

AGENDA
TOWN OF HAMILTON
Town Council Special Meeting
Monday, June 17, 2013
7:00 PM

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

DETERMINATION OF QUORUM

ITEMS FOR DISCUSSION/ACTION

1. FY2014 Budget Approval (Pgs. 2-5)

Amend to include painting the exterior of the Town Office for \$3,800. Item is currently in FY2013 budget but the job will not be completed until FY2014.

2. Resolution 2013-04 FY2014 VRS Member Contributions by Salary Reduction for Counties, Cities, Towns and Other Political Subdivisions (Pgs. 6-7)

3. Resolution 2013-05 FY2014 Appropriations Resolution (Pg. 8)

4. Loudoun County Referral Request – ZOAM 2013-0006 JLMA Utilities Requirements (Pgs. 9-48)

CLOSED SESSION

Consultation with legal counsel pertaining to the discussion of actual and/or probable litigation. This includes consultation with legal counsel employed or retained by the public body regarding specific legal matters requiring the provision of legal advice by such counsel. The exception is provided in Code of Virginia Section 2.2-3711(A)(7), as amended. The subject of the closed meeting is Case No:63974 Town Council of the Town of Hamilton, Virginia v. Board of Supervisors of Loudoun County, Virginia dated October 5, 2010.

ADJOURNMENT

TOWN COUNCIL ZONING WORKSHOP
Immediately After the Special Meeting
Pages 49-69

**Town of Hamilton
Proposed Budget As Advertised
Fiscal Year 2013-2014**

Notice is hereby given that the Hamilton Town Council will hold a Public Hearing, for the purpose of receiving comments on the following proposed budget, on Monday, June 10, 2013, at 7:00 pm in the Town Office, 53 E Colonial Highway, Hamilton, VA. The regular Town Council Meeting will follow immediately after at the same location. Copies of the detailed budget may be obtained at the Town Office during regular office hours, Monday-Friday 8:00 am - 4:30 pm, holidays excepted.

TAX REVENUES

Current Year RE & PP Taxes	\$	203,599
Prior Year Taxes		960
Penalty/Interest - Taxes		550
Sale of Town Decals		10,000
Sales Tax		48,000
Utility Taxes		28,000
Business License Tax		7,000
Miscellaneous		13,050
TOTAL TAX REVENUES	\$	311,159

OTHER REVENUES

Water & Sewer Service Charges	\$	497,000
Water & Sewer Connection & Availability Fees		95,200
Zoning Permits		800
Interest		5,366
Cell Tower Antenna Lease		60,000
VRLF Loan Contributions		246,999
Other Revenue		106,000
Prior Fiscal Year Surplus		245,850
TOTAL OTHER REVENUES		1,257,215
TOTAL ESTIMATED REVENUES	\$	1,568,374

EXPENDITURES

Wages & Salaries	\$	374,029
Facilities Maintenance		76,650
Administraton		160,505
Capital Repairs		377,800
Capital Improvements		331,000
Donations		2,000
Utilities		83,000
Operating Supplies		69,000
Truck Expense		14,000
Miscellaneous		80,390
TOTAL ESTIMATED EXPENDITURES	\$	1,568,374

PROPOSED TAX RATES (No Changes)

Real Estate Tax - \$0.28 per \$100 of assessed value
 Personal Property Tax - \$1.10 per \$100 of assessed value
 Mobile Home Property Tax - \$0.28 per \$100 of assessed value
 Meals Tax - 4% of meals purchased
 Transient Occupancy Tax - 2% of lodging charges
 Motor Vehicle Decal - \$25.00/automobile; \$16.00/motorcycle

Town of Hamilton Budget FY2014 As Advertised

All Funds Summary

GENERAL FUND REVENUE	
Real Estate Taxes	167,613
Personal Property Taxes & Decals	47,496
Zoning & Subdivision Permits	800
Interest Earned	2,056
Sales & Utility Taxes	76,000
BPOL Taxes	7,000
PY Surplus for CIP	18,250
Miscellaneous	13,050
TOTAL GENERAL FUND REVENUE	332,265
GENERAL FUND EXPENSES	
Wages & Employee Benefits	106,925
General Office Expense	41,203
Professional Services	66,700
Trash/Recycling	42,900
Mowing	12,000
Electric - Street Lights	5,000
Insurance & Workers Comp	15,062
Planning Commission & Services	6,150
Recreation & Activity	2,500
Transfer PY to CIP & Fire Dept	26,200
Misc (Donations, Contingencies)	7,625
TOTAL GENERAL FUND EXPENSES	332,265
BUDGET SURPLUS (DEFICIT)	(0)

SEWER FUND REVENUE	
Sewer User Fees	263,500
Interest Earned	2,308
Sewer Surchg - VRLF Loan	36,000
County Contribution VRLF	88,000
Special Tax District VRLF	122,999
PY Surplus for CIP	22,800
Connections	15,000
TOTAL SEWER FUND REVENUE	550,607
SEWER FUND EXPENSES	
Wages & Employee Benefits	140,355
General Office Expense	6,000
Insurance & Workers Comp	7,330
Sewer Plant Operations	45,000
Chemicals & Lab Testing	54,000
Plant Equipment & Grounds Repair	19,000
Repairs Lines	8,000
VRLF Sewer & VRA Water Loans	223,680
Transfer PY Surplus to CIP	22,800
Grinder Pump Maintenance	18,210
Grinder Pumps	2,500
Misc (Contingencies, Permit)	3,732
TOTAL SEWER FUND EXPENSES	550,607
BUDGET SURPLUS (DEFICIT)	0

WATER FUND REVENUE	
Water User Fees	233,500
Water Surcharge - VRA Bond	76,000
Cell Tower Antenna Leases	60,000
Interest Earned	1,002
PY Surplus	204,800
Connections	6,800
TOTAL WATER FUND REVENUE	582,102
WATER FUND EXPENSES	
Wages & Employee Benefits	149,749
General Office Expense	4,400
Insurance & Workers Comp	9,160
Electricity & Circuits to Wells	37,000
Truck Fuel & Repairs	7,500
Chemicals & Water Testing	15,000
Repairs- Plant Equipment/Lines	36,200
Transfer PY Surplus to CIP	204,800
VRA Bond Debt	114,120
Misc (Bldg Repairs,Contingencies)	4,173
TOTAL WATER FUND EXPENSES	582,102
BUDGET SURPLUS (DEFICIT)	(0)

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**Town of Hamilton
Proposed Budget with Amendment
Fiscal Year 2013-2014**

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Interest		5,366
Cell Tower Antenna Lease		60,000
VRLF Loan Contributions		246,999
Other Revenue		106,000
Prior Fiscal Year Surplus		249,650
TOTAL OTHER REVENUES		1,261,015
TOTAL ESTIMATED REVENUES	\$	1,572,174

EXPENDITURES

Wages & Salaries	\$	374,029
Facilities Maintenance		80,450
Administraton		160,505
Capital Repairs		377,800
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Donations		2,000
Utilities		83,000
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Truck Expense		14,000
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GENERAL FUND EXPENSES	
Wages & Employee Benefits	106,925
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Professional Services	66,700
Trash/Recycling	42,900
Mowing	12,000
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Member Contributions by Salary Reduction for Counties, Cities, Towns, and Other Political Subdivisions

(In accordance with Chapter 822 of the 2012 Acts of Assembly (SB497))

Resolution 2013-04

WHEREAS, the Town of Hamilton 55312 employees who are Virginia Retirement System members who commence or recommence employment on or after July 1, 2012, shall be required to contribute five percent of their creditable compensation by salary reduction pursuant to Internal Revenue Code § 414(h) on a pre-tax basis upon commencing or recommencing employment; and

WHEREAS, the Town of Hamilton 55312 employees who are Virginia Retirement System members and in service on June 30, 2012, shall be required to contribute five percent of their creditable compensation by salary reduction pursuant to Internal Revenue Code § 414(h) on a pre-tax basis no later than July 1, 2016; and

WHEREAS, such employees in service on June 30, 2012, shall contribute a minimum of an additional one percent of their creditable compensation beginning on each July 1 of 2012, 2013, 2014, 2015, and 2016, or until the employees' contributions equal five percent of creditable compensation; and

WHEREAS, the Town of Hamilton 55312 may elect to require such employees in service on June 30, 2012, to contribute more than an additional one percent each year, in whole percentages, until the employees' contributions equal five percent of creditable compensation; and

WHEREAS, the second enactment clause of Chapter 822 of the 2012 Acts of Assembly (SB497) requires an increase in total creditable compensation, effective July 1, 2013, to each such employee in service on June 30, 2013, to offset the cost of the member contributions, such increase in total creditable compensation to be equal to the percentage increase of the member contribution paid by such pursuant to this resolution.

BE IT THEREFORE RESOLVED, that the Town of Hamilton 55312 does hereby certify to the Virginia Retirement System Board of Trustees that it shall effect the implementation of the member contribution requirements of Chapter 822 of the 2012 Acts of Assembly (SB497) according to the following schedule for the fiscal year beginning July 1, 2013:

Type of Employee	Employer Paid Member Contribution	Employee Paid Member Contribution
Plan 1	3 %	2 %
Plan 2	3 %	2 %
FY2013-14 Employees	0%	5%

; and

BE IT FURTHER RESOLVED, that such contributions, although designated as member contributions, are to be made by the Town of Hamilton in lieu of member contributions; and

BE IT FURTHER RESOLVED, that pick up member contributions shall be paid from the same source of funds as used in paying the wages to affected employees; and

BE IT FURTHER RESOLVED, that member contributions made by the Town of Hamilton under the pick up arrangement shall be treated for all purposes other than income taxation, including but not limited to VRS benefits, in the same manner and to the same extent as member contributions made prior to the pick up arrangement; and

BE IT FURTHER RESOLVED, that nothing herein shall be construed so as to permit or extend an option to VRS members to receive the pick up contributions made by the Town of Hamilton directly instead of having them paid to VRS; and

BE IT FURTHER RESOLVED, that notwithstanding any contractual or other provisions, the wages of each member of VRS who is an employee of the Town of Hamilton shall be reduced by the amount of member contributions picked up by the Town of Hamilton on behalf of such employee pursuant to the foregoing resolutions.

BE IT FURTHER RESOLVED, that in accordance with the Appropriation Act, no salary increase that ere provided solely to offset the cost of required member contributions to the Virginia Retirement System under §51.1-144 of the Code of Virginia will be used to certify that the salary increases required by the Appropriations Act have been provided.

NOW, THEREFORE, the officers of the Town of Hamilton 55312 are hereby authorized and directed in the name of the Town of Hamilton to carry out the provisions of this resolution, and said officers of the Town of Hamilton are authorized and directed to pay over to the Treasurer of Virginia from time to time such sums as are due to be paid by the Town of Hamilton for this purpose.

Gregory K. Wilmoth, Mayor

CERTIFICATE

I, Lori M. Jones, Treasurer for the Town of Hamilton, certify that the foregoing is a true and correct copy of a resolution passed at a lawfully organized meeting of the Hamilton Town Council held at 53 E Colonial Highway, Hamilton, Virginia at seven o'clock on June 17, 2013. Given under my hand and seal of the Town of Hamilton this 17th day of June, 2013.

Lori M. Jones, Treasurer

TOWN OF HAMILTON
LOUDOUN COUNTY, VIRGINIA

RESOLUTION: 2013-05

PRESENTED: June 17, 2013

ADOPTED: _____

**A RESOLUTION: AUTHORIZING APPROPRIATION AND EXPENDITURE
FOR RELEASE OF FY 2013/2014 FUNDS.**

WHEREAS, pursuant to Virginia Code Section 15.2-2506, as amended, the governing body must appropriate money prior to the Town obligating revenue for contemplated expenditures; and

WHEREAS, the Town Council has adopted the FY 2013-2014 Budget.

NOW THEREFORE, be it resolved that the Town Council of Hamilton approves an annual appropriation for the release of FY 2013/2014 funds.

PASSED THIS 17th DAY OF June, 2013.

Gregory K. Wilmoth, Mayor

Recorded Vote:

Motion by:

Seconded by:

Yeas:

Nays:

Abstentions:

Absent for Vote:

ATTEST:

Lori M. Jones, Treasurer

COUNTY OF LOUDOUN

DEPARTMENT OF BUILDING AND DEVELOPMENT

REFERRAL MEMORANDUM

DATE: June 5, 2013

TO: Town of Hamilton, David Beniamino, Zoning Administrator
Town of Leesburg, Susan Berry Hill, Director, Department of Planning
Town of Purcellville, Patrick Sullivan, Director, Community Development
Town of Round Hill, Robert Kinsley, Jr., Town Planner, Zoning Administrator
Building and Development, Engineering, Gary Clare
Building and Development, Permits, Marsha Keim
Building and Development, Plans Review, Mike Siegfried
County Attorney's Office, Ron Brown
Transportation and Capital Infrastructure, Paul Brown
Planning, Comprehensive Planning, Cynthia Keegan
Planning, Land Use Planning, John Merrithew
Fire, Rescue and Emergency Management, Lou Anne Welsh
Department of Health, Dr. David Goodfriend

FROM: Mark Stultz, Deputy Zoning Administrator, Building and Development

CC: Building and Development, Terry Wharton
Building and Development, Zoning Administration, Nicole Dozier
County Administration, Charles Yudd
Planning, Julie Pastor
Transportation and Capital Infrastructure, Joe Kroboth

SUBJECT: ZOAM 2013-0006, JLMA Utilities Requirements

COMMENT DUE DATE: **June 21, 2013** (Please provide a paper copy and an electronic copy to mark.stultz@loudoun.gov. If you have any questions, please contact me at 703-771-5394.)

