

ARTICLE 6 USES IN DISTRICTS

601.00 CONSERVATION DISTRICT C-1

601.01 *Intent of the Conservation District C-1.* This district is to protect those areas of the County where man's activities, left unrestricted, have a high potential for adversely impacting the environment and the safety and welfare of the public by accelerated soil erosion, reduced water quality, inappropriate uses of the land, and generally the uneconomical provision of public facilities and services. The district is applied to complex areas requiring special attention to achieve the most appropriate use of the lands involved.

601.02 *Permitted Uses.* Within Conservation District C-1, land to be used or structures to be erected for one or more of the following uses:

601.02-1 Wildlife areas, game refuges, hunting preserves, and forest preserves;

601.02-2 Parks & recreation or educational areas;

601.02-3 Flood control and watershed structures;

601.02-4 Tree farms; woodlots; pasture;

601.02-5 Water supply buildings, reservoirs, wells, storage tanks, and similar essential public utility and service structures;

601.02-6 Public service buildings such as municipal, State, or Federal service or storage buildings;

601.02-7 Nursery or tree farms;

601.02-8 Fish hatcheries;

601.02-9 Cemeteries;

601.02-10 One (1) inoperable automobile;

601.02-11 One (1) automobile for salvage.

601.03 *Uses Permitted Upon Approval.* The development authorized within this district is regulated by a comprehensive development and management plan proposed by the developer. Conventional zoning restrictions are waived in favor of the detailed site plan developed to preserve and protect the character and the environment consistent with the purposes of this district.

601.04 ***Data to Accompany Application.*** Within the Conservation District, there shall be submitted a tentative, overall development plan which shall include:

601.04-1 Scale accurate proposed development plan mapping of the project to include:

- (a) Proposed land uses including residential types, commercial types, recreation, and any other proposed use;
- (b) Proposed street system including public and private right-of-way;
- (c) Proposed parking areas and parking space delineations;
- (d) Proposed plat showing subdivision lot lines;
- (e) Proposed utility rights-of-way or easements including water, sewer, gas, power, and telephone;
- (f) Proposed drainage plan;
- (g) Proposed location of buildings, structures, and improvements;
- (h) Property lines of proposed common property;
- (i) Proposed pedestrian circulation system;
- (j) Proposed landscaping plan;
- (k) Proposed treatment of the project perimeter such as screening or landscaping;
- (l) Relationships and tie-ins to adjacent property.

601.04-2 Supporting documentation to include the following minimum data:

- (a) A legal description of the project boundaries;
- (b) A statement of existing and proposed property owners;
- (c) Names and addresses of all adjacent property owners;
- (d) A statement of project development objectives and character to be achieved;
- (e) An approximate development schedule including dates of proposed construction beginning and completion and staging plan, if appropriate;
- (f) A statement of intention regarding future selling or leasing of land areas., dwelling units, commercial areas, etc.;
- (g) Quantitative data including the number and type of dwelling units, parcel sizes, gross and net residential densities, total amount and percentage of open spaces, residential, commercial, and other land use types;
- (h) Proposed building types including architectural style, height, and floor area;
- (i) Approvals from the Virginia Department of Transportation and the County Health Officer;
- (j) Proposed agreements, provisions, or covenants which govern the use, maintenance, and continued protection of property to be held in common ownership;
- (k) A statement of proposed temporary and permanent erosion and sedimentation control measures to be taken.

601.04-3 ***Application:*** An application meeting the foregoing requirements shall be filed with the Zoning Administrator. The Zoning Administrator shall forward the application and data to the Planning Commission for their review and recommendation. The

Planning Commission shall consider the general plan for the development, the location, arrangement and size of lots, parks, school sites, and other reservations of open space; the location, width and grade of streets; the location and arrangement of parking spaces; the location, arrangement and height of buildings, the location, arrangement and design of neighborhood business areas and accessory parking spaces, the gross densities proposed for the area; and such other features as will contribute to the orderly and harmonious development of the area, with due regard to the type and the character of adjoining neighborhoods and the peculiar suitability of the proposed uses;

601.04-4 *Appearance of Developer:* The Planning Commission and/or the Governing Body may require the developer to appear to discuss the planned development;

601.04-5 *Planning Commission Report:* The Planning Commission shall report to the Governing Body within sixty (60) days one of the following:

- (a) Recommend approval of the plan as presented; or
- (b) Recommend approval of the plan as revised by concurrence of the Planning Commission and the developer; or
- (c) Recommend disapproval.

601.04-6 *Final Approval:* Upon the preliminary approval by the Governing Body the developer shall within ninety (90) days furnish three (3) copies of the plan for public hearing and final disposition.

601.05 *Accessory Uses.* Where a lot is devoted to a permitted principal use, customary accessory uses and structures are authorized. The following rules are applicable:

601.05-1 Home occupations provided that the requirements of Article 7, Section 705 are met;

601.05-2 Temporary buildings for uses incidental to construction work, such buildings shall be removed upon completion or abandonment of the construction work;

601.05-3 Signs as provided for in Article 7;

601.05-4 Parking as provided for in Article 7.

602.00 AGRICULTURAL LIMITED DISTRICT A-1

602.01 *Intent of the Agricultural Limited District A-1.* The intent of the Agricultural Limited District is to retain major areas of natural ground cover for conservation purposes and retaining of public forests and preserves. Uses not consistent with the existing character of this district are not permitted.

- 602.02 ***Permitted Uses.*** Within Agricultural Limited District A-1, the following uses are permitted:
- 602.02-1 Agriculture, including farm dwellings and agricultural buildings and agricultural processing;
 - 602.02-2 Animal or poultry husbandry;
 - 602.02-3 Flood control and watershed structures;
 - 602.02-4 Nursery or tree farms;
 - 602.02-5 Parks and recreation areas;
 - 602.02-6 Wildlife areas, game refuges, and forest preserves;
 - 602.02-7 Water supply buildings, reservoirs, wells, elevated tanks, and similar essential public utility and service structures;
 - 602.02-8 Public service or storage buildings;
 - 602.02-9 Cemeteries;
 - 602.02-10 General Store, Country Store, including antique shops;
 - 602.02-11 Bed & Breakfast establishments; overnight lodging establishments;
 - 602.02-12 Lodge;
 - 602.02-13 Churches and related parish buildings;
 - 602.02-14 Two (2) inoperable automobiles;
 - 602.02-15 One (1) automobile for salvage;
 - 602.02-16 Dairy facility, intensive;
 - 602.02-17 Livestock facility, intensive;
 - 602.02-18 Poultry facility, intensive;
 - 602.02-19 Livestock, dairy, poultry structure.
 - 602.02-20 Single-family dwellings, including individual manufactured homes (manufactured after 1976) and modular homes, that are to be located on slopes of less than twenty-five percent or in a setting to not take away from the character of the land or on land

that is suitable as agreed upon by the Health Department Official, Building Official and Zoning Administrator and meets all requirements of erosion and sediment control.

