

**ARTICLE 3**  
**SUBURBAN DISTRICT REGULATIONS**

**Section 3-100**      **R-1 Single Family Residential.**

**3-101**      **Purpose.** The R-1 Single Family Residential district is established to provide for low density single family detached residences on lots of 40,000 square feet or more in locations consistent with the Comprehensive Plan. Urban R-1 land requires public water and sewer and should be limited to areas planned and served for public water and sewer.

**3-102**      **Permitted Uses.** The following uses are permitted in this district:

- (A) Accessory apartment or dwelling unit, pursuant to Section 5-613.
- (B) Agriculture, horticulture, forestry and fishery, excluding the keeping of livestock.
- (C) Bed and Breakfast Homestay, pursuant to Section 5-601(A).
- (D) Child care home, pursuant to Section 5-609.
- (E) Cluster development reducing lot sizes up to 20% of minimum, pursuant to Sections 3-105, 3-108, and 6-1400.
- (F) Cluster development reducing lot sizes from 20-50% of minimum, pursuant to Sections 3-106, 3-109 and 6-1400.
- (G) Commuter parking lot, with less than 50 spaces.
- (H) Public or private playground or neighborhood park.
- (I) Recycling drop-off collection center, small, pursuant to Section 5-607.
- (J) Dwelling, single family detached.
- (K) Utility substation, dedicated.
- (L) Wayside stand, pursuant to Section 5-604.
- (M) Private School (Elementary, Middle, or High) for fifteen (15) or fewer pupils, pursuant to Section 5-655.
- (N) Nature preserve, such as but not limited to, wildlife sanctuary, conservation areas and game preserve.
- (O) Bus shelter.

- (P) Sewer pumping station.
- (Q) Water pumping station.
- (R) Public School (elementary, middle or high), pursuant to Section 5-666.
- (S) Telecommunications antenna, pursuant to Section 5-618(A).
- (T) Telecommunications monopole, pursuant to Section 5-618(B)(1).

**3-103**

**Special Exception Uses.** The following uses may be approved by the Board of Supervisors, and, if approved, may be subject to certain conditions, pursuant to the provisions of Section 6-1300.

- (A) Camp, day and boarding.
- (B) Cemetery, mausoleum or memorial park.
- (C) Church, synagogue, and temple.
- (D) Community center.
- (E) Congregate housing facility.
- (F) Country club.
- (G) Fire and/or rescue station.
- (H) Library.
- (I) Orphanage or other similar institution.
- (J) Playing fields and courts, lighted.
- (K) Private club or lodge.
- (L) Recycling drop-off collection center, large, pursuant, to Section 5-607.
- (M) Continuing care facility.
- (N) Private School (Elementary, Middle, or High) for more than fifteen (15) pupils, by Minor Special Exception.
- (O) Sewage treatment plant.
- (P) Utility substation, transmission, pursuant to Section 5-616.

- (Q) Utility transmission lines, overhead.
- (R) Water treatment plant.
- (S) Public or private community or regional park.
- (T) Bed and Breakfast Inn, pursuant to Section 5-601(B), by Minor Special Exception.
- (U) Borrow pit for road construction.
- (V) Child or adult day care center, pursuant to Section 5-609.
- (W) Commuter parking lot, with greater than 50 spaces.
- (X) Golf course.
- (Y) Structure or use for federal, state, county, or local government purposes, not otherwise listed.
- (Z) Kennel, pursuant to Section 5-606.
- (AA) Public utility service center and storage yard.
- (BB) Radio and/or television tower.
- (CC) Water storage tank.
- (DD) Utility substation, distribution, pursuant to Section 5-616.
- (EE) Telecommunications monopole, pursuant to Section 5-618(B)(2).
- (FF) Telecommunications tower, pursuant to Section 5-618(C)(2).
- (GG) Police Station.
- (HH) Banquet/Event Facility, pursuant to Section 5-642.

**3-104**

**Lot Requirements for Suburban Design Option.**

- (A) **Size.** 40,000 square feet minimum.
- (B) **Width.** 175 feet minimum.
- (C) **Yards.** Each lot shall provide the following yards:
  - (1) **Front.** 35 feet minimum.

(2) **Side.** Minimum of twelve (12) feet on one side and nine (9) feet on the other side.

(3) **Rear.** 35 feet minimum.

(D) **Length/Width Ratio.** 5:1 maximum.

**3-105 Lot Requirements for Cluster Developments reducing lot size up to 20%.**

(A) **Size.** 32,000 square feet minimum.

(B) **Width.** 140 feet minimum.

(C) **Yards.** Each lot shall provide the following yards:

(1) **Front.** 30 feet minimum.

(2) **Side.** Minimum of twelve (12) feet on one side and nine (9) feet on the other side.

(3) **Rear.** 30 feet minimum.

(D) **Length/Width Ratio:** 5:1 maximum.

(E) **Minimum Open Space Area.** Open space shall be provided in a sufficient amount such that a gross density of one lot per 40,000 square feet is maintained, calculated based on the overall parcel. Open space shall be preserved by means of a permanent open space easement acceptable to the Board of Supervisors.

(F) **Minimum Buffer.** A permanent common open space buffer of fifty (50) feet in depth with a Category 2 Buffer Yard (Section 5-1414(B)) shall be provided where a cluster development adjoins an existing or planned residential district, land bay, or development which has a minimum allowable lot size of 40,000 square feet or greater. Such buffer area may be included in open space calculations.

**3-106 Lot Requirements for Cluster Development Reducing Lot Sizes 20% to 50% Pursuant to Section 6-1400.**

(A) **Size.** 20,000 square feet minimum.

(B) **Width.** 100 feet minimum.

(C) **Yards.** Each lot shall provide the following yards:

- (1) **Front.** 25 feet minimum.
- (2) **Side.** Minimum of twelve (12) feet on one side and nine (9) feet on other side.
- (3) **Rear.** 25 feet minimum.
- (D) **Length/Width Ratio.** 5:1 maximum.
- (E) **Minimum Open Space Area.** Open space shall be provided in a sufficient amount such that a gross density of one lot per 40,000 square feet is maintained, calculated based on the overall. Open space shall be preserved by means of a permanent open space easement acceptable to the Board of Supervisors.
- (F) **Minimum Buffer.** A permanent common open space buffer of fifty (50) feet in depth with a Category 2 Buffer Yard (Section 5-1414(B)) shall be provided where a cluster development adjoins an existing or planned residential district, land bay, or development which has a minimum allowable lot size of 40,000 square feet or greater. Such buffer area may be included in open space calculations.

**3-107 Building Requirements.**

- (A) **Lot Coverage.** 25% maximum.
- (B) **Building Height.** 40 feet maximum.

**3-108 Building Requirements for Cluster Development Reducing Lot Size Up to 20%.**

- (A) **Lot Coverage.** 30% maximum.
- (B) **Building Height.** 40 feet maximum.

**3-109 Building Requirements for Cluster Development Reducing Lot Sizes From 20% to 50% Pursuant to Section 6-1400.**

- (A) **Lot Coverage.** 30% maximum.
- (B) **Building Height.** 40 feet maximum.

**3-110 Utility Requirements.** All utility distribution lines in the R-1 district shall be placed underground.

**3-111**      **Development Setback and Access From Major Roads.** In designing residential development, the requirements of Section 5-900 shall be observed.

## **Section 3-200**

### **R-2 Single Family Residential.**

#### **3-201**

**Purpose.** The R-2 Single Family Residential district is established to provide for low-to-moderate density single family detached residences on lots of 20,000 square feet or more in locations consistent with the Comprehensive Plan and served by public water and sewer but unsuitable for higher densities.

#### **3-202**

**Permitted Uses.** The following uses are permitted in this district:

- (A) Accessory apartment or dwelling unit, pursuant to Section 5-613.
- (B) Bed and Breakfast Homestay (in County designated historic districts), pursuant to Section 5-601(A).
- (C) Child care home, pursuant to Section 5-609.
- (D) Cluster development reducing lot size up to 20% of minimum, pursuant to Sections 3-206, 3-209 and 6-1400.
- (E) Cluster development reducing lot sizes from 20-50% of minimum, pursuant to Sections 3-207, 3-210 and 6-1400.
- (F) Public or private playground or neighborhood park.
- (G) Recycling drop-off collection center, small, pursuant to Section 5-607 (A).
- (H) Dwelling, single family detached.
- (I) Commuter parking lot, with less than 50 spaces.
- (J) Utility substation, dedicated.
- (K) Private School (Elementary, Middle, or High) for fifteen (15) or fewer pupils, pursuant to Section 5-655.
- (L) Agriculture, horticulture, forestry and fishery, excluding the keeping of livestock.
- (M) Bus shelter.
- (N) Nature preserve, such as but not limited to, wildlife sanctuary, conservation areas and game preserve.
- (O) Sewer pumping station.
- (P) Water pumping station.

- (Q) Public School (elementary, middle or high), pursuant to Section 5-666.
- (R) Telecommunications antenna, pursuant to Section 5-618(A).
- (S) Telecommunications monopole, pursuant to Section 5-618(B)(1).

**3-203**

**Special Exception Uses.** The following uses may be approved by the Board of Supervisors, and, if approved, may be subject to certain conditions, pursuant to the provisions of Section 6-1300.

- (A) Camp, day and boarding.
- (B) Cemetery, mausoleum or memorial park.
- (C) Church, synagogue and temple.
- (D) Community center.
- (E) Congregate housing facility.
- (F) Country club.
- (G) Fire and/or rescue station.
- (H) Library.
- (I) Playing fields and courts, lighted.
- (J) Private club or lodge.
- (K) Continuing care facility.
- (L) Private School (Elementary, Middle, or High) for more than fifteen (15) pupils, by Minor Special Exception.
- (M) Utility substation, transmission, pursuant to 5-616.
- (N) Utility transmission lines, overhead.
- (O) Water treatment plant.
- (P) Removed pursuant to ZOAM 1995-0002.
- (Q) Public or private community or regional park.
- (R) Bed and Breakfast Inn, pursuant to Section 5-601(B), by Minor Special Exception.



- (S) Child or adult day care center, pursuant to Section 5-609.
- (T) Commuter parking lot, with greater than 50 spaces.
- (U) Golf course.
- (V) Structure or use for federal, state, county, or local government purposes, not otherwise listed.
- (W) Radio and/or television tower.
- (X) Orphanage or similar institution.
- (Y) Sewage treatment plant.
- (Z) Water storage tank.
- (AA) Utility substation, distribution, pursuant to Section 5-616.
- (BB) Telecommunications monopole, pursuant to Section 5-618(B)(2).
- (CC) Telecommunications tower, pursuant to Section 5-618(C)(2).
- (DD) Police Station.

**3-204**

**Lot Requirements for Suburban Design Option.**

- (A) **Size.** 20,000 square feet minimum.
- (B) **Width.** 100 feet minimum.
- (C) **Yards.** Each lot shall provide the following yards:
  - (1) **Front.** 25 feet minimum.
  - (2) **Side.** Minimum of twelve (12) feet on one side and nine (9) feet on the other side.
  - (3) **Rear.** 25 feet minimum.
- (D) **Length/Width Ratio.** 5:1 maximum.

**3-205**

**Lot Requirements for Traditional Design Option.**

- (A) **Size.** 10,000 square feet minimum.
- (B) **Width.** 75 feet minimum.

- (C) **Yards.** Each lot shall provide the following yards:
  - (1) **Front.** 15 feet minimum.
  - (2) **Side.** 9 feet minimum.
  - (3) **Rear.** 25 feet minimum.
- (D) **Length/Width Ratio.** 5:1 maximum.
- (E) **Lot Design Requirements.**
  - (1) Street trees planted pursuant to Section 5-1300 shall be regularly spaced.
  - (2) Garages shall be set back at least 20 feet behind the front line of buildings.
- (F) **Minimum Open Space Area.** Open space shall be provided in a sufficient amount such that a gross density of one lot per 20,000 square feet is maintained, calculated based on the overall. Open space shall be preserved by means of a permanent open space easement acceptable to the Board of Supervisors.
- (G) **Minimum Buffer.** A permanent common open space buffer of fifty (50) feet in depth with a Category 2 Buffer Yard (Section 5-1414(B)) shall be provided where a traditional development adjoins an existing or planned residential district, land bay, or development which has a minimum allowable lot size of 20,000 square feet or greater. Such buffer area may be included in open space calculations.
- (H) **Other Requirements.**
  - (1) Blocks shall generally be in a grid pattern with interconnecting streets and alleys.
  - (2) Parallel parking may be provided on streets in front of residential lots, except for lots fronting on collector or arterial roads.

