

Zoning Ordinance
Madison County, Virginia

Article 1

Statement of Intent and Purpose

Whereas, by act of the General Assembly of Virginia, as provided in Title 15.1, Chapter 11, Sections 15.1-427 through 15.1-503, Code of Virginia, as amended, the governing body of any county or municipality may, by ordinance, divide the territory under its jurisdiction into districts of such number, shape and area as it may deem best suited to carry out the purpose of this article, and in each district it may regulate, restrict, permit, prohibit, and determine the following:

- a) The use of land, buildings, structures, and other premises for agricultural, commercial, industrial, residential, and other specific uses;
- b) The size, height, area, bulk, location, erection, construction, reconstruction, alteration, repair, maintenance, razing or removal of structures;
- c) The areas and dimensions of land, water, and air space to be occupied by buildings, structures, including variations in the sizes of lots based on whether a public or community water supply or sewer system is available and used or not;
- d) The excavation or mining of soil or other natural resources.

Therefore, be it ordained by the governing body of the County of Madison, Virginia, for the purpose of promoting the health, safety and general welfare of the public and of further accomplishing the objectives of Section 15.1-427 that the following be adopted as the zoning ordinance of the County of Madison, Virginia, together with the accompanying maps made a part of this ordinance. This ordinance has been designed (1) to provide for adequate light, air, convenience of access and safety from fire, flood, and other dangers; (2) to reduce and prevent congestion in the public streets; (3) to facilitate the creation of a convenient, attractive, and harmonious community; (4) to expedite the provision of adequate police and fire protection, disaster evacuation, civil defense, transportation, water, sewerage, schools, parks, forests, playgrounds, recreational facilities, airports, and

other public requirements; (5) to protect against destruction of or encroachment upon historic areas; and/or (6) to protect against over-crowding of land, undue density of population in relation to the community facilities existing or available, obstruction of light and air, danger and congestion in travel and transportation or loss of life, health, or property from fire, flood, panic or other dangers.

Article 2

Zones - Districts

2-1 For the purpose of this ordinance, the unincorporated area of Madison County, Virginia, is hereby divided into the following zones:

Article 3 - Conservation, C-1

Article 4 - Agricultural, A-1

Article 5 - Residential, Limited R-1

Article 6 - Residential, General R-2

Article 7 - Residential, Multiple Family R-3

Article 8 - Business, General B-1

Article 9 - Industrial, Limited M-1

Article 10 - Industrial, General M-2

2-2 No building shall hereafter be erected and no existing building shall be moved, altered, added to or enlarged nor shall any land or building be used, designed, or arranged to be used for any purpose other than is included among the uses listed in this ordinance as permitted in the district in which such building or land is located, nor in any manner contrary to any other requirements specified in this ordinance.

2-3 The regulations listed in this ordinance for each district shall be deemed to be the minimum requirements in every instance of their application, subject to the provisions of other sections of this ordinance.

2-4 Any use not specifically permitted as a matter by right or by special use permit is prohibited. Requests for such prohibited uses shall be governed by the terms of this ordinance specified in Section 14-7 (Uses Not Provided For) and Article 18 (Amendments).

Article 3

CONSERVATION, C-1

Statement of Intent

This district is established for the specific purpose of facilitating the conservation of water, timber, and other natural resources, reducing soil erosion, protecting upland watersheds, lessening the hazards of flood and fire, and enhancing existing and future farming operations. The district covers steep slopes, hardwood forests, areas of erosive soils, and those portions of the county which are occupied by various open spaces such as parklands, farms, lakes or mountains. Because of the fragile nature of the district, intensive residential or urban development and uses not consistent with the existing character of the district are inappropriate.

This district shall contain land that predominantly conforms to the following criteria for elevation, soil type and slope as shown on appropriate reference maps: (1) elevation of greater than 800 feet above sea level; (2) soil type of Class 4 or greater; and (3) slope of greater than 15%.

In addition to the zoning ordinance, uses in this zone may be subject to the requirements of Madison County Subdivision Ordinance, Site Plan Ordinance, Soil Erosion and Sedimentation Control Ordinance, and/or Floodplain Management Ordinance.

