CHAPTER 70

ZONING.

- See §15.2-2280 through §15.2-2316 of the Code of Virginia to review a Town's zoning authority.
- See Sec. 2-116 through Sec. 2-118 of this code and §15.2-2210 through §15.2-2222.1 of the Code of Virginia in regards to the Planning Commission.
- See *Chapter 50* of this code for the Town's Subdivision Ordinance.
- See *Chapter 18* of this code in regards to buildings and building regulations.
- See *Sec. 25-96* of this code and *Chapter 87* of the Shenandoah County Code in regards to erosion and sedimentation control.
- See Chapter 46 of this code in regards to streets, sidewalks and other public places
- See *Chapter 62* of this code in regards to water/sewer utilities.

Article I. In General

70- 1 70- 2 70- 3 70- 4 70- 5 70- 6 70- 7 70- 8	Adoption of Ordinances Title Short Title Purposes Interpretation Severability Conflicting Provisions When Effective	1 1 1 2 2 2 2
	Article II. Definitions	
70- 9 70- 10 70-10.1	General Usage Specific Definitions Supplemental Definitions – Adult Businesses Article III. Establishment of Zoning Districts,	3 3 24
	Official Zoning Map, and Use Regulations	
70- 11 70- 12 70- 13 70- 14 70- 15 70- 16 70- 17 70- 18 70-18.1	Establishment and Enumeration of Districts Incorporation of the Official Zoning Map Map Amendment Replacement of Official Zoning Map Rules for the Interpretation of District Boundaries Unzoned Land Scope of Regulations Compliance with Article Only One Main Use and Building Permitted	27 27 27 28 28 28 29 30 30

Article IV. Low Density Residential, District R-1

70- 19	Statement of Purpose and Intent	31
70-20	Permitted Uses	31
70-21	Permitted Uses with a Conditional Use Permit	32
70-22	Area Regulations	32
70-23	Setback Regulations	32
70- 24	Frontage Regulations	32
70- 25	Yard Regulations	33
70- 26	Height Regulations	33
70-27	Lot Coverage	33
70- 28	Special Provisions	33
	Article V. Medium Density Residential, District R-2	
70- 29	Statement of Purpose and Intent	35
70-30	Permitted Uses	35
70-31	Permitted Uses with a Conditional Use Permit	36
70-32	Area Regulations	37
70-33	Setback Regulations	37
70-34	Frontage Regulations	38
70-35	Yard Regulations	38
70-36	Height Regulations	39
70-37	Lot Coverage	39
70-38	Special Provisions	39
	Article VI. Medium Density Residential, Main Corridor, District R-2A	
70- 39	Statement of Purpose and Intent	41
70- 40	Permitted Uses	41
70-41	Permitted Uses with a Conditional Use Permit	41
70- 42	Area Regulations	42
70-43	Setback Regulations	42
70- 44	Frontage Regulations	42
70- 45	Yard Regulations	42
70- 46	Height Regulations	42
70- 47	Lot Coverage	43
70-48	Special Provisions	43
	Article VII. High Density Residential, District R-3	
70- 49	Statement of Purpose and Intent	45
70- 50	Permitted Uses	45
70-51	Permitted Uses with a Conditional Use Permit	46
70- 51	Area Regulations	47
70- 53	Setback Regulations	47
70- 54	Frontage Regulations	47
70- 55	Yard Regulations	48
70- 56	Height Regulations	48
70- 57	Lot Coverage	48
- ·		

