

WESTMORELAND COUNTY ZONING ORDINANCE AMENDMENTS

July 1, 1971

Article XV – EFFECTIVE DATE - This zoning ordinance of Westmoreland County, Virginia, shall be effective at and after 12:01 A.M., July 1, 1971. [Recorded Deed on this date begin with DB 233 PG 710.]

July 12, 1972

Board of Supervisors Book #5 - Amend Section 1-27.1

April 1, 1973

Board of Supervisors Book #5 - Amendment ARTICLE II, DISTRICTS - 1-2, 1-3.3, 1-3.5, 1-3.6, ARTICLE III - DIMENSIONAL REQUIREMENTS, ARTICLE IV - USE REGULATIONS - Section 1-10, ARTICLE VI - GENERAL PROVISIONS - Sections 1-21.2, 1-21.3, 1-21.4, 1-21.5, 1-22.1, ARTICLE VI - GENERAL PROVISIONS - Section 1-25.1, 1-26, 1-26.5, ARTICLE VII - AMENDMENTS - Section 11-29.1, ARTICLE XIV - DEFINITIONS - Section 1-38.07, 1-38.88

June 13, 1973

Board of Supervisors Book #5 - Amend Section 1-22 and Section 1-22.2

July 11, 1973

Board of Supervisors Book #5 - Listed Residential (R-2) District Areas

November 18, 1974

Board of Supervisors Book #6 - Amended Section 1-22

June 11, 1975

Board of Supervisors Book #6 - Amended Use Column to add "Administrative Office", "Antique Shop" and "Farm Machinery Sales and Services"

January 14, 1976

Board of Supervisors Book #6 - Amended Use Column to add " Water Well Drilling"

January 19, 1977

Board of Supervisors Book #7 - Amended Use Column to add "Automotive Repair Garage".

September 21, 1977

Board of Supervisors Book #8 - Amended Use Column to add "a-10 Automotive Repair Garage in an Industrial (M-1) District". Listed Business (B-2) District Areas and entered on the line "j-02 Junk Yard" under B-2 District.

December 21, 1977

Board of Supervisors Book #8 - Amended ARTICLE XIV - DEFINITIONS - Add Section 1-38.62:1. ARTICLE IV - USE REGULATIONS - "a-02 Administrative Offices permitted in R-1 District with a conditional use permit"

June 14, 1978

Board of Supervisors Book #8 - Amended ARTICLE XIV - DEFINITIONS - Add Sections 1-38.01:1, 1-38.06:1, 1-38.20:1, 1-38.20:2, 1-38.30:1, 1-38.36:1, 1-38.43:1, 1-38.43:2, 1-38.68:1, 1-38.68:2, 1-38.70:1, 1-38.70:2, 1-38.71:3, 1-38.80:1, 1-38.85:1, 1-38.87:1, 1-38.91:1, 1-38.91:2

August 16, 1978

Board of Supervisors Book #9 - Amended Use Column to add :Contractors a-14 to permit in B-2 and A-1 with Conditional Use Permit"

WESTMORELAND COUNTY ZONING ORDINANCE AMENDMENTS

April 18, 1979

Board of Supervisors Book #9 - Add to definition of Minimum Lot Area "except for easements for utilities used solely for the benefit of such specific lot"

May 11, 1979

Board of Supervisors Book #9 - ARTICLE IV - USE REGULATIONS - Add "c-15 Communication Facilities and/or Tower in a Business (B-1) District"/ Add C/U as permitted use in A-1 District column.

May 16, 1979

Board of Supervisors Book #9 - ARTICLE VI - GENERAL PROVISIONS - Sections 1-27.1, 1-27.2

August 15, 1979

Article IV, Section 1-10, c-02 Campground - Delete "X", Article IV, Section 4-1: Add p-15 - Permanent Sawmill, Article VI, Section 6-1; Add 6-1.4 - Zoning Permits.

September 19, 1979

Board of Supervisors Book #10 - Amend Article XIV - Definitions - Section 14-1.10, Article IV - Use Regulations - Amend to add Business (B-3) District column; Article IV - Use Regulations - Add "r-06, Race Track, Automotive" and amend Business (B-3) District column to add "S/E" as a permitted use with a special exception. Article IV - Use Regulations - Amend "t-01 Theaters" to read "t-01, Theaters, other than Drive-In" and delete "S/E" under Agricultural (A-1) District column to add "S/E" as a permitted use with a special exception. Article II - Districts - Section 2-1, "Map Symbol" column add B-2 and B-3 opposite Business District. Also under "Map Color" column change "Red" opposite "B-1" to "Red, Solid"; add "Red, diagonal" opposite "B-2"; and add "Red, cross hatch" opposite "B-3".

November 21, 1979

Board of Supervisors Book #10 - Article XIV - Definitions - Amend Section 14-1.105 and add 14-1.106 and 14-1.107, Article II - Districts - Insert "General" after "Business District". Add 2-2.9 "Business - Restricted, (B-2) and 2-2.10 "Business - Open Land (B-3)". Article IV - Use Regulations - Section r-01, Recreation Area Change use column to read "Recreational Area, Private" and delete "X" under R-1 and R-2 and insert "S/E" under R-1 and R-2. Add "r-01.1 Recreation Area, Public" and insert "S/E" under B-3. Article VIII - Administration - Add Section 8-2.1, Article XIV - Definitions - change 14-1.143 (delete last two sentences.)

January 15, 1980

Board of Supervisors Book #10 - Article XIV - Definitions - Amend Section 14-1.79, Article III- Dimensional Requirements - Amend Section 3-1 under B-1 and M-1 and Section 3-1 under R-1 and R-2.

February 19, 1980

Board of Supervisors Book #10 - Article XIV - Definitions - Amend Sections 14-1.16, 14-1.32, 14-1.64, 14-1.88, 14-1.128 and 14-1.89, Article IV - Use Regulations - Amend "g-02" to read "Grain and Fertilizer Storage, Commercial" instead of g-02 Graineries and Grain Elevators."

