

Sec. 74-2. Definitions.

Accessory storage building is an accessory structure or building used primarily for storage purposes, whether or not permanently attached to the ground, which use is intended for 60 days or more. Examples of an accessory storage building may include but not limited to a garage, shed, workshop or lean-to.

Storage container is any factory-built container or part thereof, designed for freight or storage and may include but is not limited to, Conex boxes and sea-land containers. Such containers which are typically originally designed for transport, but when intended to be used for storage in a fixed location

ARTICLE XI. BUSINESS DISTRICT B-1¹

Sec. 74-421. Statement of intent.

Generally, the B-1 district covers that portion of the County intended for the conduct of general business to which the public requires direct and frequent access but which is not characterized either by constant heavy trucking other than stocking and delivery of light retail goods, or by any nuisance factors other than occasioned by incidental light and noise of congregation of people and passenger vehicles. This includes such uses as retail stores, banks, theatres, business offices, newspaper offices, printing presses, restaurants and taverns, and garages and service stations.

(Code 1990, § 14-40; Ord. of 3-23-2004(3))

Sec. 74-422. Use regulations.

Use regulations in a B-1 district are as follows:

- (1) Accessory Structures, excluding storage containers unless screened or shielded from view from any road or adjoining property
- (2) Antique shops.
- (3) Auctions.
- (4) Auto/truck sales.
- (5) Bakeries.
- (6) Banks.
- (7) Barbershops and beauty shops, massage therapy.
- (8) Business offices.
- (9) Cabinet-making furniture and upholstery shops.
- (10) Car dealerships.
- (11) Carwashes.
- ~~(12) Childcare centers.~~

¹Cross (1990 Code and Ord. of 3-23-2004(3))
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- (14) Drugstores.
 - (15) Dry cleaners/laundries.
 - (16) Event facilities.
 - (17) Farm supply stores, equipment and machinery sales and service.
 - (18) Financial services.
 - (19) Florists.
 - (20) Funeral homes.
 - (21) Gift shops.
 - (22) Government offices/post offices.
 - (23) Health clinic.
 - (24) Home appliance/hardware store.
 - (25) Hospitals, general.
 - (26) Hotels, motels, restaurants.
 - (27) Kennels, commercial (no outdoor confinement).
 - (28) Laundromats.
 - (29) Liquor store.
 - (30) Lumber and building supply (storage under cover).
 - (31) Machinery sales and service.
 - (32) Medical facilities.
 - (33) Newspaper offices.
 - (34) Off-street parking (as required by this chapter).
 - (35) Office buildings.
 - (36) Plumbing/electrical supply (storage under cover).
 - (37) Printing presses.
 - (38) Professional offices.
 - (39) Recreation centers.
 - (40) Repair shops: bicycle, shoes, locks, guns, etc.
 - (41) Restaurants and drive-in restaurants.
 - (42) Retail food store or supermarket.
 - (43) Retail stores, shops and building supply store.
 - (44) Service stations (major repair under cover).
 - (45) Taverns.
 - (46) Theatres and assembly halls.
 - (47) Vehicle painting, upholstering, repairing, rebuilding and reconditioning.

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- (48) Veterinary hospital (no outdoor confinement).
 - (49) Wearing apparel stores.
 - (50) Wholesale businesses.

(Code 1990, § 14-41; Ord. of 12-10-1997; Ord. of 3-23-2004(3); Ord. No. 10-09, 10-13-2010; Ord. No. 12-02, 11-13-2012; Ord. No. 16-05, 4-12-2016)

Sec. 74-423. Conditional uses.

Permitted uses with conditional use permit in a B-1 district are as follows:

- (1) Auction barn.
- (2) Billiard parlor, poolrooms, bowling alleys, dance halls, skating rinks.
- (3) Childcare.
- (4) Kennels, commercial (with any outdoor confinement).
- (5) Mobile home/trailer sales lot.
- (6) Oil storage, bulk.
- (7) Public utilities.
- (8) Radio stations, television stations and cable TV facilities, communication station an/or tower or related facilities; subject to provisions of section 74-731 et seq.
- (9) Shopping center, subject to provisions of section 74-711 et seq.
- (10) Veterinary hospital (with any outdoor confinement).

