



**BOARD OF SUPERVISORS  
JOINT MEETING WITH BZA AND PLANNING COMMISSION  
Thursday, February 9, 2023 – 2:30 PM**

**Board Meeting Room  
39 Bank Street, SE,  
Chatham, Virginia 24531**

**AGENDA**

- 1. CALL TO ORDER (2:30 PM)**
- 2. ROLL CALL**
- 3. AGENDA ITEMS TO BE ADDED**
- 4. APPROVAL OF AGENDA**
- 5. PRESENTATIONS**
  - a. Zoning Ordinance Update Presentation (Staff Contact: Emily S. Ragsdale);  
(Presenter: The Berkley Group)
- 6. ADJOURNMENT**



**Board of Supervisors**  
**EXECUTIVE SUMMARY**

**ACTION ITEM**

<b>Agenda Title:</b>	Zoning Ordinance Update Presentation (Staff Contact: Emily S. Ragsdale); (Presenter: The Berkley Group)		
<b>Staff Contact(s):</b>	Emily S. Ragsdale		
<b>Agenda Date:</b>	February 09, 2023	<b>Item Number:</b>	5.a
<b>Attachment(s):</b>	Worksession 3 Memo Attachment A - Project Schedule and Progress Attachment B - Article IV District Standards Attachment C - Article V Overlay Zoning Districts Attachment D - Pertinent Definitions for Review		
<b>Reviewed By:</b>	<i>VR</i>		

Berkley Group representatives will review the attached items with the Board of Zoning Appeals, Planning Commission, and Board of Supervisors regarding the ongoing mass County Zoning Ordinance revision.

Pittsylvania County Zoning Ordinance Update  
 Worksession #3 Memo  
 February 9, 2023



### Project Overview

Pittsylvania County has enlisted the support of the Berkley Group to update, modernize, and restructure the Zoning Ordinance. The revised Zoning Ordinance will:

- Provide streamlined and user-friendly regulations;
- Incorporate best planning practices and current *Code of Virginia* requirements;
- Address the goals and strategies identified in the Comprehensive Plan; and
- Consider citizen needs and issues identified through the public engagement process.

This process will be guided by County staff, the Planning Commission, the Board of Zoning Appeals, and the Board of Supervisors and includes opportunities for input from stakeholders and County residents.

### Agenda

The February 9<sup>th</sup> meeting will focus on reviewing the following proposed articles:

- Article IV, Primary Zoning Districts
- Article V, Overlay Zoning Districts

The following agenda is provided as an outline for discussion:

1. **Schedule & Progress to Date** – 5 minutes
2. **Proposed Article Review**
  - a. Article IV – 50 minutes
  - b. Article V – 30 minutes
3. **Next Steps** – 5 minutes

### Schedule & Progress to Date

*See Attachment A* for the project schedule. Progress to date includes:

- **Staff Kickoff** – Held on June 8, 2022. The Berkley Group conducted a kickoff meeting with Pittsylvania County staff to review the scope of work and deliverable items.
- **Joint Kickoff** – Held on July 19, 2022. During this meeting, the Berkley Group presented the scope of work and schedule for the Zoning Ordinance update process.
- **Public Engagement** – Public engagement offered opportunities to collect community feedback on priorities for the ordinance update. An online public survey was conducted from August 1-31. A public workshop and stakeholder interviews were held on August 18<sup>th</sup>.
- **Worksession #1** – The first worksession between the Board of Supervisors, Planning Commission, and Board of Zoning Appeals was held on October 18, 2022. The results of the public engagement phase, the results

Pittsylvania County Zoning Ordinance Update  
 Worksession #3 Memo  
 February 9, 2023



of the Zoning Diagnostic Report, and the proposed Ordinance structure were discussed during this worksession.

- **Worksession #2** – The second worksession between the Board of Supervisors, Planning Commission, and Board of Zoning Appeals was held on December 20, 2022. Articles I, II, III, and IX were discussed during this worksession. Edits were provided and have been incorporated into the draft articles.

### Proposed Article Review

*See Attachments B, C, and D* for the proposed articles for review. *During review, consider the editor’s footnotes to aid in review. The provided footnotes explain inclusions, omissions, modifications, etc.*

#### Attachment B: Article IV – District Standards

This Article contains content from Division 3 of the existing Ordinance. Proposed amendments include general reorganization of content applicable to all development, as well as changes to district standards, including setback and yard requirements and the introduction of minimum lot areas that are tied to the availability of public utilities. The following items highlight significant changes to zoning district standards:

- Tables and visuals have been integrated into Article IV to better explain dimensional standards, as well as to organize information in an accessible, user-friendly format.
- Text has been significantly reorganized and streamlined where possible with the goal of increasing accessibility and clarity.
  - Setback requirements for Smith Mountain Lake and other lakes are outlined in Article V, Overlay Zoning Districts.
  - Permitted uses in each district will be outlined in Article VI, Use Matrix. Standards for all uses will be outlined in Article VII, Use Performance Standards.
- Side setbacks are uniformly applied within the underlying zoning district as opposed to being determined as a percentage of an individual lot’s road frontage.
- All primary zoning districts have clearly defined minimum lot areas, minimum setbacks, and maximum structure heights. Several zoning districts, including commercial and industrial districts, have minimum lot areas that are tied to the availability of public utilities.
- The minimum lot size in the A-1 district has been increased to better support compatibility between residential uses and agricultural uses, as well as to better facilitate the safe placement of septic tanks and wells and reduce the risk of fertilizer contamination. Setbacks within the A-1 district have also been increased to correspond with the increased minimum lot size.
- New regulations have been added to the RPD district to clearly state application and amendment procedures, open space requirements, and residential use requirements.

#### Attachment C: Article V – Overlay Zoning Districts

Article V, Overlay Zoning Districts, houses regulations for all County overlay districts. These districts differ from the primary zoning districts because they “overlay” and any requirements are in addition to the regulations of the underlying primary zoning district.

Pittsylvania County Zoning Ordinance Update  
 Worksession #3 Memo  
 February 9, 2023



Overlay Districts include:

- Lake Surface Overlay District (LSOD);
- Floodplain Overlay District (FOD); and
- Airport Overlay District (AOD).

It should be noted that the County's Floodplain Overlay District remains governed by the provisions of Chapter 23, Flood Plain Management, of the Pittsylvania County Code.

Most of the text in Article V remains the same as the current Ordinance; however, text has been reorganized and streamlined for readability. Text has been added in the LSOD to clarify the purpose and intent of the district, to address development and design standards for lots within the LSOD, and to introduce clearer regulations for boathouses. These are best practices for shoreline protection and area preservation along Virginia's lakes.

Text has been added in the AOD to address development and design standards for lots within the AOD, as well as to address nonconforming uses, lots, and structures within the AOD.

#### Attachment D: Pertinent Definitions

Attachment D contains definitions that are pertinent to the Articles being reviewed during the worksession. Finalized definitions will be consolidated into Article X, Definitions, upon the conclusion of the drafting process.

- Several new terms and associated definitions have been proposed for addition to the Ordinance; for example, "full pond height" and "mooring".
- Several definitions of existing terms – for example, "adjacent", "building", and "on-site sewerage system, individual" – have been amended for clarity and to match the provisions of the Ordinance text.

#### Next Steps

The Berkley Group will review any recommendations and comments for incorporation and continue drafting ordinance articles. Topics to be discussed at the next meeting include:

- Article VI – Use Matrix
- Pertinent Definitions

Pittsylvania County Zoning Ordinance Update  
Attachment A: Project Schedule and Progress



The project schedule below indicates major tasks and the target month of completion.

		PROJECT TIMELINE																								
Phase	#	Task Description	2023												2024											
			June	July	August	September	October	November	December	January	February	March	April	May	June	July	August	September	October	November	December	January	February	March	April	May
Investigation	A1	Project Management																								
	A2	Kick-off Meeting with Staff	V																							
	A3	Document Review & Diagnostic																								
	A4	Public Survey																								
	A5	Joint Public Officials Meeting		X																						
	A6	Public Input Workshop (Up to 1)			X																					
	A7	Stakeholder Listening Sessions (up to 4)			X																					
Development	B1	Joint Work Sessions (up to 7)					X		X		X		X		X		X		X							
	B2-10	Drafting																								
	B2	TOC						*																		
	B3	Definitions																								
	B4	General, Admin, Nonconformity							*																	
	B5	Permits & Application Provisions							*																	
	B6	Districts Standards									*															
	B7	Overlay & Special Districts									*															
	B8	Use Matrix										*														
	B9	Use Performance Standards										*														
	B10	Community Design Standards											*													
	B10	Compiled Draft Ordinance Review												*												
	Adoption	B11	Example Development Plans																							
B12		Changes Matrix																								
B13		Basic Supporting Graphics																								
C1		Public Review & Open House																		X						
C2		Pre-Adoption Work Session																			X					
C3		Incorporate Final Revisions																				X				
C4		PC Public Hearing																					X			
C5	BOS Public Hearing																						X			
C6	Post-Adoption Materials																							X		

X = Anticipated In-person Attendance; V = Virtual Attendance

Attachment: Attachment A - Project Schedule and Progress (3579 : Zoning Ordinance Update Presentation)



## ARTICLE IV. – District Standards.

### Division 1. Establishment and Purpose.

#### Section 4-1-1. General.

- (A) **Zoning Districts Established.** Land within the County, as it exists at the time of this Ordinance being enacted, is hereby divided into classes of primary zoning districts to:
  - (1) Regulate and restrict the location and use of buildings and land for trade, industry, residence, and other purposes in accordance with the objectives of the Pittsylvania County Comprehensive Plan;
  - (2) Regulate and restrict the location, height, and size of buildings hereafter erected or structurally altered; and
  - (3) Ensure adequate setbacks, open spaces, and public facilities to support the County’s population.
- (B) **Primary Zoning Districts.** To carry out the purpose stated in **Article I**, In General, of this Ordinance and (A) above, Pittsylvania County is hereby divided into the following primary zoning districts:

**Table IV-1. Primary Zoning Districts**

Agricultural Districts	
A-1	General Agriculture
Residential Districts	
R-E	Residential Estates
R-1	Residential Suburban Subdivision
RC-1	Residential Combined Subdivision
RMF	Residential Multifamily
MHP	Residential Manufactured Housing Park
Commercial Districts	
B-1	Limited Business
B-2	General Business
Industrial Districts	
M-1	Light Industry
M-2	Heavy Industry
Planned Development Districts	
RPD	Residential Planned Unit Development
Conservation Districts	
C-1	Conservation District

- (B) Overlay Districts are established in **Article V**, Overlay Zoning Districts, of this Ordinance.

