

DIVISION 7. RESIDENTIAL PLANNED UNIT DEVELOPMENT DISTRICT (RPD)*

***Editor's note:** The Franklin County Comprehensive Plan includes sections to guide the county on zoning applications in residential areas. The two sections that are applicable, both entitled, "Environmental, Land Use Considerations and Standards," are found on pages 9-31 through 9-33 and pages 9-33 through 9-35 of the originally adopted Plan of 1985.

Sec. 25-293. Purpose.

(a) The purpose of this district is to promote large scale development of innovative and creative design as a means of creating a well-planned living environment, to encourage variety in housing and supporting community facilities while encouraging accessory commercial uses; to protect the natural beauty of the landscape through the use of advantageous construction techniques, with the greatest amount of open area and the least disturbance of natural features; and to encourage the preservation and the more efficient use of open space.

(b) Residential planned developments are intended to provide flexibility in the development of large tracts of land through adjustment of certain lot, setback and use restrictions, and should provide for increased amenities, safety and conveniences, reduced public and private costs and other public and private benefits.

(Ord. of 5-25-88)

Sec. 25-294. Permitted uses.

Within the Residential Planned Unit Development District (RPD), the following uses are permitted:

Accessory uses.

Apartment houses.

Churches.

Clubs (private).

Clubs (public).

Community centers, buildings.

Community docks, piers, boat houses.

Conservation areas (public and private).

Country clubs.

Detached dwelling units: duplexes, triplexes, quadplexes, townhouses, atrium houses, patio houses.

Garages (private) for storage of personal vehicles.

Gardens (private).

Golf clubs, clubhouses.

Golf courses.

Home occupations, Class A.

Homes, single-family, detached dwelling.

Horses--(See section 25-304).

Maintenance facilities for dwelling units.

Manses, church-owned dwelling units.

Multifamily dwellings.

Parks.

Playgrounds.

Private docks, piers, and boat houses.

Recreational facilities (private).
 Recreational facilities (public).
 Roads, streets, rights-of-way, easements, except private roads or streets, which require a special use permit (see 25-295 below).
 Security man's house.
 Short-term tourist rental of dwelling.
 Signs.
 Temporary construction facilities, subject to the requirements of section 25-129.
 Temporary events, subject to the requirements of section 25-134.
 Water systems.
 (Ord. of 5-25-88; Res. No. 38-11-95, 11-21-95; Amend. of 9-16-97; Res. No. 13-03-2004, 3-18-03(2); Res. No. 26-05-2008, 5-20-08)

Sec. 25-295. Special use permits.

The following uses shall be permitted only by special use permits approved by the Franklin County Board of Supervisors:

Emergency services facilities--Fire, rescue.
 Marinas.
 Neighborhood commercial uses (see section 25-304(b)).
 Off-street parking.
 Private street or road (see section 25-310).
 Public facilities, offices, storage yards.
 Public garages.
 Public utilities, including substations, power generation, water and sewer plants for treatment.
 Public utilities--Structures, towers.
 Schools (public and private).
 Stables (private).
 (Ord. of 5-25-88; Res. No. 21-05-96, 5-21-96; Res. No. 13-03-2004, 3-18-03(2); Res. No. 26-05-2008, 5-20-08)

Sec. 25-296. Area regulations.

(a) *Minimum lot size:*

(1) Area:

- a. To be considered as a residential planned unit development, a project's area must include five (5) or more contiguous acres of land, none of which can be under water or within a flowage easement.
- b. Minimum permitted size of any residential planned unit development or lots and parcel within shall be subject to approval by the local department of health.
- c. The procedure for addition to a development shall be the same as if an original application were filed.

(2) Areas of the residential planned unit development used for single-family detached residences shall follow the area requirements under section 25-224 or section 25-194 of this chapter, whichever is applicable.

(b) *Maximum density:*

TABLE INSET:

Residential Uses	Units per Gross Acre
Single-family	3

Two-family, detached dwelling, duplexes	5
Multifamily	15
Townhouses	10

The permitted density in dwelling units per gross acre, notwithstanding the provisions of this chapter, shall be subject to approval by the local health department.

(Ord. of 5-25-88; Res. No. 19-10-94, § 5, 10-18-94)

Sec. 25-297. Maximum height of buildings.

(a) The maximum height of buildings in this district shall be forty (40) feet.

(b) Belfries, cupolas, chimneys, flues, flagpoles, television antennas, radio aerials, silos and water tanks are exempted.

(c) Any building or structure shall be constructed, erected, installed, maintained and shall be of an approved type in accordance with the provisions of the BOCA Basic Building Code, as amended, and the Fire Prevention Code.

(Ord. of 5-25-88)

Cross references: Building regulations, Ch. 5; fire prevention and protection, § 8-11 et seq.

Sec. 25-298. Minimum dimensions.

(a) *Front setback.* The minimum distance from the nearest point of the house or principal structure (including porches, stoops or any accessory buildings) to the centerline of the specified right-of-way shall be equal to sixty (60) feet or thirty-five (35) feet from the edge of right-of-way, whichever is greater, for property adjacent to state primary roads and equal to fifty-five (55) feet or thirty (30) feet from the edge of right-of-way, whichever is greater, for property adjacent to all other roads.

(b) *Side setback.* The minimum side setback, the distance from the side property line of a lot to the nearest point on the house or principal structure (including porches, stoops or accessory building), shall be ten (10) percent of the road frontage distance, with a minimum of ten (10) feet and a maximum of twelve (12) feet.

(c) *Rear yard.* The minimum rear setback, the distance from the rear property line of a lot to the nearest point on the house or principal structure (including porches, stoops or accessory building), shall be a minimum of thirty (30) feet. For property bordering Smith Mountain Lake, the distance will be measured from the recognized full pond level. Rear yard requirements for property contiguous with Smith Mountain Lake may be reduced to twenty (20) feet for single-family detached dwellings only. In no case shall any structure be located on or below the eight-hundred-foot contour. Walkways and steps are exempt from rear yard requirements.

(d) *Minimum distance between main buildings.* For fire protection in rural areas, it is required that principal structures be no less than twenty (20) feet apart.

(e) *Corner lots.* The minimum setback distance from the nearest point of the house or principal structure (including porches, stoops or any accessory buildings) to the centerline of the specified right-of-way shall be equal to sixty (60) feet or thirty-five (35) feet from the edge right-of-way, whichever is greater, for property adjacent to state primary roads and equal to fifty-five (55) feet or thirty (30) feet from the edge right-of-way, whichever is greater, for property adjacent to all other roads.

(Ord. of 5-25-88; Res. No. 22-11-92, 11-17-92)

Sec. 25-299. Floor area requirements.

Not regulated.

(Ord. of 5-25-88)

Sec. 25-300. Minimum off-street parking space.

See the sections providing for general regulations, sections 25-80 through 25-82.
(Ord. of 5-25-88)

Sec. 25-301. Open space requirements.

See the sections providing for application of regulations and general regulations, sections 25-15 through 25-22 and 25-60 through 25-66.

(1) The required open space shall not be less than fifty (50) percent of the total gross area of the residential planned unit development.

(2) The required developed open space shall not be less than five (5) percent of the total gross area of the development.

(3) Open space shall be defined for the purposes of this section as that total land or water within the boundaries of a planned unit development, designed and intended for use and enjoyment as open areas, and not improved with buildings, structures, streets, roads, parking areas, or any type of sidewalk, except for recreational structures.

(4) All open space, including developed open space, shall be specifically included in the development schedule and shall be constructed and fully improved by the developer at an equivalent or greater rate than the construction of residential structures.

(Ord. of 5-25-88)

Sec. 25-302. Management of open space by property owners' association.

(a) There shall be established a nonprofit association, a stock or membership corporation, trust or foundation of all individuals or corporations owning residential property within the planned unit development to ensure maintenance of open spaces.

(b) When the open space is to be maintained through a nonprofit association, corporation, trust or foundation, said organization shall conform to the following requirements:

(1) The developer must establish the organization prior to the sale of any lots.

(2) The membership in the organization shall be mandatory for all residential property owners, present or future, within the planned development, and said organization shall not discriminate in its members or shareholders.

(3) The organization shall manage all open space and recreational and cultural facilities; shall provide for the maintenance, administration and operation of said land and improvements, and any other land within the planned community; and shall secure adequate liability insurance on the land.

(4) The organization shall conform to the Condominium Act, sections 55-79.39 through 55-79.103, Code of Virginia, 1950, as amended to date.

(Ord. of 5-25-88)

Sec. 25-303. Reserved.

Sec. 25-304. Other special regulations.

(a) One (1) horse per acre shall be allowed in the RPD district as a permitted use; provided, that there is a five-acre minimum lot size, and that all enclosed areas providing services to horses are to be at least two hundred (200) feet from any existing residence, and if a residence does not exist on the adjoining property, these enclosed areas must be one hundred (100) feet from the property boundary line.

(b) Neighborhood commercial uses shall be intended to serve primarily the convenience needs of the resident population of the RPD district.

(1) *Gross area.* No more than three (3) percent of the gross area of the RPD project shall be occupied by buildings and structures devoted to commercial uses. Total floor space devoted to such uses shall not exceed ten (10) square feet per dwelling unit.

(2) *Uses permitted.* For the purposes of these regulations, neighborhood commercial uses are defined as small establishments designed and intended to serve the daily or frequent trade or service needs of the immediate surrounding population. Such establishments include groceries, variety stores, drug stores, coin-operated laundry and dry cleaning agencies, tailoring and dress making shops, beauty shops, barber shops, medical and dental offices, and similar small-scale uses. Specifically excluded are automobile filling stations and repair garages and pet shops.

