Zoning

**Change in Permitting Hours Public Notice**

Effective July 1, 2023, the Building and Zoning Office deadline to submit permit applications will change from 4:30 PM to 4:00 PM to allow processing time for the permit as well as payment processing by 4:15 PM. Building and Zoning Permit Technicians are not able to hold payments overnight, subsequently no applications will be accepted after 4:00 PM. Persons with questions may contact the Building and Zoning Office or County Administration.

The function of the Zoning Office is to administer and enforce the County's zoning ordinance. The office's authority includes, in certain cases, the ability to issue a written order requiring compliance with the ordinance; the ability to initiate legal action; and the ability, in specific cases, to make findings of fact and, with concurrence of the county attorney, conclusions of law regarding determinations of property rights under the zoning ordinance.

Zoning

Land in the County falls under different land use zones, including:

- Agriculture
- Conservation
- Residential
- Business
- Industrial

Each zoning category allows certain use ‘by right’, such as farming in Agriculture zoning, and businesses in Industrial zoning. Additionally, other land uses are allowed only by special permit. You can find out which by-right and special uses are allowed in different zoning in the County zoning ordinance. Among other things, the zoning ordinance also specifies how far buildings must be ‘set back’ from the property line.

Floodplain Ordinance

Certain restrictions apply to the use and development of land that falls within a floodplain area. The purpose of floodplain regulations is to prevent loss of life and property, and to prevent the creation of health and safety hazards, by restricting or prohibiting certain development from locating in areas subject to flooding, and by regulating or restricting development that may result in unacceptable increases in flood heights, velocities, or frequencies.
Subdivision Plats and Boundary Line Adjustments

The division of a lot or parcel of land into two or more lots or parcels generally requires formal approval of a subdivision plat by the Board of Supervisors, in accordance with the County's Subdivision Ordinance. Boundary line adjustments and Family divisions do not require formal subdivision approval; however, the County requires a property owner to submit a plat of any proposed boundary line adjustment or family division for approval by the Zoning Administrator, to verify compliance with the County's Zoning and Subdivision Ordinances.

County GIS (Geographic Information System)

A geographic information system (GIS) is a system designed to capture, store, manipulate, analyze, manage, and present all types of geographical data. The key word to this technology is Geography – this means that some portion of the data is spatial. Essex County's GIS system provides information regarding parcel boundaries/size (not a survey), parcel ownership, zoning, flood mapping, etc. Essex County’s GIS system can be accessed here:

Zoning Variance

In certain cases, the unique physical characteristics of a lot or parcel of land make it difficult or impossible to comply with certain zoning regulations, such as required building setbacks. In those situations, a property owner may apply to the County's Board of Zoning Appeals (BZA) for a variance, in accordance with the County's Zoning Ordinance. Applications may be submitted to the Office of the Zoning Administrator. By state law (Va. Code 15.2-2201) a "variance" is defined as a reasonable deviation from zoning ordinance provisions regulating the size or area of a lot, or the size, area, bulk or location of a building or structure, when (i) a strict application of those provisions would result in unnecessary or unreasonable hardship to the property owner, (ii) the need for a variance would not be shared generally by other properties, and (iii) the variance is not contrary to the intended spirit and purpose of the zoning ordinance. Variances may not be used to authorize uses, or changes in use, that are not otherwise permitted by the zoning ordinance.

Supporting Documents

- Section Two of Comprehensive Plan for June 4, 2024 PC Meeting 2.8 MB