

Overview:

Nelson County hosted a community open house for the Zoning and Subdivision Ordinance update at the Nelson Center in Lovingsston, VA at 5:30 p.m. on August 19, 2026. Additionally, an online survey was available in conjunction with the open house, and a public comment form was available on the project website from August 2024 through August of 2026.

The Open House began with a presentation that gave an overview of zoning and subdivision ordinances, the reason for the update, the update process to date, and the process going forward. The presentation also highlighted the differences between the existing Ordinances and the updated consolidated Ordinance. After the presentation attendees viewed the displays and gave feedback by placing dot stickers and written notes on the display boards, asking questions and discussing concerns with staff, and turned in written comment forms.

This document summarizes the feedback received during the open house, via the online survey, and via the website comment form. All feedback is provided in Attachment A verbatim.

Attendance & Engagement:

- Approximately 65 people attended the open house
 - 9 handwritten comments were submitted
 - Many people placed input on the display boards
- 29 comment forms and open house survey responses were submitted online

Summary

Comments Received –

Topics across the various feedback options included:

- Data Centers
 - Majority of comments were in opposition to data centers
 - 10 comments submitted online
 - 5 handwritten comments submitted at Open House
 - Display board results (below)
 - Conversations
- Short-term rentals
 - 4 people submitted comments online
- Steep slopes
- Cluster housing
- Accessory Dwelling Units (ADU)
- Home occupations
- Roadside farm stands
- General comments
 - A lengthy list of editorial and content questions/concerns was submitted

Display Board Results

The Boards provided excerpts of ordinance text and asked the public to mark whether they agreed or disagreed with the text, and to provide additional feedback if they disagreed. While some marked disagree, many of them did not explain why/why not or provide suggested edits for the text. If additional feedback was given it is provided below; if no feedback is provided below, then no feedback was given to explain the disagreeing vote(s).

○ **NEW LAND USES**

- Vape Shop & Adult Use Standards (no new smoke/vape shop or adult use within 3 miles of an existing one): 6 agree, 3 disagree
- Carwash Standard (min. 100 ft. from residential): 5 disagree
- Data Center Standards:
 - Viewshed analysis required: 8 agree, 3 disagree
 - Air-based cooling required: 5 agree, 3 disagree
 - No new off-site transmission lines: 7 agree, 3 disagree
 - 3 posted notes stating “no data centers” and received 18 votes
- Accessory Agriculture
 - Max 10 chickens, no roosters: 3 agree, 9 disagree
 - Coops $\geq$ 10 feet from property line: 4 agree, 5 disagree
- Commercial Stable: most disagree with the time standard
- Short-Term Rentals
 - Annual registration renewal: 5 agree, 8 disagree
 - No RVs, buses, etc. as STRs: 7 agree, 2 disagree
 - Off-street parking required: 7 agree, 3 disagree
 - Suspension after being revoked: 5 agree, 7 disagree
 - Unhosted stay by SUP only: 7 agree, 8 disagree
 - A posted note requests penalties for not registering an STR

○ **NEW OVERLAY DISTRICTS**

- CO151 Purpose & Standards: 3 agree, 7 disagree
- CO29 Purpose & Standards: 6 agree, 2 disagree
- VO Purpose & Standards: 6 agree, 2 disagree

○ **RURAL DISTRICTS**

- Purposes & Standards: 8 agree, 3 disagree
- Family Subdivision Standards: 6 agree, 2 disagree
 - Exempted from sliding scale division rights
 - Permitted in C-1, A-1, and R-1
 - Not required to front a public street
 - Table 4-2 requirements supersede the requirements for other development types
- A posted note stating “water availability should be determined before building permits issued” received 2 votes

Attachment A. Nelson County Zoning Ordinance Update Public Engagement Results 2026

