

**PROPOSED ZONING ORDINANCE AMENDMENTS**  
**(Chapter 83 of the Powhatan County Code)**

[Sections 1.1 through 3.2; Sections 8.1 through 9; and Sections 12.1 through 43.1 remain in their entirety]

**\*Editor's Note:** Sections 4.1 through 4.4 have been moved to Sec. 83-130 through 83-133.

**Article 5 - Agricultural District (A-1). Repealed**

**\* Editor's Note:** A-1 is combined with RR and reclassified as the A-10 Zoning District (§ 83-160 *et seq.*)

**Article 6 - Intensive Animal Confinement District (A-2). Repealed**

**\* Editor's Note:** A-2 provisions are incorporated in, and reclassified as the A-I Zoning District (§ 83-170 *et seq.*)

**Article 7 - Rural Residential (RR). Repealed**

**\* Editor's Note:** RR is combined with A-1 and reclassified as the A-10 Zoning District (§ 83-160 *et seq.*)

**Article 10 - Single-Family Residential District (R-5). Repealed**

**\* Editor's Note:** R-5 provisions are incorporated in, and reclassified as the RR-5 Zoning District (§ 83-180 *et seq.*)

**Article 11 – Single-Family Residential District (R-7). Repealed**

**\* Editor's Note:** No parcels in the County are zoned R-7

**Article 44 (Definitions). Repealed**

**Minimum Lot Size Reference Chart** [immediately after Definitions at Article 44]

<b>Minimum Lot Size Reference Chart</b>	
<b>Scenario</b>	<b>Result</b>
<b>Minimum Lot Size (<del>A-1</del>A-10 District)</b>	10 acres
<b>Lot Line Adjustment (<del>A-1</del>A-10 District)</b>	2 acres for parent tract on a public road; 10 acres for all other parcels; <u>the result of the lot line adjustment may not create any additional non-conforming parcels</u>

## Minimum Lot Size Reference Chart

Scenario	Result
<del>Lot Line Adjustment (RR District)</del>	<del>10 acres; parcels less than 10 acres may be increased but not decreased in size by the lot line adjustment</del>
Single cut subdivision exception; main parcel on public road ( <del>A-1A-10</del> District)	2 acres for the single cut parcel plus 2 acres for the residual parcel (4 acres total)
Single cut subdivision exception; main parcel on private road ( <del>A-1A-10</del> District)	2 acres for the single cut parcel plus 10 acres for the residual parcel (12 acres total); private road must be upgraded to state specifications from the state road to the single cut parcel; minimum lot size to be computed outside the 50' right of way
Family member division; main parcel on public road, or access provided to public road via main parcel <del>by an exclusive easement or a shared easement that is not to be used by anyone other than that family</del> ( <del>A-1A-10</del> District)	2 acres for the family division parcel plus 2 acres for the residual parcel (4 acres total)
Family member division; main parcel on private road in Large Lot development ( <del>A-1A-10</del> District)	2 acres for the family member division plus 10 acres for the residual parcel (12 acres total); must have consent from property owners that access the private road; minimum lot size to be computed outside the 50' right of way; private road must be upgraded to state specifications if private road serves more than ten (10) lots
<del>Family member division (RR District)</del>	<del>2 acres for the family division parcel plus 10 acres for the residual parcel (12 acres total)</del>
Family member division (R-2 District)	2 acres for the family division parcel plus 2 acres for the residual parcel (4 acres total)
Family member division (R-U District)	2 acres for the family division parcel plus 2 acres for the residual parcel (4 acres total)
Large lot subdivision exception ( <del>A-1A-10</del> District)	10 acre minimum lot size; if on a private road, minimum lot size is to be computed outside the 50' right of way
Charitable exception ( <del>A-1A-10</del> District)	2 acres for the charitable exception parcel plus 10 acres for the residual parcel
Second dwelling for family member (per conditional use permit in <del>A-1A-10</del> District); main parcel on public road	20 acres total (1 dwelling per 10 acres); minimum lot size requirements waived if dwelling is for an elderly or infirmed family member

<b>Minimum Lot Size Reference Chart</b>	
<b>Scenario</b>	<b>Result</b>
<b>Second dwelling for guest house or non-family member (per conditional use permit in <del>A-1A-10</del> District)</b>	20 acres total (1 dwelling per 10 acres); minimum lot size requirements waived if dwelling is for an elderly or infirmed family member
<b>Second dwelling on 2 lot private road (regardless of occupant, per conditional use permit in <del>A-1A-10</del> District)</b>	20 acres total (1 dwelling per 10 acres); minimum lot size requirements waived if dwelling is for an elderly or infirmed family member
<b>Second dwelling on 3-10 lot private road (regardless of occupant, per conditional use permit in <del>A-1A-10</del> District)</b>	20 acres total (1 dwelling per 10 acres); minimum lot size requirements waived if dwelling is for an elderly or infirmed family member
<b>Second dwelling on lot in any private road subdivision that is eligible for a single cut (per conditional use permit in <del>A-1A-10</del> District)</b>	20 acres total (1 dwelling per 10 acres); minimum lot size requirements waived if dwelling is for an elderly or infirmed family member

**Secs. 44.2 — 83-99. Reserved**

*ARTICLE I. GENERAL PROVISIONS*

*Secs. 83-100 through 83-119*

*\* Editor’s Note: Sections to be adopted in the future*

*ARTICLE II. ADMINISTRATION*

*Secs. 83-120 through 83-129*

*\* Editor’s Note: Sections to be adopted in the future*

*[The following sections applicable to all districts, in general, were adopted by the Board of Supervisors on September 16, 2013; proposed revisions are indicated]*

