

Chapter 30:

Zoning Ordinance

Richmond, Virginia

PUBLIC REVIEW DRAFT #2

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ARTICLE 1.

INTRODUCTION

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SEC. 1.1. **GENERAL PROVISIONS**

1.1.1. **Title**

The provisions of this Chapter are enabled pursuant to Code of Virginia, § 15.2-2280 et seq. This Chapter, and all provisions contained in this document, together with the City's official zoning map are known and may be cited as the "Zoning Code of the City of Richmond, Virginia."

1.1.2. **Jurisdiction**

- A. The provisions of this Zoning Code apply to all property located within the corporate limits of the City of Richmond.
- B. The provisions of this Zoning Code also apply to new territory which comes within the City limits by annexation, boundary adjustment or otherwise.

1.1.3. **Purpose and Intent**

The provisions in this Zoning Code are for the general purpose of promoting the health, safety and general welfare of the public. To these ends, the provisions are designed to:

- A. Implement the policies and goals of officially adopted plans, including the Richmond 300 Master Plan;
- B. Provide for adequate light, air, convenience of access, and safety from fire, flood, impounding structure failure, crime, and other dangers;
- C. Guide reinvestment in established neighborhoods that helps reinforce their unique characteristics.
- D. Facilitate the provision of adequate police and fire protection, disaster evacuation, civil defense, transportation, water, sewerage, flood protection, schools, parks, forests, playgrounds, recreational facilities, airports and other public requirements;
- E. Protect against destruction of or encroachment upon historic areas;
- F. Protect against one or more of the following: undue density of population in relation to the community facilities existing or available, obstruction of light and air, danger and congestion in travel and transportation, or loss of life, health, or property from fire, flood, impounding structure failure, panic or other dangers;
- G. Encourage economic development activities that provide desirable employment and enlarge the tax base;
- H. Provide for the preservation lands of significance for the protection of the natural environment;
- I. Promote the creation and preservation of affordable housing suitable for meeting the current and future needs of the City as well as a reasonable proportion of the current and future needs of the region within which the City is situated;

- J. Promote a full range of housing choices, and encourage the construction and continued existence of moderately priced housing by providing for optional increases in density in order to reduce land costs for such moderately priced housing; and
- K. Provide reasonable modifications in accordance with the Americans with Disabilities Act of 1990 (42 U.S.C. § 12131 et seq.) or state and federal fair housing laws, as applicable.

1.1.4. Relationship to the Richmond 300 Master Plan

The Richmond 300 Master Plan serves as the policy guidance for development activity under this Zoning Code. The policies and action items of the Master Plan may be amended from time to time to meet the changing requirements of the City in accordance with the standards and procedures in *XXX. Comprehensive Plan Adoption* and *XXX. Comprehensive Plan Amendment*.

1.1.5. Minimum Requirements

The regulations and standards set forth within this Zoning Code will be held to be the minimum requirements for the promotion of the public safety, necessity, convenience, general welfare, and good zoning and practice.

1.1.6. Effective Date and Vesting

A. Effective Date

This Zoning Code was adopted on *XXXX, XX* 2026, and became effective on *XXXX, XX* 2026.

B. Vested Rights and Disposition of Pending Applications

Nothing in this Zoning Code will be construed to authorize the impairment of any vested right under Code of Virginia, § 15.2-2307. Disposition of applications for projects pending on the Effective Date of this Zoning Code, which have not accrued vested rights, will be in accordance with any contemporaneous resolution enacted by Council. Nonconformities will be handled, as applicable, in accordance with *XXX. Nonconformities*.

C. Severability

1. Except where otherwise expressly provided, should any section or provision of this Zoning Code be adjudged invalid by a court of competent jurisdiction, such judgment will not affect the validity of the remainder of this Zoning Code and the remainder will continue in full force and effect.
2. Should the application of any section or provision of this Zoning Code to a particular property, building, structure or use be adjudged invalid by a court of competent jurisdiction the judgment will not affect the application of that section or provision to any other property, building, structure or use.

SEC. 1.2. **OFFICIAL ZONING MAP**

1.2.1. **Preservation of Official Zoning Map and Amendments**

- A. The Director of Planning and Development Review must see that each amendment to the map is recorded within the City's Geographic Information System as soon as practicable after the effective date of the ordinance adopting the amendment and that the City's Geographic Information System identifies the official action by which the amendment was made, the date of the action and the area involved.
- B. It is unlawful for any person to make any change in the Official Zoning Map except by authorization of the Director of Planning and Development Review in accordance with the procedures and requirements in this Zoning Code.

1.2.2. **Copies of Official Zoning Map**

A printed copy of the Official Zoning Map must be retained in the Office of the City Clerk and in the Department of Planning and Development Review. The Director of Planning and Development Review must print updated copies periodically as needed.

1.2.3. **Interpretation of District Boundaries**

Whenever uncertainty exists with respect to the boundary lines of districts shown on the Official Zoning Map, the following rules apply.

A. Discrepancy Between Official Zoning Map and a Copy

Where a discrepancy exists between a district boundary shown on the Official Zoning Map and that which is shown on a copy, the Official Zoning Map is the final authority.

B. Discrepancy Between Official Zoning Map and an Ordinance

Where a discrepancy exists between a district boundary shown on the Official Zoning Map and that which is described in the text of an ordinance establishing the boundary, the text of the ordinance is the final authority.

C. Centerlines as Boundaries

Zoning district boundaries that appear to follow centerlines of streets, alleys, easements, railroad rights-of-way, waterways and similar features, are interpreted as following those centerlines.

D. Property and Other Lines as Boundaries

Where zoning district boundaries appear to follow street, lot, property or other lines of similar nature, they follow those lines. However, if a street or alley is closed by the City where the district boundary is indicated as other than the centerline of the street or alley, are interpreted as having been at the centerline.

E. Parallels, Perpendiculars and Extensions as Boundaries

Where zoning district boundaries appear parallel or perpendicular to or appear as extensions of centerlines, property lines or other features, they are interpreted as doing so.

F. Measurement of Boundaries

Where zoning district boundaries do not appear to follow centerlines or street, lot, property or other lines of similar nature or do not appear to be extensions of any lines or are not described within any ordinance, the location of the boundaries are determined by measurement of the distances shown on the Official Zoning Map according to the scale indicated on the map.

G. Interpretations by Board of Zoning Appeals.

Where the street layout on the ground varies from the street layout shown on the Official Zoning Map, the district boundaries must be interpreted by the Board of Zoning Appeals as set forth in Section 17.20 of the Charter.

H. Unclassified areas and additions to jurisdictional area.

Areas unclassified by the Official Zoning Map and for which none of the rules above are applicable and areas newly annexed to the City are interpreted as being within the **R-1 Single-Family Residential District** until otherwise designated by the City Council.

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SEC. 2.1. GENERAL PROVISIONS

2.1.1. Zoning Districts Established

In order to accomplish the purpose of this Zoning Code, the City is divided into the following zoning districts, as provided and as shown on the Official Zoning Map.

1. Residential Districts
<i>RC</i> Residential Cottage
<i>RD-A</i> Residential Detached Low
<i>RD-B</i> Residential Detached Medium
<i>RD-C</i> Residential Detached High
<i>RA</i> Residential Attached
<i>RM-A</i> Residential Multi-Unit Low
<i>RM-B</i> Residential Multi-Unit Medium
<i>RM-C</i> Residential Multi-Unit High
2. Mixed Use Districts
<i>MX-3</i> Mixed Use 3
<i>MX-4</i> Mixed Use 4
<i>MX-5</i> Mixed Use 5
<i>MX-7</i> Mixed Use 7
<i>MX-13</i> Mixed Use 13
<i>MX-U</i> Mixed Use Unlimited
3. Commercial and Industrial Districts
<i>CG</i> Commercial General
<i>IX</i> Industrial Mixed Use
<i>IL</i> Industrial Light
<i>IH</i> Industrial Heavy
4. Institutional and Open Space Districts
<i>INS</i> Institutional
<i>CEM</i> Cemetery
<i>OS</i> Open Space

2.1.2. Applicability

- A. District requirements apply based on what type of project activity is proposed, as shown in the table below. Typically, more than one project activity applies (for example, an expansion of an existing use may include both an addition and a facade modification).

