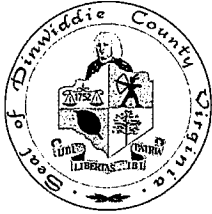


# Dinwiddie County Planning Department

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**To: Board of Supervisors**  
**From: Mark Bassett, Planning Director**  
**Date: December 14, 2010**  
**Subject: Yard Sales and Flea Markets, Ordinance Amendments**

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The current Dinwiddie County Zoning Ordinance does not define either "yard sale" or "flea market". This makes it very difficult to regulate and enforce existing ordinances pertaining to sales accessory to residential uses and outdoor sales attached to commercial property. Furthermore, some areas of the County have had problems with "permanent" or "semi-permanent" yard sales which have disrupted neighborhoods and have caused traffic safety concerns in those neighborhood areas. Over the course of the past several months, Planning staff has worked with the Planning Commission to develop Ordinance amendments to effectively regulate these activities. It was determined that the best course of action is to amend the Zoning Ordinance to include definitions for "yard sale" and "flea market" and add "flea market" as a permitted use in certain zoning districts.

The proposed ordinances add "yard sale" and "flea market" as uses under the Dinwiddie County Zoning Ordinance. Specifically, the proposed ordinances define "yard sale" generally as the sale of used household or personal articles at a personal residence, usually outdoors, and add yard sale in all zoning districts as a by-right accessory use a maximum of two days in any two-month period. The proposed ordinances define "flea market" generally as the sale of new or used articles at a location other than a personal residence, usually outdoors, and add flea market as a use in zoning districts A-2, B-1, B-2, B-3, M-1, and M-2 a maximum of two days in any two-month period by-right or three or more days in any two-month period by conditional use permit.

### **Requested Action:**

Staff recommends approval of the Zoning Ordinance amendments as submitted.

### **Planning Commission Recommendation:**

At their November 10, 2010 Planning Commission meeting, the Planning Commission unanimously recommended approval of the Zoning Ordinance amendments to the Board of Supervisors.

### **Board of Supervisors' Action:**

Since this is a zoning matter, the standard statement regarding Board action on this zoning matter must be read. In order to assist, staff prepared the following statement:

WHEREAS, in accordance with Va. Code §§ 15.2-2285 and 15.2-2286, the Dinwiddie County Board of Supervisors is of the opinion that the public necessity, convenience, general welfare, or good zoning practice warrant the consideration of the following amendments:

NOW, THEREFORE, BE IT RESOLVED that the Dinwiddie County Board of Supervisors does hereby approve the Zoning Ordinance amendments as presented.