

ARTICLE 8. - BUSINESS, GENERAL B-1

Statement of Intent

This district is established for the purpose of accommodating general commercial and business uses to which the public requires direct and frequent access. Thus, it will normally be located on arterial highways which are adjacent to or in close proximity to population centers. The district is not to be characterized either by constant heavy trucking other than stocking and retailing of retail goods, or by any nuisance factors other than occasioned by incidental light and noise of congregation of people and passenger vehicles.

In addition to the zoning ordinance, uses in this zone may be subject to the requirements of Madison County Subdivision Ordinance, Site Plan Ordinance, Soil Erosion and Sedimentation Control Ordinance, and/or Floodplain Management Ordinance.

8-1. *Use Regulations.*

In the Business, General District, B-1, no building shall be erected or altered and no building or premises shall be used for any purpose except the following:

Uses Permitted by Right

- 8-1-1. Retail Store (such as: agricultural supply store, auction establishment, bakery, building material yard, drug store, furniture store, general store, gift and antique shop, hardware store, lumber and building supply with storage under cover, plumbing and electrical supply with storage under cover, wearing apparel store).
- 8-1-2. Service Business (such as: auto and home appliance service, automobile sales and rental, automobile service station, barber and beauty shop, car wash, caterer, day care center, dry cleaner, funeral home, indoor health club or fitness center, laundry and laundromat, machinery sales and service, mobile home or travel sales and service, print shop).
- 8-1-3. Public Use (such as: assembly hall, bank and saving and loan institution, church, clinic and nursing home, club and lodge, hospital, hotel, library, motel, office building, private school and day care center, public building, restaurant, theater, veterinary clinic/hospital with no outdoor facilities).
- 8-1-4. Public Services (such as: firehouse and rescue stations. Public Service Corporation transmission lines, poles, pipes, meters, transformers, and other facilities necessary for the transmission and maintenance of public service utilities (Subject to Code of Virginia, § 15.1-456, as amended), water and sewage treatment or distribution facilities where same are required by state and/or federal regulations to protect the public health).
- 8-1-5. Light Process/Industrial (such as: cabinet maker and repair, cannery, commercial dairy, farm winery with wholesale and/or retail sales, frozen food locker with processing, ice storage and supply, machine shop, welding or blacksmith shop).
- 8-1-6. General (such as: accessory use and building as defined, office trailer temporary use, small wind energy system up to 60 feet).
- 8-1-7. Residential/Business Solar Energy Systems. See Article 14, section 17.

(Ord. No. 2019-6, 1-2-2019)

8-2. *Special Permit Uses.* The following uses may also be permitted subject to securing a special use permit as provided in Article 14-3:

- 8-2-1. Apartment house in existing structures only.
- 8-2-2. Apartment or dwelling located in the main business structure as a secondary use and lived in by an owner, caretaker, or tenant; or a single family detached dwelling if such dwelling was lawfully built prior to the date of the special use application.

- 8-2-3. Broadcasting station and facility.
- 8-2-4. Drive-in theater.
- 8-2-5. Office trailer - continuous operation.
- 8-2-6. Public range.
- 8-2-7. Small wind energy system with a tower height of greater than 60 feet to 100 feet.
- 8-2-8. Veterinary clinic/hospital and kennel with run out or animal run.
- 8-2-9. Generating, booster, or relay station (main).
- 8-2-10. Indoor commercial firearm and/or archery range facility.

8-3. Area Regulations.

None, except for permitted uses utilizing an individual sewage disposal system. The required area for any such use shall be approved by the Health Official.

8-4. Setback Regulations.

- 8-4-1. Buildings shall be located 45 feet or more from any street right-of-way which is 50 feet or greater in width or 70 feet or more from the center line of any street right-of-way less than 50 feet in width.

The minimum distance which the main building is required to be located from the street right-of-way or center line shall be known as the setback line.

- 8-4-2. All buildings must be located at or beyond the front setback line. All accessory buildings must be located ten feet or more from a side or rear property line.

(Ord. No. 2011-4, § 1, 4-12-2011)

8-5. Yard Regulations.

None, except when permitted uses adjoins or is adjacent to a residential, agricultural or conservation zone, the minimum side and rear yards shall be 50 feet.

8-6. Sign Regulations.

Signs shall conform to Article 12 of this ordinance.

8-7. Height Regulations.

- 8-7-1. Buildings may be erected up to 35 feet in height from the average adjacent ground elevation except that:
- 8-7-2. The height limit for dwellings may be increased up to 45 feet and up to three stories provided each of the two side yards is ten feet, plus one foot or more for each additional foot of building height over 35 feet.
- 8-7-3. A public or semi-public building such as a school, church, library, or hospital may be erected to a height of 60 feet provided that required front, side, and rear yards shall be increased one foot for each foot in height over 35 feet.
- 8-7-4. Church spires, belfries, cupolas, monuments, water towers, fire towers, flues, flagpoles, television antennae, and radio aerials may exceed the height limit by no more than 25 feet. Parapet walls may be up to four feet above the height of the building on which the walls rest.
- 8-7-5. Additional height above the stated height regulations requires a special use permit as provided for under Article 14-3.
- 8-7-6. No accessory building which is within ten feet of any party lot line shall be more than 15 feet high. All accessory buildings shall be less than the main building in height.

8-8. Off-street Parking and Loading.

Off-street parking and loading are subject to sections 14-9 and 14-10 of this ordinance.

8-9. Entrance Regulations.

8-9-1. The centerline of any entrance onto a Virginia primary road shall be 600 feet or more from the centerline of any adjacent entrance; provided, however, each parcel of land that fronts on a Virginia primary road and is recorded in the Clerk's Office of the Circuit Court of Madison County prior to June 20, 1990, shall be permitted to have at least one such entrance; and provided further that the aforesaid distance between entrances may be decreased to a point of nearest relief upon application by special use permit if the Board of Supervisors after recommendation from the Planning Commission and approval of the Virginia Department of Transportation finds that exceptional topographical conditions such as rock formations or floodplain areas justify such decrease.

Each application for a special use permit under this paragraph shall include a plat of survey showing both the 600 foot entrance point and the point of nearest relief. After approval, said plat of survey shall be recorded by the applicant in the Clerk's Office of the Circuit Court of Madison County.

8-9-2. The centerline of any entrance onto U.S. Route 29 shall be 900 feet or more from the centerline of any adjacent entrance; provided, however, each parcel of land that fronts on U.S. Route 29 and is recorded in the Clerk's Office of the Circuit Court of Madison County prior to June 20, 1990, shall be permitted to have at least one such entrance; and provided further that the aforesaid distance between entrances may be decreased to a point of nearest relief upon application by special use permit if the Board of Supervisors, after recommendation from the Planning Commission and approval of the Virginia Department of Transportation, finds that exceptional topographical conditions such as rock formations or floodplain areas justify such decrease.

Each application for a special use permit under this paragraph shall include a plat of survey showing both the 900-foot entrance point and the point of nearest relief. After approval, said plat of survey shall be recorded by the applicant in the Clerk's Office of the Circuit Court of Madison County.

Entrances shall be located at crossover points on U.S. Route 29 if feasible and required by the Virginia Department of Transportation.

The aforesaid entrance regulation shall not apply to U.S. Route 29 Business.