

## Chapter 125. Zoning

### Article IV. District Regulations

#### § 125-8. Park-Recreation (P-R).

- A. Intent. The intent of this district is to protect and preserve those lands in the Shenandoah National Park and the George Washington National Forest. Since all land in the County must be placed in a zoning classification, this district was developed to encompass only government-owned land in the national park and forest. It is not the intent of this chapter to recommend the expansion or reduction of any federally owned land in the County, only to place certain controls on the land.
- B. Permitted uses shall be of as follows: any park or recreation use conducted by any governmental agency or publicly owned corporation which is authorized to conduct said function, except such uses as constitute a nuisance in the place where conducted.
- C. Permitted accessory uses shall be as follows: accessory uses which are clearly incidental to the principal use and not creating a nuisance.
- D. Other requirements. Any land not owned by the United States federal government or the Virginia state government in this district shall be subject to all requirements of the Woodland-Conservation District.
- E. Pole-designed tower facilities or pole-designed structures not to exceed 100 feet in height with a minimum setback from all property lines of 200 feet, to be used for the primary purpose of communications, including, by way of illustration but not limited to, the following: telephone, radio, television, cable, and signal by special use permit.  
[Added 2-12-2002]

#### § 125-9. Woodland-Conservation (W-C).

[Amended 4-8-1991; 12-9-1991; 4-12-1993; 5-11-1999; 7-13-1999; 2-12-2002; 6-10-2003; 6-21-2005; 12-19-2006; 12-16-2008; 4-21-2009; 6-16-2009; 10-20-2009; 4-20-2010; 9-16-2014; 2-7-2017]

- A. Statement of intent. It is the intent of this district to perpetuate the rural atmosphere, open space and scenic landscape of the area. This district is established for the specific purpose of conserving natural resources, protecting fragile environmental areas, reducing soil erosion, protecting watersheds, reducing hazards from flooding and protecting existing farmland. This district covers portions of the County which are occupied by mountain areas, heavily forested areas and other open space uses such as recreation areas, floodplains and farms. The area also contains portions where the depth to bedrock is shallow and presents some limitations to development. The protection of the Shenandoah River is also essential, and because of potential pollution problems due to on-lot sewage effluent, erosion and sedimentation from construction and disturbing of the landscape, the area near the river must remain open in nature.
- B. Permitted uses shall be as follows:

- (1) Forest, scenic and wildlife preserves and conservation areas.
  - (2) Agriculture.
  - (3) Wayside or roadside stand or market.
  - (4) Single-family detached dwellings.
  - (5) Cemeteries; police, fire and rescue squad stations; other essential public services.
  - (6) Portable sawmills, portable chipping mills, and portable shaving mills.
  - (7) Bed-and-breakfast establishments and short-term tourist rentals, subject to the provisions of § 125-30.21.  
[Amended 8-1-2017]
  - (8) Manufactured homes and individual mobile homes.
  - (9) Electric facilities operated at 40 kilovolts or less.
  - (10) Confined feeding operations pursuant to the requirements of Article **VI** of this chapter and pursuant to all other provisions of this chapter.
  - (11) Only one permitted principal residential structure shall be allowed on any lot, tract or parcel of land.
- C. Permitted accessory uses located on the same lot with the permitted principal use shall be as follows:
- (1) Private garage or private parking area.
  - (2) Signs pursuant to § **125-20**.
  - (3) Home occupations pursuant to § **125-15**.
  - (4) Customary accessory uses and buildings, provided that they are clearly incidental to the principal use pursuant to § **125-16**.
  - (5) Guesthouse, as defined in § **125-4**.
  - (6) Family day home (less than five unrelated children).
  - (7) Small system wind energy facility.
  - (8) Windmill.
- D. Uses permitted by special permit shall be as follows:
- (1) Lodges or clubs for climbing, hunting, fishing, gunning, nature observation or other similar recreation purposes pursuant to § **125-22**.
  - (2) Commercial outdoor recreation areas and facilities: parks (except amusement parks), playgrounds, picnic grounds, swimming clubs, country clubs, golf courses and driving ranges, miniature golf courses; archery; laser tag; paintball; and other similar uses, all pursuant to § **125-22**.
  - (3) Churches and public schools.
  - (4) Electric facilities operated above 40 kilovolts.

