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MEMORANDUM

TO: Jefferson County Planning Commission
FROM: Charles Cain, Summer Planning Intern
DATE: June 10, 2025
RE: Draft Zoning Ordinance Amendments – Proposed New Zoning Districts and Changes to Existing Districts

Background

Jefferson County Zoning Ordinance currently contains the Residential – Light Industrial – Commercial (RLIC) district, which allows a broad range of uses and becomes the only alternative for many developments with commercial land use. This lack of mixed-use alternatives presents issues as RLIC has many incompatible permitted land uses. The following proposals are for simplified residential and commercial zoning options consistent with Objective 1.1 and 1.2 of the 2045 Comprehensive Plan.

Proposed New Districts and Amendments to Existing District

1. Existing Section 5.17 – Office / Commercial (OC) Mixed-Use – Amendments intend to clarify the mixed-use district as a higher density residential area and higher-intensity commercial or office area.
2. New Section 5.18 – Rural Residential (RR) – Intended for clustered low-density housing in open or rural areas with no farming activity.
3. New Section 5.19 – Residential Commercial (RC) – Intended to provide multiple residential options as well as various commercial options, allowing for mixed-use developments.

Attached Documents and Information

1. More details and research concerning the proposed new districts and amendments to OC.
2. Comments on the proposed changes' alignment with the 2045 Comprehensive Plan.
3. A draft of the amendments to the zoning ordinance, including revisions to Sections 5.1, 5.17, Appendices A, B, and C, and the additions of Sections 5.18 and 5.19.

Next steps

These amendments will be reviewed by the Planning Commission during a regular meeting. If the Planning Commission chooses to move forward with the proposed text amendment, a public hearing will be required before the Planning Commission. Following a public hearing, the Planning Commission can recommend the amendment to the County Commission or make additional revisions to the amendment prior to recommendation.

Descriptions of New Districts, Research and Other Changes

1. Creation of new Rural Residential (RR) district

Jefferson County's Rural district does not allow for a differentiation between housing built on land for agricultural use and rural residences that do not have ongoing farming activities or rural economic activity. The Rural district's minimum lot size is based on availability of central water and sewer for that lot. It also has clustering requirements in Section 5.7D-2 for some new subdivisions. These clustering requirements justify the creation of a Rural Residential district that includes these same clustering characteristics but ensures only residential use in the area and not other rural uses. Jefferson County's future land use guide also designates many rural areas with housing as "rural residential" meaning many rural areas in Jefferson County would be appropriate for this district.

Shenandoah County, VA Code §165-12.1 establishes a Rural Residential – Agriculture District, which does not allow agricultural activity or other non-residential uses, exceptions being essential utilities, residential farms, and playgrounds. These permitted uses give a good understanding of what uses to permit and allow conditional uses for in the new RR district, but the minimum lot area of 3.5ac would interfere with the desired clustering requirements. Clarke County, VA also utilizes a Rural Residential district and only requires 25ft rear setbacks, 10ft side setbacks, and other small distances per Table 4.1.3[2] in Clarke County Code Chapter 200, Article I §4.1.3. To preserve rural character and provide adequate space for family life and comfort, Clarke County requires a minimum area of 1 acre for lots not served by central sewer, and this decreases to 30,000 square feet in areas served by central sewer. Clarke County Code Article I §4.1.3, Table 4.1.3[2] contains similar requirements to Jefferson County's Residential Growth (RG) district, meaning density enough for clustering requirements can be met while preserving the open space typical of rural areas in Jefferson County. Furthermore, a study by Newburn & Berck in 2006 of residential density in Sonoma County, CA found that rural-residential areas with minimum lot restrictions may encourage sprawl, and that multiple densities should be considered to minimize the loss of habitat or farmland (p. 27-28). This indicates the minimum area requirement is especially important to any RR district, and that different densities should be considered based on lot access to water and sewer, with those lots served by utilities being smaller.

2. Creation of new Residential Commercial (RC) district

The primary function of a new Residential Commercial district is to provide an alternative to using the Residential-Light Industrial-Commercial (RLIC) for mixed commercial and residential developments. This will be accomplished by addressing key issues with mixed-use development in Jefferson County. An APA report concerning commercial corridor development by Luis Nuñez states "Industrial uses typically generate the greatest number of land-use compatibility concerns" (p. 19). This is a relevant concern for RLIC because it permits residential and commercial uses, but it also permits all light industrial uses. RLIC also permits every type of housing, including mobile home parks and model home sales. These two uses of land are not typically compatible with other types of residences, and many residential areas may not be desirable around permitted industrial uses even with large setbacks.

Washington County, MD establishes a series of Mixed-Use districts, one of which is named 'MXC Mixed-Use Commercial' which is intended to "permit a mixture of residential uses and limited commercial development to provide goods and services necessary to the neighborhood" (Zoning Ordinance §16.0.b, 2018) but must be approved first under a master plan. This process is detailed in their Zoning Ordinance §16.5 and includes further stipulations for the characteristics of the proposed development. These requirements indicate that significant effort is required to have a new development approved using this overlay, however further sections indicate its flexibility for change.

The MXC overlay is applied to residential and business districts, meaning it has a broad range of allowed uses. Combining aspects of the established Neighborhood Commercial, including setbacks, buffer requirements and permitted uses with the characteristics of MXC will result in increased flexibility of land use and hopefully more adoption of this district than Neighborhood Commercial.

3. Amendments to Office / Commercial (OC) Mixed-Use District

The current function of the existing Office-Commercial (OC) Mixed-Use district is to provide employment centers and office buildings. Given the size of towns in Jefferson County and their general rural character, this district may be better suited to incorporate more residential use and less office and higher-intensity commercial space. A general issue pertaining to mixed uses are the standards for interaction between different uses. Specific buffer requirements and other requirements for design depend on which uses of land abut which other uses of land. These concerns are addressed in Section 5.17D Site Development Standards and 5.17E Additional Requirements in the Zoning Ordinance.

Amendments to Office Commercial (OC) district are intended to provide another option for residential, commercial and office space in mixed-use developments. Washington County has another mixed use overlay, Mixed-Use Employment (MXE), which is permitted to overlay onto local business districts, industrial parks and ORT (office parks, health centers, and university research offices). MXC does not allow employment space, and MXE mandates too much of it, meaning Jefferson County's OC district is somewhere between the previously mentioned MXC overlay and MXE. To find this balance, the requirements for the Transition Community Center (TCC) from Loudoun County, VA's Zoning Ordinance can be used. Table 02.03.04-1 in the TCC description allows the following mix of uses: 0-30% residential or mixed, 65%-96% non-residential, and minimum 4% institutional (p. 86). These percentages indicate that the current OC requirements are strict and thus have been lowered from 75% to 65% non-residential, and 50% to 35% office use.

The limited areas where overlays can be applied results in few re-zonings that would be useful to residents and developers. (Washington County, MD currently does not have any Mixed-Use overlays in use). Still, a study from the University of Washington by Majors et. al states that for most common purposes, overlays are better than rezoning entirely (2007, p. 6). With this in mind, introducing small amendments to the OC district accomplishes this, because small changes are similar to the small changes brought about by an overlay district. These changes include the language to the description, to reflect that the district should be mixed-use, not employment-heavy, and that pedestrian traffic should be prioritized, not just allowed. Further changes include relaxation of requirements for proportions of office space or commercial space in each building or development.

4. Other changes to the Zoning Ordinance

The table of contents has added two sections, 5.18 and 5.19 for the new districts. Section 5.1 defines the two new districts as well. Changes are necessary in Appendices A, B and C, both to add rows in A and B and columns in C for the new districts. In Appendix C, changes to permitted/not permitted and conditional use designations in existing districts and new districts will provide clear standards for land use. These designations will ideally allow enough permitted or conditional uses that ultimately result in avoidance of the RLIC district in accordance with Objective 1.2.1 of the 2045 Comprehensive Plan.