**Sec. 83-130. Use Districts.**

For the purpose of this Ordinance, Powhatan County is divided into twenty-three (23) districts which shall be designated as follows:

- |   |                          |
|---|--------------------------|
| <del>1. Agricultural</del>                | <del>A-1</del>           |
| <del>1. Agricultural-20</del>             | <del>A-20</del>          |
| <del>2. Agricultural-10</del>             | <del>A-10</del>          |
| <del>2.3. Agricultural Intensive</del>    | <del>A-I</del>           |
| <del>3. Rural Residential</del>           | <del>R-R</del>           |
| <del>4. Rural Residential-5</del>         | <del>RR-5</del>          |
| <del>4.5. Single-Family Residential</del> | <del>R-2, R-5, R-7</del> |

<del>5.6.</del> Residential Utility	R-U
<del>6.7.</del> Residential Commercial	R-C
<del>7.8.</del> Office District	O
<del>8.9.</del> General Commercial	C
<del>9.10.</del> Light Industrial	I-1
<del>a.</del> Heavy Industrial	I-2
<del>10.11.</del> Mining and Mineral Extraction	M
<del>11.12.</del> Flood Plain	FP
<del>12.13.</del> Court House Square Center	CHSC-1
<del>13.14.</del> Historic	H
<del>14.15.</del> Mobile Home Parks	MHP
<del>15. Intensive Animal Confinement</del>	<del>A-2</del>
16. Route 711 Village Service Area Overlay District	
<del>17. Agricultural 20</del>	<del>A-20</del>
<del>18.17.</del> Crossroads	CR
<del>19.18.</del> Village Residential	VR
<del>20.19.</del> Village Center	VC
<del>21.20.</del> Commerce Center	CC
<del>22.21.</del> Village Residential Planned Development	VR-PD
<del>23.22.</del> Village Center Planned Development	VC-PD
<del>24.23.</del> Commerce Center Planned Development	CC-PD

**Sec. 83-131. District Boundaries**

**Sec. 83-132. Rules for Interpretation of District Boundaries**

**Sec. 83-133. Application of District Regulations**

**Secs. 83-134 — 83-139. Reserved.**

**ARTICLE III. RURAL DISTRICTS**

*[The following Rural Districts sections applicable to Rural Districts, in general, were adopted by the Board of Supervisors on September 16, 2013]*

**Sec. 83-140. General Purposes of Rural Area Base Districts**

**Secs. 83-141—149. Reserved**

*[The following Rural Districts sections applicable to the Agricultural-20 (A-20) District were adopted by the Board of Supervisors on September 16, 2013]*

**Sec. 83-150. AGRICULTURAL-20 (A-20) District**

**Sec. 83-151. Permitted Uses**

**Sec. 83-152. Conditional Uses**

**Sec. 83-153. Accessory Uses**

**Sec. 83-154. Temporary Uses**

**Secs. 83-155 — 83-159. Reserved**

*[Proposed amendments to ARTICLE III: The following proposed districts, upon adoption, shall comply with the Use Standards (Article VII) and Development Standards (Article VIII) as set forth in this Ordinance.]*

