

A G E N D A
JAMES CITY COUNTY POLICY COMMITTEE
REGULAR MEETING
Building A Large Conference Room
101 Mounts Bay Road, Williamsburg, VA 23185
May 11, 2017
4:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. MINUTES

1. March 9, 2017 Meeting Minutes

D. OLD BUSINESS

1. ZO-0015-2016, Zoning Ordinance Amendments to Address Family and Group Home Definitions

E. NEW BUSINESS

F. ADJOURNMENT

ITEM SUMMARY

DATE: 5/11/2017
TO: The Policy Committee
FROM: Paul D. Holt, III, Secretary
SUBJECT: March 9, 2017 Meeting Minutes

ATTACHMENTS:

	Description	Type
▣	March 9, 2017 Meeting Minutes	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Policy	Rosario, Tammy	Approved	5/4/2017 - 3:11 PM
Policy	Holt, Paul	Approved	5/4/2017 - 4:33 PM
Publication Management	Colonna, Tina	Approved	5/4/2017 - 5:00 PM
Policy Secretary	Secretary, Policy	Approved	5/5/2017 - 10:30 AM

MINUTES
JAMES CITY COUNTY POLICY COMMITTEE
REGULAR MEETING
Building A Large Conference Room
101 Mounts Bay Road, Williamsburg, VA 23185
March 9, 2017
4:00 PM

A. CALL TO ORDER

Mr. Rich Krapf called the meeting to order at approximately 4 p.m.

B. ROLL CALL

Present:

Mr. Rich Krapf, Chair
Mr. Danny Schmidt
Mr. John Wright

Absent:

Mr. Heath Richardson

Staff:

Ms. Tammy Rosario, Principal Planner
Ms. Christy Parrish, Zoning Administrator
Ms. Terry Costello, Deputy Zoning Administrator
Mr. Tom Leininger, Community Development Assistant
Mr. Maxwell, Hlavin Assistant County Attorney

C. MINUTES

1. February 9, 2017 Meeting Minutes

A motion to Approve was made by Danny Schmidt, the motion result was Passed.
AYES: 2 NAYS: 0 ABSTAIN: 1 ABSENT: 1
Ayes: Schmidt, Wright III

Abstain: Krapf

Absent: Richardson

Mr. Danny Schmidt made a motion to approve the February 9, 2017, meeting minutes.

2. February 23, 2017 Meeting Minutes

A motion to Approve was made by Danny Schmidt, the motion result was Passed.
AYES: 3 NAYS: 0 ABSTAIN: 0 ABSENT: 1
Ayes: Krapf, Schmidt, Wright III

Absent: Richardson

Mr. Danny Schmidt made a motion to approve the February 23, 2017, meeting minutes.

D. OLD BUSINESS

There was no old business.

E. NEW BUSINESS

1. ZO-0015-2016, Updates to Definition of Group Home

Ms. Terry Costello stated that at the November 8, 2017, Board of Supervisors' meeting, the Board adopted an initiating resolution to address group homes in all of the districts. Ms. Costello stated that the resolution was also for stage to investigate if the County's Code was compliant with the Code of Virginia and the federal regulations. Ms. Costello stated that staff has determined that changes were necessary to comply with the Fair Housing Act (FHA). Ms. Costello stated that staff are proposing to put two groups in the family definitions since they are required by the state. Ms. Costello stated that there are a couple of other improvements such as adding foster care to the definition of family. Ms. Costello stated that staff is looking for the Policy Committee to discuss and recommend items prior to moving forward with a draft ordinance to the Planning Commission.

Mr. Richard Krapf asked why three unrelated persons was chosen as the definition for family in the past.

Mr. John Wright stated that with possibly William & Mary nearby that it could keep the house turning into a dorm environment.

Ms. Tammy Rosario stated that at the time, it could have also correlated to the typical number of bedrooms in a house.

Mr. Wright asked how we know if a facility will be able to handle eight individuals living together.

Mr. Max Hlavin stated that these facilities are licensed by the state to fall into a single-family definition.

Mr. Wright asked if the state goes in to look at the facility.

Mr. Hlavin stated that the Department of Behavioral Services and the Department of Social Services licenses the house by their standards.

Mr. Wright stated that he felt concern with a two-bedroom house with four bunkbeds in each room.

Ms. Christy Parrish stated that it is likely that there are standards that require inspections.

Ms. Costello stated that it is a three- to five-year process to acquire a license with constant inspections.

Mr. Wright asked if it was a state-run enterprise or a commercial enterprise.

Mr. Hlavin did not know the extent of the enterprise.

Mr. Wright asked how we got to the current State Code.

Mr. Hlavin stated that he did not know the history of the Code.

Ms. Costello added that the Code was put into effect in 2012. She stated that in 2014 the Code was revised to include non-resident staff persons.

Mr. Hlavin stated that the Code changes were a move towards community-based therapeutic treatment as opposed to traditional residential facilities with mental illness. Mr. Hlavin stated it was a matter of lobbying and policy argument at the state level.

Mr. Wright asked if the intent was to mainstream individuals that would be able to do well in a residential environment verses a facility like Eastern State Hospital.

Ms. Costello stated that it is possible that when state facilities were closing that they determined these would be good environments for some residents.

Mr. Krapf clarified that the agenda for the meeting is to discuss the revised definition of a family and the permitted and specially permitted zoning districts for group homes.

Ms. Parrish stated that the state requires localities to treat a group home as if it were a single-family home.

Ms. Rosario stated that there is a third item on the agenda, which is to define group home.

Mr. Krapf asked if sexual predators, people convicted of crimes or deemed not guilty by reason of insanity, were issues that would get pulled into the group home discussion.

Ms. Parrish stated that the group home in Westmoreland falls into the category that allows up to eight persons, licensed by the state and permitted to reside in a single-family home without any authority of County government. She stated that they are regulated by the state and would fall under the new definition of family. Ms. Parrish stated that the homes that may want to exceed the family definition and want to live together will be discussed. Ms. Parrish stated that we may want to redefine group home to ensure that protected classes are protected by the FHA. Ms. Parrish stated that we are taking the current group home as defined and morphing it into the new family definition so as to capture the ones not regulated by the state into the new group home definition.

Mr. John Wright asked if it is a possibility for a group home to have eight cars.

Ms. Parrish stated that it is a possibility, but it is regulated by the state if a person living there can have a car. She stated that there is a possibility of a means of transportation being provided to them.

Mr. Wright asked if someone had an issue with a group home, would they go to the state.

Ms. Parrish confirmed that they would be directed to the state unless there was a zoning ordinance issue such as long grass or trash.

Mr. Krapf asked if the first step was to get feedback on the revised definition of family.

Ms. Parrish confirmed.

Mr. Krapf stated that he agreed with the changes. Other Policy Committee members concurred.

Ms. Parrish concurred now that the new state definition of group home is incorporated into family, the definition of group home needs to be redefined to capture all the other examples not regulated by the state.

Ms. Costello stated that the current group home definition is what is included in the new definition of family. Ms. Costello stated to comply with the FHA there are two suggested ways to redefine group home. Ms. Costello stated Option 1 is a residential facility housing the aged, infirm, disabled or individuals with handicaps, mental illness, intellectual disabilities or developmental disabilities, not meeting the definition of family in this chapter. Ms. Costello stated that this would include four or more persons in a setting not regulated by the state or nine or more persons in a setting regulated by the state.

Mr. Wright asked if a church would be able to purchase a home to house members of the congregation without going through the state.

Ms. Costello stated that currently they would not be able to, but they would under Option 1.

Ms. Parrish stated that they are trying to develop a category and a process for them to go through.

Mr. Wright asked if it could be a special use permit.

Ms. Parrish confirmed.

Ms. Costello stated that Option 2 is a residential facility shared by more than three unrelated individuals who live together as a single housekeeping unit which does not qualify as a family as defined in this chapter.

Mr. Danny Schmidt stated that it was dangerous territory to allow Option 2.

Mr. Wright stated that he agreed with Option 1 and that Option 2 is too broad of a category. Mr. Wright stated that it would open a lot of issues. Mr. Wright stated that if there was limited housing that Option 2 could work, but he does not see it as a fit for James City County.

Mr. Krapf stated that it broadens the definition considerably beyond the intent of the regulations.

Ms. Costello stated that the intent is to comply with the FHA to provide reasonable accommodations.

Mr. Schmidt asked where a homeless shelter would fall.

Ms. Parrish stated that there are local churches take people in at a week at a time. Ms. Parrish stated that it is not considered a land use issue because it is temporary. She stated that a permanent homeless shelter is not defined in the ordinance. Ms. Parrish stated that an ordinance change would have to be done prior.

Mr. Wright asked about a shelter for women and children.

Ms. Parrish stated that a retreat facility is defined and has been added to the ordinance. Ms. Parrish stated that staff would have to look at the different scenarios due to the temporary uses. Ms. Parrish stated that a retreat is a special use permit in the A-1 Zone. Ms. Parrish stated that staff wanted to keep the new group home definition narrow to capture mental illness or to open it up to ensure that we are covered with all protected classes.

Mr. Hlavin stated that the FHA is a broad brush federal law that says that you cannot discriminate against disabled people in housing. Mr. Hlavin stated that a broad definition at the local level helps with compliance. He stated that Option 1 allows the use to be applied to disability as defined in the FHA. Mr. Hlavin stated that if the definition changes, they are still in compliance without having to go back through a zoning process. Mr. Hlavin stated that it comes down to what the disability is. He stated that there is a process through the Board of Zoning Appeals if someone believes that it is not consistent with what is used in the definition.

Mr. Schmidt asked if we would see ones that would require a special use permit.

Mr. Wright stated he thought so. Mr. Wright stated that he was comfortable with Option 1 as the definition.

Mr. Schmidt stated he was also comfortable with Option 1.

Mr. Krapf stated he was comfortable with Option 1.

Ms. Parrish stated that a retreat is a special use permit in A-1. She stated that a retreat is a private or secure place of refuge and education. She stated that a retreat can include a temporary, short-term residential facilities, recreational amenities and education activities. Ms. Parrish stated that retreat facilities must be voluntary in nature and differ from group homes which must be licensed by the Department of Behavioral Health and Department of Services.

Ms. Costello moved to the topic of the zoning districts where group home would be permitted. She stated that currently A-1, R-1, R-2, R-3, R-4, R-5, PUD-R and MU are the permitted districts for eight and fewer persons. She stated that facilities with nine or more adults are specially permitted in A-1, R-3, R-4, R-5, PUD-R and MU. Ms. Costello stated that group homes are not permitted in R-6. Ms. Costello stated that R-8 has a different definition addressing that five such persons is a specially permitted use. Ms. Costello looked to create a process where there is more uniformity among districts.

Mr. Schmidt asked if we need to accommodate group homes in all districts.

Mr. Hlavin advised that the standard is that there be no discriminatory action. Mr. Hlavin stated that there would be some by-right use established and a special use in other districts.

Mr. Wright asked if R-8 covered much of James City County.

Ms. Costello referred to a map and pointed out that all of the green is R-8.

Mr. Wright asked if these rules and the Code would override the declarations of the Homeowners Association (HOA).

Mr. Hlavin stated that the FHA only applies to a government action and not to private covenants. Mr. Hlavin stated that as a County, we cannot discriminate against people with disabilities in housing policies and choices. Mr. Hlavin stated by shifting these definitions around that the County will be consistent.

Mr. Wright asked where the County falls in the process dealing with private HOA's.

Mr. Hlavin stated that if it was a permitted use then it is not a zoning issue and it would be a landowner's dispute.