(3) *Control of potential adverse effects.* Convenience establishments shall not have substantial adverse effects on residential uses within the RPD district of adjoining residential areas by reason of their location, design, construction, manner or timing of operation, signs, lighting, parking or access arrangements or other characteristics. Landscaped open space shall be utilized to protect the residential character of the surrounding RPD district.

(Res. No. 17-03-90, 3-19-90; Res. No. 21-05-96, 5-21-96)

Sec. 25-305. Streets.

Notwithstanding the provisions of Section 19-115 of the General Subdivision Ordinance, private streets may be permitted in a residential planned unit development upon the approval of the board of supervisors; provided, that there are adequate provisions made for maintenance of said private streets, and that the private streets are adequately marked by name or number. If in the future private streets are to be dedicated for public use, then, prior to such dedication or public use, the developer, property owners' association or other party who has been responsible for the general upkeep and maintenance of the private roads shall improve said private roads to equal the construction standards of the provisions of sections 19-109 through 19-117, inclusive, of the General Subdivision Ordinance, and upon approval of the Virginia Department of Highways and Transportation.

(Ord. of 5-25-88)

Cross references: Similar provisions applicable in Residential Multifamily District, § 25-291.

Sec. 25-306. Utilities.

Within a planned unit development all newly installed utilities, including television cable and electrical systems, shall be installed underground. Appurtenances to these systems which require aboveground installations shall be screened.

(Ord. of 5-25-88)

Sec. 25-307. Concept plan requirements.

In addition to the requirements for a rezoning application, each request for a residential planned unit development shall be accompanied by a concept plan which shall be submitted to the planning commission and subsequently to the board of supervisors.

(Res. No. 21-05-96, 5-21-96)

Sec. 25-308. Contents of a concept plan.

In addition to the requirements for a rezoning application, the concept plan shall contain all the information required for a planned unit development district, as set forth in section 16.1-10, and the following data:

(1) The location and dimensions of pedestrian access and plazas as well as vehicular driveways off-street parking areas, and unloading facilities.

(2) Outstanding natural features to be conserved, such as slopes, ground cover, surface water, trees and vegetation, floodplains, historic areas, or other features.

- (3) Signs, including type, area, height, and placement on site.
 - (4) Location and description of screening and buffering around commercial use areas or along the perimeter of the district.
 - (5) All proposed deviations to the list of permitted uses, area, height, or setback regulations, or design guidelines of the RPD district, together with the rationale for such deviations.
 - (6) Supplementary data for the particular development, as reasonably deemed necessary by the planning commission or its agent.
- (Res. No. 21-05-96, 5-21-96)

Sec. 25-309. Design guidelines--External relationship.

RPD districts shall provide protection of the development from potentially adverse surrounding influences, and protection of surrounding areas from potentially adverse influences within the development. In particular, the concept plan shall demonstrate the following features:

- (1) Principal vehicular access points shall be designed to encourage smooth traffic flow with controlled turning movements and minimum hazards to vehicular or pedestrian traffic. Left-hand storage and right-hand 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.
- (2) Yards, fences, walls, or vegetative screening at the edges of RPD districts shall be provided where needed to protect residents from undesirable view, lighting, noise, or other off-site influences, or to protect residents of adjoining residential districts from similar adverse influences within the RPD district. In particular, extensive off-street parking areas and service areas for loading and unloading non-passenger vehicles and areas of storage and collection of refuse and garbage shall be screened.

(Res. No. 21-05-96, 5-21-96)

Sec. 25-310. Same--Internal relationships.

The RPD district shall provide for safe, efficient, convenient, and harmonious grouping of structures, uses and facilities. Elements of the proposed development shall be organized in relation to topography, the size and shape of the plot, the character of adjoining property, existing desirable trees, and the views within and beyond the site. In particular and without limitation:

- (1) The requirements of sections 19-109 and 19-115 of the Subdivision Ordinance notwithstanding, private streets may be permitted by special use permit in the RPD district. However, unless specifically approved by the board of supervisors as a special use permit, the arrangement, character, extent, width, grade, and location of all streets shall be designed and constructed in accordance with specifications acceptable to the Virginia Department of Transportation for inclusion in the state highway system for maintenance. When private streets are proposed as a special use permit, the standards, specifications and a proposed maintenance agreement shall be submitted with the special use permit application and shall also be included on the concept plan for the proposed RPD rezoning request.
- (2) Streets, drives, parking, and service shall provide immediate, safe and convenient access and circulation for dwelling units and project facilities and for service and emergency vehicles including fire fighting equipment and snow removal. Streets shall not be laid out so as to encourage outside traffic to traverse the development on minor streets, or to create unnecessary fragmentation of the development into small blocks.
- (3) If the street or portion thereof serves fifty (50) or fewer dwelling units, vehicular access from individual dwelling units may be directly onto the street from individual dwelling units.

Determination of the number of dwelling units served shall be based on normal routing of traffic anticipated in the development.

(4) Vehicular access to other streets or portions of streets from off-street parking and service areas shall be so combined, limited, located, designed, and controlled as to channel traffic from and to such areas conveniently, safely, and in a manner which minimizes marginal traffic friction and promotes free traffic flow on streets without excessive interruption.

(Res. No. 21-05-96, 5-21-96; Res. No. 13-03-2004, 3-18-03(2))

Sec. 25-311. Effect of approval of the concept plan.

(a) The RPD district may provide flexibility through the adjustment of certain lot setback, design guideline, and use restrictions. Any such deviations to the list of permitted uses, area regulations, height regulations, minimum setback regulations, or design guidelines of the RPD district shall be expressly shown on the concept plan and approved by the board of supervisors after lawfully advertised public hearings with the planning commission and board of supervisors, and shall be in keeping with the purpose of the RPD district, the intent of the Zoning Ordinance, the Comprehensive Plan, and the design guidelines of the RPD district.

(b) All terms, conditions, safeguards and stipulations made at the time of approval of the concept plan, with or without specified modifications, shall be binding upon the applicant and any successors in interest. Unapproved deviations from the plans or failure to comply with any requirements, conditions, or safeguards shall constitute a violation of the Zoning Ordinance.

(Res. No. 21-05-96, 5-21-96)

Secs. 25-312--25-315. Reserved.

DIVISION 8. BUSINESS DISTRICT, LIMITED (B-1)*

***Editor's note:** The Franklin County Comprehensive Plan includes a section to guide the county on zoning applications in commercial acres. This section, entitled "Environmental, Land Use Considerations and Standards," is found on pages 9-37 through 9-38 of the originally adopted Plan of 1985.

Sec. 25-316. Purpose.

(a) This district is established to cover the portion of the county's communities intended for the conduct of general business to which the public requires direct and frequent access, but which is not characterized either by constant heavy trucking, other than stocking and delivery of light retail goods, or by any nuisance factors, other than those occasioned by incidental light and noise of congregations of people and passenger vehicles.

(b) The intent of these regulations is not to limit business development in the county but to encourage it by rezoning as the specific and appropriate locations where it will not produce noise, pollution, congestion or safety problems for quieter, residential uses.

(c) This district is limited to retail establishments which have no outside storage or outside displays of product.

(Ord. of 5-25-88)

Sec. 25-317. Permitted uses.

Within the Limited Business District (B-1), the following uses are permitted:

Accessory uses.

Antique shops.

Apartments in combination with businesses.
Apparel shops.
Art supplies, retail.
Bakery, for retail sales.
Banks and savings and loans, financial, insurance offices.
Barber and beauty shops.
Boat clubs.
Butcher shops, meat.
Candy stores.
Caterers.
Cemeteries, community and commercial.
Cemeteries, on joint church property.
Churches.
Conservation areas (public and private).
Convenience stores.
Country clubs.
Country stores.
Craft shops.
Day care centers, day nursery.
Drug stores.
Dry cleaning and laundry.
Emergency services facilities--Fire, rescue.
Food stores, groceries (convenience type).
Funeral homes and mortuaries.
Garages (private) for storage of personal vehicles.
Gardens (private).
General stores.
Gift shops.
Golf clubs, clubhouses.
Golf courses.
Golf courses (miniature).
Golf driving ranges.
Greenhouses, nurseries.
Hardware stores.
Hobby shops and toys.
Home or apartment combinations with business.
Home occupations, Class A.
Home occupations, Class B.
Libraries.
Manses, church-owned dwelling units.
Medical clinics, not veterinary.
Motels, hotels, tourist and resort facilities.
Museums.
Newsstands.
Novelties shop.
Offices, professional.
Off-street parking.
Parks.
Playgrounds.
Recreational facilities (private).
Recreational facilities (public).

Retail stores and services.
Roads, streets, rights-of-way, easement.
Sales Services, repairs of office equipment.
Security man's house.
Signs.
Sporting goods shop (inside).
Temporary construction facilities, subject to the requirements of section 25-129.
Temporary events, subject to the requirements of section 25-134.
Theatres, indoor (not drive-ins).
Watches, jewelry (retail).
Water systems.
(Ord. of 5-25-88; Res. No. 26-05-2008, 5-20-08)

Sec. 25-318. Special use permit.

The following uses shall be permitted only by special use permit approved by the board of supervisors:

Amusement centers, game rooms, electronic games, game machines, machine arcade.
Assembly halls.
Auction barns.
Bowling alleys.
Clubs (private).
Clubs (public).
Colleges.
Community centers, buildings.
Dormitories.
Drive-in restaurants with walk-ins.
Drive-in theatres.
Flea markets.
Garages for automobiles, recreational vehicles, motorcycles.
Laundromats.
Lodge halls.
Lodges.
Marinas.
Off-site mass drainfields (see section 25-144).
Off-site wells, water tanks, and/or water systems (see section 25-145).
Parking facilities, commercial.
Public utilities--Structures, towers.
Pool halls.
Public facilities, offices storage yards.
Public garages.
Public utilities, including substations, power generation, water and sewer plants for treatment.
Radio and television stations.
Radio and television towers.
Radio and television transmissions/transmitters.
Restaurants.
Sales, service and repair of automobiles, trucks, recreational vehicles, motorcycles, garden equipment, appliances, televisions, radios, phonographs, electrical, plumbing.
Schools (public and private).
Self-service storage facility.
Skating rinks.
Swim clubs.