Ongoing Priorities

1. Although new mixed-use or commercial options may exist in the future, the RLIC zoning district still allows more land uses than the new RC and OC districts and cannot be removed as around 2% of Jefferson County is currently zoned as RLIC. The introduction of alternative districts will allow zoning map amendments to focus on pursuing compatible land uses and not expanding the wide and potentially incompatible uses of the RLIC district as per Objective 1.2.1 in the Comprehensive Plan.
2. The Rural (R) District has clustering requirements which are relevant to the Rural Residential (RR) District. As a result, rural landowners now have a choice to subdivide using existing rights under Section 5.7D, to make clusters of Rural zoned land, and the choice to subdivide and re-zone as Rural Residential clusters. This may result in landowners choosing not to re-zone to RR as the Rural district permits a few more uses and owners have development rights specific to the Rural district.
3. Appendices A, B, and C are sometimes difficult to read when some districts refer to others for setbacks or other specific requirements. Furthermore, the zoning ordinance makes numerous references to these tables throughout the document and readers must read the descriptions of districts or other information and the table of site development standards separately. An update to the Zoning Ordinance to address such problems is supported by the Comprehensive Plan in Objective 1.1.
4. Staff would note, based on the direction provided by the Planning Commission, additional text amendments will be required to amend the Subdivision Regulations based on the proposed Zoning Ordinance text amendments. Staff would further recommend that adding additional uses to Appendix C would be appropriate based on the proposed Rural Residential Zoning district.

References

- Clarke County, VA, Code of Clarke County Chapter 200, Article I §4.1.3 (2025).
- Frederick County, VA County Code Part II §165-705 (2023).
- Loudoun County, VA Zoning Ordinance, Chapter 2, §2.03.04 (2023).
- Majors, C., Hill, J. R., Stewart, C., & Tovey, J. D. Planned Unit Developments and Overlay Zoning.
- Newburn, D. A., & Berck, P. (2006). Modeling Suburban and Rural-Residential development beyond the urban fringe. *Land Economics*, 82(4), 481–499. <https://doi.org/10.3368/le.82.4.481>
- Núñez, L. (2021). *Commercial corridor redevelopment Strategies*.
- Shenandoah County, VA, County Code Part II §165-12.1 (2023).
- Washington County, MD, Zoning Ordinance §16 (2018).

Alignment with 2045 Comprehensive Plan

Objective 1.1.4 in the 2045 Comprehensive Plan states Planning & Zoning must update the current zoning ordinance so that it includes recommendations in the Plan. References to the 2035 Comprehensive Plan in the Zoning Ordinance will be reviewed and/or replaced with recommendations from the 2045 Comprehensive Plan. Details of changes and objectives that are pertinent are below.

New Districts

1. Rural Residential (RR) – Intended for low-density detached housing in open or rural areas with no agricultural activity.

This new district accomplishes part of Objective 1.1.3 by establishing a zoning district that allows rural residential land uses. Although the current Rural District allows residential land uses, Objective 1.2.2 may be better accomplished by requiring clusters of residences in rural areas. Objective 1.2.2 allows residential development outside of urban growth boundaries and preferred growth areas in clusters so this district aligns closely to the objective. Alternatives like Residential Growth are mainly intended for development within urban growth boundaries, which is not appropriate for rural developments.

2. Residential Commercial (RC) – Intended to address shortcomings of NC, PND, and OC Districts.

Originally, Neighborhood Commercial, Planned Neighborhood Development, and Office / Commercial Mixed-Use were intended to provide residential options as well as low intensity commercial activity to give options for commercial and mixed use development. These districts are less than 1% of land in Jefferson County so they have not been utilized enough.

Objective 1.1.3 establishes the need for residential and commercial land use in one zoning district. Many localities close to Jefferson County use district overlays to accomplish this but these overlays are often not implemented. Additionally, Objective 1.2.1 states that future use of the Residential-Light Industrial-Commercial district should be avoided, showing the need for options to eventually replace this mixed-use district. Therefore the RC district will allow diverse residential options and low- to medium-intensity commercial options.

Amendments to Existing Districts

3. Office / Commercial (OC) Mixed-Use District – Amendments allow for more residential options while restricting the uses most likely to disturb a residential population.

The existing Office / Commercial Mixed-Use District (OC) can add features of a mixed-use district overlay in Washington County, MD to ensure a focus on mixed-use development. Requirements for the minimum percentage or other metric of land used for a residential, commercial, or office purpose can be incorporated to ensure an appropriate mix of uses. These changes are necessary to accomplish Objective 1.1.3 because this district has not been used yet in Jefferson County. Since this and Residential Commercial are two districts that can support multiple uses, increased use of the OC district can accomplish Objective 1.2.1, avoiding future use of RLIC.

List of Text Changes to Zoning Ordinance

Section 5

4. **5.1** - List of zoning districts now includes RR and RC

Section 5.17

5. **5.17A** – Purpose statement for OC updated to reflect increased residential and pedestrian use.
6. **5.17E** – Additional requirements for office space reduced. Ground floor commercial space requirement now does not apply to residential buildings.

Section 5.18 - This is a proposed new section for RR

7. **5.18A** – Purpose statement added for Rural Residential
8. **5.18B** – Desired location statement added
9. **5.18C** – Permitted uses added
10. **5.18D** – Site development standards, including clustering requirements, added
11. **5.18E** – Height requirement from Rural district kept

Section 5.19 – This is a proposed new section for RC

12. **5.19A** – Purpose statement added for Residential Commercial
13. **5.19B** – Desired location statement added
14. **5.19C** – Permitted uses added
15. **5.19D** – Site development standards added
16. **5.19E** – Residential building height restriction added, statement to ensure mixed-use buildings must prioritize resident security added.

Appendices

17. **Appendix A** – Row 3 created (under Rural) to insert site development standards for RR
18. **Appendix A** – Row 8 created (under Neighborhood Commercial) to insert site development standards for RC – refers to RG District.
19. **Appendix A** – Footnote changed to include townhouse deck exception for RC district.
20. **Appendix B** – Row 7 created (under Neighborhood Commercial) to insert site development standards for RC – Mostly the same as Neighborhood Commercial and IC.
21. **Appendix C** – Column 9 created (right of OC) to insert permitted uses of RC district.
 a. Residential Uses – same as V
 b. Institutional Uses – Mostly permitted, CU for convention center, recycling drop-off.
 c. Industrial Uses – None allowed
 d. Commercial Uses – Mostly permitted, CU for vehicle involved (drive-thru, auto parts store, etc.) and noise-prone (bar, pub)
 e. Agricultural Uses – Mostly permitted as these uses are permitted almost everywhere.
22. **Appendix C** – Column 11 created (right of R) to insert permitted uses of RR district.
 a. Residential Uses – All low-density options allowed

- b. Institutional Uses – Some permitted, CU for schools, retirement homes, church, etc.
- c. Industrial Uses – None allowed
- d. Commercial Uses – All CU except some more intrusive options
- e. Agricultural Uses – Mostly permitted as these uses are permitted almost everywhere.

