

# Article VIII: VH Village District - Hamorton

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## SECTION 240-800. PURPOSE

The purpose of this district is to preserve the character of Hamorton Village by allowing future development that is compatible in type, scale, density and setbacks with current village uses, lot sizes, and structures; accommodate limited expansion of the village while maintaining the traditional village development pattern; allow for limited commercial, office, and institutional uses, in appropriate areas of the village to serve the needs of residents; allow for a variety of residential uses; and to preserve historic structures within the village through flexible standards. In addition, it is the intent of the district to achieve the applicable purposes and community development objectives as stated in Article.

## SECTION 240-801. USE REGULATIONS

A. Uses permitted by right for any one (1) or two (2) of the following principal purposes:

1. Single-family detached dwelling.
2. Agriculture, non-Intensive per § 240-402 and § 240-1903.
3. Wood lot, arboretum or other conservation or passive recreation use.
4. Timber harvesting per § 240-1802.G.
5. Municipal use.
6. Two-family dwelling (twin and/or duplex) per Article VII.
7. Residential conversion per § 240-1930.
8. Adaptive reuse of a historic resource for a business or professional office, personal service establishment, studio, antique shop, or use meeting the purpose of this district and subject to § 240-1602.
9. Except as otherwise indicated in this Chapter, accessory uses customarily incidental to any principal by-right use permitted in this district shall be permitted by right, subject to applicable provisions for accessory uses in Article XIX.
10. The following specific accessory uses shall in addition be permitted by right, subject to applicable provisions:
  - a. Sale of agricultural products, secondary agricultural use, agritourism, and agricultural warehousing per § 240-1903.
  - b. No-impact home-based business per § 240-1915.
  - c. Keeping of animals per § 240-2020.
  - d. Bed-and-breakfast per § 240-1905.
  - e. Accessory dwelling unit per § 240-1901.
  - f. Renewable energy system per § 240-1929.

B. Uses permitted by special exception when authorized by the Zoning Hearing Board:

1. Library per § 240-1912.
2. Fire or other emergency service facility.

3. Public utility facility.
  4. Child or adult day-care center.
  5. Club or Lodge
  6. Religious use.
  7. Public use, excluding active recreation, sanitary landfill, junkyard, salvage yard, and penal institution.
  8. The following uses shall be permitted when the lot where the use is located has frontage on Route 52 or Route 1, the use is substantially located within a historic resource, and the use can meet other applicable requirements.
    - a. Retail establishment use that is a neighborhood commercial use, with a maximum gross leasable floor area of two-thousand (2,000) square feet.
    - b. Personal service establishment that is a neighborhood commercial use, with a maximum gross leasable floor area of two-thousand (2,000) square feet.
    - c. Business or professional office, including for a medical or dental arts use, with a maximum gross leasable floor area of two-thousand (2,000) square feet.
    - d. Bank or other financial institution with a maximum gross leasable floor area of two-thousand (2,000) square feet.
    - e. Eating or drinking establishment without drive-through service, with a maximum gross leasable floor area of two-thousand (2,000) square feet.
  9. Except as otherwise indicated in this Chapter, accessory uses customarily incidental to any principal special exception use permitted in this district shall be permitted by special exception, subject to applicable provisions for accessory uses in Article XIX.
  10. The following specific accessory uses shall in addition be permitted by special exception, subject to applicable:
    - a. Family day-care home per § 240-1915.
    - b. Home-based business per § 240-1915.
    - c. Outdoor dining per § 240-1901.
    - d. Cottage brewery, winery, or distillery, and like industry per § 240-1910.
- C. Uses permitted as a conditional use when authorized by the Board of Supervisors.
1. Retirement community per § 240-1931.
  2. Townhouse per § 240-1924.
  3. Multifamily dwelling per § 240-1924.
  4. Congregate care community per § 240-1925.
  5. Educational use on a minimum lot size of one (1) acre and per § 240-1911.
  6. Except as otherwise indicated in this Chapter, accessory uses customarily incidental to any principal conditional use permitted in this district shall be permitted by conditional, subject to applicable provisions for accessory uses in Article XIX.

