## AN ORDINANCE TO AMEND SECTION 66-472 OF THE CODE OF THE COUNTY OF WASHINGTON, VIRGINIA (2002), TO CLARIFY "PET SHOP" AND TO ALLOW COMMERCIAL KENNELS IN THE BUSINESS-GENERAL (B-2) ZONING DISTRICT

WHEREAS, the Board of Supervisors of the County of Washington, Virginia, adopted Chapter 66 of the Code of the County of Washington, Virginia, which established standards and procedures for the permitted uses of land; and

WHEREAS, the list of permitted uses in the Business-General (B-2) zoning district did not include provision for commercial kennel operation, to include boarding dogs, cats, or other household pets as a business and provision of ancillary services such as grooming and sale of pet supplies; and

WHEREAS, upon request from prospective purchasers of property in Washington County and review by the Planning Commission and Board of Supervisors, it was determined appropriate and in the best interests of the public health, safety, and welfare to allow such use in the Business-General zoning district.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Supervisors of Washington County, Virginia, after notice and public hearing, as required by law:

- That Chapter 66, Subsection 66-472 is amended, as set forth below. The Code Editor is requested to assign section and subsection numbers consistent with the codification system for the County Code.
- 2. That this ordinance shall become effective immediately upon adoption.
- 3. That should any section or provision of this ordinance be decided to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not

affect the validity or constitutionality of any other section or provision of this ordinance or the Washington County Code.

4. That the Code of the County of Washington shall be amended, as follows, with underline and italic indicating language to be added and strikethrough to indicate language to be deleted:

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Chapter 66 – Zoning
Article V. Districts
Division 12 – Business General, District B-2
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## Sec. 66-1. Definitions.

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54 55 ...Kennel means a place prepared to house, board, breed, handle, or otherwise keep or care for dogs for sale or in return for compensation.

## Sec. 66-472. - Permitted uses and accessory uses and structures.

- (a) Permitted uses. In the B-2 general business district, structures to be erected or land to be used shall be for one or more of the following permitted uses:
  - (1) A single dwelling unit appurtenant to and contained within a business, primarily intended for the use of the individual who is responsible for the operation or protection of the business. No such dwelling unit shall be permitted appurtenant to and contained within any use subject to special exception unless specifically provided for within the permit.
  - (2) Accounting, auditing and bookkeeping services.
  - (3) Advertising agencies.
  - (4) Apparel and accessory stores.
  - (5) Art dealers and galleries.
  - (6) Auctioneering services.
  - (7) Audio and video sales, services and rental stores.
  - (8) Automobile and motorcycle sales and service.
  - (9) Automotive repair garages and automotive fuel service stations, with or without convenience stores.
  - (10)Bail bonding.
  - (11)Bakeries and baked-goods shops.

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- (12)Banks and savings and loan associations, and establishments performing functions closely related to banking, including but not limited to credit unions, finance companies and security brokers.
- (13)Beauty shops and barbershops.
- (14)Blueprinting and photocopying services.
- (15)Boat, watercraft and recreational vehicle and trailer sales and services.
- (16)Bookstores.
- (17) Building and construction contractor's office.
- (18) Business office supply stores.
- (19)Camera and photographic supply stores.
- (20)Churches.
- (21)Cigar and tobacco stores.
- (22) Civic, social and fraternal organizations.
- (23)Cleaning and maintenance services to dwellings and other buildings, including but not limited to janitorial services and general repair work.
- (24)Clothing and costume rental stores.
- (25)Coin shops.
- (26)Computer and data processing services.
- (27) Dance studios and schools.
- (28)Day care centers.
- (29) Drafting service.
- (30)Drugstores and pharmacies.
- (31)Electrical repair shops.
- (32)Employment agencies.
- (33)Engineering, architectural and surveying services.
- (34)Equipment sales, rental, repair and services.
- (35)Farm equipment sales, rental, repair and services, including motorized farm vehicles and implements.
- (36) Florist, including commercial greenhouses.
- (37)Funeral homes.
- (38)Furniture, home furnishings and household appliance stores.
- (39)General merchandise stores, including but not limited to department and variety stores, grocery and food stores.
- (40)Gift, novelty and souvenir shops.
- (41)Government owned and operated establishments, including but not limited to executive, legislative and general government offices.
- (42) Health clubs and spas.
- (43)Hobby, craft, toy and game shops.

- (44)Hotels, motels, and tourist camps, including restaurants and recreational facilities, with less than 200 guest rooms, or on-site meeting rooms or conference facilities that house aggregate seating of less than 500 people.
- (45)Industrial mobile office units.
- (46)Insurance agencies.
- (47)Interior decorating services.
- (48) Jewelry stores.