**3-206 Lot Requirements for Cluster Development reducing lot sizes up to 20%.**

- (A) **Size.** 16,000 square feet minimum.
- (B) **Width.** 80 feet minimum.

- (C) **Yards.** Each lot shall provide the following yards:
  - (1) **Front.** 25 feet minimum.
  - (2) **Side.** 9 feet minimum.
  - (3) **Rear.** 25 feet minimum.
- (D) **Length/Width Ratio:** 5:1 maximum.
- (E) **Minimum Open Space Area.** Open space shall be provided in a sufficient amount such that a gross density of one lot per 20,000 square feet is maintained, calculated based on the overall parcel. Open space shall be preserved by means of a permanent open space easement acceptable to the Board of Supervisors.
- (F) **Minimum Buffer.** A permanent common open space buffer of fifty (50) feet in depth with a Category 2 Buffer Yard (Section 5-1414(B)) shall be provided where a cluster development adjoins an existing or planned residential district, land bay, or development which has a minimum allowable lot size of 20,000 square feet or greater. Such buffer area may be included in open space calculations.

3-207

**Lot Requirements for Cluster Development Reducing Lot Sizes From 20% to 50% Pursuant to Section 6-1400.**

- (A) **Size.** 10,000 square feet minimum.
- (B) **Width.** 80 feet minimum.
- (C) **Yards.** Each lot shall provide the following yards:
  - (1) **Front.** 25 feet minimum.
  - (2) **Side.** 9 feet minimum.
  - (3) **Rear.** 25 feet minimum.
- (D) **Length/Width Ratio:** 5:1 maximum.
- (E) **Minimum Open Space Area.** Open space shall be provided in a sufficient amount such that a gross density of one lot per 20,000 square feet is maintained, calculated based on the overall. Open space shall be preserved by means of a permanent open space easement acceptable to the Board of Supervisors.

- (F) **Minimum Buffer.** A permanent common open space buffer of fifty (50) feet in depth with a Category 2 Buffer Yard (Section 5-1414(B)) shall be provided where a cluster development adjoins an existing or planned residential district, land bay, or development which has a minimum allowable lot size of 20,000 square feet or greater. Such buffer area may be included in open space calculations.

**3-208 Building Requirements for Suburban Design Options.**

- (A) **Lot Coverage.** 25 percent maximum.
- (B) **Building Height.** 40 feet maximum.

**3-209 Building Requirements for Cluster Development Reducing Lot Sizes Up to 20%.**

- (A) **Lot Coverage.** 25 percent maximum.
- (B) **Building Height.** 40 feet maximum.

**3-210 Building Requirements for Traditional Design Option or Cluster Development Reducing Lot Sizes From 20% to 50% Pursuant to Section 6-1400.**

- (A) **Lot Coverage.** 35 percent maximum.
- (B) **Building Height.** 40 feet maximum.

**3-211 Utility Requirements.** All utility distribution lines in the R-2 district shall be placed underground.

**3-212 Development Setback and Access From Major Roads.** In designing residential development, the requirements of Section 5-900 shall be observed.

**Section 3-300**

**R-3 Single Family Residential.**

**3-301**

**Purpose.** The R-3 Single Family Residential district is established to provide for moderate density single family detached residences on lots of 15,000 square feet or more in areas consistent with the Comprehensive Plan served by public water and sewer service.

**3-302**

**Permitted Uses.** The following uses are permitted in this district:

- (A) Child care home, pursuant to Section 5-609.
- (B) Cluster development reducing lot sizes up to 20% of minimum, pursuant to Sections 3-306, 3-308 and 6-1400.
- (C) Cluster development reducing lot sizes from 20-50% of minimum, pursuant to Sections 3-307, 3-310 and 6-1400.
- (D) Public or private playground or neighborhood park.
- (E) Recycling drop-off collection center, small, pursuant to Section 5-607(A).
- (F) Dwelling, single family detached.
- (G) Utility substation, dedicated.
- (H) Private School (Elementary, Middle, or High) for fifteen (15) or fewer pupils, pursuant to Section 5-655.
- (I) Commuter parking lot, with less than 50 spaces.
- (J) Agriculture, horticulture, forestry and fishery, excluding the keeping of livestock.
- (K) Accessory apartment or dwelling unit, pursuant to Section 5-613.
- (L) Bus shelter.
- (M) Nature preserve, such as but not limited to, wildlife sanctuary, conservation areas and game preserve.
- (N) Sewer pumping station.
- (O) Water pumping station.
- (P) Public School (elementary, middle or high), pursuant to Section 5-666.

- (Q) Telecommunications antenna, pursuant to Section 5-618(A).
- (R) Telecommunications monopole, pursuant to Section 5-618(B)(1).

**3-303**

**Special Exception Uses.** The following uses may be approved by the Board of Supervisors, and, if approved, may be subject to certain conditions, pursuant to the provisions of Section 6-1300.

- (A) Cemetery, mausoleum and memorial park.
- (B) Child or adult day care center, pursuant to 5-609.
- (C) Church, synagogue and temple.
- (D) Community center.
- (E) Congregate housing facility.
- (F) Country club.
- (G) Fire and/or rescue station.
- (H) Library.
- (I) Playing fields and courts, lighted.
- (J) Private club or lodge.
- (K) Orphanage or other similar institution.
- (L) Private School (Elementary, Middle, or High) for more than fifteen (15) pupils, by Minor Special Exception.
- (M) Utility substation, transmission, pursuant to 5-616.
- (N) Utility transmission lines, overhead.
- (O) Water treatment plant.
- (P) Golf course.
- (Q) Sewage treatment plant.
- (R) Radio and/or television tower.
- (S) Public or private community or regional park.

- (T) Structure for federal, state, county, or local government purposes, not otherwise listed.
- (U) Commuter parking lot, with greater than 50 spaces.
- (V) Water storage tank.
- (W) Utility substation, distribution, pursuant to Section 5-616.
- (X) Telecommunications monopole, pursuant to Section 5-618(B)(2).
- (Y) Telecommunications tower, pursuant to Section 5-618(C)(2).
- (Z) Police Station.

**3-304 Lot Requirements for Suburban Design Option.**

- (A) **Size.** 15,000 square feet minimum.
- (B) **Width.** 80 feet minimum.
- (C) **Yards.** Each lot shall provide the following yards:
  - (1) **Front.** 25 feet minimum.
  - (2) **Side.** Minimum of twelve (12) feet on one side and nine (9) feet on the other side.
  - (3) **Rear.** 25 feet minimum.
- (D) **Length/Width Ratio.** 5:1 maximum.

**3-305 Lot Requirements for Traditional Design Option.**

- (A) **Size.** 8,000 square feet minimum.
- (B) **Width.** 50 feet minimum.
- (C) **Yards.** Each lot shall provide the following yards:
  - (1) **Front.** 15 feet minimum.
  - (2) **Side.** 9 feet minimum.
  - (3) **Rear.** 25 feet minimum.
- (D) **Length/Width Ratio:** 5:1 maximum.

(E) **Lot Design Requirements.**

- (1) Street trees planted pursuant to Section 5-1300 shall be regularly spaced.
- (2) Garages shall be set back at least twenty (20) feet behind the front line of buildings.

(F) **Minimum Open Space Area.** Open space shall be provided in a sufficient amount such that a gross density of one lot per 15,000 square feet is maintained, calculated based on the overall parcel size. Open space shall be preserved by means of a permanent open space easement acceptable to the Board of Supervisors.

(G) **Minimum Buffer.** A permanent common open space buffer of fifty (50) feet in depth with a Category 2 Buffer Yard (Section 5-1414(B)) shall be provided where a traditional development adjoins an existing or planned residential district, land bay, or development which has a minimum allowable lot size of 15,000 square feet or greater. Such buffer area may be included in open space calculations.

(H) **Other Requirements.**

- (1) Blocks shall generally be in a grid pattern, with interconnecting streets and alleys.
- (2) Parallel parking may be provided on streets in front of residential lots, except for lots fronting on collector or arterial roads.

**3-306 Lot Requirements for Cluster Development Reducing Lot Sizes Up to 20%.**

(A) **Size.** 12,000 square feet minimum.

(B) **Width.** 75 feet minimum.

(C) **Yards.** Each lot shall provide the following yards:

(1) **Front.** 25 feet minimum.

(2) **Side.** 9 feet minimum.

(3) **Rear.** 25 feet minimum.

(D) **Length/Width Ratio:** 5:1 maximum.



- (E) **Minimum Open Space Area.** Open space shall be provided in a sufficient amount such that a gross density of one lot per 15,000 square feet is maintained, calculated based on the overall parcel size. Open space shall be preserved by means of a permanent open space easement acceptable to the Board of Supervisors.
- (F) **Minimum Buffer.** A permanent common open space buffer of fifty (50) feet in depth with a Category 2 Buffer Yard (Section 5-1414(B)) shall be provided where a cluster development adjoins an existing or planned residential district, land bay, or development which has a minimum allowable lot size of 15,000 square feet or greater. Such buffer area may be included in open space calculations.

**3-307 Lot Requirements for Cluster Development Reducing Lot Sizes From 20% To 50% Pursuant to Section 6-1400.**

- (A) **Size.** 8,000 square feet minimum.
- (B) **Width.** 60 feet minimum.
- (C) **Yards.** Each lot shall provide the following yards:
  - (1) **Front.** 25 feet minimum.
  - (2) **Side.** 9 feet minimum.
  - (3) **Rear.** 25 feet minimum.
- (D) **Length/Width Ratio.** 5:1 maximum.
- (E) **Minimum Open Space Area.** Open space shall be provided in a sufficient amount such that a gross density of one lot per 15,000 square feet is maintained, calculated based on the overall parcel size. Open space shall be preserved by means of a permanent open space easement acceptable to the Board of Supervisors.
- (F) **Minimum Buffer.** A permanent common open space buffer of fifty (50) feet in depth with a Category 2 Buffer Yard (Section 5-1414(B)) shall be provided where a cluster development adjoins an existing or planned residential district, land bay, or development which has a minimum allowable lot size of 15,000 square feet or greater. Such buffer area may be included in open space calculations.

**3-308 Building Requirements for Suburban Design Option and Cluster Development Reducing Lot Sizes Up To 20%.**

- (A) **Lot Coverage.** 25 percent maximum.
- (B) **Building Height.** 40 feet maximum.

**3-309 Building Requirements for Traditional Design Option.**

- (A) **Lot Coverage.** 35 percent maximum.
- (B) **Building Height.** 40 feet maximum.

**3-310 Building Requirements for Cluster Development Reducing Lot Sizes From 20% to 50% Pursuant to Section 6-1400.**

- (A) **Lot Coverage.** 35 percent maximum.
- (B) **Building Height.** 40 feet maximum.

**3-311 Active Recreation Space.** A minimum of 5,000 square feet of active recreation space shall be provided for each development of ten (10) units. Thereafter, an additional 100 square feet of such space shall be provided for each single family detached or duplex unit. All such active recreation space shall be accessible to all residents by means of internal pedestrian walkways.

**3-312 Utility Requirements.** All utility distribution lines in the R-3 district shall be placed underground.

**3-313 Development Setback And Access From Major Roads.** In designing residential development, the requirements of Section 5-900 shall be observed.