**SECTION 240-802. AREA AND BULK REGULATIONS**

The following area and bulk regulations shall apply to lands within this district, except as otherwise indicated for a specific use.

- A. Single-family detached dwelling and other uses unless otherwise indicated.
  - 1. Minimum lot size per dwelling unit or use.
    - a. When served by individual sewer and/or water: One (1) acre.
    - b. When served by community or public sewer and public water: twenty-thousand (20,000) square feet.
  - 2. Minimum lot width.
    - a. At building line.
      - 1) When served by individual sewer and water: One-hundred (100) feet.
      - 2) When served by community or public sewer system and public water: Seventy (70) feet.
    - b. At street line: Seventy (70) feet.
  - 3. Minimum front yard setback depth: Forty (45) feet.
  - 4. Minimum side yard setback width: Ten (10) feet.
  - 5. Minimum rear yard setback depth: Thirty (30) feet.
  - 6. Maximum building coverage: Twenty percent (20%).
  - 7. Maximum lot coverage: Twenty-five percent (25%).
  - 8. Minimum green space: Ten percent (10%) except for open space design development and other uses where open space, recreation, or green space are required.
  - 9. Maximum building height: Thirty-five (35) feet.
- B. Two-family dwelling (twin or duplex). Such use shall only be permitted if served by community or public sewer and public water:
  - 1. Minimum lot size: Ten-thousand (10,000) square feet per dwelling unit; Twenty-thousand (20,000) square feet per building structure.
  - 2. Minimum lot width.
    - a. At building line: Sixty (60) feet per dwelling unit; One-hundred twenty (120) feet per building structure.
    - b. At street line: Fifty (50) feet per dwelling unit; One-hundred (100) feet per building structure.
  - 3. Minimum front yard setback depth: Thirty (30) feet
  - 4. Minimum yard side setback width: Ten (10) feet.
  - 5. Minimum rear yard setback depth: Thirty (30) feet.

6. Maximum building coverage: Twenty percent (20%).
  7. Maximum lot coverage: Twenty-five percent (25%).
  8. Minimum green space: Ten percent (10%) except for open space design development and other uses where open space, recreation, or green space are required.
  9. Maximum building height: Thirty-five (35) feet.
- C. Townhouse. Such use shall only be permitted if served by community or public sewer and public water.
1. Minimum tract size: Four (4) acres.
  2. Minimum tract width.
    - a. At building line: Two-hundred (200) feet.
    - b. At street line: One-hundred (100) feet.
  3. Maximum gross density: Six (6) dwelling units per acre.
  4. Minimum common open space: Thirty percent (30%). Configuration, ownership, and management of common open space shall be consistent with the applicable standards of Article XVII.
  5. Minimum lot size per dwelling unit: Three-thousand (3,000) square feet.
  6. Minimum lot width per dwelling unit: At building and street line: Twenty (20) feet.
  7. Minimum building setbacks.
    - a. From tract boundary: Sixty (60) feet.
    - b. From a road: Fifty (50) feet.
    - c. From refuse collection center: Twenty (20) feet.
    - d. From nearest parking facility: Twenty (20) feet.
  8. Minimum yard setbacks for individual dwelling unit lots.
    - a. Front yard: Twenty (20) feet.
    - b. Side yard (for end units): Ten (10) feet.
    - c. Rear yard: Thirty (30) feet.
  9. Minimum distance between townhouse buildings on the same tract.
    - a. Facing front or rear walls (long wall): Fifty (50) feet.
    - b. Facing end walls (short wall): Thirty-five (35) feet.
    - c. End walls facing any other wall: Fifty (50) feet.
  10. Maximum number of dwelling units per building: Six (6) units.
  11. Maximum impervious coverage per tract or lot area.
    - a. Building coverage: Thirty-five percent (35%).
    - b. Lot coverage: Forty percent (40%).
  12. Maximum building height: Thirty-five (35) feet.

