



Sec. 5.7 R-8, Medium-Density Attached Residential District

5.7.1 Description

The R-8, Medium-Density Attached Residential District is primarily intended to accommodate single-family attached, single-family detached and duplex development. The district is generally appropriate for application in areas designated in the Town Plan for “Medium Density Residential” land use category.

5.7.2 Use Regulations

Uses are allowed in the R-8 District in accordance with the following table. A “P” in the second column of the table indicates that the use is permitted by-right, subject to compliance with all applicable standards of this Zoning Ordinance. An “S” in the second column of the table indicates that the use may be allowed if reviewed and approved in accordance with the Special Exception procedures of [Sec. 3.4](#). For a summary of uses permitted in all districts, see the Use Table in [Sec. 9.2](#). Developments that are subject to [Section 3.17](#), Affordable Dwelling Unit (ADU) developments, shall also be subject to the requirements of [Section 5.10](#).

R-8 Uses			
Use		Use Standards	Definition
Commercial Uses			
Home occupation	P		Sec. 18.1.80
Recreation facility	S	Sec. 9.3.21	Sec. 18.1.156
Telecommunications Facility: Small Cells and/or Distributed Antenna Systems (DAS)	P/S	Sec. 9.3.26.F	Sec. 18.1.43.1
Temporary Mobile Land-Based Telecommunications Testing Facility	P	Sec. 9.3.26.E	
Institutional and Community Service Uses			
Assisted living residence	S	Sec. 9.3.1	Sec. 18.1.12
Cemetery	S		Sec. 18.1.28
Fire and/or rescue facility	S		Sec. 18.1.64
Library	S		Sec. 18.1.89
Park, public	P		
Place of worship	S		Sec. 18.1.141
Recreation facility	S	Sec. 9.3.21	Sec. 18.1.156
School, general education	S		Sec. 18.1.162
School, public	S		Sec. 18.1.163
Residential Uses			
Cluster development	P	Sec. 10.3.1	Sec. 18.1.31
Duplex	P		Sec. 18.1.49 , Sec. 18.1.50
Extended Family Residence	P/S	Sec. 9.3.11	Sec. 18.1.60
Group home	P		Sec. 18.1.74
Single-family attached (townhouse)	P	Sec. 9.3.25	Sec. 18.1.172
Single-family detached dwelling	P		Sec. 18.1.172



R-8 Uses			
Utility Uses			
Public utility, major	S	Sec. 9.3.31	Sec. 18.1.153
Public utility, minor	P	Sec. 9.3.31	Sec. 18.1.154

5.7.3 Density/Intensity and Dimensional Standards

All development in the R-E District shall be subject to the following standards (See also [Article 10](#)):

R-8 District Standards	
A. Minimum Lot Area (square feet)	
Single-Family Detached	6,500
Single-Family Attached (Interior Lots)	2,000
Single-Family Attached (Corner and End Lots)	3,000
Duplex, Vertical	5,000
Duplex Horizontal	10,000
All Other Development	8,000
B. Minimum Lot Width (feet)	
Single-Family Detached	75
Single-Family Attached (Interior Lots)	20
Single-Family Attached (Corner and End Lots)	30
Duplex, Vertical (Interior Lots)	37.5
Duplex, Vertical (Corner and End Lots)	45
Duplex, Horizontal (Interior Lots)	75
Duplex, Horizontal (Corner and End Lots)	90
All Other Development	20
C. Minimum Yards/Setbacks (feet)	
Front: Principal Building	15
Front: Garage Entrance	20
Side	10[1][3]
Rear	20
D. Maximum Building Height (feet)	
All Development	35[2]

- [1] Side yard setback shall be 0 feet for an interior townhouse lot.
- [2] Maximum height for a place of worship may exceed 35 feet when allowed by a special exception approved by the Town Council in accordance with the procedures of Sec. 3.4 Special Exceptions.
- [3] Interior side yard setback shall be 0 feet for an interior duplex lot.

5.7.4 Additional Standards

A minimum of twenty-five (25) percent of gross site acreage shall be maintained as open space.



