

**Sec. 110-11. Minimum off-street parking.**

There shall be provided at the time of erection of any main building, or at the time any main building is enlarged or undergoes any change in use such as a rezoning of the parcel upon which the building is constructed, minimum off-street parking space with adequate provision for entrance and exit by standard size automobiles, as follows:

- (1) In all residential districts there shall be provided, either in a private garage or on a lot, one and one-half spaces for the parking of one automobile for each dwelling unit located on such lot or parcel.
- (2) Tourist homes, motels, and hotels shall provide, on the lot, parking space for one automobile for each accommodation.
- (3) For tourist courts, apartments, and apartment motels, at least one and one-half parking space for each individual sleeping or living unit.
- (4) Parking space as required in the foregoing shall be on the same lot with the main building, except that in the case of buildings other than dwellings, spaces may be located as far away as 600 feet.

(Ord. of 11-12-1992(1), § 12-11; Ord. of 4-8-99, § 1; Ord. of 3-14-2002, § 1)

**Editor's note**—Ord. of 4-8-99, § 1, set out provisions to amend minimum off-street parking. At the editor's discretion, these provisions have been included as § 110-11 to read as herein set out. See the Code Comparative Table.

**Cross reference**—Parking generally, § 90-156 et seq.

**Sec. 110-12. Zoning of annexed area.**

The planning commission shall prepare and present a zoning plan of the annexed area within six months to the council.

(Ord. of 11-12-1992(1), § 12-12)

**Sec. 110-13. Landscape features.**

(a) On any corner lot in a residential or commercial district, trees, shrubs, flowers or plants shall not be permitted or maintained on any required front, side or rear yard, if they interfere with the safe use of the public street or sidewalk. Such landscape features shall be permitted in any required front, side or rear yard, provided that they do not interfere with public safety and do not produce a hedge effect contrary to this subsection.

(b) The setback and yard requirements of this chapter shall not be deemed to prohibit any otherwise lawful fence or wall which is not more than four feet high; however, a fence or wall along the rear lot line and along the side lot line to the rear of the required setback line may be erected to a height not exceeding seven feet.

(Ord. of 11-12-1992(1), § 12-13)



**Sec. 110-14. Automobile graveyards.**

It shall be unlawful for any person to maintain or operate any automobile graveyard within the limits of the town.

(Ord. of 11-12-1992(1), § 12-14)

Cross reference—Traffic and vehicles, ch. 90.

**Sec. 110-15. Relation to Chesapeake Bay preservation article.**

Where this chapter conflicts with chapter 106, article II of this Code, or chapter 106, article II of this Code is more restrictive than this chapter, chapter 106, article II of this Code controls.

(Ord. of 11-12-1992(1), § 12-15)

**Secs. 110-16—110-50. Reserved.**

**ARTICLE II. RESIDENTIAL DISTRICT R-1**

**Sec. 110-51. Intent of article.**

The R-1 residential district is intended for use within those areas of the town where sufficient utilities, roads and services are planned to support the increased demand by the increased density. This article is designed to offer those amenities necessary for the occupants of the structures to live in a healthy environment without fear of encroachment of dissimilar uses.

(Ord. of 11-12-1992(1), § 12-86)

**Sec. 110-52. Use regulations.**

In the R-1 residential district, structures to be erected or land to be used shall be for one or more of the following uses:

- (1) Single-family.
- (2) Multifamily structures.
- (3) Community recreation facilities such as swimming pools, playgrounds and tennis courts.
- (4) Off-street parking areas.
- (5) Public utility facilities.
- (6) Private garages.
- (7) Mobile home sites presently in existence shall be permitted. No new mobile home sites or spaces are allowed anywhere within the town. No mobile home that exists on the effective date of this Code may be replaced by another mobile home.
- (8) Ancillary uses and structures shall be permitted only if a primary structure is present and must be located in the rear of the primary structure.

