

1 **ARTICLE 2. - DISTRICTS AND DISTRICT MAPS**

2 **Section 1. - Establishment of districts.**

3 In order to regulate and restrict the location and use of buildings and land for trade, industry,
4 residence, and other purposes in accordance with the objectives of the comprehensive plan; to
5 regulate and restrict the location, height and size of buildings hereafter erected or structurally
6 altered, the size of yards and other open spaces and the density of population, the following zoning
7 districts are hereby established:

R-2	Single-Family Residential District
R-3	Single-Family Residential District
R-3A	Historic Office/Residential District
R-8	Townhouse Residential District
R-15	Apartment Residential District
C-1	Office Commercial District
MC	Mixed Commercial District
C-4	Central Commercial District
CM-1	Local Service Industrial District
M-1	Limited Industrial District
PDH	Planned Development Housing District
X	Transitional District
IP	Institutional and Public Use District
AC	Agricultural Conservancy/Commercial District

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9 The purpose statements which accompany each district are intended to describe in a general
10 way the character of uses to be encouraged in the district, to assist with selection of appropriate
11 districts for application to various conditions of land use, existing or planned, and to assist with
12 interpretation of questions which may arise with respect to particular land uses in particular

13 locations. In any case of difference between the purpose statement and the use regulations for the
14 district the use regulations shall control.

15 **Section 5. - Interpretation of district boundaries.**

16 A district name, letter or letter-number combination shown on the zoning map indicates that the
17 regulations pertaining to the district designated by that name, letter or letter-number combination
18 extend throughout the whole area in the town bounded by the district boundary lines within which
19 such name, letter or letter-number combination is shown or indicated, except as otherwise provided
20 by this section.

21 Where uncertainty exists with respect to the boundaries of the various districts as shown on the
22 zoning map accompanying and made a part of these regulations, the following rules apply:

- 23 a. In cases where a boundary line is given a position within a road, street or alley, navigable
24 or non-navigable stream, it shall be deemed to be in the center of the right-of-way of the
25 road, street, alley, or stream, and if the actual location of such road, street, alley, or stream
26 varies slightly from the location as shown on the zoning map, then the actual location shall
27 control.
- 28 b. In cases where a boundary line is shown as being located a specific distance from a road or
29 street line or other physical feature, this distance shall control.
- 30 c. Where the district boundaries are shown on the zoning map to approximately coincide with
31 lot lines or town limit line, the lot lines or town limit line shall be construed to be the district
32 boundary line unless otherwise indicated.
- 33 d. In cases where district boundaries as shown on the zoning map do not coincide or
34 approximately coincide with road or street lines, alley lines or lot lines, and no dimensions
35 are shown, the location of such district boundary lines shall be determined by the use of the
36 scale appearing on the map.
- 37 e. If, because of error or omission in the zoning map, any property in the jurisdiction of this
38 ordinance is not shown as being in a zoning district, such property shall be classified R-T
39 single-family residential district until changed by amendment and the following regulations
40 shall apply:
 - 41 1. *Permissible uses.* A building or land in this district shall be used only in accordance with
42 *Article 4, Section 1: Use Regulations.*
 - 43 2. *Reserved.*
 - 44 3. *Permitted signs.* Subject to *Article 6, Section 3: General Sign Regulations.*
 - 45 4. *Lot size standards.*
 - 46 i. Single-family detached dwellings:
 - 47 a. Minimum lot area: With both public water and sewer service—40,000 square
48 feet.
 - 49 b. Minimum lot width: With both public water and sewer service—200 feet.
 - 50 c. Minimum lot depth: With both public water and sewer service—200 feet.
 - 51 d. Minimum street frontage: 25 feet.
 - 52 ii. Other uses same as for single-family detached dwelling or as specified in the
53 district regulations.

- 54 iii. Minimum lot area for individual or on-site sewage disposal system is subject to
55 health department requirements.
- 56 iv. Lot width is measured at the front building setback line.
- 57 v. Averaging lot area and cluster subdivisions are permitted in *Article 6, Section 5:*
58 *Cluster Subdivisions.*
- 59 5. *Yard and setback standards.*
- 60 i. Single-family detached dwelling:
- 61 Minimum front yard: 50 feet.
- 62 Minimum side yard: 30 feet.
- 63 Minimum rear yard: 50 feet.
- 64 The minimum front yard shall be measured from the front lot line to the front
65 building setback line. Total width of both side yards shall be 80 feet.
- 66 Minimum front yard shall be 70 feet measured from the street centerline if the
67 street right-of-way is less than 50 feet in width.
- 68 ii. Other principal structures same as single-family detached dwelling or as required
69 in the district regulations.
- 70 iii. Accessory structures attached to the main building shall be considered part of the
71 main building and comply with front, side and rear yard requirements. (For decks
72 see *Article 6, Section 4.7: Accessory Buildings and Structures*).
- 73 Detached accessory structures shall not be closer than five feet to any property
74 line.

75 **Section 6. - Interim zoning of annexation areas.**

76 Pursuant to Code of Virginia, § 15.2-2286 A.2., land annexed or brought into the town via a
77 boundary line adjustment shall be classified as X Transitional District to provide for the reasonable
78 and orderly interim regulation of use and development and may be amended upon application to the
79 town for a zoning map amendment.

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83 **ARTICLE 4. - DISTRICT REGULATIONS**

84 **Section 1. - Use Regulations.**

85 *1.1 Use table.*

86 The Use Table sets forth the uses allowed within the Town’s base zoning districts, subject to
 87 compliance with *Section 1.2: Use Standards* below and all other applicable regulations of this
 88 Zoning Ordinance. Each use listed in the Use Table is defined in *Article 15: Definitions*.

89 The symbols used in the Use Table are explained in the following table.

Symbol	Use Type	Meaning
P	Permitted Uses	A “P” in a cell indicates that a use is permitted by right in the respective zoning district, subject to compliance with all other applicable regulations of this Zoning Ordinance.
SE	Special Exception Uses	A “SE” in a cell indicates that a use is allowed in the respective zoning district only if reviewed and approved in accordance with <i>Article 9: Board of Zoning Appeals</i> .
SUP	Uses Permitted by Special Use Permit	A “SUP” in a cell indicates that a use is allowed in the respective zoning district only if reviewed and approved in accordance with <i>Article 8, Section 1: Special Use Permit</i> .
PPU	Principal Permitted Uses (PDH District Only)	A “PPU” in a cell indicates that a use is permitted in a PDH district when such use is designated on an approved final development plan prepared in accordance with the provisions of <i>Article 11, Section 6: Procedures for Review and Approval of All PDH Districts through Section 8: Submission Requirements for PDH Districts</i> and subject to the requirements of <i>Article 4, Section 12.5: Use Limitations</i> .
SPU	Secondary Permitted Uses (PDH District Only)	A “SPU” in a cell indicates that a use is permitted in a PDH district, which contains one or more principal uses, when such use is designated on an approved final development plan prepared in accordance with the provisions of <i>Article 11, Section 6: Procedures for Review and Approval of All PDH Districts through Section 8: Submission Requirements for PDH Districts</i> and subject to the requirements of <i>Article 4, Section 12.5: Use Limitations</i> .
	Prohibited Uses	A blank cell (one that does not contain any of the symbols above) indicates that the listed use is not allowed in the respective zoning district.

90

91 Use Table

Use	R2	R3	R3A	R8	R15	C1	MC	C4	CM1	M1	PDH	X	IP	AC	RT	Use Standard
Accessory buildings and uses	P	P	P	P	P	P	P	P	P	P	SPU	P	P	P	P	Art. 4, Sec. 1.2.1

Use	R2	R3	R3A	R8	R15	C1	MC	C4	CM1	M1	PDH	X	IP	AC	RT	Use Standard
Adult care center						P		P								
Agriculture/horticulture												P		P		Art. 4, Sec. 1.2.2
Amphitheater							SUP	SUP					SUP			
Assisted living facility - 1-8 individuals	P	P	P	P	P		P	P			PPU	P		P	P	
Assisted living facility - 9 or more individuals	SUP	SUP	SUP	SUP	SUP		SUP	SUP			SPU		SUP		SUP	
Auction house							P		P	P						
Automated teller machine (ATM), accessory						P	P	P	P	P	SPU					
Bed and breakfast	SUP	SUP	P	SUP	SUP		P	P				P		P	SUP	
Brewery, winery or distillery						P	P	P	P	P				P		
Bus depot and maintenance facility									P	P						
Bus shelter	P	P	P	P	P	P	P	P	P	P	PPU	P	P	P	P	Art. 4, Sec. 1.2.3
Car wash						SUP	P		P	P						Art. 4, Sec. 1.2.4
Catering						P	P	P	P	P				P		
Cemetery													SUP			
Child care, commercial						P	P	P			SPU		SUP			Art. 4, Sec. 1.2.5
Child care, residential	P	P	P	P	P		P	P			PPU	P		P	P	Art. 4, Sec. 1.2.6
Church or other place of worship											SPU		P			Art. 4, Sec. 1.2.7
Clinic, urgent care						P	P	P	SUP							
College or university											SPU		P			Art. 4, Sec. 1.2.8
Commercial uses of greater than 10,000 square feet						SUP	SUP	SUP								
Communications tower	SUP		SUP	SUP	SUP	SUP	Art. 4, Sec. 1.2.9									
Community garden											SPU	P	P	P		
Community or cultural facility							P	P			SPU		P			
Concrete plant								SUP								Art. 4, Sec. 1.2.10
Conservancy subdivision														P		Art. 4, Sec. 1.2.11
Construction/ landscaping equipment and supply sales and service							P	P	P	P						Art. 4, Sec. 1.2.12
Contractor's office and storage area						P		SUP	P	P						Art. 4, Sec. 1.2.13
Convenience store							P	P			SPU					
Country inn							P	P						P		

Use	R2	R3	R3A	R8	R15	C1	MC	C4	CM1	M1	PDH	X	IP	AC	RT	Use Standard
Drive-through facility						SUP	SUP	SUP	SUP	SUP	SPU					Art. 4, Sec. 1.2.14
Dry cleaning and laundry establishment							P	P								
Dwelling, accessory	SE	SE	SE	SE	SE						SE	SE		SE	SE	Art. 4, Sec. 1.2.15
Dwelling, apartment			P		P		P	P								Art. 4, Sec. 1.2.16
Dwelling, duplex				P	P											
Dwelling, multiple-family					P						PPU					Art. 4, Sec. 1.2.17
Dwelling, single-family attached				P	P			SUP			PPU					Art. 4, Sec. 1.2.18
Dwelling, single-family detached	P	P	P	P	P			SUP			PPU	P		P	P	
Dwelling, single-family detached farmhouse														P		
Eating establishment - less than or equal to 6,000 square feet						P	P	P	P	P	SPU			P		Art. 4, Sec. 1.2.19
Eating establishment - greater than 6,000 square feet						SUP	SUP	SUP	SUP	SUP	SPU			SUP		Art. 4, Sec. 1.2.19
Equestrian facility, commercial											SPU			SUP		Art. 4, Sec. 1.2.20
Equestrian facility, residential	P										SPU	P		P	P	Art. 4, Sec. 1.2.21
Farm and community market							P	P			SPU		P	P		Art. 4, Sec. 1.2.22
Farm equipment and supply sales and service							P	P	P	P				SUP		Art. 4, Sec. 1.2.23
Financial institution						P	P	P			SPU					
Fire, rescue or police station									SUP		PPU		P			
Firing range, indoor							SUP		SUP	P						
Fitness center						P	P	P	P	P						
Food processing, retail							P	P								
Food processing, wholesale							SUP		P	P						
Fuel pump, accessory						P	P	P	P	P						Art. 4, Sec. 1.2.24
Fueling station							SUP		SUP	P						Art. 4, Sec. 1.2.25
Funeral home							SUP	SUP								
Government office and assembly room											PPU		P			
Government operations facility											PPU		SUP			
Group home	P	P	P	P	P		P	P			PPU	P		P	P	
Home occupation	P	P	P	P	P		P	P			SPU	P		P	P	Art. 4, Sec. 1.2.26
Hospital													SUP			

Use	R2	R3	R3A	R8	R15	C1	MC	C4	CM1	M1	PDH	X	IP	AC	RT	Use Standard
Hotel						P	P	P								
Kennel						SUP	SUP	SUP	SUP	SUP				SUP		Art. 4, Sec. 1.2.27
Laboratory						P	P	P	P	P						Art. 4, Sec. 1.2.28
Laundromat							P	P								
Library								P			PPU		P			
Lighted sports field												SUP	SUP	SUP		Art. 4, Sec. 1.2.29
Machine shop									P	P						Art. 4, Sec. 1.2.30
Manufacture of stairs and similar wood products						SUP										
Manufacturing, light									P	P						
Nature preserve														P		
Nursing home	SUP	SUP	SUP	SUP	SUP		SUP	SUP					SUP		SUP	
Office			P			P	P	P	P	P	SPU					Art. 4, Sec. 1.2.31
Outdoor storage lot							SUP	SUP	P	P						Art. 4, Sec. 1.2.32
Park						P					PPU		P	P		
Parking lot, commuter													SUP			
Parking lot, public						P	P	P	P	P	PPU		P			
Parking structure						SUP	SUP	SUP	SUP	SUP			SUP			
Personal services establishment						P	P	P	P		SPU					Art. 4, Sec. 1.2.33
Petroleum, propane, and other flammable liquids, storage, distribution and sales									P	SUP						
Petting farm														P		
Playground	P	P	P	P	P	P	P	P	P		SPU		P	P		
Printing, publishing and engraving						P	P	P	P							
Private club							SUP	SUP			SPU		P	SUP		
Public or government building, facility, or use not otherwise defined											PPU		SUP			
Public utility, major	SUP	SPU	SUP	SUP	SUP	SUP										
Public utility, minor	P	P	P	P	P	P	P	P	P	P	SPU	P	P	P	P	
Radio or television studio						P	P	P		P						
Recreation facility, commercial indoor - less than or equal to 10,000 square feet						P	P	P	P	P				SUP		
Recreation facility, commercial indoor - greater than 10,000 square feet						SUP	SUP	SUP	SUP	SUP				SUP		
Recreation facility, commercial outdoor -							P	P						SUP		

Use	R2	R3	R3A	R8	R15	C1	MC	C4	CM1	M1	PDH	X	IP	AC	RT	Use Standard
less than or equal to 20,000 square feet																
Recreation facility, commercial outdoor - greater than 20,000 square feet							SUP	SUP						SUP		
Recreation facility, public								P			PPU		SUP	P		
Retail sales, accessory						P	P	P	P	P			P	P		
Retail sales, general						P	P	P	SUP	SUP	SPU					Art. 4, Sec. 1.2.34
School, private							SUP	SUP			SPU		P			Art. 4, Sec. 1.2.35
School, public											PPU	SUP	SUP			
School, special instruction			SUP			P	P	P	P	P	SPU		P			Art. 4, Sec. 1.2.36
School, technical			SUP			P	P	P	P	P	SPU					Art. 4, Sec. 1.2.37
Service/repair establishment							P	P	P	P						
Sign shop						P	P	P	P	P						Art. 4, Sec. 1.2.38
Special event	P	P	P	P	P	P	P	P	P	P	SPU	P	P	P	P	
Storage warehouse									P	P						
Studio			P			P	P	P	P	P				P		Art. 4, Sec. 1.2.39
Temporary food truck/trailer						P	P	P	P	P			P	P		
Temporary stand							P	P								
Theater							SUP	SUP					SUP			
Upholstery shop							P	P	P	P						
Vehicle sales and service							SUP		P	P						Art. 4, Sec. 1.2.40
Vehicle sales storage lot							SUP		P	P						
Veterinary clinic		SUP				P	P	P	P	P	SPU			P		Art. 4, Sec. 1.2.41
Wholesale sales							SUP		P	P						
Yard/garage sale	P	P	P	P	P							P		P	P	

92

93 *1.2 Use standards.*

94 1. *Accessory buildings and uses:*

95 See Article 6, Section 4.7: *Accessory Buildings and Structures* for supplemental regulations.

96 2. *Agriculture/horticulture:*

97 No such use shall be permitted which, because of the nature, location, or manner of
 98 operation, is noxious, offensive or dangerous because of noise, odor, fumes, gas, glare,
 99 vibration, smoke, emission or particulate matter or effluent, or for other reasons.

100 3. *Bus shelter:*

101 Only permitted along arterial and collector roads as identified on Figure 2.1, Existing Streets
102 Plan, of the Purcellville Townwide Transportation Plan.

103 4. *Car wash:*

104 Such uses are required to have a water recycling system operation to minimize the water
105 usage of such a use.

106 5. *Child care, commercial:*

107 a. Maximum enrollment of 150 students daily.

108 b. In addition to the minimum lot size requirements of the zoning district, the minimum
109 lot area for commercial child care shall be of such size to provide 75 square feet of
110 usable outdoor recreation for each child that may use the space at any one time. Such
111 area shall be delineated on a plat or site plan submitted at the time the application is
112 filed and shall include only:

113 i. That area not covered by buildings or required off-street parking spaces.

114 ii. That area which is developable for active outdoor recreation purposes.

115 iii. An area which occupies no more than 80 percent of the combined total areas of
116 the required rear and side yards.

117 c. For each child enrolled, indoor recreation space shall be provided at the rate of 25
118 square feet for active children and 35 square feet for infants.

119 d. All such uses shall be located so as to have direct access to an existing or programmed
120 Public Street of sufficient right-of-way and cross-section width to accommodate
121 pedestrian and vehicular traffic to and from the use. To assist the zoning administrator
122 in determining sufficiency of access, each applicant, at the time of application, shall
123 provide an estimate of the maximum expected trip generation, the distribution of these
124 trips by mode and time of day, and the expected service area of the facility. As a general
125 guideline, the size of the use in relation to the appropriate street type should be as
126 follows, subject to the modification and conditions the zoning administrator deems to
127 be necessary:

128

Number of Persons	Street Type
1-75	Local
76-150	Collector

129

130 e. All such uses shall be located so as to permit the pick-up and discharge of all persons
131 on the site.

132 f. No such use shall be permitted unless it is determined by the Loudoun County
133 Department of Environmental Health that the location and design does not pose any
134 hazard to the health, safety and welfare of the children.

135 g. A landscape and screening plan shall comply with *Article 7: Landscaping, Buffering, and*
136 *Open Space Regulations.*

- 137 h. All applications to establish a commercial child care use shall be accompanied by two
138 (2) copies of a plan drawn to scale containing the following information:
- 139 i. The dimensions, boundary lines and area of the lot or parcel.
- 140 ii. The location, dimensions and height of any building, structure, or addition,
141 whether existing or proposed.
- 142 iii. The distance from all property lines to the existing or proposed building, structure
143 or addition, shown to the nearest foot.
- 144 iv. The dimensions and size of all outdoor recreation space and the location of such
145 space in relation to all lot lines.
- 146 i. In the IP district, commercial child care is only allowed as an accessory use to another
147 use allowed in the district.

148 6. *Child care, residential*

- 149 a. All such uses shall be subject to applicable state regulations specifically Code of
150 Virginia, § 63.2-1701 *et seq.*
- 151 b. All applications to establish a residential child care use shall be accompanied by two
152 (2) copies of a plan drawn to scale containing the following information:
- 153 i. The dimensions, boundary lines and area of the lot or parcel.
- 154 ii. The location, dimensions and height of any building, structure or addition,
155 whether existing or proposed.
- 156 iii. The distance from all property lines to the existing or proposed building, structure
157 or addition, shown to the nearest foot.
- 158 iv. The dimensions and size of all outdoor recreation space and the location of such
159 space in relation to all lot lines.

160 7. *Church or other place of worship:*

161 An application to establish a church use shall list each accessory use it intends to operate.
162 After the approval of the initial use permit for a church, subsequent applications must be
163 made for any new accessory use or change in an existing accessory use.

164 When considering an application for a church and any accessory uses, the zoning
165 administrator shall consider the following and ensure any impacts are properly mitigated,
166 including by not limited to: traffic; parking; hours of operation; impact on adjacent
167 neighborhoods; types of special events; time limitations for accessory uses such as for
168 shelters; number of students in church schools and daycare; number of inhabitants for
169 shelters.

170 8. *College or university:*

- 171 a. The minimum aggregate lot area for a college or university shall be 100 acres provided
172 that development shall be permitted to occur in phases of less than 100 acres.
- 173 b. Colleges and universities must meet the following development standards:
- 174 i. The traffic generated by the proposed use shall be adequately and safely served by
175 roads, pedestrian connections and other transportation services.

- 176 ii. All such uses shall be located so as to have direct access to an existing or
177 programmed public street of sufficient right-of-way and cross-section width to
178 accommodate pedestrian and vehicular traffic to and from the use as determined
179 by the zoning administrator. To assist in making this determination, each
180 applicant, at the time of site plan application, shall provide an estimate of the
181 maximum expected trip generation, the distribution of these trips by mode and
182 time of day, and the expected service area of the facility.
- 183 iii. A site plan shall be submitted and reviewed in accordance with the requirements
184 and procedures of *Article 11, Section 5: Site Plans* and the requirements set forth
185 in Article 5 of the Land Development and Subdivision Control Ordinance (LDSCO)
186 unless granted a waiver in accordance with Article 5, Section 5.1.B of the LDSCO.
- 187 9. *Communications tower:*
- 188 a. In residential districts, the maximum tower height is 75 feet.
- 189 b. In commercial and industrial districts, the maximum tower height is 125 feet.
- 190 c. In the C-4 district, such use may only be located north of the former W&OD railroad
191 right-of-way, as shown on Map 9.1 in *Article 4, Section 9: C-4 Central Commercial*
192 *District*.
- 193 10. *Concrete plant:*
- 194 a. In the C-4 district, such use may only be located north of the former W&OD railroad
195 right-of-way, as shown on Map 9.1 in *Article 4, Section 9: C-4 Central Commercial*
196 *District*.
- 197 11. *Conservancy subdivision:*
- 198 See *Article 4, Section 15.5.2: Conservancy subdivision: Lot, bulk and open space requirements*.
- 199 12. *Construction/landscaping equipment and supply sales and service:*
- 200 a. All inventory and materials shall be stored under cover, within an enclosed area,
201 screened from view of public streets or within a fully enclosed building.
- 202 b. In the C-4 district, such use may only be located north of the former W&OD railroad
203 right-of-way, as shown on Map 9.1 in *Article 4, Section 9: C-4 Central Commercial*
204 *District*.
- 205 13. *Contractor's office and storage area:*
- 206 a. In the C-1 and C-4 districts, any equipment and materials must be stored within an
207 enclosed building.
- 208 14. *Drive-through facility:*
- 209 a. Such a use shall have on all sides the same architectural treatment or shall be
210 architecturally compatible with the building group or neighborhood with which it is
211 associated.
- 212 b. Such a use shall be designed so that pedestrian and vehicular circulation is coordinated
213 with that on adjacent properties.
- 214 c. The site shall be designed to minimize the potential for turning movement conflicts and
215 to facilitate safe and efficient on-site circulation. Parking and stacking spaces shall be

- 216 provided and located in such a manner as to facilitate safe and convenient vehicle and
217 pedestrian access to all uses on the site.
- 218 d. The lot shall be of sufficient area and width to accommodate the use or combination of
219 uses and any such use shall not adversely affect any nearby existing or planned
220 residential areas as a result of the hours of operation, noise generation, parking, glare
221 or other operational factors.
- 222 e. Drive-through stacking lanes shall be a minimum 100 feet from any residential lot. The
223 planning commission may modify or waive this requirement if it determines that the
224 impacts to nearby residences will be minimal.
- 225 f. Speakers in drive-through areas shall not be audible from adjacent residential uses.
226 Sound attenuation walls, landscaping or other mitigation measures may be required as
227 necessary.
- 228 g. Pedestrian walkways should not intersect the drive-through aisles, but where there is
229 no alternative, they shall have clear visibility.
- 230 h. Drive-through aisles shall have a minimum 12-foot width on curves and a minimum
231 11-foot width on straight sections.
- 232 i. Drive-through aisles shall provide sufficient stacking area behind the menu board for
233 drive-through eating establishments and behind the service window for other drive-
234 through uses to accommodate a minimum of six (6) cars (approximately 114 feet).
- 235 j. No drive-through aisles shall exit directly into a public right-of-way. Aisles shall be
236 integrated with the on-site circulation and shall merge with the driveway.
- 237 k. Drive-through aisles shall be separated from landscaping areas by a six-inch high,
238 poured in place, concrete curb or other suitable protective device approved by the
239 Zoning Administrator.
- 240 l. Landscaping shall screen drive-through aisles from the public right-of-way and shall
241 be used to minimize the visual impacts of menu board signs and directional signs.
- 242 m. In the C-4 district, such use may only be located north of the former W&OD railroad
243 right-of-way, as shown on Map 9.1 in *Article 4, Section 9: C-4 Central Commercial*
244 *District*.
- 245 15. *Dwelling, accessory:*
- 246 a. The owner of a property with an accessory dwelling must reside in either the primary
247 dwelling or the accessory dwelling.
- 248 b. An accessory dwelling shall not exceed 25 percent of the total floor area of the main
249 dwelling nor contain less than 500 square feet of floor area.
- 250 c. Whether the accessory dwelling is a subordinate dwelling unit in the primary building
251 or located in an accessory building, the general appearance of a single-family dwelling
252 lot shall be maintained.
- 253 d. No exterior stairways to a second floor shall be constructed at the front of the main
254 building.
- 255 e. At least three (3) off-street parking spaces must be available on the property for use by
256 the owner-occupant and the tenant.

- 257 f. If the accessory dwelling is located in an accessory structure, such structure must have
258 the following minimum setbacks from side and rear property lines:
- 259 i. Side yard: Same as principal structure;
- 260 ii. Rear yard: Same as side yard for principal structure, but not less than ten (10) feet.
- 261 16. *Dwelling, apartment:*
- 262 a. In the MC and C-4 districts, apartment units may be served by ground floor entrances
263 or lobbies, but no greater than 50 percent of the gross floor area of the ground floor
264 may be used for residential living space, provided that such residential living space is
265 at the rear of the building and the front half of the ground floor is habitable space used
266 for other, non-residential permitted uses.
- 267 17. *Dwelling, multiple-family:*
- 268 a. The minimum area requirement for a multiple-family dwelling shall be two (2) acres.
- 269 b. Overall project density shall not exceed 15 dwelling units per acre, exclusive of public
270 rights-of-way.
- 271 c. The development or project shall be designed to promote harmonious relationships
272 with surrounding adjacent and nearby developed properties, particularly in larger
273 developments or projects where more than one building is involved, and to this end
274 may employ such design techniques as may be appropriate, including use of building
275 types, orientation, spacing and setback of buildings, careful use of topography,
276 maintenance of natural vegetation, location of access points, recreation areas, open
277 spaces, and parking areas, grading, landscaping, and screening.
- 278 d. The principal means of access to an apartment development or project containing more
279 than 24 dwelling units shall be from an arterial or collector thoroughfare of adequate
280 physical and functional design to handle anticipated traffic needs. Secondary access to
281 a local street will be permitted only in cases where there are overriding factors of
282 health or safety for future residents of the project or where the arrangement and
283 conditions of the minor streets are such that the projected increase in traffic will not
284 substantially affect the use and enjoyment of the street by present or future residents.
- 285 e. No apartment building shall contain more than 12 dwelling units.
- 286 f. No apartment building shall be located closer than 35 feet from any public right-of-way
287 or closer than 15 feet from a private drive, access road or open common parking area
288 whether oriented to the front, sides or rear of the buildings, except that parking areas
289 may be located within five feet and private drives may be located within ten feet of any
290 blank or windowless wall.
- 291 g. No apartment building shall be located closer than 25 feet from a side or rear property
292 line. This regulation does not apply to existing buildings which are converted to
293 apartment use.
- 294 h. A minimum distance of 25 feet shall separate any two buildings or groups of apartment
295 buildings from any other abutting use or building type.
- 296 i. The maximum lot coverage shall be 40 percent.
- 297 j. At least 400 square feet of commonly usable open space shall be provided for each
298 dwelling unit.

- 299 k. Where community refuse containers are provided as accessory uses to apartment
300 developments, such containers shall be conveniently located for pick-up vehicle access
301 and completely screened from view by means of a fence or wall and an appropriately
302 designed gate which can be latched open and closed.
- 303 i. Each apartment dwelling unit shall contain at least 600 square feet of livable floor area,
304 exclusive of garages, carports, cellars, basements, attics, open porches, patios, or
305 breezeways, except that up to ten percent of the units may be constructed with less
306 floor area than this minimum.
- 307 18. *Dwelling, single-family attached:*
- 308 a. The minimum project area shall be 2.0 acres. The overall project design shall preserve
309 natural topography and vegetation and minimize the adverse impact of moving and
310 parked vehicles within the development and its surroundings by means of town-scale
311 grid and curved streets, clustered building groups, careful distribution of open space,
312 interior screened parking, interrupted parking bays or courts, landscape screening,
313 and other design features.
- 314 b. A maximum density of eight units per gross acre, excluding floodplain and slopes
315 exceeding 25 percent, shall be permitted.
- 316 c. A minimum of six dwellings are required for each development.
- 317 d. The minimum lot area per dwelling unit shall be 2,000 square feet. The minimum lot
318 width shall be 20 feet for interior lots and 30 feet for end and corner lots. Lots may be
319 delineated by dashed lines and need not be sold separately in qualified condominium
320 projects.
- 321 e. A common green area may be provided in lieu of a part of the minimum lot area, subject
322 to the following provisions:
- 323 i. When a common green area is provided, the minimum lot area may be reduced
324 below 2,000 square feet where the reduction results in usable, common open
325 space and the provision of active recreational facilities such as swimming pools,
326 tot lots, multipurpose courts or playing fields. In no event, however, shall the
327 minimum lot area be reduced below 1,500 square feet or maximum density be
328 increased above eight units per gross acre.
- 329 ii. When a common green area is provided, the maximum lot coverage may be
330 increased in proportion to the reduction in the minimum lot area, but in no event
331 may the lot coverage, including dwelling and accessory buildings, exceed 50
332 percent.
- 333 iii. The common green area may be utilized only for lawns, trees, planting area,
334 ornamental pools, similar landscaping uses, swimming pools, and areas for passive
335 recreation uses. No part of the common green area may be utilized for automobile
336 driveways or parking areas, for sidewalks or paved play areas, or for other similar
337 paved areas.
- 338 iv. Townhouse developments shall have provisions ensuring that nonpublic common
339 green areas remain for use and enjoyment of occupants and shall be properly
340 maintained without expense to the Town of Purcellville in accordance with the
341 Condominium Act, §§ 55-79.39 *et seq.* Code of Virginia, as amended.

- 342 f. The minimum front yard per dwelling unit shall be 15 feet. The minimum rear yard
343 shall be 25 feet. The minimum side yard for end and corner lots shall be ten feet.
- 344 g. Every dwelling unit shall have a minimum gross floor area of 1,200 square feet with a
345 minimum of 600 square feet per floor, exclusive of attic and exclusive of basements
346 which are more than 50 percent underground.
- 347 h. Maximum building height for townhouses shall be 35 feet.
- 348 i. The maximum lot coverage shall be 40 percent.
- 349 j. Rear access may be required for emergency vehicles as determined by the fire marshal.
- 350 k. No motor vehicle shall be parked on any lot upon which a townhouse has been or is to
351 be erected unless a garage is provided as part of the unit. No townhouse shall have a
352 garage or carport attached to its exterior facade. No garage shall be converted to living
353 area.
- 354 l. Townhouse dwellings abutting each other shall have complementary but not identical
355 facades.
- 356 m. There shall be at least three but no more than eight townhouse dwellings continuously
357 connected; provided that the average number of units continuously connected shall not
358 exceed six. There shall be an open space of at least 20 feet between any two such groups
359 of continuously connected buildings.
- 360 n. No more than two abutting townhouse dwellings shall have the same front yard
361 setbacks. Building setback variations as required shall be at least three feet. No more
362 than two abutting townhouses shall have a common roof line.
- 363 o. Soundproof and fireproof walls shall be provided between adjoining dwellings at least
364 up to and including the underside of the roof.
- 365 p. Service areas and rear yards visible from a street shall be appropriately screened as
366 approved by the Zoning Administrator.
- 367 q. Each lot containing a townhouse shall provide a private rear yard at least 300 square
368 feet in area and at least 15 feet in depth enclosed visually by uniform fences or walls.
- 369 r. Each dwelling shall be self-contained as to heating, air conditioning and utilities.
- 370 s. The developer shall provide front yard areas and common areas with lawn and
371 appropriate shrubbery planting except on areas designated for walks and driveways.
372 The lawn and shrubbery planting shall be subject to approval by the zoning
373 administrator.
- 374 t. Common refuse bins shall be completely screened from view by means of a fence or
375 wall, and a gate which can be latched open and closed.
- 376 u. Each development site shall have a publicly-dedicated or approved private street
377 throughout the development so as to adjoin all private parking lots and access courts.
378 Townhouse lots, which abut a private street and/or parking lot or access court, shall
379 meet the following criteria:
- 380 i. Private streets, parking lots and access courts shall be constructed in conformance
381 with the standards set forth in *Article 6, Section 1: Off-Street Parking Requirements*
382 and Article 3 of the Land Development and Subdivision Control Ordinance.