Mr. Krapf stated that eight residents would be the tipping point between permitted use and special use permit. Mr. Krapf also asked if staff is recommending to say the permitted use is in R-8 and all other districts would require a special use permit.

Ms. Parrish stated that anything over eight or does not meet the family definition would need a special use permit. Ms. Parrish stated that there could be four, but if they are not licensed by the state, they would need a special use permit. She stated the County needs to provide an avenue whether that is a special use permit or by-right. Ms. Parrish stated that the County could permit a group home that is not under the new family definition, by-right in one zoning district and with special use permit in other districts. She also stated that the County could also make all districts require a special use permit.

Mr. Hlavin stated that he did not think a special use permit requirement is a discriminatory act, but he does not make that decision. Mr. Hlavin stated that it is a safer practice to have a by-right option in certain zoning districts.

Mr. Krapf asked what the definition is for R-8.

Ms. Parrish stated that the minimum lot size for R-8 is three acres. Ms. Parrish stated that there are some R-8 lots with less than three acres.

Ms. Rosario stated that in the 1990's the ordinance changed to three acres and prior to then there could be up to five lots at one acre each.

Ms. Parrish stated that the Rural Residential district, R-8, is intended to apply to rural areas of the County that remains inside the Primary Service Area (PSA) where utilities and urban services are planned, but not yet fully available and where urban development may be expected in the near future. Ms. Parrish stated that the district may also be applied to certain outlying areas where residences exist in similar densities or may be appropriate in view of housing needs. Ms. Parrish stated that the district is intended to maintain a rural environment suitable for farming, forestry and low-density rural residences, together with certain recreational and public or semipublic and institutional uses, until such time as an orderly expansion of urban development is appropriate.

Ms. Costello stated that the staff were thinking that the group homes would be best located in the PSA with utilities the number of people living in a home and located on a larger lot.

Mr. Krapf agreed and stated that it provides enough of a buffer between neighboring residents.

Mr. Wright asked if the Code can state that group homes are permitted by-right in R-8 and the other districts are a special use permit.

Ms. Parrish stated that it is an option.

Mr. Wright stated that R-8 covers majority of the County and allows a group home to be placed anywhere in the County. Mr. Wright stated that he agreed with Mr. Krapf to look for the larger lots to provide a buffer between homes.

Ms. Parrish stated that there is some R-8 located near the Five Forks area as well as the northern portion of the County.

Ms. Rosario stated that there is not a rule stating whether or not it is only permitted in the PSA.

Mr. Krapf asked it is legal to add performance standards to the Code and if it would be acceptable to say R-8 provided inside the PSA with lot sizes three acres minimum.

Mr. Hlavin stated that it is reviewed under the same standard and does not think it is unreasonable. He also stated it that as long as it is justified by legitimate policy concerns, he does not think it is a discriminatory act.

Ms. Parrish stated that we can take this information and look at the R8 statistics and provide some feedback.

Mr. Krapf asked for some recommended performance standards to underscore that the intent is not to discriminate, but to provide a sufficient buffer and public services to the property that is developing in as a group home.

Mr. Wright stated that for smaller lots it would be harder to accommodate any special events that could occur.

Mr. Schmidt agreed.

Ms. Parrish stated that staff can look at what is in the PSA and over three acres and their locations. She also stated that we can work with Mr. Hlavin to come up with some performance standards. Ms. Parrish stated the other districts would require a special use permit. Ms. Parrish stated a draft ordinance can be written up for committee review.

Mr. Krapf asked if any other jurisdictions were stricter than the direction we are going.

Ms. Parrish stated that they are all over the place.

Ms. Costello stated that some localities were less straightforward with their Code.

Mr. Krapf stated that this is a difficult task.

Ms. Parrish stated the goal is to be in compliance with the FHA.

Mr. Wright stated that there is always an option to change it in the future.

Mr. Krapf asked if there is a timeline for a decision.

Mr. Hlavin stated that there was no direction given regarding timeline. Mr. Hlavin stated the County is in compliance with the FHA, but currently handles cases on a case-by-case basis.

Mr. Krapf asked for additional draft material, statistics and the performance standards to be reviewed at a later meeting.

Mr. Krapf stated that he would like to discuss the March 20 special meeting. Mr. Krapf stated that it was possible to highlight a few cases in the meeting, in particular for the schools. Mr. Krapf stated that there was discussion regarding the Montague parking lot with the Americans with Disabilities Act (ADA) issue, the Matthew Whaley Elementary School parking lot expansion, and the Berkeley Middle School well removal. Mr. Krapf stated that the staff would be doing a staff report to summarize the Capital Improvements Program and discussing the ADA issue. Mr. Krapf asked to change the process to allow the staff presentations to highlight only the ADA issue and if the other commissioners have questions about other projects, the Policy Committee can help answer those questions. Mr. Krapf stated he would call Mr. Richardson and get his opinion.

Mr. Schmidt agreed with Mr. Krapf.

Mr. Wright also agreed.

Mr. Krapf asked if Williamsburg-James City County school representatives were invited.

Ms. Rosario stated that they have been invited, but that staff had not received final confirmation.

Mr. Krapf stated that there is a possibility that a school representative could be there to help answer questions. Mr. Krapf stated that this will make for a cleaner presentation.

F. ADJOURNMENT

Mr. Wright made a motion to adjourn.

Mr. Krapf adjourned the meeting at approximately 4:45 p.m.

Mr. Rich Krapf, Chair

Mr. Paul Holt, Secretary

ITEM SUMMARY

DATE: 5/11/2017

TO: The Policy Committee

FROM: Terry Costello, Deputy Zoning Administrator

SUBJECT: ZO-0015-2016, Zoning Ordinance Amendments to Address Family and Group Home Definitions

ATTACHMENTS:

	Description	Type
▣	Memorandum	Cover Memo
▣	Ordinance Revisions Definitions	Ordinance
▣	Ordinance revisions performance standards	Ordinance
▣	Ordinance revisions use lists	Ordinance
▣	Definitions of Family and Group Homes in various jurisdictions	Backup Material
▣	§ 15.2-2291 of the Code of Virginia	Backup Material
▣	Map of lots greater than 3 acres, with public water and sewer in R-8, Rural Residential	Exhibit

REVIEWERS:

Department	Reviewer	Action	Date
Policy	Rosario, Tammy	Approved	5/4/2017 - 3:10 PM
Policy	Holt, Paul	Approved	5/4/2017 - 4:38 PM
Publication Management	Colonna, Tina	Approved	5/4/2017 - 5:03 PM
Policy Secretary	Secretary, Policy	Approved	5/5/2017 - 10:31 AM

MEMORANDUM

DATE: May 11, 2017
TO: The Policy Committee
FROM: Terry Costello, Deputy Zoning Administrator
SUBJECT: Zoning Ordinance Amendments to Address Family and Group Home Definitions

Overview

The Policy Committee met on March 9, 2017 to discuss possible revisions to the Zoning Ordinance to ensure compliance with the Fair Housing Act and the Code of Virginia. The noted areas of discussion were as follows:

1. Changes to the definitions of family and group home
2. Changes to the use list regarding group homes as a by-right or a specially permitted use
3. Addition of performance standards for group homes allowed by-right in the R-8, Zoning District

Proposed Changes

In response to feedback from the Policy Committee as well as from the County Attorney's office, staff has drafted ordinance revisions that are summarized below and shown in strikethrough format in Attachment Nos. 1-3.

Definitions

As discussed at the March 9 meeting, staff has proposed changes to the definitions of family and group home. In addition, it was also noted that revisions to the definition of *retreat* were needed.

1. Additions to the definition of family are approved foster care and the assisted living facilities and group homes, which the Code of Virginia states localities shall consider as a single family residence. The language would read as follows:

Family. One or more persons related by blood, adoption or marriage living and cooking together as a single housekeeping unit, exclusive of household servants. A number of persons, not exceeding three, living and cooking together as a single housekeeping unit though not related by blood, adoption or marriage shall be deemed to constitute a family.

A family is, exclusive of household servants:

1. An individual;
2. Two or more persons related by blood, marriage, adoption, *approved foster care* or guardianship;
3. A number of persons, not exceeding three, living and cooking together as a single housekeeping unit though not related by blood, marriage, adoption, *approved foster care* or guardianship; or
4. Not, more than two unrelated persons living and cooking together along with two or more persons related by blood, marriage, adoption, *approved foster care* or guardianship, as a single housekeeping unit.
5. *A residential facility in which no more than eight individuals with mental illness, intellectual disability, or developmental disabilities reside with one or more resident or non-resident staff persons, and which is licensed by the Department of Behavioral Health and Developmental Services. Mental illness and developmental disability shall not include current illegal use of or*

addiction to a controlled substance as provided for in the Code of Virginia.

6. *A residential facility in which no more than eight aged, infirm or disabled persons residing with one or more resident counselors, or other staff persons, and which is licensed by the Department of Social Services.*

2. Group home definition would change to “a residential facility housing the aged, infirm, disabled, or individuals with handicaps, mental illness, intellectual disabilities, or developmental disabilities, not meeting the definition of ‘family’ in this Chapter. This shall be in accordance with the requirements of the Fair Housing Act.” The language would read as follows:

Group home. A residential facility in which individuals with mental illness, mental retardation or developmental disabilities reside with one or more resident counselors or other staff persons, and which is licensed by the Department of Behavioral Health and Development Services. Mental illness and developmental disability shall not include current illegal use of or addiction to a controlled substance as provided for in the Code of Virginia. A residential facility housing the aged, infirm, disabled, or individuals with handicaps, mental illness, intellectual disabilities, or developmental disabilities, not meeting the definition of “family” in this Chapter. This shall be in accordance with requirements of the Fair Housing Act.

3. It was discovered during the Policy Committee discussion that if the change to group homes is approved, then the definition of *retreat* would also need to be revised to reflect this change. The language would read as follows:

Retreat. A private or secure place of refuge and education. A retreat can include temporary, short-term residential facilities, recreational amenities, and educational activities (e.g. for job training and life skills). Retreat facilities must be voluntary in nature, and are different from group homes which must be licensed by the Department of Behavioral Health and Development Services. A caretaker must be present when guests/lodgers are on-site.

Use List

Along with revising the definition of group home, it was necessary to review the by-right and specially permitted use list in each residential district. As discussed at the meeting, the changes would allow group homes as a by-right use in the R-8 Zoning District with performance standards, and as a specially permitted use in all districts that allow single family homes (A-1, General Agricultural, R-1, Limited Residential, R-2, General Residential, R-3, Residential Redevelopment, R-4, Residential Planned Community, R-5, Multi-Family Residential, R-6, Low Density Residential, R-8, Rural Residential not meeting performance standards, PUD, Planned Unit Development, and MU, Mixed Use Development).

Performance Standards

At the March 9 meeting, the Policy Committee asked staff to develop performance standards that could be applied to group homes. The language would read as follows:

Performance Standards for group homes.

Group homes shall comply with the following:

1. *Lot size must be three acres or more; and*
2. *Lot must be served by public water and sewer; and*

3. *Off-street parking shall be provided in accordance with Section 24-55, General Provisions, plus one space per bedroom.*

Building, Safety and Permits will require a Certificate of Occupancy for a group home, which will also require a Fire Department review. This will be part of the educational materials that will be provided to a potential group home owner/operator.

Recommendation

Staff is seeking Policy Committee feedback on the draft ordinance. Based on input received at this meeting, staff will revise the draft ordinance and provide a final version for consideration at the June 7, 2017, Planning Commission meeting.