Stable, commercial riding stables (private).

(Ord. of 5-25-88; Ord. No. Res. No. 21-12-95, 12-19-95; Res. No. 26-09-99, 9-21-99; Res. No. 26-05-2008, 5-20-08)

Sec. 25-319. Area regulations.

(a) There are no minimum lot area/size, minimum lot width or maximum lot coverage requirements except as provided herein in special circumstances and/or as may be required by the board of supervisors.

(b) Notwithstanding any definitive area requirement herein, the minimum permitted size of any commercial district or commercial lot, parcel or tract shall be subject to approval by the local department of health.

(Ord. of 5-25-88)

Sec. 25-320. Maximum height of buildings.

(a) The maximum height of buildings in this district shall be forty (40) feet.

(b) Belfries, cupolas, chimneys, flues, flagpoles, television antennae, radio aerials, silos and water tanks are exempted.

(c) Any building or structure shall be constructed, erected, installed, maintained and shall be of an approved type in accordance with the provisions of the BOCA Basic Building Code, as amended, and the Fire Prevention Code.

(Ord. of 5-25-88)

Cross references: Building regulations, Ch. 5; fire prevention and protection, § 8-11 et seq.

Sec. 25-321. Minimum dimensions.

(a) *Front setback.* The minimum distance from the nearest point of the house or principal structure (including porches, stoops or any accessory buildings) to the centerline of the specified right-of-way shall be equal to sixty (60) feet or thirty-five (35) feet from the edge of right-of-way, whichever is greater, for property adjacent to state primary roads and equal to fifty-five (55) feet or thirty (30) feet from the edge of right-of-way, whichever is greater, for property adjacent to all other roads.

(b) *Side setback.* No side setback is required except that no building, structure, accessory use or outdoor storage area shall be located closer than forty (40) feet from any type of residential use or living quarters nor residential district boundary.

(c) *Rear setback.* No rear setback is required except that no building, structure, accessory use or outdoor storage area shall be located closer than forty (40) feet from any type of residential use or living quarters nor residential district boundary.

(Ord. of 5-25-88)

Sec. 25-322. Maximum floor area.

Not regulated.

(Ord. of 5-25-88)

Sec. 25-323. Minimum off-street parking space.

See sections 25-80 through 25-82 for these regulations.

(Ord. of 5-25-88)

Sec. 25-324. Open space requirements.

A minimum landscaped area on any lot shall not be less than one-tenth the area of the lot. This area shall be used to enhance the lot's appearance. The board of supervisors may require ornamental landscaping along street frontages.

(Ord. of 5-25-88)

Sec. 25-325. Minimum loading space.

See the regulations for minimum loading space in section 25-85.

(Ord. of 5-25-88)

Sec. 25-326. Reserved.

Sec. 25-327. Other regulations.

Site plans are required for all uses prior to issuance of building permit and zoning permit.

(Ord. of 5-25-88)

Secs. 25-328--25-333. Reserved.

DIVISION 9. BUSINESS DISTRICT, GENERAL (B-2)*

***Editor's note:** The Franklin County Comprehensive Plan includes a section to guide the county on zoning applications in commercial areas. This section, entitled "Environmental, Land Use Considerations and Standards," is found on pages 9-37 through 9-38 of the originally adopted Plan of 1985.

Sec. 25-334. Purpose.

(a) This district is created to provide locations for general business and commercial enterprise whereby the public shall require direct and frequent access, but which is not characterized by constant heavy trucking, other than for stocking and delivery of retail goods for sale at the enterprises or by any factors other than occasioned by incidental light and noise of congregation of people and passenger vehicles.

(b) Uses in this district should be oriented to service to the entire county or substantial portions thereof, rather than toward a neighborhood focus as in the Limited Business District (B-1).

(c) This district is limited to commercial, retail and wholesale, establishments which may have outdoor displays of products and storage, and do not manufacture their products on the premises.

(Ord. of 5-25-88)

Sec. 25-335. Permitted uses.

Within the General Business District (B-2), the following uses are permitted:

Accessory uses.

Amusement centers; game rooms, electronic games; game machines; machine arcades.

Amusement shops.

Antique refinishing.

Antique shops.

Apartments combined with business.

Apparel shops.

Art supplies.

Assembly halls.

Auction barn/auction house.

Bakeries.

Banks, savings and loans, finance, insurance offices.

Barber shops, beauty shops.
Blacksmiths.
Boat clubs.
Bowling alleys.
Brick, block sales.
Building material sales.
Butcher shops.
Candy shops.
Car and vehicle wash operations.
Carpet cleaning.
Cemeteries, community and commercial.
Cemeteries on joint church property.
Churches.
Clubs (private).
Clubs (public).
Cold storage lockers, facilities.
Colleges.
Community centers, buildings.
Contractors' offices and facilities.
Convenience stores.
Country clubs.
Country stores.
Craft shops.
Customer meat cutting operations.
Dormitories.
Drive-in restaurants/walk-ins.
Dry cleaning and laundry.
Drug stores.
Elder care centers, homes, facilities (licensed).
Emergency services facilities--Fire, rescue.
Feed and seed stores.
Flea markets.
Food and groceries.
Funeral homes and mortuaries.
Furniture.
Garages (private) storage of personal vehicles.
Garages, for repair of automobiles, recreational vehicles, motorcycles, trucks.
Gardens (private).
Gasoline stations.
Gift shops.
Golf clubs, clubhouses.
Golf courses.
Golf courses (miniature).
Golf driving ranges.
Greenhouses and nurseries.
Hardware.
Hobby shops and toys.
Home and apartment combinations with business.
Homes for developmentally disabled.
Hospitals.
Laundromats.

Libraries.
Lodge halls.
Lodges.
Manses, church-owned dwelling units.
Marinas.
Medical clinics, not veterinary.
Milk distribution, milk and dairy products.
Mobile home sales.
Motels, hotels, tourist, and resort facilities.
Museums.
Newsstands.
Novelty shops.
Nursing homes.
Off-street parking.
Offices, professionals.
Paint contractors.
Paint stores.
Parks.
Parking facilities, commercial.
Piers, docks--Commercial.
Playgrounds.
Print shops.
Printing plants, newspapers only.
Radio and television stations.
Railroad facilities.
Recreational facilities (private).
Recreational facilities (public).
Restaurants.
Roads, streets, rights-of-way, easements.
Sales, service and repair of automobiles, trucks, recreational vehicles, motorcycles, farm equipment, garden equipment, appliances, televisions, radios, phonographs, plumbing, boats, motors (gas, electrical), mobile homes, machinery, office equipment, sewage disposal systems, tires, telephones, upholstery, watches, jewelry, construction equipment.
Senior citizens homes, centers.
Signs.
Skating rinks.
Sporting goods.
Stables, commercial riding.
Swim clubs.
Temporary construction facilities, subject to the requirements of section 25-129.
Temporary events, subject to the requirements of section 25-134.
Theatres, indoor.
Wayside stands.
Woodworking.
Water systems.
(Ord. of 5-25-88; Res. No. 28-09-96, 9-17-96; Res. No. 26-05-2008, 5-20-08)

Sec. 25-336. Special use permits.

The following uses shall be permitted only by special use permit approved by the board of supervisors:

Arenas.

Auditoriums.
Cabinet shops.
Carnivals, circuses, fairs and other events lasting more than ninety-six (96) hours but less than four (4) months.
Dance halls.
Day care centers, day nurseries.
Drive-in theatres.
Heating and air conditioning with associated sheet metal shop.
Heliports, airports, landing strip (intensive use), landing strip (recreational use) (See section 25-112).
Horse shows.
Kennels.
Laboratories, research facilities.
Machine shops (no presses).
Meat processing, not a slaughterhouse.
Off-site mass drainfields (See section 25-144).
Off-site water tanks, and/or water systems (See section 25-145).
Outdoor displays on business property.
Outdoor theatres.
Pool halls.
Public facilities.
Offices, storage yards.
Public garages.
Public utilities, including substations, power generation, water and sewer treatment.
Public utilities--Towers, structures.
Raceways.
Radio and television towers.
Radio and television transmission/transmitters.
Schools.
Self-service storage facility.
Shopping centers, malls, complexes.
Stables (private).
Stadiums.
Veterinary clinics, hospitals.
Wind energy facilities; small system (See section 25-128(c)).
Wind energy facilities; large system (See section 25-128(c)).
Wind energy facilities; utility scale system (See section 25-128(c)).
(Ord. of 5-25-88; Res. No. 14-05-90, 5-21-90; Res. No. 21-12-75, 12-19-95; Res. No. 26-09-99, 9-21-99; Res. No. 13-02-2002, 2-19-02; Ord. of 2-15-05(4); Res. No. 26-05-2008, 5-20-08; Res. No. 5-05-2009, 5-19-09)

Sec. 25-337. Area regulations.

Notwithstanding any definitive area requirement herein, the minimum permitted size of any commercial district or commercial lot, parcel or tract shall be subject to approval by the local department of health.
(Ord. of 5-25-88)

Sec. 25-338. Maximum height of buildings.

(a) The maximum height of buildings in this district shall be forty (40) feet.

(b) Belfries, cupolas, chimneys, flues, flagpoles, television antennae, radio aerials, silos and water tanks are exempted.