Use Regulations

3-1 In the Conservation District C-1 no building shall be erected or altered and no building or premises shall be used for any purpose except the following:

Uses Permitted By Right

- 3-1-1 Single family detached dwelling (including mobile home)
- 3-1-2 General farming, agriculture, horticulture, dairying and forestry
- 3-1-3 Public school, public park and public playground
- 3-1-4 Preserve and conservation area
- 3-1-5 Hunting or fishing club
- 3-1-6 Sawmill

- 3-1-7 Small boat dock (with repair)
- 3-1-8 Cemetery and graveyard
- 3-1-9 Church, parish hall and rectory
- 3-1-10 Accessory use and building
- 3-1-11 Public service corporation transmission lines, poles, pipes, meters, transformers and other facilities necessary for the transmission and maintenance of public service utilities. Subject to Section 15.1-456, Code of Virginia, 1950, as amended
- 3-1-12 Farm Winery with wholesale sales
- 3-1-13 Intensive livestock, dairy or poultry facility subject to Article 3-10.
- 3-1-14 Home occupation as defined.
- 3-1-15 Sorghum syrup production with wholesale sales.
- 3-1-16 Small wind energy system.

- 3-2 Special Permit Uses: the following uses may also be permitted subject to securing a special use permit as provided in Article 14-3.
- 3-2-1 Summer camp
- 3-2-2 Travel trailer or camper camp as provided in Article 15
- 3-2-3 Public service corporation generating, booster, or relay station (Main)
- 3-2-4 General store as defined
- 3-2-5 Antique craft and gift shop
- 3-2-6 Sanitary landfill
- 3-2-7 Animal show ground
- 3-2-8 Temporary carnival, fair, show with a non-profit local sponsor
- 3-2-9 Temporary wayside stand
- 3-2-10 Private park and playground
- 3-2-11 Temporary construction yard
- 3-2-12 Commercial slaughterhouse
- 3-2-13 Private school or day care center
- 3-2-14 Commercial riding stable and ring
- 3-2-15 Lodge, inn, or hotel with interior eating facilities or overnight lodging
- 3-2-16 Public building
- 3-2-17 Firearm or archery club and/or range
- 3-2-18 Farm Winery with retail sales
- 3-2-19 Kennel
- 3-2-20 Veterinary clinic and building
- 3-2-21 Home occupation as defined
- 3-2-22 Restaurant/Caterer
- 3-2-23 Sorghum syrup production with retail sales.
- 3-2-24 Golf course

- 3-2-25 Golf driving range
3-2-26 Country club
- 3-3 Area Regulations
The minimum lot area for permitted uses shall be ten (10) acres (435,600 square feet).
- 3-4 Setback Regulations
3-4-1 Structures shall be located fifty (50) feet or more from any street right-of-way which is fifty (50) feet or greater in width, or one hundred (100) feet or more from the center line of any street right-of-way less than fifty (50) feet in width.
3-4-2 All accessory buildings must be located ten (10) feet or more from any property line except that no accessory building may be located closer to the front of a lot than a main structure.
- 3-5 Frontage Regulations
The minimum frontage for permitted uses shall be three hundred (300) feet at the setback line. The minimum distance which the building is required to be located from the street right-of-way or center line shall be known as the setback line.
- 3-6 Yard Regulations
3-6-1 Side - Each main structure shall have side yards of twenty-five (25) feet or more.
3-6-2 Rear - Each main structure shall have a rear yard of fifty (50) feet or more.
- 3-7 Sign Regulations
Signs shall conform to Article 12 of this ordinance.
- 3-8 Height Regulations
The height regulations for the Conservation, C-1, district shall conform to the height regulations for the Residential Limited, R-1 District, as detailed in Section 5-8. All agricultural uses are exempt from height restrictions.
- 3-9 Offstreet Parking
Offstreet parking is subject to Section 14-9 of this ordinance.

3-10 Intensive Livestock, Dairy or Poultry Facilities

SECTION 1

1.1 Intent

It is the intent of this Article of this zoning ordinance to encourage economic development and to preserve farmland by providing for the viability of Madison County's agricultural sector by encouraging orderly and responsible growth of its livestock, dairy and poultry industry.

Within the Conservation, C-1 or Agricultural, A-1 zoning districts of Madison County, all agricultural production activities (e.g., tillage, crop production, harvesting, pasturing of animals, etc.) related best management practices and minor processing shall be uses by right to which the provisions of Articles 3 and 4 of the Madison County Zoning Ordinance apply. In addition, any agriculture production activity that is described in Article 3 and 4 of the Madison County Zoning Ordinance and that is undertaken in accordance with the provisions of this chapter within the Conservation, C-1 or Agricultural, A-1 zoning districts of Madison County shall also be a use by right.

