demolish all or part of such structure provided that:

1. The owner has applied to the town council for such right.

2. The owner has for the applicable period of time set forth in the time schedule in Section 4-4-19.B.4, and at a price reasonably related to the fair market value of the structure and the land, other improvements and appurtenances pertaining thereto (assuming the buyer will be required to preserve and restore the structure in place on the property) as determined by the average of two (2) real estate appraisals from two (2) different appraisers, made a bona fide, public offer (pursuant to the requirements of this Section 4-4-19 B.) to sell such structure, and the land, other improvements and appurtenances pertaining thereto (collectively, the "Property"), to the town and any other person, firm, corporation, government or political subdivision or agency thereof, which gives reasonable assurance that it is willing to preserve and restore the structure in place. If the two (2) required real estate appraisals submitted by the Owner differ by more than ten percent (10%), the owner must have the Property appraised a third time at his own expense by a third real estate appraiser selected by the town. The bona fide offer to sell must be at a price not more than the average of the two such appraisals that are closest to one another.

3. No bona fide contract, binding upon all parties thereto, shall have been executed for the sale of any such Property thereto, prior to the expiration of the applicable time period set forth in the time schedule in Section 4-4-19.B.4. Any appeal which may

be taken to the court from the decision of the town council, whether instituted by the owner or by any other proper party, notwithstanding the provisions heretofore stated relating to a stay of the decision appealed from, shall not affect the right of the owner to make the bona fide offer to sell referred to above.

4. The time schedule for offers to sell shall be as follows:

    a. Three (3) consecutive months when the offering price is less than twenty-five thousand dollars.

    b. Four (4) consecutive months when the offering price is twenty-five thousand dollars or more but less than forty thousand dollars.

    c. Five (5) consecutive months when the offering price is forty thousand dollars or more but less than fifty-five thousand dollars.

    d. Six (6) consecutive months when the offering price is fifty-five thousand dollars or more but less than seventy-five thousand dollars.

    e. Seven (7) consecutive months when the offering price is seventy-five thousand dollars or more but less than ninety thousand dollars.

    f. Twelve (12) consecutive months when the offering price is ninety thousand dollars or more.

5. Before making a bona fide offer to sell, the owner shall first file a statement with the zoning administrator along with the appraisals required by Section 4-4-19.B.2. The statement shall identify the Property, state the offering price, the date the offer of sale is to begin, the names and addresses of adjacent property owners, and the names and addresses of listing real estate agents, if any. The owner shall be required to maintain the Property in at least its current condition during the term of the public offer. No time period set forth in the time schedule contained in Section 4-4-19.B.4. shall begin to run until the statement has been filed. Within five (5) days after receipt of a statement, copies of the statement shall be delivered by the zoning administrator to the town clerk, the town council, and the Historic District Review Board. Within thirty (30) days after the receipt of a statement, the zoning administrator: (a) shall place notice of the statement once a week for two successive weeks in a newspaper having general circulation in the town, (b) post a notice of the statement prominently on the Property, and (c) send notice of the offer, accompanied by the statement, to the adjacent property owners by certified or registered mail.

During the time period for the offer to sell, the town may take steps as it deems necessary to preserve the structure in accordance with the purposes of this article. Such steps may include, but are not limited to, consultation with civic groups, public agencies, and interested citizens, recommendations for acquisition of the Property by public or private bodies or agencies, and exploration of the possibility of moving structures or other features on the Property.

4-4-20. Hazardous Buildings or Structures

Nothing in this Article shall prevent the razing or demolition of any building or structure without consideration of the Historic District Review Board which is in such an unsafe condition that it

would endanger life or property, and protection from such condition is provided for in the Building Code and/or other applicable town ordinances. However, such razing or demolition shall not be commenced without application on a form provided by the zoning administrator who shall immediately notify the Historic District Review Board and town council and completion of the following:

A. Written approval of the zoning administrator.

B. Letter sealed by a Structural Engineer, licensed in Virginia stating the structural problems that render the building a hazard and not practicably rebuildable.

C. A written statement by the zoning administrator, concurring with the engineer's report.

D. Notification of the Historic District Review Board and town council.

E. Reconstruction plans for the property shall meet the requirements of the ordinance.

4-4-21. Maintenance and Repair Required

A. The purpose of this section is solely to stop demolition by neglect, whereby owners of property in the Historic District jeopardize the future prosperity and well-being of the town by allowing historic assets to decay so as to allow the structure, or historic attributes of the structure, to become a hazardous building or structure.

B. All buildings and structures in the Historic District shall be preserved against decay and deterioration and maintained free from structural defects to the extent that such decay, deterioration, or defects may, in the opinion of the Historic District Review Board and town council, result in the irreparable deterioration of any exterior appurtenance or architectural feature or produce a detrimental effect upon the character of the district as a whole or upon the life and character of the structure itself, including but not limited to:

1. The deterioration of exterior walls or other vertical supports, including broken doors and windowpanes;

2. The deterioration of roofs or horizontal members;

3. The deterioration of exterior chimneys;

4. The deterioration or crumbling of exterior plaster, wood, or mortar;

5. The deterioration of any feature so as to create or permit the creation of any hazardous or unsafe condition or conditions.

C. After notice by the Historic District Review Board by certified mail to the owner of record of specific instances of failure to maintain or repair and of an opportunity to appear before the Historic District Review Board, the owner or person in charge of said structure shall have 90 days to remedy such violation. Thereafter, each day during which there exists any violation of this section shall constitute a separate offense and shall be punishable as provided in Sec. 3-2 Compliance and Enforcement.

4-4-22. File of Actions to be Maintained

In order to provide guidance for application of standards and guidelines, for the improvement of standards and guidelines, and for assistance to future applicants and the promotion of consistent policies in guiding applicants toward better standards of design, the town clerk and the Historic District Review Board shall maintain a file containing a record of all applications brought before them, including communications, drawings and photographs pertaining thereto and the decision of the zoning administrator or the Historic District Review Board in each case. The file documents shall remain the property of the town but shall be held available for public review.

4-4-23. Administration; Zoning Administrator

Except as authorized herein the zoning administrator shall not authorize a permit for any erection, reconstruction, integral exterior facade change, demolition, or razing of a building or structure in the Historic District until the same has been approved by the Historic District Review Board as set forth in the following procedures.

4-4-24. Receipt of Application

Upon receipt of an application by the zoning administrator for each permit in the Historic District, the zoning administrator shall:

A. Forthwith forward to the Historic District Review Board a copy of the application, together with a copy of the site plan and the building plans and specifications filed by the applicant if such application requires the Historic District Review Board to meet and render a decision;

B. Maintain in the town office a record of all such applications and of his handling and final disposition of the same;

C. Require applicants to submit three (3) copies of material required to permit compliance with the foregoing.

4-4-25. Material to be Submitted for Review

By general rule, or by specific request in a particular case, the Historic District Review Board may require submission of any or all of the following in connection with the application: architectural plans, site plans, landscaping plans, construction methods, proposed signs with appropriate detail as to character, proposed exterior lighting arrangements, elevations of all portions of structures with important relationships to public view (with indications as to visual construction materials, design of doors and windows, colors, and relationships to adjoining structures), and such other exhibits and reports as are necessary for its determinations. Requests for approval of activities proposed in historic districts shall be accepted only from the record owner of the property involved in such proposal, or his agent.

4-4-26. Other Approvals Required

In any case in which an applicant's proposal also requires the approval of the board of zoning appeals, final action by the board of zoning appeals shall precede final action by the Historic District Review Board. The board of zoning appeals may, however, table a proposal in order to

request the comments of the Historic District Review Board. Final action by the Historic District Review Board shall be taken prior to consideration of proposals requiring site plan approval.

4-4-27. Action by Historic District Review Board; Issuance of Certificates of Appropriateness

The Historic District Review Board shall render a decision upon any request or application for a Certificate of Appropriateness within 60 days after the filing of an application accepted as complete. Failure of the Historic District Review Board to render such a decision within said 60-day period, unless such period be extended with the concurrence of the applicant, shall entitle the applicant to proceed as if the Historic District Review Board had granted the Certificate of Appropriateness applied for prior to denying the Certificate of Appropriateness. The Historic District Review Board, on the basis of the review of information received, shall, upon request, indicate to the applicant the changes in plans and specifications, if any, which in the opinion of the Historic District Review Board, would protect or preserve the historical aspects of the landmark, building, structure, or district. If the applicant determines that they will make the suggested changes and does so in writing, the Historic District Review Board may issue the Certificate of Appropriateness.

4-4-28. Expiration of Certificates of Appropriateness and Permits to Raze

Any certificate issued pursuant to this article and any permit to raze a building issued pursuant to this article shall expire of its own limitation twelve months from the date of issuance if the work authorized thereby is not commenced by the end of such twelve- month period; and further, any such certificate and permit shall also expire and become null and void if such authorized work is suspended or abandoned for a period of twelve months after being commenced. Any period or periods of time during which the right to use any such certificate or permit is stayed pursuant to this article shall be excluded from the computation of the twelve months.

4-4-29. Inspection After Approval

When a Certificate of Appropriateness has been issued, the zoning administrator or the zoning administrator's designee shall from time to time inspect the alteration or construction approved by such certificate and shall give prompt notice to the applicant of any work not in accordance with such certificate or violating any ordinances of the town. The zoning administrator may revoke the certificate or town building official may revoke the building permit if violations are not corrected by the applicant in a timely manner.

4-4-30. Delay of Approval

In the case of a proposal involving a designated landmark, other than for demolition or movement or removal of a structure within the Historic District where the Historic District Review Board or, on appeal, the town council cannot reach a satisfactory agreement with the owner and where the Historic District Review Board or, on appeal, the town council decides such action to be in the public interest and not in conflict with any provision of law, town council may delay the effective date of an approval for a period of three months from the date of application or appeal to enable negotiations to be undertaken and completed for acquisition of the property for preservation or public use.

Failure of negotiations within this period shall be the equivalent of a denial of the application by the Historic District Review Board or, on appeal, by the town council.

4-4-31. Conditions Imposed by the Historic District Review Board

In approval of any proposal under this section, the Historic District Review Board or, on appeal, the town council may limit such approval by such reasonable conditions as the case may require, including but not limited to, the specifications enumerated for conditional uses.

4-4-32. Appeals; Decisions of the Historic District Review Board

An appeal from a decision of the Historic District Review Board may be taken to the town council by the owner of the property in question or by any party aggrieved by said decision, which shall be taken within thirty (30) days after the decision appealed from by filing with the town clerk a notice of appeal specifying the grounds thereof. The town clerk shall forthwith transmit to the town council all the papers constituting the record upon which the action appealed from was taken. The town council shall fix a reasonable time for a public hearing, give public notice thereof as required pursuant to Code of Virginia §15.2-2204 and decide the same within 60 days. At the hearing any person and the appealing party may appear in person or by agent. In exercising its powers, the town council may, in conformity with the provisions of this Ordinance, reverse or affirm, wholly or partly, or may modify any order, requirement, decision, or determination appealed from and make such order, requirement, decision or determination as ought to be made and to that end shall have all the powers of the Historic District Review Board.

4-4-33. Appeals; Decisions of the Zoning Administrator

An appeal from a decision of the zoning administrator may be taken to the Historic District Review Board by the owner of the property in question or by any party aggrieved by said decision, which shall be taken within thirty (30) days after the decision appealed from by filing with the town clerk a notice of appeal specifying the grounds thereof. The town clerk shall forthwith transmit to the Historic District Review Board all the papers constituting the record upon which the action appealed from was taken. The Historic District Review Board shall fix a reasonable time for the meeting, give public notice thereof as required pursuant to Code of Virginia §15.2-2204 and decide the same within 60 days. At the meeting the party may appear in person or by agent. In exercising its powers, the Historic District Review Board may reverse or affirm, wholly or partly, or may modify, any order, requirement, decision, or determination appealed from and make such order, requirement, decision or determination as ought to be made.

4-4-34. Appeal to the Circuit Court from a Decision of the Town Council

An appeal from a final decision of the town council may be filed with the circuit court within 30 days after said decision in the manner prescribed by law by the owner of the property in question or by the Historic District Review Board or by any party aggrieved by said decision or by any party who recorded an appearance at the hearing before the town council. The filing of an appeal shall stay the decision of the town council pending the outcome of the appeal to the court, except that the filing of such petition shall not stay the decision of the town council if such decision denies the right to raze or demolish a designated landmark, building, or structure. The court may reverse or modify the decision of the town council, in whole or part, if it finds upon review that the decision of the governing body is contrary to law or that its decision is arbitrary and constitutes an abuse of discretion, or it may affirm the decision of the town council.

Article 5. Supplementary Regulations

Sec. 5-1. Lots

5-1-1. Corner lots; flag lots

5-1-1.1. Of the two sides of a corner lot, the front shall be deemed to be the shorter of the two sides fronting on streets. If the parcel has equal frontage on two or more streets, the front is determined and shown on the subdivision plat or site plan by the prevailing building pattern or the prevailing parcel pattern if the building pattern has not been established.

