

Zoning text amendments for Planning Commission public hearing August 12, 2024

On March 18, 2024 by Ordinance No. 42902-031824, City Council adopted amendments to the zoning code. The proposed amendments are the similar in substance to the March 18, 2024 amendments (which are already in effect and part of the current zoning code), and include new modifications made to Section 36.2-403 and Section 36.2-409.1.

For illustrative purposes, the changes shown below reflect the proposed amendments **compared against the pre-March 18, 2024 zoning code**. Please refer to the companion document for changes in the proposed amendments compared against the current zoning code.

As explained above, this document is illustrative of the amendments to the City's zoning text that will be considered by the City of Roanoke Planning Commission on August 12, 2024, at 1:30 pm. A physical copy of this document is made available for public examination on or before July 26, 2024, in the Office of the City Clerk, Fourth floor of the Noel C. Taylor Municipal Building at 215 Church Avenue, SW, and will be posted as a downloadable PDF document at <https://www.roanokeva.gov/1088/Planning-Commission>.

Inserted text appears in blue text and is underlined. Deleted text is shown in red with strike through. A series of three ellipses (***) indicate other material in the section that remains unchanged.

Sec. 36.2-100. Title.

This chapter shall be known, cited, and referred to as the "zoning ~~ordinance~~ code" and shall include all provisions contained herein, together with the City's zoning map.

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Sec. 36.2-105. Rules of interpretation and construction.

* * *

(c) General construction of language.

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(9) Where amendments to use names or definitions are made, the amended meaning shall be applied to older terms that remain in the zoning code (e.g., a single-family dwelling means a one dwelling building, two dwelling building means two-family dwelling, and so on).

* * *

(f) Zoning district boundaries.

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(2) In case of annexation to the City, or in case property comes into the territorial jurisdiction of the City other than by annexation, the regulations applying to the R-12, Residential ~~Single-Family~~ District, shall apply to all such annexed or new territory pending an amendment of this chapter.

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Sec. 36.2-201. - Establishment of districts.

In order to carry out the purposes of this chapter, the City of Roanoke shall be divided into zoning districts as established below:

(a) Base districts. The following base zoning districts are hereby established:

(1) *Residential zoning districts:*

~~Residential Agricultural District (RA)
Residential Single Family District (R-12)
Residential Single Family District (R-7)
Residential Single Family District (R-5)
Residential Single Family District (R-3)
Residential Mixed Density District (RM-1)
Residential Mixed Density District (RM-2)
Residential Multifamily District (RMF)~~

RA Agricultural District
R-12 Residential District
R-7 Residential District
R-5 Residential District
R-3 Residential District
RM-1 Residential District
RM-2 Residential District
RMF Residential District

(2) *Multiple purpose zoning districts:*

~~Mixed Use District (MX)
Commercial Neighborhood District (CN)
Commercial General District (CG)
Commercial Large Site District (CLS)
Downtown District (D)
Institutional District (IN)
Recreation and Open Space District (ROS)
Urban Flex District (UF)~~

MX Mixed Use District
CN Commercial-Neighborhood District
CG Commercial-General District
CLS Commercial-Large Site District
D Downtown District
IN Institutional District
ROS Recreation and Open Space District
UF Urban Flex District
UC Urban Center District

Sec. 36.2-205. Dimensional regulations.

* * *

(b) ~~Density.~~ Dwellings permitted on a lot.

(1) When using minimum lot area for each dwelling ~~calculating the maximum allowable density for any lot,~~ any fractional dwelling count shall be equal to zero dwelling units.

(2) Any lands normally submerged under water shall not be included in computing the allowable number of dwelling units for any lot.

(3) ~~For single family detached dwellings, except in the MXPUD District, no maximum number of total permitted dwellings is established because the total number of dwelling units shall be governed by the minimum lot area.~~

* * *

(d) *Lot frontage.*

* * *

~~(4) Lot frontage requirements for townhouses and rowhouses shall be governed by Section 36.2-431.~~

~~(5)~~ (4) In addition to the lot frontage required by the applicable zoning district, all structures shall be located on lots so as to comply with any adopted ordinances of the City relating to public service and fire protection.

* * *

(i) *Yards—Corner lots and through lots.*

(1) Corner lots having two (2) street frontages shall provide yards as follows:

* * *

(B) In the MX, CN, CG, D, IN, ~~and UF,~~ and UC Districts, the primary front yard shall be established according to Section 36.2-319.

* * *

(2) Corner lots having more than two (2) street frontages shall provide a front yard for each frontage:

(B) In the MX, CN, CG, D, IN, ~~and UF,~~ and UC Districts, two (2) maximum yards shall be established according to Section 36.2-319.

* * *

(3) Through lots shall provide a front yard for each frontage:

(B) In the MX, CN, CG, D, IN, ~~and UF,~~ and UC Districts, the primary front yard shall be established according to Section 36.2-319 and shall be provided with the minimum and maximum depths of the district or as determined by Section 36.2-313, as applicable. The other front yard shall be subject to only the minimum front yard depth required by the district.

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ARTICLE 3. REGULATIONS FOR SPECIFIC ZONING DISTRICTS

Sec. 36.2-300. Purpose.

The purpose of this article is to establish use, dimensional requirements, and other special requirements, ~~open space, and certain specific regulations~~ for each zoning district.

DIVISION 1. RESIDENTIAL DISTRICTS

Sec. 36.2-310. Purposes of the residential districts.

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- (b) The purposes of the R-12, R-7, R-5, ~~and R-3, and RM-1 -d~~Districts are ~~to protect residential neighborhoods, to provide a range of housing options., including single unit dwellings and other housing types on corner lots. Choices~~ and to provide opportunities for compatible home-based entrepreneurship, and to incorporate neighborhood principles, including lot frontages, building setbacks and densities, that are customary in urban and suburban neighborhoods Dimensional and supplemental regulations implement standards that control building form building placement and other characteristics of development. These districts cover the majority of the City's land area and contain most of Roanoke's housing supply.

- (c) The purpose of the ~~RM-1 and~~RM-2 district is to provide for all housing types with an emphasis on townhouses, cottage courts, and apartment buildings. Districts is to multi-unit dwellings allow for a mix of single family detached, single family attached, two family, townhouse, and multifamily dwellings in order to provide a range of housing choices. This district is generally mapped in areas near or adjacent to neighborhood and other commercial centers, but also may be applied to existing apartment buildings in neighborhood contexts.

- (d) The purpose of the RMF District is to provide for unified development of 10 or more dwellings. permit dense housing development by providing for multifamily and townhouse dwellings.

| | | | | | | | | | |
|--|---|---|---|---|---|---|---|---|----------|
| Temporary health care structure | P | P | P | P | P | P | P | P | 36.2-403 |
| Wind turbine, commercial | S | | | | | | | | 36.2-403 |
| Wind turbine, small | S | S | S | S | S | S | S | S | 36.2-403 |
| "P" indicates a use permitted as of right. "S" indicates a use permitted only by special exception. A blank cell indicates the use is not permitted; any use not listed in this table is not permitted in residential districts. | | | | | | | | | |

Sec. 36.2-312. Dimensional regulations for residential districts.

| District | RA | R-12 | R-7 | R-5 | R-3 | RM-1 | RM-2 | RMF | |
|---|----------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-------|
| Minimum lot area per dwelling unit (square feet) | 43560 | 12000 | 7000 | 5000 | 3000 | 3500 | 2500 | 1000 | |
| Lot area (square feet) | Minimum | 43560 | 12000 | 7000 | 5000 | 3000 | 5000 | 5000 | 15000 |
| | Maximum | None | None | None | None | None | None | None | None |
| Lot frontage (feet) | Minimum | 150 | 70 | 60 | 50 | 30 | 50 | 50 | 150 |
| | Maximum | None | None | None | None | None | None | None | None |
| Minimum lot area for each dwelling | 43,560 | 2,500 | 2,000 | 1,500 | 1,000 | 1,500 | 1,000 | 1,000 | |
| Minimum lot area for each group living adult resident or room | | | | | | 1,500 | 1,000 | 1,000 | |
| Corner lot maximum number of dwellings | 1 | 3 | 4 | 6 | 6 | 8 | No limit | No limit | |
| Interior or through lot maximum number of dwellings | 1 | 1 | 2 | 3 | 3 | 4 | No limit | No limit | |
| Minimum area of a lot | 43,560 | 8,000 | 5,500 | 4,000 | 3,000 | 4,000 | 4,000 | 15,000 | |
| Minimum frontage of a lot | 150 | 60 | 50 | 40 | 30 | 40 | 50 | 50 | |
| Front yard (feet) | Minimum | 30 | 20 | 20 | 15 | 15 | 10 | 10 | 10 |
| | Maximum | None | None | None | 40 | 25 | 30 | 30 | None |
| Section 36.2-313 Front yard requirements for infill development apply | No | No | Yes | Yes | Yes | Yes | Yes | No | |
| Side yard minimum depth (feet) | 10 | 5 | 3 | 3 | 3 | 3 | 3 | 15 | |
| Rear yard minimum depth (feet) | 50 | 15-5 | 15-5 | 15-5 | 15-5 | 15-5 | 15-5 | 15-5 | |
| Height maximum (feet) | 45 | 35 | 35 | 35 | 35 | 35 | 45 | 45 | |
| Impervious surface area maximum (percentage of lot area) | 25 | 50 | 50 | 60 | 70 | 60 | 70 | 70 | |
| Principal structures, maximum number | No limit | 1 | 1 | 1 | 1 | 1 | No limit | No limit | |

| | | | | | | | | |
|--|----|----|----|----|----|----|----|----|
| Accessory structure minimum setback from rear and side lot lines (feet) | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 5 |
| Minimum parking requirement applies | No | No | No | No | No | No | No | No |
| Tree canopy coverage <u>minimum</u> (Minimum percent of lot area) | 20 | 20 | 20 | 20 | 15 | 15 | 10 | 10 |

Lot area is expressed in square feet
Frontage, yard depth, height, and setback are expressed in feet
Impervious surface area and tree canopy coverage are expressed as a percentage of lot area.
An accessory dwelling shall not be considered in determining compliance with minimum lot area for each dwelling.
~~Where a maximum lot frontage is specified for a district, such maximum shall apply to only one frontage of a corner lot.~~
 "Yes" means the requirement applies.
 "No" means the requirement does not apply.
 "None" means there is no requirement.

* * *

DIVISION 2. MULTIPLE PURPOSE DISTRICTS

Sec. 36.2-314. Purposes of multiple purpose districts.

- (a) The purpose of the MX District is to accommodate residential uses and low-intensity, small scale commercial uses. Dimensional regulations implement neighborhood design principles for urban neighborhoods by controlling building size and building placement. ~~office uses, and support services within the same district. The intent of the district is that no retail sales uses be permitted and that the district facilitates a harmonious mixture of office and residential uses.~~ The regulations of the district are intended to protect the character and scale of such a mixed-use development pattern by permitting low-intensity development at a scale that recognizes and respects residential patterns of development.

* * *

- (i) The purpose of the Urban Center District is to permit a mixture of retail, office, residential, and light industrial uses in a concentrated pedestrian-friendly area outside of Downtown. The streets form an interconnected grid and accommodate multiple modes of transportation: pedestrian, bicycles, transit, automobiles. Buildings are located adjacent to the sidewalk and often adjoin each other. Parking is generally concentrated in parking structures or is located to the side or rear of principal buildings. Toward that end, the Urban Center District is intended to accomplish the following:
- (1) Facilitate pedestrian ways and create a convenient and harmonious development of buildings, streets, and open space;
 - (2) Promote activity on public streets and to protect amenities provided through public investment; and
 - (3) Provide for a mix of high density residential, commercial, retail, government services, entertainment and cultural facilities, and live/work space.

