

AN ORDINANCE TO AMEND CHAPTER 180 OF THE WARREN COUNTY CODE (ZONING ORDINANCE) TO MODIFY THE AGRICULTURAL (A) DISTRICT REGULATIONS REGARDING SUBDIVISION OF LAND AND FAMILY SUBDIVISION.

BE IT ORDAINED BY THE WARREN COUNTY BOARD OF SUPERVISORS that Section 180-21 of the Warren County Code (Zoning Ordinance) be amended, added, and re-ordained as follows:

Chapter 180. Zoning

Article IV. District Regulations

§ 180-21 Agricultural (A) District.

A. Statement of intent. This district is intended for areas where general agricultural pursuits are practiced, where low density residential developments may be situated without degrading the environment and where expanses of open spaces best exist for parks, playgrounds, game preserves and similar uses.

...

C. Accessory uses permitted by right. Accessory uses permitted by right shall be as follows:

(1) ~~The subdivision of lots from a single parcel of land existing of record as of 12:01 a.m. April 6, 1977, may be made in one of the following ways, provided that the requirements of Chapter 1.55, Subdivision of Land, are met:~~
~~[Amended 1-20-1998; 12-21-1999; 2-5-2002]~~

~~(a) A subdivision with not more than four lots, each lot containing less than 10 acres, for single family dwellings.~~

~~(b) A cluster housing development, meeting the standards of § 180-40.5, with not more than six lots, for single family dwellings.~~

~~(c) Any combination of a subdivision and a cluster housing development. The total of all lots shall be not more than six, and the lots shall be for single family dwellings.~~

Home occupation.

(2) ~~Home occupation.~~ Wayside stands for the display and sale of produce.

(3) ~~Wayside stands for the display and sale of produce.~~ Dwelling units for persons employed on the premises. Maximum number of units per 50 acres: one. Total number of units permitted per tract or combination of tracts: five.

(4) ~~Dwelling units for persons employed on the premises. Maximum number of units per 50 acres: one. Total number of units permitted per tract or combination of tracts: five.~~ Types of accessory buildings permitted: detached garage, patio enclosure, tool storage building, gazebo, greenhouse and portable storage container.

- (5) ~~Types of accessory buildings permitted: detached garage, patio enclosure, tool storage building, gazebo, greenhouse and portable storage container.~~ Wind energy system, private use.
- (6) ~~Wind energy system, private use.~~ Temporary family health care structure.
- (7) ~~Temporary family health care structure.~~ Mobile food establishment on County-owned parks and recreation facilities.
- (8) ~~Mobile food establishment on County-owned parks and recreation facilities.~~ Mobile food establishment operating in conjunction with a commercial nursery/garden center or wayside stand.
- (9) ~~Mobile food establishment operating in conjunction with a commercial nursery/garden center or wayside stand.~~ Ice cream stand operating in conjunction with a commercial nursery/garden center.
- (10) ~~Ice cream stand operating in conjunction with a commercial nursery/garden center.~~ Family day home that satisfies the supplementary regulations set forth in § 180-46.1.
- (11) ~~Family day home that satisfies the supplementary regulations set forth in § 180-46.1.~~ Abattoir (poultry).
- (12) ~~Abattoir (poultry).~~

...
D. Uses allowed by conditional use permit. The following names uses may be permitted upon issuance of a conditional use permit by the Board of Supervisors:

...
(26) The subdivision of lots from a single parcel of land existing of record as of 12:01 a.m. April 6, 1977, may be made in the following way, provided that the requirements of Chapter 155, Subdivision of Land, are met:

(a) A cluster housing development, meeting the standards of § 180-40.5, with seven or more new lots, not to exceed 10, approved by the Health Department for single-family dwellings, in addition to the residual lot of the parent parcel.

...
E. ~~Minimum lot area shall be two acres, except for lots in family subdivision, which may be a minimum of 1.5 acres and in cluster housing developments, which may be a minimum of one acre.~~ The subdivision of lots from a single parcel of land existing of record as of 12:01 a.m. April 6, 1977, may be made in the following way, provided that the requirements of Chapter 155, Subdivision of Land, are met:

(1) A subdivision with not more than four new lots, each lot containing less than 10 acres each, approved by the Health Department for single-family dwellings, in addition to the residual lot of the parent parcel. Further subdivision shall only be permitted for new lots containing 10 acres or more.

- (2) A cluster housing development, meeting the standards of § 180-40.5, with not more than six new lots, approved by the Health Department for single-family dwellings, in addition to the residual lot of the parent parcel. A cluster housing development, meeting the standards of § 180-40.5, with seven or more new lots, not to exceed 10, approved by the Health Department for single-family dwellings, in addition to the residual lot of the parent parcel shall only be permitted upon issuance of a conditional use permit by the Warren County Board of Supervisors.
- (3) Any combination of a subdivision and a cluster housing development. The total of all new lots shall be not more than six in addition to the residual lot of the parent parcel, and the lots shall be approved by the Health Department for single-family dwellings.
- (4) A family subdivision with not more than six new lots containing less than 10 acres each, approved by the Health Department for single-family dwellings, in addition to the residual lot of the parent parcel. Further family subdivision shall only be permitted for new lots containing 10 acres or more.
- (5) A combination of a subdivision and a family subdivision with not more than six new lots containing less than 10 acres each, approved by the Health Department for single-family dwellings, in addition to the residual lot of the parent parcel, where a minimum of two lots shall be for a family subdivision. Further subdivision or family subdivision shall only be permitted for new lots containing 10 acres or more.

F. Minimum lot width shall be 200 feet. Minimum lot area shall be two acres, except for lots in family subdivision, which may be a minimum of 1.5 acres and in cluster housing developments, which may be a minimum of one acre.

G. Maximum length/width ratio shall be four to one (4:1). Minimum lot width shall be 200 feet.

H. Minimum yard depth shall be as follows:

(1) Front: 50 feet.

(2) Rear: 35 feet for a principal structure; 10 feet for an accessory structure.

(3) Side: 15 feet for a principal structure, 10 feet for an accessory structure.

Maximum length/width ratio shall be four to one (4:1).

I. Utility requirements for water and sewer shall be individual, public, or approved private. Minimum yard depth shall be as follows:

(1) Front: 50 feet.

(2) Rear: 35 feet for a principal structure; 10 feet for an accessory structure.

(3) Side: 15 feet for a principal structure, 10 feet for an accessory structure.

J. Utility requirements for water and sewer shall be individual, public, or approved private.

