

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 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.