Sec. 36.2-315. Use table for multiple purpose districts.

| District | MX | CN | CG | CLS | D | IN | ROS | UF | <u>UC</u> | Supplemental Regulation Section |
|---|--------------|--------------|--------------|--------------|--------------|--------------|-----------|--------------|-----------|---------------------------------|
| <i>Residential Uses</i> | | | | | | | | | | |
| Dwelling, single family attached | P | | | | | | | P | | |
| Dwelling, single family detached | P | | | | | | | | | |
| Dwelling, two family | P | | | | | | | | | |
| Dwelling, multifamily with 10 or fewer units | P | P | P | P | P | | | P | | |
| Dwelling, multifamily with 11 or more units | S | S | P | P | P | | | P | | |
| Dwelling, townhouse or rowhouse | P | P | P | P | P | | | P | | 36.2-431 |
| <u>Dwellings</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | | <u>P</u> | <u>P</u> | <u>36.2-409.1</u> |
| <i>Accommodations and Group Living</i> | | | | | | | | | | |
| Bed and breakfast | <u>SP</u> | <u>P</u> | <u>P</u> | | | | <u>SP</u> | <u>P</u> | | 36.2-405 |
| Campground | | | S | S | | | S | S | | |
| Dormitory | | | | | P | | | | | |
| Group care facility, congregate home, elderly | S | | | | | | | | | |
| Group care facility, nursing home | S | | | | | | | | | |
| Group home | P | P | | | P | P | | | | |
| <u>Group living</u> | <u>S</u> | <u>S</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>S</u> | | <u>P</u> | <u>P</u> | |
| Hotel or motel | | <u>SP</u> | P | P | P | <u>P</u> | | P | <u>P</u> | |
| Short-term rental | <u>SP</u> | P | P | P | P | <u>P</u> | | P | <u>P</u> | <u>Sec. 36.2-405</u> |
| <i>Commercial Uses: Office and Related Uses</i> | | | | | | | | | | |
| Business services establishment , not otherwise listed | <u>SP</u> | P | P | P | P | | | P | <u>P</u> | |
| Financial institution <u>services</u> | <u>P</u> | P | P | P | P | | | P | <u>P</u> | |
| Laboratory, dental, medical, or optical | <u>P</u> | P | P | P | P | | | P | <u>P</u> | |
| Laboratory, testing and research | <u>P</u> | <u>P</u> | P | P | P | | | P | <u>P</u> | |
| Medical clinic | P | P | P | P | P | | | P | <u>P</u> | |
| Office, general or professional | P | P | P | P | P | | | P | <u>P</u> | |
| Outpatient mental health and substance abuse clinic | | | S | | | | | | | |
| <i>Commercial Uses: Miscellaneous</i> | | | | | | | | | | |
| Animal hospital or veterinary clinic, no outdoor pens or runs | | P | P | P | P | | | P | <u>P</u> | |
| Animal hospital or veterinary clinic, outdoor pens or runs | | S | S | S | S | | | S | <u>S</u> | |
| Animal shelter | | | S | S | S | | | S | <u>S</u> | |
| Caterer, commercial | <u>P</u> | <u>P</u> | P | P | P | | | P | <u>P</u> | |

| | | | | | | | | | | |
|--|----------|-----------------------|-----------------------|-----------------------|--------------|----------|---|---|----------|---------------------|
| Community market | <u>P</u> | P | P | P | P | P | P | P | <u>P</u> | |
| Drive-through facility | | S | P <u>S</u> | P <u>S</u> | S | | | | | 36.2-409 |
| Drive-through kiosk | | S | P <u>S</u> | P <u>S</u> | S | | | | | 36.2-409 |
| Flea market, outdoor | | | S | S | | | | | | |
| Funeral home | | | P | P | P | | | | | |
| Kennel, no outdoor pens or runs | | | P | P | P | | | P | <u>P</u> | |
| Kennel, outdoor pens or runs | | | S | S | S | | | S | <u>S</u> | |
| Live-work unit | P | P | P | P | P | | | P | <u>P</u> | 36.2-416 |
| Mixed-use building | P | P | P | P | P | <u>P</u> | | P | <u>P</u> | 36.2-416 |
| Outdoor advertising sign | | | P | | P | | | | | 36.2-675 |
| Studio/multimedia production facility | P | P | P | | P | | | P | <u>P</u> | |
| <i>Commercial Uses: Retail Sales and Service</i> | | | | | | | | | | |
| Bakery, confectionary, or similar food production, retail | | P | P | P | P | | | P | <u>P</u> | |
| Building supplies and materials, retail | | | P | P | | | | P | | |
| Car wash, not abutting a residential district | | | P <u>S</u> | P <u>S</u> | | | | | | 36.2-406 |
| Car wash, abutting a residential district | | | S | S | | | | | | 36.2-406 |
| Contractor or tradesman's shop, general or special trade | | S | P | P | S | | | P | <u>P</u> | |
| Dry cleaning plant or commercial laundry | | | P | | | | | | | |
| Gasoline station | | S | P | P | S | | | | | 36.2-411 |
| General service establishment, not otherwise listed | | P | P | P | P | | | P | <u>P</u> | |
| Laundromat | | P | P | P | P | | | P | <u>P</u> | |
| Manufactured or mobile home sales | | | P | | | | | | | |
| Motor vehicle rental establishment, without inventory on-site | | P <u>S</u> | P <u>S</u> | P <u>S</u> | P | | | | | |
| Motor vehicle rental establishment, with inventory on-site | | | P | P | S | | | | | |
| Motor vehicle repair or service establishment | | | P <u>S</u> | P <u>S</u> | S | | | S | <u>S</u> | 36.2-419 |
| Motor vehicle sales and service establishment, new | | | P <u>S</u> | P <u>S</u> | | | | | | 36.2-420 |
| Motor vehicle sales and service establishment, used | | | P <u>S</u> | P <u>S</u> | | | | | | 36.2-421 |
| Nursery or greenhouse, commercial | | | P | P | | | | S | | |
| Personal service establishment, not otherwise listed in this table | P | P | P | P | P | <u>P</u> | | P | <u>P</u> | |
| Retail sales establishment, not otherwise listed | | P | P | P | P | <u>S</u> | | P | <u>P</u> | |
| Storage building sales | | | S | P | | | | | | |
| <i>Industrial Uses</i> | | | | | | | | | | |
| Bakery, confectionary, or similar food production, wholesale | | | | | | | | P | <u>P</u> | |
| Borrow or Fill Site | S | S | S | S | S | S | S | S | <u>S</u> | 36.2-405.1 |

| | | | | | | | | | | |
|---|----------------|---------------|----------|----------|----------------|----------|---|----------------|----------|------------|
| Microbrewery or microdistillery not abutting a residential district | | P | P | P | P | | | P | <u>P</u> | |
| Microbrewery or microdistillery abutting a residential district | | S | S | S | S | | | PS | <u>P</u> | |
| Park or playground | P | P | P | P | P | P | P | P | <u>P</u> | |
| Place of worship | | P | P | P | P | P | | P | <u>P</u> | |
| Recreation, indoor | | <u>P</u> | P | P | P | <u>P</u> | P | P | <u>P</u> | |
| Recreation, outdoor | | | P | P | | <u>P</u> | P | P | <u>P</u> | |
| Sports stadium, arena, or coliseum | | | | <u>P</u> | P | | | | <u>P</u> | |
| Theater, movie or performing arts | <u>S</u> | P | P | P | P | <u>P</u> | | P | <u>P</u> | |
| Zoo | | | | | | | P | | | |
| <i>Public, Institutional, and Community Facilities</i> | | | | | | | | | | |
| Aquarium or planetarium | | | | | P | | | | | |
| Artist studio | <u>P</u> | P | P | P | P | P | | P | <u>P</u> | |
| Cemetery | | | | | | | P | | | |
| Community food operation | | <u>P</u> | P | <u>P</u> | <u>P</u> | <u>P</u> | | <u>P</u> | <u>P</u> | |
| Community garden | P | P | P | P | P | P | P | P | <u>P</u> | 36.2-407.1 |
| <u>Community housing services</u> | | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | | <u>P</u> | <u>P</u> | |
| Day care center, adult | P | P | P | P | P | P | | P | <u>P</u> | |
| Day care center, child | SP | P | P | P | P | P | | P | <u>P</u> | 36.2-408 |
| Day care home, adult | SP | SP | <u>P</u> | <u>P</u> | S-P | <u>P</u> | | S-P | <u>P</u> | |
| Day care home, child | P | P | <u>P</u> | <u>P</u> | P | <u>P</u> | | P | <u>P</u> | |
| Educational facilities, business school or nonindustrial trade school | S-P | P | P | P | P | P | | P | <u>P</u> | |
| Educational facilities, college/university | | <u>P</u> | P | P | P | <u>P</u> | | P | <u>P</u> | |
| Educational facilities, elementary/middle/secondary | | P | P | P | P | P | | P | <u>P</u> | |
| Educational facilities, industrial trade school | | <u>P</u> | P | P | <u>P</u> | <u>P</u> | | P | <u>P</u> | |
| Educational facilities, school for the arts | S-P | P | P | P | P | P | | P | <u>P</u> | |
| <u>Family day home</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | | <u>P</u> | <u>P</u> | |
| Fire, police, or emergency services | PS | P | P | P | P | P | | P | <u>P</u> | |
| Government offices or other government facility, not otherwise listed | P | P | P | P | P | P | | P | <u>P</u> | |
| Hospital | | | | <u>P</u> | P | | | <u>P</u> | <u>P</u> | |
| Library | P | P | P | P | P | P | | P | <u>P</u> | |
| Museum | P | P | P | P | P | P | | P | <u>P</u> | |
| Post office | | P | P | P | P | P | | P | <u>P</u> | |
| Supply pantry | | P | P | P | P | P | | P | <u>P</u> | |

| | | | | | | | | | | |
|--|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|---|-------------------|----------|----------------------------|
| Training facility for police, fire, or emergency services | | | <u>P</u> <u>S</u> | | | S | | | | |
| <i>Transportation Uses</i> | | | | | | | | | | |
| Limousine service | | | <u>P</u> | | <u>P</u> | | | | | |
| Parking lot facility | | S | <u>P</u> <u>S</u> | <u>S</u> | S | <u>S</u> | | <u>S</u> | <u>S</u> | |
| Parking, off-site | <u>P</u> <u>S</u> | S | <u>P</u> <u>S</u> | <u>P</u> <u>S</u> | S | <u>P</u> <u>S</u> | P | <u>P</u> <u>S</u> | <u>S</u> | 36.2-652 |
| Parking structure facility | | <u>S</u> | <u>S</u> | <u>S</u> | <u>S</u> <u>P</u> | <u>S</u> | | S | <u>S</u> | 36.2-426 |
| Railroad passenger terminal or station | | | | | P | | | | | |
| Transit station | | | <u>S</u> | <u>S</u> | P | <u>S</u> | | <u>S</u> | <u>S</u> | |
| <i>Utility Uses</i> | | | | | | | | | | |
| Broadcasting studio or station | <u>P</u> | P | P | P | P | <u>P</u> | | P | <u>P</u> | |
| Broadcasting tower | | | S | S | | | | S | | 36.2-432 |
| Utility distribution or collection, basic | P | P | P | P | P | P | P | P | <u>P</u> | |
| Utility distribution or collection, transitional | S | S | S | S | S | S | S | S | <u>S</u> | |
| Wireless telecommunications facility, small cell on existing structure | P | P | P | P | P | P | P | P | <u>P</u> | 36.2-432 |
| Wireless telecommunications facility, stealth | P | P | P | P | P | P | P | P | <u>P</u> | 36.2-432 |
| Wireless telecommunications facility, not otherwise listed | S | S | S | S | S | S | S | S | <u>S</u> | 36.2-432 |
| <i>Agricultural Uses</i> | | | | | | | | | | |
| Agricultural operations | S | S | S | S | S | S | S | S | <u>S</u> | |
| Stable, commercial | | | | | | | P | | | 36.2-428 |
| Wildlife rescue shelter or refuge area | | | | | | | P | | | |
| <i>Accessory Uses</i> | | | | | | | | | | |
| Accessory uses, not otherwise listed in this Table | P | P | P | P | P | P | P | P | <u>P</u> | 36.2-403 |
| Accessory Dwelling Unit apartment | <u>S</u> <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | | <u>P</u> | <u>P</u> | 36.2- 402 409.1 |
| Home occupation, excluding personal service | P | P | <u>P</u> | <u>P</u> | P | P | | P | <u>P</u> | 36.2-413 |
| Electric Vehicle Charging Stations | <u>S</u> <u>P</u> | P | P | P | P | P | P | P | <u>P</u> | 36.2-403 |
| Home occupation, personal service | P | P | <u>P</u> | <u>P</u> | P | P | | P | <u>P</u> | 36.2-413 |
| Homestay | <u>S</u> <u>P</u> | P | P | P | P | <u>P</u> | | P | <u>P</u> | 36.2-405 |
| Outdoor display area | | <u>P</u> <u>S</u> | <u>P</u> <u>S</u> | <u>P</u> <u>S</u> | <u>P</u> <u>S</u> | | | <u>P</u> <u>S</u> | <u>S</u> | 36.2-422 |
| Outdoor recreation facility lighting or sports stadium lighting | | S | S | S | S | S | S | <u>S</u> | <u>S</u> | 36.2-403 |
| Outdoor storage | | | S | S | | | P | S | <u>S</u> | 36.2-423 |
| Recycling collection point | | S | P | P | | | | | | 36.2-403 |
| Resident manager apartment | | | | | | | | P | | 36.2-403 |
| Solar Energy System | P | P | P | P | P | P | P | P | <u>P</u> | 36.2-403 |
| Temporary health care structure | <u>P</u> | | | | | | | | | |
| Wind turbine, commercial | | | S | S | | S | S | S | | 36.2-403 |

