

Pittsylvania County Zoning Ordinance Update

Joint Worksession #7

October 11, 2023





Agenda

- Schedule and Progress to Date
- Draft Ordinance Review
 - Specific Topics to Highlight: Residential Agriculture, Mobile Restaurants/Business Licenses, Parking Lot Landscaping
- Development Concepts Review
- Next Steps

Project Progress

✓ COMPLETE

Investigation and Public Engagement

- ✓ Kick-off with Staff
- ✓ Document Review
- ✓ Joint PC and BOS Work Session
- Public Outreach:*
- ✓ Stakeholder Sessions
- ✓ Public Workshops
- ✓ Public Survey

✓ COMPLETE

Content Development

- ✓ General & Administrative Provisions
- ✓ Permits & Applications
- ✓ District Standards
- ✓ Overlay Districts
- ✓ Use Matrix
- ✓ Use Performance Standards
- ✓ Community Design Standards
- ✓ Nonconformities

Adoption

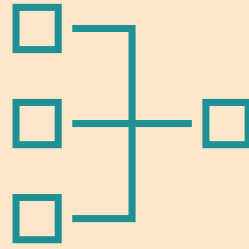
- Public Open House
- Pre-Adoption PC, BZA, BOS Work Session
- Incorporate Final Revisions
- Public Hearings and Adoption

Zoning Ordinance *Drafting*



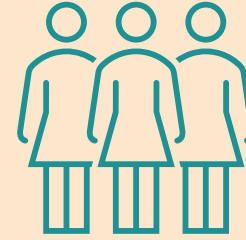
Based on Best Practices

- Standards that are considered a best practice



General Reorganization

- Restructured and/or simplified existing standards
- Edited language for clarity



Based on Public Engagement and Staff Direction

- Updates to reflect needs and desires of community and staff

Changes Matrix

Existing Zoning Ordinance				Draft Ordinance Location/Change
Article	Division	Section	Section Content	
Article 1 - General Considerations				
Article 1: General Considerations	DIVISION 1. AUTHORITY, ESTABLISHMENT, PURPOSE AND OFFICIAL ZONING MAP	Section 35-1	Authority to Establish Zoning	Article I, Division 1
		Section 35-2	Enactment	Article I, Division 1
		Section 35-3	Purpose and Intent	Article I, Division 1
		Section 35-3.1	Non-Exclusionary Intent	Article I, Division 1
		Section 35-4	Relation to the Environment	Article I, Division 1
		Section 35-5	Relation to the Comprehensive Plan	Article I, Division 1
		Section 35-6	Official Zoning Map	Article I, Division 3
		Section 35-7	Map Amendment	Article I, Division 3
		Section 35-8	Replacement of the Official Zoning Map	Article I, Division 3
		Section 35-9	Certified Copy, Filing	Article I, Division 3
		Sections 35-10 35-14	Reserved	N/A
	DIVISION 2. APPLICATION OF REGULATIONS	Section 35-15	Application of District Regulations	Article IV, Division 2
		Section 35-16	Use, Occupancy, and Construction	Article IV, Division 2
		Section 35-17	Height, Bulk, Density, Lot Coverage, Yards and Open Spaces	Article IV, Division 2
		Section 35-18	Relationship of Building to Lot	Article IV, Division 2
		Section 35-19	Required Yard, Open Space; Area, Parking or Loading Space for One Structure, or Use, Not to be Used to Meet Requirements for Another	Article VIII, Division 5
		Section 35-20	Reduction of Lots or Areas Below Minimum is Prohibited	Article IV, Division 2
		Section 35-21	Reduction of Yards Below Minimum	Article IV, Division 3
		Section 35-22	Reduction of Required Off-Street Parking or Loading Space	Article VIII, Division 5
		Section 35-23	Conflicting Ordinances	Article I, Division 2
		Section 35-24	Severability	Article I, Division 1
		Section 35-25	Minimum Requirements	Article I, Division 2
		Section 35-26	Uses Not Provided For	Article VI, Division 1
		Section 35-27	Issuances	Article I, Division 2
		Sections 35-28, 35-34	Reserved	N/A
	DIVISION 3. DEFINITIONS, PITTSYLVANIA COUNTY ZONING ORDINANCE	Section 35-35	General Usage Terms	Article X, Division 2
		Section 35-36	Interpretation of Definitions by the Zoning Administrator	Removed
		Sections 35-37, 35-39	Reserved	N/A
		Section 35-40	Principal Definitions of the Zoning Ordinance	Article X, Division 2
		Sections 35-41, 35-44	Reserved	N/A

Draft Ordinance Structure

Article I – General Provisions

Article VI – Use Matrix

Article II – Administration

Article VII – Use Performance Standards

Article III – Permits and Applications

Article VIII – Community Design Standards

Article IV – Primary Zoning Districts

Article IX – Nonconforming Uses, Lots, and Structures

Article V – Overlay Zoning Districts

Article X – Definitions

Article I In General

Based on State Code

- Code of Virginia, Title 15.2, Chapter 22
- Regulate land development
- Orderly subdivision
- State Code references

General Management

- Conformity with ordinance
- Conflicting ordinances
- Severability
- Effective date

Article II Administration

Appointments
Powers & Duties
Meeting Procedures



Zoning Administrator



Planning Commission



Board of Zoning Appeals

Enforcement



Violations



Fees & Fines

Article III

Permits and Applications

- Zoning Text & Map Amendments
- Conditional Zoning and Proffers
- Special Use Permits
- Variances
- Site Development Plans
- Zoning Permits
- Certificates of Occupancy
- Written Determinations
- Appeals
- Public Hearings and Notifications

Article IV

District

Standards

- Establishment and Purpose
- General District Standards
- Agricultural Districts
- Residential Districts
- Commercial Districts
- Industrial Districts
- Planned Development Districts
- Conservation Districts

Article V Overlay Zoning Districts

- In General
- Lake Surface Overlay District
- Floodplain Overlay District
- Airport Overlay District

Article VI Use Matrix

Use	Primary Zoning Districts												Use Performance Standards
	A-1	R-E	R-1	RC-1	RMF	MHP	B-1	B-2	M-1	M-2	RPD	C-1	
	<i>B = By-Right SUP = Special Use Permit Blank = Not Permitted</i>												
Agricultural													
Agriculture	B											B	
Agriculture, Intensive	B												7-2-1
Agriculture, Residential	B	B	B			B						B	7-2-2
Agritourism	B											B	7-2-3
Anaerobic Digester	SUP												
Greenhouse	B						B	B	B			B	
Processing Facility, Small-Scale	SUP								B	B		SUP	7-2-4
Slaughterhouse	SUP										SUP		
Stable, Commercial	B											SUP	7-2-5
Stable, Private	B	SUP										B	7-2-6
Wayside Stand	B	B										B	7-2-7
Residential													
Bed and Breakfast	SUP	SUP					B					SUP	7-3-1
Day Care, Family Home (1-4 Children)	B	B	B	B	B							B	B
Day Care, Family Home (5-12 Children)	B	B	SUP	SUP								SUP	
Dwelling, Accessory	B	B	B	B								B	B
Dwelling, Manufactured Home	B			B		B							7-3-3
Dwelling, Multi-Family					B							B	7-3-4
Dwelling, Single-Family	B	B	B	B	B							B	B

Article VII

Use

Performance

Standards

Agricultural Uses

- Intensive Agriculture
- Residential Agriculture
- Agritourism

Residential Uses

- Short-Term Rentals
- Dwellings & Accessory Dwellings
- Home Occupations

Public, Civic, and Recreation Uses

- Campgrounds
- Telecom Facilities
- Major and Minor Utilities

Commercial Uses

- Electronic Gaming Establishment
- Event Venue
- Special Event
- Mobile Restaurant

Industrial Uses

- Battery Energy Storage Facilities
- Data Centers
- Manufacturing

Miscellaneous Uses

- Accessory Structures
- Outdoor Storage
- Solar Energy Facilities

Article VIII Community Design Standards

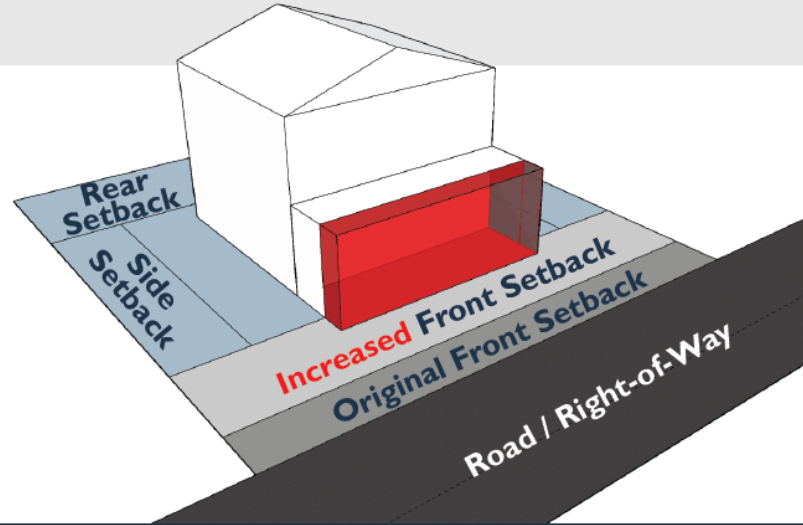
- Visibility Clearance
- Lighting
- Landscaping and Screening
- Walls and Fences
- Parking and Loading
- Signs
- Open Space

Article IX Nonconforming Uses, Lots, & Structures

How Does a Structure Become Nonconforming?