Cross-reference	District Requirements	Project Activity						
		New Construction	Addition	Site Modification	Facade Modification	Change of Use	Renovation	Maintenance and Repair
2.6.2	Lot Size	●	○	○	○	○	○	○
2.6.3	Dwelling Units	●	●	○	○	●	●	○
2.6.4.A	Building Coverage	●	●	○	○	○	○	○
2.6.4.B	Outdoor Amenity Space	●	○	○	○	○	○	○
2.6.5	Building Setbacks	●	●	○	○	○	○	○
2.6.6	Build-To	●	○	○	○	○	○	○
2.6.7	Parking Location	●	●	●	○	○	○	○
2.6.8	Streetscape	●	○	○	○	○	○	○
2.6.9	Massing	●	●	○	○	○	○	○
2.6.10	Active Depth	●	○	○	○	○	○	○
2.6.11	Ground Story	●	○	○	○	○	○	○
2.6.12	Windows	●	○	○	●	○	○	○
2.6.13	Doors	●	○	○	●	○	○	○

● = Standards apply ○ = Standards do not apply

- B. Where a Section is listed as applying, and the zoning district includes standards for that requirement, all standards must be met. The standards may be further modified by the applicability provisions for each set of standards in *Sec. 2.6. Rules of Interpretation*. Applicability may also be modified by **XX. Nonconformities**.

2.1.3. Project Activities

A. New Construction

Any activity that includes the construction of a new building or structure. Includes relocation of an existing structure to another location on the lot, or to any other lot. Relocation of an existing structure includes any activity that lifts any portion of a building off its foundation.

B. Addition

Any expansion of an existing building or structure that is less than the footprint of the existing building or structure, up to 25,000 square feet of new floor area. Includes activity that increases the

floor area or the height of an enclosed space within an existing building. Any expansion that exceeds these thresholds is considered new construction.

C. Site Modification

Any modification of an existing site that affects less than 50% of the existing site area, up to 25,000 square feet of affected site area. Any site modification that exceeds these thresholds is considered new construction.

D. Facade Modification

Any change to the exterior envelope of a building that affects more than 250 square feet of facade area. Facade modifications include changes to any of the following: the facade of a building; the amount of exterior foundation wall that is exposed above finished grade; or an architectural element including a balcony, porch, or deck attached to a facade.

E. Change of Use

Any change in use or a modification of an area designed and intended for a specific use from a previously approved use. Includes a change in the principal use of any portion of a building or lot from one to another. Includes the expansion of floor area, site area, or lot area dedicated to a use or an increase in the intensity of a use, such as an increase in seating capacity or the number of persons in care.

F. Renovation

Any modification to an existing building or structure that does not expand the building or structure and does not exceed the following: removal of up to 50% of the perimeter wall framing; removal of up to 50% of the roof framing; or removal of up to 50% of the structural members. Any modification that exceeds these thresholds is considered new construction.

G. Maintenance and Repair

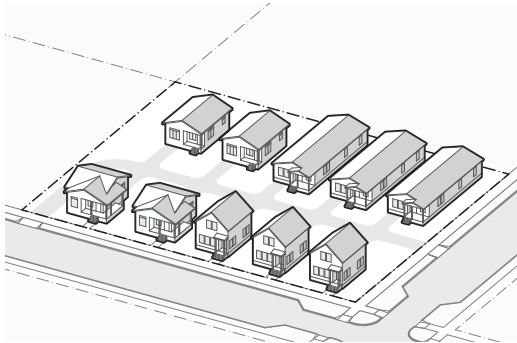
Activity done to correct the deterioration, decay of, or damage to, any part of a building, structure, or lot, that does not involve a change or modification of the existing design, outward appearance or applicable zoning requirements. In-kind replacement of deteriorated or damaged parts of a building is considered maintenance and repair. Maintenance and repair includes repair of site components such as parking lots or landscaping, but does not include resurfacing of an existing parking lot. Includes any modification to meet fire, life safety, and ADA requirements.

SEC. 2.2. **RESIDENTIAL DISTRICTS**

2.2.1. **Summary of Districts**

A. Residential Cottage (RC)

Allows for clusters of small detached houses that could include manufactured and tiny home parks, and cottage courts on a lot no less than 100 feet in width.



B. Residential Detached Low (RD-A)

Allows one dwelling unit and one accessory dwelling unit, on a lot no less than 90 feet in width. If house preserved, one additional unit is allowed. Includes detached, attached, and duplex housing typologies. A limited amount of ground floor commercial is allowed conditionally.



C. Residential Detached Medium (RD-B)

Allows one dwelling unit and one accessory dwelling unit, on a lot no less than 50 feet in width. If house preserved, one additional unit is allowed. Includes detached, attached, and duplex housing typologies. A limited amount of ground floor commercial is allowed conditionally.



D. Residential Detached High (RD-C)

Allows one dwelling unit and one accessory dwelling unit, on a lot no less than 25 feet in width. If house preserved, one additional unit is allowed. Includes detached, attached, and duplex housing typologies. A limited amount of ground floor commercial is allowed conditionally.



E. Residential Attached (RA)

Allows one dwelling unit and one accessory dwelling unit. There is no minimum lot width. If house preserved, one additional unit is allowed. Includes detached, attached, duplex, and rowhouse housing typologies. A limited amount of ground floor commercial is allowed conditionally.



F. Residential Multi-Unit Low (RM-A)

Allows up to 6 dwelling units in a building. Includes detached, attached, duplex, rowhouse, and multiplex housing typologies. A limited amount of by-right ground floor commercial subject to special standards is also allowed.



G. Residential Multi-Unit Medium (RM-B)

Allows up to 12 dwelling units in a building. Includes detached, attached, duplex, rowhouse, stacked townhouse, multiplex, and small apartment housing typologies. A limited amount of by-right ground floor commercial subject to special standards is also allowed.



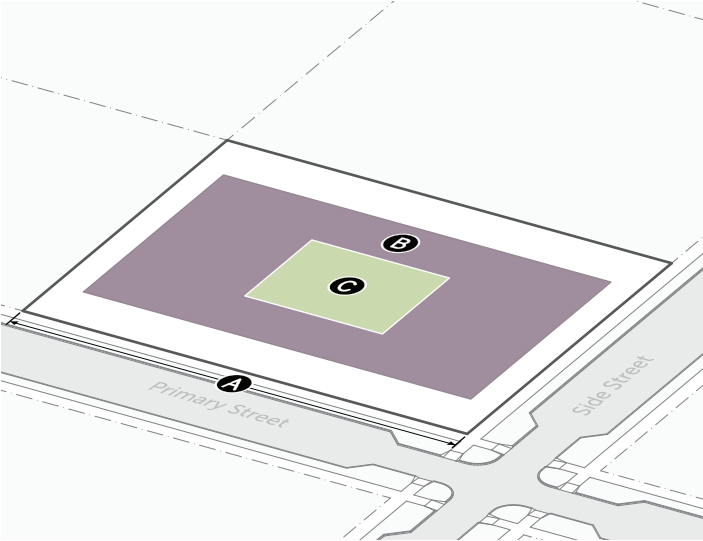
H. Residential Multi-Unit High (RM-C)

Allows an unlimited number of dwelling units in a building. Includes detached, attached, duplex, rowhouse, stacked townhouse, multiplex, small apartment, and large apartments housing typologies. A limited amount of by-right ground floor commercial subject to special standards is also allowed.