(Ord. of 11-12-1992(1), § 12-87; Ord. of 2-12-2009(1), § 1)



**Sec. 110-53. Area regulations.**

Lot sizes in R-1 districts in effect on November 12, 1992, shall continue. No decrease in size of lots shall be allowed without council approval.  
(Ord. of 11-12-1992(1), § 12-88)

**Sec. 110-54. Lot regulations.**

(a) *Front.* No building in the R-1 district shall be located closer than two feet to a public street.

(b) *Side.* No building, accessory structure or parking area in the R-1 district shall be located closer than one foot to either side lot line.

(c) *Rear.* Each lot in the R-1 district shall have a minimum rear yard of at least 25 square feet for trash containers, in addition to the required one and one-half parking spaces.  
(Ord. of 11-12-1992(1), § 12-89; Ord. of 3-14-2002, § 1)

**Sec. 110-55. Height regulation.**

(a) No multifamily structure in the R-1 district shall exceed 35 feet in height or three stories, when designed with one-half or more of the ground floor below grade.

(b) All applications and permits for a change of use of the property and zoning for new construction or addition shall expire after six months from date of issuance of the permit or approval of the application, if substantial construction has not commenced.  
(Ord. of 11-12-1992(1), § 12-90)

**Secs. 110-56—110-90. Reserved.**

**ARTICLE III. BUSINESS DISTRICT B-1\*****Sec. 110-91. Intent of article.**

The B-1 business district provides primarily for retail shopping and personal services uses to be developed either as a unit or in individual parcels to serve the needs of nearby residential neighborhoods. The range, size, hours of operation, lighting, signs and other developmental aspects of permitted uses may be limited in order to enhance the general character of the B-1 district and its compatibility with its residential surroundings.  
(Ord. of 11-12-1992(1), § 12-111)

**Sec. 110-92. Use regulations.**

A building or land in the B-1 district shall be used for one or more of the following uses:

- (1) Apartments as ancillary<sup>-1</sup> uses on the second floor of structures designed for other commercial uses.

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\*Cross reference—Businesses, ch. 22.



- (2) Banks, drive-in or otherwise, so long as driveway space shall be provided off the street for all vehicles waiting for drive-in service.
  - (3) Bakeries.
  - (4) Barbershops or beauty parlors.
  - (5) Catering or delicatessen businesses.
  - (6) Dry cleaning or pressing pickup stations or shops.
  - (7) Florists' shops.
  - (8) Laundromats or self-service dry cleaning establishments.
  - (9) Nursery schools, child care centers and kindergartens.
  - (10) Offices, general business or professional.
  - (11) Pet shops or dog beauty parlors, provided that any workrooms, cages or pens be maintained within a completely enclosed, soundproof building.
  - (12) Public uses (including post offices), utility company offices and libraries.
  - (13) Private clubs, lodges or meeting halls.
  - (14) Restaurants.
  - (15) Shoe repair shops.
  - (16) Service stations (with major repairs under cover).
  - (17) Shops for the sale, service or repair of home appliances, office machines, electrical, television and radio equipment.
  - (18) Stores or shops for the conduct of retail business, including the sale of accessories, antiques, appliances, beverages, carpets, clothing, drugs, fabrics, food, furniture, garden supplies, groceries, hardware, hobby supplies, saddlery supplies, office supplies, paint, sporting goods, stationery and similar stores, but not including adult bookstores or adult minimotion picture theaters.
  - (19) Studios for artists, photographers, teachers, sculptors or musicians.
- (Ord. of 11-12-1992(1), § 12-112)

**Sec. 110-93. Requirements for permitted uses.**

(a) Before a building permit shall be issued or construction commenced on any permitted use in this B-1 district, or a permit issued for a new use, the plans in sufficient detail to show the operations and processes, shall be submitted to the planning commission for study up to 30 days. The planning commission shall refer these plans and its recommendations to the council for consideration at its next regularly scheduled meeting. Modification of the plans may be required.

(b) Landscaping may be required by the planning commission on any commercial project in the B-1 district. Such landscaping must take into account the need for a reduction of reflective areas and traffic hazards.