Article 9 Use Regulations

9.3.1 Assisted Living Residences

- A. Minimum lot size shall be two acres.
- B. Maximum density shall be as follows:
 - 1. In the R-4 District: 12.5 beds per acre, not to exceed 40 beds.
 - 2. In the R-6 District: 15 beds per acre, not to exceed 40 beds.
 - 3. In the R-HD District: 20 beds per acre, not to exceed a total of 40 beds.
 - 4. In the R-8 District: 20 beds per acre, not to exceed 60 beds.
 - 5. In the R-16 District: 20 beds per acre, up to a total of 60 beds.
 - 6. In the R-22 District: 20 beds per acre up to a total of 60 beds.
- C. The site and structure(s) shall be designed to be compatible with adjacent residential uses. Architectural treatment shall avoid massive, monolithic and repetitive building types and facades. Building elevations and architectural details sufficient to show compatibility with the residential character of the neighborhood shall be submitted for approval.
- D. No habitable structure shall be located closer than forty (40) feet from the property line of an adjacent lot.
- E. No parking, driveway or service area shall be located closer than twenty (20) feet to a side or rear property line. Twenty percent (20%) of required parking shall be paved with reinforced grass "paver block" to minimize the visual impact of the parking area and maximize the pervious area.
- F. Any service shall be located and designed to minimize its visibility from off-site.
- G. Parking located in front of an Assisted Living Residence shall be limited to visitors only. Employee parking shall be located on the side or in the rear of the building.
- H. Open Space. In the R-4, R-6 and R-8 Districts, a minimum of forty percent (40%) of the gross acreage of a site developed for an Assisted Living Residence shall be maintained as open space. In the R-22 and R-HD Districts a minimum of thirty percent (30%) of the site shall be maintained as open space.
- I. An Assisted Living Residence must have frontage on, and access to, a through collector road or a road with a high Town Plan transportation functional classification. [Back to Top](#)

9.3.11 Extended Family Residence

An Extended family residence shall be permitted by right when all of the following regulations are met. If any one of these regulations cannot be complied with, then an application for special exception will be required for the extended family use.

- A. **Area Limitation.** An extended family residence shall be limited to a maximum of nine hundred (900) square feet in area or fifty percent (50%) of the principal structure footprint, whichever is less.



- B. Main Residence Occupancy.** An extended family residence may only be approved when the main residence is owner occupied.
- C. Location.** An extended family residence may be designed to be located within the single-family dwelling with a separate entrance or in a conforming accessory structure; however, it may not be located in a nonconforming accessory structure or structure made conforming as a result of a variance. The extended family residence shall not be separately metered for electricity or water. New structures built as an extended family residence shall only be permitted in the rear yard of a single-family detached residence.
- D. Yard Requirements.** A new structure built as an extended family residence must be separated from the principal residence by a minimum of ten (10) feet, must be located in the rear yard and shall meet the district regulations for side and rear yard setbacks for the district in which the extended family residence is located.
- E. Occupancy Limitation.** The occupant(s) of an extended family residence will be limited to specific family members related by blood, marriage, adoption or legal guardianship. At no time may the number of occupants of an extended family residence exceed two (2).
- F. Acknowledgement of Understanding.** The owners of the single-family dwelling must certify his/her understanding that an extended family residence is limited by the conditions presented in the special exception approval letter, including: number of occupants, who the occupant(s) will be, the relation of the occupant(s) to the main resident(s), and the location and size of the extended family residence. This certification shall be attached to the approval letter as an exhibit.
[Back to Top](#)

9.3.21 Recreation Facilities

- A.** No building used for or in conjunction with a recreation facility shall be located within fifty (50) feet of any property line except within the Crescent Design District.
- B.** All lighting fixtures used to illuminate outdoor areas shall be designed to avoid glare in surrounding areas. The facility shall be lit only during the hours that the facility is open for business, except for necessary security lighting.
- C.** A lighting plan shall be submitted to verify that all lighting fixtures are directed onto the site, and will not impact adjacent properties or roadways.
- D.** The hours of operation for outdoor recreation facilities shall not exceed 7 a.m. to 11 p.m.
- E.** Outdoor recreation facilities shall be located and screened to minimize impact on adjacent properties.
- F.** Indoor recreation facilities shall be soundproofed to prevent noise levels from exceeding 55 dB (A) (SLOW meter response) at the property line of any lot containing a residential use.



- G.** Within the Crescent Design District all recreation facilities must be completely enclosed within a building. [Back to Top](#)

9.3.25 Single-family Attached (Townhouse) Development

In the R-8 district, single-family attached dwelling units shall not be constructed to a greater density than eight (8) dwelling units per net acre. Townhouse development in the R-16 district in excess of eight (8) dwelling units per acre shall comply with the standards of Sec. 9.3.15. [Back to Top](#)

9.3.26 Telecommunication Facilities

All future telecommunications structures, including transmission lines, should be placed underground per the Town's under grounding policy if possible. The following standards have been established to permit the establishment of telecommunications facilities above ground if under grounding is not feasible in a manner that minimizes the visual impact of towers through careful siting, design, and screening; reduces the potential for damage to adjacent properties caused by tower failure or falling ice; and maximizes the use of any transmission towers and structures through the promotion of co-location so as to minimize the need to construct new towers.

The standards of this section shall apply to all telecommunication uses and structures as provided below.