April 17, 1980

Board of Supervisors Book #10 - Article III - Dimensional Requirements - Amend Section 3-1 under B-2 and B-3 columns. Article VI - General Provisions - Add to Section 6016.1 "Zoning Permit When Accompanied with a Building Permit – No Zoning Fee".

June 19, 1980

Board of Supervisors Book # 10 - Article VI - General Provisions - Amend Section 6-15 by deleting the words "Zoning Administrator". Amend Section 6-15.5 by deleting the words "Zoning Administrator" and insert in lieu thereof "County".

WESTMORELAND COUNTY ZONING ORDINANCE AMENDMENTS

September 18, 1980

Board of Supervisors Book #10 - Article IV - Use Regulations - Use Column - Amend as follows: under "w-06, Water Well Drilling" permitted with "S/E" in Agricultural, A-1 District.

January 14, 1981

Board of Supervisors Book #10 - Article IV - Use Regulations - Use Column - Amend as follows: Under "f-01, Farming, General" delete in its entirety.

May 21, 1981

Board of Supervisors Book #10 - Article XIV - Definitions - Amend Section 14-1.89.

November 19, 1981

Board of Supervisors Book #10 - Article XIV - Definitions - Add Section 14-1.77, amend Article IV - Use Regulations - Use Column - Amend as follows: Under "l-06 Landfill, Sanitary" permitted with "S/E" in B-2, Business District, Restricted.

January 13, 1982

Board of Supervisors Book # 10 - Article IV - Use Regulations - Use Column - Amend as follows: Under "a-10 Automotive Repair Garage" permitted with "S/E" in B-1, Business District, General.

July 14, 1982

Board of Supervisors Book #11 - Article IV - Use Regulations - Delete uses shown on lines s-07, s-08, s-09, s-10, s-11 and s-12 and insert new uses; Article VI - Section 1-28 Sign Regulations - Article XIV - Definitions - Delete all definitions for signs and add new definitions.

September 8, 1982

Board of Supervisors Book #11 - Change Index to include Waterfront Related Structures and A Waterways; Change Article II - Districts to add Seafood, S-1 District and also add new Section 2-2.12 and delete present sections and add new Section 2-3.2; Change Article III - Dimensional Requirements to provide for new S-1 and other changes; change Article IV -Use Regulations p Delete items s-03, Seafood Processing Plant, and add new s-03 and s-03.1 and use indicator symbols to provide for S-1; change Article VI - General Provisions - add 6-6 through 6-6.6; and change Article XIV - Definitions.

November 10, 1982

Board of Supervisors Book #11 - Article IV - Use Regulations, Article V - Nonconforming Uses, and Article XIV - Definitions - make changes and additions concerning home occupations; Article VI - General Provisions - add new subsection 6-2.6 setting time limits on special exceptions; and Article VI - General Provisions - add new section 6-18 concerning inoperative motor vehicles.

December 8, 1982

Board of Supervisors Book #11 - Article III - Dimensional Requirements - In sections 3-2, 3-3, 3-4 and 3-5 add the following in each category: "Business (B-2) and (B-3) - To be established as a term of the special exception, if issued; Article IV - Use Regulations - On line a-10, Accessory Uses, insert the symbol "S/E" under the "B-2" and "B-3" columns; and Article III - Dimensional Requirements - Make additions as shown.

February 9, 1983

Board of Supervisors Book #11 - add to Article III - Dimensional Requirements - a new section 3-7 entitled "Exception for Adjacent parcels of the Same Owner".

WESTMORELAND COUNTY ZONING ORDINANCE AMENDMENTS

April 21, 1983

Board of Supervisors Book #11 - Article II - Districts add R-3, Residential Planned Development and Subsection 2-2.6, Residential Planned Development and subsection 2-2.6, Article IV - Use Regulations add R-3, Residential, Planned Development, Article VI - General Provisions - Add 6-7, 6-7.1, 6-7.2, 6-7.3 and 6-7.4.

June 16, 1983

Board of Supervisors Book #11 - Article IV - Use Regulations - Delete "c-06, Clubs, Fraternal and Civic, c-07 - Clubs, Golf and Country, c-08 - Clubs, Hunting and Fishing and c-09 -Clubs, Yacht and add c-06 - Clubs, Article VI - General Provisions add 6-3 and Article XIV - Definitions add 14-1.34, 14-1.33, 14-1.36 and 14-1.132.

July 13, 1983

Board of Supervisors Book #11 - Article II - Districts add sentence to 2-2.8, Article VI - General Provisions add 6-8.

April 19, 1984

Board of Supervisors Book #11 - Article II - Districts add sentence to 2-2.8, Article VI - General Provisions add 6-8.

August 8, 1984

Board of Supervisors Book #11, amend Article XIV - Definitions; Agriculture; and Animal or Poultry Husbandry; add Article IV - Use Regulations a-11, Animal or Poultry Husbandry; amend Article II, Districts to include Campgrounds, Manufactured home Parks and Travel Trailer Parks District; amend Article XIV - Definitions - Campgrounds; delete Trailer, Manufactured home, Camper and Tent; add - Travel Trailer; Delete - Trailer Park or Camper; add - Travel Trailer Park; add - Manufactured home; add - Manufactured home Park; Delete existing sections on manufactured homes; add 6-11 & 6-12 - Manufactured home Parks; 6-13, - Area Requirements 6-13.1 - Width; 6-13.2 - Distance between Manufactured homes; - Sanitary Facilities; - Water and Sewer; - Fire Protection; Setbacks; - Site Plan; amend Article IV - Use Regulations - Use Column; delete c-02 Campground; add c-02 Campground; add m-08 Manufactured home Parks; delete t-03 - Trailer, Camps and Parks; add t-03 - Travel Trailer Parks.

December 12, 1984

Board of Supervisors Book #12 - Amend Section 2-2.4 - Residential District (R-1); amend Section 6-11, Mobile/Manufactured Home Parks; Amend Subsection 6-13.1 - Area Requirements; Amend Subsection 6-13.3, Electrical Connections; add Subsection 6-12.3 - Recreational Area; add Subsection 6-12.4 - Refuse Disposal; add Subsection - Site Plan; amend Section - Hospital; and amend Section 14-1.90, Manufactured home/Manufactured Home.