## **Section 3-400**

### **R-4 Single Family Residential.**

#### **3-401**

**Purpose.** The R-4 Single Family Residential district is established to provide for moderate to medium density single family detached residences on lots of 10,000 square feet or more in areas served by public water and sewer service and designated in locations consistent with the Comprehensive Plan.

#### **3-402**

**Permitted Uses.** The following uses are permitted in this district:

- (A) Child care home, pursuant to Section 5-609.
- (B) Cluster development reducing lot sizes up to 20% of minimum, pursuant to Sections 3-406, 3-409 and 6-1400.
- (C) Cluster development reducing lot sizes from 20-50% of minimum, pursuant to Sections 3-407, 3-409 and 6-1400.
- (D) Public or private playground or neighborhood park.
- (E) Recycling drop-off collection center, small, pursuant to Section 5-607(A).
- (F) Dwelling, single family detached.
- (G) Utility substation, dedicated.
- (H) Agriculture, horticulture, forestry and fishery, excluding the keeping of livestock.
- (I) Accessory apartment or dwelling unit, pursuant to Section 5-613.
- (J) Bus shelter.
- (K) Nature preserve, such as but not limited to, wildlife sanctuary, conservation area and game preserve.
- (L) Sewer pumping station.
- (M) Water pumping station.
- (N) Commuter parking lot, with less than fifty (50) spaces.
- (O) Public School (elementary, middle or high), pursuant to Section 5-666.
- (P) Telecommunications antenna, pursuant to Section 5-618(A).

- (Q) Telecommunications monopole, pursuant to Section 5-618(B)(1).
- (R) Private School (Elementary, Middle, or High) for fifteen (15) or fewer pupils, pursuant to Section 5-655.

**3-403**

**Special Exception Uses.** The following uses may be approved by the Board of Supervisors, and, if approved, may be subject to certain conditions, pursuant to the provisions of Section 6-1300.

- (A) Cemetery, mausoleum or memorial park.
- (B) Child or adult day care center, pursuant to Section 5-609.
- (C) Church, synagogue and temple.
- (D) Community center.
- (E) Congregate housing facility.
- (F) Country club.
- (G) Fire and/or rescue station.
- (H) Library.
- (I) Playing fields and courts, lighted.
- (J) Orphanage or similar institution.
- (K) Private club or lodge.
- (L) Private School (Elementary, Middle, or High) for more than fifteen (15) pupils, by Minor Special Exception.
- (M) Utility substation, transmission, pursuant to Section 5-616.
- (N) Utility transmission lines, overhead.
- (O) Water treatment plant.
- (P) Golf course.
- (Q) Sewage treatment plant.
- (R) Structure or use for federal, state, county, or local government purposes, not otherwise listed.
- (S) Public or private community or regional park.

- (T) Radio and/or television tower.
- (U) Commuter parking, with greater than fifty (50) spaces.
- (V) Water storage tank.
- (W) Utility substation, distribution, pursuant to Section 5-616.
- (X) Telecommunications monopole, pursuant to Section 5-618(B)(2).
- (Y) Telecommunications tower, pursuant to Section 5-618(C)(2).
- (Z) Police Station.

**3-404 Lot Requirements for Suburban Design Option.**

- (A) **Size.** 10,000 square feet minimum.
- (B) **Width.** 80 feet minimum.
- (C) **Yards.** Each lot shall provide the following yards:
  - (1) **Front.** 25 feet minimum.
  - (2) **Side.** 9 feet minimum.
  - (3) **Rear.** 25 feet minimum.
- (D) **Length/Width Ratio:** 5:1 maximum.

**3-405 Lot Requirements for Traditional Design Option.**

- (A) **Size.** 6,000 square feet minimum.
- (B) **Width.** 50 feet minimum.
- (C) **Yards.** Each lot shall provide the following yards:
  - (1) **Front.** 15 feet minimum.
  - (2) **Side.** 9 feet minimum.
  - (3) **Rear.** 25 feet minimum.
- (D) **Length/Width Ratio:** 5:1 maximum.
- (E) **Lot Design Requirements.**

- (1) Street trees planted pursuant to Section 5-1300 shall be regularly spaced.
  - (2) Garages shall be setback at least 20 feet behind the front line of buildings.
- (F) **Minimum Open Space Area.** Open space shall be provided in a sufficient amount such that a gross density of one lot per 10,000 square feet is maintained, calculated based on the overall parcel size. Open space shall be preserved by means of a permanent open space easement acceptable to the Board of Supervisors.
- (G) **Minimum Buffer.** A permanent common open space buffer of fifty (50) feet in depth with a Category 2 Buffer Yard (Section 5-1414(B)) shall be provided where a traditional development adjoins an existing or planned residential district, land bay, or development which has a minimum allowable lot size of 10,000 square feet or greater. Such buffer area may be included in open space calculations.
- (H) **Other Requirements.**
- (1) Blocks shall generally be in a grid pattern, with interconnecting streets and alleys.
  - (2) Parallel parking may be provided on streets in front of residential lots, except for lots fronting on collector or arterial roads.

**3-406 Lot Requirements for Cluster Development Reducing Lot Sizes Up to 20%.**

- (A) **Size.** 8,000 square feet minimum.
- (B) **Width.** 75 feet minimum.
- (C) **Yards.** Each lot shall provide the following yards.
- (1) **Front.** 25 feet minimum.
  - (2) **Side.** 9 feet minimum.
  - (3) **Rear.** 25 feet minimum.
- (D) **Length/Width Ratio:** 5:1 maximum.

- (E) **Minimum Open Space Area.** Open space shall be provided in a sufficient amount such that a gross density of one lot per 10,000 square feet is maintained, calculated based on the overall parcel size. Open space shall be preserved by means of a permanent open space easement acceptable to the Board of Supervisors.
- (F) **Minimum Buffer.** A permanent common open space buffer of fifty (50) feet in depth with a Category 2 Buffer Yard (Section 5-1414(B)) shall be provided where a cluster development adjoins an existing or planned residential district, land bay, or development which has a minimum allowable lot size of 10,000 square feet or greater. Such buffer area may be included in open space calculations.

**3-407**

**Lot Requirements For Cluster Development Reducing Lot Sizes From 20% to 50% Pursuant to Section 6-1400.**

- (A) **Size.** 6,000 square feet minimum.
- (B) **Width.** 50 feet minimum.
- (C) **Yards.** Each lot shall provide the following yards.
  - (1) **Front.** 25 feet minimum.
  - (2) **Side.** 9 feet minimum.
  - (3) **Rear.** 25 feet minimum.
- (D) **Length/Width Ratio:** 5:1 maximum.
- (E) **Minimum Open Space Area.** Open space shall be provided in a sufficient amount such that a gross density of one lot per 10,000 square feet is maintained, calculated based on the overall parcel size. Open space shall be preserved by means of a permanent open space easement acceptable to the Board of Supervisors.
- (F) **Minimum Buffer.** A permanent common open space buffer of fifty (50) feet in depth with a Category 2 Buffer Yard (Section 5-1414(B)) shall be provided where a cluster development adjoins an existing or planned residential district, land bay, or development which has a minimum allowable lot size of 10,000 square feet or greater. Such buffer area may be included in open space calculations.

**3-408**

**Building Requirements for Suburban Design.**

(A) **Lot Coverage.** 35 percent maximum.

(B) **Building Height.** 40 feet maximum.

**3-409 Building Requirements for Traditional Design Option or Cluster Development.**

(A) **Lot Coverage.** 40 percent maximum.

(B) **Building Height.** 40 feet maximum.

(C) **Impervious Surface.** No more than 50% of the front yard of any lot shall be an impervious surface.

**3-410 Active Recreation Space.** A minimum of 5,000 square feet of active recreation space shall be provided for each development of ten (10) units. Thereafter, an additional 100 square feet of such space shall be provided for each single family detached or duplex unit. All such active recreation space shall be accessible to all residents by means of internal pedestrian walkways.

**3-411 Utility Requirements.** All utility distribution lines in the R-4 district shall be placed underground.

**3-412 Development Setback and Access from Major Roads.** In designing residential development, the requirements of Section 5-900 shall be observed.



## **Section 3-500**

### **R-8 Single Family Residential.**

- 3-501 Purpose.** The R-8 Single Family Residential district is established to provide for manufactured housing, single family detached, duplex, townhouse, and single family attached dwelling units at gross residential parcel densities not to exceed eight (8) units per acre in areas served by public water and sewer service and designated primarily for infill development or in other locations consistent with the Comprehensive Plan.
- 3-502 Size and Location.** This district shall be no less than two (2) acres nor more than fifty (50) acres in size. Incremental and contiguous additions of no less than one (1) acre to an existing R-8 zoning district shall be allowed. Larger parcels may be developed in accord with Section 4-100 as Planned Development Housing Districts. This district shall be mapped only in locations in close proximity to arterials or major collectors and at locations with pedestrian linkages to nearby established or planned employment centers, shopping or other community support services.
- 3-503 Permitted Uses.** The following uses are permitted in this district:
- (A) Child care home, pursuant to Section 5-609.
  - (B) Public or private playground or neighborhood park.
  - (C) Recycling drop-off collection center, small, pursuant to 5-607(A).
  - (D) Dwelling, single family attached.
  - (E) Dwelling, single family detached.
  - (F) Commuter parking lot, with less than fifty (50) spaces.
  - (G) Utility substation, dedicated.
  - (H) Bus shelter.
  - (I) Nature preserve, such as but not limited to, wildlife sanctuary, conservation area, and game preserve.
  - (J) Sewer pumping station.
  - (K) Water pumping station.
  - (L) Accessory apartment or dwelling unit, pursuant to Section 5-613.
  - (M) Public School (elementary, middle or high), pursuant to Section 5-666.

- (N) Telecommunications antenna, pursuant to Section 5-618(A).
- (O) Telecommunications monopole, pursuant to Section 5-618(B)(1).
- (P) Private School (Elementary, Middle, or High) for fifteen (15) or fewer pupils, pursuant to Section 5-655.

**3-504**

**Special Exception Uses.** The following uses may be approved by the Board of Supervisors, and, if approved, may be subject to certain conditions, pursuant to the provisions of Section 6-1300.

- (A) Child or adult day care center, pursuant to Section 5-609.
- (B) Church, synagogue and temple.
- (C) Country club.
- (D) Community center.
- (E) Congregate housing facility.
- (F) Fire and/or rescue station.
- (G) Library.
- (H) Orphanage or other similar institution.
- (I) Playing fields and courts, lighted.
- (J) Private club or lodge.
- (K) Continuing care facility.
- (L) Private School (Elementary, Middle, or High) for more than fifteen (15) pupils, by Minor Special Exception.
- (M) Utility substation, transmission, pursuant to Section 5-616.
- (N) Utility transmission lines, overhead.
- (O) Water treatment plant.
- (P) Golf course.
- (Q) Sewage treatment plant.
- (R) Commuter parking lot, with greater than fifty (50) spaces.

- (S) Structure or use for federal, state, county, or local government purposes, not otherwise listed.
- (T) Public or private community regional park.
- (U) Radio and/or television tower.
- (V) Water storage tank.
- (W) Utility substation, distribution, pursuant to Section 5-616.
- (X) Manufactured Housing, pursuant to Section 5-620.
- (Y) Telecommunications monopole, pursuant to Section 5-618(B)(2).
- (Z) Telecommunications tower, pursuant to Section 5-618(C)(2).
- (AA) Police Station.

**3-505**      **Maximum Residential Density.** Eight (8) dwelling units per gross acre.

**3-506**      **Lot Requirements.**

- (A)      **Size.** 6,000 sq. ft. minimum for single family detached dwellings; 5,000 sq. ft. minimum for manufactured housing; 2,200 sq. ft. minimum for triplex end units or quadruplex dwellings; 1,800 sq. ft. minimum for triplex interior dwellings; 1,600 sq. ft. minimum for townhouse dwellings; each exclusive of major floodplain.
- (B)      **Width.** 50 feet minimum for single family detached dwellings and manufactured housing; 40 feet for duplex dwellings; 30 feet for triplex end unit dwellings; 18 feet for triplex interior dwellings; 35 feet for quadruplex dwellings; 24 feet for townhouse end unit dwellings; and 16 feet for interior townhouse dwellings.
- (C)      **Yards.** Each lot shall provide the following yards:
  - (1)      **Single Family Detached Dwellings and Manufactured Housing.**
    - (a)      **Front.** 25 feet minimum.
    - (b)      **Side.** 8 feet minimum if two side yards are provided; 16 feet if only one side yard is provided. In no case shall the distance between dwellings be less than 16 feet.

