

- **Part 2. - Rural Agricultural Conservation (RAC) District.**

- **Sec. 4-2001. - General description.**

This district is intended to preserve and protect areas of Isle of Wight County that are presently, predominantly in agricultural use and maintain the land base necessary to support agricultural activity. This district is designed to protect the agricultural industry from sprawling residential development that displaces substantial areas of agricultural land for a small number of dwelling units. Nonfarm residents should recognize that they are located in a rural agricultural environment where the right to farm has been established as county policy. (7-7-05; 11-15-07; 9-17-15.)

- **Sec. 4-2002. - Permitted uses.**

The following uses are permitted by right subject to all other applicable requirements contained in this ordinance. An asterisk (*) indicates additional, modified or more stringent standards which are listed in section 5-5000, supplementary use regulations, for those specific uses.

A

Agricultural uses:

Agricultural crop service towers and antennas

Agricultural, farm or ranch (See Part [2A](#), Agritourism)

Agricultural farm product processing, warehousing and distribution service

Agricultural farm stay (See Part [2A](#), Agritourism)

Agricultural service/agent

Agricultural museum (See Part [2A](#), Agritourism)

Agricultural service operation (See Part [2A](#), Agritourism)

Agriculture

Agritourism (See Part [2A](#), Agritourism)

Aquaculture (See Part A, Agritourism)

Cider Mill (See Part [2A](#), Agritourism)

* Commercial feedlot

Dairy (See Part [2A](#), Agritourism)

Fair, agricultural

* Farm brewery (See Part [2A](#), Agritourism)

Farm winery (See Part [2A](#), Agritourism)

Farm, temporary event in agricultural structure (See Part [2A](#), Agritourism)

Farmer's market

* Forestry operation, silvicultural and/or timbering

* Greenhouse, commercial and/or nursery

Greenhouse, private

Lawn and garden services

* Livestock auction market

* Sawmill

* Stable, commercial

• In conjunction with residence

• Not in conjunction with a residence

* Stable, private

* Wayside stand

B.

Residential uses:

* Accessory apartment

* Boathouse

• Residential accessory apartment

Dwelling, single-family

Dwelling, single-family, farm

* Family day care home

Group home

* Guest house

* Home occupation, Type I

* Home occupation, Type II

* Kennel, private

* Manufactured home, Class A

* Manufactured home, Class B

* Manufactured home, family member residence

* Manufactured home, temporary residence

* Temporary emergency housing

C.

Civic uses:

* Cemetery

• Private park and ride facility

Post office

Public safety service

* Utility service/minor

D.

Commercial uses:

* Construction office, temporary

* Taxidermy

Veterinary hospital/clinic

E.

Miscellaneous uses:

* Amateur radio tower

Hunt club

* Turkey shoot

(7-7-05; 11-15-07; Ord. No. 2011-11-C, 7-7-11; 7-17-14; 9-17-15.)

• **Sec. 4-2003. - Conditional uses.**

The following uses are allowed only by conditional use permit pursuant to [section 1-1017](#), conditional uses. An asterisk (*) indicating additional, modified or more stringent standards which are listed in section 5-5000, supplementary use regulations, for those specific uses.

A.

Agricultural uses:

Agricultural farm equipment sales and service

Agricultural feed seed and farm supply service

Aquaculture waterfront business

* Farm employee housing

* Reptile breeding

B.

Residential uses:

* Dwelling, two-family

* Dwelling, multifamily conversion

C.

Civic uses:

* Administrative service

* Adult care center

Assisted living facility

* Cemetery

• Animal

• Church

• Public

* Child care institution

* Child care center

Club

* Community center

Correctional facility

Crisis center

Cultural service

Educational facility, college/university

* Educational facility, primary/secondary

Halfway house

*Nursing home

Public assembly

* Public maintenance and service facility

* Public park and recreational area

* Religious assembly

* Transit station

* Utility service/major

D.

Office uses:

Medical office

E.