(c) Sufficient area in the B-1 district shall be provided:

- (1) To adequately screen permitted uses from any adjacent business and residential district; and



(2) For off-street parking of vehicles incidental to the business, its employees and clients.

(d) The council shall act on any application received within 30 days after receiving the application. If formal notice in writing is given to the applicant, the time for action may be extended for a 30-day period. Failure on the part of the council to act on the application within the established time limit shall be deemed to constitute approval of the application.

(e) All applications and permits for a change of use of the property and zoning for new construction shall expire after six months from date of issuance of the permit or approval of the application, if substantial construction has not commenced.

(Ord. of 11-12-1992(1), § 12-113)

#### Sec. 110-94. Setback regulations.

(a) *Front.* Structures in the B-1 district may be located up to the property line.

(b) *Side.* Side setback in the B-1 district shall have the same regulations as front setback.

(c) *Rear.* The minimum area of five feet by eight feet shall be provided for garbage containers in the B-1 district.

(Ord. of 11-12-1992(1), § 12-114)

#### Secs. 110-95—110-125. Reserved.

### ARTICLE IV. LIMITED INDUSTRIAL DISTRICT I-1\*

#### Sec. 110-126. Intent of article.

The primary purpose of the I-1 limited industrial district is to permit certain industries, which do not in any way detract from residential desirability, to locate on designated industrial sites. The limitations on (or provisions relating to) height of building, horsepower, heating, 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.

(Ord. of 11-12-1992(1), § 12-161)

#### Sec. 110-127. Use regulations.

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

- (1) All uses permitted in the B-1 district, subject to conditions imposed in these B-1 districts.

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\*Cross reference—Businesses, ch. 22.



- (2) Assembly of electrical appliances, electronic instruments and devices, radios and phonographs; also, the manufacture of small parts such as coils, condensers, transformers and crystal holders.
  - (3) Blacksmith shops, welding or machine shops, excluding punch presses exceeding 40-ton rated capacity and drop hammers.
  - (4) Building materials sales yards, plumbing supplies storage and lumber mills.
  - (5) Cabinets, furniture and upholstery shops.
  - (6) Wood yards and lumberyards.
  - (7) Contractors, firewood vendors, equipment storage yards or plants, or rental of equipment commonly used by contractors.
  - (8) Laboratories; pharmaceutical and/or medical.
  - (9) Manufacture, compounding, assembling or treatment of articles of merchandise from the following previously prepared materials: canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, plastic, precious or semiprecious metals or stones, shell, straw, textiles, tobacco, wood and yarn.
  - (10) Manufacture, compounding, processing, packaging or treatment of such products as bakery goods, candy, cosmetics, dairy products, drugs, perfumes, pharmaceuticals, perfumed toilet water, toiletries and food products and ice manufacturers.
  - (11) Manufacture of musical instruments, toys, novelties and rubber and metal stamps.
  - (12) Manufacture of pottery and figurines or other similar ceramic products, using only previously pulverized clay and kilns fired only by electricity or gas.
  - (13) Monumental stone works.
  - (14) Veterinary (or dog or cat hospital) and kennels.
  - (15) Wholesale businesses and storage warehouses.
  - (16) Off-street parking as required by this chapter.
  - (17) Public utility generating, booster or relay stations, transformer substations, transmission lines and towers, and other facilities for the provision and maintenance of public utilities, including railroads and facilities, and water and sewerage installations.
- (Ord. of 11-12-1992(1), § 12-162)

**Sec. 110-128. Requirements for permitted uses.**

(a) Before a building permit shall be issued or construction commenced on any permitted use in this I-1 district, or a permit issued for a new use, the plans, in sufficient detail to show the operations and processes, shall be submitted to the planning commission for study up to 30 days. The planning commission shall refer these plans and their recommendations to the council for consideration at its next regularly scheduled meeting. Modification of the plans may be required.