5-1-1.2. The side yard of a corner lot on the side facing the side street shall be at least twenty (20) feet in depth for both principal and accessory buildings.

5-1-1.3. No structure shall be built on the elongated or "stem" portion of a flag lot which is for access only. The front setback of such parcels shall be measured from the point at which the "stem" portion joins the bulk portion of the parcel.

5-1-2. Limits on number of dwellings per parcel

Only one (1) dwelling unit is permitted per parcel, except for multi-family dwellings, accessory dwellings, or as otherwise provided for in this ordinance.

Sec. 5-2. Refuse Bins

5-2-1. Refuse bins for businesses, neighborhood, or multi-family structures, must be located in the side or rear yards of the parcel, or at the rear of the parcel and must be screened from the public right-of-way and contiguous property by a privacy fence at least six (6 feet in height or an equivalent visual screen).

Sec. 5-3. Parking Regulations

5-3-1. Off-street parking and loading

5-3-1.1. Intent.

(a) The purpose of these regulations is to set forth off-street parking and loading requirements for permitted uses, in accordance with the intensity of such uses, and to provide adequate parking for the traveling public.

(b) Off-street parking spaces shall be provided in accordance with the provisions of this section, at the time of construction, erection, alteration, enlargement or change in use of any building, structure or use. Thereafter, such spaces shall be maintained and kept available for such use, to the extent of the minimum number of spaces required hereunder, unless there is a change of use or floor area.

5-3-1.2. Surface requirements.

All off-street parking facilities shall be constructed of an improved surface of hard asphalt topping, or other surface resistant to erosion and acceptable to the zoning administrator, and shall be graded, drained and/or improved so as to properly dispose of all surface water, in accordance with sound engineering practices and standards. In no case shall drainage from commercial or multifamily zoned properties cross sidewalks, and the owner of the parking facility shall be responsible for maintenance of drainage facilities and improvements.

Commercial

5-3-1.3. Off-street parking areas**.**

No off-street parking area shall be located closer than three (3) feet to any side or rear property line.

5-3-1.4. Off-street loading areas.

In addition to any required off-street parking spaces, there shall be provided adequate off-street space for loading and unloading vehicles owned or leased and regularly used in the operation of any commercial (business or industrial) use. In addition, when any such vehicles are to be parked on-site when not loading or unloading, there shall be provided adequate parking spaces to accommodate the maximum number of vehicles that may be reasonably expected to be parked on the site of such use at any one time.

5-3-1.5. Public right-of-way.

Parking spaces must be designed and used in such a manner as to prevent cars parked in a driveway from encroaching on any sidewalk or into the public right-of-way.

Except for spaces serving single family and two-family dwellings, no parking space shall be designed that will require backing into a public street; however, parking spaces may be designed to allow backing into an alley.

5-3-1.6. Circulation aisles.

Where there is no parking adjoining to circulation aisles, minimum aisle width shall be twelve (12) feet for one-way travel aisles, and twenty (20) feet for two-way travel aisles. Where there is 90-degree parking adjoining to both sides of a circulation aisle, the aisle width shall be no less than twenty (20) feet.

5-3-1.7. Parking space dimensions.

The dimensions for each individual parking space shall conform to the following requirements:

Type of space	Min. Width	Hatched Apron	Min. Length
Parallel	8 feet	N/A	20 feet
Handicapped (car)	8 feet	5 feet	18 feet
Handicapped (van)	8 feet	8 feet	18 feet
Standard	8.5 feet	N/A	18 feet

5-3-1.8. ADA standards.

Off-street parking shall comply with the requirements of the Federal Americans with Disabilities Act, as applicable.

5-3-2. Parking standards

5-3-2.1. Parking lots—screening.

(a) For the purposes of this section the term "parking lot" shall mean and refer only to a parking lot containing twenty (20) or more spaces.

(b) A continuous landscaped buffer at least five (5) feet in width shall be established between the edge of a parking lot and the public right-of-way.

(c) A continuous landscaped buffer at least five (5) feet in width shall be established between the edge of a parking lot and an adjoining property, where there is no intervening public right-of-way.

5-3-2.2. Parking matrix.

Use	**Minimum Parking Space Requirements (GFA is gross floor area)**
Residential and Related Uses:	
Bed and Breakfast Inn	One space per guest room
Dwellings:	
Multifamily	One and a half spaces per dwelling unit
Single Family attached	Two spaces per dwelling unit
Single Family detached	Two spaces per dwelling unit
Two-Family/ Duplex	Two spaces per dwelling unit
Family Day Home	Two spaces per dwelling unit
Guest House/ Accessory Dwelling	One space per unit
Nursing Home/ Retirement Home/ Assisted Living Facility	1 space per every two beds
Residential Treatment Facility:	Two spaces per dwelling unit
Temporary Family Healthcare Structure	One space per unit
Non-Residential: General and Misc. Commercial	
Assembly, places of	One space per every five fixed seats. In the case of no fixed seats, one space per 200 square feet of assembly space.
Service Station	One space per 400 square feet of GFA
Educational Facilities/ Schools	One space per classroom
Hospitals and clinics	One space for every two beds
Hotels	One space per guestroom
Library	One space per 500 square feet of GFA
Public Amusement (dance hall, bowling alley, etc.)	One space per 4 persons allowed at maximum occupancy
Museum	One space per 4 persons allowed at maximum occupancy
Offices:	
Business and Professional	One space per 300 square feet of floor area (not including storage areas)

Medical	One space per 200 square feet of floor area
Other Offices-- non-specified	One space per 300 square feet of floor area (not including storage areas)
Restaurants	One space per 250 square feet of seating area
Non-Residential Uses: Retail	
Retail Uses	One space per 300 square feet of floor area (not including storage areas)
Non-Residential: Industrial	
Generally	One space per 300 square feet of GFA devoted to office space

5-3-2.3. Rules for computing the required number of parking spaces.

The number of required spaces shall be computed as follows:

(a) "Floor area" shall mean gross floor area of the referenced use or structure, unless otherwise specified. Refer also to the definition of gross floor area.
(b) Where fractional spaces result, the parking spaces required shall be computed to the nearest whole number.
(c) The parking space requirements for a use not specifically mentioned in this ordinance shall be the same as required for the most similar use mentioned.
(d) When any parcel or building is used for two (2) or more purposes, or contains two (2) or more types of spaces for which separate parking requirements are specified (e.g., areas with tables versus areas without tables; areas with service facilities versus areas without service facilities, etc.), the number of parking spaces required shall be the sum of the requirements for the various individual uses or areas, computed separately.

Sec. 5-4. Outdoor lighting

5-4-1. Purpose and intent

The purpose of outdoor lighting regulations is to preserve the dark skies of the town by requiring full cutoff luminaires, to protect the general welfare by controlling the spillover of light onto adjacent properties, and to protect the public safety by preventing glare from outdoor luminaires. These regulations regulate the direction of light emitted from certain luminaires and limit the intensity of light on certain adjacent properties.

5-4-2. Applicability

Except as provided in Sec. 5-4-5, these outdoor lighting regulations shall apply to each outdoor luminaire installed or replaced after the date of the adoption of these regulations, where such luminaire is associated with a use for which a zoning permit is required, and is equipped with a lamp which emits three thousand (3,000) or more maximum lumens.

5-4-3. Standards

The following standards shall apply to each outdoor luminaire:

a. Each outdoor luminaire subject to these outdoor lighting regulations shall be a full cutoff luminaire.

b. Measurement of lumens.

For each outdoor luminaire subject to these outdoor lighting regulations, the maximum number of lumens emitted by such luminaire shall be determined from the information provided by the manufacturer of the lamp including, but not limited to, information on the lamp or on the lamp's packaging materials.

c. If a luminaire is equipped with more than one lamp, the lumens of the lamp with the highest maximum lumens shall determine the lumens emitted.

d. All outdoor luminaires, regardless of the number of lumens, shall be arranged or shielded to reflect light away from adjoining residential properties.

5-4-4. Lighting for recreational facilities, outdoor.

An outdoor luminaire or system of outdoor luminaires required for an athletic facility may exceed the lumens standards to the minimum extent necessary to provide sufficient illumination of the facility for its safe use as determined by recommended practices adopted by the Illuminating Engineering Society of North America for that type of facility and activity.

5-4-5. Exemptions from outdoor lighting regulations.

The following outdoor lighting and related acts shall be exempt from the requirements of these regulations:

a. Lighting which is excluded from local regulation by state or federal law.
b. Construction, emergency or holiday decorative lighting, provided that the lighting is temporary, and is discontinued within thirty (30) days of completion of the project, emergency or holiday for which the lighting was provided.
d. The replacement of an inoperable lamp or component, which part of a luminaire that was installed prior to the date of adoption of this ordinance.
e. The replacement of a failed or damaged outdoor luminaire, that was installed prior to the date of the adoption of this ordinance which is one (1) of a matching group serving a common purpose.

Sec. 5-5. Structures and Uses

5-5-1. Accessory uses, structures, and dwellings

5-5-1.1. Accessory uses and structures are limited to those listed in this section, and to any other use or structure the zoning administrator determines to be equivalent in scope, size and impact as those listed herein, and shall be in compliance with all other provisions of this ordinance.

5-5-1.2. Accessory uses and structures are permitted in connection with, and incidental and subordinate to a permitted principal use or structure and shall be in compliance with all other provisions of this ordinance.

5-5-1.3. Accessory structures in the general residential and the village center districts must be located on the same parcel as the principal use and may not be subdivided from the parcel on which located.

5-5-1.4. Accessory structures must comply with the Dimensional Requirements Matrix in Sec. 4-3.

5-5-1.5. No accessory use or structure may create a nuisance or hazard.

5-5-1.6 No more than two (2) video games, pinball machines, or similar games shall be allowed as an accessory use to a retail commercial establishment or restaurant.

5-5-1.7. Accessory uses and structures that are normally associated with and subordinate to residential dwellings are permitted, including accessory dwellings as provided for in this ordinance, decks, patios, fences, walls, air handling units, pet houses, play equipment, pools, solar panels, storage sheds and the like.

5-5-1.8. Accessory dwellings used for family members, guests or as rental housing for paying tenants, are permitted in those zoning districts in which they are listed as a permitted or conditional use, subject to the following additional standards.

a. In the Rural Residential District, one (1) accessory dwelling unit is permitted on any parcel of two (2) acres or greater, provided that all other requirements of this ordinance are met.

b. In the General Residential District, one (1) accessory dwelling unit is permitted on any parcel of one and one half (1.5) acres or greater, provided that all other requirements of this ordinance are met. No such accessory dwelling may exceed 1,200 square feet in total.

c. In the Village Center Districts, one (1) accessory dwelling unit is permitted on any parcel of 20,000 square feet or greater provided that all other requirements of this ordinance are met. No such accessory dwelling may exceed 800 square feet in total, above ground, floor area. No free-standing accessory dwellings are permitted.

d. All off-street parking requirements are met for all dwelling units on any parcel.

e. An accessory dwelling unit may be located in basement areas or within accessory structures such as garages.

f. No accessory dwelling may ever be subdivided from the parcel on which it is located.

5-5-2. Bed and breakfast inn

5-5-2.1. The owner or manager must provide full-time management of the establishment at all times when the facility is occupied by one or more guests.

5-5-2.2. The establishment may not contain restaurant facilities, but may provide food service only for transient, overnight guests, and for special events.

5-5-2.3. Special events such as weddings, receptions, and similar activities may be conducted for compensation for up to 100 guests provided the site has access to a public road, provides adequate off-street parking, noise levels do not exceed 55 dBA at all property boundaries, and the event is conducted between 7:00 a.m. and 12:00 midnight.

5-5-3. Family day home

5-5-3.1. In accordance with Code of Virginia §15.2-2292, Family Day Homes for 5 to 12 children are permitted by-right in districts that permit single family dwelling units by-right, subject to meeting the performance standards of this ordinance. A home occupation application is required and shall include a sketch plan depicting the entire parcel to scale, setbacks, pathway to door of facility, drop off and pick-up locations, location of any permanent in-ground play equipment, the size and location of the required outdoor play area and required fence.

5-5-3.2. As required by Code of Virginia §15.2-2292, upon receipt of an application for a by-right Family Day Home for 5 to 12 children, the zoning administrator shall send notice by registered or certified letter to the last known address of each adjacent property owner. If the zoning administrator receives no written objection from a person so notified within 30 days of the date of sending the letter and determines that the family day home otherwise complies with the provisions of this ordinance, the zoning administrator shall issue the permit sought subject to the Code of Virginia.

5-5-3.3. The Family Day Home shall comply with all requirements of the County and State Codes, including without limitation, obtaining a zoning permit, a building permit if applicable, and obtaining a State Family Day Home License in accordance with the Code of Virginia, as applicable.

5-5-3.4. If the proposed location of the Family Day Home is subject to covenants and restrictions of a homeowners association (HOA), then prior to the issuance of the zoning permit, the Family Day Home provider shall provide the zoning administrator with documentation whether or not the use is allowable under applicable covenants and restrictions.

