

# Nelson County Zoning and Subdivision Ordinance Update

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Planning Commission and Board of Supervisors  
Joint Worksession 3  
*April 23, 2025*





# Agenda

- Schedule & Progress to Date
- Article Review
  - Article 4 – Primary Zoning Districts
  - Article 5 – Overlay Zoning Districts
  - Article 9 -- Nonconforming Uses, Lots, and Structures
  - Article 11 - Definitions
- Next Steps

# Project Overview & Schedule



***\*See Attachment A: Meeting Schedule***

# Draft Ordinance Structure

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**Article 1** – General Provisions

**Article 2** – Administration

**Article 3** – Permits & Applications

**Article 4** – Primary Zoning Districts

**Article 5** – Overlay Zoning Districts

**Article 6** – Use Matrix

**Article 7** – Use Standards

**Article 8** – Community Design Standards

**Article 9** – Nonconforming Uses, Lots, and Structures

**Article 10** – Subdivisions

**Article 11** – Definitions

# Article Review

# Article 4 – Primary Zoning Districts

**This Article states standards for all primary zoning districts.**

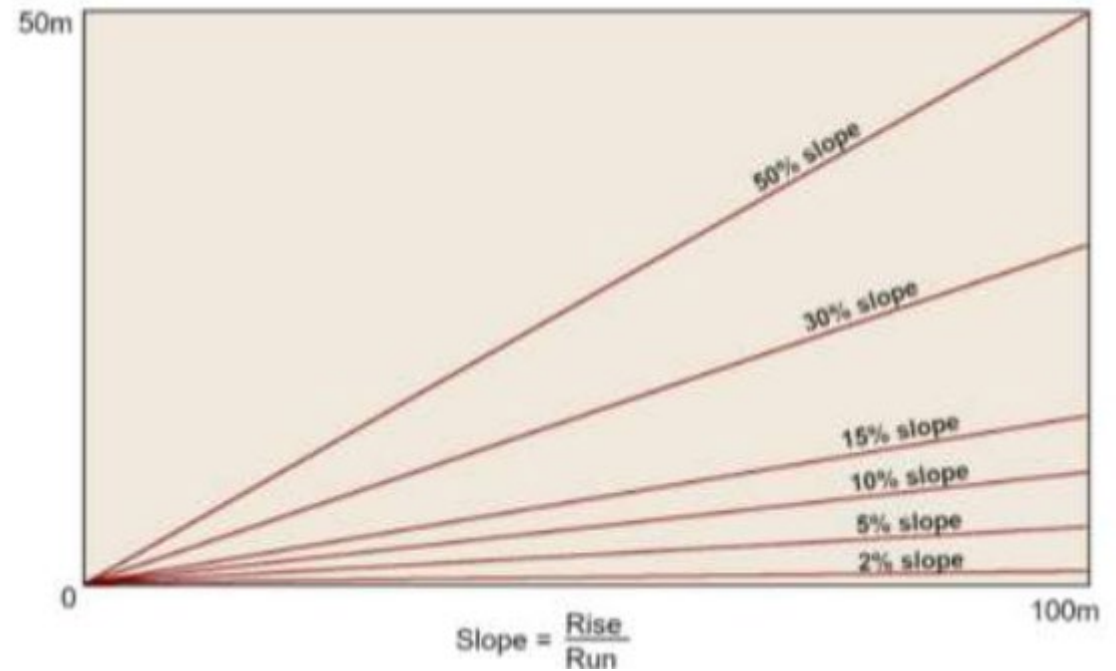
- Zoning Map will not be updated.
- Any existing lots, uses, or structures that don't meet the new standards will become nonconformities.
- The R-3 District has been created to support multi-family residential developments.
- Intent statements have been updated to increase detail and clarify purpose.
- Residential, Commercial, and Industrial districts received new naming conventions that fit their stated purpose.