Date Entered	Topic	2026 Zoning & Subdivision Ordinance Update Website Comment Form & Open House Survey Submissions		
9/17/2026	Data Centers 7-6-2	Section I Noise, 4) a.) Annual Testing From draft: (a) If the sound test finds that noise levels exceed 60 dBA as measured at the property line or 50 dBA as measured at the nearest neighboring dwelling or any additional standards and conditions associated with the use, the applicant will have 48 hours to mitigate the violation or operations will be suspended and the applicant shall cease the use until such time that the applicant can demonstrate the noise levels are in compliance with this Section. My issue is that recent studies have shown conclusively that 50 dBA of constant noise is really unacceptable to neighbors, schools, open space. What Makes Data Center Noise Problematic? 24/7 Continuity: Unlike traffic or construction, the low-frequency hum (under 100 Hz) never stops, penetrating walls and disrupting sleep. Suggest to dramatically lower acceptable rate for continuous noise - more in the <25 dBA range at property line.		
8/26/2026	Data Centers Article 7 - Use Performance Standards	Data Centers are a proposed new use. Performance standards are not sufficient to protect the county from the negative impacts of Data Centers. The ordinances should not include data centers as a specific permitted use. Roadside Farm Stands requirements to be approved by VDOT while also meeting setback requirements is overkill and is an unreasonable amount of bureaucracy for folks who want to share good food with our community.		
8/26/2026	Data Centers Article 7 - Use Performance Standards	Article 7, pg 53-58 The ordinances should remain unchanged from the current policy that does not include Data Centers as a permitted use. This is a proposed new use and it opens the door for potential rezonings from A-1 to M-2 throughout the county. Crucially, performance standards are not sufficient to protect the county from the negative impacts of data centers. This issue deserves extremely careful oversight.		
8/26/2026	Data Centers Article 7 - Use Performance Standards	Please leave Article 7, pages 53-58 unchanged David A. Snyder and Barbara D. Matysek, Afton		
8/26/2026	General Comments	Zoning Ordinances should not change and should instead protect and preserve our Rural Lands . Nelson is in grave danger of losing its rural character . In fact, the destruction of over development is already present. Please leave our rich history and A-1 Agricultural Land in tact and preserved as you move through this process.		
8/26/2026	Short Term Rentals	AirBNB 's should not be allowed for out of state investors. Additionally, local residents should only be allowed a maximum of one AirBNB and it should be located on their own property where their primary residence is located.		
8/26/2026	General Comment	I think it is imperative the mapps be released prior to anything being formally voted on and/or approved. As citizens we cannot make informed decisions or give input without know how these changes might impact our properties.		
8/23/2026	Short Term Rentals	We spoke with someone at the open house about this but she suggested we also comment formally. The language in the various sections regarding short term lodging is confusing and inconsistent. For example, in one area it says a STR can be in an accessory structure but in the definitions it refers to rentals being in a dwelling unit...so are STRs required to be in a "dwelling unit" with provisions for cooking? Or could someone build essentially guest "cottages" that are more or less just a bed and bath? The restriction on number of short term rental units is also confusing...is the restriction on the number of structures or number of bedrooms or what exactly? Thank you!		
8/21/2026	Data Centers Article 7 - Use Performance Standards	Article 7, pg 53-58 The ordinances should remain unchanged from the current policy that does not include Data Centers as a permitted use. "This is a proposed new use" that opens the door for potential rezonings from A-1 to M-2 throughout the county. Performance standards are not sufficient to sufficiently protect the county from the negative impacts of Data Centers.		
8/21/2026	Short Term Rentals Article 7 - Use Performance Standards	I think short term rental , unhosted stay should be removed from the ordinance. If kept, it should specify only properties that fit the adaptive reuse category, and still, as currently shown, with SUP		
8/21/2026	Data Centers Article 7 - Use Performance Standards	I am especially concerned about Article 7, pg 53-58. I feel very strongly to protect the beauty, environment, and livability of Nelson County that the ordinances should remain UNCHANGED from the current policy that does NOT include Data Centers as a permitted use. Data Centers are notoriously are incredible drains on local water supply, electric grid impact and price, and create noise and other environmental pollution. Keep Data Centers out of Nelson County and keep the ability for them to be approved out of our Zoning Laws! "This is a proposed new use" that opens the door for potential rezonings from A-1 to M-2 throughout the county. Performance standards are not sufficient to sufficiently protect the county from the negative impacts of Data Centers.		
8/21/2026	Data Centers Article 7 - Use Performance Standards	Article 7, pg 53-58 The ordinances should remain unchanged from the current policy that does not include Data Centers as a permitted use. "This is a proposed new use" that opens the door for potential rezonings from A-1 to M-2 throughout the county. Performance standards are not sufficient to sufficiently protect the county from the negative impacts of Data Centers.		
8/21/2026	Steep Slopes Article 4 - Primary Zoning Districts Article 11 - Definitions	<i>*Synopsis of a lengthy comment, shown in the table below:</i> The steep slope and critical area definitions should state an actual percentage in the ordinance text. "Steep slope" is defined in Article 11 by pointing to "the most recent edition of the Virginia Uniform Statewide Building Code," and "critical areas" is defined by pointing to a state mining reclamation regulation, 4VAC25-31-10. Neither of those sources was written for county zoning purposes, and neither supplies a percentage. The 20 percent and 35 percent thresholds that actually do the work in Section 4-2-3(C)(1) only appear in an editor's footnote explaining legislative intent, not in the definitions themselves. Albemarle County, our neighbor, defines a critical slope directly in its own zoning ordinance as land with a grade of 25 percent or greater. I would ask Nelson County to take the same approach: state the steep slope and critical area thresholds as specific percentages directly in Article 11.		
