

ARTICLE III. AGRICULTURAL DISTRICT, A-2

Sec. 18-71. Purpose of the district.

The purpose of the agricultural district, A-2, is to provide for gradual extension and filling in of single-family residential and other appropriate development in areas where urban services are planned, generally near the incorporated towns and the City of Franklin. The district is intended also to provide for continued general agriculture and forestry until such time as the land is needed for urban purposes, although new intensive agricultural uses are not permitted, and it may be applied to certain outlying locations where concentrations of dwellings exist and where additional development is appropriate. The limitations on subdivisions which apply in the agricultural district A-1 do not apply in this district where the normal process of urban subdivision is anticipated.

(Ord. of 6-18-90, § 19-3.1)

Sec. 18-72. Permitted uses.

In an agricultural district A-2, structures to be erected or land to be used shall be for one (1) or more of the following uses:

- (1) General agriculture, farming and forestry, including tilling the soil, raising of crops, truck gardens, field crops, orchards or nurseries for growing or propagation and harvesting of plants, turf, trees and shrubs and in general uses commonly classed as general agriculture and including use of heavy cultivating and tree harvesting machinery, aquaculture, spray planes and irrigating machinery, and the raising of livestock, but not commercial slaughtering or processing of animals or poultry.
- (2) Reserved.
- (3) Detached single-family dwellings.
- (4) Detached single-family dwelling or manufactured home on a farm of fifty (50) acres or more for use as a dwelling unit by one (1) or more persons employed on the farm as farm labor or by members of the family operating the farm, no separate lot required, with a conditional use permit.
- (5) Modular home as herein defined.
- (6) Manufactured home, subject to the provisions set forth in section 18-46 above and to the general subdivision and placement standards for other dwellings as specified in this article.
- (7) Reserved.
- (8) Manufactured home, temporary, as defined.
- (9) Reserved.
- (10) Industrialized buildings, as an accessory use, with a special use exception granted by the board of zoning appeals pursuant to section 18-47 above and to the general placement standards for other accessory buildings as specified in this article.
- (11) Bed and breakfast inn.

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- (12) Camps, day or boarding, church camp, scout camp or similar camp involving permanent commercial or noncommercial facilities, with a conditional use permit.
 - (13) Cemeteries not accessory to a church with a conditional use permit.
 - (14) Churches and Sunday schools, rectories, parish houses, convents and monasteries, temples and synagogues and cemeteries accessory thereto.
 - (15) Convalescent homes, nursing homes or homes for the aged, and family care homes, with a conditional use permit.
 - (16) Country inn with more than four (4) guest rooms with a conditional use permit.
 - (17) Dog kennels, commercial, with a conditional use permit.
 - (17.1) Dog kennel, private, as specified in section 18-81, development standards for private kennels.
 - (18) Facilities and structures necessary for rendering public utility service, including poles, wires, transformers, telephone booths and the like for electrical power distribution or communication service, and underground pipelines or conduits for electrical, gas, sewer, or water service, but not including buildings, treatment plants, water storage tanks, pumping or regulator stations, major transmission lines, storage yards and substations which are permitted with a conditional use permit.
 - (19) Home occupation, rural.
 - (20) Hospital or clinic for humans with a conditional use permit.
 - (21) Hospital or clinic for large or small animals with a conditional use permit and provided that the minimum lot size for larger animals shall be ten (10) acres and for small animals five (5) acres and further provided that all buildings, structures, pens, or open kennels shall be located at least two hundred (200) feet from any lot line.
 - (22) Hospital or clinic for small animals (dogs, cats, birds, and the like); provided on a lot of less than five (5) acres such hospital or clinic and any treatment rooms, cages, pens, or kennels be maintained within a completely enclosed, soundproof building, and that such hospital or clinic be operated in such a way as to produce no objectionable odors outside its walls.
 - (23) Hunting club, private provided that any pens or open kennels shall be located at least two hundred (200) feet from any dwelling not on the same property.
 - (23.1) Hunt club kennel, as an accessory use, as specified in section 18-82, development standards for hunt club kennels.
 - (24) Lodges, with a conditional use permit.
 - (25) Marina or yacht club with a conditional use permit.
 - (26) Nursery schools, kindergartens, child care centers, day nursery or child day care centers with a conditional use permit.
 - (27) Private schools, colleges, or universities with a conditional use permit.
 - (28) Public or governmental buildings and uses, including schools, fire stations (volunteer or otherwise), parks, parkways, playgrounds and public boat landings except those which have been approved as a part of the subdivision plan, with a conditional use permit.
 - (29) Radio or television transmission or receiving station or tower less than one hundred twenty-five (125) feet in height; tower more than one hundred twenty-five (125) feet in height with a conditional use permit.