Commercial uses:

- * Agricultural service
- Commercial assembly and repair
- Farm and forestry implement storage, sales, and service

Auction establishment

- * Antique shop

- * Bed and breakfast

Business or trade school

- * Campground

- * Campground, workforce

- * Commercial equipment repair, accessory to dwelling

- * Commercial indoor sports and recreation

- * Commercial outdoor entertainment/sports and recreation

- * Commercial outdoor swimming pool and tennis facility

- * Contractor office and storage facility

- * Crematorium

Equipment sales and rental

- * Garden center

General store, country

- * Golf course

- * Golf driving range

- * Kennel, commercial

Lawn and garden services

- * Marina

Wholesale sales

F.

Industrial uses:

- * Abattoir or livestock processing

- * Construction yard

Convenience center

Custom manufacturing

Industry, Type I

- * Landfill, industrial
- * Landfill, rubble
- * Landfill, sanitary
- * Recycling center
- * Resource extraction
- * Scrap and salvage service

Transfer station

Warehousing and distribution

G.

Miscellaneous uses:

- * Aviation facility, commercial
- * Aviation facility, general
- * Aviation facility, private
- * Communication tower

Composting system, confined vegetative waste or yard

- * Reconstructed wetland
- * Shooting range, outdoor

(7-7-05; 11-15-07; Ord. No. 2012-10-C, 10-18-12; Ord. No. 2013-1-C, 4-18-13; 7-17-14; 9-17-15; 5-19-16.)

- **Sec. 4-2004. - Required zoning.**

All proposed residential subdivisions on properties zoned RAC, other than those expressly exempted in the Isle of Wight County Subdivision Ordinance, shall require rezoning to one (1) of the following zoning classifications prior to final approval of the subdivision plat by the subdivision agent: Rural Residential (RR), Suburban Estate (SE), Suburban Residential (SR), Urban Residential (UR), Village Center (VC), Planned Development Residential (PD-R), Planned Development Manufactured Home (PD-MH), Planned Development Mixed Use (PD-MX).

A.

A single tract of land may be permitted one "by-right" division of land around an existing residence without rezoning, provided that the minimum lot size and setback requirements are met for the newly created lot, the residual tract meets all minimum lot size requirements, and all applicable provisions of the Subdivision Ordinance are met.

B.

Clustering/sliding scale "by-right" provisions for single-family residential development in the Rural Agricultural Conservation District as designated in the Isle of Wight County comprehensive plan:

1.

Under the sliding scale development provision, a tract of land containing one hundred (100) contiguous acres or greater zoned Rural Agricultural Conservation will be allowed four (4) divisions. One (1) additional lot or dwelling unit will be permitted for every additional forty (40) acres encompassed by the overall tract. For example, a one hundred forty-acre tract will yield five (5) lots. Minimum permissible lot sizes shall be encouraged so as not to allow subdivision development which is land consumptive; however, each lot must meet the minimum lot requirements for the Rural Agricultural Conservation (RAC) District.

2.

In addition to the base density permitted above, the minimum area, width and frontage of the underlying zoning district, and the following standards shall be met:

- All residential lots created through the act of subdivision shall be contiguously grouped and served by one (1) point of access to county roads and shall comply with section 4-4-1 (streets) of the Isle of Wight County Subdivision Ordinance.
- Residential structures in the subdivision shall be located at least one hundred (100) feet from the existing county road right-of-way and screened from the right-of-way by an existing or planted landscaped buffer.
- All residential structures should be set back at least one hundred (100) feet from all active farm operations.
- A central water supply system shall be provided to serve the subdivisions with over fourteen (14) lots.
- The maximum lot size for any new lot created shall be ten (10) acres, unless otherwise approved by the board of supervisors or required by the county health department.