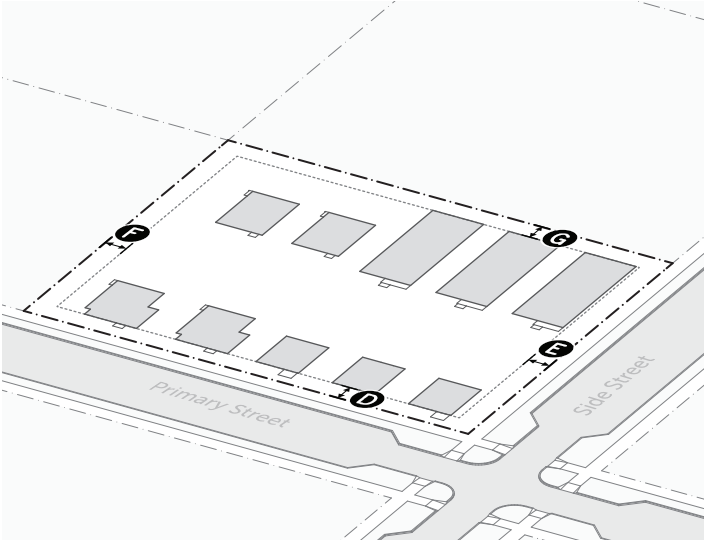


2.2.2. RC RESIDENTIAL COTTAGE

A. Lot Standards

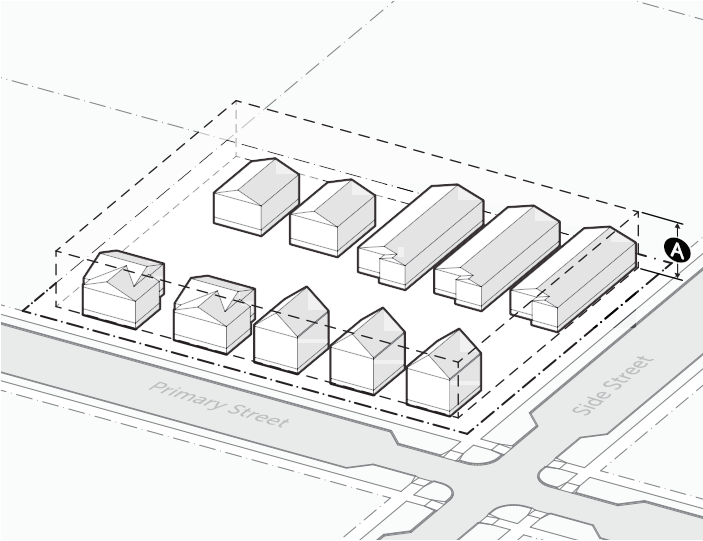


1. Lot Size	Sec. 2.6.2
A Lot width (min)	100'
2. Dwelling Units	Sec. 2.6.3
Dwelling units per building (max)	1
3. Coverage	Sec. 2.6.4
B Building coverage (max)	50%
C Amenity space (min)	10%



4. Building Setbacks	Sec. 2.6.5
D Primary street (min)	10'
E Side street (min)	10'
F Side (min)	10'
G Rear (min)	10'
Alley (min)	3'
5. Build-to	Sec. 2.6.6
Primary street (min)	n/a
Side street (min)	n/a
6. Parking Location	Sec. 2.6.7
Parking setback (min)	n/a
Parking between building & street	Allowed
7. Streetscape	Sec. 2.6.8
Clear pedestrian zone (min)	5'

B. Building Standards



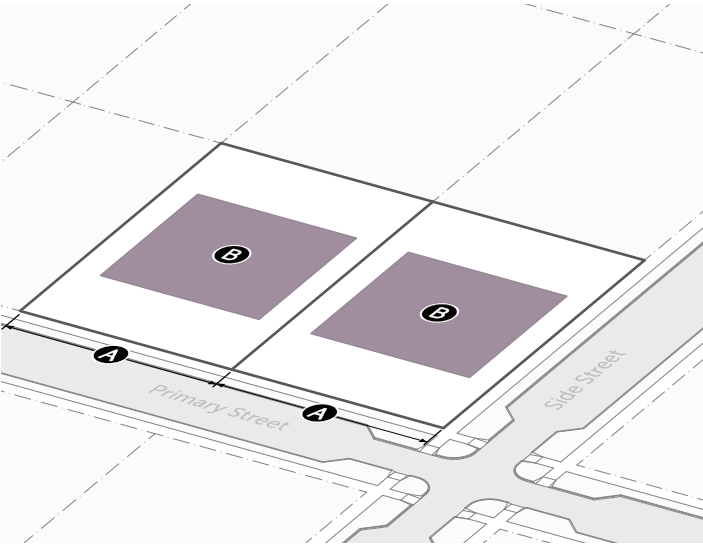
1. Massing	Sec. 2.6.9
A Building height (max)	1.5 stories/18'
Width (max)	n/a
Building floor area (max)	1,200 SF
2. Active Depth	Sec. 2.6.10
Primary street (min)	n/a
Side street (min)	n/a
3. Ground Story	Sec. 2.6.11
Ground story height (min)	n/a
Finished floor elevation (min/max)	n/a



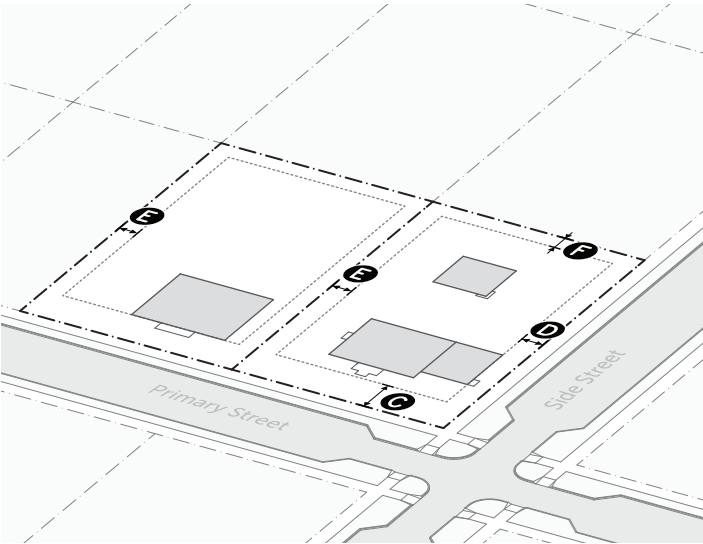
	Primary St.	Side St.
4. Windows	Sec. 2.6.12	
Ground story (min)	n/a	n/a
Upper story (min)	n/a	n/a
Blank wall width (max)	n/a	n/a
5. Doors	Sec. 2.6.13	
Street-facing entrance	n/a	n/a
Street-facing entry spacing (max)	n/a	n/a

2.2.3. **RD-A** RESIDENTIAL DETACHED LOW

A. Lot Standards



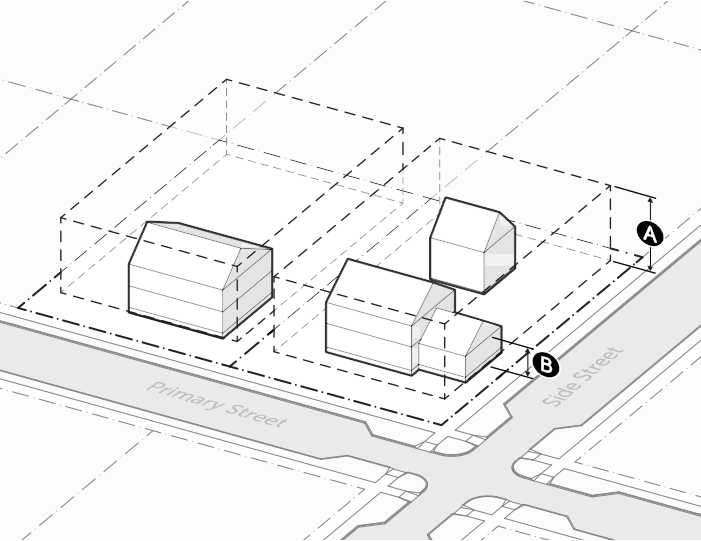
1. Lot Size	Sec. 2.6.2
A Lot width (min)	90'
2. Dwelling Units	Sec. 2.6.3
Dwelling units per lot (max)	
Base	1 + ADU
Housing preservation bonus	2 + ADU
3. Coverage	Sec. 2.6.4
B Building coverage (max)	30%
Amenity space (min)	n/a



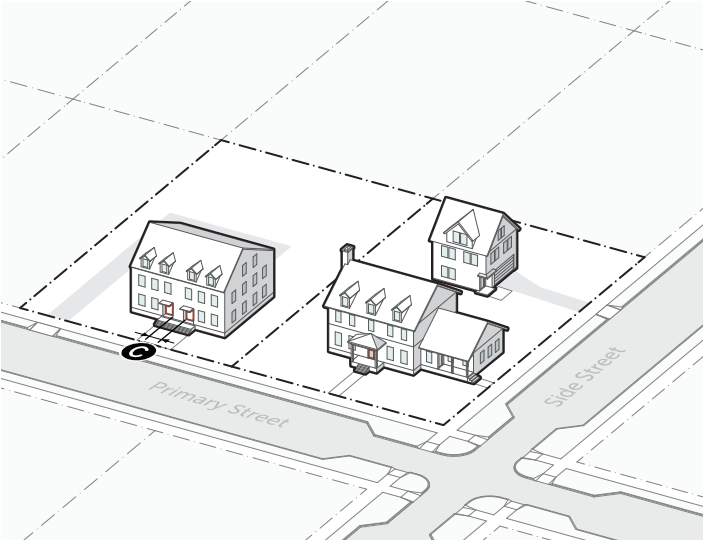
4. Building Setbacks	Sec. 2.6.5
C Primary street (min)	Existing range or 20'
D Side street (min)	10'
E Side (min)	9'
F Rear (min)	9'
Alley (min)	3'
5. Build-to	Sec. 2.6.6
Primary street (min)	n/a
Side street (min)	n/a
6. Parking Location	Sec. 2.6.7
Parking setback (min)	n/a
Parking between building & street	Allowed
7. Streetscape	Sec. 2.6.8
Clear pedestrian zone (min)	5'