| | | | | | | | | | | |
|---|--|------|--------|------|---|---|------|--|------|-------------|
| Height maximum (feet) | Property abutting a residential district | 45 | 45 | 45 | 1 foot for each foot of setback from any abutting residential lot | 1 foot for each foot of setback from any abutting residential lot | 40 | 1 foot for each foot of setback from any abutting residential lot, not to exceed 60 feet | 60 | <u>60</u> |
| | Property not abutting a residential district | 45 | 45 | None | None | None | 40 | 60 | 60 | <u>60</u> |
| Floor area ratio maximum | | 1.0 | 5.0 | 5.0 | 5.0 | 15.0 | None | None | None | <u>None</u> |
| Impervious surface area maximum (percentage of lot area) | | 70 | 100 | 85 | 80 | 100 | 80 | 80 | 100 | <u>100</u> |
| Minimum parking requirement applies | | No | No | No | No | No | No | No | No | <u>No</u> |
| Section 36.2-318 Pedestrian access requirement applies | | Yes | Yes | Yes | Yes | Yes | Yes | No | Yes | <u>Yes</u> |
| Maximum building footprint (square feet) | | None | 15,000 | None | None | None | None | None | None | <u>None</u> |
| Section 36.2-319 Building placement and façade transparency standards (minimum transparency, percent of façade area) <u>Minimum façade transparency</u> | Ground floor | 15 | 50* | 50* | None | 50* | 15 | None | 15 | <u>30*</u> |
| | Upper floors | 15 | 20 | 20 | None | 20 | 15 | None | 15 | <u>20</u> |
| Minimum tree canopy (percentage of lot area) | | 10 | 0 | 10 | 10 | 0 | 10 | 20 | 0 | <u>0</u> |

~~* Except townhouses and multifamily dwellings, minimum façade transparency for these uses is 20 percent.~~
 Façade transparency references standards of Section 36.2-319 Building placement and façade transparency standards.
 * Minimum façade transparency for any building containing only residential uses is 20 percent.

Lot area and building footprint are expressed in square feet
Frontage, yard depth, height, and setback are expressed in feet
Impervious surface area and tree canopy coverage are expressed as a percentage of lot area.
An accessory dwelling shall not be considered in determining compliance with minimum lot area for each dwelling.

Where a maximum lot frontage is specified, the maximum shall apply only to a primary street frontage as determined by application of section 36.2-319(b).
 A numeric entry means the dimension shall apply based on the unit of measurement indicated.
 "Yes" means the requirement applies.
 "No" means the requirement does not apply.
 "---" or "None" means there is no requirement.

* * *

Sec. 36.2-322. Use table for industrial districts.

| District | I-1 | I-2 | AD | Supplemental Regulation Section |
|---|--------------|-----|----|---------------------------------|
| <i>Residential Uses</i> | | | | |
| Dwelling, single family detached | § | | | |
| Dwelling, two family | § | | | |
| Dwelling, multifamily | § | | | |
| Dwelling, townhouse or rowhouse | § | | | 36.2-431 |
| <u>Dwellings</u> | <u>§</u> | | | <u>36.2-409.1</u> |
| <i>Accommodations and Group Living Uses</i> | | | | |
| <u>Group Living</u> | <u>§</u> | | | |
| Hotel or motel | | | P | |
| <i>Commercial Uses: Office and Related Uses</i> | | | | |
| Business services establishment , not otherwise listed | P | | | |
| Employment or temporary labor service | P | | | |
| Financial institution services | P | | P | |
| Laboratory, dental, medical, or optical | P | P | P | |
| Laboratory, testing and research | P | P | P | |

| | | | | |
|---|-----------------------|---|---|----------|
| Office, general or professional | P | | | |
| <i>Commercial Uses: Miscellaneous</i> | | | | |
| Animal hospital or veterinary clinic, no outdoor pens or runs | P | | | |
| Animal hospital or veterinary clinic, with outdoor pens or runs | S | | | |
| Caterer, commercial | P | | | |
| Drive-through facility | P | | | 36.2-409 |
| Kennel, no outdoor pens or runs | P | | | |
| Kennel, outdoor pens or runs | S | | | |
| Live-work unit | S | | | 36.2-416 |
| Mixed-use building | S | | | 36.2-416 |
| Outdoor advertising sign | P | P | | 36.2-675 |
| Pet crematorium | P | | | |
| Studio/multimedia production facility | P | | | |
| <i>Commercial Uses: Retail Sales and Service</i> | | | | |
| Bakery, confectionary, or similar food production, retail | P | | | |
| Building supplies and materials, retail | P | | P | |
| Car wash, not abutting a residential district | P | | | 36.2-406 |
| Car wash, abutting a residential district | S | | | 36.2-406 |
| Commercial motor vehicle rental establishment | P | | | |
| Commercial motor vehicle sales and service establishment, new | P | | | 36.2-407 |
| Commercial motor vehicle sales and service establishment, used | P | P | | 36.2-407 |
| Contractor or tradesman's shop, general or special trade | P | P | | |
| Dry cleaning plant or commercial laundry | P | | | |
| Gasoline station | P | | | 36.2-411 |
| General service establishment, not otherwise listed | P | | | |
| Lumberyard | P | P | | |
| Manufactured or mobile home sales | P | | | |
| Motor vehicle rental establishment, without inventory on-site | P | | P | |
| Motor vehicle rental establishment, with inventory on-site | P | | P | |
| Motor vehicle repair or service establishment | P | P | | 36.2-419 |
| Nursery or greenhouse, commercial | P | | | |
| Recreational vehicle or boat sales | P | | | |
| Retail sales establishment, not otherwise listed | P | | P | |
| Storage building sales | P <u>S</u> | | | |
| <i>Industrial Uses</i> | | | | |
| Asphalt or concrete plant | | S | | |
| Bakery, confectionary, or similar food production, wholesale | P | P | | |

| | | | | |
|---|--------------|--------------|---|------------|
| Borrow or Fill Site | S | S | S | 36.2-405.1 |
| Biosolids field | | S | | |
| Building supplies and materials, wholesale | P | P | P | |
| Commercial printing establishment | P | P | P | |
| Composting facility | S | S | | 36.2-407.2 |
| Contractor's shop, heavy construction | P | P | | |
| Dairy products, processing, bottling, and wholesale distribution | P | P | | |
| Electrical component assembly, wholesale distribution | P | P | P | |
| Fuel oil distribution | S | P | | |
| Fueling station, commercial or wholesale | P | P | | |
| Junkyard | S | S | | 36.2-414 |
| Manufacturing: Beverage or food processing, excluding poultry and animal slaughtering and dressing | P | P | | |
| Manufacturing: Chemical, refining or processing, including the manufacture, refining or processing of ammonia, bleach, bluing, calcimine, chlorine, corrosive acid or alkali, dyes, fats, fertilizer, gutta percha, gypsum, lampblack, oils, oxygen, paints, plaster of Paris, potash, rubber, shellac, tar, turpentine, vinegar, yeast | | S | | |
| Manufacturing: Chemical, refining or processing, not otherwise listed in this table | P | P | | |
| Manufacturing: General, not otherwise listed in this table | P | P | P | |
| Manufacturing: Steel or metal production, fabrication, or processing | P | P | P | |
| Manufacturing: Wood products, including the shredding or grinding of wood to create mulch. | S | P | | |
| Meat packing and poultry processing | | S | | |
| Milling or feed and flour mills | S | S | | |
| Motor vehicle or trailer painting and body repair | P | P | | 36.2-418 |
| Outdoor storage lot | S | S | S | |
| Quarry | | S | | |
| Recycling center | S | S | | 36.2-414 |
| Tire recapping | | S | | |
| Towing service | P | P | | 36.2-430 |
| Welding or machine shop | P | P | | |
| Workshop | P | P | P | 36.2-433 |
| Wrecker yard | S | S | | 36.2-414 |
| <i>Warehousing and Distribution Uses</i> | | | | |
| Distribution center, not otherwise listed | P | P | P | |

| | | | | |
|---|---------------|-----------------|---|------------|
| Self-storage building | PS | PS | P | |
| Self-storage facility | PS | PS | P | |
| Storage of commercial motor vehicles | PS | PS | | |
| Storage of motor vehicles for rental (no on-site rental or leasing facility) | PS | | P | |
| Tank farm, petroleum bulk station and terminal, or other aboveground storage of flammable liquids | | S -- | | |
| Warehouse | P | P | P | |
| <i>Assembly and Entertainment Uses</i> | | | | |
| Amphitheatre | P | | P | |
| Amusement, commercial, outdoor | P | | | |
| Eating establishment | P | | P | |
| Eating and drinking establishment, abutting a residential district | P | P | P | |
| Eating and drinking establishment, not abutting a residential district | P | | P | |
| Entertainment establishment, abutting a residential district | P | | P | |
| Entertainment establishment, not abutting a residential district | P | | P | |
| Go-cart track | S | | | |
| Health and fitness center | P | P | P | |
| Microbrewery or microdistillery | P | P | P | |
| Paintball facility, outdoor | S | | | |
| Park or playground | P | P | P | |
| Recreation, indoor | P | | | |
| Recreation, outdoor | P | P | P | |
| Theater, movie or performing arts | P | P | P | |
| <i>Public, Institutional, and Community Uses</i> | | | | |
| Artist studio | P | | | |
| Community garden | P | P | P | 36.2-407.1 |
| <u>Community housing services</u> | <u>P</u> | | | |
| Educational facilities, business school or nonindustrial trade school | P | | P | |
| Educational facilities, industrial trade school | P | P | P | |
| Educational facilities, school for the arts | P | P | P | |
| Fire, police, or emergency services | P | | P | |
| Government offices or other government facility, not otherwise listed | P | | P | |
| Military reserve or National Guard center | P | | P | |

| | | | | |
|--|---|---|---|----------|
| Post office | P | | P | |
| Supply pantry | P | | | |
| Training facility for police, fire, or emergency services | P | | P | |
| <i>Transportation Uses</i> | | | | |
| Airport or airport-related commercial and personal service uses | | | P | |
| Bus maintenance, including repair and storage | P | P | | |
| Limousine service | P | P | P | |
| Motor freight terminal or truck terminal | P | P | P | |
| Parking lot facility | | | P | |
| Parking, off-site | P | P | P | 36.2-652 |
| Railroad freight yard, repair shop, and marshalling yard | | P | | |
| Taxicab business | P | P | P | |
| Transit station | P | | | |
| <i>Utility Uses</i> | | | | |
| Broadcasting studio or station | P | P | | |
| Broadcasting tower | S | S | | 36.2-432 |
| Hazardous materials facility | | S | | |
| Utility distribution or collection, basic | P | P | P | |
| Utility distribution or collection, transitional | P | P | S | |
| Utility generation or treatment | | P | | |
| Utility maintenance and service facility | P | P | | |
| Wireless telecommunications facility, small cell on existing structure | P | P | P | 36.2-432 |
| Wireless telecommunications facility, stealth | P | P | P | 36.2-432 |
| Wireless telecommunications facility, not otherwise listed | S | P | S | 36.2-432 |
| <i>Agricultural Uses</i> | | | | |
| Agricultural operations | P | P | P | |
| Animal shelter | P | P | | |
| <i>Accessory Uses</i> | | | | |
| Accessory uses, not otherwise listed in this Table | P | P | P | 36.2-403 |
| Electric Vehicle Charging Station | P | P | P | 36.2-403 |
| Outdoor recreation facility lighting or sports stadium lighting | S | S | S | 36.2-403 |
| Outdoor storage | P | P | P | 36.2-423 |
| Portable storage container | P | P | | 36.2-403 |
| Recycling collection point | P | | | 36.2-403 |
| Resident manager apartment | P | P | | 36.2-403 |
| Temporary health care structure | | | | |

| | | | | |
|---|---|---|---|----------|
| Solar Energy System | P | P | P | 36.2-403 |
| Wind turbine, commercial | P | P | | 36.2-403 |
| Wind turbine, small | P | P | P | 36.2-403 |
| "P" indicates a use permitted as of right. "S" indicates a use permitted only by special exception. A blank cell indicates the use is not permitted; any use not listed in this table is not permitted in industrial districts. | | | | |

