

**Article XI  
Planned Unit Developments**

**(As Amended through 08/13/19)**

**DIVISION 1 - GENERALLY**

**SECTION 1 – Applications**

Planned development districts shall be established by amendment to the official zoning map, in accordance with the provisions of Section 15.1-431 of the **CODE OF VIRGINIA**, as amended. The application for rezoning to a Planned Residential Development, Planned Mixed Use Development, Planned Industrial Park or Planned Shopping Center District shall be accompanied by fifteen (15) copies of the development master plan.

**SECTION 2 – Contents of Development Plan**

The development plan shall contain the following data, together with supplementary data for a particular development, as reasonably deemed necessary by the Planning Director, or his agent.

(a) Development Site Information:

- (1) Vicinity map at a scale of not less than one inch equals two thousand feet (1" = 2000').
- (2) Boundary survey including area of the tract related to true meridian or U.S. Geological Survey State grid north.
- (3) Total area of the tract.
- (4) Abutting street names, widths, and route numbers.
- (5) Owners, zoning districts, and uses of each adjoining tract.
- (6) Topographic map with maximum contour intervals of five (5) feet and a scale of not less than one-hundred (100) feet to the inch.
- (7) Flood plain limits.

(b) Development Design Information:

- (1) A concept plan, illustrating the location and functional relationship between all proposed land uses.
- (2) Land use plan or plans showing the location and arrangement of all proposed land uses; the building setbacks from the development boundaries and adjacent streets, roads, alleys and ways; the proposed traffic circulation pattern including the location and width of all streets, driveways, walkways and entrances to parking areas; all off-street parking and loading areas.
- (3) A plan showing the location and design of all landscaping and screening.
- (4) A plan or statement detailing the exact number of improved, developed and recreational open space, and all covenants, restrictions and conditions pertaining to the use, maintenance and operation of common spaces, and the percentage of the tract to be used as open space.

(5) For a PRD or PMU District, a statement of the anticipated residential density and the total number of dwelling units, the percentage of the tract which is to be occupied by structures, and the total floor area of all commercial, and architectural sketches of typical proposed structures.

(6) For a PSC or PIP District, a statement of the anticipated commercial and industrial uses, and architectural sketches of typical proposed structures, including exterior lighting fixtures and signs.

(7) When the development is to be constructed in phases, a phasing plan and schedule shall be provided showing the order of development for each phase and the approximate completion date. A cost estimate for all on-site and off-site public improvements within each phase shall be submitted with the site plan for that phase. (Amended 12/10/91)

(8) A plan or report indicating the extent, timing and estimated cost of all on-site and off-site improvements such as roads, water, sanitary sewer, and drainage facilities necessary to construct the proposed development, said plan or report shall correspond to the sequence of development schedule if the development is to be constructed in phases. (Amended 12/10/91)

(9) A statement showing the relationship of the planned development to the comprehensive plan.

(10) A traffic impact analysis.

### **SECTION 3 – Rezoning to Planned Development District**

#### **3.1. Planning Commission Procedures**

On application for PD districts, the commission shall proceed in general as for other rezoning applications but shall give special consideration to the following matters and shall allow changes in original applications as warranted.

#### **3.2. Pre-Application Conferences**

Applicants are required to meet with the Planning Staff and other qualified officials to review the proposed master plan and original proposal prior to submittal. The purpose of such conference shall be to assist in bringing the application and material submitted therewith as nearly as possible into conformity with these or other regulations applying in the case, and/or to define specific variations from the application of these regulations which would otherwise apply which seem justified in view of equivalent service of the public purposes for such regulation.

In the course of such pre-application conferences, any recommendations for change shall be recorded in writing, and shall become part of the case record. All such recommendations shall be supported by stated reasons for the proposed changes. Applicants shall indicate, in writing, their agreement to such recommendations, or their disagreement and their reasons therefore. Response by the applicant shall also become part of the case record.

#### **3.3. Planning Commission Recommendations to the Board of Supervisors**

At such time as further conferences appear unnecessary, or at any time on request of the applicant, the commission shall proceed to hold a public hearing and prepare its recommendations to the Board of Supervisors. The date of the determination to proceed, or the applicant's request for public hearing, shall be deemed the formal date of submission of the application for rezoning.

Specifically, recommendations of the commission shall include findings as to:

(a) The suitability of the tract for the general type of PD district proposed in terms of: relation to the comprehensive plan; physical characteristics of the land; and its relation to surrounding area;

(b) relation to major roads, utilities public facilities and services;

(c) adequacy of evidence on unified control and suitability of any proposed agreements, contracts, deed restrictions, sureties, dedications, contributions, guarantees, or other instruments, or the need for such instruments or for amendments in those proposed; and

(d) specific modifications in PD or general regulations as applied to the particular case, based on determination that such modifications are necessary or justified by demonstration that the public purposes of PD or general regulations as applied would be satisfied to at least an equivalent degree by such modifications.

Based on such findings, the commission shall recommend approval of the PD amendment, as proposed, approval conditioned upon stipulated modifications, or disapproval.

### **3.4. Action by Board of Supervisors**

On applications for PD districts, the Board of supervisors shall proceed in general as provided for other rezoning applications. The Board of Supervisors may approve the application in accordance with PD and general regulations may include specific regulations as provided in Section 3.3 as recommended by the commission, or may deny the application.

