

**ORDINANCE AMENDING AND RE-ENACTING SECTION  
TITLE 10 CHAPTER 3  
OF THE  
CODE OF ORDINANCES  
CITY OF HARRISONBURG, VIRGINIA**

Be it ordained by the Council of the City of Harrisonburg, Virginia:

**That Article BB. Business Gardens be added as a new article as shown:**

Article BB. Business Gardens.

Sec. 10-3-189. – Purpose.

The regulations set forth in this article are to regulate Business Gardens as defined in Section 10-3-24. Definitions.

Sec. 10-3-190. General Use Regulations and Requirements.

- (1) Individuals operating business gardens shall apply for a home occupation permit.
- (2) The residential character of all parcels involved shall be maintained.
- (3) All transactions shall occur off-site.
- (4) No on-site advertising is permitted.
- (5) Apiculture or other animal husbandry is prohibited.
- (6) Areas shall be maintained in a healthy growing condition, free of refuse, debris, overgrown weeds, and dead or spent plant materials. Such areas are subject to Section 16-6-58 Weeds, etc. on Lots.
- (7) Compost shall be used only to support onsite operations.

Sec. 10-3-191. – Area and Yard Restrictions.

- (1) Land used for business gardens shall be no larger than fifty (50) percent of the area of the parcel involved including areas of multiple, adjacent parcels under the same ownership. Cultivation in accessory structures such as hoopouses, green houses, cold frames, etc., and areas used for exterior activities such as storage, compost and disposal areas shall be included in the allowable area. Activities on or within principal buildings including covered and uncovered porches and decks, enclosed accessory storage structures, upon rooftops, and vertical growth areas are exclusive of the allowable area.
- (2) All areas used for business gardens shall maintain at least a five (5) foot separation from all property lines unless such areas are enclosed with a wall or fence of at least three (3) feet in height.

Sec. 10-3-192. – Accessory Structures.

- (1) Accessory structures shall be governed by Section 10-3-114 Accessory Buildings of this chapter.
- (2) All structures shall be securely affixed to the ground.

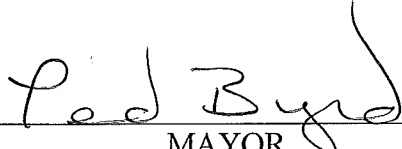
Sec. 10-3-193. – Storage and Screening.

Storage of equipment, materials, and compost and disposal areas shall be inside a principal or accessory structure or screened from general public view and adjoining properties.

Sec. 10-3-194. – Abandonment.

Business gardens which have ceased permanent operation or been abandoned shall be cleared, all structures removed and the area re-vegetated no more than thirty (30) days after the date of discontinued operations unless otherwise specified by the Zoning Administrator not to exceed ninety (90) days.

This ordinance shall be effective from the 26 day of March, 2013. Adopted and approved this 26 day of March, 2013.

  
\_\_\_\_\_  
MAYOR

ATTESTE:

  
\_\_\_\_\_  
CITY CLERK