- 602.03 ***Conditional Uses.*** When, after review of an application and hearing thereon, in accordance with Article 8, herein, the Board of Zoning Appeals finds as a fact that the proposed use is compatible with surrounding uses, is consistent with the intent of this Ordinance and of the *Land Use Element of the Comprehensive Plan*, is in the public interest, and will comply with all other provisions of law and ordinances of Bath County, the following uses may be permitted:
- 602.03-1 Single-family dwellings including Acreage Subdivision and Lot Subdivision that are located on slopes of more than 25% slope;
 - 602.03-2 Campgrounds or recreational vehicle parking areas in compliance with Article 7, Section 711.00;
 - 602.03-3 Temporary trailer camps for the housing of construction workers on highway and other similar projects;
 - 602.03-4 Sawmills;
 - 602.03-5 Organized group camps and campgrounds;
 - 602.03-6 Communication transmitting or receiving stations and towers;
 - 602.03-7 Sanitary landfill operations;
 - 602.03-8 Automobile service stations and automotive repair garage;
 - 602.03-9 Booster or relay stations, transformer, substations, transmission lines and towers, pipes, meters and other facilities for the provision and maintenance of public utilities, including railroads and facilities, and water and sewerage installations;
 - 602.03-10 Shooting range;
 - 602.03-11 Tourist courts, hotels, or motels;
 - 602.03-12 Extraction of minerals, rock, gravel, sand, etc.;
 - 602.03-13 Batching plants for asphalt, concrete, etc.;
 - 602.03-14 Bulk storage of fuel or explosives;

- 602.03-15 Fish hatcheries;
- 602.03-16 Automobile graveyards and junkyards;
- 602.03-17 Other uses which are similar to the foregoing.
- 602.04 ***Accessory Uses.*** Where a lot is devoted to a permitted principal use, customary accessory uses and structures are authorized. The following rules are applicable:
 - 602.04-1 Home occupations provided that the requirements of Article 7, Section 705 are met;
 - 602.04-2 Living quarters of persons employed on the premises;
 - 602.04-3 Private parking garage;
 - 602.04-4 Temporary buildings for uses incidental to construction work, such buildings shall be removed upon completion or abandonment of the construction work;
 - 602.04-5 Signs as provided for in Article 7;
 - 602.04-6 Parking as provided for in Article 7.

603.00 AGRICULTURAL GENERAL DISTRICT A-2

- 603.01 ***Intent of Agricultural General District A-2.*** This district covers the portion of the County which contains the most productive agricultural and forest lands which lie on slopes of less than twenty-five (25) percent and represent the most valuable agricultural production lands. This district is established for the specific purpose of facilitating agricultural operations, forest production, conservation of water and other natural resources, reducing soil erosion and protecting watersheds. Uses not consistent with the character of this district are not permitted.
- 603.02 ***Permitted Uses.*** Within Agricultural General District A-2, the following uses are permitted:
 - 603.02-1 Agriculture, dairying, general farming, and forestry, including farm dwellings and agricultural buildings and agricultural processing;
 - 603.02-2 Animal or poultry husbandry;
 - 603.02-3 Flood control and watershed structures;
 - 603.02-4 Nursery, tree farms, greenhouses;
 - 603.02-5 Feed mills, grain storage as primary uses;

- 603.02-6 Forest and conservation;
- 603.02-7 Parks and recreation areas;
- 603.02-8 Golf courses, miniature golf courses, driving ranges;
- 603.02-9 Single-family and two family dwellings, including Standard Subdivision, Lot Subdivision, and Acreage Subdivision;
- 603.02-10 The office of a resident member of a recognized profession provided that the office is located in a dwelling;
- 603.02-11 Individual manufactured homes (manufactured after 1976) and modular homes;
- 603.02-12 Federal, State, municipal administrative, and service buildings;
- 603.02-13 Water supply buildings, reservoirs, wells, elevated tanks, and similar essential public utility and service structures;
- 603.02-14 General store, country store, antique shops, and museums;
- 603.02-15 Churches and places of worship and/or cemetery;
- 603.02-16 Community center;
- 603.02-17 Schools and colleges for academic instruction, located not less than fifty (50) feet from any lot line;
- 603.02-18 Lodge;
- 603.02-19 Veterinary hospital, kennels (provided that no enclosure containing animals and no storage of odor or dust producing substances shall be located within two hundred (200) feet of a property line, that the operation is conducted on a tract of land not less than five (5) acres in area, and that the use is not objectionable by reason of odor, bright lights, or noise. The industrial performance standards in the M-1 District are applicable when adjacent to residential districts and shall be used as a guide to determine whether characteristics of the use are objectionable);
- 603.02-20 Bed & Breakfast establishments, overnight lodging establishments;
- 603.02-21 Plant nurseries and greenhouses;
- 603.02-22 Two (2) inoperable automobiles;
- 603.02-23 One (1) automobile for salvage;

- 603.02-24 Dairy facility, intensive;
- 603.02-25 Livestock facility, intensive;
- 603.02-26 Poultry facility, intensive;
- 603.02-27 Livestock, dairy, poultry structure.

- 603.03 ***Conditional Uses.*** When, after review of an application and hearing thereon, in accordance with Article 8 herein, the Board of Zoning Appeals finds as a fact that the proposed use is compatible with surrounding uses, is consistent with the intent of this Ordinance and of the *Land Use Element of the Comprehensive Plan*, is in the public interest, and will comply with all other provisions of law and ordinances of Bath County, the following uses may be permitted:
 - 603.03-1 Temporary trailer camps for the housing of construction workers on highway and other similar projects;
 - 603.03-2 Booster or relay stations, transformer, substations, transmission lines and towers, pipes, meters and other facilities for the provision and maintenance of public utilities, including railroads and facilities, and water and sewerage installations;
 - 603.03-3 Sawmills;
 - 603.03-4 Communication transmitting stations and towers;
 - 603.03-5 Sanitary landfill operations;
 - 603.03-6 Automobile service stations, automotive repair garages;
 - 603.03-7 Electric generation and sub-stations;
 - 603.03-8 Automobile graveyards and junkyards;
 - 603.03-9 Shooting range;
 - 603.03-10 Hotels, or motels, country inn;
 - 603.03-11 Extraction of minerals, rock, gravel, sand, etc.;
 - 603.03-12 Batching plants for asphalt, concrete, etc.;
 - 603.03-13 Bulk storage of fuel or explosives;
 - 603.03-14 Temporary stands for the sale of produce raised on the farm;

- 603.03-15 Airport;
- 603.03-16 Campgrounds or recreational vehicle parking areas in compliance with Article 7, Section 711;
- 603.03-17 Organized group camps or campgrounds;
- 603.03-18 Fish hatcheries;
- 603.03-19 Cultural/music centers;
- 603.03-20 Other uses which are similar to the foregoing.

603.04 *Accessory Uses.* Where a lot is devoted to a permitted principal use, customary accessory uses and structures are authorized. The following uses are also applicable:

- 603.04-1 Home occupations provided that the requirements of Article 7, Section 705 are met;
- 603.04-2 Living quarters of persons employed on the premises;
- 603.04-3 Private parking areas;
- 603.04-4 Temporary buildings for uses incidental to construction work, such buildings shall be removed upon completion or abandonment of the construction work;
- 603.04-5 Signs as provided for in Article 7;
- 603.04-6 Parking as provided for in Article 7.