All terms, conditions, safeguards and stipulations made at the time of the rezoning to planned development status, including the approval of the development plan, with or without specified modifications, shall be binding upon the applicant or any successors in interest. Deviations from approved plans or failure to comply with any requirements, conditions or safeguards shall constitute a violation of these zoning regulations.

The granting of the planned development rezoning, and the approval of the development, with or without specified modifications, shall not constitute the recording of a plat, nor shall it authorize the issuance of building permits. Such action shall be undertaken only after the approval of the site plan and the recording of a subdivision plat, if applicable.

### **SECTION 4 – Landscape Plan**

All Planned Unit Developments shall include a landscape plan which shall be prepared by a landscape architect or someone thoroughly familiar with landscape materials and design. Said plan shall include and show, among other things:

(a) All existing trees on the site; or where there are groups of trees said stands may be outlined. However, all trees in excess of twenty (20) inches diameter, measured at four and one-half (4-1/2) feet above the ground must be shown as individual specimens.

(b) All trees desired to be removed.

(c) All trees and/or groups of trees to be preserved, and, in the event of cut or fill, excavation, or the laying of the utility lines in proximity to trees that are to be preserved, the method of preservation shall be shown. Said methods of preservation shall be consistent with accepted landscape industry practice.

(d) All materials to be planted shall be shown, the species given, size at planting and such other information as may be required by the administrator.

(e) A finished grading plan shall be required. Said plan may be a separate sheet, but said grading plan must be drawn in conjunction with all elements of the landscape plan. All elements of the landscape plan shall be guaranteed for at least one year after installation.

(f) A bond in the amount of twenty (20) percent of the value of the new plantings shall be retained for that period of time to assure replacement where necessary.

**4.1. Buffering**

(a) The landscaping requirements in this article shall be in addition to any buffering otherwise required under provisions of this chapter.

**4.2. Minimum Plantings**

(a) The following list provides the minimum required plantings pursuant to Section 4. All materials shall be specifically approved by the zoning administrator. Proposed materials shall only be disapproved where they are clearly incompatible, botanically, with existing or proposed materials; or where the proposed materials have characteristics that are detrimental to the public welfare, including but not limited to, susceptibility to disease and wind damage and propensity for damaging or interfering with nearby utilities or public right-of-way, or otherwise fail to fulfill the intent of this article. Credit shall be given on a one for one basis, for all trees that are preserved on the same lot.

	<b>Deciduous Trees</b>	<b>Evergreen Trees</b>
Duplexes	Total of 8 inches of caliper per unit	Total of 12 feet in height per lot
Multi-family and other Residential uses	Total of 20 inches per caliper per gross acre	Total of 36 feet in height per gross acre
Uses allowed in Commercial Districts	Total of 20 inches of caliper per gross acre	Total of 36 feet in height per gross acre
Uses allowed in industrial Districts	Total of 20 inches of caliper per gross acre	Total of 36 feet in height per gross acre

(b) No part of this section shall be construed to require the cutting down of existing trees which do not conform to the requirements described herein for nearby planted trees.

**SECTION 5 Site Plans**  
(Amended 12/10/91)

(a) Approval of the development plan by the Board of Supervisors and the application for rezoning shall constitute authority for the applicant to prepare a site plan in accordance with Article XV, Section 12 and in conformity with the approved development plan.

(b) The site plans shall be for the entire project, unless the project is phased, in which case the site plans for the first phase shall be submitted.

(c) A site plan for a particular development phase, other than the first, shall not be approved until construction has been initiated on the immediately proceeding phase or unit.

(d) Minor deviations from the development plan shall be permitted in the site plan when the zoning administrator determines that such are necessary due to requirements of topography, drainage, structural safety or vehicular circulation, and such deviations will not materially alter the character of the approved development plan including the proposed

development sequence. In no case shall such deviations include the addition or elimination of any building shown on the approved development plan, increase the density or increase the floor area. Any changes not authorized by this paragraph shall require resubmission of the development plan in accordance with the procedures contained in this article.

(e) The first site plan shall be submitted within one (1) year after the date of approval of the development plan. If a site plan is not submitted within said period, approval of the development plan, and consequent authority to submit a site plan, shall terminate any development by the applicant in accordance with the procedures set forth in this section. Within thirty (30) days prior to the expiration of said one year period, the applicant may apply to the Board of Supervisors for an extension of time within which to submit a site plan in conformity with the approved development plan. The Board of Supervisors may grant such extension, upon good cause shown by the applicant, but such extension shall not under any circumstances exceed an additional one year period, and no more than two (2) such extensions may be granted. If such application is denied, approval of the development plan, and consequent authority to submit a site plan, shall terminate at the end of said one year period. Upon termination of authority to develop as herein provided, the Board of Supervisors may initiate a reclassification of the subject property to an appropriate zoning district other than PRD, PMU, PSC, or PIP.

(f) A subdivision plat, in recordable form shall be submitted with each site plan, if applicable.

(g) No building permit shall be issued for any building or structure not indicated in the approved site plan.

**SECTION 6**        **Private Roads**  
(Adopted 8/11/09)

(a) The Board of Supervisors may permit the use of private roads within a Planned Unit Development provided such roads comply with the standards of Article 15, Section 8, Development Standards, paragraph L – Standards for Private Road Subdivisions.