TC/gt

Attachments:

1. Ordinance revisions definitions
2. Ordinance revisions performance standards
3. Ordinance revisions use lists
4. Definitions of Family and Group Home in various jurisdictions
5. § 15.2-2291 of the Code of Virginia
6. Map of lots greater than three acres with public water and sewer in R-8, Rural Residential

Sec. 24-2. - Definitions.

For the purposes of this chapter, the following words and phrases shall have the meaning respectively ascribed to them by this section:

Family. One or more persons related by blood, adoption or marriage living and cooking together as a single housekeeping unit, exclusive of household servants. A number of persons, not exceeding three, living and cooking together as a single housekeeping unit though not related by blood, adoption or marriage shall be deemed to constitute a family.

A family is, exclusive of household servants:

- (1) An individual;
- (2) Two or more persons related by blood, marriage, adoption, *approved foster care* or guardianship;
- (3) A number of persons, not exceeding three, living and cooking together as a single housekeeping unit though not related by blood, marriage, adoption, *approved foster care* or guardianship; or
- (4) Not, more than two unrelated persons living and cooking together along with two or more persons related by blood, marriage, adoption, *approved foster care* or guardianship, as a single housekeeping unit.
- (5) *A residential facility in which no more than eight individuals with mental illness, intellectual disability, or developmental disabilities reside with one or more resident or non-resident staff persons, and which is licensed by the Department of Behavioral Health and Developmental Services. Mental illness and developmental disability shall not include current illegal use of or addiction to a controlled substance as provided for in the Code of Virginia.*
- (6) *A residential facility in which no more than eight aged, infirm or disabled persons residing with one or more resident counselors, or other staff persons, and which is licensed by the Department of Social Services.*

~~*Group home.* A residential facility in which individuals with mental illness, mental retardation or developmental disabilities reside with one or more resident counselors or other staff persons, and which is licensed by the Department of Behavioral Health and Development Services. Mental illness and developmental disability shall not include current illegal use of or addiction to a controlled substance as provided for in the Code of Virginia.~~ *A residential facility housing the aged, infirm, disabled, or individuals with handicaps, mental illness, intellectual disabilities, or developmental disabilities, not meeting the definition of "family" in this Chapter. This shall be in accordance with requirements of the Fair Housing Act.*

Retreat. A private or secure place of refuge and education. A retreat can include temporary, short-term residential facilities, recreational amenities, and educational activities (e.g. for job training and life skills). Retreat facilities must be voluntary in nature, and are different from group homes. ~~which must be licensed by the Department of Behavioral Health and Development Services.~~ A caretaker must be present when guests/lodgers are on-site.

Sec 24-XX. *Performance Standards. Group homes must meet the following standards:*

- a) *Lot size must be three acres or more; and*
- b) *Lot must be served by public water and sewer; and*
- c) *Off-street parking shall be provided in accordance with Section 24-55, General Provisions, plus one space per bedroom.*

ORDINANCE NO. _____

Chapter 24. Zoning

Article V. Districts

Division 2. General Agricultural District, A-1

Sec. 24-212. - Use list.

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Residential Uses	Accessory apartments, attached, in accordance with section 24-32.	P	
	Accessory apartment, detached, in accordance with section 24-32.		SUP
	Accessory buildings and structures.	P	
	Accessory uses, as defined herein.	P	
	Group home or residential facility, for eight or fewer adults.	P	
	Group homes or residential facilities for nine or more adults.		SUP
	Group quarters for agricultural workers.		SUP
	Home care facilities.		SUP
	Manufactured homes that are on a permanent foundation.	P	
	Manufactured home parks in accordance with the special provisions of article IV.		SUP
	Single-family detached dwellings.	P	
	Two-family dwellings.		SUP

Commercial Uses	Accessory buildings and structures.	P	
	Accessory uses, as defined herein.	P	
	Adult day care centers.		SUP
	Airports and landing fields, heliports or helistops and accessory uses.		SUP
	Animal hospitals, veterinary offices and kennels.		SUP
	Automobile graveyards.		SUP
	Automobile repair and service.		SUP
	Automobile service stations; if fuel is sold, then in accordance with section 24-38.		SUP
	Beauty and barber shops.		SUP
	Campgrounds.		SUP
	Cemeteries and memorial gardens, not accessory to a church or other place of worship.		SUP
	Commercial equipment repair accessory to a dwelling with no outdoor storage or operations and the use occupies a building not larger than 2,000 square feet.		SUP
	Community recreation facilities, public or private, including parks, playgrounds, clubhouses, boating facilities, swimming pools, ball fields, tennis courts and other similar recreation facilities except for facilities approved as part of a subdivision created pursuant to section 24-214(c).		SUP
	Contractors' warehouses, sheds, and offices.		SUP
	Convenience stores; if fuel is sold, then in accordance with section 24-38.		SUP

	Day care and child care centers.		SUP
	Dinner theaters and dance halls as an accessory use to a restaurant or tavern.		SUP
	Farm equipment sales and service.		SUP
	Farmers' markets, limited in area to 2,500 square feet.	P	
	Farmers' markets over 2,500 square feet in area.		SUP
	Feed, seed and farm supplies.		SUP
	Flea markets, temporary or seasonal.		SUP
	Food processing and storage.		SUP
	Gift shops and antique shops.		SUP
	Golf courses and country clubs.		SUP
	Greenhouses, commercial.	P	
	Home occupations, as defined herein.	P	
	Horse and pony farms (including the raising and keeping of horses), riding stables.	P	
	Horse racing tracks.		SUP
	Horse show areas, polo fields.		SUP
	Hospitals and nursing homes.		SUP
	House museums.	P	
	Hunting preserve or club, rifle or pistol range, trap or skeet shooting.		SUP

	Lumber and building supply stores.		SUP
	Medical clinics.		SUP
	Nurseries.	P	
	Off-street parking as required by section 24-54.	P	
	Petroleum storage, other than on a farm for farm use or accessory for a residence.		SUP
	Professional offices of not more than 2,000 square feet with no more than one office per lot.		SUP
	Race tracks for animals or vehicles, including racing courses for power boats.		SUP
	Railroad facilities, including tracks, bridges, switching yards and stations. However, spur lines, which are to serve and are accessory to existing or proposed development adjacent to existing railroad right-of-ways, and track and safety improvements in existing railroad right-of-ways, are permitted generally and shall not require a special use permit.		SUP
	Rental of rooms to a maximum of three rooms.		SUP
	Rest homes for fewer than 15 adults.	P	
	Rest homes for 15 or more adults.		SUP
	Restaurants, taverns.		SUP
	Retreat facilities.		SUP
	Retail sale and repair of lawn equipment with outdoor display area up to 2,500 square feet and repair limited to a fully enclosed building.		SUP
	Retail sales of plant and garden supplies.		SUP

	Retail shops associated with community recreation facilities.		SUP
	Sanitary landfills, in accordance with section 24-40, construction debris landfills, waste disposal or publicly owned solid waste container sites.		SUP
	Slaughter of animals for personal use but not for commercial purposes.	P	
	Slaughterhouses.		SUP
	Small-scale alcohol production.		SUP
	Tourist homes.		SUP
	Upholstery shops.		SUP
	Waterfront business activities: marine interests, such as boat docks, piers, yacht clubs, marinas and commercial and service facilities accessory thereto, docks and areas for the receipt, storage, and transshipment of waterborne commerce; seafood and shellfish receiving, packing and shipping plants; and recreational activities primarily conducted on or about a waterfront. All such uses shall be contiguous to a waterfront.		SUP
Agricultural Uses	Accessory buildings and structures.	P	
	Accessory uses, including agritourism activities, as defined in section 24-2.	P	
	Fish farming and aquaculture, but shall not include the processing of such products.	P	
	Food processing and storage, when it occurs in private homes per Code of Virginia § 3.2-5130 subdivisions A 3, 4, and 5.	P	
	General agriculture operation, production agriculture or silviculture activity, dairying, forestry, general farming, and specialized farming, including the keeping of horses, ponies and	P	

	livestock, but not intensive agriculture as herein defined and not commercial slaughtering or processing of animals or poultry.		
	Limited farm brewery.	P	
	Limited farm distillery.	P	
	Intensive agriculture as herein defined.	P	
	Petroleum storage on a farm as an accessory use and not for resale.	P	
	Sale of agricultural or silvicultural products, or the sale of agricultural-related or silvicultural-related items incidental to the agricultural operation, including wayside stands.	P	
	Storage and repair of heavy equipment as an accessory use to a farm.	P	
	Wineries, as herein defined, including a shop for retail sale of wine, but not including other commercial accessory uses.	P	
	Wineries, with accessory commercial facilities.		SUP
Civic Uses	Accessory buildings and structures.	P	
	Accessory uses, as defined herein.	P	
	Fire stations, rescue squad stations, volunteer or otherwise.		SUP
	Houses of worship and cemeteries accessory hereto.	P	
	Lodges, civic clubs, fraternal organizations or service clubs.		SUP
	Post offices and public buildings generally.		SUP
	Schools, libraries, museums and similar institutions, public or private.		SUP

	Seminaries.		SUP
Utility Uses	Communications facilities (public or private), including, but not limited to, antennas, towers, and support structures; or multi-antenna systems greater than a height of 35 feet. All facilities shall comply with article II, division 6 of this chapter.		SUP
	Communications facilities (public or private), including, but not limited to, antennas, towers, and support structures that utilize alternative mounting structures; are camouflaged; or multi-antenna systems up to a height of 35 feet. All facilities shall comply with article II, division 6 of this chapter.	P	
	Electrical generation facilities (public or private), electrical substations with a capacity of 5,000 kilovolt amperes or more, and electrical transmission lines capable of transmitting 69 kilovolts or more.		SUP
	Telephone exchanges and telephone switching stations.		SUP
	Transmission pipelines (public or private), including pumping stations and accessory storage, for natural gas, propane gas, petroleum products, chemicals, slurry coal and any other gases, liquids or solids. However, private extensions or connections to existing pipelines, which are intended to serve an individual residential or commercial customer and which are accessory to existing or proposed development, are permitted generally and shall not require a special use permit.		SUP
	Utility substations.		SUP
	Water facilities (public or private), and sewer facilities (public), including, but not limited to, treatment plants, pumping stations, storage facilities and transmission mains, wells and associated equipment such as pumps to be owned and operated by political jurisdictions. However, private connections to existing mains, with no additional connections to be made to the line, which are intended to serve an individual residential or commercial customer and which are accessory to existing or proposed development, and distribution lines and local facilities		SUP

	within a subdivision or development, including pump stations,, are permitted generally and shall not require a special use permit.		
	Water impoundments, new or expansion of, less than 20 acres and with dam heights of less than 15 feet.	P	
	Water impoundments, new or expansion of, 20 acres or more or with dam heights of 15 feet or more.		SUP
Open Uses	Preserves and conservation areas for protection of natural features and wildlife.	P	
	Timbering in accordance with section 24-43.	P	
Industrial Uses	Accessory buildings and structures.	P	
	Accessory uses, as defined herein.	P	
	Excavation or filling, borrow pits, extraction, processing and removal of sand and gravel and stripping of top soil (but not farm pond construction, field leveling or stripping of sod for agricultural purposes and excavations in connection with development which has received subdivision or site plan approval, which do not require a special use permit.)		SUP
	Manufacture and sale of wood products.		SUP
	Solid waste transfer stations.		SUP
	Storage and repair of heavy equipment.		SUP
	Storage, stockpiling and distribution of sand, gravel and crushed stone.		SUP

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Chapter 24. Zoning

Article V. Districts

Division 3. Limited Residential District, R-1

Sec. 24-232. - Use list.