SECTION 2

2.1 Definitions

Livestock: includes all domestic or domesticated: bovine animals, including but not limited to cattle, equine animals, including but not limited to horses; ovine animals, including but not limited to sheep; porcine animals, including but not limited to hogs.

Intensive livestock facility, (hereafter, "livestock facility"): A livestock operation with accessory uses or structures, as defined below, which at any one time has at least 300 animal units as referenced in the below chart and that: 1. such animals are or will be stabled or confined and fed or maintained for a total of forty-five consecutive days or more in any twelve month period; and, 2. crops, vegetation, forage growth or post-harvest residues are not sustained over any portion of the operation of the lot or facility.

Intensive dairy facility, (hereafter "dairy facility"): A dairy operation with accessory uses or structures, as defined below, which at any one time has at least 300 animal units as referenced in the below chart and that: 1. such animals are or will be stabled or confined and fed or maintained for a total of forty-five

consecutive days or more in any twelve month period; and, 2. crops, vegetation, forage growth or post-harvest residues are not sustained over any portion of the operation of the lot or facility.

Intensive poultry facility, (hereafter, "poultry facility"): A poultry operation with accessory uses or structures, as defined below, which at any one time has at least 500 turkeys or 1,000 laying hens or broilers as referenced in the chart below and that: 1. such animals are or will be stabled or confined and fed or maintained for a total of forty-five consecutive days or more in any twelve month period; and, 2. crops, vegetation, forage growth or post-harvest residues are not sustained over any portion of the operation of the lot or facility.

TYPE OF FACILITY

	Equivalent of 300 animal units:
A. Livestock	300 slaughter and feeder cattle
Livestock	750 swine each weighing over 55 lbs
Livestock	150 horses
Livestock	3,000 sheep or lambs
B. Dairy	200 mature dairy cattle (whether <u>milked or dry cows</u>)
C. Poultry	500 turkeys
Poultry	1,000 laying hens or broilers

Livestock, dairy, poultry structure: Any building, structure, installation, storage container or storage site used in the operations of an intensive livestock, dairy or poultry facility, including but not limited to, feed storage bins, litter storage sites, incinerators, manure storage sites, poultry houses, poultry disposal pits, and dead poultry cold storage chests.

Livestock raiser, dairy operator, poultry grower, (hereafter, "operator"): The owner or operator of the livestock facility, dairy facility, dairy or poultry facility or the land on which the livestock dairy or poultry facility is located.

Parcel of land: A measured portion of land separated from other portions of land by a metes and bounds description or described as separate, discrete tract in an instrument of conveyance or devise and recorded in the offices of the Clerk of the Circuit Court of Madison County and shown on tax maps of Madison County located in the office of the Madison County Commissioner of Revenue.

SECTION 3

3.1 Acreage requirements

The minimum number of acres on which an intensive livestock, dairy, or poultry facility may be established shall be as follows:

1. For an intensive facility in which beef or dairy cattle are confined and fed, 60 acres or the number of acres required by the nutrient management plan whichever is less and which has been approved pursuant to Section 5 herein;
2. For an intensive facility in which swine are confined and fed, 20 acres or the number of acres required by the nutrient management plan whichever is less and which has been approved pursuant to Section 5 herein;
3. For intensive facility in which poultry are confined and fed, 20 acres or the number of acres required by the nutrient management plan whichever is less and which has been approved pursuant to Section 5 herein;

All such acres for any one intensive facility need not be contiguous, if the operator owns or has the right to possession of all acres on which such facility shall be established. In addition, the operator shall be able to demonstrate that he or she has a right to access between any non-contiguous acres in such operation.

Livestock, dairy or poultry facilities in operation as of the effective date of this amendment which do not have sufficient acres, as required above, shall be considered non-conforming existing uses and may continue so long as the operation is not abandoned for as long as two years continuously.