- D. Multifamily dwelling, not including townhouses. Such use shall only be permitted if served by community or public sewer and public water.
  - 1. Minimum tract size: Four (4) acres.
  - 2. Minimum tract width.
    - a. At building line: Two-hundred (200) feet.
    - b. At street line: One-hundred (100) feet.
  - 3. Maximum gross density: Twelve (12) dwelling units per acre.
  - 4. Minimum common open space: Thirty percent (30%). Configuration, ownership, and management of common open space shall be consistent with the applicable standards of Article XVII.
  - 5. Minimum building setbacks.
    - a. From tract boundary: Sixty (60) feet.
    - b. From a road: Fifty (50) feet.
    - c. From refuse collection center: Twenty (20) feet.
    - d. From nearest parking facility: Twenty (20) feet.
  - 6. Minimum distance between multifamily buildings on the same tract.
    - a. Facing front or rear walls (long wall): Fifty (50) feet.
    - b. Facing end walls (short wall): Thirty-five (35) feet.
    - c. End walls facing any other wall: Fifty (50) feet.
  - 7. Maximum impervious coverage per tract area.
    - a. Building coverage: Thirty percent (30%).
    - b. Lot coverage: Forty percent (40%).
  - 8. Maximum building height: Thirty-five (35) feet.
- E. Front yard setback depth for any infill lots.
  - 1. Where an infill lot (an unimproved lot of record) is sited between two (2) improved lots, the front yard shall be the average of the adjacent existing front yards.
  - 2. Where an infill lot (an unimproved lot of record) is sited adjacent to one (1) improved lot, the front yard shall be the average of the adjacent existing front yard and the required front yard setback in Subsection C.

**SECTION 240-803. DESIGN STANDARDS**

The following design standards as applicable for permitted uses in this district shall include:

- A. Supplemental use standards, per Article XIX.
- B. General standards, including Outdoor Storage, Screening, Outdoor Lighting, Off-Street Parking, and Vehicular Access and Traffic Control, per Article XX.
- C. Sign Standards, per Article XXI.
- D. Natural Resources Standards, per Article XVIII.
- E. Historic Resources Standards, per Article XVI.
- F. In addition, new development proposed within this district, as well as the rehabilitation, alteration, or modification of existing structures or uses, shall comply with the following design standards:
  - 1. New development and adaptive reuse to preserve historic resources shall be designed to complement the historic character of the village in regard to building placement, style, bulk, construction materials, and site design. The use of a street pattern that is similar to the existing village development pattern is the preferred design of new roads.
  - 2. A pedestrian orientation shall be maintained in the village and sidewalks or walking paths provided.
  - 3. Parking:
    - a. Off-street parking for nonresidential uses shall be located to the side or rear of buildings.
    - b. Garages and off-street parking for residential uses shall be located to the rear or side of the main dwelling with access from a private driveway or alley. Where site constraints prohibit such parking, front-facing garages and off-street parking shall preferably be set back from the front facade of the main dwelling so that the front façade is not dominated by the accessory garage or parking.
  - 4. The removal of mature trees and site vegetation shall be minimized per Article XVIII.
  - 5. Every effort should be made to locate new structures with regard to existing site features, the cultural landscape, the development pattern of the village, and in such a manner as to minimize changes to existing contours and original topography of the site.
  - 6. Nonresidential outdoor storage of materials and equipment shall be in the rear or side yard and must be screened when adjacent to residential uses or districts per Article XX.
  - 7. Mechanical systems, trash receptacles, and dumpsters shall be located in rear or side yards and shall be screened from view per Article XX.
  - 8. Outdoor display of merchandise for sale shall be permitted as per Article XX.