23. Appendix C – Column 8 (OC) uses changed to allow a few more commercial uses:

- a. Antique Shop, Grocery Store NP to P
- b. Bank Drive-Thru, Fast Food Drive-Thru P to CU to reflect prioritizing pedestrians
- c. Retail Sales/Service General, Movie Theater NP to CU

Other Changes

24. Appendix B – Fixed typo in footnotes.

25. Appendix C – Added RR and RC to list of districts under table.

Attached pages of ZTA – Page 6, 73, 89-93, 132, 134, 136-139

Jefferson County Zoning and Land Development Ordinance

Jefferson County,
West Virginia

Prepared By
The Jefferson County
Planning Commission

Adopted July 7, 1988, As Amended
Amendments adopted by the County Commission, June 16, 2022

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ARTICLE 5: DISTRICT ESTABLISHMENT; ZONING MAPS; DISTRICT BOUNDARIES; DISTRICT REGULATIONS

Section 5.1 Establishment of Districts¹

For the purpose of this Ordinance, all land within the County, exclusive of the incorporated towns, is hereby designated as one of the following zoning districts:

RG	Residential Growth District
I-C	Industrial-Commercial District
R	Rural (Agricultural) District
R-LI-C	Residential-Light Industrial-Commercial District
V	Village District ²³
NC	Neighborhood Commercial ²⁷
GC	General Commercial ²⁷
HC	Highway Commercial ²⁷
LI	Light Industrial ²⁷
MI	Major Industrial ²⁷
PND	Planned Neighborhood Development ²⁷
OC	Office / Commercial Mixed-Use ²⁷
<u>RR</u>	<u>Rural Residential</u>
<u>RC</u>	<u>Residential Commercial</u>

Section 5.2 Boundaries of Districts

Unless otherwise indicated on the zoning district maps, the boundary lines of the districts shall follow lot lines, centerlines of streets, alleys, corporate limit lines, or centerlines of waterways as existing at the time of the adoption of this Ordinance.

Section 5.3 District Maps

The districts shall be of the size and shape shown on the Jefferson County Zoning Maps and shall hereby be made a part of this ordinance. A copy of the said maps shall be signed by the County Commissioners upon the adoption of these regulations and recorded within the Courthouse.

The Jefferson County zoning layer is parcel-based, maintained in a Geographic Information System (GIS), and shall be the basis for the County's official zoning map. Within 30 days of final County Commission action on a zoning map amendment, GIS/Addressing staff will update the digital zoning layer and make the new data available online.²³

On an annual basis, in December, and within 30 days of final County Commission action on a zoning map amendment, a new zoning map will be printed which includes the most up to date base layer data, all approved zoning designations since the last printed map, and an effective date, certified by the President of the County Commission, filed with the County Clerk's office, and a copy provided to the Planning Commission. This annual map update shall not require a public hearing and such certification shall occur administratively.²³

- i. Approval of the change in zoning designation;
 - ii. Approval of the Preliminary PND Plan;
 - iii. Approval of any modifications to the Subdivision and Land Development Regulations and the Zoning Ordinance; such modifications being associated with the Preliminary PND Plan; and
 - iv. Establishment of any conditions of approval applied by the County Commission.
- 4. If a request to amend the zoning map designation of a tract to a PND district is approved, the applicant may submit applications for the development of the property as a PND development.
 - a. Compliance with Other Ordinances. With the exception of any modifications granted by the County Commission, all applicable requirements of the Zoning Ordinance, the Subdivision and Land Development Regulations, and all other County ordinances must be met, including but not limited to any applicable site plan and subdivision requirements.
 - b. Consistency with Preliminary PND Plan. All applications submitted for the site must be consistent with the requirements of the approved Preliminary PND Plan and shall clearly state any modifications granted.
 - c. Any modifications to the Zoning Ordinance or the Subdivision and Land Development Regulations approved by the County Commission are associated with and indivisible from the approved Preliminary PND Plan.
- 5. Amendment. Minor changes to a Preliminary PND Plan may be reviewed and approved administratively if the Office of Planning and Zoning determines that such changes are consistent with the purpose and general character of the Preliminary PND Plan. An applicant's request for revisions determined substantive by Staff shall follow the approval process for a Preliminary PND Plan as described in this Article. Substantive changes include but not are limited to changes that would exceed one or more of the percentages noted in a-c below.
 - a. A change in total square footage of the development by $\pm 10\%$
 - b. A change in the area of any land use by $\pm 10\%$
 - c. A change in the residential density by $\pm 5\%$

Section 5.17 Office / Commercial (OC) Mixed-Use District^{27, 32}

- A. Purpose. The purpose of the OC district is to allow for well-designed employment centers in conjunction with providing multiple options for dense residential uses. Developments in the OC district contain a mix of land uses, primarily oriented to commercial and office uses but also allowing multi-family and attached single-family residential uses. Developments are oriented to principal streets, contain substantial public space and streetscaping, allow for and prioritize pedestrian movement within the site and between adjacent sites, and meet the design standards provided for this district.
- B. Location. This zoning category is intended for use on properties:
 - 1. In the Growth Area as shown in the most recently adopted Comprehensive Plan, if the plan does not include a future land use map; or
 - 2. In locations where the appropriate land use category is designated on the future land use map (and related text) in the most recently adopted Comprehensive Plan.
- C. Permitted Uses

1. Uses that are permitted, conditional, and not permitted in this district shall be as indicated in Appendix C, Principal Permitted and Conditional Uses Table.
2. Uses shown as conditional uses (CU) for this district in Appendix C, Principal Permitted and Conditional Uses Table shall be subject to review and approval by the Board of Zoning Appeals in accordance with Section 6.3 of this Ordinance.³²

D. Site Development Standards

1. Setbacks, height, and other site development standards shall be as indicated in Appendix A, Residential Site Development Standards, and Appendix B, Non-Residential Site Development Standards, except as provided elsewhere in this Ordinance.
2. For a non-residential use abutting a commercial or industrial use at a side lot line:
 - a. No side yard building setback is required, unless required by the Building Code or other law or regulation.
 - b. Section 4.11A-B does not apply to the side property line that abuts a commercial or industrial use.
3. For a non-residential use abutting a commercial or industrial use at a rear lot line:
 - a. A rear yard building setback may be reduced to 10 feet.
 - b. Section 4.11.A-B does not apply to the rear property line.
4. Section 4.11.A-C does not apply to the front lot property line.
5. Vehicular parking requirements shall be 80% of the required number of parking spaces indicated in Article 11 of this Ordinance.
6. On-street vehicular parking spaces located within 100 feet of the property where the development is located may compose up to 50% of the number of required parking spaces indicated in Article 11 of this Ordinance.

E. Additional Requirements

1. Of the gross floor area of land uses in a development in this district, at least ~~75%~~65% shall be non-residential uses, and at least ~~50%~~35% shall be office uses.
2. Buildings fronting a principal street must be at least 2 stories in height.
3. For buildings containing a non-residential use, a~~A~~ minimum of 75% of the total gross floor area located on the ground floor of buildings in a development in this district shall be composed of non-residential space.
4. Any off-street parking shall be located in the rear or on the side of buildings and may not be located between a street and the front façade of a building.
5. For new development or the substantial redevelopment of an existing site, a fifteen-foot-wide pedestrian zone is required, consisting of a ten-foot-wide landscaped buffer yard measured from the edge of the right-of-way (or from the back of the adjacent street curb) and five-foot-wide sidewalks. If the Comprehensive Plan or the Subdivision and Land Development Regulations identify the property location as appropriate for a trail in lieu of a sidewalk, a trail may be installed.
6. One bicycle parking space shall be provided for each ten vehicular parking spaces. Said bicycle spaces shall not be located within the required sidewalk or in a manner that impedes pedestrian access to the building and may be located within the landscape buffer area provided that it occupies less than 10% of the length of the required buffer, or may be located at the side or rear of the building.

7. Buildings shall be oriented toward the street with one or more entrances facing the principal street adjacent to a building.
8. Commercial and Industrial uses are subject to the requirements for such uses in Article 8.
9. Where mixed-use buildings are planned, appropriate measures should be taken to prioritize resident security, which may include isolating residential areas from commercial areas like loading docks.