- (49)Kennel, which may include sale of pet supplies and related services such as grooming and training.
- (4950)Laundry, dry cleaning and garment services.
- (5051)Law offices.
- (5152)Lawn and garden supply stores.
- (<del>52</del><u>53</u>)Legal services.
- (<del>53</del><u>54</u>)Libraries.
- (54<u>55</u>)Liquefied petroleum, bottled gas or other fuel oil sales and service with on-site storage of less than 50,000 gallons.
- (<del>55</del>56)Management, consulting and public relations services.
- (<del>56</del><u>57</u>)Manufactured housing sales and service, including use of a manufactured home for an on-site sales office for the sales and service business and subject to the provisions of article XI, division 2, of this chapter.
- (<del>57</del><u>58</u>)Museums.
- (<del>58</del>59)News dealers and newsstands.
- (5960) Nursing and personal care facilities without on-site residency.
- (6061)Offices of physicians, dentists and other health practitioners.
- (6162)Optical goods stores.
- (6263)Pet shops, which may include sale of pet supplies and related services such as grooming and training.
- (6364)Photofinishing laboratories.
- (6465)Photographic studios.
- (6566) Plumbing and electrical supply, with exterior storage under cover.
- (6667) Professional membership organizations.
- (6768) Public parking lot in accordance with the requirements of 66-1042
- (68<u>69</u>)Publicly-owned schools, colleges, junior colleges, universities, technical institutes, and vocational schools.
- (6970)Real estate agencies.
- (<del>70</del>71)Restaurants and other eating establishments
- (7172)Sewing, needlework and piece goods stores.
- (<del>72</del><u>73</u>)Shoe repair shops.
- (7374)Sign painting and lettering shops, with exterior storage under cover.

(7475)Signs, identification, and business.

 (<del>75</del><u>76</u>)Social services, including but not limited to adoption, counseling, welfare and senior citizen services.

(<del>76</del><u>77</u>)Sporting goods stores and bicycle shops.

(7778)Tax return preparation service.

(7879)Upholstery and furniture repair.

(7980)Used merchandise and antique stores.

(8081)Uses enumerated in subsection (a) of this section to be located in neighborhood or community shopping centers shall be subject to the provisions of article VI of this chapter.

(8182)Utilities and public services as follows:

- a. Poles, overhead and underground lines, distribution transformers, meters, street lighting and related appurtenances necessary for the transmission and distribution of electric and telecommunication service, with the exception of telecommunication towers.
- b. Telecommunication towers and antennas used exclusively by public or private schools or educational institutions for the receipt and transmission of data solely for educational purposes shall be permitted by right subject to compliance with the provisions of article X of this chapter.
- c. Underground pipes and lines, manholes, pumping and booster stations, meters and related appurtenances necessary for the transmission and distribution of potable water, wastewater collection, and natural gas transmission and distribution.
- d. Solid waste disposal convenience station operated by the county after a public hearing shall have been held by the board of supervisors.

(8283)Watch, clock and jewelry repair.

(b) Accessory uses and structures. The following accessory uses and structures are permitted in the B-2 district: Off-street parking as an accessory use to a permitted use under this section, in accordance with the provisions of section 66-1041.

## Sec. 66-473. Special exception uses.

In the B-2 district, the following uses or structures may be permitted only if approved for the issuance of a special exception as provided in this chapter:

- (1) Electrical power substations, electrical power transmission towers telecommunication switching facilities and telecommunication towers and antennas.
- (2) Fire department offices and facilities, emergency medical rescue squad offices and facilities, and law enforcement offices and facilities.
- (3) Golf courses.

- (4) Hotels, motels, tourist courts, and bed-and-breakfast establishments, including restaurants and recreational facilities incidental thereto, with 200 or more guest rooms or with on-site meeting rooms or conference facilities, which in the aggregate seat 500 or more persons.
- (5) Indoor movie theaters; drive-in theaters.

- (6) Lumber and brick yards and building materials and equipment sales, rental, repair and services.
- (7) Manufactured homes for use by a security guard on a business and subject to the provisions of article XI of this chapter.
- (8) Multiple-family dwelling units, such as apartments, townhouses, and condominiums and subject to other provisions of this chapter. Public water and sewer are required where ten or more dwelling units are proposed.
- (9) Nursing and personal care facilities with any on-site residency, single- or multiple-family dwelling units. Public water and sewer required where ten or more dwelling units are proposed.
- (10) Off-site uses related to airport safety as defined in section 66-610.
- (11) On-site material and equipment storage.
- (12) On-site storage above or below ground of 50,000 gallons or more liquefied petroleum or other fuel oil.
- (13) Privately-owned schools, colleges, junior colleges, universities, technical institutes and vocational schools.
- (14) Public and private hospitals.
- (15) Public skating rinks, bowling alleys, dance halls, pool halls, night clubs, lounges, video game arcade and similar forms of public amusement.
- (16) Radio and television stations, studios and offices with special exception.
- (17) Recreational facilities, including but not limited to tennis and basketball courts, baseball and softball fields, parks, swimming pools and gymnasiums.
- (18) Substance abuse treatment facilities subject to regulation and licensure pursuant to § 37.1-179.1 of the 1950 Code of Virginia, as amended, subject to the following restrictions as well as conditions or restrictions imposed by the legislative body as part of the special exception permit. No such facility shall be located within one-half mile of any public or private K-12 school, public or private licensed day care center, church, synagogue or other place of worship, residentially zoned district (R-1 and R-
  - 2), nor within 1,000 feet of a residential dwelling.
- (19) Tattoo parlors and body piercing establishments.
- (20) Telecommunications-related industries.
- (21) Tobacco warehouses, storage warehouses and bulk petroleum plants.
- (22) Tractor-truck and trailer sales, rental, repair and services.
- (23) Truck stops and truck terminals.
- (24) Veterinary hospital or clinic.
- (25) Water and wastewater treatment plants.
- (26) Wholesale, distribution and processing operations.