(Code 1990, § 14-41; Ord. of 12-10-1997; Ord. of 3-23-2004(3); Ord. No. 08-02, § 8., 5-13-2008(2); Ord. No. 10-09, 10-13-2010)

Sec. 74-424. Area regulations.

- (a) In areas in a B-1 district served by central water and central sewer, there are no area requirements.
- (b) In areas not served by central water and central sewer, the minimum area shall be that area required by the health official for the safe installation and operation of an individual sewage treatment and wastewater disposal system and water supply well.

(Code 1990, § 14-42; Ord. of 7-14-1999)

Sec. 74-425. Setback regulations.

- (a) *Front setback.* No structure in a B-1 district shall be located closer to the centerline of any road right-of-way on any designated primary highway than one hundred (100) feet, or sixty (60) feet from the centerline of any secondary road right-of-way or street right-of-way for any private road, except that temporary signs advertising sale or rent of premises may be erected up to the property line. This shall be known as the setback line. Exceptions to this subsection will be those properties or any subdivision fronting on the south side of Route 60, starting with the southernmost boundary of tax parcel #57A2-A-30, continuing north to the northern boundary of tax parcel #57A2-A-45 and fronting on the north side of Route 60 starting with the southern boundary of tax parcel #57A1-A-3 to its northern boundary, and starting with the southern

boundary of tax parcel #57A2-A-11. The setback line for these exceptions shall be seventy-five (75) feet from the centerline of the right-of-way of Route 60.

- (b) *Side.* The minimum side yard setback for main structure shall be fifteen (15) feet. The minimum side yard setback for accessory structures under the size requiring a building permit shall be five (5) feet. The minimum side yard setback for all other accessory structures shall be fifteen (15) feet.
- (c) *Rear.* The minimum rear yard setback for the main structure shall be thirty-five (35) feet. The minimum rear yard setback for accessory structures under the size requiring a building permit shall be five (5) feet. The minimum rear yard setback for all other accessory structures shall be fifteen (15) feet.

(Code 1990, § 14-43; Ord. of 1-14-1998; Ord. of 7-14-1999; Ord. of 1-10-2006; Ord. No. 08-02, § 8., 5-13-2008(2); Ord. No. 18-04, 5-14-2019)

Sec. 74-426. Road frontage.

The minimum road frontage in a B-1 district shall be at least eighty percent (80%) of the lot width determined at the building setback line.

(Code 1990, § 14-44; Ord. of 7-14-1999; Ord. No. 18-04, 5-14-2019)

Sec. 74-427. Height regulations.

Buildings in a B-1 district may be erected up to forty-five (45) feet in height from grade; except that:

- (1) Any building may be erected to a height of sixty (60) feet from grade provided that required front, side, and rear yard setbacks each shall be increased one (1) foot for each one (1) foot in height over forty-five (45) feet.
- (2) Church spires, belfries, cupolas, chimneys, flues, flagpoles, television antennas, radio aerials, and bona fide farm buildings or structures as defined by Code of Virginia, § 36-97, as that section may from time to time be amended and/or recodified are exempt from height requirements.

(Code 1990, § 14-45; Ord. No. 18-04, 5-14-2019)

Secs. 74-428—74-460. Reserved.

ARTICLE XII. BUSINESS DISTRICT LIMITED B-2²

Sec. 74-461. Statement of intent.

The B-2 district is designed to provide for a concentration of a limited range of commercial uses that serve the residents of the area to which the public requires direct and frequent access. To enhance the convenience of shoppers, this district has direct access to a major street or highway. All goods and articles for sale are kept in an enclosed area. The manufacture, compounding, processing or treatment of products is prohibited in this district. This district is also designed to exclude uses and operations that are objectionable because of odor, dust, smoke, noise, litter or similar causes.

(Code 1990, § 14-45A; Ord. of 3-23-2004(4))

²Cross reference(s)—Businesses, ch. 18.

Sec. 74-462. Permitted uses.