Section 5.18 Rural Residential (RR) District

A. Purpose

The purpose of this district is to provide a location for low-density single family or two family residences in open space where no farming or large-scale rural economic activity is taking place. Residential development in this district shall preserve the rural character of the County by encouraging clusters of residences and minimizing the use of prime agricultural land, and also prohibiting commercial and industrial uses. This district is not generally served with public water or sewer facilities, but lots that are served have different restrictions as specified in Appendix A.

B. Location: This zoning category is intended for use on properties:

1. Outside of the Preferred Growth Areas (PGAs) as shown on the Future Land Use Map in the 2045 Comprehensive Plan.
2. In rural lots intended to be subdivided into clustered residences.

C. Permitted Uses

1. Uses that are permitted, conditional, and not permitted in this district shall be as indicated in Appendix C, Principal Permitted and Conditional Uses Table.
2. Uses shown as conditional uses (CU) for this district in Appendix C, Principal Permitted and Conditional Uses Table shall be subject to review and approval by the Board of Zoning Appeals in accordance with Section 6.3 of this Ordinance.³²

D. Site Development Standards

1. Purpose and Intent

- a. To encourage the conservation of farmland in the Rural Zoning District by planning the residential development allowed in the Rural Residential District to provide for the best obtainable siting, access and location of lots on a tract while retaining a portion of the property as green space³².
- b. To provide for a well planned development while minimizing the use of prime agricultural land.

2. Lot Area, Setbacks and Other Requirements

- a. Setbacks, height, and other site development standards shall be as indicated in Appendix A, Residential Site Development Standards, and Appendix B, Non-Residential Site Development Standards, except as provided elsewhere in this Ordinance.²⁷
- b. A minimum of 50% of the property shall be retained as green space and shall contain no further development rights unless the property is placed in another zone or further subdivision is allowed by ordinance. A note to this effect shall be placed on all cluster subdivision plats.³²
- c. Minimum lot size shall be 40,000 square feet for lots that will be served by individual wells and septic systems; 20,000 square feet for lots that will be served by a central water OR central

sewerage system; and 10,000 square feet for lots that will be served by both a central water AND central sewerage system.^{17, 21, 32}

d. Maximum Lot Area Requirements

- i. The maximum area of a lot served by central water AND sewer will be 1 acre.
- ii. The maximum area of a lot served by central water OR sewer will be 2 acres.
- iii. The maximum area of a lot NOT served by central water or sewer will be 2 acres.

e. Setbacks shall be 25' front, 12' sides, and 20' rear.

f. Clusters of three (3) or more lots shall not be along an existing public road.

g. All clusters of three (3) or more lots shall be served by an internal road; this internal road shall have direct access to a public road identified as a Major Collector or a Minor or Principal Arterial on the 2024 Highway Problem Areas Map in the 2045 Comprehensive Plan.

3. Procedures

- a. Concept Plan. For the subdivision of tracts eligible for cluster lots, a concept plan must be submitted pursuant to the requirements of the Jefferson County Subdivision and Land Development Regulations. All cluster developments must be processed as a Major Subdivision.^{17, 21, 23}
- b. The Concept Plan for a proposed Cluster Development can be combined with the required submittal and process requirements for a Concept Plan for a Major Subdivision as outlined in the Subdivision Regulations, provided that the Concept Plan includes all requirements of the Concept Plan in the Subdivision Regulations and includes the necessary soils and topographic data, together with a written narrative, required for the analysis listed below.³²
- c. The Staff shall review and make a recommendation to the Planning Commission regarding the proposed design and layout of the proposed Cluster Development. Staff shall consider the following when reviewing the Cluster Concept Plan:³²
 - i. Soils: The cluster plan should minimize the use of the higher quality soils (class I, II and III as designated in the soils classification study) and maximize the use of steeper sloped areas, areas of poorer soils and areas which are otherwise less productive for agricultural uses.
 - ii. Surrounding land use and zoning: The cluster plan shall consider the existing land uses and zoning in the vicinity. Generally, new lots which are adjacent to existing development or residential zoning are preferred to creating an isolated cluster of new houses.
- d. If the concept plan is approved by the Planning Commission, the applicant may then proceed with platting of the clustered development in accordance with the Jefferson County Subdivision and Land Development Regulations and the approved concept plan. The plat shall bear a statement indicating "The land lies within an approved rural residential development and no further subdivision of the remaining land is permitted unless the property is placed in another zone or further subdivision is allowed by ordinance or regulation".²³

E. Additional Requirements

No structure shall exceed 45 feet in height except as provided in Section 9.2.³²

Section 5.19 Residential Commercial (RC) District

A. Purpose

The purpose of this district is to permit varied residential uses, including detached single-family residences and higher-density mixed-use buildings, in the same areas as low- to medium-intensity

commercial uses, where the commercial uses are appropriate in scale, designed and landscaped or buffered in a way that ensures compatibility with neighboring land uses.

B. Location: This zoning category is intended for use on properties:

1. In the Growth Area as shown in the most recently adopted Comprehensive Plan, if the plan does not include a future land use map; or
2. In locations where the appropriate land use category is designated on the future land use map (and related text) in the most recently adopted Comprehensive Plan.

C. Permitted Uses

1. Uses that are permitted, conditional, and not permitted in this district shall be as indicated in Appendix C, Principal Permitted and Conditional Uses Table.
2. Uses shown as conditional uses (CU) for this district in Appendix C, Principal Permitted and Conditional Uses Table shall be subject to review and approval by the Board of Zoning Appeals in accordance with Section 6.3 of this Ordinance.³²

D. Site Development Standards

1. Setbacks, height, and other site development standards shall be as indicated in Appendix A, Residential Site Development Standards, and Appendix B, Non-Residential Site Development Standards, except as provided elsewhere in this Ordinance.²⁷
2. Buffer Requirements and other site development standards are stated in Appendix A for residential use and Appendix B for non-residential uses.

E. Additional Requirements

1. A residential structure having no attached or included commercial use, excluding permitted Home Occupations, shall not exceed 40 feet in height.
2. A non-residential land use in this district may include residential uses on building levels located above the ground floor.
3. Where mixed-use buildings are planned, appropriate measures should be taken to prioritize resident security, which may include isolating residential areas from commercial areas like loading docks.