DESCRIPTION:

The current utilities requirement in the Revised 1993 Loudoun County Zoning Ordinance ("Zoning Ordinance") for the Joint Land Management Area (JLMA) -1, JLMA-2 and JLMA-3 Zoning Districts require Town-owned or County-owned and operated public uses to connect to the Town's municipal water and municipal sewer facilities if available as determined by the Town. If the Town determines that municipal facilities are not available, then the development may be served by private well or septic system. Based on the current Zoning Ordinance language, the Town – and not the County Zoning Administrator - has the authority to determine whether the municipal facilities are available to serve public use sites in the JLMA Zoning

Districts. Currently, the County is not aware of the criteria that the Towns consider in determining availability of municipal utilities.

An issue arose involving the current Zoning Ordinance utilities requirement in the JLMA-1 Zoning District with the design of the Western Loudoun Sheriff Substation (WLSS), located outside of the Town of Round Hill. On February 14, 2012, the Board of Supervisors approved an action item calling for a re-design of the WLSS so that the overall project budget did not exceed the construction debt funded at the time of the meeting. As a result of the Board action, there was a reduction in the size of the proposed WLSS, which then led to the decision to use an on-site well and septic system rather than extending municipal water and sewer to serve the facility. However, pursuant to the current Zoning Ordinance utilities requirement, the site plan for the WLSS cannot be approved using an on-site well and septic system unless the Town of Round Hill determines that the municipal facilities are not available to serve the use. In the absence of a determination from the Town stating that the municipal utilities are available, County Administration Staff requested an advisory opinion from the County Zoning Administrator as to whether the comments provided in a December 19, 2012 letter from Robert E. Kinsley, Planner and Zoning Administrator for the Town of Round Hill, which provided the Town's comments on the fifth submission of the WLSS site plan, can be interpreted as the Town's determination that the municipal utilities are "available" to serve the WLSS. The Town comment stated the following:

"The Sheriff's Station facility, and any other facility constructed on this site in the future, should be served by an extension of the Town's public water and sewer systems as previously proposed. Capacity is available for both water and sewer connections"
(emphasis added).

County Zoning Administration Staff provided an advisory opinion, dated January 3, 2013, stating that, based on the comments in the December 19, 2012 letter, the Town has determined that municipal water and municipal sewer facilities are available to serve the WLSS and, therefore, pursuant to the utilities requirement in Section 2-1005(C)(1) of the JLMA-1 Zoning District, the site plan cannot be approved for the WLSS using a private on-site well and septic system.

In order to address the non-predictability of Town determinations regarding whether municipal water and municipal sewer facilities are available to serve public uses within their respective JLMA's; and to permit public uses to use private well and septic systems in the JLMA, the Board of Supervisors, at its May 1, 2013 Business Meeting, directed staff to begin the process of amending the Zoning Ordinance to revise the utilities requirement for Town-owned and County-owned and operated public uses in the JLMA-1, JLMA-2 and JLMA-3 Zoning Districts and further directed Staff to proceed with the design and approval of the WLSS using private on-site well and septic systems, with action on the site plan deferred until the Zoning Ordinance amendment is adopted, and to rebid the project based on this Board direction. In addition, the Board directed Staff to inform the Town that the County will begin the process of hooking up to the Town of Round Hill's municipal water and municipal sewer facilities when the utility lines are available within 300 feet of the WLSS property.

The proposed Zoning Ordinance amendment is drafted to: 1) authorize the County Zoning Administrator to determine the availability of municipal facilities, in coordination with the Towns; 2) retain the requirement for Town approval for connecting to municipal facilities; 3) require the use of municipal facilities for public uses only if the utility lines are located within 300 feet of the public use development site and if the Town approves the connection; and 4) clarify that for existing lots that were established prior to January 7, 2003 (the date that the current JLMA utilities requirement was established), development that does not require any type of subdivision or site plan approval may also use an on-site well and/or sewage disposal system. This would apply to the building of a dwelling on a lot that was established prior to the Zoning Ordinance requirement to use municipal facilities.

Zoning Administration Staff is requesting your review and comments on the proposed Zoning Ordinance amendment to the revised text in Attachments 1 through 3. The proposed amendment is tentatively scheduled for the Planning Commission public hearing on July 16, 2013.

Attachments:

1. Zoning Ordinance Section 2-1000, JLMA-1 Zoning District Regulations, Proposed Draft Text for Section 2-1005(C), *Utilities*, dated June 5, 2013
2. Zoning Ordinance Section 2-1100, JLMA-2 Zoning District Regulations, Proposed Draft Text for Section 2-1105(C), *Utilities*, dated June 5, 2013
3. Zoning Ordinance Section 2-1200, JLMA-3 Zoning District Regulations, Proposed Draft Text for Section 2-1206, *Utilities*, dated June 5, 2013

ATTACHMENT 1

1 type of customers or residents, how goods or services are
2 sold or delivered, and site conditions.

3 (2) **Use Categories.** The Use Categories describe the major
4 sub-groups of the Use Classifications, based on common
5 characteristics (e.g., the residential Use Classification is
6 divided into two major Use Categories: Household Living
7 and Group Living). Principal uses are identified in defining
8 the Use Category. They are principal uses that most
9 closely share the common characteristics that are key to the
10 Use Category.

11 (3) **Use Types.** The Use Categories are then divided into
12 specific Use Types. The specific Use Types are included in
13 the respective Use Category. They identify the specific
14 uses that are considered to fall within characteristics
15 identified in the Use Category.

16 (B) **Use Categories and Use Types Defined.** All the Use Categories
17 and Use Types listed in Table 2-1003 are defined in Article VIII
18 (Definitions).

19 (C) **Permitted and Special Exception Uses.** A “P” in the column
20 identified “JLMA-1” indicates that a Use Category or specific Use
21 Type is permitted as a matter of right (as a permitted use) in the
22 JLMA-1 district, subject to compliance with all applicable
23 standards and regulations in this Ordinance and all other County
24 ordinances. An “S” indicates that a Use Type is allowed in the
25 JLMA-1 district as a special exception in accordance with the
26 procedures and standards of Section 6-1300. In some instances,
27 and based on the Additional Regulations for Specific Uses (Section
28 5-600), a Use Type will be permitted under certain conditions, or
29 allowed as a special exception under other conditions. These uses
30 are identified as “P/S”.

31 (D) **Reference to General Use Category.** References to “General Use
32 Category” under the Use Type column means all of the uses in the
33 Use Category are allowed. The Use Category is defined in Article
34 VIII. Where specific Use Types are listed in the Use Type column,
35 only the listed Use Types in the Use Category are allowed. The
36 Use Types are defined in Article VIII.

37 (E) **Additional Regulations for Specific Uses.** References to sections
38 in the final column of Table 2-1003 (Additional Regulations for
39 Specific Uses) indicate that the listed use is subject to use-specific
40 regulations. The numbers provide a cross-reference to the
41 “Additional Regulations for Specific Uses” in Section 5-600.

ATTACHMENT 1

1

TABLE 2-1003 JLMA-1 JOINT LAND MANAGEMENT AREA-1 DISTRICT USE TABLE P = PERMITTED S = SPECIAL EXCEPTION			
USE CATEGORY	USE TYPE	JLMA-1	ADDITIONAL REGULATIONS FOR SPECIFIC USES
RESIDENTIAL USES			
Household Living	Accessory dwelling (accessory to single family detached dwelling)	P	Section 5-613
	Dwelling, single-family detached, including manufactured housing	P	Manufactured housing subject to Section 5-620
	Guest house (accessory to single family detached dwelling)	P	Section 5-612
	Home occupation (accessory to single family detached dwelling)	P	Section 5-400
Group Living	Congregate housing facility	S	
	Continuing care facility	S	
	Orphanage or similar institution	S	
	Tenant dwelling	S	Section 5-602
AGRICULTURAL USES			
Agriculture	General Use Category	P	Section 5-626
Horticulture	General Use Category	P	Section 5-626
Animal Husbandry	General Use Category	P	Section 5-626
Agriculture Support and Services Directly Related to On-going Agriculture, Horticulture and Animal Husbandry Activity, On-Site	Agricultural processing	P	Section 5-627
	Animal care business	P	Section 5-627
	Custom operators	P	
	Direct market business for sale of products produced on-site-including but not limited to PYO (pick-your-own)	P	Section 5-627
	Equestrian facilities	P	Section 5-627

ATTACHMENT 1

**TABLE 2-1003
JLMA-1 JOINT LAND MANAGEMENT AREA-1 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	JLMA-1	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Equestrian facility, on lots of less than fifty (50) acres, or without frontage on a state maintained road	S	Section 5-627
	Farm based tourism events	P	Section 5-628
	Farm co-ops	P	Section 5-627
	Farm machinery sales, rental, and services	S	Section 5-627
	Farm machinery repair	P	Section 5-627
	Farm markets	P	Section 5-603
	Mill feed and farm supply center	S	Section 5-627
	Nursery, commercial	S	Section 5-605
	Nursery, production	P	Section 5-605
	Nursery, production, without frontage on a state maintained road	S	Section 5-605
	Pet farms	P	Section 5-627
	Stable, private	P	Section 5-627
	Stable, neighborhood, on lots less than twenty-five (25) acres, or without frontage on a state maintained road	S	Section 5-627
	Virginia Farm Winery	P	Section 5-627
	Wayside stand	P	Section 5-604
	Wetlands mitigation bank	P	Section 5-627
PUBLIC AND INSTITUTIONAL USES			
Day Care Facilities	Child care home	P	Section 5-609(A)
	Child or adult day care center	S	Section 5-609(B)

ATTACHMENT 1

**TABLE 2-1003
JLMA-1 JOINT LAND MANAGEMENT AREA-1 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	JLMA-1	ADDITIONAL REGULATIONS FOR SPECIFIC USES
Cultural Government Facilities and	Bus shelter	P	
	Community center	S	
	Community center, HOA facilities only	P	
	Commuter parking lot, with greater than 50 spaces	S	
	Commuter parking lot, with 50 spaces or less	P	
	Library	S	
	Structure or use for federal, state, County, or local governmental purposes, not otherwise listed	S	
Education	School (elementary or middle), for fifteen (15) pupils or less	S	Section 5-655
	School (elementary, middle, or high), for more than 15 pupils	S	
Park and Open Space	Cemetery	S	Section 6-637
	Mausoleum	S	Section 5-637
	Crematorium	S	Section 5-637
	Community, neighborhood or regional park, passive recreational uses	P	
	Community, neighborhood or regional park, active recreational uses	S	
	Wetlands mitigation bank	P	
Public Safety	Fire and/or rescue station	S	Section 5-638
	Police station or substation	S	Section 5-638
Religious Assembly	Church, synagogue or temple, with seating capacity of 300 or less in sanctuary or main area	P	Section 5-639

ATTACHMENT 1

**TABLE 2-1003
JLMA-1 JOINT LAND MANAGEMENT AREA-1 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	JLMA-1	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Church, synagogue or temple, with seating capacity of more than 300 in sanctuary or main activity area, or with accessory schools, day care centers with more than 50 children, recreational facilities	S	Section 5-639
Utility	Public utility service center and storage yard	S	Section 5-621
	Recycling drop off collection center, public	P	Section 5-607
	Recycling drop off collection center, private	S	Section 5-607
	Sewer and water treatment plant	S	Section 5-621
	Utility substation, distribution	S	Section 5-616
	Utility transmission line, overhead (excluding connections of lines from public utility transmission lines to individual development sites)	S	Unless excepted by Section 1-103(D)
	Sewage and water pumping station	P	Section 5-621
	Water storage tank	S	Section 5-621
COMMERCIAL USES			
Recreation and Entertainment	Camp, day and boarding	S	Section 5-645
	Golf course	S	Section 5-648
Retail Sales and Service	Artist studio	S	
	Small business	P/S	Section 5-614
	Farm Market (off-site production)	S	Section 5-603
Visitor Accommodation	Bed and breakfast, homestay	P/S	Section 5-601(A)
	Bed and breakfast Inn	S	Section 5-601(A)
INDUSTRIAL USES			

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TABLE 2-1003 JLMA-1 JOINT LAND MANAGEMENT AREA-1 DISTRICT USE TABLE			
P = PERMITTED S = SPECIAL EXCEPTION			
USE CATEGORY	USE TYPE	JLMA-1	ADDITIONAL REGULATIONS FOR SPECIFIC USES
Telecommunication Use and/or Structure	Radio and/or television tower	S	Section 5-618
	Telecommunications antenna	P	Section 5-618(A)
	Telecommunications monopole	P	Section 5-618(B)(1)
	Telecommunications monopole	S	Section 5-618(B)(2)
	Telecommunication tower	S	Section 5-618(C)(2)

1 **2-1004 Lot and Building Requirements.**

- 2 (A) **Minimum Lot Size.** Twenty thousand (20,000) square feet.
- 3 (B) **Minimum Lot Width.** Fifty (50) feet.
- 4 (C) **Minimum Front Yard.** Thirty-five (35) feet.
- 5 (D) **Minimum Rear Yard.** Twenty-five (25) feet.
- 6 (E) **Minimum Side Yard.** Nine (9) feet.
- 7 (F) **Building Height.** Forty (40) feet maximum.

8 **2-1005 General Development Requirements.** The following general
 9 development requirements shall apply to all development in the JLMA-1
 10 district.

- 11 (A) **Minimum Open Space.** Thirty (30) percent. Active recreational
 12 uses may be located within the open space.
- 13 (B) **Maximum Gross Density.** The maximum gross residential
 14 density shall be one (1) unit per forty thousand (40,000) square
 15 feet, calculated based on the overall parcel, excluding roads. Open
 16 space shall be preserved by means of a permanent open space
 17 easement acceptable to the Board of Supervisors.