**DIVISION 2 - PLANNED RESIDENTIAL DEVELOPMENT (PRD)**

**SECTION 1 – Statement of Intent**

This district is intended to permit development in accordance with a master plan of cluster-type communities which may be under one ownership or control. Within such communities, the location of all improvements shall be controlled in such a manner as to permit a variety of housing accommodations in an orderly relationship to one another, with the greatest amount of open area and the least disturbance to natural features. PRD districts shall be located in areas served by public water and sewer systems.

**SECTION 2 - Use Regulations**

Structures to be erected or land to be used shall be for the following uses:

- (a) Single-family detached dwellings
- (b) Semi-detached and attached single-family dwellings such as duplexes, townhouses, atrium houses and patio houses provided that density is maintained, and provided further that buildings are located so that each unit could be provided with a lot meeting all other requirements for detached single-family dwellings except for side yards at the common wall.
- (c) Multi-family dwellings.
- (d) Churches, and other places of worship.

- (e) Schools.
- (f) Day care centers or day nurseries.
- (g) Libraries.
- (h) Recreational uses, including club houses, golf courses, pools, tennis courts, and similar recreational improvements and facilities.
- (i) Public utilities – distribution facilities.
- (j) Community Administrative Office in developments with a minimum of 500 single family dwelling units. (Adopted 03/26/13)

**SECTION 3 – Permitted Accessory Uses**

- (a) Garage, private.
- (b) Temporary buildings, the uses of which are incidental to the construction operations during development being conducted on the same or adjoining tract or section and which shall be removed upon the completion or abandonment or such construction, or upon the expiration of a period of two (2) years of time, whichever is sooner.
- (c) Minor home occupations.

**SECTION 4 – Area Regulations**

- (a) The minimum permitted size for any PRD shall be three (3) contiguous acres. Additional land area may be added to an existing PRD if it is adjacent (except for public roads) thereto and forms a logical addition to the existing PRD and is under the same ownership or control.
- (b) The procedures for an addition shall be the same as if an original application were filed.

**SECTION 5 – Density**

The permitted density for dwelling units in a PRD District shall not be more than ten (10) units per gross acre.

**SECTION 6 – Minimum Area Requirements for Open Space**

Not less than fifteen (15) percent of the total gross area shall be in open space.

**SECTION 7 – Setback and Yard Requirements**

All structures in the PRD District shall be set back at least thirty-five (35) feet from the boundary of the district or sixty (60) feet from the centerline of any street, alley or way adjoining such boundary, whichever distance is greater.

**SECTION 8 – Maximum Height of Buildings**

The maximum height of any building or structure in a PRD district shall be thirty-five (35) feet.

**~~SECTION 9 – Streets~~** (Repealed 8/11/09)

~~Private streets shall not be permitted in a PRD development.~~

### **DIVISION 3 - PLANNED MIXED USE DEVELOPMENT (PMU)**

#### **SECTION 1 – Statement of Intent**

This district is intended to permit development in accordance with a master plan of cluster-type communities which may be under one ownership or control. Additionally, planned mixed use developments may be appropriate where the establishment of a “new village” or the nucleus of a future community exists. Within such communities, the location of all improvements shall be controlled in such a manner as to permit a variety of housing accommodations in an orderly relationship to one another, with the greatest amount of open area and the least disturbance to natural features. PMU districts shall be located in areas served by both public water and sewer systems.

In order to encourage the community function, appropriate commercial and industrial uses are provided in addition to a variety of residential uses. It is intended that commercial and industrial development be limited to a scale appropriate to the support of the residential uses within the planned mixed use development; provided that additional commercial and industrial activity may be permitted upon a finding that the area in which the PMU is to be located is not adequately served by such uses.

It is intended that these regulations provide flexibility in residential development by providing for a mix of residential uses with appropriate nonresidential uses, alternative forms of housing, flexibility in internal relationships of design elements and, in appropriate cases, increases in gross residential densities over that provided in conventional districts.

#### **SECTION 2 – Permitted Uses – Residential**

Within areas approved as residential on the master plan, permitted uses shall be as follows:

##### **2.1. By Right:**

The following uses shall be permitted subject to the requirements and limitations of this ordinance:

- (a) Detached singles-family dwellings.
- (b) Semi-detached and attached single-family dwellings such as duplexes, townhouses, atrium houses and patio homes provided that the density is maintained, and provided further that buildings are located so that each unit could be provided with a lot meeting all other requirements for detached single-family dwellings except for side yards at the common wall.
- (c) Multi-family dwellings.
- (d) Recreational uses, including clubhouses, community centers, cultural facilities, golf courses, swimming pools, tennis courts, and similar recreational improvements and facilities. (Amended 2/22/00)
- (e) Electric, gas, oil, water, sewer and communication facilities excluding multi-legged tower structures and including poles, lines, transformer, pipes, meters and related facilities for distribution of local service.
- (f) Public uses and buildings such as schools, offices, parks, playgrounds, and roads.
- (g) Accessory uses and structures including minor home occupations and storage buildings.
- (h) Temporary buildings, the uses of which are incidental to construction operations during development being conducted on the same or adjoining tract or section and which shall be removed upon completion or abandonment of such construction.