March 13, 1985

Board of Supervisors Book #12 - delete section *Marina*; add Section 14-1.86, *Marina, Commercial or Club Type* add Section 14-1.87, *Marina, Private Non-Commercial*.

May 8, 1985

Board of Supervisors Book #12 - Article IV - Use Regulations - add - *Section c-07 - Child Care Centers*, add *Section f-01 - Family Day Care Home*, add *Section h-06 - Hospital, Special Care*. Article XIV - Definitions - add - *Child-Care Centers*, add - *Family Day-Care Homes*, delete - *Nursing Homes*.

August 14, 1985

Article II - District to include a new district "*Townhouse, condominium and Apartment District*", amend Article XIV - Definitions, add - 14-1.138 - *Townhouse*, add - 14-1.42 - *Condominium*, and amend Article IV - Use Regulations, delete - c-13 - *Contractors Storage Yard*, as a permitted use in a B-1 and a conditional use within A-1 and add as a permitted use within B-3 District. Delete s-03.1 "*Seafood Facility, Processing*" as a permitted use within B-1 and B-3 Districts. Delete w-01 "*Warehouse*" as a special exception within B-1, add as a permitted use within B-1, B-2 and B-3 Districts. Article XIV - Definitions, add "*Warehouse*" and "*Contractor's Storage Yard*".

October 9, 1985

Article XIV - Section 14-1.137 - *Pertaining to Travel Trailers, changing the length from 32 feet to 40 feet*.

WESTMORELAND COUNTY ZONING ORDINANCE AMENDMENTS

December 11, 1985

Article VI - Section 6-16, "Fees and Costs - 6-16.1 - Increase Variance and Appeal Application fee from \$20.00 to \$75.00.

March 12, 1986

Article VI, Section 6-16, Fees and Cost - 6-16.1 - Special Exception Applications, Special Use Permit Applications, Change of Zoning District Classification Applications and applications for Zoning Ordinance Amendments. Article IV - Use Regulations - amend "c-14, Contractors to read c-14 - Contractors office" as a permitted use in B-1 and B-3 Zoning Districts and permitted by special exception in an A-1 District.

May 14, 1986

Board of Supervisors Book #12, Article IV - Use Regulations - Amend as follows; add e-01, Small Engine repairs and Sales by special exception in A-1, B-1 and B-2 Districts and as a permitted use in M-1 District. Under k-01, Kennel, delete "S/E" under B-1 and add "S/E" under B-3. Under l-02, Laboratory, Research and Development - amend A-1 District Column to add "X" as a permitted use and amend B-2 and B-3 District Columns to add "S/E" as a permitted use with a special exception. Under l-05, Lumber and Building Supply, amend B-2 and B-3 District Columns to include "X" as a permitted use. Under m-01, Machine Shops, amend B-3 District to include "X" as a permitted use. Under m-02, manufacture, Assembly, amend A-1 District Column to delete the "S/E" and add "S/E" under B-2 and B-3 District Columns, Under m-03, Manufacture of Pottery,, delete the "S/E" under A-1 District and insert "S/E" under B-2 and B-3 District. Under m-04, Marinas - change to read "m-04 - Marinas, Commercial" and delete "S/E" under A-1, R-1 and R-2 District Columns. Amend m-05 to include "Marinas, Private" and add "S/E" in R-1, R-2, R-3, R-4 B-2 and B-3 District Columns. Amend Article XIV - Definitions, add Engine Repair, Small and amend Article V- Nonconforming Conditions, Sections 5-1.1 and 5-1.6.

April 8, 1987

Article IV - Use Regulations, Subsection, d-03, Dwelling, Multi-Family, add "S/E" under R-4 District Column. Amend Article IV - General Provisions - 6-7 add wording "or R-4"

May 6, 1987

Amend Article III - Dimensional Requirements regarding Campgrounds, Manufactured home parks and Travel Trailer Parks, under Article VI - General Provisions, amend 6-11, 6-11.1, 6-12, 6-12.1, 6-12.2, 6-12.3, 6-12.4, 6-12.5, 6-12.6, 6-12.7, 6-12.8, 6-12.9 and 6-12.10; amend 6-13 - Specific Requirements - Manufactured home Park, 6-13.1, 6-13.2 and 6-13.3; amend 6-14 - Specific Requirements Campgrounds and Travel Trailer parks, 6-14.1 and 6-14.2.

June 10, 1987

Amend Article VI - General Provisions - Under 6-1 - Zoning Permits amend sub-section 6-1.1.

July 1, 1987

Amend Article IV - Use Regulations - Section 4-1, h-04 - Hospital, h-06 - Hospital, Special Care and n-01 - Nursing Home.

September 14, 1988

Amend Business, B-3, District Column to add "S/E" under "Auction Yard" add definition for Auction Yard.

February 8, 1989

Article VI - General Provision, 6-16 - Fees and Cost, 6-16.1, amend to read as follows: Zoning Permits - \$20.00, Special Exception - \$100.00, Rezoning - \$100.00 plus \$10.00 per acre.
Amend Article IV, Section 4-1, Subsection c-08 - add "Carwash", as a permitted use in a B-1 District and by "C/U" in A-1, B-2 and B-3 Districts.

March 16, 1989

Amend Article IV, Section 4-1, Subsection "b-09" add "Bed and Breakfast" as a permitted use under A-1, B-1, B-2 and B-3 District.

WESTMORELAND COUNTY ZONING ORDINANCE AMENDMENTS

Amend Article VI, Section 4-1, subsection - s-15, "Swimming Pool, Private" as a permitted use in R-4 Zoning District and subsection - s-16, "Swimming Pool, Public" permitted by "S/E" in R-4 Zoning District

April 12, 1989

Amend Article IV, Section 4-1, subsection "c-07 - Child Care Center", "f-01 - Family Day Care Homes" . "h-05 - Houses, Board or Rooming", "b-04 - Boat Building", "p-07 - Post Office", "p-12 - Public Landing", "s-08 - Business Signs", "s-09 - Sign, Direction" DELETE the above items as permitted uses with a "S/E" in a Residential, R-2, District; and under subsections "s-04 - Libraries and m-08, Museums" DELETE the "X" as a permitted use in Residential, R-2 District; and under subsections "s-02 - Schools, DELETE the "X" as a permitted use and insert "S/E " permitted by special exception in lieu thereof in a Residential, R-2 District AND under Subsection "a-07 - Antique Shop" insert "X" as a permitted use in a Business, B-1 District.