5-5-3.5. The applicant shall demonstrate availability of employee parking onsite or along the street.

5-5-3.6. Child drop off and pick up locations shall be designated to enhance the safety of children as they arrive and depart. A designated arrival and departure zone shall be located adjacent to the Family Day Home center in such a manner that children do not have to cross a street to enter or exit the Home.

5-5-3.7. There shall be no change in the outside appearance of the Family Day Home or parcel nor other visible evidence of the conduct of a Family Day Home other than what may be required by the State Family Day Home License or other provisions in this ordinance.

5-5-3.8. Seventy-five (75) square feet of outdoor play area must be provided on-site per child.

5-5-3.9. Fencing: Outdoor play area must be enclosed by a fence with a minimum height of four (4) feet.

5-5-3.10. Play Equipment Location: No play equipment shall be located within the required yard setbacks.

5-5-3.11. Pathway to Facility: There must be a continuous hard-surface pathway/sidewalk connecting the drop-off and pick-up location to the entrance of the Family Day Home. The pathway shall be kept free of any snow or ice.

5-5-4. Farm stands

5-5-4.1. Farm stands may not exceed 500 square feet in floor area.

5-5-4.2. Farm stands must meet the yard and setback requirements of the zoning district.

5-5-4.3. Farm stands must have safe ingress and egress from a public road and adequate off-street parking shall be provided.

5-5-4.4. Hours of operation are limited to 6:00 a.m. to 10:00 p.m.

5-5-5. Farm winery

5-5-5.1. Farm wineries must have direct access on a state-maintained public road and must provide safe ingress and egress.

5-5-5.2. All parking must be provided on-site and parking areas must be paved or use a dust-free surface.

5-5-5.3. The following shall be considered accessory uses permitted in conjunction with a farm winery licensed in accordance with Code of Virginia §4.1-207(5):

(a) The production and harvesting of fruit and other agricultural products and the manufacturing of wine.

(b) The on-premises sale, tasting, or consumption of wine during regular business hours within the normal course of business of the farm winery, which may include evening and weekend hours.

(c) The direct sale and shipment of wine by common carrier to consumers in accordance with Code of Virginia Title 4.1, and regulations of the Alcoholic Beverage Control (ABC) Board.

(d) The sale and shipment of wine to the ABC Board, licensed wholesalers, and out-of-state purchasers in accordance with Code of Virginia Title 4.1, regulations of the ABC Board and federal law.

(e) The storage, warehousing, and wholesaling of wine in accordance with Code of Virginia Title 4.1, regulations of the ABC Board, and federal law.

(f) The sale and consumption of wine-related items that are incidental to the sale of wine.

5-5-6. Home occupations

5-5-6.1. All home occupations must be conducted within the home or in an accessory structure on site. The owner of the home occupation use must reside on premises. Home occupations conducted within an accessory structure must be operated and maintained under the same ownership as the principal use, except when conducted within an accessory dwelling.

5-5-6.2. Only family members residing on premises and not more than one (1) non-family employee may work on site; off-street parking is required for an employee if there is one.

5-5-6.3. Home occupations must be clearly incidental and subordinate to the residential use.

5-5-6.4. There may be no changes to the outside appearance of the building or premises used for the home occupation except that one (1) sign not to exceed four (4) square feet in size may be affixed to the structure.

5-5-6.5. Any outdoor storage areas must be no greater in land coverage than the footprint of the largest accessory structure, or not more than 25% of the area of the first floor of the dwelling, whichever is less.

5-5-6.6. Retail sales of items handcrafted on the premises or directly related to the home occupation are permitted provided that such sales are a minor component of the business, that the product does not require outdoor storage, and that traffic levels do not exceed those normally expected from single family residences.

5-5-6.7. Traffic generated shall not exceed that expected from a normal single family residential use.

5-5-6.8. Any equipment or process that creates noise, vibrations, glare, fumes, odors or electrical interference beyond the premises of the property, or within the dwelling or property boundaries, shall not be permitted.

5-5-7. Dwelling compatibility standards

5-5-7.1 Purpose

a. Preserve neighborhood character;
b. Promote compatibility among residential structures;
c. Protect the Town's historic development pattern;
d. Ensure high-quality residential construction;
e. Protect property values;
f. Promote public safety;
g. Establish architectural and site development standards applicable to detached single-family dwellings.

5-5-7.2 Applicability - The standards of this section shall apply to all dwellings including:

a Newly constructed or installed detached single-family dwellings;
b. Newly installed manufactured homes;
c. Replacement dwellings; and
d. Relocated detached dwellings

5-5-7.3 Permanent foundation required

a. Be installed on a permanent masonry or concrete foundation system;
b. Have all wheels, axles, towing apparatus, tongues, and transport equipment removed;
c. Be installed in accordance with manufacturer specifications and applicable state and federal requirements;
d. Be classified and taxed as real property in accordance with Section 46.2-653.1 of the Code of Virginia

5-5-7.4 Dwelling compatibility standards

a. Minimum width of twenty-four (24) feet at the narrowest habitable portion of the structure;
b. Minimum roof pitch of 5:12;
c. Roof materials shall consist of architectural shingles, standing seam metal, slate, or similar residential-grade materials;
d. Exterior siding shall consist of masonry, fiber cement, wood, engineered wood, vinyl clapboard, or equivalent residential-grade materials;
e. Unpainted or reflective metal siding shall be prohibited;
f. All exterior perimeter foundation materials shall be visually compatible with surrounding development and shall utilize brick veneer, masonry, stucco, stone veneer, or architecturally compatible materials;
g. No exposed chassis, frame rails, hitch assemblies, wheels, axles, or transport components shall remain visible after installation;
h. The principal entrance shall face the public street unless the zoning administrator determines that lot configuration makes compliance impracticable;
i. Any eave overhang shall be no less than twelve (12) inches;
j. All exterior mechanical equipment shall be screened from public streets to the maximum extent practicable;
k. All dwellings shall comply with applicable setback, height, parking, lighting, drainage, landscaping, stormwater, and Historic District requirements.

5-5-8. Places of assembly

Indoor:

5-5-8.1. The maximum floor area ratio (FAR) for all habitable structures on the site is 0.20 for places of assembly. No indoor place of assembly may exceed 15,000 square feet of gross floor area.

Indoor and Outdoor

5-5-8.2. Places of assembly must have direct access on a state-maintained public road and must provide safe ingress and egress.

5-5-8.3. All parking and loading areas must be visually screened from adjacent residential uses.

5-5-8.4. All non-security exterior lighting must be turned off by 12:00 midnight. All exterior lighting must use full cut-off fixtures and light shall not trespass onto any neighboring property and shall comply with Section 5-4 of this ordinance.

5-5-8.5. Noise generation of a continuous nature shall not exceed 55 dBA as measured at the property line of the noise source. Noise generation of an impact nature shall not exceed 60 dBA as measured at the property line of the noise source. Temporary noise generated from power equipment such as lawn mowers is exempt from these standards.

5-5-8.6. Any associated recreational facilities or grounds shall be set back from all property lines at least seventy-five (75) feet, and at least one hundred (100) feet from any existing residential dwelling.

5-5-9. Temporary family health care structures

5-5-9.1. Temporary family health care structures are permitted in accordance Code of Virginia §15.2-2292.1. The applicant shall provide evidence of compliance with this section on an annual basis as long as the temporary family health care structure remains on the property. Such evidence may involve the inspection by the zoning administrator of the temporary family health care structure at reasonable times convenient to the caregiver, not limited to any annual compliance confirmation.

5-5-9.2. Any temporary family health care structure is required to connect to any water, sewer, and electric utilities that are serving the primary residence on the property and shall comply with all applicable requirements of the State Department of Health.

5-5-9.3. No signage advertising or otherwise promoting the existence of the structure shall be permitted either on the exterior of the temporary family health care structure or elsewhere on the property.

5-5-9.4. Any temporary family health care structure shall be removed within sixty (60) days of the date on which the structure was last occupied by a mentally or physically impaired person receiving services or in need of the assistance provided for in this section.

5-5-9.5. The zoning administrator may revoke the permit if the permit holder violates any provision of this section.

5-5-10. Temporary uses

5-5-10.1. Construction related temporary uses.

a. Temporary structures such as portable trailers used as sales offices, construction offices or storage trailers are permitted in conjunction with the construction of a building, residential development, or commercial construction project if they are located on the project site. A temporary zoning permit is required for such uses, provided that construction trailers must be at least one hundred fifty (150) feet from any occupied residence and are subject to setback requirements of the applicable zoning district; each trailer must have a least two (2) on-site parking spaces; and the temporary permit shall be valid for a period not to exceed 24 months, and such time period will be shown on the permit. If additional time for construction is requested by the applicant, the zoning administrator may extend the temporary permit for up to 24 months from the original date of issue.

b. A manufactured home may be used as temporary housing during the construction of a conventional single family dwelling on the same parcel where the dwelling is being constructed and for which a building permit has been issued, provided that the manufactured home shall be removed within sixty (60) days of the expiration date of the temporary zoning permit or within sixty (60) days of issuance of a certificate of occupancy for the permanent dwelling, whichever occurs first, and that the temporary permit shall be valid for a period of time that is expected to be sufficient for construction of the conventional dwelling. If additional time for construction is requested by the applicant, the zoning administrator may extend the temporary permit for up to 24 months from the original date of issue.

5-5-10.2. Temporary or seasonal sales.

Temporary sales of produce, meals, Christmas trees, fireworks, and other seasonal goods, are permitted upon approval of a temporary zoning permit issued by the zoning administrator, after determining that adequate provision is made for on-site parking, public safety, fire safety, sewage disposal, and other applicable health and safety concerns. Hours of operation shall be limited to 6:00 a.m. to 10:00 p.m. Such permit shall be valid for a period not to exceed forty-five (45) days, unless extended by the zoning administrator.

5-5-10.3. Special events.

a. A temporary event permit shall be required for special events that are planned for or which reasonably may be expected to attract more than 100 persons at any one time, such as carnival, circus, festival, fair, dog show, horse show, outdoor retail sales event, fireworks show, tent revival or similar meetings, and shall be issued for not more than fourteen (14) days, in any six month period.

b. No such activity shall be located closer than 200 feet to a structure occupied as a residence, unless the owner of the residential use grants and files express written permission in a form that can be reviewed and validated by the zoning administrator.

c. Adequate provisions must be made for off-street parking, safe ingress and egress, refuse disposal, and sanitary facilities as appropriate and approved by the zoning administrator.

d. Hours of operation are limited to the hours of 7:00 a.m. and 12:00 midnight.

e. The following special events are exempt from the requirements of paragraphs a and b of this section and may occur without a temporary event permit. Exempt special events, however, shall remain subject to all other applicable provisions of this ordinance and town laws and regulations, including, but not limited to standards governing noise control.

i. Special events planned or reasonably expected to attract less than 100 persons at any one time.
ii. Special events occurring within, or upon the grounds of, a private residence, where the property owner receives no compensation for hosting the event and guests/attendees are not charged an admission fee.
iii. Any event sponsored in whole or in part by the town, county or another political subdivision of the Commonwealth of Virginia.
iv. Any organized special events conducted at sites or facilities typically intended, used, designed and approved for the event to be held.
v. Any special event, parade or march held on state-maintained highways shall require an approved Land Use Permit issued and reviewed by VDOT.

5-5-10.4. Temporary storage containers.

a. Temporary storage units must be located off-street for no more than one hundred eighty (180) days, may not exceed ten (10) feet in height and two hundred (200) square feet in total area, and require a temporary zoning permit which may be extended by the zoning administrator.

b. Temporary containers, including shipping containers, truck trailers, boxcars, or similar units shall not be used as a residence or for living or sleeping purposes, or to support a residential use, civic use, or in conjunction with a home occupation or home business, in any district.

5-5-11. Wind energy systems

5-5-11.1. Purpose and applicability

The purpose of these provisions is to regulate the placement, construction and modification of wind energy systems (wind turbines) while promoting the safe, effective and efficient use of such systems and not unreasonably interfering with the development of independent renewable energy sources. The requirements set forth in this subsection shall govern the siting of wind energy systems used primarily to generate electricity or perform work on the premise and which may also be connected to the utility grid pursuant to Virginia's net metering laws (Code of Virginia §56-594), serve as an independent source of energy, or serve in a hybrid system.

