

## **Prince William County Zoning Ordinance**

### **Sec. 32-300.40. - Rural cluster development.**

1. Rural cluster developments shall be permitted in the rural area, as designated in the comprehensive plan, on land in the A-1, agricultural zoning district. Rural cluster development shall be subject to subdivision plan review in accordance with the subdivision ordinance and the Design and Construction Standards Manual. The subdivision plan shall include provisions for establishment of a homeowner's association or recorded covenants and restrictions that shall be responsible for the maintenance and/or use of the required open space area in accordance with this section.

2. Within rural cluster developments, the permitted uses shall be as follows:

(a) One-family dwellings.

(b) Home occupations.

(c) Home employment.

(d) Agricultural uses and their accessory uses and buildings and structures, as permitted in the A-1 agricultural zoning district and as determined under the homeowners' association covenants or other recorded covenants and restrictions pursuant to [section 32-300.42](#)

(e) Special uses as determined under the homeowners' association covenants or other recorded covenants and restrictions pursuant to [section 32-300.42](#)

3. If the property contains an existing farm house and associated buildings and structures, a single-family dwelling that is a designated cultural resource in the comprehensive plan, or other single-family dwelling that is determined eligible for listing in the National Register of Historic Places, that farm or historic resource may be part of the required open space area of the rural cluster development, as established under the homeowners' association covenants or other recorded covenants and restrictions pursuant to [section 32-300.42](#). The use of the farm or the historic resource other than for farming and dwelling purposes shall require a special use permit pursuant to [section 32-300.42](#). If a separate lot is created for the farm buildings or the historic building, it shall be a minimum of three acres. The farm dwelling or historic dwelling shall not count as one of the dwellings that would otherwise be allowed pursuant to section 32-400.41.5 and a separate lot created for such features shall be allowed to count toward the required open space. (Ord. No. 99-26, 4-20-99; Ord. No. 06-30, 3-7-06)

Sec. 32-300.41. - Design standards.

Any proposed rural cluster development shall be designed so as to foster the preservation of open space or existing farmland; to protect the distinct visual quality and the natural landscape, topographic, and natural resource features of the rural area; to provide landowners in the rural area an alternative use of their property; and to uphold the general intent of the A-1, agricultural zoning district.

2. A minimum rural cluster development area of 50 acres shall be required. Additions to existing rural cluster developments may be less than 50 acres but must meet all other provisions of sections [32-300.40](#) through [32-300.43](#)

3. No rural cluster development shall be further divided or otherwise redeveloped, except in accordance with sections [32-300.40](#) through [32-300.43](#)

4. The minimum size of lots for residential use shall be three acres and the maximum size of lots for residential use shall be five acres, except that some lots may exceed five acres in size to accommodate topographic features, fit within a particular road layout, or address other design considerations.

5. The total number of dwellings within a rural cluster development shall not exceed one dwelling for each ten acres of land, except that a farm dwelling or historic dwelling is allowed in addition to the cluster subdivision lots, pursuant to section 32-400.40.3.

6. The rural cluster development shall have no more than one access to a public street external to that development, except for the following:

(a) More than one access is required pursuant to section 600 of the Design and Construction Standards Manual;

(b) A second or separate entrance is needed for a use located in the open space area;

(c) A topographic or other environmentally sensitive feature would be avoided or protected with a second entrance.

The access shall be consistent with the minimum state entrance requirements contained in section 600 of the Design and Construction Standards Manual.

7. All buildings, including accessory structures, shall be set back a minimum of 35 feet from the front lot line.

8. A 100-foot wide buffer shall be created and maintained between any external street and the edge of the rural cluster development. This buffer shall be used for the purpose of partially screening the view of a cluster-lot subdivision from the public right-of-way external to the rural cluster development and from an existing farm or a historic house on the property. If an existing farm or historic house is to remain on the property along the frontage of the external street, the buffer shall be placed between the farm or historic house and the cluster lots. This screening shall be achieved in one of the following ways:

(a) Where the 100-foot wide buffer already contains existing healthy trees, shrubs, or other vegetation adequate to provide the equivalent of a 100-foot wide rural buffer, the existing vegetation shall be retained during the development process and maintained in perpetuity.