In the Limited Residential District, R-1, structures to be erected or land to be used, shall be for the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Residential Uses	Accessory apartments, attached, in accordance with Section 24-32	P	
	Accessory apartments, detached, in accordance with Section 24-32		SUP
	Accessory buildings or structures as defined	P	
	Group home or residential facility, for eight or fewer adults	P	SUP
	Keeping of chickens in accordance with Section 24-47	P	
	Single-family detached dwellings contained within cluster development in accordance with article VI, division 1 of this chapter		SUP
	Single-family detached dwellings with a maximum gross density of one dwelling unit per acre in accordance with section 24-233(a)	P	
	Single-family detached dwellings with a maximum gross density of more than one dwelling unit per acre in accordance with section 24-233(b)		SUP
Commercial	Accessory buildings or structures as defined	P	

Uses			
	Adult day care centers		SUP
	Child day care centers		SUP
	Community recreation facilities, including parks, playgrounds, clubhouses, boating facilities, swimming pools, ball fields, tennis courts, and other similar recreation facilities	P	
	Golf courses, country clubs		SUP
	Home occupations as defined	P	
	Off-street parking as required by article II, division 2 of this chapter	P	
	Rental of rooms to a maximum of three rooms		SUP
	Retail food shops and food service establishments accessory to community recreation facilities		SUP
Civic Uses	Cemeteries and memorial gardens		SUP
	Fire stations		SUP
	Libraries		SUP
	Neighborhood resource centers		SUP
	Places of public assembly		SUP
	Publicly owned solid waste container sites		SUP
	Schools		SUP
	Water impoundments, new or expansion of, less than 50 acres and with dam heights of less than 25 feet	P	

	Water impoundments, new or expansion of, 50 acre or more and dam heights of 25 feet or more		SUP
Utility Uses	Communications facilities (public or private), including, but not limited to, antennas, towers, and support structures, that utilize alternative mounting structures. All facilities shall comply with article II, division 6 of this chapter.	P	
	Communications facilities (public or private), including, but not limited to, antennas, towers, and support structures, that are camouflaged; or multi-antenna systems. All facilities shall comply with article II, division 6 of this chapter.		SUP
	Electrical generation facilities (public or private), electrical substations with a capacity of 5,000 kilovolt amperes or more, and electrical transmission lines capable of transmitting 69 kilovolts or more		SUP
	Railroad facilities including tracks, bridges, switching yards and stations. However, spur lines which are to serve and are accessory to existing or proposed development adjacent to existing railroad rights-of-way and track and safety improvements in existing railroad rights-of-way are permitted generally and shall not require a special use permit		SUP
	Telephone exchanges and telephone switching stations		SUP
	Transmission pipelines (public or private), including pumping stations and accessory storage, for natural gas, propane gas, petroleum products, chemicals, slurry coal and any other gases, liquids or solids. However, extensions or private connections to existing pipelines which are intended to serve an individual residential or commercial customer and which are accessory to existing or proposed development are permitted generally and shall not require a special use permit		SUP
	Water facilities (public or private), and sewer facilities (public), including, but not limited to, treatment plants, pumping stations, storage facilities and transmission mains, wells and associated equipment such as pumps to be owned and operated		SUP

	by political jurisdictions. However, the following are permitted generally and shall not require a special use permit:		
	(a) Private connections to existing mains that are intended to serve an individual customer and are accessory to existing or proposed development, with no additional connections to be made to the line;		
	(b) Distribution lines and local facilities within a development, including pump stations		
Open	Timbering in accordance with section 24-43	P	

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Chapter 24. Zoning

Article V. Districts

Division 4. General Residential District, R-2

Sec. 24-252. - Use list.

In the General Residential District, R-2, structures to be erected or land to be used, shall be for the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Residential Uses	Accessory apartments, attached, in accordance with Section 24-32	P	
	Accessory apartments, detached, in accordance with Section 24-32		SUP
	Accessory buildings or structures as defined	P	
	Group home or residential facilities, for eight or fewer adults	P	SUP
	Keeping of chickens in accordance with section 24-47	P	
	Multifamily dwellings of between five and eight units, contained within a residential cluster development with a maximum gross density of more than one unit per acre in accordance with article VI, division 1 of this chapter		SUP
	Multifamily dwellings, up to and including four units, with a maximum gross density of one unit per acre, contained within residential cluster development in accordance with article VI, division 1 of this chapter	P	
	Multifamily dwellings, up to and including four units, with a maximum gross density of more than one unit per acre, contained within residential cluster development in accordance		SUP

	with article VI, division 1 of this chapter		
	Multifamily dwellings, up to and including two units, in accordance with section 24-260		SUP
	Single-family detached dwellings with a maximum gross density of one dwelling unit per acre, either	P	
	<ul style="list-style-type: none"> • in accordance with section 24-253(a), or 		
	<ul style="list-style-type: none"> • contained within residential cluster development in accordance with article VI, division 1 of this chapter 		
	Single-family detached dwellings with a maximum gross density of more than one dwelling unit per acre, either		SUP
	<ul style="list-style-type: none"> • in accordance with section 24-253(b), or 		
	<ul style="list-style-type: none"> • contained within residential cluster development in accordance with article VI, division 1 of this chapter 		
Commercial Uses	Accessory buildings or structures as defined	P	
	Adult day care centers		SUP
	Barber and beauty shops		SUP
	Child day care centers		SUP
	Community recreation facilities, including parks, playgrounds, clubhouses, boating facilities, swimming pools, ball fields, tennis courts, and other similar recreation facilities	P	
	Golf courses, country clubs		SUP
	Home occupations as defined	P	
	Off-street parking as required by article II, division 2 of this	P	

	chapter		
	Photography studios and sales, artists and sculptor studios		SUP
	Rental of rooms to a maximum of three rooms		SUP
	Retail shops accessory to community recreation facilities	P	
	Tourist homes		SUP
Civic Uses	Cemeteries and memorial gardens		SUP
	Fire stations		SUP
	Libraries		SUP
	Neighborhood resource centers		SUP
	Places of public assembly		SUP
	Publicly owned solid waste container sites		SUP
	Schools		SUP
	Water impoundments, new or expansion of, less than 50 acres and with dam heights of less than 25 feet	P	
	Water impoundments, new or expansion of, 50 acre or more and with dam heights of 25 feet or more		SUP
Utility Uses	Electrical generation facilities (public or private), electrical substations with a capacity of 5,000 kilovolt amperes or more, and electrical transmission lines capable of transmitting 69 kilovolts or more		SUP
	Railroad facilities including tracks, bridges, switching yards and stations. However, spur lines which are to serve and are accessory to existing or proposed development adjacent to existing railroad rights-of-way and track and safety improvements in existing railroad rights-of-way are permitted		SUP

	generally and shall not require a special use permit		
	Telephone exchanges and telephone switching stations		SUP
	Communications facilities (public or private), including, but not limited to, antennas, towers, and support structures, that utilize alternative mounting structures. All facilities shall comply with article II, division 6 of this chapter.	P	
	Communications facilities (public or private), including, but not limited to, antennas, towers, and support structures, that are camouflaged; or multi-antenna systems. All facilities shall comply with article II, division 6 of this chapter.		SUP
	Transmission pipelines (public or private), including pumping stations and accessory storage, for natural gas, propane gas, petroleum products, chemicals, slurry coal and any other gases, liquids or solids. However, extensions or private connections to existing pipelines which are intended to serve an individual residential or commercial customer and which are accessory to existing or proposed development are permitted generally and shall not require a special use permit		SUP
	Water facilities (public or private), and sewer facilities (public), including, but not limited to, treatment plants, pumping stations, storage facilities and transmission mains, wells and associated equipment such as pumps to be owned and operated by political jurisdictions. However, the following are permitted generally and shall not require a special use permit:		SUP
	(a) Private connections to existing mains that are intended to serve an individual customer and are accessory to existing or proposed development, with no additional connections to be made to the line;		
	(b) Distribution lines and local facilities within a development, including pump stations		
Open	Timbering in accordance with section 24-43	P	

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Chapter 24. Zoning

Article V. Districts

Division 4.1 Residential Redevelopment District, R-3

Sec. 24-273.2. - Use list.

In the Residential Redevelopment District, R-3, structures to be erected or land to be used shall be for one or more of the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Residential Uses	Accessory apartments, attached, in accordance with section 24-32	P	
	Accessory apartments, detached, in accordance with section 24-32		SUP
	Accessory buildings or structures as defined	P	
	Apartments	P	
	Group homes or residential facilities, for eight or fewer adults	P	
	Group homes or residential facilities, for nine or more adults		SUP
	Independent living facilities		SUP
	Multifamily dwellings up to and including four units	P	
	Multifamily dwellings greater than four units	P	
	Single-family dwellings	P	
Commercial Uses	Accessory buildings or structures as defined	P	

	Adult day care centers	P	
	Assisted living facilities		SUP
	Barber and beauty shops		SUP
	Business, professional and governmental offices		SUP
Commercial Uses	Child day care centers	P	
	Coin laundries which are accessory to other residential uses and for the primary use of its residents	P	
	Community recreation facilities, including parks, playgrounds, clubhouses, boating facilities, swimming pools, ball fields, tennis courts and other similar recreation facilities	P	
	Continuing care retirement facilities		SUP
	Hospitals and mental health facilities		SUP
	Off-street parking as required by article II, division 2 of this chapter	P	
	Photography studios and sales, artist and sculptor studios		SUP
	Places of public assembly	P	
	Professional and business offices located in the same structure as and in conjunction with multifamily uses		SUP
	Rental of one room	P	
	Rental of two or three rooms to a maximum of three rooms		SUP
	Retail shops accessory to community recreation facilities	P	
	Schools, libraries and fire stations	P	

	Skilled nursing facilities (nursing homes)		SUP
	Temporary offices in accordance with section 24-111		SUP
	Tourist homes		SUP
	Water impoundments, new or expansion of, less than 50 acres and with dam heights of less than 25 feet	P	
	Water impoundments, new or expansion of, 50 acres or more and dam heights of 25 feet or more		SUP
Utility Uses	Communications facilities (public or private), including, but not limited to, antennas, towers, and support structures, that utilize alternative mounting structures. All facilities shall comply with article II, division 6 of this chapter.	P	
	Communications facilities (public or private), including, but not limited to, antennas, towers, and support structures, that are camouflaged; or multi-antenna systems. All facilities shall comply with article II, division 6 of this chapter.		SUP
	Electrical generation facilities, public or private, electrical substations with a capacity of 5,000 kilovolt amperes or more and electrical transmission lines capable of transmitting 69 kilovolts or more		SUP
	Railroad facilities including tracks, bridges and stations. However, spur lines which are to serve and are accessory to existing or proposed development adjacent to existing railroad rights-of-way and track and safety improvements in existing railroad rights-of-way are permitted generally and shall not require a special use permit		SUP
	Telephone exchanges and telephone switching stations		SUP
	Transmission pipelines (public or private), including pumping stations and accessory storage, for natural gas, propane gas, petroleum products, chemicals, slurry coal and any other gases, liquids or solids. However, extensions for private connections to		SUP

	existing pipelines, which are intended to serve an individual residential or commercial customer and which are accessory to existing or proposed development, are permitted generally and shall not require a special use permit		
	Water facilities (public or private), and sewer facilities (public), including, but not limited to, treatment plants, pumping stations, storage facilities and transmission mains, wells and associated equipment such as pumps to be owned and operated by political jurisdictions. However, the following are permitted generally and shall not require a special use permit:		SUP
	(a) Private connections to existing mains that are intended to serve an individual customer and that are accessory to existing or proposed development, with no additional connections to be made to the line; and		
	(b) Distribution lines and local facilities within a development, including pump stations		
Open	Timbering in accordance with section 24-43	P	

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Chapter 24. Zoning

Article V. Districts

Division 5. Residential Planned Community District, R-4

Sec. 24-281. - Use list.