- (i) Day care, child care or nursery facility.
- (j) In-Law Suites (adopted August 9, 2005).
- (k) Community Administrative Office in developments with a minimum of 500 single family dwelling units. (Adopted 03/26/13.
- (l) Seasonal Events (Adopted 08/18/15)
  - (i) The duration of a single event shall not exceed three (3) consecutive days, with a cumulative total not to exceed twenty four (24) days in any calendar year
  - (ii) The proposed event shall not result in any noise, glare, dust, or other noxious elements that adversely affect the use of neighboring properties

**2.2. Conditional Uses**

(Adopted 12/10/91)

- (a) Bed and Breakfast
- (b) Churches and Other Places of Worship
- (c) Cemeteries
- (d) Family Apartments
- (e) Efficiency Apartments
- (f) Colleges and Universities
- (g) Assisted Living Facility (Adult)  
(Adopted 2/22/00)
- (h) Temporary Construction Yard & Recycling Facility subject to the following standards:  
(Adopted 9/28/04)
  - i. Such a facility shall occur on a site within the development project where construction materials are placed for storage, staging, and distribution during the construction phase of the project.
  - ii. By-products of the development process may also be stored and sorted for recycling as follows:
    - 1. On-site Materials - Only those construction by-products which are generated and/or produced from the development site shall be processed at this facility.
    - 2. Off-site materials may be used by a special exception permit process.
    - 3. Crushing of block, bricks, concrete, and similar aggregates – Any aggregate or aggregate by-product may be separated and crushed for re-use on the project site. Storage of crushed materials shall be permitted at the facility and measures implemented to prevent erosion and dispersal of the ground-up material shall be installed by the operator of this facility.
    - 4. Grinding of wood – Any wood by-products associated with the development site shall be ground to be re-used within the development area. Storage of ground wood by-products shall be permitted on site and



measures implemented to prevent erosion and dispersal of the ground-up material shall be installed by the operator of this facility.

5. Incineration – Combustible materials may be incinerated on-site via a portable incinerator that is licensed and approved by the Department of Environmental Quality.
    - a. Placement of the portable incinerator on the site shall be subject to the approval of the Director of Emergency Services.
    - b. Operation of the portable incinerator shall be in accordance with all applicable State and federal regulations.
  6. Separation of Materials – plastics, metals and other materials shall be separate and placed in containers for shipment off-site to a permitted recycling center.
  7. Non-recyclable materials – any material which is not recyclable shall be placed in containers for shipment off-site to a permitted landfill.
  - iii. The site shall be surrounded by a minimum of a fifty (50) foot buffer where all existing vegetation shall be retained.
  - iv. A site in accordance with Article XV, Section 14 shall be submitted to the County for review and approval prior to operating the facility.
  - v. The permit shall be valid for a two (2) year period and may be renewed for successive two (2) year periods upon a determination by the Planning Director or his designee that the facility is compliant with these standards.
  - vi. A bond, satisfactory to the County Attorney, to cover the amount for the closure of the facility, shall be posted with the County
- (i) Accessory Apartment (adopted August 9, 2005).
- (j) Electric and natural gas/propane substations which may included:
- i. poles, lines, transformer, pipes, meters and related facilities for distribution of local service provided that screening is installed which protects the aesthetics of the planned development community and surrounding properties. Such screening shall be approved by the Director of Planning during the site plan process and to the maximum extent feasible, any aerial lines shall be placed underground.
  - ii. A 100-foot wide landscaped buffer adequate to screen the substation from adjacent properties, the following landscaping shall be provided:  
  
A minimum of:
    1. Five (5) large deciduous trees for every 50 linear feet around the perimeter of the substation.
    2. Four (4) small deciduous trees for every 50 linear feet around the perimeter of the substation.
    3. Four (4) evergreen trees for every 30 linear feet around the perimeter of the substation.

4. Four (4) medium shrubs for every 15 linear feet around the perimeter of the substation.
5. All landscaping shall be outside any security fencing installed.
6. All deciduous trees shall be a minimum of 3.5 inches in diameter at breast height at time of planting. All evergreen trees shall be at least 6-feet in height at time of planting. All shrubs shall be a minimum of a 3 gallon container or 16-inches in diameter and height.
7. Existing vegetation/screening will be retained to the extent possible.
8. An executed landscape agreement recorded in the Office of the Circuit Clerk which specifies that the applicant/owner shall maintain such landscaping in perpetuity.

Adopted December 12, 2007.

### **SECTION 3 – Permitted Uses – Commercial /Service**

Within areas approved as commercial/service on the master plan, uses permitted shall be as follows:

#### **3.1. By Right**

- (a) Banks and savings and loan institutions.
- (b) Restaurants.
- (c) Drug Stores.
- (d) Barber and beauty shops.
- (e) Dry cleaners and laundries.
- (f) Bakeries.
- (g) Florist, gift, and antique shops.
- (h) Retail stores, including food.
- (i) Convenience stores, with gasoline pumps.
- (j) Service stations, with major repair under cover and all vehicles on site for repairs must be screened from public view.
- (k) Office buildings, including medical, dental & optical and emergency medical facilities.  
(Amended 12/10/91)
- (l) Theaters.
- (m) Day nurseries or day care centers.
- (n) Churches and other places of worship.
- (o) Hardware stores.
- (p) Farmers' Markets. (Adopted 12/10/91)

(q) Exercise Studio (Adopted 07/12/16)

**3.2. Conditional Uses**

The following uses shall be permitted only by conditional use permit, provided that no separate application shall be required for any such use included in the original PMU rezoning petition:

- (a) Funeral homes.
- (b) Retail nurseries and greenhouses.
- (c) Hotels, motels, resort and conference centers.
- (d) Multi-family units over/in conjunction with Commercial Retail/Office Uses. (Adopted 12/10/91)
- (e) Veterinarian Hospital (including wildlife (Adopted 12/10/91)
- (f) Motor Vehicle Repair/Service Facility – Minor (Adopted 03/13/18)

**SECTION 4 – Permitted Uses – Shopping Center**

Within areas approved for shopping center on the master plan, uses permitted shall be as follows:

**4.1. By Right**

Uses permitted by right in Division 4, Planned Shopping Center District, PSC.