5-5-11.2. Siting requirements

a. Wind energy towers shall maintain a galvanized steel finish, unless FAA standards require otherwise, or if the owner is attempting to conform the wind energy tower to the surrounding environment and architecture, in which case it may be painted to reduce visual obtrusiveness. A photo simulation may be required by the zoning administrator.

b. Wind energy systems shall not be artificially lighted unless required by the Federal Aviation Administration (FAA) or appropriate authority.

c. Wind energy towers shall not have any signs, writing, or pictures that may be construed as advertising.

d. Wind energy systems shall not exceed 60 dBA, as measured at the closest property line. The level, however, may be exceeded during short-term events such as severe windstorms.

e. The applicant shall provide evidence that the proposed height of the wind energy system tower does not exceed the height recommended by the manufacturer or distributor of the system.

f. The applicant shall provide evidence that the provider of electric utility service to the site has been informed of the applicant's intent to install an interconnected customer-owned electricity generator, unless the applicant intends, and so states on the application, that the system will not be connected to the electricity grid. This action shall not construe approval for net metering by the electric utility.

g. The applicant shall provide information demonstrating that the system will be used primarily to reduce on-site consumption of electricity.

h. The wind energy tower height shall not exceed a maximum height of sixty-five (65) feet on a parcel of less than five (5) acres, or a maximum height of eighty (80) feet on a parcel of five (5) acres or more.

i. The minimum distance between the ground and any protruding blades utilized on a wind energy system shall be fifteen (15) feet, as measured at the lowest point of the arc of the blades. The supporting wind energy tower shall also be enclosed with a 6-foot tall fence or the base of the wind energy tower shall not be climbable for a distance of twelve (12) feet.

j. If the applicant is participating in the net metering program, the applicant shall meet the insurance coverage requirements set forth in 20 VAC 5-315-60.

k. The wind energy system generators and alternators shall be constructed so as to prevent the emission of radio and television signals and shall comply with the provisions of Section 47 of the Federal Code of Regulations, Part 15 and subsequent revisions governing said emissions.

l. An average of not more than one (1) wind turbine tower is allowed per five (5) acres of any parcel.

5-5-11.3. State and Federal Requirements

a. Compliance with Virginia Uniform Statewide Building Code (USBC): Building permit applications for wind energy systems shall be accompanied by standard drawings of the wind turbine structure, including the wind energy tower, base, and footings. An engineering analysis of the wind energy tower showing compliance

with the USBC and certified by a licensed professional engineer shall also be submitted.

b. Compliance with FAA Regulations: Wind energy systems shall comply with applicable FAA regulations, including any necessary approvals for installations close to airports.

c. Compliance with National Electric Code: Building permit applications for wind energy systems shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the National Electrical Code.

d. Compliance with Regulations Governing Energy Net Metering: Wind energy systems connected to the utility grid shall comply with 20 VAC 5-315: Regulations Governing Energy Net Metering.

5-5-11.4. Setbacks

Wind energy systems shall meet all setback requirements for primary structures for the zoning district in which the wind energy system is located in addition to the following requirements. Wind energy system structures shall be set back from all adjacent property lines a distance equal to at least 110 percent of the structure height, and a distance equal at least to 150 percent of the structure height from any dwelling inhabited by humans on neighboring property. No portion of a wind energy system, including guy wire anchors, may extend closer than ten (10) feet to the property line.

5-5-11.5. Removal of defective or abandoned wind energy systems

Any wind energy system found to be unsafe by the building official or zoning administrator shall be repaired by the owner to meet federal, state and local safety standards or be removed within six (6) months. Any wind energy system that is not operated for a continuous period of twenty-four (24) months shall be considered abandoned and the owner of the system shall remove the turbine within ninety (90) days of receipt of notice from the zoning administrator instructing the owner to remove the abandoned system.

5-5-12. Adult Entertainment

5-5-12.1 Statement of Intent

The purpose of this article is to regulate Adult Entertainment, with a conditional use permit, in the Business District only with the following requirements:

5-5-12.1 Setbacks

(a) A minimum of one thousand (1,000) feet from any property with a residential structure or residentially zoned property, unless a greater setback is prescribed by town council as a condition of approval for a conditional use permit;

(b) A minimum of one thousand (1,000) feet from any property owned by a church, or on which a church or other place of worship has been constructed; public or private school; child care facility, government office or facility, youth recreational facility; public park, another adult entertainment establishment, unless a greater setback is prescribed by town council as a condition of approval for a conditional use permit.

5-5-12.2 Signs

(a) Maximum Number of Signs: There shall be no more than one (1) on-site sign which can be seen from any public right-of-way and which advertises the adult entertainment. The sign shall not exceed a total area of 32 square feet, shall not be lighted, and shall be attached to the building.

(b) Sign Content: The sign shall display only alphanumeric characters and symbols, and shall not display pictures, silhouettes or other representations of a human body or part thereof.

(c) Prior Sign Approval Required: The proposed content, shape, size and location of the proposed sign shall be included in the requisite preliminary site plan, and approval thereof must be secured from the town council, as part of the conditional use permit, before any such sign may be put in place.

5-5-12.3 Lighting

Lighting of the area adjoining the building and the parking lot shall provide a minimum of seventeen (17) foot candles of light at the ground level and shall comply with Section 5-4 of this ordinance.

5-5-13. Solar facilities

5-5-13.1. Purpose and applicability

The purpose of this subsection is to establish requirements for construction and operation of solar facilities and to provide standards for the placement, design, construction, monitoring, modification, and removal of solar facilities; address public safety, and minimize impacts on scenic, natural, and historic resources. This subsection shall apply to all solar facilities including any physical modifications to any existing solar facilities that materially alter the type, configuration, or size of such facilities or other equipment.

5-5-13.2 General

(a) No person shall erect, install, alter, or modify any solar facility within the town, without obtaining a permit from the zoning administrator pursuant to this ordinance provided that a permit shall not be required for the performance of regular maintenance.
(b) The zoning administrator shall revoke a solar permit if the solar facility does not comply with applicable regulations of this article.
(c) A solar permit shall become null and void if the work for which the permit was issued has not been completed within a period of six (6) months after the date of the permit approval by the zoning administrator.
(d) For any solar facility installed upon a roof top, the applicant shall submit information requested by the zoning administrator and building inspector to ensure safety, e.g., an engineering study.

(e) A solar facility in the Historic District shall also comply with the requirements of Sec. 3-4 (Historic district).

5-5-13.3 Application

In addition to the normal application requirements, applications for a solar facility shall include:

(a) Identification of utility companies expected to interconnect to the facility.

(b) List of all adjacent property owners, their tax map numbers, and addresses.

(c) A description of the current use and physical characteristics of the subject parcels.

(d) A description of the existing uses of nearby properties.

(e) A narrative identifying the applicant, owner or operator, and describing the proposed solar facility project, including an overview of the project and its location, approximate rated capacity of the solar facility project, the approximate number of panels, representative types and expected footprint of solar equipment to be constructed.

(f) A site plan drawing which shows the following if applicable:

- Aerial image
- Proposed location of the solar facility
- Fenced areas and driveways with the closest distance to all adjacent property lines
- Property lines and setback lines.
- Existing and proposed dwellings, buildings, and other structures;
- Preliminary locations of the proposed solar panels and related equipment;
- The location and nature of proposed buffers and screening elements, including vegetative and constructed buffers.
- Electrical cabling from the solar facility systems to ancillary equipment, buildings, and structures including those within any applicable setback.
- Fencing and other methods of ensuring safety.

(g) Payment of the application fee and any additional review costs, advertising, or other required staff time.

(h) Eight paper sets and one electronic copy of the site plan.

(i) Additional information may be required as determined by the Zoning Administrator, such as a scaled elevation view of the property and other supporting drawings, photographs of the proposed site, photo or other realistic simulations or modeling of the proposed project from potentially sensitive locations as deemed necessary by the Zoning Administrator to assess the visual impact of the project, landscaping and screening plan, coverage map, and additional information that may be necessary for a technical review of the proposal.

Article 6. Signs

Sec. 6-1 General

6-1-1. General applicability

The requirements set forth in this article or set forth elsewhere in this ordinance and referred to in this article shall apply to all existing signs as well as to new signs and their alteration or modification. Signs in the Historic District shall also comply with the requirements of Sec. 3-4 (Historic district).

6-1-2. Signs existing prior to effective date

A permanently installed or attached sign which does not conform to the specific provisions of this article may be eligible for the designation of "grandfathered sign" and be allowed to remain provided that:

(a) The zoning administrator determines such sign is properly maintained and does not in any way endanger the public;
(b) The sign was installed in conformance with valid permits or complied with all applicable laws and zoning requirements prior to the effective date of this article; and
(c) The business or organization advertised is still in legal operation.

6-1-3. Revocation of "grandfathered sign" designation

The zoning administrator shall revoke the "grandfathered sign" designation when:

(a) The sign is relocated or replaced;
(b) The structure or size of the sign is altered in any way except toward compliance with current zoning requirements;
(c) The sign is determined unsafe or abandoned as described in Sec. 6-13 (Unsafe, abandoned, and non-conforming).
(d) The sign suffers more than twenty-five (25) percent damage or deterioration and was not repaired within sixty (60) days.

Sec. 6-2. Purpose

The purpose of this article is to establish reasonable regulations pertaining to the time, place and manner in which outdoor signs and window signs may be erected and maintained, in order to:

(a) Promote the general health, safety and welfare, including the creation of an attractive and harmonious environment;
(b) Protect the public investment in the creation, maintenance, safety and appearance of its streets, highways and other public areas;
(c) Protect and enhance the town's attractiveness and historical significance to residents, tourists, and other visitors as sources of economic development.

Sec. 6-3. Interpretation—conflicting laws or regulations

Where this article differs in any manner from the provisions of the current Virginia Uniform Statewide Building Code, other provisions of the Code of Virginia, or any other ordinance or regulation of the town then the code, ordinance, or regulation imposing the greatest restriction upon the use of any sign shall control.

Sec. 6-4. Building code compliance and maintenance

The structural components of a sign (including, without limitation, lighting fixtures) shall be constructed, installed and maintained in accordance with the requirements of the current Virginia Uniform Statewide Building Code. All signs deemed unsafe must be repaired.

Sec. 6-5. General Requirements

(a) No person shall erect, install, alter, modify, reface, re-hang or replace any sign within the town, without obtaining a permit from the zoning administrator pursuant to this article, except as provided for in Sec. 6-6 (Signs permitted in all districts without permits) provided that a permit shall not be required for the performance of regular maintenance.
(b) The zoning administrator shall revoke a sign permit if the sign does not comply with applicable regulations of this article.
(c) A zoning permit for a sign shall become null and void if the work for which the permit was issued has not been completed within a period of six (6) months after the date of the permit approval by the zoning administrator or the planning commission.
(d) The height of signs shall be the vertical distance measured from the average finished grade ground elevation from where the sign is located to the highest point on the sign.
(e) Area dimensions include border and trim but exclude supports.
(f) No sign, other than approved by VDOT, shall be located within or over any public right-of-way.

Sec. 6-6. Signs permitted in all districts without permits

With the exception of the required Certificate of Appropriateness for signs within the Historic District, no permit shall be required for the following signs, if they are erected, installed, and maintained in accordance with applicable requirements of this article:

(a) Signs not over twenty-five (25) square feet in area identifying municipal or governmental buildings.
(b) Traffic, utility, municipal, legal notice, directional, informational signs, railroad crossing signs, danger, safety, temporary or emergency signs and holiday decorations or signs across a public right-of-way when erected, established or required by the Commonwealth of Virginia or by the town council.
(c) Signs not exceeding six (6) square feet in area designating entrances, exits or conditions of use for parking lots (including, without limitation, any handicapped parking spaces), or providing similar, directional information, when such signs are required by any public authority.
(d) "No trespassing" signs, and similar signs posted for security or warning purposes, not exceeding one (1) square foot.
(f) Official notices or advertisements posted according to statutory notice or other advertising requirements imposed by law by any public, local or state official, or court officer or any trustees under deeds of trust or other similar instruments.
(g) Signs directing traffic on private property but bearing no advertising matter.
(h) Signs placed by a public utility showing the location of underground facilities.
(i) Signs on a truck, bus, trailer, or other vehicle, while in use in the normal course of business. This is not intended to permit the parking for display purposes of a vehicle to which a sign is attached.
(j) Only one (1) non-illuminated realty sign that is no larger two (2) feet by two (2) feet per parcel of land and displayed on the premises to which the sign refers.

Sec. 6-7. Temporary Signs

6-7-1 The following temporary signs shall be permitted and shall not require a permit:

(a) Construction signs which identify architects, engineers, contractors, and other individuals or firms involved with the construction projects, but not including any advertisement of any products or services and signs announcing the character of the building, enterprise, or the purpose for which the building is intended. Such signs are permitted only during the construction period, limited to a maximum area of sixteen (16) square feet for each firm, and must be removed within fourteen (14) days after the completion of the project;

(b) Signs involving an election or its candidates; however, such signs shall be removed within fourteen (14) days after the election for which they were made;

(c) Signs attached directly to the interior or exterior of the windows of an establishment in the Village Center and Business Districts provided that such signs shall not occupy more than twenty-five (25) percent of the total area of the window in which they are displayed.

6-7-2 The following temporary signs are permitted subject to the approval of the zoning administrator. These signs shall be no higher than eight (8) feet above the average finished grade and shall not be counted in the aggregate area limitations in Sec. 6-9:

(a) Signs used in conjunction with the opening of a new business in the Business District and Village Center District. The duration of such permitted use shall not exceed a total of sixty (60) days and the total areas of all sign faces shall not exceed sixty-four (64) square feet.

