* **ARTICLE III. - ESTABLISHMENT OF ZONING DISTRICTS AND ZONING DISTRICT MAPS**

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* **Sec. 94.1-40. - Zoning districts established.**

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In order to accomplish the intent and purpose of this chapter and to further the purposes of the Code of Virginia, tit. 15.2,[ch. 22](https://library.municode.com/va/south_hill/codes/code_of_ordinances?nodeId=PTIICO_CH22BUBURE),[art. 7](https://library.municode.com/va/south_hill/codes/code_of_ordinances?nodeId=PTICH_S7RUPR), as amended, the town hereby establishes the following primary and special purpose zoning districts.

(Ord. of 12-11-00)

* **Sec. 94.1-41. - Primary zoning districts.**

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All of the territory under the jurisdiction of the town are hereby classified into one of the primary zoning districts to be known as and cited as indicated in this subsection.

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| R1-40 | Transitional suburban residential district |
| R-15 | Single-family residential district |
| R-10 | Single-family residential district |
| R1-6 | Single-family residential district |
| R2-8 | Townhouse/condominium district |
| R2-16 | General residential district |
| O-M | Office and medical district |
| C-1 | Neighborhood commercial district |
| C-2 | General commercial district |
| C-3 | Central business district |
| MX-3 | Urban mixed use district |
| I-G | Industrial district, general |
| I-P | Industrial park district |

(Ord. of 12-11-00; Ord. No. 2012-2, 4-9-12)

* **Sec. 94.1-42. - Special purpose zoning districts.**

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Special purpose districts are also established to be known and cited as follows:

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| PRD | Planned residential development district |
| MHP | Manufactured home park district |
| NCD | Neighborhood conservation district |

Once established, a special purpose zoning district supplements, modifies or extends the regulations of the primary zoning district or districts in which it is located. Regulations of the underlying primary zoning district that are not supplemented, modified or extended by other provisions of this chapter shall continue to apply to property within an approved special purpose zoning district.

(Ord. of 12-11-00)

* **Sec. 94.1-43. - District regulations.**

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Regulations that apply to specific conditions generally, or individual zoning districts, are set out in other articles as follows: article IV identifies the uses of land and structures that are permitted within each of the zoning districts; article V provides site development regulations controlling setbacks, yards, height, bulk and other regulations applicable to each zoning district; article VI contains adjustments that may be made to specific regulations in the special circumstances listed therein; and article II provides general regulations that apply regardless of the zoning district in which a use is located. The intent of specific regulations contained in this chapter shall be interpreted within the context of the entire chapter.

(Ord. of 12-11-00)

* **Sec. 94.1-44. - Official zoning district map.**

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(a)

*Created.* In order to accomplish the intent and purpose of this chapter, an official zoning district map is hereby created.

(b)

*Establishment.* The location and boundaries of the zoning districts established by this chapter are as indicated on the "Official Zoning District Map of the Town of South Hill, Virginia." It is identified by the signature of the mayor and attested to by the town clerk, together with the date of adoption of this chapter. Said map, together with all explanatory material contained therein and attached thereto, shall be deemed a part of this chapter as if it were fully set forth herein.

Notwithstanding the existence of copies of the official zoning district map which may be made or published from time to time, the official zoning district map identified above and located in the office of the zoning administrator shall be the final authority as to the current zoning status of property within the corporate limits of the town.

(c)

*Amendment.* Whenever any amendment to the official zoning district map is approved by the town council, the zoning administrator shall record such change on said official zoning district map along with references to the ordinance of approval. The date of official action and nature of the change shall be entered on the map and onto a register of zoning changes. The official zoning district map shall be updated as set out above as soon as practicable after the effective date of an amendment.

(d)

*Unauthorized changes.* No changes of any nature shall be made on the official zoning district map, or any matter shown thereon, except in conformity with the procedures and requirements of this chapter. It shall be unlawful for any person to make unauthorized changes on the official zoning district map. Violations of this provision shall be punishable as provided elsewhere in this chapter.

(e)

*Replacement.* In the event that the official zoning district map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes and additions, the town council may by ordinance adopt a new official zoning district map. The new official zoning district map may correct drafting or other errors or omissions in the prior official zoning district map, but no such correction shall have the effect of amending the original official zoning district map or any subsequent amendments thereof.