- 383 ii. A homeowner's association shall be formed to ensure maintenance of private
384 streets, parking lots and access courts.
- 385 iii. No more than 25 lots shall abut a parking lot or access court. For the purpose of
386 this regulation, an access court is a series of parking spaces served directly by a
387 private accessway which has only an access connection to a public or private street
388 and which is connected to no more than one other access court so that the two
389 together have two access connections to public or private streets and together
390 serve no more than 50 lots.
- 391 iv. All private streets, parking lots and access courts shall provide permanent
392 pedestrian and vehicular access between the lots created and a public street.
- 393 v. Parking lots and access courts shall be landscaped according to *Article 7:*
394 *Landscaping, Buffering, and Open Space Regulations.*
- 395 vi. Private streets, parking lots and access courts shall be clearly identified as private.
396 A single sign, not to exceed two square feet in area, shall be posted at the entrance
397 of each such street or parking court, displaying only the words "Private Drive" and
398 the addresses of any residences utilizing the private street or parking court.
- 399 vii. All private streets shall be at least 30 feet in width, shall be of a paved surface and
400 constructed in accordance with then applicable Virginia Department of
401 Transportation pavement design standards and in accordance with the
402 subdivision ordinance. All private streets abutting dwellings shall also provide a
403 sidewalk between the private street and such dwellings. All private cul-de-sacs
404 shall conform to the recommendations of the fire marshal.
- 405 v. Accessory structures shall not exceed ten feet in height and shall be located only to the
406 rear of the main structure and shall be no closer than one foot from the side or rear
407 property line or ten feet from the outside line of end and corner lots, unless it
408 constitutes part of a fence or wall.

409 19. *Eating establishment:*

- 410 a. In the C-1 district, any such freestanding use shall be limited to not more than 15
411 percent of the total floor area of a unified, mixed-use development plan on a lot of no
412 less than two acres. The division of the site into lots of less than two acres may be
413 permitted after approval of a unified, mixed-use development plan.

414 20. *Equestrian facility, commercial:*

- 415 a. Any building for the keeping of animals shall be located at least 100 feet from any side
416 or rear lot line.

417 21. *Equestrian facility, residential:*

- 418 a. Any building for the keeping of animals shall be located at least 100 feet from any side
419 or rear lot line.
- 420 b. No more than one such animal shall be kept for each acre of land on the premises.

421 22. *Farm and community market:*

- 422 a. See Chapter 18, Article 4 of the Town Code for additional regulations.
- 423 b. In the AC district, the regulations of *Article 4, Section 15.9: Additional Standards for*
424 *Certain Uses*, shall apply.

- 425 23. *Farm equipment and supply sales and service:*
- 426 a. May include storage of fertilizer in bags or in tanks (dry only) or in a completely
427 enclosed building.
- 428 b. In the C-4 district, such use may only be located north of the former W&OD railroad
429 right-of-way, as shown on Map 9.1 in *Article 4, Section 9: C-4 Central Commercial*
430 *District.*
- 431 24. *Fuel pump, accessory:*
- 432 a. In the C-4 district, such use may only be located north of the former W&OD railroad
433 right-of-way, as shown on Map 9.1 in *Article 4, Section 9: C-4 Central Commercial*
434 *District.*
- 435 25. *Fueling station:*
- 436 a. Fueling stations shall be limited to not more than eight fuel pumps for the sale and
437 dispensing of fuel.
- 438 b. Bulk storage of flammable liquids must be underground.
- 439 c. No lighting fixture may extend to a height greater than 15 feet.
- 440 d. Temporary storage of wrecked or inoperative vehicles or storage or rental of luggage
441 trailers, campers, vans, or similar equipment is not permitted.
- 442 26. *Home occupation:*
- 443 See *Article 3, Section 8: Home occupations* for additional regulations.
- 444 27. *Kennel:*
- 445 A kennel shall be maintained within a completely enclosed, soundproof building, and shall
446 be operated in such a way as to produce no objectionable noise or odors outside its walls.
- 447 28. *Laboratory:*
- 448 Such use shall be free of dust, smoke, fumes, odors, or unusual vibrations or noise.
- 449 29. *Lighted sports field:*
- 450 See *Article 6, Section 9: Lighting Requirements* for lighting standards applicable to lighted
451 sports fields.
- 452 30. *Machine shop:*
- 453 Punch presses exceeding 40-ton rated capacity and drop hammers are prohibited.
- 454 31. *Office:*
- 455 a. In the R-3A district, such use shall only be allowed in conjunction with residential use
456 of the property and shall comply with the regulations of *Article 4, Section 3A.4 Use*
457 *Limitations.*
- 458 32. *Outdoor storage lot:*
- 459 a. In the C-4 district, such use may only be located north of the former W&OD railroad
460 right-of-way, as shown on Map 9.1 in *Article 4, Section 9: C-4 Central Commercial*
461 *District.*

462 33. *Personal services establishment:*
463 a. In the C-1 district, any such freestanding use shall be limited to not more than 15
464 percent of the total floor area of a unified, mixed-use development plan.

465 34. *Retail sales, general:*

466 a. In the C-1 district, any such freestanding use shall be limited to not more than 15
467 percent of the total floor area of a unified, mixed-use development plan.

468 35. *School, private:*

469 a. In addition to complying with the minimum lot size requirements of the zoning district
470 in which it is located, the minimum lot area for a private school of general education
471 shall be of such size that:

472 i. Two hundred square feet of usable outdoor recreation shall be provided for each
473 child in grades K—3 that may use the space at any one time, and

474 ii. Four hundred thirty square feet of usable outdoor recreation area shall be
475 provided for each child in grades 4—12 that may use the space at any one time.
476 Such usable outdoor recreation area shall be delineated on a plat or site plan
477 submitted at the time the application is filed and shall include only:

478 1. That area not covered by buildings or required off-street parking spaces.

479 2. That area outside the limits of the required front yard.

480 3. That area which is developable for active outdoor recreation purposes.

481 4. An area which occupies no more than 80 percent of the combined total areas
482 of the required rear and side yards.

483 b. All other regulations relative to bulk shall be complied with.

484 c. For each person enrolled, indoor recreation space shall be provided at the rate of 25
485 square feet and such other requirements as determined by the Loudoun County
486 Department of Environmental Health and the Commonwealth of Virginia.

487 d. All such uses shall be located so as to have direct access to an existing or programmed
488 public street of sufficient right-of-way and cross-section width to accommodate
489 pedestrian and vehicular traffic to and from the use. Each applicant, at the time of
490 application, shall provide a reasonable estimate of the expected trip generation, the
491 distribution of these trips by mode and time of day, and the expected service area of
492 the facility. As a general guideline, the size of the use in relation to the appropriate
493 street type should be as follows, subject to whatever modification and conditions the
494 zoning administrator deems to be necessary:

495

Number of Persons	Street Type
1-75	Local
76-150	Collector

496

- 497 e. All such uses shall be located so as to permit the pick-up and discharge of all persons
498 on the site.
- 499 f. No such use shall be permitted unless it is determined by the Loudoun County
500 Department of Environmental Health that the location and design does not pose any
501 hazard to the health, safety and welfare of the children.
- 502 g. All applications to establish a private school use shall be accompanied by two copies of
503 a plan drawn to scale containing the following information:
 - 504 i. The dimensions, boundary lines and area of the lot or parcel.
 - 505 ii. The location, dimensions and height of any building, structure, or addition,
506 whether existing or proposed.
 - 507 iii. The distance from all property lines to the existing or proposed building, structure
508 or addition, shown to the nearest foot.
 - 509 iv. The dimensions and size of all outdoor recreation space and the location of such
510 space in relation to all lot lines.
- 511 h. In the C-4 district, such use may only be located north of the former W&OD railroad
512 right-of-way, as shown on Map 9.1 in *Article 4, Section 9: C-4 Central Commercial*
513 *District*.

514 36. *School, special instruction:*

- 515 a. All such uses shall be located so as to have direct access to an existing or programmed
516 public street of sufficient right-of-way and cross-section width to accommodate
517 pedestrian and vehicular traffic to and from the use. Each applicant, at the time of
518 application, shall provide a reasonable estimate of the expected trip generation, the
519 distribution of these trips by mode and time of day, and the expected service area of
520 the facility. As a general guideline, the size of the use in relation to the appropriate
521 street type should be as follows, subject to whatever modification and conditions the
522 zoning administrator deems to be necessary:

Number of Persons	Street Type
1-75	Local
76-150	Collector

- 524
- 525 b. All such uses shall be located so as to permit the pick-up and discharge of all persons
526 on the site.
- 527 c. All applications to establish a special instruction school use shall be accompanied by
528 two copies of a plan drawn to scale containing the following information:
 - 529 i. The dimensions, boundary lines and area of the lot or parcel.
 - 530 ii. The location, dimensions and height of any building, structure, or addition,
531 whether existing or proposed.

- 532 iii. The distance from all property lines to the existing or proposed building, structure
- 533 or addition, shown to the nearest foot.
- 534 iv. The dimensions and size of all outdoor recreation space and the location of such
- 535 space in relation to all lot lines.

536 37. *School, technical:*

- 537 a. All such uses shall be located so as to have direct access to an existing or programmed
- 538 public street of sufficient right-of-way and cross-section width to accommodate
- 539 pedestrian and vehicular traffic to and from the use. Each applicant, at the time of
- 540 application, shall provide a reasonable estimate of the expected trip generation, the
- 541 distribution of these trips by mode and time of day, and the expected service area of
- 542 the facility. As a general guideline, the size of the use in relation to the appropriate
- 543 street type should be as follows, subject to whatever modification and conditions the
- 544 zoning administrator deems to be necessary:

Number of Persons	Street Type
1-75	Local
76-150	Collector

- 546
- 547 b. All such uses shall be located so as to permit the pick-up and discharge of all persons
- 548 on the site.
- 549 c. All applications to establish a technical school use shall be accompanied by two copies
- 550 of a plan drawn to scale containing the following information:
- 551 i. The dimensions, boundary lines and area of the lot or parcel.
- 552 ii. The location, dimensions and height of any building, structure, or addition,
- 553 whether existing or proposed.
- 554 iii. The distance from all property lines to the existing or proposed building, structure
- 555 or addition, shown to the nearest foot.

556 38. *Sign shop:*

- 557 a. In the C-1, MC and C-4 districts, any equipment and materials must be stored within an
- 558 enclosed building.

559 39. *Studio:*

- 560 a. In the R-3A district, such use shall only be allowed in conjunction with residential use
- 561 of the property and shall comply with the regulations of *Article 4, Section 3A.4: Use*
- 562 *Limitations.*

563 40. *Vehicle sales and service:*

- 564 a. Storage of equipment or materials or damaged vehicles shall be inside a fully enclosed
- 565 building and all major repairs shall be conducted within a fully enclosed building.
- 566 b. The parking of vehicles for sale by individual owners at strategic locations in shopping
- 567 centers to maximize exposure to major thoroughfares and the traveling public is

568 prohibited. The owners of the retail and service commercial shopping center shall be
569 responsible for the posting of the property to prohibit such activity. Owners of the
570 shopping center are responsible for enforcement of these provisions, but, if posting has
571 occurred, the owners of the vehicles for sale will bear the burden of the violation unless
572 it is proven the shopping center owners have not actively enforced their restrictions
573 on the parking of vehicles for sale.

574 41. *Veterinary clinic:*

575 a. The clinic and any treatment rooms, cages, or pens, shall be maintained within a
576 completely enclosed, soundproof building, and such clinic shall be operated in such a
577 way as to produce no objectionable noise or odors outside its walls.

578 **Section 2. - R-2 Single-family residential district.**

579 *2.1 Purpose of the district.*

580 The purpose of this district is to provide for low-density single-family detached residential
581 development together with those public and semi-public uses and accessory uses as may be
582 necessary or are normally compatible with residential surroundings. Certain special care
583 facilities and certain governmental, educational, recreational and utility uses are permitted by
584 special use permit subject to such restrictions and requirements as will ensure compatibility
585 with residential surroundings.

586 An alternative to the basic area and dimensional regulations of this district may be employed to
587 permit cluster development with the objective of improved use of the land and more economical
588 provision of streets and utilities in accordance with *Article 6, Section 5: Cluster Subdivisions.*

589 *2.2 Permissible uses.*

590 A building or land in this district shall be used only in accordance with *Article 4, Section 1: Use*
591 *Regulations.*

592 *2.3 Reserved.*

593 *2.4 Permitted signs.*

594 Subject to *Article 6, Section 3: General Sign Regulations.*

595 *2.5 Lot size standards.*

596 1. Single-family detached dwelling:

597 Minimum lot area:

- 598 a. With both public water service and public sewer service: 15,000 square feet.
- 599 b. With public water service but not public sewer service: 17,500 square feet.
- 600 c. Without public sewer service or public water service: 20,000 square feet.

601 Minimum lot width:

- 602 a. With both public water service and public sewer service: 100 feet.
- 603 b. With public water service but not public sewer service: 100 feet.

- 604 c. Without public sewer service or public water service: 100 feet.
- 605 Minimum lot depth:
- 606 a. With both public water service and public sewer service: 100 feet.
- 607 b. With public water service but not public sewer service: 125 feet.
- 608 c. Without public sewer service or public water service: 150 feet.
- 609 Minimum street frontage: 25 feet for single-family detached dwellings.
- 610 Other uses same as for single-family detached dwelling or as specified in the district
- 611 regulations.
- 612 Minimum lot area for individual or on-site sewage disposal systems is subject to health
- 613 department requirements.
- 614 Lot width is measured at the front building setback line.
- 615 Averaging lot area and cluster subdivisions are permitted in *Article 6, Section 5: Cluster*
- 616 *Subdivisions*.

617 *2.6 Yard and setback standards.*

- 618 1. Single-family detached dwelling:
- 619 Minimum front yard: 25 feet.
- 620 Minimum side yard: Ten feet. Total width of both side yards shall be at least 25 feet.
- 621 Minimum rear yard: 25 feet.
- 622 The minimum front yard shall be measured from the front lot line to the front building
- 623 setback line.
- 624 Minimum front yard shall be 40 feet measured from the street centerline if street right-
- 625 of-way is less than 50 feet in width.
- 626 2. Other principal structures same as single-family detached dwelling or as required in the
- 627 district regulations.
- 628 3. Accessory structures attached to the main building shall be considered part of the main
- 629 building and comply with front, side, and rear yard requirements. (For decks see *Article 6,*
- 630 *Section 4.7: Accessory Buildings and Structures*.)
- 631 Detached accessory structures shall not be closer than five feet to any property line.

632 *2.7 Reserved.*

633 *2.8 Height standards.*

- 634 1. Buildings may be erected up to 2½ stories and 35 feet in height except that:
- 635 a. The height limit for dwellings may be increased up to 45 feet and up to three stories
- 636 provided there are two side yards for each permitted use each of which is at least 15
- 637 feet plus one foot or more for each side yard for each additional foot of building height
- 638 over 35 feet upon granting of a special exception by the board of zoning appeals under
- 639 *Article 9: Board of Zoning Appeals*.

- 640 b. A public or semi-public building, such as a school, church, or library, may be erected to
641 a height of 60 feet from grade provided that required front, side and rear yards shall be
642 increased one foot for each foot in height over 35 feet.
- 643 c. Church spires, belfries, cupolas, monuments, water towers, chimneys, flues, and flag
644 poles of any height, and television antennas up to 50 feet in height, are exempt from
645 height regulations. Parapet walls may be up to four feet above the height of the building
646 on which the walls rest.
- 647 d. No accessory structure which is within ten feet of any party lot line shall be more than
648 one story in height. All accessory structures shall be of less height than the main
649 buildings on the lot.

650 2.9 *Off-street parking and loading standards.*

651 Subject to *Article 6, Section 1: Off-street Parking Requirements* and *Article 6, Section 2: Off-street*
652 *Loading Requirements.*

653 2.10 *Landscaping, screening and open space.*

654 Regulations for landscaping, screening and open space are contained in *Article 7: Landscaping,*
655 *Buffering, and Open Space Regulations.*

656 **Section 3. – R-3 Single-family residential district.**

657 3.1 *Purpose of the district.*

658 The purpose of this district is to provide for low medium-density, single-family detached
659 residential development together with those public and semi-public uses and accessory uses as
660 may be necessary or are normally compatible with residential surroundings. In general,
661 urbanization is planned and utilities and public services exist or are planned to be adequate for
662 the type or types of development contemplated. Accessory dwellings are permitted by special
663 exception approved by the board of zoning appeals. In addition, certain special care facilities and
664 certain governmental, educational, recreational and utility uses are permitted by special use
665 permit subject to such restrictions and requirements as will ensure compatibility with
666 residential surroundings.

667 An alternative to the basic area and dimensional regulations of this district may be employed to
668 permit cluster development with the objective of improved use of the land and more economical
669 provision of streets and utilities in accordance with *Article 6, Section 5: Cluster Subdivisions.*

670 3.2 *Permissible uses.*

671 A building or land in this district shall be used only in accordance with *Article 4, Section 1: Use*
672 *Regulations.*

673 3.3 *Reserved.*

674 3.4 *Permitted signs.*

675 Subject to *Article 6, Section 3: General Sign Regulations.*

676 3.5 Lot size standards.

677 1. Single-family detached dwelling:

678 Minimum lot area:

679 a. With both public water service and public sewer service: 10,000 square feet.

680 b. With public water service but not public sewer service: 12,000 square feet.

681 c. Without public sewer service or public water service: 20,000 square feet.

682 Minimum lot width:

683 a. With both public water service and public sewer service: 75 feet.

684 b. With public water service but not public sewer service: 85 feet.

685 c. Without public sewer service or public water service: 100 feet.

686 Minimum lot depth:

687 a. With both public water service and public sewer service: 100 feet.

688 b. With public water service but not public sewer service: 125 feet.

689 Minimum street frontage: 25 feet .

690 Other uses same as for single-family detached dwelling or as specified in the district regulations.

691 Minimum lot area for individual or on-site sewage disposal systems is subject to health
692 department requirements.

693 Lot width is measured at the front building setback line.

694 Cluster subdivisions are permitted in *Article 6, Section 5: Cluster Subdivisions*.

695 3.6 Yard and setback standards.

696 1. Single-family detached dwellings:

697 Minimum front yard: 25 feet.

698 Minimum side yard: Ten feet. Total width of both side yards shall be at least 25 feet.

699 Minimum rear yard: 25 feet.

700 The minimum front yard shall be measured from the front lot line to the front building
701 setback line.

702 Minimum front yard shall be 40 feet measured from the street centerline if street right-of-
703 way is less than 50 feet.

704 3.7 Reserved.

705 3.8 Height standards.

706 1. Buildings may be erected up to 2½ stories and 35 feet in height except that:

- 707 a. The height limit for dwellings may be increased up to 45 feet and up to three stories
708 provided there are two side yards for each permitted use each of which is at least 15
709 feet plus one foot or more for each side yard for each additional foot of building height
710 over 35 feet, upon granting of a special exception by the board of zoning appeals under
711 *Article 9: Board of Zoning Appeals.*
- 712 b. A public or semi-public building, such as a school, church, library, or general hospital,
713 may be erected to a height of 60 feet provided that required front, side and rear yards
714 shall be increased one foot for each foot in height over 35 feet.
- 715 c. Church spires, belfries, cupolas, monuments, water towers, chimneys, flues, and flag
716 poles of any height, and television antennas up to 50 feet in height, are exempt from
717 height regulations. Parapet walls may be up to four feet above the height of the building
718 on which the walls rest.
- 719 d. Except as provided in *Article 6, Section 4.7: Accessory Buildings and Structures*, no
720 accessory structure which is at least five feet but less than ten feet from any lot line
721 shall be more than 20 feet in height. Accessory Structures at least ten feet from any lot
722 line may be up to 28 feet in height.

723 *3.9 Off-street parking and loading standards.*

724 Subject to *Article 6, Section 1: Off-street Parking Requirements* and *Article 6, Section 2: Off-street*
725 *Loading Requirements.*

726 *3.10 Landscaping, screening and open space.*

727 Regulations for landscaping, screening and open space are contained in *Article 7: Landscaping,*
728 *Buffering, and Open Space Regulations.*

729 **Section 3A. - R-3A Historic office/residential district.**

730 *3A.1 Purpose.*

731 The purpose of this zoning district is to provide the option for limited professional office use in
732 conjunction with established residential uses in areas recommended by the Town
733 Comprehensive Plan for Historic Office/Residential uses in order to maintain the integrity of
734 existing historic properties while providing opportunities for alternative development
735 compatible with the historic character of the area and the residential character of the
736 neighborhood. The residential appearance and historic character of existing structures shall be
737 preserved. Likewise any new construction shall maintain a residential appearance compatible
738 with the historic architectural character of the Purcellville Historic District.

739 *3A.2 Permissible uses.*

740 A building or land in this district shall be used only in accordance with *Article 4, Section 1: Use*
741 *Regulations.*

742 *3A.3 Reserved.*

743 *3A.4 Use limitations.*

- 744 1. Non-residential uses shall not exceed 50 percent of the above ground (i.e., non-basement)
745 floor area of all principal structures on the property, provided however that the town

746 council, after the recommendation of the planning commission, may as a part of a zoning
747 map amendment permit non-residential use of up to 60 percent of the above ground floor
748 area of a principal structure. A floor plan, which indicates the mix of residential and non-
749 residential uses in each structure on the property, shall be submitted with a zoning map
750 amendment application. Once a zoning map amendment has been approved, the Zoning
751 Administrator may approve a revised floor plan as a part of a zoning permit application,
752 provided that the approved ratio of residential to non-residential uses on the property does
753 not change.

754 2. Notwithstanding Article 6, Section 4.3.2, principal uses may be permitted in accessory
755 structures.

756 3. The residential and historic appearance and character shall be maintained in the case of
757 existing structure(s).

758 4. In the event new structures are proposed, such structures shall maintain the residential and
759 historic character of the area and be architecturally compatible with the other principal
760 structures on the property.

761 5. Off-street parking shall be located to the rear or side of the structure located closest to the
762 street and large parking areas shall not be conspicuous from the street. If located to the side,
763 the parking area shall be screened from the street and structures on neighboring lots by
764 landscaping or decorative walls or fences to a minimum height of six feet.

765 6. For the purposes of this ordinance, the commercial area of a bed and breakfast shall be
766 determined as any area used exclusively for the bed and breakfast (including, but not
767 limited to, guest bedrooms, bathrooms, and separate living areas). Areas which are shared
768 (including, but not limited to, dining areas and shared living areas) shall be considered
769 residential.

770 *3A.5 Permitted signs.*

771 Subject to *Article 6, Section 3: General Sign Regulations.*

772 *3A.6 Lot size standards.*

773 1. Minimum Lot width: 70 feet.

774 2. Minimum Lot depth: 100 feet.

775 3. Minimum Lot area: 8,000 square feet.

776 *3A.7 Yard and setback standards.*

777 The following provisions shall apply only to new construction, including modifications to
778 existing structures.

779 1. Minimum front yard: Ten feet.

780 2. Minimum side yard: Ten feet.

781 3. Minimum rear yard: 25 feet.

782 4. Accessory structures attached to a principal structure shall be considered part of the
783 principal structure for the purpose of determining setbacks. Detached accessory structures
784 shall be setback by at least half of the distances specified in paragraphs a. through c. above.

785 The town council may, as a part of a concept plan for a zoning map amendment application,
786 approve specified non-residential uses in any existing structure which cannot meet the setback
787 requirements established by this ordinance, including accessory structures.

788 *3A.8 Reserved.*

789 *3A.9 Height standards.*

790 The following provisions shall apply only to new construction, including modifications to
791 existing structures.

792 1. Principal structures: 35 feet.

793 2. Accessory structures (other than signs): No accessory structure that is within ten feet of any
794 property line shall be more than 15 feet in height. However, a maximum height of 20 feet
795 shall be permitted if the accessory structure is setback an additional one foot for every foot
796 increase in height over 15 feet.

797 *3A.10 Off-street parking and loading standards.*

798 Subject to *Article 6, Section 1: Off-street Parking Requirements* and *Article 6, Section 2: Off-street*
799 *Loading Requirements.*

800 *3A.11 Landscaping, screening and open space.*

801 Shall be as prescribed by *Article 7: Landscaping, Buffering, and Open Space Regulations.*

802 **Section 4. - R-8 Townhouse residential district.**

803 *4.1 Purpose of the district.*

804 The purpose of this district is to provide for medium-density single-family detached and duplex
805 residential development and medium-density townhouse residential development together
806 with those public and semi-public uses and accessory uses as may be necessary or are normally
807 compatible with residential surroundings. In general, urbanization is planned and utilities and
808 public services exist or are planned to be adequate for the type or types of development
809 contemplated. Certain special care facilities and certain governmental, educational, recreational
810 and utility uses are permitted by special use permit subject to such restrictions and
811 requirements as will ensure compatibility with residential surroundings.

812 An alternative to the basic area and dimensional regulations of this district may be employed to
813 permit cluster development with the objective of improved use of the land and more economical
814 provision of streets and utilities in accordance with *Article 6, Section 5: Cluster Subdivisions.*

815 *4.2 Permissible uses.*

816 A building or land in this district shall be used only in accordance with *Article 4, Section 1: Use*
817 *Regulations.*

818 *4.3 Reserved.*

819 *4.4 Permitted signs.*

820 Subject to *Article 6, Section 3: General Sign Regulations.*

821 4.5 Lot size standards.

822 1. Single-family detached dwelling:

823 For minimum lot area, minimum lot width and minimum depth see R-3 regulations.

824 2. Duplex dwelling: Duplex dwellings are permitted only on lots with both public sewer and
825 water service. All requirements below are per dwelling unit.

826 Minimum lot area: 8,500 square feet.

827 Minimum lot width: 75 feet.

828 Minimum lot depth: 100 feet.

829 3. Single-family attached dwellings (townhouses) public water and sewer required.

830 Minimum lot area: 2,000 square feet, not to exceed eight units per acre.

831 Minimum lot width: 20 feet.*

832 Minimum lot depth: 100 feet.

833 *See *Article 4, Section 1.2: Use Standards* for special regulations for single-family attached
834 dwellings.

835 Lot width is measured at the front building setback line.

836 Minimum lot width shall be 30 feet for end and corner lots. All townhouse dwellings except
837 end dwellings and corner lots shall occupy the full width of the lot.

838 Other uses same as for single-family detached or duplex dwellings or as specified in the
839 district regulations.

840 Minimum street frontage is 25 feet for single-family detached and duplex dwellings.

841 Minimum lot area for individual or on-site sewage disposal systems is subject to health
842 department requirements.

843 Cluster subdivisions are permitted in *Article 6, Section 5: Cluster Subdivisions*. Special
844 provisions for single-family attached dwellings are found in *Article 4, Section 1.2: Use*
845 *Standards*.

846 4.6 Yard and setback standards.

847 1. Single-family detached dwellings: See R-3 district regulations.

848 2. Duplex dwellings: Minimum front yard: 25 feet.

849 Minimum side yard: No requirement for interior lot line for dwelling units with common
850 vertical wall and separate lots; minimum side yard on lot line without common wall shall
851 be 12.5 feet.

852 Minimum rear yard: 25 feet.

853 3. Single-family attached dwellings (townhouses):

854 Minimum front yard: 15 feet.
855 Minimum side yard: Ten feet.*
856 Minimum rear yard: 25 feet.
857 *Minimum side yards for end lots only.
858 Minimum front yard shall be 40 feet from the street centerline if street right-of-way is less
859 than 50 feet in width.
860 The minimum front yard shall be measured from the front lot line to the front building
861 setback line.
862 Other principal structures same as single-family detached dwelling or as required in the
863 district regulations.
864 Accessory structures attached to the main building shall be considered part of the main
865 building and comply with front, side and rear yard requirements. (For decks see *Article 6,*
866 *Section 4.7: Accessory Buildings and Structures.*)
867 Detached accessory structures shall not be closer than five feet to any property line.
868 See *Article 4, Section 1.2: Use Standards* for special regulations for single-family attached
869 dwellings and accessory structures.
870 *4.7 Reserved.*
871 *4.8 Height standards.*
872 1. Buildings may be erected up to 2½ stories and 35 feet in height except that:
873 a. Townhouses may include three stories but may not exceed 35 feet in height.
874 b. The height limit for dwellings other than townhouses may be increased up to 45 feet
875 and up to three stories provided there are two side yards for each permitted use each
876 of which is at least 15 feet plus one foot or more for each side yard for each additional
877 foot of building height over 35 feet.
878 c. A public or semi-public building, such as a school, church, library, or general hospital,
879 may be erected to a height of 60 feet provided that required front, side and rear yards
880 shall be increased one foot for each foot in height over 35 feet.
881 d. Church spires, belfries, cupolas, monuments, water towers, chimneys, flues, and flag
882 poles of any height, and television antennas up to 50 feet in height, are exempt from
883 height regulations. Parapet walls may be up to four feet above the height of the building
884 on which the walls rest.
885 e. No accessory structure which is within ten feet of any party lot line shall be more than
886 one story in height. All accessory structures shall be of less height than the main
887 buildings on the lot.

888 4.9 Off-street parking and loading standards.

889 Subject to Article 6, Section 1: Off-street Parking Requirements and Article 6, Section 2: Off-street
890 Loading Requirements.

891 4.10 Landscaping, screening and open space.

892 Regulations for landscaping, screening and open space are contained in Article 7: Landscaping,
893 Buffering, and Open Space Regulations.

894 4.11 Reserved.

895 4.12 Repealed.

896 **Section 5. - R-15 Apartment residential district.**

897 5.1 Purpose of the district.

898 The purpose of this district is to provide for medium to high density residential use and to
899 provide for variety in housing types and densities as well as for those public and semi-public
900 uses and accessory uses as may be necessary or are normally associated with residential
901 surroundings. In general, urbanization is planned and utilities and public services exist or are
902 planned to be adequate for the type or types of development contemplated. Certain special care
903 facilities and certain governmental, educational, recreational and utility uses are permitted by
904 special use permit subject to such restrictions and requirements as will ensure compatibility
905 with residential surroundings.

906 An alternative to the basic area and dimensional regulations of this district may be employed to
907 permit cluster and/or planned housing development with the objective of improved use of the
908 land and more economical provision of streets and utilities in accordance with Article 6, Section
909 5: Cluster Subdivisions.

910 5.2 Permissible uses.

911 A building or land in this district shall be used only in accordance with Article 4, Section 1: Use
912 Regulations.

913 5.3 Reserved.

914 5.4 Permitted signs.

915 Subject to Article 6, Section 3: General Sign Regulations.

916 5.5 Lot size standards.

- 917 1. Single-family dwelling: See R-3 district regulations.
918 2. Duplex dwellings: See R-8 district regulations.
919 3. Single-family attached dwellings (townhouses) public water and public sewer required:
920 *Minimum lot area:* 2,000 square feet, not to exceed eight units per acre.
921 *Minimum lot width:* 20 feet.