- (5) Publicly owned sanitary landfills which meet all federal, state and County requirements and regulations.
  - (6) Outdoor commercial recreation areas and facilities: camps and campgrounds pursuant to § **125-66**.
  - (7) Pole-designed tower facilities or pole-designed structures not to exceed 100 feet in height with a minimum setback from all property lines of 200 feet, to be used for the primary purpose of communications, including, by way of illustration but not limited to, the following: telephone, radio, television, cable, and signal by special use permit.
  - (8) Commercial sawmills, commercial chipping mills, and commercial shaving mills pursuant to § **125-30.4**.
  - (9) Commercial workshops, as defined in § **125-4**.
  - (10) Veterinarian clinics, pet grooming, boarding and breeding of animals, as defined in § **125-4**.
  - (11) Family day home (five or more unrelated children) pursuant to § **125-30.6**.
  - (12) Small system wind energy facility.
  - (13) Windmill.
  - (14) Wholesale businesses and storage warehouses within "confined poultry feeding operation" buildings constructed prior to October 1, 2009. Storage of personal property of the property owner and all agricultural uses are exempt.
  - (15) Banquet facility and event facility.
  - (16) Auto repair service facility/public garage.
  - (17) Indoor and outdoor shooting ranges.<sup>[1]</sup>

[1] *Editor's Note: Former Subsection D(18), Air bed-and-breakfast establishments, which immediately followed this subsection, was repealed 8-1-2017.*
  - (18) Commercial parking facilities.  
[Added 3-17-2020]
- E. Minimum lot size shall be as follows: area: 1 3/4 acres; width at setback line: 150 feet. Lots on cul-de-sac may have width reduced to 50 feet.
  - F. Minimum yard dimensions shall be as follows: front yard: 50 feet, except cul-de-sac lots may be 70 feet; each side yard: 20 feet; rear yard: 50 feet.
  - G. Maximum coverage and height shall be as follows: maximum building coverage: 15%; maximum height from average grade: 35 feet/2 1/2 stories. All accessory buildings shall be less than the main building in height, except as provided for in § **125-14D**.
  - H. Any new structure designed to be occupied as a residence, church, school, community center or commercial establishment or industry or any other structure designed for public occupancy shall not be located closer than 300 feet from any confined feeding operation as defined in § **125-32**, Article **VI**, of this chapter.
  - I. All wells in W-C Zoned Districts shall be a Class III "B" well and shall maintain a fifty-foot setback from all property lines adjacent to parcel(s) three acres or larger that are used for an agricultural operation, as defined in § 3.1-22.29(B), Code of Virginia (1950), as amended.<sup>[2]</sup> A variance may be sought through the Page County Board of Zoning Appeals for a well location closer than 50

feet to the property line if either of the following criteria listed can be achieved: i) the owner of the adjacent property that is used for an agricultural operation may grant written permission for construction within 50 feet of the property line; or ii) certification by the Page County Health Department that no other site on the property complies with zoning regulations for the construction of a private well. If approved, a variance conveyance form, which is part of the Page County appeal/variance application, must be recorded at the Page County Circuit Court within 90 days of the approval. Failed private drinking water wells that must be replaced by order of the local health department shall follow state health regulations for determining a site for a new well and are exempt from adhering to the foregoing variance procedure.

[2] *Editor's Note: See now Code of Virginia, § 3.2-300.*

- J. Site plan. Before obtaining a zoning permit for the uses listed within this district either as a permitted use, accessory use or by special use permit a site plan shall be submitted with the zoning application (prior to construction). The site plan should include:
- (1) Boundary of the parcel with project name, tax map number, and owner name and contact information.
  - (2) Building location and setbacks from property lines.
  - (3) Parking spaces.
  - (4) Proposed signs.
  - (5) Lighting with a description.

## § 125-10. Agriculture (A-1).

[Amended 4-8-1991; 4-12-1993; 9-9-1996; 5-11-1999; 7-13-1999; 2-12-2002; 6-10-2003; 6-21-2005; 12-19-2006; 3-18-2008; 12-16-2008; 4-21-2009; 6-16-2009; 10-20-2009; 4-20-2010; 9-18-2012; 9-16-2014; 2-7-2017]