### Section 4-1-2. References to District Names<sup>1</sup>.

For the purpose of reference throughout this Ordinance, unless specifically provided to the contrary, the term “agricultural district” shall include the A-1 district; “residential district” shall include R-E, R-1, RC-1, RMF, and MHP districts; “commercial district” shall include B-1 and B-2 districts; “industrial district” shall include M-1 and M-2 districts; “planned development district” shall include the RPD district; and “conservation district” shall include the C-1 district.

### Section 4-1-3. Purpose and Intent of Primary Zoning Districts.<sup>2</sup>

#### (A) Agriculture.

- (1) **A-1, General Agriculture.** This district includes areas of the County that are occupied by various open uses of farming and forestry. This district is established for the purpose of facilitating existing and future farming operations and preserving farm and forest lands. Residential uses shall consist of sparse single-family dwellings, primarily located to serve farm owners and their families. This is a rural area where widespread extension of public utilities is not planned. It should also be presumed that agricultural and forestry activities may produce some noise, odors, and other effects, and a certain level of tolerance for these effects must be expected of those who dwell in this district.

#### (B) Residential.

- (1) **R-E, Residential Estates.** The intent of this district is to protect persons occupying residential properties in large lot developments with three (3) or more lots. This district's regulations are designed to stabilize and protect the essential characteristics of large lot residential development and to prohibit activities of a commercial nature<sup>3</sup>.
- (2) **R-1, Residential Suburban Subdivision.** The intent of this district is to recognize single-family residential areas within the County and to maintain separation of these residential uses from commercial uses. This dwelling district allows for single-family dwellings, religious assembly uses, public uses, and accessory uses that are compatible with residential surroundings. The regulations for this district are designed to stabilize the residential nature, promote single-family dwellings, and to prohibit high-impact commercial activity.
- (3) **RC-1, Residential Combined Subdivision.** The intent of this district is to provide increased opportunities for affordable housing and to promote cost-effective site development. This combined district provides locations where manufactured housing communities may harmoniously develop in a residential area in with a mix of other housing types<sup>4</sup>.
- (4) **RMF, Residential Multifamily.** The intent of this district is to provide for locations of multi-family residences and is used for construction of apartments, townhouse developments, or other multi-unit residential developments in appropriate locations. Uses compatible with

<sup>1</sup> Editor’s Note: This is a new Section added for clarity.

<sup>2</sup> Editor’s Note: Section 4-1-3 is a new Section, proposed to combine and streamline all sections in the current Zoning Ordinance that address purpose for each primary zoning district.

<sup>3</sup> Editor’s Note: Language from Section 35-191 of the existing Ordinance has been condensed for clarity.

<sup>4</sup> Editor’s Note: Language from Section 35-266 of the existing Ordinance has been condensed for clarity.



residential neighborhoods, such as religious assembly uses, public uses, and accessory uses, are also permitted. The regulations for this district are designed to provide a range of residential dwellings, promote varied neighborhood types, and to prohibit high-impact commercial activity. Certain commercial uses may be allowed through Special Use Permits<sup>5</sup>.

- (5) **MHP, Residential Manufactured Housing Park.** The intent of this district is to accommodate manufactured housing parks exclusively. The regulations are intended to ensure an attractive and harmonious environment for manufactured home dwellings and their residents<sup>6</sup>.

(C) **Commercial.**

- (1) **B-1, Limited Business.** The intent of this district is to recognize existing light commercial uses and to provide an opportunity to expand these and other retail opportunities. The district should accommodate a range of retail, personal service, and office uses that are compatible with adjacent residential areas and provide for the convenience and day-to-day needs of residents of nearby neighborhoods. The intent of these regulations is not to limit business development in the County, but rather to encourage it in appropriate locations where it will not produce adverse impacts on residential uses.<sup>7</sup>
- (2) **B-2, General Business.** The intent of this district is to recognize existing commercial and/or service trade uses within the County and provide an opportunity to expand these and related general commercial opportunities. This district should accommodate a range of retail, wholesale, service, and office uses that cater to the traveling public and serve the County and the surrounding region. The district is designed to provide attractive and accessible shopping along principal highways. Examples of uses permitted in General Business district include, but are not limited to, event venues, large retail stores, and offices<sup>8</sup>.

(D) **Industrial.**

- (1) **M-1, Light Industry.** The intent of this district is to encourage the development of manufacturing and wholesale business establishments which do not create a danger to health and safety in surrounding areas and that do not produce high levels of smoke, smell, noise, light, dust, and other nuisances. Uses should operate primarily within enclosed structures and should not deal with large volumes of customers on a regular basis. The intent is also to make available more attractive locations for these businesses and industries.

<sup>5</sup> Editor's Note: Language from Section 35-279 of the existing Ordinance has been condensed for clarity. Some new language has been added to clarify uses permitted.

<sup>6</sup> Editor's Note: Language from Section 35-315 of the existing Ordinance has been condensed for clarity.

<sup>7</sup> Editor's Note: This is new text proposed to replace Section 35-345 of the existing Ordinance for clarity and to better capture the intent of the B-1 district.

<sup>8</sup> Editor's Note: This is new text proposed to replace Section 35-364 of the existing Ordinance for clarity and to better capture the intent and uses permitted in the B-2 district.

Certain commercial uses are permitted, primarily for service to employees in the district and as accessory uses to manufacturing conducted on site<sup>9</sup>.

- (2) **M-2, Heavy Industry.** The intent of this district is to provide locations for larger scale manufacturing, processing, and warehousing operations which may require public utilities and access to transportation facilities, have open storage, large product display areas, and service areas, and generate heavy truck traffic. The creation of any significant noise, vibration, smoke, dust, lint, odor, heat, or glare shall be mitigated with industry best practices for the compatibility of the surrounding uses and the preservation of the environment<sup>10</sup>.

(E) **Planned Development.**

- (1) **RPD, Residential Planned Unit Development District.** The purpose of this district is to promote innovative and creative large-scale development as a means of creating a well-planned living environment. The intent of district regulations is to encourage variety in housing, to allow supporting community facilities, along with appropriate commercial uses through Special Use Permits, and to protect the natural landscape using advantageous construction techniques, the preservation of natural features, and the integration of open space. Residential planned unit development districts should provide for increased community amenities, safety and conveniences, and other public and private benefits<sup>11</sup>.

(F) **Conservation Districts.**

- (1) **C-1, Conservation District.** The purpose of this district is to recognize portions of the County which are occupied by unique natural features such as steep slopes, forest, parks, marshland, lakes, or watersheds deserving of protection. This district is established for the specific purpose of conserving water and other natural resources, reducing soil erosion, protecting watersheds, reducing hazards from flood and fire, and preserving wildlife areas of the County<sup>12</sup>.

<sup>9</sup> Editor's Note: Language from Section 35-382 of the existing Ordinance has been amended for clarity. Some new language has been added to address intent and provide the example of industrial parks.

<sup>10</sup> Editor's Note: Language from Section 35-401 of the existing Ordinance has been condensed for clarity. Some new language related to mitigating adverse impacts has been included.

<sup>11</sup> Editor's Note: Language from Section 35-293 of the existing Ordinance has been amended for clarity.

<sup>12</sup> Editor's Note: Language from Section 35-329 of the existing Ordinance has been modified for clarity.

## Division 2. General District Standards.

### Section 4-2-1. General.<sup>13</sup>

- (A) The requirements specified in this Article shall be considered the minimum required to promote public health, safety, and general welfare.
- (B) Regulations shall apply uniformly to each use, structure, and lot within the zoning district.
- (C) Except as provided in **Article IX**, Nonconforming Uses, Lots, and Structures, of this Ordinance, every structure hereafter constructed shall be located on a lot meeting the minimum requirements for the district in which it is located.<sup>14</sup>
- (D) The State Health Official may require a larger minimum lot area for permitted uses, as needed, to meet Department of Health requirements for use of individual wells and/or sewage disposal systems.
- (E) Photographs, graphics, and/or diagrams in this Article are included for illustrative purposes only. If there is any inconsistency between them and the text of this Ordinance, including tables, the text will govern.

### Section 4-2-2. Additional Standards<sup>15</sup>.

In addition to the provided standards for each district, additional standards may apply, as listed below:

- (A) **Use Performance Standards.** **Article VII**, Use Performance Standards, of this Ordinance establishes additional standards pertaining to specific uses.
- (B) **Community Design Standards.** **Article VIII**, Community Design Standards, of this Ordinance establishes additional standards for:
  - (1) Lighting;
  - (2) Landscaping and screening;
  - (3) Walls and fences;
  - (4) Parking and loading;
  - (5) Signs;
  - (6) Open space;
  - (7) Utilities; and
  - (8) Streets and Sidewalks.

<sup>13</sup> Editor's Note: This is a new Section, integrating both text from Sections 35-15 and 35-16 of the existing Ordinance and new text.

<sup>14</sup> Editor's Note: Rather than repeat for each district, it is included here and applicable to all.

<sup>15</sup> Editor's Note: Added as new text.

- (C) **Drainage.** Provisions shall be made for proper stormwater drainage from streets, parking, and loading areas. Water shall not be permitted to drain from such areas onto adjacent property except into a natural watercourse or a drainage easement. Provisions shall be made for protection against erosion and sedimentation in accordance with applicable County ordinances.

### Section 4-2-3. Height Regulations.

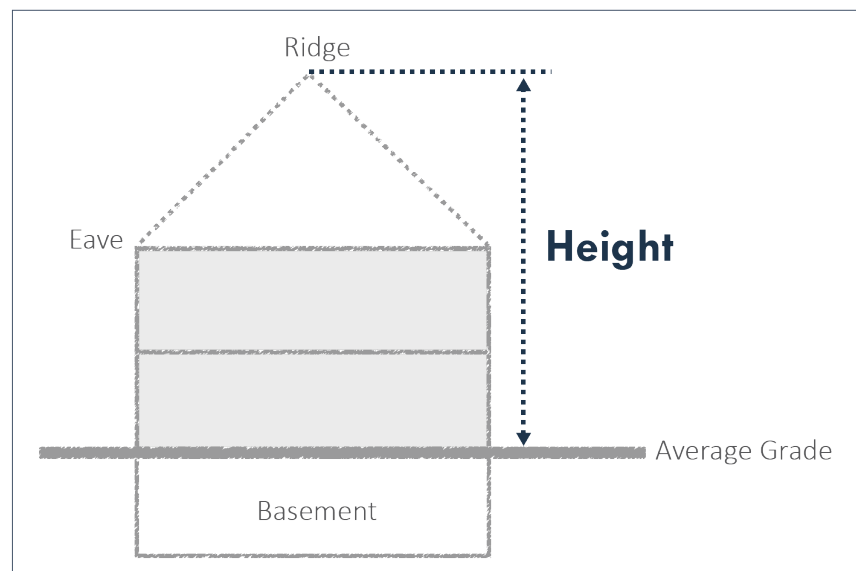
(A) **Purpose.**

- (1) It is the intent of the height regulations of this Ordinance to secure safety, to provide light and air, and to protect the character of districts and the interests of the public. No building shall be erected, constructed, or altered to exceed the height limitations specified in the district regulations set in this Ordinance.