922 *Minimum lot depth: 100 feet.*

923 See *Article 4, Section 1.2: Use Standards* for special regulations for single-family attached
924 dwellings.

925 4. Multiple-family dwellings public water and public sewerage required:
926 *Minimum lot area: Two acres.*

927 *Minimum lot width: 100 feet.*

928 *Minimum lot depth: 125 feet.*

929 Other uses same as for single-family detached dwelling or as specified in the district
930 regulations.

931 Minimum lot area for individual or on-site sewage disposal systems is subject to health
932 department requirements.

933 Lot width is measured at the front building setback line.

934 Minimum street frontage is 25 feet for detached dwellings and duplexes.

935 Cluster subdivisions are permitted in *Article 6, Section 5: Cluster Subdivisions*.

936 See *Article 4, Section 1.2: Use Standards* for special regulations for single-family attached
937 dwellings, and multiple-family dwellings.

938 *5.6 Yard and setback standards.*

939 Single-family detached dwellings: See R-3 district regulations.

940 Duplex dwellings: See R-8 district regulations.

941 See *Article 4, Section 1.2: Use Standards* for special regulations for single-family attached
942 dwellings and multiple-family dwellings.

943 The minimum front yard shall be measured from the front lot line to the front building setback
944 line.

945 Other principal structures same as single-family detached dwelling or as required in the district
946 regulations.

947 Accessory structures attached to the main building shall be considered part of the main building
948 and comply with front, side and rear yard requirements. (For decks see *Article 6, Section 4.7:*
949 *Accessory Buildings and Structures*.)

950 Detached accessory structures shall not be closer than five feet to any property line.

951 *5.7 Reserved.*

952 *5.8 Height standards.*

953 1. Buildings may be erected up to 2½ stories and 35 feet in height except that:

- 954 a. The height limit for dwellings other than townhouses may be increased up to 45 feet
955 and up to three stories provided there are two side yards for each permitted use each
956 of which is at least 15 feet plus one foot or more for each side yard for each additional
957 foot of building height over 35 feet, upon granting of a special exception by the board
958 of zoning appeals under *Article 9: Board of Zoning Appeals*.
- 959 b. A public or semi-public building, such as a school, church, library, or general hospital,
960 may be erected to a height of 60 feet provided that required front, side and rear yards
961 shall be increased one foot for each foot in height over 35 feet.
- 962 c. Church spires, belfries, cupolas, monuments, water towers, chimneys, flues, and flag
963 poles of any height, and television antennas up to 50 feet in height, are exempt from
964 height regulations. Parapet walls may be up to four feet above the height of the building
965 on which the walls rest.
- 966 d. No accessory structure which is within ten feet of any party lot line shall be more than
967 one story in height. All accessory structures shall be of less height than the main
968 buildings on the lot.

969 *5.9 Off-street parking and loading standards.*

970 Subject to *Article 6, Section 1: Off-street Parking Requirements* and *Article 6, Section 2: Off-street*
971 *Loading Requirements*.

972 *5.10 Landscaping, screening and open space.*

973 Regulations for landscaping, screening and open space are contained in *Article 7: Landscaping,*
974 *Buffering, and Open Space Regulations*.

975 *5.11 Reserved.*

976 *5.12 Reserved.*

977 *5.13 Reserved.*

978 *5.14 Reserved.*

979 *5.15 Reserved.*

980 **Section 6. - C-1 Office commercial district.**

981 *6.1 Purpose of the district.*

982 The purpose of this district is to provide for planned office parks or for offices and similar
983 business buildings and limited office support uses, in attractive surroundings with types of uses,
984 structures, plantings, and signs so controlled as to be generally compatible with medium density
985 or low density residential surroundings.

986 *6.2 Permissible uses.*

987 A building or land in this district shall be used only in accordance with *Article 4, Section 1: Use*
988 *Regulations*.

989 6.3 *Reserved.*

990 6.4 *Permitted signs.*

991 Subject to *Article 6, Section 3: General Sign Regulations.*

992 6.5 *Lot size standards.*

993 1. For permitted uses the minimum lot size shall be 20,000 square feet.

994 2. Minimum street frontage is 50 feet.

995 6.6 *Yard and setback standards.*

996 1. Minimum front yard: 35 feet.

997 2. Minimum side yard: none, except 15 feet when a lot abuts a residential district.

998 3. Minimum rear yard: 20 feet; 40 feet if adjacent to a residential district.

999 4. Minimum setback and buffer from streams: a planted buffer strip of at least 100 feet in
1000 width must be provided between any existing stream that drains a watershed area of 100
1001 or more acres, and all proposed buildings and paved parking areas. However, the developer
1002 may submit a plan for approval by the zoning administrator to reduce the buffer to not less
1003 than 50 feet, provided that the plan includes alternative measures that would achieve the
1004 same level of protection for water quality and wildlife habitat as would a 100-foot wide
1005 buffer.

1006 5. Building coverage shall be limited to a maximum of 40 percent of lot area.

1007 6. Maximum total lot coverage of building and parking is 60 percent.

1008 7. The zoning administrator may grant an administrative modification of these setback
1009 requirements upon recommendation of the board or architectural review, which shall
1010 include a written explanation of how any such modification will better accomplish the
1011 purpose and intent of the district.

1012 6.7 *Special regulations for offices and other business buildings.*

1013 1. Site plan required. Site development plan approval is required. An office park or office
1014 buildings or other buildings shall be designed to promote harmonious relationships with
1015 surrounding adjacent and nearby properties, developed and undeveloped, including
1016 providing a coordinated appearance when viewed from adjacent highways, and to this end
1017 may employ such design techniques as may be appropriate to a particular area, including
1018 location of permitted uses, orientation, spacing and setback of buildings, maintenance of
1019 natural vegetation, location of access points, size and location of signs, open spaces, and
1020 parking areas, grading, landscaping and servicing.

1021 6.8 *Height standards.*

1022 Buildings may be erected up to 45 feet in height provided that:

1023 1. Any building or part of a building which is located within 50 feet of an R-2 or R-3 residential
1024 district shall not exceed two stories and 35 feet in height.

- 1025 2. Principal structures may be erected to a height of 60 feet from grade provided that for
1026 portions of the building greater than 45 feet in height, required front, side and rear yards
1027 shall be increased one foot for each foot in height over 45 feet.
- 1028 3. Church spires, belfries, cupolas, monuments, water towers, chimneys, flues, and flag poles
1029 of any height, and television antennas up to 60 feet in height, are exempt from height
1030 regulations. Parapet walls may be up to four feet above the height of the building on which
1031 the walls rest.
- 1032 4. No accessory structure which is within ten feet of any adjoining owner lot line shall be more
1033 than one story or 15 feet high. All accessory structures shall be of less height than the main
1034 buildings on the lot.

1035 *6.9 Additional design standards for all uses.*

- 1036 1. New commercial developments incorporating multiple buildings shall be designed to
1037 provide a cohesive appearance, using materials, detailing and colors to provide overall
1038 similarity and compatibility among structures. Design features of individual buildings,
1039 structures or storefronts shall be subordinate to the overall design of the development as a
1040 whole.
- 1041 2. Projects containing many buildings or a variety of functions shall provide variety in building
1042 size and massing. A general transition from small or low buildings along street frontages to
1043 larger and taller buildings on the interior of the site shall be achieved.
- 1044 3. On large commercial sites of greater than two acres, development of several smaller
1045 buildings to create visual interest, human scale and variety, shall be achieved, rather than a
1046 single large building. The use of smaller buildings, appropriately positioned and sited as a
1047 means of breaking up large parking expanses shall be achieved.
- 1048 4. Solid walls, dull or minimal facades shall be avoided along public streets or pedestrian ways.
- 1049 5. Parking shall be designed to the rear of the lot when possible. Shared entrances shall be
1050 used wherever possible and, when parking lots are adjacent, the lots shall be connected to
1051 parking areas on adjacent sites and integrated with each other whenever possible.
- 1052 6. Vehicular entrances/exits shall be consolidated and shared among adjacent properties to
1053 minimize traffic conflicts. Individual points of access along major roadways shall be
1054 avoided. Access shall be provided by secondary roads and common driveways wherever
1055 possible.
- 1056 7. Parking lots shall be screened from view through the use of such elements as landscaping
1057 and/or street trees.
- 1058 8. Mechanical equipment, including rooftop equipment, such as generators and air
1059 conditioning units, shall be screened from public view in a manner compatible with the site
1060 and using material similar to the buildings and harmonious with the overall design.
- 1061 9. Loading and service areas shall be oriented away from public views.

1062 *6.10 Additional standards and requirements for special permit uses.*

1063 In addition to the general standards set forth in *Article 8, Section 1: Special Use Permit*, all
1064 developments requiring a special use permit shall be reviewed for compliance with *Section 6.9:*
1065 *Additional Design Standards for All Uses* above, the Town of Purcellville Design Guidelines and *Article*
1066 *4, Section 1.2: Use Standards.*

1067 6.11 *Off-street parking and loading standards.*

1068 Subject to *Article 6, Section 1: Off-street Parking Requirements* and *Article 6, Section 2: Off-street*
1069 *Loading Requirements.*

1070 6.12 *Landscaping, screening and open space.*

1071 Regulations for landscaping, screening and open space are contained in *Article 7: Landscaping,*
1072 *Buffering, and Open Space Regulations.*

1073 **Section 7. - MC Mixed commercial district.**

1074 7.1 *Purpose of the district.*

1075 The purpose of this district is to provide sufficient space in appropriate locations for a variety of
1076 retail shopping, office uses and miscellaneous recreational and service activities, generally
1077 serving the town, its neighborhoods and the surrounding area of the county and to implement
1078 the town's comprehensive plan. These uses should be developed as compact centers in or near
1079 developed areas where retail and service activities now exist or are planned. Since these areas
1080 are generally located along major thoroughfares and at the major gateways to the town, the
1081 district includes site design standards to minimize traffic congestion and conflict and
1082 landscaping and sign standards to minimize distracting visual clutter and to enhance the
1083 appearance of the district. To enhance the general character of the district, its function of local
1084 and neighborhood service, and its compatibility with surrounding uses, the size of certain by-
1085 right uses is limited and special standards are included to address automobile intensive uses.

1086 7.2 *Permissible uses.*

1087 A building or land in this district shall be used only in accordance with *Article 4, Section 1: Use*
1088 *Regulations.*

1089 7.3 *Reserved.*

1090 7.4 *Reserved.*

1091 7.5 *Lot size standards.*

1092 1. Minimum lot area: 20,000 square feet.

1093 2. Minimum lot width: 100 feet. Lot width is measured at the minimum front yard building
1094 restriction line.

1095 3. Minimum lot depth: 150 feet.

1096 4. Minimum street frontage: 50 feet.

1097 a. Exception to minimum street frontage: The minimum street frontage may be reduced
1098 to a minimum of 30 feet for one lot of a two-lot subdivision provided that any resulting
1099 lot with frontage less than 50 feet shall not require new individual access to a public
1100 street for ingress and egress of vehicular traffic, but rather shall share use of a
1101 previously existing legal access to a public street with a contiguous parcel.

1102 7.6 Yard and setback standards.

- 1103 1. Minimum front yard: Ten feet. See *Article 6: Supplementary Regulations* for exception for
1104 signs and certain other structures.
- 1105 2. Minimum side yard: 15 feet, if adjacent to a residential district.
- 1106 3. Minimum rear yard: 20 feet; 40 feet if adjacent to a residential district.
- 1107 4. Refer to *Article 6: Supplementary Regulations* for additional provisions that may qualify the
1108 minimum yard requirements set forth above.

1109 7.7 Reserved.

1110 7.8 Height and bulk regulations.

- 1111 1. Maximum building height: 45 feet and not in excess of three stories except that:
 - 1112 a. For office buildings and financial institutions, any building or part of a building which
1113 is located within 200 feet of an R-2 or R-3 residential district shall not exceed two
1114 stories or 30 feet in height.
 - 1115 b. A public or semi-public building, such as a school, church, or library, may be erected to
1116 a height of 60 feet from grade provided that the setback from the property line for that
1117 portion of the building exceeding 45 feet shall be increased one foot for each foot in
1118 height over 35 feet.
 - 1119 c. Church spires, belfries, cupolas, monuments, water towers, chimneys, flues, and
1120 flagpoles of any height, and television and radio antennas up to 50 feet in height, are
1121 exempt from height regulations. Parapet walls may be up to four feet above the height
1122 of the building on which the walls rest.
 - 1123 d. No accessory structure which is within ten feet of any adjoining property line shall be
1124 more than one story high. All accessory structures shall be of less height than the main
1125 buildings on the lot.
- 1126 2. Maximum lot coverage: 40 percent of the lot area.
- 1127 3. a. Minimum landscaped open space for parcels of two acres or less: 15 percent.
1128 b. Minimum landscaped open space for parcels greater than two acres and less than six
1129 acres: 20 percent.
- 1130 c. Minimum landscaped open space for parcels six acres or greater: 25 percent.
- 1131 4. Maximum floor area ratio: 0.6.

1132 7.9 Additional design standards for all uses.

- 1133 1. Site plan. Where approval of a site plan is required, the plan shall be designed to promote
1134 sensitive use of topography and to promote harmonious relationships with adjacent and
1135 nearby residential properties, developed or undeveloped, and to this end shall provide
1136 effective screening along side and rear properties lines by means of fences, walls, hedges,
1137 planting screen or natural vegetation in accordance with the requirements of this
1138 ordinance.

- 1139 2. Refuse. Refuse containers and refuse storage shall be located in a paved area and hidden
 1140 from general public view, either from within or outside the premises, by means of fences,
 1141 walls, or landscape planting.
- 1142 3. Drainage. Provision shall be made for proper stormwater drainage from parking and
 1143 loading areas. Water shall not be permitted to drain from such areas onto adjacent property
 1144 except into a natural watercourse or a drainage easement. Provision shall be made for
 1145 protection against erosion and sedimentation in accordance with applicable town
 1146 ordinances.
- 1147 4. New commercial developments incorporating multiple buildings shall be designed to
 1148 provide a cohesive appearance, using materials, detailing and colors to provide overall
 1149 similarity and compatibility among structures. Design features of individual buildings,
 1150 structures or storefronts shall be subordinate to the overall design of the development as a
 1151 whole.
- 1152 5. Projects containing many buildings or a variety of functions shall provide variety in building
 1153 size and massing. A general transition from small or low buildings along street frontages to
 1154 larger and taller buildings on the interior of the site shall be achieved.
- 1155 6. On large commercial sites, development of several smaller buildings to create visual
 1156 interest, human scale and variety, shall be achieved, rather than a single large building. The
 1157 use of smaller buildings, appropriately positioned and sited as a means of breaking up large
 1158 parking expanses shall be achieved.
- 1159 7. Solid walls, dull or minimal facades shall be avoided along public streets or pedestrian ways.
- 1160 8. Parking shall be designed to the rear of the lot when possible. Shared entrances shall be
 1161 used wherever possible and, when parking lots are adjacent, the lots shall be connected to
 1162 parking areas on adjacent sites and integrated with each other whenever possible.
- 1163 9. Vehicular entrances/exits shall be consolidated and shared among adjacent properties to
 1164 minimize traffic conflicts. Individual points of access along major roadways shall be
 1165 avoided. Access shall be provided by secondary roads and common driveways wherever
 1166 possible.
- 1167 10. Parking lots shall be screened from view through the use of such elements as earthen berms,
 1168 landscaping and/or street trees.
- 1169 11. Mechanical equipment, including rooftop equipment, such as generators and air
 1170 conditioning units, shall be screened from public view in a manner compatible with the site
 1171 and using material similar to the buildings and harmonious with the overall design.
- 1172 12. Loading and service areas shall be oriented away from public views.

1173 *7.10 Off-street parking and loading standards.*

1174 Subject to *Article 6, Section 1: Off-street Parking Requirements* and *Article 6, Section 2: Off-street*
 1175 *Loading Requirements.*

1176 *7.11 Landscaping, screening and open space.*

1177 Regulations for landscaping, screening and open space are contained in *Article 7: Landscaping,*
 1178 *Buffering, and Open Space Regulations.*

1179 7.12 Permitted signs.

1180 Subject to Article 6, Section 3: General Sign Regulations.

1181 7.13 Reserved.

1182 7.14 Additional standards and requirements for special permit uses.

1183 In addition to the general standards set forth in Article 8, Section 1: Special Use Permit, all
1184 developments requiring a special use permit shall be reviewed for compliance with Section 7.9:
1185 Additional Design Standards for All Uses above, the Town of Purcellville Design Guidelines and
1186 Article 4, Section 1.2: Use Standards.

1187 **Section 8. - Reserved.**

1188 **Section 9. - C-4 Central commercial district.**

1189 9.1 Purpose of the district.

1190 The purpose of this district is to provide for an appropriate variety of uses in the historic center
1191 for commercial, financial, professional, governmental, recreation, entertainment, and cultural
1192 activities, in accordance with the purposes and goals of the comprehensive plan. It is intended
1193 to promote a convenient and relatively compact arrangement of uses and buildings that enhance
1194 the sense of place and pedestrian orientation of the downtown area, and to this end required
1195 yards are minimal and permitted building bulk and coverage is relatively high. Medium density
1196 residential development is permitted to encourage housing convenient to places of shopping and
1197 work. Signing and outdoor storage are restricted in order to promote an attractive and stable
1198 urban environment.

1199 9.2 Permissible uses.

1200 A building or land in this district shall be used only in accordance with Article 4, Section 1: Use
1201 Regulations.

1202 9.3 Reserved.

1203 9.4 Permitted signs.

1204 Subject to Article 6, Section 3: General Sign Regulations.

1205 9.5 Lot size standards.

1206 There are no minimum lot size standards for dwellings or business uses in the C-4 central
1207 commercial district.

1208 9.6 Yard and setback standards for all structures and on-site parking.

1209 1. Minimum front yard: None.

1210 2. Maximum front yard: No greater than 15 feet, with the following exceptions:

1211 a. That permitted outdoor public use spaces such as outdoor cafe seating are exempt from
1212 this requirement, and

- 1213 b. For expansions to existing principal structures, the setback may be greater than 15 feet
- 1214 as long as it is bringing the existing setback into equal or greater conformity with the
- 1215 regulations than the existing structure.

- 1216 c. All lots zoned C-4 and located north of the former W&OD railroad right-of-way, as
- 1217 shown on Map 9.1, are excepted from this provision.

- 1218 3. Minimum side yard: None, except that for the side of a lot abutting a residential district there
- 1219 shall be a side yard of at least ten feet.

- 1220 4. Minimum rear yard: None, except that for business and mixed use buildings, no rear yard is
- 1221 required at the first floor level except on the rear of a lot abutting a residential district there
- 1222 shall be a rear yard of 20 feet. For dwellings there shall be a rear yard of at least 20 feet and
- 1223 for all buildings there shall be a rear yard of at least 20 feet at and above the second floor
- 1224 level.

- 1225 5. New on-site surface parking lots may not be located closer to the front lot line than the front
- 1226 facade of any new principal structure, with the following exceptions:

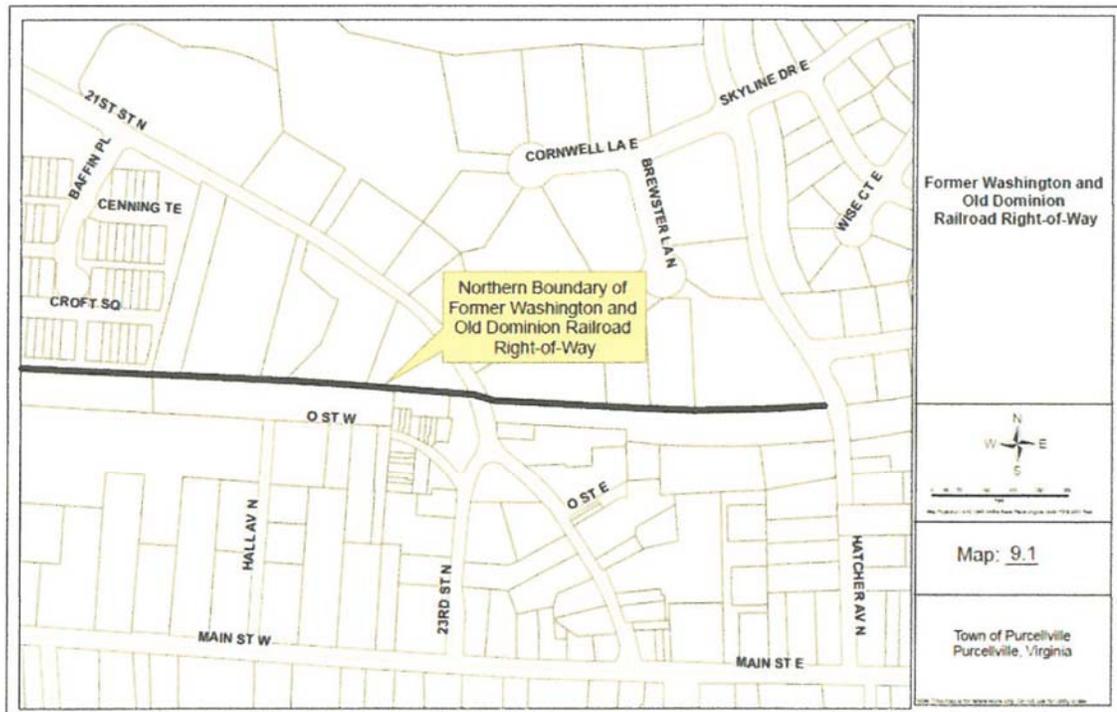
- 1227 a. That not more than one row of parallel or angled parking is permitted in the front yard
- 1228 if the sidewalk is between such parking and any new principal structure and such
- 1229 parking directly abuts an approved public street without any intervening open space
- 1230 or physical improvements, and

- 1231 b. Existing areas of existing parking lots are exempt from this provision.

- 1232 c. One expansion of not more than nine new parking spaces to an existing parking lot is
- 1233 exempt from these provisions.

- 1234 d. All lots zoned C-4 and located north of the former W&OD railroad right-of-way, as
- 1235 shown on Map 9.1. are excepted from this provision.

1236 Map 9.1



1237

1238 6. The front facade of the principal structure must extend across at least 50 percent of the lot
 1239 width at the front setback, unless less frontage is required due to required driveway access
 1240 or to preserve existing vegetation. The front facade must enclose a full height, habitable
 1241 interior space. However, existing parcels with existing principal structures and front lot
 1242 widths of more than 80 feet at the time of adoption of these standards, need only have front
 1243 facades across 35 percent of the front lot width. Properties to the north of the W&OD trail
 1244 shall be exempt from either of these requirements.

1245 7. The zoning administrator may grant an administrative modification of these setback
 1246 requirements upon recommendation of the board of architectural review, which shall
 1247 include a written explanation of how any such modification will better accomplish the
 1248 purpose and intent of the district.

1249 *9.7 Special regulations for business and commercial buildings.*

1250 1. Similar uses permitted. Other commercial, financial, professional, governmental, recreation,
 1251 entertainment, cultural and service uses which, in the opinion of the zoning administrator,
 1252 are of the same general character as those uses permitted in the district, shall be permitted,
 1253 provided that these uses shall be permitted only in accordance with the development
 1254 standards of this ordinance.

1255 2. Enclosed buildings. Except as provided in the regulations for this district, all uses shall be
 1256 conducted within completely enclosed buildings of permanent and durable construction,
 1257 with no open storage of raw, in process, or finished products or material and supplies or
 1258 waste material, except products on temporary display for sale. This provision does not
 1259 preclude outdoor eating areas accessory to a permitted use.

1260 9.8 Height standards.

1261 Buildings may be erected up to 45 feet in height as measured to the top eave of the façade
1262 provided that:

- 1263 1. Any business building or part of such building which is located within 50 feet of any
1264 residential district shall not exceed 35 feet in height as measured to the top eave of the
1265 façade.
- 1266 2. Any building may be erected to a height of 60 feet as measured to the top eave of the façade.
- 1267 3. Notwithstanding the provisions of Section 9.8.2., for properties in common ownership that
1268 exceed an aggregate of two contiguous acres in size and that abut North 21st Street, the
1269 building height at the front façade or the front property line, whichever is the greater
1270 distance from the public street, may be up to 35 feet in height; and up to 50 percent of the
1271 width of the front façade may be up to 65 feet in height.

1272 For adjacent properties in common ownership that exceed an aggregate of two contiguous acres
1273 in size located in the C-4 district that abut East "O" Street, the maximum building height is 65
1274 feet.

- 1275 4. The maximum roof pitch shall be no steeper than 12/12 and the maximum top gable peak
1276 shall not exceed 75 feet in height.
- 1277 5. Church spires, belfries, cupolas, monuments, water towers, chimneys, flues, and flag poles
1278 of any height, and television antennas up to 125 feet in height, are exempt from height
1279 regulations. Parapet walls may be up to four feet above the height of the building on which
1280 the walls rest.

1281 9.9 Off-street parking and loading standards.

1282 Subject to Article 6, Section 1: Off-street Parking Requirements and Article 6, Section 2: Off-street
1283 Loading Requirements.

1284 9.10 Landscaping, screening and open space.

1285 Regulations for landscaping, screening and open space are contained in Article 7: Landscaping,
1286 Buffering, and Open Space Regulations.

1287 **Section 10. - CM-1 Local service industrial district.**

1288 10.1 Purpose of the district.

1289 The purpose of this district is to provide for a wide variety of local and farm service industrial
1290 operations, including repair services, building supplies, and open or enclosed storage of
1291 products, supplies and equipment, but to restrict or prohibit those service industries which have
1292 characteristics likely to produce serious adverse effects within or beyond the limits of the
1293 district, in accordance with the purposes and goals of the comprehensive plan. Limited
1294 manufacturing is also permitted, including open storage of products and materials. In order to
1295 preserve the land for industry, to reduce extraneous traffic, and avoid future conflicts between
1296 industry and other uses, retail and business service uses are limited primarily to those which
1297 will be useful to employees in the district and future residential uses are restricted.

1298 *10.2 Permissible uses.*

1299 A building or land in this district shall be used only in accordance with *Article 4, Section 1: Use*
1300 *Regulations.*

1301 *10.3 Reserved.*

1302 *10.4 Permitted signs.*

1303 Subject to *Article 6, Section 3: General Sign Regulations.*

1304 *10.5 Lot size standards.*

1305 There are no minimum lot size standards in the CM-1 district.

1306 *10.6 Yard and setback standards.*

1307 All structures:

- 1308 1. Minimum front yard: 20 feet^(a)
- 1309 2. Minimum side yard: Ten feet^(b)
- 1310 3. Minimum rear yard: 20 feet^(b)

1311 ^(a)See *Article 6: Supplementary Regulations* for exceptions for signs and certain other
1312 structures.

1313 ^(b)No structure shall be located closer than 50 feet to the boundary of a residential district.

- 1314 4. The zoning administrator may grant an administrative modification of these setback
1315 requirements upon recommendation of the board of architectural review, which shall
1316 include a written explanation of how any such modification will better accomplish the
1317 purpose and intent of the district.

1318 *10.7 Special regulations for commercial and industrial buildings.*

1319 1. *Site plan.* Where approval of a site plan is required, the plan shall be designed to promote
1320 harmonious relationships with adjacent and nearby residential and business properties,
1321 developed or undeveloped, and to this end may provide effective screening along side and
1322 rear property lines by means of fences, walls, hedges, planting screen or natural vegetation
1323 in accordance with the requirements of this ordinance.

1324 2. *Fencing.* All fencing shall have a uniform and durable character and shall be properly
1325 maintained.

1326 3. *Hazardous materials and chemicals.* A list of hazardous materials and chemicals shall be
1327 provided at the time an occupancy permit is applied for. The list will be referred to the office
1328 of the fire marshal who shall determine special SARA storage and handling requirements and any
1329 other requirements as may be required by SARA Title III and applicable state regulations.

1330 4. *Enclosed buildings.* All uses shall be conducted within a completely enclosed building of
1331 permanent and durable construction, with no open storage of waste material. Products or
1332 equipment used, manufactured or maintained on the premises may be stored in the open if
1333 screened from the street or from a residential district by landscaping, fences or walls.

- 1334 5. *Landscaping.* Any part of the front yard not used for parking or accessways shall be
1335 landscaped with grass, trees, shrubs or pedestrian walks.
- 1336 6. *Refuse.* Refuse containers or refuse storage shall be located in a paved area and hidden from
1337 general public view, either from within or outside the premises, by means of fences, walls,
1338 or landscaping planting.
- 1339 7. *Drainage.* Provision shall be made for proper stormwater drainage from parking and
1340 loading areas. Water shall not be permitted to drain from such areas onto adjacent property
1341 except into a natural watercourse or a drainage easement. Provision shall be made for
1342 protection against erosion and sedimentation in accordance with applicable town
1343 ordinances.

1344 *10.8 Height standards.*

1345 Buildings may be erected up to 60 feet in height provided that:

- 1346 a. A building or part thereof may be erected to a height of 75 feet provided that the portions
1347 of the building higher than 35 feet are set back from any lot line at least one foot for each
1348 additional foot of height above 35 feet.
- 1349 b. Cupolas, monuments, water towers, chimneys flues, and flag poles of any height, and
1350 television antennas up to 125 feet in height, are exempt from height regulations. Parapet
1351 walls may be up to four feet above the height of the building on which the walls rest.
- 1352 c. The board of zoning appeals may grant exceptions to height limits under *Article 9: Board of*
1353 *Zoning Appeals.*

1354 *10.9 Off-street parking and loading standards.*

1355 Subject to *Article 6, Section 1: Off-street Parking Requirements* and *Article 6, Section 2: Off-street*
1356 *Loading Requirements.*

1357 *10.10 Landscaping, screening and open space.*

1358 Regulations for landscaping, screening and open space are contained in *Article 7: Landscaping,*
1359 *Buffering, and Open Space Regulations.*

1360 **Section 11. - M-1 Limited industrial district.**

1361 *11.1 Purpose of the district.*

1362 The purpose of this district is to provide for a variety of light manufacturing, fabricating,
1363 processing, wholesale distributing and warehousing uses appropriately located for access by
1364 highways and providing a controlled environment within which signing is limited, uses are to be
1365 conducted generally within completely enclosed buildings or within screened areas, and a
1366 moderate amount of landscaping is required, in accordance with the purposes and goals of the
1367 comprehensive plan. In order to preserve the land for industry, to reduce extraneous traffic, and
1368 avoid future conflicts between industry and other uses, business and service uses are limited
1369 primarily to those which will be useful to employees in the district and future residential uses
1370 are restricted.

1371 *11.2 Permissible uses.*

1372 A building or land in this district shall be used only in accordance with *Article 4, Section 1: Use*
1373 *Regulations.*

1374 *11.3 Reserved.*

1375 *11.4 Permitted signs.*

1376 Subject to *Article 6, Section 3: General Sign Regulations.*

1377 *11.5 Lot size standards.*

1378 1. For permitted uses the minimum lot size shall be 20,000 square feet with a minimum lot
1379 width of 100 feet and minimum lot depth of 150 feet.

1380 2. Building coverage shall be limited to 50 percent of lot area.

1381 Lot width is measured at the building line.

1382 Minimum street frontage is 50 feet.

1383 *11.6 Yard and setback standards.*

1384 All structures:

1385 Minimum front yard: 25 feet^(a)

1386 Minimum side yard: 15 feet^(b)

1387 Minimum rear yard: 40 feet^(b)

1388 ^(a)See *Article 6: Supplementary Regulations* for exceptions for signs and certain other
1389 structures.

1390 ^(b)No structure shall be located closer than 50 feet to the boundary of a residential district.

1391 *11.7 Special regulations for manufacturing and commercial buildings.*

1392 1. *Similar uses permitted.* Other manufacturing uses which, in the opinion of the zoning
1393 administrator, are of the same general character as those uses permitted in the district shall
1394 be permitted. All uses shall be conducted so as not to produce hazardous, objectionable or
1395 offensive conditions at property line boundaries by reason of odor, dust, smoke, cinders,
1396 fumes, noise, vibration, heat, glare, wastes, fire or explosion.