**4.2. Conditional Uses**

The following uses shall be permitted only by Conditional Use Permit, provided that no separate application shall be required for any such use included in the original PMU rezoning petition:

Uses permitted by conditional use in Division 4, Planned Shopping Center District, PSC.

**SECTION 5 – Permitted Uses – Industrial**

In approval of areas as industrial on the master plan, uses permitted shall be as follows:

**5.1. By Right**

Uses permitted by right in Division 5, Planned Industrial Park, Section 2.1, uses permitted by right, Category I.

**5.2. Conditional Uses**

The following uses shall be permitted only by conditional use permit, provided that no separate application shall be required for any such use included in the original PMU rezoning petition: Uses permitted by conditional use in Division 5, Planned Industrial Park, Section 2.3, and Category I.

**SECTION 6 Minimum Area Required for Establishment of District**

The minimum area required for the establishment of a PMU district shall be seventy-five (75) acres. Additional area may be added to an established PMU district if it adjoins and forms a logical addition to the approved development. The procedure for an addition shall be the same as if an original application was filed and all requirements shall apply except the minimum acreage requirement above.

## **SECTION 7      Regulations Governing Residential Areas**

### **7.1.      Residential Density**

The gross and net residential densities permitted in any PMU district shall be shown on the approved master plan and therefore, shall be binding upon its approval.

The overall gross density so approved shall be determined by the Board of Supervisors with reference to the Comprehensive Plan, but shall, in no event, exceed fifteen dwelling units per acre.

### **7.2.      Minimum Area Requirements for Open Space**

Not less than fifty (50) percent of the residential area of any PMU shall be in open space. (Amended 12/10/91)

### **7.3.      Recreational Requirements**

Recreation areas shall be provided in all developments totaling more than 30 units in proportion to the rate of development at the rate of 500 square feet of developed recreation areas per unit for the first 200 units and all thereafter at a rate of 250 square feet of developed recreation area per each additional unit.

### **7.4.      Height Regulations**

Unless otherwise provided at the time of establishment of a PMU district, structures may be erected to a height of sixty-five (65) feet; provided that any structure exceeding thirty-five (35) feet in height shall be set back from any street right-of-way or residential or agricultural district; in addition to minimum yard requirements, a distance of not less than two (2) feet for each one (1) foot of height in excess of thirty-five (35) feet. Chimneys, flues, cooling towers, flag poles, radio or communication towers or their accessory facilities are excluded from the height limitation contained herein; provided that the setback of thirty-five (35) feet shall apply. Parapet walls are permitted up to four (4) feet above the limited height of the structure on which the walls rest; the setback requirement herein shall apply to Parapet walls.

### **7.5.      Building Separation**

Whether or not located on the same parcel, there shall be a minimum of thirty (30) feet between main structures. This provision shall not apply to structures built to a common wall.

### **7.6.      Setback and Yard Requirements**

Structures to be located on the other perimeter of a PMU district shall conform to the setback and yard regulations of the adjoining district.

Within the PMU district there shall be no minimum lot size, no minimum setback lines, no maximum percentage of lot coverage, no minimum width and no frontage requirement on a public street except as shown on the approved final site plan. Building restriction lines shall be shown on the final site plan.

### **7.7.      Townhouse and Garden Apartments**

- (a) Not more than eight (8) townhouse units shall be continuously connected. Not more than three (3) abutting townhouses may have the same or essentially the same architectural facades and treatment of facing materials. Variations may be achieved by material textures or sculptural effects. In addition, a variation in setbacks of not less than two (2) feet for each three (3) units shall be required.

- (b) Not more than 24 dwelling units shall be contained in a single apartment building. A separate entrance to a public street shall be provided for each thirty (30) dwelling units. Not more than two (2) adjacent garden apartment buildings shall have the same or essentially the same architectural facades and treatment of facing materials. Variations may be achieved by material textures or sculptural effects.

**SECTION 8 – Regulations Governing Commercial/Service Areas**

1. Intent, Generally

Commercial/service areas are intended to be of a scale, character and location appropriate to provide convenience services primarily for the residents of the PMU district. To this end, where practical, commercial/service areas shall be internally oriented and separated from dissimilar areas surrounding the PMU district. External vehicular traffic shall be discouraged and internal pedestrian access shall be encouraged. Total commercial/service area shall be based on the number of dwelling units served. Individual establishments shall be limited in size to avoid the impression of general commercial development.

- 2. The total gross floor area of uses permitted in commercial/service areas shall not exceed twenty (20) square feet per dwelling unit approved on the master plan. Outdoor display service or sales areas shall be included in gross floor area calculations. For gasoline service stations and convenience stores, each fuel pump shall count as two hundred (200) square feet of gross floor area and all service bays shall be included in gross floor calculations. No individual commercial establishment shall have a gross floor area in excess of five thousand (5,000) square feet.
- 3. Building permits for commercial/service uses shall not be issued prior to issuance of building permits for forty (40) percent of the dwelling units approved on the master plan.