604.00 RESIDENTIAL LIMITED DISTRICT R-1

604.01 *Intent of Residential Limited District R-1.* The intent of the R-1 Residential District is to protect the residential character of established neighborhoods and communities. The regulations for this district tend to protect established neighborhoods which reflect a long standing character.

604.02 *Permitted Uses.* Within the Residential Limited District R-1, the following uses are permitted:

- 604.02-1 Single-family and two family dwellings;
- 604.02-2 Public utilities and facilities serving the neighborhood;
- 604.02-3 Schools;

- 604.02-4 Churches and other places of worship with attendant cemeteries, educational, and recreational facilities. No recreation facility shall be located closer than one hundred (100) feet from any lot of a residential use;
- 604.02-5 Overnight lodging establishment;
- 604.02-6 One (1) inoperable automobile;
- 604.02-7 One (1) automobile for salvage;
- 604.02-8 Bed and Breakfast.
- 604.03 ***Conditional Uses.*** When, after review of an application and hearing thereon, in accordance with Article 8 herein, the Board of Zoning Appeals finds as a fact that the proposed use is compatible with the surrounding uses, is consistent with the intent of this Ordinance and of the *Land Use Element of the Comprehensive Plan*, is in the public interest, and will comply with all other provisions of law and ordinances of Bath County, the following uses may be permitted:
- 604.03-1 Public parks, playgrounds, recreational buildings and grounds, tennis courts, golf courses, and similar recreational uses, all of a noncommercial nature, provided that any such principal building, swimming pool, or other structure shall be located not less than one hundred (100) feet from any other lot in any residential district;
- 604.03-2 Child care centers, family day care homes, or nursery schools provided that State licensing requirements are met and such uses are not less than fifty (50) feet from any other lot in a residential district;
- 604.03-3 Public utility transformer stations, pumping stations, major transmission lines, towers, and telephone exchanges, not including service or storage yards;
- 604.03-4 Equine – Residential Zoning Districts as provided for in Article 7;
- 604.04 ***Accessory Uses.*** Where a lot is devoted to a permitted principal use, customary accessory uses and structures are authorized. The following rules are applicable:
- 604.04-1 Home occupations provided that the requirements of Article 7, Section 705 are met;
- 604.04-2 Living quarters of persons employed on the premises;
- 604.04-3 Private parking garage;
- 604.04-4 Temporary buildings for uses incidental to construction work, such buildings shall be removed upon completion or abandonment of the construction work;
- 604.04-5 Signs as provided for in Article 7;

604.04-6 Parking as provided for in Article 7.

605.00 RESIDENTIAL DISTRICT R-2

605.01 ***Intent of Residential District R-2.*** The intent of the R-2 Residential District is to encourage residential neighborhoods and to stabilize and protect the essential character of such neighborhoods. The regulations for this district tend to protect against encroachment of commercial or industrial uses and other uses likely to generate noise, crowds, concentrations of traffic, light dust, odors, smoke, or other obnoxious influences.

605.02 ***Permitted Uses.*** Within Residential District R-2, the following uses are permitted:

605.02-1 Single-family dwellings;

605.02-2 Two (2) family dwellings provided that the intent of this district is maintained in the design and use of two (2) family developments;

605.02-3 Overnight lodging establishments;

605.02-4 Churches and other places of worship with attendant cemeteries, educational, and recreational facilities. No recreational facility shall be located closer than one hundred (100) feet from any lot line of a residential use;

605.02-5 Public parks, playgrounds, recreational buildings and grounds, tennis courts, golf courses, and similar recreational uses, all of a noncommercial nature, provided that any such principal building, swimming pool or other structure shall be located not less than one hundred (100) feet from any other lot in any residential district;

605.02-6 Public utilities and facilities serving the neighborhood;

605.02-7 One (1) inoperable automobile;

605.02-8 One (1) automobile for salvage;

605.02-9 Bed and Breakfast.

605.03 ***Conditional Uses.*** When, after review of an application and hearing thereon, in accordance with Article 8 herein, the Board of Zoning appeals finds as a fact that the proposed use is compatible with surrounding uses, is consistent with the intent of this Ordinance and of the *Land Use Element of the Comprehensive Plan*, is in the public interest, and will comply with all other provisions of law and ordinances of Bath County, the following uses may be permitted:

605.03-1 Child care centers, family day care homes, or nursery schools provided that State licensing requirements are met and such uses are not less than fifty (50) feet from any other lot in a residential district;

- 605.03-2 Homes for adults, provided that the licensing requirements of Section 63.2-1701 and 63.2-1800 of the Code of Virginia, 1950, as amended are met;
- 605.03-3 Hospitals;
- 605.03-4 Kennels, provided that no enclosure containing animals and no storage of odor or dust producing substances shall be located within two hundred (200) feet of a property line, that the operation is conducted on a tract of land not less than five (5) acres in area, and that the use is not objectionable by reason of odor, bright lights, or noise. The industrial performance standards in the M-1 District are applicable when adjacent to residential districts and shall be used as a guide to determine whether characteristics of the use are objectionable;
- 605.03-5 Parks, playgrounds, and other outdoor recreation and open space areas, whether public or private, provided that any clubhouse, swimming area, playing field, or other area of intensive activity, or any area characterized by loud noises or lighting at night, shall be located not less than five hundred (500) feet from any lot line of a residential use;
- 605.03-6 Veterinary hospitals, provided that no enclosure containing animals or odor or dust producing substance shall be located closer than two hundred (200) feet from a property line and that for hospitals treating other than customary pet animals, the operation shall be conducted on a tract of land not less than five (5) acres in area;
- 605.03-7 Family care homes, foster homes or group homes serving the mentally retarded, developmentally disabled, or other, rest homes or nursing homes for convalescent patients, not related by blood or marriage, provided that licensing requirements are met;
- 605.03-8 Public utility transformer stations, pumping stations, major transmission lines, towers, and telephone exchanges, not including service or storage yards;
- 605.03-9 Equine – Residential Zoning Districts as provided for in Article 7.
- 605.04 ***Accessory Uses.*** Where a lot is devoted to a permitted principal use, customary accessory uses and structures are authorized. The following uses are also applicable:
- 605.04-1 Home occupations provided that the requirements of Article 7, Section 705 are met;
- 605.04-2 Living quarters of persons employed on the premises;
- 605.04-3 Private parking garage;
- 605.04-4 Temporary buildings for uses incidental to construction work, such buildings shall be removed upon completion or abandonment of the construction work;

605.04-5 Signs as provided for in Article 7;

605.04-6 Parking as provided for in Article 7.

606.00 MEDIUM DENSITY RESIDENTIAL DISTRICT R-3

606.01 *Intent of Medium Density Residential District R-3.* The intent of the Medium Density Residential District is to provide for a range of development densities in accordance with the *Bath County Comprehensive Plan*. The regulations for this district provide for development which is not completely residential as it includes public and semipublic, institutional and other related uses. However, it is basically residential in character, and, as such, is protected against encroachment of heavy commercial, industrial, and other uses likely to generate noise, crowds, large concentrations of traffic, light, dust, odors, smoke, and other obnoxious influences.