Permitted uses in a B-2 district are as follows:

- (1) Accessory Structures, excluding storage containers unless screened or shielded from view from any road or adjoining property
- (2) Auctions.
- (3) Bakeries.
- (4) Barbershops and beauty shops, massage therapy.
- (5) Cabinet-making furniture and upholstery shops.
- (6) Car washes.
- (7) Childcare centers.
- (8) Churches, libraries.
- (9) Drugstores.
- (10) Dry cleaners/laundries.
- (11) Event facilities.
- (12) Exercise facility.
- (13) Financial services.
- (14) Fire and rescue stations.
- (15) Gift shops.
- (16) Government offices/post offices.
- (17) Home appliance/hardware store.
- (18) Kennels, commercial (no outdoor confinement).
- (19) Laundromats.
- (20) Liquor store.
- (21) Lumber and building supply (storage under cover).
- (22) Office buildings.
- (23) Plumbing/electrical supply (storage under cover).
- (24) Recreation centers.
- (25) Retail farm and garden centers.
- (26) Retail food store or supermarkets.
- (27) Retail stores.
- (28) Tanning salons.
- (29) Truck, automobile, trailer, and equipment rental as an accessory to an existing establishment.
- (30) Vehicle painting, upholstery, repairing, rebuilding and reconditioning.
- (31) Veterinary hospital (no outdoor confinement).

(32) Wearing apparel stores.

(Code 1990, § 14-45B; Ord. of 3-23-2004(4); Ord. No. 10-09, 10-13-2010; Ord. No. 12-02, 11-13-2012; Ord. No. 16-05, 4-12-2016)

Sec. 74-463. Conditional uses.

Permitted uses with conditional use permit in a B-2 district are as follows:

- (1) Reserved.
- (2) Childcare.
- (3) Hotels, motels.
- (4) Kennels, commercial (with any outdoor confinement).
- (5) Mini storage warehouse.
- (6) Printing businesses.
- (7) Public utilities.
- (8) Radio, TV, cable stations and accessories.
- (9) Radio stations, television stations and cable TV facilities, communication station an/or tower or related facilities; subject to provisions of section 74-731 et seq.
- (10) Restaurants.
- (11) Restaurants, drive-in.
- (12) Service stations (major repair under cover).
- (13) Shopping center, subject to provisions of section 74-711 et seq.
- (14) Veterinary hospital (with any outdoor confinement).

(Code 1990, § 14-45C; Ord. of 3-23-2004(4); Ord. No. 08-02, § 8., 5-13-2008(2); Ord. No. 10-09, 10-13-2010)

Sec. 74-464. Area regulations.

- (a) In B-2 areas served by central water and central sewer, there are no area requirements.
- (b) In areas not served by central water and central sewer, the minimum area shall be that area required by the health official for the safe installation and operation of an individual sewage treatment and wastewater disposal system and water supply well.

(Code 1990, § 14-45D; Ord. of 7-14-1999)

Sec. 74-465. Setback requirements.

- (a) *Front setback.* No structures in a B-2 district shall be located closer to the centerline of any road right-of-way on any designated primary highway than one hundred (100) feet, or sixty (60) feet from the centerline of any secondary road right-of-way or street right-of-way for any private road, except that temporary signs advertising sale or rent of premises may be erected up to the property line. This shall be known as the setback line.

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- (b) *Side.* The minimum side yard setback for the main structure shall be fifteen (15) feet. The minimum side yard setback for accessory structures under the size requiring a building permit shall be five (5) feet. The minimum side yard setback for all other accessory structures shall be fifteen (15) feet.
 - (c) *Rear.* The minimum rear yard for the main structure shall be thirty-five (35) feet. The minimum rear yard setback for accessory structures under the size requiring a building permit shall be five (5) feet. The minimum rear yard setback for all other accessory structures shall be fifteen (15) feet.

(Code 1990, § 14-45E; Ord. of 7-14-1999; Ord. of 1-10-2006; Ord. No. 18-04, 5-14-2019)

Sec. 74-466. Road frontage.

The minimum lot primary, secondary and access road frontage in a B-2 district shall be at least eighty percent (80%) of the lot width determined at the building setback line.