Sec. 36.2-327. Use table for planned unit development districts.

| | MXPUD | INPUD | IPUD | Supplemental Regulation Section |
|--|----------|----------|------|---------------------------------|
| <i>Residential Uses</i> | | | | |
| Dwelling, single family attached | P | | P | |
| Dwelling, single family detached | P | | P | |
| Dwelling, two family | P | | P | |
| Dwelling, multifamily | P | P | P | |
| Dwelling, townhouse or rowhouse | P | | P | 36.2-431 |
| Dwellings | <u>P</u> | <u>P</u> | | <u>36.2-409.1</u> |
| | | | | |
| Short-term Rental | <u>P</u> | <u>P</u> | | <u>Sec. 36.2-405</u> |
| <i>Accommodations and Group Living</i> | | | | |
| Bed and breakfast | P | P | | 36.2-405 |
| Campground | P | P | | |
| Dormitory | | P | | |
| Group care facility, congregate home, elderly | P | P | | |
| Group care facility, congregate home, not otherwise listed | | P | | |
| Group care facility, group care home | | P | | |
| Group care facility, halfway house | | P | | |
| Group care facility, nursing home | P | P | | |
| Group care facility, transitional living facility | | P | | |
| Group home | P | P | | |
| Group Living | <u>P</u> | <u>P</u> | | |
| Hotel or motel | P | P | P | |

| <i>Commercial Uses: Office and Related Uses</i> | | | | |
|---|---|---|---|----------|
| Business service establishment, not otherwise listed | P | P | P | |
| Financial institution | P | P | P | |
| Laboratory, dental, medical, or optical | P | P | P | |
| Laboratory, testing and research | | P | P | |
| Medical clinic | P | P | | |
| Office, general or professional | P | P | P | |
| Outpatient mental health and substance abuse clinic | | S | | |
| <i>Commercial Uses: Miscellaneous</i> | | | | |
| Animal hospital or veterinary clinic, no outdoor pens or runs | | | P | |
| Animal hospital or veterinary clinic, outdoor pens or runs | | | P | |
| Caterer, commercial | | | P | |
| Community market | P | | | |
| Drive-through facility | P | P | P | 36.2-409 |
| Drive-through kiosk | P | | | 36.2-409 |
| Live-work unit | P | P | P | 36.2-416 |
| Mixed-use building | P | P | P | 36.2-416 |
| Studio/multimedia production facility | P | P | P | |
| <i>Commercial Uses: Retail Sales and Service</i> | | | | |
| Bakery, confectionary, or similar food production, retail | P | P | P | |
| Building supplies and materials, retail | P | P | P | |
| Contractor or tradesman's shop, general or special trade | P | P | P | |
| Dry cleaning plant or commercial laundry | | | P | |
| General service establishment, not otherwise listed | P | P | P | |
| Laundromat | P | | | |
| Lumberyard | | | P | |
| Motor vehicle rental establishment, without inventory on-site | | | P | |
| Motor vehicle rental establishment, with inventory on-site | | | P | |
| Nursery or greenhouse, commercial | | | P | |

| | | | | |
|--|----------|----------|---|-----------------|
| Personal service establishment, not otherwise listed in this table | P | | | |
| Retail sales establishment, not otherwise listed | P | | P | |
| <i>Industrial Uses</i> | | | | |
| Bakery, confectionary, or similar food production, wholesale | | | P | |
| Borrow or Fill Site | P | P | P | 36.2-405.1 |
| Building supplies and materials, wholesale | | | P | |
| Commercial printing establishment | | | P | |
| Contractor's shop, heavy construction | | | P | |
| Dairy products, processing, bottling, and wholesale distribution | | | P | |
| Electrical component assembly, wholesale distribution | | | P | |
| Fuel oil distribution | | | P | |
| Fueling station, commercial or wholesale | | | P | |
| <u>Gasoline Station</u> | <u>P</u> | | | <u>36.2-411</u> |
| Manufacturing: Beverage or food processing, excluding poultry and animal slaughtering and dressing | | | P | |
| Manufacturing: Chemical, refining or processing, not otherwise listed in this table | | | P | |
| Manufacturing: General, not otherwise listed in this table | | | P | |
| Manufacturing: Steel or metal production, fabrication, or processing | | | P | |
| Milling or feed and flour mills | | | P | |
| Welding or machine shop | | | P | |
| Workshop | P | <u>P</u> | P | 36.2-433 |
| <i>Warehousing and Distribution Uses</i> | | | | |
| Distribution center, not otherwise listed | | | P | |
| Self-storage building | P | | P | |
| Warehouse | | | P | |
| <i>Assembly and Entertainment Uses</i> | | | | |
| Amphitheater | P | P | | |
| Amusement, commercial, indoor | P | | P | |
| Amusement, commercial, outdoor | P | | P | |
| Botanical garden or arboretum | P | P | | |

| | | | | |
|--|--------------|----------|----------|------------|
| Club, lodge, civic, or social organization | P | P | | |
| Community center | P | P | | |
| Eating establishment | P | P | P | |
| Eating and drinking establishment, not abutting a residential district | P | P | P | |
| Eating and drinking establishment, abutting a residential district | P | P | P | |
| Entertainment establishment, abutting a residential district | P | P | P | |
| Entertainment establishment, not abutting a residential district | P | P | P | |
| <u>Exhibition, convention, or conference center</u> | <u>P</u> | <u>P</u> | | |
| Golf course | P | | | |
| Health and fitness center | P | P | | |
| Meeting hall | P | P | | |
| Microbrewery or microdistillery | P | | P | |
| Park or playground | P | P | | |
| Place of worship | P | P | | |
| <u>Recreation, indoor</u> | <u>P</u> | | | |
| Recreation, outdoor | P | P | P | |
| Sports stadium, arena, or coliseum | | P | | |
| <u>Theater, movie or performing arts</u> | <u>P</u> | <u>P</u> | <u>P</u> | |
| <i>Public, Institutional, and Community Uses</i> | | | | |
| Aquarium or planetarium | | P | | |
| Artist studio | P | P | P | |
| Community food operation | | P | P | |
| Community garden | P | P | P | 36.2-407.1 |
| Day care center, adult | P | P | | |
| Day care center, child | P | P | | 36.2-408 |
| Day care home, child | P | P | | |
| Educational facilities, business school or nonindustrial trade school | P | P | P | |
| Educational facilities, college/university | | P | | |
| Educational facilities, elementary/middle/secondary | | P | | |
| Educational facilities, industrial trade school | | | P | |
| Educational facilities, school for the arts | P | P | P | |

| | | | | |
|--|---|----------|---|----------------------------|
| Fire, police, or emergency services | | P | P | |
| Government offices or other government facility, not otherwise listed | P | P | P | |
| Hospital | | P | | |
| Library | P | P | P | |
| Military reserve or National Guard center | | P | P | |
| Museum | P | P | | |
| Post office | P | P | | |
| Regional housing services | | <u>S</u> | | |
| Supply pantry | | P | P | |
| Training facility for police, fire, or emergency services | | P | P | |
| <i>Transportation Uses</i> | | | | |
| Bus maintenance, including repair and storage | | | P | |
| Motor freight terminal or truck terminal | | | P | |
| Parking, off-site | P | P | P | 36.2-652 |
| Parking structure facility | P | P | | |
| Taxicab business | | | P | |
| Transit station | P | P | P | |
| <i>Utility Uses</i> | | | | |
| Broadcasting studio or station | P | P | P | |
| Broadcasting tower | S | S | S | 36.2-432 |
| Hazardous materials facility | | S | S | |
| Utility distribution or collection, basic | P | P | P | |
| Utility distribution or collection, transitional | S | P | P | |
| Utility maintenance and service facility | | | P | |
| Wireless telecommunications facility, small cell on existing structure | P | P | P | 36.2-432 |
| Wireless telecommunications facility, stealth | P | P | P | 36.2-432 |
| Wireless telecommunications facility, not otherwise listed | P | P | P | 36.2-432 |
| <i>Agricultural Uses</i> | | | | |
| Agricultural operations | P | P | P | |
| <i>Accessory Uses</i> | | | | |
| Accessory uses, not otherwise listed in this Table | P | P | P | 36.2-403 |
| Accessory apartment -dwelling unit | P | P | P | 36.2- 402 409.1 |
| Electric Vehicle Charging Stations | P | P | P | 36.3-403 |

| | | | | |
|---|-----------|-----------|-----------|----------|
| Home occupation, excluding personal service | P | P | | 36.2-413 |
| Home occupation, personal service | P | P | | 36.2-413 |
| Outdoor recreation facility lighting or sports stadium lighting | S | S | S | 36.2-403 |
| Outdoor storage | | | P | 36.2-423 |
| Portable storage container | | | P | 36.2-403 |
| Recycling collection point | | | P | 36.2-403 |
| Resident manager apartment | | P | P | 36.2-403 |
| Temporary health care structure | | | | |
| Solar Energy System | P | P | P | 36.2-403 |
| Wind turbine, commercial | <u>SP</u> | <u>SP</u> | <u>SP</u> | 36.2-403 |
| Wind turbine, small | <u>SP</u> | <u>SP</u> | <u>SP</u> | 36.2-403 |
| <p>"P" indicates a use permitted as of right. "S" indicates a use permitted only by special exception. A blank cell indicates the use is not permitted.</p> | | | | |

Sec. 36.2-328. Dimensional regulations for planned unit development districts.

| District | MXPUD | INPUD | IPUD |
|---|--|-----------------|--------------|
| Minimum size of district (acres) | None | None | 5 |
| Minimum lot area per dwelling unit (square feet) and minimum lot area for each group living adult resident or room | Specified on the development plan for the district | | |
| Lot frontage minimum (feet) | | | |
| Front yard minimum (feet) | | | |
| Side yard minimum (feet) | | | |
| Rear yard minimum (feet) | | | |
| Height maximum (feet) | | | |
| Usable open space (percentage of lot area) | | | |
| Accessory structure minimum setback from rear and side lot lines (feet) | | | |
| Minimum parking requirement | | | |
| Impervious surface ratio maximum (percentage of lot area) | 80 | 80 | 80 |
| Minimum tree canopy (percentage of lot area) | 15 | 10 | 10 |

Lot area and building footprint are expressed in square feet

Frontage, yard depth, height, and setback are expressed in feet

Usable open space, impervious surface area and tree canopy coverage are expressed as a percentage of lot area.

An accessory dwelling shall not be considered in determining compliance with minimum lot area for each dwelling.

A numeric entry means the dimension shall apply based on the unit of measurement indicated.

"Yes" means the requirement applies.

"No" means the requirement does not apply.

"None" means there is no requirement.

Sec. 36.2-329. Reserved.

DIVISION 5. OVERLAY DISTRICTS

* * *

Sec. 36.2-332. Neighborhood Design Overlay District (ND).