1397 2. *Enclosed buildings.* All uses shall be conducted within a completely enclosed building of
1398 permanent and durable construction, with no open storage of waste material. Products or
1399 equipment used, manufactured or maintained on the premises may be stored in the open if
1400 screened from the street or from a residential district by landscaping, fences or walls.

1401 3. *Landscaping.* Any part of the front yard not used for parking or accessways shall be
1402 landscaped with grass, trees, shrubs or pedestrian walks.

1403 4. *Site plan.* Where approval of a site plan is required, the plan shall be designed to promote
1404 careful use of topography and to promote harmonious relationships with adjacent and
1405 nearby residential and business properties, developed or undeveloped, and to this end may

1406 provide effective screening along side and rear property lines by means of fences, walls,
1407 hedges, planting screen or natural vegetation in accordance with the requirements of this
1408 ordinance.

1409 5. *Refuse.* Refuse containers or refuse storage shall be located in a paved area and hidden from
1410 general public view, either from within or outside the premises, by means of fences, walls,
1411 or landscaping planting.

1412 6. *Drainage.* Provision shall be made for proper stormwater drainage from parking and
1413 loading areas. Water shall not be permitted to drain from such areas onto adjacent property
1414 except into a natural watercourse or a drainage easement. Provision shall be made for
1415 protection against erosion and sedimentation in accordance with applicable town
1416 ordinances.

1417 7. *Fencing.* All fencing shall have a uniform and durable character and shall be properly
1418 maintained.

1419 8. *Hazardous materials and chemicals.* A list of all hazardous materials and chemicals shall be
1420 provided at the time an occupancy permit is applied for. The list will be referred to the office
1421 of the fire marshal who shall determine special storage and handling requirements and any
1422 other requirements as may be required by SARA Title III and applicable state regulations.

1423 *11.8 Height standards.*

1424 1. Buildings may be erected up to 45 feet in height provided that:

1425 a. A building or part thereof may be erected to a height of 60 feet provided that it is
1426 located at least 100 feet from any lot line.

1427 b. Cupolas, monuments, water towers, chimneys, flues, and flag poles of any height, and
1428 television antennas up to 125 feet in height, are exempt from height regulations.
1429 Parapet walls may be up to four feet above the height of the building on which the walls
1430 rest.

1431 c. The board of zoning appeals may grant exceptions to height limits under *Article 9:*
1432 *Board of Zoning Appeals.*

1433 *11.9 Off-street parking and loading standards.*

1434 Subject to *Article 6, Section 1: Off-street Parking Requirements* and *Article 6, Section 2: Off-street*
1435 *Loading Requirements.*

1436 *11.10 Landscaping, screening and open space.*

1437 Regulations for landscaping, screening and open space are contained in *Article 7: Landscaping,*
1438 *Buffering, and Open Space Regulations.*

1439 **Section 12. - PDH Planned development housing district.**

1440 *12.1 Purpose of the district.*

1441 The purpose of the PDH district is to encourage innovative and creative design and to facilitate
1442 use of the most advantageous construction techniques in the development of land for residential
1443 and other selected secondary uses. The district regulations are designed to ensure ample
1444 provision and efficient use of open space to promote high standards in the layout, design and
1445 construction of residential development; to promote balanced developments of mixed housing

1446 types; to encourage the provision of affordable housing and otherwise implement the stated
1447 purpose and intent of this ordinance.

1448 To these ends, rezoning to and development under this district will be permitted only in
1449 accordance with a development plan prepared and approved in accordance with the provisions
1450 of *Article 11: Administration and Enforcement*.

1451 *12.2 Permissible uses.*

1452 A building or land in this district shall be used only in accordance with *Article 4, Section 1: Use*
1453 *Regulations*.

1454 *12.3 Reserved.*

1455 *12.4 Reserved.*

1456 *12.5 Use limitations.*

1457 1. All secondary uses shall be in conformance as to location and size, with the adopted
1458 comprehensive plan for the area in which the property is located.

1459 2. All uses shall conform to the standards set forth in *Article 4, Section 1: Use Regulations*.

1460 3. All uses shall comply with the additional standards set forth in *Article 6, Section 8:*
1461 *Performance Standards* and *Article 11, Section 7: Development Plans, Standards for All PDH*
1462 *Districts*.

1463 4. All uses submitted as secondary uses individually or as a group shall comply with the
1464 standards prescribed by *Article 8, Section 1: Special Use Permit* and *Article 9, Section 5:*
1465 *Special Exceptions*. If these uses are not designated on an approved development plan, an
1466 amendment to the development plan will be required.

1467 5. All uses permitted pursuant to the approval of a final development plan shall be in
1468 substantial conformance with the final development plan as provided for in *Article 11,*
1469 *Section 6: Procedures for Review and Approval of All PDH Districts*.

1470 6. Secondary uses of a commercial and office nature shall require a minimum district size of
1471 five acres.

1472 7. Secondary uses of a commercial nature except office uses shall be designed to serve
1473 primarily the needs of the residents of the planned development in which they are located,
1474 and such uses, including offices, shall be designed so as to maintain and protect the
1475 residential character of the planned development and adjacent residential neighborhoods
1476 as well. In order to accomplish these purposes:

1477 a. Commercial and office uses shall be conducted within a completely enclosed building
1478 with no outside display except those uses which by their nature must be conducted
1479 outside a building.

1480 b. When located within the same building as residential uses, commercial and office uses
1481 shall be limited to the lowest two floors.

1482 c. The maximum total land area, including all at grade off-street parking and loading areas
1483 in connection therewith, devoted to commercial and office uses shall be as follows:

1484 For each district PDH-1 through PDH-3, PDH-5, PDH-8 and PDH-15: 50 square feet of
1485 commercial space per dwelling unit but not to exceed a total area of 10,000 square feet.

1486 8. Signs shall be permitted only in accordance with the provisions of *Article 6, Section 3:*
1487 *General Sign Regulations.* Parking and off-street loading facilities shall be provided in
1488 accordance with *Article 6, Section 1: Off-street Parking Requirements* and *Article 6, Section 2:*
1489 *Off-street Loading Requirements.*

1490 9. Veterinary clinics shall be within a completely enclosed building, such building being
1491 adequately soundproofed and constructed so there will be no emission of odor or noise
1492 detrimental to other property in the area.

1493 *12.6 Lot size requirements.*

1494 1. *Minimum district size:* Five acres and only when the purpose and intent and all the standards
1495 and requirements of the PDH district can be satisfied.

1496 2. *Minimum lot area:* No requirement for each use or building provided that a privacy yard
1497 having a minimum area of 200 square feet, shall be provided on each single-family dwelling
1498 unit lot unless waived by the town council in conjunction with the approval of a
1499 development plan.

1500 3. *Minimum lot width:* No requirement for each use or building.

1501 *12.7 Bulk regulations.*

1502 The maximum building height, minimum yard requirements and maximum floor area ratio shall
1503 be controlled by the standards set forth in *Article 11, Section 7: Development Plans, Standards for*
1504 *All PDH Districts.*

1505 *12.8 Maximum density.*

1506 1. For purposes of computing density, the PDH district is divided into subdistricts in which the
1507 residential density is limited as set forth below:

Subdistrict	Density
PDH-1	1 dwelling unit per acre
PDH-2	2 dwelling units per acre
PDH-3	3 dwelling units per acre
PDH-5	5 dwelling units per acre
PDH-8	8 dwelling units per acre
PDH-15	15 dwelling units per acre

1508

- 1509 2. The town council, may at its discretion, increase the maximum number of units in a PDH
 1510 district in accordance with and when the conceptual and final development plan includes
 1511 one or more of the following, but in no event shall such an increase be permitted when such
 1512 features were used to meet the development criteria in the adopted comprehensive plan
 1513 and the minimum requirements for the applicable district and in no event shall the total
 1514 number of dwellings exceed 125 percent of the district maximum density:
- 1515 a. Design features, amenities, open space and/or recreational facilities in the planned
 1516 development which in the opinion of the town council are features which achieve an
 1517 exceptional and high quality development—As determined by the town council but not
 1518 to exceed five percent.
 - 1519 b. Preservation and restoration of buildings, structures, or premises which have historic
 1520 or architectural significance—As determined by the town council but not to exceed five
 1521 percent.
 - 1522 c. Development of the subject property in conformance with the comprehensive plan
 1523 with a less intense use or density than permitted by the current zoning district—As
 1524 determined by the town council but not to exceed five percent.

1525 *12.9 Open space.*

- 1526 1. The following minimum open space shall be provided in each PDH district:

Subdistrict	Open Space
PDH-1	25 percent of the gross area
PDH-2	20 percent of the gross area
PDH-3	20 percent of the gross area
PDH-5	35 percent of the gross area
PDH-8	25 percent of the gross area
PDH-15	35 percent of the gross area

- 1527 2. As part of the open space to be provided in accordance with the provisions of subsection 1.
 1528 above, there shall be a requirement to provide developed recreational facilities in all PDH
 1529 districts. Such requirements shall be based on a minimum expenditure of \$300.00 per
 1530 dwelling unit for such facilities, and either the facilities shall be provided by the developer
 1531 in conformance with the approved final development plan, or the cash shall be provided for
 1532 such facilities in conformance with a duly executed public improvements agreement.
 1533

1534 *12.10 Additional regulations.*

- 1535 1. Refer to *Article 11: Administration and Enforcement* for standards and development plan
 1536 regulations.

1537 2. Refer to *Article 3: General Provisions* for provisions which may qualify or supplement the
1538 regulations presented above.

1539 **Section 13. - X Transitional district.**

1540 *13.1 Purpose of the district.*

1541 The purpose of this district is to provide for the reasonable and orderly interim regulation of use
1542 and development of land annexed or brought into the town via a boundary line adjustment.

1543 *13.2 Permissible uses.*

1544 A building or land in this district shall be used only in accordance with *Article 4, Section 1: Use*
1545 *Regulations.*

1546 *13.3 Reserved.*

1547 *13.4 Permitted signs.*

1548 Subject to *Article 6, Section 3: General Sign Regulations.*

1549 *13.5 Lot size standards.*

1550 *Minimum lot area:* Three acres.

1551 *Minimum lot width:* 200 feet.

1552 *Length/width ratio:* For lots hereafter created, length shall not exceed 3.5 times width.

1553 Other uses same as for single-family detached dwelling or as specified in the district regulations.

1554 Minimum lot area for individual or on-site sewage disposal systems is subject to health
1555 department requirements.

1556 Lot width is measured at the front building setback line.

1557 *13.6 Yard and setback standards.*

1558 *Minimum front yard:* 35 feet.

1559 *Minimum side yard:* 12 feet.

1560 *Minimum rear yard:* 25 feet.

1561 The minimum front yard shall be measured from the front lot line to the front building setback
1562 line.

1563 Minimum front yard shall be 55 feet measured from the street centerline if street right-of-way
1564 is less than 50 feet in width.

1565 Other principal structures same as single-family detached dwelling or as required in the district
1566 regulations.

1567 Accessory structures attached to the main building shall be considered part of the main building
1568 and comply with front, side, and rear yard requirements.

1569 Detached accessory structures shall not be closer than five feet to any property line.

1570 *13.7 Height standards.*

- 1571 1. Buildings may be erected up to 2½ stories and 35 feet in height except that:
- 1572 a. There are no restrictions for buildings used exclusively for agricultural purposes.
 - 1573 b. The height limit for dwellings may be increased up to 45 feet and up to three stories
1574 provided there are two side yards for each permitted use each of which is at least 15
1575 feet plus one foot or more for each side yard for each additional foot of building height
1576 over 35 feet upon granting of a special exception by the board of zoning appeals under
1577 *Article 9: Board of Zoning Appeals.*
 - 1578 c. A public or semi-public building such as a school, church, or library, may be erected to
1579 a height of 60 feet from grade provided that required front, side and rear yards shall be
1580 increased one foot for each foot in height over 35 feet.
 - 1581 d. Church spires, belfries, cupolas, monuments, water towers, chimneys, flues, and flag
1582 poles of any height, and television antennas up to 50 feet in height, are exempt from
1583 height regulations. Parapet walls may be up to four feet above the height of the building
1584 on which the walls rest.
 - 1585 e. No accessory structure which is within ten feet of any party lot line shall be more than
1586 one story in height. All accessory structures shall be of less height than the main
1587 buildings on the lot.

1588 *13.8 Off-street parking and loading standards.*

1589 Subject to *Article 6, Section 1: Off-street Parking Requirements* and *Article 6, Section 2: Off-street*
1590 *Loading Requirements.*

1591 *13.9 Landscaping, screening and open space.*

1592 Regulations for landscaping, screening and open space are contained in *Article 7: Landscaping,*
1593 *Buffering, and Open Space Regulations.*

1594 **Section 14. - Institutional and public use district.**

1595 *14.1 Purpose of the district.*

1596 This district is intended to permit the location and growth of public and private educational,
1597 institutional, public, and semi-public uses in areas appropriate for such uses. The district is
1598 intended to encourage the retention or adaptive reuse of larger public and institutional uses on
1599 sites identified for such uses in the adopted comprehensive plan. The regulations within this
1600 district are intended to achieve the following specific purposes:

- 1601 1. Recognize the unique needs of institutional and public uses and their relationship with
1602 neighboring land uses;
- 1603 2. Minimize the potential for adverse impacts of institutional and public uses on adjacent
1604 land uses, including traffic congestion, adequate parking, and pedestrian linkages;
- 1605 3. Facilitate the creation of a convenient and harmonious development of buildings,
1606 parking, and open spaces for individual institutional and public uses; and

1607 4. Facilitate the proper functioning of such institutional and public uses.

1608 *14.2 Permissible uses.*

1609 A building or land in this district shall be used only in accordance with *Article 4, Section 1: Use*
1610 *Regulations.*

1611 *14.3 Reserved.*

1612 *14.4 Reserved.*

1613 *14.5 Lot size standards.*

1614 1. Lot area. Ten thousand square feet for any parcel with a structure for human occupancy,
1615 such as offices, meeting rooms, places of assembly, but not including storage buildings,
1616 restrooms, or gazebos. No minimum lot area for parcels without a substantial structure,
1617 such as well sites, park sites, and public streets.

1618 *14.6 Yard and setback standards.*

1619 1. Front yards. No setbacks are required, except yards adjacent to a residential district shall
1620 have a setback equal to the setback of the adjoining residential district or, in built-up areas,
1621 may match the average setback of adjacent structures.

1622 2. Side and rear yards. No side or rear yard are required, except where such use abuts a
1623 residential district there shall be a minimum ten-foot side and/or rear yard.

1624 3. Notwithstanding the above, for additions to an existing building, the yard requirement for
1625 the addition may match the existing yard for the existing building.

1626 *14.7 Reserved.*

1627 *14.8 Height standards.*

1628 1. Within 50 feet of any residential district, the maximum height of the nearest residential
1629 district shall apply.

1630 2. A public or semi-public building, such as a school, church, or library, may be erected to a
1631 height of 60 feet provided that required front, side and rear yards shall be increased one
1632 foot for each foot in height over 50 feet.

1633 3. Church spires, belfries, cupolas, monuments, water towers, chimneys, and flues are exempt
1634 from height regulations.

1635 *14.9 Additional design standards for all uses.*

1636 In addition to the above standards, all projects shall be reviewed for compliance with the Town
1637 of Purcellville Design Guidelines and the following general building and site design principles:

1638 1. *Site design.*

1639 (a) Where approval of a site plan is required, the plan shall be designed to promote
1640 sensitive use of topography and to promote harmonious relationships with adjacent
1641 and nearby properties, developed or undeveloped, and to this end shall provide
1642 effective screening along side and rear property lines by means of fences, walls, hedges,

1643 planting screen or natural vegetation in accordance with the requirements of this
1644 ordinance.

1645 2. *Building design.*

1646 (a) Projects incorporating multiple buildings shall be designed to provide a cohesive
1647 appearance, using materials, detailing and colors to provide overall similarity and
1648 compatibility among structures. Design features of individual buildings and structures
1649 shall be subordinate to the overall design of the development.

1650 (b) Projects containing many buildings or a variety of functions shall provide variety in
1651 building size and massing. A general transition from small or low buildings along street
1652 frontages to larger and taller buildings on the interior of the site shall be achieved.

1653 (c) On large sites, development of several smaller buildings to create visual interest,
1654 human scale and variety, shall be achieved, rather than a single large building. The use
1655 of smaller buildings, appropriately positioned and sited as a means of breaking up large
1656 parking expanses shall be achieved.

1657 (d) Buildings shall be finished and have on all sides the same architectural features or shall
1658 be architecturally compatible with the building group or neighborhood with which
1659 they are associated.

1660 3. *Parking and access.*

1661 (a) Shared entrances shall be used wherever possible and, when parking lots for uses
1662 permitted in this district are adjacent, the lots shall be connected to parking areas on
1663 adjacent sites and integrated with each other whenever possible.

1664 (b) Parking lots shall be screened from view through the use of such elements as earthen
1665 berms, landscaping and/or street trees.

1666 (c) Access shall be provided by secondary roads and common driveways wherever
1667 possible.

1668 (d) Pedestrian and vehicular circulation shall be coordinated with that on adjacent
1669 properties. The site shall be designed to minimize the potential for turning movement
1670 conflicts and to facilitate safe and efficient on-site circulation. Parking and stacking
1671 spaces shall be provided and located in such a manner as to facilitate safe and
1672 convenient vehicle and pedestrian access to all uses on the site.

1673 4. *Utilities and HVAC equipment.*

1674 (a) All utility lines, electric, telephone, cable television lines, etc., and shall be placed
1675 underground.

1676 (b) Mechanical equipment, including rooftop equipment, such as generators and air
1677 conditioning units, shall be screened from public view in a manner compatible with the
1678 site and using material similar to the buildings and harmonious with the overall design.

1679 5. *Refuse and loading.*

1680 (a) Refuse containers or refuse storage shall be located in a paved area and hidden from
1681 general public view, either from within or outside the premises, by means of fences,
1682 walls, or landscape planting.

1683 (b) Loading and service areas shall be oriented away from public views.

1684 14.11 *Off-street parking and loading standards.*

1685 Subject to *Article 6, Section 1: Off-street Parking Requirements* and *Article 6, Section 2: Off-street*
1686 *Loading Requirements.*

1687 14.12 *Landscaping, screening and open space.*

1688 Regulations for landscaping, screening and open space are contained in *Article 7: Landscaping,*
1689 *Buffering, and Open Space Regulations.*

1690 14.13 *Permitted signs.*

1691 Signs are permitted in accordance with *Article 6, Section 3: General Sign Regulations.*

1692 **Section 15. – AC Agricultural conservancy/commercial district.**

1693 15.1 *Purpose of the district.*

1694 This district is designed to accommodate and encourage the continuation of agricultural uses
1695 within the town, to permit clustered single-family residential development, to permit certain
1696 low-intensity non-residential uses that would maintain the majority of open space in these areas,
1697 and to accommodate uses that would complement and enhance the historic character of the
1698 town. It is intended that uses in this district will be designed in a manner that:

- 1699 1. Conserves open land around the town's periphery, including those areas containing historic
1700 resources or sensitive natural features such as woodlands, prime farmland, steep slopes,
1701 streams, floodplains and wetlands, by setting them aside from development;
- 1702 2. Promotes agricultural and equestrian uses; Protects productive agricultural soils for
1703 continued or future agricultural use and conserves blocks of land large enough to allow for
1704 efficient farm operations;
- 1705 3. Reduces erosion and sedimentation by the retention of existing vegetation;
- 1706 4. Provides for the maintenance of open land within the town which can help to provide
1707 opportunities for recreation, protect scenic and historic views, minimize the visual impact
1708 of new development from existing roads, and preserve the historic rural setting
1709 surrounding the town;
- 1710 5. Promotes a traditional development pattern that is compatible with the existing historic
1711 character of the town and which is connected to the existing fabric of the town; and
- 1712 6. Provides greater design flexibility and efficiency in the siting of infrastructure, including the
1713 opportunity to reduce street lengths, utility runs, and the amount of paving.
- 1714 7. Provides for commercial development compatible with agricultural and horticultural uses
1715 to serve as a transition toward more dense commercial development within the town.

1716 15.2 *Permissible uses.*

1717 A building or land in this district shall be used only in accordance with *Article 4, Section 1: Use*
1718 *Regulations.*

- 1719 15.3 Reserved.
- 1720 15.4 Reserved.
- 1721 15.5. Lot, bulk, and open space requirements.
- 1722 15.5.1: Height requirements. All uses.
- 1723 1. Building height:
- 1724 a. Principal building:
- 1725 i. Residential: 35 feet.
- 1726 ii. Non-residential: 45 feet, except no restriction for buildings used exclusively for
- 1727 agriculture or horticulture.
- 1728 b. Accessory structures: Residential: 15 feet; Non-residential: 25 feet.
- 1729 15.5.2: Conservancy subdivision: Lot, bulk and open space requirements.
- 1730 1. Purpose and intent. The intent of this section is to ensure that a conservancy subdivision is
- 1731 consistent with the town's historical development style, does not contribute to land
- 1732 consumptive sprawl, and creates significant open space of benefit to residents of both the
- 1733 new subdivision and the town.
- 1734 2. Reserved.
- 1735 3. Minimum parcel size. The minimum parcel size for a conservancy subdivision shall be ten
- 1736 acres.
- 1737 4. Maximum density. The maximum residential density within a conservancy subdivision shall
- 1738 not exceed one dwelling unit per one gross acre, including dwelling units on conservancy
- 1739 lots.
- 1740 5. Uses permitted. Land within a conservancy subdivision may be used for any of the following
- 1741 principal uses: single-family detached dwellings, conservancy lots, or permitted greenbelt
- 1742 or usable open space uses as provided below.
- 1743 6. Single-family detached dwellings (other than conservancy lots):
- 1744 a. Lot sizes:
- 1745 i. Minimum lot size: 15,000 square feet.
- 1746 ii. Maximum lot size: 40,000 square feet.
- 1747 b. Minimum lot width:
- 1748 i. Lots up to 20,000 square feet: 60 feet at the minimum front yard and at the
- 1749 property line;
- 1750 ii. Lots over 20,000 square feet: 75 feet at the minimum front yard.
- 1751 c. Yard depth requirements:
- 1752 Front: 20 feet minimum and 35 feet maximum for lots up to 20,000 square feet; 30 feet
- 1753 minimum for lots over 20,000 square feet.

- 1754 Side: Ten feet minimum; 25 feet when adjacent to a street and for lots greater than
1755 20,000 square feet.
- 1756 Rear: 30 feet minimum for lots up to 20,000 square feet; 50 feet minimum for lots
1757 greater than 20,000 square feet.
- 1758 Exceptions: Accessory buildings may be located within five feet of any side or rear lot
1759 line.
- 1760 d. *Lot Coverage:* 35 percent maximum.
- 1761 7. *Conservancy lots.*
- 1762 a. *Minimum lot size:* One acre. Not more than one single-family detached dwelling shall be
1763 located on any conservancy lot.
- 1764 b. *Minimum lot width:* 200 feet.
- 1765 d. *Lot coverage:* Maximum 35 percent of building area.
- 1766 e. *Open space easement required.* Any land area above the 12,500 square-foot maximum
1767 building area shall be subject to a permanent open space easement. Such easement
1768 shall be in a form approved by the town and shall provide, inter alia, notwithstanding
1769 such easement, that the easement portion of such conservancy lot shall be maintained
1770 by the property owner and that the town shall bear no responsibility or liability for
1771 such maintenance.
- 1772 f. *Yards.* No building shall be located within 25 feet of any property line; provided,
1773 however, that if such building is located as a logical extension of the clustered dwelling
1774 pattern on smaller lots within the subdivision, the minimum yard requirements of
1775 Section 15.5.2.6 shall be permitted.
- 1776 8. *Required open space.* All land area within a conservancy subdivision not devoted to single-
1777 family detached lots, the maximum building area of conservancy lots and street rights-of-
1778 way shall be permanently preserved as open space and shall be designated as Conservancy
1779 Open Space, as defined herein, Greenbelt Open Space, or Usable Open Space, as defined
1780 herein. Such open space shall constitute in the aggregate not less than 70 percent of the total
1781 land area within the conservancy subdivision and shall be provided in accordance with this
1782 subsection (8) and the following subsection (9):
- 1783 a. Conservancy open space shall be the easement portion of any conservancy lots within
1784 the conservancy subdivision. Not more than 45 percent of the required open space
1785 shall be conservancy open space. Uses permitted in the conservancy open space shall
1786 be as specified in the open space easement required in subsection (7)(e) above and
1787 may include agriculture, horticulture or residential equestrian facilities.
- 1788 b. Greenbelt open space equal to or exceeding 45 percent of the required open space shall
1789 be provided. No portion of any conservancy lot shall be deemed to be greenbelt open
1790 space. Every greenbelt open space parcel shall not be less than 100 feet deep. Uses
1791 permitted within greenbelt open space areas shall only include agriculture,
1792 horticulture, equestrian facilities, public parks, and associated accessory uses (but not
1793 including residential uses accessory to agricultural or horticultural uses), as permitted
1794 above in *Section 15.2: Permissible Uses.* .

1795 c. Usable open space equal to not less than ten percent of the required open space shall
1796 be provided in accordance with the provisions of *Article 7, Section 7: Open Space*
1797 *Regulations* and the following additional provisions:

1798 (i) Neighborhood green. Usable open space shall be located to create at least one focal
1799 neighborhood green that is specifically designed to benefit both existing adjacent
1800 developed areas and the proposed new subdivision. The minimum size of the
1801 green shall be 20,000 square feet, with a length to width ratio not exceeding six to
1802 one (6:1). The green shall adjoin residential lots or streets on at least three sides
1803 and shall be centrally located to be within 1,500 feet of all dwellings in the
1804 subdivision other than dwellings on conservancy lots. The green shall be
1805 connected to both the conservancy open space and existing town street right-of-
1806 way by open space links of at least 15 feet in width that include a sidewalk or trail.

1807 (ii) Unlighted playing fields, walking trails, a neighborhood park or any combination
1808 of the above may be included as part of the usable open space.

1809 9. *Additional standards for open space.*

1810 a. All open space shall be subjected to a permanent open space easement in a form
1811 approved by the town.

1812 b. Open space shall be located and designed to add to the visual amenities of the
1813 neighborhood and surrounding area by maximizing the visibility of both internal and
1814 external open space. Open space shall be located to provide terminal vistas (the
1815 landscape seen at the end of a street, or along the outside edges of street curves) and
1816 perimeter greenbelt land (the undeveloped and permanently protected acreage
1817 around the town).

1818 c. Conservancy and greenbelt open space shall incorporate historic resources, prime
1819 agricultural soils, floodplain areas, wetlands, steep slopes, existing tree cover, and
1820 other environmentally sensitive resources to the greatest extent possible.

1821 *15.5.3: Uses other than conservancy subdivision: Lot, bulk and open space requirements.*

1822 1. *Purpose and intent.* The intent of this section is that the development of uses other than
1823 single-family residential within this district to allow for residential and commercial uses
1824 where existing settlement patterns provide a unique opportunity for a variety of permitted
1825 and special exception uses. Uses in this district shall be compatible with existing village and
1826 neighborhood scale and character and allow local, neighborhood related commercial uses
1827 to be developed.

1828 2. *Minimum lot size:*

1829 a. Agriculture: Ten acres.

1830 b. All other uses, other than conservancy subdivision: One acre, unless otherwise
1831 specified below under *Section 15.9: Additional Standards for Certain Uses.*

1832 3. *Minimum lot width:* 100 feet (interior); 125 feet (corner).

1833 4. *Minimum yard depth requirements* (Unless otherwise specified below under *Section 15.9:*
1834 *Additional Standards for Certain Uses*):

1835 Front: 35 feet.

1836 Side: 20 feet.

1837 Rear: 40 feet.

1838 Exceptions:

1839 (i) Barns or structures used for the housing or shelter of animals and equestrian rings
1840 (indoor or outdoor) shall not be located within 100 feet of any side or rear lot
1841 line.

1842 (ii) Accessory buildings or uses may be located within five feet of any side or rear lot
1843 line, except as provided in subsection (i) above.

1844 5. *Maximum lot coverage by structures:* Agricultural, horticultural and winery uses: 30 percent;
1845 all other non-residential uses: Ten percent, except as otherwise specified in this ordinance.

1846 6. *Minimum open space:* 25 percent, except for agricultural, horticultural, winery, recreational,
1847 and equestrian uses conducted outside of structures, and residential uses in conservancy
1848 subdivisions, the latter of which are governed by *Section 15.5.2: Conservancy Subdivision:*
1849 *Lot, Bulk and Open Space Requirements.*

1850 *15.6. Off-street parking, all uses.*

1851 Off-street parking shall be provided as required in *Article 6, Section 1: Off-street Parking*
1852 *Requirements*, with the following exceptions:

1853 1. All off-street parking shall be located on driveways or in the side or rear yard for single-
1854 family residential uses and in the side or rear yard only for all other uses.

1855 2. Parking lots for agricultural, horticultural, equestrian and other similar uses, including farm
1856 markets, may be surfaced with gravel, provided the parking lots are used no more than four
1857 days per month as permitted by Article 6, Section 1.6.4.c. Creation of such lots shall require
1858 approval of a zoning grading permit with sketch plan, but not a full site plan.

1859 *15.7. Design standards, all uses.*

1860 1. *Overall form.* Buildings shall be clustered along existing or proposed roads. Open space shall
1861 be used to preserve natural and environmental resources identified in the comprehensive
1862 plan. New construction shall be sited so as to best preserve natural and historic resources,
1863 natural vistas and existing topography. Greenbelt open space shall be designed to follow
1864 natural features whenever possible and to maintain an agricultural, woodland or
1865 countryside character. New development shall be distinguished from the peripheral,
1866 greenbelt open space by a well-defined edge.

1867 2. *Block design.* New lots shall be designed in a grid or modified grid pattern of blocks and
1868 interconnecting streets and alleys, defined by buildings, landscaping, pedestrian ways and
1869 sidewalks, and adapted to the topography and unique natural features of the tract. Blocks
1870 should be rectilinear, modified rectilinear, or another distinct geometric shape, except
1871 where topographic or other conditions necessitate a more amorphous configuration.

1872 a. *Maximum block length:*

1873 Blocks with lots up to 20,000 square feet: 500 feet.

1874 Blocks with lots greater than 20,000 square feet: 800 feet long, provided mid-block
1875 footpaths are provided.

- 1876 b. Alleys shall be permitted to bisect blocks.
- 1877 3. *Lot design.* Lots shall have frontage onto a street or a street and an alley. In general, in
1878 developments where lot sizes vary considerably, the smaller lots should be located closer
1879 to the existing town, with larger lots on the perimeter.
- 1880 a. Lots abutting common greens, squares or parks shall be provided with sidewalks along
1881 their abutting lot lines.
- 1882 b. Lot areas and widths shall vary at random in order to eliminate the appearance of a
1883 standardized subdivision. Lots shall vary by not less than five-foot increments.
- 1884 4. *Street design.* Street layout shall take into consideration internal open space areas,
1885 gateways, and vistas. Both street and pedestrian linkages to the existing town are
1886 recommended where possible.
- 1887 a. A minimum of two connections with the existing public street system rated as at least
1888 a collector street shall be provided where possible. Connections giving access to
1889 collectors with existing sidewalks or trails shall be required where practicable.
- 1890 b. Use of cul-de-sacs or other streets with a single point of access shall be minimized.
- 1891 c. To calm traffic speeds, the use of T-intersections, where vehicles must stop and turn to
1892 the right or left rather than proceeding forward in a straight line, are encouraged. At
1893 least 25 percent of all intersections within the subdivision shall take this form, unless
1894 other traffic calming measures, such as traffic islands or circles, are employed.
- 1895 d. Street trees shall be planted along all streets in conformance with *Article 7, Section 3:*
1896 *Streetscaping.*
- 1897 5. *Alleys.* Where provided, alleys shall be private streets or easements either dedicated to a
1898 homeowners association or as common access easements across the rear portions of lots.
- 1899 a. Minimum easement width: 22 feet. A five-foot utility easement shall be provided along
1900 the alley frontage of all adjacent lots and may overlap the alley easement; No fences
1901 shall be permitted within this easement.
- 1902 b. Minimum paved alley width: Ten feet. Parking shall be prohibited on either side of the
1903 paved cartway of the alley.
- 1904 c. Alley lighting. Security lighting shall be provided on all garages or on poles adjacent to
1905 parking areas to provide alley lighting. Lighting fixtures and poles shall be of consistent
1906 architectural style and shall complement the predominant architectural theme of the
1907 subdivision. Light fixtures shall conform to *Article 6, Section 9: Lighting Requirements.*
1908 Use of motion sensors or other timing devices to minimize lighting when not needed is
1909 recommended.
- 1910 d. Exterior lighting. Exterior lighting shall conform to *Article 6, Section 9: Lighting*
1911 *Requirements.* Lighting fixtures and poles shall be of consistent architectural style and
1912 shall complement the predominant architectural theme of the project.
- 1913 6. *Outdoor storage and service areas.* No outdoor storage shall be permitted unless the zoning
1914 administrator determines that such storage is customarily required and integral to the use
1915 and that such storage will be adequately screened from all property lines. Any service area
1916 shall be located and designed to minimize its visibility from off-site.

