

**ORDINANCE REPEALING
AND
RE-ENACTING
PORTIONS OF
TABLE 17-806.01
OF THE CODE OF ORDINANCES
OF
ROCKINGHAM COUNTY, VIRGINIA**

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF ROCKINGHAM COUNTY, VIRGINIA:

That portions of Table 17-806.01 be and hereby is repealed and re-enacted as follows:

Table 17-806.01. Area, Setback, and Height – Conventional

In the A-1, A-2, and RV zoning district:

Increase side setback for accessory dwellings from 5' to 15'.

In the R-1 zoning district:

Reduce minimum front setback from 35' to 25' if right-of-way is 50' or greater and 50' from centerline of road if right-of-way is less than 50'.

Reduce minimum rear setback for single-family detached dwellings from 35' to 25'

Reduce minimum side setback for single-family detached dwellings from 15' to 10'

Reduce minimum side and rear setbacks for accessory structures from 10' to 5'.

In the R-2 zoning district:

Reduce minimum front setback from 35' to 25' if right-of-way is 50' or greater and 50' from centerline of road if right-of-way is less than 50'.

Reduce minimum rear setback for single-family detached dwellings and duplex dwellings from 35' to 25'

Reduce minimum side and rear setbacks for accessory structures from 10' to 5'.

In the R-3 zoning district:

Reduce minimum front setback from 35' to 25' if right-of-way is 50' or greater and 50' from centerline of road if right-of-way is less than 50'.

Reduce minimum side and rear setbacks for accessory structures from 10' to 5'.

Remove "8 lots per acre maximum" under minimum lot size for rowhouses.

Remove "18 units per acre maximum" under minimum lot size for apartment structures.

This ordinance shall be effective from the ___ day of _____, 201_.

Adopted the ___ day of _____, 201_.

Aye	Nay	Abstain	Absent
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Supervisor Cuevas

Supervisor Eberly

Supervisor Chandler

Supervisor Kyger

Supervisor Breeden

Chairman of the Board of Supervisors

ATTESTE:

Clerk

STAFF RECOMMENDATION

APPROVAL

August 5, 2016

This is a County-initiated request. Community Development staff met with the Fire Chief and two Assistant Fire Marshals to determine the requested setbacks. In reducing the setbacks for primary dwellings and accessory structures, it reduces the amount of land used up for dwelling lots and yet maintains the distance that Fire & Rescue considers a safe distance between dwellings. Staff recommends approval.

Table 17-806.01. Area, Setback, and Height Standards - Conventional

Structures or Uses by Zoning Districts	Minimum Lot Size	Minimum Lot Width	Minimum Front Setback	Minimum Side Setback	Minimum Rear Setback	Maximum Building Height
Conventional Districts						
A-1, Prime Agricultural						
Primary structures	1 acre	100 feet	See footnote. [◇]	15 feet	35 feet	45 feet
Accessory dwellings	--	--	No closer than primary structure.	515 feet	5 feet	Height shall not exceed height of primary structure
Accessory structures, which are 580 sq ft or less of floor area	--	--	See footnote. [◇]	5 feet	5 feet	45 feet
Accessory structures, which are more than 580 sq ft of floor area	--	--	See footnote. [◇]	15 feet	35 feet	45 feet

[◇] Minimum Front Setback Requirements consist of two (2) distances:
 Thirty-five (35) feet is the required distance from the road right-of-way if the right-of-way is fifty (50) feet or greater, or
 Sixty (60) feet is the required distance from the centerline of the road if the right-of-way is less than fifty (50) feet.

Table 17-806.01. Area, Setback, and Height Standards - Conventional

Structures or Uses by Zoning Districts	Minimum Lot Size	Minimum Lot Width	Minimum Front Setback	Minimum Side Setback	Minimum Rear Setback	Maximum Building Height
A-2, General Agricultural						
Primary structures	1 acre	100 feet	See footnote. [◇]	15 feet	35 feet	45 feet
Accessory dwellings	--	--	No closer than primary structures	515feet	5 feet	Height shall not exceed height of primary structure
Accessory structures, which are 580 sq ft or less of floor area	--	--	See footnote. [◇]	5 feet	5 feet	45 feet
Accessory structures, which are more than 580 sq ft of floor area	--	--	See footnote. [◇]	15 feet	35 feet	45 feet

[◇] Minimum Front Setback Requirements consist of two (2) distances:
 Thirty-five (35) feet is the required distance from the road right-of-way if the right-of-way is fifty (50) feet or greater, or
 Sixty (60) feet is the required distance from the centerline of the road if the right-of-way is less than fifty (50) feet.

Table 17-806.01. Area, Setback, and Height Standards - Conventional

Structures or Uses by Zoning Districts	Minimum Lot Size	Minimum Lot Width	Minimum Front Setback	Minimum Side Setback	Minimum Rear Setback	Maximum Building Height
RV, Rural Village						
Primary structures	20,000 sq. ft.	100 feet	See footnote. [◇]	15 feet	35 feet	45 feet
Accessory dwellings	--	--	No closer than primary structures	515feet	5 feet	Height shall not exceed height of primary structure
Accessory structures, which are 580 sq ft or less of floor area	--	--	No closer than primary structures	5 feet	5 feet	45 feet
Accessory structures, which are more than 580 sq ft of floor area	--	--	No closer than primary structures	15 feet	35 feet	45 feet

[◇] Minimum Front Setback Requirements consist of two (2) distances:
 Thirty-five (35) feet is the required distance from the road right-of-way if the right-of-way is fifty (50) feet or greater, or
 Sixty (60) feet is the required distance from the centerline of the road if the right-of-way is less than fifty (50) feet.