In this example, a citizen owns property in a residential district. When the home was built, it complied with the existing setbacks. When the zoning ordinance was amended, some setback regulations became **more restrictive**. The **front setback was increased** an additional fifteen feet, resulting in a more restrictive setback.

As a result, the house no longer meets the setback and becomes a nonconforming structure.



Original Front Setback:
30' Minimum
Side Setback:
15' Minimum
Rear Setback:
15' Minimum

Increased Front Setback:
45' Minimum

Uses	Lots	Structures
<ul style="list-style-type: none"> • Change to conforming use • Extend throughout a building • Change to more restrictive use • Lose status if discontinued 2 years or abandoned 	<ul style="list-style-type: none"> • Building on nonconforming lots • Lots can become more conforming or combined into conforming parcels. • Lots can be rezoned into a conforming district. 	<ul style="list-style-type: none"> • Can alter if not increasing nonconformity • Rebuild when damaged or destroyed by natural disaster • Replace mobile homes

Article X

Definitions

- Consolidated and updated definitions as needed.
- Updated with **Code of Virginia** definitions and references.
- Organized by topic
 - Common terminology
 - Abbreviations
 - General terms that apply to the whole ordinance
 - Overlay District terms
 - Use terms by use category

Residential Agriculture

- *Residential Agriculture (Section 7-2-2)*
 - Added text to provide greater clarity on how a property owner can determine the number of animal units being kept on a property
 - Added a graphic and table to provide a visual element and improve readability



How many acres do you plan to keep animals on?

10 acres or less

More than 10 acres

The keeping of livestock animals on 10 or more acres shall be considered an Agriculture use. See Article VI and Article X of this Ordinance.

What District Is Your Property In?

R-E
C-1

R-1
RMF
MHP

A-1

All Other
Districts

Maximum of 4 animal units; 1 acre per animal unit

Maximum of 2 animal units; 1 acre per animal unit

1 acre per animal unit

Residential Agriculture is not a permitted use.

	District	Acres	Animals Desired	Number of Animals that Meet Maximum Permitted
Information from Property Owner	Primary residence is in R-1	5 acres for animal keeping	Would like to have chickens and pigs	Maximum of 4 animal units permitted
Permitted by Ordinance	Permitted by-right in R-1	1 acre required for each animal unit	Maximum of 4 animal units permitted 1 animal unit = 16 chickens 1 animal unit = 2 pigs	<i>Possible Combinations:</i> 16 chickens & 2 pigs 24 chickens & 1 pig 8 chickens & 3 pigs

Note: The information in this table is an example reflecting a hypothetical situation and should not be interpreted to apply to all instances of residential agriculture.

Article 7 – Use Performance Standards

- *Mobile Restaurant*
 - Section 7-5-11(B)(1): Mobile restaurants shall obtain a business license from the Pittsylvania County Commissioner of the Revenue.



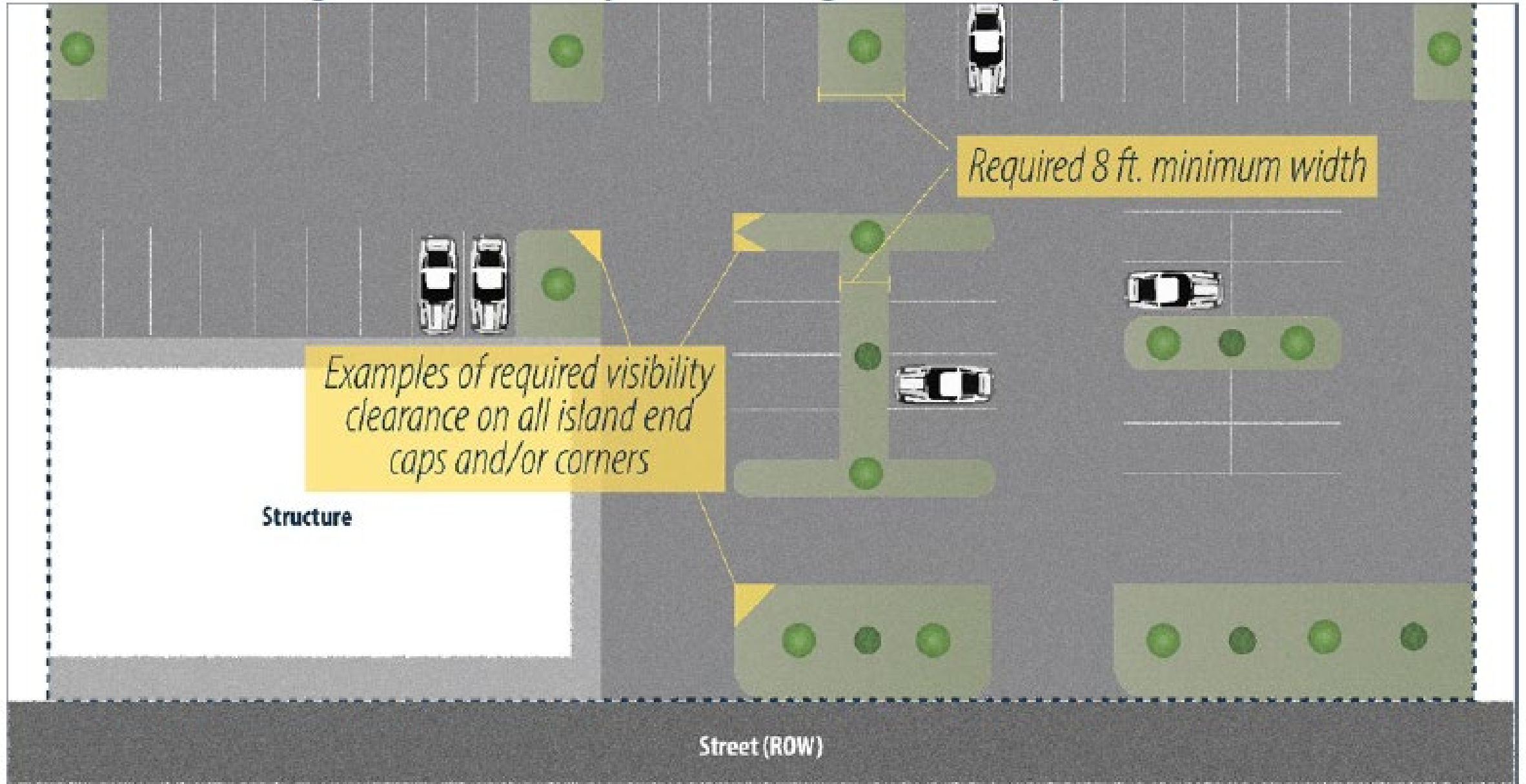
Article 8 – Community Design Standards

- **Parking Design Standards**



- Parking areas with 10 or more spaces must have an improved surface, striped, and maintained
- Must have handicap accessible parking as required by the Virginia Uniform Statewide Building Code
- Dimensions for individual parking spaces and interior drive aisles are outlined
- Adequate lighting shall be provided for parking areas with 10 or more spaces
- Screening required if parking is in or adjacent to a residential district

Figure VIII-8. Example of Parking Lot Landscape Islands.