(B) **Measuring Height.**

- (1) Building height is measured, in feet, from the average grade to the top of the highest point of a roof. **See Figure IV-1<sup>16</sup>.**
- (2) Average grade is determined by calculating the average of the highest and lowest elevations along natural or improved grade (whichever is more restrictive) along the wall<sup>17</sup> of the structure that is parallel to the front setback.

**Figure IV-1. Height Measurement in Primary Districts**



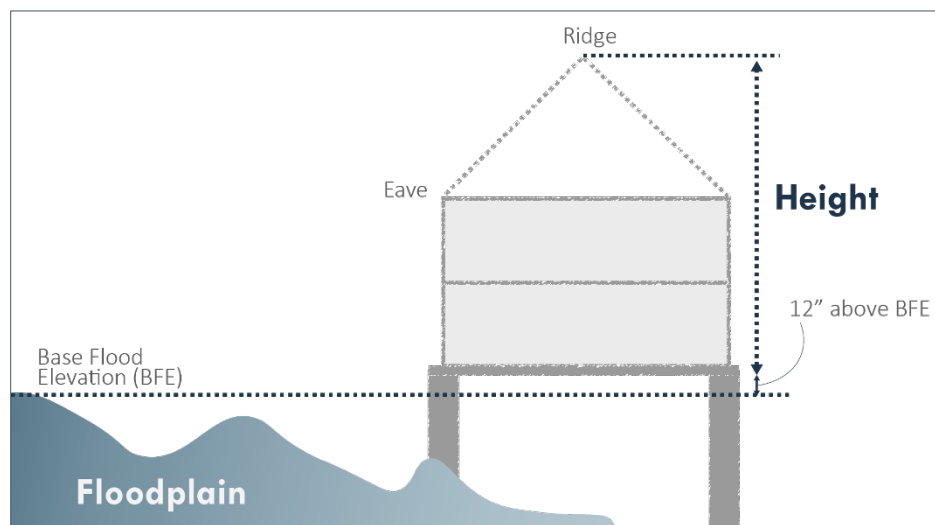
<sup>16</sup> Editor's Note: This figure is a new addition.

<sup>17</sup> Editor's Note: Replaced "front of the" with "wall" for clarification. The front of a structure may not be the side of the structure that is parallel with the front setback, as specified, here.

(C) **Exceptions.**

- (1) For structures that are in V, VE, AE, AH, and A Flood Zones, as identified on the official Flood Rate Insurance Map (FIRM) and further regulated in Chapter 23, Flood Plain Management, of the Pittsylvania County Code, the following applies:
  - (i) Height is measured from 12 inches above the base flood elevation<sup>18</sup> for the building site. *See Figure IV-2<sup>19</sup>.*
  - (ii) In cases where there is a ground floor enclosure below the base flood elevation, height shall be measured from the average grade, as shown in *Figure IV-1.*

**Figure IV-2. Height Measurement of Raised Structures in Floodplain Areas**



**Section 4-2-4. Determination and Measurement of Lots.**

(A) **General.**

- (1) No lot(s) existing at the time of adoption of this Ordinance shall be reduced in area below the minimum requirements established in this Article. Lot(s) created after the effective date of this Ordinance shall meet at least the minimum requirements established by this Ordinance<sup>20</sup>.
- (2) Whenever there shall be plans in existence, approved by either the Virginia Department of Transportation (VDOT) or by the Board of Supervisors for the widening of any street or highway, the Administrator may require additional setbacks for any new construction or for any structures altered or remodeled adjacent to the future planned right-of-way.

<sup>18</sup> Editor's Note: This is a new regulation to create consistency with Chapter 23 of the Pittsylvania County Code, which recommends at least a 1 ft. freeboard. Having a freeboard helps to protect life and property, as well as lowers flood insurance rates for property owners.

<sup>19</sup> Editor's Note: This figure is a new addition.

<sup>20</sup> Editor's Note: This is an adaptation of Section 35-65 of the existing Ordinance.

- (i) Such additional setback shall be the minimum required in the underlying zoning district, measured from the edge of the planned right-of-way (ROW) line.<sup>21</sup>

(B) **Determination of Lot Front.**

- (1) **Interior Lots.** The front shall be construed to be the portion adjacent to the street.
- (2) **Corner Lots.** The front shall be construed to be the shortest boundary fronting a street. If the lot has equal frontage on two (2) or more streets, the front shall be construed in accordance with the prevailing building pattern, or the prevailing lotting pattern if a building pattern is not established.

(C) **Required Setbacks.**

- (1) Interior Lots, Through Lots, and Stem Lots shall have the following setbacks:
- (i) One front, two sides, and one rear.
- (2) Corner Lots and Through Corner Lots shall have the following setbacks:
- (i) One front, two sides, and one rear.

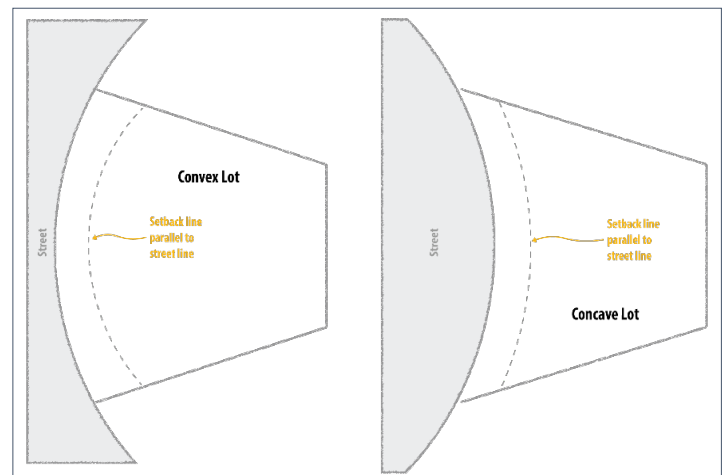
(D) **Measurement Methods.** The following methods shall be used for measuring setbacks:

- (1) **All Setback Types.** Setbacks shall be measured in such a manner that the lot line and the setback line are parallel to one another.
- (i) Rounded lots shall be measured as follows:

- (a) Where lots are convex or concave, required setbacks shall be measured radially from the edge of the ROW. **See Figure IV-3<sup>22</sup>.**
- (b) In accordance with **Article II**, Administration, of this Ordinance, the Administrator shall determine the boundary line(s) from which the setback(s) shall be measured for Irregular Lots.

- (2) **Front Setback.** Except as otherwise provided in this Article, every lot shall

**Figure IV-3. Setback Measurement for Convex and Concave Lots**



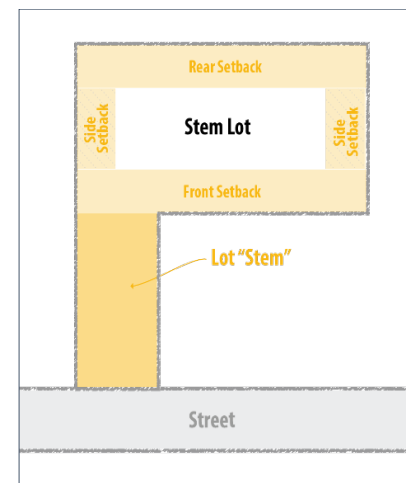
<sup>21</sup> Editor's Note: This text is consistent with Section 35-70 of the current Ordinance, although the Administrator is now given the authority to require additional setbacks, consistent with responsibilities granted in Articles II and III.

<sup>22</sup> Editor's Note: Text has been added to address how setbacks are measured for convex and concave lots. Figure IV-3 is a new addition to help illustrate this regulation.

front on an existing street; whether public or private. Front setbacks are determined as follows<sup>23</sup>:

- (i) A front setback shall be included for the full width of the lot frontage, measured between the side lot lines.
- (ii) Depth of the front setback shall be measured from the edge of the ROW, inward towards the lot, until the distance required in the district standards is met.
  - (a) If the lot has frontage on a private road, the depth of the front setback shall be measured from the centerline of the road, inward towards the lot, until the distance required in the district standards is met.<sup>24</sup>
  - (b) Areas in parking bays shall not be considered as part of the street or access easement for purposes of determining front setback depth.
- (iii) Interior Lots shall have one front setback that is the portion along the street.
- (iv) Through Lots shall have one front setback that is determined by the prevailing building pattern or, if a prevailing building pattern has not been established, the prevailing lotting pattern. If neither building nor lotting patterns exist, the lot front shall be along the lot frontage that is the narrowest.
- (v) Through Corner Lots<sup>25</sup> shall have one front setback construed to be the shortest boundary along a street.
- (vi) Stem Lots shall have one front that is measured from the boundary delineating the end of the “stem” and then in towards the lot until the distance required in the district standards is met. **See Figure IV-4<sup>26</sup>.**
- (vii) The front setback required for nonconforming lots may be the average of the front setbacks within three hundred (300) feet on either side of the lot, except that no front setback shall be required to be greater than the minimum required for the underlying zoning district.
  - (a) To maintain the pattern of the neighborhood, if the adjacent lots are vacant, the average(s)

**Figure IV-4. Stem Lot Front Setback**



<sup>23</sup> Editor’s Note: New language is included in this section for clarification. Some language from Section 35-62 of the existing Ordinance has been retained.

<sup>24</sup> Editor’s Note: The current Ordinance does not clearly specify how front setbacks are measured for lots that front on a public road versus lots that front on a private road. Language has been added to clarify what is being done in practice.

<sup>25</sup> Editor’s Note: Localities do not typically include provisions for Through Corner Lots. This is included for consideration, but can be removed, if desired.

<sup>26</sup> Editor’s Note: Figure IV-4 is a new addition.

of the nearest developed lot(s) on the same side of the street shall be used.

(3) **Side Setback.**

- (i) Side setbacks shall be measured from the front setback to the rear setback.
- (ii) Depth of a side setback shall be measured from the lot line in towards the lot until the distance required in the district standards is met.
- (iii) On corner lots, the required side setback shall be construed to be the longest boundary fronting a street. The distance required of the side setback fronting a street shall be the same as the front setback<sup>27</sup>. The distance required of subsequent side setbacks shall be the distance established in the underlying zoning district standards.

(4) **Rear Setback.**

- (i) A rear setback shall be included for the full width of the rear of the lot, measured between the side lot lines.
- (ii) Depth of a rear setback shall be measured from the rear lot line in towards the lot until the distance required in the district standards is met.