APPENDIX A: RESIDENTIAL SITE DEVELOPMENT STANDARDS TABLE^{27, 32, 42}

Zoning District	Land use	Land Use Subtype	Min Lot Area (MLA) sq. ft.***	Area per Dwelling Unit (ADU) sq. ft.	Min Lot Width	Max Building Height*	Setbacks				Parking/ Drive Aisle Setbacks	Screened Buffers Sec. 4.11
							Front	Side	Street Side	Rear		
Residential Growth (RG)	Single Family Detached Dwelling	Public/Central water and sewer	6,000	10,000	N/A	40	25	12	15	20	N/A	N/A
		Public/Central water or sewer	20,000	N/A	N/A	"	"	"	"	"		
		No Public/Central water or sewer	40,000	N/A	N/A	"	"	"	"	"		
	Small Lot Single-Family Detached Dwelling	Public/Central water and sewer	3,200	7,500	35	40	20****	5	10	20		
	Duplex Dwelling Unit	Public/Central water and sewer	3,200	7,500	N/A	40	25	15**	15	20		
		Public/Central water or sewer	N/A	10,000	N/A	"	"	"	"	"		
	Townhouse Dwelling ⁴²	Public/Central water and sewer	1,400	3,500	N/A	40	25	12**	15	20		
	Multi-Family Dwelling (See Section 4.12)	Public/Central water and sewer	20,000	2,000	N/A	40	25	12**	15	30	12 side 15 front 15 rear	12 side 15 front 15 rear
	Single-Family Dwelling with setbacks not previously stipulated by Planning Commission	Over 40,000 sq. ft.	N/A	N/A	N/A	40	25	12	±	12	N/A	N/A
		30,000 sq. ft. to 40,000 sq. ft.	N/A	N/A	N/A	40	20	10	±	12		
Under 30,000 sq. ft.		N/A	N/A	N/A	40	20	8	±	12			
Rural (R) (See Sec. 5.7)	Dwellings		40,000	N/A	100	45	40	15	±	50	N/A	N/A
	Single-Family Dwelling with setbacks not previously stipulated by Planning Commission	Over 2 acres	N/A	N/A	N/A	45	40	15	±	50		
		40,000 sq. ft. to 2 acres	N/A	N/A	N/A	45	25	12	±	12		
		30,000 sq. ft. to 39,999 sq. ft.	N/A	N/A	N/A	45	20	10	±	12		
		Under 30,000 sq. ft.	N/A	N/A	N/A	45	20	8	±	12		
	Cluster Subdivision	See RG District										
Rural Residential (RR)	Dwellings	Public/Central water and sewer	10,000	N/A	N/A	45	25	12	±	12	N/A	N/A
		Public/Central water or sewer	20,000	N/A	N/A	"	"	"	±	"	N/A	N/A
		No Public/Central water or sewer	40,000	N/A	N/A	"	"	"	±	"	N/A	N/A
Village (V)	Residential uses	See RG District										
Residential-Light Industrial-Commercial (RLIC)	Residential uses	See RG District ^φ										
Industrial-Commercial (IC)	Residential uses	See Rural setbacks for lots not previously stipulated by the Planning Commission.										
Neighborhood Commercial (NC)	Residential uses	See RG District										
Residential Commercial (RC)	Residential uses	See RG District^φ										
General Commercial (GC)	Residential uses	See RG District										
Highway Commercial (HC)	Residential uses	N/A										
Light Industrial (LI)	Residential uses	N/A										
Major Industrial (MI)	Residential uses	N/A										
Office / Commercial Mixed Use (OC)	Residential uses	See RG District										
Planned Neighborhood Development (PND)	Residential uses	See RG District. Note: Planning Commission may amend development standards for developments in the PND District (see Article 5).										

The requirements in this table are in addition to any other applicable requirements in the text of this Ordinance. In the event of a conflict with the text, this table shall prevail.

For all lots approved prior to Sept. 1, 1989, lots under 40,000 sq. ft. side & rear setbacks for residential accessory structures shall be 6'. NOTE: In RG district side & rear setbacks for accessory structures under 144 sq. ft. shall be 6'.

See Article 8 of the Zoning and Land Development Ordinance for building setbacks for certain land uses.

All dimensions are in feet unless otherwise indicated.

φ In the RLIC ~~and~~, RG, and RC districts, townhouse lots with a lot depth of 110 linear feet or less and/or a lot area of 3,500 square feet or less, the rear setback of a deck for a townhouse may be reduced to 10', if the adjacent property located to the rear of the subject lot is a dedicated easement or common area and is not a lot that includes a residence.

± See setback requirements noted in Sec. 2.2, definition of "Lot, Corner."

* Maximum height subject to Section 9.2

** Exterior side only.

*** The balance square footage between the ADU and the MLA shall not include land set aside in a Sensitive Natural Area, Buffer to a Sensitive Natural Area, land qualifying as Hillside development or a 100 Year Flood Plain.

**** The front setback for a Small lot single-family detached dwelling may be reduced to 10' if the front yard does not contain a driveway.

APPENDIX B: NON RESIDENTIAL SITE DEVELOPMENT STANDARDS TABLE^{27, 32, 35}

Zoning District	Development Type ^⓪	Min Lot Area (MLA)	Min Lot Width	Max Building Height*	Imper-vious Surface Limit	Building Setbacks			Parking/ Drive Aisle Setbacks			Buffers (Sec. 4.11)							
												(Screened / Unscreened) Adjacent Use							
						A Residential district, or any lot with a residence, school, church, or institution of human care (Distance per Sec. 4.6)				Commercial Use		Industrial Use							
Front	Side	Rear	Front	Side	Rear	Distance Front Side Rear	Front	Side & Rear	Front	Side & Rear	Front	Side & Rear							
Industrial – Commercial (IC) **	Commercial sites 1.5 acres and smaller	N/A	N/A	75	80%	25			15	4	4	75	Street Trees	Narrow Buffer Detail No. M-54	N/A	10(S)	N/A	10(S)	
	Commercial sites greater than 1.5 acres	N/A	N/A	75	80%	25			15	10	10	75	Street Trees	Medium Buffer Detail No M-53	N/A	10(S)	N/A	10(S)	
	Industrial	3 ac ***	N/A	75	90%	50 or 25 if adjacent to Industrial Use			25 or 20 if adjacent to Industrial Use			200	Street Trees	Wide Buffer Detail No. M-52	25(S)	20(S)	N/A	20(S)	
Residential-Light Industrial-Commercial (RLIC)	Commercial or Industrial	N/A	N/A	75	80%	See IC District													
Rural (R)	Churches	2 acres	200	45	N/A	25	50	50	See IC District for commercial sites	N/A	50(U) or 15 (S)		N/A	10(S)	N/A	10(S)			
	Schools, Grades K-12	K-4: 10 ac+ 5-8: 20 ac+ 9-12: 30 ac+	500	45	N/A	100				N/A	N/A		N/A	N/A	N/A	N/A			
	Hospitals	10 ac	500	45	N/A	100				N/A	N/A		N/A	N/A	N/A	N/A			
	Other Rural principal permitted uses	40,000	100	45	N/A	40	50	50		N/A	See I–C District for commercial or industrial use; Otherwise, N/A								
	Commercial or Industrial**	See IC District																	
Village (V)	Commercial [¥]	N/A	N/A	35	N/A	25	10	40	See IC District										
	Industrial**	See IC District			35	See IC District													
Residential Growth (RG)	Commercial or Industrial**	See IC District			35	See IC District													
Neighborhood Commercial (NC)	Commercial	N/A	N/A	35	70%	15 min 25 max	10 [£]	10 ^⓪	See I-C District			25	See IC District						
Residential Commercial (RC)	Commercial	N/A	N/A	35	70%	15	10[£]	10^⓪	15	4	4	25	Street Trees	Narrow Buffer Detail No. M-54	N/A	10(S)	N/A	N/A	
General Commercial (GC)	Commercial	N/A	N/A	75	80%	20	10	25	See IC District										
Highway Commercial (HC)	Commercial	N/A	N/A	75	80%	25	25	25											
Light Industrial (LI)	Commercial or Industrial	N/A	N/A	75	80%	25	25	25											
Major Industrial (MI)	Commercial	N/A	N/A	75	90%	25	10	50											
	Industrial	3 ac ***	N/A	75	90%	25	50	50											
Office/Commercial Mixed Use (OC)	Commercial	N/A	N/A	75	80%	15 min 25 max	10 [£]	10 ^⓪											
Planned Neighborhood Development (PND)	Commercial	3 acres	See GC District Note: Planning Commission may amend development standards for developments in the PND District (see Article 5).																

The requirements in this table are in addition to any other applicable requirements in the text of this Ordinance. In the event of a conflict with the text, this table shall prevail.

All dimensions are in feet unless otherwise indicated by “ac” (acres).

* Maximum building height is subject to Sec. 9.2.

** If land use(s) approved via the Conditional Use process in accordance with this Ordinance.

*** MLA for Industrial uses does not apply if the site is located in an approved Industrial Park [Source: Sec. 5.6E]

**** Schools in Rural district: Plus one (1) additional acre for every 100 pupils. Minimum lot size for Vocational Schools shall be based on State of West Virginia Code. If a sewer treatment plant and retention ponds are required, acreage shall be increased accordingly.