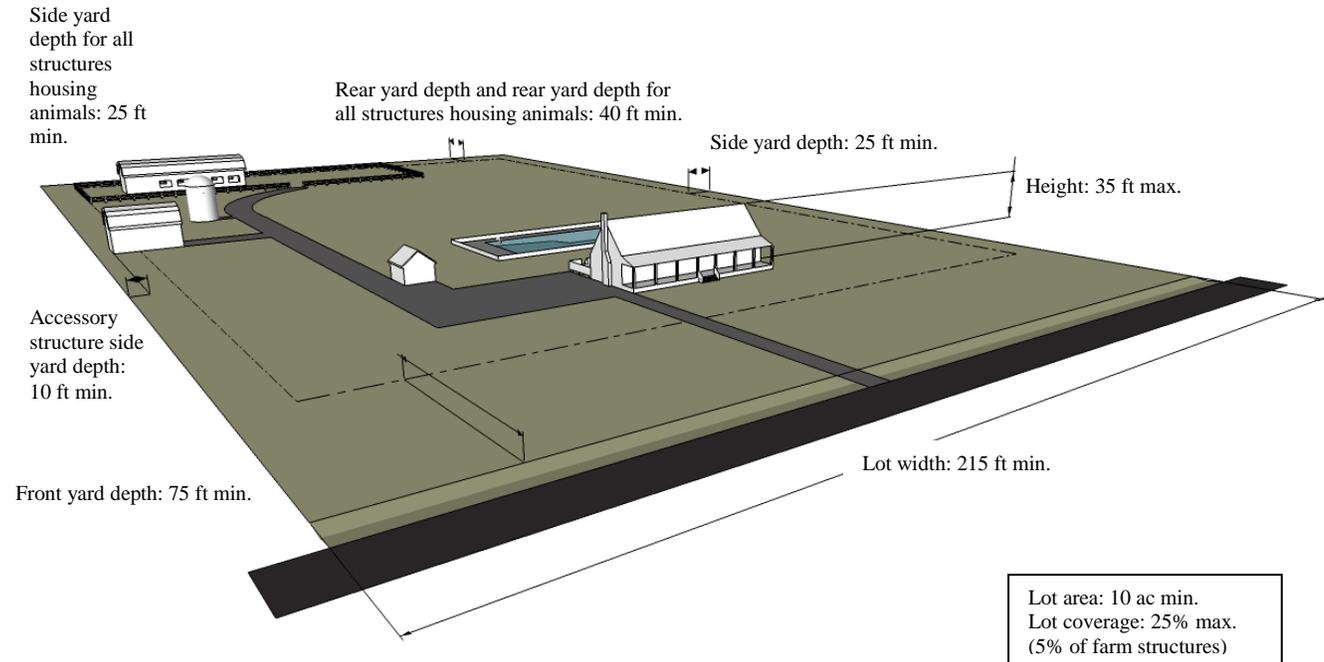
<b>SEC. 83-160 AGRICULTURAL-10 (A-10) DISTRICT</b>	
<b>A. Purpose</b>	<b>Typical Development Form</b>
<p>The purpose of the Agricultural-10 (A-10) district is to maintain the agrarian and low-density rural character of the county that optimizes economic use of the county’s prime farmland and forest land resources and defines the countryside appearance and rural character of areas designated as rural preservation areas in the comprehensive plan. Specifically, the district is intended to accommodate and encourage agriculture, agri-business, agricultural and rural tourism, silviculture, and related uses and development. It is also intended to accommodate limited low-density single-family detached homes on lots of ten or more acres—primarily in the form of conservation subdivisions that conserve substantial open space and natural resources.</p>	
<p><b>B. Use Standards</b></p> <p>See use table and use-specific standards in <a href="#">Article VII (Use Standards)</a>.</p>	
<b>C. Intensity and Dimensional Standards</b> <sup>1,2</sup>	
Lot area, minimum	10 ac <sup>3</sup>
Lot width, minimum	215 ft <sup>4</sup>
Density, maximum	1 du/10 ac <sup>5</sup>
Lot coverage, maximum	25% <sup>6</sup>
Structure height, maximum	Lesser of 3 stories or 35 ft
Front yard depth, minimum	100 ft <sup>7</sup>
Rear yard depth, minimum	40 ft <sup>9,10</sup>
Side yard depth, minimum	25 ft <sup>8,9</sup>
<p>NOTES: ac = acre(s) ft = feet</p> <p>1. See measurement rules and allowed exceptions/variations in <a href="#">Article XII (Interpretations)</a>.</p> <p>2. For conservation subdivisions, see <a href="#">Powhatan County Code Chapter 68 (Subdivisions)</a> for applicable lot area, lot width, lot coverage, and yard depth standards.</p> <p>3. See <a href="#">Chapter 68 (Subdivisions)</a> for variations applicable to charitable subdivisions and family divisions.</p> <p>4. 150 ft for family divisions</p> <p>5. For conservation subdivisions, see <a href="#">Chapter 68 (Subdivisions)</a> for applicable density bonus for additional open space.</p> <p>6. 5% for farm structures and accessory structures.</p>	
<b>Typical Lot Layout</b>	
	

- 7. 35 ft for flag lots.
- 8. 25 ft for principal structures, accessory dwelling units, or accessory structures housing animals.
- 9. 10 ft for accessory structures (other than those housing animals).
- 10. 40 ft for principal structures, accessory dwelling units, or accessory structures housing animals.

**D. Development Standards**

See development standards in [Article VIII \(Development Standards\)](#)

**Typical Development Configuration**



**Sec. 83-161. Permitted Uses**

The following uses are allowable as principal uses by right in the A-10 district, subject to compliance with any referenced use-specific standards and all other applicable regulations of this Ordinance:

1. Animal production (other than an animal confinement facility)
2. Crop production
3. Dairy (other than an animal confinement facility)
4. Forestry and logging
5. Greenhouse, nursery, and floriculture production
6. Agricultural support (direct)
7. Agricultural support (indirect)
8. Farm winery
9. Horse boarding and equestrian training

10. Dwelling, manufactured home
11. Dwelling, single-family detached
12. Telecommunications facility, collocated
13. Adult day care center
14. Child day care center
15. Public school
16. Courthouse facility
17. Government administrative offices
18. Government maintenance, storage, or distribution facility
19. Law enforcement facility
20. Post office
21. Community garden
22. Park or greenway
23. Place of worship
24. Utility use, minor
25. Marina, noncommercial
26. Taxidermy Shop

**Sec. 83-162. Conditional Uses**

The following uses are allowable as principal uses in the A-10 district only on approval of a Conditional Use Permit and subject to any referenced use-specific standards and all other applicable regulations of this Ordinance:

1. Farm winery, special impact
2. Horse racetrack or show grounds
3. Livestock market
4. Sawmill, commercial
5. Farm worker housing
6. Manufactured home park
7. Assisted living facility
8. Continuing care retirement community
9. Hospice facility
10. Rooming or boarding house
11. Telecommunications tower
12. Community center
13. Museum
14. College or university
15. Private school
16. Vocational or trade school
17. Correctional facility
18. Fire or EMS station
19. Fire training facility
20. Nursing home
21. Cemetery
22. Club or lodge
23. Halfway house