* * *

- (c) *Design standards.* In considering an application for a zoning permit, the Zoning Administrator shall apply the following standards for construction of, an addition to, or the exterior modification of a dwelling in the ND:

(1) *Building ~~location and~~ massing:*

(A) ~~The required front yard shall be determined by the regulations of the applicable base zoning district.~~

~~(B) — A new dwelling shall have two (2) stories above the grade of the front yard where lots on both sides have two-story dwellings.~~

~~(C) — The width of single one dwelling and two dwelling buildings ~~family and two-family dwellings~~ shall be within 25 ~~twenty (20)~~ percent of the average of the widths of such buildings ~~other single family and two-family dwellings~~ on the same side of the same block. ~~The front of multifamily dwellings shall be broken into sections of thirty (30) feet or less in width through offsets of the vertical plane of the façade of at least twelve (12) inches.~~~~

~~(D)~~ (B) Where lots on both sides have dwellings, the height of the foundation facing the street shall be no more than 40 ~~twenty (20)~~ percent greater than the height of the tallest adjoining foundation and shall be no less than 40 ~~twenty (20)~~ percent below the height of the shortest adjoining foundation. Where a dwelling exists only on one ~~(1)~~ side, the foundation height shall be within 40 ~~twenty (20)~~ percent of the height of that adjoining dwelling. ~~However, when the first floor of a dwelling meets the standards for accessibility in accordance with the International Code Commission [International Code Council] document A117.1-2009—Accessible and Usable Buildings and Facilities, the height of the foundation shall be within forty (40) percent of adjoining foundation heights rather than twenty (20) percent.~~ Such measurements shall be taken at comparable locations on the respective foundations (i.e., left side, right side). There is no foundation height requirement where no dwellings exist on either adjoining lot.

* * *

(3) *Entrances and windows:*

(A) The dwelling shall have at least one ~~(1)~~ entrance facing the primary front yard. The number of doors facing the primary front yard shall be limited to one ~~(1)~~ door for every 18 ~~eighteen (18)~~ feet of dwelling width. ~~Single family and two-family dwellings~~ One and two dwelling buildings may have two entrances facing the primary front yard regardless of dwelling width if the second entrance is recessed at least six ~~(6)~~ feet behind the main front entrance.

~~(B) — Doors facing a street shall have panel insets or windows.~~

~~(C) — At least fifteen (15) percent of the front of the dwelling shall consist of window or door openings. At least ten (10) percent of the side of a dwelling which is not the front of the dwelling and which faces a street shall consist of window or~~

~~door openings. Roofs, gables, and foundations shall not be included in determining the area of the front or the side of the dwelling.~~

(B) Windows on the front façade shall have a height that is at least 1.5 ~~one and one-half (1½)~~ times their width.

~~(E)~~ Windows on the front of the dwelling shall be arranged in a manner that is compatible with that of other dwellings in the district. In general, windows on separate stories of the front should be vertically aligned and windows on the same story should be horizontally aligned.

(C) All stairs facing a required front yard shall have solid risers.

(H) A sidewalk at least three ~~(3)~~ feet in width shall be provided between the front porch of a new dwelling and the street. The sidewalk shall be constructed of an impervious material customarily used for sidewalks in the district.

(4) *Siding and trim:*

(A) The siding of any dwelling, exclusive of trim materials, shall not be oriented vertically.

(B) Windows and doors shall be surrounded by trim which is at least 3.5 ~~three and one-half (3½)~~ inches wide, except for dwellings with masonry veneer, in which case no trim around doors or windows is required. However, an addition to or modification of an existing dwelling shall not be required to have window and door trim that is wider than that of the existing dwelling.

(C) Vertical corner boards at least 3.5 ~~three and one-half (3½)~~ inches wide shall be provided on all dwelling corners, except where the dwelling has a masonry veneer.

(D) Any exterior wooden elements on a dwelling's façade facing a required front yard shall be painted or be stained with an opaque stain.

(5) *Porches:*

(A) One dwelling and two dwelling buildings ~~Single family and two family dwellings~~ shall have a front porch at least one-half ~~(½)~~ the width of the dwelling's façade, and having a depth of at least six ~~(6)~~ feet. The front porch shall face the primary front yard.

(B) For new and existing dwellings, the front porch shall not be enclosed with siding.

(C) Front porch railings shall have a top and bottom rail. Baluster ends shall not be exposed.

(D) Front porch columns shall be uniform in shape and style and be at least five ~~(5)~~ inches wide at their bottom and top. Front porch columns shall have a base and cap that are at least one ~~(1)~~ inch thick and are at least 120 ~~one hundred twenty (120)~~ percent of the width of the column.

(E) The underside of front porches and stairways between pier supports shall be enclosed.

(6) *Garages and additions:*

(A) An attached or detached garage or carport shall be offset at least 24 ~~twenty four (24)~~ inches behind the front façade of the dwelling. Bay doors facing a street shall have panel insets or windows. An attached garage shall not make up more than 33 ~~thirty three (33)~~ percent of the front façade of the dwelling.

- (B) An addition to an existing dwelling shall be located on the rear or side of the dwelling, except a porch constructed in accordance with Section 36.2-332(c)(5) may be added to the front of the dwelling. An addition to the side of a dwelling shall be set back from the dwelling's front face by ~~24~~ ~~twenty four (24)~~ inches or more. When an existing dwelling does not have a front porch, an addition may be constructed on the front of the dwelling if it includes a front porch constructed in accordance with Section 36.2-332(c)(5).

* * *

Sec. 36.2-336. - Comprehensive Sign Overlay District.

* * *

(d) *Procedural requirements.*

- (1) A request to establish and apply a Comprehensive Sign Overlay District to a specific property or contiguous properties may be initiated by application of the property owner, contract purchaser with the owner's written consent, or the owner's agent in order to provide alternative sign regulations than would otherwise be required by this chapter. Such a request shall be considered an amendment to the zoning ~~ordinance code~~ and Official Zoning Map, and review and approval shall be subject to the amendment requirements as set forth in Section 36.2-540. If a Comprehensive Sign Overlay District is established, the sign limitation established by that overlay district shall govern.

* * *

~~Sec. 36.2-402. — Accessory apartments. —~~

~~In order that the single family character of the property be maintained and an accessory apartment remain subordinate to the principal single family detached dwelling with which it is associated, such accessory apartments, where permitted by this chapter, shall be subject to the following standards:~~

- ~~(a) — An accessory apartment shall be located in a building that is accessory to, and is located on the same lot as, a single family detached dwelling;~~
~~(b) — Only one (1) accessory apartment shall be permitted on any one (1) lot;~~
~~(c) — An accessory building in which the accessory apartment is located shall not be separately metered for utilities from the principal single family detached dwelling;~~
~~(d) — The floor area of the accessory apartment shall not exceed the lesser of eight hundred (800) square feet or eighty (80) percent of the gross floor area of a principal residential use to which it is associated; and~~
~~(e) — Notwithstanding the minimum lot area per dwelling unit specified in Table 36.2-312, Dimensional regulations for residential districts, an accessory apartment shall not be considered as a dwelling unit for purposes of determining minimum lot area per dwelling unit.~~

Sec. 36.2-403. Accessory uses and structures.

* * *

(b) General standards.

* * *

~~(4)~~ ~~An accessory structure in residential districts shall not be separately metered for utilities from the principal structure all accessory structures on the parcel shall not exceed the footprint of the principal building~~

~~(5)~~ (4) An accessory use shall be subject to the same screening and buffering requirements of this chapter as may apply to the principal use.

~~(6)~~ (5) Accessory buildings shall be subject to the maximum size and height standards below. These standards apply to any structure meeting the definition of a building in Appendix A of this chapter as well as unenclosed carports or similar shelters, aboveground pools, and any arbors or trellises exceeding the sizes listed in Section 36.2-410(c):

(A) The footprint of any accessory structure shall not exceed seventy-five (75) percent of the building footprint of the principal building.

(B) The cumulative structure footprint of all accessory structures on the parcel shall not exceed the footprint of the principal building.

(C) The maximum height of any accessory structure shall be less than the height of the principal building. However, this maximum height shall not apply to any wind turbines, which are instead subject to the maximum heights specified in Section 36.2-403(m).

~~(7)~~ (6) In any residential zoning district, a manufactured home, mobile home, trailer, camper, or motor vehicle, or portion thereof, shall not be used as an accessory structure for the purpose of storage or for any other accessory use.

Sec. 36.2-405. Bed and breakfast, homestay, and short-term rental establishments.

* * *

(b) Standards for bed and breakfast establishments in residential districts.

(1) Such establishments shall be located on a lot on which a one dwelling building ~~single-family dwelling~~ is the principal use, although such establishments may be located within either the principal structure or an accessory structure, or both.

* * *

(3) The owner of the one dwelling building ~~single family detached dwelling~~ occupied by the bed and breakfast establishment shall reside in the dwelling.

* * *

(7) Only accessory uses or structures which are incidental and subordinate to a one dwelling building ~~single family detached dwelling~~ shall be permitted in conjunction with a bed and breakfast establishment.

* * *

36.2-409.1. Dwellings. These regulations for various dwelling types prescribe the form, location, and orientation of buildings containing dwellings in order to provide for compatibility within the context of neighborhood settings.

- a) Accessory dwellings. These standards are intended to regulate number and size of accessory dwellings to ensure they are subordinate to the principal one dwelling use to which it is accessory:
- 1) One accessory dwelling may be established on a lot containing a new or existing one dwelling building. An accessory dwelling is not subject to minimum lot area requirement for each dwelling nor the maximum number of dwellings per lot.
 - 2) An accessory dwelling located in a detached accessory building shall be limited to 800 square feet or 80 percent of the gross floor area of the principal dwelling, whichever is less. The accessory building may contain other uses and shall otherwise be subject to the size and placement standards of 36.2-403.
 - 3) The floor area of an accessory dwelling located within a principal building shall be no more than 40 percent of the gross floor area of the building. An exterior stairway or additional entrances, if created, shall be located on facades other than the primary façade.
- b) Cottage Courts. A cottage court development is a grouping of attached or detached dwellings arranged and oriented toward an interior courtyard rather than toward a street frontage. Such development is appropriate for an interior or through lot subject to these standards:
- 1) Any single building façade facing a primary street shall be 35 feet wide or less.
 - 2) Permitted only on a lot with a minimum lot area of 7,000 square feet.
 - 3) At least two buildings shall meet the maximum yard requirement of the district.
 - 4) Window or door openings shall constitute at least 15 percent of façades facing the street frontage.
 - 5) Limited to two stories.
 - 6) Dwelling units have a maximum gross floor area of 1,000 square feet.
 - 7) Buildings may be located on unit lots within a zoning lot.
 - 8) At least 20% of the lot area shall be dedicated to a central courtyard. Each dwelling shall have a doorway fronting on the courtyard. Such courtyard shall have no motor vehicle access.
 - 9) Any garage bay door shall be offset at least 24 inches behind the front façade of the dwelling and the front door. An attached garage shall not make up more than 33 percent of the front façade of the dwelling.
- c) One and two dwelling buildings. These buildings are always oriented toward a street frontage. The following standards are provided to ensure compatibility with existing neighborhood contexts:
- 1) The primary façade width of one and two dwelling buildings shall be no wider than 125 percent of the average of the widths of such buildings on the same side of the same block.
 - 2) Any garage bay door facing a primary street shall be no closer to the primary street than the façade of the dwelling and the front door. An attached garage shall not make up more than 33 percent of the front façade of the dwelling.
 - 3) Window and door openings shall constitute at least 15 percent of the primary façade and at least 10 percent of a secondary façade on a corner lot.
 - 4) Where permitted by the district, a lot may contain multiple one or two dwelling buildings.
- d) Single-façade apartment buildings. New and converted buildings oriented in a single mass with one primary facade, and containing three to eight dwellings, shall be subject to these standards:
- a. The maximum width of the principal façade of the building shall be 120 percent of the average widths of other dwellings on the same side of the same block.
 - b. The building shall have one entrance facing the primary front yard. No additional entrances shall face the primary front yard unless recessed at least four feet behind the primary building facade.
 - c. Window and door openings shall constitute at least 15 percent of the primary façade and at least 10 percent of a secondary façade on a corner lot.