**SECTION 9 – Regulations Governing Shopping Center Areas**

1. Intent, Generally

Shopping center areas shall be permitted only upon a finding that:

- (a) The scale of the PMU development is adequate to support such use;
- (b) The area in which the PMU development is located is not adequately served by such use. More specifically, no shopping center area shall be permitted which does not satisfy the requirements of Division 4.

- 2. Shopping center areas shall comply with the requirements of Division 4, Planned Shopping Center districts, provided that any requirement of Division 4 shall be subject to modification, variation or waiver as provided in Division 1, Planned Unit Developments, generally. For such areas as may be located on the perimeter of a PMU district, the commission shall be particularly mindful of the intent to protect the character of adjoining development.
- 3. Building permits for shopping center uses shall not be issued prior to issuance of building permits for forty (40) percent of the dwelling units approved on the application plan.
- 4. Off-street Parking and Loading Requirements

Off-street parking and loading shall be provided in accordance with Article XIII of this Ordinance.

5. Sign Regulations

Sign regulations shall be as prescribed in Article XIV of this Ordinance.

**SECTION 10 – Regulations Governing Industrial Area**

1. Intent, Generally

Industrial areas are intended to provide convenient employment for residents of the PMU district, and where deemed appropriate, for residents of surrounding areas based upon the availability of labor in such areas. To this end, acreage devoted to industrial use shall be proportional to the population served. Additional acreage for industrial usage may be reserved for future development to serve the overall industrial needs of Caroline County as recommended by the comprehensive plan.

- 2. Industrial areas shall comply with the requirements of Division 5, Planned Industrial Parks, except as hereinafter expressly provided. Any requirement of Division 5 shall be subject to modification, variation or waiver as provided in Division 1, Planned Unit Developments, generally. For such areas as may be located on the perimeter of a PMU district, the commission shall be particularly mindful of the intent to protect the character of adjoining development.
- 3. Generally, industrial acreage shall not exceed one (1) acre per one hundred (100) dwelling units within the PMU district, provided that the Board of Supervisors may increase such acreage: (1) in order to provide for future industrial development; and/or (2) upon a finding that the industrial uses proposed will provide employment to residents outside the PMU development.
- 4. Building permits for industrial uses shall not be issued prior to issuance of forty (40) percent of the dwelling units approved on the master plan.
- 5. Off-street Parking and Loading Requirements

Off-street parking and loading shall be provided in accordance with Article XIII of this ordinance.

6. Sign Regulations

Sign regulations shall be as prescribed in Article XIV of this ordinance.

**DIVISION 4 - PLANNED SHOPPING CENTER DISTRICT (PSC)**

**SECTION 1 – Statement of Intent**

PSC districts are hereby created and may hereafter be established by amendment to the zoning map to permit the development of neighborhood, community, and regional shopping centers in accordance with standards set forth in the comprehensive plan. PSC districts are intended to serve areas not conveniently and adequately provided with a broad range of commercial and service facilities. Regulations provided are intended to encourage planned commercial centers with carefully organized buildings, service areas, parking areas, and landscaped areas.

**SECTION 2 – Permitted Uses**

- 1. Structures to be erected or land to be used shall be for the following uses:
  - (b) Banks and financial institutions.
  - (c) Bowling alleys.
  - (d) Convenience and service establishments such as, but not limited to, barbershops, beauty parlors, tailors, and automatic self-service laundries.

- (e) Libraries.
- (f) Painting, plastering, paperhanging, plumbing or electrical contractors, where business is conducted entirely within a completely enclosed building and where there is no storage of supplies or equipment outside the building.
- (g) Pet shops, but excluding boarding kennels on the premises.
- (h) Office buildings.
- (i) Public utilities including poles, lines, distribution transformers, pipes, meters and other facilities necessary for the provision and maintenance of public utilities, including water and sewage facilities, shall be placed underground in accordance with Article XXII, Underground utility services.
- (j) Repair services or businesses, including repair of bicycles, guns, radios, television sets, electrical appliances, locks, refrigerators, other home appliances, shoes, toys, typewriters, watches and clocks.
- (k) Restaurants.
- (l) Retail stores and business.
- (m) Storage of materials and supplies incidental to the conduct of any use listed above, provided such storage is entirely enclosed (with the exception of growing plants).
- (n) Theatres, motion picture theatres and assembly halls, but excluding drive-in theatres.
- (o) Wholesale businesses.
- (p) Off-street parking in accordance with Article XIII.
- (q) Signs in accordance with Article XIV.
- (r) Public Facilities. (Adopted 3/13/07)
- (s) Indoor Commercial Recreational Facilities. (Adopted 3/13/07)

**SECTION 3 – Area Required for Creation of PSC District**

- (a) The minimum permitted size for any PSC District shall be five (5) contiguous acres. Additional land may be added to an existing PSC District if it is adjacent, except for public roads, thereto, and forms a logical addition to the existing PSC District and is under the same ownership or control.
- (b) The procedure for an addition shall be the same as if an original application was filed.

**SECTION 4 – Site Planning – External Relationships**

Vehicular access points shall be designed to encourage smooth traffic flow with controlled turning movements and minimum hazards to vehicular and pedestrian traffic. Pavement widths and strengths of both internal and external roads shall be adequate to accommodate projected traffic generated from the district. Unless otherwise specifically provided by the commission, the following standards shall be employed in the analysis of adequacy of existing roads:

VEHICLE TRIPS PER DAY

Neighborhood Center	1,300 to 3,900 vtpd
Community Center	4,300 to 12,000 vtpd
Regional Center	12,000 plus vtpd

Primary access shall be provided from roads of adequate available capacity to accommodate projected traffic. Vehicular access from a minor street through residential neighborhoods shall be generally discouraged and, where permitted, shall be primarily for the convenience of residential areas served directly by such roads and not for general public access.