Table 17-806.01. Area, Setback, and Height Standards - Conventional

Structures or Uses by Zoning Districts	Minimum Lot Size	Minimum Lot Width	Minimum Front Setback	Minimum Side Setback	Minimum Rear Setback	Maximum Building Height
RR-1, Residential or Recreational						
Single-family detached dwellings Manufactured homes	5 acres	100 feet	See footnote. [◊]	35 feet	35 feet	35 feet
Accessory structures, which are 580 sq ft or less of floor area	---	---	See footnote. [◊]	35 feet	35 feet	35 feet
Accessory structures, which are more than 580 sq ft of floor area	---	---	See footnote. [◊]	35 feet	35 feet	35 feet
R-1, Low Density Residential						
Single-family detached dwellings	15,000 sq. ft.	100 feet	See footnote. ^{◊◊}	45 10 feet	35 25 feet	35 feet
Accessory structures	---	---	No closer than primary structure.	40 5 feet	40 5 feet	No higher than primary structure

[◊] Minimum Front Setback Requirements consist of two (2) distances:
 Thirty-five (35) feet is the required distance from the road right-of-way if the right-of-way is fifty (50) feet or greater, or
 Sixty (60) feet is the required distance from the centerline of the road if the right-of-way is less than fifty (50) feet.

^{◊◊} Minimum Setback Requirements consist of two (2) distances:
Twenty-five (25) feet is the required distance from the road right-of-way if the right-of-way is fifty (50) feet or greater, or
Fifty (50) feet is the required distance from the centerline of the road if the right-of-way is less than fifty (50) feet.

Table 17-806.01. Area, Setback, and Height Standards - Conventional

Structures or Uses by Zoning Districts	Minimum Lot Size	Minimum Lot Width	Minimum Front Setback	Minimum Side Setback	Minimum Rear Setback	Maximum Building Height
R-2, Medium Density Residential						
Single-family detached dwellings	12,000 sq. ft.	90 feet	See footnote. ³⁵	10 feet	35 ²⁵ feet	35 feet
Duplex dwellings	6,000 sq. ft. per unit	45 feet	See footnote. ³⁵	10 feet on side not adjoining other duplex dwelling	35 ²⁵ feet	35 feet
Accessory structures	---	---	No closer than primary structure	40 ⁵ feet	40 ⁵ feet	No higher than primary structure

³⁵ Minimum Front Setback Requirements consist of two (2) distances:

Thirty-five (35) feet is the required distance from the road right-of-way if the right-of-way is fifty (50) feet or greater, or Sixty (60) feet is the required distance from the centerline of the road if the right-of-way is less than fifty (50) feet.

²⁵ Minimum Setback Requirements consist of two (2) distances:

Twenty-five (25) feet is the required distance from the road right-of-way if the right-of-way is fifty (50) feet or greater, or Fifty (50) feet is the required distance from the centerline of the road if the right-of-way is less than fifty (50) feet.

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Structures or Uses by Zoning Districts	Minimum Lot Size	Minimum Lot Width	Minimum Front Setback	Minimum Side Setback	Minimum Rear Setback	Maximum Building Height
R-3, General Residential						
Single-family detached dwellings	10,000 sq. ft.	80 feet	See footnote. [Ⓛ]	10 feet	25 feet	35 feet
Deuplex dwellings	5,000 sq. ft. per unit	40 square feet	See footnote. [Ⓛ]	10 feet	25 feet	35 feet
Rowhouses	1,800 sq. ft. per unit; 8 lots per acre maximum	10 feet; end lot 30 feet	See footnote. [Ⓛ]	10 feet for end lots	20 feet	45 feet

[Ⓛ] Minimum Front Setback Requirements consist of two (2) distances:

Thirty-five (35) feet is the required distance from the road right-of-way if the right-of-way is fifty (50) feet or greater, or Sixty (60) feet is the required distance from the centerline of the road if the right-of-way is less than fifty (50) feet.

^{ⓁⓁ} Minimum Setback Requirements consist of two (2) distances:

Twenty-five (25) feet is the required distance from the road right-of-way if the right-of-way is fifty (50) feet or greater, or Fifty (50) feet is the required distance from the centerline of the road if the right-of-way is less than fifty (50) feet.

Table 17-806.01. Area, Setback, and Height Standards - Conventional

Structures or Uses by Zoning Districts	Minimum Lot Size	Minimum Lot Width	Minimum Front Setback	Minimum Side Setback	Minimum Rear Setback	Maximum Building Height
Apartment structures	14,000 sq. ft. for 3 units; add 1,000 sq.ft. for each additional unit over 3 units; 18 units per-acre maximum	80 feet	See footnote. ⁵⁵	10 feet on side not adjoining other apartment building	25 feet	45 feet
Accessory structures	---	---	No closer than primary structure	40 ⁵ feet	40 ⁵ feet	No higher than primary structure
MH-1, Mixed Home District						
Primary structures	6,000 sq. ft.	50 feet	35 feet	10 feet to lot lines; 25 feet to project perimeter	10 feet to lot line; 25 feet to project perimeter	--
Accessory structures	--	--	35 feet	5 feet	5 feet	No higher than primary structure

⁵⁵ Minimum Setback Requirements consist of two (2) distances: Twenty-five (25) feet is the required distance from the road right-of-way if the right-of-way is fifty (50) feet or greater, or Fifty (50) feet is the required distance from the centerline of the road if the right-of-way is less than fifty (50) feet.