

Article 3.D:

DN-R, Downtown Neighborhood Residential District

Article 3.D:

**DN-R Residential
(Downtown Neighborhood Residential District)**

A. Purpose and Intent:

The DN-R, Downtown Neighborhood Residential District provides for single family detached residences at slightly higher densities than the S-R, Suburban Residential District. All development within the DN-R District shall be consistent with the Comprehensive Plan's goals for harmonious new development as well as the revitalization of existing stable residential neighborhoods in and around downtown Smithfield. The principal objective of this district is to recognize, maintain and reinforce the existing "sense of neighborhood" in and around the downtown historic areas and to promote residential development of compatible scale, historic character and architectural massing.

While the application of the DN-R District is primarily intended to overlay the existing, substantially developed, residential areas close to the downtown, it also can be applied to new rezonings of undeveloped tracts and infill lots situated within close proximity to the downtown residential areas and waterfront areas. It is the intent of this district to preserve existing historic and natural features, to protect existing landscapes and vegetation, to promote excellence in landscape design and to encourage housing with appropriate scale and architecture.

The average density of five units per acre establishes the DN-R District as one which accepts a higher density and relatively small lot size for single family detached residences. All new and redevelopment activities shall be served by public water and sewer, public streets with curb and gutter, sidewalks, drainage and stormwater management.

B. Permitted Uses:

1. Single family detached dwellings.
2. Accessory buildings and uses, limited to detached carport and garages, tool sheds, children's playhouses and play structures, off-street parking, and doghouses.
3. Home occupations.
4. Public parks and playgrounds.
5. Yard sale and/or garage sale (per ordinance definition).
6. Private swimming pools
7. Boat docks, boat storage and waterfront access facilities, as an accessory use to a private single family dwelling.
8. Irrigation wells.

C. Uses Permitted by Special Use Permit:

1. Cemeteries.
2. Churches and places of worship.
3. Duplex residential dwellings (1 dwelling per subdivided lot).
4. Community buildings, limited to use by residents of the subdivision.
5. Public uses.
6. Libraries.
7. Museums, historic sites and shrines.
8. Plant nurseries, with no sale of products permitted on premises.
9. Child day care centers.
10. Adult day care centers.
11. Nursery schools.
12. Private schools and colleges.
13. Public schools and colleges.
14. Commercial swimming pools and tennis courts.
15. Bed and breakfast lodgings.
16. Public utilities.
17. Private clubs and lodges.
18. Tennis courts, public and private.
19. Gymnasiums, public and private.
20. Boat docks, boat storage and waterfront access facilities, as an accessory use to uses other than private single family residential dwellings.
21. Cupolas, spires and steeples for public and semi-public uses.
22. Agriculture, forestry and horticultural uses (non-commercial).
23. Outdoor storage lots for recreational vehicles.
24. Zero lot line residential units (only permitted for new construction.)
25. Accessory apartments.
26. Temporary real estate marketing offices for new subdivisions.
27. Waiver of Parking and Loading Requirements.
28. Child Day Care as a Home Occupation (6-11 Children)
(Ord. of 9-5-2000, Ord. of 9-2-2008, Ord. of 11-4-2014)

D. Maximum Density:

1. Five (5.0) dwelling units per net developable acre.

E. Lot Size Requirements:

1. Minimum district size: Not regulated

2. Minimum lot area:
 - A. Conventional single family lot: 6000 square feet

 - B. Duplex lot (1 attached unit/lot):
 - (1) Interior lot: 4000 square feet
 - (2) Corner lot: 5000 square feet

3. Minimum lot width:
 - A. Conventional single family lot:
 - (1) Interior lot: 50 feet
 - (2) Corner lot: 75 feet

 - B. Duplex attached residential lot (1 attached unit per lot):
 - (1) Interior lot: 40 feet
 - (2) Corner lot: 60 feet

F. Bulk Regulations:

1. Height
 - A. Residential building height: 35 feet
(principal and accessory uses)

 - B. Public or semi-public building: 45 feet,
provided that required front, rear, and side yards shall be
increased by 1 foot for each foot of height over thirty-five feet.

C. Cupolas, spires and steeples: 50 feet

2. Minimum yard requirements:

A. Conventional single family lot:

(1) Front yard: 25 feet,
Except where forty percent (40%) or more of the frontage on one side of the street within the same block is improved with buildings, no building on that side of the street within the same block shall be required to have a front yard greater than the average front yard of the existing buildings. However, when there are buildings on the adjacent lots on both sides, the front yard shall not be required to be greater than the average of the front yards of the buildings on the adjacent lots. The side line of a building on a corner lot shall not be a factor in these calculations.

(2) Side yard (interior lot): 10 feet,
Except that the minimum side yard for any lot of record prior to the date of the adoption of this ordinance shall be 5 feet.

Side yard (corner lot): 20 feet,
Except that the minimum side yard for any corner lot of record prior to the date of the adoption of this ordinance shall be 10 feet.