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- (30) Recreational uses or facilities, commercially operated or for a private membership, such as golf courses, game courts, swimming pools, archery range, fishing or boating lakes, camping areas, picnic grounds, dude ranch or similar activities, and accessory facilities, including sale of food, beverages, bait, incidentals, supplies and equipment. Amusement parks, fairs, circuses and carnivals may be permitted with a conditional use permit.
 - (31) Stable, commercial; provided that any buildings for keeping of animals shall be located at least two hundred (200) feet from any side or rear lot lines.
 - (32) Stable, private, for keeping of horses, ponies or other livestock for personal enjoyment and not as a business, provided that any building for keeping of animals shall be located at least one hundred (100) feet from any side or rear lot line.
 - (33) School bus passenger shelter without advertising.
 - (33.1) Wireless communication facilities per section 18-427 of this chapter.
 - (34) Yard sale or garage sale for disposal of used household items, provided such sales are not held more frequently than twice a year on the same lot, are not conducted for more than three (3) days, and include items assembled only from households in the immediate neighborhood.
 - (35) Accessory buildings and uses, including, but not limited to, accessory private garages, an accessory dwelling unit per section 18-424(h)(8), accessory farm buildings and other structures, servants or caretakers quarters, guest houses, swimming pools, temporary family health care structures, as prescribed in §15.2-2292.1 of the 1950 Code of Virginia, as amended, accessory storage and accessory off-street parking and loading spaces and accessory nonilluminated or indirectly illuminated signs as follows:
 - a. A name plate or directional sign, limited in area to two (2) square feet, to identify the owner or occupant of a dwelling or building.
 - b. A sign limited in area to thirty-two (32) square feet for identification of a permitted home occupation.
 - c. No trespassing or no hunting signs, without limitations on number or placement, limited in area to two (2) square feet.
 - d. A sign, limited in area to twelve (12) square feet advertising products raised or made on the premises.
 - e. A sign, limited in area to thirty-two (32) square feet for identification of a farm or estate or a subdivision or its occupants.
 - f. A sign, limited in area to thirty-two (32) square feet, for a church bulletin board or identification of permitted public or semi-public uses, wildlife reservations, recreational uses, or clubs.
 - g. Temporary nonilluminated signs, limited in area to four (4) square feet, directing the way to premises which are for sale or rent.
 - h. A temporary, nonilluminated sign, limited in area to thirty-two (32) square feet, advertising real estate for sale or lease or announcing contemplated improvements of the real estate on which it is placed.
 - i. A temporary sign, limited in area to thirty-two (32) square feet, erected in connection with new construction work and displayed on the premises only during such time as the actual construction work is in progress.
 - j. Temporary signs at appropriate locations, on or off the premises, for direction of the traveling public, truck deliveries and employees to an activity or event, a church, school, historic place,

subdivision or community, a construction site or excavation, airport, or other center of employment or visitor center or recreation facility in an isolated area of the county, limited in area to thirty-two (32) square feet and subject to approval of location, design, and wording, by the administrator. This permitted sign is not intended as an ordinary advertising device.

k. Temporary nonilluminated paper signs.

(Ord. of 6-18-90, § 19-3.2; Ord. of 2-27-95; Ord. of 9-28-98(2); Ord. of 9-23-02(2); Ord. of 12-17-07; Ord. of 12-21-15(3); Ord. of 7-22-19, § 1)

Sec. 18-73. Minimum lot area.

The minimum lot area shall be forty thousand (40,000) square feet.

(Ord. of 6-18-90, § 19-3.3)

Sec. 18-74. Setback regulations.

Except as provided elsewhere in this chapter, structures shall be at least fifty (50) feet from any street right-of-way, except that where an addition is planned to an existing nonconforming structure, such addition may extend or project into the required front yard provided such addition does not extend or project any closer to the street right-of-way than the original structure and provided that such addition does not exceed fifty (50) percent of the gross floor area of the existing structure, except that permitted signs may be erected up to ten (10) feet from the street right-of-way. On a U.S. highway structures other than signs shall be set back at least one hundred (100) feet from the street right-of-way and on a primary highway at least seventy-five (75) feet.

(Ord. of 6-18-90, § 19-3.4; Ord. of 5-24-93)

Sec. 18-75. Minimum lot frontage.

Except as provided elsewhere in this chapter, the minimum lot frontage shall be twenty-five (25) feet.

(Ord. of 6-18-90, § 19-3.5)

Sec. 18-76. Minimum lot width.