¥ Non-Residential Site Development in an existing structure in the Village District shall comply with Section 5.10A.2.

‡ Setback may be reduced if adjacent to industrial use.

⓪ For an industrial use, no structures, stored materials, or vehicular parking shall be permitted within the buffer yard. For a commercial use, no structures, materials, or vehicular parking shall be permitted within the side and rear yard buffers.

⓪ A rear yard setback may be reduced to 10' for a non-residential use abutting a commercial or industrial use at a rear lot line

⓪ Churches in any district: (1) are treated as a commercial use on a lot of greater than 1.5 acres in determining buffer requirements and parking/drive aisle setbacks; (2) building setbacks are 25' (front) and 50' (side/rear); and (3) distance requirements do not apply.

£ For a non-residential use abutting a commercial or industrial use, no side yard setback is required, unless required by Building Code or other law or regulation.

APPENDIX C: PRINCIPAL PERMITTED AND CONDITIONAL USES TABLE ^{23, 29, 32, 33, 35, 37, 39, 43}

Land Use	NC	GC	HC	LI	MI	PND ¹	OC	<u>RC</u>	R	<u>RR</u>	RG	RLIC	IC	V	Additional Standards
Residential Uses															
Accessory Agricultural Dwelling Unit	P	P	P	P	P	P	P	<u>P</u>	P	<u>P</u>	P	P	P	P	Sec. 8.15
Dwelling, Single Family	CU	NP	NP	NP	NP	P	NP	<u>P</u>	P	<u>P</u>	P	P	NP	P	
Dwelling, Single Family, Small Lot	CU	NP	NP	NP	NP	P	NP	<u>P</u>	NP	<u>P</u>	P	P	NP	P	
Dwelling, Two Family	CU	NP	NP	NP	NP	P	NP	<u>P</u>	P	<u>P</u>	P	P	NP	P	
Dwelling, Duplex	CU	NP	NP	NP	NP	P	NP	<u>P</u>	NP	<u>P</u>	P	P	NP	P	
Dwelling, Townhouse	CU	NP	NP	NP	NP	P	P	<u>CU</u>	NP	<u>NP</u>	P	P	NP	CU	
Dwelling, Multi-Family	CU	NP	NP	NP	NP	P	P	<u>CU</u>	NP	<u>NP</u>	P	P	NP	CU	
Day Care Center, Small	P	NP	NP	NP	NP	P	NP	<u>P</u>	P	<u>P</u>	P	P	P	P	
In-Law Suite	NP	NP	NP	NP	NP	P	NP	<u>P</u>	P	<u>P</u>	P	P	NP	P	Sec. 8.15
Mixed Use Building	P	NP	NP	NP	NP	P	P	<u>P</u>	NP	<u>NP</u>	CU	P	NP	P	
Mobile Home Park	NP	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	<u>P</u>	P	P	NP	NP	
Model Homes/Sales Office	P	CU	NP	NP	NP	P	NP	<u>NP</u>	P	<u>NP</u>	P	P	NP	NP	Sec. 8.10
Home Uses															
Home Occupation, Level 1	P	NP	NP	NP	NP	P	P	<u>P</u>	P	<u>P</u>	P	P	P	P	Art. 4A
Home Occupation, Level 2	P	NP	NP	NP	NP	P	P	<u>P</u>	P	<u>P</u>	P	P	P	P	Art. 4A
Cottage Industry	P	NP	NP	NP	NP	P	NP	<u>P</u>	P	<u>P</u>	P	P	P	P	Art. 4A
Institutional Uses															
Airport	NP	NP	NP	P	P	NP	NP	<u>NP</u>	CU	<u>NP</u>	NP	CU	CU	NP	
Airfield, Private/Helipad	NP	NP	NP	NP	NP	NP	NP	<u>NP</u>	CU	<u>NP</u>	NP	CU	CU	NP	
Church ³⁸	P	P	P	P	CU	P	P	<u>P</u>	P	<u>CU</u>	P	P	CU	P	
Convention Center	NP	P	P	P	CU	P	P	<u>CU</u>	CU	<u>NP</u>	CU	P	CU	NP	
Cultural Facility	P	P	P	P	CU	P	P	<u>P</u>	P	<u>P</u>	P	P	P	P	
Day Care Center, Large	P	P	P	P	CU	P	P	<u>P</u>	CU	<u>CU</u>	P	P	P	CU	
Electric Vehicle Charging Station	P	P	P	P	P	P	P	<u>P</u>	CU	<u>CU</u>	CU	P	P	CU	
Elementary or Secondary School	P	P	CU	CU	NP	P	P	<u>P</u>	P	<u>P</u>	P	P	NP	CU	
Essential Utility Equipment	P	P	P	P	P	P	P	<u>P</u>	P	<u>P</u>	P	P	P	P	Sec. 4.7
Group Residential Facility	P	P	P	NP	NP	P	CU	<u>P</u>	P	<u>P</u>	P	P	NP	P	
Group Residential Home	P	P	P	NP	NP	P	CU	<u>P</u>	P	<u>P</u>	P	P	NP	P	
Heliport	NP	CU	CU	P	P	CU	CU	<u>NP</u>	NP	<u>NP</u>	NP	CU	CU	NP	
Hospital	NP	P	P	P	CU	P	P	<u>P</u>	P	<u>NP</u>	P	P	NP	NP	
Nature Center and Preserve	NP	NP	NP	NP	NP	P	NP	<u>NP</u>	P	<u>CU</u>	CU	P	NP	P	
Nursing or Retirement Home	CU	P	P	P	NP	P	P	<u>P</u>	CU	<u>CU</u>	P	P	NP	CU	
Park	P	P	P	P	NP	P	P	<u>P</u>	P	<u>P</u>	P	P	NP	P	
Performing Arts Theater	P	P	P	P	P	P	P	<u>P</u>	CU	<u>CU</u>	CU	P	P	CU	
Preschool	P	P	CU	CU	CU	P	P	<u>P</u>	P	<u>P</u>	P	P	NP	CU	
Public Safety Facility	P	P	P	P	P	P	P	<u>P</u>	P	<u>P</u>	P	P	P	P	
Publicly Owned Facility	P	P	P	P	P	P	P	<u>P</u>	P	<u>P</u>	P	P	P	CU	
Recycling Drop-Off Center	CU	P	P	P	P	P	P	<u>CU</u>	NP	<u>NP</u>	NP	P	P	NP	
Residential Care Home	P	P	P	NP	NP	P	CU	<u>P</u>	P	<u>P</u>	P	P	NP	P	
School, College or University	NP	P	P	P	NP	P	P	<u>CU</u>	CU	<u>CU</u>	CU	P	NP	NP	
School, Vocational or Professional	NP	P	P	P	NP	P	P	<u>CU</u>	CU	<u>CU</u>	CU	P	P	NP	
Vocational and Training Facility for Adults	P	P	P	P	P	P	P	<u>P</u>	P	<u>NP</u>	P	P	NP	NP	
Land Use	NC	GC	HC	LI	MI	PND¹	OC	<u>RC</u>	R	<u>RR</u>	RG	RLIC	IC	V	Additional Standards
Industrial															Sec. 8.9
Heavy Equipment Repair	NP	NP	CU	CU	P	NP	NP	<u>NP</u>	NP	<u>NP</u>	NP	NP	P	NP	