A. Standards Applicable to all Telecommunications Facilities:

1. No commercial advertising or signs shall be allowed on a tower or monopole, including manufacturer's logo or brand name.
2. Signals or lights or illumination shall not be permitted on any antenna, tower or monopole unless required by the Federal Communications Commission, the Federal Aviation Administration, State or Federal authorities, or the Town. When signals or lights are required, shields shall be installed that screen the signals or lights from ground view.
3. The related unmanned equipment structure(s) shall not contain more than seven hundred fifty (750) square feet of total gross floor area on each site. Structures shall not exceed twelve (12) feet in height. If located within the structure upon which the antennas are mounted, they may be located in the areas which are excluded from the determination of net floor area without changing the exclusion of those areas from the calculation of the density of the structure. The structure shall be of a material or color which matches the exterior of the building or structure.
4. Equipment buildings located on the grounds shall meet the minimum yard requirements of the zoning district where located.
5. Satellite and microwave dish antennas shall not exceed one and eight tenths (1.8) meters or six (6) feet in diameter.
6. A security fence at least six (6) foot high shall completely surround the tower (and guy wires if used) and equipment building. It shall be constructed in colors and materials to blend into the immediate surrounding environment.
7. All equipment and facilities from a telecommunications facility site shall be removed within ninety (90) days of cessation of telecommunications use and the site shall be restored as closely as possible to its original condition.



B. Antennas. Roof top mounted dipole/whip or panel antennas and related unmanned equipment may be installed in those districts where permitted subject to the minimum standards provided below. Note that these provisions do not apply to antenna installed on utility transmission towers. (See power-mount facilities in C. below):

1. Such antennas and related equipment may exceed the maximum building height limitations, provided the use is in accordance with the development criteria herein.
2. Dipole or whip antennas shall not exceed twenty (20) feet in height or seven (7) inches in diameter and shall be of a material or color which matches the exterior of the building or structure.
3. Directional or panel antennas shall not exceed five (5) feet in height or two (2) feet in width and shall be of a material, color, or finish that minimizes the visual impact of the structure and emulates the exterior of the building or structure on which it is mounted.
4. Equipment structures located on the roof of a building shall not occupy more than twenty-five (25%) percent of the roof area.
5. Antennas and related unmanned equipment are permitted in any zoning district on buildings and structures owned or controlled by a federal, state, county, or Leesburg Town governmental unit.
6. Structures upon which an antenna is mounted/co-located, that were not constructed solely or primarily to support antennas, shall not be deemed to be a telecommunications facility per Sec 6409(a) of the Spectrum Act.

C. Monopoles and Power Mount Facilities. Monopoles, Power Mount Facilities (antenna mounted on utility transmission towers) and related unmanned equipment may be developed subject to the standards below to the extent permitted by special exception and with Commission Permit in the districts where permitted.

1. The Applicant shall demonstrate to the satisfaction of the Zoning Administrator that there is not an existing alternative structure which will reasonably meet the engineering and service needs of the proposed telecommunications facility.
2. The height of such monopole shall not exceed one hundred fifty (150) feet, including antennas. Power Mount Facilities may exceed 150 feet in height if the existing transmission tower exceeds 150 feet and the height of the facility is approved as part of the special exception.
3. All lots where a monopole facility is located shall comply with the required setbacks in the underlying zoning district between the base of the tower, accessory structures and uses, and guy anchors to all property lines as well as the following setback requirements:
 - a. The minimum setback between monopoles and all property lines shall be a distance equal to fifty percent (50%) of the height of the tower, or the minimum required setback of the district, whichever is greater.



- b. Monopoles shall be setback a minimum of 50 feet from any existing or planned right-of-way, and
 - c. Monopoles shall be set back a minimum of 100 feet, or fifty percent (50%) of the tower height, whichever is greater, from the lot line of any adjacent residential use or district.
 4. Unless otherwise required by the Federal Communications Commission or the Federal Aviation Administration, monopoles shall be designed to minimize visibility through materials, colors, or other camouflage techniques.
 5. No monopole shall be located within one-half mile of the H-1 Overlay District within the Town.
 6. No monopole shall be located within a PRN or PRC District.
 7. New telecommunications monopoles shall be designed to accommodate at least three (3) providers. The applicant shall identify the conditions under which future co-location by other service providers are permitted. Co-location may be waived if the Town Council determines, based on substantial evidence produced by the applicant at the time of application, that:
 - a. The accommodation would cause the size of the monopole to significantly exceed the size of existing towers in the area resulting in an unnecessary visual impact on the surrounding area; or
 - b. There exists valid technological or physical justification making co-location impossible.
 - c. The Federal Communications Commission (FCC) has issued a written statement that no more licenses for those broadcast frequencies that are eligible to use the monopole will be issued in the foreseeable future.
 8. The monopole shall be designed and constructed to all applicable standards of the American National Standards Institute, ANSI/EIA-222-E manual, as amended. All applications for development of a monopole facility shall verify compliance with these standards.
 9. A soil report compliant with the standards found in Appendix I: Geotechnical Investigations, ANSI/EIA-222-E, as amended, shall be submitted to the Town, sealed by a registered soils engineer, to document and verify the design specifications of the foundation for the monopole, and anchors for guy wires if used.
 10. Monopoles and antenna shall be designed to withstand wind gusts of up to 100 miles per hour.
- D. Transmission towers.** Transmission Towers (free-standing or guyed lattice-type towers) with related unmanned equipment may be developed in those districts where permitted when approved by special exception and with Commission Permit and the minimum standards provided below:
 1. The Applicant shall demonstrate to the satisfaction of the Zoning Administrator that there is not an existing alternative structure which will