- (a) Except as elsewhere provided in this chapter, the minimum lot width shall be one hundred fifty (150) feet.
- (b) The site of an existing dwelling and its accessory buildings, whether or not occupied and regardless of the conditions of the structures, may be sold as a separate lot with minimum lot area of forty thousand (40,000) square feet, whether or not in a field or pasture, provided an accessway of twenty-five foot minimum width is provided to a public street or road.

(Ord. of 6-18-90, § 19-3.6; Ord. of 1-25-93)

Sec. 18-77. Yard regulations.

- (a) *Side.* The minimum side yard for each main structure in an A-2 district shall be fifteen (15) feet and the total width of the two (2) required side yards shall be at least thirty-five (35) feet.
- (b) *Rear.* Each main structure shall have a rear yard of thirty-five (35) feet or more.

(Ord. of 6-18-90, § 19-3.7)

Sec. 18-78. Height restrictions.

Buildings in an A-2 district may be erected up to thirty-five (35) feet in height; except, that:

- (1) A public or semi-public building such as a school, church, library or general hospital may be erected to a height of sixty (60) feet from grade; provided, that required front, side and rear yards shall be increased one (1) foot for each foot in height over thirty-five (35) feet.
- (2) Church spires, belfries, cupolas, monuments, water towers, chimneys, flues, flagpoles, and television antennae and radio aerials less than one hundred twenty-five (125) feet in height, are exempt. Parapet walls may be up to four (4) feet above the height of the building on which the walls rest.
- (3) No accessory building which is within twenty (20) feet of any party lot line shall be more than one (1) story or fifteen (15) feet in height.

(Ord. of 6-18-90, § 19-3.8)

Sec. 18-79. Special provisions for corner lots.

- (a) Of the two (2) sides of a corner lot in an A-2 district the front shall be deemed to be the shortest of the two (2) sides fronting on streets.
- (b) The minimum side yard on the side facing the side street shall be thirty-five (35) feet for both main and accessory building.
- (c) Each corner lot shall have a minimum width at the setback line of one hundred fifty (150) feet.
- (d) Landscaping of corner lots shall be limited to plantings, fences or other landscaping features of no more than three (3) feet in height within the space between the setback line and the property line on the street side of the lot.

(Ord. of 6-18-90, § 19-3.9)

Sec. 18-80. Limitation on the number of divisions of a parcel in the agricultural A-2 zoning district.

- (a) Each tax parcel, as of the effective date of this section, shall be limited to two (2) further divisions, with said divisions complying with the minimum standards as relating to lot area, lot frontage and lot width. There shall be no further division of any parcel divided from a parent tract after the effective date of this section. The provisions of this section shall expire one (1) year after the effective date.
- (b) The provisions of this section shall not apply or pertain to a single division of a lot or parcel for the purpose of sale or gift to a member of the immediate family of the property owner(s).

All such lots of less than five (5) acres shall have a reasonable right-of-way of not less than ten (10) feet or more than twenty (20) feet, providing ingress or egress to a dedicated recorded public street or thoroughfare.

Only one such division shall be allowed per grantee, and shall not be for the purpose of circumventing this section.

For the purpose of this section, a member of the immediate family is defined as any person that is a natural or legally defined offspring, spouse, sibling, grandchild, grandparent, or parent of the owner.

(Ord. of 2-28-05)

Editor's note(s)—This section shall become effective on March 1, 2005.

Sec. 18-81. Development standards for private kennels.

- (a) Any application for the keeping of six (6) to twenty (20) dogs shall meet the following standards:
- (1) An application and application fee shall be filed with the administrator listing the number of dogs and breeds of dogs. Dogs shall not be of the following breeds: American Pit Bull Terrier, Rottweiler, German Sheppard, Alaskan Malamute, Husky, Doberman Pinscher, Chow Chow, Great Dane or Saint Bernard.
 - (2) A plan shall be submitted with the application describing the method of care for the animals regarding food, water, shelter, and waste disposal.
 - (3) An acceptable site plan shall be submitted with the application showing the location of kennels and distances from all property lines, residences and waters sources.
 - (4) The kennel shall be twenty-five (25) feet from all property lines.
 - (5) The kennel shall not be located in the front yard.
 - (6) The kennel shall be fifty (50) feet from all water sources, wells (unless solely designed for use by the kennel), rivers, ponds, and streams.
 - (7) The kennel shall be one hundred fifty (150) feet from all residences (excluding the applicant's residence).
 - (8) The kennel shall be screened to an appropriate height with fencing, foliage, shrubs or other material suitable as determined by the administrator.
 - (9) The property shall contain a minimum of two (2) acres.
 - (10) There shall be no commercial sales of animals, defined as more than five (5) dogs sold in any calendar year.
 - (11) There shall be an annual review and/or inspection by the administrator to ensure conditions are in order.
 - (12) The permit holder shall secure appropriate dog tags from the treasurer's office annually.