RD-A

B. Building Standards



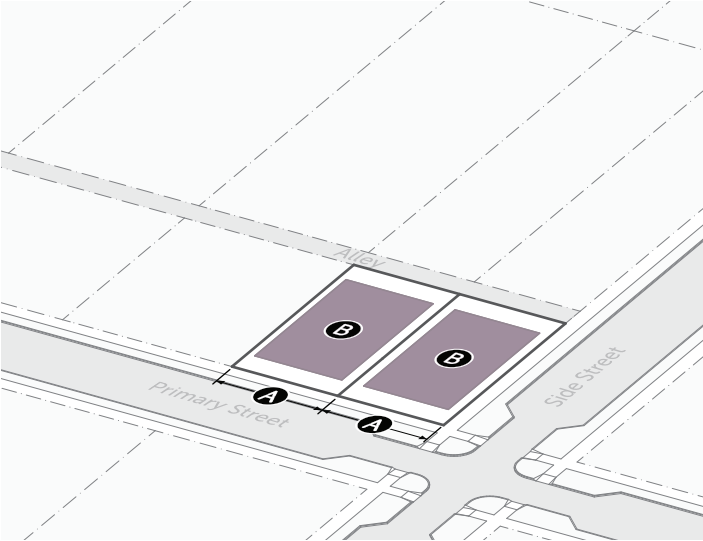
1. Massing	Sec. 2.6.9
A Building height (max)	3 stories/35'
Width (max)	n/a
2. Active Depth	Sec. 2.6.10
Primary street (min)	n/a
Side street (min)	n/a
3. Ground Story	Sec. 2.6.11
B Ground story height (min)	9'
Finished floor elevation (min/max)	0'/4'



	Primary St.	Side St.
4. Windows	Sec. 2.6.12	
Ground story (min)	n/a	n/a
Upper story (min)	n/a	n/a
Blank wall width (max)	n/a	n/a
5. Doors	Sec. 2.6.13	
Street-facing entrance	Required	n/a
C Street-facing entry spacing (max)	100'	n/a

2.2.4. **RD-B** RESIDENTIAL DETACHED MEDIUM

A. Lot Standards



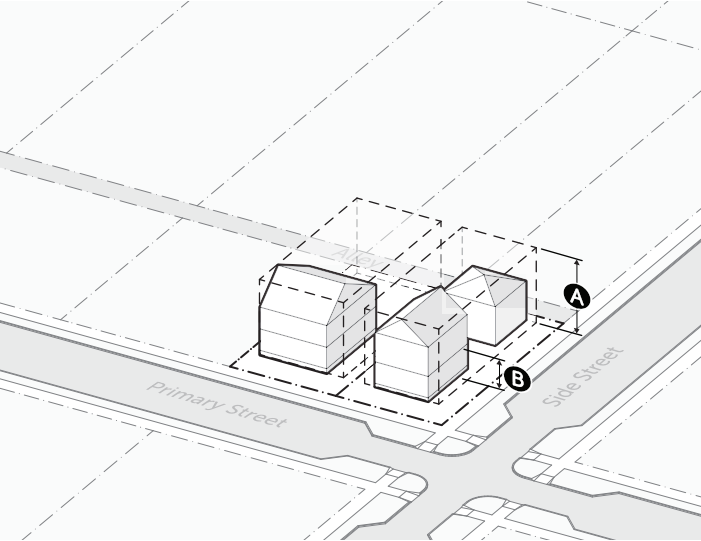
1. Lot Size	<i>Sec. 2.6.2</i>
A Lot width (min)	50'
2. Dwelling Units	<i>Sec. 2.6.3</i>
Dwelling units per lot (max)	
Base	1 + ADU
Housing preservation bonus	2 + ADU
3. Coverage	<i>Sec. 2.6.4</i>
B Building coverage (max)	40%
Amenity space (min)	n/a



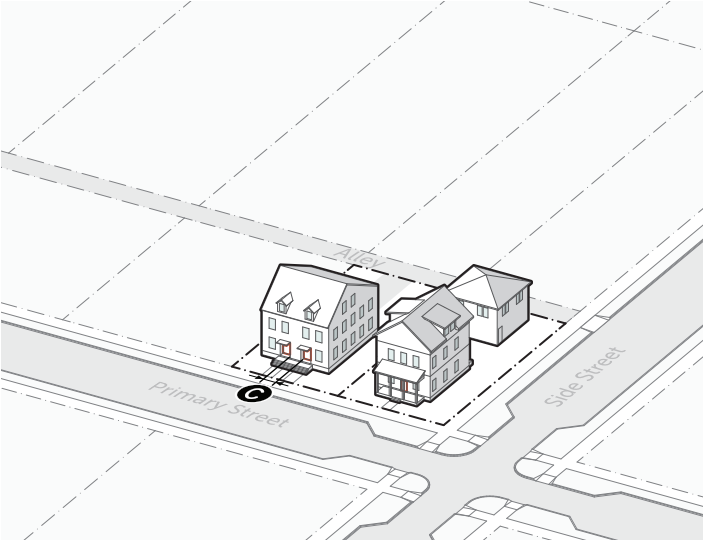
4. Building Setbacks	<i>Sec. 2.6.5</i>
C Primary street (min)	Existing range or 20'
D Side street (min)	10'
E Side (min)	5'
Rear (min)	5'
F Alley (min)	3'
5. Build-to	<i>Sec. 2.6.6</i>
Primary street (min)	n/a
Side street (min)	n/a
6. Parking Location	<i>Sec. 2.6.7</i>
Parking setback (min)	n/a
Parking between building & street	Allowed
7. Streetscape	<i>Sec. 2.6.8</i>
Clear pedestrian zone (min)	5'

RD-B

B. Building Standards



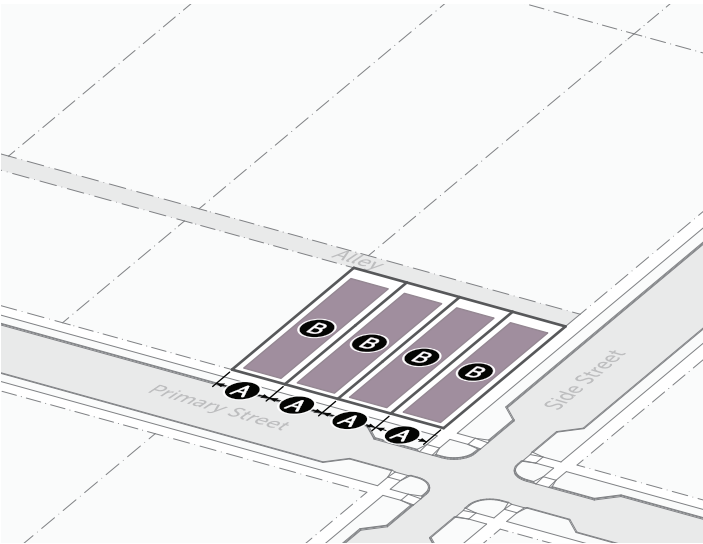
1. Massing	Sec. 2.6.9
A Building height (max)	Contextual or 3 stories/35'
Width (max)	n/a
2. Active Depth	Sec. 2.6.10
Primary street (min)	n/a
Side street (min)	n/a
3. Ground Story	Sec. 2.6.11
B Ground story height (min)	9'
Finished floor elevation (min/max)	0'/4'



	Primary St.	Side St.
4. Windows	Sec. 2.6.12	
Ground story (min)	n/a	n/a
Upper story (min)	n/a	n/a
Blank wall width (max)	n/a	n/a
5. Doors	Sec. 2.6.13	
Street-facing entrance	Required	n/a
C Street-facing entry spacing (max)	100'	n/a