18

(C) **Utilities.**

1
2 (1) Both municipal water and municipal sewer facilities must
3 be provided to every development site, if available as
4 determined by the Town and if the Town permits the
5 connection, except for Town owned or County owned and
6 operated public uses that may use communal systems
7 (except in areas near Purecellville, which are subject to the
8 existing annexation agreement between the County of
9 Loudoun and the Town of Purecellville). If municipal water
10 or municipal sewer facilities are not available, or if the
11 Town does not permit the connection, development may be
12 served by private well or septic system, respectively.

13 (+)(2) Notwithstanding subsection 2-1005(C)(1) above, Town
14 owned or County owned and operated public uses shall be
15 required to connect to municipal water and/or municipal
16 sewer facilities only if the existing municipal water line and/or
17 municipal sewer line, respectively, is within 300 feet of any
18 new building or structure for which water service or sewage
19 disposal is required and if the Town permits such connection.
20 Otherwise, such Town or County public uses may use
21 communal systems or an individual water supply system
22 (private well) and/or individual sewage disposal system.

23 (3) Notwithstanding subsection 2-1005(C)(1) above, any
24 development on a lots existing prior to January 7, 2003, that
25 does not require the approval of any type of subdivision or
26 site plan application in order to be developed may use an
27 individual water supply system (private well) and/or
28 individual sewage disposal system, provided, however, that
29 if such development is required to connect to a
30 public/municipal sewer pursuant to the Codified Ordinances
31 of Loudoun County, then an individual sewage disposal
32 system shall not be permitted. For the purposes of this
33 Section 2-1005(C)(3), and notwithstanding the provisions of
34 Section 1243.03(B) of the Land Subdivision and
35 Development Ordinance, lots established by or resulting
36 from the recordation of a boundary line adjustment (BLAD)
37 after January 7, 2003, where the all of the lots involved in
38 the BLAD existed prior to January 7, 2003, shall be deemed
39 to have existed prior to January 7, 2003.

40 (2)(4) All utility distribution lines shall be placed underground.
41 Private wells, septic systems, and communal systems may
42 be located within the open space.

1 (D) **Neighborhood Development Standards.** To ensure new
2 development in the JLMA-1 district reinforces existing
3 development patterns in the adjacent town to the maximum extent
4 feasible, reduces the need for automobile trips, minimizes the need
5 for additional road improvements, and encourages walking to
6 employment, shopping, and public facilities, development in this
7 district shall meet the following requirements:

8 (1) **Street System/Connectivity.**

9 (a) **Connections to Existing Streets.** Connections to
10 the existing or planned street system shall be made
11 to the maximum extent feasible. All development
12 plans shall incorporate and continue all streets
13 stubbed to or shown as stubbed to the boundary of
14 the development by previously approved
15 development plans/plats or existing development.

16 (b) **Provision for Future Connections to Adjoining**
17 **Land.** All developable land shall provide for future
18 public street connections to adjacent developable
19 parcels by providing a local street connection at
20 least every six hundred sixty (660) feet along each
21 subdivision plat boundary that abuts potentially
22 developable or re-developable land, except that
23 such street connections are not required on steep
24 slopes, MDOD sensitivity areas, or FOD pursuant
25 to Sections 5-1508, 4-1600, and 4-1500.

26 (c) **Block Form and Size.** To the maximum extent
27 feasible, blocks within developments shall maintain
28 a rectilinear pattern except where deviation is
29 necessitated by topographic or environmental
30 considerations. Blocks shall measure not less than
31 three hundred (300) nor more than six hundred sixty
32 (660) feet along each side, as measured from the
33 edge of the right-of-way, except where deviation is
34 necessitated by topographic or environmental
35 considerations, or where deviation is required to
36 comply with regulations concerning steep slopes,
37 MDOD sensitivity areas, or FOD pursuant to
38 Sections 5-1508, 4-1600 and 4-1500.

39 (d) **Avoidance of Certain Street Types.** Cul-de-sacs
40 and “P-loop” streets shall be avoided except where
41 necessitated by topographic or environmental
42 considerations.

ATTACHMENT 1

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(e) **Provision of "T" Intersections.** "T" intersections are encouraged in locations where views of important civic, public or open space areas can be highlighted.

(2) **Variation of Lot Sizes.**

(a) **General Rule.** In all new residential subdivisions containing ten (10) or more lots, a mixture of lot sizes and dimensions shall be provided in order to allow for a variety of housing opportunities and avoid monotonous streetscapes. For example, larger and wider lots are encouraged on corners. Smaller lots are encouraged adjacent to parks and open spaces. No more than 60 percent of all lots shall be similar in total lot area. For purposes of this subsection, "similar" lot areas shall be defined as within 500 square feet of each other.

(b) **Exception.** Up to seventy (70) percent of the lots within the subject subdivision may be similar if the Zoning Administrator, pursuant to Section 6-401, makes a finding that, notwithstanding deviation from the sixty (60) percent standard stated above, lot sizes and dimensions are sufficiently varied, for different housing types, to avoid monotonous streetscapes.

(c) **Dispersion of Lot Sizes.** Similar lot sizes shall be distributed throughout a subdivision rather than consolidated in one area, unless the Zoning Administrator, pursuant to Section 6-401, makes a finding that the intent of this district and of the Zoning Ordinance will be better served by a design that tends to consolidate lots of similar sizes.

(3) **Sidewalks.**

(a) **Provision of Sidewalks and/or Trails.** Sidewalks and/or trails shall be provided, at a minimum, along one side of all streets to provide pedestrian access to the town or neighborhood center, public buildings, schools, parks, and other destinations, or greater if required by the Facilities Standards Manual.

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(b) **Sidewalk and/or Trail Connections.** Connections to existing or planned sidewalks and/or trails shall be made at the property boundaries of the project by incorporating and continuing all sidewalks and/or trails stubbed to or shown as stubbed to the boundary of the development by previously approved development plans/plats or existing development. All development plans shall provide for future sidewalk and/or trail connections to adjacent developable parcels at planned or current local street connections along each subdivision plat boundary.

(4) **Civic and Open Space.**

(a) **Variety of Spaces to Be Provided.** A variety of greens, parks or natural open spaces shall be located throughout the development, where appropriate, to provide community identity.

(b) **Access to Civic Spaces.** Direct and convenient pedestrian and bicycle access shall be provided on the site being developed to adjacent residential land uses and to the civic and open space.

(c) **Configuration of Park Access.** Land dedicated for parks shall be bordered on at least one side by public streets, preferably local or collector streets.

(5) **Other Design Requirements.**

(a) **Street Trees.** Street trees planted pursuant to Section 5-1300 shall be planted at a density of no less than one canopy shade tree per 25 feet on average, and shall be placed in arrangements consistent with the existing landscape of the vicinity.

(b) **Garages.** Garages shall be set back at least four (4) feet behind the plane of the front door of the principal building. Garages shall have vehicular access only from the side or rear of the lot.

(c) **On-Street Parking.** Parallel parking may be provided on streets in front of residential lots, except for lots fronting on collector or arterial roads.

1 (E) **Compatibility Standards.**

2 (1) A minimum buffer width of 25 feet with a Type 2 buffer
3 yard shall be provided between existing agricultural uses
4 and residential development sites.

5 (2) On non-residential development sites:

6 (a) Areas for loading, delivery, and waste collection
7 receptacles shall be sited so as to reduce the impact
8 on surrounding properties to the maximum extent
9 feasible, with highest priority given to reducing the
10 impact on residential properties.

11 (b) Outdoor lighting shall be directed towards the
12 interior of the development site and shall be
13 shielded to prevent all direct illumination of other
14 properties.

15 **2-1006 Alternate Neighborhood Development Standards.** In lieu of the
16 development requirements specified in Sections 2-1004 and 2-1005 above,
17 either the Board of Supervisors may initiate, or the landowner(s) in a
18 JLMA-1 district may request the adoption of alternate neighborhood
19 development standards as a special exception pursuant to the standards of
20 this Section and Section 6-1300. These alternate development standards
21 may be reviewed for all or a portion of a JLMA-1 district. Once adopted,
22 the alternate neighborhood development standards supersede the
23 requirements of Sections 2-1004 and 2-1005. The following requirements
24 shall be met:

25 (A) **Minimum Area.** Alternate neighborhood design standards shall
26 be adopted for all of a JLMA-1 district or a portion of the district
27 consisting of a minimum of twenty-five (25) contiguous acres.

28 (B) **Initiation.** A request to have alternate neighborhood development
29 standards adopted for all or a portion of a JLMA-1 district may be
30 initiated by the Board of Supervisors or the landowners in the area
31 for which the request is made by submitting an application to the
32 County for a Special Exception pursuant to Section 6-1300.

33 (C) **Study/Proposed Standards.** Subsequent to the request, the
34 applicant shall submit a set of proposed alternate neighborhood
35 development standards for consideration that comply with the
36 standards in Section 2-1006(E). The proposed alternate
37 neighborhood development standards shall be in compliance with
38 any overlay district requirements and based on a study of the
39 existing and prevailing patterns of development in the adjoining
40 town in the vicinity of the lands where the alternate neighborhood

ATTACHMENT 1

1 development standards are proposed to be adopted, as they relate
2 to lot sizes, yards, setbacks, lot coverage, building heights,
3 garages, porches, civic and open spaces, open space areas, block
4 form, street pattern, sidewalks, and street trees.

5 (D) **Recommendation of Staff and Town Council.** After their
6 receipt, County staff shall forward a copy of the proposed alternate
7 neighborhood development standards to the affected town for
8 review and comment, and prepare a staff report on whether they
9 comply with the standards of Section 2-1006(E).

10 (E) **Standards.** The Board of Supervisors shall adopt the alternate
11 neighborhood development standards only if the Board finds that:

12 (1) The standards include requirements addressing lot size, lot
13 width and length, yards, lot coverage, building height, and
14 open space that are consistent with the existing and
15 prevailing patterns of development in the adjoining town in
16 the vicinity of the lands where the alternate neighborhood
17 development standards are to be adopted; and

18 (2) The standards include specific provisions requiring street
19 system connectivity, variation of lot sizes, the provision of
20 civic and open spaces, the provision of sidewalks, the
21 provision of street trees, a grid street pattern and block
22 sizes in a form that is consistent with the existing and
23 prevailing patterns of development in the adjoining town in
24 the vicinity of the lands where the alternate neighborhood
25 development standards are to be adopted.

26 (F) **Effect.** The approval of the special exception by the Board of
27 Supervisors for all or a portion of a JLMA-1 district shall
28 constitute a modification of the development standards for that
29 area, subject to the conditions and terms of the special exception,
30 and recognition by the County that all development within the area
31 subject to alternate neighborhood development standards shall
32 comply with the alternate neighborhood development standards. In
33 the case of conflict between adopted alternate neighborhood
34 development standards and any other provision of this Ordinance,
35 the alternate neighborhood development standards shall apply.

1 **Section 2-1100 Joint Land Management Area-2 District: JLMA-2**

2 **2-1101 Purpose and Intent.** This district is established to accommodate and
3 foster the development of land within the joint land management areas
4 (JLMAs) outside the incorporated towns in Loudoun County to:

5 (A) Ensure development in the JLMA-2 district is consistent with the
6 JLMA serving as a gateway to the towns;

7 (B) Encourage an appropriate mix of residential and nonresidential
8 land uses;

9 (C) Provide a variety of housing types and lot sizes;

10 (D) Where appropriate, achieve a pattern of development that generally
11 conforms to the established, traditional pattern of development in
12 the towns;

13 (E) Establish the type and scale of development desired for the
14 entranceway of the towns; and

15 (F) Implement jointly adopted area plans, where applicable.

16 **2-1102 Size and Location.** This district modifies and replaces the Countryside
17 Residential (CR-2) district within the JLMAs. It is the intent of the
18 County that the JLMA-2 boundaries not be extended beyond the existing
19 JLMA boundaries.

20 **2-1103 Use Regulations.** Table 2-1103 summarizes the principal use regulations
21 of the JLMA-2 district.

22 (A) **Organization of Use Table.** Table 2-1103 organizes the uses in
23 the JLMA-2 district Use Table by Use Classifications, Use
24 Categories and Use Types.

25 (1) **Use Classifications.** The Use Classifications are:
26 residential uses; agricultural uses; public and institutional
27 uses; commercial uses; and industrial uses. The Use
28 Classifications provide a systematic basis for assigning
29 present and future land uses into broad general
30 classifications (e.g., residential uses and agricultural uses).
31 The Use Classifications then organize land uses and
32 activities into general “Use Categories” and specific “Use
33 Types” based on common functional, product, or physical
34 characteristics, such as the type and amount of activity, the
35 type of customers or residents, how goods or services are
36 sold or delivered, and site conditions.