606.02 *Permitted Uses.* Within Medium Density Residential District R-3, the following uses are permitted:

606.02-1 Single-family dwellings;

606.02-2 Two-family dwellings;

606.02-3 Multi-family dwellings;

606.02-4 Townhouses in conformance with Section 709.00;

606.02-5 Schools and colleges for academic instruction, located not less than fifty (50) feet from any lot line;

606.02-6 Churches;

606.02-7 Parks and playgrounds;

606.02-8 Professional offices in structures similar in character with surrounding neighborhoods;

606.02-9 Public utilities and facilities serving the neighborhood;

606.02-10 Overnight lodging establishments;

606.02-11 One (1) inoperable automobile;

606.02-12 One (1) automobile for salvage;

606.02-13 Bed and Breakfast.

606.03 ***Conditional Uses.*** When, after review of an application and hearing thereon, in accordance with Article 8 herein, the Board of Zoning Appeals finds as a fact that the proposed use is compatible with surrounding uses, is consistent with the intent of this Ordinance and of the *Land Use Element of the Comprehensive Plan*, is in the public interest, and will comply with all other provisions of law and ordinances of Bath County, the following uses may be permitted:

606.03-1 General hospitals;

606.03-2 Family care homes, foster homes or group homes serving the mentally retarded, developmentally disabled or other, rest homes, homes for adults, or nursing homes, provided that licensing requirements are met;

606.03-3 Club, fraternities, lodges, and meeting places of other organizations, provided that buildings in which such meeting places are housed shall be located at least fifty (50) feet from any other lot;

606.03-4 Dormitories and boarding houses including dining facilities accessory to such;

606.03-5 Nursery schools and child care centers, if located not less than fifty (50) feet from any other lot, provided there is established and maintained in connection therewith a completely fenced and screened play lot of adequate size;

606.03-6 Public utility transformer stations, pumping stations, major transmission lines, towers, and telephone exchanges, not including service or storage yards;

606.03-7 Public buildings and properties of a cultural or administrative type;

606.03-8 Commercial operations which: (1) will not adversely affect the health or safety of persons residing in the neighborhood of the proposed use; (2) will not be detrimental to the public welfare or injurious to property or improvements; (3) will not be in conflict with the intent of this district; and (4) will comply with all other provisions regulating such uses;

606.03-9 Equine – Residential Zoning Districts as provided for in Article 7.

606.04 ***Accessory Uses.*** Where a lot is devoted to a permitted principal use, customary accessory uses and structures are authorized. The following uses are also applicable:

606.04-1 Home occupations provided that the requirements of Article 7, Section 705 are met;

606.04-2 Living quarters of persons employed on the premises;

606.04-3 Private parking garage;

606.04-4 Temporary buildings for uses incidental to construction work, such buildings shall be removed upon completion or abandonment of the construction work;

- 606.04-5 Signs as provided for in Article 7;
- 606.04-6 Parking as provided for in Article 7.

607.00 RESIDENTIAL DISTRICT R-4

- 607.01 ***Intent of the Residential District R-4.*** The intent of the Residential District R-4 is to allow low cost residential development in the form of manufactured home parks or subdivisions.
- 607.02 ***Permitted Uses.*** Within Residential District R-4, the following uses are permitted:
 - 607.02-1 Manufactured home parks in accordance with Article 7, Section 707.00;
 - 607.02-2 Manufactured home subdivisions in accordance with Article 7, Section 707.00;
 - 607.02-3 Permanent buildings housing management offices, child care centers, laundry facilities, or indoor recreational facilities or other service facilities may be permitted, provided that:
 - (a) Parking requirements for such facilities are met;
 - (b) Such uses are subordinate to the residential use and character of the park.
 - 607.02-4 One (1) inoperable automobile;
 - 607.02-5 One (1) automobile for salvage.
- 607.03 ***Conditional Uses.*** When, after review of an application and hearing thereon, in accordance with Article 8 herein, the Board of Zoning Appeals find as a fact that the proposed use is compatible with surrounding uses, is consistent with the intent of this Ordinance and of the *Land Use Element of the Comprehensive Plan*, is in the public interest, and will comply with all other provisions of law and ordinances of Bath County, the following uses may be permitted:
 - 607.03-1 Neighborhood commercial uses, provided they are designed and intended to meet the service needs of persons residing in the park and its immediate neighborhood.
- 607.04 ***Accessory Uses.*** Where a lot is devoted to a permitted principal use, customary accessory uses and structures are authorized. The following rules are applicable:
 - 607.04-1 Home occupations provided that the requirements of Article 7, Section 705 are met;
 - 607.04-2 Living quarters of persons employed on the premises;

- 607.04-3 Private parking garage;
- 607.04-4 Temporary buildings for uses incidental to construction work, such buildings shall be removed upon completion or abandonment of the construction work;
- 607.04-5 Signs as provided for in Article 7;
- 607.04-6 Parking as provided for in Article 7.

608.00 PLANNED UNIT DEVELOPMENT DISTRICT R-5

608.01 *Intent of Planned Unit Development District R-5.* The intent of the Planned Unit Development District R-5 is to provide for larger scaled development and clustering of single-family residential dwelling units through design innovation to provide for a neighborhood with a variety of housing types and densities, neighborhood shopping facilities, schools, parks, playgrounds, off-street parking and, where necessary, land reserved to provide local employment opportunities.

608.02 *Permitted Uses.* Within Planned Unit Development District R-5, the following uses are permitted:

608.02-1 Single-family dwellings on an existing lot to conform to the requirements of R-2;

608.02-2 Two (2) family dwellings;

608.02-3 Multi-family dwellings, apartments, townhouses (as regulated in Section 709 of this Ordinance) and condominiums;

608.02-4 One (1) inoperable automobile;

608.02-5 One (1) automobile for salvage.

608.03 *Accessory Uses.* In addition to the principal uses, other commercial or non-commercial service uses may be permitted provided: (a) that such uses are intended primarily to serve the needs of the project area residents; (b) that such uses are designed and located for the convenience of the project area residents and to protect the character of the district; (c) that all subsequent changes in use shall be approved by the Planning Commission or its agent; (d) that all commercial uses shall not total more than ten (10) percent of the total project area; and (e) that construction of commercial facilities shall not begin until twenty-five (25) percent of the residential units or two hundred fifty (250) dwelling units, whichever is less, of the total planned unit development has been completed.

608.04 *Uses Permitted by Approval.* The development authorized within this district is regulated by a comprehensive development and management plan proposed by the

developer and where conventional zoning lot restrictions are waived in favor of the detailed site plan and dedication of common open space.