In the residential planned community district, R-4, structures to be erected or land to be used shall be for one or more of the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Residential Uses	Accessory apartments, attached, in accordance with section 24-32	P	
	Accessory apartments, detached, in accordance with section 24-32 and located in an area designated as "A" on the approved master plan		SUP
	Accessory buildings or structures, as defined	P	
	Apartments	P	
	Group homes or residential facilities for eight or fewer adults	P	
	Group homes or residential facilities for nine or more adults		SUP
	Independent living facilities		SUP
	Multi-family dwellings (up to and including four dwelling units)	P	
	Multi-family dwellings (more than four dwelling units)	P	
	Single-family dwellings	P	
Commercial Uses	Accessory buildings or structures, as defined	P	

	Assisted living facilities	P	
	Automobile service stations; if fuel is sold, then in accordance with section 24-38	P	
	Banks and other similar financial institutions	P	
	Barber and beauty shops	P	
	Business, professional and governmental offices	P	
	Continuing care retirement facilities	P	
	Department stores, wearing apparel, furniture, carpet, shoe, tailor, dressmaking, candy, ice cream, florist, furrier, locksmith, pet, picture framing, stamp and coin, travel bureau, upholstery, yard goods, toys, music and records, tobacco and pipes, jewelry sales and service, books, greeting cards, sporting goods, drugs, plants and garden supplies, hardware and paint, home appliances sales and service, arts and crafts, handicrafts, antiques, gift and photography stores	P	
	Dinner theaters	P	
	Dry cleaners and laundries	P	
	Funeral homes, cemeteries and memorial gardens	P	
	Home occupations, as defined	P	
	Horse and pony farms, riding stables, horse show areas, horse racing tracks and polo fields	P	
	Hospitals and mental care facilities	P	
	Hotels, resort hotels, motels, tourist homes and convention centers	P	
	Hunting clubs, conservation areas and preserves	P	

	Indoor theaters, museums, public meeting halls and outdoor entertainment, other than drive-in theaters	P	
	Medical clinics and offices	P	
	Off-street parking as required by article II, division 2 of this chapter	P	
	Parks, playgrounds, golf courses, tennis courts, swimming pools and other public or private recreation areas	P	
	Photographer, artist and sculptor studios	P	
	Property maintenance facilities, sheds or garages	P	
	Public billiard parlors, arcades, pool rooms, bowling alleys, dance halls and other centers of amusement	P	
	Rental of rooms to a maximum of three rooms	P	
	Restaurants, fast food restaurants, tea rooms and taverns	P	
	Retail food stores, bakeries and fish markets	P	
	Skilled nursing facilities (nursing homes)	P	
	Yacht clubs, private or commercial marinas, boat storage and service facilities; if fuel is sold, then in accordance with section 24-38	P	
Civic Uses	Fire stations	P	
	Libraries	P	
	Post offices	P	
	Places of public assembly	P	
	Schools	P	

Utility Uses	Communications facilities (public or private), including, but not limited to, antennas, towers and support structures, that utilize alternative mounting structures and comply with article II, division 6 of this chapter.	P	
	Communications facilities (public or private), including, but not limited to, antennas, towers and support structures, that comply with article II, division 6 of this chapter, only in areas with a designation other than residential on a board adopted master plan		SUP
	Communications facilities (public or private), including, but not limited to, antennas, towers and support structures, that are camouflaged; or multi-antenna systems. All facilities shall comply with article II, division 6 of this chapter.		SUP
	Public utilities: Poles, lines, distribution transformers, pipes, meters and other facilities necessary for the provision and maintenance of utilities including water and sewer facilities	P	
	Telephone exchanges and telephone switching stations	P	
	Water facilities (public) and sewer facilities (public), including but not limited to, treatment plants, pumping stations, storage facilities and transmission mains, wells and associated equipment such as pumps to be owned and operated by political jurisdictions shall be a permitted use only after the issuance of a special use permit by the board of supervisors. However, the following are permitted generally and shall not require a special use permit:		SUP
	(1) Private connections to existing mains, that are intended to serve an individual customer and are accessory to existing or proposed development, with no additional connections to be made to the line;		
	(2) Distribution lines and local facilities within a development; including pump stations.		
	Water impoundments, new or expansion of, 50 acres or more		SUP

	with dam heights of more than 25 feet		
	Water impoundments, new or expansion of, less than 50 acres and with dam heights of less than 25 feet	P	
Open Uses	Timbering in accordance with section 24-43	P	

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Chapter 24. Zoning

Article V. Districts

Division 6. Multifamily Residential District, R-5

Sec. 24-305. - Use list.

In the Multifamily Residential District, R-5, structures to be erected or land to be used shall be for the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Residential Uses	Accessory buildings or structures as defined	P	
	Apartments	P	
	Group home or residential facilities, for eight or fewer adults	P	
	Group home or residential facilities, for nine or more adults		SUP
	Independent living facilities		SUP
	Multifamily dwellings containing two or more dwelling units	P	
Commercial Uses	Accessory buildings or structures as defined	P	
	Adult day care centers	P	
	Assisted living facilities		SUP
	Barber and beauty shops		SUP
	Business, professional and governmental offices		SUP
	Child day care centers	P	

	Coin laundries which are accessory to other residential uses and for the primary use of its residents	P	
	Community recreation facilities, including parks, playgrounds, clubhouses, boating facilities, swimming pools, ballfields, tennis courts and other similar recreation facilities	P	
	Continuing care retirement communities		SUP
	Golf courses, country clubs		SUP
	Home occupations, as defined	P	
	Hospitals and mental health facilities		SUP
	Lodges, civic clubs, fraternal organizations, service clubs		SUP
	Marina, boat dock or waterfront recreational facilities	P	
	Off-street parking as required by article II, division 2 of this chapter	P	
	Photography studios and sales, artist and sculptor studios	P	
	Professional and business offices located in the same structure as and accessory to multifamily uses		SUP
	Rental of one room	P	
	Rental of two or three rooms to a maximum of three rooms		SUP
	Restaurants which are accessory to permitted private clubs or marinas	P	
	Retail shops accessory to community recreation facilities	P	
	Skilled nursing facilities (nursing homes)		SUP
	Temporary offices in accordance with section 24-111		SUP

	Tourist homes	P	
Civic	Cemeteries and memorial gardens		SUP
	Fire stations	P	
	Libraries	P	
	Places of public assembly	P	
	Schools	P	
	Water impoundments, new or expansion of, 50 acres or more or with dam heights of 25 feet or more		SUP
	Water impoundments, new or expansion of, less than 50 acres and with dam heights of less than 25 feet	P	
Utility	Communications facilities (public or private), including, but not limited to, antennas, towers and support structures, that utilize alternative mounting structures. All facilities shall comply with article II, division 6 of this chapter.	P	
	Communications facilities (public or private), including, but not limited to, antennas, towers and support structures, that are camouflaged; or multi-antenna systems. All facilities shall comply with article II, division 6 of this chapter.		SUP
	Electrical generation facilities (public or private), electrical substations with a capacity of 5,000 kilovolt amperes or more and electrical transmission lines capable of transmitting 69 kilovolts or more		SUP
	Railroad facilities including tracks, bridges, switching yards and stations. However, spur lines which are to serve and are accessory to existing or proposed development adjacent to existing railroad rights-of-way and track and safety improvement in existing railroad rights-of-way are permitted generally and shall not require a special use permit		SUP

	Telephone exchanges and telephone switching stations		SUP
	Transmission pipelines (public or private), including pumping stations and accessory storage, for natural gas, propane gas, petroleum products, chemicals, slurry coal and any other gases, liquids or solids. However, private extensions or connections to existing pipelines, which are intended to serve an individual residential or commercial customer and which are accessory to existing or proposed development, are permitted generally and shall not require a special use permit		SUP
	Water facilities (public or private), and sewer facilities (public), including, but not limited to, treatment plants, pumping stations, storage facilities and transmission mains, wells and associated equipment such as pumps to be owned and operated by political jurisdictions. However, private connections to existing mains, with no additional connections to be made to the line, which are intended to serve an individual residential or commercial customer and which are accessory to existing or proposed development, and distribution lines, and local facilities within a subdivision or development, including pump stations, are permitted generally and shall not require a special use permit		SUP
Open	Timbering in accordance with section 24-43	P	

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Chapter 24. Zoning

Article V. Districts

Division 7. Low-Density Residential District, R-6

Sec. 24-329. - Uses permitted by special use permit only.

In the Low-Density Residential, R-6, buildings to be erected or land to be used for the following or similar uses shall be permitted only after the issuance of a special use permit by the board of supervisors:

Accessory apartments, detached, in accordance with section 24-32.

Adult day care centers.

Cemeteries and memorial parks.

Communications facilities (public or private), including, but not limited to, antennas, towers, and support structures, that are camouflaged; or multi-antenna systems. All facilities shall comply with article II, division 6 of this chapter.

Day care and child care centers.

Electrical generation facilities (public or private), electrical substations with a capacity of 5,000 kilovolt amperes or more and electrical transmission lines capable of transmitting 69 kilovolts or more.

Golf courses, county clubs.

Group homes or residential facilities

Home care facilities.

Railroad facilities including tracks, bridges, switching yards and stations. However, spur lines, which are to serve and are accessory to existing or proposed development adjacent to existing railroad right-of-ways and track and safety improvements in existing railroad right-of-ways, are permitted generally and shall not require a special use permit.

Rental of rooms to a maximum of three rooms.

Telephone exchanges and telephone switching stations.

Transmission pipelines (public or private), including pumping stations and accessory storage, for natural gas, propane gas, petroleum products, chemicals, slurry coal and any other gases, liquids or solids. However, extensions or private connections to existing pipelines, which are intended to serve an individual residential or commercial customer and which are accessory to existing or proposed development, are permitted generally and shall not require a special use permit.

Water facilities (public or private), and sewer facilities (public), including, but not limited to, treatment plants, pumping stations, storage facilities and transmission mains, wells and associated equipment such as pumps to be owned and operated by political jurisdictions. However, private connections to existing mains, with no additional connections to be made to the line, which are intended to serve an individual residential or commercial customer and which are accessory to existing or proposed

development, and distribution lines and local facilities within a subdivision or development, including pump stations, are permitted generally and shall not require a special use permit.

Water impoundments, new or expansion of, of 50 acres or more or with dam heights of 25 feet or more.

ORDINANCE NO. _____

Chapter 24. Zoning

Article V. Districts

Division 8. Rural Residential District, R-8

Sec. 24-348. - Permitted uses.

In the Rural Residential District, R-8, structures to be erected or land to be used shall be for the following uses:

Accessory apartments, attached, in accordance with section 24-32.

Accessory buildings and structures.

Accessory uses, as defined herein.

Communications facilities (public or private), including, but not limited to, antennas, towers and support structures, that utilize alternative mounting structures; or multi-antenna systems up to a height of 35 feet. All facilities shall be in accordance with article II, division 6 of this chapter.

Farmers' markets, limited in area to 2,500 square feet.

Group homes or residential facilities, in accordance with Section 24-XX. (Performance standards)

General agriculture, dairying, forestry, general farming and specialized farming, excluding the raising of hogs, but not commercial livestock or poultry operations which require a special use permit in the General Agricultural District, A-1.

Home occupations, as defined herein.

