
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 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*
 - Convenience Store *
 - Fuel Center*
 - Gasoline Station
 - Garden Center*
 - Restaurant, Drive-In or Fast Food *
 - Retail Sales *
 - Veterinary Hospital/Clinic

(Ord. No. 121900-11, § 1, 12-19-00; Ord. No. 042208-16, § 1, 4-22-08; Ord. No. 052411-9, § 1, 5-24-11; Ord. No. 111213-15, § 1, 11-12-13)

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 30-92-5.1 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. 052609-22, § 1, 5-26-09; Ord. No. 111213-15, § 1, 11-12-13)