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- 1 (2) **Use Categories.** The Use Categories describe the major
2 sub-groups of the Use Classifications, based on common
3 characteristics (e.g., the residential Use Classification is
4 divided into two major Use Categories: Household Living
5 and Group Living). Principal uses are identified in defining
6 the Use Category. They are principal uses that most
7 closely share the common characteristics that are key to the
8 Use Category.
- 9 (3) **Use Types.** The Use Categories are then divided into
10 specific Use Types. The specific Use Types are included in
11 the respective Use Category. They identify the specific
12 uses that are considered to fall within characteristics
13 identified in the Use Category. For example, single family
14 detached dwellings are a Use Type in the Household Living
15 Use Category.
- 16 (B) **Use Categories and Use Types Defined.** All the Use Categories
17 and Use Types listed in Table 2-1103 are defined in Article VIII
18 (Definitions).
- 19 (C) **Permitted and Special Exception Uses.** A “P” in the column
20 identified “JLMA-2” indicates that a Use Category or specific Use
21 Type is permitted as a matter of right (as a permitted use) in the
22 JLMA-2 district, subject to compliance with all applicable
23 standards and regulations in this Ordinance and all other County
24 ordinances. An “S” indicates that a Use Type is allowed in the
25 JLMA-2 district as a special exception in accordance with the
26 procedures and standards of Section 6-1300. In some instances,
27 and based on the Additional Regulations for Specific Uses (Section
28 5-600), a Use Type will be permitted under certain conditions, or
29 allowed as a special exception under other conditions. These uses
30 are identified as “P/S”.
- 31 (D) **Reference to General Use Category.** References to “General Use
32 Category” under the Use Type column means all of the uses in the
33 Use Category are allowed. The Use Category is defined in Article
34 VIII. Where specific Use Types are listed in the Use Type column,
35 only the listed Use Types in the Use Category are allowed. The
36 Use Types are defined in Article VIII.
- 37 (E) **Additional Regulations for Specific Uses.** References to sections
38 in the final column of Table 2-1103 (Additional Regulations for
39 Specific Uses) indicate that the listed use is subject to use-specific
40 regulations. The numbers provide a cross-reference to the
41 “Additional Regulations for Specific Uses” in Section 5-600.

ATTACH MENT 2

**TABLE 2-1103
JLMA-2 JOINT LAND MANAGEMENT AREA-2 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	JLMA-2	ADDITIONAL REGULATIONS FOR SPECIFIC USES
RESIDENTIAL USES			
Household Living	Accessory dwelling (accessory to single family detached dwelling)	P	Section 5-613
	Dwelling, single-family detached, including manufactured housing	P	Manufactured housing subject to Section 5-620
	Guest house (accessory to single family detached dwelling)	P	Section 5-612
	Home occupation (accessory to single family detached dwelling)	P	Section 5-400
Group Living	Congregate housing facility	S	
	Continuing care facility	S	
	Orphanage or similar institution	S	
	Tenant dwelling	S	Section 5-602
AGRICULTURAL USES			
Agriculture	General Use Category	P	Section 5-626
Horticulture	General Use Category	P	Section 5-626
Animal Husbandry	General Use Category	P	Section 5-626
Agriculture Support and Services directly related to on-going agriculture, horticulture and animal husbandry activity, on-site	Agricultural processing	P	Section 5-627
	Animal care business	P	Section 5-627
	Custom operators	P	Section 5-627
	Direct market business for sale of products produced on-site-including but not limited to PYO (pick-your-own)	P	Section 5-627
	Equestrian facilities	P	Section 5-627

ATTACH MENT 2

**TABLE 2-1103
JLMA-2 JOINT LAND MANAGEMENT AREA-2 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	JLMA-2	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Equestrian facility, on lots of less than fifty (50) acres, or without frontage on a state maintained road	S	Section 5-627
	Virginia farm winery	P	Section 5-627
	Farm based tourism events	P	Section 5-628
	Farm co-ops	P	Section 5-627
	Farm machinery sales, rental, and services	S	Section 5-627
	Farm machinery repair	P	Section 5-627
	Farm markets	P	Section 5-603
	Mill feed and farm supply center	S	Section 5-627
	Nursery, commercial	S	Section 5-605
	Nursery, production	P	Section 5-605
	Nursery, production, without frontage on a state maintained road	S	Section 5-605
	Pet farms	P	Section 5-627
	Stable, private	P	Section 5-627
	Stable, neighborhood, on lots less than twenty-five (25) acres, or without frontage on a state maintained road	S	Section 5-627
	Wayside stand	P	Section 5-604
	Wetlands mitigation bank	P	Section 5-627
PUBLIC AND INSTITUTIONAL USES			
Day Care Facilities	Child care home	P	Section 5-609
	Child or adult day care center	S	Section 5-609

ATTACH MENT 2

**TABLE 2-1103
JLMA-2 JOINT LAND MANAGEMENT AREA-2 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	JLMA-2	ADDITIONAL REGULATIONS FOR SPECIFIC USES
Cultural and Government Facilities	Bus shelter	P	
	Community center	S	
	Community center, HOA facilities only	P	
	Commuter parking lot, with greater than 50 spaces	S	
	Commuter parking lot, with 50 spaces or less	P	
	Library	S	
	Structure or use for federal, state, County, or local governmental purposes, not otherwise listed	S	
Education	School (elementary or middle), for fifteen (15) pupils or less	S	Section 5-655
	School (elementary, middle, or high), for more than 15 pupils	S	
Park and Open Space	Cemetery	S	Section 5-637
	Mausoleum	S	Section 5-637
	Crematorium	S	Section 5-637
	Community, neighborhood or regional park, passive recreational uses	P	
	Community, neighborhood or regional park, active recreational uses	S	
Public Safety	Fire and/or rescue station	S	Section 5-638
	Police station or substation	S	Section 5-638
Religious Assembly	Church, synagogue or temple, with seating capacity of 300 or less in sanctuary or main area	P	Section 5-639

ATTACH MENT 2

**TABLE 2-1103
JLMA-2 JOINT LAND MANAGEMENT AREA-2 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	JLMA-2	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Church, synagogue or temple, with seating capacity of more than 300 in sanctuary or main activity area, or with accessory schools, day care centers with more than 50 children, recreational facilities	S	Section 5-639
Utility	Public utility service center and storage yard	S	Section 5-621
	Recycling drop off collection center, public	P	Section 5-607
	Recycling drop off collection center, private	S	Section 5-607
	Sewer and water treatment plant	S	Section 5-621
	Utility substation, distribution	S	Section 5-616
	Utility transmission line, overhead (excluding connections of lines from public utility transmission lines to individual development sites)	S	Unless excepted by Section 1-103 (D)
	Sewage and Water pumping station	P	Section 5-621
	Water storage tank	S	Section 5-621
COMMERCIAL USES			
Food and Beverage	Restaurant	S	Section 5-643
Recreation and Entertainment	Camp, day and boarding	S	Section 5-645
	Golf course	S	Section 5-648
Retail Sales and Service	Artist studio	S	
	Small business	P/S	Section 5-614
	Farm market (off-site production)	S	Section 5-603
Visitor Accommodation	Bed and breakfast homestay	P/S	Section 5-601
	Bed and breakfast inn	S	Section 5-601

ATTACH MENT 2

TABLE 2-1103 JLMA-2 JOINT LAND MANAGEMENT AREA-2 DISTRICT USE TABLE			
P = PERMITTED S = SPECIAL EXCEPTION			
USE CATEGORY	USE TYPE	JLMA-2	ADDITIONAL REGULATIONS FOR SPECIFIC USES
INDUSTRIAL USES			
Telecommunication Use and/or Structure	Radio and/or television tower	S	Section 5-618
	Telecommunications antenna	P	Section 5-618(A)
	Telecommunications monopole	P	Section 5-618(B)(1)
	Telecommunications monopole	S	Section 5-618(B)(2)
	Telecommunication tower	S	Section 5-618(C)(2)

- 1 **2-1104 Lot and Building Requirements.**
- 2 (A) **Minimum Lot Size.** Ten thousand (10,000) square feet.
- 3 (B) **Minimum Lot Width.** Fifty (50) feet.
- 4 (C) **Minimum Front Yard.** Fifteen (15) feet.
- 5 (D) **Minimum Rear Yard.** Twenty-five (25) feet.
- 6 (E) **Minimum Side Yard.** Eight (8) feet
- 7 (F) **Building Height.** Forty (40) feet maximum.
- 8 **2-1105 General Development Requirements.** The following general
- 9 development requirements shall apply to all development in the JLMA-2
- 10 district.
- 11 (A) **Minimum Open Space.** Thirty (30) percent. Active recreational
- 12 uses may be located within the open space.
- 13 (B) **Maximum Gross Density.** The maximum gross residential
- 14 density shall be one (1) unit per twenty thousand (20,000) square
- 15 feet, calculated based on the overall parcel, excluding roads. Open
- 16 space shall be preserved by means of a permanent open space
- 17 easement acceptable to the Board of Supervisors.
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(C) Utilities.

(1) Both municipal water and municipal sewer facilities must be provided to every development site, if available as determined by the Town and if the Town permits the connection, except for Town-owned or County-owned and operated public uses that may use communal systems (except in areas near Purecellville, which are subject to the existing annexation agreement between the County of Loudoun and the Town of Purecellville). If municipal water or municipal sewer facilities are not available, or if the Town does not permit the connection, development may be served by private well or septic system, respectively.

(2) Notwithstanding subsection 2-1005(C)(1) above, Town owned or County owned and operated public uses shall be required to connect to municipal water and/or municipal sewer facilities only if the existing municipal water line and/or municipal sewer line, respectively, is within 300 feet of any new building or structure for which water service or sewage disposal is required and if the Town permits such connection. Otherwise, such Town or County public uses may use communal systems or an individual water supply system (private well) and/or individual sewage disposal system.

(+)(3) Notwithstanding subsection 2-1005(C)(1) above, any development on a lot existing prior to January 7, 2003, that does not require the approval of any type of subdivision or site plan application in order to be developed may use an individual water supply system (private well) and/or individual sewage disposal system, provided, however, that if such development is required to connect to a public/municipal sewer pursuant to the Codified Ordinances of Loudoun County, then an individual sewage disposal system shall not be permitted. For the purposes of this Section 2-1005(C)(3), and notwithstanding the provisions of Section 1243.03(B) of the Land Subdivision and Development Ordinance, lots established by or resulting from the recordation of a boundary line adjustment (BLAD) after January 7, 2003, where the all of the lots involved in the BLAD existed prior to January 7, 2003, shall be deemed to have existed prior to January 7, 2003.

(2)(4) All utility distribution lines shall be placed underground. Private wells, septic systems, and communal systems may be located within the open space.

1 (D) **Neighborhood Development Standards.** To ensure new
2 development in the JLMA-2 district reinforces existing
3 development patterns in the adjacent towns to the maximum extent
4 feasible, reduces the need for automobile trips, minimizes the need
5 for additional road improvements, and encourages walking to
6 employment, shopping, and public facilities, development in this
7 district shall meet the following requirements:

8 (1) **Street System/Connectivity.**

9 (a) **Connections to Existing Streets.** Connections to
10 the existing or planned street system shall be made
11 to the maximum extent feasible. All development
12 plans shall incorporate and continue all streets
13 stubbed to or shown as stubbed to the boundary of
14 the development by previously approved
15 development plans/plats or existing development.

16 (b) **Provision for Future Connections to Adjoining**
17 **Land.** All developable land shall provide for future
18 public street connections to adjacent developable
19 parcels by providing a local street connection at
20 least every six hundred sixty (660) feet along each
21 subdivision plat boundary that abuts potentially
22 developable or re-developable land, except that
23 such street connections are not required on steep
24 slopes, MDOD sensitivity areas, or FOD pursuant
25 to Sections 5-1508, 4-1600, and 4-1500.

26 (c) **Block Form and Size.** To the maximum extent
27 feasible, blocks within developments shall maintain
28 a rectilinear pattern except where deviation is
29 necessitated by topographic or environmental
30 considerations. Blocks shall measure not less than
31 three hundred (300) nor more than six hundred sixty
32 (660) feet along each side, as measured from the
33 edge of the right-of-way, except where deviation is
34 necessitated by topographic or environmental
35 considerations, or where deviation is required to
36 comply with regulations concerning steep slopes,
37 MDOD sensitivity areas, or FOD pursuant to
38 Sections 5-1508, 4-1600 and 4-1500.

39 (d) **Avoidance of Certain Street Types.** Cul-de-sacs
40 and “P-loop” streets shall be avoided except where
41 necessitated by topographic or environmental
42 considerations.

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(e) **Provision of “T” Intersections.** "T" intersections are encouraged in locations where views of important civic, public or open space areas can be highlighted.

(2) **Variation of Lot Sizes.**

(a) **General Rule.** In all new residential subdivisions containing ten (10) or more lots, a mixture of lot sizes and dimensions shall be provided in order to allow for a variety of housing opportunities and avoid monotonous streetscapes. For example, larger and wider lots are encouraged on corners. Smaller lots are encouraged adjacent to parks and open spaces. No more than 60 percent of all lots shall be similar in total lot area. For purposes of this subsection, "similar" lot areas shall be defined as within 500 square feet of each other.

(b) **Exception.** Up to seventy (70) percent of the lots within the subject subdivision may be similar if the Zoning Administrator, pursuant to Section 6-401, makes a finding that, notwithstanding deviation from the sixty (60) percent standard stated above, lot sizes and dimensions are sufficiently varied, for different housing types, to avoid monotonous streetscapes.

(c) **Dispersion of Lot Sizes.** Similar lot sizes shall be distributed throughout a subdivision rather than consolidated in one area, unless the Zoning Administrator, pursuant to Section 6-401, makes a finding that the intent of this district and of the Zoning Ordinance will be better served by a design that tends to consolidate lots of similar sizes.

(3) **Sidewalks.**

(a) **Provision of Sidewalks and/or Trails.** Sidewalks and/or trails shall be provided, at a minimum, along one side of all streets to provide pedestrian access to the town or neighborhood center, public buildings, schools, parks, and other destinations, or greater if required by the Facilities Standards Manual.

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(b) **Sidewalk and/or trail Connections.** Connections to existing or planned sidewalks and/or trails shall be made at the property boundaries of the project by incorporating and continuing all sidewalks and/or trails stubbed to or shown as stubbed to the boundary of the development by previously approved development plans/plats or existing development. All development plans shall provide for future sidewalk and/or trails connections to adjacent developable parcels at planned or current local street connections along each subdivision plat boundary.

(4) **Civic and Open Space.**

(a) **Variety of Spaces to Be Provided.** A variety of greens, parks or natural open spaces shall be located throughout the development, where appropriate, to provide community identity.