8/20/2026	Data Centers	I am a retired USGS research ecologist and attended the zoning meeting last night. I suspect many in the community are concerned about data centers , which are popping up willynilly all over the country. While there was not specific mention of data centers at the meeting, this is obviously a really big issue to many. Yes they can bring money into the community, but there are downsides as well (ecological and energy issues, noise, eye-sores etc.). Also, at some point the market will become saturated with data centers, and what will happen when they are no longer needed? Nelson County is very nice place. I am not convinced that building such centers would significantly improve the county, and would likely have a detrimental impact. I would like to see Nelson County not allow them at all! Thanks for allowing me to voice an opinion. Jim Vogelmann, Howardsville (Nelson County) resident.		
8/19/2026	Data Centers Article 4 - Primary Zoning Districts	Data centers are not all bad or all good. They just have to be in a place that doesn't drain any aquifer and doesn't strain the electric grid in the area where it is. Finally, whatever zoning is adopted should basically be followed without countless variances .		
8/17/2026	General Comments	I previously submitted a complete written review of the August 2026 proposed Zoning & Subdivision Ordinance directly to the Board of Supervisors, Planning Commission, County Administration, and Planning staff. That review documents 122 distinct problem areas across all 11 articles, including 106 confirmed defects and 16 additional issues that I believe require independent legal review. Because this comment form does not provide a way to upload my complete written review, please treat my previously submitted written review and formal public-comment document as incorporated into this submission in their entirety. I am requesting that the August draft not advance toward adoption; that it be withdrawn and comprehensively corrected by a different qualified consultant; that the replacement be independently reviewed for current-law compliance, internal consistency, and technical accuracy; and that the corrected draft receive a new meaningful public-review period. Please confirm that my complete written submission will be included in the ordinance-review record and provided to Berkley Group, the Planning Commission, and the Board of Supervisors.		
8/24/2026	Data Centers Article 9 - Nonconforming Uses, Lots, and Structures	I urge that a moratorium be established on development of data centers until their benefits and impacts become better understood by Nelson's residents and government.		
Date Entered	Please select which topic you would like to leave a comment on.	2025 Zoning & Subdivision Ordinance Update Website Comment Form Submissions		
11/3/2025	Article 4 - Primary Zoning Districts	I feel that any current plat of land below 6 acres should remain A-1 if currently designated that and thus be grandfathered in the new zoning regulations.		
10/24/2025	General Comments	Are we able to make the meetings more accessible by offering them over zoom/online as well?		
8/7/2025	General Comments	FEMA guidelines are referenced throughout. Given the current administration's plans to dismantle FEMA, guidelines should be codified by the county, or source similar guidelines from a different, reputable source.		
7/7/2025	Article 4 - Primary Zoning Districts	Division 4-8 Cluster Housing Development Standard 1. Restrict to primary residence use only, no short term rentals. Could create essentially a hotel or resort if use is not limited. 2. 4-8-2 1.: Auxiliary housing units are by right. Needs stronger language regarding any additional development of a lot in the cluster - no farm wineries, breweries, distilleries, cideries — all of the by right development opportunities should be suspended in cluster developments. No mention in the standards of water and sewer requirements for cluster developments. Given potential density with point system, individual wells could have an impact on the water table in the area, affecting existing residents and agricultural use. Point system should be capped based on some industry standard water availability metric, and septic testing/requirements.		
6/25/2025	Article 5 - Primary Zoning Districts	ADU section of Article 7: " Exterior entrances to an attached accessory dwelling must be located so that the primary dwelling appears as a single unit dwelling." Can you explain what this means? Does this mean that the ADU has to be quite near the primary dwelling? That doesn't seem necessary in A1.		
6/25/2025	Article 5 - Primary Zoning Districts	Home Occupations needs to include artists and craftspeople, therapists, consultants, etc. And tradespeople with commercial vehicles.		
4/23/2025	General Comments Article 8 - Community Design Standards Article 9 - Nonconforming Uses, Lots, and Structures	Re: April 23 PC meeting: For the 151 Corridor overlay, I do think some thoughts for those pedestrians, reckless through they are, who do walk up 151 and Beech Grove Rd. Many tourists WANT to walk between breweries, and our children (there are children here!) walk too. Some thought for making some accommodations for pedestrians would be very welcome for those of us raising families, and hosting tourists, in that area. I really appreciated VDOTs exploration of pedestrian space there.	Can we build in expirations for non-conforming permissions for buildings that have been left to languish and decay over a period of time? So that when they are sold, pre-change doesn't convey?	Regarding landscaping : I really hope the PC will propose more robust landscaping rules, especially for the village overlays-- Let them be dialed back-- but start strong.
2/15/2026 2/13/2025	Short-Term Rentals	* Multiple lengthy comments regarding short-term rentals were submitted on both dates in the first column. The full comments are shown in the table below.		
Date Entered	Please select which topic you would like to leave a comment on.	2024 Zoning & Subdivision Ordinance Update Website Comment Form Submissions		
9/26/2024	General Comments	Please reduce minimum lot size , making residential single family, duplex, triplex and quadplex housing by-right in a zoning. Please reduce required setbacks , allow ADU 's by-right, encourage mixed-use projects and LETS BUILD MORE HOUSING!		
10/24/2024	General Comments	The public workshop forum , October 22, 2024 was disappointing. Poor format, poor execution. Not a great start to public engagement for the ordinance update; at least you have another opportunity. There certainly should be the ability for public comments in addition to the small group work sessions. You must ensure that you get 100% of the public's feedback. Limit the public comments to three minutes. The online comments are not a replacement for public comments. You must do a better job previewing the work sessions so that the groups do not waste time getting started. Otherwise, your time updates serve only to rush instead of being helpful. Not only can you use the entire two hours, but you should use the entire two hours. Please work to improve on October 30.		