Heavy Industrial Uses	NP	NP	NP	NP	P	NP	NP	NP	NP	NP	NP	NP	P	NP	Sec. 8.9
Light Industrial Uses	NP	NP	NP	P	P	NP	NP	NP	NP	NP	** NP	P	P	NP	Sec. 8.9
Manufacturing, Heavy	NP	NP	NP	CU	P	NP	NP	NP	NP	NP	NP	NP	P	NP	
Manufacturing, Limited	NP	P	P	P	P	CU	NP	NP	NP	NP	NP	P	P	NP	
Printing and Publishing	NP	P	P	P	P	P	P	NP	NP	NP	NP	P	P	NP	
Salvage Yards	NP	NP	NP	NP	CU ²	NP	NP	NP	NP	NP	NP	NP	CU ²	NP	Sec. 4.4L
Shooting Range, Indoor	NP	CU	CU	P	P	NP	NP	NP	CU	NP	NP	CU	P	NP	
Shooting Range, Outdoor	NP	NP	NP	CU	CU	NP	NP	NP	CU	NP	NP	NP	CU	NP	
Slaughterhouses, Stockyards	NP	NP	NP	NP	CU	NP	NP	NP	CU	NP	NP	NP	CU	NP	
Transportation Terminal	NP	P	P	P	P	P	P	NP	NP	NP	NP	CU	P	NP	
Vehicle Storage	NP	NP	NP	P	P	NP	NP	NP	NP	NP	NP	NP	P	NP	
Warehousing and Distribution, General	NP	NP	NP	CU	P	NP	NP	NP	NP	NP	NP	CU	P	NP	
Warehousing and Distribution, Limited	NP	P	P	P	P	CU	P	NP	NP	NP	NP	P	P	NP	
Industrial Manufacturing & Processing															Sec. 8.9
Acid or heavy chemical manufacturer, processing or storage	NP	NP	NP	NP	CU	NP	NP	NP	NP	NP	NP	NP	CU	NP	
Bituminous concrete mixing and recycling plants	NP	NP	NP	NP	CU	NP	NP	NP	NP	NP	NP	NP	CU	NP	
Cement or Lime Manufacture	NP	NP	NP	NP	CU	NP	NP	NP	NP	NP	NP	NP	CU	NP	
Commercial Sawmills	NP	NP	NP	NP	CU	NP	NP	NP	NP	NP	NP	NP	CU	NP	
Concrete and ceramic products manufacture, including ready mixed concrete plants	NP	NP	NP	NP	CU	NP	NP	NP	NP	NP	NP	NP	CU	NP	
Explosive manufacture or storage	NP	NP	NP	NP	CU	NP	NP	NP	NP	NP	NP	NP	CU	NP	
Foundries and/or casting facilities	NP	NP	NP	NP	CU	NP	NP	NP	NP	NP	NP	NP	CU	NP	
Jails and Prisons	NP	NP	NP	NP	CU	NP	NP	NP	NP	NP	NP	NP	CU	NP	Sec. 8.7
Mineral extraction, mineral processing	NP	NP	NP	NP	CU	NP	NP	NP	NP	NP	NP	NP	CU	NP	
Petroleum products refining or storage	NP	NP	NP	NP	CU	NP	NP	NP	NP	NP	NP	NP	CU	NP	Sec. 8.11
Adult Uses															
Adult Uses	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	NP	Sec. 4.4K, Sec. 8.1
Recreational Uses															
Hunting, Shooting, Archery and Fishing Clubs, public or private	NP	NP	NP	CU	CU	NP	NP	NP	P	NP	NP	NP	NP	NP	Sec. 8.8
Commercial Uses															Sec. 8.9
Antique Shop	P	P	P	P	NP	P	NP P	P	CU	CU	CU	P	P	P	
Appliance Sales	NP	P	P	P	CU	P	NP	P	CU	CU	CU	P	P	NP	
Art Gallery or Artist Studio	P	P	P	P	NP	P	P	P	CU	CU	CU	P	P	P	
ATM	P	P	P	P	NP	P	P	P	CU	CU	CU	P	P	CU	
Automobile repair, sales and service	NP	P	P	P	P	P	NP	CU	CU	CU	CU	P	P	CU	
Automobile parts, supplies and tire stores	NP	P	P	P	P	P	NP	CU	CU	CU	CU	P	P	CU	
Automobile, light truck and light trailer rentals, indoor	P	P	P	P	P	P	NP	CU	CU	CU	CU	P	P	CU	
Automobile, light truck and light trailer rentals, outdoor	NP	P	P	P	P	P	NP	CU	CU	CU	CU	P	P	CU	
Bail Bond Services	NP	P	P	P	CU	NP	NP	NP	CU	CU	CU	CU	P	CU	
Bank	P	P	P	P	CU	P	P	P	CU	CU	CU	P	P	P	
Bank with Drive-Through Facility	CU	P	P	P	CU	P	PC U	CU	CU	CU	CU	P	P	CU	
Land Use	NC	GC	HC	LI	MI	PND¹	OC	RC	R	RR	RG	RLIC	IC	V	Additional Standards
Commercial Uses continued															Sec. 8.9
Bar	P	P	P	P	NP	P	P	CU	NP	NP	NP	P	P	CU	
Barber/Beauty Shop, Limited	P	P	P	P	NP	P	P	P	CU	CU	CU	P	P	P	
Bed and Breakfast	P	NP	NP	NP	NP	P	NP	P	P	CU	CU	P	NP	P	Sec. 8.3
Brewpub	P	P	P	P	NP	P	P	CU	CU	CU	CU	P	P	CU	Sec. 8.5