(c) **Rear.** 25 feet minimum.

(2) **Single Family Attached Dwellings.**

(a) **Front.** 40 feet minimum from centerline of travelway which does not include parking. 45 feet minimum from the centerline of travelway which does include parking.

(b) **Side.** No requirement along common walls; minimum side yard on end unit shall be 8 feet.

(c) **Rear.** 25 feet minimum, no requirement along common walls.

(3) **Traditional Design Option for Single Family Attached.**

(a) **Front.** When dwellings front on a street and include a landscaped strip and sidewalk totaling 8 feet in depth, and where vehicular access to parking is provided from the rear of the lot, a minimum yard of 12 feet from the back of the curb shall be provided. However, where the district abuts an existing or planned residential district or land bay, or development of a lower density without an intervening street, the front yard setback shall equal the front yard setback of the lowest abutting density district, land bay or development.

(b) **Side.** No requirement for interior lot with common wall; minimum side yard on end unit shall be 8 feet.

(c) **Rear.** 25 feet.

(D) **Length/Width Ratio:** 6:1 maximum.

3-507

**Lot Requirements for Traditional Design Option for Single Family Detached.**

(A) **Size.** 5,000 sq. ft. minimum, exclusive of major floodplain.

(B) **Width.** 50 feet minimum.

(C) **Yards.** Each lot shall provide the following yards.

(1) **Front.** 15 feet minimum.

- (2) **Side.** 9 feet minimum.
- (3) **Rear.** 25 feet minimum.
- (D) **Length/Width Ratio:** 5:1 maximum.
- (E) **Lot Design Requirements.**
  - (1) Street trees planted pursuant to Section 5-1300 shall be regularly spaced.
  - (2) Garages shall be setback at least 20 feet behind the front line of buildings.
- (F) **Minimum Open Space Area.** Open space shall be provided in a sufficient amount such that a gross density of one lot per 6,000 square feet is maintained, calculated based on the overall parcel size. Open space shall be preserved by means of a permanent open space easement acceptable to the Board of Supervisors.
- (G) **Minimum Buffer.** A permanent common open space buffer of fifty (50) feet in depth with a Category 2 Buffer Yard (Section 5-1414(B)) shall be provided where a traditional development adjoins an existing or planned residential district, land bay, or development which has a minimum allowable lot size of 6,000 square feet or greater. Such buffer area may be included in open space calculations.
- (H) **Other Requirements.**
  - (1) Blocks shall generally be in a grid pattern, with interconnecting streets or alleys.
  - (2) Parallel parking may be provided on streets in front of residential lots, except for lots fronting on collector or arterial roads.

**3-508 Building Requirements.**

- (A) **Lot Coverage.** 50 percent maximum.
- (B) **Building Height.**
  - (1) Single Family Detached: 40 feet maximum.
  - (2) Single Family Attached: 45 feet maximum.

- (C) **Maximum Units Per Building.** No one structure shall contain more than eight (8) dwelling units.

**3-509 Additional Development Standards.**

- (A) **Active Recreation Space.** A minimum of 5,000 square feet of active recreation space shall be provided for each development of ten (10) units. Thereafter, an additional 100 square feet of such space shall be provided for each single family detached, manufactured housing or duplex unit and 200 square feet for each attached dwelling unit, triplex unit, quadruplex unit, townhouse, and multi-family unit in excess of 10 units. All such active recreation space shall be accessible to all residents by means of internal pedestrian walkways.
- (B) **Off Street Parking.** No off street parking for multifamily dwellings shall be permitted in areas between buildings and streets, unless such parking areas are sufficiently bermed and screened so that the parking areas are not visible from the street.
- (C) **Minimum Buffer.** A permanent common open space buffer of fifty (50) feet in depth with a Category 2 Buffer Yard (Section 5-1414(B)) shall be provided where a development adjoins an existing or planned residential district, land bay or development which has a minimum allowable lot size of 6,000 square feet or greater. Such buffer area may be included in open space calculations.

**3-510 Utility Requirements.** All utility distribution lines in the R-8 district shall be placed underground.

**3-511 Development Setback and Access from Major Roads.** In designing residential development, the requirements of Section 5-900 shall be observed.

- (A) **Private Streets.** Roads, serving townhouse and multifamily uses only, may be designed and constructed to private streets standards set forth in the Facilities Standards Manual, provided the following conditions are met:
  - (1) All residences served by the private road shall be subject to a recorded covenant expressly requiring private maintenance of such road in perpetuity and the establishment, commencing with the initial record plat, of a reserve fund for repairs to such road.

- (2) The record plat and protective covenants for such development shall expressly state that the County and VDOT have no and will have no responsibility for the maintenance, repair, or replacement of private roads.
- (3) Sales brochures or other literature and documents, provided by the seller of lots served by such private roads, shall include information regarding responsibility for maintenance, repair, replacement, and covenants pertaining to such lots, including a statement that the County has no and will have no responsibility for the maintenance, repair, or replacement of private roads.

Roads serving other uses shall be designed and constructed to VDOT standards for inclusion in the state highway system.

## Section 3-600

### R-16 Townhouse/Multifamily Residential.

- 3-601 Purpose.** The R-16 Townhouse/Multifamily Residential district is established to provide for manufactured housing, townhouse and multiple family dwelling units at gross residential parcel densities not to exceed sixteen (16) units per acre in areas served by public water and sewer service and designated primarily for infill development or in other locations consistent with the Comprehensive Plan.
- 3-602 Size and Location.** This district shall be no less than two (2) acres nor more than twenty-five (25) acres in size. Incremental and contiguous additions of no less than one (1) acre to an existing R-16 zoning district shall be allowed. Larger parcels may be developed in accord with Section 4-100 as Planned Development Housing Districts. This district shall be mapped only in locations in close proximity to arterials or major collectors; with pedestrian linkages to nearby established or planned employment centers, shopping or other community support services; consistent with the Comprehensive Plan; and planned or served by public transit or designated for public transit in the Comprehensive Plan.
- 3-603 Permitted Uses.** The following uses are permitted in this district:
- (A) Child care home, pursuant to Section 5-609.
  - (B) Dwelling, multi-family.
  - (C) Public or private playground or neighborhood park.
  - (D) Recycling drop-off collection center, small, pursuant to 5-607(A).
  - (E) Dwelling, single family, attached.
  - (F) Commuter parking lot, with less than fifty (50) spaces.
  - (G) Utility substation, dedicated.
  - (H) Bus shelter.
  - (I) Sewer pumping station.
  - (J) Water pumping station.
  - (K) Public School (elementary, middle or high), pursuant to Section 5-666.



- (L) Telecommunications roof top antenna on a multi-family structure which is forty (40) feet or greater in height, pursuant to Section 5-618.
- (M) Private School (Elementary, Middle, or High) for fifteen (15) or fewer pupils, pursuant to Section 5-655.

**3-604**

Special Exception Uses. The following uses may be approved by the Board of Supervisors, and, if approved, may be subject to certain conditions, pursuant to the provisions of Section 6-1300.

- (A) Child or adult day care center, pursuant to Section 5-609.
- (B) Church, synagogue and temple.
- (C) Community center.
- (D) Country club.
- (E) Fire, police and rescue station.
- (F) Golf course.
- (G) Library.
- (H) Playing fields and courts, lighted.
- (I) Orphanage or similar institution.
- (J) Private club or lodge.
- (K) Private School (Elementary, Middle, or High) for more than fifteen (15) pupils, by Minor Special Exception.
- (L) Utility substation, transmission, pursuant to Section 5-616.
- (M) Utility transmission lines, overhead.
- (N) Water treatment plant.
- (O) Sewage treatment plant.
- (P) Continuing care facility.
- (Q) Commuter parking lot with greater than fifty (50) spaces.
- (R) Congregate housing facility.

- (S) Structure or use for federal, state, county, or local government purposes, not otherwise listed.
- (T) Public or private community or regional park.
- (U) Radio and/or television tower.
- (V) Water storage tank.
- (W) Utility substation, distribution, pursuant to Section 5-616.
- (X) Manufactured Housing, pursuant to Section 5-620.
- (Y) Telecommunication monopole, pursuant to Section 5-618(B)(2).
- (Z) Telecommunication tower, pursuant to Section 5-618(C)(2).

**3-605 Maximum Residential Density.** Sixteen (16) dwelling units per gross acre.

**3-606 Lot Requirements.**

- (A) **Size.** 5,000 sq. ft. minimum for detached manufactured housing; 2,000 sq. ft. minimum for attached manufactured housing; 1,600 sq. ft. minimum for townhouse dwellings; 3,000 sq. ft. minimum for duplex dwellings; 2,000 sq. ft. minimum for triplex end units or quadruplex dwellings; 1,800 sq. ft. minimum for triplex interior dwellings; 8,000 sq. ft. minimum for a multi-family structure; each exclusive of major floodplain.
- (B) **Width.** 50 feet minimum for detached manufactured housing; 19 feet minimum for attached manufactured housing; 16 feet minimum per lot for interior townhouse dwellings; 24 feet minimum per lot for end unit townhouse dwellings; 35 feet minimum per lot for duplex dwellings; 30 feet minimum per lot for triplex end units or quadruplex dwellings; 18 feet for triplex interior dwellings; 80 feet minimum per lot for multifamily structures.
- (C) **Yards.** Each lot shall provide the following yards:
  - (1) **Detached Manufactured Housing.**
    - (a) **Front.** 25 feet minimum.
    - (b) **Side.** 8 feet minimum if two side yards are provided; 16 feet if only one side yard is provided. In no case shall the distance between dwellings be less than 16 feet.

- (c) **Rear.** 25 feet minimum.
- (2) **Dwellings, Single Family Attached and Attached Manufactured Housing.**
- (a) **Front.** 40 feet minimum from centerline of travelway which does not include parking. 45 feet minimum from the centerline of travelway which does include parking.
  - (b) **Side.** No requirement along common walls; minimum side yard on end units shall be 8 feet.
  - (c) **Rear.** 25 feet minimum, no requirement along common walls.
- (3) **Traditional Design Option for Single Family Attached.**
- (a) **Front.** When dwellings front on a street and include a landscaped strip and sidewalk totaling 8 feet in depth, and where vehicular access to parking is provided from the rear of the lot, a minimum yard of 12 feet from the back of the curb shall be provided. However, where the district abuts an existing or planned residential district or land bay, or development of a lower density without an intervening street, the front yard setback shall equal the front yard setback of the lowest abutting density district, land bay or development.
  - (b) **Side.** No requirement for interior lot with common wall; minimum side yard on end unit shall be 8 feet.
  - (c) **Rear.** 25 feet.
- (4) **Multifamily Structures.**
- (a) **Front.** 40 feet minimum from centerline of travelway which does not include parking. 45 feet minimum from the centerline of travelway which does include parking.
  - (b) **Side.** Buildings placed side to side shall have a minimum distance of twenty (20) feet between buildings; buildings placed side to back shall have a minimum distance of thirty-five (35) feet between buildings. Buildings back to back shall have a

minimum distance of fifty (50) feet between buildings. End buildings shall have a minimum side yard of twenty-five (25) feet to the property line or private access easement line.

(c) **Rear.** 25 feet minimum.

(D) **Length Width Ratio:** 7:1 maximum.

**3-607 Building Requirements.**

(A) **Lot Coverage.** Sixty percent (60%) maximum.

(B) **Building Height.**

(1) Single Family Attached: 45 feet maximum.