(5) **Lot Width.**

- (i) Minimum lot width for all lots shall be measured at the front setback line.

### Section 4-2-5. Lot Coverage and Siting.<sup>28</sup>

- (A) Except as otherwise specifically provided in computations to determine lot coverage by buildings, building coverage shall be construed as including all areas under roofs or projections from buildings on the lot.
- (B) All buildings and other structures shall be located and arranged on lots to provide safe and convenient access for fire protection, servicing, and off-street parking located on the premises.
- (C) No structure requiring a building permit shall be erected upon a lot which does not have frontage on a public or private road, except as specifically provided in Chapter 18, Subdivision Ordinance, of the Pittsylvania County Code.

## Division 3. Exemptions and Encroachments.<sup>29</sup>

### Section 4-3-1. Structures in Required Setbacks.

- (A) **General.** The following uses and structures are permitted in required setbacks, subject to the limitations provided:

<sup>27</sup> Editor's Note: This text is consistent with Section 35-64 of the current Ordinance.

<sup>28</sup> Editor's Note: This is a new Section, integrating both new text and text from Sections 35-65 and 35-66 of the existing Ordinance.

<sup>29</sup> Editor's Note: Proposed as a new section.



- (1) Fences, walls, and hedges, subject to visibility clearance requirements on corner lots as outlined in **Article VIII**, Community Design Standards, of this Ordinance.
- (2) Covered porches (on any façade) may project not more than 4 ft. into any required setback but shall not be closer to 10 ft. to any lot line.<sup>30</sup>
- (3) Uncovered porches and decks may project not more than 4 ft. into a required rear or side setback.<sup>31</sup>
- (4) Architectural features, chimneys, eaves, and other similar building features may not project more than four (4) ft. into any required setback but shall not be closer than two (2) ft. to any lot line.
- (5) Balconies may not project more than four (4) ft. into any required side or rear setback but shall not be closer than ten (10) ft. to any lot line.<sup>32</sup>
- (6) Accessory structures are subject to the requirements and regulations of **Article VII**, Use Performance Standards, of this Ordinance.

### Section 4-3-2. Reduction of Setbacks.

- (A) No setback existing at the time of adoption of this Ordinance shall be reduced in dimension below the minimum requirements established in this Article, unless such setback requirements reduce the buildable area to unreasonable dimensions.
  - (1) Any person desiring to amend a setback to a distance not in accordance with the regulations prescribed in this Article may apply for a variance from these regulations in accordance with **Article III**, Permits and Applications, of this Ordinance.
- (B) Every part of a required setback shall be open from its lowest point to the sky unobstructed, except for the ordinary projections of balconies, sills, cornices, buttresses, ornamental features, chimneys, flues, and eaves, provided such projections shall not extend into the required yard areas for a distance exceeding two (2) feet, as provided for in Section 4-3-1 (A) (4).

### Section 4-3-3. Exemptions.

- (A) **All regulations.** The following structures and uses shall be exempt from all regulations of this Ordinance:
  - (1) Underground and above ground utility equipment, including but not limited to wires, cables, conduits, pipes, mains, and valves.
    - (i) Such utility equipment must be located in a street right-of-way or in an easement less than forty (40) feet in width.

<sup>30</sup> Editor's Note: The distance that covered porches may be from a lot line has been reduced from 15 ft. to 10 ft. to be less restrictive and for better alignment with setbacks in primary zoning districts.

<sup>31</sup> Editor's Note: An encroachment distance for uncovered porches and decks has been added and is applicable to both rear and side setbacks.

<sup>32</sup> Editor's Note: The distance that architectural features may be from a lot line has been reduced from 15 ft. to 2 ft. to eliminate conflicting requirements in the Ordinance.

Pittsylvania County Zoning Ordinance Update  
 February 9, 2023  
 Draft Article IV – District Standards



- (ii) Exemptions shall not apply to any substation located on or above the surface of the ground.
- (2) Railroad tracks, signals, bridges, and similar facilities and equipment located on a railroad right-of-way, and maintenance and repair work on such facilities and equipment.
- (3) Mailboxes.
- (B) **Height regulations.** The following structures and uses shall be exempt from the height regulations of this Ordinance:<sup>33</sup>
  - (1) Belfries;
  - (2) Cupolas;
  - (3) Chimneys;
  - (4) Flues;
  - (5) Flagpoles under 40 feet in height;
  - (6) Television antennas;
  - (7) Public monuments or memorials;
  - (8) Radio aerials;
  - (9) Silos and other farm buildings; and
  - (10) Water tanks.

<sup>33</sup> Editor's Note: The height limit for flagpoles has been introduced at 40 ft. Farm buildings have been added as a use exempt from the height regulations of this Ordinance.

Division 4. Agricultural Districts Dimensional Standards.<sup>34</sup>

Section 4-4-1. Agricultural District Regulations.

**Table IV-2. Agriculture District Regulations**

A-1	
Minimum Lot Area	
All lots	1 acre <sup>35</sup>
Density	
All lots	1 residential unit per 1 acre <sup>36</sup>
Minimum Required Setbacks	
<i>Front (includes all structures)</i>	
Lots fronting a public road (setback measured from the edge of the ROW)	35 ft.
Lots fronting a private road (setback measured from centerline)	60 ft.
<i>Side<sup>37</sup></i>	
Principal structures	35 ft.
Farm animal structures*	50 ft.
Accessory structures	10 ft.
<i>Rear</i>	
Principal structures	20 ft.
Farm animal structures*	50 ft.
Accessory structures	10 ft.
Maximum Structure Height	
Principal structures	40 ft.
Accessory structures	40 ft.
<p><i>* Farm animal structures do not include intensive livestock structures, which are a separate use and have use standards outlined in Article VII, Use Performance Standards.</i></p>	

<sup>34</sup> Editor’s Note: This Division replaces Article III, Division 1 of the current Ordinance.

<sup>35</sup> Editor’s Note: The minimum lot size has been proposed to increase from 20,000 square feet to 1 acre, in response to requests for the protection of agriculture.

<sup>36</sup> Editor’s Note: The density has been proposed to decrease from 2 units per acre to 1 unit per acre, in response to requests for the protection of agriculture.

<sup>37</sup> Editor’s Note: Side setbacks are currently determined to be 10% of the lot frontage with a minimum of 10 ft. To ensure that standards are being uniformly applied within the A-1 district, a single distance for the side setback has been proposed.

Division 5. Residential Districts Dimensional Standards.<sup>38</sup>

Section 4-5-1. Single Family Residential District Regulations.

**Table IV-3. Single Family Residential District Regulations**

	R-E	R-1	RC-1
<b>Minimum Lot Area</b>			
All lots	5 acres	-	-
Public Water <i>AND</i> Sewer	-	10,000 sq. ft.	10,000 sq. ft.
Public Water <i>OR</i> Sewer	-	15,000 sq. ft.	15,000 sq. ft.
<i>NO</i> Public Utilities	-	20,000 sq. ft.	20,000 sq. ft.
<b>Minimum Lot Width<sup>39</sup></b>			
Public Water <i>AND</i> Sewer	100 ft.	75 ft.	75 ft.
Public Water <i>OR</i> Sewer	100 ft.	75 ft.	75 ft.
<i>NO</i> Public Utilities	150 ft.	100 ft.	100 ft.
<b>Density<sup>40</sup></b>			
All lots	1 residential unit per 5 acres	1 residential unit per 0.25 acres	1 residential unit per 0.25 acres
<b>Minimum Required Setbacks<sup>41</sup></b>			
<i>Front</i>			
Principal structures	35 ft.	35 ft.	35 ft.
Accessory structures	Not permitted in front yard		
<i>Side</i>			
Principal structures	20 ft.	15 ft.	10 ft.
Accessory structures	10 ft.	10 ft.	10 ft.
<i>Rear</i>			
Principal structures	30 ft.	30 ft.	25 ft.
Accessory structures	15 ft.	15 ft.	15 ft.
<b>Maximum Structure Height</b>			
All structures	40 ft.	40 ft.	40 ft.

<sup>38</sup> Editor’s Note: This Division replaces Article III, Division 2 of the current Ordinance.

<sup>39</sup> Editor’s Note: Minimum lot width is a new dimensional standard for residential districts and is proposed to be tied to the availability of public utilities to align with minimum lot area requirements.

<sup>40</sup> Editor’s Note: Density is proposed to be determined by acreage, not by lot, for ease of administration.

<sup>41</sup> Editor’s Note: Uniform front, side, and rear setbacks are proposed for all districts.

## Section 4-5-2. Multi-Family Residential District Regulations.

**Table IV-3. Multi-Family Residential District Regulations**

R-MF	
Minimum Lot Area	
<i>Single-Family Dwellings and Non-Residential Structures<sup>42</sup></i>	
Public Water <b>AND</b> Sewer	5,000 sq. ft.
Public Water <b>OR</b> Sewer	11,000 sq. ft.
<b>NO</b> Public Utilities	13,125 sq. ft.
<i>Multi-Family, Two-Family, and Townhouses</i>	
Multi-Family and Two-Family Dwellings	As above for the first two units, plus 2,100 sq. ft. for each additional dwelling unit.
Townhouses	1,500 sq. ft. with public water <b>AND</b> sewer, otherwise as above
Minimum Lot Width <sup>43</sup>	
<i>Single-Family Dwellings and Non-Residential Structures<sup>44</sup></i>	
Public Water <b>AND</b> Sewer	75 ft.
Public Water <b>OR</b> Sewer	75 ft.
<b>NO</b> Public Utilities	100 ft.
<i>Multi-Family, Two-Family, and Townhouses</i>	
Multi-Family and Two-Family Dwellings	As above
Townhouses	18 ft.
Maximum Density <sup>45</sup>	
All lots	16 dwelling units per acre
Maximum Lot Coverage	
Two-family Lots	35%
Townhouse and Multi-family Lots	40%
Minimum Distance Between Principal Buildings	
All lots	20 ft.

<sup>42</sup> Editor's Note: Minimum lot area has NOT changed, but rather been made more clear to reflect one unit per lot for single-family residential dwellings.

<sup>43</sup> Editor's Note: New standards for minimum lot width have been introduced to differentiate between single-family and multi-family residential uses, and to tie dimensional standards to the availability of public utilities.

<sup>44</sup> Editor's Note: Minimum lot width for single-family dwellings and non-residential structures is consistent with regulations in the R-1 district.

<sup>45</sup> Editor's Note: Maximum density has been increased from 13 to 16 dwellings per acre; recommended increase based on community feedback expressing a need for housing. Increasing the density coupled with a decreased lot area incentivizes building near public water and sewer, further protecting agricultural lands.