24. Shelter for victims of domestic violence
25. Airport
26. Airstrip
27. Helicopter landing facility
28. Solar energy farm
29. Utility use, major
30. Animal grooming
31. Animal shelter
32. Pound
33. Kennel, commercial
34. Veterinary clinic
35. Conference or training center
36. Country club
37. Fairground
38. Golf course
39. Marina, commercial
40. Recreation facility, commercial indoor
41. Recreation facility, commercial outdoor
42. Recreation facility, nonprofit
43. Recreation facility, public
44. Shooting range, commercial
45. Antique store
46. Art gallery
47. Auction facility
48. Farmers' market
49. Flea market
50. Campground/recreational vehicle park
51. Asphalt or concrete plant
52. Brewery or distillery
53. Micro Brewery or Micro Distillery
54. Winery
55. Convenience center, county

**Sec. 83-163. Accessory Uses**

**A. Permitted Accessory Uses**

The following uses are allowable as accessory uses that are incidental and customarily subordinate to principal uses in the A-10 district, subject to compliance with any referenced use-specific standards and all other applicable regulations of this Ordinance:

1. Accessory apartment
2. Accessory dwelling unit (detached)
3. Amateur radio antenna
4. Bed and breakfast inn
5. Clubhouse
6. Eating establishment (as accessory to an agricultural use)
7. Electric vehicle (EV) level 1 or 2 charging station

8. Electric vehicle (EV) level 3 charging station
9. Family day care home
10. Fuel oil or bottled gas distribution or storage, limited
11. Home garden
12. Home occupation
13. Home-based landscaping business
14. Kennel, private
15. Office (as accessory to P multifamily dwelling or commercial use)
16. Open space, park, playground, or recreational facility
17. Outdoor storage (as an accessory use)
18. Parking or storage of major recreational equipment on residential lots
19. Parking or storage of large vehicles
20. Rainwater cistern
21. Residential care facility
22. Private recycling bins
23. Retail sales (as accessory to an agricultural use)
24. Roadside stand
25. Satellite dish
26. Shipping containers as storage
27. Shooting range, non-commercial
28. Small wind energy system
29. Solar energy collection system
30. Swimming pool, spa, or hot tub
31. Television or radio antenna

**B. Conditional Accessory Uses**

The following uses are allowable as accessory uses that are incidental and customarily subordinate to principal uses in the A-10 district only on approval of a Conditional Use Permit and subject to any referenced use-specific standards and all other applicable regulations of this Ordinance:

1. Airstrip
2. Home-based business
3. Home-based truck hauler business

**Sec. 83-164. Temporary Uses**

**A. Permitted Temporary Uses**

The following uses are allowable as temporary uses of limited duration, in the A-10 district, subject to compliance with any referenced use-specific standards and all other applicable regulations of this Ordinance:

1. Garage or yard sale
2. Manufactured home used pending construction of conventional dwelling as primary residence
3. Model sales home/unit
4. Portable sawmill

5. Post-disaster temporary dwelling
6. Temporary construction-related structure or facility
7. Temporary family health care structure

**B. Permitted with Temporary Business Permit**

The following uses are allowable as temporary uses of limited duration in the A-10 district, only on approval of a Temporary Business Permit, and subject to compliance with any referenced use-specific standards and all other applicable regulations of this Ordinance:

1. Estate sale/auction
2. Farmers’ market (as a temporary use)
3. Outdoor seasonal sales
4. Temporary business (other than outdoor seasonal sales)

**C. Permitted with Condition Use Permit**

The following uses are allowable as temporary uses of limited duration, in the A-10 district, only on approval of a Conditional Use Permit and subject to compliance with any referenced use-specific standards and all other applicable regulations of this Ordinance:

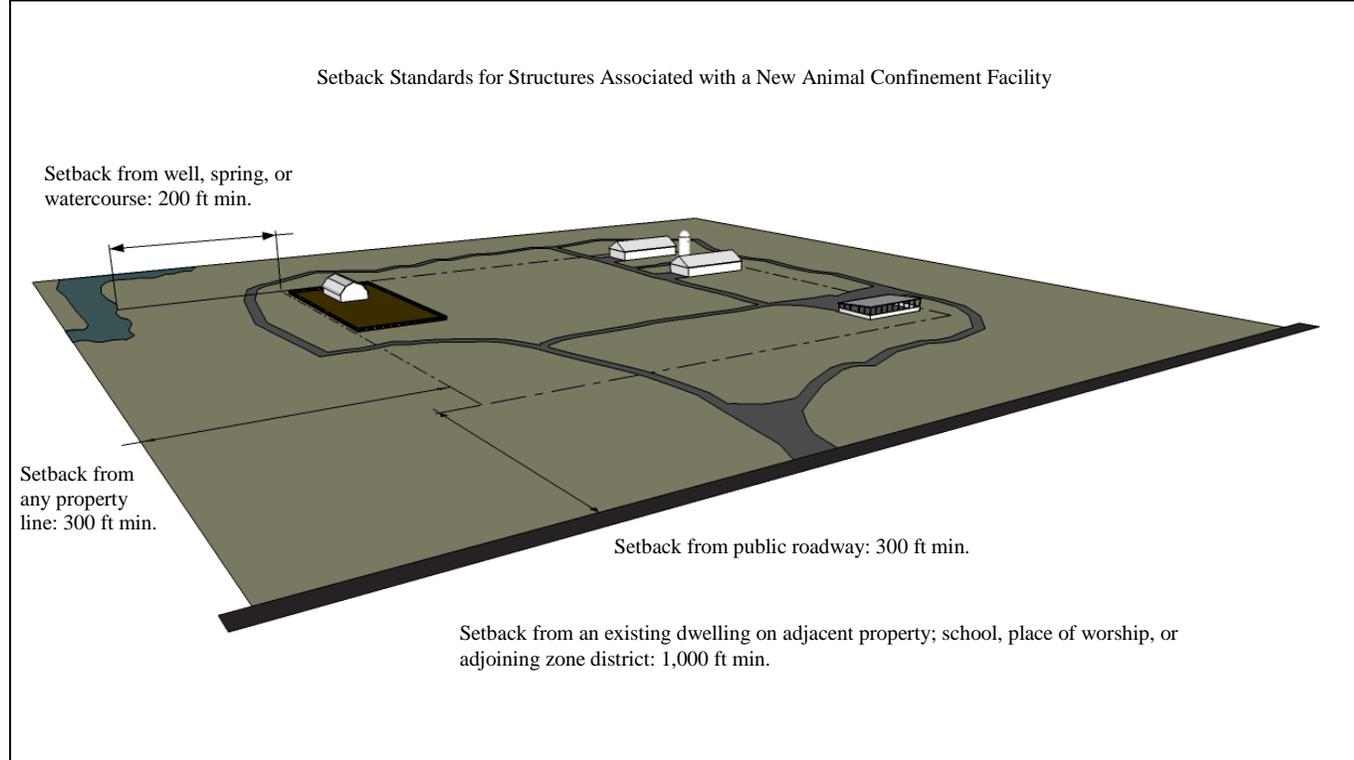
1. Temporary second dwelling for an elderly or infirm family member

