

Lot corners shall be clearly defined by permanent ground markers corresponding to the approved plot plan.

*(Code 1980, § 22-26; Code 1995, § 24-26)*

**Sec. 24-27. - Plan of development.**

In acting upon a site plan for a manufactured home park, the planning commission shall give approval, based upon the above requirements and the following:

- (1) Preservation of topographic features, recreational facilities, with the objective of achieving maximum compatibility between the proposed manufactured home park and the surrounding areas.
- (2) The manufactured home park shall conform to the requirements for a plan of development as set forth in section 24-106.

*(Code 1980, § 22-27; Code 1995, § 24-27)*

**Sec. 24-27.1. - Refuse containers.**

Refuse containers shall be completely screened from view by means of an opaque fence or wall. Such containers shall be serviced only between the hours of 6:00 a.m. and 12:00 midnight.

**ARTICLE VII. - R-5 GENERAL RESIDENCE DISTRICT; USES**

**Sec. 24-28. - Principal uses permitted.**

- (a) Any principal use permitted and as regulated in the R-4A district except one-family dwellings.
- (b) Multifamily development in accordance with section 24-30.2. Compliance with multifamily guidelines maintained by the director of planning is strongly encouraged.
- (c) Roominghouses and boardinghouses.
- (d) Child care centers in accordance with section 24-106.
- (e) Townhouses for sale as permitted and regulated in article X, except as stipulated below:
  - (1) *Area and density.* Area and density for townhouses for sale shall not exceed 12 units per acre.
  - (2) *Frontage.* A minimum lot frontage, measured at the setback line, of 18 feet shall be provided.
  - (3) *Architectural treatment.* There shall be at least three but no more than 12 townhouse units continuously connected. A minimum of ten feet of common area shall separate any two groups or rows of lots.
  - (4) *Development standards.* The provisions of section 24-30.2 shall apply to all townhouses for sale. Compliance with multifamily guidelines maintained by the director of planning is strongly encouraged.
- (f) Assisted living facilities and group homes, when located in any dwelling or housing type as permitted by this section and as regulated by this chapter.  
*(Code 1980, § 22-28; Code 1995, § 24-27; Ord. No. 1008, § 1, 11-28-2000)*

**Sec. 24-29. - Conditional uses permitted by special exception.**

- (a) Any conditional uses permitted and as regulated in the R-5A district.
- (b) Group housing projects containing various combinations of dwellings and associated uses, in a single ownership, and having a site plan in which the normal lot, yard and other regulations prescribed herein cannot be applied, subject to the provisions of section 24-100.

(c) Nursing home, convalescent home or home for the aged; provided, that any such use shall have a minimum lot area of five acres.

*(Code 1980, § 22-29; Code 1995, § 24-27)*

**Sec. 24-29.1. - Provisional uses permitted.**

(a) Any principal use permitted in the B-1 district may be located in the first or second story of a structure exceeding two stories in height, subject to the following requirements:

(1) *Floor area.* B-1 uses may not occupy more than 35 percent of the floor area of the structure.

(2) *Parking required.* The required parking for B-1 uses may be reduced by up to 50 percent if the parking is shared between residential and B-1 uses.

(3) *Signage.* Each tenant may have one attached sign if the tenant's space has direct access from the exterior of the building. No sign shall exceed 15 square feet of sign area per tenant.

(4) The requirements of section 24-122.1 of this Code.

(b) Buildings or structures up to 200 feet in height may be permitted by provisional use permit.

*(Code 1995, § 24-29.1; Ord. No. 1028, § 1, 6-11-2002; Ord. No. 1111, § 3, 8-14-2007)*

**Sec. 24-30. - Accessory uses permitted.**

(a) Accessory uses as permitted and as regulated in the R-5A district.

(b) Other accessory uses, not otherwise prohibited, customarily accessory and incidental to any permitted uses.

(c) Signs as regulated in section 24-104.1.

(d) Retail and/or service uses in a nursing home, convalescent home or home for the elderly building; provided, that there shall be no entrances direct from the street or parking lot to those businesses, no signs or other evidence indicating the existence of such businesses visible from the outside of the building; and provided, that such uses are customarily incidental and secondary to the primary use.

(e) A recycling collection facility operated by a not-for-profit or tax-exempt organization for a period not to exceed 30 days within any six-month period pursuant to a permit to be obtained from the director of planning or the director's designee. The facility shall meet or exceed the following criteria:

(1) *Area and site size:* A recycling collection facility shall not exceed a maximum area of 972 square feet.

(2) *No recycling facility may be situated on the same lot with a one-family dwelling when such dwelling is a principal permitted use.*

(3) *Setbacks:* Setbacks shall be as set forth in sections 24-94 and 24-101.

(4) *Parking:* Parking shall be provided as required in section 24-96.

(5) *Exterior storage:* Exterior storage shall not be permitted. Provisions shall be made for daily maintenance to ensure this requirement is met.

(6) *Vehicular and pedestrian circulation:* A recycling collection facility shall be located in a manner that does not impede or adversely affect vehicular or pedestrian circulation.