(2) Multifamily: 45 feet provided that a multi-family structure may be erected to a maximum of 55 feet if it is setback from streets or from lot lines in addition to each of the required minimum yard dimensions, a distance of not less than one (1) foot for each one (1) foot of height that it exceeds the 45-foot limit.

(C) **Maximum Units Per Building.** No one structure shall contain more than eight (8) townhouse dwelling units.

**3-608 Additional Development Standards.**

(A) **Active Recreation Space.** A minimum of 5,000 square feet of active recreation space shall be provided for each development of ten (10) units. Thereafter, an additional 200 square feet minimum shall be provided for each manufactured housing, attached dwelling unit, triplex unit, quadruplex unit, townhouse and multi-family unit in excess of 10 units. All such active recreation space shall be accessible to all residents by means of internal pedestrian walkways.

(B) **Off Street Parking.** No off street parking for multifamily dwellings shall be permitted in areas between buildings and streets, unless such parking areas are sufficiently bermed and screened so that the parking areas are not visible from the street.

(C) **Minimum Buffer.** A permanent common open space buffer of fifty (50) feet in depth with a Category 2 Buffer Yard (Section 5-1414(B)) shall be provided where a development adjoins an existing or planned residential district, land bay or development which has a

minimum allowable lot size of 8,000 square feet or greater. Such buffer area may be included in open space calculations.

**3-609 Utility Requirements.** All utility distribution lines in the R-16 district shall be placed underground.

**3-610 Development Setback and Access From Major Roads.** In designing residential development, the requirements of Section 5-900 shall be observed.

(A) **Private Streets.** Roads, serving townhouse and multifamily uses only, may be designed and constructed to private streets standards set forth in the Facilities Standards Manual, provided the following conditions are met:

- (1) All residences served by the private road shall be subject to a recorded covenant expressly requiring private maintenance of such road in perpetuity and the establishment, commencing with the initial record plat, of a reserve fund for repairs to such road.
- (2) The record plat and protective covenants for such development shall expressly state that the County and VDOT have no and will have no responsibility for the maintenance, repair, or replacement of private roads.
- (3) Sales brochures or other literature and documents, provided by the seller of lots served by such private roads, shall include information regarding responsibility for maintenance, repair, replacement, and covenants pertaining to such lots, including a statement that the County has no and will have no responsibility for the maintenance, repair, or replacement of private roads.

Roads serving other uses shall be designed and constructed to VDOT standards for inclusion in the state highway system.

**Section 3-700**

**R-24 Multifamily Residential.**

**3-701**

**Purpose.** The R-24 Multifamily Residential district is established to provide primarily for multiple family dwelling units at gross residential parcel densities not to exceed twenty-four (24) units per acre in areas served by public water and sewer service, with access to collector or arterial roads not dependent upon roads within planned or developed low density (R-1 or lower) residential neighborhoods, and designated primarily for infill development or in other locations consistent with the Comprehensive Plan.

**3-702**

**Size and Location.** This district shall be no less than two (2) acres nor more than twenty five (25) acres in size. It shall only be applied in locations:

- (A) Abutting arterials and major collectors. Direct access for lots created after the adoption of this ordinance to such arterials and major collectors shall be provided only via minor collector roads.
- (B) With pedestrian linkages to planned or existing employment centers, shopping or other community support services.
- (C) Consistent with the Comprehensive Plan.
- (D) When supporting shopping and commercial development is planned, existing, or under construction.
- (E) Planned or served by public transit, or designated for public transit in the Comprehensive Plan.

**3-703**

**Permitted Uses.** The following uses are permitted in this district:

- (A) Dwelling, multi-family.
- (B) Public or private playground or neighborhood park.
- (C) Recycling drop-off collection center, small, pursuant to Section 5-607(A).
- (D) Commuter parking lot, with less than fifty (50) spaces.
- (E) Utility substation, dedicated.
- (F) Bus shelter.
- (G) Sewer pumping station.
- (H) Water pumping station.

- (I) Public School (elementary, middle or high), pursuant to Section 5-666.
- (J) Telecommunications antenna, pursuant to Section 5-618(A).
- (K) Telecommunications monopole, pursuant to Section 5-618(B)(1).
- (L) Private School (Elementary, Middle, or High) for fifteen (15) or fewer pupils, pursuant to Section 5-655.

**3-704**

**Special Exception Uses.** The following uses may be approved by the Board of Supervisors, and, if approved, may be subject to certain conditions, pursuant to the provisions of Section 6-1300.

- (A) Child or adult day care center, pursuant to Section 5-609.
- (B) Church, synagogue and temple.
- (C) Community center.
- (D) Country club.
- (E) Fire and/or rescue station.
- (F) Library.
- (G) Orphanage or similar institution.
- (H) Playing fields and courts, lighted.
- (I) Private club or lodge.
- (J) Private School (Elementary, Middle, or High) for more than fifteen (15) pupils, by Minor Special Exception.
- (K) Utility substation, transmission, pursuant to Section 5-616.
- (L) Utility transmission lines, overhead.
- (M) Congregate housing facility.
- (N) Water treatment plant.
- (O) Commuter parking lot, with greater than fifty (50) spaces.
- (P) Radio and/or television tower.
- (Q) Continuing care facility.

- (R) Golf course.
- (S) Structure for use for federal, state, county, or local government purposes, not otherwise listed.
- (T) Public or private community or regional park.
- (U) Sewage treatment plant.
- (V) Water storage tank.
- (W) Utility substation, distribution, pursuant to Section 5-616.
- (X) Telecommunications monopole, pursuant to Section 5-618(B)(2).
- (Y) Telecommunications tower, pursuant to Section 5-618(C)(2).
- (Z) Police Station.

**3-705** **Maximum Residential Density.** Twenty-four (24) dwelling units per gross acre.

**3-706** **Lot Requirements.**

- (A) **Size.** 8,000 square feet minimum for a multifamily structure, exclusive of major floodplain.
- (B) **Width.** 80 feet minimum.
- (C) **Yards.** Each multifamily structure shall provide the following yards:
  - (1) **Front.** 40 feet minimum from centerline of travelway which does not include parking. 45 feet minimum from the centerline of travelway which does include parking.
  - (2) **Side.** Buildings placed side to side shall have a minimum distance of twenty (20) feet between buildings; buildings placed side to back shall have a minimum distance of thirty-five (35) feet between buildings. Buildings back to back shall have a minimum distance of fifty (50) feet between buildings. End buildings shall have a minimum side yard of twenty-five (25) feet to the property line or private access easement line.
  - (3) **Rear.** 25 feet minimum.



(D) **Length/Width Ratio:** 6:1 maximum.

**3-707 Building Requirements.**

(A) **Lot Coverage.** 60 percent maximum.

(B) **Building Height.** Forty five (45) feet provided that a multi-family structure may be erected to a maximum of sixty (60) feet if it is set back from streets or from lot lines in addition to each of the required minimum yard dimensions, a distance of not less than one (1) foot for each one (1) foot of height that it exceeds the 45-foot limit.

**3-708 Additional Development Standards.**

(A) **Active Recreation Space.** A minimum of 5,000 square feet of active recreation space shall be provided for each development of ten (10) units. Thereafter, an additional 200 square feet minimum shall be provided for each multi-family unit in excess of ten (10) units. All such active recreation space shall be accessible to all residents by means of internal pedestrian walkways.

(B) **Off Street Parking.** No off-street parking for multifamily dwellings shall be permitted in areas between buildings and streets, unless such parking areas are sufficiently bermed and screened so that the parking areas are not visible from the street.

(C) **Minimum Buffer.** A permanent common open space buffer of fifty (50) feet in depth with a Category 2 Buffer Yard (Section 5-1414(B)) shall be provided where a development adjoins an existing or planned residential district, land bay or development which has a minimum allowable lot size of 8,000 square feet or greater. Such buffer area may be included in open space calculations.

**3-709 Utility Requirements.** All utility distribution lines in the R-24 district shall be placed underground.

**3-710 Development Setback and Access from Major Roads.** In designing residential development, the requirements of Section 5-900 shall be observed.

(A) **Private Streets.** Roads, serving townhouse and multifamily uses only, may be designed and constructed to private streets standards set forth in the Facilities Standards Manual, provided the following conditions are met:

(1) All residences served by the private road shall be subject to a recorded covenant expressly requiring private maintenance

of such road in perpetuity and the establishment, commencing with the initial record plat, of a reserve fund for repairs to such road.

- (2) The record plat and protective covenants for such development shall expressly state that the County and VDOT have no and will have no responsibility for the maintenance, repair, or replacement of private roads.
- (3) Sales brochures or other literature and documents, provided by the seller of lots served by such private roads, shall include information regarding responsibility for maintenance, repair, replacement, and covenants pertaining to such lots, including a statement that the County has no and will have no responsibility for the maintenance, repair, or replacement of private roads.

Roads serving other uses shall be designed and constructed to VDOT standards for inclusion in the state highway system.

## **Section 3-800**

### **GB General Business.**

- 3-801 Purpose.** This district shall be established to provide for general destination business uses which serve the needs of residences and businesses in the vicinity.
- 3-802 Size and Location.** This district when mapped shall be no less than ten (10) acres nor more than fifty (50) acres in size. It shall only be located in those areas designated as Industrial Community and in other locations consistent with the Comprehensive Plan which are served by public sewer systems or on-site wastewater systems approved by the County Health Department. This district shall be located with access to, but without directly abutting or fronting on, major collector or arterial roads.
- 3-803 Permitted Uses.** The following uses are permitted in any General Business district, subject to the requirements and limitations of these regulations.
- (A) Adult day care center.
  - (B) Business service establishment.
  - (C) Contractor service establishment with accessory outdoor storage.
  - (D) Convenience food store, without gas pumps, pursuant to Section 5-617.
  - (E) Educational institution.
  - (F) Facility for dance, gymnastics, judo and sports training.
  - (G) Farm machinery sales, service and repair, pursuant to Section 5-615.
  - (H) Health and fitness center.
  - (I) Heavy equipment and specialty vehicle sales, and accessory service.
  - (J) Motor vehicle service and repair, light and heavy.
  - (K) Motor vehicle storage and impoundment.
  - (L) Nursery, commercial.
  - (M) Post office, drop off and pick-up.
  - (N) Postal service, including overnight courier collection and overnight mail distribution facility.
  - (O) Printing service.

- (P) Recycling drop off collection center, small, pursuant to Section 5-607.
- (Q) Restaurant, carry-out only.
- (R) Agriculture, horticulture, forestry, or fishery.
- (S) Bakery, commercial.
- (T) Bank or financial institution, pursuant to Section 5-659.
- (U) Commuter parking lot.
- (V) Home service establishment.
- (W) Motor vehicle sales and accessory service.
- (X) Park.
- (Y) Veterinary service.
- (Z) Wholesale trade establishment.
- (AA) Animal hospital.
- (BB) Water pumping station.
- (CC) Utility substation, dedicated.
- (DD) Utility substation, distribution.
- (EE) Sewer pumping station.
- (FF) Telecommunications antenna, pursuant to Section 5-618(A).
- (GG) Telecommunications monopole, pursuant to Section 5-618(B)(1).
- (HH) Storage, mini-warehouse, pursuant to Section 5-665.
- (II) Motor vehicle rental, with outdoor storage only.
- (JJ) Personal service establishment.
- (KK) Medical care facility, outpatient only.

**3-804**

**Special Exception Uses.** The following uses may be approved by the Board of Supervisors, and, if approved, may be subject to certain conditions, pursuant to the provisions in Section 6-1300.

- (A) Automotive service station.
- (B) Borrow pit for road construction.
- (C) Gas pumps accessory to a convenience food store, pursuant to Section 5-617.
- (D) Kennel.
- (E) Radio, radar and/or television tower.
- (F) Utility substation, transmission, pursuant to Section 5-616.
- (G) Utility transmission line, overhead.
- (H) Warehousing facility.
- (I) Bus terminal.
- (J) Car wash.
- (K) Child care center, pursuant to Section 5-609.
- (L) Church, synagogue and temple.
- (M) Fire and/or rescue station.
- (N) Public utility service center, with outdoor storage.
- (O) Mass transit facilities and stations.
- (P) Off-street parking facility, freestanding.
- (Q) Recycling drop-off collection center, large, pursuant to Section 5-607.
- (R) Sewage treatment plant.
- (S) Water treatment plant.
- (T) Water storage tank.
- (U) Crematorium.
- (V) School, private, accessory to a church.
- (W) Telecommunications monopole, pursuant to Section 5-618(B)(2).