Amend Article IV, Section 4-1, Subsection b-09, *Bed and Breakfast*"; add "S/E" under Residential, R-1 Zoning District Classification.

May 10, 1989

Amend Article IV, Section 4-1, Subsection "m-02" delete "Manufacture of Wood Products" add "w-07", *Wood Product Manufacturing*" as a permitted use with a special exception in an Agricultural, A-1 District and under subsection s-10, sign "Home Occupation" delete its use entirely under R-1 and R-2 and under subsection "g-03" add *Golf Driving Range* as a permitted use with a Special Exception in an Agricultural, A-1 District. Amend Article VI, General Provisions, Section 6016 Fees and Cost ADD: "6-16.3 *When the Board determines that a zoning request, a rezoning request, a special exception application, or special use permit application should be re-advertised for any reason, not caused by the applicant, the cost of such re-advertisement shall be waived.*"

June 14, 1989

Amend Article VI, General Provisions, 6-1.3 and 6-2.3 Special Exceptions Add, *The applicant SHALL complete a Westmoreland County, Virginia, Project Impact Form.*" Amend Article IV, Section 4-1, subsection "d-06", add *Dwelling, Dormitory*, as a permitted use with a "S/E" in an Agricultural, A-1 District, and ADD under Article XIV - Definitions, Section 14-1 dd subsection "14-1.47 *Dwelling, Dormitory: A space in a building where group sleeping accommodations are provided for persons not necessarily members of the same family group, in one or in a series of closely associated rooms.*"

Amend the Westmoreland County Zoning Ordinance, Article IV, Section 4-1, subsection s-17, "Subdivision Sales Office" Add as a permitted use with a special exception in an Agricultural, A-1 District.

October 11, 1989

Amend Article VI - General Provisions, 6-2.6 Add: *The Board of Supervisors, after notice given pursuant to Section 15.2-2204 of the 1950 Code of Virginia, may extend the Special Exception up to an additional 365 days; provided however, that no hearing before the Planning Commission shall be required prior to the hearing before the Board of Supervisors.*"

November 8, 1989

Amend Article IV, Section 4-1, subsection "o-03" ADD: "Drilling of Oil and Gas Wells", as a permitted use with a Special Exception in an Agricultural, A-1 District, Business, Restricted, B-2 District, and Business, Open Land, B-3 District.

May 8, 1990

Amend Article IV - General Provision to Add: "6-6.6 "Boathouse - Criteria and Conditions", and under Article XIV - Definitions, *Boathouse* - DELETE the existing definition and insert in lieu there of new definition and, under Article IV - Use Regulations, 4-1, ADD: *b-10, Boathouse*", as a permitted use with a special exception in ALL Districts.

September 12, 1990

Add Article VII - *Chesapeake Bay Preservation Area Overlay District - 7-1 through 7-17.3.*

WESTMORELAND COUNTY ZONING ORDINANCE AMENDMENTS

March 13, 1991

Amend Article IV, Section 4-1, subsection, "s-01", *Sand and Gravel Pits*, DELETE the "X" for a permitted use in an Industrial, M-1 District and insert in lieu thereof, "S/E", permitted with a Special Exception.

Amend Article VI - General Provisions, ADD 6-3 through 6-3.7 "Conditional Zoning" and ADD: under Article XIV - 14-1.38, *Conditional Zoning*".

April 10, 1991

Amend Article IV - Use Regulations, Section 4-1, Subsection "s-06, *Shops, Retail Sales and Personal Services*" add permitted with a "S/E" in a B-2 District, and add under Section 4-1, Subsection "s-14, *Stores, Retail Sales and Services*", as a permitted use with a "S/E" in a B-2 District.

June 12, 1991

Amend Article IV - Use Regulations to allow "*Flea Market*" as a permitted use under with a special exception in a Business, B-3, District.

Amend Article IV - Use Regulations to allow "*Machine Shops and Welding Shops*" in Seafood, S-1 District with a special exception.

Amend Article IV - Use Regulations to add definition for "*Flea Market*"

Amend the Entire Westmoreland County Zoning Ordinance as follows: *Re-number the entire ordinance so that section numbers correspond with Article numbers* and DELETE the words "Conditional Use Permit" and insert in lieu thereof "*Special Exception*" throughout the entire ordinance.

September 11, 1991

Amend Zoning Ordinance to add definitions of "*Pawnbroker Shop, Machine Shop, Welding Shop and Precious Metals Dealer's Shop*". ADD under Article IV, Section 4-1, Subsection p-06, "*Precious Metals Dealer's Shop*" as a permitted use, by special exception, in a B-1, Business, General Uses District and "*p-05, Pawnbroker's Shop*", as a permitted use, by special exception, in a B-1, Business, General Uses District.

December 11, 1991

Amend Zoning Ordinance to delete existing description of "*Seafood, S-1, District*" under Article II - Districts, Subsection 2-2.12 insert in lieu thereof a new description.

February 12, 1992

Amend Zoning Ordinance under sections 2-2.6, 4-1, and 6-7 to expand the R-3, *Residential, Planned Development District*" to add a new description, adding 22 additional uses and several minimum general conditions.

November 11, 1992

Amend Zoning Ordinance, under Article V, Nonconforming Conditions, Section 5-5, Nonconforming Unimproved Lots, subsection 5-5.2 delete the word "*unimproved*" in both places.