(b) Signs advertising a public event may be installed in the Business District and Village Center District for no more than thirty (30) days prior to the event and must be removed within five (5) days after the event and the total sign area of all sign faces shall not exceed sixty-four (64) square feet.

Sec. 6-8. Prohibited signs

No sign shall be constructed, erected, used, operated, or maintained which:

(a) Violates laws or regulations of the Commonwealth of Virginia or town, or creates safety hazards or are contrary to the general welfare;

(b) Contain any imitation of an official traffic sign or signal;

(c) Displays intermittent lights resembling or seeming to resemble the flashing lights customarily associated with danger of such are customarily used by the police, fire, ambulance, or rescue vehicles;

(d) Is so located and illuminated as to provide a background of colored lights blending with traffic signals lights to the extent of confusing a motorist when viewed from a normal distance of twenty-five (25) to three hundred (300) feet;

(e) Moves in any manner or contains, banners, posters, pennants, ribbons, streamers, strings of light bulbs, or other similarly moving devices other than flags as permitted under Sec. 6-11 (Flags);

(f) Flashes or contains exposed gas filled illuminated tubing such as neon;

(g) Is on public land, VDOT or town right-of-way, including public utility poles, other than those erected at the direction of a government authority, or otherwise authorized by this article;

(h) Is an off-premise sign that directs attention to a business, commodity, service, or entertainment not conducted, sold, or offered on the premises where the sign is located;

(i) Portable Signs- Any sign not permanently attached to the ground or other permanent structure, including but not limited:

a. Signs with attached wheels;
b. T-frame signs;
c. Sandwich board or A-frame signs with the exception that one sandwich board sign advertising offerings unique to the local business and not commonly available is permitted up to eight (8) square feet per sign face;
d. Gas or hot air filled displays;
e. Advertising or signs attached or painted on vehicles parked and visible from the right-of-way, unless said vehicle is used as a vehicle in the normal day-to-day operations of the business; and
f. Signs attached to any structure where the structure's primary purpose is other than to hold the sign under consideration, e.g., a sign tied to a light pole.

Sec. 6-9. Maximum sign area

Aggregate area limitations: The total area of all signs allowed on one (1) parcel shall not exceed the following, unless as otherwise approved by the zoning administrator:

Zoning District	Per Sign Face Square Feet	Maximum Total Area of All Sign Faces Square Feet
Rural Residential	8	8
General Residential	4	8
Village Center	32	64
Business	80	160

The computation of sign area shall not include the area circumscribed by the supporting structures.

No more than one sign per parcel is permitted in general residential district.

The area for signs without a defined border or consisting solely of characters attached to a structure shall be computed as the minimum simple area which would enclose all of the characters which make up the sign.

Sec. 6-10. Illuminated signs

The following shall apply to the illumination of signs:

(a) No temporary signs shall be illuminated;
(b) The light from any illuminated signs shall be so shaded, shielded, or directed that the light intensity or brightness will not be objectionable to surrounding properties, areas, or operators of motor vehicles on public roads; and
(c) Illuminated signs are prohibited in the general residential and rural residential district except by conditional use permit.

Sec. 6-11. Flags

Flags must conform to the following requirements:

(a) The term flag in this section shall mean a piece of fabric or other flexible material solely containing distinctive colors, patterns, standards, words, or emblems used as a symbol of an organization or entity, including but not limited to political jurisdictions, such as the United States.
(b) Flags displaying a logo, message, statement, or expression relating to commercial interests, and banners otherwise not meeting the definition of a flag must not move in any manner and must conform with all sign requirements.
(c) Flags must fly from a rigid flagpole.
(d) A parcel may have no more than one (1) flagpole with no more than three (3) flags.
(e) The top of the flagpole may not exceed thirty (30) feet from the average finished grade.
(f) References to the number of flags and flagpoles and flag dimensions refer to both vertical flagpoles and mast arm flagpoles, such as staff extending at an angle from a building.
(g) A vertical flagpole must be set back from all property boundaries a distance which is at least equal to the height of the pole.
(h) No flag may be larger than forty (40) square feet.
(i) The flag and flagpole must be maintained in good repair. A flagpole with broken halyards shall not be used and flags which are torn or frayed shall not be displayed.
(j) On United States and Virginia holidays, there shall be no maximum flag size or number or other limitations on manner of display.
(k) Flags mounted directly on a building wall shall be considered signs and subject to sign requirements.

Sec. 6-12. Operations exempt

The following operations are not considered creating a sign and are exempt from this article:

(a) The changing of the advertising copy or message on an approved painted or printed sign or on a theater marquee or similar approved sign, which are specifically designed for the use of replaceable copy; and
(b) Painting, repainting, cleaning and other normal maintenance and repair of a sign or sign structure unless a structural change is made.

Sec. 6-13. Siting regulations

(a) No permanent sign shall be located in any side or rear yard.
(b) On-site signs may be approved by the zoning administrator provided each sign face is no larger than four (4) foot by (8) foot and the sign is no higher than 8 feet above the average finished grade.
(c) Sign approval not otherwise addressed in this ordinance must be approved by the planning commission.

(d) Signs not attached to a building shall be no taller than 30 feet and shall be no taller than the tallest building on the parcel.

(e) Signs attached to a building shall not be taller than the height of the building to which attached.

(f) The planning commission may approve an increase in sign area and height if unusual topography, vegetation, or distance from the road right-of-way would impose substantial hardship by making a sign otherwise permitted by the terms of this article ineffective and unreadable from vehicles or adjoining roads;

(g) In authorizing signs, the zoning administrator and planning commission shall limit the area, height, and location of such signs to that which, in its opinion, is reasonably in keeping with the provisions of this article.

Sec. 6-14. Unsafe, abandoned, and non-conforming signs

(a) All signs and sign structures shall be kept in good repair and in proper state of preservation as required by Sec. 6-4 (Building code compliance and maintenance) and in compliance with the approved sign permit.

(b) A sign shall be considered abandoned when the sign advertises a business that has moved or is no longer operating a business at the location of the sign for a period of one (1) year.

(c) The zoning administrator shall make a reasonable attempt to notify the owner of the property on which a sign is located that is determined by the zoning administrator to be unsafe, abandoned, or non-conforming.

(d) Such property owner shall be responsible to make the necessary changes or remove such unsafe, abandoned, or non-conforming sign within 30 days of written notice sent by the zoning administrator by certified mail to the address on the town's tax records and failure by the property owner to take such action shall be considered a violation of this ordinance.

Article 7. Telecommunications Towers and Antennas

Sec. 7-1 Applicability

7-1-1. District Height Limitations

The requirements set forth in this section shall govern the location of towers that exceed, and antennas that are installed at greater than fifty (50) feet in height.

7-1-2. Amateur Radio and Receive-Only Antennas

In accordance with Code of Virginia § 15.2-2293.1 this section shall not govern any tower, or the installation of any antenna, that is under seventy-five (75) feet in height and is owned and operated by a federally-licensed amateur radio station operator.

7-1-3. Existing Structures and Towers

The placement of an antenna on or in an existing structure such as a building, sign, light pole, water tank, or other freestanding structure or existing tower or pole shall be permitted so long as the addition of said antenna shall not add more than twenty (20) feet in height to said structure or tower and shall not require additional lighting pursuant to FAA or other applicable requirements. Such permitted use also may include the placement of additional buildings or other supporting equipment used in connection with said antenna

so long as such building or equipment is placed within the existing structure or property and is necessary for such use.

7-1-4. State and Federal requirements

7-1-4.1 Approval of telecommunications facilities is subject to review by the planning commission under the provisions of Code of Virginia § 15.2-2232.

7-1-4.2 This section is intended to comply with all federal and state laws and regulations.

Sec. 7-2. Purpose

The purpose of this section is to establish general guidelines for the siting of towers and antennas. The goals of this section are to:

(a) Encourage the locations of towers in nonresidential areas and minimize the total number of towers and tower sites throughout the community;

(b) Encourage the joint use of new and existing tower sites;

(c) Encourage users of towers and antennas to locate them, to the extent possible, in areas where the adverse impact on the community is minimal;

(d) Encourage users of towers and antennas to configure them in a way that minimizes the adverse visual impact of the towers and antennas; and

(e) Provide adequate sites for the provision of telecommunication services with minimal negative impact on the resources of the town.

Sec. 7-3. Definitions

The following words, terms, and phrases, when used in this article shall have the meanings ascribed to them in this article, except where the context clearly indicates a different meaning:

(a) Alternative tower structure. Man-made trees, clock towers, bell steeples, light poles, and similar alternative-design mounting structures that camouflage or conceal the presence of antennas or towers.

(b) Antenna. Any exterior apparatus designed for telephonic, radio, or television communications through the sending or receiving of electromagnetic waves.

(c) FAA. The Federal Aviation Administration.

(d) FCC. The Federal Communications Commission.

(e) Height. When referring to a tower or other structure, the distance measured from ground level to the highest point on the tower or other structure, even if said highest point is an antenna or lightning rod.

(f) Telecommunication facility. Any structure used for the purpose of supporting one or more antennas or microwave dishes, including self-supporting lattice towers, guy towers, or monopole towers. The term includes radio and television transmission towers, alternative antenna support structures such as buildings and rooftops and other existing support structures.

Sec. 7-4. General Requirements

7-4-1. Principal or Accessory Use

For purposes of determining compliance with area requirements, towers and antennas may be considered either principal or accessory uses. An existing use or an existing structure on the same parcel shall not preclude the installation of antennas or towers on such parcel. For purposes of determining whether the installation of a tower or antenna complies with district regulations, the dimensions of the entire parcel shall control, even though the antennas or towers may be located on leased area within such parcels. Towers that are constructed, and antennas that are installed in accordance with the provisions of this article shall not be deemed to constitute the expansion of a nonconforming use or structure.

7-4-2. Inventory of Existing Sites

Each applicant for an antenna and or tower shall provide to the zoning administrator an inventory of all existing facilities that are either within the town or within three miles of the border thereof, including specific information about the location, height, existing use, design, and estimated available capacity of each tower. The zoning administrator may share such information with other applicants applying for approvals or conditional use permits under this article or other organizations seeking to locate antennas within the jurisdiction of the town or Charlotte County, Virginia; however, the zoning administrator shall not, by sharing such information, in any way represent or warrant that such sites are available or suitable.

Sec. 7-5. Design

The requirements set forth in this article shall govern all towers and the installation of all antennas governed by this article; however, the governing authority may waive any of these requirements if it deems the waiver would better serve the goals of this article.

(a) Towers shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA, be painted or manufactured a neutral color, so as to reduce visual obtrusiveness. Dish antennas will be of a neutral, non-reflective color with no logos.

(b) At a facility site, the design of the buildings and related structures shall, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend the tower facilities to the natural setting and surrounding structures.

(c) If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of neutral color that is identical to, or closely compatible with, the color of the supporting structure as to make the antenna and related equipment as visually unobtrusive as possible.

(d) Towers shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the governing authority shall review the available lighting alternatives and approve the design that would cause the least disturbance to the surrounding views.

(e) No advertising of any type may be placed on the tower or accompanying facility unless as part of retrofitting an existing sign structure.

(f) To permit co-location, the tower shall be designed and constructed to permit extensions or additions.

(g) Towers shall be designed to collapse within the lease area in case of structural failure.

Sec. 7-6. Federal requirements

All towers must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the federal government with the authority to regulate towers and antennas.

Sec. 7-7. Building codes

To ensure the structural integrity of towers, the owner of a tower shall ensure that it is constructed and maintained in compliance with standards contained in applicable federal, state, and local building codes and regulations. Failure of a tower to comply with any revised standards and regulations shall constitute grounds for the removal of the tower or antenna at the owner's expense.

Sec. 7-8. Information required

Each applicant requesting a conditional use permit under this article shall submit the following:

(a) A scaled plan and a scaled elevation view and other supporting drawings, calculations, and other documentation, signed and sealed by appropriate licensed professionals, showing the location and dimensions of all improvements, including information concerning topography, radio frequency coverage, tower height requirements, setbacks, drives, parking, fencing, landscaping and adjacent uses;

(b) Actual photographs of the site that include a simulated photographic image of the proposed tower. The photograph with the simulated image shall include the foreground, the mid-ground, and the background of the site;

(c) Copies of propagation maps demonstrating that antennas and sites for possible co-locator antennas are no higher in elevation than necessary for the antenna to function as designed;

(d) An engineering report certifying that the proposed tower is compatible for co-location with a minimum of three (3) similar users including the primary user;

(e) The applicant's co-location policy; and

(f) The governing authority may require other information necessary to assess compliance with this article.

Sec. 7-9. Factors considered

The governing authority shall consider the following factors in determining whether to issue a conditional use permit for a new tower.

(a) Height of the proposed tower or pole.

(b) Proximity of the tower to residential structures, residential district boundaries, and structures of historical significance.

(c) Nature of the uses on adjacent and nearby properties.

(d) Surrounding topography.

(e) Surrounding tree coverage and foliage.

(f) Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness.

(g) Proposed ingress and egress.