- A. Statement of intent. This district is intended to preserve the character of those portions of the County where agricultural and other low-intensity uses predominate. To ensure the success of the above goal, it is necessary to maintain a relatively low density of development. The permitted uses should include mainly agriculture and related uses. Generally, soils in these areas are well suited for agricultural purposes. As agricultural land is a primary resource and economic asset of the County, it must be preserved to the greatest extent possible. Very low-density development may be permitted in this area, but agricultural preservation is the primary intent of this district.
- B. Permitted uses shall be as follows:
- (1) Agriculture.
  - (2) Wayside or roadside stand or market.
  - (3) Forest, scenic and wildlife preserves and conservation areas.
  - (4) Single-family detached dwellings.
  - (5) Cemeteries; police, fire and rescue squad stations; other essential public services.
  - (6) Portable sawmills, portable chipping mills, and portable shaving mills.
  - (7) Electric facilities operating at 40 kilovolts or below.
  - (8) Bed-and-breakfast establishments and short-term tourist rentals, subject to the provisions of § 125-30.21.

[Amended 8-1-2017]

- (9) Manufactured homes and individual mobile homes.
  - (10) Confined feeding operations pursuant to the requirements of Article **VI** of this chapter and pursuant to all other provisions of this chapter.
  - (11) Only one permitted principal residential structure shall be allowed on any lot, tract or parcel of land.
  - (12) Town of Luray Wastewater Facility.
  - (13) Distilleries which are licensed by the Commonwealth in accordance with the Virginia Alcoholic Beverage Control Act, or other Virginia laws, as amended, from time to time. There shall be a limit of 5,000 gallons per year. The applicant shall provide a measured site sketch of the property, including but not limited to parking, and the building used to house the operation. Anything above and beyond the gallons allowed or activity allowed will require a special use permit.
  - (14) Farmers market.  
[Added 6-5-2018]
  - (15) Greenhouse retail sales.  
[Added 6-5-2018]
  - (16) Brewery.  
[Added 6-5-2018]
  - (17) Winery.  
[Added 6-5-2018]
  - (18) Aircraft maintenance facilities, avionics repair facilities, aviation terminal buildings, and any other buildings and/or structures related to aviation that are adjacent to and under the control of a public use airport.  
[Added 5-19-2020]
- C. Permitted accessory uses located on the same lot with the permitted principal use shall be as follows:
- (1) Private garage or private parking area.
  - (2) Signs pursuant to § **125-20**.
  - (3) Home occupations pursuant to § **125-15**.
  - (4) Customary accessory uses and buildings, provided that they are clearly incidental to the principal use pursuant to § **125-16**.
  - (5) Guesthouse, as defined in § **125-4**.
  - (6) Family day home (less than five unrelated children).
  - (7) Small system wind energy facility.
  - (8) Windmill.
- D. Uses permitted by special permit shall be as follows:

- (1) Lodges or clubs for climbing, hunting, fishing, gunning, nature observation or other similar recreation purposes pursuant to § **125-22**.
- (2) Commercial outdoor recreation areas and facilities: parks (except amusement parks), playgrounds, picnic grounds, swimming clubs, country clubs, golf courses and driving ranges, miniature golf courses; archery; laser tag; paintball; and other similar uses, all pursuant to § **125-22**.
- (3) Publicly owned sanitary landfills which meet all federal, state and County requirements.
- (4) Recreational trailer camps pursuant to § **125-19**.
- (5) Airstrips meeting all federal, state and County requirements and not to be closer than 1,000 feet from a residential district boundary. All airstrips shall meet requirements as established in § **125-26**.
- (6) Electric facilities operating above 40 kilovolts.
- (7) Churches and public schools.
- (8) Professional offices, not higher than two stories and not exceeding 5,000 square feet in area, by special use permit.
- (9) Outdoor commercial recreation areas and facilities: camps and campgrounds pursuant to § **125-66**.
- (10) Pole-designed tower facilities or pole-designed structures not to exceed 100 feet in height with a minimum setback from all property lines of 200 feet, to be used for the primary purpose of communications, including, by way of illustration but not limited to, the following: telephone, radio, television, cable, and signal by special use permit.
- (11) Commercial sawmills, commercial chipping mills, and commercial shaving mills pursuant to § **125-30.4**.
- (12) Commercial workshops as defined in § **125-4**.
- (13) Veterinarian clinics, pet grooming, boarding and breeding of animals as defined in § **125-4**.
- (14) Family day home (five or more unrelated children) pursuant to § **125-30.6**.
- (15) Wholesale businesses and storage warehouses within "confined poultry feeding operation" buildings constructed prior to October 1, 2009. Storage of personal property of the property owner and all agricultural uses are exempt.
- (16) Banquet facility and event facility.
- (17) (Reserved)<sup>[1]</sup>
  - [1] *Editor's Note: Former Subsection D(17), Farmers market, was repealed 6-5-2018; see now Subsection B(14).*
- (18) (Reserved)<sup>[2]</sup>
  - [2] *Editor's Note: Former Subsection D(18), Greenhouse, was repealed 6-5-2018; see now Subsection B(15).*
- (19) Self-storage unit.
- (20) Farm implements sales with or without service facilities.

