

Article 3 Zoning Districts

Section 300 Establishment of Zoning Districts

The Town of Halifax is hereby divided into the following zoning districts as shown on the Halifax Zoning Map.

Conservation District	C
Village District	V
Rural Residential District	RR

Section 301 Purpose of Zoning Districts

The purpose of these districts is to further the public health, safety and welfare of the Town of Halifax. In addition, these districts seek to provide an orderly, attractive, compatible and logical growth pattern for the Town by allocating the various functional uses to areas best suited for them within the Town boundaries.

Section 302 Maps

The location and boundaries of the Zoning Districts are established as shown on the Halifax Zoning Map. The Zoning Map is hereby made a part of this Regulation, together with all future notations, references and amendments.

Section 303 Boundaries

Boundaries between districts are, unless otherwise indicated, the centerlines of roads or streams or follow property boundaries where indicated on the Zoning Map or described in this Regulation. Where there is any uncertainty, contradiction or conflict as to the intended location of any district boundary due to scale, lack of detail or illegibility of the maps, the Board of Adjustment shall make an interpretation upon an appeal from a decision of the Zoning Administrator. Where the boundary line between two zoning districts divides a lot, the provisions of the least restrictive district may be extended by fifty feet into the adjacent district.

Section 304 General Zoning District Standards and Definitions

1. *Buildings and Uses on Lots* There shall be only one principal building or one principal use and its structures on a lot. Provision is made for accessory uses and home occupations.
2. *Building Heights* The maximum building height in all districts is three (3) stories or thirty-five (35) feet, whichever is less, except for silos and other agricultural uses; church spires; cupolas; bell, clock and fire towers; telecommunications facilities; and antennas for municipal or fire company use only. Private antennas may extend 10 feet above the roof line of a 3 story building.
3. *Setbacks from a Street or Property* All setbacks are measured from the property line or permanent easement or right-of-way, as applicable, back to the closest point of the structure or setback object.
4. *Residential/Non-residential Uses* A residential structure is a dwelling or any accessory structure no greater than 200 square feet in size on the same lot. Accessory structures greater than 200 square feet in size, or buildings of any size on lots without a dwelling are non-residential.

5. *Setbacks from a Watercourse or Water Body* The minimum setback requirement for structures and septic systems, including leachfields, from all watercourses and water bodies shall be 75 feet. Setbacks are measured from the seasonal high water mark along the bank or shoreline.
Structures whose primary purpose requires that they be in or immediately along banks or shorelines, such as docks and hydroelectric installations, are exempt from this setback requirement.
6. *Yards on Corner Lots* All yards adjoining a road shall be considered a front yard for the purpose of these regulations.
7. *Area* In calculating the required area, width and depth of a lot, existing and proposed road rights-of-way shall be excluded.
8. *Uses Not Provided For* Other uses are permitted upon a finding by the Planning Commission that such use is of the same general character as those permitted within the district and will not be detrimental to the other uses within the district or to the adjoining land uses. After a finding is made by the Planning Commission that a use is similar to a Permitted Use, then the applicant shall proceed with securing a Zoning Permit from the Zoning Administrator. If a finding is made by the Planning Commission that a use is similar to a Conditional Use, approval from the Board of Adjustment is required.
9. *Prohibited Uses* Any use not designated as a permitted or conditional use within this Regulation or not meeting the criteria of subsection 7 above shall be deemed prohibited.

Section 305 Permitted Uses in All Districts

The following uses are permitted in all districts:

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| 1. Land Division | 5. Home Industry |
| 2. Agriculture | 6. Cemetery |
| 3. Forestry | 7. Accessory Use |
| 4. One and Two-Family Dwellings | 8. Accessory dwelling units (see page 13) |

In accordance with Section 4412 of The Act, the following uses are considered a permitted single-family use of property in all districts.

- a. *Family child care homes* serving no more than 6 full-time children and four part-time children (see page 22 for details)
- b. *Residential care or group homes* serving no more than 8 persons (see page 22 for details).

Section 306 Village

1. *Description* The Village District contains all lands within the area described below and shown on the Halifax Zoning Map. Beginning at the southerly boundary of Sumner’s Mill, so-called, at its intersection with Branch Road; thence northwesterly in a straight line to the intersection of Sprague and Reed Hill Roads; thence northerly in a straight line to the intersection of the southerly boundary of lands of Summerfeld and Collins Road; thence easterly in a straight line to the intersection of Bridge 10 and Brook Road; thence southwesterly in a straight line to the point and place of beginning.
2. *Purpose* The purpose of the Village District is to support the role of the village as the focus of many social and economic activities in the community and to provide for residential, commercial and other compatible development that serves the needs of the community. Such development should occur at densities and uses that will maintain the traditional social and physical character of the village including its historic, agricultural, and scenic resources.
3. *Permitted Uses, V* In addition to uses listed in section 305 of this regulation, the following uses are permitted by right:

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|--------------------|---------------------|
| 1. Bed & Breakfast | 3. Personal Service |
| 2. Office | |

4. *Conditional Uses, V* The following uses require a Conditional Use Permit from the Board of Adjustment:

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| 1. Multi-Family Dwelling | 13. Boarding House |
| 2. Planned Unit Development | 14. Hotel/Motel |
| 3. Public Utility Facility | 15. Service Station, Repair Garage |
| 4. Public Assembly Facility | 16. Light Industry |
| 5. Lodge/Inn | 17. Funeral Home |
| 6. Resource Industry | 18. Recreation Facility |
| 7. Earth & Mineral Extraction | 19. Campground |
| 8. Office/Office Building | 20. Group Home/Child Care Facilities |
| 9. Retail Uses | exceeding minimum size (see section 504) |
| 10. Bank | 21. Garden/Farm Supply or Nursery |
| 11. Restaurant | 22. Veterinary Office (no boarding of animals) |
| 12. Uses listed in sec. 4413(a) 1-6 of the Act | 23. Mini-storage |

5. *Area, Dimensional and Coverage Requirements, V*

	<i>Non-Residential Uses</i>	<i>Residential Uses</i>
Lot Area	2 Acres minimum	2 Acres/dwelling unit min
Lot Frontage (see Sect. 401)	200 Feet minimum	200 Feet minimum
Front Yard Setback	35 Feet minimum	35 Feet minimum
Side & Rear Yard Setback	25 Feet minimum	25 Feet minimum
Lot Coverage	40% maximum	20% maximum

Section 307 Rural Residential

1. *Description* The Rural Residential District includes all areas within the Halifax Town limits not included in the Conservation or Village Districts, as shown on the Halifax Zoning Map.
2. *Purpose* The purpose of the Rural Residential District is to provide for residential development and compatible light industrial & light commercial uses at moderate densities which are easily accessible to public roads. It is anticipated that the bulk of new residential and light commercial growth will take place within this district. Special care should be taken to protect the rural-residential character of this district and to locate proposed development off of productive agricultural lands. Non-residential development proposed in the RR District shall be carefully reviewed on a case-by-case basis utilizing the standards established under Conditional Use Approval, and elsewhere throughout this Zoning Regulation including, but not limited to General Performance Standards, Landscaping Requirements, and Article 5 Special Regulations, as applicable.
3. *Permitted Uses, RR* In addition to uses listed in section 305 of this regulation, the following uses are permitted by right:

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| 1. Bed & Breakfast | 3. Personal Service |
| 2. Office | 4. Wildlife Refuge |

4. *Conditional Uses, RR* The following uses require a Conditional Use Permit from the Board of Adjustment:

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|-------------------------------|---|
| 1. Multi-Family Dwelling | 14. Service Station, Repair Garage |
| 2. Planned Unit Development | 15. Light Industry |
| 3. Public Utility Facility | 16. Funeral Home |
| 4. Public Assembly Facility | 17. Indoor/Outdoor Recreation Facility |
| 5. Lodge/Inn | 18. Campground |
| 6. Resource Industry | 19. Group Home/Child Care Facilities exceeding minimum size (see section 504) |
| 7. Earth & Mineral Extraction | 20. Garden/Farm Supply or Nursery |
| 8. Office/Office Building | 21. Veterinary Clinic |
| 9. Retail Uses | 22. Commercial Animals, Kennel |
| 10. Bank | 23. Mini-Storage |
| 11. Restaurant | 24. Uses listed in Section 4413(a) (1)-(6) of the Act |
| 12. Boarding House | |
| 13. Hotel/Motel | |

5. *Area, Dimensional and Coverage Requirements, RR*

	<i>Non-residential Uses</i>	<i>Residential Uses</i>
Lot Area	3 Acres minimum	3 Acres/dwelling unit min
Lot Frontage (see Sect. 401)	300 Feet minimum	300 Feet minimum
Front Yard Setback	50 Feet minimum	35 Feet minimum
Side & Rear Yard Setback	50 Feet minimum	25 Feet minimum
Lot Coverage	25% maximum	15% maximum

Section 308 Conservation District

1. *Description* The Conservation District contains all designated lands within the area described following and shown on the Halifax Zoning Map. Beginning at the intersection of the Halifax/Guilford town line and the Green River Road, then west along the southern boundary of the Green River Road; then south along the east side of Brook Road; then east along the northern boundary of Whitneyville Road; then south along the eastern side of Old County Road towards Halifax Center; then southeasterly and northeasterly along the northern border of Jacksonville Stage Road to the Guilford/Halifax town line; then north following the Guilford/Halifax town line to the point of origin.
2. *Purpose* The purpose of the Conservation District is to protect the natural resource value of lands that are essentially undeveloped, are important upland wildlife habitat or corridors, particularly for large game animals such as deer and bear, or have high forestry value, are unsuitable for land development, or include irreplaceable, limited or significant natural, recreational, or scenic resources.
3. *Permitted Uses, C* In addition to uses listed in section 305 of this regulation, the following uses are permitted by right:

1. Wildlife Refuge

4. *Conditional Uses, C* The following uses require a Conditional Use Permit from the Board of Adjustment:

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|---|---|
| 1. Cluster Housing | 4. Limited Outdoor Recreation |
| 2. Bed & Breakfast | 5. Resource Industry |
| 3. Vet. Clinic, Commercial Animals,
Kennel | 6. Uses listed in sec. 4413(a) (1)-(6) of the Act |

5. *Area, Dimensional and Coverage Requirements, C*

Lot Area	15 Acres minimum
Lot Frontage (see Sect. 401)	500 Feet minimum
Front Yard Setback	50 Feet minimum
Side & Rear Yard Setback	50 Feet minimum
Lot Coverage	10% maximum