3.2 Setbacks from property line

Each livestock, dairy or poultry structure shall be set back from the owner's property line as follows:

1. In the Conservation, C-1 or Agriculture, A-1 zoning districts: three hundred (300) feet;
2.
 - a) From an adjacent zoning district that is not Conservation, C-1 or Agricultural, A-1: six hundred (600) feet;
 - b) The owner may reduce the above 600 feet setback to 400 feet if he/she plants a 10 foot wide vegetative screen that will grow to at least 6 feet height in two years unless there is a natural barrier that

meets the height and width requirements.

3.3 Setbacks from public road

The setback for intensive livestock, dairy or poultry structures from a public road shall be at least three hundred (300) feet.

3.4 Other setbacks

All livestock, dairy or poultry structures shall be set back at least one thousand (1000) feet from incorporated towns; residential R-1, R-2 and R-3 zoning districts; mobile home parks; public schools; churches, county owned buildings; public recreation areas; public wells, public springs and public water intakes.

The owner may reduce the above 1000 feet setback to 800 feet if he/she plants a 10 foot wide vegetative screen that will grow to at least 6 feet in height in two years unless there is a natural barrier that meets the height and width requirements.

All livestock, dairy or poultry structures shall be set back at least one hundred (100) feet from any well, stream, creek, river or other water impoundment of any type.

3.5 Plat/Affidavit required

The owner of an intensive facility constructed or completed after the effective date of this chapter shall file with the zoning administrator a plat or scaled drawing showing the entire parcels on which the facility is located and also showing the location of the facility within the parcel or parcels. With this plat or scaled drawing, the owner shall submit a written affidavit sworn to and subscribed before a notary public, by which the owner certified to the zoning administrator that the intensive facility shown on the plat or similar documentation meets all applicable setback requirements of this ordinance.

SECTION 4

4.1 Livestock, dairy or poultry facility development plans

- a) In the Conservation, C-1 or Agricultural, A-1 zoning districts, an owner of a livestock, dairy or poultry facility or a potential owner may file with the

zoning administrator a development plan which indicates the number, size and location of livestock, dairy or poultry structures planned for the subject parcel. When such development plan has been approved by and filed with the zoning administrator and during the period in which it remains in effect, the planned structures shall be obliged to meet setbacks only from those property lines and uses existing at the time the development plan is approved. The zoning administrator shall approve within 30 days of receipt of the development plan, or if the development plan does not meet the requirements of Sections 3 and 4, the zoning administrator shall return the development plan to the person who submitted it, together with a written description of the portion(s) of the development plan that do not comply with such Sections.

- b) The development plan shall be based on the requirements of this chapter and shall be accompanied by a plat or scaled drawing and affidavit verifying the accuracy of the distances shown in the development plan and containing all of the data required as specified pursuant to Section 3 of this chapter.
- c) The development plan shall remain in force only so long as the structures proposed are constructed in accordance with the development plan and are placed in service as described below.
- d) At least one-third (1/3) of the number of head of livestock or dairy animals, subject to this chapter of the ordinance or one (1) poultry structure indicated in the development plan must be placed into service within thirty-six (36) months of the date on which the development plan is approved by the zoning administrator, unless at least one-third (1/3) of the number of livestock, dairy or one (1) such poultry structure is already in service on the subject parcel at the time the development plan is filed.
- e) The owner shall notify the zoning administrator in writing within thirty (30) days of placement into service of any structure indicated in his/her development plan.
- f) In the event an owner fails to build the proposed structure or have in place the minimum number of head required in the above section (d) or fails to obtain building permits for any of the structures indicated in his development plan within the prescribed five (5) year period, the zoning administrator shall revoke the development plan. All future development plans of the structure on the subject parcel shall conform to the requirements

of this chapter.

- g) Each parcel for which a development plan has been approved by the zoning administrator shall display at its entrance a sign no smaller than two (2) square feet, or larger than four (4) square feet, clearly visible from the nearest roadway, indicating that a development plan is in effect for the parcel and containing the words "Certified Agricultural Development Site."
- h) Nothing herein shall be construed to prohibit an operator or a potential operator from submitting amendments to his or her original development plan or to submitting revised development plans at any time. The zoning administrator shall approve the amended or revised development plan, following the standards set forth in 4.1 (a) above, according to the terms of the zoning ordinance in effect at the time that the amendments or revisions are submitted to the zoning administrator.

SECTION 5

5.1 Nutrient Management Plan

- (a) No intensive facility shall commence operation until a nutrient management plan for the proposed facility has been reviewed and approved by the Virginia Department of Conservation and Recreation or by the Virginia Extension Service or by a person certified or employed by the Commonwealth of Virginia, as a nutrient management planner.