(Code 1990, § 14-45F; Ord. of 7-14-1999; Ord. No. 18-04, 5-14-2019)

Sec. 74-467. Lighting.

During hours of darkness when business establishments in a B-2 district are in operation, parking areas, sidewalks and building entrance areas on the premises shall be lighted to allow safe ingress and egress. No such lighting shall be directed in a manner which illuminates adjoining residential premises.

(Code 1990, § 14-45G)

Sec. 74-468. Hours of operation.

Except for emergency activities of physicians, dentists, fire and rescue, no business establishment in a B-2 district shall be open for business between the hours of 12:00 midnight and 6:00 a.m.

(Code 1990, § 14-45I)

Sec. 74-469. Conduct of operations.

There shall be no storage outside a building used by a business establishment in a B-2 district visible from a state highway. No public address system or devices for reproducing or amplifying voices or music shall be audible beyond the business district.

(Code 1990, § 14-45J; Ord. No. 08-02, § 8., 5-13-2008(2))

Sec. 74-470. Height limitation.

Buildings in a B-2 district may be erected to a maximum height of thirty-five (35) feet. For purposes of this section:

- (1) Any building may be erected to a height of sixty (60) feet from grade, provided that the required front, side and rear yards shall be increased by one (1) foot for each foot in height over thirty-five (35) feet.
- (2) Church spires, belfries, cupolas, chimneys, flues, flagpoles, television antennas, radio aerials, and bona fide farm buildings or structures as defined by Code of Virginia, § 36-97, as that section may from time to time be amended and/or recodified are exempt from the height requirement contained herein.

(Code 1990, § 14-45K; Ord. No. 18-04, 5-14-2019)

Sec. 74-471. Utilities.

Distribution lines and service connections in a B-2 district shall be installed underground in accordance with the provisions of the tariff of the utility then on file with the state corporation commission; however, a lot which abuts an existing major street or highway where overhead electric or telephone distribution lines have theretofore been installed on any portion which is abutted by the lot may be supplied with electric and telephone service from such overhead lines, but the service connections from such overhead lines shall be installed underground.

(Code 1990, § 14-45M; Ord. No. 18-04, 5-14-2019)

Editor's note(s)—Ord. No. 18-04, adopted May 14, 2019, repealed former § 74-471 and renumbered former §§ 74-472, utilities, and 74-473, off-street parking, as §§ 74-471 and 74-472. The former § 74-471 pertained to limitations on access, and derived from Code 1990, § 14-45L.

Sec. 74-472. Off-street parking.

- (a) There shall be provided at the time of erection of any main building in a B-2 district or at the time any main building is enlarged or structurally altered and converted to another use, adequate minimum off-street parking spaces.
- (b) Each business shall provide one (1) parking space per two hundred (200) square feet of floor area.
- (c) All parking spaces required in this section shall be located on the same lot with the building or use served.
- (d) All parking spaces must be surfaced with asphalt or concrete.
- (e) All parking facilities shall be drained to eliminate standing water and prevent damage to abutting property and/or public streets and surfaced with erosion-resistant materials as specified in section 34-31 et seq.

(Code 1990, § 14-45N; Ord. No. 18-04, 5-14-2019)

Note(s)—See editor's note at § 74-471.

Secs. 74-473—74-500. Reserved.

ARTICLE XIII. BUSINESS DISTRICT LIMITED B-3³

Sec. 74-501. Statement of intent.

The primary purpose of the B-3 district is to permit a quiet business district in the county adjacent to residential uses which does not detract from residential desirability that requires some public access and serves the needs of the surrounding general area. This area is not designed for a concentration of retail business that requires heavy public traffic.

