

**SEC. 30-58.- CVOD CLEARBROOK VILLAGE OVERLAY DISTRICT****Sec. 30-58-1.- Purpose.**

The purpose of the Clearbrook village overlay district is to promote future development that is consistent with the current character of Clearbrook, and with the comprehensive plan future land use map and policies for this area. Future development in this district should respect the character and historical context of the Blue Ridge Parkway, Clearbrook School, and other social and cultural resources in Clearbrook area.

The Clearbrook area has adequate public facilities, good road access, suitable topography, and land available for development or redevelopment. Recognizing these factors, the plan, and this district promote the creation of the Village of Clearbrook. Commercial development consistent with these district standards and the community plan design guidelines for the Clearbrook village commercial overlay district is encouraged, but strip commercial patterns of development are discouraged. Thus, the district allows a wide variety of commercial uses, but provides a high degree of emphasis on landscaping, building design, site design, and lighting and signage control.

*(Ord. No. 121900-11, § 1, 12-19-00; Ord. No. 042208-16, § 1 4-22-08)*

**Sec. 30-58-2.- Creation of overlay.**

- (A) The Clearbrook village overlay district is created as an amendment to the official zoning map of the county. All regulations and standards contained herein shall apply to all parcels and land within the designated overlay district.
- (B) The boundaries of the overlay district as shown on the official zoning map may only be amended by action of the county board of supervisors pursuant to section 30-14 of this ordinance.

*(Ord. No. 121900-11, § 1, 12-19-00)*

**Sec. 30-58-3.- Applicability and administration.**

- (A) The zoning administrator shall have the responsibility for determining compliance with these standards. In making any such determination, the zoning administrator shall consider the purposes of the Clearbrook village overlay district, and shall consider the extent to which the requested use or development substantially complies with the design guidelines for the Clearbrook village commercial overlay district adopted as part of the county community plan. If in the opinion of the zoning administrator, the use or development does not substantially comply with these design guidelines, the requested use or development shall, by decision of the zoning administrator, be considered a special use and shall require a special use permit pursuant to section 30-19 of this ordinance.

*(Ord. No. 121900-11, § 1 12-19-00)*

**Sec. 30-58-4.- Permitted uses and use restrictions.**

The uses permitted in the Clearbrook village overlay district shall be governed by the underlying zoning district in which the property is located as shown on the official zoning maps, except as otherwise modified below:

- (A) The following uses shall be prohibited within the Clearbrook village overlay district:
1. *Civic Uses*
    - Park and Ride Facility
    - Public Assembly
  2. *Commercial Uses*
    - Automobile Rental/Leasing
    - Automobile Dealership, Used
    - Automobile Repair Services, Major
    - Boarding Houses
    - Commercial Outdoor Entertainment
    - Commercial Outdoor Sports and Recreation
    - Kennel, Commercial
    - Mini-warehouse
    - Pawn Shop

- Recreational Vehicle Sales and Service
  - 3. *Industrial Uses*
    - Recycling Centers and Stations
  - 4. *Miscellaneous Uses*
    - Parking Facility
    - Broadcasting Towers
- (B) Unless prohibited in 30-58-4(A) a special use permit shall be required for all uses listed as a special use in the underlying zoning district. In addition, the following uses shall require a special use permit within the Clearbrook village overlay district. An asterisk (\*) indicates additional, modified, or more stringent standards as listed in article IV, use and design standards, for those specific uses.
- 1. *Residential Uses*
    - Multi-Family Dwelling\*
    - Two-Family Dwelling\*
  - 2. *Commercial Uses*
    - Agricultural Services\*
    - Automobile Repair Services Minor\*
    - Commercial Indoor Sports and Recreation
    - Communication Services
    - Construction Sales and Services\*
    - Gasoline Station
    - Garden Center\*
    - Retail Sales\*
    - Veterinary Hospital/Clinic

(Ord. No. 121900-11, § 1, 12-19-00; Ord. No. 042208-16, § 1, 4-22-08)

#### **Sec. 30-58-5.- Site development regulations.**

The site development regulations required in the Clearbrook village overlay district shall be governed by the underlying zoning district in which the property is located as shown on the official zoning maps, except as otherwise modified below:

- (A) *Maximum height of structures.*
  - 1. Height limitations:
    - a. Principal structures: 35 feet
    - b. Accessory structures: actual height of principal structure.
- (B) *Maximum coverage.*
  - 1. Building coverage: 50 percent of the total lot area.
  - 2. Lot coverage: 70 percent of the total lot area.