(21) Indoor and outdoor shooting ranges.

(22) Auto repair service facility/public garage.

(23) (Reserved)<sup>[3]</sup>

[3] *Editor's Note: Former Subsection D(23), Brewery, was repealed 6-5-2018; see now Subsection B(16).*

(24) (Reserved)<sup>[4]</sup>

[4] *Editor's Note: Former Subsection D(24), Winery, was repealed 6-5-2018; see now Subsection B(17). Former Subsection D(25), Air bed-and-breakfast establishments, which immediately followed this subsection, was repealed 8-1-2017.*

(25) Commercial parking facilities.

[Added 3-17-2020]

- E. Minimum lot size shall be as follows: area: 1 3/4 acres; width at setback line: 150 feet.
- F. Minimum yard dimensions shall be as follows: front yard: 50 feet, except cul-de-sac lots may be 70 feet; each side yard: 20 feet; rear yard: 50 feet.
- G. Maximum building coverage and height shall be as follows: maximum building coverage: 10%; maximum height from average grade: 35 feet/2 1/2 stories. All accessory buildings shall be less than the main building in height, except as provided in § **125-14D**.
- H. Any new structure designed to be occupied as a residence, church, school, community center or commercial business establishment or industry or any other structure designed for public occupancy shall not be located closer than 300 feet from any confined feeding operation as defined in § **125-32**, Article **VI**, of this chapter.
- I. All wells in Agricultural Zoned Districts shall be a Class III "B" well and shall maintain a fifty-foot setback from all property lines adjacent to parcel(s) three acres or larger that are used for an agricultural operation, as defined in § 3.1-22.29(B), Code of Virginia (1950), as amended.<sup>[5]</sup> A variance may be sought through the Page County Board of Zoning Appeals for a well location closer than 50 feet to the property line if either of the following criteria listed can be achieved: i) the owner of the adjacent property that is used for an agricultural operation may grant written permission for construction within 50 feet of the property line; or ii) certification by the Page County Health Department that no other site on the property complies with zoning regulations for the construction of a private well. If approved, a variance conveyance form, which is part of the Page County appeal/variance application, must be recorded at the Page County Circuit Court within 90 days of the approval. Failed private drinking water wells that must be replaced by order of the local health department shall follow state health regulations for determining a site for a new well and are exempt from adhering to the foregoing variance procedure.
- [5] *Editor's Note: See now Code of Virginia, § 3.2-300.*
- J. Site plan. Before obtaining a zoning permit for the uses listed within this district either as a permitted use, accessory use or by special use permit a site plan shall be submitted with the zoning application (prior to construction). The site plan should include:
- (1) Boundary of the parcel with project name, tax map number, and owner name and contact information.
  - (2) Building location and setbacks from property lines.
  - (3) Parking spaces.
  - (4) Proposed signs.

- (5) Lighting with a description.