2.2.5. **RD-C** RESIDENTIAL DETACHED HIGH

A. Lot Standards



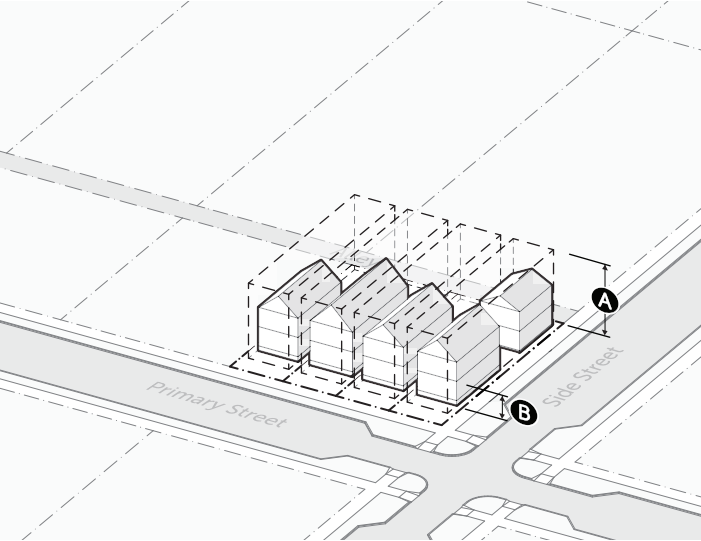
1. Lot Size	Sec. 2.6.2
A Lot width (min)	25'
2. Dwelling Units	Sec. 2.6.3
Dwelling units per lot (max)	
Base	1 + ADU
Housing preservation bonus	2 + ADU
3. Coverage	Sec. 2.6.4
B Building coverage (max)	50%
Amenity space (min)	n/a



4. Building Setbacks	Sec. 2.6.5
C Primary street (min)	Existing range or 10'
D Side street (min)	0'
E Side (min)	3'
Rear (min)	3'
F Alley (min)	3'
5. Build-to	Sec. 2.6.6
Primary street (min)	n/a
Side street (min)	n/a
6. Parking Location	Sec. 2.6.7
Parking setback (min)	n/a
Parking between building & street	Not allowed
7. Streetscape	Sec. 2.6.8
Clear pedestrian zone (min)	5'

RD-C

B. Building Standards



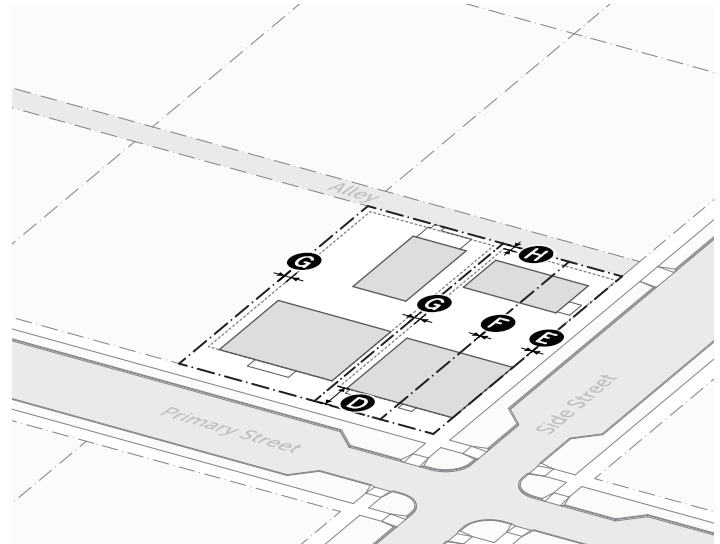
1. Massing	Sec. 2.6.9
A Building height (max)	Contextual or 3 stories/35'
Width (max)	n/a
2. Active Depth	Sec. 2.6.10
Primary street (min)	n/a
Side street (min)	n/a
3. Ground Story	Sec. 2.6.11
B Ground story height (min)	9'
Finished floor elevation (min/max)	0'/4'



	Primary St.	Side St.
4. Windows	Sec. 2.6.12	
Ground story (min)	n/a	n/a
Upper story (min)	n/a	n/a
Blank wall width (max)	n/a	n/a
5. Doors	Sec. 2.6.13	
Street-facing entrance	Required	n/a
C Street-facing entry spacing (max)	50'	n/a

2.2.6. **RA** RESIDENTIAL ATTACHED

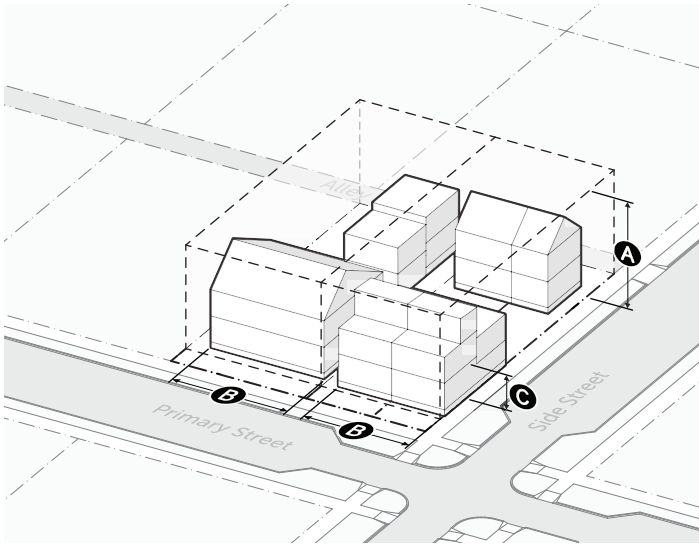
A. Lot Standards



1. Lot Size	Sec. 2.6.2
Ⓐ Lot width (min)	0'
2. Dwelling Units	Sec. 2.6.3
Dwelling units per lot (max)	
Base	1 + ADU
Housing preservation bonus	2 + ADU
3. Coverage	Sec. 2.6.4
Ⓑ Building coverage (max)	60%
Ⓒ Amenity space (min)	10%

4. Building Setbacks	Sec. 2.6.5
Ⓓ Primary street (min/max)	Existing range or 10'
Ⓔ Side street (min/max)	0'
Ⓕ Side, interior (min)	0'
Ⓖ Side, end (min)	3'
Rear (min)	3'
Ⓗ Alley (min)	3'
5. Build-to	Sec. 2.6.6
Primary street (min)	n/a
Side street (min)	n/a
6. Parking Location	Sec. 2.6.7
Parking setback (min)	9'
Parking between building & street	Not allowed
7. Streetscape	Sec. 2.6.8
Clear pedestrian zone (min)	5'

B. Building Standards

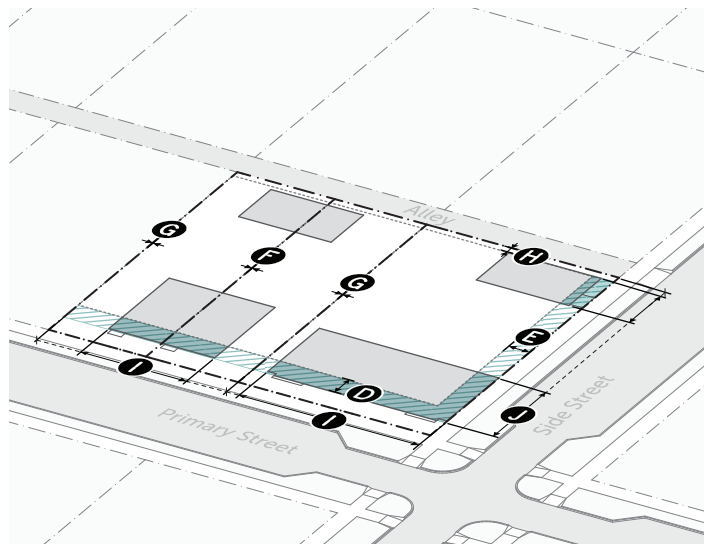


1. Massing	Sec. 2.6.9
A Building height (max)	Contextual or 3 stories/35'
B Width (max)	
Building with	n/a
Attached units in a row	4
2. Active Depth	Sec. 2.6.10
Primary street (min)	n/a
Side street (min)	n/a
3. Ground Story	Sec. 2.6.11
C Ground story height (min)	10'
Finished floor elevation (min/max)	0'/4'

	Primary St.	Side St.
4. Windows	Sec. 2.6.12	
D Ground story (min)	15%	10%
E Upper story (min)	10%	10%
F Blank wall width (max)	20'	25'
5. Doors	Sec. 2.6.13	
Street-facing entrance	Required	n/a
G Street-facing entry spacing (max)	50'	n/a

2.2.7. **RM-A** RESIDENTIAL MULTI-UNIT LOW

A. Lot Standards

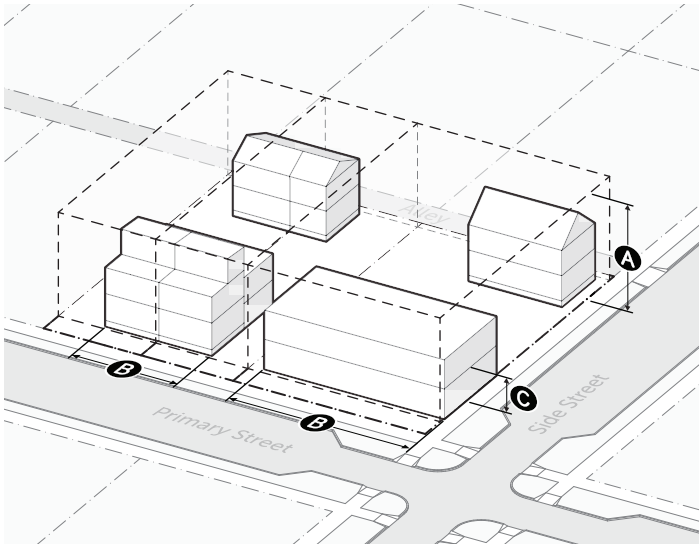


1. Lot Size	Sec. 2.6.2
Ⓐ Lot width (min)	0'
2. Dwelling Units	Sec. 2.6.3
Dwelling units per building (max)	6
3. Coverage	Sec. 2.6.4
Ⓑ Building coverage (max)	70%
Ⓒ Amenity space (min)	15%