Horse and pony farms of less than 50 animals (including the raising and keeping of horses), riding stables.

House museums.

Nurseries.

Off-street parking as required by section 24-54.

Petroleum storage on a farm as an accessory use and not for resale.

Preserves and conservation areas for protection of natural features and wildlife.

Rest homes for fewer than 15 adults.

Site-built single-family detached dwellings and modular homes.

Slaughter of animals for personal use but not for commercial purposes.

Storage and repair of heavy equipment as accessory use to a farm.

Timbering in accordance with section 24-43.

Water impoundments, new or expansion of, less than 20 acres and with dam heights of less than 15 feet.

Wayside stands for seasonal sale of agricultural products, limited in area to 500 square feet.

Wineries, as herein defined, including a shop for retail sale of wine, but not including other commercial accessory uses.

Sec. 24-349. - Uses permitted by special use permit only.

In the Rural Residential District, R-8, structures to be erected or land to be used for the following uses shall be permitted only after the issuance of a special use permit approved by the board of supervisors in accordance with the procedures, guides and standards of sections 24-9 and 24-10 and such other guides and standards as may be contained in this chapter:

Accessory apartments, detached, in accordance with section 24-32.

Adult day care centers.

Airports and landing fields, helistops or heliports and accessory uses.

Barber and beauty shops.

Business, governmental, and professional offices.

Campgrounds.

Cemeteries and memorial gardens, not accessory to a church or other place of worship.

Child day care centers.

Commercial livestock or poultry operations for more than 100 slaughter or feeder cattle, 70 dairy cattle, 250 swine, 1,000 sheep, lambs, goats or similar animals, 50 horses, 10,000 chickens, or 5,500 turkeys or ducks.

Communications facilities (public or private), including, but not limited to, antennas, towers and support structures, that are camouflaged; or multi-antenna systems greater than a height of 35 feet. All facilities shall comply with article II, division 6 of this chapter.

Community recreation facilities, public or private, including parks, playgrounds, clubhouses, boating facilities, swimming pools, ball fields, tennis courts, and other similar recreation facilities, but not those approved as a part of a planned unit development.

Convenience stores; if fuel is sold, then in accordance with section 24-38.

Drug stores.

Electrical generation facilities (public or private), electrical substations with a capacity of 5,000 kilovolt amperes or more and electrical transmission lines capable of transmitting 69 kilovolts or more.

Excavation or filling, borrow pits, extraction, processing and removal of sand and gravel and stripping of topsoil (but not farm pond construction, field leveling or stripping of sod for agricultural purposes and excavations in connection with development which has received subdivision or site plan approval, which activities do not require a special use permit).

~~Family care homes, foster homes or group homes serving physically handicapped, mentally ill, intellectually disabled, or other developmentally disabled persons for more than five such persons.~~

Farm equipment sales and service establishments.

Farmers' markets over 2,500 square feet.

Feed, seed and farm supplies.

Fire stations or rescue squad stations, volunteer or otherwise.

Fish farming and aquaculture.

Flea markets, temporary or seasonal.

Food processing and storage, but not the slaughter of animals.

Food processing and storage in a residence.

Gift shops, antique shops.

Golf courses and country clubs.

Greenhouses, commercial.

Group homes or residential facilities not in accordance with Section 24-XX. (Performance standards)

Group quarters for agricultural workers.

Home care facilities.

Horse and pony farms with 50 or more animals.

Horse show areas, polo fields.

Hospitals.

Hotels and motels.

Houses of worship and cemeteries accessory thereto.

Hunting clubs.

Kennels.

Lodges, civic clubs, fraternal organizations, and service clubs.

Manufacture and sale of wood products.

Manufactured home parks.

Manufactured homes in accordance with section 24-107 and section 24-108 not located within the primary service area.

Medical clinics or offices.

Neighborhood Resource Centers.

Nursing homes and facilities for the residence and/or care of the aged.

Photography, artist and sculptor studios.

Photography sales and arts and crafts shops.

Post offices and public buildings generally.

Railroad facilities including tracks, bridges, switching yards and stations. However, spur lines, which are to serve and are accessory to existing or proposed development adjacent to existing railroad right-of-ways, and track and safety improvements in existing railroad right-of-ways, are permitted generally and shall not require a special use permit.

Raising of hogs.

Rental of rooms to a maximum of three rooms.

Rest homes for 15 or more adults.

Restaurants, taverns.

Retail shops associated with community recreation facilities.

Retreat facilities.

Sanitary landfills in accordance with section 24-40, waste disposal or publicly owned solid waste container sites.

Schools, libraries, museums and similar institutions.

Seminaries.

Telephone exchanges and telephone switching stations.

Tourist homes.

Transmission pipelines (public or private), including pumping stations and accessory storage, for natural gas, propane gas, petroleum products, chemicals, slurry coal and any other gases, liquids or solids. However, private extensions or connections to existing pipelines, which are intended to serve an individual residential or commercial customer and which are accessory to existing or proposed development, are permitted generally and shall not require a special use permit.

Two-family dwellings.

Utility substations.

Veterinary hospitals.

Water facilities (public or private), and sewer facilities (public), including, but not limited to, treatment plants, pumping stations, storage facilities and transmission mains, wells and associated equipment such as pumps to be owned and operated by political jurisdictions. However, the following are permitted generally and shall not require a special use permit:

- (a) private connections to existing mains that are intended to serve an individual customer and are accessory to existing or proposed development, with no additional connections to be made to the line;
- (b) distribution lines and local facilities within a development, including pump stations.

Water impoundments, new or expansion of, 20 acres or more or with dam heights of 15 feet or more.

Wayside stands for sale of agricultural products over 500 square feet in area.

Yacht clubs and marinas and commercial and service facilities accessory thereto.

ORDINANCE NO. _____

Chapter 24. Zoning

Article V. Districts

Division 14. Planned Unit Development Districts, PUD

Sec. 24-493. - Use list.

(a) In the planned unit development district, residential (PUD-R), all structures to be erected or land to be used shall be for the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Residential Uses	Accessory apartments, attached, in accordance with section 24-32	P	
	Accessory apartments, detached, in accordance with section 24-32 and located in an area designated for detached, single-family units		SUP
	Accessory buildings or structures, as defined	P	
	Apartments	P	
	Group homes or residential facilities, for eight or fewer adults	P	
	Group homes or residential facilities, for nine or more adults		SUP
	Home occupations, as defined	P	
	Independent living facilities	P	
	Multi-family dwellings up to and including four dwellings	P	

	Multi-family dwellings more than four dwellings	P	
	Single-family dwellings	P	
Commercial Uses	Accessory buildings or structures, as defined	P	
	Assisted living facilities	P	
	Automotive service stations, with major repair in a fully enclosed building, or retail sale of automotive accessory items; if fuel is sold, then in accordance with section 24-38	P	
	Banks and other similar financial institutions	P	
	Barber and beauty shops	P	
	Business and professional offices	P	
	Coin laundries which are accessory to other residential uses and for the primary use of their residents	P	
	Community recreation facilities, including parks, playgrounds, clubhouses, boating facilities, swimming pools, ball fields, tennis courts and other similar recreation facilities	P	
	Continuing care retirement facilities	P	
	Drug stores	P	
	Dry cleaners and laundries	P	
	Funeral homes	P	
	Golf courses, country clubs	P	
	Indoor theaters	P	
	Marinas, docks piers, yacht clubs, boat basins and waterfront activities, boat storage and servicing, repair and sale facilities for	p	

	the same; if fuel is sold, then in accordance with section 24-38		
	Medical clinics or offices	P	
	Motels, hotels and resort facilities	P	
	Museums	P	
	Off-street parking as required by article II, division 2 of this chapter	P	
	Photography studios and sales, artist and sculptor studios, arts and crafts and handicraft shops, antique shops, reproduction and gift shops	P	
	Plants and garden supply, hardware and paint, and home appliance sales and service, with storage in a fully enclosed building	P	
	Restaurants, tea rooms and taverns	P	
	Restaurants which are accessory to permitted private clubs and marinas	P	
	Retail and service stores, including the following stores: books, candy, carpet, coin, department, dressmaking, florist, furniture, furrier, greeting card, ice cream, jewelry sales and service, locksmith, music and records, pet, picture framing, shoe, sporting goods, stamp, tailor, tobacco and pipes, toys, travel bureau, upholstery, wearing apparel and yard goods	P	
	Retail food stores, bakeries, fish markets	P	
	Retail shops associated with community recreation facilities	P	
	Skilled nursing facilities (nursing home)	P	
	Veterinary hospitals	P	
	Wineries	P	

Civic Uses	Fire stations	P	
	Libraries	P	
	Places of public assembly	P	
	Post offices	P	
	Schools	P	
Open Uses	Timbering in accordance with section 24-43	P	
Utility Uses	Communications facilities (public or private), including, but not limited to, antennas, towers and support structures; or multi-antenna systems. All facilities shall comply with article II, division 6 of this chapter.		SUP
	Communications facilities (public or private), including, but not limited to, antennas, towers and support structures, that are camouflaged. All facilities shall comply with article II, division 6 of this chapter.		SUP
	Communications facilities (public or private), including, but not limited to, antennas, towers and support structures, that utilize alternative mounting structures. All facilities shall comply with article II, division 6 of this chapter.	P	
	Public utilities	P	
	Radio and television stations	P	
	Telephone exchanges and telephone switching stations	P	
Utility Uses	Water facilities (public) and sewer facilities (public), including but not limited to, treatment plants, pumping stations, storage facilities and transmission mains, wells and associated equipment such as pumps to be owned and operated by political jurisdictions. However, the following are permitted generally and shall not require a special use permit.		SUP

	a. Private connections to existing mains, that are intended to serve an individual customer and are accessory to existing or proposed development, with no additional connections to be made to the line;		
	b. Distribution lines and local facilities within a development; including pump stations		

(b) In the planned unit development district, commercial (PUD-C), all structures to be erected or land to be used shall be for one or more of the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Residential Uses	Apartments	P	
	Group homes or residential facilities for eight or fewer adults.	P	
	Group homes or residential facilities for nine or more adults.		SUP
	Home occupations, as defined.	P	
	Independent living facilities.	P	
	Multi-family dwellings.	P	
Commercial Uses	Commercial uses: Same as subsection (a) above.		
	Assisted living facilities.	P	
	Continuing care retirement facilities.	P	
	Skilled nursing facilities (nursing home).	P	
	Golf courses.	P	
	Theme parks.	P	

	Mobile food vending vehicles in accordance with section 24-49	P	
Civic Uses	Civic uses as listed in (a) above.		
Utility Uses	Utility uses as listed in (a) above.		
	Communication facilities, antennas, towers and support structures that are camouflaged, for a non-residential use and part of a Board approved master plan. All facilities shall comply with article II, division 6 of this chapter.	P	
	Communication facilities, antennas, towers and support structures, including multi-antenna systems. All facilities shall comply with article II, division 6 of this chapter.		SUP
	Water facilities (public) and sewer facilities (public), including but not limited to, treatment plants, pumping stations, storage facilities and transmission mains, wells and associated equipment such as pumps to be owned and operated by political jurisdictions. However, the following are permitted generally and shall not require a special use permit.		SUP
	a. Private connections to existing mains, that are intended to serve an individual customer and are accessory to existing or proposed development, with no additional connections to be made to the line.		
	b. Distribution lines and local facilities within a development; including pump stations.		
Industrial Uses	Manufacture, compounding, processing or packaging of beverages or food and food products, but not slaughter of animals, where all activities are conducted in a fully enclosed building, with no dust, noise or odor effects.	P	
	Manufacture, compounding, processing or packaging of beverages or food and food products, but not slaughter of animals.		SUP
	Printing and publishing.	P	

	Private streets within "qualifying industrial parks" in accordance with section 24-62.	P	
	Processing, assembly and manufacture of light industrial products or components, with all storage, processing, assembly and manufacture conducted in a fully enclosed building, with no dust, noise, odor or other objectionable effect.	P	
	Research, design and development facilities or laboratories.	P	
	Wholesale and warehousing, with storage in a fully enclosed building.	P	

ORDINANCE NO. _____

Chapter 24. Zoning

Article V. Districts

Division 15. Mixed Use District, MU

Sec. 24-518. - Use list.