(b) **Access to Civic Spaces.** Direct and convenient pedestrian and bicycle access shall be provided adjacent residential land uses and to the civic and open space.

(c) **Configuration of Park Access.** Land dedicated for parks shall be bordered on at least one side by public streets, preferably local or collector streets.

(5) **Other Design Requirements.**

(a) **Street Trees.** Street trees planted pursuant to Section 5-1300 shall be planted at a density of no less than one canopy shade tree per 25 feet on average, and shall be placed in arrangements consistent with the existing landscape of the vicinity.

(b) **Garages.** Garages shall be set back at least four (4) feet behind the plane of the front door of the principal building. Garages shall have vehicular access only from the side or rear of the lot.

(c) **On-Street Parking.** Parallel parking may be provided on streets in front of residential lots, except for lots fronting on collector or arterial roads.

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(E) Compatibility Standards.

- (1) A minimum buffer width of 25 feet with a Type 2 buffer yard shall be provided between existing agricultural uses and residential development sites.
- (2) On non-residential development sites:
 - (a) Areas for loading, delivery, and waste collection receptacles shall be sited so as to reduce the impact on surrounding properties to the maximum extent feasible, with highest priority given to reducing the impact on residential properties.
 - (b) Outdoor lighting shall be directed towards the interior of the development site and shall be shielded to prevent all direct illumination of other properties.

DRAFT

1 **Section 2-1200 Joint Land Management Area-3 District: JLMA-3**

2 **2-1201 Purpose and Intent.** This district is established to accommodate and
3 foster the development of land within the town’s joint land management
4 areas (JLMAs) outside the incorporated towns in Loudoun County to:

5 (A) Ensure development in the JLMA-3 district is consistent with the
6 JLMA serving as a gateway to the towns;

7 (B) Provide for the continued practice of agriculture, farm operations,
8 agriculturally related and home based businesses, low density
9 clustered residential developments and other uses in a
10 predominantly rural environment;

11 (C) Encourage an appropriate mix of residential and nonresidential
12 land uses;

13 (D) Where appropriate, achieve a pattern of development that generally
14 conforms to the established, traditional pattern of development in
15 the towns; and

16 (E) Implement jointly adopted plans where applicable.

17 **2-1202 Size and Location.** This district replaces the Agricultural Residential (A-
18 3) district within the JLMAs. It is the intent of the County that the JLMA-
19 3 district boundaries not be extended beyond the existing JLMA
20 boundaries.

21 **2-1203 Use Regulations.** Table 2-1203 summarizes the principal use regulations
22 of the JLMA-3 district.

23 (A) **Organization of Use Table.** Table 2-1203 organizes the uses in
24 the JLMA-3 district use table by Use Classifications, Use
25 Categories and Use Types.

26 (1) **Use Classifications.** The Use Classifications are:
27 residential uses; agricultural uses; public and institutional
28 uses; commercial uses; and industrial uses. The Use
29 Classifications provide a systematic basis for assigning
30 present and future land uses into broad general
31 classifications (e.g., residential uses and agricultural uses).
32 The Use Classifications then organize land uses and
33 activities into general “Use Categories” and specific “Use
34 Types” based on common functional, product, or physical
35 characteristics, such as the type and amount of activity, the
36 type of customers or residents, how goods or services are
37 sold or delivered, and site conditions.

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1 (2) **Use Categories.** The Use Categories describe the major
2 sub-groups of the Use Classifications, based on common
3 characteristics (e.g., the residential Use Classification is
4 divided into two major Use Categories: Household Living
5 and Group Living). Principal uses are identified in defining
6 the Use Category. They are principal uses that most
7 closely share the common characteristics that are key to the
8 Use Category.

9 (3) **Use Types.** The Use Categories are then divided into
10 specific Use Types. The specific Use Types are included in
11 the respective Use Category. They identify the specific
12 uses that are considered to fall within characteristics
13 identified in the Use Category. For example, single family
14 detached dwellings are a Use Type in the Household Living
15 Use Category.

16 (B) **Use Categories and Use Types Defined.** All the Use Categories
17 and Use Types listed in Table 2-1203 are defined in Article VIII
18 (Definitions).

19 (C) **Permitted and Special Exception Uses.** A “P” in the column
20 identified “JLMA-3” indicates that a Use Category or specific Use
21 Type is permitted as a matter of right (as a permitted use) in the
22 JLMA-3 district, subject to compliance with all applicable
23 standards and regulations in this Ordinance and all other County
24 ordinances. An “S” indicates that a Use Type is allowed in the
25 JLMA-3 district as a special exception in accordance with the
26 procedures and standards of Section 6-1300. In some instances,
27 and based on the Additional Regulations for Specific Uses (Section
28 5-600), a Use Type will be permitted as a matter of right under
29 certain conditions, or allowed as a special exception under other
30 conditions. These uses are identified as “P/S”.

31 (D) **Reference to General Use Category.** References to “General Use
32 Category” under the Use Type column mean all of the uses in the
33 Use Category are allowed. The Use Category is defined in Article
34 VIII. Where specific Use Types are listed in the Use Type column,
35 only the listed Use Types in the Use Category are allowed. The
36 Use Type is defined in Article VIII.

37 (E) **Additional Regulations for Specific Uses.** References to sections in the
38 final column of Table 2-1203 (Additional Regulations for Specific Uses)
39 indicate that the listed use is subject to use-specific regulations. The
40 numbers provide a cross-reference to the “Additional Regulations for
41 Specific Uses” in Section 5-600.

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**TABLE 2-1203
JLMA-3 JOINT LAND MANAGEMENT AREA-3 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	JLMA-3	ADDITIONAL REGULATIONS FOR SPECIFIC USES
RESIDENTIAL USES			
Household Living	Accessory apartment or dwelling (accessory to single family detached dwelling)	P	Section 5-613
	Dwelling, single-family detached, including manufactured housing	P	Manufactured housing subject to Section 5-620
	Guest house (accessory to single family detached dwelling)	P	Section 5-612
	Home occupation dwelling (accessory to single family detached dwelling)	P	Section 5-400
Group Living	Congregate housing facility	S	
	Continuing care facility	S	
	Convent, monastery, or seminary	S	Section 5-656
	Orphanage or similar institution	S	
	Tenant dwelling	S	Section 5-602
AGRICULTURAL USES			
Agriculture	General Use Category	P	Section 5-626
Horticulture	General Use Category	P	Section 5-626
Animal Husbandry	General Use Category	P	Section 5-626

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**TABLE 2-1203
JLMA-3 JOINT LAND MANAGEMENT AREA-3 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	JLMA-3	ADDITIONAL REGULATIONS FOR SPECIFIC USES
Agriculture Support and Services Directly Related to On-going Agriculture, Horticulture and Animal Husbandry Activity, On-Site	Agricultural processing	P	Section 5-627
	Animal care business	P	Section 5-627
	Custom operators	P	Section 5-627
	Direct market business for sale of products produced on-site-including but not limited to PYO (pick-your-own)	P	Section 5-627
	Equestrian facilities	P	Section 5-627
	Equestrian facility, with more than 10 special events per year	S	Section 5-627
	Equestrian facility, on lots of less than 50 acres or without frontage on a state maintained road	S	Section 5-627
	Farm based tourism events	P	Section 5-628
	Farm co-ops	P	Section 5-627
	Farm machinery repair	P	Section 5-627
	Farm machinery sales, rental, and service	S	Section 5-627
	Farm markets	P	Section 5-603
	Mill feed and farm supply center	S	Section 5-627
	Nursery, production	P	Section 5-605
	Nursery, commercial	S	Section 5-605
	Nursery, production, without frontage on a state maintained road	S	Section 5-605
Pet farms	P	Section 5-627	
Stable, private	P	Section 5-627	
Stable, neighborhood, on lots less than twenty-five (25) acres, or without frontage on a state maintained road	S	Section 5-627	

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**TABLE 2-1203
JLMA-3 JOINT LAND MANAGEMENT AREA-3 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	JLMA-3	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Virginia Farm Winery	P	Section 5-627
	Wayside stand	P	Section 5-604
	Wetlands mitigation bank	P	Section 5-627
Animal Services	Animal hospital	S	Section 5-631
	Kennel	S	Section 5-606(A)
	Kennel, Indoor	P	Section 5-606(B)
	Veterinary service	P	Section 5-627
PUBLIC AND INSTITUTIONAL USES			
Day Care Facilities	Child care home	P	Section 5-609(A)
	Child or adult day care center	S	Section 5-609(B)
Cultural and Government Facilities	Bus shelter	P	
	Community center	S	
	Community center, HOA facilities only	P	
	Commuter parking lot, with greater than 50 spaces	S	
	Commuter parking lot, with less than 50 spaces	P	
	Library	S	
	Structure or use for federal, state, County, or local governmental purposes, not otherwise listed	S	
Education	School (elementary or middle), for fifteen (15) or less pupils	P	Section 5-655
	School (elementary, middle, or high), for more than 15 pupils	S	
	School, Private	S	
Health Services	Office, medical	S	

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**TABLE 2-1203
JLMA-3 JOINT LAND MANAGEMENT AREA-3 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	JLMA-3	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Hospital	S	Section 5-610
Park and Open Space	Arboretum	S	
	Cemetery	S	Section 5-637
	Mausoleum	S	Section 5-637
	Crematorium	S	Section 5-637
	Community, neighborhood or regional park, passive recreational uses	P	
	Community, neighborhood or regional park, active recreational uses	S	
Public Safety	Fire and/or rescue station	S	Section 5-638
	Police station or substation	S	Section 5-638
Religious Assembly	Church, synagogue or temple, with seating capacity of 300 or less in sanctuary or main area	P	Section 5-639
	Church, synagogue or temple, with seating capacity of more than 300 in sanctuary or main activity area, or with accessory schools, day care centers with more than 50 children, recreational facilities	S	Section 5-639
Utility	Public utility service center and storage yard	S	Section 5-621
	Recycling drop off collection center, public	P	Section 5-607
	Sewage and water treatment plant	S	Section 5-621
	Utility substation, dedicated	P	Section 5-621
	Utility substation, transmission	S	Section 5-616 and 5-621

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**TABLE 2-1203
JLMA-3 JOINT LAND MANAGEMENT AREA-3 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	JLMA-3	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Utility transmission line, overhead (excluding connections of lines from public utility transmission lines to individual development sites)	S	Unless excepted by Section 1-103(D)
	Sewage and water pumping station	P	Section 5-621
	Water storage tank	S	Section 5-621
COMMERCIAL USES			
Conference and Training Centers	Rural agricultural corporate retreat	S	Section 5-619
Food and Beverage	Restaurant	S	Section 5-643
Office	Educational or research facility related to the uses in this district	S	
Recreation and Entertainment	Camp, day and boarding	S	Section 5-645
	Country club	S	
	Golf course	S	Section 5-648
	Private club or lodge	S	
	Recreation establishment, outdoor	S	
Retail Sales and Service	Artist studio	S	
	Small business	P/S	Section 5-614
	Farm market (off-site production)	S	Section 5-603
Visitor Accommodation	Bed and breakfast, homestay	P/S	Section 5-601(A)
	Bed and breakfast inn	S	Section 5-601(B)
	Country inn	S	Section 5-601
	Guest farm or ranch, leasing no more than three (3) guest rooms	P	

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TABLE 2-1203 JLMA-3 JOINT LAND MANAGEMENT AREA-3 DISTRICT USE TABLE			
P = PERMITTED S = SPECIAL EXCEPTION			
USE CATEGORY	USE TYPE	JLMA-3	ADDITIONAL REGULATIONS FOR SPECIFIC USES
INDUSTRIAL USES			
Telecommunications Use and/or Structure	Telecommunications antenna	P	Section 5-618(A)
	Telecommunications monopole	P	Section 5-618(B)(1)
	Telecommunications monopole	S	Section 5-618(B)(2)
	Telecommunication tower	S	Section 5-618(C)(2)

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2-1204 Lot and Building Requirements.

- (A) **Minimum Lot Size.** 20,000 square feet.
- (B) **Minimum Lot Width.** Sixty (60) feet.
- (C) **Front Yard.**
 - (1) **On Arterial Road.** Thirty-five (35) feet.
 - (2) **On Collector Road.** Twenty-five (25) feet.
 - (3) **On Other Roads.** Fifteen (15) feet.
- (D) **Minimum Rear Yard.** Twenty-five (25) feet.
- (E) **Minimum Side Yard.** Ten (10) feet.
- (F) **Building Height.** Forty (40) feet maximum, except no restriction for buildings used exclusively for agriculture.
- (G) **Minimum Open Space.** Fifty (50) percent.
- (H) **Gross Density.** One residential unit per three (3) acres.

2-1205 Neighborhood Development Standards. To ensure new development in the JLMA-3 district reinforces existing development patterns in the adjacent town to the maximum extent feasible, reduces the need for automobile trips, minimizes the need for additional road improvements, and encourages walking to employment, shopping, and public facilities, development in this district shall meet the following requirements:

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(A) **Street System/Connectivity.**

- (1) **Connections to Existing Streets.** Connections to the existing or planned street system shall be made to the maximum extent feasible. All development plans shall incorporate and continue all streets stubbed to or shown as stubbed to the boundary of the development by previously approved development plans/plats or existing development.

- (2) **Provision for Future Connections to Adjoining Land.** All developable land shall provide for future public street connections to adjacent developable parcels by providing a local street connection at least every six hundred sixty (660) feet along each subdivision plat boundary that abuts potentially developable or re-developable land, except that such street connections are not required on steep slope, MDOD sensitivity areas, or FOD pursuant to Sections 5-1508, 4-1600, and 4-1500.