(c) Any building or structure shall be constructed, erected, installed, maintained and shall be of an approved type in accordance with the provisions of the BOCA Basic Building Code, as amended, and the Fire Prevention Code.

(Ord. of 5-25-88)

Cross references: Building regulations, Ch. 5; fire prevention and protection, § 8-11 et seq.

Sec. 25-339. Minimum yard dimensions.

(a) *Front setback.* The minimum distance from the nearest point of the house or principal structure (including porches, stoops or any accessory buildings) to the centerline of the specified right-of-way shall be equal to sixty (60) feet or thirty-five (35) feet from the edge of right-of-way, whichever is greater, for property adjacent to state primary roads and equal to fifty-five (55) feet or thirty (30) feet from the edge of right-of-way, whichever is greater for property adjacent to all other roads.

(b) *Side setback.* No side setback is required except that no building, structure, accessory use or outdoor storage area shall be located closer than fifty (50) feet from any type of residential use or living quarters nor residential district boundary.

(c) *Rear setback.* No rear setback is required except that no building, structure, accessory use or outdoor storage areas shall be located closer than fifty (50) feet from any type of residential use or living quarters nor residential district boundary.

(Ord. of 5-25-88)

Sec. 25-340. Maximum floor area.

Not regulated.

(Ord. of 5-25-88)

Sec. 25-341. Minimum off-street parking space.

See the regulations for minimum off-street parking spaces in sections 25-80 through 25-82.

(Ord. of 5-25-88)

Sec. 25-342. Open space requirements.

A minimum landscaped area on any lot shall not be less than one-tenth the area of the lot. This area shall be used to enhance the lot's appearance.

(Ord. of 5-25-88)

Sec. 25-343. Minimum loading space.

See the regulations for minimum loading space in section 25-85.

(Ord. of 5-25-88)

Sec. 25-344. Reserved.

Sec. 25-345. Other regulations.

Site plans are required for all uses prior to issuance of building permit and zoning permit.

(Ord. of 5-25-88)

Secs. 25-346--25-351. Reserved.

DIVISION 10. INDUSTRIAL DISTRICT (M-1)--LIGHT INDUSTRY*

***Editor's note:** The Franklin County Comprehensive Plan includes a section to guide the county on zoning applications in industrial areas. This section, entitled "Environmental, Land Use Considerations and Standards," is found on pages 9-42 and 9-43 of the originally adopted Plan of 1985.

Sec. 25-352. Purpose.

(a) This district is established to encourage the development of manufacturing and wholesale business establishments which do not produce high levels of smoke, smell, noise, light, dust and other nuisances; which operate primarily within enclosed structures; and which do not deal with large volumes of customers on a continuous basis throughout the day.

(b) Limitations on (or provisions relating to) height of building, horsepower, heating, flammable liquids or explosives, controlling emission of fumes, odors, or noise, landscaping and the number of persons employed may be imposed to protect and foster environmental desirability while permitting industries of certain types to locate near a labor supply, provided buffering districts or buffering land is provided.

(c) This district is limited to commercial establishments, retail and wholesale, and light manufacturing on and off the premises, all of which may have outside storage of materials and outside displays of product for sale.

(Ord. of 5-25-88)

Sec. 25-353. Permitted uses.

Within the Light Industry Industrial District (M-1), the following uses are permitted:

Accessory uses.

Agricultural warehouses.

Aircraft assembly, manufacturing.

Amusement shop.

Auditorium.

Apartments combined with business.

Apparel manufacturing.

Arenas.

Appliance manufacturing, small, household type.

Appliance manufacturing, large, household type.

Art supplies manufacturing.

Assembly halls.

Automobile manufacturing.

Automobile, other vehicle wash operations.

Bakery, large, commercial type.

Beverage and bottling operations.

Blacksmith.

Boat building.

Brick and block, retail/wholesale, no manufacturing.

Broom and brush manufacturing.

Butcher shop.

Business equipment manufacturing.

Building materials; retail/wholesale.

Building materials manufacturing.

Cabinet shops.
Candy and confectionery manufacturing.
Canvas manufacturing.
Cardboard manufacturing.
Carpet cleaning.
Caterers.
Cellophane manufacturing.
Cemeteries, community and commercial type.
Cemeteries on joint church property.
Churches.
Clocks manufacturing.
Cloth manufacturing, assembly of products from cloth.
Coal, coke storage yards.
Cold storage locker facilities.
Colleges.
Communication equipment manufacturing.
Computer equipment manufacturing.
Construction equipment manufacturing.
Conservation areas, public and private.
Contractors' office and facilities.
Convenience store.
Cosmetics manufacturing.
Country store.
Crafts manufacturing.
Crafts shop.
Custom meat cutting operations.
Cut and sew operation.
Dairy products manufacturing.
Die-cut paperboard manufacturing.
Dormitories.
Drafting equipment manufacturing.
Drive-in restaurant, with walk-in.
Drugs compounding, manufacturing, packaging.
Drycleaning and laundry shop.
Elder care center, home, facility, licensed.
Electrical machinery and equipment manufacturing.
Emergency services facilities--Fire, rescue.
Farm equipment manufacturing.
Feed and seed stores.
Fire extinguisher manufacturing.
Flea markets.
Flooring manufacturing.
Floor covering manufacturing.
Food and grocery stores.
Food products manufacturing.
Freight stations.
Frozen food products manufacturing.
Fruit processing.
Furniture and cabinet manufacturing.
Furniture fixtures manufacturing.
Furniture store.

Gasoline stations.
Garages (private) for storage of personal vehicles.
Garages, for repair of autos, recreational vehicles, trucks, motorcycles.
Gardens (private).
General store.
Glass, clay products.
Greenhouses, nurseries.
Hardware store.
Hobby shop, toy store.
Homes for developmentally disabled.
Home or apartment in combination with a business.
Hospitals.
Ice manufacturing.
Industrial controls manufacturing.
Instrument manufacturing--Electronic, scientific, engineering, medical or dental.
Jewelry manufacturing.
Kennels.
Laboratories and research facilities.
Lamp, lampshade manufacturing.
Laundries commercial type.
Libraries.
Lighting equipment manufacturing.
Lithography.
Lodge halls.
Lodges.
Lumber and wood products manufacturing.
Machine shops (with no presses).
Machinery manufacturing, other than appliances (no presses).
Manufacture of products from bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paint, plastic, precious metals, precious stones, rubber, shell, textiles, wood--Previously prepared.
Malt products manufacturing.
Manses, church-owned dwelling units.
Marinas.
Meat processing, not a slaughterhouse.
Medical clinics, not veterinary.
Milk distribution, retail.
Milk and dairy products, retail.
Milk stations.
Milk and dairy products manufacturing.
Milk bottling.
Mobile home sales.
Mobile home manufacturing.
Mortician supply manufacturing.
Motels, hotels, tourist and resort facilities.
Motion picture productions.
Motors, motor parts manufacturing (no presses).
Moving and storage firms.
Museums.
Musical instruments.
Newsstands.

Novelty shops.
Nursing homes.
Offices; professional.
Office products manufacturing.
Off-street parking.
Optical goods manufacturing.
Outdoor theatres.
Outdoor displays on business properties.
Paint store.
Paint contractor.
Paint manufacturing.
Paperboard manufacturing.
Paper products manufacturing, not raw paper, pulp processing.
Parking facilities, commercial.
Pasta manufacturing.
Pens, pencils and artists' materials manufacturing.
Perfume manufacturing.
Permanent chipping mill.
Permanent planing mill.
Permanent sawmill.
Pharmaceuticals.
Laboratories, manufacturing.
Phonograph, related audio products manufacturing.
Photography equipment manufacturing.
Piers, docks, commercial.
Plumbing parts manufacturing.
Pottery, figurine manufacturing from previously prepared materials.
Portable and temporary chipping mill.
Portable and temporary planing mill.
Portable and temporary sawmill.
Precious metals processing.
Precious stones processing.
Print shop.
Product development.
Public garages.
Public utilities, including substations, power generation, water and sewer plants for treatment.
Public utilities structures, towers.
Public facilities, offices, storage yards.
Pulpwood storage and processing.
Radio and TV stations.
Railroad facilities.
Restaurants.
Roads, streets, right-of-ways, easements.
Roasted coffee, tea products manufacturing.
Rubber and rubber products manufacturing.
Sales, service and repair of autos, trucks, recreational vehicles, motorcycles, farm equipment, garden equipment, appliances, televisions, radios, phonographs, electrical equipment, plumbing, logging equipment, boats, motors (gas and electrical), mobile homes, machinery, sewage disposal systems, tires, telephones, upholstery, watches, jewelry construction equipment.
Security man's house.

Senior citizens' center, home.
Sewage disposal system manufacturing.
Sheet metal shop.
Sheet metal manufacturing.
Shell processing.
Signs.
Sign manufacturing.
Spice manufacturing.
Sporting goods store.
Sporting goods and athletic goods manufacturing.
Sugar manufacturing.
Straw processing.
Telephone exchanges, manned or unmanned.
Telephone manufacturing.
Temporary construction facilities, subject to the requirements of section 25-129.
Temporary events, subject to the requirements of section 25-134.
Textile manufacturing, yard manufacturing.
Theatres, indoor.
Tire manufacturing, recycling.
Tobacco products manufacturing.
Toiletries manufacturing.
Toys and amusements manufacturing.
TV set manufacturing.
Umbrella and cane manufacturing.
Upholstery firms.
Veterinary clinic, hospital.
Vegetable processing.
Watch manufacturing.
Water systems.
Wayside stands.
Welding operations.
Wine, spirits manufacturing, licensed.
Wood products manufacturing, wood storage.
Wood working shops.
(Ord. of 5-25-88; Res. No. 28-08-90, 8-22-90; Res. No. 28-09-96, 9-17-96; Res. No. 13-02-2002, 2-19-02; Ord. of 2-15-05(4); Res. No. 26-05-2008, 5-20-08)

Sec. 25-354. Special use permits.