Rural Districts	
C-1	Conservation District
A-1	Agricultural District
Residential Districts	
R-1	Low-Density Residential District
R-2	Mid-Density Residential District
R-3	High-Density Residential District
Commercial Districts	
B-1	Highway Business District
B-2	Neighborhood Business District
SE-1	Service Enterprise District
Industrial Districts	
M-1	Light Industrial District
M-2	Heavy Industrial District
Planned Development Districts	
RPC	Residential Planned Community District

**\*See Attachment B**

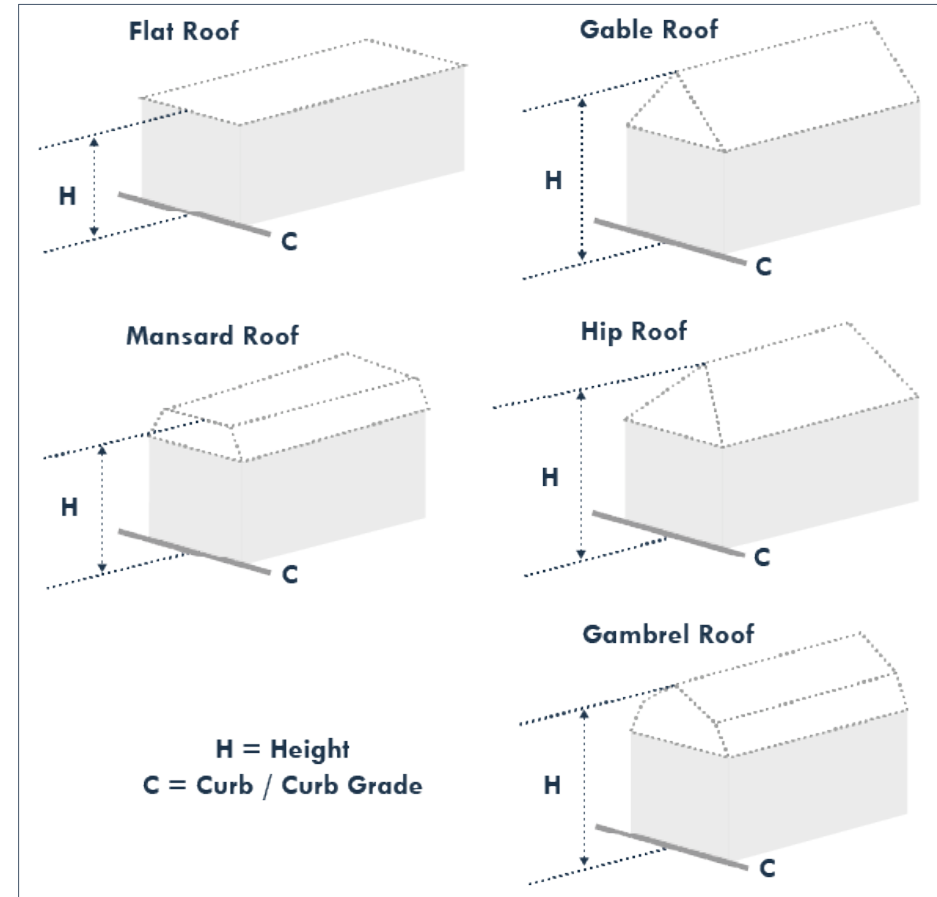
# Article 4 – Revisions to Note

- Steep (20%) and Critical (35%) slope regulations have been added.  
*\*Critical slopes require SUP.*
- Family subdivisions now have blanket standards that apply to all three districts they are allowed in.



# Article 4 – Revisions to Note

- Minimum yard requirements have been removed.
- Added standards for measurements and determinations of district standards.