1917 7. *Pedestrian access.* Every effort shall be made to provide a safe and convenient pedestrian
1918 connection to the existing town pedestrian network.

1919 8. *Signs.* The location, dimensions and design of any proposed signage shall conform to *Article*
1920 *6, Section 3: General Sign Regulations.* Signage plans shall be provided with the special use
1921 permit application.

1922 *15.8. Design standards, all special use permit uses.*

1923 1. *Parking.*

1924 a. At least 20 percent, but no more than 50 percent of the required parking shall be paved
1925 with reinforced grass paver block or similar porous paving material to minimize the
1926 visual impact of the parking area and maximize the pervious area.

1927 b. Any portion of a parking lot constructed of porous pavement, up to a maximum of 50
1928 percent of the entire parking area, and any sidewalks or trails not providing direct
1929 access between the principal building and the parking lot may be included as part of
1930 the required open space area.

1931 2. *Building character.*

1932 a. *Existing structures.* All exterior changes shall be compatible in architectural style, scale
1933 and materials with the existing structure and with the historic character of the town.
1934 Existing buildings with historic or architectural value on the site must be adaptively re-
1935 used to the greatest extent possible.

1936 b. *New structures.* The architectural design of all new buildings and structures shall be
1937 compatible in architectural style, scale and materials with the historic character of the
1938 town and shall avoid a monolithic appearance.

1939 c. Building elevations and architectural details sufficient to show compliance with this
1940 standard shall be submitted for approval as part of the special use permit application.

1941 *15.9. Additional standards for certain uses.*

1942 Additional standards set forth below shall apply to certain specific uses permitted in this
1943 ordinance. These are intended to serve as the minimum standards for these uses, and are not
1944 intended to substitute for other applicable provisions of this ordinance or for additional
1945 conditions that may be imposed in connection with any required special use permit approvals.
1946 All special use permit uses shall also be subject to *Section 15.7: Design Standards, All Uses* and
1947 *Section 15.8: Design Standards, All Special Use Permit Uses* above.

1948 1. *Veterinary clinic.*

1949 a. *Minimum lot area:* Two acres.

1950 b. *Maximum floor area ratio:* 0.10.

1951 c. *Storage yards.* The total area of storage yards shall not exceed ten percent of the total
1952 area of the principal structure.

1953 d. *Minimum required yards:*

1954 i. Structures of less than 5,000 square feet of gross floor area: 20 feet minimum from
1955 all lot lines.

- 1956 ii. Structures greater than 5,000 square feet and less than 15,000 square feet of gross
1957 floor area: 50 feet minimum from all lot lines.
- 1958 iii. Structures greater than 15,000 square feet of gross floor area: 100 feet minimum
1959 from all lot lines.
- 1960 2. *Studio.*
- 1961 a. *Minimum lot area:* 20,000 square feet.
- 1962 b. *Maximum floor area ratio:* 0.20.
- 1963 c. *Minimum required yards:*
- 1964 i. Structures of less than 5,000 square feet of gross floor area: 20 feet minimum from
1965 all lot lines.
- 1966 ii. Structures greater than 5,000 square feet and less than 15,000 square feet of gross
1967 floor area: 50 feet minimum from all lot lines.
- 1968 iii. Structures greater than 15,000 square feet of gross floor area: 100 feet minimum
1969 from all lot lines.
- 1970 3. *Nature preserve.*
- 1971 a. *Minimum lot area:* Five acres.
- 1972 b. *Accessory uses.* Accessory uses shall only permitted on lots 20 acres in size or larger.
1973 Accessory uses to a nature preserve may include retail sales (e.g., gift shops), small
1974 restaurants or cafes, or visitor centers subject to the following standards:
- 1975 i. Retail sales shall be limited to the sale of items directly related to the nature and
1976 character of the principal permitted use.
- 1977 ii. Accessory uses other than a visitors center shall contain no more than 1,000
1978 square feet of gross floor area. A visitors center shall contain no more than 10,000
1979 square feet of gross floor area.
- 1980 c. *Maximum floor area ratio:* 0.2.
- 1981 d. *Storage areas.* The total area of storage areas shall not exceed ten percent of the total
1982 area of the principal structure.
- 1983 4. *Reserved.*
- 1984 5. *Reserved.*
- 1985 6. *Country inn.*
- 1986 a. Parcel shall have safe and reasonable access to a state-maintained road.
- 1987 b. *Minimum setback, buildings, parking and lighted areas:* 40 feet from the side and rear
1988 property line.
- 1989 c. *Maximum guest rooms:* 50.
- 1990 d. The owner or manager shall provide full-time management of the premises at all times
1991 when the establishment is occupied by guests.
- 1992 e. *Outdoor events* (e.g., weddings, receptions, parties) or similar activities conducted for
1993 compensation shall be permitted only upon application for a temporary zoning permit
1994 from the zoning administrator, who may impose conditions regarding hours of

- 1995 operation, volume of amplified music, type and intensity of outdoor lighting, traffic
1996 control measures, and similar health, safety and welfare matters.
- 1997 7. *Reserved.*
- 1998 8. *Eating establishment.*
- 1999 a. *Minimum lot area:* 20,000 square feet.
- 2000 b. *Maximum floor area ratio:* 0.40
- 2001 c. *Minimum required setbacks:*
- 2002 i. Front: 35 feet.
- 2003 ii. Side: 20 feet.
- 2004 iii. Rear: 40 feet.
- 2005 9. *Farm equipment and supply sales and service.*
- 2006 a. *Minimum setback—Buildings:* 75 feet from all property lines; No structure shall be
2007 located within 300 feet of an existing residential structure.
- 2008 b. *Minimum setback—Parking, driveways (other than entrance) and storage yards:* 75 feet
2009 from the property line along any road frontage, and 50 feet from all other property
2010 lines.
- 2011 c. *Minimum and maximum lot area:* Sites for such establishments shall not be less than
2012 three nor more than ten acres.
- 2013 d. No accessory retail sales of non-farm equipment shall be permitted, including, but not
2014 limited to, lumber, hardware, building materials, or like items.
- 2015 10. *Farm and community market.*
- 2016 a. A minimum of 25 percent of the gross sales receipts must be derived directly from
2017 agricultural products produced on site or other property owned by the operator. An
2018 annual report verifying the portion of sales derived from products produced on site
2019 shall be submitted on request to the zoning administrator.
- 2020 b. Sales area for accessory products shall be limited to 25 percent of the total area devoted
2021 to sales. The calculation of total sales area shall include areas devoted to the display of
2022 items for sale.
- 2023 c. Permitted accessory products include pottery, baskets, garden accessories, baked
2024 goods, floral supplies, and other items directly related to the culture, care, use of, or
2025 processing of a principal use. Products not related to the principal permitted use, such
2026 as lawn mowers and tractors, shall not be allowed.
- 2027 d. *Minimum lot size:* 80,000 square feet.
- 2028 11. *Reserved.*
- 2029 12. *Winery.* Wineries shall comply with the following standards.
- 2030 a. *Minimum lot size:* Ten acres.
- 2031 b. *Reserved.*
- 2032 c. *Minimum building setbacks.* 100 feet from all lot lines.

2033 *15.10. Exceptions to additional standards.*

2034 The additional standards contained within *Section 15.9: Additional Standards for Certain Uses*
2035 above may be modified by special use permit procedures set forth in *Article 8, Section 1: Special*
2036 *Use Permit* provided that the application satisfies the public purpose of those standards to an
2037 equivalent degree.

2038

2039 **ARTICLE 6. - SUPPLEMENTARY REGULATIONS**

2040 **Section 2. - Off-street loading requirements.**

2041 *2.1 Specific requirements by use.*

2042 Except as otherwise provided in this ordinance, when any building or structure is hereafter
 2043 erected, or structurally altered to the extent of increasing the gross floor area by 25 percent or
 2044 more, or any building is hereafter converted, for the uses listed below, when such buildings
 2045 contain the gross floor areas specified and the normal operation requires that goods,
 2046 merchandise or equipment be routinely delivered to or shipped from that building or structure,
 2047 accessory off-street loading spaces shall be provided as required below or as required in
 2048 subsequent sections of this article in order to accommodate the delivery or shipment operations
 2049 in a safe and convenient manner:

Use Category	Gross Floor Area in Square Feet	Loading Spaces Required
General retail sales store, construction/landscaping equipment and supply sales and service, farm equipment and supply sales and service, vehicle sales and service, catering, eating establishment, food processing establishment, wholesale sales, storage warehouse, personal services establishment, service/repair establishment, dry cleaning and laundry establishment, manufacturing, or industrial establishment	2,000— 10,000 10,000— 20,000 20,000— 40,000 40,000— 60,000 Each 50,000 over 60,000	One Two Three Four + One
Multiple-family dwelling, hotel, offices or office building, laboratory, hospital, urgent care clinic, assisted living facility, nursing home, amphitheater, theater, or places for public assembly	5,000— 10,000 10,000— 100,000 100,000— 200,000 Each 100,000 over 200,000	One Two Three + One
Funeral home	2,500— 4,000 4,000— 6,000	One Two + One

	Each 10,000 over 6,000	
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2050

2051 **Section 4. - Supplementary height, area, and bulk regulations.**

2052 *4.2 Lot area.*

- 2053 1. Requirements for lot area per family do not apply to dormitories, fraternities, sororities,
2054 and other similar living quarters which are accessory to a permitted use and which have no
2055 cooking facilities in individual rooms or apartments.
- 2056 2. Requirements for lot area per family do not apply to rental units in a hotel, country inn or
2057 bed and breakfast facility.

2058 *4.3 Yards and open space generally.*

- 2059 1. Every part of a required yard shall be open to the sky, except as authorized by this article,
2060 and except ordinary projections of sills, belt courses, window air conditioning units,
2061 chimneys, cornices, and ornamental features which may project to a distance not to exceed
2062 24 inches into a required yard.
- 2063 2. More than one main building may be located upon a lot or tract in the following instances:
2064 a. Institutional buildings.
2065 b. Public or semi-public buildings.
2066 c. Multiple-family dwellings or condominiums under approved site plans.
2067 d. Nursing homes and assisted living facilities housing nine or more individuals.
2068 e. Commercial and industrial buildings under approved site plans.

2069 The provisions of this exception shall not be construed to allow the location or erection of
2070 any building or portion of a building outside of the buildable area of the lot.

- 2071 3. Where a lot is of such unusual configuration that none of the provisions of this ordinance
2072 regarding yards and open spaces apply precisely, the zoning administrator may use his
2073 discretion to apply an interpretation which most nearly meets the requirements of this
2074 ordinance; and where by reason of difficult or unusual topography an improved building
2075 site may be achieved by a minor modification of yard space requirements (up to 1.5 feet)
2076 such modification may be approved by the administrator; provided, however, that this
2077 section does not give the administrator any power to grant exceptions or variances reserved
2078 to the board of zoning appeals under *Article 9: Board of Zoning Appeals.*

2079 *4.7 Accessory buildings and structures.*

- 2080 1. Except as herein provided, no accessory structure shall be located within the front yard of
2081 a lot or parcel.
- 2082 2. Fueling station pumps and pump islands, with or without a canopy may occupy the required
2083 yards; provided, however, that they are not less than 15 feet from street lines.

- 2084 3. Accessory swimming pools, open and unenclosed, may occupy a required rear or side yard,
2085 provided they are not located closer than six feet to a rear lot line or ten feet to an interior
2086 side lot line. A walk space at least three feet wide shall be provided between pool walls and
2087 protective fences or barrier walls.
- 2088 4. Except as provided in development standards for particular uses, an ornamental fence, wall,
2089 hedge or shrubs not more than 3½ feet in height may project into or enclose any required
2090 front or side yard to a depth from the street line equal to the required depth of the front
2091 yard. Ornamental fences, walls, hedges or shrubs may project into or enclose other required
2092 yards, provided such fences and walls do not exceed a height of seven feet. This provision
2093 shall not be interpreted to prohibit the erection of an open-mesh type fence enclosing any
2094 school or playground site or business or industrial activity for security purposes.
- 2095 5. Accessory buildings which are not a part of the main building, although they may be
2096 connected by an open breezeway, may be constructed in a side or rear yard, provided such
2097 accessory building(s) does not occupy more than 30 percent of the area of the required side
2098 or rear yard and provided it is not located closer than five feet to any lot line.
- 2099 6. Satellite dish antennas or receiving stations and similar devices are deemed to be accessory
2100 structures and shall not be located in front or side yards in a residential or commercial
2101 district and in a residential district shall be limited to one per lot, shall not exceed ten feet
2102 in diameter, and shall not exceed the height permitted in the zoning district for an accessory
2103 structure. In a residential district no such dish structure greater than two feet in diameter
2104 shall be mounted on the roof of a building so as to be visible from the street on which a
2105 building fronts.
- 2106 7. When attached to a single-family detached dwelling, a deck which has no part of its floor
2107 higher than the first floor of the dwelling may extend up to ten feet into a required rear yard,
2108 provided that the deck is not located closer to the rear lot line than one-half the distance
2109 measured from the rear lot line to the closest point of the dwelling, and provided that the
2110 deck is not located closer to any side lot line than ten feet. Steps from the deck to grade may
2111 extend up to three feet additionally into the required yard and not be calculated against the
2112 minimum requirements.
- 2113 8. When attached to a single-family attached dwelling, a deck which has no part of its floor
2114 higher than the first floor of the dwelling may extend up to ten feet into a required rear yard,
2115 provided that the deck is not located closer to the rear lot line than one-half the distance
2116 measured from the rear lot line to the closest point of the dwelling and provided that the
2117 deck is not located closer to any side lot line than two feet. Steps from the deck to grade may
2118 extend up to three feet additionally into the required yard and not be calculated against the
2119 minimum requirements.
- 2120 9. Accessory structures on lots containing single-family attached dwellings must comply with
2121 the requirements of *Article 4, Section 1.2.18: Dwelling, Single-family Attached.*

2122 **Section 7. - Reserved.**

2125 **Section 8. - Performance standards.**

2126 *8.1 General provisions.*

- 2127 1. *Applicability.*

- 2128 a. No permitted use or use permitted by special use permit hereafter established, altered,
2129 modified or enlarged shall be operated or designed so as to conflict with the applicable
2130 performance standards established by this section except as qualified below.
- 2131 b. Any existing use that complies with the applicable performance standards of this
2132 section on the effective date of this section shall continue to so comply. If, at such time,
2133 the operations of any lawful existing use violate any of the applicable performance
2134 standards of this section, such operations shall not be varied or changed in such a way
2135 as to increase the degree of such violation.
- 2136 c. Any use, which is a lawful nonconforming use and which on the effective date of this
2137 section complies with the applicable performance standards of this section, shall
2138 continue to comply. If, at such time, the operations of such lawful nonconforming use
2139 violate the specified standards, such operations shall not be varied or changed in such
2140 a way as to increase the degree of such violation.
- 2141 d. The fact that the operations of a lawful existing use violate the applicable performance
2142 standards of this section shall not itself make such use subject to the requirements of
2143 *Article 5: Nonconformities*.

2144 2. *Administration of certain performance standards.* For the purpose of administering the
2145 required performance standards relative to vibration and glare, the standards are
2146 presented in two basic groups, namely Group I and Group II. Table IV sets forth the
2147 applicable performance standard that must be met in each zoning district.

2148 *8.2 Air pollution standard.*

2149 Any activity, operation or device which causes or tends to cause the release of air contaminants
2150 into the atmosphere shall comply with the rules and regulations of the state and other applicable
2151 local regulations.

2152 *8.3 Fire and explosion hazard standard.*

2153 All operations, activities and use shall be conducted so as to comply with the fire prevention
2154 code.

2155 *8.4 Radiation hazard standard.*

2156 All operations, activities and use shall comply with the regulations of the U.S. Atomic Energy
2157 Commission set out in Chapter I of Title 10 of the Code of Federal Regulations which apply to
2158 byproduct material, source material and special nuclear material, as those terms are defined in
2159 section 11e, z and aa of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2014(e), (x) and
2160 (aa)). No activity, operation or use shall cause radiation emissions which are in violation of the
2161 Radiation Health and Safety Act of 1968 (PL90-602), as amended, or the implementing
2162 regulations of the Virginia Department of Health established pursuant thereto.

2163 *8.5 Electromagnetic radiation and interference standard.*

2164 No activity, operation or use shall cause electromagnetic radiation interference that (a)
2165 adversely affects persons or the operation of any equipment across lot lines and (b) is not in
2166 conformance with the regulations of the Federal Communications Commission.

2167 8.6 *Liquid and solid waste standard.*

2168 Any activity, operation or device which causes or tends to cause the discharge or other release
2169 of liquid or solid waste into public sanitary sewers, storm drains or public waters shall comply
2170 with applicable laws, rules and regulations governing such discharge, release including, but not
2171 limited to, the Federal Water Pollution Control Act; the Virginia Water Control Law; and the
2172 applicable Loudoun County regulations that pertain to sewers and sewage disposal, pollution of
2173 state waters, maintenance and cleanliness of storm drainage facilities, garbage, trash and refuse
2174 and erosion and sediment control.

2175 8.7 *Noise standard.*

2176 No use, operation or activity shall cause or create noise in excess of the sound levels generally
2177 described as acceptable.

2178 It shall be unlawful for any person to operate or permit to be operated any stationary noise
2179 source in such a manner as to create a sound level which exceeds the limits set forth in the
2180 following tables, except for extraction and minimal special exception operations otherwise
2181 regulated herein. In addition, before 7:00 a.m. and after 7:00 p.m., the permissible sound levels,
2182 at residential district boundaries where they adjoin nonresidential districts, shall be reduced by
2183 five dBA in the table for impact noises.

2184 (A) *Methods of measurement.*

2185 (1) Noise levels shall be measured with a sound level meter and shall meet or exceed
2186 performance standards for a "Type Two" meter, as specified by the American National
2187 Standards Institute.

2188 (2) Noise levels shall be recorded as A-weighted sound pressure level. The level so read
2189 shall be postscripted dBA.

2190 (B) *Maximum sound levels (dBA).* Measurements of noise levels shall be taken at the property
2191 boundary of the noise source. Where differing zoning districts abut, the more restrictive
2192 limits shall apply.

2193 (1) *Maximum dBA, continuous noise.*

2194 Residential: 55

2195 Commercial: 60

2196 Industrial: 70

2197 Continuous noise shall be measured using the slow meter response of the sound level
2198 meter.

2199 (2) *Maximum dBA, impact noise.*

2200 Residential: 60

2201 Commercial: 70

2202 Industrial: 80

2203 Impact noise shall be measured using the faster meter response of the sound level
2204 meter. Impact noises are intermittent sounds of a single pressure peak or a single burst
2205 (multiple pressure peaks) for a duration usually less than one second. Examples of
2206 impact noise sources are a punch press, drop forge hammer, or explosive blasting.

2207 (C) *Exemptions.*

2208 (1) Sound created by the operation of equipment related to public utility operations, street
2209 maintenance and emergency generators for public facilities, including, but not limited
2210 to, fire stations, rescue squad facilities, and local, state and federal government
2211 facilities, shall not be regulated by these noise standards. Where located adjacent to
2212 residential uses, reasonable attempts shall be made to attenuate the noise from such
2213 equipment and operations.

2214 (2) Sound created by the operation of power equipment, such as power lawn mowers,
2215 chain saws, and similar equipment, between the hours of 7:00 a.m. and 9:00 p.m. shall
2216 not be regulated by these noise standards.

2217 *8.8 Earthborne vibration standard.*

2218 1. *Required performance level:* No use, operation or activity shall cause or create earthborne
2219 vibrations in excess of the peak particle velocities prescribed below:

2220 *Methods of measurement:*

2221 a. Measurements shall be made at or beyond the adjacent lot line, nearest R district
2222 boundary line, or nearest district boundary line as indicated below. Ground
2223 transmitted vibration shall be measured with a seismograph or complement of
2224 instruments capable of recording vibration displacement and frequency, particle
2225 velocity, or acceleration simultaneously in three mutually perpendicular directions.

2226 b. The maximum particle velocity shall be the maximum vector sum of three mutually
2227 perpendicular components recorded simultaneously. Particle velocity may also be
2228 expressed as 6.28 times the displacement in inches multiplied by the frequency in
2229 cycles per second.

2230 c. For the purpose of this section, steady state vibrations are vibrations which are
2231 continuous, or vibrations in discrete impulses more frequent than 60 per minute.
2232 Discrete impulses which do not exceed 60 per minute shall be considered impact
2233 vibrations.

2234 *Group I vibration standards:*

2235 a. Uses subject to Group I standards shall not cause steady state vibrations to exceed the
2236 maximum permitted particle velocities described in Table I below. Where more than
2237 one set of vibration levels apply, the most restrictive shall govern. Readings may be
2238 made at points of maximum vibration intensity.

2239 *Table I*

2240 *Maximum Permitted Steady State Vibration Levels*

Location (at lot line)	Maximum Peak Particle Velocity Inches Per Second
Residential district	0.02
At/beyond adjacent lot lines (except a residential district)	0.05

- 2241
- 2242 b. Impact vibrations shall be permitted at twice the values stated above.
- 2243 c. Between the hours of 8:00 p.m. and 7:00 a.m., all of the permissible vibration levels
- 2244 indicated above in Table I for R districts shall be reduced to one-half the indicated
- 2245 values.
- 2246 *Group II vibration standards:*
- 2247 a. Uses subject to Group II standards shall not cause steady state vibrations to exceed the
- 2248 maximum permitted particle velocities described in Table II below. Where more than
- 2249 one set of vibration levels apply, the most restrictive shall govern. Readings may be
- 2250 made at points of maximum vibration intensity.

2251 *Table II*

2252 *Maximum Permitted Steady State Vibration Levels*

Location (at lot line)	Maximum Peak Particle Velocity Per Second
Residential district	0.02
At/beyond adjacent lot lines (except residential district)	0.10

- 2253
- 2254 b. Impact vibrations shall be permitted at twice the values stated above.
- 2255 c. Between the hours of 8:00 p.m. and 7:00 a.m., all of the permissible vibration levels
- 2256 indicated above in Table II for R districts shall be reduced to one-half the indicated
- 2257 values.
- 2258 d. When the frequency of impacts does not exceed one per day, the maximum vibration
- 2259 level, measured across lot lines, shall not exceed 0.4 inches per second.
- 2260 *8.9 Glare standard.*
- 2261 1. *Required performance level.* All uses, operations and activities shall be conducted so as to
- 2262 comply with the performance standards governing glare prescribed below.
- 2263 2. *Method of measurement.* Illumination levels shall be measured with a photoelectric
- 2264 photometer having a spectral response similar to that of the human eye, following the

2265 standard spectral luminous efficiency curve adopted by the International Commission on
 2266 Illumination.

2267 3. *General requirements.* Uses subject to Group I and Group II standards shall not produce glare
 2268 so as to cause illumination in R districts in excess of 0.5 footcandles. Flickering or bright
 2269 sources of illumination shall be controlled so as not to be a nuisance in R districts.

2270 4. *Group I and Group II standards.* Uses subject to Group I and Group II standards shall limit
 2271 the use of light sources and illumination surfaces which are located in or are within 500 feet
 2272 of and visible within any R district so as to comply with the light intensities indicated in
 2273 Table III below:

2274 *Table III*

2275 *Maximum Intensity of Light Sources*

Source	Group I	Group II
Bare incandescent bulbs	15 watts	40 watts
Illuminated buildings	15 footcandles	30 footcandles
Back lighted or luminous background signs	150 footlamberts	250 footlamberts
Outdoor illuminated signs and poster panels	25 footcandles	50 footcandles

2276

2277 *Table IV*

2278 *Required performance standards (Group I or Group II)*

Topic	Zoning Districts		
	<i>R Districts</i>	<i>C Districts</i>	<i>CM-1 and M-1 Districts</i>
Vibration	I	I	I
Glare	I	I	I

2279

2280 Note: Required performance standards for uses in PDH districts shall equate to those
 2281 standards in the most similar R, C or M district as determined by the zoning administrator.

2282

2283 **ARTICLE 8. - SPECIAL USE PERMITS AND COMMISSION PERMITS**

2284 **Section 1. - Special use permit.**

2285 *1.1 Purpose of special use permit.*

2286 Special use permits are authorized by this ordinance, pursuant to the Code of Virginia § 15.2-
2287 2286, as amended. The purpose of the special use permit procedure is to provide for certain uses
2288 which cannot be well adjusted to their environment in particular locations with full protection
2289 offered to surrounding properties by rigid application of the district regulations. These uses
2290 either have unusual characteristics, or have characteristics which are different from those of
2291 their immediate surroundings and are essential and desirable for the general convenience and
2292 welfare, but because of the nature of the use, and possible impact, not only on neighboring
2293 properties, but on a large section of the town, require the exercise of planning judgment on
2294 location and site plan.

2295 *1.2 General guides and standards.*

2296 A special use permit should be approved only if it is listed as permitted by special use permit in
2297 the district regulations and only if it is found that the location is appropriate and not in conflict
2298 with the comprehensive plan, that the public health, safety, morals, and general welfare will not
2299 be adversely affected, that adequate utilities and off-street parking facilities, if applicable, will
2300 be provided, and that necessary safeguards will be provided for the protection of surrounding
2301 property, persons, and neighborhood values, and further provided that the additional standards
2302 of this article are complied with.

2303 In approving a special use permit the town council may impose such reasonable conditions as it
2304 believes necessary to accomplish the objectives of this ordinance. Unless otherwise specified in
2305 this article or specified as a condition of approval, the height limits, yard spaces, lot area, and
2306 sign requirements shall be the same as for other uses in the district in which the proposed special
2307 use permit is located.

2308 *1.3 Specific guides and standards.*

2309 Approval of a special use permit shall comply with the specific guides and standards for
2310 particular uses contained in this ordinance unless the town council approves a waiver of such
2311 standard based on a specific recommendation by the planning commission that compliance with
2312 the standard is clearly unnecessary to the purposes of this ordinance.

2313 *1.4 Procedures for approval of special use permits which require approval by the town council.*

2314 The procedures for approval of a special use permit are generally the same as those prescribed
2315 in *Article 10: Changes and Amendments*, including the public hearing and recommendation by the
2316 planning commission, and, in addition the procedures and requirements for approval of a special
2317 use permit application as set forth below.

2318 A. Pre-application meeting. Prior to the filing of a special use permit application, the applicant
2319 should meet with the Department of Community Development to discuss his intentions with
2320 regard to a given application and to discuss the requirements of this section and the nature
2321 of the special use proposed. For the purposes of this pre-application meeting, the applicant

2322 shall provide a sketch plan of the proposed use, showing the general layout of the special
2323 use and its relationship to the surrounding area. In connection with all such conferences,
2324 the zoning administrator shall be consulted as appropriate. A request for a pre-application
2325 meeting shall be made in writing to the Director of Community Development and shall be
2326 accompanied by a sketch, map(s) of the site, a description of the existing site, the proposed
2327 project or use, graphics that illustrate the scale, location and design of any buildings or
2328 structures to the extent known, and a list of the issues to be discussed at the conference. No
2329 matters discussed at said meeting shall be binding on either the applicant or the town. The
2330 Director of Community Development shall respond to each written request for a pre-
2331 application meeting within 15 calendar days.

2332 B. Concurrent review. If the property subject to the special use application is also under
2333 consideration for rezoning, the special use permit may be reviewed concurrently with the
2334 rezoning application. A concurrent review of the special use and rezoning applications shall
2335 automatically waive the specific time limitations otherwise applicable to special use
2336 permits, but shall not waive any of the time limitations applicable to rezonings.

2337 C. Review of application for completeness. No application shall be accepted and reviewed
2338 unless it is determined by the zoning administrator to be complete. A complete application
2339 is one which meets such minimum submission requirements as established by this chapter,
2340 and in all applicable sections of this ordinance and the land development and subdivision
2341 ordinance. The administrator's determination that an application qualifies to be officially
2342 submitted shall not be deemed a determination that the application meets requirements for
2343 approval. Such approval of the special use permit shall only be given by the town council
2344 subject to the standards set forth in this chapter after the procedural requirements for
2345 review and responsive comment have been met. A complete application package shall
2346 consist of:

- 2347 1. Application. Two copies of the completed special use permit application form provided
2348 by the town, and signed by the applicant and owners of the property.
- 2349 2. Fee. Associated review fee(s) for special use permit, payable to the Town of Purcellville.
- 2350 3. Statement of justification. Written statement with supporting evidence regarding
2351 compliance with those issues for consideration outlined in subsection 1.4.D below.
- 2352 4. Concept plan. Twelve copies of the concept plan on paper no smaller than 11" × 17".
2353 Although it is unnecessary for a concept plan to involve the preparation of engineered
2354 documents, the concept plan must contain the following basic information and may
2355 contain any additional information which the applicant deems necessary to providing
2356 a detailed understanding of the proposed use:
 - 2357 a. Boundaries of the property.
 - 2358 b. Total area of the property in square feet and acres.
 - 2359 c. General location, size (in square feet), and use of all proposed structures.
 - 2360 d. Location and size of existing public rights-of-way.
 - 2361 e. General location and size of proposed rights-of-way.
 - 2362 f. General location of proposed parking areas, entrances onto rights-of-way, storage
2363 areas, display areas, recreational areas, and required buffer yards.

- 2364 g. General location of proposed improvements such as, but not limited to, the general
2365 placement of sidewalks or trail facilities, the general location of proposed traffic
2366 improvements, and/or the general location of proposed public facilities.
- 2367 h. General location of open space areas.
- 2368 i. General location of storm water management facilities.
- 2369 5. Written statement. Describing the proposed use in such detail which provides the town
2370 with adequate knowledge on which to determine if the proposed special use is a
2371 development of superior quality. The written statement shall also provide the type and
2372 hours of operation.
- 2373 6. Traffic impact analysis. The traffic impact analysis (TIA) shall be prepared by a
2374 qualified engineer, surveyor, or otherwise acceptable professional, as determined by
2375 the zoning administrator, and shall be an analysis of the impact of the proposed special
2376 use on the existing road network. The TIA shall be required prior to site plan approval,
2377 unless this requirement is waived by the director of public works. In any case where a
2378 use will increase traffic on a proposed site, average daily trips shall be provided.
- 2379 D. Issues for consideration. A special use permit application shall be accompanied by a
2380 statement of justification which addresses the following issues for consideration. These
2381 issues for consideration shall be used by the planning commission and town council when
2382 evaluating the special use permit application. The following factors shall be given
2383 reasonable consideration and shall be addressed by the applicant in the statement of
2384 justification:
- 2385 1. Whether the proposed application is consistent with the comprehensive plan.
- 2386 2. Whether the proposed special use at the specified location will contribute to or
2387 promote the welfare and convenience of the public.
- 2388 3. Whether the proposed use is compatible with other existing or proposed uses in the
2389 neighborhood, and adjacent parcels.
- 2390 4. Whether the level and impact of any noise or odor emanating from the site, including
2391 that generated by the proposed special use, negatively impacts the uses in the
2392 immediate area.
- 2393 5. Whether the proposed special use will result in the preservation or damage of any
2394 existing habitats, vegetation, topographic or physical, natural, scenic, archeological, or
2395 historic feature of significant importance.
- 2396 6. Whether the proposed special use will impact existing water quality or air quality.
- 2397 7. Whether the traffic generated by the proposed use will be adequately and safely served
2398 by roads, pedestrian connections, and other transportation services.
- 2399 8. Whether the proposed use will negatively impact orderly and safe road development
2400 and transportation in accordance with the comprehensive plan and all relevant
2401 transportation and corridor plans.
- 2402 9. Whether the proposed use will be served adequately by essential public facilities and
2403 services
- 2404 10. Whether, in the case of existing structures to be converted to uses requiring a special
2405 use permit, the existing structures can be converted in such a way that retains the

2406 character of the neighborhood in which the existing structures are located, especially
2407 when an application seeks to convert a building of historic significance.