## § 125-11. Residential (R).

- A. Statement of intent. This district is intended to promote and encourage residential development which will blend with existing development and create an appropriate living environment. The regulations of this district are designed to create a harmonious residential community and to promote a suitable environment for family life.
- B. Permitted uses shall be as follows:
- (1) Single-family detached dwellings.
  - (2) Two-family dwellings.
  - (3) Multifamily dwellings.
  - (4) Garden apartments and townhouses pursuant to § **125-17**.
  - (5) Public buildings owned and operated by the County, an authority organized by the County or a corporation franchised by the Commonwealth of Virginia.
  - (6) Churches and cemeteries; schools and fire, police and rescue squad stations; parks and playgrounds and recreational facilities; community clubhouses intended for residents only; other essential public services.  
[Amended 2-17-2009]
  - (7) Electric facilities operating at 40 kilovolts or below.
  - (8) Bed-and-breakfast establishments.
  - (9) Only one permitted principal residential structure shall be allowed on any lot, tract or parcel of land.  
[Added 6-21-2005]
  - (10) Age-restricted communities, pursuant to § **125-30.5**.  
[Added 2-17-2009]
  - (11) A manufactured home which replaces a mobile home that has been removed, destroyed or has suffered severe damage; however, such mobile home must be replaced by a manufactured home within 120 days of the removal of or damage or destruction to the mobile home, with leave to the applicant to request of the Zoning Administrator an extension of an additional 120 days.  
[Added 6-16-2009<sup>[1]</sup>]  
[1] *Editor's Note: This ordinance also repealed Subsection D(2), redesignating Subsection D(3) and (4) as Subsection D(2) and (3), respectively.*
  - (12) Short-term tourist rental, subject to the provisions of § 125-30.21.  
[Added 8-1-2017]
- C. Permitted accessory uses located on the same lot with the permitted principal use shall be as follows:
- (1) Private garage or private parking areas.
  - (2) Signs pursuant to § **125-20**.



- (3) Home occupations pursuant to § **125-15**.
- (4) Customary accessory uses and buildings, provided that they are clearly incidental to the principal use pursuant to § **125-16**.
- (5) Guest house, as defined in § **125-4**.  
[Added 6-21-2005]
- (6) Family day home (less than six unrelated children).  
[Added 6-16-2009]

D. Uses permitted by special permit shall be as follows:

- (1) Hospitals, orphanages, convalescent homes for the care of the sick, aged or crippled, family care homes, foster homes or group homes serving physically handicapped, mentally ill, intellectually disabled or other developmentally disabled persons, not related by blood or marriage, meeting all federal, state, County and other requirements of this chapter.  
[Amended 9-16-2008]
- (2) Electric facilities operating above 40 kilovolts.
- (3) Manufactured homes in subdivisions pursuant to § **125-29**.  
[Added 7-9-1990]
- (4) Family day home (six or more unrelated children) pursuant to § **125-30.6**  
[Added 6-16-2009]
- (5) Child day center pursuant to § **125-30.6**.  
[Added 6-16-2009]
- (6) Small system wind energy facility.  
[Added 10-20-2009]
- (7) Windmill.  
[Added 10-20-2009]

E. Minimum lot size and dimensions shall be as follows:  
[Amended 6-21-2005]

	Minimum Area Per Dwelling Unit	Minimum Lot Width Per Dwell- ing Unit (feet)	Yard Setback (feet)		
			Front	Side	Rear
Public water and sewer	15,000 square feet	100	35	15	35
Public water or sewer	20,000 square feet	100	35	15	35
On-site water and sewer	1 3/4 acre	150	35	15	50

- (1) Any new structure designed to be occupied as a residence, church, school, community center or commercial business establishment or industry or any other structure designed for public occupancy shall not be located closer than 300 feet from any confined feeding operation as defined in § **125-32**, Article **VI**, of this chapter.

- (2) All wells in Residential zoned districts shall be a Class III "B" well and shall maintain a fifty-foot setback from all property lines adjacent to parcel(s) three acres or larger that are used for an agricultural operation, as defined in § 3.1-22.29(B), Code of Virginia (1950), as amended.

<sup>[2]</sup> A variance may be sought through the Page County Board of Zoning Appeals for a well location closer than 50 feet to the property line if either of the following criteria listed can be achieved: (i) the owner of the adjacent property that is used for an agricultural operation may grant written permission for construction within 50 feet of the property line; or (ii) certification by the Page County Health Department that no other site on the property complies with zoning regulations for the construction of a private well. If approved, a Variance Conveyance form, which is part of the Page County Appeal/Variance application, must be recorded at the Page County Circuit Court within 90 days of the approval. Failed private drinking water wells that must be replaced by order of the local health department shall follow state health regulations for determining a site for a new well and are exempt from adhering to the foregoing variance procedure.

[Amended 12-16-2008; 4-21-2009]

<sup>[2]</sup> *Editor's Note: See now Code of Virginia, § 3.2-300.*

- (3) For lots served by public water and public sewer, the minimum lot size for single-family attached and single-family detached dwellings shall be 15,000 square feet and the minimum lot width shall be 100 feet. A lot containing a single-family attached may be further divided into separate parcels for each dwelling unit, provided that the resulting lot size for each dwelling unit is a minimum of 7,500 square feet with a minimum lot frontage of 50 feet for each dwelling unit, and provided further that there be a firewall meeting all legal and regulatory requirements between the two dwellings.