- reasonably meet the engineering and service of the proposed telecommunications facility.
2. The height of such tower shall not exceed one hundred fifty (150) feet, including antennas.
 3. All lots where a transmission tower facility is located shall comply with the required setbacks in the underlying zoning district between the base of the tower, accessory structures and uses, and guy anchors to all property lines as well as the following setback.
 - a. The minimum setback between transmission towers and all property lines shall be a distance equal to fifty percent (50%) of the height of the tower, or the minimum required setback of the district, whichever is greater.
 - b. Transmission towers shall be setback a minimum of fifty (50) feet from any existing or planned right-of-way, and
 - c. Transmission towers shall be set back a minimum of one hundred (100) feet, or fifty percent (50%) of the tower height, whichever is greater, from the lot line of any adjacent residential use or district.
 4. No tower shall be located within one-half mile of the boundary of the H-1 Overlay District within the Town.
 5. No tower shall be located within a PRN or PRC District.
 6. New Transmission Towers shall be designed to accommodate at least three (3) providers. The applicant shall identify the conditions under which future co-location by other service providers are permitted. Co-location may not be required when the Town Council determines based on substantial evidence produced by the applicant that.
 - a. Doing so would cause the size of the tower to significantly exceed the size of existing towers in the area and would create unnecessary visual impact on the surrounding area; or
 - b. No additional need is anticipated for any other potential user in the vicinity; or
 - c. There is valid technological or physical justification as to why co-location is not possible.
 - d. The Federal Communications Commission (FCC) has issued a written statement that no more licenses for those broadcast frequencies that are eligible to use the tower will be issued in the foreseeable future
 7. The transmission tower shall be designed and constructed to all applicable standards of the American National Standards Institute, ANSI/EIA-222-E manual, as amended. All applications for development of a transmission tower facility shall verify compliance with these standards.
 8. A soil report compliant with the standards found in Appendix I: Geotechnical Investigations, ANSI/EIA-222-E, as amended, shall be submitted to the Town, sealed by a registered soils engineer, to document and verify the design specifications of the foundation for the transmission tower, and anchors for guy wires if used.



9. Transmission towers and antenna shall be designed to withstand wind gusts of up to one hundred (100) miles per hour.

E. Temporary and Mobile and Land Based Telecommunication Testing Facilities

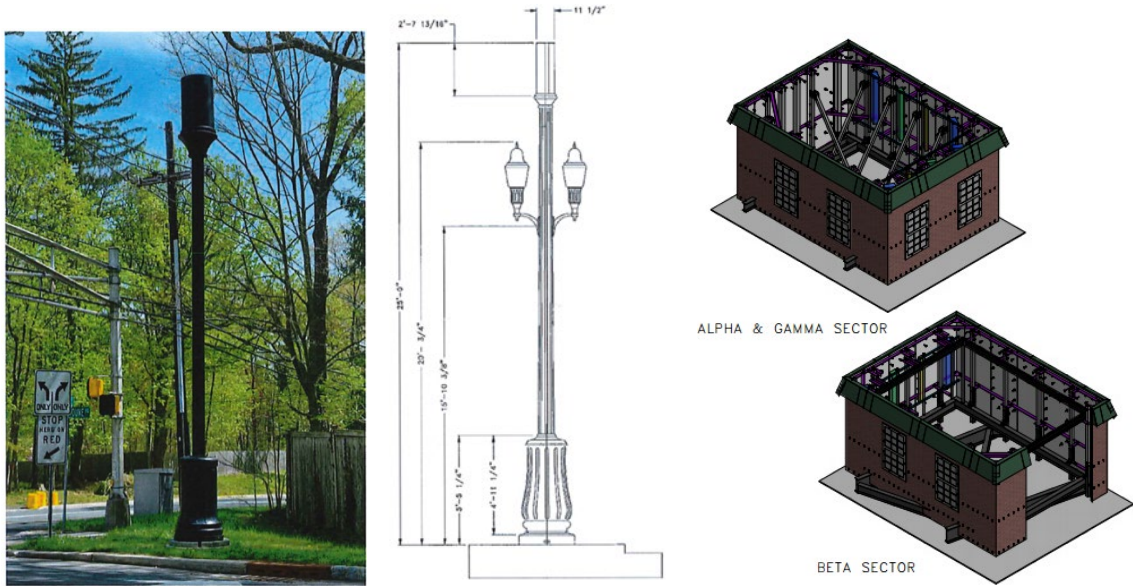
Temporary and Mobile and Land Based Telecommunication Testing Facilities consisting of antennas and related equipment may be permitted in any zoning district subject to the following performance standards:

1. A temporary special permit may be issued by the Zoning Administrator for a period not to exceed six (6) months, provided, however, that the Zoning Administrator may approve an extension for up to an additional six (6) months upon written request by the applicant, submitted prior to the expiration date which documents the need for further testing.
2. Such temporary use must comply with all federal, state and county regulations, including but not limited to regulations by the Federal Aviation Administration, the Federal Communications Commission and the Environmental Protection Agency.
3. The temporary testing equipment for the antenna shall be located either in an existing structure or in a construction trailer or in a "cell on wheels trailer" with a valid zoning permit. No construction trailer shall be located in any required parking space.
4. Any clearing or grading of a site for the installation of the construction trailer or antenna shall be the minimum necessary for the proposed use, but in no event shall the disturbed area, excluding an access road, exceed 5,000 square feet in area. The permit shall include a condition requiring that any disturbed area be restored as close as possible to its original condition.
5. If an existing structure does not provide sufficient height for the antenna, the applicant may erect a temporary pole not to exceed one hundred (100) feet in height.
6. There shall be not more than two (2) vehicles parked on the site at any time. The Zoning Administrator shall require that the use will be appropriately screened from adjacent properties and may require the addition of plantings or the retention of existing vegetation. [Back to Top](#)

F. Distributed Antenna Systems (DAS) and/or Small Cells. Distributed Antenna Systems (DAS) and/or Small Cells with related unmanned equipment may be installed on non-residential buildings or structures, existing or replacement of existing utility distribution poles or existing or replacement of existing light standards in those zoning districts where permitted by right with the minimum standards provided below. Failure to meet any one, or more, use standards shall require special exception review and approval in accordance with Section 3.4 Special Exceptions.

Permissible antenna types in a DAS or Small Cell application include: 1.) omnidirectional/whip antennas; 2.) panel antennas; and 3.) antennas enclosed in a cylinder subject to the following minimum use standards:

1. **Local Collector Rights-of-Way:** Utility distribution pole installations, where permitted, shall be limited to the rights-of-way of roads having a Local Collector classification or higher on the Roadway Network Policy Map in the Leesburg Town Plan.
2. **Camouflage:** Every effort shall be made by the applicant to utilize stealth and/or camouflage technologies/techniques on each DAS/Small Cell node and all appurtenant ground-mounted, pole-mounted and/or roof-mounted equipment in order to minimize or eliminate potential visual impacts on surrounding properties. Examples of stealth solutions include, but are not limited to, the following:



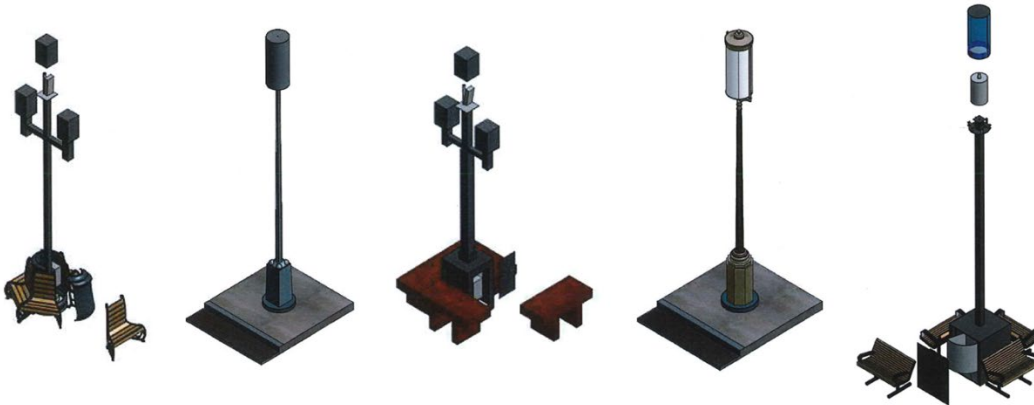
In any instance where stealth and/or camouflage technologies cannot be employed, the applicant shall provide evidence satisfactory to the Zoning Administrator justifying why it is impossible to employ such measures.

3. **Maximum size and Height for Roof-Mounted Small Cell and/or DAS:**
 - a. Any antennas used in a Small Cell application shall not exceed 60"Hx24"Wx8"D.
 - b. Any DAS node antenna shall not exceed six feet (6') in height or thirty inches (30") in diameter.
 - c. Overall height of any roof-top or building mounted Small Cell or DAS antennas with supports shall not exceed 10 feet in height above the top of parapet for flat-roofed buildings or the roofline of pitched roof buildings unless an acceptable stealth solution is used, and approved by the Zoning Administrator and/or the BAR, when applicable, that is architecturally suitable and effectively camouflages the facility from adjacent properties. Examples include, but are not limited to, the follow types of stealth solutions:



4. **Maximum Number:** There shall be a maximum of three (3) omnidirectional/whip antennas, or panel antennas, or any number of antennas within a single canister enclosure on any single utility pole or light standard.
5. **Maximum Extension:** Antennas shall be mounted so that the antenna with supporting mount does not extend more than eight and one-half (8 ½) feet above the existing utility pole or light standard or one (1) foot from the utility pole or light standard.
6. **Maximum Replacement Pole Height/Diameter:** The height of a replacement utility distribution pole or light standard, including antennas, shall not exceed sixty-four (64) feet in height. The diameter of a replacement utility distribution pole or light standards shall not exceed eighteen (18) inches. The height of the light fixture shall not be higher than the height of the fixture prior to the replacement of the light standard.
7. **Ground-Mounted Equipment:** When appurtenant equipment cabinets are located on the ground in any yard or street right-of-way, the following minimum standards shall apply:
 - a. No ground-mounted equipment associated with any antenna nodes shall be permitted on the property of, or in the right-of-way in front of, a residential use;
 - b. Ground-mounted equipment may be permitted inside of the Route 7/15 Bypass when an acceptable stealth solution is used, and approved by the Zoning Administrator and/or the BAR, when applicable, that is architecturally suitable and effectively camouflages the facility from

adjacent properties. Examples include, but are not limited to, the following types of stealth solutions:



Ground-mounted equipment appurtenant to power-mounted facilities on existing electric transmission poles shall be permitted when in accordance with Sec. 9.3.26.A.3 Standards Applicable to all Telecommunications Facilities;

- c. Any ground-mounted equipment cabinet shall not exceed five (5) feet in height or a total of seventy (70) cubic feet in volume, except within the H-1 Overlay where the maximum volume shall be limited to twenty (20) cubic feet;
 - d. Any ground-mounted equipment cabinet shall be located a minimum of ten (10) feet from all lot lines when located outside of a street right-of-way;
 - e. Any ground-mounted equipment cabinet shall be located so as not to obstruct any applicable sight distance and/or visibility standards required by the Town or the Virginia Department of Transportation;
 - f. Any ground-mounted equipment installed within a public right-of-way shall be located so as to provide a minimum of four (4) feet of clearance along the sidewalk in order to maintain adequate pedestrian circulation;
 - g. Any Small Cell and/or DAS equipment installed at ground level internal to a light pole as part of a stealth solution will be considered to be ground-mounted.
8. **Maximum Roof Area:** Roof-mounted antennas or equipment related to DAS/Small Cells shall not occupy more than 25% of the area of the roof.
 9. **Lighting Prohibited:** Unless otherwise required by the Federal Communications Commission or the Federal Aviation Administration, no artificial lighting shall be permitted.
 10. **Advertising Prohibited:** No advertising of any type may be placed on the facility.
 11. **H-1 and H-2 Review Required:** Any Small Cell and/or DAS application proposed in the H-1 or H-2 Overlays shall require a Certificate of Appropriateness from the Board of Architectural Review.



12. **Removal of Abandoned Equipment:** All antennas and related unmanned equipment shall be removed within ninety (90) days after such antenna or related unmanned equipment are no longer in use.

9.3.31 Utility Uses

- A. Utility special exception uses shall not be required to comply with the height requirement set forth for the zoning district in which located. However, alternative height requirements may be established in the conditions under which such a special exception is granted.
- B. In all zoning districts, all equipment, and machinery shall be effectively screened. In residential districts, where buildings are proposed, the form and materials shall be as harmonious as practical with adjacent residential architecture. [Back to Top](#)

Article 10 Density/Intensity + Dimensional Standards

10.3.1 Residential Cluster Development

Residential cluster developments shall be allowed in accordance with the Use Table of Sec. 9.2, subject to the following standards.

- A. **Development Standards.** The development standards that apply to residential cluster developments shall be the same as those established in the zoning district in which the residential cluster development is located, except as expressly modified by the regulations of this subsection.
 1. Minimum Lot Size (for single-family dwelling types permitted by the underlying zoning district:
 1. R-2 District – 9,600 square feet
 2. R-4 District - 5,000 square feet
 3. R-6 District - 4,000 square feet
 4. R-8 District – 4,000 square feet
 2. Minimum Lot Width (for single-family dwelling types permitted by the underlying zoning district:
 1. R-2 District – 80 feet
 2. R-4 District – 50 feet
 3. R-6 District – 35 feet
 4. R-8 District – 35 feet
 3. Minimum Yard Regulations
 1. Front Yard (Principal Dwelling) - 15 feet
 2. Front yard (Garage Entrance) – 20 feet
 3. Side Yard - 5 feet
 4. Rear Yard - 10 feet
- B. **Structure Location Requirements**
 1. The minimum distance between any two buildings or structures in a cluster development shall be 10 feet.



2. The minimum distance between any buildings or structures and public street edge of right-of-way shall be 15 feet, provided that the minimum setback for any garage opening shall be 20 feet.
3. A buffer area of at least 50 feet in width shall be provided along the perimeter of a residential cluster development boundary. No new building, structure, driveway, parking or loading areas shall be located within the buffer.