4. Building Setbacks	Sec. 2.6.5
Ⓓ Primary street (min/max)	Existing range or 10'/20'
Ⓔ Side street (min/max)	0'/10'
Ⓕ Side, interior (min)	0'
Ⓖ Side, end (min)	3'
Rear (min)	3'
Ⓗ Alley (min)	3'
5. Build-to	Sec. 2.6.6
Ⓘ Primary street (min)	70%
Ⓙ Side street (min)	35%
6. Parking Location	Sec. 2.6.7
Parking setback (min)	9'
Parking between building & street	Not allowed
7. Streetscape	Sec. 2.6.8
Clear pedestrian zone (min)	5'

RM-A

B. Building Standards

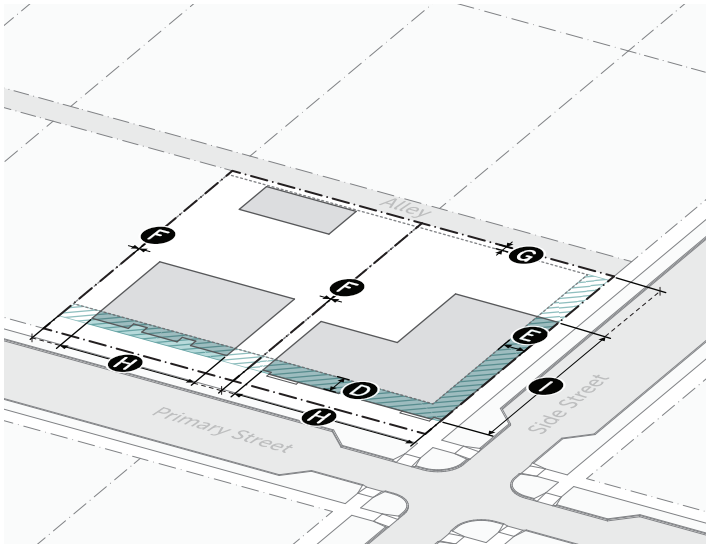
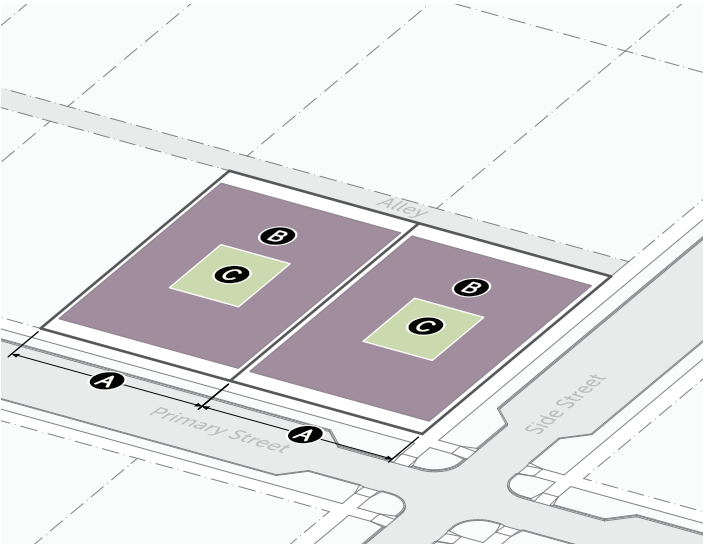


1. Massing	Sec. 2.6.9
A Building height (max)	Contextual or 3 stories/40'
B Width (max)	
Building width	n/a
Attached units in a row	6
2. Active Depth	Sec. 2.6.10
Primary street (min)	n/a
Side street (min)	n/a
3. Ground Story	Sec. 2.6.11
C Ground story height (min)	10'
Finished floor elevation (min/max)	0'/4'

	Primary St.	Side St.
4. Windows	Sec. 2.6.12	
D Ground story (min)	15%	10%
E Upper story (min)	10%	10%
F Blank wall width (max)	20'	25'
5. Doors	Sec. 2.6.13	
Street-facing entrance	Required	n/a
G Street-facing entry spacing (max)	75'	n/a

2.2.8. **RM-B** RESIDENTIAL MULTI-UNIT MEDIUM

A. Lot Standards

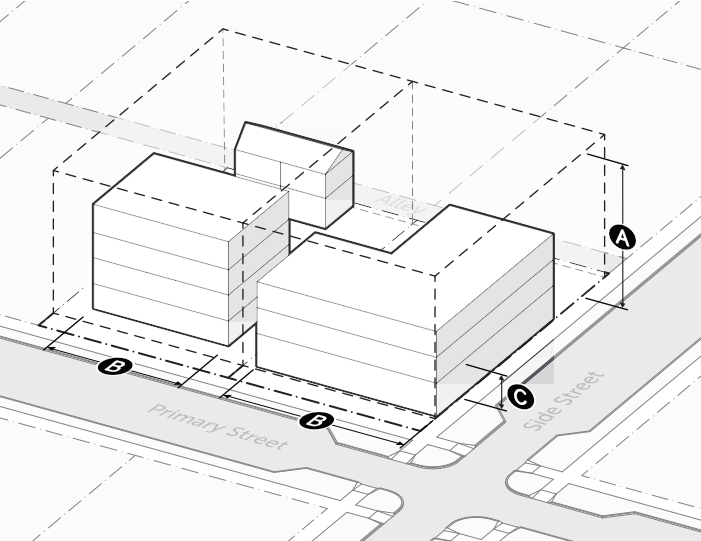


1. Lot Size	Sec. 2.6.2
A Lot width (min)	0'
2. Dwelling Units	Sec. 2.6.3
Dwelling units per building (max)	12
3. Coverage	Sec. 2.6.4
B Building coverage (max)	80%
C Amenity space (min)	15%

4. Building Setbacks	Sec. 2.6.5
D Primary street (min/max)	Existing range or 10'/20'
E Side street (min/max)	0'/10'
Side, interior (min)	0'
F Side, end (min)	3'
Rear (min)	3'
G Alley (min)	3'
5. Build-to	Sec. 2.6.6
H Primary street (min)	70%
I Side street (min)	35%
6. Parking Location	Sec. 2.6.7
Parking setback (min)	9'
Parking between building & street	Not allowed
7. Streetscape	Sec. 2.6.8
Clear pedestrian zone (min)	5'

RM-B

B. Building Standards



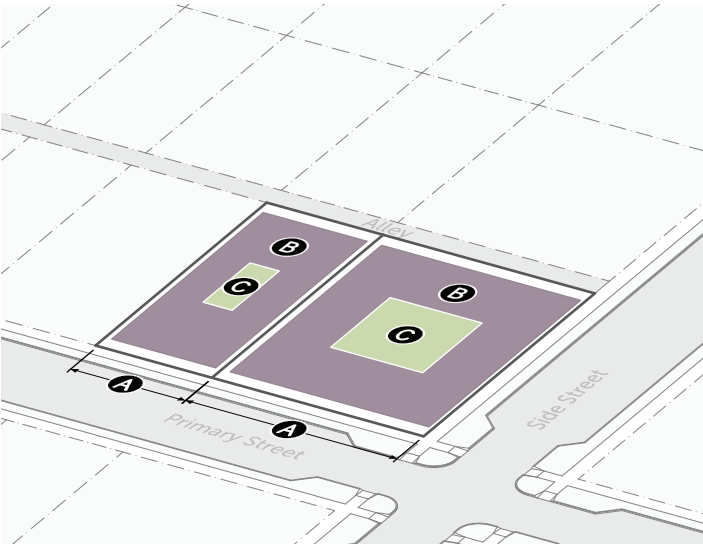
1. Massing	Sec. 2.6.9
A Building height (max)	Contextual or 4 stories/50'
B Width (max)	
Building width	n/a
Attached units in a row	8
2. Active Depth	Sec. 2.6.10
Primary street (min)	n/a
Side street (min)	n/a
3. Ground Story	Sec. 2.6.11
C Ground story height (min)	10'
Finished floor elevation (min/max)	-2'/4'