# Rural Districts – Revisions to Note

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- **A-1: Removed sliding scale zoning.**
- **A-1: Minimum lot sized changed from 2 acres to 10.**
- **Road frontage increased to 200 feet.**



# Residential Districts – Revisions to Note

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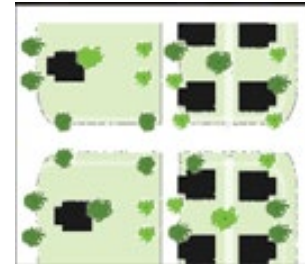
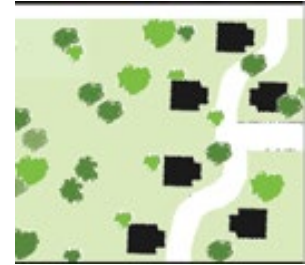
- Residential districts have been modified to reflect low, medium, and high-density residential development.

## Intent Statement:

**R-3:** This district is intended to accommodate high-density residential development, primarily consisting of multi-family housing, in areas that are served by adequate infrastructure, such as public water and wastewater services and major transportation routes. This district promotes well-planned, sustainable residential growth while maintaining compatibility with surrounding land uses. Limited non-residential uses, such as community-oriented services, parks, and facilities, may be permitted to support residents and enhance the district's livability.

# Residential Districts – Revisions to Note

- R-1: No lower lot size for public water and sewer.
- R-2: No longer requires public water and sewer
- R-2: Minimum lot size of 1 acre for private water and sewer, and 20,000 square feet for public.
- R-3: Requires 10,000 square foot lot size (~4 du/acre) with public water and sewer.
- R-3: Increased maximum building height of 45 ft.



# Commercial Districts – Revisions to Note

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## Intent Statements:

**B-1:** This district is intended to support general commercial activities that require direct and frequent public access. It accommodates a broad range of retail, service, and office uses designed to serve both the traveling public and the surrounding community. The district promotes attractive, accessible development along principal roadways while discouraging traffic diversion onto local streets or through residential neighborhoods. Uses involving heavy trucking are not supported, except for routine stocking and delivery of retail goods. Activities should not generate nuisance impacts beyond the typical light and noise associated with customer traffic and passenger vehicles.

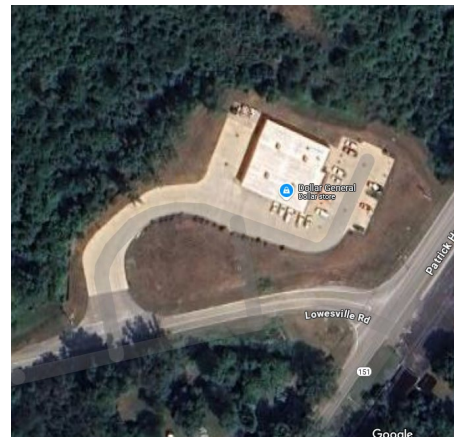
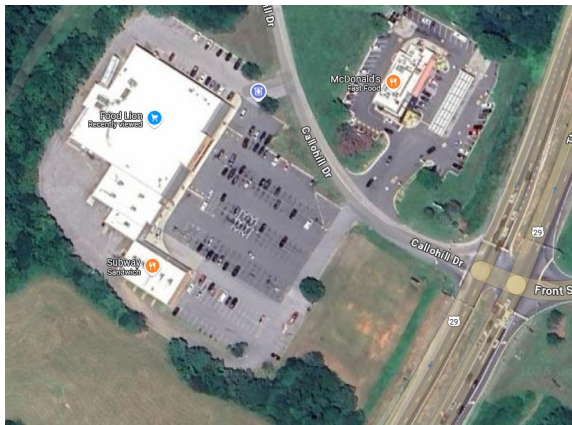
**B-2:** This district is intended to provide small-scale commercial development with uses designed for the service of daily needs of nearby residents, while maintaining the character of the surrounding neighborhood. Traffic and noise are held to a minimum to protect surrounding property.