(3) Rear yard: 25 feet (residences)
5 feet (accessory uses),

B. Duplex attached residential lot (1 attached unit per subdivision lot):

(1) Front yard: 25 feet,
Except where forty percent (40%) or more of the frontage on one side of the street within the same block is improved with buildings, no building on that side of the street within the same block shall be required to have a front yard greater than the average front yard of the existing buildings. However, when there are buildings

on the adjacent lots on both sides, the front yard shall not be required to be greater than the average of the front yards of the buildings on the adjacent lots. The side line of a building on a corner lot shall not be a factor in these calculations.

- (2) Side yard (interior lot): 10 feet
Side yard (corner lot): 15 feet

Except that the minimum side yard for accessory uses for any lot of record prior to the date of the adoption of this ordinance shall be 5 feet.

- (3) Rear yard: 25 feet (residences)
5 feet (accessory uses),

- D. A maximum floor area ratio equal to 0.25 shall apply to uses other than residential.

G. Open Space:

1. In conventional subdivisions with 50 or more lots, 10% of the gross site area shall be open space dedicated to common usage and ownership, 50% of such area shall be developed as recreational and active community open space, as defined.
2. No more than 40% of the dedicated open space shall consist of land classified as 100 year floodplain, stream valleys, wetlands, slopes greater than 30% and/or drainage easements.
3. All dedicated open space is regulated by landscaping requirements.
4. In no instance shall open space credit be given for lands which are included in or reserved for public rights of way, private travelways, loading areas, required sidewalks or parking areas.

H. Net Developable Area Calculation for DN-R District:

1. Notwithstanding governing lot size and yard regulations, the maximum number of units for attached residential development or subdivision shall be calculated based on existing

land conditions. The yield of a subdivision shall be based on its net developable area, with adjustment factors for physical land units as specified in the chart in the following section.

2. The final plat and/or site plan for a project shall graphically depict the location and area for the physical land units as outlined herein below. A calculation of the net developable area shall be required for all subdivision and site plan submissions. *(Refer to illustrative example of net developable area calculation in the appendix of the Zoning Ordinance.)*

| Physical Land Unit | Percent Credited Toward Net Acreage |
|---|--|
| <i>Slopes less than 10%:</i> | <i>100%</i> |
| <i>Slopes from 10% but less than 20%:</i> | <i>75%</i> |
| <i>Slopes from 20% but less than 30%:</i> | <i>50%</i> |
| <i>Slopes 30% or more:</i> | <i>10%</i> |
| <i>Soils with high shrink/swell characteristics, as defined:</i> | <i>75%</i> |
| <i>Wetlands, existing water features and streams:</i> | <i>0%</i> |
| <i>Stormwater management basins and structures:</i> | <i>0%</i> |
| <i>Above-ground 69 KV or greater transmission lines:</i> | <i>0%</i> |
| <i>Public right-of-way</i> | <i>0%</i> |
| <i>Private streets, travelways and combined travelways and parking bays</i> | <i>0%</i> |

3. No credit towards net developable area shall be given for planned public rights-of-way, private streets, travelways and combined travelways and parking bays within a lot or property to be developed or subdivided. Twenty percent (20%) shall be subtracted from the calculated net developable acreage to allow for street rights of way, unless it can be demonstrated by survey calculations to the satisfaction of the Planning Commission that proposed street rights of way, private streets, travelways and combined travelways and parking bays in a subdivision will be less than 20% percent of the calculated net acreage.
4. No DN-R District residential lot shall be configured such that more than 10% of the prescribed minimum lot area is comprised of one or more of the following physical land units: (a) slopes 30% or more, (b) wetlands, (c) 100-year floodplains, and (d) water features.
(Ord. of 8-1-2001)

I. Additional Regulations:

1. Refer to the Floodplain Zoning Overlay District, where applicable.

2. Refer to the Chesapeake Bay Preservation Area Overlay District.
3. Refer to Landscaping and Screening, Article 9, for screening and buffer yard provisions.
4. Refer to Parking and Loading Requirements, Article 8, for parking regulations and specific requirements for common parking lots for recreation vehicle and boat storage.
5. Recreational vehicle parking shall not be permitted within front yard and the area of the side yard setbacks.
6. No private domestic well and septic systems shall be permitted. Irrigation wells are permitted by right.
7. Any subdivision or lot which is proposed to be developed on shrink/swell soils shall require a geotechnical report to be submitted with the preliminary plat and plans. Such report shall be prepared by a registered professional engineer and shall address the feasibility of development on the subject soils. No subdivision plat or site plan shall be approved for final recordation until a foundation engineering report has been reviewed by the Town. All recorded plats for lots containing shrink/swell soils shall bear the following note: *“This lot contains shrink/swell soils which require special engineering design for foundations and structural elements. No structure will be approved for issuance of a building permit until a foundation engineering design prepared by a certified professional engineer has been approved for the proposed structure.”*
8. Refer to the Smithfield Design and Construction Standards Manual for additional residential design standards and criteria, where applicable.
9. Refer to the Smithfield Historic District Design Guidelines and the HP-O District for additional residential design standards and criteria for properties located within the historic preservation areas.
10. All uses within the DN-R District shall require a General Development Plan and/or site plan for zoning and/or special permit approval.
11. Refer to General Regulations, Article 2, for additional lot and yard requirements.
12. Refer to Sign Regulations, Article 10, for signage provisions.
(Ord. of 10-3-2000)