(h) Consistency with the comprehensive plan and the purposes to be served by zoning.

(i) Proximity to commercial or private airports.

(j) Language of the lease agreement.

(k) Co-location policy.

(l) Availability of suitable existing towers and other structures as discussed below.

Sec. 7-10. Availability existing towers or structures

No new tower shall be permitted unless the applicant demonstrates to the reasonable satisfaction of the governing authority that no existing tower or structure can accommodate the applicant's proposed antenna. Evidence submitted to demonstrate that no existing tower or antenna can accommodate the applicant's proposed antenna may consist of the following.

(a) No existing towers or structures are located within the geographic area required to meet the applicant's engineering requirements.

(b) Existing towers or structures are not of sufficient height to meet the applicant's engineering requirements.

(c) Existing towers or structures do not have sufficient structural strength to support applicant's proposed antenna and related equipment.

(d) The applicant's proposed antenna would cause electromagnetic interference with the antenna of the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the applicant's proposed antenna.

(e) The fees, costs, or contractual provisions required by the owner in order to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable. Costs exceeding new tower development is presumed to be unreasonable.

(f) The applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable.

Sec. 7-11. Setbacks

The following setback requirements shall apply to all towers; however, the governing authority may reduce the standard setback requirements if it deems the reduction would better serve the goals of this article.

(a) Towers must be set back a distance of one hundred twenty (120) percent of the height of the proposed antenna support structure (including any lighting, lightning rods) from any residential structure.

(b) Towers, guys and accessory facilities must satisfy the minimum zoning district setback requirements for primary structures.

Sec. 7-12. Security fencing

Towers shall be enclosed by security fencing not less than six (6) feet in height and shall also be equipped with an appropriate anti-climbing device; however, the governing authority may wave or modify such requirements if it deems the waiver or modification would better serve the goals of this article.

Sec. 7-13 Landscaping

The following requirements shall govern the landscaping surrounding towers for which a conditional use permit is required; however, the governing authority may wave or modify such requirements if it deems the waiver or modification would better serve the goals of this article.

(a) Tower facilities shall be landscaped with a buffer of plant materials that effectively screen the view of the support buildings from adjacent property. The standard buffer shall consist of a landscaped strip at least four (4) feet wide outside the perimeter of the facilities.

(b) Existing mature tree growth and natural landforms on the site shall be preserved to the maximum extent possible and may be used in whole or in part to provide the required screening.

(c) Existing healthy trees within 200 feet of the tower shall not be removed except as may be authorized to permit construction of the tower and installation of access for vehicle utilities.

Sec. 7-14 Local government access

Owners of towers may provide co-location opportunities as a community benefit to improve radio communication for town or county departments and emergency services.

Sec. 7-15 Removal of abandoned Towers and Antennas

Any antenna or tower that is not operated for a continuous period of twenty-four (24) months shall be considered abandoned, and the owner of such antenna or tower shall remove same within ninety (90) days of receipt of notice from the town notifying the owner of such removal requirements. Removal includes the removal of the tower, all tower footers to 36 inches below grade, all fence footers, underground cables, and support buildings. The buildings may remain with the zoning administrator's and landowner's approval. If there are two (2) or more users of a single tower, then this provision shall not become effective until all user's cease using the tower. If the tower is not removed per this article, the town may require the landowner to have it removed.

Sec. 7-16 Review fees

In addition to the town's regular zoning fees, the applicant shall pay to the town an additional fee of the greater of sixty-five hundred dollars ($6,500) or actual cost to the town for hiring an independent consultant to review the application.

Sec. 7-17 Appeals

Decisions by town council on conditional use permits covered by this article may be appealed to the circuit court within 30 days of action by town council.

Article 8. Nonconformities

Sec. 8-1. Rights adhere to the land

The nonconforming status of any nonconforming use, parcel or structure shall adhere solely to the land, and not to the owner, tenant or other holder of any legal title to the property or the right of possession of such property.

Sec. 8-2. Nonconforming uses

8-2-1. Definition

For the purposes of this ordinance, the term "nonconforming use" shall mean a lawful principal use of a parcel, existing on the effective date of the zoning regulations applicable to the district in which the use is located, or a more restricted use, that does not comply with applicable use regulations of that district. A use that is casual, intermittent, or temporary on the effective date of this ordinance shall not be eligible to be a nonconforming use.

8-2-2. Discontinuance or abandonment

If any nonconforming use is discontinued for a period of two (2) years, it shall lose its nonconforming status, and any further use shall conform to the provisions of this ordinance. Cessation of a

nonconforming use for a two-year period shall establish a presumption that such use has been discontinued. Continuation of a use which is accessory, ancillary or incidental use to the principal nonconforming use during the two-year period, without continuation of the principal nonconforming use itself, shall not operate to continue the principal nonconforming use.

8-2-3. Permitted changes

A nonconforming use may not be changed, altered, repaired, restored, replaced, relocated or expanded except as set forth within this section, and subject to all approvals required by law.

8-2-3.1. A nonconforming use may change to a conforming use.

8-2-3.2. A nonconforming use may change to a more restricted nonconforming use, upon approval by the zoning administrator for such a change. The zoning administrator's approval shall include a determination in writing that the proposed use is "more restricted" than the existing nonconforming use, and a copy of such determination shall be forwarded to the planning commission and the town council. If the zoning administrator determines the proposed use is not "more restricted" than the existing nonconforming use, then the application for a change to a more restricted nonconforming use shall be denied. In determining whether a proposed use is a "more restricted" nonconforming use, the following factors, among others, shall be considered:

(a) Whether the proposed use will change the size and scope of the existing use of the subject property, and the magnitude of such change; and
(b) Whether the proposed use will increase the intensity of use of the subject property, including hours of operation, traffic, noise and similar impacts; and
(c) Whether the proposed use will have a more or less detrimental effect than the existing nonconforming use upon conforming uses within the surrounding area.

8-2-3.3. A nonconforming residential use, including a manufactured home, destroyed by casualty may be reestablished as it existed immediately prior to such casualty, so long as such use is reestablished within two (2) years following the date of destruction.

Sec. 8-3. Nonconforming lots

8-3-1. Definition

For the purposes of this ordinance, the term "nonconforming lot" shall mean a lawful parcel of record as of date of this ordinance, that does not comply with the applicable size or other parcel requirements of that district.

8-3-2. Uses Allowed

Any lot of record, located within any zoning district, that is nonconforming as to required parcel area, parcel frontage, or any combination thereof, may be used for its current use or a more restricted use, as determined by the zoning administrator. All uses on nonconforming lots must conform to the required setbacks of the zoning district in which the parcel is located.

8-3-3 Changes Allowed

Nonconforming lots may change as follows:

8-3-3.1. A nonconforming lot may be increased in parcel size, parcel width, or both, to make the lot less nonconforming;

8-3-3.2. Adjoining nonconforming lots may be combined to create a conforming lot.

8-3-3.3. One single family detached dwelling may be constructed on a vacant nonconforming lot, provided all zoning requirements for the district in which the lot is located are met.

Sec. 8-4. Nonconforming structures

8-4-1. Definition

For the purposes of this ordinance, the term "nonconforming structure" shall mean a lawful structure existing on the effective date of the zoning regulations applicable to the district in which the structure is located, that does not comply with the minimum applicable bulk, height, setback, floor area or other dimensional requirements applicable to structures within that zoning district.

8-4-2. Changes Allowed

A nonconforming structure may be changed, altered, repaired, restored, replaced, relocated or expanded only in accordance with the provisions of this section, and subject to all approvals required by law.

8-4-2.1. A nonconforming structure may change to a conforming structure.

8-4-2.2. A nonconforming structure may be repaired or replaced, provided the portion of the footprint of the structure in nonconformance does not extend outside the existing nonconforming portion unless approved pursuant to Section 8-5.

8-4-3. Damage by casualty

A nonconforming structure damaged by casualty (as distinguished from ordinary wear and tear) may be restored in accordance with the following:

8-4-3.1. A nonconforming structure damaged by any casualty may be restored to its condition prior to the casualty, provided such restoration is begun within twelve (12) months of the date of the casualty and provided further that such restoration, once begun, is completed within twenty-four (24) months of the casualty.

8-4-3.2. However, if the nonconforming structure is in an area under a federal disaster declaration and the structure has been damaged or destroyed as a direct result of conditions that gave rise to the declaration, then the zoning ordinance shall provide for an additional two years for the structure to be repaired, rebuilt or replaced as otherwise provided in this section.

8-4-3.3. Restoration of a nonconforming structure may include minor alterations, cosmetic modifications, interior renovations or similar changes; however, restoration of a nonconforming structure shall not include any expansion unless approved under the provisions set forth in Section 8-5.

8-4-3.4. Restoration may include changes that make the structure less nonconforming than it was prior to the casualty.

Sec. 8-5. Expansion of nonconforming structures

Expansion of a nonconforming structure may be approved provided that: (i) yard, setback, screening and buffering, and height standards applicable to the proposed expansion are met; (ii) all applicable sign regulations are met, and (iii) such expansion does not exceed twenty-five (25) percent of the gross floor area of the existing structure. For any proposed expansion exceeding twenty-five (25) percent of the gross floor area of the existing structure, all development standards applicable to the property as a whole shall be met.

Sec. 8-6. Effect of widening of streets

Per the Code of Virginia § 15.2-2307, any landowner who conveys any land to the town, county or the Virginia Department of Transportation either voluntarily or under compulsion of eminent domain for the purpose of widening any street, such loss of land will not affect any zoning, and the land so conveyed shall be included in the total square footage of parcel for the purpose of zoning and minimum acreage requirements of the code, so long as the total taking does not diminish the total area more than ten percent. In the event the taking is more, then the town council may in its own discretion include or exclude such footage.

Appendix A – Use Matrix

Only those uses specifically listed in the Use Matrix are permitted or permissible in a particular zoning district. An application to amend the zoning ordinance to add one or more uses to the use list may be submitted in accordance with the procedures set forth in Sec. 3-10. Amendment to zoning ordinance or map.

B - By-Right
C- Conditional Use Permit
T- Temporary Use Permit
Shaded - Not allowed

Use Types	**Zoning Districts**			
	Rural Residential	**General Residential**	**Village Center**	**Business**
Residential Dwelling, and Related Uses:				
Accessory Buildings & Structures	B	B	B	B
Bed and Breakfast Inn	C	C	B	
Dwellings:				
Manufactured homes	B	B	B	
Multifamily	C	C	C	
Single Family	B	B	B	
Two-Family/ Duplex	C	C	B	
Accessory Dwelling/ Guest House	B	B	B	
Family Day Home (1-4 children)	B	B	B	
Family Day Home (5-12 children)	B	C	C	
Home occupations	B	B	B	
Neighborhood swimming pools/ parks/ playgrounds	C		C	C
Nursing Home/ Retirement Home/ Assisted Living Facility	C	C	C	C
Residential Treatment Facility:				
1-8 Residents	C			
8+ Residents	C			
Storage Containers Including Shipping Containers	B			
Temporary Storage Containers	B	T	T	T
Temporary Family Healthcare Structure	T	T	T	T
Non-Residential: General Agricultural Uses				
Agriculture, General	B			
Agriculture, Hay Production	B	B		
Agriculture, Household Livestock	B	C		
Agriculture, Household Non-livestock	B	B		
Commercial or Non-commercial stable	B			
Farm Stands	B	C	B	B
Hunting Cabin	C			
Wind Energy System	C			
Farm Winery	B			

Use Types	**Zoning Districts**			
	Rural Residential	**General Residential**	**Village Center**	**Business**
Non-Residential: General and Misc. Commercial				
Adult Entertainment				C
Airport	C			
Amusement Enterprises, Temporary	T			
Animal Boarding, Animal Kennels/Shelter	C			C
Animal Hospital/ Vet Clinic, Animal Grooming	C	C	C	B
Art Gallery	B	C	B	B
Art Studio	B	B	B	B
Assembly, Indoor Places of (by gross floor area):				
Less Than 6,400 Square Feet	B	B	B	B
Equal To or Greater Than 6,400 Square Feet	B	C	C	B
Assembly, Outdoor-- Amphitheater, Stadium	C		C	C
Bakery	C		B	B
Banks & Financial Institutions			B	B
Campground	C			
Car Wash				B
Cemetery	C			
Contractor (Tradesman) Shop	C	C	C	B
Day Care Facility (Adult, Child)	C	C	B	B
Educational Facilities - Basic (Day and Preschool; Elementary, Intermediate, and Secondary)	B	C	B	B
Educational Facilities - Other (Trade or Vocation; College or University)	C	C	C	C
Emergency Services	B			B
Funeral Home/Crematorium			C	B
Garage Public	C		C	B
Golf Course/ Driving Range	C			
Hospitals and clinics			C	B
Hotels			B	B
Library	B	B	B	B