608.05 ***Qualifying Requirements.*** A tract or parcel of land may be considered for R-5 Planned Residential District Zoning only if it meets the following conditions:

608.05-1 ***Ownership Requirements:*** The project area must be in one (1) ownership or the application filed jointly by the owners of all land within the project area. The holder of a written option to purchase land shall, for the purposes of such application, be deemed to be an owner of such land; however, each and every project area in a Planned Residential District must be in single or common ownership before the final development plan is approved;

608.05-2 ***Availability of Public Utilities:*** The project area must be located where public water and sewer systems are available, or where a community water and sewer system can be developed as part of the project;

608.05-3 ***Land Suitability:*** Rezoning land to R-5 Planned Residential District may be denied if from investigation conducted by all public agencies concerned, it has been determined that the land is not suitable for development because of inadequate road access, inadequate community facilities, excessive distance to employment area, non-conformity to county development plans, or other public health, welfare, or safety objectives.

608.06 ***Site Design Requirements.*** The following are the site design requirements for the R-5 Residential District:

608.06-1 ***Maximum Density:*** The gross residential density shall not exceed eight (8) dwelling units per acre;

608.06-2 ***Common Open Space:*** Minimum open space shall be not less than thirty (30) percent of the total area exclusive of buildings, streets, alleys, roads, parking areas, walks, patios, and other similar improvements but inclusive of swimming pools and other active and passive recreational areas;

608.06-3 ***Functional Relationships:*** The site development plan shall be designed for convenient relationships between the various functional areas of the project such as residential, recreational, shopping, etc.;

608.06-4 ***Lot Design:*** The lot design, arrangement, and shape shall be such that lots will provide satisfactory and desirable sites for buildings, be properly related to topography, and provide convenient and safe access;

608.06-5 ***Street Design:*** The street system within the project area shall be designed:

- (a) According to functional street purposes and projected traffic flow;
- (b) To discourage through traffic;

- (c) To assure safe and convenient sight distances;
- (d) To complement the natural topography;
- (e) In coordination with existing and planned streets;
- (f) To be dust proof and passable year round.

- 608.06-6 *Street Names and Signs:* The name of proposed streets shall not duplicate existing street names irrespective of the use of the suffix street, avenue, boulevard, driveway, place, lane or court. Proposed streets, which are obviously in alignment with other already existing and named streets, shall bear the names of the existing streets. Street names shall be indicated on the preliminary plan and final subdivision plat. Street signs shall be provided at all intersections;
- 608.06-7 *Street Lighting:* Street lighting shall be provided on all streets in the development;
- 608.06-8 *Pedestrian Circulation:* Provision shall be made for sidewalks and pedestrian walkways, which will enable residents, visitors and/or patrons to walk safely and conveniently between the various functional areas of the project and adjacent circulation systems;
- 608.06-9 *Parking:* Off-street parking shall be provided in adequate amounts and in convenient locations. Wherever feasible, parking areas should be designed to preserve natural amenities and should avoid excessive concentrations of pavement by scattered landscaping and tree planting. Generally, two parking spaces should be provided for each dwelling unit;
- 608.06-10 *Water and Sewer:* All Planned Residential Districts shall be served by collective water and sewer systems as follows:
- (a) Wherever feasible the project area water or sewer systems shall be connected to existing public systems;
 - (b) Where connection to existing public water or sewer systems are not feasible, the developer shall provide community water or sewer systems;
- 608.06-11 *Community Facilities:* Reservation or dedication of land for community facilities may be required if the need is created by the project area development or if proposed on the County development plan;
- 608.06-12 *Fire Hydrants:* Fire hydrants shall be provided throughout the project area in such locations to provide adequate fire protection;
- 608.06-13 *Drainage:* The site development plan shall include a plan for adequate drainage. The street and lot plan shall be designed to avoid drainage problems. Where storm drains or drainage ditches are required, or where an existing waterway or drainage way traverses the project area, an easement or right-of-way shall be provided with adequate improvements to contain the drainage flows from the tributary area upstream of the watershed;

- 608.06-14 *Floodways:* Land subject to flooding in accordance with Section 613.00 of these Land Use Regulations and land deemed to be topographically unsuitable shall not be platted for residential occupancy, nor for such other uses as may increase danger of health, life, or property, or aggravate erosion or flood hazard. Such land within the project area shall be used as common open space or other uses which would not be endangered by periodic or occasional inundation or shall not produce conditions contrary to public welfare;
- 608.06-15 *Easements:* Easements through the project area shall be provided for water, sewer, gas, telephone, power and other utilities as required by the respective utility departments, agencies or companies;
- 608.06-16 *Grading:* The site development plan shall be designed to minimize the amount of grading required for development. To the extent feasible, the natural lay of the land shall be maintained except where grading is required for public health or safety;
- 608.06-17 *Natural Amenities:* The developer shall make every reasonable effort to protect and preserve the natural amenities of the site such as tree cover, waterways, scenic overlooks, etc. The site development plan shall be designed to maximize the use and enjoyment of natural amenities by project residents;
- 608.06-18 *Landscaping and Screening:* Landscaping and screening may be required to improve the project's appearance or to provide a buffer between potentially conflicting uses.
- 608.07 ***Data to Accompany Application.*** With the Planned Unit District, there shall be submitted a tentative, overall development plan which shall include:
- 608.07-1 Scale accurate proposed development plan mapping of the project to include:
- (a) Proposed land uses including residential types, commercial types, recreation and any other proposed use;
 - (b) Proposed street system including public and private right-of-way;
 - (c) Proposed parking areas and parking space delineations;
 - (d) Proposed plat showing subdivision lot lines;
 - (e) Proposed utility rights-of-way or easements including water, sewer, gas, power, and telephone;
 - (f) Proposed drainage plan;
 - (g) Proposed location of buildings, structures, and improvements;
 - (h) Property lines of proposed common property;
 - (i) Proposed pedestrian circulation system;
 - (j) Proposed landscaping plan;
 - (k) Proposed treatment of the project perimeter such as screening or landscaping;
 - (l) Relationships and tie-ins to adjacent property.
- 608.07-2 Supporting documentation to include the following minimum data:

- (a) A legal description of the project boundaries;
- (b) A statement of existing and proposed property owners;
- (c) Names and addresses of all adjacent property owners;
- (d) A statement of project development objectives and character to be achieved;
- (e) An approximate development schedule including dates of proposed construction beginning and completion and staging plan, if appropriate;
- (f) A statement of intent regarding future selling or leasing of land areas, dwelling units, commercial area, etc.;
- (g) Quantitative data including the number and type of dwelling units, parcel sizes, gross and net residential densities, total amount and percentage of open space, residential, commercial, and other land use types;
- (h) Proposed building types including architectural style, height, and floor area;
- (i) Approvals from the Virginia Department of Transportation and the County Health Officer;
- (j) Proposed agreements, provisions, or covenants which govern the use, maintenance, and continued protection of property to be held in common ownership;
- (k) A statement of proposed temporary and permanent erosion and sedimentation control measures to be taken.