February 16, 1994

Amend Zoning Ordinance, to ADD Article VIII, Water and Sewage Requirements and Amend Article IV - Use Regulations in accordance with new Zoning Uses in Article VIII and renumber the Zoning Ordinance Accordingly (Case #94A06)

May 13, 1997

Amend the Westmoreland County Zoning Ordinance to Add: Article IX - *Home Occupation Ordinance*.

April 14, 1997

Amend Article IV, Use Regulations, section 4-1, subsection a-09 to allow "*automotive, sales and services*" by S/E in a Business, B-2 Zoning District Classification.

WESTMORELAND COUNTY ZONING ORDINANCE AMENDMENTS

September 8, 1997

Amend Article VIII, Water Supply and Sewage Disposal Requirements to add paragraph (H) under section 8-8.

Amend the entire Ordinance by renumbering it in its entirety so that there is a consistent numbering scheme used throughout.

February 9, 1998

Amend Article IV to add Self Storage Facilities as a use permitted by Special Exception in the General Business (B-1) District, Restricted Business (B-2) District, the Open Land Business (B-3) District and the Industrial (M-1) District and add under Article XVI a definition for "Self Storage Facility".

Amend Article III, Dimensional Requirements to add the following: 3-9 Public Water and Sewage Facilities. Lots intended for public water and public sewage facilities and other public utilities and structures erected for these purposes shall be waived from the minimum lot area, minimum setback, minimum frontage and minimum year requirements, of the District in which they are located provided such facilities are landscaped and/or fenced with opaque materials to screen them from nearby roads, residences and other development, under Article IV, Use Regulations, amend to add Water and Sewer Facilities, Public as a use permitted by Special Exception in the Campgrounds, Manufactured home Parks and Travel Trailer Parks (C-2) District, Residential, Planned Development (R-3) District, Townhouse, Condominium, Apartment (R-4) District, restricted Business (B-2) District and the Open Land Business (B-3) District, and under Article XVI, Definitions and definition for "Water and Sewer Facilities, Public: System facilities, including but not limited to pumping stations, storage facilities, wells, and collection, distribution and transmission lines owned and operated by political jurisdictions such as an authority, county or town.

June 8, 1998

Amend under Article VI, General Provisions, 6-16 Fees and Costs to **delete** subsection (A), (1) through (7) and **insert** in lieu thereof the following: (A) Fees shall be paid to Westmoreland County at the time of submission of an application per the fee schedule established by the Board of Supervisors.

August 10, 1998

Amend Article III, dimensional Requirements, add "Section 3-10 Exception for Parcels of Same Owner Separated by Right-of-way".

Amend Article IV, Use Regulations, Section 4-1, add "Manufactured Homes, Sales and Services" as a permitted use by Special Exception under Business, General, B-1 District and Business Restricted, B-2 District.

December 14, 1998

Case #9812-ZA-07 - Article VI, General Provisions, add under 6-16 Fees and Costs (D) Payment of real Estate Taxes Prior to Processing Any Land Use Permit Application. Prior to initiation of any application for a special exception, special use permit, variance, rezoning or other land use permit including, but not limited to, land disturbing permits, home occupation permits and exceptions in accordance with Section 7-16 or, prior to issuance of final approval, satisfactory evidence shall be provided that any delinquent real estate taxes owed to the County which have been properly assessed against the subject property have been paid.

January 11, 1999

Case #9901-ZA-01 - Article IV, Use Regulations, amend the use "Libraries" to add or delete as a use permitted by right in the following districts: 4-1 Use Regulations, amend Article IV to add Libraries as a Permitted Use in the Agricultural (A-1) District, Campgrounds, Manufactured home Parks and Travel Trailer Parks (C-2) District, Residential, Limited Uses (R-2) District and the Residential, Planned Development (R-3) District and Amend Article IV to delete Libraries as a Permitted use in the Seafood (S-1) District.

March 8, 1999

Case #9903-ZA-02 - Amend Article VIII, Water and Sewage Requirements, Section 8-3, Required Water Supply, Subsection (C) to read as follows (C) A private well ~~shall not~~ *may* be used provided potable water to a lot or parcel if *when a privately owned and operated* community waterworks is available.

WESTMORELAND COUNTY ZONING ORDINANCE AMENDMENTS

May 10, 1999

Case #9904-ZA-03 - Article VIII, Water & Sewage Requirements, Section 8-3, Required Water Supply (A) add (2) A Central Water System having more than one but no more than three contiguous connections as permitted by the governing body; under (B)(1) omit (a) and (b) add (B) (2) items (a), i, ii and iii regarding requirements for Center Water System, under (3) add the wording "by Special Exception" and under (3) delete subsections (a) and (b) and add (5) regarding wellhead protection radius requirements and under (c) delete "potable" and add wording "no more than three connections among lots or parcels and add wording Pools or irrigation shall not be included in determining the number of connections, add subsection and under (C) delete existing text and add "No setbacks shall be required for a private well, central water system well, noncommunity waterworks wells or community waterworks well used for a potable water supply other than those required pursuant to the Private Well Regulations of the Virginia Department of Health or as determined by the governing body. Minimum lots sizes shall apply to all privately owned and operated wells and associated structures shall be subject to setback requirements." under (E) delete wording "hereby expressly" and delete Planning Commission and insert in lieu thereof The Board of Supervisors and delete Commission and insert in lieu thereof Board add (F) "All unused, discontinued or abandoned wells shall be properly abandoned in accordance with requirements of the Virginia Department of Health." And under Article XVI Definitions add definitions for Central Water System and Wellhead Protection Radius.

October 29, 1999

Administrative correction - to insert sections omitted during renumbering of entire ordinance:

6-1(E) was Article VIII, Section 8-1 - "This ordinance shall be enforced by the administrator who shall be appointed by the governing body. The administrator shall serve at the pleasure of that body. Compensation for such shall be fixed by resolution of the governing body".

5-2(C) was Article VIII, Section 8-2 - "Nothing contained herein shall require any change in the plans or construction of any building or structure for which a permit was granted prior to the effective date of this ordinance".

6-2(G) was Article VIII, Section 8-2.1 - A petition to amend this ordinance or to obtain a special exception, either of which is substantially the same as a petition previously denied by the Board of Supervisors, shall not be accepted for reconsideration by the Board within a twelve-month period following the date of denial".