(f)

*Attesting.* The official zoning district map shall be identified by the signature of the mayor, attested by the town clerk, and bear the following words:

*"This is to certify that this Official Zoning District Map was adopted on the 11th day of December as part of the Zoning Ordinance of the Town of South Hill, Virginia." Unless the prior Official Zoning District Map has been lost, or totally destroyed, the prior map or any significant parts thereof remaining shall be preserved, together with all available records pertaining to its adoption or amendment.*\*

\* Refer to[section 94.1-45](https://library.municode.com/va/south_hill/codes/code_of_ordinances?nodeId=PTIICO_CH94.1ZO_ARTIIIESZODIZODIMA_S94.1-45USEXZODIMAINZODIMA) for use of existing zoning district map as the interim zoning map.

(g)

*Interpretation of zoning district boundaries.* Where uncertainty exists with respect to the boundaries of the various districts as shown on the official zoning district map, the following rules apply:

(1)

Where district boundaries are indicated as approximately following the center lines of streets or highways, street lines, or highway right-of-way lines or extension of such lines, such center lines, street lines or highway right-of-way lines or extension of such lines shall be construed to be such boundaries.

(2)

Where district boundaries are so indicated that they are approximately parallel to the center lines or street lines of streets, or the center lines and right-of-way lines of highways, such district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the official zoning district map. If no distance is given, such dimensions shall be determined by the use of the scale shown on the official zoning district map.

(3)

Where district boundaries are so indicated that they appear to follow lot lines or extension of lot lines, such lot lines or extension of lot lines shall be construed to be said boundaries, and the location of any lot line used as a district boundary shall be the location in existence as of the date of the ordinance establishing such boundary.

(4)

Where a district boundary is indicated to follow a river, creek, branch, or other body of water, said boundary shall be construed to follow the center line at low water or at the limit of the jurisdiction, and in the event of change in the shoreline such boundary shall be construed as moving with the actual shoreline.

(5)

Where a discrepancy or uncertainty exists between a district boundary shown on the official zoning district map and that which is described in the text of the ordinance establishing such boundary, the text of the ordinance shall be the final authority.

(6)

If no such distance, angle, curvature description or other means is given to determine a boundary line accurately and the foregoing provisions do not apply, the boundary line shall be a property line or extension of a property line determined by the use of scale shown of the official zoning district map. In case of subsequent dispute, the matter shall be referred to the board of zoning appeals, which shall determine the boundary in accordance with the provisions of article XVII.

(Ord. of 12-11-00)

* **Sec. 94.1-45. - Use of existing zoning district map as interim zoning district map.**

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For the purpose of facilitating the transition from the existing zoning district classifications to the zoning district classifications set out in this chapter, the zoning district map that is applicable at the time of adoption of this chapter shall continue to be used until modified by the town council. Any revisions to the zoning district map shall use both existing and new designations until a new zoning map using only the new designations has been prepared. The following table of substitutions will be used to translate the "old" zoning district names to the "new" zoning district names until such time when a new zoning district map using the zoning classifications established by this article has been prepared and adopted. For the purpose of this paragraph "old zoning district names" refer to the districts established by the previous[chapter 94](https://library.municode.com/va/south_hill/codes/code_of_ordinances?nodeId=PTIICO_CHAPTERS_93_94RE) of the town Code which derived from Sept. 14, 1973, as amended, and "new zoning district names" refer to the districts established by this[chapter 94.1](https://library.municode.com/va/south_hill/codes/code_of_ordinances?nodeId=PTIICO_CH94.1ZO).