608.07-3 *Application:* Application for a Planned Unit Development meeting the foregoing requirements shall be filed with the Zoning Administrator. Ten (10) copies of the original application are required to be filed with it. The Zoning Administrator shall forward the application and data to the Planning Commission for their review and recommendation. The Planning Commission shall consider the general plan for the community, the location, arrangement and size of lots, parks, school sites and other reservations of open space, the location, width and grade of location, arrangement and height of buildings; the location, arrangement and design of neighborhood business areas and accessory parking spaces; the gross densities proposed for the area; and such other features as will contribute to the orderly and harmonious development of the area, with due regard to the type and the character of adjoining neighborhoods and the peculiar suitability of the proposed uses;

608.07-4 *Processing Fee:* At the time of filing the preliminary plan application, the applicant shall deposit with the Zoning Administrator a check payable to the Treasurer in an amount determined by the Governing Body;

608.07-5 *Appearance of Developer:* The Planning Commission and/or the Governing Body may require the developer to appear to discuss the planned unit development;

608.07-6 Preliminary Plan Approval:

- (a) Within sixty (60) days after the filing of the preliminary development plan, the Planning Commission shall report to the Governing Body one of the following:

- Recommend approval of the plan as presented, or
- Recommend approval of the plan as revised by concurrence of the Planning Commission and the developer, or
- Recommend disapproval;

- (b) The Governing Body shall give notice under Section 15.1-431 of the Code of Virginia, 1950, as amended of a public hearing to be held not more than thirty (30) days after the receipt of the Planning Commission's report. After the hearing, the Governing Body disapproves or approves the preliminary development plan, or approves the preliminary development plan with modifications;
- (c) If the preliminary development plan is approved, or approved with modifications by the Governing Body, the Zoning Map shall be amended to show the R-5 Planned Unit Development. If the preliminary development plan is approved with modifications, the Governing Body shall not amend the Zoning Map until the applicant has filed with the Zoning Administrator written consent to the plan as modified.

608.08 ***Status of Approval.*** No building permits shall be issued within the project area until the final development plan has been approved by the County under the procedures in the following sections.

608.09 ***Final Plan Application.*** Within six (6) months following the approval of the preliminary development plan, the applicant shall file with the Zoning Administrator ten (10) copies of a final development plan containing in final form, the information required in the preliminary plan, including but not limited to, final maps and documents specified above. In its discretion and for good cause, the Planning Commission may, upon receipt of a written application, extend for six (6) months the period for filing of the final development plan:

608.09-1 ***Phasing Plan:*** If the project area is to be developed in stages, a phasing plan shall be submitted with the final development plan. The phasing plan shall delineate the areas to be developed in each phase and the approximate development schedule of each phase;

608.09-2 ***Compliance with Preliminary Plan:*** The final development plan shall be in substantial compliance with the preliminary development plan. The final development plan shall be deemed in substantial compliance providing modification does not involve any of the following and provided further that such modification does not exceed the limitations of this district's regulations:

- (a) Variation of the proposed residential density or intensity of use by more than ten (10) percent;
- (b) Reduction of more than ten (10) percent of the area reserved for common open space;

- (c) Increase of the floor area proposed for nonresidential use by more than ten (10) percent; and
- (d) Increase of the total ground area covered by buildings by more than five (5) percent.

608.09-3 *Final Plan Approval:* The Planning Commission shall review the final development plan and shall approve the final development plan if it is in substantial compliance with the preliminary development plan. The Clerk of the Court in whose office deeds are conveyed will record the final development plan in the manner provided for recording plats or subdivisions.

608.10 *Subdivision Plat Requirements.* Refer to Article 9, Subdivision Regulations, Section 904.00.

609.00 CONVENIENCE BUSINESS DISTRICT B-1

609.01 *Intent of Convenience Business District B-1.* The intent of Business District B-1 is to accommodate day-to-day convenience service and retail uses. All business servicing, storage or processing shall be conducted within a completely enclosed building except where the nature of the activity makes it impossible.

609.02 *Permitted Uses.* Within Convenience Business District B-1, the following uses are permitted:

609.02-1 Generally recognized retail business which supplies commodities on the premises for persons residing in adjacent residential areas, including: groceries, meats, dairy products, baked goods or other foods, drugs, dry goods, clothing, notions, or hardware, barber and beauty shops, liquor store, florists;

609.02-2 Hotels and motels, inns;

609.02-3 Banks and loan and finance offices, including drive-in types;

609.02-4 Churches;

609.02-5 Hospitals;

609.02-6 Funeral home and/or mortuary;

609.02-7 Automobile service stations and garages;

609.02-8 Restaurants;

609.02-9 Business and professional offices;

- 609.02-10 Museums;
- 609.02-11 Nursing homes;
- 609.02-12 Child care centers;

- 609.02-13 Public utilities and facilities serving the neighborhood;
- 609.02-14 One (1) and two (2) family dwellings;
- 609.02-15 One (1) inoperable automobile;
- 609.02-16 One (1) automobile for salvage.

- 609.03 ***Conditional Uses.*** When, after review of an application and hearing thereon, in accordance with Article 8 herein, the Board of Zoning Appeals finds as a fact that the proposed use is compatible with surrounding uses, is consistent with the intent of this Ordinance and of the *Land Use Element of the Comprehensive Plan*, is in the public interest, and will comply with all other provisions of law and ordinances of Bath County, the following uses may be permitted:
 - 609.03-1 Personal service establishments which performs services on the premises including repair shops, photographic studios, and self-service laundries;
 - 609.03-2 Post office and similar governmental office buildings serving persons living on the adjacent residential area;
 - 609.03-3 Public utility transformer stations, pumping stations, major transmission lines, towers, and telephone exchanges, not including service or storage yards;
 - 609.03-4 Campgrounds or recreational vehicle storage areas in compliance with Section 711.00;
 - 609.03-5 Overnight lodging establishments and Bed & Breakfast establishments.

- 609.04 ***Accessory Uses.*** Where a lot is devoted to a permitted principal use, customary accessory uses and structures are authorized. The following rules are applicable:
 - 609.04-1 Home occupations provided that the requirements of Article 7, Section 705 are met;
 - 609.04-2 Living quarters of persons employed on the premises;
 - 609.04-3 Private parking garage;

- 609.04-4 Temporary buildings for uses incidental to construction work, such buildings shall be removed upon completion or abandonment of the construction work;
- 609.04-5 Signs as provided for in Article 7;
- 609.04-6 Parking as provided for in Article 7.

610.00 GENERAL BUSINESS DISTRICT B-2

610.01 *Intent of General Business District B-2.* The intent of the General Business District B-2 is to provide space for the general commercial development to which the public requires direct and frequent access, including retail business and services at locations where it is convenient.