Use Types	**Zoning Districts**			
	Rural Residential	**General Residential**	**Village Center**	**Business**
Motor Vehicle Uses: (Excludes Heavy Trucks/Heavy Equipment)				
Service Station				B
Parts & Equipment Sales				B
Rental/ Leasing/ Sales				B
Motor Vehicle Uses - Parking Heavy Trucks/ Heavy Equipment	C			C
Microbrewery	B		B	B
Municipal/Government Buildings	B		B	B
Museum	C	C	B	B
Offices			B	B
Public Amusement (dance hall, bowling alley)			C	B
Stormwater Management Facilities	B	B	C	B
Recreational Facilities (Indoor or Outdoor)	C		C	C
Recreational Facilities - Fitness/Educational	C		C	C
Restaurants			B	B
Telecommunications Towers and Facilities	C			
Solar Facility - Roof Mounted	B	B	C	B
Solar Facility - Other than Roof Mounted	C	C	C	C
Telecommunications Towers and Facilities	C			
Utility Lines and Facilities (excluding towers)	B	B	C	B
Wind Energy System	C			
Non-Residential Uses: Retail				
Consumer Service Businesses			C	B
Convenience Stores				B
Farmer's Market	B	C	B	B
Commercial Greenhouses/ Nurseries	C			B
Grocery Stores			C	B
Other Retail Stores-- Non-specified			C	B

Use Types	**Zoning Districts**			
	Rural Residential	**General Residential**	**Village Center**	**Business**
Non-Residential: Industrial				
Assembly, Industrial				C
Beverage or Food Processing, packaging and bottling plants				B
Brewery and Bottling Facility				B
Industrial Equipment: service, repair and rental				B
Laboratory/ Research and Testing Facility				B
Manufacturing/ Processing				B
Quarries, Mining & Drilling	C			
Sawmill	C			
Self-Storage Facility	C			B
Warehouses				B
Welding or Machine Shop				C
Wholesale Establishments				B

Appendix B – Zoning District Boundaries

- Street addresses and Tax Map numbers are from public records on file as of the date of adoption of this ordinance
- The use herein of the directional terms "north", "south", "east", and "west" is determined by the Virginia Department of Transportation's designation of roads as running north and south, or east and west.
- The order of boundaries listed here follows the direction of travel given, on the right hand side of the road.
- See Appendix E for exceptions.

Business District North

			Virtual Pin Number
Traveling south on Thomas Jefferson Hwy / David Bruce Ave, Rt 47:			
begins with	- 157 Thomas Jefferson Hwy, 38-A4-A-64	(Red Barn)	BDN 1
ends with	- 102 David Bruce Ave, 38-A4-A-69-A	(Mimmo's)	BDN 2
Traveling north on Thomas Jefferson Hwy, Rt 47, and George Washington Hwy, Rt 40:			
begins with	- 145 George Washington Hwy, 38-A4-A-54	(Corner Market)	BDN 3
ends with	- 154 Thomas Jefferson Hwy, 38-A4-A-60	(vacant lot)	BDN 4
Traveling west on George Washington Hwy, Rt 40:			
begins with	- [address N/A], 38-A5-1-5-26	(vacant lot)	BDN 5
ends with	- 145 George Washington Hwy, 38-A4-A-54	(Corner Market)	BDN 6
Traveling east on of George Washington Hwy, Rt 40:			
begins with	- 220 George Washington Hwy, 38-A4-A-52	(Charlotte Collision)	BDN 7
ends with	- 560 George Washington Hwy, 38-A5-3-27-A	(Dr. Rhonda Algeier)	BDN 8
Traveling south on Dixie Youth Dr, T-1108:			
begins with	- 103 Maple Dr, 38-A5-4-A-1	(residence)	BDN 9
ends with	- Convenience Center lot, 38-A5-A-6-B	(Convenience Center)	BDN10
Traveling north on Dixie Youth Dr, T-1108:			
begins with	- Convenience Center lot, 38-A5-A-6-B	(Convenience Center)	BDN11
ends with	- [address N/A], 38-A5-A-1	(vacant lot)	BDN12

Business District South (Quarry)

Traveling north on LeGrande Ave, Rt 47:			
begins with	- town limit on LeGrande Ave / Tollhouse Hwy, Hwy 47		BDS 1
ends with	- 301 Sunrise Ln, 39-A-59-A	(quarry lot)	BDS 2

Appendix B – Zoning District Boundaries

Village Center North (Moses Hall Area)

			Virtual Pin Number
Traveling south on Thomas Jefferson Hwy, Rt 47:			
begins with	- 515 Thomas Jefferson Hwy , 38-A1-A-8	(school lot, Central High Museum)	VCN 1
ends with	- [address N/A], 38-A1-A-16	(empty building)	VCN 2
Traveling north on Thomas Jefferson Hwy, Rt 47:			
begins with	- 350 Thomas Jefferson Hwy, 38-A1-A-50	(Beautiful Plain Church)	VCN 3
ends with	- 400 Thomas Jefferson Hwy, 38-A1-2-1	(Social Services/Registrar)	VCN 4
Traveling west on Woodfork Rd, Rt 650:			
begins with	- [address N/A], 38-A1-A-16	(empty building)	VCN 5
ends with	- 130 Woodfork Rd, 38-A1-9-1	(empty building)	VCN 6

Village Center South (Courthouse Area)

Traveling west on David Bruce Ave, Rt 40:			
begins with	- 110 David Bruce Ave, 38-A4-A-69-B	(residence)	VCS 1
ends with	- 222 David Bruce Ave, 38-A4-A-78	(Tankersley Tavern building)	VCS 2
Traveling east on David Bruce Ave and George Washington Hwy, Rt 40:			
begins with	- 209 David Bruce Ave, 38-A4-A-10	(APVA Museum)	VCS 3
ends with	- [address N/A], 38-A4-A-52	("Court House Bowl" lot)	VCS 4
Traveling north on LeGrande Ave, Rt 47:			
begins with	- 315 LeGrande Avenue, 38-A4-A-39	(Corban Veterinarian)	VCS 5
ends with	- 117 LeGrande Ave, 38-A4-A-45	(Court House Square)	VCS 6
Traveling south on LeGrande Ave, Rt 47:			
begins with	- 201 David Bruce Avenue, 38-A4-A-13	(County Treasurer)	VCS 7
ends with	- 250 LeGrande Ave, 38-A-74	(County Administration Bldg.)	VCS 8
Traveling west on Statesmen Dr, Rt 1111:			
begins with	- [address N/A], 8-A4-A-19	(Village Church field)	VCS 9
ends with	- [address N/A], 38-A4-8-2	(vacant lot)	VCS 10
Traveling east on Statesmen Dr, Rt 1111:			
begins with	- [address N/A], 38-A-74B	(Sheriff/jail complex lot)	VCS 11
ds with	- 250 LeGrande Ave, 38-A-74	(County Administration Bldg.)	VCS 12
Traveling west on Law Ln (County Administration Building lot, 38-A-74):			
begins with	- intersection with LeGrande Ave		VCS 13
ends with	- intersection with Statesmen Drive		VCS 14
Traveling east on Law Ln (pumping station and jail complex, 38-A-74B):			
begins with	- intersection with Statesmen Drive		VCS 15
ends with	- County Administration vacant lot, 38-A-74		VCS 16

Appendix B – Zoning District Boundaries

Historic District North (Historic Moses Hall Area

			Virtual Pin Number
Traveling south on Thomas Jefferson Hwy, Rt 47:			
begins with	- 515 Thomas Jefferson Hwy, 38-A1-A-8	(school lot, Central High Museum)	HDN 1
ends with	- [address N/A], 38-A1-A-16	(empty building)	HDN 2
Traveling west on Woodfork Rd, Rt 650:			
begins with	- [address N/A], 38-A1-A-16	(empty building)	HDN 3
ends with	- 130 Woodfork Rd, 38-A1-9-1	(empty building)	HDN 4

Historic District West (Historic Courthouse Area)

Traveling west on David Bruce Ave, Rt 40:			
begins with	- 110 David Bruce Ave, 38-A4-A-69-B	(residence)	HDW 1
ends with	- 600 David Bruce Ave, 38-A3-2-15	(David Bruce Building)	HDW 2
Traveling east on David Bruce Ave and George Washington Hwy, Rt 40:			
begins with	- 755 David Bruce Ave, 38-A-72	(Randolph-Henry H.S.)	HDW 3
ends with	- [address N/A], 38-A4-A-52	("Court House Bowl" lot)	HDW 4

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Virtual Pin Numbers HDW 5, 6, 7, and 8 are reserved per town council action on June 20, 2023.

Traveling north on LeGrande Ave, Rt 47:			
begins with	- 165 LeGrande Ave, 38-A4-A-43-B	(Charlotte Primary Care)	HDW 9
ends with	- 117 LeGrande Ave, 38-A4-A-45	(Court House Square)	HDW10
Traveling south on LeGrande Ave, Rt 47:			
begins with	- 201 David Bruce Avenue, 38-A4-A-13	(County Treasurer)	HDW11
ends with	- [address N/A], 8-A4-A-19	(Village Church field)	HDW12

Appendix C – Zoning District Virtual Pins

- Street addresses and Tax Map numbers are from public records as of the date of adoption of this ordinance.
- The virtual pins are located where the two lots adjoin at their boundary with the public right-of-way.
- The order of virtual pins listed here follows the direction of travel on the given side of the road.
- See Appendix E for exceptions.

Appendix C – Zoning District Virtual Pins
Business District North

Pin Number	Pin Function	Pin Description and Location Identifier
BDN 1	On the southbound side of Thomas Jefferson Hwy, Rt. 47 to demarcate *General Residential* to the north and *Business District North* to the south.	The boundary between 165 Thomas Jefferson Hwy, 38-A1-A-31 (residence) and 157 Thomas Jefferson Hwy, 38-A4-A-64 (Red Barn)
BDN 2	On the westbound side of David Bruce Ave, Rt 40 to demarcate *Business District North* to the north along Rt. 47 and *Village Center West* to the west along Rt. 40	The boundary between 102 David Bruce Ave, 38-A4-A-69-A (Mimmo's) and 110 David Bruce Ave, 38-A4-A-69-B (residence)
BDN 3	On the northbound side of Thomas Jefferson Hwy, Rt. 47 to demarcate *Village Center West* to the south *and Business District North* to the north	The corner of 145 George Washington Hwy, 38-A4-A-54 (Corner Market) where Thomas Jefferson Hwy, Rt 47, intersects with George Washington Hwy, Rt 40
BDN 4	On the northbound side of Thomas Jefferson Hwy, Rt. 47 to demarcate *Business District North* to the south and *General Residential* to the north	The boundary between 154 Thomas Jefferson Hwy, 38-A4-A-60 (empty lot) and 168 Thomas Jefferson Hwy, 38-A4-A-63 (residence)
BDN 5	On the westbound side of George Washington Hwy, Rt 40 to demarcate *General Residential* to the east and *Business District North* to the west.	The boundary between 38-A5-1-6-13 (vacant lot) and 38-A5-1-5-26 (vacant lot)
BDN 6	On the westbound side of George Washington Hwy, Rt 40 to mark the continuation of ***Business District North*** onto northbound Thomas Jefferson Hwy, Rt 47	The corner of 145 George Washington Hwy, 38-A4-A-54 (Corner Market) where Thomas Jefferson Hwy, Rt 47, intersects with George Washington Hwy, Rt 40

Appendix C – Zoning District Virtual Pins
Business District North (Continued)

Pin Number	Pin Function	Pin Description and Location Identifier
BDN 7	On the eastbound side of George Washington Hwy, Rt 40 to demarcate *Village Center West* to the west and *Business District North* to the east	The boundary between [address N/A], 038-A4- A- - - 46 ("Court House Bowl") and 220 George Washington Hwy, 38-A4-A-52 (Charlotte Collision)
BDN 8	On the eastbound side of George Washington Hwy, Rt 40 to demarcate *Business District North* to the west and *General Residential* to the east	The boundary between 560 George Washington Hwy, 38-A5-3-27-A (Dr. Algeier) and 690 George Washington Hwy, 38-A5-3-27 (vacant lot)
BDN 9	On the southbound side of Dixie Youth Drive, T-1108 to mark the continuation of *Business District North* from the intersection with George Washington Hwy, Rt 40	The corner of 103 Maple Dr, 38-A5-4-A-1 (residence) where Dixie Youth Drive intersects with George Washington Hwy, Rt 40
BDN 10	On the southbound side of Dixie Youth Drive, T-1108 to mark the end of *Business District North* traveling south on T-1108	The end point of state maintenance on Dixie Youth Drive, T-1108.
BDN 11	On the northbound side of Dixie Youth Drive, T-1108 to mark the beginning of *Business District North* traveling north on T-1108	The end point of state maintenance on Dixie Youth Drive, T-1108.
BDN 12	On the northbound side of Dixie Youth Drive, T-1108 to mark the continuation of *Business District North* onto eastbound George Washington Hwy, Rt 40	The corner of 38-A5-A-1 (vacant lot) where Dixie Youth Drive intersects with George Washington Hwy, Rt 40

Appendix C – Zoning District Virtual Pins
Business District South (Quarry)