- (X) Car wash, accessory to a convenience food store, pursuant to Section 5-617.
- (Y) Telecommunications tower, pursuant to Section 5-618(C)(2).
- (Z) Police Station.
- (AA) Craft Beverage Manufacturing, pursuant to Section 5-668.

**3-805 Lot Requirements.**

- (A) **Size.** 20,000 square feet minimum, exclusive of major floodplain.
- (B) **Width.** 100 feet minimum.
- (C) **Yards.** Each lot shall provide the following yards:
  - (1) **Front.** 50 feet minimum.
  - (2) **Side.** 20 feet minimum for interior side yard; 100 feet minimum side yard abutting an existing or planned residential use.
  - (3) **Rear.** 50 feet minimum; 100 feet abutting an existing or planned residential use.
  - (4) **Development Setback and Access From Major Roads.** In designing commercial development, the requirements of Section 5-900 shall be observed.

**3-806 Building Requirements.**

- (A) **Lot Coverage.** 35 percent maximum.
- (B) **Building Height.** 45 feet maximum.
- (C) **Floor Area Ratio.** 0.40 maximum.

**3-807 Use Limitations.**

- (A) Access shall not be allowed through residential areas.
- (B) No individual lot created after the adoption of this Ordinance shall have direct access to arterial or major collector roads.
- (C) Yards, berms, vegetative screening, fences, or walls shall be provided to buffer residential districts and public streets from uses allowed in this district. In particular, outdoor storage, off-street

parking areas, service areas for loading and unloading and for storage and collection of materials, supplies, refuse and garbage shall be screened so that such areas are not visible from the street.

- (D) **Utility Requirements.** All new utility distribution lines in the GB district shall be placed underground.

## Section 3-900

### CLI - Commercial Light Industry.

- 3-901 Purpose.** The purpose of the CLI district is to accommodate a mix of similar and compatible office and industrial uses, and related supportive commercial retail and service uses along the Route 50/John Mosby Highway Corridor. The CLI district shall have limited traffic and aesthetic impacts on surrounding properties and on supporting public facilities and utilities. The CLI district is intended to generate development through the use of creative design that will enhance the character of the surrounding area and contribute to the development of a distinctive gateway along the Route 50 corridor. The district may allow tourist supportive uses to serve visitors and maximize on opportunities afforded by its proximity to the Air and Space Museum.
- 3-902 Size and Location.** The CLI district is mapped only along the eastern end of Route 50 as depicted on the Zoning Map. The rezoning of land to CLI in other areas of the County shall not be permitted.
- 3-903 Permitted Uses.** The following uses shall be permitted in the CLI district subject to the requirements of these regulations including, but not limited to Section 3-907(F), unless otherwise stated, and all other applicable Performance Criteria of Section 3-907.
- (A) Adult day care facility.
  - (B) Animal hospital.
  - (C) Bakery, commercial.
  - (D) Business service establishment, pursuant to Section 5-661.
  - (E) Child care center, pursuant to Section 5-609(B).
  - (F) Church, synagogue and temple.
  - (G) Conference and Training Center.
  - (H) Dwelling, single family, accessory to permitted or special exception uses.
  - (I) Educational institution.
  - (J) Establishments for assembly, fabrication, processing, production and/or manufacturing of goods or products, pursuant to Section 3-907(J).
  - (K) Fire and/or rescue station.



- (L) Flex industrial uses, pursuant to Section 5-608.
- (M) Funeral home or mortuary.
- (N) Health and fitness center.
- (O) Hotel/Motel, 75 rooms or greater, pursuant to Section 5-611.
- (P) Mass transit facilities.
- (Q) Medical care facility, outpatient only.
- (R) Nursery, commercial, pursuant to Section 5-605.
- (S) Office, administrative, medical, business and professional.
- (T) Park, public.
- (U) Police Station.
- (V) Post office, drop off and pick up.
- (W) Postal service, including overnight mail distribution facility.
- (X) Printing service.
- (Y) Public utility service center, without outdoor storage.
- (Z) Research, experimental, testing or development activities.
- (AA) Sewer pumping station.
- (BB) Telecommunications antenna, pursuant to Section 5-618(A).
- (CC) Telecommunications monopole, pursuant to Section 5-618(B)(1).
- (DD) Utility substation, dedicated.
- (EE) Utility substation, distribution, pursuant to Section 5-616.
- (FF) Veterinary service.
- (GG) Warehousing facility.
- (HH) Water pumping station.
- (II) Wholesale trade establishment, pursuant to Section 5-663.

- (JJ) Facility for lessons in dance, gymnastics, judo and sports training.
- (KK) **Reserved.**
- (LL) Kennel, indoor, pursuant to Section 5-606.
- (MM) Convention or exhibition facility, 25,000 sq. ft. or less, with no direct access to Route 50.
- (NN) Auxiliary uses, pursuant to Section 3-907(O).
- (OO) Accessory uses, pursuant to Section 3-907(E).
- (PP) Museum or Exhibition Facility, with no direct access to Route 50.
- (QQ) Antique shop; Art gallery, pursuant to Section 5-650(B)(1) and (2).
- (RR) Banquet/Event Facility, 25,000 sq. ft. or less, with no direct access to Route 50.

**3-904**

**Special Exception Uses.** The following uses may be permitted by the Board of Supervisors and, if approved, may be subject to certain conditions, pursuant to the provisions in Section 6-1300. In addition, the uses listed below shall be developed in accordance with Section 3-907(F) and all other applicable Performance Criteria.

- (A) Automotive Service Station.
- (B) Bank or Financial Institution, pursuant to Section 5-659.
- (C) Convenience food store with or without gas pumps, pursuant to Section 5-617.
- (D) Convention or exhibition facility.
- (E) Car wash.
- (F) Contractor Service Establishment, pursuant to Section 5-662.
- (G) Distribution Facility.
- (H) Heliport or helistop.
- (I) Motor vehicle rental.
- (J) Motor vehicle sales.
- (K) Motor vehicle service and repair, light.

- (L) Personal service establishment.
- (M) Private club or lodge.
- (N) Public utility service, with outdoor storage.
- (O) Radio, radar and/or television tower.
- (P) Restaurant, including fast-food, with or without drive-through, not otherwise permitted per 3-907(E) and 3-907(O).
- (Q) Retail sales establishment.
- (R) Sewage treatment plant.
- (S) Telecommunications monopole, pursuant to Section 5-618(B)(2).
- (T) Telecommunications tower, pursuant to Section 5-618(C)(2).
- (U) Utility substation, transmission, pursuant to Section 5-616.
- (V) Utility transmission lines, overhead.
- (W) Water storage tank.
- (X) Water treatment plant.
- (Y) Library.
- (Z) Banquet/Event Facility.
- (AA) Continuing Care Facility, pursuant to Section 3-907(P).
- (BB) Craft Beverage Manufacturing, pursuant to Section 5-668, by Minor Special Exception.
- (CC) Data center, pursuant to Section 5-664.

### **3-905**

#### **Lot Requirements.**

- (A) **Size.** One (1) acre minimum. Any lot less than two (2) acres shall have no direct access to Route 50, regardless of whether Section 3-907(F) is met.
- (B) **Width.** 200 feet minimum.
- (C) **Depth.** 200 feet minimum.

(D) **Yards.**

- (1) **Adjacent to Roads.** Except where a greater setback is required by Section 5-900, thirty five (35) feet for building; twenty five (25) feet for parking.
- (2) **Adjacent to Parcel Boundaries.**
  - (a) **With Other Nonresidential Districts.** Fifteen (15) feet minimum for buildings; ten (10) feet minimum for parking, outdoor storage, and loading areas, and areas for the collection or storage of refuse, except where a greater yard is required by Section 5-1400. In the event that a single parcel is zoned for more than one non-residential zoning district, the applicable yard requirement shall be applied only at the property line and not at the zoning district line. The Zoning Administrator may waive the parking yard requirement when necessary to permit shared parking and access arrangements between uses on individual parcels.
  - (b) **With Residential Districts.** Twenty-five (25) feet minimum. No building, parking, loading/unloading areas, outdoor storage, or areas for the collection or storage of refuse shall be permitted in any required yard adjacent to a residential zoning district.

**3-906 Building Requirements.**

- (A) **Lot Coverage.** .45 maximum; up to .60 maximum by Special Exception.
- (B) **Building Height.** Sixty (60) feet maximum provided that a building may be erected to a maximum height of one hundred (100) feet if it is set back from streets or from lot lines that do not constitute boundaries of districts with lower maximum height restrictions, in addition to each of the required minimum yard dimensions, a distance of not less than one (1) foot for each additional one (1) foot of building height that exceeds the sixty (60) foot limit. Additional height limitations for areas or building sites or lots directly under an airport runway flight path may be imposed in accordance with applicable Federal Aviation Administration regulations.
- (C) **Base Floor Area Ratio (FAR).** 0.40 maximum.

**(D) Adjusted Base Floor Area Ratio (FAR).**

- (1) The base floor area ratio in the CLI district may be increased on certain parcels by approval of the Zoning Administrator, upon demonstration of one or more of the following:
- (a) A density increase of 0.1 FAR above the base floor area ratio shall be granted to properties where any portion of such properties is located within 600 feet of the right-of-way of Route 50 if:
    - (i) Such properties are not located at an existing median break of such road; and
    - (ii) The owner(s) of such properties permanently relinquish direct access to Route 50; and
    - (iii) The owner(s) of such properties form shared access agreements with the owner(s) of adjoining properties that enable controlled access to such road for multiple uses. Such shared access agreements shall remain in effect in perpetuity or until future public road improvements provide alternative access to the subject parcels that alleviates the need for the original shared access agreement. The shared access agreement shall be depicted on the site plan(s) for the subject parcels and shall include all infrastructure improvements necessary to enable the safe and efficient access of each parcel as determined by the Department of Transportation and Capital Infrastructure and VDOT.
  - (b) A density increase of 0.1 FAR above the base floor area ratio shall be granted to properties where any portion of such properties are located within 600 feet of the right-of-way of Route 50 if the owner(s) of such properties file a unified plan for development with contiguous parcels of land which, when combined, total at least 20 acres. For the purposes of this Section, a unified plan for development shall mean: (1) development involving multiple parcels that is approved with a single site plan application and (2) all parcels subject to the unified plan for development shall share no more than one point of

access onto Route 50. Single entity ownership is not required, but a single commercial owners association shall be formed as evidenced by a Declaration of Covenants that sets forth maintenance, design standards, etc.

- (c) A density increase of 0.1 FAR above the base floor area ratio shall be granted to properties where any portion of such properties are located within 600 feet of the right-of-way of Route 50 if the owner(s) of such properties maintain a parking setback of 150 feet and a building setback of 300 feet from the right-of-way of Route 50.

- (2) The density increase can be granted singly or cumulatively, up to a maximum of .60 FAR.

### 3-907

**Performance Criteria.** The purpose of the following sections is to achieve a design whereby buildings are located, oriented and designed to respect the natural landscape, principles of energy conservation, relationships to surrounding properties and buildings, views from major arterials, site access and circulation needs, and the desired overall character of the district as a principal gateway into Loudoun County.

- (A) **Transportation Design.** Transportation elements shall be designed to encourage smooth traffic flow with controlled turning movements and minimum hazards to vehicular or pedestrian traffic at intersections with traffic controls such as traffic lights, stop signs or traffic calming features. Left-turn storage and right turn lanes and/or traffic dividers shall be required where existing or anticipated heavy flows indicate need. In general, minor streets shall not be connected with streets outside the district in such a way as to encourage the use of such minor streets by substantial amounts of through traffic. To the maximum extent feasible, land development applications shall identify opportunities and methods for shared access and inter-parcel linkages.