Business Equipment Sales and Service	CU	P	P	P	CU	P	P	<u>P</u>	CU	<u>CU</u>	CU	P	P	CU	
Building Maintenance Services	CU	P	P	P	P	P	P	<u>P</u>	CU	<u>CU</u>	CU	P	P	CU	
Building Materials and Supplies	NP	P	P	P	P	P	NP	<u>NP</u>	CU	<u>NP</u>	CU	P	P	CU	
Campground ³¹	CU	P	NP	NP	NP	P	NP	<u>NP</u>	P	<u>CU</u>	CU	P	P	CU	Sec. 8.17
Car Wash	NP	P	P	P	CU	P	P	<u>CU</u>	CU	<u>CU</u>	CU	P	P	CU	
Commercial Blood Plasma Center	NP	P	P	P	NP	CU	CU	<u>CU</u>	CU	<u>CU</u>	CU	CU	P	CU	
Commercial Uses	NP	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	<u>NP</u>	**	P	P	CU	Sec. 8.9
Contractor with No Outdoor Storage	P	P	P	P	P	P	P	<u>P</u>	CU	<u>CU</u>	CU	P	P	CU	
Contractor with Outdoor Storage	NP	P	P	P	P	P	NP	<u>CU</u>	CU	<u>NP</u>	CU	P	P	CU	
Convenience Store	CU	P	P	P	CU	P	NP	<u>CU</u>	CU	<u>CU</u>	CU	CU	P	CU	Sec. 5.8C (RLIC only)
Convenience Store, Limited	P	P	P	P	CU	P	P	<u>P</u>	CU	<u>CU</u>	CU	P	P	CU	
Country Inn	P	P	P	P	NP	P	P	<u>P</u>	CU	<u>CU</u>	CU	P	P	P	
Crematorium, Pet ³⁷	NP	P	NP	P	NP	NP	NP	<u>NP</u>	P	<u>NP</u>	NP	P	P	CU	Sec. 8.19
Custom Manufacturing	P	P	P	P	P	P	P	<u>P</u>	CU	<u>CU</u>	CU	P	P	CU	
Dry cleaning and Laundry Services	P	P	P	P	CU	P	P	<u>P</u>	CU	<u>CU</u>	CU	P	P	CU	
Dry cleaning and Laundry Facility	NP	P	P	P	P	P	P	<u>CU</u>	CU	<u>CU</u>	CU	P	P	CU	
Equipment Rental, Sales, or Service	NP	P	P	P	P	P	NP	<u>CU</u>	CU	<u>NP</u>	CU	P	P	CU	
Exterminating Services	NP	P	P	P	P	P	P	<u>P</u>	CU	<u>CU</u>	CU	P	P	CU	
Florist	P	P	P	P	CU	P	P	<u>P</u>	CU	<u>CU</u>	CU	P	P	P	
Food Preparation	P	P	P	P	CU	P	P	<u>CU</u>	CU	<u>CU</u>	CU	P	P	CU	
Gambling Facilities	NP	NP	NP	NP	CU	NP	NP	<u>NP</u>	NP	<u>NP</u>	NP	NP	CU	CU	Sec. 4.4G
Gas Station	NP	P	P	P	CU	P	P	<u>P</u>	CU	<u>CU</u>	CU	P	P	CU	
Gas Station, Large	NP	CU	P	P	CU	CU	CU	<u>CU</u>	CU	<u>CU</u>	CU	P	P	CU	
Gas Station, Limited	P	P	P	P	CU	P	P	<u>P</u>	CU	<u>CU</u>	CU	P	P	CU	
Golf Course	NP	P	P	P	NP	P	P	<u>P</u>	CU	<u>CU</u>	CU	P	P	CU	
Grocery Store	P	P	P	P	CU	P	NP <u>P</u>	<u>P</u>	CU	<u>CU</u>	CU	P	P	CU	
Horse Racing Facility	NP	NP	NP	P	NP	NP	NP	<u>NP</u>	CU	<u>CU</u>	CU	P	P	CU	
Hotel/Motel	NP	P	P	P	NP	P	P	<u>P</u>	CU	<u>CU</u>	CU	P	P	CU	
Kennel	NP	P	P	P	CU	P	P	<u>P</u>	P	<u>CU</u>	CU	P	P	CU	Sec. 8.4
Medical/Dental/Optical Office, Small	P	P	P	P	CU	P	P	<u>P</u>	CU	<u>CU</u>	CU	P	P	P	
Medical/Dental/Optical Office	NP	P	P	P	CU	P	P	<u>CU</u>	CU	<u>CU</u>	CU	P	P	CU	
Mobile Home, Boat and Trailer Sales	NP	P	P	P	CU	P	NP	<u>NP</u>	CU	<u>NP</u>	CU	CU	P	CU	
Movie Theater	NP	P	P	P	NP	P	NP <u>CU</u>	<u>CU</u>	CU	<u>CU</u>	CU	P	P	CU	
Nightclub	NP	P	P	P	NP	P	NP	<u>NP</u>	CU	<u>CU</u>	CU	P	P	CU	
Non-Profit Commercial Uses	P	P	P	P	NP	P	P	<u>CU</u>	CU	<u>CU</u>	CU	P	P	CU	
Non-Profit Community Centers	P	P	P	P	CU	P	CU	<u>CU</u>	P	<u>CU</u>	CU	P	P	CU	
Parking, Commercial Offsite Accessory	NP	P	P	P	P	P	P	<u>CU</u>	CU	<u>CU</u>	CU	P	P	CU	
Pawn Shop Services	NP	P	P	P	NP	P	NP	<u>CU</u>	CU	<u>CU</u>	CU	P	P	CU	
Personal Services	P	P	P	P	CU	P	P	<u>P</u>	CU	<u>CU</u>	CU	P	P	CU	
Professional Office	P	P	P	P	CU	P	P	<u>CU</u>	CU	<u>CU</u>	CU	P	P	CU	
Professional Office, Small	P	P	P	P	CU	P	P	<u>P</u>	CU	<u>CU</u>	CU	P	P	P	
Restaurant	P	P	P	P	CU	P	P	<u>P</u>	CU	<u>CU</u>	CU	P	P	CU	
Restaurant, Fast Food	CU	P	P	P	CU	P	P	<u>CU</u>	CU	<u>CU</u>	CU	CU	P	CU	
Land Use	NC	GC	HC	LI	MI	PND¹	OC	<u>RC</u>	R	<u>RR</u>	RG	RLIC	IC	V	Additional Standards
Commercial Uses continued															Sec. 8.9
Restaurant, Fast Food, Drive-Through ⁴⁰	NP	P	P	P	CU	CU	PC <u>U</u>	<u>CU</u>	CU	<u>CU</u>	CU	P	P	CU	
Restaurant, Fast Food, Limited	P	P	P	P	CU	P	P	<u>P</u>	CU	<u>CU</u>	CU	P	P	CU	
Retail Sales and Services, General	NP	P	P	P	NP	P	NP <u>CU</u>	<u>P</u>	CU	<u>CU</u>	CU	P	P	CU	
Retail Sales Limited	P	P	P	P	NP	P	P	<u>P</u>	CU	<u>CU</u>	CU	P	P	CU	
Retail Store, Large	NP	CU	P	CU	NP	CU	NP	<u>CU</u>	CU	<u>CU</u>	CU	CU	CU	CU	

Shipping and Mailing Services	P	P	P	P	CU	P	P	P	CU	CU	CU	P	P	CU	
Short Term Rental ⁴¹	CU	NP	NP	NP	NP	P	NP	P	P	P	P	P	NP	P	Sec. 8.16
Solar Energy Facility ⁴³	NP	See Section 8.20				NP	NP	See Section 8.20						NP	Sec. 8.20
Special Event Facility	P	P	P	P	NP	P	P	CU	CU	CU	CU	P	P	CU	Sec. 8.14
Storage, Commercial	NP	P	P	P	CU	P	NP	CU	CU	CU	CU	P	P	CU	
Veterinary Services	P	P	P	P	CU	P	P	P	P	CU	CU	P	P	CU	
Wireless Telecommunications Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Art. 4B
Agricultural Uses*															
Agricultural Uses, as defined in Article 2	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Agricultural Repair Center	NP	P	P	P	P	P	P	NP	P	NP	CU	P	P	NP	
Agricultural Tourism	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Crematorium, Livestock ³⁷	CU	CU	CU	CU	CU	CU	CU	CU	P	CU	CU	CU	CU	CU	Sec. 8.19
Farm Brewery	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 8.5
Farm Winery or Distillery	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 8.5
Farm Market	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 8.6
Farmer's Market	P	P	P	NP	NP	P	NP	P	P	CU	CU	P	NP	CU	Sec. 8.6
Farm Vacation Enterprise	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Feed and/or Farm Supply Center	CU	P	P	P	P	P	P	CU	P	NP	CU	P	P	NP	
Horticultural Nurseries and Commercial Greenhouses	P	P	P	P	P	P	P	P	P	NP	CU	P	P	NP	
Landscaping Business	P	P	P	P	P	P	P	P	P	NP	CU	P	P	NP	
Rental of Existing Farm Building for Commercial Storage Structure must have existed for 5 years	NP	P	P	P	P	P	P	NP	P	CU	CU	P	P	NP	
Special Event Facility, Agricultural	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 8.14
Accessory Uses															
Accessory Uses	P	P	P	P	P	P	P	P	P	P	P	P	P	P	

NC Neighborhood Commercial
 GC General Commercial
[RC Residential Commercial](#)
 HC Highway Commercial
 LI Light Industrial
 MI Major Industrial
 PND Planned Neighborhood Development

OC Office / Commercial Mixed-Use
 R Rural
[RR Rural Residential](#)
 RG Residential Growth District
 RLIC Residential-Light Industrial-Commercial District
 IC Industrial-Commercial District
 V Village District

P Permitted Uses
 NP Not Permitted Uses

CU Conditional Uses (subject to requirements of district and/or other requirements of this Ordinance)

** Accessory Use to a planned residential community, if permitted pursuant to Section 5.4 and processed as a CU

¹ The Planning Commission may amend the permitted uses for a development in the PND District per Article 5.

² Approval process is per the Salvage Yard Ordinance.