- d. The front façade shall contain a front porch at least one-half the width of the building width and at least eight feet in depth.
- e. An addition to an existing building shall be located on the rear or side of the building, except a porch may be added to the front of the dwelling. An addition to the side of a dwelling shall be set back from the dwelling's front face by 24 inches or more.
- f. No garage door may face a primary street frontage.

e) Multiple façade apartment buildings. New and converted buildings having a shape with multiple primary facades, and containing three to eight dwellings, shall be subject to these standards:

- 1) Each façade within the primary front yard shall not exceed 120 percent of the average widths of other dwellings on the same side of the same block. Such facades shall be separated by at least 20 feet.
- 2) Window and door openings shall constitute at least 15 percent of the primary facades and at least 10 percent of a secondary façade on a corner lot.
- 3) An addition to an existing building shall be located on the rear or side of the building, except a porch may be added to any street-facing façade.
- 4) An addition to the side of a dwelling shall be set back from the dwelling's front face by 24 inches or more.
- 5) No garage door may face a primary street frontage.

f) Townhouse buildings. These standards provide additional controls on the scale, massing, and building placement to encourage compatibility within neighborhood contexts.

- 1) A row of townhouses in a townhouse building shall be limited to 300 feet or less.
- 2) The minimum width of a dwelling in a townhouse building is 15 feet.
- 3) Driveways shall be located to minimize curb cuts;
- 4) Each townhouse dwelling may be located on a unit lot subdivided from the parent zoning lot.
- 5) Window and door openings shall constitute at least 15 percent of the primary façade and at least 10 percent of a secondary façade on a corner lot.

Sec. 36.2-410. Fences, walls, arbors, and trellises

(b) *Fence and wall standards.*

(3) The maximum height for fences and walls shall be based on the following schedule:

| Zoning District | Location on Lot | Maximum Height of Fence or Wall |
|---|--|---------------------------------|
| RA, R-12, R-7, R-5, R-3, RM-1, RM-2, RMF, IN, MX, MXPUD | On a lot with only one (1) lot frontage: between the building line and the lot frontage; or On a lot with more than one (1) lot frontage: between the building line on which the principal entrance to the building | 48 inches |

| | | |
|---|---|---|
| | is situated and the lot frontage which it faces | |
| | On a lot with more than one (1) lot frontage: between any building line on which the principal entrance to the building is not situated and the lot frontage which that building line faces | 6 feet |
| | Any required side or rear yard | 6 feet, except where one (1) of these districts abuts a D, ROS, CN, CG, CLS, I-1, I-2, IPUD, INPUD, or AD District, maximum height shall be that of the abutting district along that abutting property line |
| D, ROS, CN, CG, CLS, INPUD, UF, <u>UC</u> | Any required yard | 8 feet |
| I-1, I-2, IPUD, AD | Any required yard | 10 feet |

Sec. 36.2-411. Gasoline stations.

- ~~(e) Any gasoline station shall provide and maintain a landscaping strip consisting of evergreen shrubs and deciduous trees as defined further in Section 36.2-649 shall be placed along the street frontage of the lot or portion of the lot housing the gasoline station. The trees and shrubs shall meet the minimum planting size as listed in Section 36.2-642.~~
- (c) Any gasoline station shall provide and maintain a street screen or landscaping strip along any adjacent street right-of-way subject to the following requirements:
- (1) A street screen shall be a minimum height of 30 inches and maximum height of 42 inches, with vertical support posts of metal or masonry spaced at no more than 8 feet on center. Panels between supports shall be metal, masonry, or both. Metal elements shall be painted or coated and of rigid construction, with no members less than 0.25 inch. Exposed concrete block is not an acceptable finish.
 - (2) A landscaping strip shall be of a minimum depth of eight (8) feet shall be planted with a minimum of one (1) evergreen or deciduous shrub, spaced at a rate of no greater than three (3) feet on center and having a minimum height at planting of twenty-four (24) inches, and
 - (3) The storage of motor vehicles within, upon, or in a manner which overhangs any portion of the required landscaping strip shall be prohibited.

- (f) Standards in the MXPUD District. Any gasoline station located in the Mixed Use Planned Unit Development District (MXPUD), shall be subject to the following standards:
- (1) The gasoline station shall not exceed 10 percent of the land area of the overall MXPUD zoned property.
 - (2) Any canopy over a gas pump shall be subject to the following standards:
 - (A) Such canopy shall have a maximum overall height not to exceed the principal building height;
 - (B) There shall be no illumination of any portion of the fascia of the canopy;

(C) Any lighting fixtures or sources of light that are a part of the underside of the canopy shall be recessed into the underside of the canopy so as not to protrude below the canopy ceiling. All such lighting associated with the canopy shall be directed downward toward the pump islands and shall not be directed outward or away from the site;

(D) Signs attached to or on such canopy shall not be illuminated and shall not extend beyond the ends or extremities of the fascia of the canopy to which or on which they are attached.

(E) Such canopy shall be located no closer than the principal building line to the primary street frontage.

Sec. 36.2-419. - Motor vehicle repair or service establishment.

(b) Additional standards in the CG, CLS, UF, UC, and D District. In addition to the general standards set forth in subsection(a), above, any motor vehicle repair or service establishment in the Commercial-General District (CG), Commercial-Large Site District (CLS), Urban Flex (UF), Urban Center (UC), or Downtown District (D) shall be subject to the following standards:

Sec. 36.2-429. - Temporary uses.

Sec. 36.2-429. Temporary uses.

(a) *Applicability.* Authorized temporary uses, including permitted locations, duration, and maximum number per calendar year, and whether or not a zoning permit is required, shall be as set forth in Table 429-1:

Table 429-1. Temporary Uses

| Activity | Zoning Districts Where Permitted | Maximum Duration | Maximum Frequency per Lot | Zoning Permit Required? |
|--|----------------------------------|---|---------------------------|-------------------------|
| Auction | Any district | 3 calendar days | 1/Calendar Year | No |
| Christmas tree sales | RA, CN, CG, CLS, I-1, I-2, UF | 60 calendar days | 1/Calendar Year | Yes |
| Construction-related activities or model home office, Temporary Government or Public Services Facility, subject to subsection (b), below | Any district | For duration of construction activity or emergency need | Not applicable | Yes |
| Fireworks stand, subject to Section 21-207 of this Code | CG, CLS, UF | 30 calendar days | 1/Calendar Year | Yes |
| Mobile food and beverage vending | CN, CG, CLS, D, ROS, UF, UC | No limitation | Not applicable | No |

| | | | | |
|---|--|---|---|-----|
| | Industrial districts, and PUD districts | | | |
| Outdoor retail sales, subject to subsection (c), below | CG, CLS, UF | 10 calendar days | 4/Calendar Year | Yes |
| Portable storage containers, subject to subsection (d), below | Any district | RA, R-12, R-7, R-5, R-3, RM-1, RM-2, RMF, MX, MXPUD: •30 consecutive calendar days, except 60 consecutive calendar days when there is a change of residency in a dwelling unit •Limited to 120 days per calendar year CN, CG, CLS, I-1, I-2, D, IN, ROS, AD, INPUD, IPUD, UF, UC: •120 consecutive days •Limited to 120 days per calendar year per lot | See maximum duration | Yes |
| Produce stand (not applicable to community markets) | RA, CN, CG, CLS, I-1, I-2, UF | 90 calendar days, limited to 1 permit per any 90-calendar day period per lot | Not applicable | Yes |
| Public events, subject to subsection (e), below | CN, CG, CLS, D, IN, ROS, I-1, I-2, IPUD, INPUD, UF, UC | 14 calendar days | Not applicable | Yes |
| Public events, exempt from subsection (e) below | Any district | Two calendar days | Two/Calendar Year, with an interval of at least three months between events | No |
| Temporary, short-term filling, grading or borrow operation, subject to subsection (f) below | Any District | 90 consecutive calendar day period | Once/2 Year Period | Yes |
| Yard or garage sales, subject to subsection (g), below | Any residential district or dwelling unit | 2 consecutive calendar days, limited to the daylight hours | 2, with an interval of at least 3 months between sales | No |

(d) *Portable storage containers*

- (3) In addition to the general standards set forth in subsection (1) above, portable storage containers in the CN, CG, CLS, I-1, I-2, D, IN, ROS, AD, INPUD, IPUD, ~~and~~ UF, and UC Districts shall be subject to the following regulations:

~~Sec. 36.2-431. Townhouses and rowhouses.~~

~~(a) Purpose. The purpose of this section is to establish standards for townhouses and rowhouses that permit appropriate densities, minimize curb cuts, and provide for usable open space. It is the intent of this section that townhouses and rowhouses make efficient, economical, comfortable, and convenient use of land and open space and serve the public purposes of zoning by alternative arrangements of yards and buildings. (b) Applicability. The regulations of this section shall apply in the residential and multiple purpose districts. (c) Standards. Townhouses and rowhouses shall be subject to the following regulations: (1) Contiguous units: No contiguous row of townhouse or rowhouse dwelling units shall extend more than three hundred (300) feet. (2) Minimum width for individual townhouse or rowhouse lots: The minimum width of an individual townhouse or rowhouse unit lot shall be eighteen (18) feet. (3) Density, lot size, and frontage: The dimensional regulations of the zoning district as identified in Section 36.2-312 shall apply to the entire development site. Dimensional regulations shall not apply to each individual lot or unit lot. (4) Parking: No parking spaces or driveways shall be permitted between a public or private street and any principal building, except when parking is provided for each individual townhouse unit and provided further that the townhouse dwelling units are at least twenty five (25) feet in width, the driveways are no greater than ten (10) feet in width, and the garage doors are no greater than ten (10) feet in width. Parking spaces may be grouped in bays if not located between a public or private street and any principal building. (d) Subdivision. Nothing in this chapter shall prevent the creation of a subdivided unit lot for individual townhouse or rowhouse dwelling units within a townhouse or rowhouse zoning lot.~~

Sec. 36.2-551. - Development plans, generally.

- (b) *Combination of lots.* When a basic or comprehensive development plan involves multiple lots of record, internal lot lines shall be vacated, relocated, or otherwise altered as a part of an otherwise valid and properly recorded plat of subdivision or resubdivision to create a single lot of record. This requirement may be waived by the Zoning Administrator whenever a new building is not being erected across a lot line, and the new construction consists entirely of a fence, a ramp for handicap accessibility, an addition to an existing one or two dwelling building ~~single-family dwelling~~, or an accessory structure whenever the existing dwelling or accessory structure is already located on a lot line.

Sec. 36.2-552. - Basic development plans.

- (a) Applicability. A basic development plan shall be submitted as part of a zoning permit application for the following activities:
- (1) Construction of, reconstruction of, relocation of, or addition to a one or two dwelling building ~~single-family detached dwelling, a single-family attached dwelling, a two-family dwelling~~ or permitted accessory structure and including associated grading and clearing, where such grading and clearing does not involve adjoining lots; or,
- (2) Construction of, reconstruction of, relocation of, or addition to a one or two dwelling building ~~single-family attached dwelling, a two-family dwelling~~ or permitted accessory structure and including associated grading and clearing, on any lot within a subdivision with a valid subdivision site plan; or



Sec. 36.2-622. - Exempt lighting.

The following outdoor lighting shall be exempt from the requirements of this division:

* * *

- (l) Floodlights mounted on buildings containing one to eight dwellings ~~single-family dwellings, two-family dwellings, townhouses, row houses and multifamily dwellings with four (4) or fewer units~~, provided that the lighting is mounted to the structure below the eaves or parapet, is designed to provide light in a concentrated distribution rather than a broad distribution of light in all directions, and is aimed, directed or shielded so as not to present glare on abutting lots or streets and to minimize spill light trespassing upward or across lot lines.

* * *

Sec. 36.2-644. Overall tree canopy requirements.

* * *

- (b) Applicability.

- (1) This section shall apply to any development that requires submission of a comprehensive development plan or a basic development plan, except that:

* * *

- (B) Construction of an addition to or accessory structure associated with an existing one or two dwelling building ~~single family or two family dwelling~~, provided that no required trees are removed as part of the project, shall be exempt from the requirements of this section.