December 13, 1999

Case #9912-ZA-04 Under Article IV - Add Section 6-19 Structure Maintenance, Demolition and Removal and under Article XVI, Definitions, add "Secured" - For the purposes of Section 6-19, secured is defined as minimal steps taken by a property owner or the county to impede trespass or inappropriate access.

April 10, 2000

Case #0004-ZA-01 ADD Article XVII, Site Plan, Sections 17-1 through 17-17

Case #0004-ZA-02 ADD Article XVIII, Landscaping, Sections 18-1 through 18-8

Case #0004-ZA-03 Amend under Article XI, General Provisions, Section 6-17, Sign Regulations (A) through (L)

The complete amendments referenced above are on file in the Land Use Administration Office

October 11, 2000

Case #0010-ZA-05 Amend Article VIII, Water Supply and Sewage Disposal Requirements - The complete amendment is on file in the Land Use Administration Office.

March 10, 2003

Case #0303-ZA-01 Amend Article II, Sections 2-1 and 2-2 to add the Industrial Planned Unit Development District (I-PUD) Zoning District Classification referenced in Article X, Industrial Planned Unit Development Zoning District Regulations.

WESTMORELAND COUNTY ZONING ORDINANCE AMENDMENTS

March 10, 2003

Case #0303-ZA-02 Amend Article X, Industrial Planned Unit Development Zoning District Regulations, Section 10.6(D)(7) to delete the provision limiting outside storage to 25% of a lot or parcel and adding landscaping as a supplement or alternative to opaque fencing.

March 10, 2003

Case #0303-ZA-03 Amend Article VII, Chesapeake Bay Preservation Overlay District for consistency with revised state regulations. The complete amendment is on file in the Land Use Administration Office.

August 11, 2003

Case # 0308-ZA-04 Amend Article IV, Use Regulations to include the following: Boat Sales and Services add "X" under Industrial, M-1, to allow by right, Flea Market add "S/E" under Business, B-1 and Business, B-2 to allow by Special Exception, and Contractor's Storage Yard add "S/E" under Business, B-1, to allow by Special Exception
Case #0308-ZA-05 Amend Article VI - General Provisions to add Section 6-20: Specific Requirements - Piers and Accessory Structures - Piers and Accessory structures such as sheds and storage buildings are permitted in the absence of a principle structure in the A-1, R-1, R-2, R-3 and R-4 zoning districts subject to the following conditions:

September 8, 2003

Case #0309-ZA-06 Amend Article II - Districts to add: 2-4 Split Zoning

December 8, 2003

Case #0312-ZA-04 Amend Article VII- Chesapeake Bay Preservation Area Overlay District - Amend to reflect changes required by CBLAD in letter dated June 23, 2003

May 9, 2005

Article IV, Use Regulations, Section 4.1, of the Ordinances of Westmoreland County, Virginia, is hereby amended and reenacted as follows: The word "Boathouse" and the special exceptions applicable thereto are hereby repealed.

Article VI, Section 6-6 Waterways (E), is hereby amended and reenacted as follows:
Any structure which is attached to riparian land and extends into public waters shall be subject to the pertinent regulations in this ordinance that apply to the parcel of land to which the structure is attached, provided, however, that no boathouse or other structure shall be permitted on any structure which extends into public waters. The prohibition contained in this subsection is applicable only to non-commercial uses and is not applicable to marinas, businesses or commercial enterprises.

Article VI, Section 6-6 (F), is hereby repealed.
All other provisions of the ordinances are continued in full force and effect.

June 13, 2005

Case # 0504-ZA-01 Amend Article VII, Section 7-5(A)(1) - Chesapeake Bay Preservation Area Overlay District -The Resource Protection Area includes, under (d)delete the wording "including Steep slopes"

March 13, 2006 -- THE ENTIRE ZONING CODE WAS AMENDED

The Board of Supervisors approved the amending of and renumbering of all sections of the existing Zoning Ordinance including the addition of several new zoning districts while keeping the existing zoning map and districts. The adoption included that the amended zoning code will go into effective in 30 days being April 12, 2006.

April 11, 2006 – REQUESTED DEFERRAL FEE

"The Board of supervisors approved the Zoning Ordinance fees to require that whenever a rezoning application is deferred for whatever reason there shall be a supplemental fee of 25% of the original application fee. No deferred case shall be submitted until the supplemental fee is received by the County. This shall apply to each and every deferral, unless the deferral is the result of error by the County. This fee shall go into effect immediately."

WESTMORELAND COUNTY ZONING ORDINANCE AMENDMENTS

April 12, 2006 - ERRATA SHEET TO THE AMENDED CODE

The Zoning Administrator issued an Errata sheet #1 for minor corrections of issues found within the amended Zoning Code Text that shall be corrected by the Administrators interpretation of the intent to include and forward items from the existing code prior to this date. (The Zoning Code text included this data in its January 10, 2007 printing.)

December 10, 2006 - CASE #0611-ZA-01 – PIER ALLOWED ON A VACANT LOT

Request by the Westmoreland County Planning Commission on their own motion to amend the following listed districts of the Zoning Ordinance, to expand the list of Permitted Uses (by right) to include “pier, plus boat slips, covered boat slips (boat houses), electricity, and well on the lot, without the concurrent authorization for other accessory uses as regulated in Article 4”.