2026 Zoning & Subdivision Ordinance Update Website Comment Form & Open House Survey Submissions							
Date/Topic	*Lengthy Comments in Full						
2/13/25 2/15/2026 Articles 6, 7, 9, 11	General comment: We appreciate the County’s effort to modernize the zoning ordinance and provide clearer standards for short-term rentals. Nelson County’s tourism economy is a major driver of local employment, tax revenue, and small business activity. We support reasonable regulation that ensures accountability, safety, and neighborhood compatibility. However, several provisions in the draft unintentionally restrict responsible operators and risk reducing investment in Nelson County without improving enforcement outcomes. We respectfully recommend revisions that focus on operational accountability rather than owner residency, preserve existing lawful operations, and maintain short-term rentals as a permitted residential use subject to clear performance standards. Our goal is to support a framework that protects neighborhood character while sustaining Nelson County’s tourism economy and local workforce.	We recommend adding explicit grandfathering protections for existing short-term rentals that were lawfully operating prior to adoption of this ordinance. Suggested addition: “Any short-term rental lawfully operating prior to the effective date of this Ordinance shall be considered a permitted nonconforming use and may continue operation, subject to compliance with applicable safety and registration requirements, without being required to meet new owner residency or unit limitations.” This provides stability for existing businesses and avoids unintended economic disruption while allowing the County to regulate future development.	We support maintaining short-term rentals as a permitted residential use within residential zoning districts, subject to performance standards. We recommend clarifying language that short-term rentals remain permitted by right in residential districts and are not subject to Special Use Permit requirements unless expanded beyond defined thresholds. Suggested clarification: “Short-term rentals that comply with Article 7 performance standards shall be considered a permitted residential use in applicable residential districts and shall not require a Special Use Permit.” Predictable by-right permitting encourages compliance and reduces administrative burden on County staff.	We recommend that the Use Matrix clearly designate compliant short-term rentals as permitted by right in residential districts rather than subject to discretionary Special Use Permits. Discretionary permitting creates uncertainty, increases administrative workload, and may discourage responsible operators from registering. Clear by-right classification paired with enforceable performance standards provides better compliance outcomes.	We respectfully recommend revising Section 7-3-9(A)(1) to focus on local operational accountability rather than owner residency. Current language restricts operation based on where an owner resides. A more effective approach is to require a locally available responsible agent. Suggested replacement language: “A short-term rental shall designate a Nelson County resident responsible agent available 24 hours per day to respond to complaints and emergencies within a reasonable response time.” This approach achieves the County’s enforcement goals while avoiding unintended discrimination based on owner residency and preserving Nelson County’s tourism economy. We recommend clarifying how short-term rental standards apply within the RPC (Residential Planned Community) District to ensure consistency with the County’s long-standing resort and tourism framework. Wintergreen and other planned resort communities function differently from typical residential neighborhoods and should be regulated in a manner consistent with their established tourism purpose. We recommend tying unit limits to infrastructure capacity rather than fixed numeric caps. Suggested language: “The number of permitted short-term rental units shall be determined by demonstrated parking availability and building safety compliance rather than fixed numeric limits.” This ensures public health and safety while allowing flexibility based on site conditions.	We recommend explicitly recognizing lawfully operating short-term rentals as protected nonconforming uses where applicable. Suggested addition: “A short-term rental lawfully operating prior to the effective date of this Ordinance shall be considered a lawful use and may continue operation subject to safety and registration requirements.” Clear language prevents confusion and reduces enforcement disputes.	We recommend ensuring that definitions of short-term rental categories are objective, measurable, and administratively enforceable. Definitions should focus on operational standards such as occupancy, safety compliance, and designated management responsibility rather than subjective residency determinations.
8/21/2026	The new steep slope and critical areas section is a real improvement, and the county should keep it Draft Section 4-2-3, Steep Slopes and Critical Areas, does not exist in the current ordinance at all, and I want to commend the county for adding it. The stated purpose of the section is tied directly to a finding I think the county should take seriously: the drafting notes explain that the purpose language was expanded specifically because the county was told that slopes greater than 10 percent cannot be accessed by emergency vehicles. Built on that finding, Section 4-2-3(D)(1) requires that all streets, roads, and driveways within a mapped steep slope or critical area follow natural contour lines to the maximum extent feasible and not exceed a 10 percent grade. Slopes in the range the drafting notes describe as 20 to 34 percent may be approved administratively with an erosion and sediment control plan and documented mitigation. Anything at 35 percent or greater requires an approved Special Use Permit, with the public hearing that process involves. I want to be specific about why this matters. The road easement serving my neighborhood, Angel Rock Road, reaches a grade of roughly 19 percent in places, on a road with no secondary point of ingress or egress and no dry hydrant commitment from the developer. I am not asking the county to apply this new section to that road, since it was built under different, older standards. I am telling you this because it is exactly the situation Section 4-2-3 appears to have been written to prevent from happening again somewhere else in the county. A 10 percent grade cap tied to a documented emergency access finding is the single most useful thing in this entire draft from where I sit, and I would ask the county to resist any pressure during the remaining review process to soften it. The steep slope and critical area definitions should state an actual percentage in the ordinance text As written, the operative definitions do not give a reader a number to work from. “Steep slope” is defined in Article 11 by pointing to “the most recent edition of the Virginia Uniform Statewide Building Code,” and “critical areas” is defined by pointing to a state mining reclamation regulation, 4VAC25-31-10. Neither of those sources was written for county zoning purposes, and neither supplies a percentage. The 20 percent and 35 percent thresholds that actually do the work in Section 4-2-3(C)(1) only appear in an editor’s footnote explaining legislative intent, not in the definitions themselves. Albemarle County, our neighbor, defines a critical slope directly in its own zoning ordinance as land with a grade of 25 percent or greater, and then requires a Planning Commission waiver, with specific findings about soil movement, stormwater runoff, siltation, and septic impact, before that land can be disturbed. I would ask Nelson County to take the same approach: state the steep slope and critical area thresholds as specific percentages directly in Article 11, using the 20 percent and 35 percent figures the drafters already appear to have in mind, rather than leaving the actual number buried in a footnote or dependent on an outside regulation that was not written with this purpose in mind.		The 10 percent grade limit in steep slope areas should not be undercut by the general private street standard elsewhere in the draft Section 4-2-3(D)(1)(b) caps road and driveway grade at 10 percent within a mapped steep slope area. But the general private street standard elsewhere in the same draft, Section 8-5-4(J)(4)(a)(i), still allows an average grade of up to 15 percent on gravel roads, with a maximum of 20 percent permitted on any section of an unpaved, not surface treated, private street. That language is carried forward unchanged from the current ordinance. I have not found anything in the draft that explains which standard controls when a proposed road falls both within a mapped steep slope area and under the general private street standard, or what happens when a road is graded at, say, 15 or 19 percent but happens to sit just outside however the steep slope boundary ends up being mapped on a given site. I would ask the county to resolve this directly, and to apply the more protective 10 percent standard to any road or driveway that will serve as the sole means of ingress and egress for a development, regardless of whether it falls within the specific mapped steep slope boundary. The emergency access problem the county’s own consultants identified at 10 percent does not go away because a particular stretch of road sits just outside a mapped line. The Class 2 private street standard has lost the specificity that made it enforceable Under the current ordinance, a Class 2 private street, serving 21 or more lots where any lot is 5 acres or less, must be built to an 18 foot minimum width of surfaced roadway, with a minimum CBR 10 subgrade, six inches of compacted aggregate, and prime and double seal surface treatment. The draft replaces all of that specificity with a single sentence at Section 8-5-4(J)(4)(c): Class 2 private streets in major subdivisions of 12 or more lots “shall be built to VDOT standards.” No width, subgrade, or surface treatment is specified anywhere in the draft. The drafters appear to recognize this themselves. The footnote attached to that provision states that “the County should consider requiring that private streets be constructed to VDOT standards in case of eventual adoption into the state highway system,” which reads as an acknowledgment that this section is not yet finished. I would also note, for whatever it is worth to the drafting process, that I was unable to locate the term “VDOT Category I cross-section,” which both the current ordinance and this draft use elsewhere to describe the higher private street standard, in any current VDOT publication. If that term is no longer current VDOT terminology, the ordinance should cite whatever standard has replaced it. Either way, I would ask the county to restore explicit, numeric width, subgrade, and surface treatment requirements to the Class 2 private street standard, rather than leaving it as an open reference to a document that is not identified.		Keep the dry hydrant requirement, and consider aligning it with the new major subdivision threshold Draft Section 10-3-11(B)(2) carries forward the current requirement that a subdivision of 15 or more lots, where any lot is 5 acres or less and public water is not available, must provide a dry hydrant meeting National Fire Code specifications and an all-weather access road to it. I want to commend the county for keeping this requirement in place, and would ask that it not be weakened during the remaining review process. I would also note that this draft newly defines a Major Subdivision as one of 12 or more lots, at Section 10-2-1, specifically because subdivisions of that size are recognized as having greater impact on the environment, highways, and surrounding communities. The dry hydrant requirement, however, is still keyed to the older 15 lot threshold, three lots higher than the point at which the draft itself now says a subdivision’s impact becomes significant. I want to be clear about the direction of this request. I am not asking the county to loosen the dry hydrant requirement in any way. I am asking the county to lower the lot count that triggers it, from fifteen lots down to twelve, so that it applies to more subdivisions, not fewer, and so that every subdivision the draft itself defines as Major is guaranteed the fire protection that size of development needs. A twelve lot subdivision without public water and without a secondary road presents exactly the same fire risk as a fifteen lot one, and the ordinance should treat it that way.	What I am asking the county to do I would ask the county to retain and, where possible, strengthen Section 4-2-3 and its 10 percent grade cap for roads and driveways in steep slope and critical areas; to state the steep slope and critical area thresholds as specific percentages directly in the Article 11 definitions rather than by reference to outside regulations that do not supply a number; to resolve the conflict between the 10 percent standard in Section 4-2-3(D) and the 15 to 20 percent standard in Section 8-5-4(J), and to apply the more protective standard to any road serving as sole emergency access regardless of the mapped steep slope boundary; to restore explicit, numeric width, subgrade, and surface treatment requirements to the Class 2 private street standard, citing a real and currently identifiable VDOT publication; and to lower the dry hydrant and fire protection trigger in Section 10-3-11 from fifteen lots to twelve lots, so that it applies to more subdivisions rather than fewer and matches the new Major Subdivision threshold in Section 10-2-1.	