In the mixed use districts, all structures to be erected or land to be used shall be for one or more of the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Residential Uses	Accessory apartments, attached, in accordance with section 24-32	P	
	Accessory structures, as defined in section 24-2	P	
	Apartments	P	
	Group homes or residential facilities, for eight or fewer adults	P	
	Group homes or residential facilities, for nine or more adults		SUP
	Group quarters	P	
	Home care facilities	P	
	Home occupations, as defined	P	
	Independent living facilities	P	
	Multi-family dwellings up to and including four dwelling units	P	
	Multi-family dwellings more than four dwelling units	P	
Single-family dwellings	P		
Commercial Uses	Accessory structures, as defined in section 24-2	P	
	Adult day care centers	P	
	Antique shops	P	

	Arts and crafts shops	P	
	Assisted living facilities	P	
	Automobile rental	P	
	Automobile repair and service including tire, transmission, glass, body and fender, and other automotive products sales (new and/or rebuilt) and service with major repair under cover and storage of parts and vehicle storage screened from adjacent property by landscaping and fencing	P	
	Automobile service stations; if fuel is sold, then in accordance with section 24-38	P	
	Banks and other similar financial institutions	P	
	Barber and beauty shops	P	
	Business, professional and governmental offices	P	
	Campgrounds		SUP
	Child day care centers	P	
	Community recreation facilities, public or private, including parks, playgrounds, clubhouses, boating facilities, swimming pools, ball fields, tennis courts and other similar recreation facilities	P	
	Continuing care retirement facilities	P	
	Contractor offices, equipment storage yards, shops and warehouses with storage under cover or screened with landscaping and fencing from adjacent property	P	
	Convenience stores; if fuel is sold, then in accordance with section 24-38	P	
	Data processing centers	P	

	Drug stores	P	
	Dry cleaners and laundries	P	
	Employment services or agencies	P	
	Farmer's markets	P	
	Fast food restaurants		SUP
	Feed, seed and farm supply stores	P	
	Fish farming	P	
	Flea markets		SUP
	Funeral homes, cemeteries and memorial gardens	P	
	Gift stores	P	
	Golf courses		SUP
	Greenhouses and nurseries	P	
	Handicrafts stores	P	
	Health clubs, exercise clubs and fitness centers	P	
	Home occupations as defined	P	
	Hotels, motels, tourist homes and convention centers	P	
	Indoor sport facilities	P	
	Indoor theaters	P	
	Janitorial service establishments	P	
	Limousine service	P	

	Lumber and building supply with storage limited to a fully enclosed building or screened with landscaping and fencing from adjacent property	P	
	Marinas, docks, piers, yacht clubs, boat basins, boat storage and servicing, repair and sale facilities for the same; if fuel is sold, then in accordance with section 24-38		SUP
	Marine or waterfront businesses to include the receipt, storage and transshipment of waterborne commerce, or seafood receiving, packing or distribution under cover or screened with landscaping and fencing from adjacent property		SUP
	Medical offices	P	
	Museums		SUP
	Off-street parking as required by article II, division 2 of this chapter	P	
	Office supply stores, secretarial and duplicating services	P	
	Parking lots and garages	P	
	Photographer, picture, artist and sculptor stores and studios	P	
	Plumbing and electrical supply with storage limited to a fully enclosed building or screened with landscaping and fencing from adjacent property	P	
	Printing and publishing establishments	P	
	Property maintenance facilities, sheds or garages	P	
	Public billiard parlors, arcades, pool rooms, bowling alleys, dance halls and other indoor centers of amusement	P	
	Rental of more than three rooms in a single-family dwelling unit		SUP
	Rental of rooms to a maximum of three rooms	P	

	Restaurants, tea rooms and taverns	P	
	Retail and service stores, including the following stores: books, cabinet, candy, carpet, coin, department, dressmaking, florist, furniture, furrier, garden supply, greeting card, gunsmith (excluding shooting ranges), hardware, home appliance sales and service, ice cream, jewelry sales and service, locksmith, music and records, paint, pet, picture framing, plant supply, shoe, sporting goods, stamp, tailor, tobacco and pipes, toys, travel bureau, upholstery, wearing apparel, and yard goods	P	
	Retail food stores, bakeries and fish markets	P	
	Security service offices	P	
	Shooting ranges, indoor		SUP
	Skilled nursing facilities (nursing homes)	P	
	Taxi services	P	
	Theme parks		SUP
	Truck stops; if fuel is sold, then in accordance with section 24-38		SUP
	Truck terminals; if fuel is sold, then in accordance with section 24-38		SUP
	Vehicle and trailer sales and service (with major repair limited to a fully enclosed building)	P	
	Veterinary hospitals	P	
Agricultural Uses	Wineries		SUP
Civic Uses	Fire stations	P	
	Libraries	P	

	Nonemergency medical transport	P	
	Places of public assembly	P	
	Post offices	P	
	Schools	P	
Utility Uses	Communications facilities (public or private), including, but not limited to, antennas, towers and support structures; or multi-antenna systems. All facilities shall comply with article II, division 6 of this chapter.		SUP
	Communications facilities (public or private), including, but not limited to, antennas, towers and support structures, that utilize alternative mounting structures and/or are camouflaged, and comply with article II, division 6 of this chapter.	P	
	Electrical generation facilities, public or private, electrical substations with a capacity of 5,000 kilovolt amperes or more and electrical transmission lines capable of transmitting 69 kilovolts or more		SUP
	Telephone exchanges and telephone switching stations	P	
	Transmission pipelines (public or private), including pumping stations and accessory storage, for natural gas, propane gas, petroleum products, chemicals, slurry coal and any other gases, liquids or solids. However, extensions for private connections to existing pipelines, which are intended to serve an individual residential or commercial customer and which are accessory to existing or proposed development, are permitted generally and shall not require a special use permit		SUP
	Water facilities (public or private), and sewer facilities (public), including, but not limited to, treatment plants, pumping stations, storage facilities and transmission mains, wells and associated equipment such as pumps to be owned and operated by political jurisdictions. However, the following are permitted generally and shall not require a special use permit:		SUP

	(a) Private connections to existing mains that are intended to serve an individual customer and that are accessory to existing or proposed development, with no additional connections to be made to the line; and		
	(b) Distribution lines and local facilities within a development, including pump stations		
	Water impoundments, new or expansion of	P	
Open Uses	Timbering in accordance with section 24-43	P	
Industrial Uses	Food processing and storage, but not the slaughter of animals	P	
	Heavy equipment sales and service, with major repair under cover or screened with landscaping and fencing from adjacent property	P	
	Heliports, helistops and accessory uses		SUP
	Hospitals and mental health facilities	P	
	Industrial and technical training schools	P	
	Machinery sales and service with major repair under cover	P	
	Manufacture and assembly of musical instruments, toys, novelties and rubber and metal stamps	P	
	Manufacture and bottling of soft drinks and wine	P	
	Manufacture and processing of textiles and textile products in structures of not more than 5,000 square feet	P	
	Manufacture, compounding, assembly or treatment of products made from previously prepared paper, plastic, metal, textiles, tobacco, wood, paint, fiber glass, glass, rubber, leather, cellophane, canvas, felt, fur, horn, wax, hair and yarn in structures of not more than 5,000 square feet	P	

	Manufacture, compounding, assembly or treatment of products made from previously prepared paper, plastic, metal, textiles, tobacco, wood, paint, fiber glass, glass, rubber, leather, cellophane, canvas, felt, fur, horn, wax, hair and yarn in structures of 5,000 square feet and greater		SUP
	Manufacture, compounding, processing or packaging of cosmetic, toiletry and pharmaceutical products	P	
	Manufacture of carpets and carpet yarns in structures of not more than 5,000 square feet	P	
	Manufacture of pottery and ceramic products, using kilns fired only by gas or electricity	P	
	Manufacture or assembly of appliances, tools, firearms, hardware products and heating, cooling or ventilating equipment	P	
	Manufacture or assembly of electronic instruments, electronic devices or electronic components	P	
	Manufacture or assembly of medical, drafting, metering, marine, photographic and mechanical instruments	P	
	Petroleum storage		SUP
	Private streets within "qualifying industrial parks" in accordance with section 24-55	P	
	Processing, assembly and manufacture of light industrial products or components, with all storage, processing, assembly and manufacture conducted indoors and under cover, with no dust, noise, odor or other objectionable effect	P	
	Publicly owned solid waste container sites		SUP
	Railroad facilities including tracks, bridges and stations. However, spur lines which are to serve and are accessory to existing or proposed development adjacent to existing railroad		SUP

	rights-of-way and track and safety improvements in existing railroad rights-of-way are permitted generally and shall not require a special use permit		
	Research, development and design facilities or laboratories	P	
	Resource recovery facilities		SUP
	Solid waste transfer stations		SUP
	Warehouse, storage and distribution centers with storage under cover or screened with landscaping and fencing from adjacent property	P	
	Water well drilling establishments		SUP
	Welding and machine shops with storage limited to a fully enclosed building or screened with landscaping and fencing from adjacent property	P	

Definitions of Family and Group Home in various jurisdictions:

Albemarle

- Family definition includes: a group of not more than six (6) persons not related by blood, marriage, adoption or guardianship living together as a single housekeeping unit in a dwelling (not allowed in R-1, R-2, or R-4 residential districts)
- Group home states that a “single-family dwelling having 8 or less mentally ill, mentally retarded or developmentally disabled is a single family residential use.” (no licensing required) Group home is also more than 8 with a licensed counselor and licensed by the State. *Group homes allowed by-right only in medium and high density areas.*

Charlottesville

- Family definition is listed under residential occupancy limits. The number of persons who may reside together within one dwelling unit, as a single housekeeping unit includes:
 1. group homes, residential facilities and assisted living facilities, as defined in the Code of Virginia, § 15.2-2291, which are licensed by the department of social services or the department of behavioral health and developmental services and which are occupied by no more than eight (8) mentally ill, mentally retarded, developmentally disabled, aged, infirm, or disabled persons together with one (1) or more resident counselors; or (vii) a group of persons required by law to be treated as a single housekeeping unit, in accordance with the Federal Fair Housing Act, or a similar state law.
- Group home not defined but have a definition for *Adult assisted living* - A residential facility in which aged, infirm or disabled adults reside, and for which the licensing authority is the Virginia Department of Social Services, or for which no state license is required. The term shall not include the home or residence of an individual who cares only for persons related to him by blood or marriage. The term shall also not include any facility licensed by the State Board of Health or the state Department of Mental Health, Mental Retardation and Substance Abuse Services, or any other facility excluded from the definition of "assisted living facility," set forth within Code of Virginia § 63.2-100. . *Residential facilities 1-8 persons allowed by-right in all residential districts (10 districts), >8 special use permit in higher density areas (3 districts)*

Chesterfield County

- Family defined to include a “residential care home,” which is 8 or fewer and licensed
- Group care facility is defined an adult or child care facility, other than a residential care home, designed to provide resident services but not limited in number or required to be licensed. *This requires a conditional use permit for all residential, and manufactured*

home park districts. It is permitted in neighborhood office districts and neighborhood business districts.