To: Section 2-1.2 Agricultural Conservation (AC) Permitted Uses (by-right)
Section 2-2.2 Rural Conservation (RC) Permitted Uses (by-right)
Section 2-3.2 Rural Residential (RR) Permitted Uses (by-right)
Section 2-4.2 Residential Neighborhood (RN) Permitted Uses (by-right)
Section 2-5.2 Planned Residential Development (PRD) Permitted Uses (by-right)
Section 2-6.2 Planned Village Development (PVD) Permitted Uses (by-right)
Section 2-12.2 Residential Urban (RU) Permitted Uses (by-right)
Section 2-13.2 Agricultural (A-1) Permitted Uses
Section 2-14.2 Conservation (C-1) Permitted Uses (by-right)
Section 2-15.2 Campgrounds, Mobile Home Parks and Travel Trailer Parks (C-2)
Permitted Uses (by-right)
Section 2-16.2 Residential General Uses District (R-1) Permitted Uses (by-right)
Section 2-17.2 Residential Limited Uses District (R-2) Permitted Uses (by-right)
Section 2-18.2 Residential General Uses District (R-3) Permitted Uses (by-right)
Section 2-19.2 Townhouses, Condominium, Apartment District (R-4)
Permitted Uses (by-right)
Section 2-25.2 Seafood District (S-1) Permitted Uses (by-right)

ADD: Pier plus boat slip, covered boat slip (boat houses), electricity, and well on the lot, without the concurrent authorization for other accessory uses as regulated in Article 4 of the Westmoreland County Zoning Ordinance.

December 10, 2006 - CASE #0612-ZA-03 – REPLACEMENT WELL

Request by the Westmoreland County Planning Commission on their own motion to amend the Westmoreland County Zoning Code, Article 4, Section 4-6.3.2 that would allow a replacement well to be located on the property at no greater detriment to the abutting properties.

December 10, 2006 - CASE #0612-ZA-02 ENTIRE SITE PLAN ARTICLE 9 AMENDMENTS

Request by the Westmoreland County Board of Supervisors on their own motion to consider adoption of Amendments to the Zoning Ordinance. This action consists of adopting the Revised Draft Amendments to Article 9 of the Zoning Ordinance (Site Plans) prepared by the Zoning Ordinance Review Committee (ZORC) and dated September 16, 2006, as modified by the report entitled “Proposed Errata and Refinement Sheet for the 9-16-06 Draft Amendments to the Westmoreland County Subdivision Ordinance and Article 9 of the Zoning Ordinance (Site Development Plans)” dated November 8, 2006, which makes modifications to the material prepared by the ZORC. The modifications are refinements and corrections made by the Westmoreland County Planning Commission to the draft and other technical amendments to the Zoning Ordinance to align the Zoning Ordinance with the Subdivision Ordinance.

December 10, 2006 - CASE #0612-SA-01 SUBDIVISION REGULATIONS AMENDMENTS

Request by the Westmoreland County Board of Supervisors on their own motion to consider adoption of Amendments to the Subdivision Ordinance. This action consists of adopting the Revised Draft Amendments to: Subdivision Ordinance prepared by the Zoning Ordinance Review Committee (ZORC) and dated September 16, 2006, as modified by the report entitled “Proposed Errata and Refinement Sheet for the 9-16-06 Draft Amendments to the Westmoreland County Subdivision Ordinance and Article 9 of the Zoning Ordinance (Site Development Plan)” dated November 8, 2006, which makes modifications to the material prepared by the ZORC. The modifications are refinements and corrections made by the Westmoreland County Planning Commission to the Draft.

The Amended Subdivision Ordinance makes organizational changes to the current Subdivision Ordinance.

WESTMORELAND COUNTY ZONING ORDINANCE AMENDMENTS

It modifies the review and approval process, and changes the provisions for exempt subdivisions. It generally updates the Subdivision Ordinance to conform to the current State Code and current County policies. Becomes effective on January 10, 2007.

November 16, 2007 - CASE #0711-ZA-04 SEXUALLY ORIENTED BUSINESS AMENDMENTS

Request by the Westmoreland County Board of Supervisors after consideration by the Planning Commission a motion to amend Article 4 of the Zoning Code with Subsection 4-17 was unanimously adopted by the Board.

November 26, 2007 – CASE # 0710-ZA-03 Amendment to the Telecommunication facilities section.

Upon a motion be Mr. Redmond, second by Mr. Lyburn and carried with a 4-1 majority vote with Mr. Lyburn, Mr. Redmond, Mr. Hynson and Mr. Fisher voting Aye and Mr. Brownley voting nay, the Board approved the following amendment to the Westmoreland County Zoning Ordinance, Section 4-7, regarding Telecommunication facilities

July 14, 2008 – Case # 0807-ZA-03 Amended the Wellhead Radius and Central Water System.

Section 4-6.3 Water Supply Standards was amended that included criteria that the administrator used to approve a new well location, clarifying that 3 single family homes are allowed to use a single well, clarify the only a well lot is allowed not to front upon a road and clarify that an existing central water system, community water system or a non-community water system shall not require special exception approval if an expansion of the system was included in the original special exception approval.

August 10, 2009 – Case # 0907-ZA-01 Amendment of Article 4-1 concerning Accessory Uses and Structures.

Article 4-1, Accessory Uses and Structures, was amended to allow certain residential uses and structures prior to the principal use or structure, including an accessory structure of 150 square feet or less. The lists were also modified to specify which residential accessory structures typically require permits and which typically do not require permits.

January 10, 2011 – Case # 1012-ZA-02 Amendment to site plan approvals in Article 9 and special exception approvals in Article 10 of the Zoning Ordinance (as well as plat approvals in Article 3 of the Subdivision Ordinance)

Article 9-9 (Final Approval – Term of Validity) and Article 10-3-12 (Special Exception Permit) were amended to comply with Code of Virginia section 15.2-2209.1. Article 3 of the Subdivision Ordinance was also amended. The amendment allows for certain approvals to be extended beyond their standard deadlines, provided the approvals were valid on January 1, 2009.

March 14, 2011 - CASE # 1102-ZA-01 - Amendment to the Westmoreland County Zoning Ordinance to provide the option for residents to care for a mentally or physically impaired relative or person for whom they are the legally appointed guardian using a temporary family health care structure.

Added definitions for 'caregiver,' 'mentally or physically impaired person' and 'temporary family health care structure.' Added Article 4-10 and Article 4-1.2.1(15). Changes are proposed in Article 4 of the Zoning Ordinance to provide an approval process for this option as an accessory use. Changes are proposed in Article 12 to include related definitions. This proposal addresses changes in state law, Code of Virginia Section 15.2-2292.1.