(Code 1990, ch. 14, art. 8-B; Ord. of 3-23-2004(5))

~~Sec. 74-502. Permitted uses.~~

³Permitted uses in B-3 district are as follows:
~~Cross reference(s)—Businesses, ch. 18~~

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- (1) Accessory Structures, excluding storage containers unless screened or shielded from view from any road or adjoining property
 - (2) Adult care facilities.
 - (3) Barbershops and beauty shops, massage therapy.
 - (4) Churches, libraries.
 - (5) Drugstores.
 - (6) Dry cleaners/laundries.
 - (7) Financial services.
 - (8) Fire and rescue stations.
 - (9) Funeral homes.
 - (10) Gift shops.
 - (11) Government offices/post offices.
 - (12) Greenhouses and nurseries.
 - (13) Kennel, commercial (no outdoor confinement).
 - (14) Laundromats.
 - (15) Mini-storage warehouse.
 - (16) Professional offices.
 - (17) Retail farm and garden center.
 - (18) Retail food stores.
 - (19) Storage warehouse.
 - (20) Truck, automobile, trailer, and equipment rental as an accessory to an existing establishment.
 - (21) Veterinary hospital (no outdoor confinement).

(Code 1990, § 14-45P; Ord. of 3-23-2004(5); Ord. No. 08-02, § 8., 5-13-2008(2); Ord. No. 10-09, 10-13-2010; Ord. No. 12-01A, 8-14-2012)

Sec. 74-503. Conditional uses.

Permitted uses with conditional use permit in a B-3 district are as follows:

- (1) Cabinet-making furniture and upholstery shops.
- (2) Childcare.
- (3) Convenience stores with or without gas.
- (4) Event facilities.
- (5) Hotels, motels.
- (6) Kennels, commercial (with any outdoor confinement).
- (7) Printing businesses.
- (8) Public utilities.

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- (9) Radio, television or communication station and/or tower or related facilities, subject to the provisions of section 74-731 et seq.
 - (10) Restaurants.
 - (11) Restaurants, drive-in.
 - (12) Utility booster/relay stations transformer substations, towers, railroads.
 - (13) Veterinary hospital (with any outdoor confinement).

(Code 1990, § 14-45Q; Ord. of 3-8-2000; Ord. of 3-23-2004(5); Ord. No. 08-02, § 8., 5-13-2008(2); Ord. No. 10-09, 10-13-2010; Ord. No. 16-05, 4-12-2016)

Sec. 74-504. Area regulations.

- (a) In B-3 district areas served by central water and central sewer, there are no area requirements.
- (b) In areas not served by central water and central sewer, the minimum area shall be that area required by the health official for the safe installation and operation of an individual sewage treatment and wastewater disposal system and water supply well.

(Code 1990, § 14-45Q.1; Ord. of 7-14-1999)

Sec. 74-505. Setback regulations.

- (a) *Front setback.* No structures in a B-3 district shall be located closer to the centerline of any road right-of-way on any designated primary highway than one hundred (100) feet, or sixty (60) feet from the centerline of any secondary road right-of-way or street right-of-way for any private road, except that temporary signs advertising sale or rent of premises may be erected up to the property line. This shall be known as the setback line.
- (b) *Side.* The minimum side yard setback for the main structure shall be fifteen (15) feet. The side yard setback for accessory structures under the size requiring a building permit shall be five (5) feet. The side yard setback for all other accessory structures shall be fifteen (15) feet.
- (c) *Rear.* The minimum rear yard setback for the main structure shall be thirty-five (35) feet. The rear yard setback for accessory structures under the size requiring a building permit shall be five (5) feet. The rear yard setback for all other accessory structures shall be fifteen (15) feet.

(Code 1990, § 14-45R; Ord. of 1-14-1998; Ord. of 7-14-1999; Ord. of 1-10-2006; Ord. No. 18-04, 5-14-2019)

Sec. 74-506. Road frontage.

The minimum lot primary, secondary and access road frontage in a B-3 district shall be at least eighty percent (80%) of the lot width determined at the building setback line.

(Code 1990, § 14-45S; Ord. of 1-14-1998; Ord. of 7-14-1999; Ord. No. 18-04, 5-14-2019)

Sec. 74-507. Height regulations.

Buildings in a B-3 district may be erected to a maximum height of thirty-five (35) feet from grade; except that:

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- (1) Any building may be erected to a height of sixty (60) feet from grade, provided that the required front, side and rear yards shall be increased by one (1) foot for each foot in height over thirty-five (35) feet.
 - (2) Church spires, belfries, cupolas, chimneys, flues, flagpoles, television antennas, radio aerals, and bona fide farm buildings or structures as defined by Code of Virginia, § 36-97, as that section may from time to time be amended and/or recodified are exempt from the height requirement contained herein.