- (3) **Block Form and Size.** To the maximum extent feasible, blocks within developments shall maintain a rectilinear pattern except where deviation is necessitated by topographic or environmental considerations. Blocks shall measure not less than three hundred (300) nor more than six hundred sixty (660) feet along each side, as measured from the edge of the right-of-way, except where deviation is necessitated by topographic or environmental considerations, or where deviation is required to comply with regulations concerning steep slope, MDOD sensitivity areas, or FOD pursuant to Sections 4-1508, 4-1600 and 4-1500.

- (4) **Avoidance of Certain Street Types.** Cul-de-sacs and “P-loop” streets shall be avoided except where necessitated by topographic or environmental considerations.

- (5) **Provision of “T” Intersections.** "T" intersections are encouraged in locations where views of important civic, public or open space areas can be highlighted.

(B) **Variation of Lot Sizes.**

- (1) **General Rule.** In all new residential subdivisions containing ten (10) or more lots, a mixture of lot sizes and dimensions shall be provided in order to allow a variety of housing opportunities and avoid monotonous streetscapes. For example, larger and wider lots are encouraged on

ATTACHMENT 3

1 corners. Smaller lots are encouraged adjacent to parks and
2 open spaces. No more than 60 percent of all lots shall be
3 similar in total lot area. For purposes of this subsection,
4 "similar" lot areas shall be defined as within 500 square
5 feet of each other.

6 (2) **Exception.** Up to seventy (70) percent of the lots within
7 the subject subdivision may be similar if the Zoning
8 Administrator, pursuant to Section 6-401, makes a finding
9 that, notwithstanding deviation from the sixty (60) percent
10 standard stated above, lot sizes and dimensions are
11 sufficiently varied, for different housing types, to avoid
12 monotonous streetscapes.

13 (3) **Dispersion of Lot Sizes.** Similar lot sizes shall be
14 distributed throughout a subdivision rather than
15 consolidated in one area, unless the Zoning Administrator,
16 pursuant to Section 6-401, makes a finding that the intent
17 of this district and of the Zoning Ordinance will be better
18 served by a design that tends to consolidate lots of similar
19 sizes.

20 (C) **Sidewalks.**

21 (1) **Provision of Sidewalks and/or Trails.** Sidewalks and/or
22 trails shall be provided, at a minimum, along one side of all
23 streets to provide pedestrian access to the town or
24 neighborhood center, public buildings, schools, parks, and
25 other destinations, or greater if required by the Facilities
26 Standards Manual.

27 (2) **Sidewalk and/or Trail Connections.** Connections to
28 existing or planned sidewalks and/or trails shall be made at
29 the property boundaries of the project by incorporating and
30 continuing all sidewalks and/or trails stubbed to or shown
31 as stubbed to the boundary of the development by
32 previously approved development plans/plats or existing
33 development. All development plans shall provide for
34 future sidewalk and/or trail connections to adjacent
35 developable parcels at planned or current local street
36 connections along each subdivision plat boundary.

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(D) **Civic and Open Space.**

- (1) **Variety of Spaces to Be Provided.** A variety of greens, parks or natural open spaces shall be located throughout the development, where appropriate, to provide community identity.
- (2) **Access to Civic Spaces.** Direct and convenient pedestrian and bicycle access shall be provided (on the site being developed) to adjacent residential land uses and to the civic and open space.
- (3) **Configuration of Park Access.** Land dedicated for parks shall be bordered on at least one side by public streets, preferably local or collector streets.

(E) **Other Design Requirements.**

- (1) **Street Trees.** Street trees planted pursuant to Section 5-1300 shall be planted at a density of no less than one canopy shade tree per 25 feet on average, and shall be placed in arrangements consistent with the existing landscape of the vicinity.
- (2) **Garages.** Garages shall be set back at least four (4) feet behind the plane of the front door of the principal building. Garages shall have vehicular access only from the side or rear of the lot.
- (3) **On-Street Parking.** Parallel parking may be provided on streets in front of residential lots, except for lots fronting on collector or arterial roads.

2-1206 Utilities.

(A) Both municipal water and municipal sewer facilities must be provided to every development site, if available ~~as determined by the Town and if the Town permits the connection, except for Town-owned or County-owned and operated public uses that may use communal systems (except in areas near Purecellville, which are subject to the existing annexation agreement between the County of Loudoun and the Town of Purecellville).~~ If municipal water or municipal sewer facilities are not available, or if the Town does not permit the connection, development may be served by private well or septic system, respectively.

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(B) Notwithstanding subsection 2-1005(C)(1) above, Town owned or County owned and operated public uses shall be required to connect to municipal water and/or municipal sewer facilities only if the existing municipal water line and/or municipal sewer line, respectively, is within 300 feet of any new building or structure for which water service or sewage disposal is required and if the Town permits such connection. Otherwise, such Town or County public uses may use communal systems or an individual water supply system (private well) and/or individual sewage disposal system.

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(A)(C) Notwithstanding subsection 2-1005(C)(1) above, any development on a lot existing prior to January 7, 2003, that does not require the approval of any type of subdivision or site plan application in order to be developed may use an individual water supply system (private well) and/or individual sewage disposal system, provided, however, that if such development is required to connect to a public/municipal sewer pursuant to the Codified Ordinances of Loudoun County, then an individual sewage disposal system shall not be permitted. For the purposes of this Section 2-1005(C)(3), and notwithstanding the provisions of Section 1243.03(B) of the Land Subdivision and Development Ordinance, lots established by or resulting from the recordation of a boundary line adjustment (BLAD) after January 7, 2003, where the all of the lots involved in the BLAD existed prior to January 7, 2003, shall be deemed to have existed prior to January 7, 2003.

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(B)(D) All utility distribution lines shall be placed underground. Private wells, septic systems, and communal systems may be located within the open space.

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2-1207 Use Limitations. Use Limitations.

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(A) No non-agricultural use shall be permitted which, because of its nature, location, or manner of operation, is dangerous or noxious because of noise, odor, fumes, gas, glare, light, vibration, smoke, emission of particulate matter or effluents, or for other similar reasons.

4. Equipment. Equipment shall be located in an area hidden from within or outside the premises, by means of fences, walls, or landscape planning.
5. Drainage. Provision shall be made for proper storm water drainage from parking and loading areas. Water shall not be permitted to drain from such areas onto adjacent property except into a natural watercourse or a drainage easement. Provision shall be made for protection against erosion and sedimentation in accord with applicable town ordinances.
6. Hours of Operation. Business adjoining residential properties are limited to hours of operation from 7 a.m. – 9 p.m. Exceptions are only granted per special use permits. See Article 10.

6.10 Height Standards

Buildings may be erected up to two and one half stories and 35 feet in height except that:

- a. Any business building or part of such building that is located within 200 feet of any Residential District shall not exceed two stories and 30 feet in height.
- b. A public or semi-public building such as a school, church, or library, may be erected to a height of 60 feet provided that required front, side and rear yards shall be increased one foot for each foot in height over 35 feet.
- c. Church spires, belfries, cupolas, monuments, water towers, chimneys, flues, and flagpoles of any height, and television antennas up to 50 feet in height, are exempt from height regulations. Parapet walls may be up to four feet above the height of the building on which the walls rest.

6.11 Off-Street Parking and Loading Standards

Off-street parking and loading design standards and space requirements for particular uses are contained in Article 6.

6.12 Landscaping, Screening and Open Spaces

Regulations for landscaping, screening and open space are contained in Article 9.

Section 7. M-L Light Industrial District

7.1 Purpose of the District

The purpose of this district is to provide service and product activities that involve manufacturing, assembling and distribution of products or service activities that are by their nature an intensive use of the land through which traffic is generated by employment and/or the provision

of service. The location of these districts is such that they require direct access to major highways and or collector road networks and are segregated from the residential areas of the community by transitional uses, open space, parks and applicable buffer treatment. Areas designated with this district are presently developed or are proposed for development with the proposed public utility system to support such industrial uses.

7.2 Permitted Uses

A building or land shall be used only for the following purposes:

1. Agriculture and forestry as permitted in the R-1 Residential District.
2. Dwellings for resident watchmen and caretakers employed on the premises.
3. Retail and service establishments as follows:
 - a. Banks and saving and loan offices.
 - b. Business and office supply establishments.
 - c. Clinics, medical or dental.
 - d. Employment service agency.
 - e. Hospital or clinic for small animals, dogs, cats, birds and the like, provided that such hospital or clinic and any treatment rooms, cages, pens or kennels, be maintained within a completely enclosed, soundproof building, and that such hospital or clinic be operated in such a way as not to produce objectionable noise or odors outside its walls.
 - f. Office and office buildings, studios and the like, business, professional or administrative.
 - g. Security service office or station.
 - h. Temporary stands or outdoor areas or temporary truck parking, for sale of produce, Christmas trees, wreaths, holly and the like.
 - i. Retail or wholesale sales and service incidental to a permitted manufacturing, processing, storing or distribution use.
4. Automotive, motorcycle, off-road vehicle, bus or truck sales, service or repair.
5. Blacksmith shop.

6. Building material (cement, lime in bags or container, sand, gravel, stone, lumber, hardware, structural or reinforcing steel, pipe and the like), storage and sales, open or enclosed, but not manufacture or steel fabricating or junk storage.
7. Coal, flour or grain elevator; coal or wood yard.
8. Farm implements and tractor sales, service and repair.
9. Feed and seed sales and storage, blending or packaging.
10. Flour storage, blending and packaging, but not milling.
11. Heating, ventilation, air conditioning and refrigeration, supply, manufacturing and sales.
12. Lumber yards.
13. Meat products, manufacture but not slaughtering of animals and poultry or smoking and curing of meat.
14. Monuments and architectural stone.
15. Nursery or landscaping service.
16. Plumbing and electrical supplies, manufacture, sales or storage.
17. Rug and carpet cleaning and storage with incidental sales of rugs and carpets.
18. Sign fabricating and painting.
19. Taxidermists.
20. Tobacco products, cigars and cigarettes.
21. Welding and soldering shops, machine shops.
22. Wholesale merchandising or storage warehouse or distribution center but not a truck or freight terminal.
23. Millwork or cabinetry, furniture manufacture.
24. Upholstery.
25. Toy manufacturer.
26. Musical instruments manufacturer.

27. Accessory buildings and uses, including but not limited to the following:
 - a. Any accessory use permitted in the R-1 Residential District.
 - b. Dwellings accessory to a farm of 10 acres or more.
 - c. Retail and service facilities inside a principal building for the use of occupants thereof and occupants of other buildings in the industrial development. Retail and service facilities may include barber shops, beauty parlors, dining rooms, newsstands, restaurants, tobacco, drugs and sundries.
 - d. Storage of supplies, merchandise, equipment or goods normally carried in stock, used or produced in connection with a permitted office, business, commercial or industrial use subject to applicable district regulations.

7.3 Uses Permitted by Special Use Permit

The following uses may be permitted by Special Use Permit approved by the Town Council following report by the Planning Commission in accordance with the procedures, guides and standards of Article 10.

1. Residential use of property for business only.
2. Automobile service station.
3. Restaurant without drive-through or a cafeteria.
4. Radio, television or other communication tower more than 65 feet in height measured from the ground level of the tower.
5. Trade, technical or business school.
6. Commercial buildings in excess of 6,000 square feet.

7.4 Uses Permitted by Planning Commission Permit

The following uses require a Planning Commission Permit approved in accord with Article 10 of this Ordinance and Section 15.2-2232 of the Code of Virginia 1950, as amended.

1. Public or governmental buildings and uses, as discussed in Section 1.4.1.
2. Public utility or public service facilities as described in Section 1.4.2.
3. Telecommunications service equipment and facilities on publicly owned property.

7.5 Permitted Signs

Subject to the general sign regulations of Article 7.

7.6 Lot Size Standards

Minimum lot size is 3 acres or greater as may be required by the applicable building and fire code regulations.

1. Building, parking and driveway coverage shall be limited to a maximum of 80% of the lot area.

7.7 Yard and Setback Standards

All structures:

Minimum Front Yard: Twenty (30) feet (a).

Minimum Side Yard: Ten (15) feet (b).

Minimum Rear Yard: Twenty (20) feet (b).

See Article 7 for exceptions for signs and certain other structures.

No structure shall be located closer than 50 feet to the boundary of a residential district.

7.8 Special Provisions for Corner Lots

1. Each corner lot shall have two front yards and two side yards. Those yards abutting the street shall be considered the front.
2. Where a front yard is provided, fences, signs, landscaping, shrubbery, evergreens and trees in excess of three feet in height are not permitted within 15 feet from the corner of a lot at intersecting streets.

7.9 Special Regulations for Commercial and Industrial Buildings

1. Site Plan. Where approval of a site plan is required, the plan shall be designed to promote harmonious relationships with surrounding adjacent and nearby residential properties, developed and undeveloped, and to this end may provide protective screening along side and rear property lines by means of fences, walls, hedges, planting screen or natural vegetation in accord with the requirements of this Ordinance.
2. Refuse. Refuse containers or refuse storage shall be located in an all-weather surface area and hidden from general public view from outside the premises by means of fences, walls, or landscape planting.

3. Equipment. Equipment shall be located in an area hidden from the general public view either within or outside the premises by means of fences, walls, or landscape planting.
4. Drainage. Provision shall be made for proper storm water drainage from parking and loading areas. Water shall not be permitted to drain from such areas onto adjacent property except into a natural watercourse or a drainage easement. Provision shall be made for protection against erosion and sedimentation in accord with applicable town ordinances.
5. Fencing. All fencing shall have a uniform and durable character and shall be properly maintained, and in conformance with Article 9, Section 7. Fences.
6. Hours of Operation. Businesses adjoining residential properties are limited to hours of operation from 7 a.m. – 9 p.m. Exceptions are only granted per special use permits. See Article 10.