Pin Number	Pin Function	Pin Description and Location Identifier
BDS 1	On the northbound side of LeGrande Ave. Hwy 47 to mark the beginning of *Business District South* at the town limit	The town limit on LeGrande Ave / Tollhouse Hwy, Hwy 47
BDS 2	On the northbound side of LeGrande Ave. Hwy 47 to demarcate *Business District South* to the south *and General Residential* to the north	The boundary between 39-A-59-A (quarry lot) and 39-A-49

Appendix C – Zoning District Virtual Pins
Village Center North (Moses Hall Area)

Pin Number	Pin Function	Pin Description and Location Identifier
VCN 1	On the southbound side of Thomas Jefferson Hwy, Rt 47 to mark the beginning of *Village Center North* traveling south on Rt 47	The boundary between and 38-A1-A-8-A (vacant lot) and 515 Thomas Jefferson Hwy, 38-A1-A-8 (school lot, Central High Museum)
VCN 2	On the southbound side of Thomas Jefferson Hwy, Rt 47 to mark the end of *Village Center North* traveling south on Rt 47	The corner of 38-A1-A-16, (102 Woodfork Road) where Thomas Jefferson Hwy intersects with Woodfork Road
VCN 3	On the northbound side of Thomas Jefferson Hwy, Rt 47 to mark the beginning of *Village Center North* traveling north on Rt 47	The boundary between 338 Thomas Jefferson Hwy, 38-A1-A-49 (residence) and 350 Thomas Jefferson Hwy, 38-A1-A-50 (Beautiful Plain Church)
VCN 4	On the northbound side of Union Cemetery Rd, Rt 709 to mark the end of *Village Center North* traveling north on Rt 709	The boundary between 400 Thomas Jefferson Hwy, 38-A1-2-1 (Social Services) and 38-A1-A-51 (vacant lot)
VCN 5	On the westbound side of Woodfork Rd, Rt 650, to mark the beginning of *Village Center North* traveling west on Rt 650	The corner of 38-A1-A-16, (102 Woodfork Road) where Thomas Jefferson Hwy intersects with Woodfork Road
VCN 6	On the westbound side of Woodfork Rd, Rt 650, to mark the end of *Village Center North* traveling west on Rt 650	The boundary between 130 Woodfork Rd, 38-A1-9-1 (vacant building) and 190 Woodfork Rd, 38-A1-A-15 (vacant lot)

Appendix C – Zoning District Virtual Pins
Village Center South (Courthouse Area)

Pin Number	Pin Function	Pin Description and Location Identifier
VCS 1	On the westbound side of David Bruce Ave, Rt 40, to demarcate *Business District West* to the east and *Village Center West* to the west	The boundary between 102 David Bruce Ave, 38-A4-A-69-A (Mimmo's) and 110 David Bruce Ave, 38-A4-A-69B (residence)
VCS 2	On the westbound side of David Bruce Ave, Rt 40, to demarcate *Village Center West* to the east and *General Residential* to the west	The boundary between 222 David Bruce Ave, 38-A4-A-78 (Tankersley Tavern) and 242 David Bruce Ave, 38-A4-A-79 (residence)
VCS 3	On the eastbound side of David Bruce Ave, Rt 40, to demarcate *General Residential* to the west and *Village Center West* to the east	The boundary between 209 David Bruce Ave, 38-A4-A-10 (APVA) and 235 David Bruce Ave, 38-A4-A-9 (residence)
VCS 4	On the eastbound side of George Washington Hwy, Rt 40 to demarcate *Village Center West* to the west and *Business District West* to the east	The boundary between 38-A4-A-52 ("Court House Bowl" lot) and 220 George Washington Hwy, 38-A4-A-52 (Charlotte Collision)
VCS 5	On the northbound side of LeGrande Ave, Rt 47 to demarcate *General Residential* to the south and *Village Center West* to the north	The boundary between 325 LeGrande Ave, 38-A4-A-38 (residence) and 315 LeGrande Ave, 38-A4-A-39 (Corban Vet)
VCS 6	On the northbound side of LeGrande Ave, Rt 47 to mark the continuation of *Village Center* onto eastbound David Bruce Ave, Rt 40	The corner of 117 LeGrande Ave, 38-A4-A-45 (Court House Square) where LeGrande Ave intersects with David Bruce Ave

Appendix C – Zoning District Virtual Pins
Village Center South (Courthouse Area - Continued)

Pin Number	Pin Function	Pin Description and Location Identifier
VCS 7	On the southbound side of LeGrande Ave, Rt 47 to mark the continuation of *Village Center* from the intersection with David Bruce Ave, Rt 40	The corner 201 David Bruce Avenue, 38-A4-A-13 (County Treasurer) where LeGrande Ave intersects with David Bruce Ave
VCS 8	On the southbound side of LeGrande Ave, Rt 47 to demarcate *Village Center West* to the north and *General Residential* to the south	The boundary between 250 LeGrande Ave, 38-A-74 (County Admin. Bldg.) and 300 LeGrande Ave, 38-A4-7-2 (residence)
VCS 9	On the westbound side of Statesmen Drive, Rt 1111 to mark the continuation of *Village Center* from the intersection with LeGrande Ave, Rt 47	The corner of 38-A4-A-19 (Village Church field) where LeGrande Ave, Rt 47 intersects with Statesmen Dr, Rt 1111
VCS 10	On the westbound side of Statesmen Drive, Rt 1111 to demarcate *Village Center West* to the east and *General Residential* to the west	The boundary between 38-A4-8-2 (vacant lot) and 38-A4-8-3 (vacant lot)
VCS 11	On the eastbound side of Statesmen Drive, Rt 1111 to demarcate *General Residential* to the west and *Village Center West* to the east	The boundary between 38-A4-8-8 (vacant lot) and 38-A-74B (Sheriff/jail/pumping station lot)
VCS 12	On the eastbound side of Statesmen Drive, Rt 1111 to mark the continuation of *Village Center* onto southbound LeGrande Ave, Rt 47	The corner of 250 LeGrande Ave, 38-A-74 (County Admin. Bldg.) where LeGrande Ave, Rt 47 intersects with Statesmen Dr, Rt 1111

Appendix C – Zoning District Virtual Pins
Village Center South (Courthouse Area - Continued)

Pin Number	Pin Function	Pin Description and Location Identifier
VCS 13	On the westbound side of Law Lane to mark the continuation of *Village Center West* from the intersection with LeGrande Ave, Rt 47	The corner of 250 LeGrande Ave, 38-A-74 (County Admin. Bldg.) where LeGrande Ave, Rt 47 intersects with Law Lane
VCS 14	On the westbound side of Law Lane to mark the continuation of *Village Center West* onto eastbound Statesmen Drive, Rt 1111	The corner of the County Administration Building lot, 38-A-74 where Statesmen Drive, Rt 1111 intersects with Law Lane
VCS 15	On the eastbound side of Law Lane to mark the continuation of *Village Center West* from the intersection with Statesmen Drive, Rt 1111	The corner of 38-A-74B (Sheriff/jail/pumping station lot) where Statesmen Drive, Rt 1111 intersects with Law Lane
VCS 16	On the eastbound side of Law Lane to demarcate *Village Center West* to the west and *General Residential* to the east	The boundary between 38-A-74 (County Administration vacant lot) and 300 LeGrande Ave, 38-A4-7-2 (residence)

Appendix C – Zoning District Virtual Pins

Historic District North (Historic Moses Hall Area)

Pin Number	Pin Function	Pin Description and Location Identifier
HDN 1	On the southbound side of Thomas Jefferson Hwy, Rt 47 to mark the beginning of *Historic District North* traveling south on Rt 47	The boundary between and 38-A1-A-8-A (residence) and 515 Thomas Jefferson Hwy, 38-A1-A-8 (school lot, Central High Museum)
HDN 2	On the southbound side of Thomas Jefferson Hwy, Rt 47 to mark the end of *Historic District North* traveling south on Rt 47	The corner of 38-A1-A-16, (102 Woodfork Road) where Thomas Jefferson Hwy intersects with Woodfork Road
HDN 3	On the westbound side of Woodfork Rd, Rt 650, to mark the beginning of *Historic District North* traveling west on Rt 650	The corner of 38-A1-A-16, (102 Woodfork Road) where Thomas Jefferson Hwy intersects with Woodfork Road
HDN 4	On the westbound side of Woodfork Rd, Rt 650, to mark the end of *Historic District North* traveling west on Rt 650	The boundary between 130 Woodfork Rd, 38-A1-9-1 (vacant building) and 190 Woodfork Rd, 38-A1-A-15 (vacant lot)

Appendix C – Zoning District Virtual Pins

Historic District West (Historic Courthouse Area)

Pin Number	Pin Function	Pin Description and Location Identifier
HDW 1	On the westbound side of David Bruce Ave, Rt 40 to mark the beginning of *Historic District West* traveling west on Rt 40	The boundary between 102 David Bruce Ave, 38-A4-A-69-A (Mimmo's) and 110 David Bruce Ave, 38-A4-A-69-B (residence)
HDW 2	On the westbound side of David Bruce Ave, Rt 40 to mark the end of ***Historic District West*** traveling west on Rt 40	The boundary between 600 David Bruce Ave, 38-A3-2-15 (David Bruce bldg) and 608 David Bruce Ave 38-A3-2-23 (CCH Fire & Rescue)
HDW 3	On the eastbound side of David Bruce Ave, Rt 40 to mark the beginning of ***Historic District West*** traveling east on Rt 40	The boundary between 38-A3-3-11 (Randolph-Henry parking lot) and 755 David Bruce Ave, 38-A-72 (Randolph-Henry High School)
HDW 4	On the eastbound side of George Washington Hwy, Rt 40 to mark the end of ***Historic District West*** traveling east on Rt 40	The boundary between 38-A4-A-52 ("Court House Bowl" lot) and 220 George Washington Hwy, 38-A4-A-52 (Charlotte Collision)
HDW 5, 6, 7, and 8	Reserved per town council action June 20, 2023	

Appendix C – Zoning District Virtual Pins
Historic District West (Historic Courthouse Area - Continued)

Pin Number	Pin Function	Pin Description and Location Identifier
HDW 9	On the northbound side of LeGrande Ave, Rt 47 to mark the beginning of *Historic District West* traveling north on Rt 47	The boundary between 201 LeGrande Ave, 38-A4-A-42 (Cornerstone Ins) and 165 LeGrande Ave, 38-A4-A-43-B (Charlotte Primary Care)
HDW 10	On the northbound side of LeGrande Ave, Rt 47 to mark the continuation of *Historic District West* traveling north on Rt 47	The corner of 117 LeGrande Ave, 38-A4-A-45 (Court House Square) where LeGrande Ave intersects with David Bruce Ave
HDW 11	On the southbound side of LeGrande Ave, Rt 47 to mark the continuation of *Historic District West* traveling south on Rt 47	The corner 201 David Bruce Avenue, 38-A4-A-13 (County Treasurer) where LeGrande Ave intersects with David Bruce Ave
HDW 12	On the southbound side of LeGrande Ave, Rt 47 to mark the end of *Historic District West* traveling south on Rt 47	The corner of 38-A4-A-19 (Village Church field) where LeGrande Ave, Rt 47 intersects with Statesmen Dr, Rt 1111

Appendix D – Zoning Maps

Note zoning maps are for representative purposes only and zoning boundaries are as defined in Appendix B, Appendix C, and Appendix E. Below is a list of the following maps:

D-1 Overall Town view showing all districts
D-2 Business District North
D-3 Business District South
D-4 Village Center North
D-5 Village Center South
D-6 Historic District North (overlay district)
D-7 Historic District West (overlay district)

Note – As described in Sec. 4-2, the General Residential and Rural Residential districts are the areas not included in a business district or village center district and determined based upon distance from the public street and are shown on the Overall Town view showing all districts.

Appendix E – Exceptions to Section 4-2-2 Zoning Boundaries

The properties listed below are exceptions to Section 4-2-2, Appendix B Zoning District Boundaries, and Appendix C Zoning Districts Virtual Pins; and are zoned under the district in which listed.

Business District North and South

- Business District North
    - Parcel of approximately 22 acres per survey recorded in circuit court of Charlotte County in plat book 15, page 74, slide 240 by confirmation of plat deed recorded October 10, 2014, in deed book 428, page 289 (tax map number 038-A4-A-43). Reference town council minutes dated October 28, 2014, for prior rezoning from Agriculture to Light Business.
- Business District South
    - No exceptions.

Village Center North and South

- No exceptions.

General Residential

- No exceptions.

Rural Residential

- No exceptions.

Historic District North and West

Historic District North

- No exceptions.

Historic District West (Per town council action on June 20, 2023):

- Any portions of the following structures and grounds which are visible from David Bruce Avenue:

    - 1939 Home Economics Building associated with Randolph Henry High School (National Registry of Historic Places, VDHR File Structure Number 185-23-28).

- 1939 Randolph Henry High School and attached structures (National Registry of Historic Places, VDHR File Structure Number 185-23-29).

- 1939 Randolph Henry High School Shop Building (National Registry of Historic Places, VDHR File Structure Number 185-23-30).