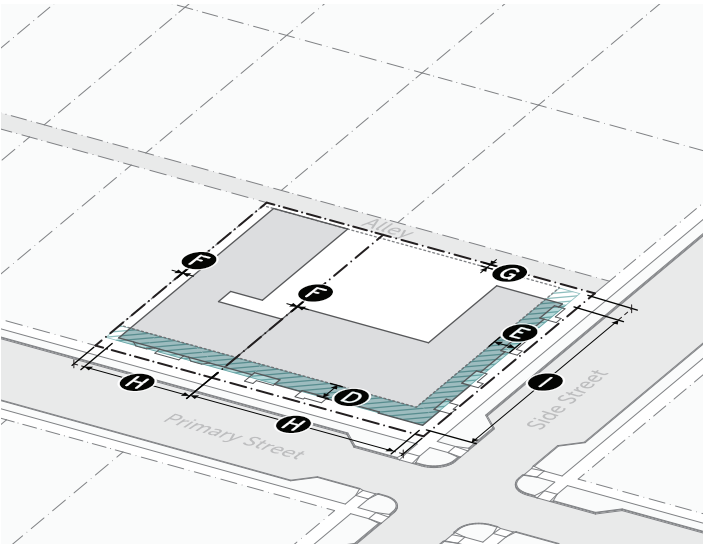
	Primary St.	Side St.
4. Windows	Sec. 2.6.12	
D Ground story (min)	15%	10%
E Upper story (min)	10%	10%
F Blank wall width (max)	20'	25'
5. Doors	Sec. 2.6.13	
Street-facing entrance	Required	n/a
G Street-facing entry spacing (max)	75'	n/a

2.2.9. **RM-C** RESIDENTIAL MULTI-UNIT HIGH

A. Lot Standards



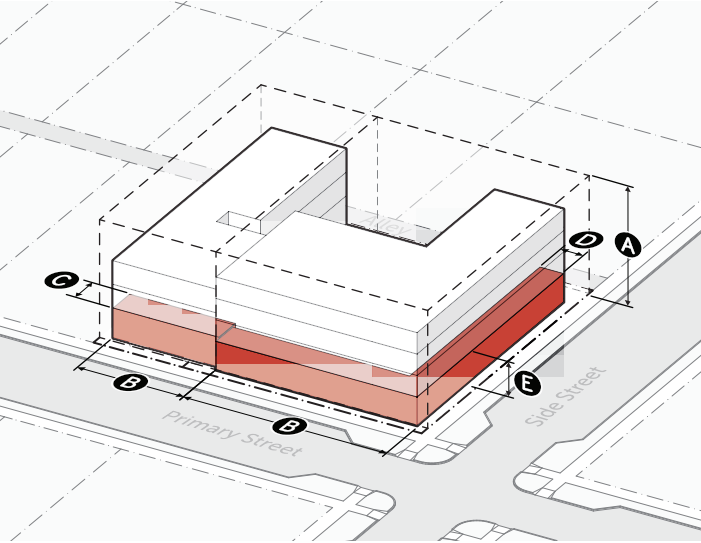
1. Lot Size	Sec. 2.6.2
A Lot width (min)	0'
2. Dwelling Units	Sec. 2.6.3
Dwelling units per building (max)	n/a
3. Coverage	Sec. 2.6.4
B Building coverage (max)	80%
C Amenity space (min)	15%



4. Building Setbacks	Sec. 2.6.5
D Primary street (min/max)	5'/15'
E Side street (min/max)	5'/15'
F Side (min)	0'
Rear (min)	0'
G Alley (min)	3'
5. Build-to	Sec. 2.6.6
H Primary street (min)	70%
I Side street (min)	35%
6. Parking Location	Sec. 2.6.7
Parking setback (min)	n/a
Parking between building & street	Not allowed
7. Streetscape	Sec. 2.6.8
Clear pedestrian zone (min)	10'

RM-C

B. Building Standards



1. Massing	Sec. 2.6.9
A Building height (max)	Contextual or 4 stories/55'
B Width (max)	
Building width	175'
Attached units in a row	9
2. Active Depth	Sec. 2.6.10
C Primary street (min)	9'
D Side street (min)	9'
3. Ground Story	Sec. 2.6.11
E Ground story height (min)	10'
Finished floor elevation (min/max)	-2'/4'



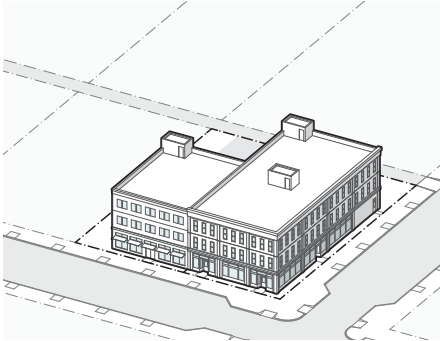
	Primary St.	Side St.
4. Windows	Sec. 2.6.12	
F Ground story (min)	15%	10%
G Upper story (min)	10%	10%
H Blank wall width (max)	20'	25'
5. Doors	Sec. 2.6.13	
Street-facing entrance	Required	Required
I Street-facing entry spacing (max)	50'	75'

SEC. 2.3. **MIXED USE DISTRICTS**

2.3.1. **Summary of Districts**

A. Mixed Use 3 (MX-3)

Allows up to a 3-story residential, commercial or mixed use building. Also includes rowhouses, stacked townhouses, multiplexes, and apartments.



B. Mixed Use 4 (MX-4)

Allows up to a 4-story residential, commercial or mixed use building. Also includes rowhouses, stacked townhouses, multiplexes, and apartments.



C. Mixed Use 5 (MX-5)

Allows up to a 5-story residential, commercial or mixed use building. Also includes rowhouses, stacked townhouses, multiplexes, and apartments.



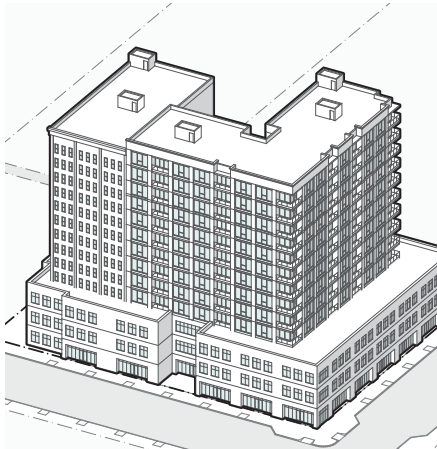
D. Mixed Use 7 (MX-7)

Allows up to a 7-story residential, commercial or mixed use building. Also includes rowhouses, stacked townhouses, multiplexes, and apartments.



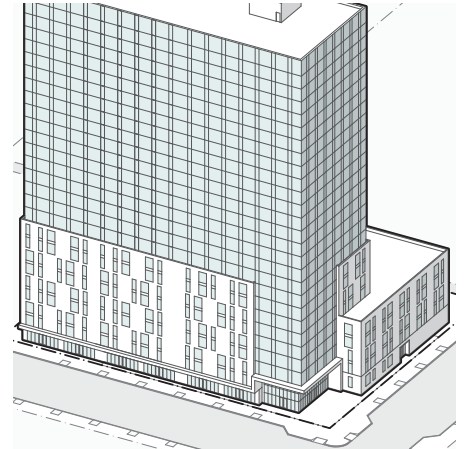
E. Mixed Use 13 (MX-13)

Allows up to a 13-story residential, commercial or mixed use building.



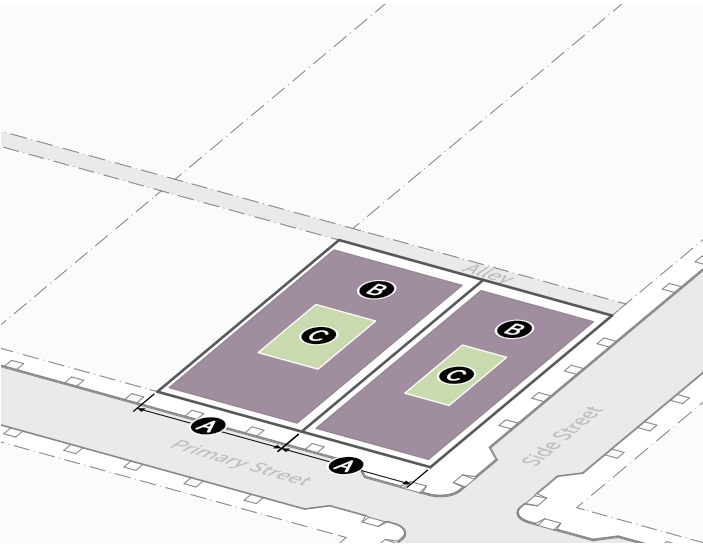
F. Mixed Use Unlimited (MX-U)

Allows an unlimited in height residential, commercial or mixed use building.