**SECTION 5 – Orientation**

Use structures and parking areas shall be oriented toward primary access points and away from adjoining residential districts.

**SECTION 6 – Site Planning – Internal Relationships**

Buildings shall be arranged in a fashion to encourage pedestrian access of customers and minimize internal automotive movement. Facilities and access routes for deliveries, service, and maintenance shall be separated, where practical, from customer access routes and parking areas.

**SECTION 7 – Floor Area Ratio**

(Adopted 09/13/11)

Development in Planned Shopping Centers shall maintain a minimum floor area ratio of 0.4 per acre or portion thereof within the entire district.

**DIVISION 5 PLANNED INDUSTRIAL PARK, (PIP)**

**SECTION 1 – Intent**

Planned Industrial Park districts are intended to be establishing areas in conformity with the comprehensive plan having all of the following characteristics:

1. Areas served by public water and sewer facilities, or if such facilities are reasonably available;
2. Areas served by major highways, rail or air service, or secondary road improved to standards approved by VDOT;
3. Areas having clearly demonstrated suitability for intended uses with regard to physical characteristics and relationship to surrounding development.

In the establishment of any PIP district, the Board of Supervisors shall designate the category of uses which shall be permitted in each parcel, or part thereof, which is the subject of the application for such amendment.

**SECTION 2 – Permitted Uses**

**2.1. By Right – Category I**

The following uses shall be permitted in any portion of any PIP district which is designated for Category I uses, subject to the requirements and limitations of these regulations:

1. Compounding of drugs, including biological products, medical and chemical as well as pharmaceutical.



2. Fire and rescue squad stations.
3. Manufacture, processing, fabrication, assembly, distribution of products such as, but not limited to:
  - a. Artists' supplies and equipment.
  - b. Business office machines and equipment.
  - c. Cosmetics, including perfumes, perfumed toiletries and perfumed toilet soap.
  - d. Drafting supplies and equipment.
  - e. Electrical lighting and wiring equipment.
  - f. Electrical and electronic equipment and components.
  - g. Food products, such as bakery goods, dairy products, candy, beverages, including bottling plants.
  - h. Gifts, novelties including pottery, figurines, and similar ceramic products.
  - i. Glass products made of purchased glass.
  - j. Jewelry, silverware.
  - k. Light machinery and machine parts, including electrical household appliance, but not including such things as cloths washers, fryers and refrigerators.
  - l. Musical instruments.
  - m. Paper products such as die-cut, paperboard and cardboard, sanitary paper products, bags and containers.
  - n. Surgical, medical and dental instruments and supplies.
  - o. Toys, sporting and athletic equipment, except firearms, ammunition or fireworks.
  - p. Watches, clocks and similar timing devices.
  - q. Wood cabinets and furniture, upholstery.
4. Preparation of printing plates including typesetting, etching and engraving.
5. Publishing, printing, lithography, and engraving.
6. Research and development activities including experimental testing.
7. Contractor's office and equipment storage yard.
8. Engineering, engineering design, assembly and fabrication of machinery and components, including such on-site accessory uses as machining, babbitting, welding and sheet metal work employing machinery not exceeding fifteen (15) horsepower per unit and excluding such uses as drop hammering and foundry.
9. Electric, gas, oil and communication facilities excluding multi-legged tower structures and including poles, lines, transformers, pipes, meters and related facilities for distribution of local service and owned and operated by a public utility.
10. Public uses and buildings such as schools, offices, parks, and playgrounds.
11. Day care and day nursery facilities.
12. Business and professional office buildings.
13. Data Center (Adopted 08/13/19)

**2.2. By Right – Category II**

1. Automotive, farm and construction machinery products assembly.
2. Brick manufacturing, distribution.

3. Concrete mixing plant, storage, distribution.
4. Dry-cleaning plants.
5. Fire and rescue squad stations.
6. Machine shops, tool and die, blacksmithing, boiler shops and similar operations.
7. Manufacture of heavy household, commercial and industrial appliances.
8. Manufacture of building components.
9. Manufacture, distribution, service of individual sewage disposal systems.
10. Metal fabrication and welding operations.
11. Mobile home manufacturing, distribution.
12. Moving businesses, including storage facilities.
13. Petroleum, gasoline, natural gas and manufactured gas bulk storage.
14. Recreational vehicle and components manufacturing, distribution.
15. Sawmills, planing mills, wood preserving operations, wood yards.
16. Warehouse facilities.
17. Wholesale businesses.
18. Electric, gas, oil and communication facilities, excluding multi-legged tower structures and including poles, lines, transformers, pipes, meters and related facilities for distribution of local service and owned and operated by a public utility.

**2.3. Conditional Uses – Category I**

1. Laboratories, medical or pharmaceutical.
2. Airport, helistop or heliport.
3. Assembly or modular building units.
4. Moving businesses, including storage facilities.
5. Warehouse facilities.
6. Truck terminal.

**2.4. Conditional Uses - Category II**

1. Airports, helistop or heliport.
2. Asphalt mixing plants.
3. Cement, lime gypsum manufacture or processing.
4. Chemical, plastics manufacture or processing.