If the applicant meets all of these requirements (items (1) through (12) of section (a) herein above) the administrator shall send written notice, via first class mail, to all adjacent property owners indicating that a private kennel permit is being sought. Additionally, the administrator shall post a zoning sign on the property of the proposed kennel and send written notice to the animal control officer and health department. Adjacent property owners and agencies shall have thirty (30) days from the date of notice to submit written comments regarding the application. If all standards are met and no written objections are received during the referral process, then the administrator may issue the permit. If the permit is issued administratively, the permit fee is one hundred dollars (\$100.00). If the applicant does not meet all of the above described standards or if written objections are received from adjacent property owners or agencies during the thirty (30) day period, then the application will be presented to the board of zoning appeals for consideration under the special use permit process outlined in sections 18-482(6a), (6b) and (6c). The application fee for a special use permit from the BZA is three hundred dollars (\$300.00).

- (b) Any application for the keeping of twenty-one (21) to fifty (50) dogs shall meet the following standards:

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- (1) An application and application fee shall be filed with the administrator listing the number of dogs and breeds of dogs. Dogs shall not be of the following breeds: American Pit Bull Terrier, Rottweiler, German Sheppard, Alaskan Malamute, Husky, Doberman Pinscher, Chow Chow, Great Dane or Saint Bernard.
 - (2) A plan shall be submitted with the application describing the method of care for the animals regarding food, water, shelter, and waste disposal.
 - (3) An acceptable site plan shall be submitted with the application showing the location of kennels and distances from all property lines, residences and waters sources.
 - (4) The kennel shall be twenty-five (25) feet from all property lines.
 - (5) The kennel shall not be located in the front yard.
 - (6) The kennel shall be fifty (50) feet from all water sources, wells (unless solely designed for use by the kennel), rivers, ponds, and streams.
 - (7) The kennel shall be one hundred fifty (150) feet from all residences (excluding the applicant's residence).
 - (8) The kennel shall be screened to an appropriate height with fencing, foliage, shrubs or other material suitable as determined by the administrator.
 - (9) The property shall contain a minimum of five (5) acres.
 - (10) There shall be no commercial sales of animals, defined as more than five (5) dogs sold in any calendar year.
 - (11) There shall be an annual review and/or inspection by the administrator to ensure conditions are in order.
 - (12) The permit holder shall secure appropriate dog tags from the treasurer's office annually.

If the applicant meets all of these requirements (items (1) through (12) of section (b) hereinabove) the administrator shall send written notice, via first class mail, to all adjacent property owners indicating that a private kennel permit is being sought. Additionally, the administrator shall post a zoning sign on the property of the proposed kennel and send written notice to the animal control officer and health department. Adjacent property owners and agencies shall have thirty (30) days from the date of notice to submit written comments regarding the application. If all standards are met and no written objections are received during the referral process, then the administrator may issue the permit. If the permit is issued administratively, the permit fee is one hundred dollars (\$100.00). If the applicant does not meet all of the above described standards or if written objections are received from adjacent property owners or agencies during the thirty (30) day period, then the application will be presented to the board of zoning appeals for consideration under the special use permit process outlined in sections 18-482(6a), (6b) and (6c). The application fee for a special use permit from the BZA is three hundred dollars (\$300.00).

- (c) An application for the keeping of more than fifty (50) dogs shall meet the following standards:
 - (1) An application and application fee shall be filed with the administrator listing the number of dogs and breeds of dogs. Dogs shall not be of the following breeds: American Pit Bull Terrier, Rottweiler, German Sheppard, Alaskan Malamute, Husky, Doberman Pinscher, Chow Chow, Great Dane or Saint Bernard.
 - (2) A plan shall be submitted with the application describing the method of care for the animals regarding food, water, shelter, and waste disposal.
 - (3) An acceptable site plan shall be submitted with the application showing the location of kennels and distances from all property lines, residences and waters sources.
 - (4) The kennel shall be twenty-five (25) feet from all property lines.

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- (5) The kennel shall not be located in the front yard.
 - (6) The kennel shall be fifty (50) feet from all water sources, wells (unless solely designed for use by the kennel), rivers, ponds, and streams.
 - (7) The kennel shall be one hundred fifty (150) feet from all residences (excluding the applicant's residence).
 - (8) The kennel shall be screened to an appropriate height with fencing, foliage, shrubs or other material suitable as determined by the administrator.
 - (9) The property shall contain a minimum of ten (10) acres.
 - (10) There shall be no commercial sales of animals, defined as more than five (5) dogs sold in any calendar year.
 - (11) There shall be an annual review and/or inspection by the administrator to ensure conditions are in order.
 - (12) The permit holder shall secure appropriate dog tags from the treasurer's office annually.