70- 58	Special Provisions	48
	Article VIII. General Business, District B-1	
70- 59	Statement of Purpose and Intent	51
70- 60	Permitted Uses	51
70- 61	Permitted Uses with a Conditional Use Permit	53
70- 62	Area Regulations	55
70- 63	Setback Regulations	56
70- 64	Frontage Regulations	56
70- 65	Yard Regulations	56
70- 66	Height Regulations	57
70- 67	Lot Coverage	57
70- 68	Special Provisions	57
	Article IX. Interstate Corridor Business, District B-2	
70- 69	Statement of Purpose and Intent	61
70- 70	Permitted Uses	61
70- 71	Permitted Uses with a Conditional Use Permit	62
70- 72	Area Regulations	63
70- 73	Setback Regulations	63
70- 74	Frontage Regulations	63
70- 75	Yard Regulations	63
70- 76	Height Regulations	64
70- 77	Lot Coverage	64
70- 78	Special Provisions	64
	Article X. Limited Industrial, District M-1	
70- 79	Statement of Purpose and Intent	67
70- 80	Permitted Uses	67
70-81	Permitted Uses with a Conditional Use Permit	69
70- 82	Area Regulations	70
70- 83	Setback Regulations	70
70- 84	Frontage Regulations	70
70- 85	Yard Regulations	70
70- 86	Height Regulations	70
70- 87	Special Provisions	71
	Article X-A. Transitional, District X	
70-87.1	Statement of Purpose and Intent	73
70-87.2	Permitted Uses	73
70-87.3	Permitted Uses with a Conditional Use Permit	74
70-87.4	Area Regulations	7. 74
70-87.5	Setback Regulations	74
70-87.6	Frontage Regulations	74
70-87.7	Yard Regulations	74
70-87.8	Height Regulations	75
70-87.9	Lot Coverage	75

Article XI. Floodplain Conservation, District FC

70- 88	Purpose and Intent of Article	77
70- 89	Applicability	77
70- 90	Compliance and Liability	77
70- 91	Abrogation and Greater Restrictions	77
70- 92	Severability and Penalties	78
70- 93	Definitions for the Purposes of this Article	78
70- 94	Description of District	81
70- 95	Official Zoning Map	82
70- 96	District Boundary Changes	82
70- 97	Interpretation of District Boundaries	82
70- 98	General Provisions	82
70- 98.1	Approximated Floodplain District (Zone A)	83
	Detailed Floodplain District (Zone AE)	84
	Floodway District	84
	Permitted Uses	84
70-100	Permitted Uses with a Conditional Use Permit	85
70-100.1	Permitting Process Information	86
	General Standards	86
70-100.3	Elevation and Construction Standards	86
	Standards for Subdivision Proposals	88
	Design Criteria for Utilities and Facilities	88
	Variances: Factors to be Considered	89
70-103	Existing Structures in the Floodplain Conservation District	90
70-103.1	Records	91
70-103.2	Designation of the Floodplain Administrator	91
	Duties and Responsibilities of the Floodplain Administrator	91
	Use and Interpretations of FIRMs	93
	Jurisdictional Boundary Change	94
	Submitting Model Backed Technical Data	95
	Letters of Map Revision	95
	Article XII. Historic Overlay District (HOD)	
70- 104	Purpose and Intent of Article	97
	Overlay Concept	97
70- 106	Definitions for the Purposes of this Article	97
70- 107	Historic Overlay District Created and Established	98
70- 108	Review Board	98
70- 109	Application to the Review Board for Comment	99
70-110	General Guidelines for Review	102
70-111	Maintenance and Repair	102
70-112	Public Safety or Hazard	102
70- 113	Expansion of the Historic Overlay District	102
70- 114	Severability	103
'		