R-MF	
Minimum Required Setbacks <sup>46</sup>	
<i>Front</i>	
Principal structures	50 ft.
Accessory structures	Not permitted in front yard
<i>Side<sup>47</sup></i>	
Principal structures	10 ft.
Accessory structures	5 ft.
<i>Rear</i>	
Principal structures	20 ft.
Accessory structures	10 ft.
Maximum Structure Height	
All structures	80 ft.

<sup>46</sup> Editor’s Note: Setback requirements for accessory structures have been introduced.

<sup>47</sup> Editor’s Note: Side setbacks are currently determined to be 10% of the lot frontage with a minimum of 10 ft. To ensure that standards are being uniformly applied within the RMF district, a single distance for the side setback has been proposed.

### Section 4-5-3. Manufactured Home Park District Regulations.

**Table IV-4. Manufactured Home Park District Regulations**

	MHP - Individual Pad Sites	MHP - Total Park Area <sup>48</sup>
Minimum Lot Area		
All lots	6,000 sq. ft.	3 acres
Minimum Lot Width		
Public Water <i>AND</i> Sewer	50 ft.	
Public Water <i>OR</i> Sewer	50 ft.	
<i>NO</i> Public Utilities	100 ft.	
Maximum Density		
All lots		7 dwelling units per acre
Minimum Number of Accesses to Public Road <sup>49</sup>		
50 or fewer units		1
51 or more units		2
Minimum Required Setbacks <sup>50</sup>		
<i>Front</i>		
Lots fronting a public road (setback measured from the edge of the ROW)	25 ft. from internal roads and pad site boundary	50 ft.
Lots fronting a private road (setback measured from centerline)	25 ft. from internal roads and pad site boundary	60 ft.
Accessory structures, all lots	Not permitted in front yard	Not permitted in front yard
<i>Side</i>		
Principal structures	10 ft.	20 ft.
Accessory structures	10 ft.	10 ft.
<i>Rear</i>		
Principal structures	10 ft.	20 ft.
Accessory structures	10 ft.	10 ft.
Minimum Distance Between Structures		

<sup>48</sup> Editor's Note: The current Ordinance does not provide regulations for the total park area of an MHP district. Regulations have been added as a best practice to ensure safe and attractive manufactured home parks.

<sup>49</sup> Editor's Note: This is a new addition to provide standards for safe ingress/egress in manufactured home parks.

<sup>50</sup> Editor's Note: The current Ordinance requires front setbacks to be 20 ft. from lot lines and 30 ft. for public roads. These distances have been proposed to be edited slightly to streamline review, and to provide more distance from the overall MHP area to a road.



	MHP - Individual Pad Sites	MHP - Total Park Area <sup>48</sup>
All structures	20 ft.	20 ft.
Maximum Structure Height		
All structures	35 ft.	35 ft.

(A) Development Standards.<sup>51</sup>

- (1) Each manufactured home park shall have a sign at all entrances on a public road designating the name of the manufactured home park. Signs shall be designed and erected in accordance with the standards of Article VIII, Community Design Standards.
- (2) All manufactured home parks must have at least 10% of their total area dedicated to recreational use.
  - (i) 50% of the total recreational use area shall be outside of designated floodplain areas and have a slope of not more than 5%.
  - (ii) Either active or passive recreation uses, as defined in Article X, Definitions, of this Ordinance, shall be integrated into recreational use areas.

<sup>51</sup> Editor’s Note: These are new requirements intended to ensure the development of safe and attractive manufactured home parks.





Division 6. Commercial Districts Dimensional Standards.

Section 4-6-1. Commercial District Regulations.

**Table IV-6. Commercial District Regulations**

		B-1	B-2
<b>Minimum Lot Area<sup>52</sup></b>			
Public Water <i>AND</i> Sewer		No required minimum	No required minimum
Public Water <i>OR</i> Sewer		15,000 sq. ft.	15,000 sq. ft.
<b>NO</b> Public Water/Sewer		20,000 sq. ft.	20,000 sq. ft.
<b>Minimum Road Frontage<sup>53</sup></b>			
All Lots		50 ft.	50 ft.
<b>Minimum Required Setbacks</b>			
<i>Front</i>			
Principal structures		35 ft.	35 ft.
Accessory structures		Not permitted in front yard	
<i>Side<sup>54</sup></i>			
All structures	<i>Adjacent to agriculture, residential, or conservation district</i>	20 ft.	20 ft.
	<i>Adjacent to all other districts</i>	10 ft.	10 ft.
<i>Rear</i>			
All structures	<i>Adjacent to agriculture, residential, or conservation district</i>	40 ft.	40 ft.
	<i>Adjacent to all other districts</i>	20 ft.	10 ft.
<b>Maximum Structure Height</b>			
Principal structures		60 ft.	60 ft.
Accessory structures		No taller than principal structure	No taller than principal structure

<sup>52</sup> Editor’s Note: Minimum lot area requirements are new dimensional standards for commercial districts and are tied to the availability of public utilities.

<sup>53</sup> Editor’s Note: Minimum road frontage requirements are new dimensional standards for commercial districts.

<sup>54</sup> Editor’s Note: Side and rear setbacks are new dimensional standards for commercial districts. Setback distances are set to promote fire safety and to promote compatibility between differing uses.



**Division 7. Industrial Districts Dimensional Standards.**

**Section 4-7-1. Industrial District Regulations.**

**Table IV-7. Industrial District Regulations**

		M-1	M-2
<b>Minimum Lot Area<sup>55</sup></b>			
Public Water <i>AND</i> Sewer		15,000 sq. ft.	20,000 sq. ft.
Public Water <i>OR</i> Sewer		15,000 sq. ft.	20,000 sq. ft.
<b>NO</b> Public Water/Sewer		1 acre	1 acre
<b>Minimum Road Frontage</b>			
All lots		75 ft.	100 ft.
<b>Minimum Required Setbacks</b>			
<i>Front<sup>56</sup></i>			
All structures		50 ft.	50 ft.
<i>Side<sup>57</sup></i>			
All structures	<i>Adjacent to M-1 or M-2 districts</i>	None required	None required
	<i>Adjacent to all other zoning districts</i>	50 ft.	50 ft.
<i>Rear</i>			
All structures	<i>Adjacent to M-1 or M-2 districts</i>	None required	None required
	<i>Adjacent to all other zoning districts</i>	50 ft.	50 ft.
<b>Maximum Structure Height*</b>			
Principal structures		80 ft.	80 ft.
Accessory structures		No taller than principal structure	No taller than principal structure
*The maximum building height in both M-1 and M-2 may be increased to 120 ft. for principal structures within a recognized Industrial Park.			

<sup>55</sup> Editor’s Note: Minimum lot area is a new dimensional standard for industrial districts.

<sup>56</sup> Editor’s Note: Front setback minimums have been increased to 50 ft. for all structures in both M-1 and M-2 districts.

<sup>57</sup> Editor’s Note: Side and rear setbacks for industrial lots adjacent to other types of lots are new dimensional standards.

**Division 8. Planned Development Dimensional Standards.**

**Section 4-8-1. Residential Planned Unit Development District.**

**Table IV-8. Residential Planned Unit Development District Regulations**

RPD	
Minimum Lot Area	
Entire RPD District	5 contiguous acres*
Density	
Single-Family, Detached	3 units per acre
Two-Family	5 units per acre
Townhouses	10 units per acre
Multi-Family	15 units per acre
Minimum Required Setbacks	
<i>Front</i>	
Principal structures	35 ft.
Accessory structures	Not permitted in front yard
<i>Side</i>	
Principal structures	10 ft.
Accessory structures	10 ft.
<i>Rear<sup>58</sup></i>	
Principal structures	20 ft.
Accessory structures	20 ft.
Maximum Structure Height	
All structures	80 ft.
*None of the 5 contiguous acres required for an RPD can be under water or within a flowage easement.	

(A) **General.**<sup>59</sup>

- (1) **Character of Development.** Development within RPD districts should encourage development form and character that is aesthetically pleasing and is different from conventional suburban development, which typically includes the following:
  - (i) Neighborhood friendly streets and paths;
  - (ii) Interconnected streets and transportation networks;

<sup>58</sup> Editor’s Note: Rear and side setback standards are new additions for RPD districts.

<sup>59</sup> Editor’s Note: This is new text proposed to provide clarity regarding the intended character of RPD development.

- (iii) Open space amenities;
  - (iv) Appropriately scaled buildings and spaces;
  - (v) Mixture of housing types and affordability; and
  - (vi) Environmentally sensitive design.
- (B) **Application and Procedures.**<sup>60</sup>
- (1) RPD districts shall be established by amendment to the Zoning Map in accordance with **Article III**, Permits and Applications, of this Ordinance.
  - (2) Before filing the application, the applicant(s) shall meet with the Administrator for a pre-application meeting to discuss the proposed RPD development and review applicable requirements and approval procedures. The applicant(s) shall provide a concept plan of the proposed RPD development for review and discussion during a pre-application meeting.
    - (i) Concept plans shall be developed in accordance with the standards of **Article III**, Permits and Applications, of this Ordinance.
  - (3) No development within an RPD – including, but not limited to clearing, grading, excavating, road building, site preparation, or structural improvements – shall occur prior to approval of a Site Development Plan in accordance with **Article III**, Permits and Applications, of this Ordinance.
  - (4) All development and subsequent operation within an RPD shall be undertaken in accordance with the provisions of the approved RPD Application and Site Development Plan.
    - (i) Major modifications to the RPD Site Development Plan – including changes to housing types, densities, permitted uses, architectural elevations, or general location of any elements, or other aspects of the RPD Site Development Plan – where the change is not in keeping with the concept of the approved RPD Site Development Plan shall require an amendment to the RPD Site Development Plan in accordance with **Article III**, Permits and Applications, of this Ordinance.
    - (ii) Minor modifications to the RPD Site Development Plan, which clearly are in substantial conformity with the approved RPD Site Development Plan, may be approved by the Administrator without applying for an amendment to the Site Development Plan. Substantial conformity shall mean that conformity which leaves a reasonable margin for adjustment due to final engineering data, but conforms to the general nature of the development, the specific uses, the general layout depicted by the plans, profiles, elevations, and other demonstrative materials presented by the applicant.
  - (5) A proposed development may vary from the guidelines outlined in this Division, except for uses subject to approval of a rezoning or Special Use Permit in accordance with **Article III**, Permits and Applications, of this Ordinance. Any waiver from the standards and guidelines

<sup>60</sup> Editor’s Note: Section 4-8-1 (A) is new text included to establish procedures for establishing an RPD district within the County.

shall be specifically acknowledged by means of a proffer or conditions. A request for waiver must:

- (i) Clearly outline the requested waiver(s), and
- (ii) Justify the need or benefit to the public and community should the waiver be granted.