**SE-1:** This district is designed to balance the area's need for service-oriented commercial uses adjoining residential and agricultural districts. The district allows limited service-oriented commercial uses that are compatible with the low-density, quiet, rural atmosphere characterized and promoted within agricultural and residential districts. This district is characterized by significant setbacks and limited signage. The district supports a mix of agricultural, residential, and small-scale commercial enterprises—such as farm-based businesses, agritourism, and artisan services—that promote economic vitality while preserving the area's scenic qualities and rural way of life.

# Commercial Districts – Revisions to Note

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- Commercial districts modified to create highway commercial, neighborhood commercial, and service enterprise commercial.
- B-2: Added lot size and setbacks to the B-2 district.
- SE-1: Created a single setback for SE-1 rather than based on use type.



# Industrial Districts – Revisions to Note

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- Modified industrial districts to represent light industrial uses and heavy industrial uses.
- Added district standards to M-2:
  - 40,000 sq. ft. lot size
  - Setbacks:
    - 40 ft. front
    - 30 ft. side
    - 30 ft. rear
    - 40 ft. corner
    - 30 ft. accessory
    - 100 ft. residential/rural adjacent
  - 60 ft. height limit



# Planned Districts – Revisions to Note

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- **RPC district: Only minor organizational structure or terminology.**
- **County should work with Wintergreen Resort to identify potential improvements that can be made for future drafts.**
- **Intent can be modified to state that County does not wish to rezone more land to this district or to utilize this zone in an area not adjacent to existing RPC.**

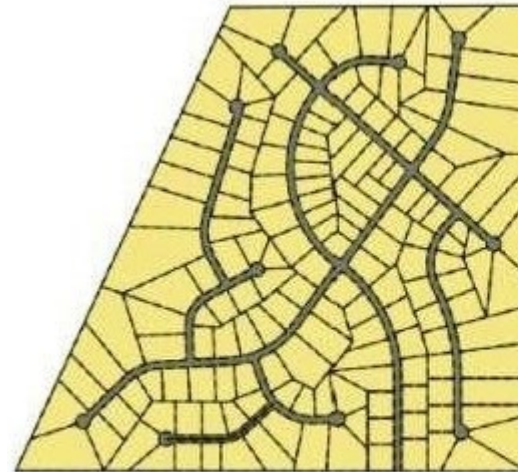


# Cluster Development – Revisions to Note

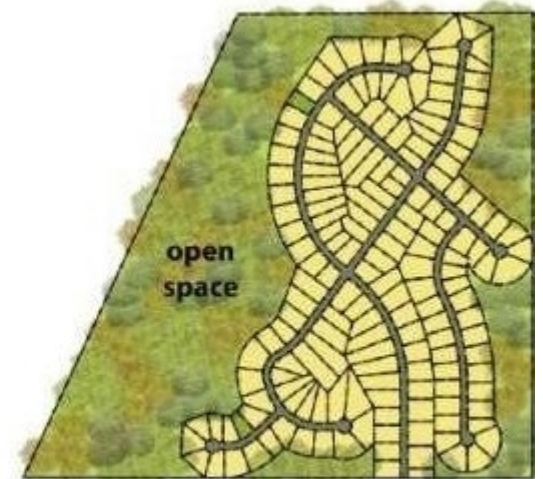
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## Modified to incentive cluster housing development

- Allows additional density in C-1, A-1, R-1.
- Density bonus system allows greater density if certain criteria are met.
- Lowered minimum required development acreage.
- Added a 100 ft. setback from property lines to clusters homes internally. This ensures the required open space borders the development property.