* * *

Sec. 36.2-646. Façade planting.

Buildings ~~Structures~~ containing ~~single family, two family, townhouse or rowhouse, or multifamily dwelling units~~ dwellings shall be subject to the following landscaping requirements:

* * *

Table 647-1. Buffering and Screening of Certain Uses and Activities

| Activity or Use | Location | Buffering or Screening Materials | Minimum Height |
|---|--|--|----------------|
| Wall of a principal building that contains less than 15% transparency | Between the wall and an abutting residential district or MXPUD district. | Buffer: Deciduous trees and evergreen shrubs | None |

| | | | |
|--|--|---|---|
| Base of a retaining wall 5 or more feet in height within 10 feet of property line | Between the wall and an abutting residential district, multiple purpose district, or PUD district, or between the wall and any public right-of-way. | Buffer: Evergreen shrubs | 18 inches |
| Any commercial or industrial process or activity occurring outside of a wholly enclosed building | Between the location of the activity and any abutting residential district, multiple purpose district, or PUD district, located within 15 feet of property line of the abutting lot or lots. | Screen: Solid fence or wall | 8 feet |
| Loading area, bay door, loading dock, or truck terminal | Between the loading area or loading dock and any abutting residential district, multiple purpose district, or PUD district. | Screen: Solid fence, wall, or evergreen tree screen | 6 feet |
| Refuse container storage area | Perimeter of the refuse container storage area Exception: Not required where the aggregate capacity of refuse containers is less than 0.5 cubic yard | Screen: Solid fence or wall | 12" above the height of tallest container |
| Ground-mounted mechanical equipment, more than 36 inches in height | Perimeter of the mechanical equipment that would otherwise be visible from any street frontage or adjacent property Exception: Not required where the use is a single family detached dwelling or a two family dwelling one or two dwelling building . | Screen: Fence or wall with a maximum of 40% open area | 6" above the height of the tallest unit |
| Ground-mounted mechanical equipment up to 36 inches in height | Perimeter of the mechanical equipment that would otherwise be visible from any street frontage or adjacent property Exception: Not required where the use is a single family detached or a two family dwelling one or two dwelling building . | Option 1 Fence or wall with a maximum of 40% open area Option 2 Evergreen shrubs | Option 1 6" above the height of the tallest unit or Option 2 18 inches at planting |
| Mechanical equipment on roof | Perimeter of the mechanical equipment that would otherwise be visible from any street frontage Exception: Not required in any industrial district | Screen: Fence or wall with a maximum of 40% open area. | ½ vertical height of equipment from adjacent street |
| Car wash | Between wash bay openings and any abutting residential district, multiple purpose district, or PUD district. | Screen: Solid fence, solid wall, or evergreen tree screen | 6 feet |
| Commercial motor vehicle sales or service, new or used, or commercial motor vehicle storage area | Between any display or service areas and any abutting residential district | Screen: Solid fence, solid wall, or evergreen tree screen | 6 feet |
| Drive-through facilities | Between any speaker and any abutting residential district, where the speaker is directed toward the abutting residential district | Screen: Solid wall | 6 feet |

| | | | |
|--|--|---|--------|
| Gasoline stations | Between the pumps and canopy and any abutting residential district | Screen: Solid fence, solid wall, or evergreen tree screen | 6 feet |
| Junkyards, wrecker yards, and recycling centers | Perimeter of any area where the storage, collection, processing or other associated activity occurs, and which is not wholly enclosed within a building | Screen: Solid fence or solid wall, and evergreen tree screen | 6 feet |
| Motor vehicle or trailer painting and body repair | Perimeter of any area used to store any visibly damaged or inoperative vehicles | Screen: Solid fence, solid wall, or evergreen tree screen | 6 feet |
| Motor vehicle repair or service establishment | Perimeter of any area used to store any visibly damaged or inoperative vehicles | Screen: Solid fence, solid wall, or evergreen tree screen | 6 feet |
| Motor vehicle sales and service establishment, new or used | Between the display area and any abutting residential district | Screen: Solid fence, solid wall, or evergreen tree screen | 6 feet |
| Outdoor sports facility | Between the facility and any abutting residential district. | Buffer: Deciduous trees | None |
| Outdoor storage or self-storage facility | Between the storage area and any abutting residential district, multiple purpose district, or PUD district. Between the storage area and any residential district, multiple purpose district, or PUD district across a street | Screen: Solid fence, solid wall, or evergreen tree screen | 6 feet |
| Outdoor storage lot | Between the storage area and any abutting residential, multiple purpose district, or PUD district and between the storage area and any residential, multiple purpose, or PUD district across a street Along street frontage when not abutting a residential, multiple purpose, or PUD district across a street. | Screen: Solid fence, solid wall, or evergreen tree screen Deciduous trees | 6 feet |
| Portable storage container as accessory use | Between container storage area and any abutting residential district, multiple purpose district, or PUD district. | Screen: Solid fence or solid wall | 6 feet |
| Recycling collection point | Between any receptacle and any abutting residential district, multiple purpose district, or PUD district. | Screen: Solid fence or solid wall | 6 feet |

| | | | |
|--|--|--|--------|
| Towing services | Perimeter of any storage area for damaged or inoperative motor vehicles or trailers | Screen: Solid fence or solid wall | 6 feet |
| Wireless telecommunications facility equipment | Perimeter of the base of the facility and equipment | Screen: Solid fence, solid wall, or evergreen tree screen | 6 feet |
| Wireless telecommunications tower, less than 100 feet in height | Frontage facing a street or side visible from a public street or visible from an abutting residential district | Buffer: Evergreen trees | |
| Wireless telecommunications tower, 100 feet in height or greater | Frontage facing a street or side visible from a public street or visible from an abutting residential district | Buffer: Large deciduous trees | |

* * *

Sec. 36.2-654. Parking and loading area standards.

- (a) *General standards.* Parking and loading areas shall be subject to the following general requirements:

* * *

- (4) Parking and loading areas shall be so designed as not to require or permit maneuvering to and from a street to access or exit a parking space, except ~~for single family detached, single family attached, two family dwellings, townhouses with individual driveways, and multifamily dwellings with less than four (4) dwelling units on a parcel where~~ such maneuvering to and from a street shall be permitted on a lot containing buildings with eight or fewer dwellings.

* * *

Table 654-1. Parking and Loading Area Standards

| | | |
|----------------------------|---|---|
| | Standards for <u>lots containing buildings with eight or fewer dwellings</u> single family dwellings, two family dwellings, multifamily dwellings and townhouses with up to 4 dwelling units in a single structure on a single parcel, and townhouses with individual driveways regardless of district | Standards for all other uses and zoning districts |
| <i>Material Standards:</i> | | |

| | | |
|--|--|---|
| All parking areas, loading areas, driveways and loading spaces, excluding parking structures | Improved surface required No curbing required Exceptions: Concrete runners with vegetated center and edge strips (ribbon driveway) Gravel permitted behind building line where access is off an alley Gravel permitted for all parking and loading areas in RA District | Improved surface required Curbing around all loading areas and all parking areas with 7 or more spaces, including any interior islands Exceptions: Gravel permitted: 1) behind building line where access is off an alley, 2) fleet storage, commercial vehicle storage, or 3) any area in an ROS District Curb not required where LID approach is used for stormwater management |
| Parking structures and garages | Exterior driveways as above. Interior construction in accordance with the Uniform Statewide Building Code. | Exterior driveways as above. Interior construction in accordance with the Uniform Statewide Building Code. |
| <i>Location Standards:</i> | | |
| Driveway/parking area location relative to principal structures | Predominantly located toward 1 side of the principal structure. Parking spaces shall not be located within the middle third of the front façade, exclusive of garages. Exceptions not subject to this requirement : Circular driveways Townhouse buildings Townhouses as required by Section 36.2 431409.1 | Parking area prohibited between right-of-way and principal building line. Exception: Lots in CG District with less than 100 feet of frontage, and CLS, I-1, I-2, AD Districts |
| Minimum distance between driveway entrance/exit and a street intersection | 20 feet | 40 feet |
| Setbacks, any property line abutting a street | None 5 feet Exceptions: Not applicable for single family dwellings, two family dwellings and townhouses with individual driveways Not applicable to a parking area where a street screen is used. | 5 feet Exception: Not applicable to a parking area where a street screen is used. |
| <i>Dimensional Standards:</i> | | |
| Front yard coverage: Maximum area of driveways and parking areas in established front yard | 30 percent of the lot area between the right-of-way and the building line Exception: The maximum area specified shall not apply to any areas where a permeable paver system is used. | No maximum |

| | | |
|--|---|---|
| Width: Cumulative width of all driveway entrances at frontage | Cumulative width of driveway entrances shall not exceed 30 percent of the lot frontage Exceptions: 10 feet minimum width for all lots The maximum area specified shall not apply to any areas where a permeable paver system is used. | Cumulative width of driveway entrances shall not exceed 30 percent of the lot frontage Exception: 18 feet minimum width for all lots |
| Width: Minimum individual driveway width (applies between right-of-way and building line) | 7 feet | R-12, R-7, R-5, R-3, R-A, RM-1 One way: 10 feet Two way: 18 feet RM-2, RMF, all multiple purpose districts One way: 12 feet Two way: 15 feet Industrial Districts One way: 12 feet Two way: 18 feet |
| Width: Maximum individual driveway width (applies between right-of-way and building line) | 20 feet or half of the front lot line length, whichever is less Exceptions: For lots having a primary street frontage of 90 feet or greater, the maximum width shall be 30 feet. Maximum driveway width shall not apply to any areas where a permeable paver system is used. | R-12, R-7, R-5, R-3, R-A, RM-1 One way: 12 feet Two way: 24 feet RM-2, RMF, all multiple purpose districts One way: 15 feet Two way: 24 feet Industrial Districts One way: 18 feet Two way: 30 feet |
| Maximum cross slope where a driveway crosses a sidewalk | 2 percent | 2 percent |
| <i>Operational Standards:</i> | | |
| Pedestrian access required per § 36.2-654(c) | No | No Exception: Requirement applies to CG and CLS Districts |
| Unobstructed access from parking spaces to driveway/drive aisle | Yes Exception: Does not apply to <u>one or two dwelling buildings</u> single-family dwellings | Yes |
| Parking space dimensional standards | 9' x 18' area for each required parking space provided, adequate maneuvering space from parking space to driveway/drive aisle Exception: Garages | Table 654-2 for required parking Exception: Parking structures |
| <i>Special Provisions for Corner and Through Lots (provisions apply to all frontages unless otherwise listed below):</i> | | |

| | | |
|---------------------|--|---|
| <p>Corner lots</p> | <p>Material: Gravel permitted behind building line of the façade with the principal entrance and 1 intersecting street/building line when access is from an alley.</p> <p>Location: Driveway/parking area location relative to principal structures requirement applies only to the façade of the principal structure containing the principal entrance to the building and 1 intersecting frontage. The location of parking spaces shall be located predominantly to the side of the combined intersecting façades.</p> <p>Dimensional: Width standards apply to all frontages. Lot coverage standards apply to frontage of principal entrance and 1 intersecting frontage.</p> | <p>Material: Gravel permitted behind building line of 2 frontages when access is from an alley.</p> <p>Location: Standards apply to all frontages with the exception of parking between a building and the right-of-way. This requirement applies as follows:</p> <p>CN, CG, D, UF, <u>UC</u>, IN, and MX Districts: Applies to both frontages where the maximum front yard is met.</p> <p>All residential districts: Applies to 1 front yard, where maximum front yards apply; standard shall apply to 1 of the front yards where the maximum front yard is met.</p> <p>Dimensional: Apply to all frontages.</p> |
| <p>Through lots</p> | <p>Location: Standards apply to all frontages with the exception of location relative to principal structures. This requirement applies only to the frontage of the structure with the primary entrance.</p> <p>Dimensional standards: Minimum and maximum driveway width standards do not apply between the structure and the minimum front yard for the frontage that does not contain the primary entrance to the structure. The maximum area of driveways and parking areas in established front yard standard does not apply to the front yard that does contain the primary entrance to the structure.</p> | <p>Location: Standards apply to all frontages with the exception of parking between principal structures and the right-of-way. This provision applies only to 1 frontage and shall be the frontage where the maximum front yard is met where maximum front yards apply.</p> |

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- (d) *Maximum driveway widths* as set forth in Table 654-1 may be exceeded in accordance with the following provisions:

* * *

- (3) For lots containing a one dwelling building ~~single family dwellings~~ with a garage, an increase in the maximum driveway width shall be permitted to allow the required flaring for motor vehicles to enter the driveway.