**(C) Open Space Requirements**

- (1) Open space shall be defined for the purposes of this Section as that total land or water within the boundaries of an RPD development, designed and intended for use and enjoyment, and not improved with buildings, structures, streets, roads, parking areas, or utilities, except for recreational structures.
- (2) The required open space shall not be less than thirty (30) percent of the total gross area of the RPD development.<sup>61</sup>
  - (i) Appropriate active and passive recreational uses as defined in **Article X**, Definitions, of this Ordinance, shall be provided within the open space area to serve the development.
  - (ii) Fifty (50) percent of all open space within an RPD development shall be dedicated to active recreation uses.
- (3) All open space, including developed open space, shall be specifically included in the development schedule, and be constructed and fully improved by the developer at an equivalent or greater rate than the construction of residential structures.
- (4) There shall be established a non-profit association, a stock or membership corporation, trust, or property owners' association (POA) to ensure maintenance of open spaces.
  - (i) When the open space is to be maintained through a non-profit association, corporation, trust, or POA, said organization shall conform to the following requirements:
    - (a) The developer must establish the organization prior to the sale of any lots.
    - (b) Membership in the organization shall be mandatory for all residential property owners, present or future within the RPD development, and said organization shall not discriminate in its members or shareholders.
    - (c) The organization shall manage all open space and recreational facilities and shall provide for the maintenance, administration, and operation of said land and improvements, and shall secure adequate liability insurance on the land.

**(D) Development Standards<sup>62</sup>**

<sup>61</sup> Editor's Note: The required percentage of open space in an RPD district has been reduced from 50% to 30%, so as not to pose unreasonable regulations on developers. However, 50% of the open space is required to be dedicated to active recreation uses, ultimately creating more recreational opportunities than what is required under the current Ordinance.

<sup>62</sup> Editor's Note: This is new text included to address design standards within RPD developments.

- (1) All fencing, lighting, signage, landscaping, streets, sidewalks, and parking and loading areas within RPD developments shall be designed in accordance with the standards of **Article VIII**, Community Design Standards, of this Ordinance.
- (2) Areas between buildings used as service yards, storage of trash, or other utility purposes should be designed to be compatible with adjoining buildings.
- (3) Setbacks shall not interfere with public safety issues such as intersection sight distance or utilities, including other public infrastructure such as sidewalks, open space, etc.
- (4) Within RPD developments, all newly installed utilities shall be installed underground. Systems which require above-ground installations shall be effectively screened.
  - (i) Screening shall be designed and installed in accordance with the standards of **Article VIII**, Community Design Standards, of this Ordinance.
  - (ii) RPD developments shall be served by centralized water and sewer utilities, whether public or privately operated, and shall be designed and constructed to public standards as approved by the Pittsylvania County Service Authority.
  - (iii) Unless otherwise operated by a public or private utility, private centralized utilities shall be maintained by the POA.
- (5) Residential Uses:
  - (i) Residential units should be designed in a logical and attractive manner to best fit the site.
  - (ii) All RPD districts shall contain at least two different types of residential uses.<sup>63</sup>
  - (iii) The gross and net residential densities shall be shown on the approved Site Development Plan by area and for the overall development in dwelling units per acre (du/acre) and shall be binding upon its approval.

---

<sup>63</sup> Editor's Note: The requirement that RPD development shall have at least two types of residential units was based on staff and community input desiring requirements that facilitated the provision of affordable housing options to meet regional demand.

**Division 9. Conservation Districts Dimensional Standards.**

**Section 4-9-1. Conservation District Regulations.<sup>64</sup>**

**Table IV-9. Conservation District Regulations**

<b>C-1</b>	
<b>Minimum Lot Area</b>	
All lots	1 acre
<b>Maximum Density</b>	
All lots	1 dwelling unit per 1 acre
<b>Minimum Required Setbacks<sup>65</sup></b>	
<i>Front</i>	
Lots fronting a public road (setback measured from the edge of the ROW)	35 ft.
Lots fronting a private road (setback measured from centerline)	60 ft.
Accessory structures, all lots	Not permitted in front yard
<i>Side</i>	
Principal structures	35 ft.
Accessory structures	10 ft.
<i>Rear</i>	
Principal structures	20 ft.
Accessory structures	10 ft.
<b>Maximum Structure Height</b>	
Principal structures	40 ft.
Accessory structures	40 ft.

**Section 4-9-2. Protection Measures.<sup>66</sup>**

(A) All Concept Plans and Site Development Plans for any development in the conservation district shall include specific and detailed plans and measures by the owner or agent addressing erosion and sediment control in accordance with Chapter 4, Buildings, of the Pittsylvania County Code.

<sup>64</sup> Editor’s Note: Dimensional standards for the C-1 district have been edited to be consistent with A-1 district standards. The current Ordinance states that the requirements for the C-1 and A-1 districts shall be the same.

<sup>65</sup> Editor’s Note: Side and rear setbacks are new dimensional standards for the C-1 district.

<sup>66</sup> Editor’s Note: Text is carried over from Section 35-532 of the current Ordinance. It has been reorganized and lightly edited for readability.

Such plans shall satisfy the Administrator that any possible authorized activities will not contaminate or otherwise incapacitate the land and waters of the zone.

- (1) Failure to properly document these plans to conserve and protect the water, the watershed, the natural resources, and the land will result in denial of use.
- (B) Commercial timber harvesting of more than five (5) acres in the Conservation Districts shall have a written Preharvesting Plan (Forest Management Plan). The purpose of this plan is to reduce soil erosion and subsequent stream sedimentation through the proper design, layout, construction, maintenance, and use of logging roads, skid roads, and loading decks used in conjunction with timber harvesting operations.
  - (1) Such Preharvesting plan will be prepared by a professional forester and shall be submitted to and approved by the Administrator prior to commencing operations.



## ARTICLE V. - Overlay Zoning Districts.

### Division 1. Establishment.<sup>1</sup>

#### Section 5-1-1. General.

This article establishes overlay districts, which apply additional standards to the development and design requirements of land in the County. These district standards exist as overlays to the existing underlying zoning districts, and, as such, the provisions for the overlay districts do not replace, but shall serve to supplement the underlying district provisions. Pittsylvania County is hereby divided into the following overlay zoning districts:

All Overlay Districts	
LSOD	Lake Surface Overlay District
FOD	Floodplain Overlay District
AOD	Airport Overlay District

### Division 2. Lake Surface Overlay District (LSOD).<sup>2</sup>

#### Section 5-2-1. Purpose and Intent.

- (A) **Purpose.** The purpose of the LSOD is to encourage public health, safety, and welfare with equitable and enforceable conditions for waterfront development in Pittsylvania County.
- (B) **Intent.** The intent of these regulations is to protect shoreland, enhance public recreation and water safety, and advance the public's general welfare and quality of life on the lakes within the jurisdiction of Pittsylvania County.
- (1) Where the LSOD exists, only the following primary zoning districts shall be permitted under the LSOD to protect the health, safety, and welfare of water and lakes within the jurisdiction of Pittsylvania County:<sup>3</sup>
- (i) A-1, General Agriculture

<sup>1</sup> Editor's Note: This is a new Division proposed for inclusion to establish all Overlay Zoning Districts and to establish the relationship between these overlays and underlying primary zoning districts.

<sup>2</sup> Editor's Note: Most of this text is carried over directly from Article IV, Division 1 of the current Zoning Ordinance. It has been reorganized and simplified where possible for readability.

<sup>3</sup> Editor's Note: This text is added for clarity and protection of the water. This may be occurring in practice based on the districts with LSOD rear setbacks already designated in the current Ordinance.

- (ii) R-E, Residential Estates
- (iii) R-1, Residential Suburban Subdivision District
- (iv) RC-1, Residential Combined Subdivision District
- (v) RMF, Residential Multifamily District
- (vi) RPD, Residential Planned Unit Development District
- (vii) C-1, Conservation District

### Section 5-2-2. Applicability.

- (A) These provisions shall apply to the surface waters of Smith Mountain Lake, Leesville Lake, and other lakes of one hundred (100) acres or greater in Pittsylvania County, and to all parcels immediately adjacent to the same.<sup>4</sup>
  - (1) These provisions shall also apply to the flowage easement area of Smith Mountain Lake, as established by the Appalachian Power Company.
- (B) Peripheral boundaries of the LSOD may overlap district zones of the applicable primary district zones as listed in Section 5-2-1 (B) (1), above.

### Section 5-2-3. Development and Design Standards.<sup>5</sup>

- (A) In addition to the development standards specified in this Ordinance for underlying primary districts, the following additional standards shall apply in all LSOD overlays:
  - (1) **Setbacks.**<sup>6</sup>
    - (i) All front and side setbacks shall adhere to the standards of the underlying zoning district, as outlined in **Article IV**, Primary Zoning Districts, of this Ordinance.
      - (a) Front yards for lots and lots in subdivisions that border Smith Mountain Lake shall be assumed to be located between the principal building on the lot and the road fronting the lot. Front yards shall not be the area between the principal building and the lake.
    - (ii) The rear setbacks for all structures within an LSOD shall be as follows:

<sup>4</sup> Editor's Note: Section 35-545 of the existing Ordinance includes text applying the provisions of the LSOD to lakes with four or more shoreline landowners. This text has been removed due to conflict with other provisions of the LSOD and due to its restrictive nature.

<sup>5</sup> Editor's Note: This is a new Section proposed for inclusion to address development and design standards for the LSOD.

<sup>6</sup> Editor's Note: Rear setbacks for parcels within the LSOD are currently included in each zoning district's regulations. They are proposed for inclusion in this Division for greater clarification and to streamline all dimensional standards for parcels in the LSOD.



Table 5.2 Lake Surface Overlay District Rear Setbacks <sup>7</sup>		
Primary Zoning District	Smith Mountain Lake	Leesville Lake; all other lakes 100 acres or greater
<b>Agricultural Districts</b>		
A-1	40 ft.	40 ft.
<b>Residential Districts</b>		
RE	40 ft.	40 ft.
RC-1	20 ft.	30 ft.
R-1	20 ft.	40 ft.
R-MF	30 ft.	30 ft.
RPD	30 ft.	20 ft. for single-family detached dwellings only
<b>Conservation Districts</b>		
C-1	40 ft.	40 ft.