New Land Uses

Article 6 Use Matrix identifies land uses, and which zoning districts they are allowed in. The last column has a reference to any related Use Standards.

Article 7 Use Standards (additional requirements) for specific uses related to location, design, and intensity of the use.

Use Categories

Residential

Article 6, Page 3
Article 7, Page 7

Accessory Agriculture
Adaptive Reuse
Dwelling, Attached, Zero Lot Line
Dwelling, Manufactured Attached
Dwelling, Townhouse
Dwelling, Triplex or Quadplex
Family Day Home
Life Care Facility
Shelter, Residential
Short-Term Rentals

Rural

Article 6, Page 3
Article 7, Page 1

Biosolid Application
Biosolid Storage
Stable, Commercial
Stable, Private

Commercial

Article 6, Page 4
Article 7, Page 32

Adult Use
Campground, Primitive
Car wash
Day Care Center
Garden Center/Commercial Greenhouse
Office, Medical
Parking Lot, Recreational Vehicle
Resort; Retreat Center
Self-Storage Facility
Smoke/Vape Shop
Vehicle Service or Repair

Public, Civic & Recreational

Article 6, Page 4
Article 7, Page 19

Animal Shelter
Educational Facility, College, University,
Business or Trade
Recreation Facility, Noncommercial
Telecommunications Facility, Small Cell

Accessory

Art. 6, Page 7
Art. 7, Page 68

Dwelling, Accessory
EV Charging Station

Industrial

Article 6, Page 6
Article 7, Page 48

Data Center
Hazardous Materials, Storage, & Distribution
Landfill, Construction Debris
Livestock Market

Miscellaneous

Article 6, Page 7
Article 7, Page 55

Firing Range, Indoor
Structure, Mixed-Use

Types of Short-term Rentals:
Homestay
Hosted Stay
Unhosted Stay

Article 6, Page 7
Article 7, Page 55



Your Feedback

Do you agree with these standards?