August 8, 2011 - CASE #1107-ZA-02 - Amendment to the Westmoreland County Zoning Ordinance to provide a specific process for the revocation or amendment of Special Exception permits and to update related provisions.

Amended Article 10-2.3 and added Article 10-3.12(14). The changes proposed would provide for the Board of Supervisors to revoke or amend Special Exception permits, remove that authority from the Board of Zoning Appeals, clarify that the Board of Zoning Appeals has authority to hear appeals of decisions of the Planning Commission regarding Article 3 of the Zoning Ordinance, and update cross-references in the Ordinance.

April 9, 2012 - CASE #1204-ZA-01 - Amendment to the provisions for the placement of private wells 4-6.3.2 and the related definition in Article 12 of "wellhead protection radius".

April 9, 2012 - CASE #1204-ZA-02 - Amendment to the provisions for sign lighting to remove restrictions to internally lit signs (7-3.6.1) and to signs lit during non-business hours (7-3.2).

November 14, 2012 – CASE #1211-ZA-03 – Amendment to Article 4-6.4.3 (C) to allow septic systems to be retained under certain conditions after connection is made to a central wastewater treatment system.

WESTMORELAND COUNTY ZONING ORDINANCE AMENDMENTS

April 8, 2013 – CASE #1304-ZA-01 – Amendment to Article 2-17.3 to allow the use Family Day-care Home with a Special Exception in R-2 zoning districts, to Article 4-1.2.2 to allow Family Day-care Home as a residential accessory use under certain conditions, and also to amend the definition of Family Day-care Home.

December 13, 2013 – CASE # 1311-ZA-02 – Amendment to Article 4-6.2.6 to allow the continued use of septic systems that meet current VDH regulations even if the property is within the service area of a central wastewater treatment system.

July 14, 2014 – CASE # 1406-ZA-01 - Amendment to ZO Article 3 and County Code section 54-4 in order to be consistent with the recently amended Virginia Stormwater Management Act and other state regulations. Also added County Code chapter 55.

January 12, 2015 – CASE # 1501-ZA-01 Amendment to ZO Article 3-1.10(B)(5)(b) to require that inspections of septic systems done pursuant to the CBPA requirements be done by an operator or on-site soil licensed or certified under Chapter 23 of Title 54.1, amendment to take effect 90 days from approval date

January 12 2015 – CASE # 1501-ZA-03 Amendment to adopt updated agritourism provisions consistent with changes to the Code of VA Section 154.2-2288.6. Added definitions for farm brewery and farm winery. Amended definition of Farm Enterprise. Removed Farm Enterprise restrictions from Article 4-5.2. Amended Article 2 to allow Farm Brewery by-right in AC, RC, and A-1. Amended Article 2 to allow Farm Brewery by Special Exception in RR, C-1, R-1, R-2, and S-1. Amended Article 2 to allow Farm Enterprise by-right in A-1. Amended Article 2 to allow Farm Enterprise by Special Exception in RR, C-1, R-1, R-2, and S-1. Amended Article 2 to allow Farm Winery by-right in AC and A-1. Amended Article 2 to allow Farm Winery by Special Exception in RR, C-1, R-1, R-2, and S-1.

August 10, 2015 – CASE # 1508-ZA-03 Amendment to ZO to add Article 1-5.14 related to development on multiple lots, requires that setbacks be met by each lot individually, took effect on October 9, 2015.

September 14, 2015 – CASE # 1509-ZA-05 Amendment to add 'Biosolids Composting' to the definitions and as a Permissible Use by Special Exception to sections 2-1.3, 2-2.3, 2-3.3, 2-13.3, 2-14.3, 2-16.3, and 2-25.3 (zoning districts AC, RC, RR, A-1, C-1, R-1, R-2, and S-1).

September 14, 2015 – CASE # 1509-ZA-06 Amendment to add 'Dwelling, Accessory' as a Permitted Use (by-right) to sections 2-13.2, 2-14.2, 2-16.2, 2-17.2, and 2-25.2 (zoning districts A-1, C-1, R-1, R-2, and S-1) and make a correction to section 4-5.7.1(D) and amend section 4-5.6.3 to clarify that manufactured homes are not prohibited for use as accessory dwellings when otherwise permitted.

August 10, 2016 – CASE # 1608-ZA-01 Amendment to Article 1-4.1.1 to change the word 'must' to 'should' to imply that it is recommended but not required to rezone to one of the New Base Zoning Districts. Also, added B-3 Open Land Business to list of Existing Base Zoning Districts and re-lettered accordingly, in order to correct Scrivener's error.

August 10, 2016 – CASE # 1605-ZA-03 Amendment to Article 12 Definitions to add definitions of 'Short-Term Lodging' and 'Short-Term Limited Residential Lodging,' as well as to revise the definitions of 'Tourist Home,' 'Bed and Breakfast Homestay,' 'Bed and Breakfast In,' and 'Family.'

August 10, 2016 – CASE # 1605-ZA-02 Amendment of Article 4-3 Home Occupation Uses. Added definition of 'Home Occupation' and deleted individual definitions of 'Minor Home Occupation' and 'Major Home Occupation.'

November 13, 2017 – CASE # 1710-ZA-02 Amendment to create the use "Agriculture, Limited" and change the allowed use from "Agriculture" to "Agriculture, Limited" in zoning districts RR, R-1, R-2, and S-1 (S-1 includes aquaculture). Also added definitions of "Agriculture, Limited" and "Livestock."

December 11, 2017 – CASE # 1509-ZA-04 Amendment to create zoning district "2-26 Resource Extraction – Planned Development" and all related uses and text. Removed the use "Oil and Gas Wells, Drilling" from zoning districts AC, A-1, B-2, and B-3. Removed the use "Stone and Monument Works" from AC, IG, and PIP. Removed the use "Sand and Gravel Pits" from C-1 and M-1. Removed the uses "Sand and Gravel Extraction" and "Sand and Gravel Processing Facility" from IG. Removed the use "Stone Works" from C-1 and M-1. Also revised the definition of "Oil and Gas Well Drilling" and added definitions of "Horizontal Drilling" and "Well Pad."