- (2) **Fencing.** All fences erected in LSOD districts shall comply with the standards of Article VIII, Community Design Standards, of this Ordinance.
- (3) **Lighting.** All lighting installed in LSOD districts shall comply with the standards of Article VIII, Community Design Standards, of this Ordinance.
- (4) **Signs.** All signs erected in LSOD districts shall comply with the standards of Article VIII, Community Design Standards, of this Ordinance.
- (5) **Parking and Loading Areas.** All parking and loading areas in LSOD districts shall comply with the standards of Article VIII, Community Design Standards, of this Ordinance.
- (6) **Landscaping.** All landscaping in LSOD districts shall comply with the standards of Article VIII, Community Design Standards, of this Ordinance.
- (7) **Erosion and Sediment Control.** All development in LSOD districts shall adhere to the standards required in Chapter 4, Buildings, of the Pittsylvania County Code.

**Section 5-2-4. Piers, Docks, and Boathouses.**

(A) **Piers and Docks.** The following regulations shall apply to all piers and docks located within the LSOD:

<sup>7</sup> Editor’s Note: The current Ordinance establishes these setbacks within the primary district dimensional standards; they have been moved to this Article for clarity.

- (1) All piers and docks may extend over the water for a maximum distance of eighty (80) feet from the shoreline regardless of water depth at full pond height.
    - (i) If the lake depth at full pond height is ten (10) feet or greater, piers and docks may extend to a maximum distance of one hundred and twenty (120) feet from the shoreline.
    - (ii) If the pier or dock is in a cove, it shall not extend more than one-third of the width of the cove, measured from the shore at the point of the proposed construction to the nearest point on the opposite shoreline.
  - (2) All piers and docks shall extend into the water to remain confined within a projection of the side or rear lot lines of the parcel on which the pier is located.
  - (3) Construction of all piers and docks shall conform to the provisions of this Ordinance and all other applicable local, state, and U.S. Army Corps of Engineers regulations.
- (B) **Boathouses and Similar Structures.** The following regulations shall apply to all boathouses and similar structures located within the LSOD:<sup>8</sup>
- (1) All boathouses and similar structures shall be required to conform to the length requirements as stated in (A), above.
  - (2) No boathouse or similar structure shall exceed a height greater than twenty (20) feet from full pond level if it has a flat roof, or twenty-eight (28) feet from full pond level if it has a pitched roof.
  - (3) Boathouses or similar structures shall not have septic hookups or be used as living quarters of any kind.
  - (4) No boathouse or similar structure shall have more than two (2) stories.
    - (i) Second stories of boathouses or similar structures shall not be enclosed.
  - (5) Screened areas of all boathouses or other similar structures are not considered enclosed areas. Construction of all piers and docks shall conform to the provisions of this Ordinance and all other applicable local, state, and U.S. Army Corps of Engineers regulations.
- (C) There shall be no more than three separate, freestanding piers, docks, or boathouses on any one residential lot.<sup>9</sup>

### Section 5-2-5. Moorings and Floats.

- (A) Moorings and floats shall be placed in lakes for navigational purposes only with the expressed written approval of the Administrator.<sup>10</sup>

<sup>8</sup> Editor's Note: (2), (3), and (4) are new standards introduced to ensure that boathouses are constructed and used only as defined in Article X, Definitions.

<sup>9</sup> Editor's Note: This is a new regulation intended to limit the number of structures and associated land disturbance on residential lots in the LSOD.

<sup>10</sup> Editor's Note: The current Ordinance gives the Board of Supervisors the authority to review and approve all moorings and floats; however, this is proposed to be an administrative process to streamline application review.

(B) The following regulations shall apply to all moorings and floats located within the LSOD:

- (1) Moorings and floats shall be located to permit unobstructed passage of boats.
- (2) Moorings and floats shall not be anchored in any manner to deny or obstruct access to lakes from boathouses, piers, docks, or boat launch ramps.
- (3) Moorings and floats shall be separated on every side from any other mooring or float by a minimum distance of fifty (50) feet.

### Section 5-2-6. Variances.

Any person desiring to erect or increase the height or size of any structure not in accordance with the regulations prescribed in this Article may apply for a variance from these regulations in accordance with **Article III**, Permits and Applications, of this Ordinance.<sup>11</sup>

## Division 3. Floodplain Overlay District (FOD).<sup>12</sup>

### Section 5-3-1. Purpose and Intent.

The purpose of the FOD is to prevent the loss of life and property, the creation of health and safety hazards, the disruption of commerce and governmental services, the extraordinary and unnecessary expenditure of public funds for flood protection and relief, and the impairment of the tax base.

### Section 5-3-2. Regulations.

Regulations for all use, activities and development in floodplain areas as designated on the official Flood Insurance Rate Map (FIRM) shall be controlled by Chapter 23, Flood Plain Management, of the Pittsylvania County Code.

## Division 4. Airport Overlay District (AOD).<sup>13</sup>

### Section 5-4-1. Purpose and Intent.

(A) **Purpose.** The purpose of this section is to regulate and restrict land development and the use of property in the vicinity of the Danville Regional Airport through the establishment of the Airport Overlay District.

- (1) Land development which constitutes an airport hazard endangers the lives and property of the users of the airport and of the occupants of land in its vicinity.
- (2) Airport hazards in effect reduce the size of the area available for landing, take-off, and maneuvering of aircraft, therefore tending to destroy or impair the utility of and public investment in the Danville Regional Airport.

<sup>11</sup> Editor's Note: This is a new regulation to address applications for variances for all structures within an LSOD.

<sup>12</sup> Editor's Note: This Division is proposed to replace Article IV, Division 2 of the current Ordinance.

<sup>13</sup> Editor's Note: Most of Division 4 is text is directly from Article IV, Division 4 of the current Ordinance. It has been reorganized and simplified where possible for readability.

(3) Accordingly, it is declared necessary in the interest of the public health, safety, and general welfare of the citizens of Pittsylvania County, that the prevention of hazards shall be accomplished by the application and enforcement of special regulations relative to hazards referred to in this Division.

(B) **Intent.** It is the intent of the AOD to regulate vertical encroachment obstructions within the airport safety zone area and to regulate land uses within designated existing or projected airport noise impact areas.

### Section 5-4-2. Applicability.

These provisions shall apply to all parcels within the AOD, the boundaries of which are established on the Pittsylvania County Zoning Map.

### Section 5-4-3. General Regulations.

(A) **Airport Safety Zones.** Title 14 of the Code of Federal Regulation, Subchapter E (Airspace), Part 77.25 et seq., or in successor federal regulations, shall delineate the locations of airport safety zones within the AOD.<sup>14</sup>

(B) **Permits.** All Site Development Plans and applications for building permits, rezonings, variances, and Special Use Permits within the AOD shall be reviewed by the Administrator to ensure compliance with this Division and with applicable regulations enforced by the Federal Aviation Administration (FAA) and the Virginia Department of Aviation.

(1) It shall be unlawful to construct, alter, repair, remove, or demolish, or to commence the construction, alteration, removal, or demolition of a building or structure within the AOD without first filing a Zoning Permit application in writing with the Administrator, as provided for in **Article III**, Permits and Applications, of this Ordinance.<sup>15</sup>

(2) Any such application shall be so conditioned as to require the owner of the property or structure in question, at their expense, to install, operate, and maintain such markings and lights as may be deemed necessary by the Administrator, acting with the advice and recommendation of the FAA and the manager of the Danville Regional Airport.

(3) Nothing in this Division shall prohibit the filing of an amendment or change to an application. Any amendments shall be filed and processed in the manner of a new application.

(C) **Nonconforming Uses, Lots, and Structures.** Nothing in this Ordinance shall require changes in the plans, construction, or designated use for a legally nonconforming use, lot, or structure, as provided for in **Article IX**, Nonconforming Uses, Lots, and Structures, of this Ordinance.

(1) Notwithstanding the provisions of this Section, the owner of any existing valid nonconforming use, lot, or structure shall permit the installation, operation, and maintenance thereon of whatever markers and lights deemed necessary by the FAA, the Virginia Department of

<sup>14</sup> Editor's Note: This is new text added to include reference to the federal regulations for airport safety zones.

<sup>15</sup> Editor's Note: The current Ordinance refers to a "zoning clearance" for new structures within an AOD. This is outdated language; text has been updated to reflect what is occurring in practice.

Aviation, or the Administrator to indicate to operators of aircraft the presence of that airport obstruction.

- (i) Markers and lights shall be installed, operated, and maintained at the expense of the owner of the nonconforming use, lot, or structure.<sup>16</sup>

#### Section 5-4-4. Development and Design Standards.<sup>17</sup>

- (A) Where there is any conflict between the provisions or requirements of any of the AOD and those of any underlying district, the more restrictive provisions shall apply. In addition to the development standards specified in this Ordinance for underlying primary zoning districts, the following additional standards shall apply in all AOD areas:
- (1) **Setbacks.** All setbacks shall comply with the standards of the underlying zoning district, as outlined in **Article IV**, Primary Zoning Districts, of this Ordinance.
  - (2) **Height.**
    - (i) No structure or building within an AOD shall exceed 40 feet in height.
    - (ii) No structure, building, tower, antenna, smokestack, chimney, overhead transmission line, or any other object shall be erected, constructed, altered, or enlarged in such a manner as to create a hazard or obstruction in the AOD.
  - (3) **Fencing.** All fences erected in the AOD shall comply with the standards of **Article VIII**, Community Design Standards, of this Ordinance.
  - (4) **Lighting.** All lighting installed in the AOD shall comply with the standards of **Article VIII**, Community Design Standards, of this Ordinance, in addition to applicable regulations of the FAA.
  - (5) **Signs.** All signs erected in AOD districts shall comply with the standards of **Article VIII**, Community Design Standards, of this Ordinance, in addition to applicable regulations of the FAA.
  - (6) **Parking and Loading Areas.** All parking and loading areas in the AOD shall comply with the standards of **Article VIII**, Community Design Standards, of this Ordinance.
  - (7) **Landscaping.** No landscaping in the AOD shall exceed 40 feet in height. All landscaping in the AOD shall comply with the standards of **Article VIII**, Community Design Standards, of this Ordinance.
  - (8) **Erosion and Sediment Control.** All development in the AOD shall adhere to the standards required in Chapter 4, Buildings, of the Pittsylvania County Code.

<sup>16</sup> Editor's Note: This is new text, included to clarify that property owners of nonconforming uses, lots, and structures within an AOD are still required to comply with any local, state, or federal requirements for safety markers and lighting.

<sup>17</sup> Editor's Note: This is a new Section proposed for inclusion to address development and design standards for the AOD.