1. No Smoke/Vape Shop use within 3 miles of any existing Smoke/Vape Shop
2. No Adult Use will be established within 3 miles of any other Adult Use
3. Car Wash must be minimum of 100 ft. from any residential district or use

1. A viewshed analysis required for Data Center within 1,500 ft. of other districts & uses
2. Air-based cooling system is required for Data Centers
3. No new off-site transmission lines for serving a Data Center

1. Accessory Agriculture: Max 10 chickens, no roosters
2. Accessory Agriculture: Coops $\geq$ 10 ft. from property line
3. Stable, Commercial: 6:00 a.m. – 10:00 p.m.; 6 days/week

Place a sticker in the corresponding square

Agree

Disagree

No Opinion

Agree

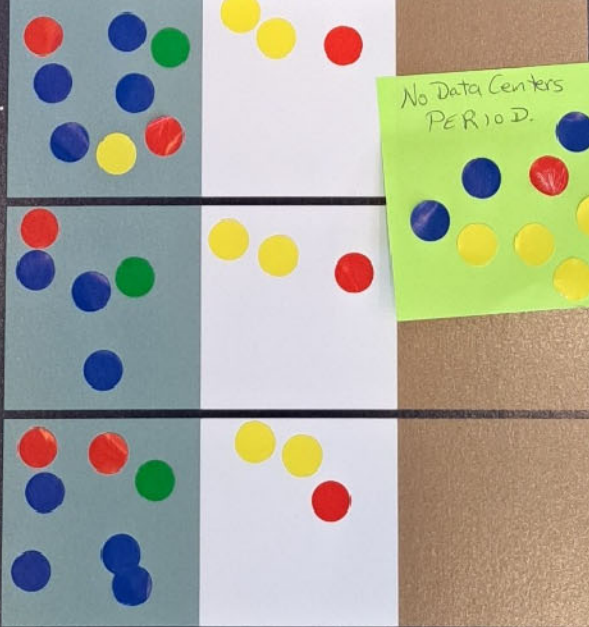
Disagree

No Opinion

Agree

Disagree

No Opinion



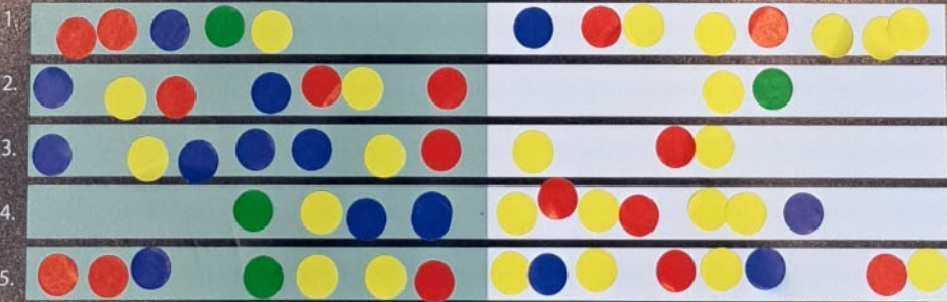
Do you agree these standards for Short-term Rentals?

Agree

Disagree

No Opinion

1. Annual Registration Renewal



2. No RVs, Buses, etc. as STRs

3. Off-Street Parking Required

4. If revoked the use is suspended for a year

5. Unhosted Stay only by Special Use Permit

Penalty for non-compliance (did not register)

New Overlay Districts

ARTICLE 5
PAGE 33

Article 5 establishes overlay zoning districts, which apply additional standards in specific areas of the County that supplement the underlying primary district provisions. These districts are only conceptual until Zoning Map amendments occur to establish them as shown on the conceptual map handout.

CO151 Route 151 Corridor Overlay District

- Purpose:**
- Preserve the rural and scenic character of the gateway corridor
 - Protect its role as an outdoor, rural tourism destination
 - Promote safe and efficient travel
 - Prevent traffic congestion
 - Identity, supporting both economic vitality and long-term preservation of the corridor's unique character
- Additional Standards:**
- Provide open space within the overlay (50% of total acreage)
 - Cluster Development standards included
 - Design of new construction, exterior renovations, and nonexempt additions complementary to the character and materiality of the principal structure and adjacent properties
 - Fencing, lighting, landscaping, and screening installed in accordance with Article 8
 - New roads must be built to VDOT standards, with limited access to Route 29
 - Parking behind the front building line
 - Signage conform with Article 8, Community Design Standards and:
 - Pole mounted signage is prohibited
 - Sign materials and colors complement the overall design of the building
 - Base of signs at the primary access to the parcel must be landscaped

What do you think of the standards?