**Traditional Subdivision**  
- large lots  
- no preserved open space



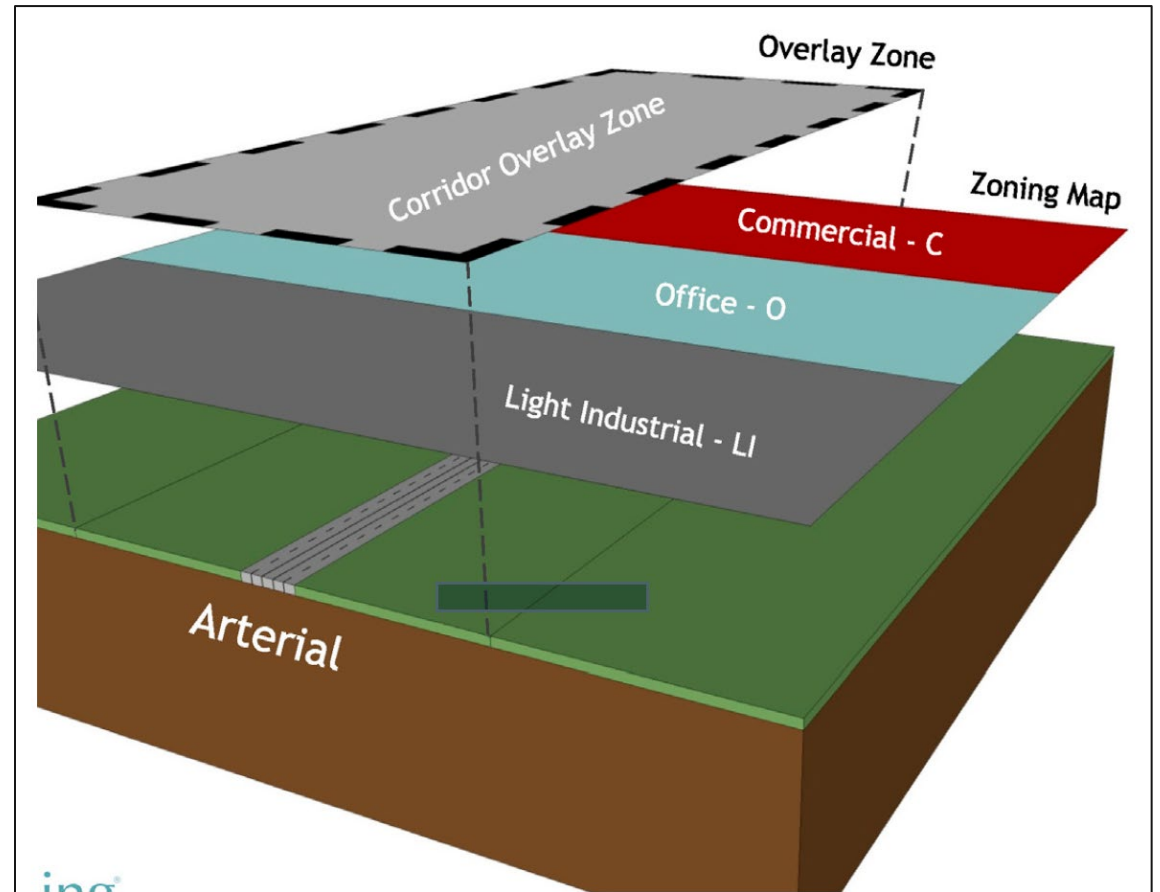
**Cluster Subdivision**  
- smaller lots  
- open space preserved



# Article 5 – Overlay Zoning Districts

Overlay districts differ from primary districts because they “overlay” the primary district and any requirements or benefits are in addition to any regulation in the underlying zone.

Rural Districts	
FP	General Floodplain District
VO	Village Overlay District
CO29	Route 29 Corridor Overlay District



*\*See Attachment C*

# Floodplain District – Revisions to Note

- Updated intent statement with FEMA's model ordinance.
- Reorganized for better usability.
- Minor updates to improve clarity and better reflect FEMA's model ordinance.

# Village District – Revisions to Note

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**New overlay district intended to provide traditional village development to rural villages designated in the comprehensive plan (Piney River, Gladstone, Schuyler, Shipman, Faber, Arrington).**

**Intent Statement:** The Village Overlay District is established to preserve and enhance traditional village character in historic communities by promoting walkable, mixed-use development that integrates residential, office, commercial, and public uses. This district provides flexibility for small-scale businesses, housing, and essential services and supports the rehabilitation of older structures, infill development of vacant lots, and infrastructure improvements to reinforce the village as a rural community hub. This district is intended to promote the land use policies for rural villages throughout the County as established in the Comprehensive Plan.