- (B) **Buffering and Screening.** Yards, berms, vegetative screening, fences, or walls shall be provided to buffer residential districts and public streets from uses allowed in this district. In particular, outdoor storage, off-street parking areas and service areas for loading and unloading and for storage and collection of materials, supplies, and/or refuse and garbage, shall be screened so that such areas are not visible from any public right-of-way and/or residential use. Areas for the collection and storage of refuse and outdoor storage areas shall be fully enclosed by a structure composed of

opaque materials. Such materials shall be compatible with those used in the exterior construction of the principal building.

- (C) **Landscaped Open Space.** Minimum landscaped open space on any individual lot shall not be less than .10 times the buildable area of the lot.
- (D) **Off-Street Parking and Loading Facilities.** All off-street parking spaces shall be within 500 feet by safe and convenient pedestrian routes of entrances to the buildings the parking spaces are intended to serve. No off-street parking or loading facilities shall be located in required landscaped yards. Off-street parking areas shall, to the maximum extent feasible, be located to the rear of the buildings.
- (E) **Accessory Uses.** The following accessory uses shall be permitted in the district:
  - (1) Warehousing, indoor storage and distribution associated with a permitted use, but excluding the bulk storage of gasoline, petroleum products, natural gas and chemicals.
  - (2) Retail sales and personal service uses for permitted and/or special exception uses, not to exceed twenty-five percent (25%) of the floor space of the principal use of the building.
  - (3) Outdoor storage for permitted and/or special exception uses, not to exceed twenty-five percent (25%) of the gross lot area. No storage of any kind shall be permitted within any required yard.
  - (4) Restaurant and restaurant carry-out.
- (F) **Access Limitation for Certain Uses.** For all uses listed in Section 3-903 unless otherwise stated, and all uses listed in Section 3-904, such uses shall be permitted to have direct access to Route 50 (i) only if the property owner can demonstrate that the subject property does not have legal access to any public road other than Route 50 and does have legal access to the location of a planned Route 50 Parallel Road, as shown on the Countywide Transportation Plan (CTP), as amended, and (ii) provided that such access, if permitted, shall be limited to right-turn-in and right-turn-out entrances to and from Route 50 only as approved by VDOT. Prior to approval of a site plan for these uses, property owners must execute and record an instrument, in form as reviewed and approved by the County, which obligates such owner and successors to relinquish all such direct access rights and close off all direct access to Route 50, at no cost to

the County or VDOT, or permit the County or VDOT to close off all direct access without compensation, when alternative access to the site becomes available via public or private street adjacent to the owner's parcel or via other means, such as an available private access easement that provides access to any such public or private street.

- (G) **Vehicular Access and Circulation.** Primary access and through vehicular traffic impacting residential neighborhoods shall be avoided. Minor streets shall not be connected with streets outside the district in such a way as to encourage the use of such minor streets by through and construction traffic.
- (H) **Pedestrian Access and Circulation.** Pedestrian ways shall be incorporated into each development so as to minimize conflicts with vehicular traffic and to enable safe and convenient pedestrian access to all buildings, parking and other facilities. Pedestrian ways shall be extended to adjacent properties and shall connect uses within individual developments. Land development applications shall delineate the on-site pedestrian system and provide connections to such systems in adjacent developments as well as public networks, if applicable.
- (I) **Utility Requirements.** All new utility distribution lines in the CLI district shall be placed underground.
- (J) **Prohibited Uses.** The following manufacturing uses shall not be permitted:
  - (1) Distillation of coal, wood or bones.
  - (2) Fertilizer manufacture.
  - (3) Fireworks.
  - (4) Garbage incineration other than in municipal plants.
  - (5) Mixing or batching plants for asphalt, concrete, brick or other paving and construction materials.
  - (6) Petroleum, alcohol or asphalt refining, mixing or manufacture or storage.
  - (7) Material recovery facility.



- (8) Any other use similar to the above excepted uses which is likely to be injurious or noxious by reason of odor, fumes, dust, smoke, vibration, noise or other causes.
- (K) **Uniform Landscaping for Front Yard Areas Adjacent to Route 50.**
- (1) All parcels with frontage on Route 50 shall include landscaping in accordance with the Type 5 Buffer Yard in Section 5-1414(B)(1).
- (L) **Compatibility.** Architectural treatment of buildings, to include materials, color, and style, shall be compatible with buildings located within the same project. Compatibility may be achieved through the use of similar building massing, scale, materials, colors, and other architectural features. For the purposes of this section, a project is defined as a development that is planned, developed or managed as a unit.
- (M) **Building Orientation.** The front facade and principal public entrance of all buildings shall be oriented toward an adjacent public street.
- (N) **Screening of Mechanical Equipment.** Mechanical equipment, whether ground level or rooftop, shall be in accordance with Buffer Yard Type 3, screened from view from adjacent properties and public rights-of-way and designed to be perceived as an integral part of the principal building. For the purposes of this section, mechanical equipment shall include, but not be limited to, satellite dishes, exhaust fans, HVAC equipment, and roof access ladders. In cases where parapets are used to screen rooftop equipment, the maximum height of the parapet shall be equal to the top of the highest mechanical unit but shall not exceed the maximum height allowed in the district by more than 3 feet.
- (O) **Auxiliary Uses.** The uses listed below shall be permitted on a stand-alone basis, if they are auxiliary to the district and are developed as part of a unified plan for development, in accordance with Section 3-906(D)(1)(b), that contains at least one of the following permitted uses: (i) Establishment for assembly, fabrication, processing, production and/or manufacturing of goods or products; (ii) Flex-industrial uses; (iii) Office, administrative, medical, business and professional; (iv) Research, experimental, testing or development activities; (v) Educational institution; (vi) Hotel/motel; (vii) Museum or Exhibition Facility.

- (1) Restaurant, including fast food with drive-through.
  - (2) Convenience food store.
  - (3) Bank or financial institution, pursuant to Section 5-659.
  - (4) Personal service establishments.
  - (5) Banquet/Event Facility, 25,000 sq. ft. or less.
- (P) **Continuing Care Facility.** Continuing Care Facilities shall be permitted in the CLI zoning district subject to the following additional provisions:
- (1) **Size, Density and Location.** The maximum lot size shall not exceed twenty (20) acres. The maximum density shall not exceed 16 units per acre. The use shall only be located as follows:
    - (a) In areas served by public water and sanitary sewer.
    - (b) With access only from a collector road.
    - (c) Buildings and parking shall be setback a minimum of three hundred (300) feet from Route 50.
  - (2) **Required Uses.** All continuing care facilities located in the CLI zoning district shall provide the following, subject to the requirements and limitations of these regulations:
    - (a) A minimum of two (2) of the following types of care shall be provided:
      - (i) Congregate Living Facility, limited to a maximum of sixty-five percent (65%) of the total number of units provided.
      - (ii) Adult Assisted Living.
      - (iii) Nursing Home.
    - (b) Clubhouse or common areas, solely for the residents, employees and their guests, including but not limited to meeting rooms, auditorium, theater, business office, and recreational facilities and other uses related to adult age-restricted community living.

- (c) Ancillary retail uses only for continuing care facilities, such as grocery/convenience food store, pharmacy, medical services, barber shop, beauty shop, personal care facilities, eating and drinking establishments, library, bank and financial institutions (without drive-through), business services, laundry, cleaners, or other similar retail uses. The floor area for retail and community service uses shall not exceed ten percent (10%) of the gross residential floor area of the buildings.
  - (d) Swimming pool.
  - (e) Health and fitness center.
  - (f) Bus shuttle service.
  - (g) A minimum of thirty-five percent (35%) of the total land area shall consist of parks and/or open space.
- (3) **Yard Requirements.** Notwithstanding the requirements found in Section 3-905(D), the following yards shall be provided:
- (a) **Adjacent to roads.** Except where a greater setback is required by Section 5-900, thirty-five (35) feet for buildings and twenty-five (25) feet for parking. No parking, outdoor storage, areas for collection of refuse, or loading space shall be permitted in areas between buildings and streets where such uses are visible from any road.
  - (b) **Adjacent to Nonresidential Districts and Uses.** No building shall be permitted closer than fifty (50) feet to any nonresidential district, any existing or planned nonresidential district, or land bay or lot allowing nonresidential uses. No parking shall be permitted closer than twenty-five (25) feet to any such area. No parking, outdoor storage, areas for collection of refuse, or loading space shall be permitted in areas between buildings and such nonresidential districts, existing or planned nonresidential districts, or land bays allowing nonresidential uses where such uses are visible from said nonresidential areas.

- (4) **Development Criteria.** The following recreational, educational, and cultural facilities solely for the residents, employees and their guests shall be located on site or within ten (10) miles of the site. If facilities are not provided on site, a guaranteed use of and vehicular or other guaranteed means of transportation to such facilities for the residents of the development shall be provided.
- (a) Golf course (minimum 18 holes).
  - (b) Chapel.
  - (c) Medical care facility, outpatient only.
  - (d) Recreation space, passive.
- (5) **Age of Residents.** Continuing care facilities in the CLI zoning district shall be subject to a homeowner's association, as evidenced by a Declaration of Covenants reviewed and approved by the County that specifies the age-restricted nature of the proposed use. A development designated for an age-restricted development shall be in accordance with Virginia Code, Section 36-96.7, as amended, and shall include in the homeowner's association Declaration of Covenants policies and procedures which:
- (a) Ensure that at least eighty percent (80%) of the units are occupied by at least one person 55 years of age or older per unit; and
  - (b) Demonstrate intent by the owner or manager to provide housing for persons 55 years of age or older.

## **Section 3-1000**

### **MR-HI Mineral Resource - Heavy Industry.**

#### **3-1001**

**Purpose.** This district is established in order to protect the mineral resources, primarily diabase rock, of the County for possible future economic development, to provide for diabase resource extraction operations at appropriate locations and under controlled conditions; to collocate with quarries compatible heavy industrial uses; to permit continued agricultural practices, and to permit residential and other uses only to the extent that they may be compatible with resource extraction. This district is to be applied as a long term, but interim, district, recognizing that areas devoted to resource extraction may and should be converted, ultimately, to other compatible and beneficial uses consistent with the Comprehensive Plan.

#### **3-1002**

**Size and Location.** Except for those districts mapped to MR-HI concurrently with the adoption of this Ordinance, the minimum district size for this district shall be six hundred (600) acres. Contiguous additions of not less than ten (10) acres shall be allowed when approved pursuant to Section 6-1200. The district is to be established in areas contemplated as appropriate for resource extraction use in the Comprehensive Plan.

#### **3-1003**

**Permitted Uses.** The following uses are permitted in this district:

(A) Mineral Resource Extraction and Processing (MREP) Uses:

- (1) Asphalt mixing plant.
- (2) Concrete mixing plant.
- (3) Crushing, treating, washing, and/or processing of materials, accessory to a quarry operation, when conducted on the same property.
- (4) Excavation, mining, dredging, stripping.
- (5) Manufacturing of concrete block, cinderblock or pre-formed concrete products.
- (6) Sawmill or wood processing facility, pursuant to Section 5-629.

(B) Other Uses:

- (1) Agriculture, horticulture, forestry, or fishery.
- (2) Nursery, commercial, pursuant to Section 5-605.
- (3) Country club.