5. Fertilizer manufacture or processing.
6. Food processing.
7. Junkyards, screened.
8. Pulp, paper manufacture or processing.

**SECTION 3 – Minimum Area Required for Creation of District**

Minimum area required for creation of a PIP district shall be fifty (50) acres; provided, however, that when an initial PIP district has been created, incremental additions to such district shall be permitted is such incremental addition adjoins and forms a logical addition to the existing district.

**SECTION 4 – Off-street Parking and Loading Requirements**

Off-street parking and loading shall be provided in accordance with Article XIII of this Ordinance.

**SECTION 5 – Sign Regulations**

Sign regulations shall be as prescribed in Article XIV of this Ordinance.

**SECTION 6 – Additional Requirements**

In addition to the requirements contained herein, the requirement of Division I shall apply to all PIP districts. In addition, a transportation analysis plan shall be submitted with the application for PIP district designation. Such plan shall show: projected automobile and truck traffic generation; percent of truck traffic by type; internal and access point turning movements; general alignments of internal roads; rights-of-way widths and roadway typical sections including base strength design; proposed improvement to the existing transposition network; percentage estimate of traffic distribution to and from the site and external roads. The phasing of improvements enumerated in this section shall be indicated on the plan.

1. That all sections of the Caroline County Zoning Ordinance or parts of the ordinance inconsistent with and/or in conflict with this ordinance are hereby repealed.
2. That the provisions of this ordinance shall be in force at 12:01, March 1, 1989.

**DIVISION 6 - PLANNED RECREATION AND ENTERTAINMENT DISTRICT (RE)**  
(Adopted 10/26/04)

**Section 1                      Purpose and Intent**

The purpose of this district is to protect and promote the public health, safety and general welfare by allowing development of large scale regional recreational and entertainment facilities in appropriate locations under a unified plan of development.

Recognizing that such developments may be incompatible with existing or planned higher density residential or commercial uses due to noise, traffic or other factors, it is intended that the RE district be allowed outside of the designated growth areas established in the Comprehensive Plan provided the general purposes of the zoning ordinance are promoted. Care must be taken in residential, rural and agricultural areas to protect and buffer those areas from potential impacts of this type of development. To that end, the development must be designed and constructed with unified architectural standards that result in a functional and attractive relationship between the development, the street system, and surrounding properties. Standards shall be approved by the Board of Supervisors at the time of rezoning.

Recognizing that such a development may substantially reduce the functional integrity and safety of public roads if permitted on inappropriately sized roads and with unplanned access, it is intended that the RE district be established on roads designated as principal and minor arterial highways in the Comprehensive Plan. It is further intended that the number of access points to public roads be minimized and that development and access be oriented towards an internal roads system having carefully planned intersections with existing public roads.

### **Section 2 - Permitted Uses**

The following uses shall be permitted subject to the requirements and limitations of these regulations:

1. Cultural Arts Center & Museums.
2. Community Centers.
3. Equestrian Training Facilities and steeplechase courses.
4. Public Utilities.
5. Public Facilities.

### **Section 3 - Special Permit Uses**

The following uses may be allowed by a special use permit subject to the requirements and limitations herein.

1. Amusement/Theme Parks.
2. Bed and Breakfast establishments.
3. Convention & Conference Centers.
4. Fairgrounds.
5. Campgrounds and travel trailer parks.
6. Commercial Recreation Facilities.
7. Major entertainment uses not included in a fairground, including:
  - a. Any special exhibitions and shows of equipment or articles for sale or display;
  - b. carnivals, circuses, concerts, musical events, light/laser shows and firework displays, and similar outdoor recreational events;
  - c. athletic events.
8. Hotels and Motels.
9. Restaurants, Full Service.
10. Special Events Facilities.
11. Stadium, Arena or Amphitheater (indoor or outdoor).
12. Professional and business offices not associated with the operation of the facility (subject to Article XV, Section 8).
13. Communication Facilities (Adopted 08/13/19)

#### **Section 4 - Lot Area and Other Dimensional Requirements**

The lot area and other dimensional requirements shall be as follows:

- A. All new structures in the RE district shall be setback at least one hundred (100) feet from the boundary of the district and at least forty (40) feet from the ultimate right of way width of the road(s) on which it is located. Within the recreation and entertainment district, the minimum setback and yard requirement shall be determined at the time of establishment of the district.
- B. Structures may be erected to a height of thirty-five (35) feet. The maximum height of a structure may be increased by a special use permit in accordance with Article XVII, Section 6. Any structure exceeding thirty-five (35) feet in height shall be set back from any street right-of-way, residential or agricultural districts a distance of thirty-five (35) feet plus one (1) foot for each one (1) foot of height in excess of thirty-five (35) feet up to a maximum of one hundred (100) feet.
- C. Minimum area required for the establishment of a RE district shall be one hundred (100) acres. Additional area may be added to an established district if it abuts and forms a logical addition to the approved development. Additions shall be processed in the same manner as an original application and all requirements shall apply except the minimum acreage requirement as set forth above.
- D. A minimum of 50% of the property shall be retained in open space. Open space may include temporary parking or other uses of a temporary nature as determined at the time of the rezoning.

#### **Section 5 – Sign Regulations**

(Adopted 5/25/10)

Signs permitted in the RE District are subject to the standards in Article 14, Section 1 and Section 6 of this Ordinance.