7.10 Height Standards

Buildings may be erected up to two and one half stories and 35 feet in height except that:

- a. Cupolas, monuments, water towers, chimneys, flues, and flagpoles of any height, any television and other communication towers up to 50 feet are exempt from height regulations. Parapet walls may be up four feet above the height of the building on which the walls rest.

7.11 Off-Street Parking and Loading Standards

Off-street parking and loading design standards and space requirements for particular uses are contained in Article 6.

7.12 Landscaping, Screening and Open Space

Regulations for landscaping, screening and open space are contained in Article 9.

Section 8. T-1 Transitional District

8.1 Purpose of the District

The purpose of this district is to provide for the reasonable and orderly interim regulations of use and development of land within areas annexed into the town that was previously zoned A-3, CR-1, CR-2, R-2 and R-C or was designated as an agricultural district.

8.2 Permitted Uses

A building or land shall be used only for the following purposes:

SCALE DRAWING OF CURRENT BUILDING LOCATION
& RESIGNED SET BACKS FOR BUILDING
EXPOSITION

- 4. Equipment. Equipment shall be located in an area hidden from within or outside the premises, by means of fences, walls, or landscape planning.
- 5. Drainage. Provision shall be made for proper storm water drainage from parking and loading areas. Water shall not be permitted to drain from such areas onto adjacent property except into a natural watercourse or a drainage easement. Provision shall be made for protection against erosion and sedimentation in accord with applicable town ordinances.
- 6. Hours of Operation. Business adjoining residential properties are limited to hours of operation from 7 a.m. – 9 p.m. Exceptions are only granted per special use permits See Article 10.

6.10 Height Standards

Buildings may be erected up to two and one half stories and 35 feet in height except that:

- a. Any business building or part of such building that is located within 20 feet of any Residential District shall not exceed two stories and 30 feet in height.
- b. A public or semi-public building such as a school, church, or library, may be erected to a height of 60 feet provided that required front, side and rear yards shall be increased one foot for each foot in height over 35 feet.
- c. Church spires, belfries, cupolas, monuments, water towers, chimney flues, and flagpoles of any height, and television antennas up to 50 feet in height, are exempt from height regulations. Parapet walls may be up to four feet above the height of the building on which the walls rest.

6.11 Off-Street Parking and Loading Standards

Off-street parking and loading design standards and space requirements for particular uses are contained in Article 6.

6.12 Landscaping, Screening and Open Spaces

Regulations for landscaping, screening and open space are contained in Article 9.

Section 7. M-L Light Industrial District

7.1 Purpose of the District

The purpose of this district is to provide service and product activities that involve manufacturing, assembling and distribution of products or service activities that are by their nature an intensive use of the land through which traffic is generated by employment and/or the provision of services.

of service. The location of these districts is such that they require direct access to major highways and or collector road networks and are segregated from the residential areas of the community by transitional uses, open space, parks and applicable buffer treatment. Areas designated with this district are presently developed or are proposed for development with the proposed public utility system to support such industrial uses.

7.2 Permitted Uses

A building or land shall be used only for the following purposes:

1. ~~Agriculture and forestry as permitted in the R-1 Residential District.~~
2. Dwellings for resident watchmen and caretakers employed on the premises.
3. Retail and service establishments as follows:
 - a. Banks and saving and loan offices.
 - b. Business and office supply establishments.
 - c. Clinics, medical or dental.
 - d. Employment service agency.
 - e. Hospital or clinic for small animals, dogs, cats, birds and the like, provided that such hospital or clinic and any treatment rooms, cages, pens or kennels, be maintained within a completely enclosed, soundproof building, and that such hospital or clinic be operated in such a way as not to produce objectionable noise or odors outside its walls.
 - f. Office and office buildings, studios and the like, business, professional or administrative.
 - g. Security service office or station.
 - h. ~~Temporary stands or outdoor areas or temporary truck parking, for sale of produce, Christmas trees, wreaths, holly and the like.~~
 - i. Retail or wholesale sales and service incidental to a permitted manufacturing, processing, storing or distribution use.
4. Automotive, motorcycle, off-road vehicle, bus or truck sales, service or repair.
5. Blacksmith shop.

6. Building material (cement, lime in bags or container, sand, gravel, stone, lumber, hardware, structural or reinforcing steel, pipe and the like), storage and sales, open or enclosed, but not manufacture or steel fabricating or junk storage.

~~7. Coal, flour or grain elevator; coal or wood yard.~~

~~8. Farm implements and tractor sales, service and repair.~~

9. Feed and seed sales and storage, blending or packaging.

~~10. Flour storage, blending and packaging, but not milling.~~

11. Heating, ventilation, air conditioning and refrigeration, supply, manufacturing and sales.

~~12. Lumber yards.~~

13. Meat products, manufacture but not slaughtering of animals and poultry or smoking and curing of meat.

14. Monuments and architectural stone.

15. Nursery or landscaping service.

16. Plumbing and electrical supplies, manufacture, sales or storage.

17. Rug and carpet cleaning and storage with incidental sales of rugs and carpets.

18. Sign fabricating and painting.

19. Taxidermists.

20. Tobacco products, cigars and cigarettes.

21. Welding and soldering shops, machine shops.

22. Wholesale merchandising or storage warehouse or distribution center but not a truck or freight terminal.

23. Millwork or cabinetry, furniture manufacture.

24. Upholstery.

25. Toy manufacturer.

26. Musical instruments manufacturer.

27. Accessory buildings and uses, including but not limited to the following:
- a. Any accessory use permitted in the R-1 Residential District.
 - ~~b. Dwellings accessory to a farm of 10 acres or more.~~
 - c. Retail and service facilities inside a principal building for the use of occupants thereof and occupants of other buildings in the industrial development. Retail and service facilities may include barber shops, beauty parlors, dining rooms, newsstands, restaurants, tobacco, drugs and sundries.
 - d. Storage of supplies, merchandise, equipment or goods normally carried in stock, used or produced in connection with a permitted office, business, commercial or industrial use subject to applicable district regulations.

7.3 Uses Permitted by Special Use Permit

The following uses may be permitted by Special Use Permit approved by the Town Council following report by the Planning Commission in accordance with the procedures, guides and standards of Article 10.

1. Residential use of property for business only.
- ~~2. Automobile service station.~~
3. Restaurant without drive-through or a cafeteria.
4. Radio, television or other communication tower more than 65 feet in height measured from the ground level of the tower.
5. Trade, technical or business school.
6. Commercial buildings in excess of 6,000 square feet.

7.4 Uses Permitted by Planning Commission Permit

The following uses require a Planning Commission Permit approved in accord with Article 10 of this Ordinance and Section 15.2-2232 of the Code of Virginia 1950, as amended.

1. Public or governmental buildings and uses, as discussed in Section 1.4.1.
2. Public utility or public service facilities as described in Section 1.4.2.
3. Telecommunications service equipment and facilities on publicly owned property.

7.5 Permitted Signs

Subject to the general sign regulations of Article 7.

7.6 Lot Size Standards

Minimum lot size is 3 acres or greater as may be required by the applicable building and code regulations.

1. Building, parking and driveway coverage shall be limited to a maximum of 80% the lot area.

7.7 Yard and Setback Standards

All structures:

Minimum Front Yard: Twenty (30) feet (a).

Minimum Side Yard: Ten (15) feet (b).

Minimum Rear Yard: ~~Twenty (20)~~ ⁰⁻⁵ feet (b).

See Article 7 for exceptions for signs and certain other structures.

~~No structure shall be located closer than 50 feet to the boundary of a residential district.~~

7.8 Special Provisions for Corner Lots

1. Each corner lot shall have two front yards and two side yards. Those yards abut the street shall be considered the front.
2. Where a front yard is provided, fences, signs, landscaping, shrubbery, evergreen and trees in excess of three feet in height are not permitted within 15 feet from corner of a lot at intersecting streets.

7.9 Special Regulations for Commercial and Industrial Buildings

1. Site Plan. Where approval of a site plan is required, the plan shall be designed to promote harmonious relationships with surrounding adjacent and nearby residential properties, developed and undeveloped, and to this end may provide protection screening along side and rear property lines by means of fences, walls, hedge planting screen or natural vegetation in accord with the requirements of Ordinance.
2. Refuse. Refuse containers or refuse storage shall be located in an all-weather surface area and hidden from general public view from outside the premises by means of fences, walls, or landscape planting.

3. Equipment. Equipment shall be located in an area hidden from the general public view either within or outside the premises by means of fences, walls, or landscape planting.
4. Drainage. Provision shall be made for proper storm water drainage from parking and loading areas. Water shall not be permitted to drain from such areas onto adjacent property except into a natural watercourse or a drainage easement. Provision shall be made for protection against erosion and sedimentation in accord with applicable town ordinances.
5. Fencing. All fencing shall have a uniform and durable character and shall be properly maintained, and in conformance with Article 9, Section 7. Fences.
6. Hours of Operation. ~~Businesses adjoining residential properties are limited to hours of operation from 7 a.m. - 9 p.m. Exceptions are only granted per special use permits. See Article 10.~~

7.10 Height Standards

Buildings may be erected up to ~~two and one half stories and 35 feet in height~~ ^{THE HEIGHT OF EXISTING BUILDING} except that:

- a. Cupolas, monuments, water towers, chimneys, flues, and flagpoles of any height, any television and other communication towers up to 50 feet are exempt from height regulations. Parapet walls may be up four feet above the height of the building on which the walls rest.

7.11 Off-Street Parking and Loading Standards

Off-street parking and loading design standards and space requirements for particular uses are contained in Article 6.

7.12 Landscaping, Screening and Open Space

Regulations for landscaping, screening and open space are contained in Article 9.

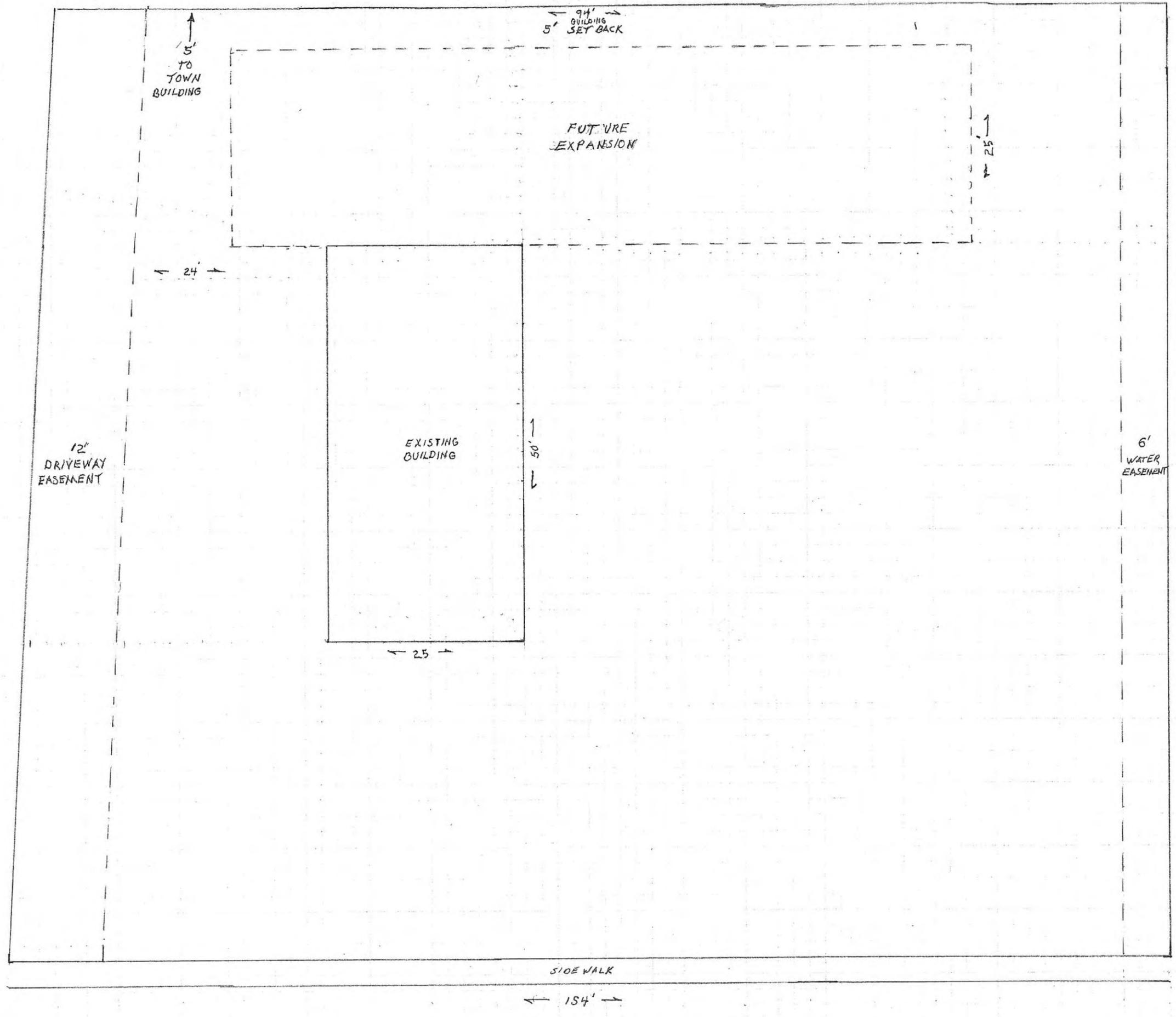
Section 8. T-1 Transitional District

8.1 Purpose of the District

The purpose of this district is to provide for the reasonable and orderly interim regulations of use and development of land within areas annexed into the town that was previously zoned A-3, CR-1, CR-2, R-2 and R-C or was designated as an agricultural district.