(b) Landscaping may be required by the planning commission on any commercial project in the I-1 district. Such landscaping must take into account the need for a reduction of reflective areas and traffic hazards. Landscaping within 25 feet of any intersection may not exceed three feet in height.

(c) Sufficient areas in the I-1 district shall be provided to adequately screen permitted uses from adjacent business and residential districts and for off-street parking of vehicles incidental to the industry, its employees and clients.

(d) The council shall act on any application received within 30 days after receiving the application. If formal notice in writing is given to the applicant, the time for action may be extended for a 30-day period. Failure on the part of the council to act on the application within the established time limit shall be deemed to constitute approval of the application.  
(Ord. of 11-12-1992(1), § 12-163)

#### **Sec. 110-129. Area regulations.**

There are no area regulations in the I-1 district, except for permitted uses utilizing individual sewage disposal systems. The required area for any such use shall be approved by the local health official.

(Ord. of 11-12-1992(1), § 12-164)

#### **Sec. 110-130. Setback regulations.**

(a) *Front.* Structures in I-1 districts may be located to the property line.

(b) *Side.* Side setback in I-1 districts shall have the same regulations as for front setback.

(c) *Rear.* A minimum area of five feet by eight feet shall be provided for garbage containers in I-1 districts.

(Ord. of 11-12-1992(1), § 12-165)

#### **Sec. 110-131. Height regulations.**

Buildings may be erected up to a height of five stories in the I-1 district.

(Ord. of 11-12-1992(1), § 12-166)

#### **Secs. 110-132—110-165. Reserved.**

### **ARTICLE V. PR-1 PARK AND RECREATION ZONE\***

#### **Sec. 110-166. Permitted uses.**

The following uses are permitted in the PR-1 district as of right:

- (1) Public recreational uses, but not overnight camping; and

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\*Cross reference—Parks and recreation, ch. 58.



- (2) A public marina.  
(Ord. of 11-12-1992(1), § 12-200(a))

**Sec. 110-167. Conditional uses.**

The following uses are permitted with a conditional use permit in the PR-1 district:

- (1) Fireworks displays.  
(2) Fairs, circuses, horse rides and other public entertainments.  
(3) Concession stands.  
(Ord. of 11-12-1992(1), § 12-200(b))

**Sec. 110-168. Parking.**

Parking in the PR-1 district shall be allowed only in designated areas. Overnight parking shall not be allowed.

(Ord. of 11-12-1992(1), § 12-200(c))

**Sec. 110-169. Use of motor vehicles.**

Motor vehicles shall not be allowed in the PR-1 district except on concrete or asphalt surfaces, or in designated areas in conjunction with a special use permit.

(Ord. of 11-12-1992(1), § 12-200(d))

**Secs. 110-170—110-200. Reserved.**

**ARTICLE VI. SIGNS AND NAMEPLATES\***

**Sec. 110-201. General requirements.**

(a) *Scope.* This section applies generally to all signs and is in addition to the regulations contained elsewhere in this chapter.

(b) *Permit generally.* No sign unless excepted in this section, shall be erected, constructed, posted, painted, altered, maintained or relocated, except as provided in this article and in this chapter, until a permit has been issued by the administrator. Before any permit is issued, an application especially provided by the administrator shall be filed, together with three sets of drawings and/or specifications (one to be returned to the applicant) as may be necessary to fully advise and acquaint the administrator with the location, construction, materials, manner of illuminating and/or securing or fastening, and number of signs applied for, and the wording of the sign or advertisement to be carried on the sign. All signs which are electrically illuminated shall require a separate electrical permit and inspection. All signs shall be erected

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\*Charter reference—Billboards, § 3(p).

State law reference—Outdoor advertising in sight of public highways, Code of Virginia, § 33.1-351 et seq.



on or before the expiration of 30 days from the date of issuance of the permit; otherwise, the permit shall become null and void and a new permit shall be required. Each sign requiring a permit shall be clearly marked with the permit number and the name of the person placing the sign on the premises.