The following uses shall be permitted only by special use permits approved by the board of supervisors:

Appliance manufacturing--Industrial/commercial type.
Biological compounding.
Feed milling.
Fibre plants.
Flour milling.
Feed and seed processing mill.
Grain milling.
Greenboxes.
Heliports, airports, landing strip (intensive use), landing strip (recreational use)--(See section 25-112).

Landfills, nonhazardous, nonradioactive materials, and approved by the State Health Department.
Metal stamping.
Mining.
Off-site mass drainfields (See section 25-144).
Off-site wells, water tanks, and/or water systems (See section 25-145).
Off-site mass drainfields (See section 25-144).
Off-site wells, water tanks, and/or water systems (See section 25-145).
Parks.
Poultry processing and packaging.
Publishing house, printing.
Quarrying.
Raceways.
Radio and TV towers.
Radio and TV transmission/transmitters.
Research, development and testing.
Science, technology, research facilities.
Schools, public and private.
Self-service storage facility.
Stadiums.
Transportation facilities, terminals.
Trucking facilities, terminals.
Truck stops.
Vegetable oil milling, processing.
Water systems (private).
Wind energy facilities; small system (See section 25-128(c)).
Wind energy facilities; large system (See section 25-128(c)).
Wind energy facilities; utility scale system (See section 25-128(c)).
Wood preserving.
(Ord. of 5-25-88; Res. No. 21-12-95, 12-19-95; Res. No. 26-09-99, 9-21-99; Res. No. 13-02-2002, 2-19-02; Ord. of 2-15-05(4); Res. No. 5-05-2009, 5-19-09)

Sec. 25-355. Special performance standards.

This section is reserved for future use. See section 25-90.

Sec. 25-356. Area regulations.

Notwithstanding any definitive area requirement herein, the minimum permitted size of any commercial district or commercial lot, parcel or tract shall be subject to approval by the local department of health.

(Ord. of 5-25-88)

Sec. 25-357. Maximum height of buildings.

(a) The maximum height of buildings in this district shall be forty (40) feet.

(b) Belfries, cupolas, chimneys, flues, flagpoles, television antennae, radio aerials, silos and water tanks are exempted.

(c) Any building or structure shall be constructed, erected, installed, maintained and shall be of an approved type in accordance with the provisions of the BOCA Basic Building Code, as amended, and the Fire Prevention Code.

(Ord. of 5-25-88)

Cross references: Building regulations, Ch. 5; fire prevention and protection, § 8-11 et seq.

Sec. 25-358. Minimum dimensions.

(a) *Front setback.* Setback from the nearest point of the house or principal structure (including porches, stoops or any accessory buildings) shall be thirty-five (35) feet from the edge of right-of-way.

(b) *Side setback.* No side setback is required except that no building, structure, accessory use or outdoor storage area shall be located closer than fifty (50) feet from any type of residential use or living quarters nor residential district boundary.

(c) *Rear setback.* No rear setback is required except that no building, structure, accessory use or outdoor storage area shall be located closer than fifty (50) feet from any type of residential use or living quarters nor residential district boundary.

(Ord. of 5-25-88)

Sec. 25-359. Maximum floor area.

Not regulated.

(Ord. of 5-25-88)

Sec. 25-360. Minimum off-street parking space.

See the regulations for minimum off-street parking space in sections 25-80--25-82.

(Ord. of 5-25-88)

Sec. 25-361. Open space requirements.

A minimum landscaped area on any lot shall not be less than one-tenth the area of the lot. This area shall be used to enhance the lot's appearance. The board of supervisors may require ornamental landscaping along street frontages.

(Ord. of 5-25-88)

Sec. 25-362. Minimum loading space.

See the regulations for minimum loading space in section 25-85.

(Ord. of 5-25-88)

Sec. 25-363. Reserved.

Sec. 25-364. Other regulations.

Site plans are required for all uses prior to issuance of building permit and zoning permit.

(Ord. of 5-25-88)

Secs. 25-365--25-370. Reserved.

DIVISION 11. INDUSTRIAL DISTRICT (M-2)--HEAVY INDUSTRY*

***Editor's note:** The Franklin County Comprehensive Plan includes a section to guide the county on zoning applications in industrial areas. This section, entitled "Environmental Land Use Considerations and Standards," is found on pages 9-42 and 9-43 of the originally adopted Plan of 1985.

Sec. 25-371. Purpose.

This district is established to provide locations for larger scale manufacturing, processing and warehousing operations which may require extensive community facilities and access to transportation facilities, which may have open storage and service areas and which may generate heavy truck traffic. These districts may be established by amendment to the zoning map to permit industries which have a public nuisance potential and will, therefore, be subject to intensive review for locational impact on surrounding land uses and environment. These districts may be established in areas that are served by major highways, rail or air service, or secondary roads improved to state standards; that are either served by public water and sewer or meet requirements of the local office of the State Health Department; and that are clearly suitable for intended uses with regard to physical characteristics and relationship to surrounding development. This district is designed to encompass heavy manufacturing with large outside storage, warehousing, and large product display areas.

(Ord. of 5-25-88)

Sec. 25-372. Permitted uses.

Within the Heavy Industry Industrial District (M-2), the following uses are permitted:

- Accessory uses.
- Abrasives manufacturing.
- Agricultural warehouses.
- Aircraft manufacturing.
- Animal fats, oils manufacturing.
- Apparel manufacturing.
- Appliances manufacturing, small household type.
- Appliances manufacturing, large household type.
- Appliances manufacturing, industrial/commercial type.
- Arenas.
- Asphalt mixing.
- Auditoriums.
- Automobiles manufacturing.
- Batteries manufacturing.
- Blast furnaces, iron and steel works.
- Block manufacturing.
- Boiler manufacturing.
- Brick manufacturing.
- Building materials manufacturing.
- Cabinet shops.
- Cement, concrete mixing.
- Chemicals manufacturing.
- Cut stone operations.
- Coal, coke storage yards.
- Conservation areas, public and private.
- Construction equipment manufacturing.
- Distilling liquors (licensed).
- Dry cleaning, industrial.
- Electrical machinery, equipment manufacturing.
- Electric transformers, private.
- Electric power generation, private.
- Emery cloth manufacturing.
- Emergency service facilities--Fire, rescue.
- Farm equipment manufacturing.
- Feed lots.

Feed mill.
Feed and seed processing.
Flooring manufacturing.
Floor covering manufacturing.
Furniture and cabinet manufacturing.
Furniture fixtures manufacturing.
Fur dressing, dyeing.
Fur products manufacturing.
Garages, commercial for autos, recreational vehicles, motorcycles, trucks.
Glass, clay products manufacturing.
Greenhouses, nurseries (retail/wholesale).
Gypsum products manufacturing.
Homes, modular type, manufacturing.
Iron and steel foundries.
Kennels.
Leather tanning operations.
Lime, lime products, manufacturing.
Linoleum manufacturing.
Livestock markets.
Lumber, wood products, manufacturing.
Machine shop, with punch presses.
Meat processing, not slaughterhouse.
Metal works, fabricators.
Microwave transmission tower.
Milk stations.
Metal stamping.
Mobile homes manufacturing.
Monumental stone works.
Motors, motor parts, manufacturing.
Non-ferrous foundry.
Offices, professional.
Off-street parking.
Outdoor displays on business properties.
Paint manufacturing.
Paperboard manufacturing.
Paperboard manufacturing, raw product.
Parking facilities, commercial.
Permanent chipping mill.
Permanent planing mill.
Permanent sawmill.
Plaster manufacturing.
Plastics manufacturing.
Portable and temporary chipping mill.
Portable and temporary planing mill.
Portable and temporary sawmill.
Pottery products manufacturing.
Publishing house, printing firms.
Public garages.
Public utilities, including substations, power generation, water and sewer plants for treatment.
Public utilities structures, towers.
Public facilities, offices, storage yards.

Pulpwood storage and processing.
Raceways.
Radio and TV stations.
Railroad facilities.
Roads, streets, right-of-ways, easements.
Rubber, rubber products manufacturing.
Sand and gravel operations.
Science, technology, research facilities.
Security man's house.
Sewage disposal systems manufacturing.
Seed oil milling.
Sheet metal manufacturing.
Signs.
Slaughterhouses.
Smelting operations.
Soap manufacturing.
Soybean milling.
Stadiums.
Steam generation.
Telephone exchanges, manned and unmanned.
Temporary construction facilities, subject to the requirements of section 25-129.
Temporary events, subject to the requirements of section 25-134.
Tires manufacturing, recycling.
Tool and die works.
Transportation manufacturing, large equipment.
Transportation facilities, terminal.
Trucking facilities, terminal.
Truck stops.
Vegetable oil milling.
Veterinary clinic, hospital.
Water systems.
Wine, spirits production (licensed).
Wood preserving operations.
Wood storage.
(Ord. of 5-25-88; Res. No. 13-02-2002, 2-19-02; Ord. of 2-15-05(4); Res. No. 26-05-2008, 5-20-08)

Sec. 25-373. Special use permits.

The following uses shall be permitted only by special use permit approved by the board of supervisors:

Abattoirs (rendering plants).
Acetylene manufacturing.
Acid manufacturing.
Automobile, vehicle graveyards.
Canning.
Carnivals, circuses, fairs and other events lasting more than ninety-six (96) hours but less than four (4) months.
Crushed stone operations.
Curing food.
Demolisher.
Electric transmission (private).