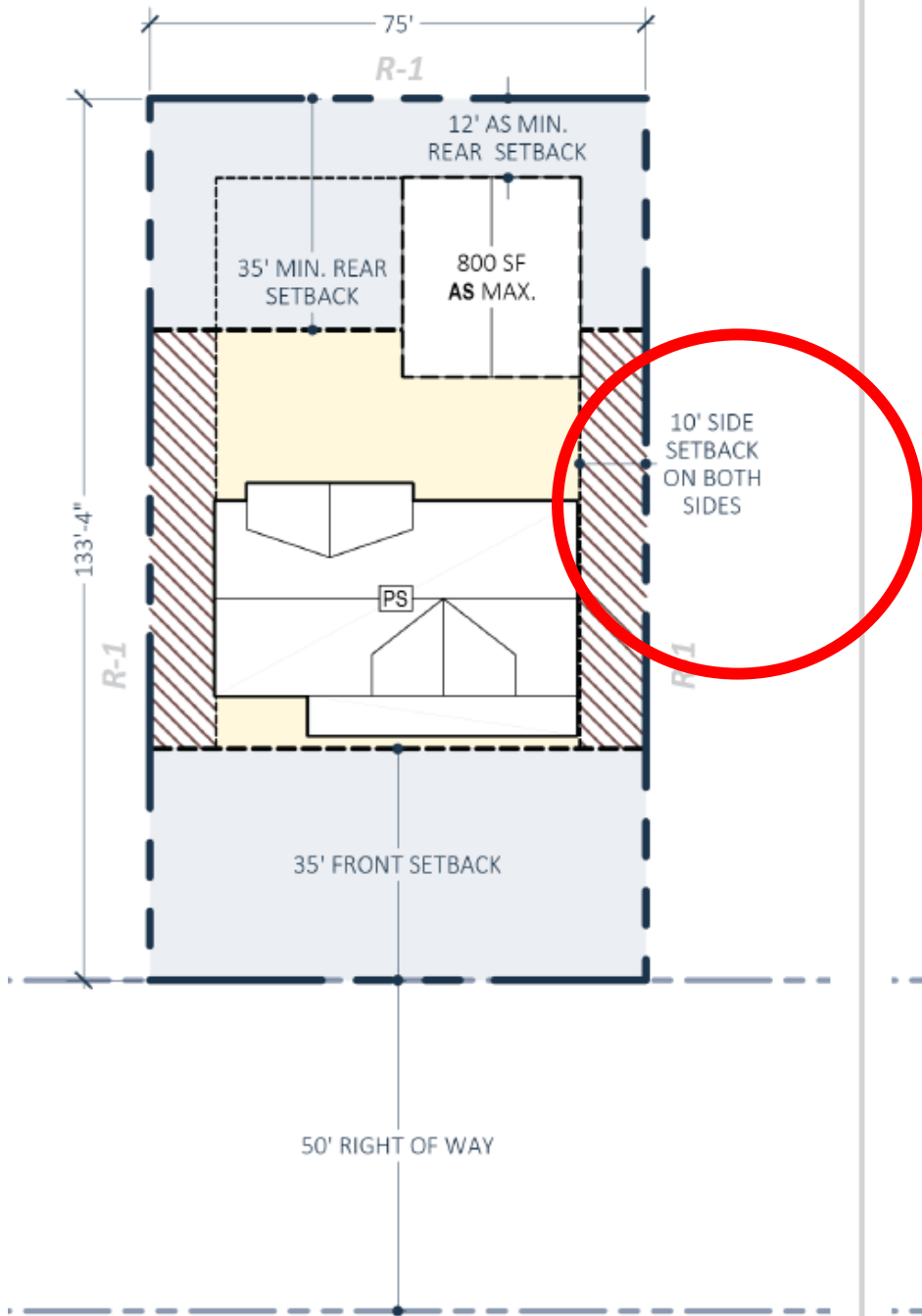




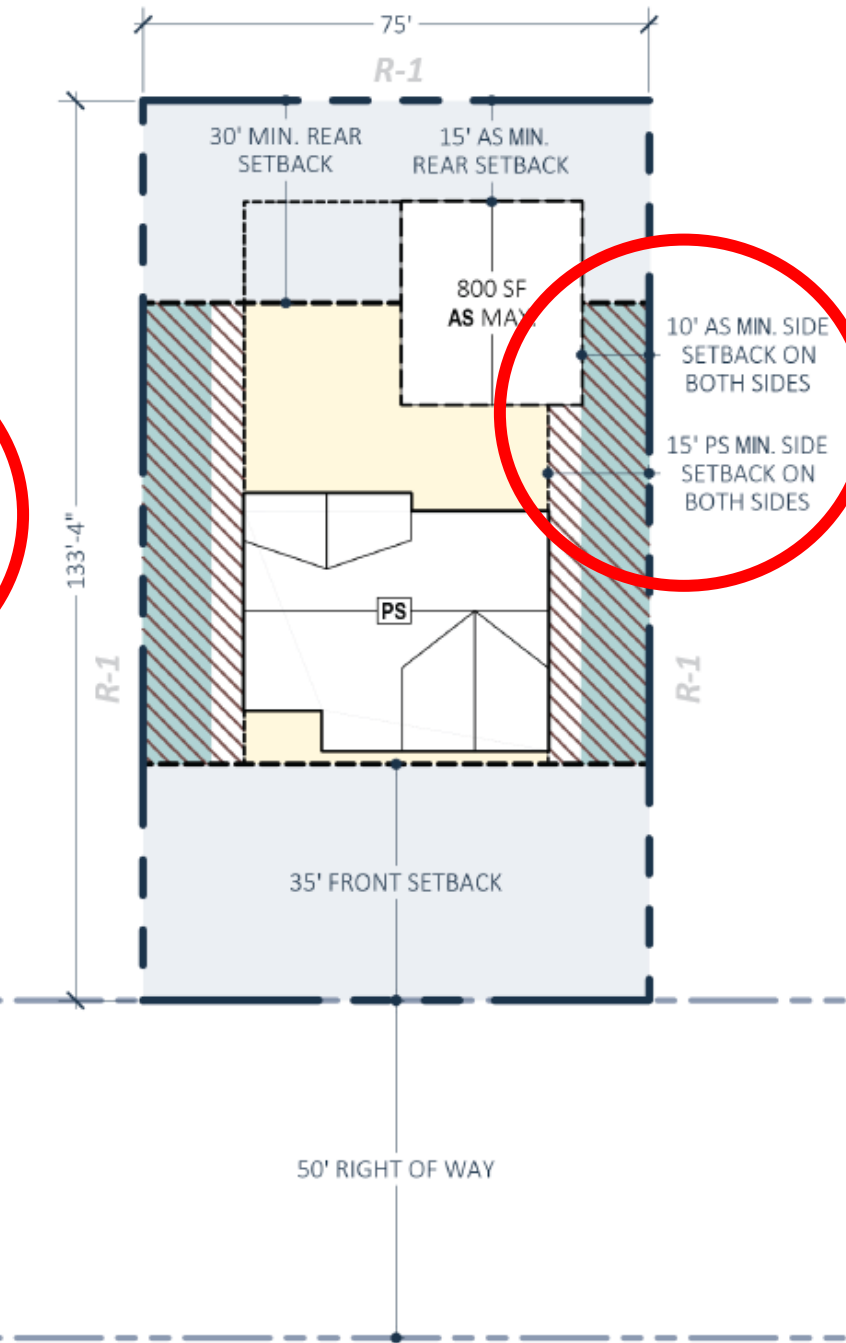
Draft Zoning Ordinance

DISCUSSION AND QUESTIONS

Current R-1 District Code



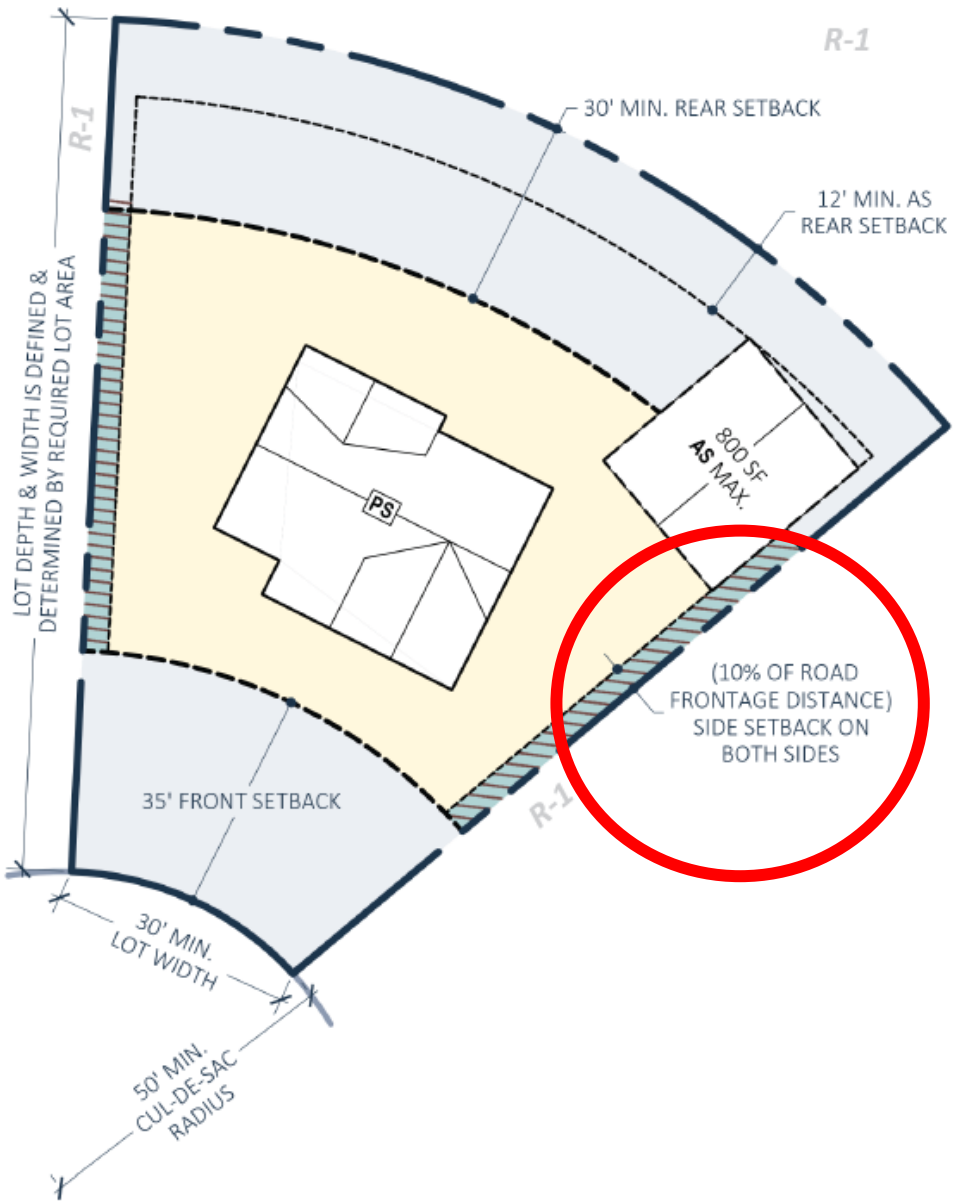
Proposed R-1 District Code



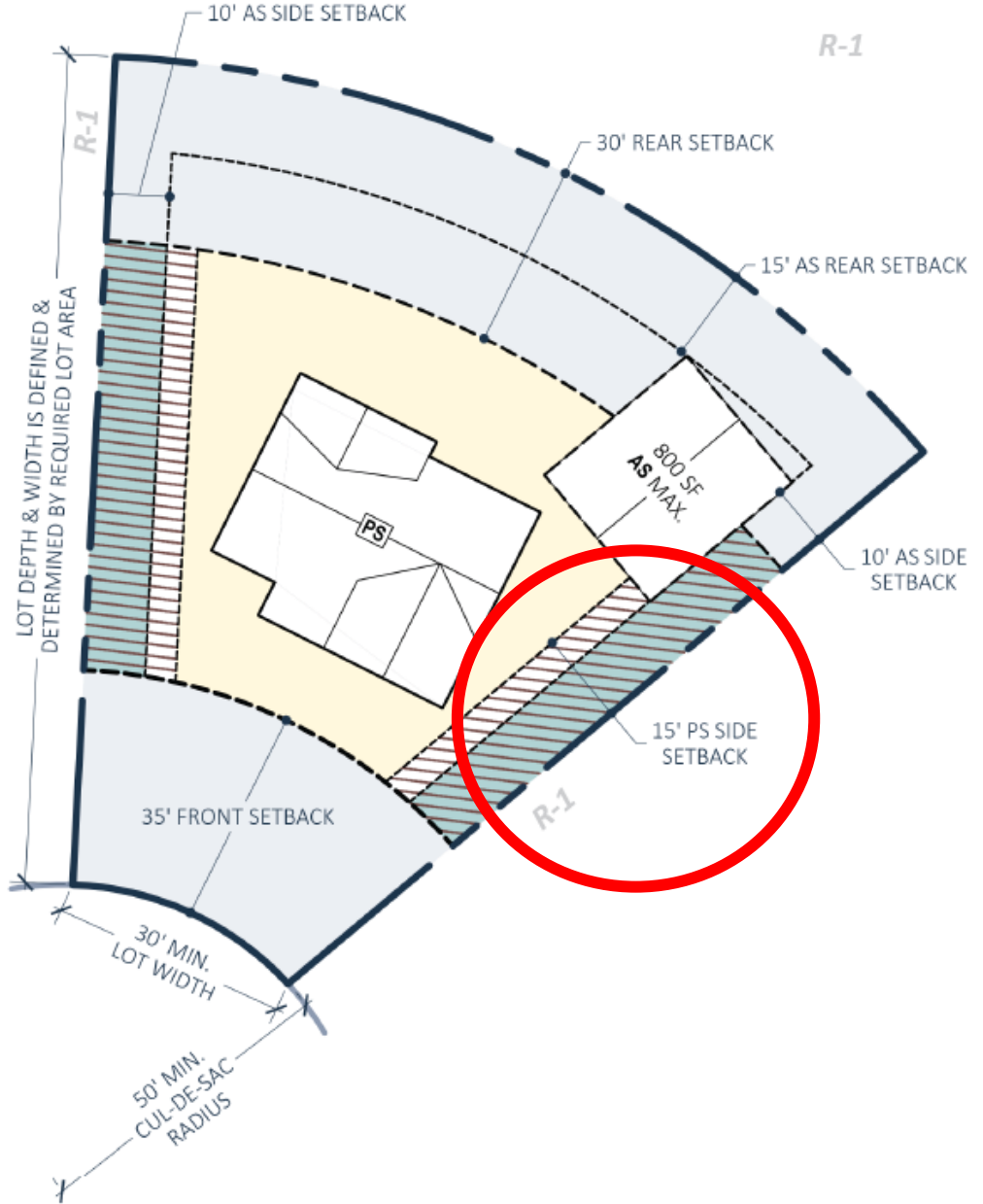
Key

- Property line
- Front & rear setback
- Side setback
- Right of way
- Front & rear setback