(b) Where the buffer does not already contain vegetation, native landscaping in accordance with Table I-2 of the Design and Construction Standards Manual shall be provided adequate to screen the development from the external street, existing farm, or historic house, appropriate to a rural location and maintained in perpetuity. Landscaping shall be appropriate to a rural location and may include vegetation types such as old field successional trees and shrubs, flowering meadows, and meadow grasses. The provisions of the DCSM 802.12C and D shall not apply to rural cluster buffers.

(c) Only stone walls, brick walls, split-rail fences, and board rail fences are allowed, in the required buffer in conjunction with plantings or tree preservation areas.

9. The maximum lot coverage for lots containing dwellings shall be 25 percent.

10. No fence or wall over four feet high shall be permitted along the frontage of the rural cluster development or each lot within that development, provided that such fences that are needed to contain permitted animals may exceed four feet.

11. Ponds, meeting the requirements of section 700 of the Design and Construction Standards Manual, may be used as stormwater management facilities.

12. A subdivision sign, when provided, shall be integrated into the landscape and be in accordance with sections 32-250.20 et. seq. Internally illuminated subdivision signs are prohibited. (Ord. No. 99-26, 4-20-99; Ord. No. 04-78, 12-21-04; Ord. No. 06-30, 3-7-06)

**Sec. 32-300.42. - Open space.**

1. That portion of the gross acreage of a rural cluster development that is not developed as residential lots and as internal street(s) shall be provided as open space. The open space shall not be less than 50 percent of the gross acreage of the rural cluster development. The buffer required under [section 32-300.41](#)(7) shall be included in the open space calculation.

2. The open space shall be maintained in its natural, scenic, open and/or wooded condition and/or planted and maintained in perpetuity with indigenous species and/or species appropriate to rural locations. Agricultural use of all or a portion of this open space is permitted, as well as uses allowed in subsection 3. below.

3. The open space shall be conveyed to one or a combination of the following:

(a) An authorized public or private grantee, as described in the Conservation Easement Act, Code of Virginia, [ch. 10.1](#), §§ 10.1-1009, et seq.

(b) A homeowners' association.

(c) An entity allowed by the homeowners' association or by other recorded covenants and restrictions, to live in an existing farm dwelling and operate a farm.

(d) An entity allowed by the homeowners' association or by other recorded covenants and restrictions, to live in and maintain an existing historic building.

(e) An entity allowed by the homeowners' association or by other recorded covenants and restrictions, to obtain a special use permit for one of the following uses:

(1) Adaptive reuse of a historic building, subject to the standards of [section 32-300.07](#)

(2) Bed and breakfast.

(3) Cemetery.

(4) Commercial riding facility, equestrian center, polo club, or recurring horse show or equestrian events.

(5) Community operated park.

(6) Farm winery.

(7) Garden center.

4. The open space shall be governed by recorded restrictive covenants that shall reaffirm and provide notice of, at a minimum, the development restrictions set forth in this section. The restrictive covenants shall be achieved through a deed conveying the land to one of the entities identified in this section. This deed must be binding upon the party to which this open space is conveyed and that party's successors and assigns, unless modified with approval from the director of planning.

5. Except with a formal public facility review under Code of Virginia, § 15.2-2232, no portion of any land provided as open space may be used or disturbed for any public use. Such open space may, however, be permitted to contain any required stormwater management facilities.

6. Maintenance of the open space shall be the responsibility of the party or parties identified above.

7. Open space in rural cluster developments shall be laid out so as to provide adequate setbacks and other appropriate transitions to and from surrounding land uses. (Ord. No. 99-26, 4-20-99; Ord. No. 04-78, 12-21-04; Ord. No. 06-30, 3-7-06)