Electric towers (private).
Fertilizer mill.
Feed and grain storage.
Flour milling.
Food products manufacturing.
Frozen food products manufacturing.
Fruit processing.
Gasoline stations.
Gasoline storage (bulk).
Grain milling.
Greenboxes.
Heliports, airports, landing strip (intensive use), landing strip (recreational use)--(See section 25-112).
Incineration of animals, garbage, wastes (nonradioactive).
Junkyards, salvage yards.
Landfills, nonhazardous, nonradioactive materials and approved by the State Health Department.
LP gas, natural gas storage.
Malt products manufacturing.
Matches manufacturing.
Milk bottling.
Milk, dairy products manufacturing.
Mining (conforming to state regulations).
Off-site mass drainfields (See section 25-144).
Off-site wells, water tanks, and/or water systems (see section 25-145).
Oil, gas transmission facility.
Ordinance (explosives) manufacturing.
Petroleum, petroleum by products refining, processing, storage.
Poultry processing, packaging.
Quarrying (conforming to state regulations).
Roasted coffee, tea products.
Radio and TV towers.
Radio and TV transmission/transmitters.
Salvage yards.
Self-service storage facility.
Spice processing, packaging.
Sugar processing, packaging.
Wind energy facilities; small system (See section 25-128(c)).
Wind energy facilities; large system (See section 25-128(c)).
Wind energy facilities; utility scale system (See section 25-128(c)).
(Ord. of 5-25-88; Res. No. 24-11-92, 11-17-92; Res. No. 21-12-95, 12-19-95; Res. No. 26-09-99, 9-21-99; Res. No. 13-02-2002, 2-19-02; Ord. of 2-15-05(4); Res. No. 26-05-2008, 5-20-08; Res. No. 5-05-2009, 5-19-09)

Sec. 25-374. Special performance standards.

This section is reserved for future use. See section 25-90.
(Ord. of 5-25-88)

Sec. 25-375. Area regulations.

Notwithstanding any definitive area requirement herein, the minimum permitted size of any commercial district or commercial lot, parcel or tract shall be subject to approval by the local department of health.
(Ord. of 5-25-88)

Sec. 25-376. Maximum height of buildings.

- (a) The maximum height of buildings in this district shall be forty (40) feet.
 - (b) Belfries, cupolas, chimneys, flues, flagpoles, television antennae, radio aerials, silos and water tanks are exempted.
 - (c) Any building or structure shall be constructed, erected, installed, maintained and shall be of an approved type in accordance with the provisions of the BOCA Basic Building Code, as amended, and the Fire Prevention Code.
- (Ord. of 5-25-88)

Cross references: Building regulations, Ch. 5; fire prevention and protection, § 8-11 et seq.

Sec. 25-377. Minimum dimensions.

- (a) *Front setback.* Setback from the nearest point of the house or principal structure (including porches, stoops or any accessory buildings) shall be thirty-five (35) feet from the edge of right-of-way.
 - (b) *Side setback.* No side setback is required except that no building, structure, accessory use or outdoor storage area shall be located closer than fifty (50) feet from any type of residential use or living quarters nor residential district boundary.
 - (c) *Rear setback.* No rear setback is required except that no building, structure, accessory use or outdoor storage area shall be located closer than fifty (50) feet from any type of residential use or living quarters nor residential district boundary.
- (Ord. of 5-25-88)

Sec. 25-378. Maximum floor area.

Not regulated.

(Ord. of 5-25-88)

Sec. 25-379. Minimum off-street parking space.

See the regulations for minimum off-street parking space.

(Ord. of 5-25-88)

Sec. 25-380. Open space requirements.

A minimum landscaped area on any lot shall not be less than one-tenth the area of the lot. This area shall be used to enhance the lot's appearance. The board of supervisors may require ornamental landscaping along street frontages.

(Ord. of 5-25-88)

Sec. 25-381. Minimum loading space.

See the regulations governing minimum loading space.

(Ord. of 5-25-88)

Sec. 25-382. Reserved.

Sec. 25-383. Other regulations.

Site plans are required for all uses prior to issuance of building permit and zoning permit.

(Ord. of 5-25-88)
Secs. 25-384--25-389. Reserved.

DIVISION 12. PLANNED COMMERCIAL DEVELOPMENT DISTRICT (PCD)

Sec. 25-390. Purpose.

(a) The purpose of this district is to promote the efficient use of commercial land by allowing a wide range of land uses of various densities and flexible application of development controls. The district encourages achievement of these goals while also protecting surrounding property, natural features and scenic beauty.

(b) The PCD district recognizes that many commercial, office and residential establishments seek to develop within unified areas, usually under single ownership or control. Because these concentrations of retail, service and office establishments are generally stable and offer unified internal arrangement and development, potentially detrimental design effects can be recognized and addressed during the review of the development. For these reasons, the PCD district allows flexibility through the adjustment of certain lot, setback and use restrictions. Districts should be proposed and planned for areas that provide for adequate development and expansion space, controlled access points, landscaped parking areas and public utilities. Development of a PCD district will take place in accord with an approved concept plan, which may allow for clustering of uses and densities in various areas of the site.

(c) [The] PCD district should be a visual asset to the community. Building within the district is to be architecturally similar in style and the relationship among individual establishments should be harmonious. The site should be well landscaped and parking and loading areas are to be screened.

(Res. No. 29-10-99, 10-19-99)

Sec. 25-391. Permitted uses.

Within the PCD district the following uses shall be permitted by right. However, no use shall be permitted except in conformity with the concept plan approved by the board of supervisors:

- All uses permitted in section 25-335, Permitted Uses of the B-2, General Business District.
- Boat docks.
- Community docks.
- Roads, streets, rights-of-way, easements, except private roads or streets, which require a special use permit (see 25-392 below).
- Short-term tourist rental of dwelling.

(Res. No. 29-10-99, 10-19-99; Amd. of 6-20-00; Res. No. 13-03-2004, 3-18-03(2))

Sec. 25-392. Special use permits.

The following uses shall be permitted only when shown on the concept plan for the project and when approved by special use permit by the board of supervisors:

- All those uses listed in section 25-336, Uses Permitted by Special Use Permit in the B-2, General Business District.
- Dwellings, single-family detached.
- Dwellings, attached.
- Multi-family dwellings.
- Private street or road (see section 25-396).
- Townhouses.
- Warehouses and distribution centers.

(Res. No. 29-10-99, 10-19-99; Res. No. 13-03-2004, 3-18-03(2))

Sec. 25-393. Area regulations.

(a) *Minimum lot size:*

- (1) To be considered as a planned commercial development, a project's area must include five (5) or more contiguous acres, none of which can be under water or within a flowage easement.
- (2) The minimum permitted size of any PCD district or of any lot, parcel or tract within the district shall be subject to approval by the local health department.
- (3) The procedure for addition to a PCD district shall be the same as if an original application were filed.

(b) *Maximum density:*

- (1) In commercial areas, there are no minimum lot area/size, minimum lot width, or floor area requirements except as provided herein under special circumstances and/or as may be required by the board of supervisors as a part of the approval of the concept plan for the project.
- (2) In commercial areas, maximum lot coverage shall be determined through the concept plan approval process but shall not exceed seventy-five (75) percent unless specifically approved by the board of supervisors as a deviation to these regulations.
- (3) Areas devoted to residential use shall follow the area, width and lot coverage regulations of section 25-282, Residential Multi-family District, unless a deviation to those regulations is specifically approved by the board of supervisors as provided for in section 25-402 of these regulations.

(Res. No. 29-10-99, 10-19-99)

Sec. 25-394. Maximum height of buildings.

(a) When adjoining an agricultural or residential zoning district, the maximum height of any commercial or residential building shall be forty (40) feet. The maximum height may be increased to a maximum of seventy (70) feet, provided each required yard adjoining a residential district is increased two (2) feet for each foot in height over forty (40) feet. When a property fronts on Smith Mountain Lake and adjoins a residential zone across a channel or cove, the distance across the water shall be included in the calculation of required yard available to satisfy the setback requirement of this section.

(b) When adjoining commercial or industrial zoning districts, the height of commercial or residential structures is seventy (70) feet, provided that all heights in excess of forty (40) feet are shown on the approved concept plan.

(c) Belfries, cupolas, chimneys, flues, flagpoles, television antennas, radio aerials, silos and water tanks are exempted.

(d) Any building or structure shall be constructed, erected, installed, maintained and shall be of an approved type in accordance with the provision of the BOCA Basic Building Code, as amended, and the Fire Prevention Code.

(Res. No. 29-10-99, 10-19-99)

Sec. 25-395. Minimum dimensions.

(a) *Front setback.* The minimum distance from the nearest point of the house or principal structure (including porches, stoops or any accessory buildings) to the centerline of the specified right-of-way shall be equal to sixty (60) feet or thirty-five (35) feet from the edge of the right-of-way, whichever is greater, for property adjacent to state primary roads and equal to fifty-five (55) feet or thirty (30) feet from the edge of the right-of-way, whichever is greater, for property adjacent to all other roads.

(b) *Side setback.* No side setback is required except that no building, structure, accessory use or outdoor storage area shall be located closer than twenty-five (25) feet from any type of residential use or residential district boundary.

(c) *Rear setback.* No rear setback is required except that no building, structure, accessory use or outdoor storage area shall be located closer than twenty-five (25) feet from any type of residential use or residential district boundary.
(Res. No. 29-10-99, 10-19-99)

Sec. 25-396. Streets.

(a) Public streets in the PCD district shall be built in accordance with VDOT standards for inclusion in the state highway system for maintenance.