*(Code 1980, § 22-30; Code 1995, § 24-29)*

**Sec. 24-30.1. - Exceptions to article VII.**

For any property zoned R-5 general residence district prior to November 10, 1993, having a valid subdivision plat approved by the agent in accordance with chapter 19 of the County Code as of November 10, 1993, the following principal uses if approved on the subdivision plat are permitted:

(a) One-family dwellings as follows:

Maximum Height		Minimum Lot Area		Minimum		Minimum Side Yard		Minimum	
Stories	Feet	Total (sq. ft.)	Per Family (sq. ft.)	Lot Width (ft.)	Front Yard Depth (ft.)	Least Yard (24-94(c)) (ft.)	Sum of Yards (ft.)	Rear Yard Depth (ft.)	Finished Floor Area (sq. ft.)
	35	7,500	7,500	60	35	8	20	35	950 (24-94(u)(o))

(b) Two-family dwellings as follows:

Maximum Height		Minimum Lot Area		Minimum		Minimum Side Yard		Minimum	
Stories	Feet	Total (sq. ft.)	Per Family (sq. ft.)	Lot Width (ft.)	Front Yard Depth (ft.)	Least Yard (24-94(c)) (ft.)	Sum of Yards (ft.)	Rear Yard Depth (ft.)	Finished Floor Area (sq. ft.)
1 or 1½	25	11,250	5,625	80	35	12	24	35	700(24-94(m))
2 or 2½	35	11,250	5,625	80	35	14	28	35	700(24-94(m))

(c) Detached and semidetached dwellings for sale with zero lot lines in an approved subdivision of five or more lots in accordance with section 24-106 and the following:

- (1) *Lot area.* Minimum lot area for each structure shall be 5,625 square feet, with a minimum frontage of 25 feet and a minimum lot width of 50 feet at the minimum front yard setback line. Lots may front on a dedicated street or public access easements containing roadways, walkways or both.
- (2) *Yards.* The minimum front yard for each structure shall not be less than 15 feet from project drives and walkways, or 25 feet from secondary residential streets or 35 feet from any other streets. The minimum rear yard for each structure shall not be less than 35 feet. The minimum side yard shall not be less than 12 feet for a semidetached dwelling and not less than 20 feet for a detached dwelling on a zero lot line. In no case shall the distance between two principal structures be less than 20 feet. The side yard for a zero lot line corner lot shall be on the street side.
- (3) *Height.* Dwellings shall have a maximum building height of 35 feet. Building height up to 40 feet may be approved by provisional use permit.
- (4) *Minimum unit size.* Each dwelling unit shall contain at least 900 square feet of finished floor area.
- (5) *Overall project density.* Overall density shall not exceed six dwelling units per acre exclusive of public rights-of-way.
- (6) *Parking.* A minimum of two parking spaces per dwelling unit shall be provided on individual lots and/or in common parking areas.

(d) Townhouses for sale as permitted and regulated in article X, with architectural treatment permitted as follows:

- (1) No more than 12 townhouse units shall be continuously connected. A minimum of ten feet of common area shall separate any two groups or rows of lots.

(Code 1980, § 22-30.1; Code 1995, § 24-30.1; Ord. No. 1111, § 4, 8-14-2007)

**Sec. 24-30.2. - Development standards.**

(a) *Roads.* Private roads and driveways and parking areas for multifamily developments shall be designed and constructed in accordance with the pavement design standards and specifications of the department of public works. The final pavement design shall be based on California Bearing Ratio (CBR) Tests of the subgrade material. However, in no case shall the pavement design be less than six-inch aggregate base material and two-inch SM-2A asphalt. The routing of heavy vehicles (i.e., trucks) shall be identified on the plan submitted for review. The pavement design on the proposed truck route shall be designed to accommodate the number and type of trucks anticipated to be using the facility. All materials to be used in the construction methods and tolerances shall be in accordance with the Virginia Department of Transportation standards and specifications unless the plan specifies stricter requirements. A certified professional engineer, licensed in the State of Virginia, shall be employed by the developer to monitor and supervise the materials used; the adequacy of the subgrade; the installation of drainage structures, curb and gutter and all concrete items; and all road, driveway and parking area construction activities, including material compaction, grading tolerances and compliance with the plans and specifications. Prior to issuance of the last certificate of occupancy, the certified professional engineer, licensed in the State of Virginia, shall provide the county with certification that each phase of construction met density requirements; that all material depths were verified for compliance; and that the road and parking areas have been constructed in strict accordance with the plans and specifications. For owner-occupied developments, the developer shall post a defect bond for the construction of roads, driveways, and parking areas. The defect bond shall remain in effect for a period of three years from the date of the issuance of the final occupancy permit.

(b) *Refuse containers.* Containers for refuse and recyclable materials shall be completely screened from view and located in an enclosed area conveniently accessible to all residents. Enclosures shall be constructed of finished masonry materials with the exception of gates and doors. Gates and doors shall be opaque, substantial, and oriented to minimize views of the enclosures from public rights-of-way. Concrete pavement shall be used where the refuse container pad and apron are located. Such containers shall be serviced only between the hours of 6:00 a.m. and 12:00 midnight.

(c) *HVAC screening.* All ground level and rooftop HVAC and mechanical equipment shall be screened from view. Screening shall consist of landscaping or materials used in the principal building's exterior. If HVAC wall units are used they must be architecturally compatible with the building.

(d) *Recreational vehicle parking.* In addition to the required parking, an additional five percent of the minimum required parking spaces shall be provided for recreational vehicles and shall be screened unless these requirements are waived or reduced by the director of planning or the planning commission because full compliance is unnecessary due to restrictive covenants, the type of development, expected mix of residents, or other factors. This parking area shall be located in a separate, designated area and shall not be located in front of units.

(e) *Applicability.* All multifamily development on property which did not have an approved plan of development, proffers approved as part of a rezoning case, an approved special exception, or previous multifamily development on the property as of November 28, 2000, shall comply with the requirements of this section.

(Code 1995, § 24-30.2; Ord. No. 1008, § 2, 11-28-2000)

**ARTICLE VIII. - URBAN MIXED USE DISTRICT; USES**

\*Editor's note –

Ord. No. 1037, adopted Aug. 13, 2002, amended and reordained Art. VIII in its entirety to read as