

ARTICLE 3 LAND USES AND DIMENSIONAL REQUIREMENTS

Section 300 Land Uses.

A. Except as may be hereinafter specified, no building, structure, or land shall be used or occupied, and no building or structure or part thereof shall be erected, constructed, moved, or altered, and no new lot shall be created unless in conformity with all of the appropriate regulations herein specified for the District in which it is located.

B. Land Use Table.

A land use may be permitted by right, conditional use, or special exception, or may not be permitted in a district at all. See the attached Land Use Table in Figure 3-1, to determine if and by what means a land use is permitted in each Zoning District.

C. General Requirements for Permitted Land Uses.

1. Permitted Uses by Right. Within each District there may be principal uses and their accessory uses permitted by right, provided that:
 - a. The use is reviewed, approved, and a zoning permit is obtained from the Zoning Officer.
 - b. There is only one (1) principal use permitted per lot meeting the dimensional requirements, except as provided in Section 801.A.
 - c. The use complies with all applicable general and supplemental development and design requirements.
2. Permitted Uses by Conditional Use. Within each District there may be principal uses and their accessory uses permitted by conditional use as per Article 14, provided that:
 - a. A conditional use is granted by the Board of Supervisors and a zoning permit is obtained from the Zoning Officer.
 - b. There is only one (1) principal use permitted per lot meeting the dimensional requirements, except as provided in Section 801.A.
 - c. The use complies with all applicable general and supplemental development and design requirements.
3. Permitted Uses by Special Exception. Within each District there may be principal uses and their accessory uses permitted by special exception as per Article 15, provided that:
 - a. A special exception is granted by the Zoning Hearing Board and a zoning permit is obtained from the Zoning Officer.
 - b. There is only one (1) principal use permitted per lot meeting the dimensional requirements, except as provided in Section 801.A.
 - c. The use complies with all applicable general and supplemental development and design requirements.

4. Accessory Uses and Structures. All typical accessory uses and/or structures to the permitted uses shall be permitted provided:
 - a. They are located on the same lot as the principal use.
 - b. They are clearly subordinate to the principal use.
 - c. They have been properly addressed as part of the application for a building permit, subdivision, land development, special exception or conditional use and a zoning permit have been obtained from the Zoning Officer as per Section 1304.
 - d. They comply with all applicable general and supplemental development and design requirements in Section 901 and 902.
5. Natural Resource Protection. Where applicable, all permitted uses shall comply with the natural resource protection requirements specified in the Natural Resource Protection Ordinance, as incorporated by reference in Article 7 of this Ordinance.
6. General Regulations. Where applicable, all permitted uses shall comply with the general regulations and specifications indicated in Article 8.
7. Supplemental Regulations. Where applicable, all permitted uses shall comply with the supplemental regulations and specifications indicated in Article 9.
8. Off-Street Parking and Loading. Where applicable, all permitted uses shall comply with the off-street parking and loading requirements specified under Article 10.
9. Signs. Where applicable, all permitted uses shall comply with the requirements for signs, as specified under Article 11.