(b) The requirements of sections 19-109 and 19-115 of the Subdivision Ordinance notwithstanding, private streets may be permitted by special use permit in the PCD district. However, unless specifically approved by the board of supervisors as a special use permit the arrangement, character, extent, width, grade, and location of all streets shall be designed and constructed in accordance with specifications acceptable to the Virginia Department of Transportation for inclusion in the state highway system for maintenance. When private streets are proposed as a special use permit, the standards, specifications and a proposed maintenance agreement shall be submitted with the special use permit application and shall also be included on the concept plan for the proposed PCD rezoning request.

(c) The applicant must demonstrate adequate provision for maintenance of any private streets. If in the future private streets are to be dedicated for public use, then, prior to such dedication for public use, the developer, property owners association or other party who has been responsible for the general upkeep and maintenance of the private roads shall improve said private roads to equal the construction standards for inclusion by VDOT into the state highway system for maintenance.

(Res. No. 29-10-99, 10-19-99; Res. No. 13-03-2004, 3-18-03(2))

Sec. 25-397. Minimum off-street parking spaces.

The regulations for minimum off-street parking spaces in sections 25-80 through 25-82 shall apply. However, as a part of the concept plan approval process, the applicant may propose a reduction to the number of parking spaces required by this division for each use type, if justified. This proposal will be reviewed with consideration given to potential future uses of the site, parking demand and expansion potential.

(Res. No. 29-10-99, 10-19-99)

Sec. 25-398. Utilities.

Within a PCD district all newly installed utilities, including television cable and electrical system, shall be installed underground. Appurtenances to these systems, which require aboveground installations, shall be screened.

(Res. No. 29-10-99, 10-19-99)

Sec. 25-399. Design guidelines.

(a) The location and arrangement of structures, parking, access drives, outdoor lighting, signs and other uses and developments within the PCD, in addition to achieving the development standards set forth in this section, shall be accomplished in accordance with an approved concept plan. This concept plan shall assure compatibility with the existing and future land use in the vicinity.

(b) Areas designed for future expansion or not intended for immediate improvement or development shall be specified as reserved areas on the concept plan. The future use and the limitations on the future use of such area shall be specified; or else such areas shall not be included as a part of the PCD application. Reserved areas included in the PCD shall be landscaped or otherwise maintained in a neat and orderly manner.

(c) In order to promote safe ingress and egress for the development, minimum separation distance between entrances to the public right-of-way of three hundred (300) feet is strongly encouraged. Such distances shall be subject to final review and approval by VDOT. Additional access between adjoining lots, such as frontage roads and shared parking lots are strongly encouraged.

(d) The placement of fire hydrants or other fire prevention systems shall be reviewed by the local fire marshal to insure compliance with the standards set forth by the National Fire Protection Association (NFPA).

(e) To promote the visual quality and enhance the prospects for economic success of the project, the planning commission shall consider the following factors in reviewing a PCD application:

(1) The principal entrance into the PCD district should be sufficiently landscaped to comply with the purpose of the district. In addition, the first one hundred (100) linear feet of the street within and leading through this principal entrance into the PCD should have a landscaped median of sufficient width and planting density to meet the purposes of this district.

(2) Parking within the PCD should be located to the side or rear of the principal structures on the lot, wherever feasible. During review, consideration will be given to topographical constraints, innovative site design, buffering and landscaping plans.

(Res. No. 29-10-99, 10-19-99)

Sec. 25-400. Concept plan requirements.

In addition to the requirements for a rezoning application, each request for a PCD district shall be accompanied by a concept plan, which shall be reviewed by the planning commission and approved by the board of supervisors.

(Res. No. 29-10-99, 10-19-99)

Sec. 25-401. Contents of a concept plan.

In addition to the requirements for a rezoning application, the concept plan shall contain all the following data:

(a) Vicinity map at a scale of not less than one inch equals two thousand (2,000) feet.

(b) Abutting streets with names and route numbers.

(c) Owners and uses of each adjoining tract.

(d) Topographic map with a minimum contour interval of ten (10) feet.

(e) An attorney's certificate showing the owner or owners of the subject property and the place of record of the latest instrument in the chain of title for each parcel constituting the tract.

(f) A general statement of planning objectives to be achieved by the PCD district, including a description of the character of the proposed development, the existing and proposed ownership of the site, the market for which the development is oriented, and objectives towards any specific human-made and natural characteristics located on the site.

(g) A description and analysis of existing site conditions, including information on topography, historic resources, natural watercourses, floodplains, unique natural features, tree cover areas, and known archeological resources.

(h) The location, dimensions and use of each structure within the proposed development.

(i) A statement in tabular form of the floor area for each commercial structure, the total floor area for all commercial uses and the gross lot coverage of all commercial structures. For residential areas, the floor area, number of dwelling units, the residential density and the percentage of land in open space. For the entire tract, the percentage of the tract to be occupied by structures and the gross square footage for each use type proposed in the PCD.

(j) The proposed size, location and use of other portions of the tract, including landscaping and parking.

(k) A traffic circulation plan, including the location of access drives, parking and loading facilities, pedestrian walks and the relationship to existing and proposed external streets and traffic patterns. General information on the trip generation, ownership, maintenance and proposed construction standards for these facilities should be included. When required by the zoning administrator or planning commission, a traffic impact statement prepared by the developer showing the effects of traffic generated by the project on surrounding roads.

(l) If a reduction to the number of parking spaces is requested, a justification for this request shall be submitted. Based on adequate justification, the commission may recommend and the board may approve a deviation to the adopted parking regulations.

(m) The proposed schedule of site development. At a minimum, the schedule should include an approximate commencement date for construction and a proposed build-out period.

(n) Generalized statements pertaining to architectural design principles and guidelines shall be submitted in sufficient detail to provide information on building designs, orientations, styles, lighting plans, signage plans, and landscaping.

(o) A plan to insure the perpetual and proper care and maintenance of any private roads, water systems and sewage disposal and/or sewage treatment facilities. Such plan shall be reviewed by the county and, as appropriate, the Virginia Department of Health.

(Res. No. 29-10-99, 10-19-99)

Sec. 25-402. Effect of approval of the concept plan.

(a) The PCD district may provide flexibility through the adjustment of certain lot setbacks, design guidelines and use restrictions. Any such deviations to the lists of uses, or the regulations for area, height, setbacks, streets, off-street parking, utilities, or design guidelines of the PCD district shall be expressly shown on the concept plan and approved by the board of supervisors after a lawfully advertised public hearing with the planning commission and the board of supervisors. Such deviations shall be in keeping with the purpose of the PCD district, the intent of the Zoning Ordinance, the comprehensive plan and the design guidelines of the PCD district.

(b) All terms, conditions, safeguards and stipulations made at the time of approval of the concept plan, with or without specific deviations, shall be binding upon the applicant and any successors in interest. Unapproved deviations from the plans or failures to comply with any requirement, condition, or safeguard shall constitute a violation of the Zoning Ordinance.

(Res. No. 29-10-99, 10-19-99)

Secs. 25-403--25-470. Reserved.

DIVISION 12. PLANNED COMMERCIAL DEVELOPMENT DISTRICT (PCD)

Sec. 25-390. Purpose.

(a) The purpose of this district is to promote the efficient use of commercial land by allowing a wide range of land uses of various densities and flexible application of development controls. The district encourages achievement of these goals while also protecting surrounding property, natural features and scenic beauty.

(b) The PCD district recognizes that many commercial, office and residential establishments seek to develop within unified areas, usually under single ownership or control. Because these concentrations of retail, service and office establishments are generally stable and offer unified internal arrangement and development, potentially detrimental design effects can be recognized and addressed during the review of the development. For these reasons, the PCD district allows flexibility through the adjustment of certain lot, setback and use restrictions. Districts should be proposed and planned for areas that provide for adequate development and expansion space,

controlled access points, landscaped parking areas and public utilities. Development of a PCD district will take place in accord with an approved concept plan, which may allow for clustering of uses and densities in various areas of the site.

(c) [The] PCD district should be a visual asset to the community. Building within the district is to be architecturally similar in style and the relationship among individual establishments should be harmonious. The site should be well landscaped and parking and loading areas are to be screened.

(Res. No. 29-10-99, 10-19-99)

Sec. 25-391. Permitted uses.

Within the PCD district the following uses shall be permitted by right. However, no use shall be permitted except in conformity with the concept plan approved by the board of supervisors:

- All uses permitted in section 25-335, Permitted Uses of the B-2, General Business District.
- Boat docks.
- Community docks.
- Roads, streets, rights-of-way, easements, except private roads or streets, which require a special use permit (see 25-392 below).
- Short-term tourist rental of dwelling.

(Res. No. 29-10-99, 10-19-99; Amd. of 6-20-00; Res. No. 13-03-2004, 3-18-03(2))

Sec. 25-392. Special use permits.

The following uses shall be permitted only when shown on the concept plan for the project and when approved by special use permit by the board of supervisors:

- All those uses listed in section 25-336, Uses Permitted by Special Use Permit in the B-2, General Business District.
- Dwellings, single-family detached.
- Dwellings, attached.
- Multi-family dwellings.
- Private street or road (see section 25-396).
- Townhouses.
- Warehouses and distribution centers.

(Res. No. 29-10-99, 10-19-99; Res. No. 13-03-2004, 3-18-03(2))

Sec. 25-393. Area regulations.

(a) *Minimum lot size:*

(1) To be considered as a planned commercial development, a project's area must include five (5) or more contiguous acres, none of which can be under water or within a flowage easement.

(2) The minimum permitted size of any PCD district or of any lot, parcel or tract within the district shall be subject to approval by the local health department.

(3) The procedure for addition to a PCD district shall be the same as if an original application were filed.