- Principal structure side setback
- Accessory structure side setback
- Building envelope
- Open Space/ Recreation Use/ Landscape Area
- Principal structures
- Accessory structures

Current R-1 District Code | Cul-de-sac



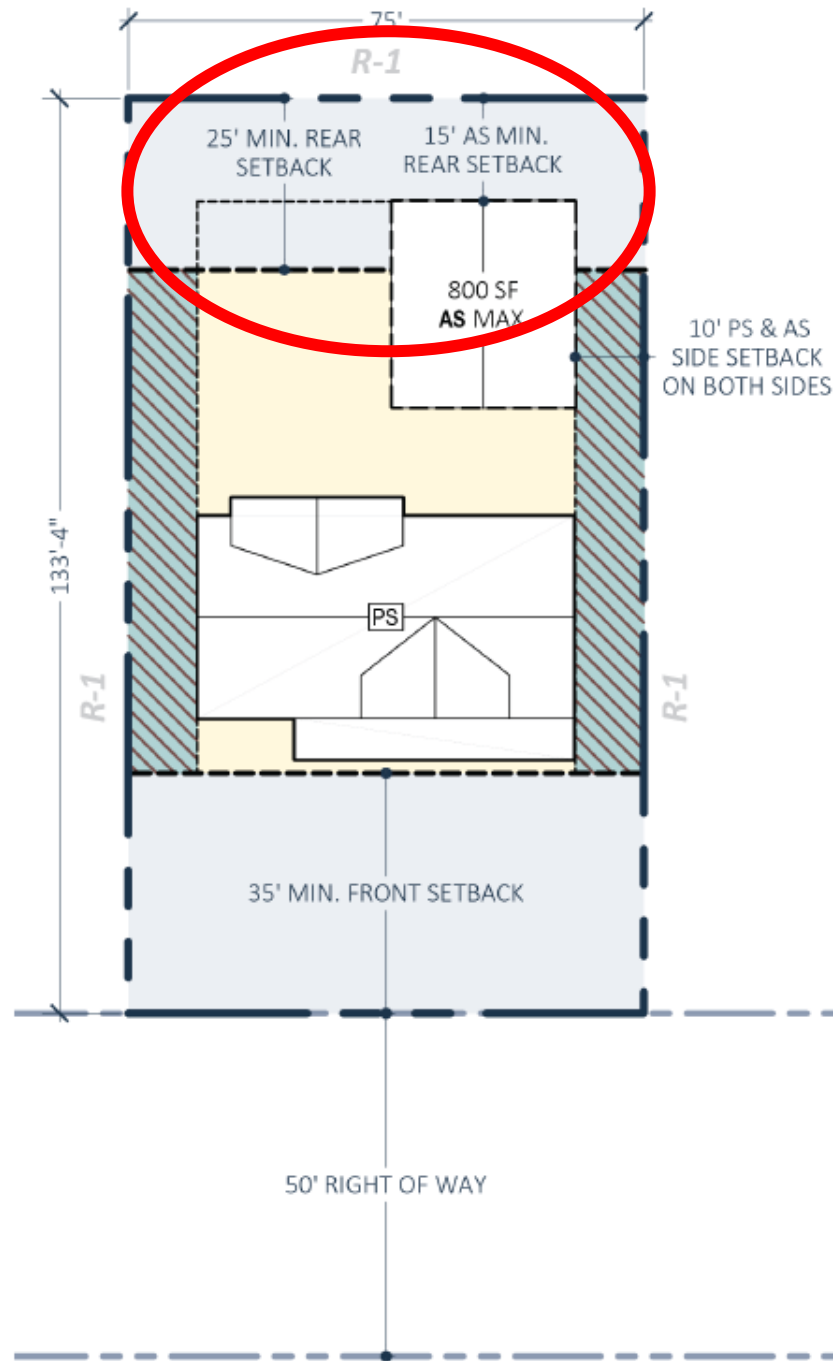
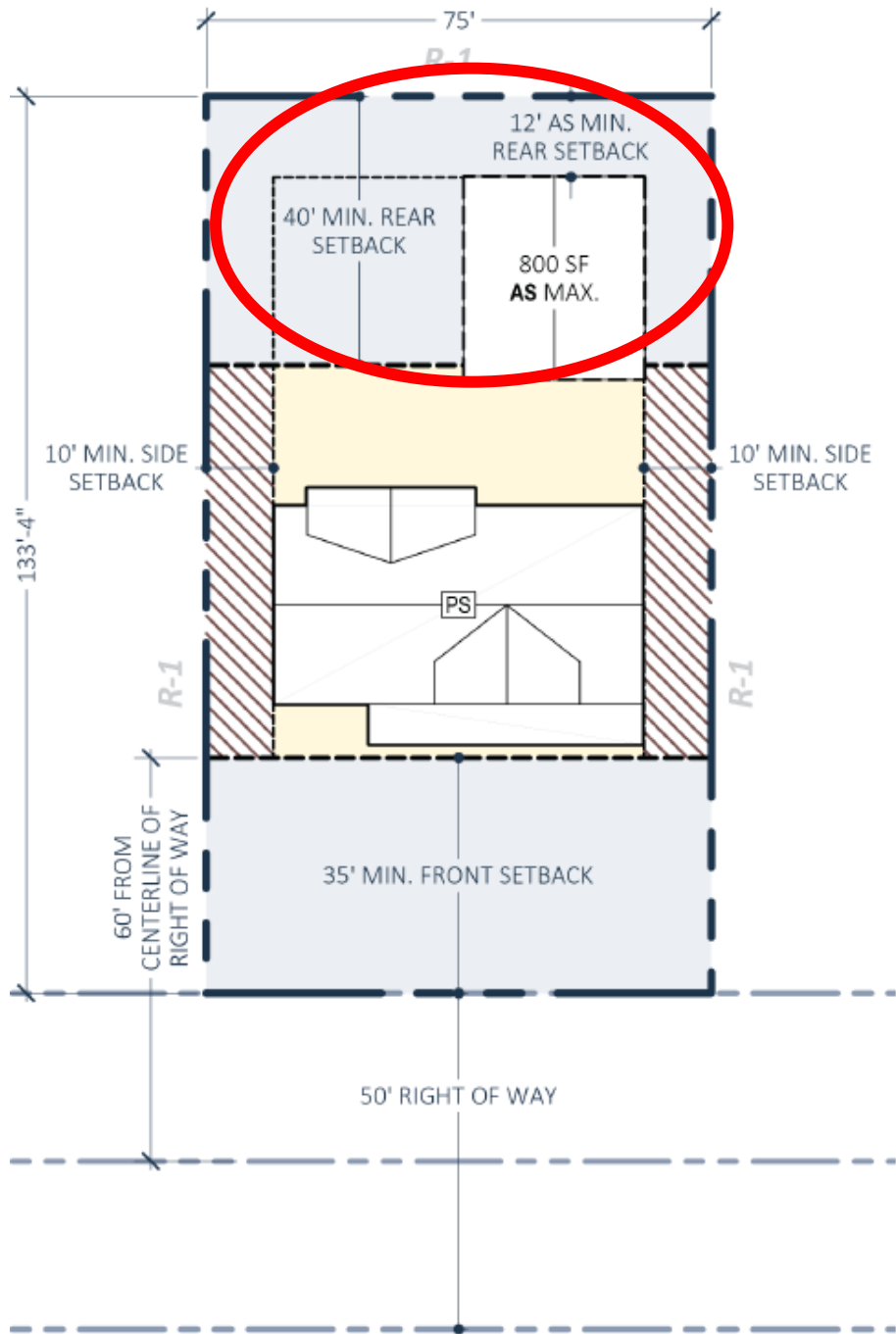
Proposed R-1 District Code | Cul-de-sac