Article XIII. Planned Development

70-115	Purpose and Intent of Article	105
70-116	General Application of Article	105
70- 117	Creation of Planned Development Districts	105
70- 118	Application Procedures	106
70- 119	Review of Development Plan and Amendment of Zoning Map	
	to Establish the Planned Development District	109
70-120	Site Plans	110
70-121	Revision of Re-approval of Development Plan	111
70- 122	Planned Residential Neighborhood (PRN) District Regulations	112
70- 123	Planned Residential Mobile Home Park (PRMH) District Regulations	118
70- 124	Requirements for Landscaping in all Planned Developments	125
	Article XIV. Supplementary District Regulations	
70- 125	Widening of Streets and Highways	127
	Access to Public Streets	127
	Utilities Utilities	127
	Accessory Uses, Buildings or Structures	127
	Recreational Vehicles and Travel Trailers	128
70- 130		128
	Yards and Open Space	129
	Projections into Yards	129
	Fences Walls and Hedges	130
	Visual Obstructions	131
	Landscaping, Buffering and Screening	131
	Temporary Use Regulations	132
	Home Occupations	137
70- 138	In-Home Day Care	139
70- 139	Group Homes	139
70- 140	Day Care Centers	140
70- 141	Nursing and Convalescent Homes (Including Homes for the Elderly)	140
70- 142	Professional Offices	140
70- 143	Bed and Breakfast Establishments	141
	Shopping Center Regulations	141
	Town House Regulations	144
	Multi-Family Dwelling Regulations	150
	Courtyard Home Regulations	155
70- 147	Automobile Service Station Regulations	160
70- 148	Obstruction of Public Right-of-Ways	161
	Nuisances	161
	Off-Street Parking Requirements	161
70- 151	Off-Street Loading Requirements	171
	Sign Regulations	172
	Manufactured Homes	189
70- 152.2	Residential Occupancy Standards	190

Article XV. Conditional Use Regulations

70- 153	Purpose and Intent of Article	193
70- 154	General Standards	193
70-154.1	General Standards Concerning Adult Businesses	194
70- 155	Application	194
70- 156	Procedures for Review	195
70- 157	Conditions	196
70- 158	Issuance	196
70- 159	Violation of Conditions	196
70- 160	Expiration	196
	Reapplication	197
	Article XVI. Nonconforming Uses	
70- 162	Continuation of Use	199
70- 163	Permits	199
70- 164	Changes in District Boundaries	200
	Expansion or Enlargement	200
	Repairs and Maintenance	200
	Restoration or Replacement	200
	Nonconforming Lots of Record	201
	Highway Realignment or Condemnation	202
	Article XVII. Site Plan Requirements	
70- 170	Purpose and Intent of Article	203
70- 170	When Required	203
70- 171	Waiver of Requirements	203
70- 172	Site Plan Pre-requisite to Issuance of Permits	204
70- 173	Site Plan Specifications	204
70- 174	Site Plan Contents	204
70- 173	Improvements and Standards	206
70- 170	General Standards	207
70-177	Procedures for Review and Approval	207
70-178	Site Plan Termination or Extensions	208
70- 179	Amendments to Approved Site Plan	208
70- 181	Compliance with Approved Site Plan	208
70-181	Site Improvements to be Completed Prior	200
70-102	to Issuance of Zoning Certificate	208
	Article XVIII. Administration and Enforcement	
70 102	A. J C. C. A A	200
70- 183	Administrator Zanina Ramita	209
70- 184	Zoning Permits Payreits Issued Prings & Adoption of Chapter	210 212
70- 185	Permits Issued Prior to Adoption of Chapter	
70- 186	Amendments to the Comprehensive Plan	212
70- 187	•	212
	Amendments to Chapter	213
	Conditional Zoning	215
/0- 189	Schedule of Fees	216

 70- 189.1 Payment of Delinquent Taxes 70- 190 Violations and Penalties 70- 191 Legal Remedies for Violations 	217 217 217
Article XIX. Board of Zoning Appeals	
70- 192 Membership Generally	219
70-193 Organization	219
70- 194 Rules of Procedure	220
70- 195 Powers and Duties	220
70- 196 Applications for Variances	221
70- 197 Appeal Procedure for Administrative Review	221
70-198 Judicial Review of Decision of Board of Zoning Appeals	222
Supplements to Zoning Ordinance	
Supplement A: Summary of District Area Regulations	223
Supplement B: Zoning Administration Process, Town of New Market	225
Supplement C: Amendment Record Sheet	226

Intentionally Left Blank