(c) *Building codes and ordinances; inspections.* Structural and safety features and electrical systems shall be in accordance with the requirements of the applicable codes and ordinances. No sign shall be approved for use unless it has been inspected by the department issuing the permit and is found to be in compliance with all the requirements of this chapter and applicable technical codes.

(d) *Exemptions.* The following signs are exempted from the provisions of this article and may be erected or constructed without a permit but in accordance with the structural and safety requirements of the building code:

- (1) Official traffic signs or sign structures and provisional warning signs or sign structures, when erected or required to be erected by a governmental agency, and temporary signs indicating danger.
- (2) Changing of the copy on a bulletin board, poster board, display encasement or marquee.
- (3) Temporary nonilluminated signs, not more than six square feet in area, advertising real estate for sale or lease or announcing contemplated improvements of real estate, and located on the premises, one such sign for each street frontage.
- (4) Temporary nonilluminated signs not more than 20 square feet in area, erected in connection with new construction work and displayed on the premises during such time as the actual construction work is in progress, one such sign for each street frontage.
- (5) Intentionally deleted.
- (6) Nonilluminated signs warning trespassers or announcing property as posted.
- (7) Temporary nonilluminated portable signs, not exceeding six square feet in area, in a business or industrial district, one for each 50 feet of street frontage.
- (8) Sign on a truck, bus or other vehicle, while in use in the normal course of business. This section shall not be interpreted to permit parking for display purposes of a vehicle to which signs are attached in a district where such signs are not permitted.

(e) *Illuminated signs.* No flashing signs or exposed gas-filled or illuminated tubing such as neon shall be permitted in any district.

(f) *Roof signs.* No sign which is not an integral part of the building design shall be fastened to and supported by or on the roof of a building, and no projecting sign shall extend over or above the roofline or parapet wall of a building.



(g) *Unusual signs.* Applications for unusual signs or displays which give rise to questions of interpretation of this article may be referred by the administrator to the board of zoning appeals for the purpose of interpretation by the board and recommendation for action on the application by the administrator. If, in the opinion of the board, the application is not adequately covered by this article, the board may make recommendations for amendment of this chapter.

(h) *Signs resembling emergency or traffic signals.* No sign shall be constructed, erected, used, operated or maintained which:

- (1) Displays intermittent lights resembling or seeming to resemble the flashing lights customarily associated with danger or such as are customarily used by police, fire or ambulance vehicles, or for navigation purposes.
- (2) Is so located and so illuminated as to provide a background of colored lights blending with traffic signal lights to the extent of confusing a motorist when viewed from the normal approaching position of a vehicle at a distance of 25 to 300 feet.

(i) *Nonconforming uses.* Except as otherwise specifically provided in this article, all signs shall be subject to the provisions of article VII of this chapter governing nonconforming uses.

(j) *Number of signs.* Except as otherwise provided, this article shall be interpreted to permit one sign of each permitted type, in accordance with applicable regulations, for each street frontage, for each permitted use on the premises. For the purpose of this article, sign types are flat (or wall), projecting and marquee signs, or special purpose signs specifically listed in the district regulations.

(k) *Types and height of signs.* Except as otherwise provided, any sign may be flat, detached or projecting and, except as otherwise provided, no detached sign shall exceed a height of 15 feet.

(l) *Walls of buildings.* Signs of permitted types and sign areas may be placed on walls of buildings other than the front, except on side or rear walls facing and within 100 feet of a residential district.

(m) *Yard requirements.* Unless otherwise specified in this article, all signs shall comply with the yard requirements of the district in which they are located, provided that one accessory sign may occupy required yards in a district where such sign is permitted by this article, if such sign is not more than 32 square feet in area, and other requirements of this article are complied with.

(n) *Traffic rules.* No sign, portable or otherwise, is to be placed or located so as to impede vision or contravene other requirements of applicable traffic ordinances.

(o) *Attachment to building.* All signs shall be attached to a building.