**Secs. 83-165 — 83-169. Reserved**

SEC. 83-170 AGRICULTURAL INTENSIVE (A-I) DISTRICT		
A. Purpose	Typical Development Form	
The purpose of the Agricultural Intensive (A-I) district is to accommodate intensive agricultural operations involving the keeping or raising of livestock, dairy cattle, swine, and poultry in confined areas or facilities—subject to standards to mitigate the potential adverse impacts of such operations on adjacent properties. The district is also intended to accommodate other animal production, crop production, and other agricultural uses.		
<b>B. Use Standards</b> See use-specific standards in <a href="#">Article VII (Use Standards)</a> .		
<b>C. Intensity and Dimensional Standards</b> Setbacks for Structures Associated with New Animal Confinement Facilities <sup>1</sup>		
From a well, spring, stream, or water course		200 ft
From any property line		300 ft
From a public roadway		300 ft
From an existing dwelling on an adjacent property		1,000 ft
From a school or place of worship		1,000 ft
From an adjoining zone district	1,000 ft	

<p>NOTES: ft = feet  1. May be reduced by up to 50% through a written and recorded agreement between the owner of the animal confinement facility and the owner of the affected adjacent property.</p>	
<p><b>D. Development Standards</b></p>	<p><b>Typical Lot Layout</b></p>
<p>See development standards in <a href="#">Article VIII (Development Standards)</a>- <u>for any standards not addressed above.</u></p>	

**Typical Development Configuration**



**E. Animal Confinement Facility Standards**

Animal confinement facilities shall comply with the following standards:

**1. Required State Approvals**

- a) No animal confinement facility shall be allowed under this Ordinance unless and until the appropriate state agency has approved
  - (i) a nutrient management plan providing for safe storage and disposal or use of all produced animal waste, and

- (ii) a General Virginia Pollution Abatement Permit (VPA permit) for a confined animal feeding operations for the facility, in accordance with § 62.1-44.17:1 VA Code Ann. and 9VAC25-31-200.
- b) The facility owner or operator shall file copies of the nutrient management plan and General Permit with the Director upon approval.

## 2. Updating the Nutrient Management Plan

- a) The nutrient management plan shall be updated every five years and more frequently in conjunction with any proposed expansion of 25 percent or more in the approved number of animal units in the facility.
- b) The updated nutrient management plan shall be reviewed by a certified nutrient management planner and the Director.

## 3. Storage and Disposal or Use of Animal Wastes

### a) On-Site Storage

The facility shall provide for an animal waste storage site, with or without a permanent structure. Except as otherwise provided in [subsection \(b\)](#) below, the storage site shall be located on the same parcel as the facility and shall:

- (i) Have the capacity to store 100 percent of the wastes produced by the facility during the four consecutive months in which the maximum volume of wastes is produced by the facility;
- (ii) Meet all applicable state requirements;
- (iii) Meet the setback standards in [Section 83-170\(C\), Intensity and Dimensional Standards](#);
- (iv) Provide for either diverting or storing rainfall onto the drainage area flowing into the storage site.

### b) Off-Site Storage and Disposal or Use

The Director may allow animal wastes produced by a facility to be transported directly from the facility to an approved storage site located on another parcel, or to another area, property, or receiver for immediate field application or other use, provided:

- (i) The nutrient management plan incorporates the proposed off-site storage and disposal or use;
- (ii) The nutrient management plan includes either:
  - (A) Documentation of an agreement between the facility owner or operator and the receiver of the transported wastes; or
  - (B) A sworn and notarized affidavit of the owner's or operator's intention to dispose of the waste through sale in retail establishments or otherwise directly to consumers.

- (iii) A nutrient management plan documenting an agreement for off-site storage, disposal, or use of wastes shall be valid only so long as the agreement remains in force. The facility owner or operator shall provide the Director written notice of the status of the agreement at least 30 days before the agreement expires and within five days after the agreement is terminated before its expiration date.