Table 5-2 CO 151 CLUSTER DEVELOPMENT REGULATIONS

CO151 CLUSTER DEVELOPMENT						
Standard	Residential	Commercial				
Minimum Development Area						
With public water AND sewer; OR private, centralized system	2 acres	0.5 acre				
With private well and/or septic	5 acres	1 acre				
CO151 CLUSTER DEVELOPMENT						
Standard	Residential	Commercial				
Maximum Density*						
With public water AND sewer; OR private, centralized system	4 du/acre ¹	100% lot coverage of the buildable area				
With private well and/or septic	2 du/acre					
*Calculated as provided in Section 5-5-4 A (3) (b)						
Minimum Open Space						
Percent of development area	60%	0.5 acre to 1.5 acre = 90% More than 1.5 acre = 40%				
DIMENSIONAL STANDARDS						
Minimum Lot Size						
With public water AND sewer; OR private, centralized system	2,178 sq. ft.	0.5 acre				
With private well and/or septic	0.5 acre	1 acre				
Minimum Frontage						
	25 ft.	In accordance with underlying district standards				
Minimum Setbacks						
	Front	Side	Rear	Front	Side	Rear
All structures: Measured from the structure's property line	15 ft.	5 ft.	10 ft.	No minimum	5 ft.	10 ft.
Maximum Structure Height						
Principal structure	35 ft.				30 ft.	
Accessory structures	No taller than principal structure					

Place a sticker in the corresponding square and/or submit comments on the comment board

Agree

Disagree

No Opinion

CO29 Route 29 Corridor Overlay District

ARTICLE 5
PAGE 28

- Purpose:**
- Promote high-quality commercial development
 - Allow for a broader range of tourism-friendly businesses and services
 - Cohesive design and development standards
- Additional Standards:**
- The design of new construction, exterior renovations, and nonexempt additions must be complementary to the character and materiality of the principal structure and adjacent properties.
 - All fencing, lighting, landscaping, and screening must be installed in accordance with Article 8, Community Design Standards.
 - New roads must be built to VDOT standards, with limited access to Route 29
 - Signage shall conform with Article 8, Community Design Standards and:
 - Pole mounted signage is prohibited.
 - Sign materials and colors must complement the overall design of the building.
 - The base of signs at the primary access to the parcel must be landscaped.

What do you think of the standards?

Table 5-3 ROUTE 29 CORRIDOR DISTRICT REGULATIONS

CO29 ROUTE 29 CORRIDOR OVERLAY	
Lot Size	
Minimum Lot Size	2 acres
Minimum Setbacks	
Front	50 ft.
Side	20 ft.
Rear	50 ft.
Corner Lot Side	30 ft.
Accessory Structure	15 ft.
Minimum Lot Width	
Road Frontage	125 ft.
Maximum Structure Height	
Building Height	35 ft.

Place a sticker in the corresponding square and/or submit comments on the comment board

Agree

Disagree

No Opinion

VO Village Overlay District

ARTICLE 5
PAGE 23

What do you think of the standards?

- Purpose:**
- Preserve and enhance traditional village character
 - Promote walkable, mixed-use development
 - Flexibility for small-scale businesses, housing, services
 - Supports the rehabilitation of older structures, infill development, and infrastructure improvements
 - Promotes the land use policies for rural villages established in the Comprehensive Plan
- Additional Commercial Standards:**
- Max. 12,000 sq. ft. per story
 - Conform with landscape standards in Article 8
 - Off-street parking conform with Article 8 and located in the side or rear yards

Table 5-1 VILLAGE OVERLAY DISTRICT REGULATIONS

VO VILLAGE OVERLAY	
Minimum Area Requirements	
Minimum Lot Size	20,000 sq. ft.
Minimum Lot Size with Public Water & Sewer	10,000 sq. ft.
Minimum Required Setbacks	
Front	10 ft.
Side	-
Rear	20 ft.
Corner Lot Side	10 ft.
Accessory Structure, Rear	15 ft. *
Accessory Structure, Side	10 ft. *
* Accessory uses shall not be located within the front or corner lot side setback.	
Minimum Lot Width	
Road Frontage	100 ft.
Maximum Structure Height	
Building Height	35 ft. **
** Building height may be increased up to a maximum of 45 ft. with additional setbacks of 1 ft. for every foot of height above 35 ft.	

Place a sticker in the corresponding square and/or submit comments on the comment board

Agree

Disagree

No Opinion



Rural Districts

Article 4 Primary Zoning Districts

This Article establishes the zoning districts, their purpose and intent, and dimensional standards. The Article also sets standards for *Steep Slopes & Critical Areas, Family Divisions, Cluster Development, and Certain Affordable Housing Developments.*

Rural Districts: Purpose & Dimensional Standards

C-1 CONSERVATION DISTRICT - PURPOSE

This district encompasses areas of the County characterized by natural open spaces, including steep slopes, forests, parks, wetlands, rivers, marshlands, lakes, and stream valleys. The district is established to protect and conserve critical natural resources and aims to minimize soil erosion, safeguard watersheds, mitigate flood and fire risks, and preserve the ecological integrity of these sensitive landscapes. Land uses should be limited to those that directly support these conservation objectives, including agricultural activities and single-family dwellings that adhere to best conservation practices.

Table 4-3 RURAL DISTRICTS REGULATIONS

	C-1 Conservation District	A-1 Agricultural District
Minimum Area Requirements		
Minimum Lot Size	20 acres	2 acres* (See Table 4-4 for division rights)
Minimum Required Setbacks		
Front	300 ft.	50 ft.
Side	300 ft.	20 ft.
Rear	300 ft.	50 ft.
Corner Lot Side	35 ft.	30 ft.
Accessory Structure	15 ft.	15 ft.
Minimum Lot Width		
Road Frontage	200 ft. (changed from 125)	150 ft. (changed from 125)
Maximum Structure Height		
Building Height	35 ft.	35 ft.

