

ARTICLE 10
Agricultural A-1 District

Statement of Intent

This district is composed of land used primarily for farming and other land intensive activities and is established to protect existing and future agricultural pursuits, while providing for low density residential development in a rural setting.

10-1 Permitted Uses

Within the Agricultural District a building and/or land shall be used only for the following purposes:

- a. Accessory structures
- b. Agriculture, animal or poultry husbandry
- c. Churches
- d. Commercial Nanobreweries
- e. Single Family Detached Dwellings
- f. Forestry, in accordance with 10-12
- g. Microbreweries
- h. Minor Home Occupations
- i. Manufactured Homes
- j. Nursery, Horticulture
- k. Wildlife and/or game preserves
- l. Public Utility Facilities
- m. Warehouses
- n. Campgrounds
- o. Wayside stands

10-2 Conditional Uses (Conditional Use Permit Required)¹

Notwithstanding 10-1 of this Article, the following uses require a Conditional Use Permit. When after review of the application and public hearing thereon, in accordance with Article 16 herein, the Town Council finds as a fact that the proposed use is consistent with the intent of the Land Use Plan, and is in the public interest, the following uses may be permitted:

- a. Boathouses
- b. Cemetery
- c. Communication Facilities and/or Tower
- d. Dairies
- e. Outdoor recreational facilities
- f. Grain and Fertilizer Storage
- g. Large Scale Breweries

¹ Section Amended - April 11, 2002 (Ordinance 477)

- h. Major Home Occupations
- i. Oil and Gas Wells, Drilling
- j. Sand Gravel Pits
- k. Stone Works
- l. Sawmills, Portable

10-3 Area Regulations

The minimum lot area for permitted uses shall be one (1) acre.

10-4 Front Yard Setback Regulations

1. For all main structures, the minimum front yard setback from the property line shall be seventy-five (75) feet.
2. For all main structures located on corner lots, there shall be two front yard setbacks, one for each side of the lot which fronts upon a street. The remaining yards shall be considered side yards.

10-5 Minimum Street Regulations

The minimum street frontage shall be one hundred (100) feet.

10-6 Lot Width Regulations

For all main structures, the minimum lot width at the front setback line shall be one hundred (100) feet.

10-7 Side Yard Setback Regulations

For all main structures, the minimum side yard shall be twenty-five (25) feet. The minimum combined width of the two side yards shall be fifty (50) feet.

10-8 Rear Yard Setback Regulations

For all main structures, the minimum rear yard shall be fifty (50) feet.

10-9 Height Regulations

Permitted structures may be erected up to thirty-five (35) feet from grade with the following exceptions:

- a. Church spires, belfries, cupolas, monuments, water towers, chimneys, flues, flag poles, silo (used for agricultural products - grain, corn, etc.), television antennas, and radio aerials are exempt.
- b. Parapet walls may be up to four (4) feet above the height of the building on which the walls rest.

10-10 Accessory Structure Regulations

Accessory buildings including roof overhang shall not be closer than ten (10) feet to any property line.

10-11 Additional Requirements Including But Not Limited To:

1. Chesapeake Bay Act: refer to Article 22 of this Ordinance.
2. Flood Plain: refer to Article 21 of this Ordinance.
3. Landscaping: refer to Article 24 of this Ordinance.
4. Off-street Parking: refer to Article 13 of this Ordinance.
5. Signs: refer to Article 12 of this Ordinance.
6. Site Plan Requirements: refer to Article 14 of this Ordinance.
7. All large scale breweries, Microbreweries, Commercial Nanobreweries, Home Nanobreweries and brewpubs shall be licensed and/or permitted by the proper national and state agencies concerning breweries.

10-12 Forestry Performance Standards

1. A minimum of five (5) acres shall be required for forestry operations.
2. A pre-harvest plan for all forestry operations shall be submitted to and approved by the Zoning Administrator. The Zoning Administrator shall review the pre-harvest plan for compliance with all applicable requirements of this chapter. The Zoning Administrator shall either approve or disapprove the plan no later than ten (10) working days after submission. In no case shall a forestry operation on land in the Town=s land use tax program designated for forest or agricultural use proceed without the approval of the Zoning Administrator. Forestry operations which occur to prevent the spread of disease or infestation as certified by the state forester or which occur on land in the Town=s land use program designated for forest or agricultural use shall be permitted, without issuance of a use permit, upon approval by the Zoning Administrator of a pre-harvest plan complying with the provisions of this section.
3. All forestry operations shall be in accordance with the approved pre-harvest plan. A pre-harvest plan shall include:

1. A detailed description of the property to be timbered including its current condition, characteristics of adjacent property, influence on water quality, identification of cultural and historical resources, and the presence of any environmentally sensitive features or wildlife;
 2. A narrative description of all harvesting procedures, techniques for harvesting in sensitive areas, the location of main haul roads, skid trails, potential log landings and stream or drainage crossings, and timing of harvest;
 3. A reforestation plan, if required; and
 4. A depiction of all required buffer areas.
4. Where stump removal, grubbing, or other soil disturbing activities are proposed in conjunction with tree harvesting, except those preparations for reforestation that are in accordance with the approved pre-harvest plan, an erosion and sedimentation control plan shall be submitted to and approved by the Town prior to commencement of any soil disturbing activity.
 5. All heritage, memorial, and specimen trees shall be protected and preserved during and after tree harvesting.
 6. Fifty foot (50') buffers within which no timbering shall occur shall be provided along all public roads and twenty five foot (25') buffers shall be provided along the side and rear property lines. Fifty percent (50%) of the crown cover within the side and rear yard buffers may be harvested.
 7. Streamside management zones at least fifty feet (50') in width, within which no timbering may occur shall be preserved on each side of all perennial and intermittent streams. Upon request, the Zoning Administrator may approve harvesting fifty percent (50%) of the crown cover within the streamside management zone, accompanied by a fifty percent (50%) increase of the streamside management zone to one hundred feet (100').
 8. All property which is forested or timbered shall be replanted with seedling trees, within one (1) year of the next growing season after the forestry operation is completed, unless the applicant can provide sufficient evidence to the Zoning Administrator as to why reforestation is not required. This provision shall not apply to property that is converted to bona fide agricultural or improved pasture use as described in subsection B of Title 10.1-1163, Code of Virginia.
 9. If trees are removed from the buffer areas in excess of the provision in (f), the property owner shall be responsible for replanting the number removed with two and one-half inch (2 2") caliper trees. This provision shall not be deemed to preclude cutting or thinning necessitated by disease or infestation and recommended by the Virginia Department of Forestry.
 10. Exemptions from environmental requirements, including but not limited to 404 permit exemptions pursuant to Title 40, Chapter 1 of the Environmental Protection Agency and Part 323 of the Regulatory Program of the U.S. Army Corps of Engineers, shall only be allowed for established, (ie. on-going) farming silviculture. Activities which bring an area into farming, silviculture, or ranching use are not part of an established operation.