* * *

Sec. 36.2-668. On-premises signs, generally.

* * *

Table 668-1. Type, Number, and Size of On-Premises Signs

| District | Type Permitted | Maximum Number of Signs | Maximum Sign Area | Maximum Sign Area | Maximum Height | Permitted Characteristics |
|--------------------------|------------------|--|---|---------------------------|----------------|---|
| RA, R-12, R-7, R-3, RM-1 | None | Not Applicable | Not Applicable | Not Applicable | Not Applicable | Not Applicable |
| | None | Not Applicable | Not Applicable | Not Applicable | Not Applicable | Not Applicable |
| RM-2, RMF | Freestanding | 1 sign structure per lot frontage | 25 sf | 25 sf per sign structure | 6 ft | Identification sign only |
| | Building-mounted | | 25 sf | 25 sf | Not Applicable | |
| MX, CN, IN, ROS, UF | Freestanding | 1 sign structure per frontage | 0.5 sf per lf of lot frontage | 32 sf per sign structure | 6 ft | Illuminated Changeable copy. |
| | Building-mounted | None | 32 sf plus 0.5 sf per lf of building face or storefront over 32 lf, plus additional area per § 36.2-677 | None | Not Applicable | Electronic readerboard permitted in CN and IN |
| CG | Freestanding | 1 sign structure per frontage | 1 sf per lf of lot frontage | 100 sf per sign structure | 25 ft | Illuminated Changeable copy Electronic readerboard |
| | Building-mounted | None | 32 sf plus 1 sf per lf of building face or storefront over 32 lf, plus additional area per § 36.2-677 | None | Not Applicable | |
| | Upper-story | None | 10% of façade area, maximum 300 sf | None | Not Applicable | Illuminated |
| CLS | Freestanding | 1 sign structure for first 200 linear feet of lot frontage. 1 additional sign for each additional 200 feet of lot frontage up to 4 signs | 1 sf per lf of lot frontage | 150 sf per sign structure | 25 ft | Illuminated Changeable copy Electronic readerboard |
| | Building-mounted | None | 32 sf plus 1 sf per lf of building face or storefront over 32 lf, plus additional area per § 36.2-677 | None | Not Applicable | Illuminated Changeable copy Electronic readerboard |
| | Upper-story | None | 10% of façade area, maximum 300 sf | None | Not Applicable | Illuminated |

| | | | | | | |
|--|---|-------------------------------|---|---------------------------|----------------|--|
| D, <u>UC</u> | Freestanding | 1 sign structure per frontage | 0.5 sf per lf of lot frontage | 32 sf per sign structure | 6 ft | Illuminated Changeable copy Public service message board Electronic readerboard |
| | Building-mounted | None | 32 sf plus 1 sf per lf of building face or storefront over 32 lf, plus additional area per § 36.2-677 | None | Not Applicable | Illuminated Changeable copy |
| | Upper-story | None | 10% of façade area, maximum 300 sf | None | Not Applicable | Illuminated |
| I-1, I-2, AD | Freestanding | 1 sign structure per frontage | 0.5 sf per lf of lot frontage | 125 sf per sign structure | 16 ft | Illuminated Changeable copy Electronic readerboard |
| | Building-mounted | None | 32 sf plus 1 sf per lf of building face or storefront over 32 lf, plus additional area per § 36.2-677 | None | Not Applicable | |
| MXPUD, INPUD, IPUD | As specified by the PUD development plan, or same as CG when not specified by plan. | | | | | |
| "sf" means square feet, "lf" means linear feet, "ft" means feet, and "n/a" means not applicable. "None" means no limit. | | | | | | |

* * *

Sec. 36.2-669. - Changeable copy signs and electronic readerboard signs.

* * *

(b) Electronic readerboard signs shall be subject to these requirements:

* * *

(3) An electronic readerboard in a CN, D, IN, UC, or CG District shall not exceed twenty-five (25) square feet in sign area.

* * *

Sec. 36.2-817. - Powers and duties.

* * *

(c) Zoning ~~ordinance code~~ and map amendments.

* * *

APPENDIX A. DEFINITIONS

~~Accessory apartment: A dwelling unit located within a structure that is accessory to, and is located on the same lot as, a single family detached dwelling.~~

* * *

~~*Boarding house:* A dwelling, or portion thereof, where up to, but not more than, six (6) furnished bedrooms are provided for lodging for monetary compensation on a weekly, monthly, or longer basis, where no more than a total of six (6) persons reside, where the rental or leases are for definite periods of time, and where such establishment is not open to the public or overnight guests. No meals are provided to outside guests. Such establishments provide a common kitchen facility and shared bathroom facilities. A "boarding house" is also commonly known as a rooming house.~~

* * *

~~*Business service establishment services:* An establishment primarily engaged in the sale, leasing, or repair of office equipment, supplies, and materials, or the rendering of services used by office, professional, and service establishments. Typical uses include office equipment and supply firms, small business machine repair shops, convenience printing and copying establishments, management and consulting services, office security services, advertising and mailing services, data and records storage, janitorial services, employment or temporary labor services and other professional, scientific, or technical services or administrative or support services not otherwise specifically listed in the Use Tables in Article 3 of this chapter.~~

* * *

~~*Community housing services:* a small scale operation providing temporary occupancy, and which may provide mental health counseling, employment services, permanent housing assistance, and other supportive services. The temporary housing capacity of a community housing services operation shall be limited to twelve people.~~

* * *

~~*Dormitory:* A building, or portion thereof, owned or operated by an educational facility or hospital, which provides boarding house style accommodations exclusively to students, faculty, and employees of such institution.~~

* * *

~~*Dwelling:* A building, or portion thereof, designed to be used for continuous, year round residential purposes, containing one (1) or more independent housekeeping units and including the following specific types:~~

- ~~(1) *Dwelling, Single family, attached:* A one family dwelling unit, with its own independent entrance at ground level, which is part of a building consisting of two (2) one family dwelling units, attached by a common vertical wall, and with each dwelling unit being located on its own individual lot.~~
- ~~(2) *Dwelling, Single family detached:* A site built, modular, or industrialized building designed exclusively as one (1) dwelling unit for continuous year round occupancy by one (1) family only, which is located on its own individual lot and which is not attached to any other dwelling by any means.~~
- ~~(3) *Dwelling, Two family:* A building on an individual lot containing two (2) dwelling units, designed for occupancy by not more than two (2) families.~~
- ~~(4) *Dwelling, Multifamily:* A building, a portion of a building, or multiple buildings on a single lot, designed for the permanent occupancy of three (3) or more families, regardless of the method of ownership, with the number of families in residence not exceeding the number of dwelling units provided.~~
- ~~(5) *Dwelling, Manufactured home:* A factory built, single family unit dwelling structure, transportable in one (1) or more sections, subject to federal regulations and constructed after June 15, 1976, which is constructed on a chassis for towing to the point of use, and is not less than nineteen (19) feet in width when assembled, and is set up on a permanent foundation on an individual lot for continuous year round occupancy as a single family unit dwelling when connected to the required utilities.~~
- ~~(6) *Dwelling, Mobile home:* A structure, transportable in one (1) or more sections, not subject to federal regulations and constructed prior to June 15, 1976, which is constructed on a chassis for~~

~~towing to the point of use and designed to be used, with or without permanent foundation, for continuous year-round occupancy as a single-unit family dwelling when connected to the required utilities.~~

~~(7) Dwelling, Townhouse or rowhouse: A one-family dwelling unit, with its own independent entrance at ground level, which is part of a building consisting of three (3) or more one-family dwelling units, attached horizontally in a linear arrangement and separated by common vertical walls.~~

Dwelling: a room or group of connected rooms designed for occupancy by a household as an independent housekeeping unit for 30 days or longer.

Dwelling types: This code identifies the following types of dwellings for the purpose of providing supplemental regulations that prescribe form, location, and orientation.

Accessory dwelling: an additional dwelling on a lot where the principal use is a one dwelling building on a lot. (synonyms: Accessory dwelling unit, ADU, accessory apartment)

One and two dwelling building: a building that contains one or two dwellings. (synonyms: single-family detached dwelling, single-family attached dwelling, two-family dwelling, duplex dwelling).

Cottage court: a group of two or more buildings that contain three or more dwellings that are limited to 1,000 square feet of gross floor area. with buildings and entrances oriented onto a central court for common access. (Synonym: Courtyard housing)

Townhouse building: A building containing two or more dwellings connected by vertical walls, with each dwelling having an independent entrance. (Synonyms: rowhouse, single-family attached dwelling)

Single façade apartment building: a building that contains three to eight dwellings and has a single primary façade.

Multiple façade apartment building: a building that contains three to eight dwellings and has two or more primary facades. (synonym: courtyard apartment)

Large apartment building: a building containing nine or more dwellings.

Dwelling, Manufactured home: A factory-built dwelling, transportable in one or more sections, subject to federal regulations and constructed after June 15, 1976, which is constructed on a chassis for towing to the point of use, and is not less than 19 feet in width when assembled, and is set up on a permanent foundation on an individual lot for continuous year-round occupancy as a single-unit dwelling when connected to the required utilities.

Dwelling, Mobile home: A structure, transportable in one or more sections, not subject to federal regulations and constructed prior to June 15, 1976, which is constructed on a chassis for towing to the point of use and designed to be used, with or without permanent foundation, for continuous year-round occupancy as a single-unit dwelling when connected to the required utilities.

Financial services institution: The provision of financial and banking services to consumers or clients, including banks, savings and loan associations, credit unions, lending establishments, and mortgage offices, and which may include their support services such as call centers, training centers, and offices.

Group living: permanent occupancy of a building by nine or more people who may be unrelated and who may receive supportive services or medical care. Group living is characterized by common areas and centralized food services and are distinguished from an apartment building by having no independent dwellings. Such living arrangements may be commonly referred to as nursing homes, congregate care, or group care.

Household: a person or group of persons living within a dwelling and sharing kitchen facilities, sanitation facilities, and common areas. A household may have one of the following types of occupancy:

- (a) A family of related persons of unlimited number.
- (b) A family defined as up to eight persons with mental illness, intellectual disability, or developmental disability who reside with one or more resident or nonresident staff persons in a residential facility for which the Department of Behavioral Health and Developmental Services is the licensing authority pursuant to the Code of Virginia (1950), as amended.
- (c) A family defined as up to eight aged, infirm, or disabled persons who reside with one or more resident counselors or other staff persons in a residential facility for which the Department of Social Services is the licensing authority pursuant to the Code of Virginia (1950), as amended.
- (d) A group of up to eight persons who may not be related and may receive supportive services or medical care.

Permanent occupancy: Occupancy for any period of 30 days or longer.

Regional housing services: an operation providing temporary occupancy, and which may provide mental health counseling, employment services, permanent housing assistance, and other supportive services. The temporary housing capacity of a regional housing services operation is not limited.

Short-term rental: An accommodation for transient guests where, in exchange for compensation, a dwelling is provided for lodging for less than 30 days. ~~and which is not a "boarding house" or "group care facility" as defined in this chapter.~~

~~Short-term rental~~: An accommodation for transient guests where, in exchange for compensation, a dwelling unit is provided for lodging for ~~thirty (30) days or less~~ less than 30 days, ~~and which is not a "boarding house" or "group care facility" as defined in this chapter. Such use may or may not include an on-site manager. For the purposes of this definition, a dwelling unit shall include only dwelling, single family, attached; dwelling single family detached; dwelling, two family; dwelling multifamily; dwelling townhouse or rowhouse; and accessory apartment, and shall exclude other group living or other lodging uses specifically listed or defined in this chapter.~~

Temporary occupancy: Occupancy for less than 30 days.