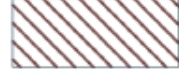
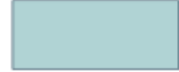




- Key**
- Property line
 - Front & rear setback
 - Side setback
 - Right of way
 - Front & rear setback
 - Principal structure side setback
 - Accessory structure side setback
 - Building envelope
 - Open Space/ Recreation Use/ Landscape Area
 - PS Principal structures
 - AS Accessory structures

Current RC-1 District Code

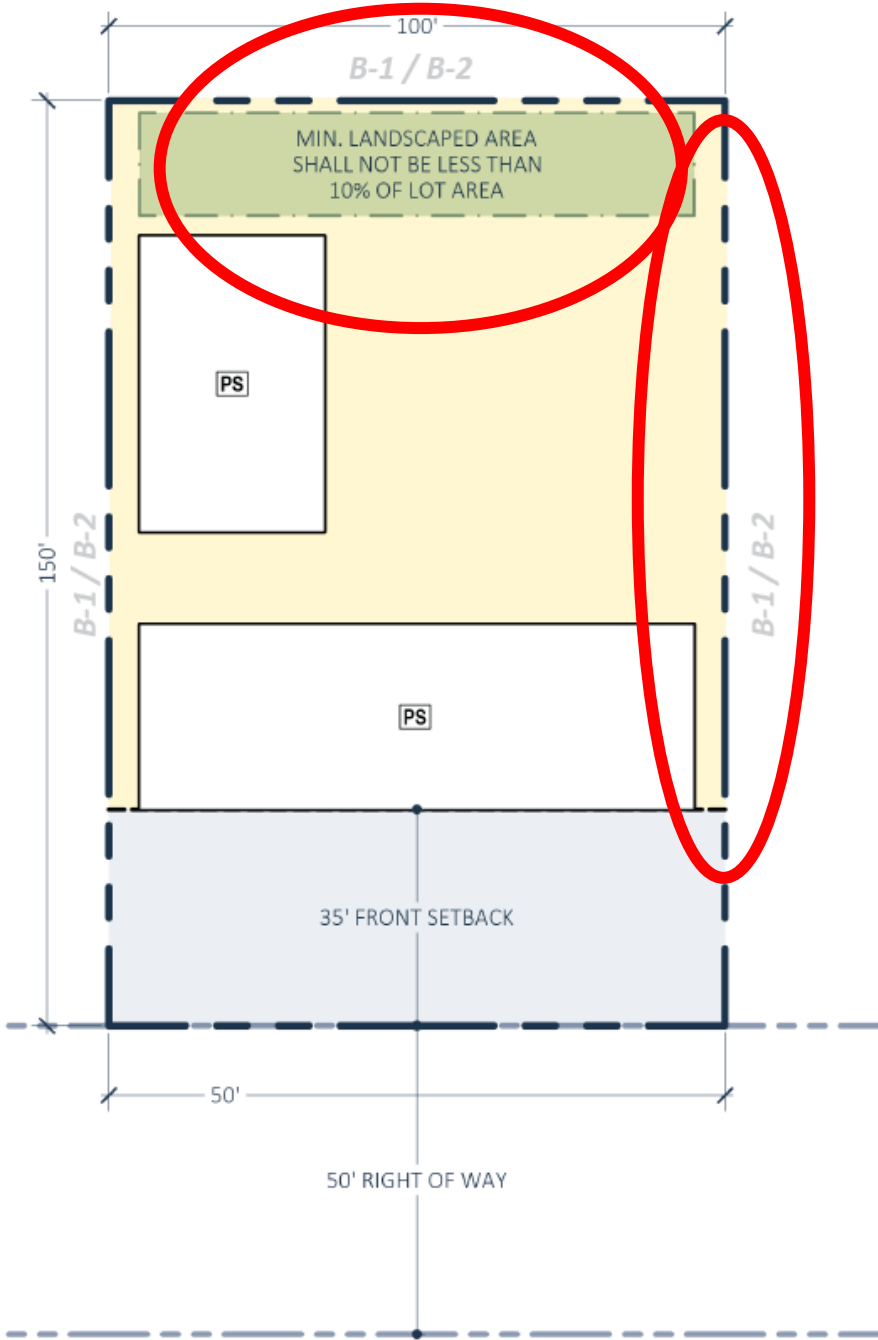
Proposed RC-1 District Code



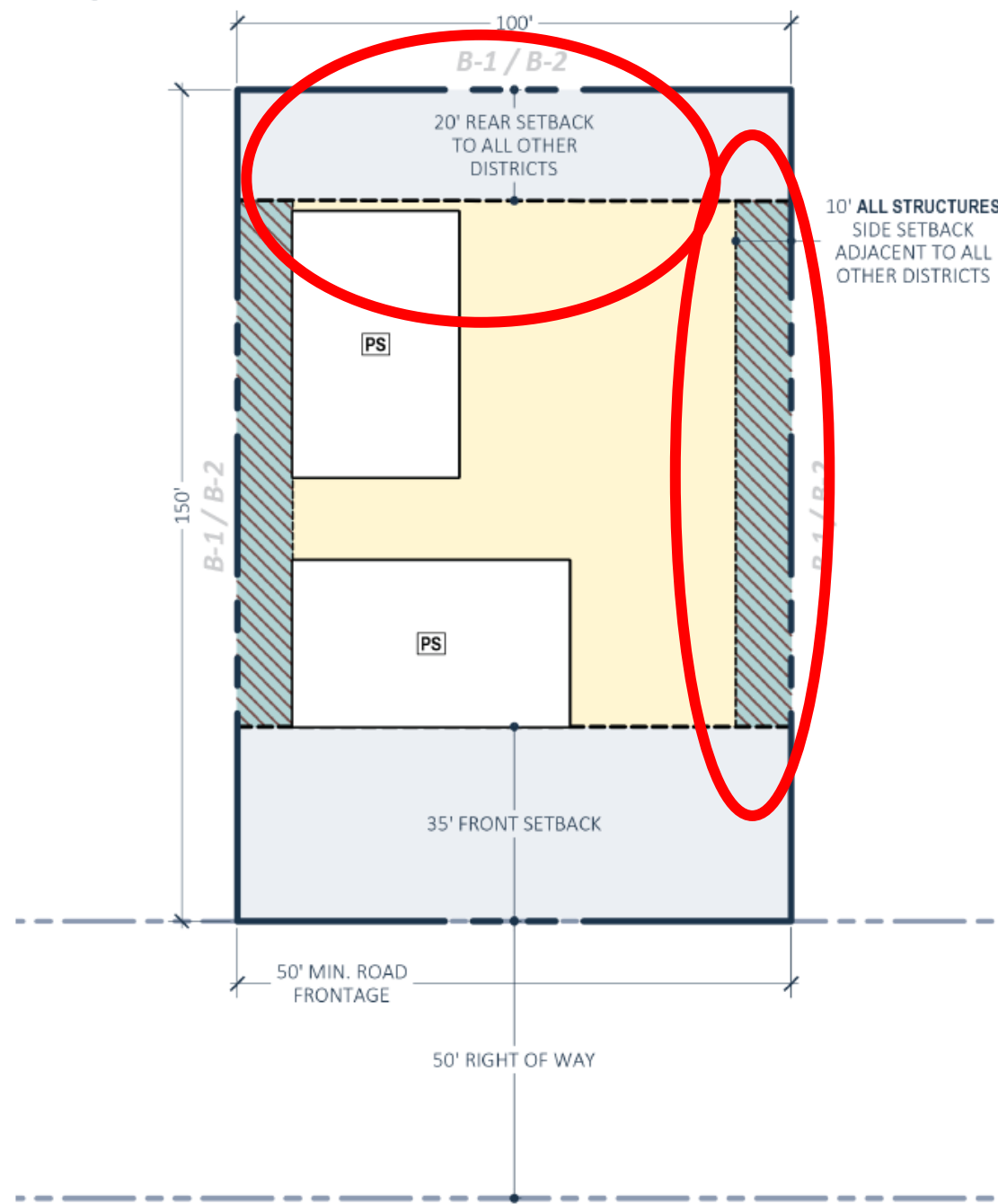
Key

-  Property line
-  Front & rear setback
-  Side setback
-  Right of way
-  Front & rear setback
-  Principal structure side setback
-  Accessory structure side setback
-  Building envelope
-  Open Space/ Recreation Use/ Landscape Area
-  PS Principal structures
-  AS Accessory structures