[Amended 12-19-2006]

- (4) Multifamily dwellings must be served by public water and sewer. The minimum lot size shall be 15,000 square feet, plus an additional 3,000 square feet for each unit over two.

- F. Maximum building coverage and height shall be as follows: maximum building coverage: 20%; maximum height from average grade: 35 feet/two and one-half (2 1/2) stories.

## § 125-12. Commercial (C-1).

[Amended 11-10-1999; 2-12-2002; 5-14-2002; 6-21-2005; 3-18-2008; 12-16-2008; 4-21-2009; 6-16-2009; 10-20-2009; 10-18-2016]

- A. Statement of intent. Generally, this district covers the areas of the County intended for the conduct of general business to which the public requires direct and frequent access, but which is not characterized either by constant heavy trucking, other than stocking and delivery of light retail goods, or by any nuisance factors other than occasioned by light and noise of congregation of people and passenger vehicles. This area is also intended to provide services for visitors and tourists.

- B. Permitted uses shall be as follows:

- (1) Retail stores or shops for the conducting of any retail business, including but not limited to convenience store; craft shop; florist; pawnshop; farmers market; greenhouses; hardware store; art and framing; antique shop; and other similar uses (excluding coal, wood and lumber yards).
- (2) Service shops, including but not limited to physical fitness center; funeral home; beauty, barber, or nail shops; laundromat and dry cleaner; self-storage unit; community center; auto body shop; car wash/detail; auto repair service facility; metal working and welding; and other similar uses.

- (3) Business, professional or government offices, and office buildings, including but not limited to post office; public safety facilities- police, fire, and rescue; real estate office; medical and dental offices; veterinarian clinic; animal husbandry/commercial kennel operation; media-related office; library; contractor office; rehabilitation centers; religious cultural and educational institutions; tax preparation; pharmacy; telecommunication call center; nursing homes; and other similar uses.
  - (4) Banks, savings, and loan associations, including but not limited to credit unions; payday loans; investment services; and other similar uses.
  - (5) Places serving food and/or beverages including but not limited to restaurant; cafe; tavern; nightclub; bar; pub; bakery; deli; brewery; winery; drive-ins; banquet facility; event facility; and other similar uses.
  - (6) Theaters or motion-picture theaters, except drive-ins and adult movie theaters.
  - (7) Automobile or mobile home sales with or without service facilities.
  - (8) Travel information areas.
  - (9) Motels and hotels (except adult motels); short-term tourist rentals, subject to the provisions of § 125-30.21; bed-and-breakfast establishments; and accessory and/or upstairs apartments. [Amended 8-1-2017]
  - (10) Indoor bowling alleys; skating rinks; archery; laser tag; and paintball.
  - (11) Farm implement sales with or without service facilities.
  - (12) Agriculture.
  - (13) Single-family detached dwellings; however, each lot shall comply with the requirements of §§ **125-9E** or **125-10E**.
  - (14) All facilities required by public utilities except power generation and water and/or wastewater treatment plants.
  - (15) Shops engaged in the manufacturing and retail sales of cabinets, furniture and upholstery.
  - (16) Luray Caverns Airport.
  - (17) Child day center pursuant to § **125-30.6**.
  - (18) Commercial outdoor recreation areas and facilities: parks (except amusement parks), playgrounds, picnic grounds, swimming clubs, country clubs, golf courses and driving ranges, miniature golf courses; archery; laser tag; paintball; and other similar uses.
- C. Permitted accessory uses located on the same lot with the permitted principal use shall be as follows:
- (1) Off-street parking areas pursuant to the provisions of § **125-21**.
  - (2) Signs pursuant to § **125-20**.
  - (3) Customary accessory uses and buildings, provided that such are clearly incidental to the principal use pursuant to § **125-16**.
  - (4) Small system wind energy facility and/or other small alternative energy (ex. Solar panels).
  - (5) Windmill.