610.02 *Permitted Uses.* With the General Business District B-2, the following uses are permitted:

- 610.02-1 Bakery, laundry, dry cleaning, clothes dyeing, cannery or similar establishment;
- 610.02-2 Banks and loan and finance offices, including drive-in types;
- 610.02-3 Bowling alley, pool hall, billiard parlor and similar enterprises provided that such use is conducted within a completely enclosed building and such building if less than two hundred (200) feet from any Residential District shall have no openings other than stationary windows or required fire exits within such distance;
- 610.02-4 Business and professional offices;
- 610.02-5 Carpenter, electrical, Plumbing, heating, welding sheet metal, appliance repair, painting, publishing, lithographing, upholstering, gunsmith or similar shops provided that any use shall be conducted within a completely enclosed building and provided that no part of a building for such use shall have any opening other than stationary windows or required fire exits within one hundred (100) feet of any Residential District;
- 610.02-6 Churches and other places of worship and church school buildings;
- 610.02-7 Department stores, variety stores, specialty shops, discount stores, and appliance stores;
- 610.02-8 Funeral home and/or mortuary;
- 610.02-9 Greenhouses;
- 610.02-10 Motels and hotels, inns;

- 610.02-11 Police, fire and rescue squad stations;
- 610.02-12 Post offices;
- 610.02-13 Public buildings and properties of a cultural, administrative or service type;
- 610.02-14 Radio and television broadcasting studios;
- 610.02-15 Bus stations;
- 610.02-16 Restaurants, cafes, dairy product stores and soda fountains, drive-in eating and refreshment establishments;
- 610.02-17 Retail business or service establishments such as grocery, fruit or vegetable stores, drug stores, barber and beauty and other personal service shops, hardware stores, clothing stores, liquor stores, florists, dry cleaning and laundry, pickup stations and food lockers;
- 610.02-18 Self-service laundry and dry cleaning shops;
- 610.02-19 Swimming pools, skating rinks, golf driving ranges, miniature golf courses, riding academy, livery stable, amusement park or similar recreation use or facility if located at least two hundred (200) feet from any Residential District;
- 610.02-20 Taxi stands;
- 610.02-21 Theaters, playhouses and dinner theaters;
- 610.02-22 Veterinary clinics, kennels and animal hospitals provided that any structure or premise used for such purpose shall be distant at least two hundred (200) feet from any Residential District;
- 610.02-23 Public utilities and facilities serving the neighborhood;
- 610.02-24 Individual residential uses associated with a permitted use such as the residence of an entrepreneur;
- 610.02-25 Multi-family dwellings and apartments;
- 610.02-26 One (1) inoperable automobile;
- 610.02-27 One (1) automobile for salvage;
- 610.02-28 Hospitals;
- 610.02-29 Public service or storage buildings.

- 610.03 ***Conditional Uses.*** When after review of an application and hearing thereon, in accordance with Article 8 herein, the Board of Zoning Appeals finds as a fact that the proposed use is compatible with surrounding uses, is consistent with the intent of this Ordinance and of the *Land Use Element of the Comprehensive Plan*, is in the public interest, and will comply with all other provisions of law and ordinances of Bath County, the following uses may be permitted:
- 610.03-1 Abattoirs or slaughter houses, except for poultry and rabbits incidental to a retail store;
- 610.03-2 Athletic fields, stadiums and arenas;
- 610.03-3 Automobile service stations, automotive repair garage;
- 610.03-4 Automobile, motorcycle, bicycle, truck, trailer, farm implement, heavy equipment, aircraft, boat, establishments for display, hire, sales and repair, including sales lots and carwash establishments provided that all operations other than display and sales shall be conducted within a completely enclosed building. Buildings used for repair work if less than one hundred (100) feet from any Residential District shall have no openings other than stationary windows or required fire exits within such distance;
- 610.03-5 Beverage manufacturing, bottling or distribution stations and food processing, packaging or distribution stations, provided that such use shall be distant at least one hundred (100) feet from any Residential District;
- 610.03-6 Circuses, carnivals, fairs and sideshows;
- 610.03-7 Commercial exhibition of wild animals or reptiles;
- 610.03-8 Drive-in theaters provided all parts of such drive-in theater shall be distant at least two hundred (200) feet from any Residential District and provided that the screen shall be so located as not to be visible from adjacent streets or highways and it shall be set back not less than two hundred (200) feet from the established right-of-way of said street or highway;
- 610.03-9 Individual residential uses associated with a conditional use such as the residence of an entrepreneur, but not including subdivisions and multi-family complexes;
- 610.03-10 Automobile graveyards;
- 610.03-11 Livestock market and sales pavilions. Public utility transformer stations, pumping stations and major transmission lines, and towers and telephone exchanges;
- 610.03-12 Race track, auto or horse;
- 610.03-13 Shooting ranges or gallery;

- 610.03-14 Wholesale business, storage or warehouse provided that any such use shall be distant at least fifty (50) feet from any Residential District;
- 610.03-15 Public utility transformer stations, pumping stations, major transmission lines, towers, and telephone exchanges;
- 610.03-16 Recreational vehicle storage areas in compliance with Section 711.00.
- 610.04 ***Accessory Uses.*** Where a lot is devoted to a permitted principal use, customary accessory uses and structures are authorized. The following rules are applicable:
- 610.04-1 Living quarters of persons employed on the premises;
- 610.04-2 Private parking garage;
- 610.04-3 Temporary buildings for uses incidental to construction work; such buildings shall be removed upon completion or abandonment of the construction work;
- 610.04-4 Signs as provided for in Article 7;
- 610.04-5 Parking as provided for in Article 7.

611.00 PLANNED BUSINESS DISTRICT B-3

- 611.01 ***Intent of the Planned Business District B-3.*** The B-3 Planned Business Zone is intended to permit the development of business areas, under one (1) ownership or control in those areas of the county where there are areas of sufficient size in heavily populated sections and where sanitary sewers, street access, and public water supply are adequately provided. Within this district, the location of buildings, design of buildings, parking areas, and other open spaces shall be controlled in such a manner that it will not be a detriment to the adjoining residential property or to the area in general.
- 611.02 ***Permitted Uses.*** Within the Planned Business Zone, no building, structure, or premises shall be used and no building or structure shall be erected or altered until and unless the same has been approved by the Planning Commission and by the Governing Body in accordance with the provisions contained in Article 8, Section 802.00, and until and unless the following conditions have been complied with:
- (a) Uses permitted will be the same as those permitted in the B-2 Zone.
 - (b) There shall have been filed with the Planning Commission a written application for approval of a contemplated use within said district, which application shall be accompanied with the following information:

- 1 A plot plan indicating the location of present and proposed buildings, driveways, parking lots, landscaping, screening, and other necessary uses;
- 2 Preliminary architectural plans for the proposed building or buildings;
- 3 A description of the business operations proposed in sufficient detail to indicate the effects of those operations in producing excessive auto or traffic congestion or problems of noise, glare, odor, fire, or safety hazards, or other factors detrimental to the health, safety, and welfare of the area;
- 4 Engineering or architectural plans for the handling of any of the problems of the type outlined in item 3. above, including the handling of storm water and sewers and necessary plans for the controlling of smoke or other nuisances such as those enumerated under item 3. above;
- 5 Any other information the Planning Commission or Governing Body may need to adequately consider the effect that the proposed uses may have upon the area, and/or the cost of providing municipal services to the area.