C. Open Space

1. Minimum Requirement. Within every approved residential cluster development, a minimum of 40 percent of the gross acreage shall be planned and reserved permanently for common open space, to be maintained exclusively for recreation and/or conservation purposes.
2. Use of Open Space; Features to be Included
 1. All non-developable area consisting of all streambeds, all FEMA floodplain and any wetlands and areas with slopes exceeding a 25 percent gradient shall be permanently maintained as open space. For purposes of this section these areas may be counted towards meeting minimum open space requirements, provided that floodplains, wetlands or water areas shall not account for more than 50 percent of the required open space.
 2. The use of open space areas shall be restricted to those activities that permit the use and enjoyment of the open space without compromising designated purpose of the open space area.
 3. Only those stormwater detention basins that are designed as wetlands or wet bottom basins with vegetation along side slopes may be counted toward meeting minimum open space requirement.
3. Prohibited Areas. No land lying within the following areas shall be counted toward meeting minimum open space requirements:
 1. Residential lots
 2. Public or private roads or drives
 3. Sidewalks and parking areas, excluding pathways in open space.
4. General
 1. Land designated as open space shall be used and maintained as open space and may not be separately subdivided or developed except as provided herein. The Zoning Administrator shall be authorized to allow development within designated open space areas for the maintenance or enhancement of the protected open space. The Zoning Administrator shall specifically be authorized to allow fences, walls, signs and other structures within open space areas if necessary to protect or enhance the function of such open space areas or when the Zoning Administrator determines that such improvements or structures will not be detrimental to the function of the open space area being preserved. When open space areas are designated for specific uses that require the construction of improvements, such improvements shall be appropriately sized and designed to meet the needs of the development.
 2. In designing subdivisions and laying out developments, efforts shall be taken to maximize the use and enjoyment of open spaces for the



purposes designated. Small strips or spots of open space shall be avoided; they may be used only when no other practical means exists for providing required open space.

3. Landscaping within open space areas shall be designed so that open space areas are aesthetically pleasing and functionally usable for the purpose specified.
5. Management Plan. A management plan covering a minimum period of 5 years shall be prepared and submitted for all required open space areas.
6. Connections. The required open space shall be connected to the residential dwellings within the development by pedestrian ways (sidewalks or trails) and roads. The open space areas must be usable and accessible for recreational activities.
7. Ownership. Within any residential cluster development approved under this Zoning Ordinance on which a tract is designated to be used in common for recreational or other public or semi-public purposes, no lot shall be approved, recorded, sold, or used within the development until the following appropriate documents in a form approved by the Town Attorney have been executed:
 1. The nature of the permanent organization under which common ownership is to be established, including its purpose; how it shall be governed and administered; the provisions made for permanent care and maintenance of the common property including necessary bonds when required by the town; and the method for assessing the individual property owners for their share of the cost of administering and maintaining such common property; and
 2. The extent of common interest held by the owner of each individual parcel in the tract held in common with others. [Back to Top](#)

Article 18 Definitions

18.1.12 Assisted Living Residences

A type of adult care residence licensed by the Virginia Department of Social Services which provides a level of non-medical supportive service for adults who may have physical or mental impairments and require at least moderate assistance with the activities of daily living. [Back to Top](#)

18.1.28 Cemetery

Any land or structure used or intended to be used for the interment of human remains. The sprinkling of ashes or their burial in a biodegradable container on church grounds or their placement in a columbarium on church property shall not constitute the creation of a cemetery. [Back to Top](#)

18.1.31 Cluster Development

An alternate means of developing a lot in the R-2, R-4, R-6, and R-8 Districts premised on the concept of design that preserves and protects sensitive natural or man-made features. Cluster development permits a reduction in lot area, yard and bulk requirements as described in [Section 10.3.1](#) in exchange for creating common open space within the cluster. [Back to Top](#)

18.1.43.1 Distributed Antenna Systems (DAS)

A low-power centralized baseband that is pooled across a large number of spatially separated antenna nodes that provides wireless service within a discrete geographic area, or structure, where wireless service is degraded due to geography, foliage or structure interference such nodes are typically located on existing infrastructure such as utility/telephone poles, streetlamps or traffic signal poles. Except when deployed in an interior building, i.e., in an iDAS application, stealth or camouflage deployments in faux exterior building additions will not be considered interior antenna deployments. All applicable regulations pertaining to such exterior installations shall apply. [Back to Top](#)

18.1.49 Duplex, Vertical

A building containing two (2) separate dwelling units that are constructed with a common party wall or abutting walls and with each dwelling unit located on its own separate lot.

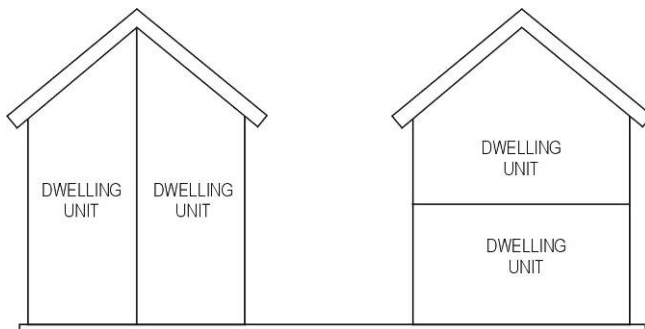
[Back to Top](#)

18.1.50 Duplex, Horizontal

The use of a single lot for two (2) dwelling units that are contained within a single building.