### Section 5-4-5. Use Regulations.

- (A) **Use Restrictions.** No use is allowed within the AOD which:
- (1) Creates electrical interference with radio communications between aircraft and the airport;
  - (2) Increases the difficulty of flyers to distinguish between airport lights and other lights;
  - (3) Results in glare in the eyes of pilots using the airport;
  - (4) Emits smoke which impairs visibility of the airport; or
  - (5) Otherwise endangers the landing, take-off, or maneuvering of aircraft.
- (B) The following uses as established in **Article VI**, Use Matrix, of this Ordinance shall not be erected or otherwise located in the AOD to protect the health, safety, and welfare of the public.<sup>18</sup>
- (1) Commercial Indoor Recreation
  - (2) Dwelling, Multi-Family
  - (3) Education Facilities
  - (4) Group Home
  - (5) Hospitals
  - (6) Hotels
  - (7) Nursing Homes
  - (8) Park, Manufactured Home
  - (9) Recreation facilities
  - (10) Religious Assembly
  - (11) Store, Large, exceeding 150,000 gross square feet.

### Section 5-4-6. Variances.

Any person desiring to erect or increase the height or size of any structure or vegetation not in accordance with the regulations prescribed in this Article may apply for a variance from these regulations in accordance with **Article III**, Permits and Applications, of this Ordinance.<sup>19</sup>

<sup>18</sup> Editor's Note: The uses prohibited within an AOD have not changed from the current Ordinance; however, the names of the uses have been altered to match the new use names in Article VI.

<sup>19</sup> Editor's Note: This is a new regulation to address applications for variances within an AOD.



**Editor’s Note:** These definitions are included for review, and to aid in understanding the concepts of the Articles being reviewed during this Worksession. They will be placed in Article X – Definitions following the review of the Planning Commission and Board of Supervisors.

## Definitions for Articles IV and V.

**Adjacent.** To be separated by common property lines, lot lines, streets, or roads; also known as: abutting, adjoining, contiguous, or touching.

**Airport.** The term “airport” shall refer to Danville Regional Airport.

**Airport hazard.** An obstruction determined by the Virginia Department of Aviation or the Federal Aviation Administration to have a substantial adverse effect on the safe and efficient utilization of navigable airspace in the Commonwealth.

**Airport safety zones.** Zones which include all the area and airspace of Pittsylvania County lying equal to and above the approach surfaces, transitional surfaces, horizontal surfaces, and conical surfaces as applicable to an airport. Such zones shall be established and regulated by Part 77.25, 77.28, and 77.29, Sub E (Airspace), of Title 14 of the Code of Federal Regulations, or in successor federal regulations.

**Area, buildable.** The portion of a lot or site, exclusive of required setbacks, landscaping, parking, loading and access areas, or open space within which a structure may be built.

**Area, gross.** The total area within a lot before dedication for roads, open spaces, or other public uses – but not including rights-of-way, easements owned by others, or marshlands/wetlands within a development.

**Boathouse.** A structure designed and used for the storage of boats owned and used by the occupants or owners of the residence or residential lot on which the structure is located.

**Building.** Any structure having a roof supported by columns, walls, or other means.

**Building height.** The vertical distance from the average grade to the highest point of the roof surface.

**Cove:** A lake inlet of at least one hundred (100) feet as measured from the closed end of the inlet to a line linking the two (2) sides of the open end. The width of the open end must be at least fifty (50) feet wide.

**Density.** The number of dwelling units that are allowed on a given unit of land, which shall be permitted to include dedicated streets contained within the development. Density is determined by dividing the total number of residential units or lots to be located on the parcel by the area of the base parcel.

**Dock.** A piling-mounted stationary or floating platform extending into the water and used as a landing place for boats or to protect or form a cove. May also be referred to in this Ordinance as a “pier”.

**Float.** See “mooring”.

**Flood Insurance Rate Map (FIRM).** An official map of a community, on which the Federal Emergency Management Agency (FEMA) has delineated both the areas of special flood hazard and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).

**Floodplain.** Those areas adjoining a river, stream, watercourse, or lake, which have been, or hereafter are likely to be covered by floodwaters.

**Flowage easement.** Easement rights retained by Appalachian Power Company on certain parcels of land at Smith Mountain Lake to allow for the rise and fall of the lake pool height during daily operations, with allowance for flood induced variations.

**Full pond height.** The maximum lake level established for management. For Smith Mountain Lake, the full pond height is established to be 795 feet. For Leesville Lake, the full pond height is established to be 613 feet.

**Grade.** The average of the highest and lowest elevations along natural or improved grade (whichever is more restrictive) along the wall of the structure that is parallel to the front setback.

**Lot.** A parcel of land intended to be separately owned, developed, or otherwise used as a unit, established by plat, subdivisions, or as otherwise permitted by law. May also be referred to in this Ordinance as a “parcel”.

**Lot, corner.** A lot abutting on two or more streets at their intersection.

**Lot, interior.** Any lot other than a corner lot but including a through lot.

**Lot, regular.** A lot that has direct access to a public or approved private road. They are located, shaped, and oriented to adjacent lots in such a way that the application of general measurements can be reasonably applied, and the location of front, side, and rear setbacks is logically determined by, and related to, adjacent streets and setback patterns.

**Lot, stem.** A lot approved in accordance with the provisions of Chapter 18 of the Pittsylvania County Code and which does not abut a public street other than by its driveway which affords access to the lot.

**Lot, through.** An interior lot, fronting on two parallel or approximately parallel streets.

**Lot area.** The total horizontal area included within the rear, side, and front lot lines, or proposed street lines of the lot, excluding easements for streets or highways, whether dedicated or not dedicated to public use. Lot area for the purpose of satisfying minimum area requirements shall not include portions under water except where the total area of a body of water is within the lot and/or constitutes less than 20% of the lot area.

**Lot depth.** The distance between the front lot line and rear lot line of a lot, measured along a straight line.

**Lot frontage.** The distance from which the front boundary line of the lot coincides with the abutting street or road.

**Lot line, front.** A lot line connecting the foremost points of the side lot lines and delineating the lot from the abutting street or road.

**Lot line, rear.** A lot line which is opposite and most distant from the front lot line and connecting the rearmost points of the side lot lines.

**Lot line, side.** Any lot line not considered a front or rear lot line.

**Lot width.** The horizontal distance between the side lot lines of a lot, measured at the front setback.

**Mooring.** A structure designated to rest on or be buried in the bed of a navigable water body to aid navigation. The structure is attached by a chain, cable, rope, or other mechanism, and is designed to be left in position permanently or on a seasonal basis. May also be referred to in this Ordinance as a “float”.

**Non-residential structure.** A building or structure, or part of a building or structure, not occupied in whole or in part for the purpose of human habitation. Examples include warehouse and industrial buildings, commercial buildings, buildings for public entertainment, hotels, restaurants, educational buildings, health buildings, etc.

**On-site sewerage system, individual.** A wastewater treatment system included on an individual lot on which the Health Department has approved an individual septic tank and drain field or similar wastewater treatment system to serve a single-family or two-family dwelling. Such wastewater treatment system design shall not result in a point source discharge.

**On-site sewerage system, mass drainfield.** A wastewater treatment system approved by the Health Department on a lot that is normally separated from residential lots. Both a septic tank and a drainfield serve multiple residential or other units. Such wastewater treatment system design shall not result in a point source discharge.

**Open space.** Land area not covered by buildings, roads, driveway and parking areas, or outdoor storage areas – including, but not limited to, land area set aside for passive and active recreation, landscaping, and/or natural preservation. Except as otherwise provided, open space includes setback areas that meet the requirements defined in this Ordinance.

**Pier.** See “Dock”.

**Public sewer system.** A sewer system owned and operated by a sanitary district, public service authority, locality, or owned and operated by a corporation and properly chartered and certified by the State Corporation Commission that operates or will operate in the County. These systems result in a point discharge and must be approved by the State Health Department and the State Water Control Board.

**Public water system.** A water system owned and operated by a sanitary district, public service authority, locality, or owned and operated by a corporation and properly chartered and certified by the State Corporation Commission providing drinking and/or domestic water use services to multiple users. These systems are approved by the State Health Department and generally have at least fifteen (15) connections or an average of twenty-five (25) individuals for at least sixty (60) days out of the year.

**Right-of-Way (ROW).** An area of land not on a lot that is dedicated to public use for pedestrian and vehicular movement, which may also accommodate public utilities infrastructure (including but not limited to water lines, sewer lines, power lines, and gas lines.)

**Setback.** The minimum distance by which any building or structure must be separated from a street right-of-way or lot line.

**Setback, front.** The minimum distance from the front lot line(s) to the nearest point of the allowable structure(s), measured perpendicular to the front lot line. For Stem Lots, the front setback is the minimum distance from the edge of the right of way or “end” of the stem portion.

**Setback, rear.** The minimum distance from the rear lot line to the nearest point of the allowable structure(s), measured perpendicular to the rear lot line.

**Setback, side.** The minimum distance from the side lot line(s) to the nearest point of the allowable structure(s), measured perpendicular to the side lot line(s).

**Shoreline.** The boundary line, at normal pool, between the land and water.

**Steep slope.** The portion of a lot with a grade of more than 15%, grade being the vertical elevation of land area divided by the horizontal distance.

**Structure, accessory.** A subordinate structure, use of land, building, or a portion of a main building or use which is clearly incidental to or customarily found in connection with and located on the same lot as the principal structure or use.

**Structure, principal.** A building in which is conducted the primary use of the lot on which it is situated, or where a lot contains residential uses, the principal structure on the lot shall mean the largest building that contains any dwelling unit.

**Use, principal.** The principal purpose for which a lot or the main building thereon is designed, arranged, or intended and for which it is used, occupied, or maintained.

**Use, accessory.** Uses of land and buildings that are found on the same parcel as the principal use but are subordinate and incidental. Examples of accessory uses include parking, storage sheds, and garages.

**Vegetation.** Any object of natural floral growth.

**Yard.** An open space between building or use and the adjoining lot lines, unoccupied or unobstructed by any portion of a structure or use.

**Yard, front.** An open space on the same lot as a building between the front line of the building (excluding steps) and the front lot or street line and extending across the full width of the lot.

**Yard, rear.** An open, unoccupied space extending across the full width of the lot, the depth of which is the distance between the rear lot line and the rear line of the building, excluding open steps and stoops, on the lot.

**Yard, side.** An open, unoccupied space extending from the front setback line to the rear setback line, along the side of a lot, the depth of which is the distance between the side lot line and the side line of the building, excluding open steps and stoops.

**Zoning district, primary.** A specifically delineated section of the County in which the regulations are uniform and so designated on the Zoning Map.

**Zoning district, overlay.** A district which addresses special land use circumstances or environmental safeguards by superimposing additional standards and regulations over the underlying Primary Zoning

Pittsylvania County Zoning Ordinance Update  
February 9, 2023  
Pertinent Definitions for Review – Worksession #3

---



District. Permitted uses in the underlying Primary Zoning District shall continue subject to compliance with the regulations of the Overlay Zoning District.