#### **4. Setbacks**

- a) If the parcel on which the facility is located is divided such that structures previously complying with the setbacks required in [Section 83-170\(C\), Intensity and Dimensional Standards](#), no longer comply with the required setbacks (or any reduced setbacks pursuant to Note 1 to Section 83-170(C)), operation of the facility shall be terminated.
- b) All animal confinement facilities existing before November 18, 1996, shall be deemed in compliance with all setback requirements, provided that the setbacks of new structures in the facility from the locations identified in [Section 83-170\(C\), Intensity and Dimensional Standards](#), shall be no less than the setbacks of the facility's existing structures. If the facility is expanded by 25 percent or more in the approved number of animal units, however, any new structures associated with the expansion shall comply with the minimum setback standards in [Section 83-170\(C\), Intensity and Dimensional Standards](#), or any reduced setback allowed in accordance with Note 1 to Section 83-170(C).

#### **5. Buffer**

Animal containment facilities located on parcels that abut developed lot(s) containing residential, institutional, commercial, or industrial uses shall provide a perimeter buffer in accordance with the perimeter buffers provisions of [Section 83-461, Landscaping and Buffers](#).

### **Sec. 83-171. Permitted Uses**

The following uses are allowable as principal uses by right in the A-I district, subject to compliance with any referenced use-specific standards and all other applicable regulations of this Ordinance:

1. Animal confinement facility
2. Animal production (other than an animal confinement facility)
3. Crop production
4. Dairy (other than an animal confinement facility)
5. Forestry and logging
6. Greenhouse, nursery, and floriculture production
7. Agricultural support (direct)
8. Agricultural support (indirect)
9. Farm winery

10. Horse boarding and equestrian training
11. Horse racetrack or show grounds
12. Dwelling, manufactured home
13. Dwelling, single-family detached
14. Telecommunications facility, collocated
15. Community garden
16. Park or greenway
17. Utility use, minor
18. Marina, noncommercial
19. Recreation facility, nonprofit
20. Recreation facility, public
21. Farmers' market

**Sec. 83-172. Conditional Uses**

The following uses are allowable as principal uses in the A-I district only on approval of a Conditional Use Permit and subject to any referenced use-specific standards and all other applicable regulations of this Ordinance:

1. Livestock market
2. Farm worker housing
3. Telecommunications tower
4. Community center
5. Cemetery
6. Airport
7. Airstrip
8. Helicopter landing facility
9. Utility use, major
10. Animal shelter
11. Pound
12. Kennel, commercial
13. Veterinary clinic
14. Shooting range, commercial

**Sec. 83-163. Accessory Uses**

**A. Permitted Accessory Uses**

The following uses are allowable as accessory uses that are incidental and customarily subordinate to principal uses in the A-I district, subject to compliance with any referenced use-specific standards and all other applicable regulations of this Ordinance:

1. Accessory apartment
2. Amateur radio antenna
3. Electric vehicle (EV) level 1 or 2 charging station
4. Electric vehicle (EV) level 3 charging station
5. Family day care home
6. Home garden
7. Home occupation

8. Kennel, private
9. Office (as accessory to P multifamily dwelling or commercial use)
10. Open space, park, playground, or recreational facility
11. Outdoor storage (as an accessory use)
12. Parking or storage of major recreational equipment on residential lots
13. Parking or storage of large vehicles
14. Rainwater cistern
15. Residential care facility
16. Private recycling bins
17. Roadside stand
18. Satellite dish
19. Shipping containers as storage
20. Shooting range, non-commercial
21. Small wind energy system
22. Solar energy collection system
23. Swimming pool, spa, or hot tub
24. Television or radio antenna

**B. Conditional Accessory Uses**

The following uses are allowable as accessory uses that are incidental and customarily subordinate to principal uses in the A-I district only on approval of a Conditional Use Permit and subject to any referenced use-specific standards and all other applicable regulations of this Ordinance:

1. Airstrip

**Sec. 83-174. Temporary Uses**

**A. Permitted Temporary Uses**

The following uses are allowable as temporary uses of limited duration, in the A-I district, subject to compliance with any referenced use-specific standards and all other applicable regulations of this Ordinance:

1. Garage or yard sale
2. Manufactured home used pending construction of conventional dwelling as primary residence
3. Portable sawmill
4. Post-disaster temporary dwelling
5. Temporary construction-related structure or facility
6. Temporary family health care structure

**B. Permitted with Temporary Business Permit**

The following uses are allowable as temporary uses of limited duration in the A-I district, only on approval of a Temporary Business Permit, and subject to compliance with any referenced use-specific standards and all other applicable regulations of this Ordinance:

1. Estate sale/auction
2. Farmers’ market (as temporary use)
3. Outdoor seasonal sales
4. Temporary business (other than outdoor seasonal sales)

**C. Permitted with Conditional Use Permit**

The following uses are allowable as temporary uses of limited duration, in the A-I district, only on approval of a Conditional Use Permit and subject to compliance with any referenced use-specific standards and all other applicable regulations of this Ordinance:

1. Temporary second dwelling for an elderly or infirm family member

**Secs. 83-175 — 83-179. Reserved**

SEC. 83-180 RURAL RESIDENTIAL-5 (RR-5) DISTRICT		
<b>A. Purpose</b>	<b>Typical Development Form</b>	
The purpose of the Rural Residential-5 district is to maintain the moderately low-density rural/suburban development patterns that define the rural character of the county’s rural residential areas. Specifically, the district is intended to accommodate single-family detached homes at densities of one home per five or more acres. It may include complementary uses such as limited institutional uses (e.g., schools, public safety facilities, and places of worship), as well as residentially compatible agricultural, agri-business, agricultural/rural tourism, and silvicultural uses. The district is served by rural rather than urban level infrastructure.		
<b>B. Use Standards</b>		
See use table and use-specific standards in <a href="#">Article VII, Use Standards</a> .		
<b>C. Intensity and Dimensional Standards</b> <sup>1,2</sup>		
Lot area, minimum		5 ac <sup>3</sup>
Lot width, minimum		215 ft
Density, maximum		1 du/5 ac
Lot coverage, maximum		n/a
Structure height, maximum		Lesser of 3 stories or 35 ft
Front yard depth, minimum		75 ft <sup>4</sup>
Side yard depth, minimum		25 ft <sup>5,6</sup>
Rear yard depth, minimum		40 ft <sup>6,7</sup>
NOTES: ac = acre(s) ft = feet		
	<b>Typical Lot Layout</b>	

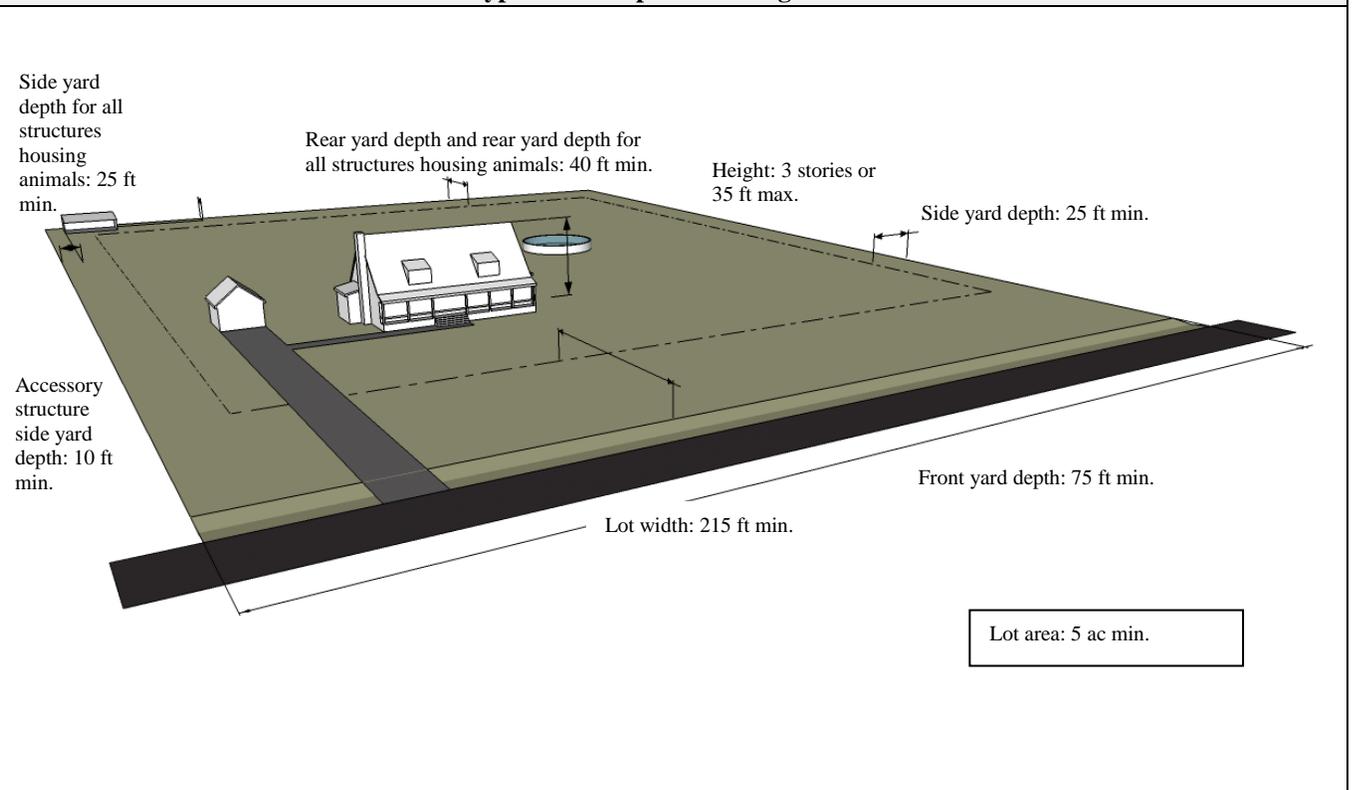
1. See measurement rules and allowed exceptions/variations in the exceptions and variation provisions of [Article XII, Interpretations](#).
2. The keeping of one horse or pony for lots of five acres or more; one additional horse or pony may be kept for each additional acre, for parcels 20 acres or less. [A private kennel \(as an accessory use\) requires a conditional use permit for parcels 2 acres or less.](#)
3. See [Powhatan County Code Chapter 68 \(Subdivisions\)](#) for variations applicable to family divisions and large lot subdivisions.
4. 35 ft for flag lots.
5. 25 ft for principal structures or accessory structures housing animals.
6. 10 ft for accessory structures (other than those housing animals).
7. 40 ft for principal or accessory structures housing animals.



#### D. Development Standards

See development standards in [Article VIII, Development Standards](#).

