

Article 3.C:

S-R, Suburban Residential District

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(Single Family Residential District)

A. Purpose and Intent:

The S-R, Suburban Residential District is created to provide for single family detached residences at subdivision densities which are compatible with the Comprehensive Plan's goals for low to medium density residential developments in Smithfield. The average density of three units per acre establishes the S-R District as the Town's low-to-medium density district for detached residences. The S-R district shall require public water and sewer service, public streets and sidewalks as minimum subdivision improvements. Recognizing prevailing storm drainage deficiencies in and around the Town, new subdivisions shall be constructed with curb and gutter or other storm drainage conveyance system equivalent in performance and function and shall include comprehensive Best Management Practices and stormwater management facilities.

Cluster residential development shall be encouraged in the S-R District (by special permit) in order to promulgate the Town's objectives for environmental preservation, architectural harmony and consistency, adequacy of open space and recreation areas, and enhanced quality neighborhood improvements in new residential subdivisions. Provisions are included herein to permit cluster subdivisions with densities up to fifty percent higher than conventional subdivisions.

The S-R District may be applied to both undeveloped tracts and existing stable neighborhoods in appropriate locations recognized by the Comprehensive Plan. The intent of the district shall be to preserve existing natural features and vegetation, promote excellence in site planning and landscape design, facilitate the efficient layout and orientation of public utilities and community infrastructure, and encourage housing with compatible scale and character of architecture. No more than one single family dwelling shall be permitted per subdivision lot. No lots shall be permitted with private domestic wells or septic systems.

The S-R District represents the residential district to be applied to the land formerly zoned NC-CR-2 and NC-CR-3 in Isle of Wight County which was incorporated into the Town via the Town of Smithfield/Isle of Wight County annexation agreement. In addition to those NC-CR-2 and NC-CR-3 zoned parcels which were subject to the annexation, this district may be applied to other qualifying land which may be comprehensively rezoned by the Town Council to the S-R District upon adoption of the 1998 Comprehensive Plan.

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, doghouses, and accessory off-street parking and loading spaces.
3. Home occupations.
4. Public parks and playgrounds.
5. Yard sale and/or garage sale (temporary).
6. Private swimming pools and tennis courts.
7. Irrigation wells and wells for ground source HVAC systems.
8. Group Homes.

(Ord. of 2020-09-01; Ord. of 2025-08-05)

C. Uses Permitted by Special Use Permit:

1. Cemeteries.
2. Churches and places of worship.
3. Cluster residential subdivisions.
4. Community buildings, limited to use by residents of the subdivision.
5. Accessory apartments.
6. Libraries.
7. Museums, historic sites and shrines.
8. Plant nurseries, with no sale of products permitted on premises.
9. Child day 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 (except as may be approved on a general development plan.)
15. Bed and breakfast lodgings and guest houses.
16. Public uses and utilities.
17. Civic, fraternal, and/or social organization halls.
18. Golf course and golf driving ranges.
19. Cupolas, spires and steeples for public and semi-public uses.
20. Agriculture, forestry and horticultural uses (non-commercial).
21. Storage lots for recreational vehicles.
22. Guest houses
24. Temporary real estate marketing offices for new subdivisions.

24. Waiver of contiguous open space parcel requirement.
25. Waiver of district size for cluster subdivisions.
26. Waiver of parking and Loading Requirements
27. Child Day Care as a Home Occupation (6-11 Children)
28. Event facilities (principal and accessory uses).
29. Boating, country, and/or hunt clubs.

(Ord. of 9-2-2008, Ord. of 11-4-2014, Ord. of 2019-09-03)

D. Maximum Density:

1. Conventional Subdivisions: Three (3.0) units per net developable acre.
2. Cluster Subdivisions: Four and One-half (4.5) units per net developable acre.

E. Lot Size Requirements:

1. Minimum district size for cluster subdivisions: Five (5) acres

2. Minimum lot area:

A. Conventional lot: 12,000 square feet

B. Cluster lot: 8000 square feet

3. Minimum lot width:

A. Conventional lot:

(1) Interior lot: 80 feet

(2) Corner lot: 120 feet

B. Cluster lot:

(1) Interior lot: 60 feet

(2) Corner lot: 90 feet

4. Minimum lot depth:

A. Conventional lot: 125 feet

B. Cluster lot: 90 feet

F. Bulk Regulations:

1. Height

A. Residential building height: 35 feet

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: 90 feet,
by special permit.

D. Accessory buildings: 16 feet,
provided that accessory building heights may be increased to
twenty-four (24) feet in accordance with Article 2, Section P of
the Zoning Ordinance.