Every intensive facility with liquid waste shall have sufficient on-site storage for a 6 month supply of liquid waste. Every intensive facility with solid waste shall have sufficient on-site storage for one complete cleaning of the facility.

- (b) If off-site disposal is part of the nutrient management plan, the operator shall provide, as part of that nutrient management plan, written documentation of an agreement with the receiver of the wastes produced at the owner's facility. Documentation shall specify the duration of the agreement and the nature of the application or use of the wastes. A nutrient management plan containing such an agreement shall be valid only as long as the agreement remains in force and shall be reviewed whenever such an agreement expires or is terminated by either party. The owner shall notify the zoning administrator whenever such an agreement is terminated before its stated expiration date within fifteen (15) days of such termination.

- (c) (1) The facility shall also provide for a site, with or without a permanent structure, for the storage of animal wastes.
 - (2) If an owner is unable to locate a storage site on the same parcel of land because of insufficient acreage or topographical hardship, the zoning administrator may permit the storage site to be located on adjacent land of the owner; or, if there is valid agreement for off-site disposal as provided in this section, the zoning administrator may permit the storage site be located on a parcel specified in the agreement for off-site disposal.
 - (d) The nutrient management plan shall be reviewed and updated every five (5) years by an agent of the Virginia Department of Conservation and Recreation or by the Virginia Cooperative Extension Service or by a person certified or employed by the Commonwealth of Virginia as a nutrient management planner.
- 3-11 Limitations of Subdivisions in Conservation, C-1 District: No lot, tract or parcel of land in the Conservation, C-1 District shall be subdivided into more than four (4) smaller lots, tracts or parcels of land (including the residue if any) within any ten (10) year period. Except as provided above, no lot, tract or parcel of land in the Conservation, C-1 District created by subdivision in accordance herewith shall be further subdivided within ten (10) years from the date the subdivision plat is recorded in the Clerk's Office of the Circuit Court of Madison County, Virginia. A lot, tract or parcel of land created by boundary adjustment in the Conservation, C-1 District shall not gain additional division rights until ten (10) years from the date the plat or deed of boundary adjustment is recorded in the Clerk's Office of the Circuit Court of Madison County, Virginia.

Article 4

AGRICULTURAL, A-1

Statement of Intent

This district is established for the purpose of accommodating all types of rural, open land uses such as agriculture and forestry, along with kindred rural occupations. The basic aim is to promote farming as a continuing way of life in Madison County. The agricultural area should maintain a low development density allowing farm and local estate residences. Intensive suburban growth is less feasible. The permitted uses are broad enough to allow expanded residential uses in pre-planned and staged locations recognizing future trends of orderly growth, and at the same time discouraging random scattering of such uses throughout the district.

In addition to the zoning ordinances, uses in this zone may be subject to the requirements of Madison County's Subdivision Ordinance, Site Plan Ordinance, and/or Soil Erosion and Sedimentation Control Ordinance, and/or Floodplain Management Ordinance.

4-1 Use Regulations

In the Agricultural District A-1 no building shall be erected or altered and no building or premises shall be used for any purpose except the following:

Uses Permitted By Right

4-1-1 Same as Conservation, C-1

4-1-2 Processing of farm and food products with wholesale sales.

4-2 Special Permit Uses: the following uses may also be permitted subject to securing a special use permit as provided in Article 14-3.

4-2-1 Same as Conservation, C-1 plus:

4-2-2 Hospital, clinic, and nursing home

4-2-3 Dinner theater

4-2-4 Airport or heliport

4-2-5 Storage of explosives incidental to farm or construction activity

4-2-6 Commercial greenhouse and plant nursery

4-2-7 Commercial warehouse for bulk agricultural produce

4-2-8 Welding and Blacksmith shop

- 4-2-9 Small or medium alcohol fuel plants (See 20-8A and 20-8B for definition)
- 4-2-10 Furniture, cabinet, woodworking or wood assembly shop under cover.
- 4-2-11 Small engine repair shop
- 4-2-12 Automobile repair shop
- 4-2-13 Bulk fertilizer blending, storage and sales
- 4-2-14 Farm supply sales, exclusive of new farm machinery
- 4-2-15 Livestock market
- 4-2-16 Mulch Production Facility
- 4-2-17 Professional office (limited).
- 4-2-18 Two family dwelling (duplex) (limited).
- 4-2-19 Group home, child.
- 4-2-20 Processing of farm and food products with retail sales.
- 4-2-21 Farmers market.