Transitional Table of Zoning District Substitutions

 EXPAND

|  |  |
| --- | --- |
| New Zoning District Namesas established in[Chapter 94.1](https://library.municode.com/va/south_hill/codes/code_of_ordinances?nodeId=PTIICO_CH94.1ZO)(New Zoning Ordinance) | Old Zoning District Namesas established in[Chapter 94](https://library.municode.com/va/south_hill/codes/code_of_ordinances?nodeId=PTIICO_CHAPTERS_93_94RE)(Old Zoning Ordinance) |
| R1-40 - Transitional suburban residential district | A-1 - Agricultural district |
| R1-15 - Single-family residential district | R-1 - Residential district |
| R-10 - Single-family residential district | R-2 - Residential district |
| R2-8 - Townhouse/condominium dwelling district | R-THC - Residential district |
| R2-16 - General dwelling district | R-3 - Residential district |
| O-M - Office and medical district | RLD - Residential (low density) district |
| C-1 - Neighborhood commercial district | C-1 - Commercial district |
| C-2 - General commercial district | C-2 - Commercial district |
| C-3 - Central business district | C-3 - Commercial district |
| I-G - General industrial district | M-1 and M-2 industrial districts |
| I-P - Industrial park district | I-P - Industrial park district |

(Ord. of 12-11-00)

* **Sec. 94.1-46. - Regulations of areas under water.**

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All areas within the town and under water are considered to be within a zoning district and controlled by applicable district regulations. District boundaries over water areas are located by noted or scaled dimensions, by relation to physical features, by coincidence with town limits or by straight line projection of the district boundaries as indicated on the district maps. Straight line district boundaries over water areas shall be assumed to continue as straight lines until they intersect with each other or with the town limit line.

(Ord. of 12-11-00)

* **Sec. 94.1-47. - Purposes of primary zoning districts.**

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(a)

*R1-40 transitional suburban residential district.* This zoning district is designed to provide a transitional area between the developed areas of the town and rural areas beyond the town limits and is intended to provide an area of the town in which urban-type development may expand as the need occurs. The district is established for the specific purpose of providing for the orderly expansion of urban development into territory surrounding presently urbanized areas within the town, confining such development to locations that can feasibly be supplied with urban type facilities and discourage random scattering of development within these areas.

The predominant land uses of the area are intended to be a mixture of: (a) low-density residential uses; (b) uses that are customarily considered to be compatible with residential areas; and (c) limited agricultural uses that existed as of the effective date of the ordinance from which this chapter derives. Unless included as a specifically-permitted use in article IV, intensive production agriculture or agricultural operations as described in Code of Virginia, §§ 3.1-22.28 and 3.1-22.29, that involve commercial animal raising operations are not considered to be appropriate for this district.

(b)

*R-15 single-family residential district.* This district is designed to recognize existing areas that are developed or are suitable for development predominantly with residential uses at a density up to about 2½ single-family lots per acre. The intent of the district is to stabilize and protect the basic characteristics and amenities of residential development and to promote and encourage the establishment and maintenance of a suitable environment for family life. To these ends development is limited to low-to-medium density single-family dwellings and certain compatible public and quasi-public services and facilities customarily considered supportive to residential development.

(c)

*R-10 single-family residential district.* This district is designed to recognize areas that are developed or are suitable for development predominantly with residential uses at an average density of about 3½ single-family lots per acre. The intent of the district is to stabilize and protect the basic characteristics and amenities of residential development and to promote and encourage the establishment and maintenance of a suitable environment for family life. To these ends development is limited to low-to-medium density dwellings and certain compatible public and quasi-public services and facilities customarily considered supportive to residential development.

(d)

*R1-6 single-family residential district.* This district is designed to recognize areas that are developed or are suitable for development predominantly with residential uses at an average density of about six single-family lots per acre. The intent of the district is to stabilize and protect the basic characteristics and amenities of residential development and to promote and encourage the establishment and maintenance of a suitable environment for family life. To these ends, development is limited to medium density dwellings and certain compatible public and quasi-public services and facilities customarily considered supportive to residential development.

(e)

*R2-8 moderate density residential district.* This district is designed to provide for the development of residential areas with densities up to about eight dwellings per acre. Typical uses may include two-family, townhouses and similar attached single-family dwellings established on separate lots. The district also recognizes existing residential areas that have been previously established with the same characteristics and density of development. To these ends development is limited to dwellings of moderate density and certain compatible public or quasi-public facilities that are supportive of and compatible with residential development.

(f)

*R2-16 general residential district.* This district is designed to recognize existing areas that are developed or are suitable for development with multiple-family dwellings with moderate to high densities up to 16 dwellings per acre. The intent of the district is to enable the market place to provide housing opportunities for a wide range of life styles and income needs and to do so in locations that are compatible with surrounding development and the overall development goals of the town. Typical uses may include apartment projects and other residential building types or styles intended for permanent occupancy as residences.\* To these ends development is limited to multiple-family dwellings of moderate-to-high density and certain compatible public, quasi-public and/or limited retail facilities that are supportive of and compatible with existing residential development.