8.2 Permitted Uses

A building or land shall be used only for the following purposes:



Section 11. PSP Public and Semi-Public District

11.1 Purpose of the District

The purpose of this district is to provide for major public, semi-public, and institutional uses, to facilitate future growth of such uses within the district in accordance with the objectives, policies, and proposals of the Comprehensive Plan, including the encouragement of convenient and safe nearby residential neighborhoods, and to provide evidence on the Zoning map of the nature of land use planned for this district.

11.2 Permitted Uses

A building or land shall be used only for the following purposes:

1. Accessory buildings and uses, including dwellings accessory to a permitted use
2. Cemeteries
3. Child care center, daycare center, or nursery school
4. Churches
5. Community buildings
6. Family care homes, foster homes, or group homes
7. Hospitals, nursing homes, and clinics
8. Institutional uses
9. Off-street parking for permitted uses
10. Open space
11. Parks and playgrounds
12. Public or governmental buildings
13. Rescue squad or volunteer fire company
14. Schools
15. Senior citizen center
16. Utilities related to and necessary for service within the Town, including poles, wires, transformers, telephone booths, and the like for electrical power distribution or communication service, and underground pipelines or conduits for local electrical, gas, sewer, or water service, but not those facilities listed as requiring a special use permit.
17. Yard sale or other special sale or event conducted on the premises of and for the benefit of a permitted use in the district.

11.3 Uses Permitted by Special Use Permit

The following uses may be permitted by special use permit approved by the Town Council following report by the Planning Commission in accordance with the procedures, guides and standards of Article 10.

1. Active and passive recreation and recreational facilities.
2. Museums .

3. Single Family Dwellings.
4. Visitor Centers
5. Treatment plants, water storage tanks, major transmission lines or pipelines, pumping or regulator stations, communications towers, storage yards and substations, and cable television facilities and accessory buildings.

11.4 Permitted Signs

Subject to the general sign regulations of Article 7.

11.5 Lot Size Standards

For permitted uses the minimum lot size shall be 10,000 square feet with a minimum lot width of 100 feet and minimum lot depth of 100 feet, unless an existing building is to be converted to such use in which case the existing lot will be considered adequate if required parking can be provided.

Building lot coverage shall be limited to a maximum of 50 percent of lot area.

Building, parking and driveway coverage shall be limited to a maximum of 80 percent of lot area.

Lot width is measured at the minimum front yard building restriction line.

11.6 Yard and Setback Standards

All structures:

Minimum Front Yard: None.

Minimum Side Yard: No requirement, except fifteen (15) feet for a non-residential use abutting a lot used for residential purposes, or a lesser distance to continue the setback of an existing building.

Minimum Rear Yard: No requirement, except thirty (30) feet for a non-residential use abutting a lot used for residential purposes, or a lesser distance to continue the setback of an existing building.

11.7 Special Provisions for Corner Lots

1. Each corner lot shall have two front yards and two side yards. Those yards abutting the street shall be considered the front.
2. Where a front yard is provided, fences, signs, landscaping, shrubbery, evergreens and trees in excess of three feet in height are prohibited within fifteen (15) feet from the corner of a lot at intersecting streets.

11.8 Height Standards

1. Buildings may be erected up to 30 feet in height except that:

- a. A public or semi-public building such as a school, church, or library, may be erected to a height of 60 feet provided that required front, side and rear yards shall be increased one foot for each foot in height over 30 feet.

- c. Church spires, belfries, cupolas, monuments, water towers, chimneys, flues, and flagpoles of any heights, and television antennas up to 50 feet in height, are exempt from

height regulations. Parapet walls may be up to four feet above the height of the building on which the walls rest.

11.9 Off-Street Parking and Loading Standards

Off-street parking and loading design standards and space requirements for particular uses are contained in Article 6.

11.10 Landscaping, Screening and Open Spaces

Regulations for landscaping, screening and open space are contained in Article 9.

4.3 Buffer-Yards

1. *Definition.* Buffer-yards are land areas provided to buffer adjoining land uses and shall be used for the planting of landscape materials. Buffer-yards shall not be used for the storage of materials, buildings, parking or loading areas for motor vehicles or equipment or signs. Driveway and entrances connecting adjacent parking lots or developments may interrupt the required buffer-yard.
2. *Relation to Setbacks.* Buffer-yards may be provided in the area required for setbacks by the zoning district regulations, except in residential zoning districts. Buffer-yards in residential zoning districts may be provided in any of the following ways: in common open space, in common use easements located outside of the required lot area, or by providing additional yard space in addition to the required minimum yard requirements listed in the residential zoning district regulations.
3. *Buffer-Yards Exceeding Setbacks.* In any instance when the buffer-yard required by this Article exceeds the setback required by the zoning district regulations, the buffer-yard required by this Article must be provided.
4. *Credit for Existing Buffer.* Any existing buffer-yard proposed to be saved by a subdivision or development plan application, which complies with the intention of this Section, shall be deemed to meet these buffer-yard requirements.
5. *Buffer-Yards Adjacent to a Developed Site*
 - a. Existing Development Complying with Buffer Requirements. Whenever a development or subdivision is proposed adjacent to a developed property that has provided 100% of the required buffer-yard, the adjacent proposed development or subdivision must provide at least one-half of the width of the buffer-yard required by Section 4.5 of this Article. This provision shall apply unless modified by Section 4.7 of this Article.
 - b. Existing Site Development not Complying with Buffer Requirement. Whenever a development plan or subdivision application is proposed adjacent to a developed property that has not provided any or all of the required buffer, the adjacent proposed development shall provide the balance of the buffer-yard required by Section 4.5. This provision shall apply unless modified by Section 4.7.

4.4 Screening

1. *Definition.* This Article establishes three different screens as identified in the matrix in Section 4.5. (Screen 1-an open screen, Screen 2-a semi-opaque screen and Screen 3-an opaque screen). Four separate types of plants are required: large or medium scale canopy shade trees, ornamental trees, evergreen trees and shrubs.

2. *Plant Varieties.* Plantings must be identified as suitable buffer plants in Section 5.3 of this Article. The Zoning Administrator may approve alternative varieties.
3. *Number of Plants.* Plant materials are required per square foot of buffer area. For example, if the matrix requires a 25-foot buffer along a 100-foot property boundary, a resulting 2,500 square feet of buffer space is required. Screen 1, Alternative A requires five large or medium scale canopy trees, and twenty-five shrubs. Screen 1, Alternative B requires two or three large or medium scale canopy trees, five ornamental trees and twenty-five shrubs.
4. *Alternative Screens and Modifications.* Alternative planting programs achieving the objectives of the required screens are permitted to allow flexibility in landscape design. The Zoning Administrator may approve any of the alternative screens provided below or a combination of the alternatives if the applicant can demonstrate that the objective of the screen has been met. The Zoning Administrator may reduce or eliminate the requirements for evergreen trees or shrubs if a landscape plan proposes the use of hedges, shrubs, walls, or berms that achieve the objective of the required screen.
 - a. Screen 1. An open screen between relatively similar land uses. Open screening shall provide an attractive separation between the land uses. Screen 1 shall consist of one of the three alternative planting programs (A, B, or C) described below or as otherwise approved as described in subsection 1 above:

Screen 1 (S-1)

<i>TYPE OF PLANT</i>	<u>A</u>	<u>B</u>	<u>C</u>
Canopy Trees	1/500	1/1000	1/500
Ornamental Trees	0	1/500	0
Evergreen Trees	0	0	1/350
Shrubs	1/100	1/100	1/200

Note: All figures are for per square foot of required buffer-yard. Tables express number of plants required per square foot of buffer-yard.

- b. Screen 2. A semi-opaque screen between land uses which are dissimilar in character. Semi-opaque screening should partially block views from the adjoining land uses and create a separation between the adjoining land uses. Screen 2 shall consist of one of the three alternative planting programs (A, B or C)

Screen 2 (S-2)

TYPE OF PLANT	A	B	C
Canopy Trees	$\frac{1}{500}$	$\frac{1}{1000}$	$\frac{1}{500}$
Ornamental Trees	0	$\frac{1}{500}$	0
Evergreen Trees	$\frac{1}{500}$	$\frac{1}{500}$	$\frac{1}{175}$
Shrubs	$\frac{1}{100}$	$\frac{1}{100}$	$\frac{1}{200}$

Note: All figures are for per square foot of required buffer-yard. Tables express number of plants required per square foot of buffer-yard.

- c. Screen 3. An opaque screen between incompatible land uses. Opaque screening should block views between adjoining land uses and create a definite spatial separation. Screen 3 shall consist of one of the three alternative planting programs (A, B or C).

Screen 3 (S-3)

TYPE OF PLANT	A	B	C
Canopy Trees	$\frac{1}{500}$	$\frac{1}{1000}$	$\frac{1}{500}$
Ornamental Trees	$\frac{1}{500}$	$\frac{1}{250}$	$\frac{1}{500}$
Evergreen Trees	$\frac{1}{500}$	$\frac{1}{500}$	$\frac{1}{175}$
Shrubs	$\frac{1}{100}$	$\frac{1}{100}$	$\frac{1}{200}$

Note: All figures are for per square foot of required buffer yard. Tables express number of plants required per square foot of buffer yard.

4.5 Screening and Buffer-Yard Matrix

The screening and buffer-yard matrix describes the requirements for screening and buffer-yards between adjoining land uses. This matrix cross-references Sections 4.2 (Land use categories), 4.3 (Buffer-Yards), and 4.4 & 5 (Screening).

Existing Land Use

	Ra	Rb	Rc	Ia	Ib	Ic	Ca	Cb	Cc	INa	INb
Ra	* *	* *	50' S3	25' S2	25' S2	25' S3	25' S3	25' S3	50' S3	50' S3	50' S3
Rb	* *	* *	25' S2	25' S2	25' S2	25' S3	25' S3	25' S3	50' S3	50' S3	50' S3
Rc	50' S3	25' S3	25' S1	25' S2	25' S2	25' S3	25' S3	25' S3	50' S3	50' S3	50' S3
Ia	25' S2	25' S2	25' S2	* *	10' S1	25' S2	* *	10' S2	50' S2	50' S2	50' S3
Ib	25' S2	25' S2	25' S2	10' S1	* *	10' S1	10' S2	25' S2	25' S2	50' S2	50' S3
Ic	25' S3	25' S3	25' S3	25' S2	10' S1	* *	10' S2	10' S2	25' S2	50' S2	50' S3
Ca	25' S3	25' S3	25' S3	* *	10' S2	25' S2	* *	10' S2	10' S2	25' S1	25' S2
Cb	25' S3	25' S3	25' S3	25' S2	25' S2	10' S2	10' S2	10' S2	10' S2	25' S1	25' S2
Cc	50' S3	50' S3	50' S3	50' S2	25' S2	25' S2	10' S2	10' S2	10' S2	25' S1	25' S2
INa	50' S3	50' S3	50' S3	50' S2	50' S2	50' S2	25' S2	25' S2	25' S2	10' S1	25' S1
INb	50' S3	50' S3	50' S3	50' S3	50' S3	50' S3	25' S2	25' S2	25' S2	25' S1	25' S1

R - Residential

I - Institutional

C - Commercial

IN - Industrial

4.6 Screening of Outdoor Storage and Loading Areas

All outdoor storage and loading areas created after the adoption of this ordinance shall be screened from all public streets and adjacent residential properties. An opaque screen at least eight feet in height comprised of plants, trees, walls or other opaque materials must be provided.

4.7 Modifications of Screening and Buffer-Yard Requirements

1. *Buffer-Yard Exceeding 15% of Area.* No buffer-yard shall be required which comprises more than 15% of the subject property. In any case which the required buffer-yard would exceed 15% of the buffer-yard, such yard shall be reduced to 15% of the gross area of the site.
2. *Construction of Walls.* Screening and buffer-yard requirements shall be reduced by one-third (1/3) where the developer constructs a six-foot high brick or architectural block wall.

3. *Temporary Uses.* Screening and buffer-yard requirements may be reduced or eliminated by the Zoning Administrator for temporary uses of property.
4. *Combined Development Plan.* The Zoning Administrator may modify or reduce the requirements for screening and buffer-yards when the adjoining land uses are developed under a combined development plan.

Section 5. Standards

5.1 Minimum Specifications for Plant Materials

1. *Condition.* All plants required by this Article shall be well branched and well formed, sound, vigorous, healthy and free from disease, sunscald, windburn, abrasion and harmful insect or insect eggs and shall have healthy, normal and unbroken root systems. All plants shall comply with the American Association of Nurserymen's Standards and conform to the representative species.
2. *Size.* All plant material installed to meet the requirements of this ordinance shall comply with the minimum size requirements below at the time of planting:
 - a. Street Trees. Height: 15 feet; Caliper: three inches.
 - b. Canopy Trees. Height: 12 feet; Caliper: Two and one half inches.
 - c. Ornamental Trees. Height: 6 feet.
 - d. Evergreen Trees. Height: 8 feet; Full-branching.
 - e. Shrubs. Height: Two feet.
 - f. Hedges. Planted and maintained to form a continuous, solid visual screen at least two feet in height within one year after planting.

5.2 Planting Procedures

All trees and shrubs shall be installed in a sound manner following accepted professional planting procedures. At a minimum, all trees planted shall have root balls adequate to enclose the entire root system, all trees shall be mulched and staked, and all plants shall be watered at time of installation.

5.3 Plant List

Plant material in the following list may be used to satisfy the requirements of this Article. The plant list is divided into the following categories: large canopy trees, medium canopy trees, ornamental trees, evergreen trees, shrubs, hedges and ground cover. Each plant is also classified by the following functions: street trees, parking lot shade trees, and buffer trees. Plants must conform