- Lots shall be located to preserve seventy (70) percent of the original tract size in order to maximize continued use of the residual parcel for agricultural and silvicultural purposes.
- No lot shall be designed, approved or employed for the use in which an area more than thirty (30) percent of the prescribed minimum lot area is comprised of one (1) or more of the environmentally sensitive areas referenced in the net developable calculations of the zoning ordinance. This shall not apply to lots specifically created exclusively to preserve and maintain environmentally sensitive areas.
- All areas not included in lots or public street rights-of-way shall be incorporated into common open space and may be used for natural or landscaped buffers; agricultural uses including farmland and pasture not generating noxious odors such as land application of sewage sludge, hog or poultry farms or similar uses; horticulture; recreational use; historic preservation; forests; wildlife reservations and conservation areas; private stables for personal enjoyment; or other similar use.
- The common open space shall be arranged and designed so as to facilitate its use, ensure continuity of design, and preserve sensitive environmental features. Failure to achieve these goals shall be sufficient reason for the agent to deny applications for open space development plan approved or required modifications that may include loss of lots.
- Recreational areas shall not abut the exterior boundary of the open space development unless entirely adjacent to a publicly owned facility or community recreation facility of an adjoining residential development.
- Adequate pedestrian and bicycle facilities shall be provided which fully interconnect the development and its recreation areas both internally and with existing, planned or desirable external pedestrian and bicycle facilities.
- Full plats recorded and all deeds for lots within the cluster development shall bear a statement indicating that the land is within an approved residential cluster subdivision and shall also bear a statement indicating the ownership status of the development's open space system and shall reference the covenants creating a property owners' association which shall also be recorded at the time final plats are put to record.
- With approval of the planning commission, common open space within a cluster subdivision may be held by other than a property owners' association for agricultural uses including farmland, pasture, horticulture, recreational use, historic preservation, forests, wildlife reservations and conservation areas or other similar use.
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- Family member subdivisions shall be prohibited.

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- Manufactured homes, Class A and B and residential accessory apartments require a conditional use permit.

C.

In determining the overall tract size provision, staff shall base the number of lots permitted on the following, listed in order from least to most binding:

1.

On the parcel shown on the latest county tax maps with the acreage indicated in the real estate records of the commissioner of revenue's office, excluding street or road rights-of-way.

2.

On documents of record in the office of the clerk of the court, which shall take precedence over the tax map information.

3.

On a new or modern survey of the property by a licensed surveyor. (7-7-05; 11-15-07; 9-17-15.)

- **Sec. 4-2005. - Lot size requirements.**

A.

Minimum lot area: Forty thousand (40,000) square feet.

B.

Minimum lot width (measured at the setback line): One hundred fifty (150) feet.

C.

Minimum lot frontage (measured at property front): One hundred twenty (120) feet.

D.

Minimum frontage on a cul-de-sac: Seventy-five (75) feet. (7-7-05; 11-15-07; 9-17-15.)

- **Sec. 4-2006. - Bulk regulations.**

A.

Maximum building height: All buildings: Thirty-five (35) feet or three (3) stories, whichever is lesser.

B.

Minimum front yard setback:

1.

Where right-of-way is > fifty (50) feet, the minimum front yard setback is sixty (60) feet from property line.

2.

Where right-of-way is < fifty (50) feet, the minimum front yard setback is eighty-five (85) feet from center line of road.

C.

Minimum side yard setback:

1.

Principle structures: Twenty-five (25) feet (one (1) side); fifty (50) feet (both sides).

2. Accessory structures: Twenty-five (25) feet (see supplementary density and dimensional requirements, #1, accessory building requirements).

D.

Minimum rear yard setback:

1. Principle structures: Fifty (50) feet.
2. Accessory structures: Five (5) feet. (7-7-05; 11-15-07; 9-17-15.)

- **Sec. 4-2007. - Additional regulations.**

A.

Refer to [section 5-2000](#), for supplementary density and dimensional requirements, [section 5-3000](#), for restrictions adjacent to airports, and [section 5-4000](#) for standards for net developable requirements.

B.

Refer to article VI for regulations with the Historic Overlay (HO) District, Highway Corridor Overlay (HCO) District, Floodplain Management Overlay (FPMO) District, and the Newport Development Service Overlay (NDSO) District.

C.

Refer to article VII for general design guidelines and development review procedures.

D.

Refer to article VIII for landscaping and open space standards.

E.

Refer to article IX for sign standards.

F.

Refer to article X for vehicle parking facilities requirements.

G.

Refer to article XI for outdoor lighting requirements and restrictions. (7-7-05; 11-15-07; 9-17-15.)

[Sec. 4-1004. - Amendments to the official zoning map.](#)