(Ord. No. 121900-11, § 1, 12-19-00)

#### **Sec. 30-58-6.- Special Regulations in the Clearbrook Village Overlay District.**

The following special regulations shall apply within the Clearbrook village overlay district

- (A) *Landscaping.* Required landscaping within the Clearbrook village overlay district shall comply with the standards contained in section 30-92-4.1 of this ordinance.
- (B) *Signage.* Signage within the Clearbrook village overlay district shall comply with C-1 sign district regulations, except as modified by section 30-93-14(F) of this ordinance.
- (C) *Lighting.* Lighting within the Clearbrook village overlay district shall comply with the provisions of section 30-94 of this ordinance.
- (D) *Utilities.* All new utility lines and services within the Clearbrook village overlay district shall be located underground.
- (E) *Residential use types.* Residential use types within the Clearbrook village overlay district upon the date of the adoption of this ordinance shall not be deemed to be nonconformities, and may be reconstructed, altered and/or enlarged consistent with the requirements contained in section 30-58-5 of this ordinance. In addition, single family detached dwellings may be developed in the district on lots of record in existence on the effective date of this ordinance. Any dwelling constructed shall not be deemed to be a nonconformity. No new subdivisions for residential purposes shall be allowed within the Clearbrook village overlay district, except that family exemption subdivisions shall be permitted pursuant to section 30-100-11 of this ordinance.
- (F)

*Parking.* All off-street parking, stacking and loading areas within the Clearbrook village overlay district shall comply with the provisions of 30-91 of this ordinance.

*(Ord. No. 121900-11, § 1, 12-19-00; Ord. No. 052509-22, § 1, 5-26-09)*

**Sec. 30-92-4.1.- Landscaping provisions in the Clearbrook village overlay district.**

- (A) *Applicability.*
1. The following landscaping provisions shall apply to all property within the Clearbrook village overlay district.
  2. These standards shall be deemed to supplement, and be in addition to, standards found in section 30-92 of this ordinance.
- (B) *General standards/specifications.*
1. All landscape plans required for uses within the Clearbrook village overlay district shall be prepared by a registered landscape architect, or certified nurseryman.
  2. All landscaping shall be alive and in good condition at the time of planting. All landscaping shall be maintained, and replaced, as necessary to insure continued compliance with these provisions.
  3. Where specified, all deciduous trees shall have a minimum caliper of two and one-half (2.5) inches at the time of planting. Evergreen trees shall have a minimum height of eight (8) feet at time of planting.
  4. Where specified, all shrubs shall have a minimum height of twenty-four (24) inches at time of planting.
  5. Native species shall be used for a minimum of fifty (50) percent of required plantings. A listing of acceptable native species is available in the department of community development.
- (C) *Site landscaping.*
1. Landscaped areas shall be provided for the side and rear walls of all buildings. The width of these landscaped areas shall be sufficient to accommodate the required plantings. The following plantings shall be required:
    - a. For buildings walls in excess of fifteen (15) feet in height, one (1) tree shall be planted for every twenty (20) lineal feet of building wall.
    - b. For building walls 15 feet or less in height, one tree shall be planted for every 30 lineal feet of building wall.

Flexibility in the location of landscaped areas and the placement of the required trees shall be allowed for the purpose of implementing professionally designed landscape plans and for loading, service, or other similar areas.
  2. Landscaping shall be provided along the main entrance facade of all buildings, providing a vegetative area between the building and parking areas. The size of the required front landscaped area shall not be less than twenty (20) percent of the square footage of the front facade of the building. The landscaped area shall be professionally designed and planted with a mixture of trees, shrubs and groundcovers.

Undeveloped areas between a building and a public or private right-of-way shall be landscaped with berms, trees, shrubs and groundcover. Landscaping plans for these areas shall incorporate a minimum of one large tree, three small trees and seven shrubs for every thirty (30) feet of lot frontage.
  3. All above ground stormwater management areas and facilities shall be landscaped with plant materials that are adaptable to being temporarily inundated with water. The facility shall be landscaped in order to create a seventy-five (75) percent screening of the facility. A minimum of one-third of all provided plantings shall be evergreen.
  4. Landscaping shall be provided around the base of any freestanding sign proposed. The size of the landscaped area shall not be less than one and one-half (1.5) times the square footage of the sign.
- (D) *Landscaping of parking areas.*
1. Where a new, expanded, or reconfigured parking area is proposed adjacent to a public or private street right-of-way, a planting strip shall be established between the parking area and the adjacent right-of-way. The planting strip shall have a minimum width of fifteen (15) feet. An earthen berm, with an average height of two (2) feet shall be constructed within the planting strip. Within this strip, one (1) large tree, (small if overhead utility lines are present) and nineteen (19) shrubs shall be planted for every thirty (30) feet of frontage. In addition, small trees or groundcovers shall be interspersed within the planting area. One-third (1/3) of all plantings shall be evergreen materials.