Current B-1 District Code



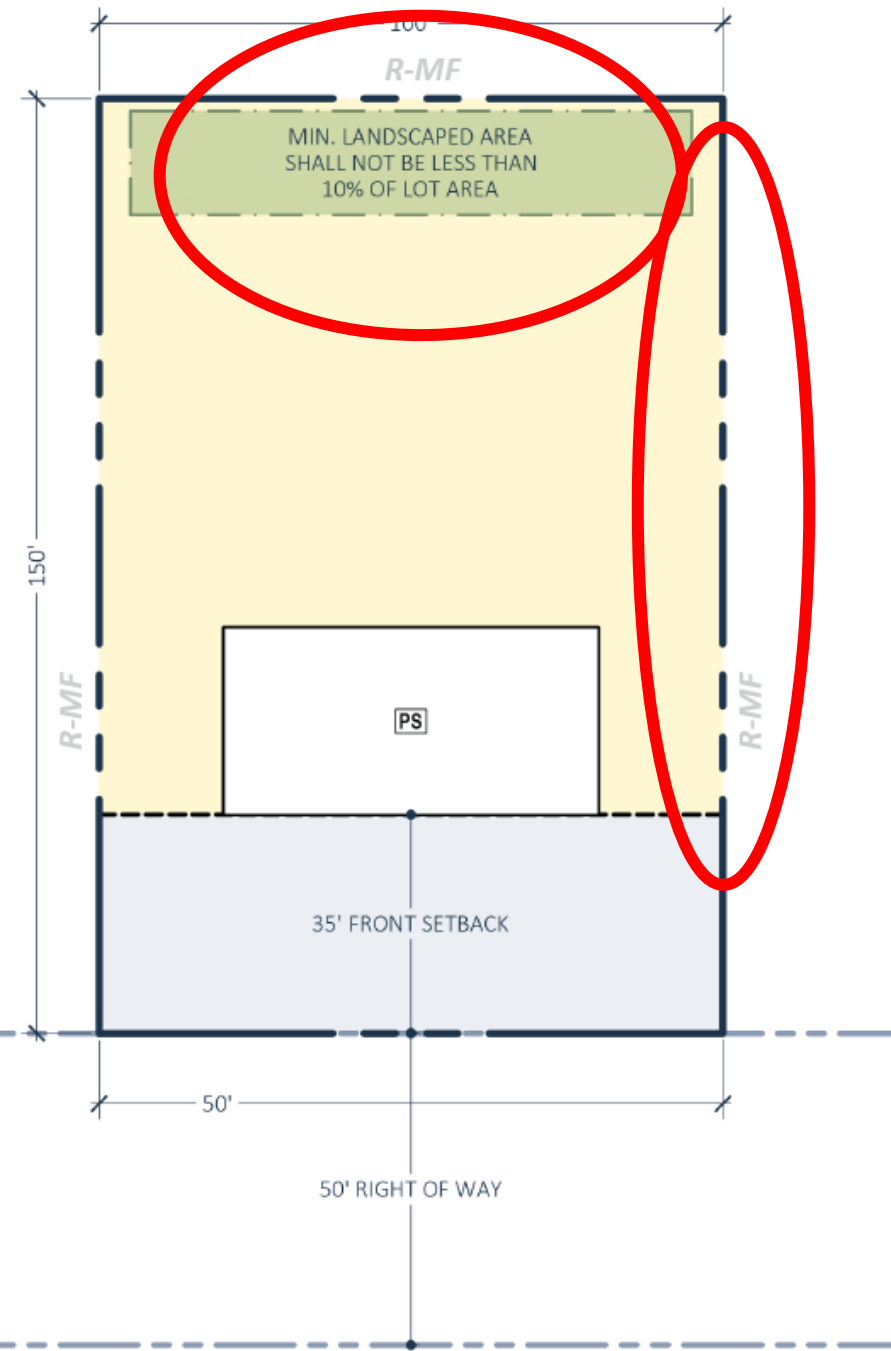
Proposed B-1 District Code



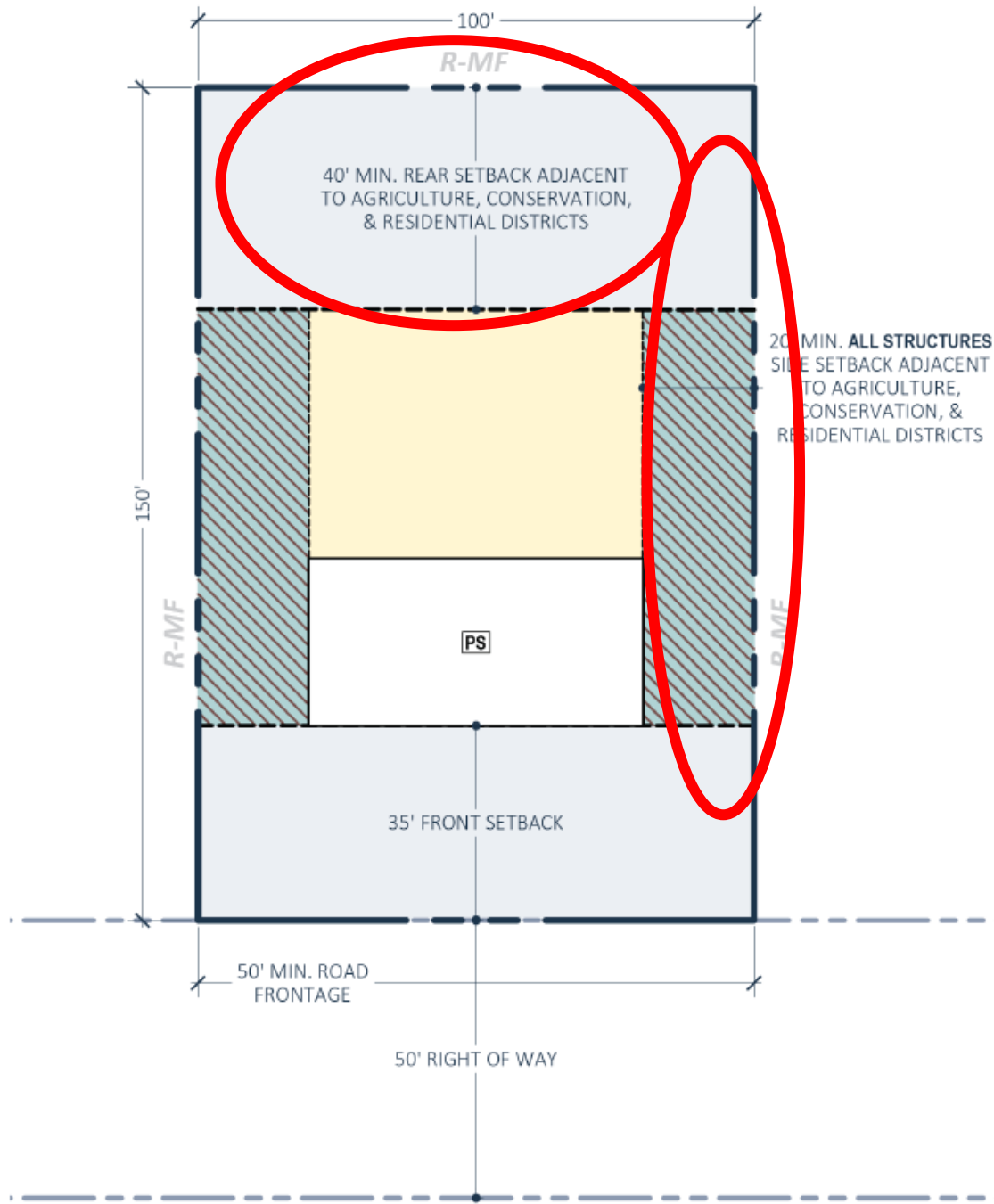
Key

- Property line
- Front & rear setback
- Side setback
- Right of way
- Front & rear setback
- Principal structure side setback
- Accessory structure side setback
- Building envelope
- Open Space/ Recreation Use/ Landscape Area
- PS Principal structures
- AS Accessory structures







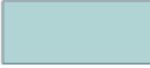
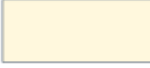



Current B-2 District Code



Proposed B-2 District Code



Key

-  Property line
-  Front & rear setback
-  Side setback
-  Right of way
-  Front & rear setback
-  Principal structure side setback
-  Accessory structure side setback
-  Building envelope
-  Open Space/Recreation Use/Landscape Area
-  Principal structures
-  Accessory structures