- D. Uses permitted by special permit shall be as follows:
- (1) Gasoline service stations pursuant to § **125-23**.
  - (2) Commercial parking facilities.
  - (3) Shopping centers pursuant to § **125-18**.
  - (4) Outdoor recreation to include drive-in theaters and outdoor firearm ranges.
  - (5) Hospitals and residential care facilities to include group homes, halfway houses, adult day-care facilities, and assisted living facilities.
  - (6) Junkyards, but subject to the limitations of § 33.2-804(C) of the Code of Virginia 1950, as amended.
  - (7) Pole-designed tower facilities or pole-designed structures or monopoles, to be used for the primary purpose of communications, including, by way of illustration but not limited to, the following: telephone, radio, television, cable, and signal by special use permit.
  - (8) Motorsports facility pursuant to § **125-30.2**.
  - (9) Adult business in accordance with § **125-30.7**.
  - (10) Riding stable or academies.
  - (11) Water and/or wastewater treatment plants.
- E. Minimum lot size shall be as follows: 20,000 square feet with a minimum lot width of 100 feet.
- F. Minimum yard dimensions shall be as follows: front yard: 40 feet; each side yard: 25 feet; rear yard: 25 feet; distance between buildings: 30 feet.
- G. Maximum building coverage and height shall be as follows: maximum building height from average grade: 35 feet; maximum combined building coverage and paved area: 80% of the total lot area.
- H. Buffer area. All property lines abutting a residential district shall be appropriately screened, fenced, walled or enclosed with a suitable enclosure of a minimum height of six feet, unless natural vegetation or wooded areas are used as buffer strips. All buffer strips must be at least six feet in height.
- I. Any new structure designed to be occupied as a residence, church, school, community center or commercial business establishment or industry or any other structure designed for public occupancy shall not be located closer than 300 feet from any confined feeding operation as defined in Article VI, § **125-32**, of this chapter.
- J. All wells in Commercial Zoned districts shall be a Class III "B" well and shall maintain a fifty-foot setback from all property lines adjacent to parcel(s) three acres or larger that are used for an agricultural operation, as defined in § 3.1-22.29(B),<sup>[1]</sup> Code of Virginia 1950, as amended. A variance may be sought through the Page County Board of Zoning Appeals for a well location closer than 50 feet to the property line if either of the following criteria listed can be achieved: i) the owner of the adjacent property that is used for an agricultural operation may grant written permission for construction within 50 feet of the property line; or ii) certification by the Page County Health Department that no other site on the property complies with zoning regulations for the construction of a private well. If approved, a variance conveyance form, which is part of the Page County appeal/variance application, must be recorded at the Page County Circuit Court within 90 days of the approval. Failed private drinking water wells that must be replaced by order

of the local health department shall follow state health regulations for determining a site for a new well and are exempt from adhering to the foregoing variance procedure.

[1] *Editor's Note: Said section was repealed by Laws 2008, Ch. 860, cl. 9, eff. 10-1-2008. See now § 3.2-300, Code of Virginia.*

- K. Site plan. Before obtaining a zoning permit for the uses listed within this district either as a permitted use, accessory use or by special use permit a site plan shall be submitted with the zoning application (prior to construction). The site plan should include:
- (1) Boundary of the parcel with project name, Tax Map number, and owner name and contact information.
  - (2) Building location and setbacks from property lines.
  - (3) Parking spaces.
  - (4) Proposed signs.
  - (5) Lighting with a description.
  - (6) Buffer area as described in the above Subsection H.

## § 125-13. Industrial (I-1).

- A. Statement of intent. The primary purpose of this district is to permit certain industries which do not in any way detract from residential desirability to locate in areas adjacent to residential uses. The provisions relating to height of a building, controlling emission of fumes, odors and/or noise and landscaping and others are imposed to protect the general environment and overall desirability of the area, while permitting industries to locate near a labor supply. These uses should be concentrated near suitable facilities.
- B. Permitted uses shall be as follows:
- (1) Assembly of electrical appliances, electronic instruments and devices, radios and phonographs; also, the manufacture of small parts, such as coils, condensers, transformers, crystal holders, integrated circuits, discrete components such as inductors and capacitors and circuit boards.
  - (2) Automobile assembling, painting, upholstering, repairing, rebuilding, reconditioning, body and fender work, truck repairing or overhauling, tire retreading or recapping or battery manufacture.
  - (3) Blacksmith shop and welding or machine shop.
  - (4) Laboratories, pharmaceutical and/or medical.
  - (5) Manufacture, compounding, processing, packaging or treatment of such products as bakery goods, candy, cosmetics, dairy products, poultry and poultry products, drugs, perfumes, pharmaceuticals, perfumed toilet soap, toiletries, food and seafood products.
  - (6) Manufacture, compounding, assembling or treatment of articles of merchandise from the following previously prepared materials: bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastic, precious or semiprecious stones or metals, shell, straw, textiles, tobacco, wood, yarn and paint.
  - (7) Manufacture of pottery and figurines or other similar ceramic products, using only previously pulverized clay and kilns fired only by electricity or gas.