No uses shall be permitted within the planting strip except underground utility crossings, pedestrian/bike trails, stormwater management facilities which are an integral part of a landscaping plan, and signs as allowed in the district.
  2. All parking areas shall incorporate raised interior landscaped areas for the purpose of visually enhancing parking areas. These areas shall be evenly distributed within the parking area and shall be provided in accordance with the following standards:
    - a. One continuous landscaped median, with a minimum width of ten (10) feet, shall be installed between every four or less rows of parking, or,
    - b. One landscaped peninsula or island with a minimum width of ten (10) feet shall be located between every ten (10) to fifteen (15) parking spaces.

One large tree shall be planted for every thirty (30) feet of continuous median, and shall be planted within every landscaped peninsula or island provided. However, at a minimum, one large tree shall be planted within the parking area for each ten (10) parking spaces provided. In addition, all parking lot landscaped areas shall include deciduous or evergreen shrubs.

*(Ord. No. 121900-11 § 5.12-19-00)*

- (F) *Clearbrook village overlay district.* Signage within the Clearbrook village overlay district should be planned, designed and installed to complement a buildings architectural style. All signage within the Clearbrook village overlay district shall comply with C-1 office district regulations with the following exceptions:
1. Lots within the Clearbrook village overlay district shall be allowed a maximum signage allocation not to exceed one (1) square foot of sign area per one (1) lineal foot of lot frontage.
  2. Signage placed on a building wall shall occupy less than five (5) percent of the facade of that wall.
  3. All freestanding signs shall be of a monument design and shall meet the following criteria:
    - a. Monument signs, including their structure, shall not exceed seven (7) feet in height, or ten (10) feet in width.
    - b. Signs shall be channel lit, ground lit, or top lit with a shielded light source so as not cast light onto the path of traffic or on any adjacent road or property.
  4. No establishment shall be allowed more than three (3) signs.
  5. A maximum of two (2) directional signs shall be allowed per lot, and no directional sign shall exceed two (2) square feet in size.
  6. The following signs shall be prohibited in the Clearbrook village overlay district:
    - a. Off-premises signs.
    - b. Temporary signs.
    - c. Portable signs.
    - d. Roof signs.

SEC. 30-94. - EXTERIOR LIGHTING.

- (A) The following exterior lighting standards shall apply to all uses and developments requiring a site development plan pursuant to Section 30-90 of this ordinance.
1. All exterior lighting fixtures shall be designed, located and arranged so as not to direct glare on adjoining streets or residential properties. The intensity at adjoining streets or residential properties shall not exceed 0.5 foot candles.
  2. Within the Clearbrook village overlay district, no freestanding light pole, including fixture, shall be more than eighteen (18) feet above grade. All exterior lights, including security lighting, within the district shall be down-lit or shielded so as not to direct glare onto adjoining streets or residential properties. The intensity at adjoining streets or residential properties shall not exceed 0.5 foot candles.
- (B) All exterior lighting fixtures within residential zoning districts shall be designed, located and arranged so as not to direct glare on adjoining streets or residential properties. The lighting intensity at adjoining residential properties shall not exceed 0.5 foot candles.

*(Ord. No. 121900-11, § 7, 12-19-00)*

**Sec. 30-91-4.3. - Parking Area Surface Standards.**

- (A) All off-street parking and stacking areas, except for those required for single family and two family dwellings, shall be graded for drainage and surfaced with concrete, asphalt, bituminous pavement, brick or stone pavers, or a permeable or pervious surface in accordance with the Roanoke County Design Handbook. Where permeable or pervious pavers are used, when required by the Virginia Uniform Statewide Building Code ADA-compliant pavers shall be utilized.
1. Within the Clearbrook village overlay district, any parking areas or parking spaces provided in excess of the minimum requirements of this ordinance, shall be constructed with a permeable or pervious pavement material in accordance with the Roanoke County Stormwater Management Design Manual. Gravel shall not be accepted as an approved permeable or pervious surface.

*(Ord. No. 052609-22, § 1, 5-26-09)*