Fairfax County

- Sec. 2-502 dwelling unit may be occupied by:
 1. A group residential facility – a group home or other residential facility, with one or more resident or nonresident staff persons, in which no more than (a) 8 mentally ill, intellectually disabled or developmentally disabled persons reside and such home is licensed by the Virginia Department of Behavioral Health and Developmental Services; or (b) 8 intellectually disabled persons or 8 aged, infirm or disabled persons reside and such home is licensed by the Virginia Department of Social Service; or (c) 8 handicapped persons reside, with handicapped defined in accordance with the Federal Fair Housing Amendments Act of 1988. The terms handicapped, mental illness and developmental disability shall not include current illegal use or addiction to a controlled substance as defined in Sect 54.1-3401 of the Code of Virginia or as defined in Sect. 102 of the Controlled Substance Act (21 U.S.C. 802). For the purpose of this Ordinance, a group residential facility shall not be deemed a group housekeeping unit, or ASSISTED LIVING FACILITY and a dwelling unit or facility for more than 4 persons who do not meet the criteria set forth above or for more than 8 handicapped, mentally ill, intellectually disabled or developmentally disabled persons shall be deemed a CONGREGATE LIVING FACILITY. Permitted by-right in all residential districts.
 2. Any group housekeeping unit up to 10 people approved by the BZA.(Art. 8, Pt. 3)
SUP in all R Districts except for R-1, R-P, and R-C.
- Congregate Living Facility – A facility which provides housing and general care on a permanent or temporary basis including the provision of supportive services, such as special care, treatment and training, in a supervised setting with on-site counselors and/or other staff. *This requires a special exception in all residential districts.*

Henrico

- Family is defined as “a person living alone or any number of persons living together as a single housekeeping unit including domestic servants, caregivers, foster children, and adults, and supervisory personnel in a group care facility.
- Group home is defined as a “residential facility in which no more than 8 individuals with mental illness, intellectual disability, or developmental disabilities reside with one or more resident or nonresident staff persons and is licensed by the Virginia Department of Behavioral Health and Developmental Services or other licensing authority. *Permitted by-right in residential areas.*

Virginia Beach

- Define “Family” to include 8 or fewer residents with a counselor and licensed by the State
- Group homes is not defined. *SUP in all residential districts*. Does not violate the FHA. See *Oxford House v. City of Va Beach.*, 825 F. Supp. 1251, 1261-62 (E.D. Va 1993)

Williamsburg

- Family definition –
 1. Two or more persons related by blood, adoption, marriage or guardianship, limited to the following: husband, wife, child, stepchild, foster child, brother, sister, stepbrother, stepsister, parent, stepparent, grandchild, grandparent, mother-in-law, father-in-law; or
 2. Two unrelated persons along with one or more dependents related to either of them by blood, marriage, adoption or guardianship, limited to the following: child, stepchild, foster child, brother, sister, stepbrother, stepsister, parent, stepparent, grandchild, grandparent, mother-in-law, father-in-law.
- Group Home -
 1. Not more than eight individuals with mental illness, intellectual disability, or developmental disabilities with one or more resident or nonresident staff persons. Mental illness and developmental disability do not include current illegal use of or addiction to a controlled substance as defined in Code of Virginia, § 54.1-3401. In order to qualify as a group home, such facility must be licensed as a "residential facility" by the Virginia Department of Behavioral Health and Developmental Services; or by
 2. Not more than eight aged, infirm or disabled persons together with one or more resident counselors or other staff persons licensed as an assisted living facility or residential facility in which aged, infirm or disabled persons reside by the Virginia Department of Social Services.

For purposes of single-family residential occupancy, a group home shall be deemed to be a family and except for the limitations set forth hereinabove, no conditions more restrictive than those imposed on residences occupied by persons related by blood, marriage, or adoption shall be imposed on such facility.

York County

- Family definition - An individual, or two (2) or more persons related by blood, marriage or adoption, or a group of not more than four (4) unrelated persons, occupying a single dwelling unit. For purposes of single-family residential occupancy, and in accordance

with Section 15.2-2291.A. of the Code of Virginia, the term also shall be deemed to include no more than eight (8) individuals with mental illness, intellectual disability, or developmental disabilities, together with one (1) or more resident or nonresident staff persons, living in a residential facility for which the Department of Behavioral Health and Developmental Services is the licensing authority pursuant to the Code of Virginia.. Mental illness and developmental disability does not include current illegal use of or addiction to a controlled substance as defined in section 54.1-3401, Code of Virginia. In addition, in accordance with Section 15.2-2291.B. of the Code of Virginia.

- Group home - A dwelling unit shared by more than four (4) unrelated disabled persons who live together as a single housekeeping unit which does not qualify as a “family” as defined in this chapter, and in which resident or non-resident staff persons provide or facilitate care, education, and participation in community activities for the residents with the primary goal of enabling persons who are intellectually, developmentally or physically disabled, or who because of age or physical infirmity, require the protection or assistance of a group setting, to live as independently as possible in order to reach their maximum potential, and for which the Virginia Department of Behavioral Health and Development Services or the Virginia Department of Social Services is the licensing authority. *This requires a special use permit in 5 out of 7 residential districts. (not allowed in 2 districts)*

§ 15.2-2291. Assisted living facilities and group homes of eight or fewer; single-family residence

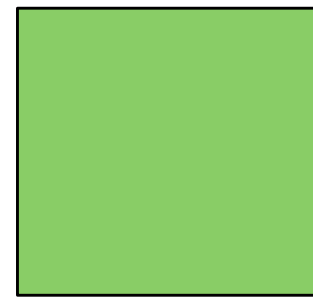
A. Zoning ordinances for all purposes shall consider a residential facility in which no more than eight individuals with mental illness, intellectual disability, or developmental disabilities reside, with one or more resident or nonresident staff persons, as residential occupancy by a single family. For the purposes of this subsection, mental illness and developmental disability shall not include current illegal use of or addiction to a controlled substance as defined in § 54.1-3401. No conditions more restrictive than those imposed on residences occupied by persons related by blood, marriage, or adoption shall be imposed on such facility. For purposes of this subsection, "residential facility" means any group home or other residential facility for which the Department of Behavioral Health and Developmental Services is the licensing authority pursuant to this Code.

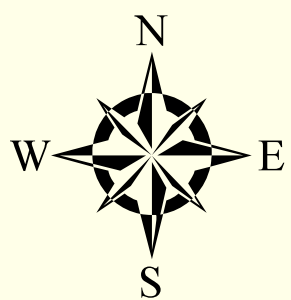
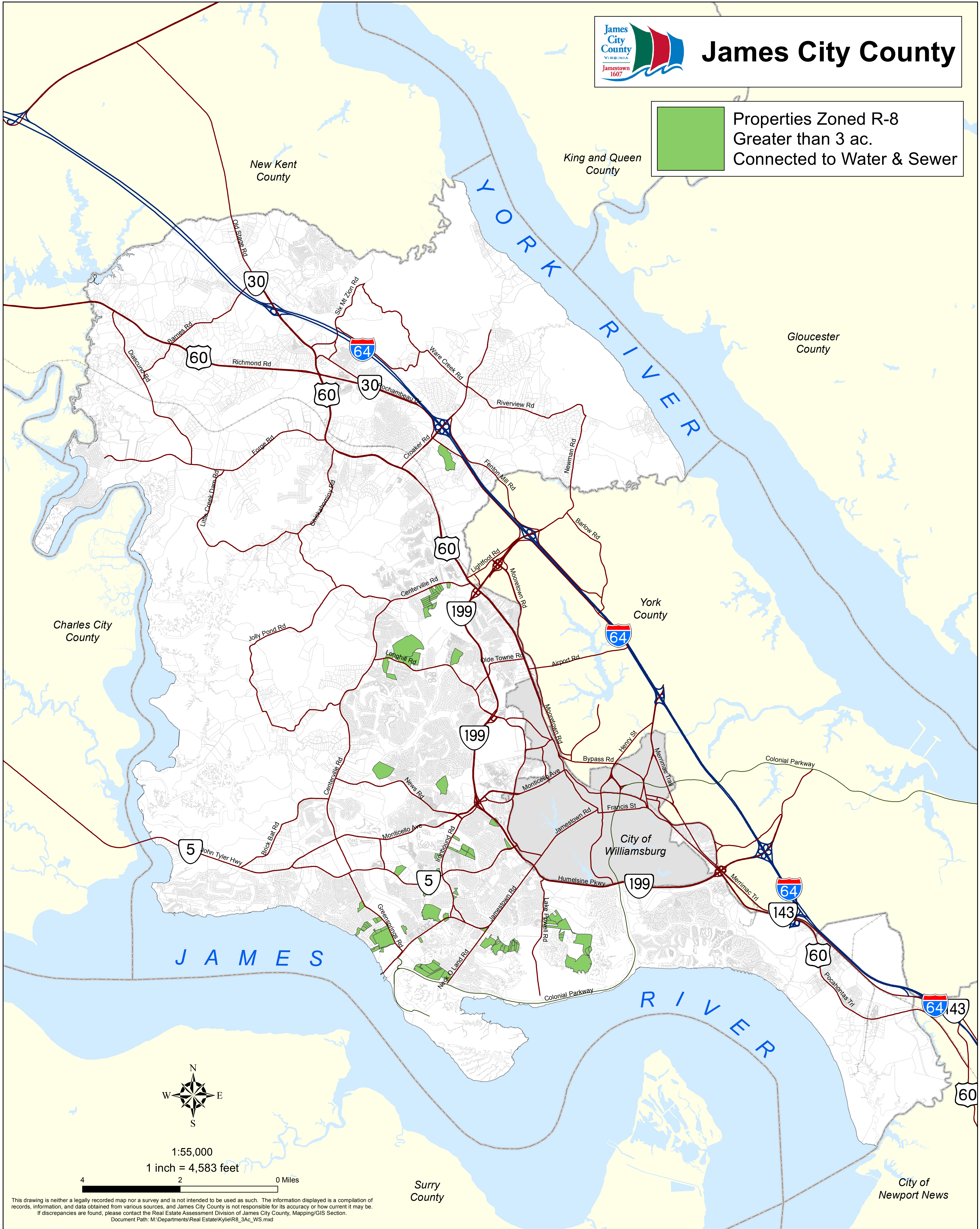
B. Zoning ordinances for all purposes shall consider a residential facility in which no more than eight aged, infirm or disabled persons reside, with one or more resident counselors or other staff persons, as residential occupancy by a single family. No conditions more restrictive than those imposed on residences occupied by persons related by blood, marriage, or adoption shall be imposed on such facility. For purposes of this subsection, "residential facility" means any assisted living facility or residential facility in which aged, infirm or disabled persons reside with one or more resident counselors or other staff persons and for which the Department of Social Services is the licensing authority pursuant to this Code.

1990, c. 814, § 15.1-486.3; 1993, c. 373; 1997, c. 587; 1998, c. 585; 2007, c. 813; 2008, c. 601; 2009, cc. 813, 840; 2010, cc. 796, 847; 2012, cc. 476, 507; 2014, c. 238.



James City County

 Properties Zoned R-8
Greater than 3 ac.
Connected to Water & Sewer



1:55,000
1 inch = 4,583 feet

4 2 0 Miles

This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and James City County is not responsible for its accuracy or how current it may be. If discrepancies are found, please contact the Real Estate Assessment Division of James City County, Mapping/GIS Section.
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