2408 11. Whether the proposed special use contributes to the economic development needs of
2409 the town.

2410 12. Whether adequate on and off site infrastructure is available.

2411 13. Whether the proposed special use illustrates sufficient measure to mitigate the impact
2412 of construction traffic on existing neighborhoods and schools.

2413 E. Acceptance and distribution. Once an application for a special use permit has been
2414 submitted and accepted, the administrator shall forward the plan and related information
2415 to the following review agencies as necessary:

2416 a. Department of Public Works,

2417 b. The town engineer or consulting engineer (contract engineer),

2418 c. The Virginia Department of Transportation,

2419 d. Loudoun County Department of Building and Development,

2420 e. Loudoun County Fire and Rescue,

2421 f. Loudoun County School Board.

2422 The referral agencies shall review the special use permit request, the concept plan, and the
2423 statement of justification, and shall provide a written recommendation on the application
2424 either for approval, approval with conditions, or denial.

2425 If the zoning administrator determines that there is not a need to distribute the application
2426 to a state agency for its review, the review by the agencies to whom the application was
2427 referred shall be completed and returned to the administrator within 30 days after the date
2428 the application was submitted to the agency for review. If an agency cannot respond within
2429 this 30-day period, the agency shall so inform the administrator, in writing, stating the
2430 reason for the delay and the expected date of the reply. If the administrator determines that
2431 the application requires the review of a state agency, the review by such state agency shall
2432 be completed and returned to the administrator within 45 days after the date the
2433 application was submitted to the agency for review. If the agency cannot respond within
2434 this 45-day period, the agency shall so inform the administrator, in writing, stating the
2435 reason for the delay and the expected date of the reply.

2436 A recommendation for denial or approval with conditions shall be followed by a written
2437 explanation of the recommendation. The recommendations of the referral agencies shall be
2438 forwarded to the planning commission and town council.

2439 Upon receipt of the recommendations of all the agencies, the zoning administrator shall
2440 schedule the special use permit application for public hearing with the planning
2441 commission. The administrator shall provide the recommendations and proposed
2442 conditions (if any) from the reviewing agencies to the planning commission and the town
2443 council.

2444 *1.5 Planning commission review and recommendation.*

2445 Before making a recommendation on a special use permit application, the planning commission
2446 may recommend reasonable additional conditions, including, but not limited to, those which
2447 may be imposed by the board of zoning appeals under *Article 9: Board of Zoning Appeals*, and
2448 especially conditions regarding utilities, drainage, landscaping and maintenance thereof,
2449 lighting, signs and advertising devices, buffer yards, screening, access ways, curb cuts, traffic
2450 control, height of buildings and setback of buildings, to protect adjoining uses. The planning
2451 commission shall take into consideration the comments/recommendations of the reviewing
2452 agencies, any proposed conditions of the reviewing agencies, and shall make a recommendation
2453 to the town council for either approval, approval with modifications, or denial of the special use
2454 permit application based upon the superiority of the application. The planning commission shall
2455 review the plans and prepare its report within a reasonable time, but in no case longer than 60
2456 days after the public hearing unless the applicant requests additional time in order to prepare
2457 revised plans. The town council shall not advertise its public hearing until the report and plans
2458 shall have been received from the planning commission.

2459 *1.6 Town council review and decision.*

2460 Once the planning commission has forwarded a recommendation to the town council, the zoning
2461 administrator shall set a time and place for a public hearing by the town council. The town
2462 council shall take action to approve, approve with conditions or deny the application within a
2463 reasonable time of the public hearing. The decision of the council shall be set forth in writing to
2464 the applicant.

2465 *1.7 Lapse of a special use permit.*

2466 Approval by the town council of a concept plan for a special use permit shall be valid for a period
2467 of two years. A site plan, when required by this ordinance or the Land Development and
2468 Subdivision Control Ordinance, for the proposed use shall be filed with the zoning administrator
2469 following the approval by the town council before the end of the two-year period. If a site plan
2470 is not required, then a zoning permit application shall be filed within two years.

2471 If the two-year period should expire before a site plan application (or zoning permit application
2472 when no site plan is required) is submitted to and accepted by the town, the special use permit
2473 application shall be deemed null and void and a new application shall be submitted. An applicant
2474 may request one six-month extension of the two-year deadline from the administrator, in
2475 writing, in cases where there is a hardship in meeting the two-year deadline for submission of a
2476 site plan or zoning permit. The site plan submitted shall be in general conformance with the
2477 approved concept plan and shall follow the requirements as set forth in Article 5 of the Land
2478 Development and Subdivision Ordinance.

2479 *1.8 Modifications to approved special use permits.*

2480 Minor modifications to an approved special use permit may be permitted by the zoning
2481 administrator when it is determined by the administrator that such are in substantial
2482 conformance with the approved special use permit and associated concept plan (when present)
2483 and that such are in response to:

- 2484 1. A change of ownership of the business or organization operating the special use; or
2485 2. A change of name of the business or organization operating the special use; or

- 2486 3. Review comments from and/or requirements of governmental agencies; or
- 2487 4. Minor issues of final engineering as it relates to such issues as topography, drainage,
- 2488 underground utilities, structural safety, layout, design, or vehicular circulation; or
- 2489 5. The addition of accessory uses, accessory structures or minor building additions as
- 2490 permitted below.
- 2491 A. The minor modifications permissible under items 3, 4 and/or 5 above shall be limited
- 2492 to:
- 2493 1. The addition of accessory uses in accordance with this paragraph; or
- 2494 2. Modifying the approved transitional screening, buffering, landscaping or open
- 2495 space provided that such modification does not reduce its effectiveness; or
- 2496 3. Changes to bulk, mass, orientation or location of buildings or other physical
- 2497 improvements which do not adversely impact the relationship of the development
- 2498 or part thereof to adjacent property; or
- 2499 4. Changes in the clearing and/or grading for a storm water management facility,
- 2500 including any clearing and/or grading associated with spillways, inlets, outfall
- 2501 pipes or maintenance roads, provided that such changes do not reduce non-storm
- 2502 water management open space, tree save and/or landscaping area on the lot; or
- 2503 5. The addition of accessory structures clearly subordinate to the use and minor
- 2504 additions to buildings, provided that the sum total of all such structures or
- 2505 additions shall not exceed the following:
- 2506 a. Five percent of the approved gross floor area or 500 square feet of gross floor
- 2507 area, whichever is less, when the total gross floor area shown on the approved
- 2508 concept plan is less than 50,000 square feet; or
- 2509 b. One percent of the approved gross floor area when the total gross floor area
- 2510 shown on the approved concept plan is 50,000 square feet or more; or
- 2511 c. Two hundred fifty square feet of gross floor area of accessory storage
- 2512 structure uses when the total gross floor area shown on the approved concept
- 2513 plan is 10,000 square feet or less; and
- 2514 d. The maximum permitted FAR for the zoning district in which located.
- 2515 B. Notice Requirements. Any request for a minor modification to the approved special use
- 2516 permit, other than a change of ownership or change of name of the business or
- 2517 organization operating the special use, shall require the provision of written notice in
- 2518 accordance with the following:
- 2519 1. *Public notice.* Notice shall be sent to the last known address of the owners (as
- 2520 shown in the Loudoun County real estate assessment records) of all property
- 2521 abutting and across the street from the site, or portion thereof, which is the subject
- 2522 of the request. In addition, if the subject property is included within an
- 2523 incorporated owners' association, then notice shall also be required to such
- 2524 owners' association. The notice shall include a summary of the modifications being
- 2525 sought and how to receive additional information. Prior to approval, an affidavit
- 2526 that notice has been sent shall be filed with the zoning administrator.

2527 2. *Planning commission notice.* Notice shall be provided to the planning commission
2528 as an information item on a regular meeting agenda prior to zoning administrator
2529 action on such modification.

2530 C. When it is determined by the zoning administrator that such request for minor
2531 modification is not in general conformance with the approved special use permit or the
2532 requirements of this section, or at the planning commission's request following its
2533 notice of the proposed minor modification as required in subsection B.2. above, a new
2534 special use permit shall be required.

2535 **Section 2. - Commission permits.**

2536 *2.1 Purpose of commission permits.*

2537 The purpose of the commission permit is to provide for those public uses, public structures,
2538 public utilities, or public service uses upon which the planning commission is required to report
2539 following adoption of the comprehensive plan under the state enabling statutes (Code of
2540 Virginia, § 15.2-2232, as amended), thus facilitating coordination of the purposes of state
2541 planning statutes with those of state zoning enabling legislation. Widening, narrowing,
2542 extension, enlargement, vacation or change of use of streets or public areas shall likewise be
2543 submitted for approval, but paving, repair, reconstruction, improvement, drainage or similar
2544 work and normal service extensions of public utilities or public service corporations shall not
2545 require approval unless such work involves a change in location or extent of a street or public
2546 area.

2547 A commission permit shall be approved only if it is found that the general location or
2548 approximate location, character, and extent thereof of the proposed public use, public structure,
2549 public utility or public service use is substantially in accordance with the adopted
2550 comprehensive plan or part thereof as determined by the local commission.

2551 Any public area, facility or use as set forth in this article, which is identified within, but not the
2552 entire subject of a submission for either subdivision or site plan shall be excepted from the
2553 requirement for a commission permit, if the public area, facility, or use is reviewed and approved
2554 as part of the submission for an overall development.

2555 Uses which may require a commission permit approved in accordance with this ordinance and
2556 Code of Virginia, § 15.2-2232 include but are not limited to the following:

- 2557 1. Community or cultural facility.
- 2558 2. Fire, rescue or police station.
- 2559 3. Government office and assembly room.
- 2560 4. Government operations facility.
- 2561 5. Library.
- 2562 6. Major public utility.
- 2563 7. Minor public utility.
- 2564 8. Park.
- 2565 9. Playground.

2566 10. Public or government buildings, facilities, or uses not otherwise defined.

2567 11. Public recreation facility.

2568 12. Public school.

2569 *2.2 Procedures.*

2570 Prior to forwarding a decision to the town council, the commission shall hold a public hearing
2571 on the commission permit application in accordance with the procedures for notice and hearing
2572 as set forth in § 15.2-2204-2206 of the Code of Virginia, 1950, as amended, and as set forth in
2573 *Article 11, Section 16: Public Notices*. The administrator may also require the submission of plans
2574 or drawings as necessary for consideration by the planning commission.

2575 The commission shall communicate its decision to the council, indicating its approval or
2576 disapproval with written reasons therefore. The council may overrule the action of the
2577 commission by a vote of a majority of the membership thereof. Failure of the commission to act
2578 within 60 days of such submission, unless such time shall be extended by the council, shall be
2579 deemed approval.

2580 The owner or owners or their agents may appeal the decision of the commission within ten days
2581 of the decision. The appeal shall be by written petition to the council setting forth the reasons
2582 for the appeal. The appeal shall be heard and determined within 60 days from its filing. A
2583 majority vote of the governing body shall overrule the commission.

2584

2585 **ARTICLE 9. - BOARD OF ZONING APPEALS**

2586 **Section 5. - Special exceptions.**

2587 In order to provide for adjustments in the relative locations of uses and buildings of the same or
2588 different classifications, to promote the usefulness of these regulations as instruments for fact
2589 finding, interpretation, application and adjustment, and to supply the necessary elasticity to their
2590 efficient operation, special exceptions and, limited as to location and especially in locations described
2591 in the district regulations and in this article, special use and yard exceptions are permitted by the
2592 terms of these regulations. In considering an application for a special exception, the board shall give
2593 due regard to the specific guides and standards of this section and those listed elsewhere in this
2594 ordinance, and in general to the nature and condition of adjacent uses and structures, and the
2595 probable effect upon them of the proposed exception.

2596 The board shall also take into account the special characteristics, design, location, construction,
2597 method of operation, effect on traffic conditions, or any other aspects of the particular use or
2598 structure, that may be proposed by the applicant. If it should find, after the hearing, that the proposed
2599 establishment or use will not adversely affect the health, safety or welfare of persons residing or
2600 working on the premises or in the neighborhood, will not unreasonably impair an adequate supply
2601 of light and air to adjacent property, nor increase congestion in the streets, nor increase public danger
2602 from fire or otherwise unreasonably affect public safety, nor impair the character of the district or
2603 adjacent districts, nor be incompatible with the general plans and objectives of the town's
2604 comprehensive plan, nor be likely to reduce or impair the value of buildings or property in
2605 surrounding areas, but that such establishment or use will be in substantial accordance with the
2606 general purpose and objectives of this ordinance, the board shall grant the exception and authorize
2607 the issuance, of a special exception permit.

2608 In those instances where the board finds that the proposed use may be likely to have an adverse
2609 effect as above, the board shall determine whether such effect can be avoided by the imposition of
2610 any special requirements or conditions with respect to location, design, construction, equipment,
2611 maintenance or operation, in addition to those expressly stipulated in this ordinance.

2612 *5.1 Special use exceptions.*

2613 Those uses marked as special exceptions in *Article 4, Section 1.1: Use Table* are permitted under
2614 the terms and conditions specified above.

2615 *5.2 Special yard and height exceptions.*

- 2616 1. An exception in the yard regulations on a lot where on the adjacent lot, there is a front, side,
2617 or rear yard that does not conform with such yard regulations in a way similar to the
2618 exception applied for, but not to encroach upon an existing or proposed right-of-way.
- 2619 2. An exception in the depth of a rear yard on a lot, in a block where there are nonconforming
2620 rear yards.
- 2621 3. An exception where there are irregularities in depths of existing front yards on a street
2622 frontage on the side of a street between two intersecting streets, so that any one of the
2623 existing depths shall, for a building hereafter constructed or extended be the required
2624 minimum front yard depth.

- 2625 4. Construction of a single-family dwelling with reduced yard spaces on a legal nonconforming
2626 lot.
- 2627 5. An exception to the height limits for special purpose structures in the CM-1 and the M-1
2628 industrial districts.
- 2629

2630 **ARTICLE 11. - ADMINISTRATION AND ENFORCEMENT**

2631 **Section 6. - Procedures for review and approval of all PDH districts.**

2632 All proposed developments of a PDH district permitted under *Article 4: District Regulations* shall
2633 be subject to the following procedures for review and approval:

2634 *6.1 Conceptual development plan approval.*

2635 The following procedures and application requirements shall apply to the PDH district:

- 2636 1. An application for rezoning to a PDH district shall include 14 copies of a conceptual
2637 development plan. A conceptual development plan, not filed with the initial submission of
2638 the application, shall be submitted within 60 days of the acceptance date of the application.
2639 Failure to meet this requirement shall change the acceptance date of the application to the
2640 date on which the conceptual plan is filed and accepted and/or may be cause to dismiss the
2641 application after having notified the applicant by certified mail with a deadline for a
2642 completed application.
- 2643 2. In addition to the application requirements for zoning ordinance or zoning map
2644 amendments as prescribed by *Article 10: Changes and Amendments*, a conceptual
2645 development plan shall contain the information required by *Section 8: Submission*
2646 *Requirements for PDH Districts* below together with such supplementary data for a
2647 particular development that may be deemed necessary by the zoning administrator.
- 2648 3. Upon determination by the zoning administrator that the content of the conceptual
2649 development plan is complete in accordance with *Section 8: Submission Requirements for*
2650 *PDH Districts* below, the plan and application shall be submitted for comment to the
2651 reviewing agencies. Upon completion of review, the plan and application shall be submitted
2652 to the planning commission after the required public notice is provided.
- 2653 4. The planning commission, after having given the required public notice, shall hold a public
2654 hearing and give prompt consideration to the application in accordance with the applicable
2655 zoning district regulations.
- 2656 5. Subsequent to the public hearing, the planning commission shall transmit the conceptual
2657 development plan and application to the town council together with its recommendation
2658 for approval or disapproval. The planning commission recommendation shall contain
2659 specific recommendations concerning the phasing of public improvements, including
2660 schools, public water and sewer, open space provision and improvements, and
2661 transportation improvements.
- 2662 6. The town council shall consider the conceptual development plan and application for
2663 rezoning in accordance with the applicable zoning district regulations and shall hold a
2664 public hearing thereon. The town council shall approve, approve with modifications or
2665 disapprove the conceptual development plan.
- 2666 7. In approving the conceptual development plan, the town council may establish such
2667 conditions and may require such modifications as shall assure compliance with the
2668 standards and regulations of the subject district; and further, the council may waive or
2669 modify subdivision and/or site plan requirements otherwise applicable to the development

2670 when such waiver or modification would be in conformance with said standards and
2671 regulations.

2672 8. In approving a conceptual development plan, the council may authorize a variance in the
2673 strict application of specific zoning district regulations whenever:

2674 a. Such strict application would inhibit or frustrate the purpose and intent for
2675 establishing such a zoning district; and

2676 b. Such variation would promote and comply with the standards set forth in *Article 4,*
2677 *Section 12: PDH Planned Development Housing District.* In no case, however, shall the
2678 maximum density provisions or the land area designated for commercial use under the
2679 PDH district and the maximum floor area ratio (FAR) be varied or modified.

2680 9. In the event the town council shall disapprove the rezoning application, the conceptual
2681 development plan shall thereby be deemed to be denied.

2682 10. In the event that the town council shall approve the rezoning application, the council shall
2683 approve the rezoning application, the council shall also approve or approve with
2684 modifications or conditions the conceptual development plan.

2685 11. Once a conceptual development plan has been approved, and there is cause for amendment
2686 of same or any portion thereof, such amendment shall be processed as a new submission;
2687 provided however, that the zoning administrator may waive any submission requirement
2688 if such requirement is not necessary for an adequate review of the concept development
2689 plan amendment application. An amendment may be filed by an owner of individual
2690 property.

2691 *6.2. Final development plan approval.*

2692 The following procedures shall be applicable to the preparation of a final development plan:

2693 1. The approval of a rezoning application to a PDH district and the approval of its
2694 accompanying conceptual development plan by the town council shall constitute
2695 authority for the applicant to prepare a final development plan; however, a final
2696 development plan may be filed with and included in the processing of the rezoning
2697 application and conceptual development plan. All final development plans shall be
2698 prepared in accordance with the approved conceptual development plan, and
2699 conditions as may have been adopted by the council and *Section 8: Submission*
2700 *Requirements for PDH Districts* below.

2701 2. A final development plan may be prepared and submitted for the entire planned
2702 development at one time or for sections of the planned development, and 14 copies of
2703 each plan shall be submitted to the zoning administrator.

2704 3. Upon determination by the zoning administrator that the content of the final
2705 development plan is complete in accordance with the requirements of *Section 8:*
2706 *Submission Requirements for PDH Districts* below, the plan shall be submitted to the
2707 reviewing agencies for comment. Upon completion of the review, the plan shall be
2708 submitted to the planning commission.

2709 4. The planning commission shall hold a public hearing on the final development plan no
2710 later than six months from the date the zoning administrator determined that such plan
2711 was complete in accordance with the requirements of *Section 8: Submission*
2712 *Requirements for PDH Districts* below. The commission shall consider the final

2713 development plan in accordance with the approved conceptual plan, and shall
2714 determine if said plan does comply with the applicable zoning district regulations.
2715 Upon the determination that the final development plan is in accordance and does
2716 comply, the planning commission shall approve, or approve with modifications, the
2717 final development plan. Such approval shall be deemed to be the final approval, subject
2718 only to appeal to the town council as provided by paragraph 8 below.

2719 5. In approving a final development plan, the planning commission may establish such
2720 conditions and may require such modifications as will assure compliance with the
2721 standards and regulations of the subject district, and with the approved conceptual
2722 development plan. Further, the planning commission may recommend to the council
2723 the waiver of any zoning and subdivision otherwise applicable to the development
2724 where it is found that such a waiver would be in conformance with said standards and
2725 regulations.

2726 6. In the event that the planning commission finds that the final development plan is not
2727 in accordance with the approved conceptual development plan, or does not comply
2728 with the applicable zoning district regulations, it shall disapprove the final
2729 development plan and state the reasons for their action.

2730 7. The disapproval of a final development shall cause the applicant to prepare a revised
2731 development plan unless the provisions of paragraph 8 below are applied.

2732 8. In the event that an aggrieved party wishes to appeal a planning commission decision
2733 for approval, approval with modifications or disapproval of a final development plan,
2734 such appeal shall be filed with the town council within ten days after the decision by
2735 the commission. The appeal shall be written by petition to the council setting forth the
2736 reasons for the appeal. The basis for an appeal shall be that the final development plan
2737 is or is not in substantial conformity with the approved conceptual development plan.

2738 9. Once a final development plan has been approved, and there is cause for amendment
2739 of the same, such amendment shall be processed as follows:

2740 a. Upon a determination by the zoning administrator that the amendment will result
2741 in a final development plan which is still in accordance with the approved
2742 conceptual development plan, then such amendment shall be processed according
2743 with the provisions of this section.

2744 b. Upon a determination by the zoning administrator that the amendment will cause
2745 the final development plan to not be in conformance with the approved conceptual
2746 development plan, then an amendment to the conceptual development plan shall
2747 be required in accordance with the provisions in *Section 6.1: Conceptual*
2748 *Development Plan Approval* above. The amendment to the final development plan
2749 shall also be the subject of review by the planning commission in accordance with
2750 the provisions of this section.

2751 c. The zoning administrator may waive any submission requirement if such
2752 requirement is not necessary for an adequate review of the final development plan
2753 amendment application.

2754 d. An amendment may be filed by an owner or individual property.

2755 6.3 Site plan/subdivision plat preparation and permit requirements.

2756 Approval of a final development plan shall be a prerequisite and shall constitute authority for
2757 the applicant to prepare a site plan or subdivision plat. Approval of site plans or subdivision
2758 plats, issuance of zoning permits and occupancy permits shall be in substantial conformance
2759 with the final development plan, and in conformance with the provisions of this ordinance and
2760 the land development and subdivision control ordinance and the following:

2761 1. Separate site plans or subdivision plats shall be submitted for each section of the planned
2762 development in accordance with the approved final development plan.

2763 2. When a planned development is to be constructed in sections, the total area of open space
2764 provided at any stage of development shall bear substantially the same relationships to the
2765 total open space to be provided in the entire planned development as the sections
2766 completed or under development bear to the entire planned development.

2767 3. Minor deviations from the provisions of this ordinance and the land development and
2768 subdivision control ordinance may be permitted, but only where such deviations are
2769 indicated on the approved final development plan.

2770 4. Minor modifications to an approved final development plan may be permitted when it is
2771 determined by the zoning administrator that such are in substantial conformance with the
2772 approved final development plan and that such modifications are precipitated by
2773 topographical concerns, drainage concerns, underground utilities, structural safety, layout
2774 design, vehicular circulation e.g. requirements of the Virginia Department of
2775 Transportation, Loudoun County or the Town of Purcellville or are accessory uses or
2776 accessory structures or minor building additions as provided for in paragraph f. below. In
2777 no event shall such modifications:

2778 a. Permit a more intensive use than that approved pursuant to the approved conceptual
2779 development plan, final development plan, or any applicable proffers or development
2780 conditions; or

2781 b. Result in an increased parking requirement, except for any additional parking which
2782 may be required for any building additions or modifications permitted under
2783 paragraph f. below; or

2784 c. Permit additional uses other than those approved pursuant to the final development
2785 plan, except that accessory uses in accordance with this paragraph may be permitted;
2786 or

2787 d. Reduce the effectiveness of approved transitional screening, buffering, landscaping or
2788 open space; or

2789 e. Permit changes to bulk, mass, orientation or location which adversely impact the
2790 relationship of the development or part thereof to adjacent property; or

2791 f. Include the addition of any building or additions to buildings, except that accessory
2792 structures clearly subordinate to the use and minor additions to buildings may be
2793 permitted, provided that the sum total of all such structures or additions shall not
2794 exceed the following:

2795 i. In a building containing less than 50,000 square feet of gross floor area, five
2796 percent of the approved gross floor area or 250 square feet of gross floor area,
2797 whichever is less; or

- 2798 ii. In a building containing 50,000 square feet of gross floor area or more, 0.5 percent
- 2799 of the approved gross floor area; or
- 2800 iii. The land area designated for commercial uses in the PDH district; or
- 2801 iv. The maximum permitted density.

2802 5. Any request for a modification shall require the provision of written notice by the requester

2803 in accordance with the following:

2804 a. The notice shall include the letter of request with all attachments as submitted to the

2805 zoning administrator, a statement that the request has been submitted, and where to

2806 call for additional information; and

2807 b. The notice shall be sent to the last known address of the owners, as shown in the real

2808 estate assessment files, of all property abutting and across the street from the site, or

2809 portion thereof, which is the subject of the request, and shall be delivered by hand or

2810 sent by certified mail, return receipt requested.

2811 The request for a modification submitted to the zoning administrator shall include: an affidavit

2812 from the requester affirming that the required notice has been provided in accordance with the

2813 above; the date that the notice was delivered or sent; the names and addresses of all persons

2814 notified; and the tax map references for all parcels notified. No request for a modification shall

2815 be considered by the zoning administrator unless the affidavit has been provided in accordance

2816 with this paragraph.

2817 When it is determined by the zoning administrator that a modification is not in substantial

2818 conformance with the approved final development plan, such modification shall require the

2819 resubmission and amendment of the final development plan in accordance with the procedures

2820 set forth in *Section 6.2: Final Development Plan Approval* above.

2821 6. Alterations to any single-family dwelling shall be governed by the regulations of the R

2822 district most closely characterizing the residential design as determined by the zoning

2823 administrator.

2824 **Section 7. - Development plans, standards for all PDH districts.**

2825 *7.1 General standards.*

2826 No application shall be approved for a planned development under the provisions of *Article 4:*

2827 *District Regulations* unless the planned development satisfies the following general standards:

2828 1. The planned development shall substantially conform to the adopted comprehensive plan

2829 with respect to type, character and intensity of use and public facilities. Residential planned

2830 developments shall not exceed the density permitted by the adopted comprehensive plan,

2831 except as expressly permitted under applicable density bonus provisions.

2832 2. The planned development shall be of such design that it will result in a development

2833 achieving the stated purpose of the planned development district more than would

2834 development under a conventional zoning district.

2835 3. The planned development shall efficiently utilize the available land, and shall protect and

2836 preserve to the extent possible all scenic assets and natural features such as trees, streams

2837 and topographic features.

- 2838 4. The planned development shall be designed to prevent substantial injury to the use and
2839 value of existing surrounding development, and shall not hinder, deter or impede
2840 development of surrounding undeveloped properties in accordance with the adopted
2841 comprehensive plan.
- 2842 5. The planned development shall be located in an area in which transportation, police and
2843 fire protection, other public facilities and public utilities, including sewerage, are or will be
2844 available and adequate for the uses proposed, provided, however, that the applicant may
2845 make provision for such facilities or utilities which are not presently available.

2846 *7.2 Design standards.*

2847 Whereas it is the intent to allow flexibility in the design of all planned developments, it is deemed
2848 necessary to establish standards by which to evaluate good design. To satisfy this necessity, the
2849 following design standards are set forth for general application in all planned developments:

- 2850 1. In order to complement development on adjacent properties, at all peripheral lot lines the
2851 bulk regulations and landscaping and screening provisions shall generally conform to the
2852 provisions of *Article 7: Landscaping, Buffering, and Open Space Regulations*.
- 2853 2. Other than those regulations specifically set forth in *Article 4: District Regulations* for a
2854 particular P district, the open space, off-street parking, loading, sign and all other similar
2855 regulations set forth in this ordinance shall have general application in all planned districts.
- 2856 3. Street and driveways shall be designed to generally conform to the provisions set forth in
2857 this ordinance and all other town ordinances, the facilities standards manual and other
2858 regulations controlling same, and where applicable, street systems shall be designed to
2859 afford convenient access to existing and planned transportation facilities.
- 2860 4. Within planned developments, particular emphasis shall be placed on the provision of
2861 recreational amenities and a comprehensive system of pedestrian, bicycle and/or bridle
2862 paths which shall be carefully coordinated with the provision of open spaces, public
2863 facilities, vehicular access routes and planned transportation facilities.

2864 **Section 8. - Submission requirements for PDH districts.**

2865 *8.1 Conceptual development plan.*

2866 In addition to the requirements for a rezoning application, a conceptual development plan,
2867 including any resubmissions and supporting graphics, shall be filed with the zoning
2868 administrator. The submission shall consist of 14 copies and shall contain the information listed
2869 below. All maps or plans submitted as part of a conceptual development plan shall be presented
2870 on a sheet having a maximum size of 24 inches by 36 inches. If presented on more than one sheet,
2871 match lines shall indicate where the several sheets join. One 8 1/2-by-11-inch reduction of the
2872 conceptual development plan and supporting graphics shall also be submitted. All submission
2873 requirements shall become the property of the town.

- 2874 1. A plan, at a scale of not less than one inch equals 100 feet, showing:
 - 2875 a. A vicinity map at a scale of not less than one inch equals 2,000 feet.
 - 2876 b. A statement which confirms the ownership of the subject property, and the nature of
2877 the applicant's interest in same.

- 2878 c. Existing topography with a maximum contour interval of five feet and a statement
2879 indicating whether it is air survey or field run.
- 2880 d. Scale and north arrow, with north, to the extent feasible, oriented to the top of all
2881 drawings.
- 2882 e. Except for single-family detached dwellings, the approximate location and
2883 arrangement of all proposed structures and uses to include the maximum height in feet
2884 of all structures and penthouses, and a graphic depiction of the structures and their
2885 relationship to property boundaries.
- 2886 f. The proposed traffic circulation plan, including major streets and major pedestrian,
2887 bike and/or bridle paths, and the location of all trails required by the adopted
2888 comprehensive plan.
- 2889 g. All proposed major open space areas and the approximate location of all proposed
2890 community and public facilities.
- 2891 h. A schedule showing the number of parking spaces provided and the number required.
- 2892 i. Any proposed improvements to the public right(s)-of-way and delineation of the
2893 existing centerline of all streets abutting the property, including dimensions from the
2894 existing centerline to the edge of the pavement and the edge of the right-of-way.
- 2895 j. Approximate delineation of any floodplain designated by the Federal Insurance
2896 Administration, U.S. Geological Survey or the Federal Emergency Management Agency
2897 (FEMA).
- 2898 k. A delineation of existing vegetation, to include existing vegetation to be preserved.
- 2899 l. Approximate location and estimated size of all proposed storm water management
2900 facilities and a statement as to the type of facility proposed.
- 2901 m. The location of all existing utility easements having a width of 25 feet or more.
- 2902 n. A delineation of those general areas that have scenic assets or natural features
2903 deserving of protection and preservation, and a statement of how much will be
2904 accomplished.
- 2905 o. Approximate delineation of any grave, object or structure marking a place of burial if
2906 known, and a statement indicating how the proposed development will impact the
2907 burial site.
- 2908 p. A statement explaining the relationship of the planned development to the adopted
2909 comprehensive plan for the town and the urban growth area.
- 2910 q. A statement or visual presentation of how adjacent and neighboring properties shall
2911 be protected from any adverse effects prompted by the proposed development, to
2912 include vehicular access plans, proposed measures of screening, and dimensions of all
2913 peripheral yards that will be provided.
- 2914 r. A delineation of all existing structures, and an indication of their date of construction if
2915 known, and whether they will be retained or demolished.
- 2916 s. A statement setting forth the maximum gross floor area (FAR) and FAR proposed for
2917 all uses other than residential.