INSERT FIGURE 3-1 HERE

Figure 3-1 Land Use Table

| Principal Land Use | Zoning District | | | | | | | | |
|---|-----------------|-----|-----|-----|-----|-----|-----|----|----|
| | AA | R-1 | R-2 | R-3 | R-4 | R-5 | PBO | VB | |
| Accessory Use* | BR | BR | BR | BR | BR | BR | BR | BR | BR |
| Accessory Dwelling Unit* | BR | BR | | | | | | | |
| Adaptive Reuse | | | | | | | CU | CU | |
| Apartment Accessory to a Non-Residential Use* | | | | | | | BR | BR | |
| Automobile Car Wash | | | | | | | | BR | |
| Automobile Gasoline Service Station | | | | | | | CU | BR | |
| Automobile Gasoline Service Station and Convenience Store | | | | | | | CU | BR | |
| Automobile Repair | | | | | | | CU | BR | |
| Automobile Sales | | | | | | | CU | CU | |
| Bank or Financial Institution | | | | | | | BR | BR | |
| Bed and Breakfast | CU | CU | CU | CU | CU | CU | | CU | |
| Building Materials - Storage and Sale | | | | | | | | CU | |
| Commercial Child/Adult Care | | | | | | | CU | CU | |
| Commercial Recreation | | | | | | | CU | CU | |
| Community Center | | | | | | | CU | CU | |
| Continuing Care Retirement Community | | | | | | | CU | CU | |
| Convenience Store | | | | | | | | | BR |
| Drive-through Service | | | | | | | CU | CU | |
| Dwelling, Multi-Family (Building / Development)** | | | | | | | CU | BR | BR |
| Dwelling, Single-Family | BR | BR | BR | BR | BR | BR | BR | | |
| Dwelling, Two-Family (Duplex / Twin) | | | | | | | BR | | BR |
| Educational Use | CU | | | | | | | | |
| Farm | BR | | | | | | | | |
| Forestry* | BR | BR | BR | BR | BR | BR | BR | BR | BR |
| Funeral Home | | | | | | | BR | BR | |
| Golf Club | SE | | | | | | | | |
| Grocery Store | | | | | | | BR | BR | |
| Home Occupation Minor* | BR | BR | BR | BR | BR | BR | | BR | |
| Home Occupation Major* | SE | SE | SE | SE | SE | | | | |
| Hospital | | | | | | | CU | | |
| Hotel, Motel, or Inn | | | | | | | CU | | |
| Laundry or Dry Cleaning | | | | | | | BR | BR | |
| Light Industry / Manufacturing | | | | | | | CU | | |
| Lot Averaging Development | BR | BR | | | | | | | |
| Nursery / Landscaping Sales - Service | | | | | | | CU | | |
| Outdoor Café | | | | | | | CU | CU | |
| Parking Facility, Garage | | | | | | | CU | CU | |
| Personal Service Commercial Use | | | | | | | BR | BR | |
| Place of Worship | CU | CU | CU | CU | CU | CU | CU | CU | |
| Planned Commercial Shopping Center | | | | | | | CU | CU | |
| Professional Office | | | | | | | BR | BR | |
| Public and Government Facility | | | | | | | | | |
| Restaurant | | | | | | | CU | CU | |
| Restaurant, Fast Food | | | | | | | | CU | |
| Retail Commercial Use | | | | | | | BR | BR | |
| Riding Stable | CU | | | | | | | | |
| Sale of Agricultural Produces* | BR | | | | | | | | |
| Theater | | | | | | | | | BR |
| Veterinary Clinic | | | | | | | BR | | |
| Wholesale Trade Business | | | | | | | BR | | |
| Warehouse | | | | | | | BR | | |
| Wireless Communication Facility | | | | | | | CU | CU | |

Key to Land Use Chart

BR - (By-Right) Requires Zoning Officer review, approval, and permit

CU - (Conditional Use) Requires Board of Supervisors review and approval, and permit from Zoning Officer.

SE - (Special Exception) Requires Zoning Hearing Board review and approval, and permit from Zoning Officer.

Shaded - Prohibited Use.

*Not principal land use (exceptions from remainder of table)

*Multi-Family Uses as designated in this Figure shall comply with Supplemental Use regulations as per Section 918 and 919 of this Ordinance. also Section 702 Planned Apartment Overlay for Multi-Family uses By-Right and Section 703 Multi-Family Overlay District for Multi-Family uses Conditional Use; in areas designated on the Zoning Map.

Section 301 Dimensional Requirements.