The application will be presented to the board of zoning appeals for consideration under the special use permit process outlined in sections 18-482(6a), (6b) and (6c). The application fee for a special use permit from the BZA is three hundred dollars (\$300.00).

(Ord. of 12-17-07)

Sec. 18-82. Development standards for hunt club kennels.

- (a) Any application for the keeping of up to fifty (50) dogs shall meet the following standards:
 - (1) An application and application fee shall be filed with the administrator listing the number of dogs and breeds of dogs. Dogs shall not be of the following breeds: American Pit Bull Terrier, Rottweiler, German Sheppard, Alaskan Malamute, Husky, Doberman Pinscher, Chow Chow, Great Dane or Saint Bernard.
 - (2) A plan shall be submitted with the application describing the method of care for the animals regarding food, water, shelter, and waste disposal.
 - (3) An acceptable site plan shall be submitted with the application showing the location of kennels and distances from all property lines, residences and waters sources.
 - (4) The kennel shall be twenty-five (25) feet from all property lines.
 - (5) The kennel shall not be located in the front yard.
 - (6) The kennel shall be fifty (50) feet from all water sources, wells (unless solely designed for use by the kennel), rivers, ponds, and streams.
 - (7) The kennel shall be one hundred fifty (150) feet from all residences (excluding the applicant's residence).
 - (8) The kennel shall be screened to an appropriate height with fencing, foliage, shrubs or other material suitable as determined by the administrator.
 - (9) The property shall contain a minimum of one (1) acre.
 - (10) There shall be no commercial sales of animals, defined as more than five (5) dogs sold in any calendar year.

(11) There shall be an annual review and/or inspection by the administrator to ensure conditions are in order.

(12) The permit holder shall secure appropriate dog tags from the treasurer's office annually.

If the applicant meets all of these requirements (items (1) through (12) of paragraph (a) herein above) the administrator shall send written notice, via first class mail, to all adjacent property owners indicating that a hunt club kennel permit is being sought. Additionally, the administrator shall post a zoning sign on the property of the proposed kennel and send written notice to the animal control officer and health department. Adjacent property owners and agencies shall have thirty (30) days from the date of notice to submit written comments regarding the application. If all standards are met and no written objections are received during the referral process, then the administrator may issue the permit. If the permit is issued administratively, the permit fee is one hundred dollars (\$100.00). If the applicant does not meet all of the above described standards or if written objections are received from adjacent property owners or agencies during the thirty (30) day period, then the application will be presented to the board of zoning appeals for consideration under the special use permit process outlined in sections 18-482(6a), (6b) and (6c). The application fee for a special use permit from the BZA is three hundred dollars (\$300.00).

(b) Any application for the keeping of more than fifty (50) dogs shall meet the following standards:

(1) An application and application fee shall be filed with the administrator listing the number of dogs and breeds of dogs. Dogs shall not be of the following breeds: American Pit Bull Terrier, Rottweiler, German Sheppard, Alaskan Malamute, Husky, Doberman Pinscher, Chow Chow, Great Dane or Saint Bernard.

(2) A plan shall be submitted with the application describing the method of care for the animals regarding food, water, shelter, and waste disposal.

(3) An acceptable site plan shall be submitted with the application showing the location of kennels and distances from all property lines, residences and waters sources.

(4) The kennel shall be twenty-five (25) feet from all property lines.

(5) The kennel shall not be located in the front yard.

(6) The kennel shall be fifty (50) feet from all water sources, wells (unless solely designed for use by the kennel), rivers, ponds, and streams.

(7) The kennel shall be one hundred fifty (150) feet from all residences (excluding the applicant's residence).

(8) The kennel shall be screened to an appropriate height with fencing, foliage, shrubs or other material suitable as determined by the administrator.

(9) The property shall contain a minimum of one (1) acre.

(10) There shall be no commercial sales of animals, defined as more than five (5) dogs sold in any calendar year.

(11) There shall be an annual review and/or inspection by the administrator to ensure conditions are in order.

(12) The permit holder shall secure appropriate dog tags from the treasurer's office annually.

The application will be presented to the board of zoning appeals for consideration under the special use permit process outlined in sections 18-482(6a), (6b) and (6c). The application fee for a special use permit from the BZA is three hundred dollars (\$300.00).

(Ord. of 12-17-07)

Secs. 18-83—18-100. Reserved.