611.03 ***Area Regulations.*** In this district the area regulations, maximum lot coverage, height regulations, and off-street parking shall comply with the requirements of the B-2 District:

611.03-1 There shall be a twenty-five (25) foot setback from all streets and all adjoining residential property. This setback shall act as a buffer between the business and residential uses. It shall be fully landscaped and maintained with grass and with trees or shrubbery of sufficient height and density to serve as a screen between the business zone and the residential zone. The buffer zone shall not constitute a sight distance obstruction at street intersections. The buffer zone shall be considered as part of the lot area but shall not be used for any business purpose such as buildings, parking lots, signs, or any accessory use. The buffer zone, upon completion of development of the project, shall be at or near the same grade or plane which existed prior to the development of the planned business district property, unless otherwise expressly reviewed and approved by the Planning Commission and by the Governing Body;

611.03-2 These restrictions shall not apply to that portion of the lot fronting on the major business thoroughfare or thoroughfares. Entrances to the property will be allowed from the arterial streets only.

611.04 ***Signs.***

611.04-1 For each shopping center, one ground sign having a maximum area of one hundred (100) square feet, maximum overall height of thirty (30) feet, minimum distance from street line of ten (10) feet indicating the name of the shopping center. In lieu of the shopping center name, the one sign may designate a business use or a combination of business uses within the center;

611.04-2 For each individual business, one (1) sign attached to the building having a maximum area of one (1) square foot for each linear foot of building frontage occupied by a single permitted use;

611.04-3 All other regulations of Article 7, Section 706.00 shall apply.

612.00 LIGHT INDUSTRIAL DISTRICT M-1

612.01 *Intent of Light Industrial District M-1.* The intent of the M-1 Industrial District is to accommodate industrial uses that provide desirable employment consistent with the goal of maintaining environmental quality. The M-1 District is to permit the manufacturing, compounding, processing, packaging, assembly, sales and/or treatment of finished or semifinished products from previously prepared material.

612.02 *Permitted Uses.* Within the Light Industrial District, the following uses are permitted:

612.02-1 Assembly of electrical appliances, electronic instruments and devices, radios and phonographs. Also the manufacturing of small parts, such as coils, condensers, transformers, and crystal holders;

612.02-2 Automobile assembling, painting, upholstering, repairing, rebuilding, reconditioning, body and fender work, truck repairing or overhauling, tire retreading or recapping or battery manufacture;

612.02-3 Blacksmith shop, welding or machine shop, excluding punch presses exceeding forty (40) ton rated capacity and drop hammer;

612.02-4 Laboratories-pharmaceutical and/or medical;

612.02-5 Manufacture, compounding, processing, packaging or treatment of such products as bakery goods, beverage products, candy, cosmetics, dairy products, drugs, perfumes, pharmaceuticals, perfumed toilet soap, toiletries and food products;

612.02-6 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 metals or stones, shell, straw, textiles, tobacco, wood, yarn, and paint;

612.02-7 Manufacture of pottery and figurines or other similar ceramic products, using only previously pulverized clay and kilns fired only by electricity or gas;

612.02-8 Manufacture of musical instruments, toys, novelties, and rubber and metal stamps;

612.02-9 Cabinets, furniture, and upholstery shops;

- 612.02-10 Boat building;
- 612.02-11 Monumental stone works;
- 612.02-12 Public utility generating, booster or relay stations, transformer substations, transmission lines and towers, and other facilities for the provision and maintenance of public utilities, including railroads and facilities, water and sewerage installations;
- 612.02-13 Public service or storage buildings;
- 612.02-14 One (1) inoperable automobiles;
- 612.02-15 One (1) automobile for salvage.
- 612.02-16 Stave Mill.
- 612.03 ***Conditional Uses.*** When after review of an application and hearing thereon, in accordance with Article 8 herein, the Board of Zoning Appeals finds as a fact that the proposed use is compatible with surrounding uses, is consistent with the intent of this Ordinance and of the *Land Use Element of the Comprehensive Plan*, is in the public interest, and will comply with all other provisions of law and ordinances of Bath County, Virginia, the following uses may be permitted:
- 612.03-1 Building material sales yards, plumbing supplies storage;
- 612.03-2 Coal and wood yards, sawmills, lumber yards, feed and seed store;
- 612.03-3 Contractor's equipment storage yards or plants, or rental of equipment commonly used by contractors;
- 612.03-4 Veterinary or dog or cat hospital, kennels;
- 612.03-5 Wholesale businesses, storage warehouses;
- 612.03-6 Automobile graveyards and junkyards.
- 612.04 ***Accessory Uses.*** Where a lot is devoted to a permitted principal use, customary accessory uses, and structures are authorized:
- 612.04-1 Living quarters of persons employed on the premises;
- 612.04-2 Private parking garage;
- 612.04-3 Temporary buildings for uses incidental to construction work, such buildings shall be removed upon completion or abandonment of the construction work;
- 612.04-4 Signs as provided for in Article 7;

612.04-5 Parking as provided for in Article 7.

612.05 ***Requirements for Uses:***

612.05-1 Before a Building Permit shall be issued or construction commenced on any permitted use in this district, or a permit issued for a new use, the plans, in sufficient detail to show the operations and processes, shall be submitted to the Zoning Administrator for study. The Administrator may refer these plans to the Planning Commission for recommendation. Modifications of the plans may be required;

612.05-2 Permitted uses shall be conducted wholly within or completely enclosed on all sides by a solid masonry wall, a uniformly painted solid board fence or evergreen hedge six (6) feet in height. Public utilities and signs requiring natural air circulation, unobstructed view, or other technical consideration necessary for proper operation may be exempt from this provisions. This exception does not include storing of any materials;

612.05-3 Landscaping may be required within any established or required front setback area. The plans and execution must take into consideration traffic hazards. Landscaping may be permitted up to a height of three (3) feet, and to within fifty (50) feet from the corner of any intersecting streets;

612.05-4 Sufficient area shall be provided: (a) to adequately screen permitted uses from adjacent business and residential districts; and (b) for off-street parking of vehicles incidental to the industry, its employees and clients;

612.05-5 The Administrator shall act on any plan received within twenty (20) days after receiving the application. If formal notice in writing is given to the applicant, the time for action may be extended for a twenty (20) day period. Failure on the part of the Administrator to act on the application within the established time limit shall be deemed to constitute approval of the application.

613.00 FLOOD HAZARD DISTRICT FH-1

These land use regulations shall follow and comply with Chapter 12 “Flood Protection” (adopted 9/9/97) of the Bath County Code until further amended and adopted.

614.00 AIRPORT HAZARD DISTRICT AH-1

614.01 *Intent of Airport Hazard District AH-1.* The intent of the Airport Hazard District is to protect airports from encroachment of obstructions or hazards to aircraft.

614.02 *Approach Zone.* An approach zone to an airport shall include an area of eleven thousand (11,000) feet from the end of any runway. The approach zone for airports accommodating heavy jet aircraft extends out three and one-half (3½) miles from the end of any runway.

614.02-1 Proposals for the establishment of uses within the approach zone shall be accompanied by Federal Aviation Administration's recommendations;

614.02-2 Places of public assembly such as schools, churches, hospitals, apartment houses, theaters, and assembly halls shall not be erected or otherwise located in any area which will be classified as an approach zone.