(b) *Maximum density:*

(1) In commercial areas, there are no minimum lot area/size, minimum lot width, or floor area requirements except as provided herein under special circumstances and/or as may be required by the board of supervisors as a part of the approval of the concept plan for the project.

(2) In commercial areas, maximum lot coverage shall be determined through the concept plan approval process but shall not exceed seventy-five (75) percent unless specifically approved by the board of supervisors as a deviation to these regulations.

(3) Areas devoted to residential use shall follow the area, width and lot coverage regulations of section 25-282, Residential Multi-family District, unless a deviation to those regulations is specifically approved by the board of supervisors as provided for in section 25-402 of these regulations.

(Res. No. 29-10-99, 10-19-99)

Sec. 25-394. Maximum height of buildings.

(a) When adjoining an agricultural or residential zoning district, the maximum height of any commercial or residential building shall be forty (40) feet. The maximum height may be increased to a maximum of seventy (70) feet, provided each required yard adjoining a residential district is increased two (2) feet for each foot in height over forty (40) feet. When a property fronts on Smith Mountain Lake and adjoins a residential zone across a channel or cove, the distance across the water shall be included in the calculation of required yard available to satisfy the setback requirement of this section.

(b) When adjoining commercial or industrial zoning districts, the height of commercial or residential structures is seventy (70) feet, provided that all heights in excess of forty (40) feet are shown on the approved concept plan.

(c) Belfries, cupolas, chimneys, flues, flagpoles, television antennas, radio aerials, silos and water tanks are exempted.

(d) Any building or structure shall be constructed, erected, installed, maintained and shall be of an approved type in accordance with the provision of the BOCA Basic Building Code, as amended, and the Fire Prevention Code.

(Res. No. 29-10-99, 10-19-99)

Sec. 25-395. Minimum dimensions.

(a) *Front setback.* The minimum distance from the nearest point of the house or principal structure (including porches, stoops or any accessory buildings) to the centerline of the specified right-of-way shall be equal to sixty (60) feet or thirty-five (35) feet from the edge of the right-of-way, whichever is greater, for property adjacent to state primary roads and equal to fifty-five (55) feet or thirty (30) feet from the edge of the right-of-way, whichever is greater, for property adjacent to all other roads.

(b) *Side setback.* No side setback is required except that no building, structure, accessory use or outdoor storage area shall be located closer than twenty-five (25) feet from any type of residential use or residential district boundary.

(c) *Rear setback.* No rear setback is required except that no building, structure, accessory use or outdoor storage area shall be located closer than twenty-five (25) feet from any type of residential use or residential district boundary.

(Res. No. 29-10-99, 10-19-99)

Sec. 25-396. Streets.

(a) Public streets in the PCD district shall be built in accordance with VDOT standards for inclusion in the state highway system for maintenance.

(b) The requirements of sections 19-109 and 19-115 of the Subdivision Ordinance notwithstanding, private streets may be permitted by special use permit in the PCD district. However, unless specifically approved by the board of supervisors as a special use permit the arrangement, character, extent, width, grade, and location of all streets shall be designed and constructed in accordance with specifications acceptable to the Virginia Department of Transportation for inclusion in the state highway system for maintenance. When private streets are proposed as a special use permit, the standards, specifications and a proposed

maintenance agreement shall be submitted with the special use permit application and shall also be included on the concept plan for the proposed PCD rezoning request.

(c) The applicant must demonstrate adequate provision for maintenance of any private streets. If in the future private streets are to be dedicated for public use, then, prior to such dedication for public use, the developer, property owners association or other party who has been responsible for the general upkeep and maintenance of the private roads shall improve said private roads to equal the construction standards for inclusion by VDOT into the state highway system for maintenance.

(Res. No. 29-10-99, 10-19-99; Res. No. 13-03-2004, 3-18-03(2))

Sec. 25-397. Minimum off-street parking spaces.

The regulations for minimum off-street parking spaces in sections 25-80 through 25-82 shall apply. However, as a part of the concept plan approval process, the applicant may propose a reduction to the number of parking spaces required by this division for each use type, if justified. This proposal will be reviewed with consideration given to potential future uses of the site, parking demand and expansion potential.

(Res. No. 29-10-99, 10-19-99)

Sec. 25-398. Utilities.

Within a PCD district all newly installed utilities, including television cable and electrical system, shall be installed underground. Appurtenances to these systems, which require aboveground installations, shall be screened.

(Res. No. 29-10-99, 10-19-99)

Sec. 25-399. Design guidelines.

(a) The location and arrangement of structures, parking, access drives, outdoor lighting, signs and other uses and developments within the PCD, in addition to achieving the development standards set forth in this section, shall be accomplished in accordance with an approved concept plan. This concept plan shall assure compatibility with the existing and future land use in the vicinity.

(b) Areas designed for future expansion or not intended for immediate improvement or development shall be specified as reserved areas on the concept plan. The future use and the limitations on the future use of such area shall be specified; or else such areas shall not be included as a part of the PCD application. Reserved areas included in the PCD shall be landscaped or otherwise maintained in a neat and orderly manner.

(c) In order to promote safe ingress and egress for the development, minimum separation distance between entrances to the public right-of-way of three hundred (300) feet is strongly encouraged. Such distances shall be subject to final review and approval by VDOT. Additional access between adjoining lots, such as frontage roads and shared parking lots are strongly encouraged.

(d) The placement of fire hydrants or other fire prevention systems shall be reviewed by the local fire marshal to insure compliance with the standards set forth by the National Fire Protection Association (NFPA).

(e) To promote the visual quality and enhance the prospects for economic success of the project, the planning commission shall consider the following factors in reviewing a PCD application:

(1) The principal entrance into the PCD district should be sufficiently landscaped to comply with the purpose of the district. In addition, the first one hundred (100) linear feet of the street within and leading through this principal entrance into the PCD should have a landscaped median of sufficient width and planting density to meet the purposes of this district.

(2) Parking within the PCD should be located to the side or rear of the principal structures on the lot, wherever feasible. During review, consideration will be given to topographical constraints, innovative site design, buffering and landscaping plans.
(Res. No. 29-10-99, 10-19-99)

Sec. 25-400. Concept plan requirements.

In addition to the requirements for a rezoning application, each request for a PCD district shall be accompanied by a concept plan, which shall be reviewed by the planning commission and approved by the board of supervisors.
(Res. No. 29-10-99, 10-19-99)

Sec. 25-401. Contents of a concept plan.

In addition to the requirements for a rezoning application, the concept plan shall contain all the following data:

- (a) Vicinity map at a scale of not less than one inch equals two thousand (2,000) feet.
- (b) Abutting streets with names and route numbers.
- (c) Owners and uses of each adjoining tract.
- (d) Topographic map with a minimum contour interval of ten (10) feet.
- (e) An attorney's certificate showing the owner or owners of the subject property and the place of record of the latest instrument in the chain of title for each parcel constituting the tract.
- (f) A general statement of planning objectives to be achieved by the PCD district, including a description of the character of the proposed development, the existing and proposed ownership of the site, the market for which the development is oriented, and objectives towards any specific human-made and natural characteristics located on the site.
- (g) A description and analysis of existing site conditions, including information on topography, historic resources, natural watercourses, floodplains, unique natural features, tree cover areas, and known archeological resources.
- (h) The location, dimensions and use of each structure within the proposed development.
- (i) A statement in tabular form of the floor area for each commercial structure, the total floor area for all commercial uses and the gross lot coverage of all commercial structures. For residential areas, the floor area, number of dwelling units, the residential density and the percentage of land in open space. For the entire tract, the percentage of the tract to be occupied by structures and the gross square footage for each use type proposed in the PCD.
- (j) The proposed size, location and use of other portions of the tract, including landscaping and parking.
- (k) A traffic circulation plan, including the location of access drives, parking and loading facilities, pedestrian walks and the relationship to existing and proposed external streets and traffic patterns. General information on the trip generation, ownership, maintenance and proposed construction standards for these facilities should be included. When required by the zoning administrator or planning commission, a traffic impact statement prepared by the developer showing the effects of traffic generated by the project on surrounding roads.
- (l) If a reduction to the number of parking spaces is requested, a justification for this request shall be submitted. Based on adequate justification, the commission may recommend and the board may approve a deviation to the adopted parking regulations.
- (m) The proposed schedule of site development. At a minimum, the schedule should include an approximate commencement date for construction and a proposed build-out period.
- (n) Generalized statements pertaining to architectural design principles and guidelines shall be submitted in sufficient detail to provide information on building designs, orientations, styles, lighting plans, signage plans, and landscaping.

(o) A plan to insure the perpetual and proper care and maintenance of any private roads, water systems and sewage disposal and/or sewage treatment facilities. Such plan shall be reviewed by the county and, as appropriate, the Virginia Department of Health.
(Res. No. 29-10-99, 10-19-99)

Sec. 25-402. Effect of approval of the concept plan.

(a) The PCD district may provide flexibility through the adjustment of certain lot setbacks, design guidelines and use restrictions. Any such deviations to the lists of uses, or the regulations for area, height, setbacks, streets, off-street parking, utilities, or design guidelines of the PCD district shall be expressly shown on the concept plan and approved by the board of supervisors after a lawfully advertised public hearing with the planning commission and the board of supervisors. Such deviations shall be in keeping with the purpose of the PCD district, the intent of the Zoning Ordinance, the comprehensive plan and the design guidelines of the PCD district.

(b) All terms, conditions, safeguards and stipulations made at the time of approval of the concept plan, with or without specific deviations, shall be binding upon the applicant and any successors in interest. Unapproved deviations from the plans or failures to comply with any requirement, condition, or safeguard shall constitute a violation of the Zoning Ordinance.

(Res. No. 29-10-99, 10-19-99)

Secs. 25-403--25-470. Reserved.