# Village District – Revisions to Note

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- Smaller minimum lot sizes and setbacks, especially if served by public water and sewer.
- Additional landscaping requirements that will be created in Article 8.
- Limit to the size of commercial activities.
- Encouraging interconnectivity and pedestrian friendly infrastructure.



# Route 29 District – Revisions to Note

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**New overlay district intended to promote desirable commercial activities and ensure safe and well-planned connections.**

**Intent Statement:** The Route 29 Corridor Overlay District is intended to promote high-quality commercial development along Nelson County's key thoroughfare and gateway. This district allows for a broader range of tourism-friendly businesses and services while emphasizing cohesive design and development standards that enhance the corridor's visual character and functionality. Additional design standards, including those related to landscaping, signage, and site aesthetics, are encouraged to support the preservation and promotion of the County's natural beauty and promote a gateway corridor that reflect the values of the County.

# Route 29 District – Revisions to Note

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- The overlay will apply to any new commercial or industrial development within 500 ft. of Route 29.
- The development must adequately address access points and traffic impacts on 29.
- New connections to Route 29 will be limited and interconnectivity is encouraged.
- Additional landscaping requirements, specifically frontage and parking, will be required and will be created in Article 8.
- Additional sign regulations will also be created in Article 8.
- In “exchange” the district offers lower minimum lot sizes than A-1 and will allow additional commercial uses to be built by-right than those in A-1.

# Potential Route 151 Corridor Overlay

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## County consideration of Route 151 corridor overlay.

- Would require a scope amendment if the County wants it completed during this project.
- Some potential ideas include:
  - Additional access management and design standards similar to CO29
  - Modified district standards, such as extra setbacks.
  - Limited use permissions or additional use standards.
- Note: Prevalence of SE-1 and A-1 along this corridor. Current and proposed district and use standards may satisfy the needs of this area.

# Article 9 – Nonconforming Uses, Lots, & Structures

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## Dictates properties & uses that don't conform to new Zoning Ordinance

- Regulated through Code of Virginia
- Addresses instances where an existing lot, use, or structure doesn't meet standards in the new Ordinance but did under old Ordinance
- Allows those nonconformities to exist with specific restrictions

Division 1. General

Division 2. Nonconformities



***\*See Attachment E***



# Article 9 – Nonconforming Uses, Lots & Structures

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## Revisions to Note

- Existing provision that allowed nonconforming uses to waive a fee for a rezoning/SUP has been expanded to include buildings and lots
- Now allow a nonconforming use to expand into a pre-existing building
- No longer allow for extension of nonconforming uses after discontinued for two years
- Allow lots to be used or built upon when they can't meet front setback if the front setback is no greater than the average of adjoining lots

# Article I I – Definitions

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## Includes definitions for Article 1, 2, 3, 4, 5, & 9

- Added several new definitions and abbreviations for current Articles
- Modified some definitions from existing (*\*See Attachment G*)
- Definitions based on Code of Virginia and planning best practices

Division 1. Abbreviations

Division 2. Word Usage

Division 3. General and Use Definitions

Division 4. Overlay District Definitions

*\*See Attachment E & F*

# Questions & Discussion

# Next Steps

Zoning Districts  
(Articles 6, 7)  
June 25

- Joint Kickoff Work Session
- Public Workshops – October 22 & 30
- Focus Groups – October 30
- Work Session 1: Public Engagement Summary
- Draft Ordinance Articles
- Work Sessions 2-6 – Feb. 2025 through Oct. 2025
- Public Open House and Review – Nov. 2025
- Pre-Adoption Worksession – December 2025
- Final Revisions
- Public Hearings & Adoption – Feb. & March 2026



# Contacts

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