- (8) Manufacture of musical instruments, toys, novelties and rubber and metal stamps.
  - (9) Building material sales yards and plumbing supplies storage.
  - (10) Coal and wood yards, lumberyards and feed and seed stores.
  - (11) Contractor's equipment storage yard or plants or rental of equipment commonly used by contractors.
  - (12) Cabinets, furniture and upholstery shops.
  - (13) Stone monument works.
  - (14) Boat building.
  - (15) Wholesale businesses and storage warehouses.
  - (16) Agriculture.
  - (17) All facilities required by electric utilities.
  - (18) General business offices, including corporate, government or other offices not providing face-to-face services to the general public on a regular basis as the primary use.  
[Added 8-19-2008]
  - (19) Recycling facility.  
[Added 8-19-2008]
  - (20) Commercial parking facilities.  
[Added 3-17-2020]
- C. Permitted accessory uses located on the same lot with the permitted principal use shall be as follows:
- (1) Off-street parking areas pursuant to § **125-21**.
  - (2) Signs pursuant to § **125-20**.
  - (3) Customary accessory uses and buildings, provided that such are clearly incidental to the principal use pursuant to § **125-16**.
  - (4) Small system wind energy facility.  
[Added 10-20-2009]
  - (5) Windmill.  
[Added 10-20-2009]
- D. Minimum lot size shall be as follows: area: 20,000 square feet; width: 100 feet.
- E. Minimum yard dimensions shall be as follows: front yard: 40 feet; each side yard: 20 feet; rear yard: 20 feet. For a single permitted use, the side and rear minimum yard dimensions adjoining or adjacent to a residential district shall be 75 feet. The minimum side yard of corner lots in this district shall be 40 feet. A planting strip shall be placed in yards adjacent to or adjoining residential districts of sufficient height to construct an effective screen.
- F. Maximum building coverage and height shall be as follows: maximum building and paving coverage: 80%; maximum building height from average grade: 35 feet.

- G. Performance standards. Standards in accordance with the Virginia Air Pollution Control Law, the Environmental Protection Agency, the Virginia State Health Department and the Local Health Department, the Virginia Soil and Water Conservation Board and the local soil and water conservation agency shall be adhered to.
- H. Pole-designed tower facilities or pole-designed structures not to exceed 100 feet in height with a minimum setback from all property lines of 200 feet, to be used for the primary purpose of communications, including, by way of illustration but not limited to, the following: telephone, radio, television, cable, and signal by special use permit.  
[Added 2-12-2002]
- I. Any new structure designed to be occupied as a residence, church, school, community center or commercial business establishment or industry or any other structure designed for public occupancy shall not be located closer than 300 feet from any confined feeding operation as defined in § 125-32, Article VI, of this chapter.  
[Added 6-21-2005]
- J. All wells in Industrial zoned districts shall be a Class III "B" well and shall maintain a fifty-foot setback from all property lines adjacent to parcel(s) three acres or larger that are used for an agricultural operation, as defined in § 3.1-22.29(B), Code of Virginia (1950), as amended.<sup>[1]</sup> A variance may be sought through the Page County Board of Zoning Appeals for a well location closer than 50 feet to the property line if either of the following criteria listed can be achieved: (i) the owner of the adjacent property that is used for an agricultural operation may grant written permission for construction within 50 feet of the property line; or (ii) certification by the Page County Health Department that no other site on the property complies with zoning regulations for the construction of a private well. If approved, a Variance Conveyance form, which is part of the Page County Appeal/Variance application, must be recorded at the Page County Circuit Court within 90 days of the approval. Failed private drinking water wells that must be replaced by order of the local health department shall follow state health regulations for determining a site for a new well and are exempt from adhering to the foregoing variance procedure.  
[Added 6-21-2005; amended 12-16-2008; 4-21-2009]  
<sup>[1]</sup> *Editor's Note: See now Code of Virginia, § 3.2-300.*