20' MIN. ALL STRUCTURES SIDE SETBACK ADJACENT TO AGRICULTURE, CONSERVATION, & RESIDENTIAL DISTRICTS

40' MIN. REAR SETBACK ADJACENT TO AGRICULTURE, CONSERVATION, & RESIDENTIAL DISTRICTS

MIN. LANDSCAPED AREA SHALL NOT BE LESS THAN 10% OF LOT AREA

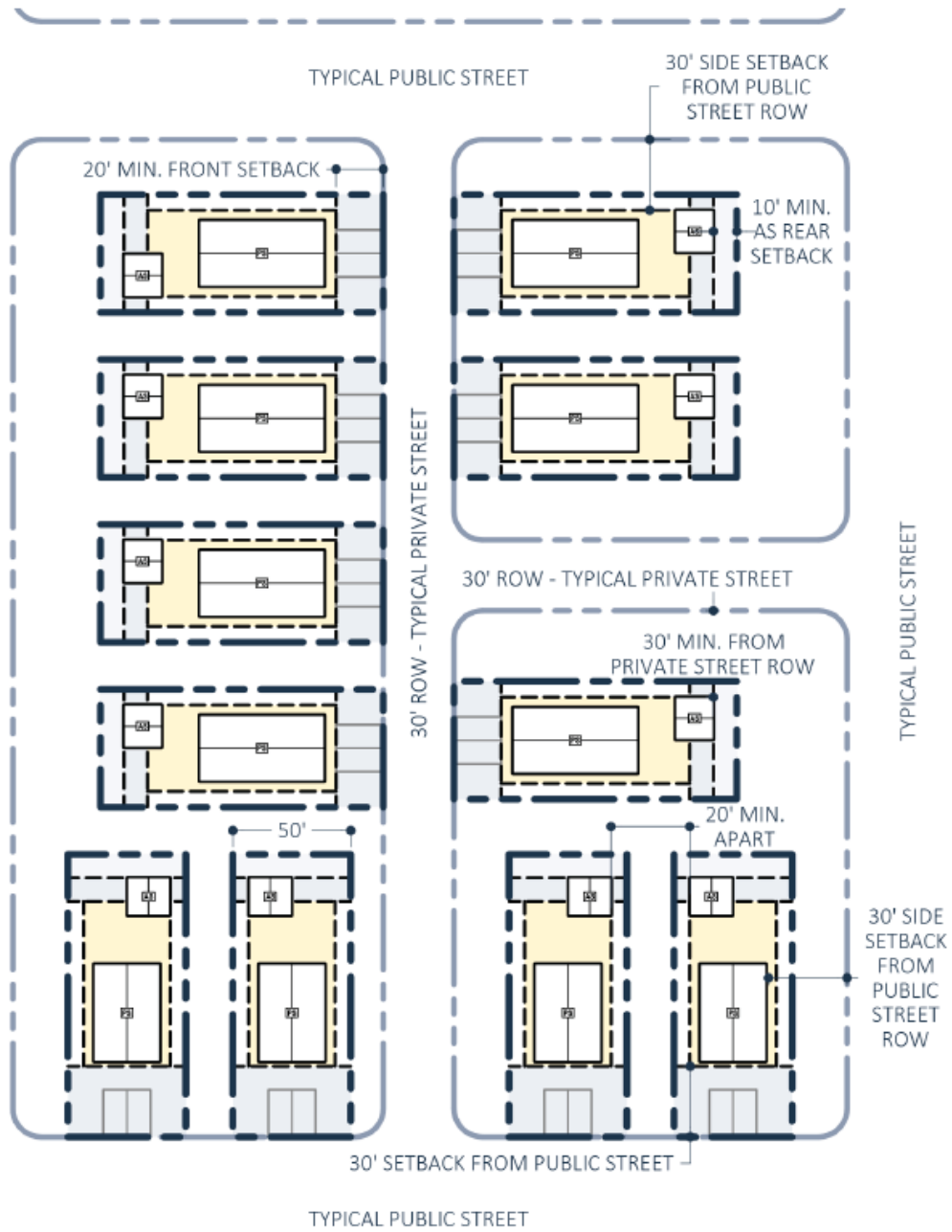
35' FRONT SETBACK

35' FRONT SETBACK

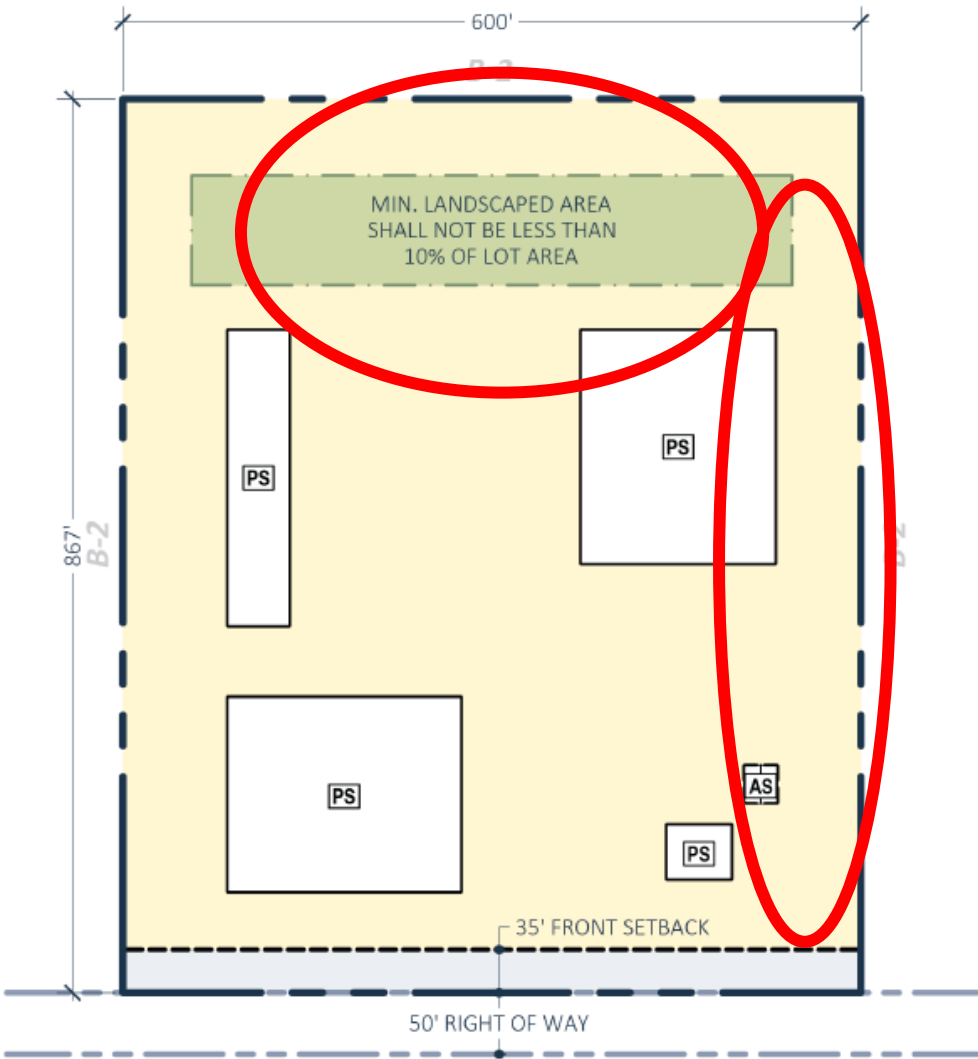
50' MIN. ROAD FRONTAGE

50' RIGHT OF WAY

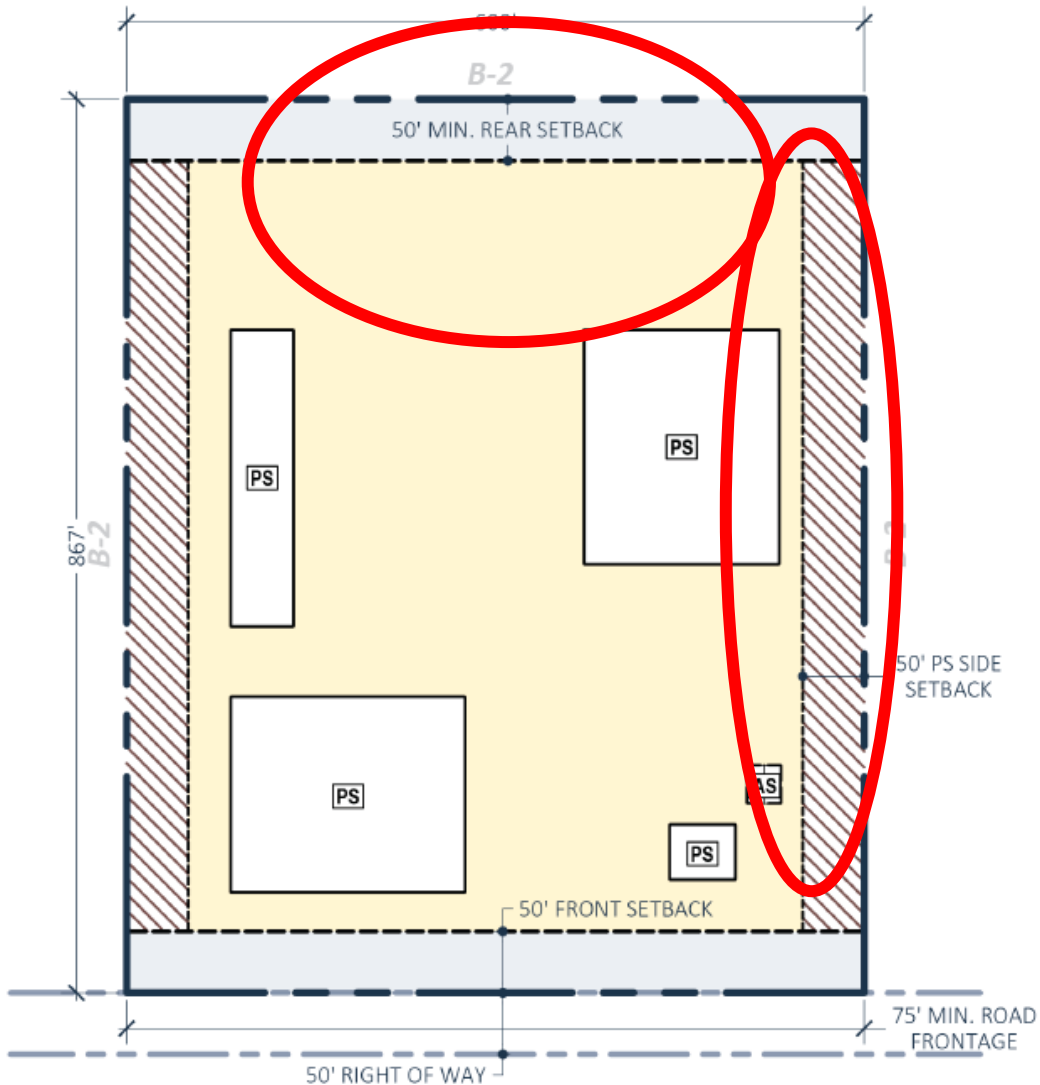
50' RIGHT OF WAY



Current M-1 District Code



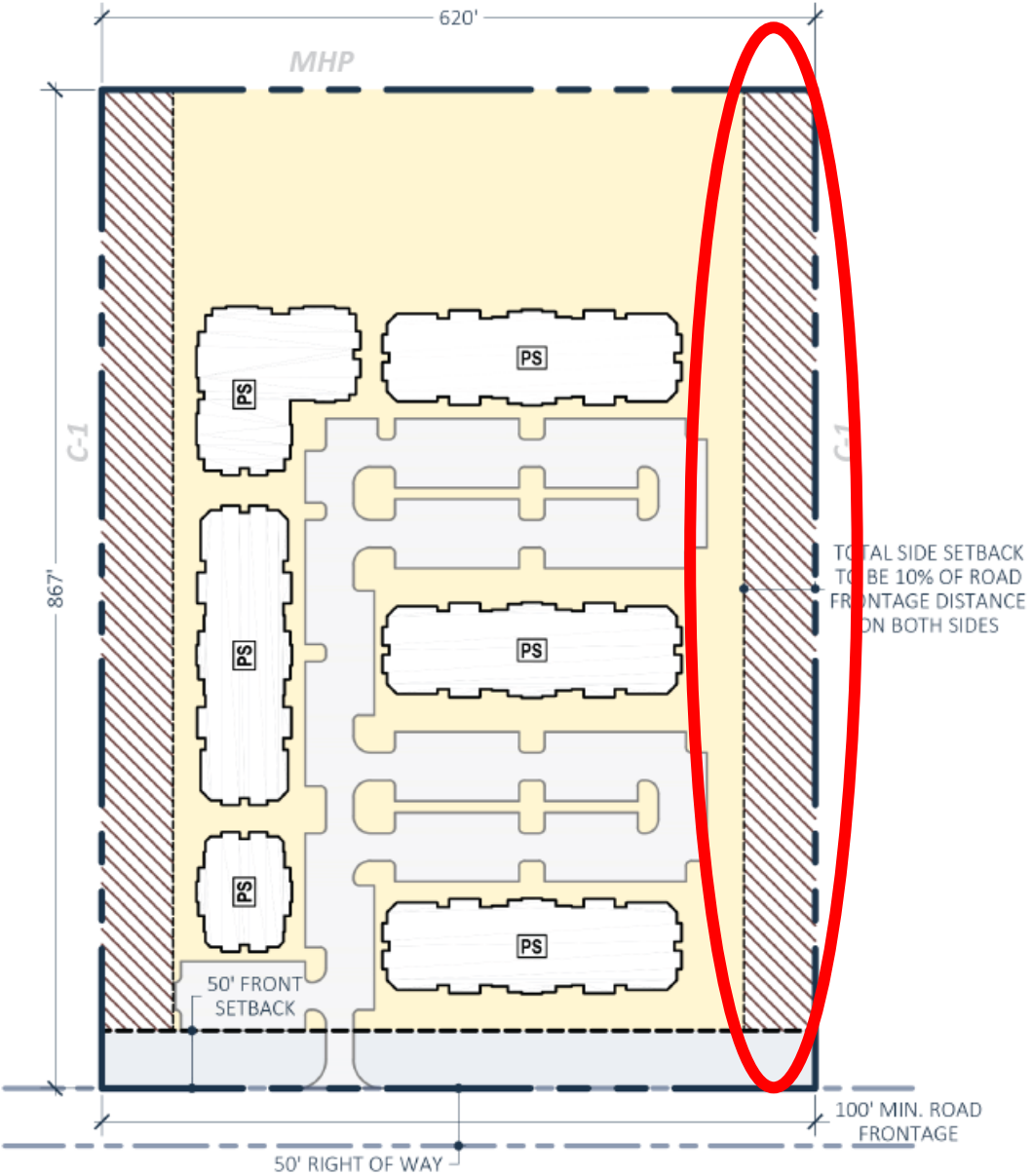
Proposed M-1 District Code



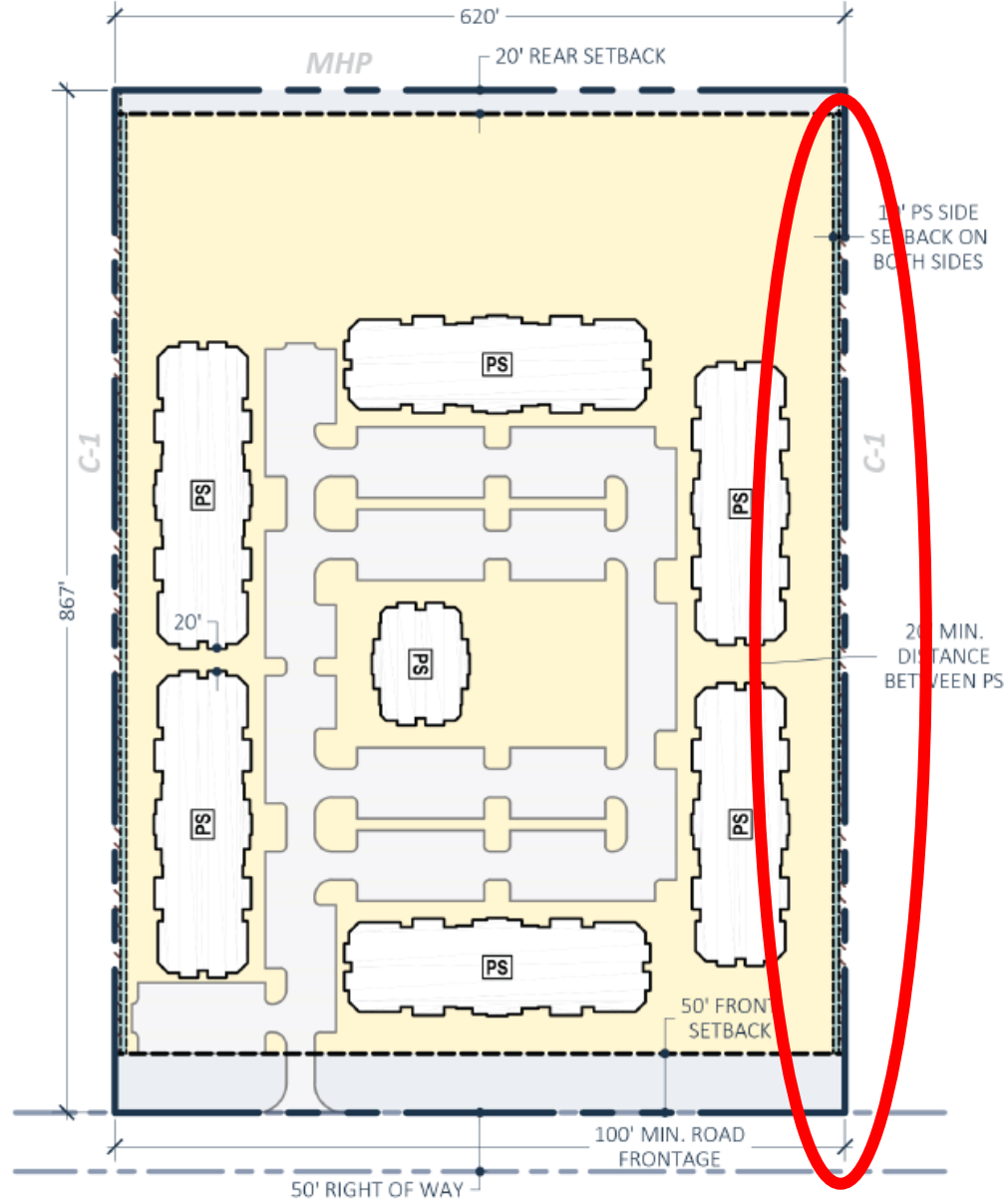
Key

- Property line
- Front & rear setback
- Side setback
- Right of way
- Front & rear setback
- Principal structure side setback
- Accessory structure side setback
- Building envelope
- Open Space/ Recreation Use/ Landscape Area
- Principal structures
- Accessory structures

Current R-MF District Code



Proposed R-MF District Code



Key

- Property line
- Front & rear setback
- Side setback
- Right of way
- Front & rear setback
- Principal structure side setback
- Accessory structure side setback
- Building envelope
- Open Space/ Recreation Use/ Landscape Area
- Parking lot
- Principal structures
- Accessory structures



Development Concepts

DISCUSSION AND QUESTIONS

Next Steps

TBA

- Joint Kickoff Work Session
- Public Survey
- Public Workshop
- Stakeholder Listening Sessions
- Draft Worksessions
- Public Open House and Review**
- Pre-Adoption Worksession – February 2024
- Final Revisions
- Public Hearings & Adoption – March & April 2024