- 2918 t. A statement or presentation setting forth the maximum number of dwelling units
2919 proposed, to include the density calculations based on the provisions of *Article 4,*
2920 *Section 12: PDH Planned Development Housing District,* those units obtained by bonus
2921 provisions, and a breakdown of the approximate number of units by type and the range
2922 of approximate lot sizes for single-family detached dwellings.
- 2923 u. A statement or presentation of the open space calculations based on the provisions of
2924 *Article 4, Section 12: PDH Planned Development Housing District.*
- 2925 v. A statement that the proposed development conforms to the provisions of all
2926 applicable ordinances, regulations and adopted standards, or if any waiver, exception
2927 or variance is sought by the applicant, such shall be specifically noted along with a
2928 statement of justification for the request. If the proposal includes the request for a
2929 waiver of the yard regulations for yards abutting certain principal arterial highways
2930 and railroad tracks, a study showing projected noise impacts, proposed mitigation
2931 measures and effectiveness of such measures shall be submitted.
- 2932 w. A statement of those special amenities that shall be provided within the planned
2933 development.
- 2934 x. A statement setting forth the proposed approximate development schedule.
- 2935 2. For the residential component of an application, four copies of a map identifying
2936 classification of soil types at a scale of not less than one inch equals 500 feet, based upon
2937 County of Loudoun Soils Identification maps or, if not mapped, based upon soils identified
2938 by the agricultural agent or private survey.
- 2939 3. A statement of the public improvements, both on-site and off-site, that are proposed for
2940 dedication and/or construction, and an estimate of the timing of providing such
2941 improvements.
- 2942 4. A listing, if known, of all hazardous or toxic substances as set forth in Title 40, Code of
2943 Federal Regulations Parts 116.4, 302.4 and 355; all hazardous waste as set forth in the
2944 Commonwealth of Virginia/Department of Waste Management VR672-10-1, Virginia
2945 Hazardous Waste Management Regulations; and/or petroleum products as defined in Title
2946 40, Code of Federal Regulations Part 280; to be generated, utilized, stored, treated, and/or
2947 disposed of on-site and the size and contents of any existing or proposed storage tanks or
2948 containers.
- 2949 5. Where applicable, any other information as may be required by the regulations of the town.
2950 The sheet size and scale of a conceptual development plan may be modified by the zoning
2951 administrator, based on the nature and/or size of the application.

2952 *8.2 Final development plan.*

2953 Fourteen copies of a final development plan prepared in accordance with the approved
2954 conceptual development plan shall be filed with the zoning administrator, including any
2955 resubmissions of the plan and supporting graphics. All maps, plans, sketches and illustrations
2956 submitted as part of a final development plan shall be presented on a sheet having a maximum
2957 size of 24 inches by 36 inches. If presented on more than one sheet, match joint lines shall clearly
2958 indicate where the several sheets join. One 8 1/2-by-11-inch reduction of the final development
2959 plan and supporting graphics shall also be submitted. All submissions shall become the property
2960 of the town. Such plan shall contain the following:

- 2961 1. A final plan, at a scale of not less than one inch equals 100 feet, showing:
- 2962 a. A vicinity map at a scale of not less than one inch equals 1,000 feet.
- 2963 b. Bearings and distances of the perimeter property lines.
- 2964 c. Total area of property presented in square feet or acres.
- 2965 d. Scale and north arrow, with north, to the extent feasible, oriented to the top of all
- 2966 drawings.
- 2967 e. Names and route numbers of boundary streets and the width of existing right(s)-of-
- 2968 way. Any proposed improvements to the public right(s)-of-way and delineation of the
- 2969 existing centerline of all street abutting the property, including dimensions from the
- 2970 existing centerline to the edge of the pavement and to the edge of the right-of-way.
- 2971 f. Existing topography and a statement indicating whether it is air survey or field run,
- 2972 with a maximum contour interval of two feet; except where existing ground is on a
- 2973 slope of less than two percent, then either one-foot contours or spot elevations shall be
- 2974 provided where necessary, but not more than 50 feet apart in both directions.
- 2975 g. The location and arrangement of all proposed uses, including a preliminary subdivision
- 2976 plan, if a subdivision is proposed.
- 2977 h. For other than single-family detached dwellings, the maximum height in feet, to include
- 2978 penthouses, of all buildings and the number of floors both above and below or partially
- 2979 below finished grade.
- 2980 i. The distance of all structures from the development boundaries and streets.
- 2981 j. The traffic circulation system and the pedestrian circulation system, including the
- 2982 location and width of all streets, driveways, entrances to parking areas and parking
- 2983 structures, walkways, bicycle paths and/or bridle paths, and all trails required by the
- 2984 adopted comprehensive plan.
- 2985 k. The off-street parking and loading areas and structures.
- 2986 l. The open space areas, specifying the proposed treatment or improvement of all such
- 2987 areas and delineating the type and height of such screening, and a delineation of
- 2988 existing vegetation, to include existing vegetation to be preserved.
- 2989 m. A landscape plan showing the limits of clearing, location and design of all screening
- 2990 measures, indicating the type and height of such screening, and a delineation of existing
- 2991 vegetation, to include existing vegetation to be preserved.
- 2992 n. Approximate delineation of any grave, object or structure marking a burial site if
- 2993 known, and a statement indicating how the proposed development will impact the
- 2994 burial site.
- 2995 o. A plan or statement showing how public utilities are, or will be, provided.
- 2996 p. Approximate location and estimated size of all proposed storm water management
- 2997 facilities, a preliminary storm drainage plan, including information with respect to the
- 2998 type of facility proposed and the adequacy of downstream drainage improvements.
- 2999 q. The location of all existing utility easements having a width of 25 feet or more.

- 3000 r. Approximate delineation of any floodplain designated by the Federal Insurance
3001 Administration, U.S. Geological Survey or the Federal Emergency Management Agency
3002 (FEMA).
- 3003 s. When the development is to be constructed in sections, a final sequence of
3004 development schedule showing the order of construction of such sections, and an
3005 approximate completion date for the construction of each section.
- 3006 2. A final statement in tabular form which sets forth the following data, when such data is
3007 applicable to a given development plan:
- 3008 a. Total number of dwelling units by type.
- 3009 b. Residential density in units per acre.
- 3010 c. Total floor area ratio (FAR) for each type of use, except residential uses.
- 3011 d. Total area in open space.
- 3012 e. Total area in developed recreational open space.
- 3013 f. Total number of off-street parking and loading spaces.
- 3014 g. Amount of density or floor area applied for under the bonus provisions, and the
3015 calculations supporting the specific development provisions giving rise to such bonus
3016 application.
- 3017 3. For the residential component of an application, four copies of a map identifying
3018 classifications of soil types at a scale of not less than one inch equals 500 feet, based upon
3019 County of Loudoun Soils Identification maps, or not mapped, based upon soils identified by
3020 the agricultural agent or private survey.
- 3021 4. Architectural sketches, if available, of typical proposed structures, including lighting
3022 fixtures and signs.
- 3023 5. A listing, if known, of all hazardous or toxic substances as set forth in Title 40, Code of
3024 Federal Regulations Parts 116.4, 302.4 and 355; all hazardous waste as set forth in the
3025 Commonwealth of Virginia/Department of Waste Management VR672-10-1, Virginia
3026 Hazardous Waste Management Regulations; and/or petroleum products as defined in Title
3027 40, Code of Federal Regulations Part 280; to be generated, utilized, stored, treated, and/or
3028 disposed of on-site and the size and contents of any existing or proposed storage tanks or
3029 containers.
- 3030 6. A statement that the proposed development conforms to the provisions of all applicable
3031 ordinances, regulations and adopted standards, or, if any waiver, exception or variance is
3032 sought by the applicant, such shall be specifically noted with the justification for such
3033 modification.
- 3034 7. Where applicable, any other information as may be required by the regulations of the town.
3035 The sheet size and scale of a final development plan may be modified by the zoning
3036 administrator, based upon the nature and/or size of the application.
- 3037

3038

3039 **ARTICLE 15. - DEFINITIONS**

3040 **Section 1. - General rules of construction.**

3041 The following general rules of construction shall apply to the regulations of this ordinance:

- 3042 1. The singular number includes the plural and the plural the singular, unless the context
- 3043 clearly indicates the contrary.
- 3044 2. Words used in the present tense include the past and future tenses, and the future the
- 3045 present.
- 3046 3. The word "shall" is always mandatory. The word "may" is permissive.
- 3047 4. The word "building" or "structure" includes any part thereof, and the word "building"
- 3048 includes the word "structure."
- 3049 5. Words and terms not defined herein shall be interpreted in accordance with their normal
- 3050 dictionary meaning and customary usage. The zoning administrator has authority to
- 3051 interpret the meaning of all words and terms in this ordinance.
- 3052 6. The terms "main" and "principal" as used herein are synonymous.

3053 (Revised 9/14/04)

3054 **Section 2. - Definitions.**

3055 For the purpose of this ordinance, certain terms and words are hereby defined:

3056 *Accessory automated teller machine (ATM).* See *Automated teller machine (ATM), accessory.*

3057 *Accessory building.* An accessory building is a subordinate building or a portion of the main
3058 building, the use of which is clearly incidental to or customarily found in connection with, and (except
3059 as otherwise provided in this ordinance) located on the same lot as the main building or principal
3060 use of the land.

3061 *Accessory dwelling.* See *Dwelling, accessory.*

3062 *Accessory dwelling unit.* See *Dwelling, accessory.*

3063 *Accessory fuel pump.* See *Fuel pump, accessory.*

3064 *Accessory retail sales.* See *Retail sales, accessory.*

3065 *Accessory use.* An accessory use is one which is clearly incidental to or customarily found in
3066 connection with, and (except as otherwise provided in this ordinance) is located on the same lot as
3067 the principal use of the premises.

3068 *Administrator.* The zoning administrator of the Town of Purcellville.

3069 *Adult care center.* A non-residential facility licensed by the Virginia Department of Social Services
3070 that provides supplementary care and protection during only a part of the day to four or more aged,
3071 infirm or disabled adults who reside elsewhere, except (i) a facility or portion of a facility licensed by
3072 the State Board of Health or the Department of Behavioral Health and Developmental Services, and
3073 (ii) the home or residence of an individual who cares for only persons related to him by blood or
3074 marriage. Included in this definition are any two or more places, establishments or institutions

3075 owned, operated or controlled by a single entity and providing such supplementary care and
3076 protection to a combined total of four or more aged, infirm or disabled adults.

3077 *Agricultural operation.* Any operation devoted to the bona fide production of crops, or animals,
3078 or fowl, including the production of fruits and vegetables of all kinds; meat, dairy, and poultry
3079 products; nuts, tobacco, nursery, and floral products; and the production and harvest of products
3080 from silviculture activity.

3081 *Agricultural products.* Any livestock, aquaculture, poultry, horticultural, floricultural, viticulture,
3082 silvicultural, or other farm crops.

3083 *Agriculture/horticulture.* The use of land for an *Agricultural operation* and/or the bona fide
3084 production or harvesting of *Agricultural products*. This term does not include the above ground
3085 application or storage of sewage sludge, the storage or disposal of nonagricultural excavation
3086 material, waste and debris if the excavation material, waste and debris are not generated on the farm,
3087 or the processing of *Agricultural products* or the products of an *Agricultural operation*, including, but
3088 not limited to, the slaughtering or processing of animals.

3089 *Alley.* A public or private way less than 30 feet in width and affording secondary means of access
3090 to abutting property.

3091 *Alteration.* (See structural alteration.)

3092 *Amphitheater.* An outdoor area, which may be partially enclosed or covered, devoted to
3093 dramatic, dance, musical, or other live performances, although incidental use for private meetings,
3094 exhibits, and presentations shall be permitted.

3095 *Apartment.* See *Dwelling, apartment*.

3096 *Assisted living facility.* A residential facility, licensed by the Virginia Department of Social
3097 Services, in which aged, infirm or disabled persons reside, with one or more resident or nonresident
3098 staff persons, which provides or coordinates personal and health care services, 24-hour supervision
3099 and general assistance with the activities of daily living for its residents.

3100 *Attached communications tower.* See *Communications tower*.

3101 *Attached dwelling.* See *Dwelling, single-family attached*.

3102 *Auction house.* A structure or enclosure where goods are stored with the intent of being sold by
3103 auction to the highest bidder.

3104 *Automated teller machine (ATM), accessory.* A mechanized consumer banking device operated
3105 by a financial institution for the convenience of its customer located on a lot or within a building
3106 containing another use.

3107 *Automobile, salvage or wrecking yard.* A junk yard consisting of that part of a lot not enclosed by
3108 a building, which is used for the storage or dismantling of damaged, inoperative, or obsolete vehicles
3109 or for the sale of such vehicles or of the salvaged parts there from.

3110 *Automotive service station.* See *Fueling station*.

3111 *Basement.* That portion of a building between the floor and ceiling which is wholly or partly
3112 underground and having more than one-half of its height below grade.

3113 *Bed and breakfast.* A building containing a maximum of four guest rooms, having sleeping and
3114 eating accommodations where short-term lodging of no more than 14 days is provided, with or
3115 without meals, for compensation, and in which meals may be provided to guests only, and which is
3116 operated in accordance with all pertinent town code requirements. May be an accessory use within

3117 a *Single-family detached dwelling* or *Single-family detached farmhouse dwelling* as allowed by the use
3118 regulations of a zoning district.

3119 *Block.* That property fronting on one side of a street or road and lying between two intersecting
3120 streets or roads or otherwise limited by a right-of-way, a waterway, an un-subdivided tract or any
3121 other physical barrier of such nature as to interrupt the continuity of development.

3122 *Board.* The board of zoning appeals of the Town of Purcellville.

3123 *Brewery, winery or distillery.* A facility wherein the primary use is the making of beer, wine or
3124 liquor that is open to the public for tours and tastings.

3125 *Bufferyard.* Land area used to separate one use from another to absorb runoff or shield from
3126 dust, noise, lights or other such effects and to provide space for screening, all in accordance with the
3127 requirements of this ordinance.

3128 *Buildable area.* The area of that part of the lot not included within the yards or open spaces
3129 herein required.

3130 *Buildable width.* The width of that part of a lot not included within the open spaces and yards
3131 herein required.

3132 *Building.* Any structure permanently affixed to a lot or lots and having a roof supported by
3133 columns or walls, for the housing or enclosure of persons, animals, or property of any kind.

3134 *Building, completely enclosed.* Any building having no outside openings other than ordinary
3135 doors, windows, and ventilators.

3136 *Building, height of.* The vertical distance from the average finished grade or from the average
3137 level of the finished grade at the front building line, if higher, to the highest point of the coping of a
3138 flat roof, or to the deck line or highest point of coping or parapet of a mansard roof, or to the mean
3139 height level between eaves and ridge for gable, hip, shed, and gambrel roofs. When the highest wall
3140 of a building with a shed roof is within 35 feet of a street, the height of such building shall be measured
3141 to the highest point of coping or parapet.

3142 *Building, main.* The principal building or one of the principal buildings on a lot, or the building
3143 or one of the principal buildings housing the principal use on the lot.

3144 *Building setback line.* A line within a lot between which line and the street line of any abutting
3145 street no building or structure may be erected.

3146 *Bulk.* A term used in this ordinance to describe the size and shape of a building or structure and
3147 its relationship to other buildings, to the lot area for a building, and to open spaces and yards.

3148 *Bus depot and maintenance facility.* A facility for the temporary storage and maintenance of
3149 public and/or private buses; not an *Automobile, salvage or wrecking yard* or *Junk yard* or *automobile*
3150 *graveyard*.

3151 *Bus shelter.* A small, roofed structure, usually having three walls, located near a street and
3152 designed primarily for the protection and convenience of bus passengers.

3153 *Car wash.* An establishment for the washing and cleaning of automobiles and light trucks or vans;
3154 does not include repair services, vehicle storage or sales of convenience goods.

3155 *Catering.* A service facility in which food is prepared and delivered to off-site locations for
3156 serving; may be an accessory use to an *Eating establishment*.

3157 *Cellar.* A story entirely underground or partly underground, with at least one-half of its height
3158 below grade.

3159 *Cemetery.* Any land or structure used or intended to be used for the interment of human remains,
3160 excluding crematories and funeral homes.

3161 *Child care, commercial.* An establishment licensed by the Virginia Department of Social Services
3162 which offers care, protection, supervision and/or education outside of a residential dwelling for
3163 compensation to six or more children at a time during any 24-hour period, and then only for part of
3164 any 24 hour day. A commercial child care establishment shall not be located within a residential
3165 dwelling or on a residential lot, but when allowed by the use regulations of a zoning district, such
3166 establishment may include a *Private school* or other facility for which the purpose is primarily
3167 educational, recreational, or therapeutic treatments as an accessory use.

3168 *Child care, residential.* A program conducted within a residential dwelling which offers care,
3169 protection, supervision, and/or education to less than six children, exclusive of the provider's own
3170 children and any children who reside in the home, at a time during any 24-hour period, and then only
3171 for part of any 24 hour day, for compensation or otherwise.

3172 *Church or other place of worship.* A building or structure, or group of buildings or structures,
3173 which are primarily intended for the conducting of organized religious services and accessory uses
3174 associated therewith, including any building used for religious services by any denomination; child
3175 care and educational uses are not part of the definition of a church unless conducted in conjunction
3176 with worship services or as allowed by the use regulations of a zoning district.

3177 *Clinic, urgent care.* An establishment staffed by medical professionals exclusively for short-term
3178 treatment of injury or illness where patients are not lodged overnight.

3179 *Club, private.* See *Private club*.

3180 *College or university.* An institute of higher education authorized or accredited to award
3181 advanced degrees, which may include on-site student, faculty and/or employee housing facilities.

3182 *Commercial child care.* See *Child care, commercial*.

3183 *Commercial equestrian facility.* See *Equestrian facility, commercial*.

3184 *Commercial indoor recreation facility.* See *Recreation facility, commercial indoor*.

3185 *Commercial outdoor recreation facility.* See *Recreation facility, commercial outdoor*.

3186 *Commercial uses of greater than 10,000 square feet.* Any use, otherwise listed as a permitted use
3187 within a zoning district, involving the display and sale of merchandise at retail or the rendering of
3188 personal services when such use has a floor area of greater than 10,000 square feet. This term
3189 includes, but is not limited to, the following uses: *Construction/landscaping equipment and supply*
3190 *sales and service; Convenience store; Farm equipment & supply sales and service; Food processing,*
3191 *retail; Personal services establishment; and Retail sales, general.*

3192 *Commission.* The planning commission of the Town of Purcellville, Virginia.

3193 *Communications tower.*

3194 *Communications tower, attached:* Any communications antenna which is placed on an existing
3195 building or other non-communications structure, and increasing the height of the existing
3196 structure by not more than ten feet.

- 3197 *Communications tower, free-standing*: An independent structure of skeletal framework or a pole,
3198 guyed or self-supporting, used to support antennas. Guy wire, framework and other stabilizing
3199 devices are considered part of the structure of the tower.
- 3200 *Community or cultural facility*. A facility typically engaged in nonprofit or quasi-public use for a
3201 public purpose, such as a community center, cultural center, museums senior center and the like.
- 3202 *Community garden*. A public facility for the cultivation of fruits, vegetables or flowers by more
3203 than one person or family.
- 3204 *Commuter parking lot*. See *Parking lot, commuter*.
- 3205 *Concept plan*. Part of a special use permit application, prepared in accordance with *Article 8,*
3206 *Section 1: Special Use Permit*, which may consist of visual and written representation depicting a
3207 layout and/or design of a proposed development. Once approved through the legislative process, this
3208 document becomes binding on the developer and his successors in interests.
- 3209 *Concrete plant*. A plant for the manufacture or mixing of concrete, cement and concrete and
3210 cement products, including any apparatus and uses incidental to such manufacturing and mixing.
- 3211 *Condominium*. Real property and any incidentals thereto or interests therein which have been
3212 or are to be lawfully established as such under the Virginia Condominium Act.
- 3213 *Conservancy subdivision*. A single-family residential development in which the residential lots
3214 are clustered together on a portion of the tract, leaving the largest portion of the tract in permanent
3215 open space. A conservancy subdivision may include the following categories of land:
- 3216 a. Single-family lots: Smaller residential lots located in a contiguous grouping oriented along a
3217 street or a green.
- 3218 b. Conservancy lots: Larger residential lots containing a designated building area with the
3219 remainder designated as permanent open space.
- 3220 c. Open space: Land permanently preserved through an open space easement designated as
3221 greenbelt open space, conservancy open space and usable open space, as defined in this
3222 ordinance.
- 3223 *Construction/landscaping equipment and supply sales and service*. A retail or wholesale
3224 commercial establishment engaged in the sale, rental, service and/or repair from the premises of
3225 equipment, goods and materials used during construction and landscaping activities, including but
3226 not limited to: brick, stone, lumber and other wood construction materials, pipes and other plumbing
3227 supplies, wiring and other electrical supplies, drywall, carpet and other flooring products, sand,
3228 gravel, potting soil, fertilizer, mulch, plants, tools and hardware, motorized construction equipment,
3229 motorized lawn and garden equipment, and related equipment and supplies. May include a *Nursery,*
3230 *Greenhouse,* and *Outdoor storage* as accessory uses.
- 3231 *Contractor's office and storage area*. A facility in which a contractor conducts administrative
3232 activities, record-keeping, clerical work and other similar functions of the business in conjunction
3233 with the storage of vehicles, equipment and supplies for offsite use in the performance of any
3234 construction or land development trades; does not include an *Automobile, salvage or wrecking yard*
3235 or *Junk yard or automobile graveyard*.
- 3236 *Convalescent, nursing or rest home*. See *Nursing home*.

- 3237 *Convenience store.* A small-scale retail establishment offering for sale a limited line of groceries,
3238 beverages, periodicals and other household items intended for the convenience of the passerby. Such
3239 establishments may have on-site service of food and drink for immediate consumption.
- 3240 *Country inn.* A building containing a maximum of nine guest rooms, having sleeping and eating
3241 accommodations where short-term lodging of no more than 14 days is provided, with or without
3242 meals, for compensation, and in which meals may be provided to guests only, and which is operated
3243 in accordance with all pertinent town code requirements. May be an accessory use within a *Single-*
3244 *family detached dwelling* or *Single-family detached farmhouse dwelling* as allowed by the use
3245 regulations of a zoning district.
- 3246 *Day nursery or child day care center.* See *Child care, commercial.*
- 3247 *Density, residential.* Unless otherwise specified, the number of dwelling units per gross acre of
3248 residential land area, with gross acres including all the land area, including streets, easements, and
3249 open space portions of a developed site.
- 3250 *Detached single-family dwelling.* See *Dwelling, single-family detached.*
- 3251 *Development.* Any manmade change to improved or unimproved real estate including, but not
3252 limited to, buildings or other structures, the placement of mobile homes, streets, and other paving,
3253 utilities, filling, grading, excavation, mining, dredging, or drilling operations.
- 3254 *Diameter at breast height (dbh).* The diameter of a tree measured as the circumference of the
3255 tree trunk at 4.5 feet above the ground. In the case of multiple trunks, the collective circumstances of
3256 all trunks at 4.5 feet above grade will constitute dbh.
- 3257 *District.* Any section of the Town of Purcellville in which the zoning regulations are uniform and
3258 so designated on the zoning district map.
- 3259 *Drive-through facility.* A portion of a commercial establishment in which patrons do business
3260 from their motor vehicles through a window or other remote device or station.
- 3261 *Dry cleaning and laundry establishment.* An establishment which launders and/or dry cleans
3262 articles dropped off on the premises directly by the customer or where articles are dropped off,
3263 sorted, and picked up but where laundering or cleaning is done elsewhere. The alteration and
3264 mending of clothing items may be conducted as an accessory use.
- 3265 *Duplex dwelling.* See *Dwelling, duplex.*
- 3266 *Dwelling.* A building or portion thereof, designed or used exclusively for residential occupancy,
3267 as an independent housekeeping unit, and physically separated from any other rooms or dwelling
3268 units which may be in the same structure, and containing independent cooking and sleeping facilities,
3269 but not including boats, trailers, mobile homes, motor homes, hotels, motels, motor lodges, tourist
3270 courts, or tourist homes.
- 3271 *Dwelling, accessory.* A subordinate dwelling unit in a main building or accessory building as
3272 approved by the board of zoning appeals under *Article 9: Board of Zoning Appeals*. This includes
3273 servants or caretakers quarters and guest houses.
- 3274 *Dwelling, apartment.* A part of a building containing cooking and housekeeping facilities,
3275 consisting of a room or suite of rooms intended, designed, and used as a residence by an individual
3276 or a single family; a building is an apartment building if it contains three or more such apartment
3277 units, that are not in a townhouse configuration.
- 3278 *Dwelling, attached.* See *Dwelling, single-family attached.*

- 3279 *Dwelling, detached single-family.* See *Dwelling, single-family detached.*
- 3280 *Dwelling, duplex.* A structure arranged or designed to be occupied by two families, the structure
3281 having only two dwelling units attached by a common wall without openings, either vertical or
3282 horizontal, each with its own outside entrance.
- 3283 *Dwelling, multiple-family.* A building designed for or occupied exclusively by three or more
3284 families living independently of each other.
- 3285 *Dwelling, single-family.* A building designed for or occupied exclusively by one family.
- 3286 *Dwelling, single-family attached.* A single-family dwelling designed to be sold as a unit but
3287 forming one of a group or series of three or more attached single-family dwellings separated from
3288 one another by party walls without doors, windows, or other provisions for human passage or
3289 visibility through such walls from basement to roof, and having roofs which may extend from one of
3290 the dwelling units to another.
- 3291 *Dwelling, single-family detached.* A single-family dwelling entirely surrounded by a yard or other
3292 separation from other main buildings on the same lot or on adjacent lots.
- 3293 *Dwelling, single-family detached farmhouse.* A single-family dwelling entirely surrounded by a
3294 yard and located on or abutting an *Agriculture/horticulture* use occupied by the owner of the land or
3295 a tenant whose primary job is running the farm.
- 3296 *Dwelling unit.* A room or group of rooms occupied or intended to be occupied as separate living
3297 quarters by a single-family or other group of persons living together as a household or by a person
3298 living alone and having its own permanently installed cooking and sanitary facilities.
- 3299 *Eating establishment.* An eating establishment is any building in which, for compensation, food
3300 or beverages are dispensed for consumption within the structure or in outdoor areas next to the
3301 structure, including, among other establishments, restaurants, cafes, cafeterias, tea rooms, and
3302 refreshment stands.
- 3303 *Equestrian facility, commercial.* Horse, donkey or mule facilities utilized as a business, including
3304 stables, indoor and outdoor riding rings, paddocks, and other buildings or structures accessory and
3305 incidental to the above uses.
- 3306 *Equestrian facility, residential.* Horse, donkey or mule facilities utilized for personal enjoyment
3307 and not as a business, including stables, indoor and outdoor riding rings, paddocks, and other
3308 buildings or structures accessory and incidental to the above uses, provided that no more than one
3309 such animal shall be kept for each acre of land on the premises.
- 3310 *Family.* A group of people living together consisting of: a) One or more persons related* by blood
3311 or marriage together with any number of natural, foster, step or adopted children, domestic servants,
3312 nurses and therapists and no more than two roomers or boarders; or b) No more than four unrelated
3313 persons; or c) Per § 15.2-2291 of the Code of Virginia, up to eight individuals residing in a residential
3314 facility that suffer from mental illness, mental retardation, or developmental disabilities and have
3315 one or more resident counselors or other staff persons. For the purposes of this subsection, mental
3316 illness and developmental disability shall not include current illegal use of or addiction to a controlled
3317 substance as defined in § 54.1-3401; or d) up to eight individuals residing in a residential facility that
3318 are aged, infirm or disabled and have one or more resident counselors or other staff persons. For
3319 purposes of this subsection, "residential facility" means any assisted living facility or residential
3320 facility in which aged, infirm or disabled persons reside with one or more resident counselors or
3321 other staff persons and for which the Department of Social Services is the licensing authority
3322 pursuant to this Code.

3323 * Persons who are related includes husbands, wives, parents, children, grandparents,
3324 grandchildren, brothers, sisters, aunts, uncles, cousins, nephews, nieces (including step or half
3325 relationships) as demonstrated by official public records such as government-issued
3326 identification, birth or marriage certificates; or by affidavits.

3327 *Farm and community market.* An event in which multiple vendors on a regularly scheduled basis,
3328 but no more than two days per week, meet to sell at retail to the public farm produce, food stuffs, art
3329 work or handicrafts substantially grown or produced by the seller, members of seller's family or farm
3330 laborers employed by seller upon property owned or leased by the seller.

3331 *Farm equipment and supply sales and service.* A retail or wholesale commercial establishment
3332 engaged in the sale, rental, service and/or repair from the premises of equipment, goods and
3333 materials used in soil preparation and maintenance, the planting and harvesting of crops, and other
3334 operations and processes pertaining to farming and ranching, including, but not limited to: farm tools
3335 and implements, seed, feed, grain, tack, animal care products, motorized farming equipment, and
3336 related equipment and supplies; may include custom milling of grain and feed and *Outdoor storage*
3337 as accessory uses.

3338 *Financial institution.* An establishment in which customers frequent the site for the purposes of
3339 buying and selling securities, obtaining loans, depositing and withdrawing money, and the like.

3340 *Fire, rescue or police station.* A facility from which fire, rescue, and/or police vehicles operate and
3341 in which they are stored and maintained, and which may include offices and/or transient lodging
3342 accommodations for the personnel who staff the vehicles.

3343 *Firing range, indoor.* A facility designed or used for shooting at targets with rifles, pistols or
3344 shotguns, and which is completely enclosed within a building or structure.

3345 *Fitness center.* A private fitness establishment which may offer for use aerobic training and/or
3346 strength training equipment, saunas, locker rooms and shower facilities and instruction in general
3347 health and physical fitness. Such use may provide massages, provided not more than five percent of
3348 the gross floor area is used for massages.

3349 *Floodplain.* (a) A relatively flat or low land area adjoining a river, stream, or watercourse which
3350 is subject to partial or complete inundation; (b) an area subject to the unusual and rapid
3351 accumulation of surface waters from any source. (for further definitions pertaining to floodplains,
3352 see *Article 12: Floodplain District*).

3353 *Floor area.*

3354 a. Commercial, business, and industrial buildings, or buildings containing mixed uses: The
3355 sum of the gross horizontal areas of the several floors of a building measured from the
3356 exterior faces of the exterior walls or from the centerline of walls separating two buildings
3357 but not including: (1) attic space providing headroom of less than seven feet; (2) basement
3358 space not used for retailing; (3) uncovered steps or fire escapes; (4) accessory water towers
3359 or cooling towers; (5) accessory off-street parking spaces; and (6) accessory off-street
3360 loading spaces.

3361 b. Residential buildings: The sum of the gross horizontal areas of the several floors of a
3362 dwelling, exclusive of garages, basements, and open porches, measured from the exterior
3363 faces of the exterior walls.

3364 *Food processing, retail.* A facility in which the preparation, processing, and packaging of food
3365 products, but not the slaughtering of animals, occurs in conjunction with the retail sale of such food

3366 products for consumption at an off-site location. Examples of activities include bakeries, creameries
3367 and confectioneries.

3368 *Food processing, wholesale.* A facility in which the preparation, processing and packaging of food
3369 products, but not the slaughtering of animals, occurs for the sale of such food products in bulk to
3370 large scale buyers, usually other businesses, for the purpose of later retail distribution to the resident
3371 population, businesses and/or to tourists.

3372 *Free-standing communications tower.* See *Communications tower.*

3373 *Frontage.*

3374 a. *Street (or road) frontage:* All of the property on one side of a street or road between two
3375 intersecting streets (crossing or terminating), measured along the line of the street, or if the
3376 street is dead-ended, then all of the property abutting on one side between an intersecting
3377 street and the dead-end of the street.

3378 b. *Lot frontage:* The distance for which the front boundary line of the lot and the street or road
3379 line are coincident.