- (4) Fruit processing or storage.
- (5) Fairground.
- (6) Storage, for coal, lumber, building material, contractor equipment, and similar material.
- (7) Warehousing facility.
- (8) Wholesale trade establishment, pursuant to Section 5-663.
- (9) Bakery, commercial.
- (10) Business service establishment, pursuant to Section 5-661.
- (11) Contractor service establishment with accessory outdoor storage, pursuant to Section 5-662.
- (12) Distribution facility.
- (13) Dwelling, single-family, accessory to permitted or special exception uses.
- (14) Heavy equipment and special vehicle repair.
- (15) Manufacture, processing, fabrication and/or assembly, distribution of products, such as, but not limited to: Scientific and precision instruments, photographic equipment, communication, computation equipment, drugs, medicines, pharmaceutical, household appliances, toys, sporting and athletic goods, die-cut paperboard and cardboard, glass products made of purchased glass, electric lighting and wiring equipment, service industry machines, lithographic and printing processes, industrial controls, radio and TV receiving sets, watches and clocks, bags and containers, sanitary paper products, optical goods, electrical machinery, mobile homes, prefabricated and modular housing and components, dairy products, feed and grain, baked and confectioners' goods, farm machinery, fruit and vegetable processing, canning, storage.
- (16) Motor vehicle service and repair, heavy, accessory to an approved principal use.
- (17) Outdoor sales area, accessory.
- (18) Park.
- (19) Veterinary service.

- (20) Animal hospital.
- (21) Outdoor storage, vehicles.
- (22) Water pumping station.
- (23) Utility substation, dedicated.
- (24) Retail sales of crushed stone or architectural stone products, accessory to an approved quarry use.
- (25) Sewer pumping station.
- (26) Utility substation, distribution, pursuant to Section 5-616.
- (27) Storage, outdoor accessory.
- (28) Motor vehicle service and repair, with accessory motor vehicle sales.
- (29) Motor vehicle storage and impoundment.
- (30) Telecommunications antenna, pursuant to Section 5-618(A).
- (31) Telecommunications monopole, pursuant to Section 5-618(B)(1).
- (32) Telecommunications tower, pursuant to Section 5-618(C)(1).
- (33) Storage of empty solid waste vehicles and containers.
- (34) Kennel, pursuant to Section 5-606.
- (35) Heavy equipment and specialty vehicle sales.
- (36) Printing plant.
- (37) Firearm Range, Indoor.

**3-1004**

**Special Exception Uses.** The following uses may be approved by the Board of Supervisors and, if approved, may be subject to certain conditions, pursuant to the provisions in Section 6-1300.

- (A) Mineral Resource Extraction and Processing (MREP) uses:
  - (1) Automobile graveyard or junk yard.
  - (2) Borrow pit for road construction.

- (3) Crushing, treating, washing and/or processing of materials.
- (4) Solid waste incinerator, landfill or transfer station.
- (5) Stone quarrying, pursuant to Sections 3-1007 and 3-1008.
- (6) Storage, bulk gasoline, petroleum products and natural gas, small and large.
- (7) Utility generating plant or transmission facility.
- (8) Vegetative waste management facility.

(B) Other uses:

- (1) Cemetery, mausoleum and memorial park, pursuant to Section 5-637.
- (2) Utility transmission lines, overhead.
- (3) Fire and/or rescue station.
- (4) Sewage treatment plant.
- (5) Utility substation, transmission, pursuant to Section 5-616.
- (6) Water treatment plant.
- (7) Automotive service station.
- (8) Commuter parking lot.
- (9) Dry cleaning plant.
- (10) Golf course.
- (11) Mass transit facilities and stations.
- (12) Material recovery facility, pursuant to Section 5-607(D).
- (13) Storage, mini-warehouse.
- (14) Water storage tank.
- (15) Crematorium, pursuant to Section 5-637.
- (16) Police Station.

**3-1005 Lot Requirements.**



(A) **Mineral Resource Extraction and Processing (MREP) uses:**

- (1) **Size.** 3 acres minimum, exclusive of major floodplain.
- (2) **Width.** 300 feet minimum fronting on Class I roads; 200 feet fronting on Class II roads or private access easements.
- (3) **Depth.** 500 feet minimum.
- (4) **Length/Width Ratio.** 3.5 times lot width maximum.
- (5) **Yards.** No structure or use shall be located within fifty (50) feet of any property line.
- (6) **Development Setback and Access From Major Roads.** In designing industrial development, the requirements of Section 5-900 shall be observed.

(B) **Other uses:**

- (1) **Size.** 1 acre minimum, exclusive of major floodplain.
- (2) **Width.** 100 feet minimum fronting on Class I or II roads or private access easements.
- (3) **Depth.** No minimum.
- (4) **Length/Width Ratio.** 3.5 times lot width maximum.
- (5) **Yards.**
  - (a) **Front Yard.** No structure or use shall be located within 30 feet of the front property line.
  - (b) **Side Yard.** No structure or use shall be located within 15 feet of the side yard. When an MR-HI lot is developed adjacent to a non-MR-HI lot, the minimum side yard will increase to 50 feet.
  - (c) **Rear Yard.** No structure or use shall be located within 25 feet of the rear yard. When an MR-HI lot is developed adjacent to a non-MR-HI lot, the minimum rear yard will increase to 50 feet.
- (6) **Development Setback and Access From Major Roads.** Pursuant to the requirements of Section 5-900.

- (A) **Lot Coverage.** 50 percent maximum.
- (B) **Building Height.** Forty-five (45) feet maximum for all buildings except non-habitable structures associated with a quarry operation. Such structures are permitted by right to 120 feet in height provided they are set back from property lines and district boundaries an additional setback of two (2) feet for each one (1) foot in height above forty (40) feet. Such structures require special exception approval for heights in excess of 120 feet.
- (C) **Floor Area Ratio.** .75 maximum.

**3-1007 Use Limitations.**

- (A) **Prohibited Uses.** No uranium mining or well water fields are permitted in this district.
- (B) **Nonresidential Uses.** For adjacent properties, no commercial, industrial or other nonresidential building shall be located within fifty (50) feet from the property line of an existing and/or approved quarry operation.
- (C) **Outdoor Storage.** No storage of any kind shall be permitted within any front yard.
- (D) **Utility Requirements.** All new utility distribution lines in the MR-HI district shall be placed underground.
- (E) **Stone Quarrying Operations Uses.**
  - (1) The pit wall of a quarry shall be a minimum of 1000 feet from the MR-HI district boundary, except in the following situations:
    - (a) Where quarries are adjacent to land not under County zoning authority, such as Dulles Airport or an incorporated town, the minimum distance from the quarry pit wall to the district boundary may be reduced to a minimum of 200 feet as a result of special exception approval, which assures such reduction is compatible with adjacent land uses.
    - (b) Where quarries are adjacent to a public road of four (4) or more lanes, or to a road designated as a part of an approved VDOT or County corridor study or identified in the Comprehensive Plan to be four (4) or more lanes, the distance may be reduced to not less

than 200 feet, provided an effective buffer is constructed and maintained.

- (c) Where quarries are adjacent to the GB district, the setback may be reduced to a minimum of 200 feet.
  - (d) Where quarries are adjacent to the PD-GI or CLI district, the setback may be reduced to a minimum of 50 feet.
- (2) Structures and buildings enclosing processing equipment associated with a quarrying operation, including crushers, conveyors, washers and screeners, shall be located a minimum of 500 feet from the district boundary, except where quarries are adjacent to land not under County zoning authority, such as Dulles Airport or an incorporated town. In such cases, the distance may be reduced to a minimum of 200 feet as a result of special exception approval which assures abutting lands are adequately buffered from the processing operations.
  - (3) Other structures and buildings related to quarrying operations, including scale houses and storage yards, shall be located a minimum of 200 feet from the district boundary. Such structures shall also be located a minimum of 100 feet from all public roads within the district. Provided, however, that where such structures are adjacent to the GB, CLI or PD-GI districts, the setback may be reduced to a minimum of 50 feet.
  - (4) Buildings devoted solely to office and administrative uses shall be a minimum of 50 feet from the district boundary.

### **3-1008**

**Stone Quarrying Special Exception Permit Applications.** The establishment of any new stone quarrying operations, or the expansion of any existing stoning quarrying operations beyond previously granted approvals, require Special Exception approval and are subject to issuance of a special exception by the Board of Supervisors in accordance with Section 6-1300. In addition to the requirements of Section 6-403, all applications for stone quarrying uses shall be accompanied by the following items:

- (A) Five (5) copies of a plat prepared by an engineer or surveyor licensed by the State, drawn to a scale of 1" = 200'. Such plat shall show:
  - (1) The boundary of the entire tract by metes and bounds.

- (2) Development limits and topography in contour intervals of five (5) feet or less, including locations of water courses, of the part of the tract that is proposed to be used for the operations set forth in the application, and of the contiguous area within 500 feet of such proposed limits or such greater distance as may be specified by the Zoning Administrator.
  - (3) Means of vehicular and emergency access to the proposed use indicating the proposed type of surface treatment.
- (B) One (1) aerial photograph, at a scale of 1" = 200', and certified as flown not earlier than six (6) months prior to the date on which the application is submitted. The area covered by such photo shall include:
- (1) All land included in the application and within 2,000 feet of the area covered by the application, and
  - (2) All contiguous land which is now, is planned to be, or has been used by the applicant for such use or a related use.
- (C) A depiction, based on the official zoning records of Loudoun County, of the zoning of all parcels within the same area covered by the aerial photograph required in Section 3-1008(B)(2).
- (D) A conceptual description of the proposed operation describing the anticipated location, process, equipment and scale of the proposed operation including all special exception and accessory uses.
- (E) A transparent overlay, at the same scale and covering the same area as the aerial photograph required in Section 3-1008(B)(2) depicting the location, limits and approximate square footage of the following items:
- (1) Area of any known previous, currently active and proposed excavation.
  - (2) Area of active and proposed settling ponds and washing facilities.
  - (3) Areas of existing and proposed crushing or treatment facilities.
  - (4) Areas of existing and proposed storage of extracted material.
  - (5) Areas of existing and proposed production facilities or resource related uses.

- (6) Location and type of any existing and proposed erosion control, stormwater management and BMP facilities.
  - (7) Location and type of structures, fencing and security measures or other appropriate safeguards to prevent access by unauthorized persons.
  - (8) Location and type of buffering of adjacent land uses to be provided pursuant to Section 5-1400 of this Ordinance.
- (F) A plan for operation demonstrating the feasibility of the operation proposed without hazards or damage to other properties by reason of increased flooding or undesirable rise or reduction in ground water levels, erosion caused by increased rate of flow or redirection of flow in flood channels, deposits of debris from flood or erosion, excessive slopes remaining at cuts or fills, or undermining or creation of settlement in adjoining areas.
- (G) A plan for restoration of the site, prepared by an engineer or surveyor licensed by the State. The plan for restoration shall demonstrate conceptually the method by which the property, in its entirety, will be returned to a state suitable for re-use for purposes permissible in the district. Among items to be included in such plans are vehicular circulation patterns in and around the site, the treatment of exposed soils or subsoil in order to make the property suitable for the proposed re-use, treatment of slopes to prevent erosion and delineation of floodways and floodplains (if any) to be maintained in open usage. In such plans for re-use, where conditions are suitable, permanent lakes, water impoundment or recreational facilities may be permitted. The format and level of detail required by the Virginia Department of Mines and Minerals for a restoration plan shall be acceptable as an initial submission. The County shall have the right to request such additional information as it deems necessary.
- (H) A letter signed by the applicant and by the owner of the property granting the right of entry upon the property to the Zoning Administrator, law enforcement agents, and County inspectors for the purpose of inspecting and bringing law enforcement to the property during the term of any permit which may be issued.
- (I) A hydrogeological report and a Type II detailed geotechnical report including an assessment of the depth of overburden and the effects of the proposed resource extraction on the water table and local wells.

- (J) As a condition of approval, the applicant may be required to post with the County a bond in an amount to be set by the Board of Supervisors. If required, such bond shall be with surety satisfactory to the Board of Supervisors. The bond shall be conditioned upon restoration in accordance with the approved restoration plan within 360 days following the expiration of the special exception. The bond shall be accompanied by an instrument in writing granting, to the County or its officers, agents and employees, a right to enter the property which is the subject of the special exception for the purpose to inspect of any restoration if required.
  
- (K) An environmental report describing existing environmental conditions, assessing the environmental impacts of the proposed use on the site and properties within two thousand (2000) feet of the proposed uses, and depicting proposed mitigation measures.