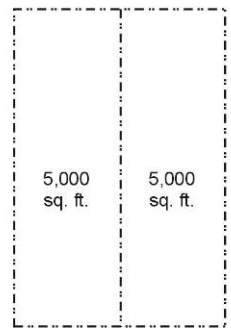
[Back to Top](#)

Duplex Types

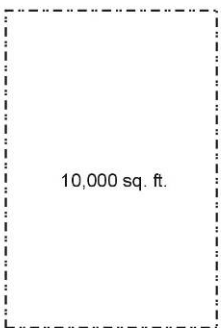


VERTICAL
 DUPLEX

HORIZONTAL
 DUPLEX



VERTICAL
 DUPLEX LOT



HORIZONTAL
 DUPLEX LOT



18.1.60 Extended Family Residence

Within a single family residence or within a conforming accessory structure, a living area designed to provide independence and privacy by allowing a separate bedroom, bathroom, dining area and kitchen for an extended family member. [Back to Top](#)

18.1.64 Fire and/or Rescue Facility

A facility including the storage of fire and/or rescue equipment and chartered by the Town of Leesburg and the Code of Virginia, which provides for the protection of life and property from the hazards of fire or explosions wherever located. For the purposes of this Zoning Ordinance, a fire and/or rescue facility shall not include a burn building. [Back to Top](#)

18.1.74 Group Home

A residential facility in which no more than eight (8) mentally ill, mentally retarded or developmentally disabled persons reside, with one or more resident counselors or other staff persons. A residential facility shall be deemed a group home when the Department of Mental Health, Mental Retardation and Substance Abuse Service is the licensing authority. For the purposes of this Zoning Ordinance, persons in a group home shall not be deemed a family. [Back to Top](#)

18.1.80 Home Occupation

A business, profession, occupation or trade conducted for gain or support within a residential building or its accessory buildings by a resident of the dwelling which use is incidental and secondary to the use of the buildings for dwelling purposes and which does not change the residential character of such buildings. (See [Article 9](#) for Home Occupation standards). [Back to Top](#)

18.1.89 Library

Structure, either publicly or privately owned, used for collection and storage of books, periodicals, and similar materials, and providing facilities for reading, research and/or borrowing of the collected materials. [Back to Top](#)

18.1.141 Place of Worship

A structure or part thereof which is intended for organized religious services including but not limited to a church, synagogue, or temple. [Back to Top](#)

18.1.153 Public Utility, Major

Public utility, major shall include the following: electric substations and other distribution centers, electrical generating plants and facilities, sewerage treatment and disposal facilities, storage facilities for natural gas, oil and other petroleum products, supply yards for any public utility, dial centers, repeater stations, water purification facilities, microwave facilities, satellite earth stations, water storage facilities and maintenance facilities incidental to any use set forth above. [Back to Top](#)

18.1.154 Public Utility, Minor

A minor public utility shall include the following: electric transformer, natural gas, water and sewer transmission, collection, distribution and metering devices; and water and sewerage pumping stations. [Back to Top](#)

18.1.156 Recreation Facility

A facility offering or providing recreational activities. A recreational facility may include, but not be limited to a tennis court, racquetball court, basketball court, swimming pool, gymnasium, exercise and weight room facilities. Recreation facilities may offer non-recreational programs for children such as after-school programs, day camps, tutoring, etc.



as an accessory use, provided that such program is exempt from licensure by the Virginia Department of Social Services as a child care center as provided by § 63.2-1715 of the code of Virginia. Recreational facilities may operate child care centers as an accessory use provided that they are licensed by the Virginia Department of Social Services as a child care center and Town of Leesburg Zoning Ordinance Sections 9.2, 9.3.4 and Section 3.4 if applicable. [Back to Top](#)

18.1.162 School, General Education

A parochial or private school giving regular instruction during a normal school year.

[Back to Top](#)

18.1.163 School, Public

An educational institution operated by a duly constituted governmental entity. [Back to Top](#)

18.1.172 Single-Family Attached (Townhouse) Dwelling

A single-family dwelling in a row of at least three such units in which each unit occupies its own individual lot that meets the minimum lot area requirements of the applicable zoning district, has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by a common party wall. [Back to Top](#)

18.1.174.1 Small Cell

A compact, low-powered short-range mobile phone base station deployed to alleviate wireless network congestion and/or to address gaps in wireless network coverage in limited areas with a concentrated population of wireless device users such as, but not limited to, malls, hotels, transportation hubs, campuses, stadiums, etc. Any stealth or camouflage deployments in faux exterior building additions will not be considered interior antenna deployments. All applicable regulations pertaining to such exterior installations shall apply.

[Back to Top](#)