(Code 1990, § 14-45T; Ord. of 5-14-1997; Ord. No. 18-04, 5-14-2019)

Secs. 74-508—74-540. Reserved.

ARTICLE XIV. INDUSTRIAL DISTRICT M-1¹

Sec. 74-541. Statement of intent.

The primary purpose of the M-1 district is to permit certain industries, which do not in any way detract from residential desirability, to locate in any area adjacent to residential uses. The limitations on or provisions relating to height of building, horsepower, hearing, flammable liquids or explosives, controlling emission of fumes, odors and/or noise, landscaping, and the number of persons employed are imposed to protect and foster adjacent residential desirability while permitting industries to locate near a labor supply.

(Code 1990, § 14-46)

Sec. 74-542. Use regulations.

In industrial district M-1, any structure to be erected or land to be used shall be for one (1) or more of the following uses:

- (1) Accessory structures, excluding storage containers unless screened or shielded from view from any road or adjoining property
- (2) Assembly of electrical appliances, heating and air conditioning units, electronic instruments and devices, radios and stereos, televisions and related components.
- (3) Manufacture of small parts, such as coils, condensers and transformers.
- (4) Vehicle painting, upholstering, repairing, rebuilding and reconditioning.
- (5) Truck terminals, truck repairing or overhauling, tire retreading or recapping.
- (6) Welding or machine shop, excluding punch presses exceeding 40-ton related capacity and drop hammers.
- (7) Dental laboratories.
- (8) Manufacture, compounding, processing, packaging of cosmetics and toiletries.
- (9) Manufacture, compounding, assembling or treatment of articles of merchandise from the following previously prepared materials: cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paint, paper, plastic, precious or semiprecious metals or stones, shell, straw, textiles, tobacco, wood and yarn.
- (10) Manufacture or assembly of musical instruments.
- (11) Manufacture or assembly of toys, novelties and rubber and metal stamps.
- (12) Wood receiving and transporting yards.
- (13) Contractors' equipment storage yard or plants, or rental of equipment commonly used by contractors.
- (14) Manufacture and assembly of boats.
- ~~(15) Monumental stone works.~~
- ~~(16) Wholesale businesses, and~~
- ~~(17) Cross-revenue businesses, and~~
- ~~(18) Storage warehouses.~~

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- (17) Junkyard (screened).
 - (18) Temporary mobile homes or travel trailers.
 - (19) Off-street parking.
 - (20) Public utility generating, booster or relay stations, transformer substations, transmission lines and other facilities for the provision and maintenance of public utilities, including railroads and facilities, and water and sewer installations.
 - (21) Conservation areas.
 - (22) Office buildings for usage by industrial concerns.
 - (23) Self-storage facilities.
 - (24) Truck terminals; providing the parking and loading areas are screened.
 - (25) Vocational and trade schools.
 - (26) Building materials, hardware, garden supply, nurseries, miscellaneous repair services.
 - (27) Retail sales of products produced on-site, with a limit of two thousand (2,000) square feet. Larger than two thousand (2,000) square feet requires the issuance of a conditional use permit.
 - (28) Contractor's yard/covered outside storage only.
 - (29) Distribution center or warehousing providing a single building footprint that does not exceed seventy-five thousand (75,000) square feet in size.
 - (30) Temporary or portable manufacture processing and distribution of hot mix asphalt (a.k.a. bituminous concrete or asphalt concrete) including storage of raw materials on-site and provided further that such facilities shall be located within two (2) miles of a major road (Route 45, Route 60 and Route 13).
 - (31) Public works and utility buildings.
 - (32) Kennels, commercial (no outdoor confinement).
 - (33) Veterinary hospital (no outdoor confinement).

(Code 1990, § 14-47; Ord. of 5-11-1994; Ord. of 5-14-1997; Ord. of 3-23-2004(7); Ord. No. 10-09, 10-13-2010)