*The following was removed: 4-2-1b. For single-family dwelling units utilizing the public sewage disposal system, the required area for such use shall be 30,000 sq. ft.
4-2-1c. For a two-family detached dwelling unit on a single lot utilizing the public sewage disposal system, the required area for such use shall be 30,000 sq. ft.

Table 4-4 A-1 DISTRICT SLIDING SCALE DIVISION RIGHTS

A-1 Agricultural District	
Number of Acres	Number of Lots Allowed
> means greater than	
0 - 5	2
>5 - 15 (changed from 5-10)	3
>15 - 25 (changed from 10-15)	4
>25 - 35 (changed from 15-20)	5
>35 - 45 (changed from 20-25)	6
>45 - 55 (changed from 25-35)	7
>55 - 65 (changed from 35-45)	8 (changed from 10)
>65 - 75 (changed from 45-55)	9 (changed from 11)
>75 A parcel of land larger than 75 acres has additional allowable lots, provided each additional lot created is 20 acres or more in size.	

A-1 AGRICULTURAL DISTRICT - PURPOSE

This district is established to support and protect agricultural and forestry uses while allowing limited residential development. It is intended to preserve farmland, maintain the viability of working landscapes, and sustain the rural character of the County. While some rural areas may experience residential growth, this district seeks to prevent the scattered encroachment of residential, commercial, or industrial development that could compromise agricultural operations and open space preservation.

ARTICLE 4
PAGE 3

ARTICLE 4
PAGE 17-18

Do you agree with the Rural District purposes & standards?

Agree	Disagree	No Opinion

Place a sticker in the corresponding square. If you chose "disagree" please submit comments on a sticky note in the space below.

water availability should be determined before building permit(s) issued

Family Subdivision Standards

Table 4-2 FAMILY DIVISION DIMENSIONAL REGULATIONS

	C-1 Conservation District	A-1 Agricultural District	R-1 Low-Density Residential District
Minimum Lot Size*			
All lots	1 acre	1 acre	1 acre
Minimum Required Setbacks*			
Front	50 ft.	50 ft.	50 ft.
Side	25 ft.	25 ft.	25 ft.
Rear	25 ft.	25 ft.	25 ft.

*No changes have been made to these regulations except to format them in a table.

- Exempted from sliding scale division rights.*
- Permitted in the following districts:
 - (1) C-1, Conservation District
 - (2) A-1, Agricultural District
 - (3) R-1, Low-Density Residential District
- Not required to front a public street.
- The dimensional requirements set forth in Table 4-2 shall supersede those stipulated in this Ordinance for other development types.

*New content in yellow

ARTICLE 4
PAGE 15

Do you agree with these standards?

Agree Disagree No Opinion

Agree	Disagree	No Opinion

Place a sticker in the corresponding square. If you chose "disagree" please submit comments on a sticky note in the space on the right.

Nelson County Open House August 19,
2026 Comment Card Submissions



COMMENT CARD – Please leave comments about the draft Zoning & Subdivision Ordinance below.

Thank you for Apr event & explanations. Helpful discussions with the zoning director & Berkeley group.
Suggestions.. A full map of Nelson County with zoning districts laid out would be very helpful for future discussions. Perhaps a 3 foot by 3 foot board so everyone can see. Also microphone/speaker system in auditorium.



COMMENT CARD – Please leave comments about the draft Zoning & Subdivision Ordinance below.

As a retired biology professor with a strong interest in conservation & ecology I am opposed to any attempt to put a data center in Nelson Co. The technology is not available to prevent serious negative consequences to the environment & quality of life we now enjoy. No amount of financial gain by such a center is worth the overwhelming negative. There are better ways to spend money than to enter & build a data center.

Nelson County Open House August 19, 2026
Comment Card Submissions

 COMMENT CARD – Please leave comments about the draft Zoning & Subdivision Ordinance below.

NO DATA CENTERS

[Signature]

 COMMENT CARD – Please leave comments about the draft Zoning & Subdivision Ordinance below.

No Data Centers at all!

I will vote against any BoS that would vote for it. Do not do to Nelson what has been done to Loudoun Cty!

Nelson County Open House August 19, 2026
Comment Card Submissions

 COMMENT CARD – Please leave comments about the draft Zoning & Subdivision Ordinance below.

★ Absolutely no Data Centers!

★ I will vote out anyone who supports them!

★ Against high density residential units

★ Would like to see any substantial zoning issues appear on a ballot!

 COMMENT CARD – Please leave comments about the draft Zoning & Subdivision Ordinance below.

Transient housing (A, B, B, B, B) should be allowed

for A1 property owners if they live on an adjacent property to the property of the housing business. Thank You

Nelson County Open House August 19, 2026
Comment Card Submissions



COMMENT CARD – Please leave comments about the draft Zoning & Subdivision Ordinance below.

*It is my suggestion when defined A-1 Agriculture,
it should mean only that the property is used for
Agriculture, with the owner being able to build
a house & any of that owner's children -*

*What is proposed to clean up Route 151 where Nelson County begins
at Ambient Nelson line*

Jeanne T. Clarkson



COMMENT CARD – Please leave comments about the draft Zoning & Subdivision Ordinance below.

*I believe we should be able to have short-term
and/or transient rentals if you live on or adjacent
to the property.*

Nelson County Open House August 19, 2026
Comment Card Submissions

No Data Centers
at All in Nelson
County permanently