#### Typical Development Configuration



#### Sec. 83-181. Permitted Uses

The following uses are allowable as principal uses by right in the RR-5 district, subject to compliance with any referenced use-specific standards and all other applicable regulations of this Ordinance:

- ~~1.~~ ~~Forestry and logging~~
- ~~2.~~ 1. Dwelling, single-family detached
- ~~3.~~ 2. Telecommunications facility, collocated
- ~~4.~~ 3. Public school

- ~~5.4.~~Community garden
- ~~6.5.~~Park or greenway
- ~~7.6.~~Utility use, minor
7. Marina, noncommercial
8. Fire or EMS Station

### **Sec. 83-182. Conditional Uses**

The following uses are allowable as principal uses in the RR-5 district only on approval of a Conditional Use Permit and subject to any referenced use-specific standards and all other applicable regulations of this Ordinance:

1. Crop production
2. Farm winery
3. Horse boarding and equestrian training
4. Rooming or boarding house
5. Community center
6. Private school
7. Fire or EMS station
8. Cemetery
9. Place of worship
10. Utility use, major
11. Country club
12. Golf course
13. Recreation facility, nonprofit
14. Recreation facility, public

### **Sec. 83-183. Accessory Uses**

#### **A. Permitted Accessory Uses**

The following uses are allowable as accessory uses that are incidental and customarily subordinate to principal uses in the RR-5 district, subject to compliance with any referenced use-specific standards and all other applicable regulations of this Ordinance:

1. Accessory apartment (pursuant to Section 83-438(A)(4))
2. Amateur radio antenna
3. Bed and breakfast inn
4. Electric vehicle (EV) level 1 or 2
5. Family day care home
6. Home garden
7. Home occupation
8. Kennel, private (see Section 83-438(N))
9. Open space, park, playground, or recreational facility
10. Parking or storage of major recreational equipment on residential lots
11. Parking or storage of large vehicles
12. Rainwater cistern
13. Residential care facility
14. Private recycling bins

15. Satellite dish
16. Small wind energy system
17. Solar energy collection system
18. Swimming pool, spa, or hot tub
19. Television or radio antenna

#### **B. Conditional Accessory Uses**

The following uses are allowable as accessory uses that are incidental and customarily subordinate to principal uses in the RR-5 district only on approval of a Conditional Use Permit and subject to any referenced use-specific standards and all other applicable regulations of this Ordinance:

1. Accessory dwelling unit (detached)
2. Home-based business
3. Home-based landscaping business
4. Kennel, private ([see Section 83-438\(N\)](#))

### **Sec. 83-184. Temporary Uses**

#### **A. Permitted Temporary Uses**

The following uses are allowable as temporary uses of limited duration, in the RR-5 district, subject to compliance with any referenced use-specific standards and all other applicable regulations of this Ordinance:

1. Garage or yard sale
2. Model sales home/ unit
3. Post-disaster temporary dwelling
4. Temporary construction-related structure or facility
5. Temporary family health care structure

#### **B. Permitted with Temporary Business Permit**

The following uses are allowable as temporary uses of limited duration in the RR-5 district, only on approval of a Temporary Business Permit, and subject to compliance with any referenced use-specific standards and all other applicable regulations of this Ordinance:

1. Estate sale/ auction
2. Outdoor seasonal sales

#### **C. Permitted with Conditional Use Permit**

The following uses are allowable as temporary uses of limited duration, in the RR-5 district, only on approval of a Conditional Use Permit and subject to compliance with any referenced use-specific standards and all other applicable regulations of this Ordinance:

1. Temporary second dwelling for an elderly or infirm family member

**Secs. 83-185 — 83-189. Reserved**

*[The following Rural Districts sections applicable to the Crossroads (CR) District were adopted by the Board of Supervisors on 16, 2013]*

**Sec. 83-190. Crossroads (CR) District**

**Sec. 83-191. Permitted Uses**

**Sec. 83-192. Conditional Uses**

**Sec. 83-193. Accessory Uses**

**Sec. 83-194. Temporary Uses**

**Secs. 83-195 — 83-199. Reserved**

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**Article VII (Use Standards)**

**Division B. Standards for Accessory Uses and Structures**

**Sec. 83-435. In General**

**B. Applicability**

1. Any use that is customarily incidental and subordinate to a principal use of the same lot is allowed as an accessory use to the principal use, and any structure that is detached from a principal structure on the same lot and incidental and subordinate in use and size to the principal structure and the principal use of the lot is allowed as an accessory structure to the principal structure and use. Examples of accessory structures are garages and storage sheds.

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**Division C. Standards for Temporary Uses and Structures**

**Sec. 83-445(I). Temporary Family Health Care Structure**

9. Pursuant to Va. Code § 15.2-2292.1, ~~The~~-the structure shall be removed from the lot within 30-60 days after the time the mentally or physically impaired person is no longer receiving or is no longer in need of the required assistance.

**Article XI (Definitions)**

**Sec. 83-521. Definitions**

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**ACCESSORY STRUCTURE**

A structure that is detached from the principal structure on the same lot and serves a purpose clearly incidental to a principal use of the lot. Garages, carports and storage sheds are examples

of common accessory structures on residential lots. In addition, pole barns, hay sheds and the like qualify as accessory structures on farms. (See Accessory/Use-Specific Standards, [Division B: Standards for Accessory Uses and Structures](#), of Article VII: Use Standards)