\* May include what is called "assisted living" facilities.

(g)

*O-M office and medical district.* This district is designed to recognize existing areas that are developed or are suitable for development with professional, medical or commercial offices. The intent of the district is to provide appropriate areas for the establishment of professional or other business offices in locations that are compatible with surrounding development and the overall development goals of the town. Typical uses include buildings whose uses are primarily to provide offices for the practice of medicine, engineering, architecture, and like professions or for business offices, such as insurance or real estate offices which provide no sale of goods nor offer any other commercial activity or services on the same site. Limited retail sales may be included within offices provided that the activity is a minor auxiliary function customarily associated with the practice of a profession.\* Medical facilities such as clinics, day surgery centers, medical laboratories that are compatible with other uses in the district may be permitted but may require special approval as a special exception permit.

\* Such as sale of eye glasses as an adjunct to an opthomologist's office, or an ethical pharmacy within a building where several physicians practice.

(h)

*C-1 neighborhood commercial district.* This district is designed to provide for the establishment of or continuance of small business areas that will serve the surrounding residential neighborhood with convenience goods. Since traffic and parking congestion must be held to a minimum within and near residential areas to protect property values and preserve amenities of residential areas, all neighborhood business development shall take place in a limited business district. A desirable size for such an area is five stores and should include only such activities that are necessary for the day-to-day operation of a normal household.

(i)

*C-2 general commercial district.* This district is designed to provide commercial sites for a wide variety of retail, service and general business uses along major thoroughfares in order to serve local and transient shoppers. The use priorities for the C-2 district include retail establishments, shopping centers, convenience stores, fast-food and other restaurants, motels, gasoline stations, and the like. Except for the central business district, this district provides the primary business area for the town and its trade area.

(j)

*C-3 central business district.* This district is the traditional business center for the town and currently is the focal point of much of the town's retail business and general commercial activity. Major defining characteristics of the area include: traffic congestion; parking shortages; aging buildings and absence of open land area. The purpose of this zoning district is to recognize these characteristics and provide zoning regulations that are consistent with the physical conditions and land uses within this area. Unique features of this zoning district are that minimum restrictions apply to setback, building height and bulk, and parking. Reuse of older buildings for uses appropriate to the central business district are encouraged.

(k)

*MX-3 urban mixed use district.* This district is designed to recognize areas that are planned for urban development. Like the downtown area, it anticipates buildings built close to the street in a walkable environment. The district provides substantial flexibility on use, allowing residential, commercial and office uses together in the same building (vertical mixed use) or near each other (horizontal mixed use). It is intended to provide for nodes of development that serve surrounding residential neighborhoods with convenience retail and employment opportunities.

(l)

*I-P industrial park district.* This district provides specific areas for certain nonoffensive industries, warehousing, wholesale distribution facilities, research and development facilities, light manufacturing and office complexes which do not have harmful effects on other areas of the town. The district applies only to land located in an industrial park owned by the town or other political subdivision of the state. In addition to regulations contained in this chapter, the use of land or buildings within the I-P district are also affected by covenants and other restrictions associated with deeds, leases or other documents executed between the town and the purchaser or lessee.

(m)

*I-G industrial district, general.* This district provides appropriate locations for certain nonoffensive industrial and manufacturing uses which, while providing employment opportunities and economic potential for the community, the operation of which imposes minimal hazards on the community. Compatibility with other development within the town is promoted by the use of greater setbacks and yards, buffering from residential areas and approvals by the town council as a special exceptions for many industrial or manufacturing uses.\*

\* For uses that are questionable as to their suitability for the town, this district would require approval through special exception permits or amendments to the permitted uses in article IV. The application for such permit requires supporting analysis to demonstrate that the intended use is compatible with the development objectives of the town.

NOTE: The purposes of special purpose zoning districts are given in the articles that deal specifically with the regulations of each district.

(Ord. of 12-11-00; Ord. No. 2012-2, 4-9-12)