

## **ARTICLE 1**

### **THE CONSTITUTION OF THE ORDINANCE**

#### **PART 1**

##### **1-100 TITLE**

The regulations contained in this and the following Articles constitute Appendix D of the Code of County of Fauquier, Virginia, and shall be designated "The Zoning Ordinance of Fauquier County, Virginia", and may be so cited.

#### **PART 2**

##### **1-200 PURPOSE AND INTENT**

The Zoning Ordinance of Fauquier County, Virginia, is intended to promote the health, safety and general welfare of the public; and to implement the adopted Comprehensive Plan for the orderly and controlled development of the County to accomplish these ends, the Zoning Ordinance is designed:

1. to create and maintain conditions under which people and their environment can exist in a productive and enjoyable harmony while fulfilling the social, economic and other requirements of present and future generations;
2. to facilitate the creation of a convenient, attractive and harmonious community;
3. to provide for County growth that is consonant with the efficient and economic use of public funds and environmental quality;
4. to recognize the needs of agriculture, housing, industry and business in the County's future growth;
5. to promote the creation and expansion of communities that will be developed with adequate highway, utility, health, education and recreational facilities;
6. to promote residential areas with healthy surroundings for family life.
7. to protect against destruction of or encroachment upon historic areas.
8. to encourage economic development activities that provide desirable development and a broad tax base;
9. to promote the conservation of natural resources;
10. to encourage the preservation of stream valleys, steep slopes, prime agricultural soils areas, lands of natural beauty, dense forestation, scenic areas, water supplies and other similar areas to ensure that development in such areas is well-controlled;

11. to protect against the following: overcrowding of land; undue intensity of noise; air and water pollution; undue density of population in relation to available community facilities; obstruction of light and air; danger and congestion in travel and transportation; and loss of life, health or property from fire, flood, panic or other dangers;
12. to promote housing types that will allow County residents of whatever economic conditions to reside in safe, sanitary dwelling units;
13. to encourage innovative and desirable approaches to designated development; and to promote the distinctive sense of urban, suburban and rural places as well as the sense of community within the County;
14. to protect the agricultural areas, recognizing their importance to the economic base, their potential for land use conflicts, and the existence of Agricultural and Forestal Districts created pursuant to Chapter 36, Title 15.2 Code of Virginia; taking into account requirements contained therein;
15. to accomplish all other objectives and exercise all other powers as contained in Article 8, Chapter 11, Title 15.2 Code of Virginia; taking into account requirements contained therein;

**PART 3**

**1-300 SEVERABILITY**

Should the courts decide that any Section or provision of this Ordinance is unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part held to be unconstitutional or invalid.

**PART 4**

**1-400 CONFLICTING ORDINANCES**

Whenever any provision of this Ordinance imposes a greater requirement or a higher standard than is required in any State or Federal statute or other County Ordinance or regulation, the provision of this Ordinance shall govern. Whenever any provision of any State or Federal statute or other County Ordinance or regulation imposes a greater requirement or a higher standard than is required by this Ordinance, the provision of such State or Federal statute or other County Ordinance or regulations shall govern.

**PART 5**

**1-500 MINIMUM REQUIREMENTS**

In interpreting and applying the provisions of this Ordinance, said provisions shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, comfort, prosperity or general welfare. It is not the intent of this Ordinance to interfere with or abrogate or annul any easements, covenants or other agreements between parties; provided, however, that where this Ordinance imposes a greater restriction upon the use and dimensions of buildings or premises, or requires larger open space than is required by other ordinances, rules,

regulations or by easements, covenants or agreements, the provisions of this Ordinance shall govern, except where expressly qualified in the Articles that follow.

**PART 6**

**1-600 EFFECTIVE DATE**

The Zoning Ordinance of Fauquier County, Virginia, as herein presented, was adopted on May 19, 1981, and became effective at 12:01 A.M. on May 20, 1981, at which time the Zoning Ordinance of the County of Fauquier, Virginia, adopted August 11, 1955, as amended, was repealed.

**PART 7**

**1-700 COPY ON FILE**

A certified copy of the Zoning Ordinance of Fauquier County, Virginia, as may be amended from time to time, shall be filed in the Office of the Zoning Administrator of Fauquier County.