- A. Lots and structures in all Districts shall meet or exceed the minimal, or meet or fall below the maximum dimensional requirements contained in subsection H, Dimensional Requirements Table Figure 3-2, below.
- B. Maximum height requirements do not apply to chimneys, steeples on churches, elevator bulkheads, ventilators, and ornamental spires.
- C. No yard or lot existing as of the effective date of this Ordinance shall be reduced in dimension or area below the minimum requirement, herein. Yards or lots created after the effective date of this Ordinance shall meet at least the minimum requirements, herein.
- D. No part of a yard, or other open space, or off-street parking or loading space required about or in connection with any building for the purpose of complying with this Ordinance, shall be included as part of a yard, open space, or off-street parking or loading space similarly required for any other building.
- E. The front yard setback requirements of this Ordinance for dwellings shall not apply to any lot where the average setback on developed lots located wholly or in part within one-hundred (100) feet on each side of such lot and within the same block and zoning district and fronting on the same street as such lot, is less than the minimum setback required. In such cases the front yard setback on such lot may be less than the required setback, but not less than the average of the existing setbacks on the developed lots.
- F. Minimum road frontage requirements shall be met by all lots, regardless if accessed by either a public or private street, except as otherwise specifically stated within this Ordinance.
- G. Impervious Surface shall be calculated based on net lot area.
- H. **Figure 3-2, Dimensional Requirements Table: (See next page)**

INSERT FIGURE 3-2, DIMENSIONAL REQUIREMENTS TABLE HERE

Figure 3-2 Dimensional Requirements Table

| Zoning District | Dimensional Requirements | | | Minimum Setback and Maximum Height Requirements | | | | |
|-----------------|---------------------------------|-----------------------------|------------------------------|--|---|-----------|--|--|
| | Minimum Lot Size (Net Lot Area) | Minimum Lot Frontage at BSL | Maximum Impervious Surface** | Principal and Accessory Structures Front Yard (from ROW) | Side Yard (each) | Rear Yard | Maximum Height | Accessory Building |
| AA | 80,000 SF | 150' | 13.5% | 75' | 30' | 75' | 35' Principal Building 20' Accessory Building | Not allowed in front or side setback areas. 30' setback in rear area. |
| R-1 | 43,560 SF | 120' | 18.5% | 60' | Single-Family Detached and Accessory Buildings: 50' aggregate, neither less than 20'. All other uses: Two side yards, neither less than 40' | 40' | 35' Principal Building 20' Accessory Building | Not allowed in front setback area. 20' setback in side and rear areas. |
| R-2 | 21,000 SF | 100' | 24% | 50' | Single-Family Detached and Accessory Buildings: 35' aggregate, neither less than 12'. All other uses: Two side yards, neither less than 20' | 40' | 35' Principal Building 20' Accessory Building | Not allowed in front setback area. 12' setback in side and rear areas. |
| R-3 | 14,000 SF | 75' | 33% | 30' | Single-Family Detached and Accessory Buildings: 30' aggregate, neither less than 10'. All other uses: Two side yards, neither less than 20' | 30' | 35' Principal Building 20' Accessory Building | Not allowed in front setback area. 10' setback in side and rear areas. |
| R-4 | 8,500 SF | 50' | 40% | 25' | Single-Family Detached and Accessory Buildings: 20' aggregate, neither less than 10'. All other uses: Two side yards, neither less than 12' | 25' | 35' Principal Building 20' Accessory Building | Not allowed in front setback area. 10' setback in side and rear areas. |

| Zoning District | Dimensional Requirements | | | Minimum Setback and Maximum Height Requirements | | | | |
|-----------------|---------------------------------|-----------------------------|------------------------------|---|---|-----------|--|---|
| | Minimum Lot Size (Net Lot Area) | Minimum Lot Frontage at BSL | Maximum Impervious Surface** | Principal and Accessory Structures (from ROW) | Side Yard (Each) | Rear Yard | Maximum Height ² | Accessory Building |
| R-5 | 5,000 SF Per Dwelling Unit | 50' Duplex, 70' | 45% | 20' Duplex, 30' | Single-Family Detached and Accessory Buildings: 10' aggregate, neither less than 5' Duplex: 20' aggregate, neither less than 5' All other uses: Two side yards, neither less than 12' | 20' | 35' Principal Building 20' Accessory Building | Not allowed in front setback area. 5' setback in side and rear areas. |
| PBO | See Article 4 | | | | | | | |
| VB | See Article 5 | | | | | | | |

* Minimum Lot Size is based on Net Lot Area.

** Impervious Surface shall be calculated based on net lot area