4-3 Area Regulations

The minimum lot area for permitted uses shall be three (3) acres (130,680 square feet).

4-4 Setback Regulations

- 4-4-1 Structures shall be located fifty (50) feet or more from any street right-of-way which is fifty (50) feet or greater in width, or one hundred (100) feet or more from the center line of any street right-of-way less than fifty (50) feet in width.

- 4-4-2 All accessory buildings must be located ten (10) feet or more from any property line except that no accessory building may be located closer to the front of a lot than the main structure.

4-5 Frontage Regulations

The minimum frontage for permitted uses shall be two hundred fifty (250) feet at the setback line. The minimum distance which the building is required to be located from the street right-of-way or center line shall be known as the setback line.

4-6 Yard Regulations

- 4-6-1 Side - Each main structure shall have side yards of twenty-five (25) feet or more.

- 4-6-2 Rear - Each main structure shall have a rear yard of fifty (50) feet or more.

- 4-7 Sign Regulations
Signs shall conform to Article 12 of this ordinance.
- 4-8 Height Regulations
The height regulations for the Agricultural, A-1 district shall conform to the height regulations for the Residential Limited, R-1 District, as detailed in Section 5-8. All agricultural uses are exempt from height restrictions.
- 4-9 Offstreet Parking
Offstreet parking is subject to Section 14-9 of this ordinance.
- 4-10 Entrance Regulations
- 4-10-1 The centerline of any entrance onto a Virginia primary road shall be six hundred (600) feet or more from the centerline of any adjacent entrance; provided, however, each parcel of land that fronts on a Virginia primary road and is recorded in the Clerk's Office of the Circuit Court of Madison County prior to June 20, 1990, shall be permitted to have at least one such entrance; and provided further that the aforesaid distance between entrances may be decreased to a point of nearest relief upon application by special use permit if the Board of Supervisors after recommendation from the Planning Commission and approval of the Virginia Department of Transportation finds that exceptional topographical conditions such as rock formations or floodplain areas justify such decrease.
- Each application for a special use permit under this paragraph shall include a plat of survey showing both the six hundred (600) foot entrance point and the point of nearest relief. After approval, said plat of survey shall be recorded by the applicant in the Clerk's Office of the Circuit Court of Madison County.
- 4-10-2 The centerline of any entrance onto U. S. Route 29 shall be nine hundred (900) feet or more from the centerline of any adjacent entrance; provided, however, each parcel of land that fronts on U. S. Route 29 and is recorded in the Clerk's Office of the Circuit Court of Madison County prior to June 20, 1990, shall be permitted to have at least one such entrance; and provided further that the aforesaid distance between entrances may be decreased to a point of nearest

relief upon application by special use permit if the Board of Supervisors after recommendation from the Planning Commission and approval of the Virginia Department of Transportation finds that exceptional topographical conditions such as rock formations or floodplain areas justify such decrease.

Each application for a special use permit under this paragraph shall include a plat of survey showing both the nine hundred (900) foot entrance point and the point of nearest relief. After approval, said plat of survey shall be recorded by the applicant in the Clerk's Office of the Circuit Court of Madison County.

Entrances shall be located at crossover points on U. S. Route 29 if feasible and required by the Virginia Department of Transportation.

The aforesaid entrance regulation shall not apply to U. S. Route 29 Business.

- 4-11 Limitations of Subdivisions in Agricultural, A-1 Districts: No lot, tract or parcel of land in the Agricultural, A-1 District shall be subdivided into more than four (4) smaller lots, tracts or parcels of land (including the residue, if any) within any ten (10) year period. Except as provided above, no lot, tract or parcel of land in the Agricultural, A-1 District created by subdivision in accordance herewith shall be further subdivided within ten (10) years from the date the subdivision plat is recorded in the Clerk's Office of the Circuit Court of Madison County, Virginia. A lot, tract or parcel of land created by boundary adjustment in the Agricultural, A-1 District shall not gain additional division rights until ten (10) years from the date the plat or deed of boundary adjustment is recorded in the Clerk's Office of the Circuit Court of Madison County, Virginia.