(Ord. of 5-4-2004)

2. Minimum yard requirements:

A. Conventional lot:

(1) Front yard: 35 feet
(2) Side yard: 15 feet
(3) Rear yard: 35 feet
5 feet (accessory uses)

B. Cluster lot:

(1) Front yard: 25 feet
(2) Side yard: 10 feet
(3) Rear yard: 25 feet
5 feet (accessory uses)

C. In addition to the above regulations, the yard requirements for uses and structures other than residential dwellings and residential accessory uses shall be further regulated by floor area ratio and lot coverage ratios. A maximum floor

area ratio equal to 0.25 shall apply to such non-residential uses and structures, with a maximum percentage of lot coverage equal to 20%. The location of all such uses shall be subject to site plan approval.

(Ord. of 2025-08-05)

G. Landscaping, Open Space and Recreation Areas:

1. In subdivisions approved for cluster development, twenty percent (20%) of the gross site area shall be common open space dedicated to common usage and ownership. Twenty-five percent (25%) of the required open space area shall be developed as active recreational and active community open space, as defined.
2. In conventional subdivisions with 75 or more lots, ten percent (10%) of the gross site area shall be common open space dedicated to common usage and ownership. Fifty percent (50%) of the required common open space area shall be developed as active recreational and active community open space, as defined.
3. For cluster and conventional subdivisions, no more than 40% of the required common open space shall consist of land classified as 100 year floodplain, stream valleys, wetlands, water features, slopes greater than 30%, and/or drainage easements.
4. Required open space shall be contiguous and shall occupy a single parcel within the subdivision unless otherwise approved by the Planning Commission.
5. In no instance shall open space credit be given for lands which are included in or reserved for public rights of way or private travelways, loading areas, required sidewalks or parking areas.
6. Open space shall be accessible to all residential lots within the subdivision via dedicated pedestrian access easements. Where bike and pedestrian trails intended for public use have been designated by the Town's adopted Comprehensive Plan or the Capital Improvements Plan, access easements shall be provided, where appropriate, within the subdivision to link these trails to common open space areas.
7. All open space shall be further regulated by landscaping requirements.
8. All common open space, recreational areas and other common properties shall be preserved for their intended purpose as shown on the approved Plan of Development and shall be established by metes and bounds on the Final Subdivision Record Plat.

9. Common open space, recreational areas and other common properties shall be owned, administered and maintained by a not-for-profit, property owners' association, provided, however, that a portion or all of such properties may be dedicated to the Town subject to and at the sole discretion of the Town for acceptance at time of plat recordation. Property owners' association by-laws, articles of incorporation and restrictive covenants shall be submitted with any application for subdivision plat approval. Prior to final approval of a subdivision plat including properties to be owned by a property owners' association, the Town Attorney shall review and approve the bylaws, articles of incorporation and restrictive covenants.
10. For open space, recreational areas and other common properties to be retained by the property owners' association of a subdivision, the initial developer/owner of the subdivision must establish the owners' association as a legal entity prior to the recordation of the final plat. Membership in the association shall be mandatory for all lot owners within the subdivision. The owners' association shall own all common open space and recreational facilities and shall provide for their perpetual administration, maintenance and operation.
11. The open space and recreation area requirements for residential developments which incorporate a public or private golf course shall be subject to both Special Permit and General Development Plan approval, provided that any golf course under construction prior to the date of this ordinance is not subject to Special Permit regulations.

Notwithstanding the above provisions, open space credit shall be given to the area which circumscribes the golf course irrespective of the actual ownership of the real property which constitutes the golf course.

In addition to the golf course, community recreational amenities (such as swimming pools, tennis courts, pedestrian trails, etc.) shall be provided and made available to the residents of the subdivision pursuant to the approved General Development Plan.

H. Conventional and Cluster Subdivisions: Net Developable Area Calculation

1. Notwithstanding governing lot size and yard regulations, the maximum number of lots for any conventional or cluster 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 subdivision 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 Appendix 1 of the Zoning Ordinance.*)

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

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 S-R District residential lot shall be designed in such a way that an area of more than 25% of the prescribed minimum lot area is comprised of one or more of the following physical land units: (a) slopes 30% or greater, (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 and wells for ground source HVAC systems 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. All uses within the S-R District shall require a General Development Plan and/or site plan for zoning and/or special permit approval.
9. Refer to General Regulations, Article 2, for additional lot and yard requirements.
10. Refer to Sign Regulations, Article 10, for signage provisions.
(Ord. of 10-3-2000; Ord. of 2020-09-01)