3380 *Fuel pump.* A pump for dispensing all forms of gasoline or similar fuel for motor vehicles in one
3381 self-contained unit directly adjacent to one corresponding refueling space.

3382 *Fuel pump, accessory.* A *Fuel pump* located on the premises of a business and used solely by such
3383 business; retail fuel sales to the general resident population are prohibited.

3384 *Fueling station.* Any lot or parcel of land or portion thereof used partly or entirely for the storing,
3385 retail sale and dispensing of flammable liquids, combustible liquids, liquefied flammable gas, or
3386 flammable gas into the fuel tanks of motor vehicles. Accessory uses of such an establishment may
3387 include a *Convenience store*, *Car wash*, and/or building including not more than three interior service
3388 stalls where minor maintenance services may be rendered and sales made, such as lubrication, brake
3389 repair, muffler replacement, and the like but not including major mechanical and body work,
3390 painting, welding or other work involving noise, glare, fumes, smoke or other impacts to an extent
3391 greater than normally found at fueling stations.

3392 *Funeral home.* An establishment used primarily for human funeral services, which may or may
3393 not include facilities on the premises for embalming, performance of autopsies or other surgical
3394 procedures, and storage of funeral-related supplies and vehicles, but does not include facilities for
3395 cremation.

3396 *Garage, parking.* See *Parking structure.*

3397 *Garage, private.* An accessory building used for storage purposes only and having a floor area of
3398 not more than 900 square feet.

3399 *General retail sales.* See *Retail sales, general.*

3400 *Government office and assembly room.* A facility, owned by and used for administrative, technical
3401 or professional office activities of an agency or political subdivision of the United States of America,
3402 the Commonwealth of Virginia, a county or a town or city which may include rooms or an accessory
3403 building where groups of people gather for a meeting, event or regularly scheduled program.

3404 *Government operations facility.* A facility owned by an agency or political subdivision of the
3405 United States of America, the Commonwealth of Virginia, a county or a town or city where vehicles,
3406 equipment and supplies necessary for providing government services are stored and maintained;
3407 *Governmental office and assembly room* may be included as an accessory use. This use does not
3408 include any facilities defined as *Public utility, major* or *Public utility, minor.*

3409 *Grade.* Grade or grade elevation shall be determined by averaging the elevations of the finished
3410 ground adjacent to all the corners and/or other principal points in the perimeter wall of the building.

3411 *Greenhouse.* A structure with translucent walls and/or roof used to sprout or grow vegetation
3412 for later sale or planting.

3413 *Group home.* A residential facility, licensed by the Virginia Department of Behavioral Health and
3414 Developmental Services, in which no more than eight (8) mentally ill, intellectually disabled or
3415 developmentally disabled persons reside, with one or more resident or nonresident staff persons.
3416 Mental illness and developmental disability shall not include current illegal use of or addiction to a
3417 controlled substance as defined in § 54.1-3401 of the Code of Virginia.

3418 *Guest room.* A room which is intended, arranged or designed to be occupied, or which is occupied,
3419 by one or more guests paying direct or indirect compensation therefore, but in which no provision is
3420 made for cooking.

3421 *Heritage tree(s).* Any tree or grouping of trees that has been designated by the town council or
3422 in the comprehensive plan to have notable historic or cultural interest.

3423 *Home occupation.* An occupation, including any professional, vocational, business, trade and/or
3424 personal service, excluding retail sales, conducted by the occupant of a dwelling unit, which is
3425 incidental to the primary use of the property as a residence.

3426 *Hospital.* A building or group of buildings, having room facilities for overnight patients, used for
3427 providing services for the in-patient medical or surgical care of sick or injured humans, and which
3428 may include related facilities, central service facilities, and staff offices; provided, however, that such
3429 related facility must be incidental and subordinate to the main use and must be an integral part of
3430 the hospital operations.

3431 *Hotel.* A building designed or occupied as a temporary living place for individuals who are, for
3432 compensation, lodged with or without meals, and in which provisions may or may not be made for
3433 cooking in individual rooms or suites. A hotel may include restaurants, taverns or club rooms, public
3434 banquet halls, ballrooms and meeting rooms. A hotel contains a central entrance lobby and does not
3435 provide a motor vehicle parking space adjacent to each individual room as does a motel.

3436 *Indoor firing range.* See *firing range, indoor.*

3437 *Inoperative motor vehicle.* Any motor vehicle, trailer, or semi-trailer which has not been in
3438 operating condition for a period of 60 days or longer. Such condition is characterized by broken or
3439 removed parts, including tires, required for legal operation of the vehicle on public streets, by an
3440 expired or missing state inspection sticker, by expired or missing state license plates, and/or by an
3441 expired or missing local decal.

3442 *Junk.* Dilapidated and inoperative automobiles, trucks, tractors, and other such vehicles and
3443 parts thereof, dilapidated wagons and other kinds of vehicles and parts thereof, discarded appliances,
3444 scrap building material, scrap contractor's equipment, tanks, casks, cans, barrels, boxes, drums,
3445 piping, bottles, glass, wood scraps, old iron, machinery, rags, paper, excelsior, hair, mattresses, beds
3446 or bedding or any other kind of scrap or waste material which is stored, kept, handled, or displayed.

3447 *Junk yard or automobile graveyard.* The use of any area of land lying within 100 feet of a state
3448 highway or the use of more than 200 square feet of land area in any location for the storage, keeping
3449 or abandonment of junk, including scrap metals or other scrap materials. The term "junk yard" shall
3450 include the term "automobile graveyard" as any lot or place which is exposed to the weather upon
3451 which more than five motor vehicles of any kind, incapable of being operated, are placed.

3452 *kennel*. A place prepared to house, board, handle or otherwise keep or care for dogs and other
3453 small domestic animals in return for compensation, or any place where more than five adult dogs are
3454 kept.

3455 *Laboratory*. A facility used for scientific research, investigation, testing, or experimentation
3456 related to natural resources, medical resources, and manufactured materials but excluding the
3457 testing of explosives. Facilities for the manufacture or sale of products shall only be allowed when
3458 incidental to the main purpose of the laboratory.

3459 *Laundry*. See *Dry cleaning and laundry establishment*.

3460 *Laundromat*. Commercial retail establishments that provide self-serve washing and drying
3461 services.

3462 *Library*. An institution for the custody, circulation and administration of a collection of books,
3463 manuscripts, etc., but not for the sale of such.

3464 *Light manufacturing*. See *Manufacturing, light*.

3465 *Lighted sports field*. A field for competitive sports, including but not limited to: baseball, football,
3466 lacrosse, and soccer, that is illuminated by any man-made device located outdoors that produces light
3467 by any means.

3468 *Loading space*. A space within a building or on the premises providing for the standing, loading
3469 or unloading of vehicles.

3470 *Lot*. A parcel of land occupied or intended to be occupied by a main building or groups of main
3471 buildings and accessory buildings, together with such yards, lot width and lot areas as are required
3472 by this ordinance, and having frontage upon a street or road, either shown on a plat of record or
3473 considered a unit of property and described by metes and bounds. Such lot may consist of a single lot
3474 of record or a part or combination of one or more lots of record.

3475 *Lot, corner*. A lot abutting upon two or more streets at their intersection where the interior angle
3476 of intersection is not greater than 135 degrees. A lot abutting upon a curved street shall be considered
3477 a corner lot if the tangents to the curve at the points of intersection of the side lot lines intersect at
3478 an interior angle of less than 135 degrees. A reversed corner lot is a corner lot that is turned, with
3479 reference to an adjoining lot, to front on another street.

3480 *Lot coverage*. That portion of the lot that is covered by buildings and structures.

3481 *Lot, depth of*. The average horizontal distance between the front and rear lot lines.

3482 *Lot, double frontage*. A lot, other than a corner lot, which has a frontage on two streets.

3483 *Lot line, front*. The line separating the lot from a street on which it fronts. On a corner lot, the
3484 front shall be deemed to be along the shorter dimension of the lot; and where the dimensions are
3485 equal, the front shall be on that street on which a predominance of the other lots in the block front.

3486 *Lot line, rear*. The lot line opposite and most distant from the front lot line.

3487 *Lot line, side*. Any lot line other than a front or rear lot line.

3488 *Lot of record*. A lot shown upon a plan of subdivision or upon a plat attached or referred to in a
3489 deed described by metes and bounds in a deed recorded in the clerk's office of the circuit court of the
3490 county.

3491 *Lot width*. The horizontal distance between the side lot lines measured at the front building
3492 setback line.

- 3493 *Machine shop.* An establishment where lathes, presses, grinders, shapers, and other wood and
3494 metal working machines are used.
- 3495 *Major public utility.* See *Public utility, major.*
- 3496 *Major transmission lines.* See *Public utility, minor.*
- 3497 *Manufacture of stairs and similar wood products.* An establishment primarily engaged in the
3498 onsite production of stairs and similar goods made of wood.
- 3499 *Manufactured home.* A structure subject to federal regulation, which is transportable in one or
3500 more sections; is eight body feet or more in width and 40 body feet or more in length in the traveling
3501 mode, or is 320 or more square feet when erected on-site; is built on a permanent chassis; is designed
3502 to be used as a single-family dwelling, with or without a permanent foundation, when connected to
3503 the required utilities; and includes the plumbing, heating, air conditioning, and electrical systems
3504 contained in the structure.
- 3505 *Manufacturing, light.* The processing or fabrication of certain materials or products where no
3506 process involved will produce noise, vibration, air pollution, fire hazard, or noxious emission which
3507 will disturb or endanger neighboring properties.
- 3508 *Memorial tree.* Any tree that has been designated by the town council to be a special
3509 commemorating memorial tree.
- 3510 *Mini-storage facility.* A building, portion of a building, or group of buildings consisting of
3511 individual, self-contained units leased to individuals, organizations, or businesses for self-service
3512 storage of personal property.
- 3513 *Minor public utility.* See *Public utility, minor.*
- 3514 *Modular home.* A movable or portable dwelling over 32 feet in length and over 20 feet wide,
3515 designed and constructed without a carriage or hitch, as a stationary house constructed for
3516 placement upon a permanent foundation, to be connected to utilities, for year-round occupancy. It
3517 can consist of one or more components that can be retracted when transported and subsequently
3518 expanded for additional capacity, or of two or more units separately transportable but designed to
3519 be joined and joined into one integral unit.
- 3520 *Multiple-family dwelling.* See *Dwelling, multiple-family.*
- 3521 *Nature preserve.* Sites with environmental resources intended to be preserved in their natural
3522 state.
- 3523 *Nonconforming lot.* An otherwise legally platted lot that does not conform to the minimum area,
3524 width or depth requirements of this ordinance for the district in which it is located either at the
3525 effective date of this ordinance or as a result of subsequent amendments to the ordinance.
- 3526 *Nonconforming structure.* A building or structure that does not conform with the lot area, yard,
3527 height, lot coverage, or other area regulations of this ordinance, or is designed or intended for a use
3528 that does not conform to the use regulations of this ordinance, for the district in which it is located,
3529 either at the effective date of this ordinance or as a result of subsequent amendments to this
3530 ordinance.
- 3531 *Nonconforming use.* The otherwise legal use of a building or structure or of a tract of land that
3532 does not conform to the use regulations of this ordinance for the district in which it is located, either
3533 at the effective date of this ordinance or as a result of subsequent amendments to this ordinance.

3534 *Nursery.* An outdoor area for the growing of plants, trees and shrubs for sales and planting off-
3535 site.

3536 *Nursery school.* See *Child care, commercial.*

3537 *Nursing home.* An extended or intermediate care facility, licensed by the Virginia Department of
3538 Health, in which nursing services and health-related services are provided on a continuing basis for
3539 the treatment and inpatient care of two or more non-related individuals who, by reason of advanced
3540 age, chronic illness or other infirmity are unable to care for themselves.

3541 *Office.* A facility in which the administrative activities, record-keeping, clerical work and other
3542 similar functions of a business, professional service, medical practitioner, industry, or government
3543 are conducted, and, in the case of professions such as lawyers, engineers, dentists, physicians, and
3544 the like, the facility where such professional services are rendered.

3545 *Open space.* Land set aside, dedicated and designed to protect natural environmental resources,
3546 to serve as a visual amenity, and/or to provide recreational opportunities within a private
3547 development or, if owned by the Town of Purcellville or other public agency, within the community
3548 at large. Such land shall be primarily naturally vegetated or landscaped, but may include limited
3549 paved areas, such as sidewalks, pedestrian plazas, trails, and recreational courts. Such land shall not
3550 include streets, driveways, parking areas, structures, above ground public utilities, including storm
3551 water management facilities, or other improvements, except as may be approved for recreational or
3552 historic preservation purposes in a site plan or subdivision plat. The following are the only three
3553 recognized types of open spaces:

3554 *Open space, common.* Open space within or related to a residential development, not within
3555 individually owned lots or dedicated for public use or associated with non-residential or rental
3556 apartment uses, that is owned by a non-profit organization as described in *Article 7, Section 7.4:*
3557 *Open Space for Residential Properties*, and is designed and intended for the common use or
3558 enjoyment of the residents of the development.

3559 *Open space, public.* Open space owned by the Town of Purcellville or other public agency and
3560 maintained by it for the use and enjoyment of the general public.

3561 *Open space, private.* Open space within a private non-residential or rental apartment
3562 development that is designed and intended for the common use or enjoyment of the occupants
3563 of the development.

3564 *Outdoor storage.* An accessory unenclosed area located on an all-weather surface to the rear of
3565 the lot where equipment, merchandise, materials, and supplies are stored for more than 24 hours.
3566 Outdoor storage shall not be used for the storage of inoperative motor vehicles and junk.

3567 *Outdoor storage lot.* A lot consisting of an unenclosed area located on an all-weather surface
3568 adjacent to an existing commercial or industrial use where equipment, merchandise, materials, and
3569 supplies are stored for more than 24 hours. Outdoor storage lots are not *Automobile, salvage or*
3570 *wrecking yards, Junk yards or automobile graveyards, or Vehicle sales storage lot*, as defined in this
3571 article. Outdoor storage lots shall not be used for the storage of inoperative motor vehicles and junk.

3572 *Park.* Land used for either or both active and/or passive recreational use. Parks may contain
3573 landscaped or naturally vegetated areas, recreational buildings and facilities and parking for vehicles.
3574 Public parks are open to the public; access to private parks is controlled by the owners.

3575 *Parking lot.* An all-weather surface not located in a street or alley; containing motor vehicle
3576 parking spaces to accommodate customers and/or employees, either with or without charge; and

3577 connected with a street or alley by a paved driveway which affords ingress and egress for a motor
3578 vehicle without requiring another motor vehicle to be moved. Parking lots shall not be used as
3579 *Outdoor storage lot* or *Vehicle sales storage lot* as defined in this article.

3580 *Parking lot, commuter.* A facility designed for short term parking of vehicles where the occupants
3581 of such vehicles transfer to public transit to continue their trips.

3582 *Parking lot, public.* A use consisting of a *Parking lot* constructed of a dust-free, all-weather
3583 material containing one or more parking spaces for operable self-propelled passenger vehicles,
3584 designed for and available to the general public as an accommodation for patrons, customers or
3585 employees, either with or without charge.

3586 *Parking space off-street.* An all-weather surfaced area not in a street or alley and having an area
3587 of not less than 162 square feet (nine feet by 18 feet), exclusive of driveways, permanently reserved
3588 for the temporary storage of one vehicle and connected with a street or alley by a paved driveway
3589 which affords ingress and egress for an automobile without requiring another automobile to be
3590 moved.

3591 *Parking structure.* A structure or portion thereof composed of one or more levels or floors used
3592 exclusively for the parking or storage of operable motor vehicles. A parking structure may be totally
3593 below grade or either partially or totally above grade with those levels being either open or enclosed.

3594 *Personal services establishment.* Retail personal services such as barber and beauty
3595 establishments, optician, seamstress, tailor, and the like.

3596 *Petroleum, propane, and other flammable liquids, storage, distribution, and sales.* A facility that
3597 stores more than 15,000 gallons of petroleum, propane and/or other flammable liquids in above-
3598 ground and/or below-ground tanks for the eventual distribution to the consumer by means of a fleet
3599 of vehicles designed to hold and dispense such liquids. Accessory uses include the parking and
3600 storage of the distribution vehicles, the outside or inside storage of propane tanks, and the fueling of
3601 propane-fueled vehicles.

3602 *Petting farm.* A collection of farm animals or gentle exotic animals for children to pet and feed.

3603 *Playground.* A recreational area which is graded and either planted in grass or paved, or a
3604 combination of both, which may have play equipment, and which may be lighted or unlighted. Does
3605 not include miniature golf grounds, golf driving ranges, mechanical amusement devices or accessory
3606 uses such as refreshment stands and equipment sales or rentals.

3607 *Police station.* See *Fire, rescue or police station.*

3608 *Porch.* A structural part of a building that is enclosed and covered by a roof that is usually
3609 separate from the main roof of the structure. A porch is generally associated with an entrance to the
3610 structure but also may be a covered and enclosed deck.

3611 *Premises.* A lot, together with all buildings and structures thereon.

3612 *Printing, publishing and engraving.* An establishment providing convenient services for printing
3613 or photocopying flyers, brochures, photographs, blueprints and the like, for small scale users.

3614 *Private club.* A facility where the principal purpose is for members of a non-profit organization
3615 or group of people organized for a common purpose to meet to pursue common goals, interests and
3616 activities, and usually characterized by certain membership qualifications, payment of fees and dues,
3617 regular meetings, and a constitution and bylaws. These clubs and organizations may engage in
3618 activities consistent with their nonprofit status.

3619 *Private garage.* See *Garage, private.*

3620 *Private school. See School, private.*

3621 *Public or government building, facility, or use not otherwise defined.* Any facility owned or
3622 operated by a public utility or an agency of local, regional, state or federal government and not
3623 otherwise defined within this article.

3624 *Public parking lot. See Parking lot, public.*

3625 *Public recreation facility. See Recreation facility, public.*

3626 *Public school. See School, public.*

3627 *Public utility.* A business or service and the facilities and appurtenances thereto, which is
3628 engaged in regularly supplying the public with potable water, sanitary sewer, electricity, gas, storm
3629 sewer, telephone or cable communications, and other similar public commodities or services. Does
3630 not include *Communications towers*.

3631 *Public utility, major.* Public utility, major shall include the following: electric substations and
3632 other distribution centers, electrical generating plants and facilities, sewage treatment and
3633 disposal facilities, storage facilities for natural gas, oil and other petroleum products, supply
3634 yards for any public utility, dial centers, repeater stations, water purifications facilities,
3635 microwave facilities, satellite earth stations, water storage facilities and maintenance facilities
3636 incidental to any use set forth above.

3637 *Public utility, minor.* Public utilities, minor shall include the following: electric transformer;
3638 natural gas transmission facilities; telecommunication facilities (including, but not limited to,
3639 exchanges); water and sewer transmission, collection, distribution and metering devices; and
3640 water and sewage pumping stations.

3641 *Public water and sewer system.* A water or sewer system owned and operated by a municipality
3642 or county, or owned and operated by a corporation approved by the governing body and properly
3643 chartered and certified by the State Corporation Commission, and subject to special regulations as
3644 herein set forth.

3645 *Pumping station or regulator station. See Public utility, minor.*

3646 *Radio or television studio.* A structure or part thereof, containing studio or office space used for
3647 the administrative or technical activities of radio or television broadcasting.

3648 *Radio, television, telephone or other communication tower. See Communications tower.*

3649 *Recreation facility, commercial indoor.* Any enclosed or semi-enclosed establishment operated as
3650 a commercial enterprise (open to the public for a fee) in which are conducted recreational,
3651 therapeutic or athletic activities, whether or not under instruction, such as but not limited to: tennis,
3652 volleyball and other court games; soccer and lacrosse; indoor golf cages, batting cages, bowling alleys,
3653 billiards and other games of skill; swimming; gymnastics, dance, miniature golf, cultural activities,
3654 martial arts, archery, roller or ice skating, skateboarding, and activities incidental to the foregoing,
3655 but not including amusement rides or regular live entertainment. Incidental office, retail, and other
3656 commercial uses commonly established in such facilities shall be allowed as long as they are clearly
3657 accessory to and only serve the users of the principal facility.

3658 *Recreation facility, commercial outdoor.* Any outdoor area or establishment operated as a
3659 commercial enterprise (open to the public for a fee) for the following activities, such as but not
3660 limited to: games and athletics, batting and pitching cages, darts, hard and soft courts, miniature golf,
3661 radio-controlled vehicles and airplanes, pony rides, waterslides, cultural activities, martial arts,
3662 archery, camping, roller or ice skating rinks, skateboarding, picnicking, boating, fishing, swimming,

3663 golf driving ranges, and activities incidental to the foregoing, but not including amusement rides,
3664 amusement parks, golf courses, hunting preserves, shooting ranges, theme parks or motor vehicle
3665 race tracks.

3666 *Recreation facility, public.* Any facility defined as *Recreation facility, commercial indoor* or
3667 *Recreation facility, commercial outdoor* operated by an agency of local, regional, state or federal
3668 government.

3669 *Regulations.* The whole body of regulations, text, charts, tables, diagrams, maps, notations,
3670 references, and symbols, contained or referred to in this ordinance.

3671 *Residential child care.* See *Child care, residential*.

3672 *Residential equestrian facility.* See *Equestrian facility, residential*.

3673 *Retail food processing.* See *Food processing, retail*.

3674 *Retail sales, accessory.* The sale or rental of consumer merchandise to the general resident
3675 population and/or to tourists as an accessory use to an existing use otherwise allowed.

3676 *Retail sales, general.* A business establishment engaged in the sale or rental of consumer
3677 merchandise to the general resident population and/or to tourists, including household goods,
3678 clothing, appliances, and other such items. Does not include *Construction/landscaping equipment and*
3679 *supply sales and service* or *Farm equipment and supply sales and service*.

3680 *School.* A facility owned by a governmental or private entity that provides a curriculum of early
3681 childhood, elementary, secondary and/or collegiate academic instruction, including preschools,
3682 kindergartens, elementary schools, junior high or middle schools, high schools and colleges.

3683 *School, private.* A *School* owned by a non-governmental entity.

3684 *School, public.* A *School* owned by a governmental entity.

3685 *School, special instruction.* A facility primarily devoted to giving instruction in musical, artistic,
3686 scientific or other special subjects, exclusive of a conventional full-day primary or secondary
3687 curriculum; includes student learning or tutoring center.

3688 *School, technical.* A facility which primarily provides instruction to adults in vocational and/or
3689 business skills.

3690 *Screening.* A method of visually shielding or obscuring one abutting or nearby structure or use
3691 from another by use of planted vegetation, fences, walls or berms in accordance with the terms of
3692 this ordinance.

3693 *Service/repair establishment.* A business establishment that repairs consumer merchandise,
3694 tools or appliances but not motorized vehicles, equipment or machinery.

3695 *Shopping center.* A group of commercial establishments planned, owned, and managed as a total
3696 entity with on-site parking, loading areas separated from customer access, unified design,
3697 landscaping and signage in accordance with an approved plan.

3698 *Sign.* For definitions pertaining to signs, see *Article 6, Section 3: General Sign Regulations*.

3699 *Sign shop.* An establishment that manufactures signage and engages in the retail sale of signs,
3700 banners, or similar items.

3701 *Single-family attached dwelling.* See *Dwelling, single-family attached*.

3702 *Single-family detached dwelling.* See *Dwelling, single-family detached*.

3703 *Single-family detached farmhouse dwelling.* See *Dwelling, single-family detached farmhouse.*

3704 *Single-family dwelling.* See *Dwelling, single-family.*

3705 *Site plan.* A document which is a detailed engineered drawing of the proposed improvements
3706 included and required in the development of a given lot, prepared in accordance with *Article 11,*
3707 *Section 5: Site Plans.* For the purposes of this ordinance, a site plan is not to be construed as a concept
3708 plan, as required by other provisions of this ordinance. Reference Article 5 of the Land Development
3709 and Subdivision Control Ordinance.

3710 *Special event.* A temporary indoor or outdoor use, lasting seven (7) consecutive days or less, that
3711 extends beyond the normal uses and standards allowed by the zoning ordinance which is intended
3712 to or likely to attract substantial crowds and is unlike the customary or usual activities generally
3713 associated with the property where the event is to be located. Includes *Event* as defined in ***[insert**
3714 **correct citation upon adoption]*** of the Town Code.

3715 *Special instruction school.* See *School, special instruction.*

3716 *Specimen tree.* Any tree which has been individually designated by the town council to be notable
3717 by virtue of its outstanding size and quality for its particular species.

3718 *Special exception.* A special use exception, yard exception, or height exception specifically listed
3719 in this ordinance which may be permitted in a specified district or in all districts in accordance with
3720 terms of this ordinance by the board of zoning appeals under certain conditions, such conditions to
3721 be determined in each case by the terms of this ordinance and by the board of zoning appeals.

3722 *Special use permit.* The permit for a use listed as requiring such permit in this ordinance and
3723 which may be in a specified district under certain conditions, such conditions to be determined in
3724 each case by the terms of this ordinance and by the town council of the Town of Purcellville after
3725 public hearing and report by the planning commission in accordance with the procedures specified
3726 by this ordinance and applicable state law.

3727 *Storage warehouse.* A use engaged in storage and distribution of goods or materials for sale in a
3728 business located on the premises; does not include *Mini-storage facility.*

3729 *Story.* That portion of a building included between the surface of any floor and the surface of the
3730 floor next above it, or if there be no floor above it, then the space between such floor and the ceiling
3731 next above it. For the purpose of height measurement for any building other than a detached single-
3732 family dwelling a basement shall be counted as a story if its ceiling is over five feet above the level
3733 from which the height of the building is measured or if it is used as a separate dwelling unit by other
3734 than a janitor or other employee and his family.

3735 *Story, half.* A partial story under a gable, hip or gambrel roof, the wall plates of which on at least
3736 two opposite exterior sides are not more than two feet above the floor of such story, provided,
3737 however, that any such story used as a separate dwelling unit, by other than a janitor or other
3738 employee and his family, shall be counted as a full story.

3739 *Street (road).* A public or private thoroughfare which affords the principal means of access to
3740 abutting properties.

3741 *Street centerline.* The centerline of a street shall mean the centerline thereof as shown in any of
3742 the official records of the town or as established by the Virginia Department of Highways and
3743 Transportation. If no such centerline has been established, the centerline of a street shall be a line
3744 lying midway between the side lines of the right-of-way thereof.

3745 *Street line (right-of-way line).* The line between a lot, tract or parcel of land and a contiguous
3746 street.

3747 *Structural alteration.* Any change in the supporting members of a building or structure, including
3748 bearing walls, partitions, columns, beams, girders or similar parts of a building or structure, and any
3749 substantial change in the roof of a building.

3750 *Structure.* Anything constructed or erected, the use of which requires permanent location on the
3751 ground, or attachment to something having a permanent location on the ground, including, but
3752 without limiting the generality of the foregoing, mobile homes, monopoles, swimming pools,
3753 backstops for tennis courts, gazebos, and pergolas.

3754 *Studio.* A structure or part of a structure which serves as the working space for an artist, sculptor,
3755 weaver, photographer, writer, dancer, musician, yoga instructor, and the like.

3756 *Substation.* See *Public utility, major.*

3757 *Technical school.* See *School, technical.*

3758 *Temporary food truck/trailer.* A licensed, motorized vehicle or trailer, temporarily parked for no
3759 longer than three (3) days consecutively or 60 total days within a calendar year, that is a self-
3760 contained temporarily parked food service operation, used to store, prepare, display or serve food
3761 intended for individual portion service.

3762 *Temporary stand.* A structure or designated area for temporary retail sales of merchandise by a
3763 single vendor, including, but not limited to: produce, Christmas trees, fireworks, arts and crafts,
3764 previously prepared food, and the like. Does not include *Eating establishments* or *Temporary food*
3765 *truck/trailer.*

3766 *Theater.* A building or part of a building devoted to showing motion pictures, or for dramatic,
3767 dance, musical, or other live performances although incidental use for private meetings, exhibits, and
3768 presentations shall be permitted.

3769 *Townhouse.* See *Dwelling, single-family attached.*

3770 *Treatment plants.* See *Public utility, major.*

3771 *Upholstery shop.* An establishment that repairs and replaces upholstery to household and office
3772 furnishings; does not include motor vehicle upholstering or repair.

3773 *Urgent care clinic.* See *Clinic, urgent care.*

3774 *Utility storage yard.* A yard area in which materials, equipment and/or vehicles used for
3775 construction, excavating or similar activities involved in the construction and maintenance of a public
3776 utility system are stored, kept and/or maintained.

3777 *Variance.* A variance from application of the strict terms of this ordinance which may be granted
3778 in a specific case by the board of zoning appeals under the terms of this ordinance and applicable
3779 state law.

3780 *Vehicle repair, light.* Buildings and premises including no more than five interior service stalls,
3781 wherein the primary use is the supply and replacement at retail of oil, batteries, tires and motor
3782 vehicle accessories, and where in addition, the maintenance and repair services may be rendered and
3783 sales made, such as oil changes, chassis lubrication, brake replacement and repair, muffler
3784 replacement, washing and polishing and the like. Permissible uses do not include major mechanical
3785 and body work, painting, welding, or other work involving noise, glare, fumes, smoke or other
3786 impacts to an extent greater than normally found at heavy vehicle repair facilities.

3787 *Vehicle sales and service.* Buildings and premises, including any interior service stalls, wherein
3788 the primary use is the sale, rental, service, and/or repair of automobiles, trucks, recreational vehicles,
3789 motorcycles, all-terrain vehicles, boats, and trailers; not an *Automobile, salvage or wrecking yard* or
3790 *Junk yard or automobile graveyard.*

3791 *Vehicle sales storage lot.* A place in which operable vehicles are stored pending sale; not an
3792 *Automobile, salvage or wrecking yard* or *Junk yard or automobile graveyard.* An adjunct use to an
3793 existing *Vehicles sales and service* use located adjacent.

3794 *Veterinary clinic.* A facility for the provision of surgical or other medical treatment to animals.
3795 Such animals may be kept in the facility during the recovery period or while under medical treatment
3796 only.

3797 *Water storage tank.* See *Public utility, major.*

3798 *Wholesale food processing.* See *Food processing, wholesale.*

3799 *Wholesale sales.* An establishment that sells merchandise in bulk to large scale buyers, usually
3800 other businesses, for the purpose of later retail distribution to the resident population, businesses
3801 and/or to tourists.

3802 *Yard.* An open space other than a court, on a lot, and unoccupied and unobstructed from the
3803 ground upward, except as otherwise provided in this ordinance.

3804 *Yard, front.* A yard lying between the front lot line and the front building setback line, and
3805 extending across the full width of the lot. The front yard depth shall be the minimum distance,
3806 measured horizontally, between the front building setback line and the front lot line.

3807 *Yard measurement.* In measuring a yard, the building line shall be deemed to mean a line parallel
3808 to the nearest lot line drawn through the point of a building or the point of a group of buildings
3809 nearest to such lot line, and the measurement shall be taken at right angles from the building line to
3810 the nearest lot line.

3811 *Yard, rear.* A yard lying between the rear lot line and the nearest part of the building not
3812 hereinafter excepted, and extending across the full width of the lot. The rear yard depth shall mean
3813 the minimum distance, measured horizontally, between any part of the building not specifically
3814 excepted and the rear lot line.

3815 *Yard, side.* A yard lying between a side lot line and the nearest part of the building or use not
3816 hereinafter excepted, and extending from the front yard to the rear yard, or if there be no front or
3817 rear yard, to the front or rear lot lines. Side yard width shall mean the minimum distance, measured
3818 horizontally, between any part of the building or use not specifically excepted and the nearest side
3819 lot line.

3820 *Yard/garage sale.* Any sale entitled "garage sale," "yard sale," "barn sale," "lawn sale," or any
3821 similar casual, temporary sale of tangible personal property on any portion of a residential lot, as
3822 allowed by the use regulations of a zoning district, which is advertised by any means whereby the
3823 public at large can be made aware of such sale. Such sales are limited to a period of no more than
3824 three consecutive days.