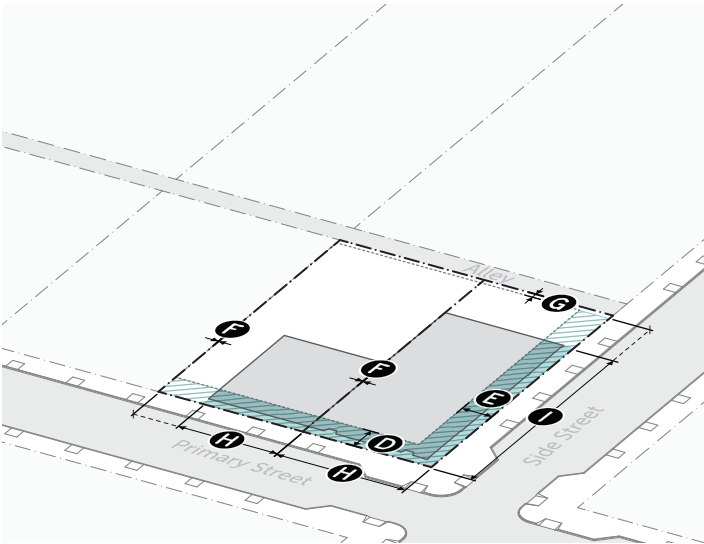


2.3.2. **MX-3** MIXED USE 3

A. Lot Standards



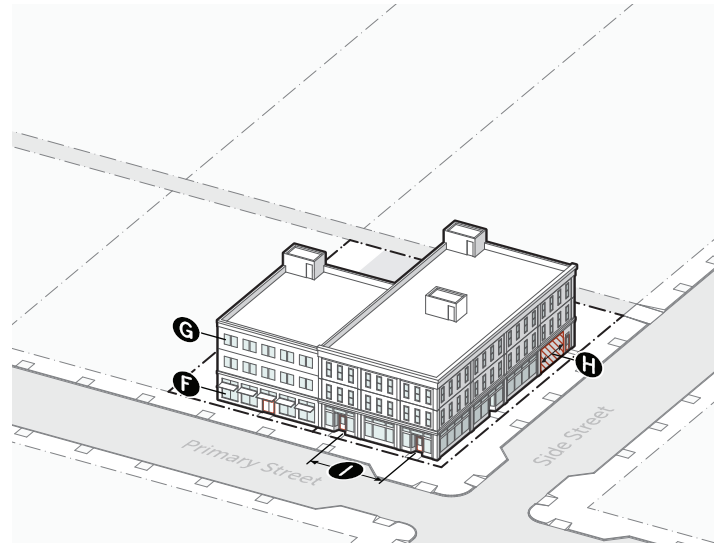
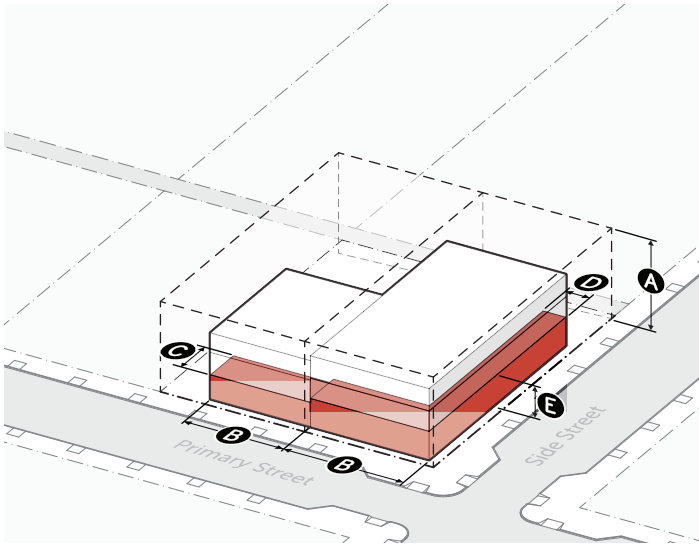
1. Lot Size	Sec. 2.6.2
A Lot width (min)	0'
2. Dwelling Units	Sec. 2.6.3
Dwelling units per building (max)	n/a
3. Coverage	Sec. 2.6.4
B Building coverage (max)	80%
C Amenity space (min)	15%



4. Building Setbacks	Sec. 2.6.5
D Primary street (min/max)	0'/15'
E Side street (min/max)	0'/15'
F Side (min)	0'
Rear (min)	0'
G Alley (min)	3'
5. Build-to	Sec. 2.6.6
H Primary street (min)	80%
I Side street (min)	40%
6. Parking Location	Sec. 2.6.7
Parking setback (min)	n/a
Parking between building & street	Not allowed
7. Streetscape	Sec. 2.6.8
Clear pedestrian zone (min)	10'

MX-3

B. Building Standards

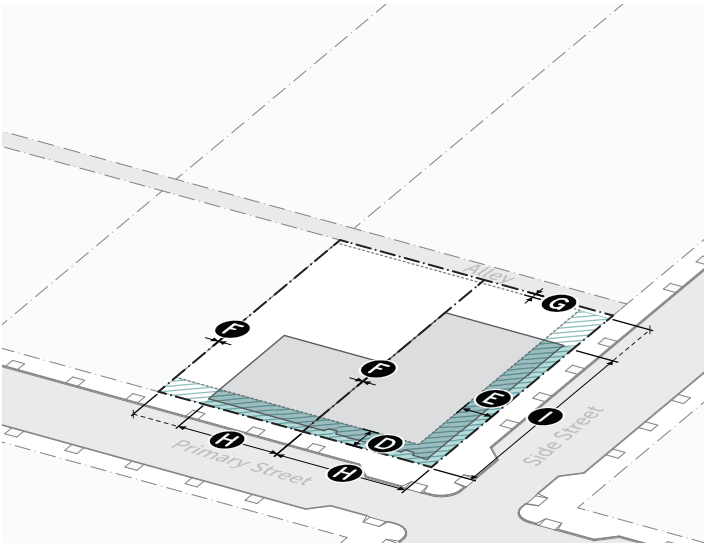
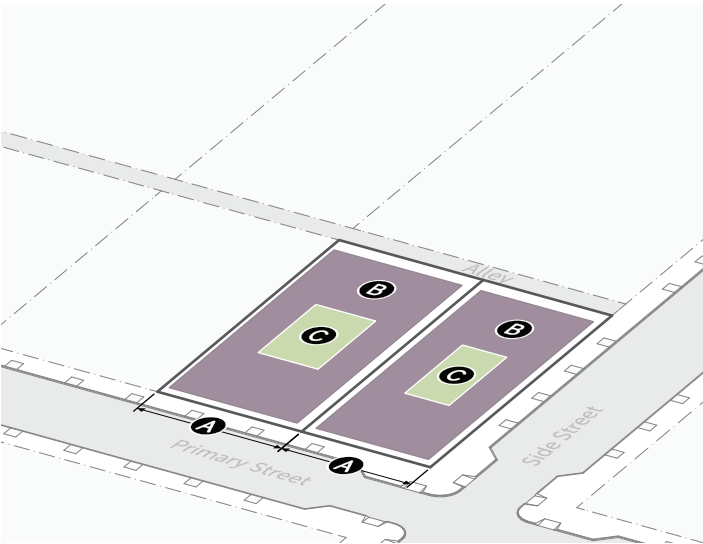


1. Massing	Sec. 2.6.9
A Building height (max)	3 stories/45'
B Width (max)	
Building width	175'
Attached units in a row	9
2. Active Depth	Sec. 2.6.10
C Primary street (min)	
Residential	9'
Nonresidential	20'
D Side street (min)	9'
3. Ground Story	Sec. 2.6.11
E Ground story height (min)	
Residential	10'
Nonresidential	12'
Finished floor elevation (min/max)	-2'/4'

	Primary St.	Side St.
4. Windows	Sec. 2.6.12	
F Ground story (min)		
Residential	20%	20%
Nonresidential	50%	30%
G Upper story (min)	15%	15%
H Blank wall width (max)	15'	25'
5. Doors	Sec. 2.6.13	
Street-facing entrance	Required	Required
I Street-facing entry spacing (max)	40'	60'

2.3.3. **MX-4** MIXED USE 4

A. Lot Standards

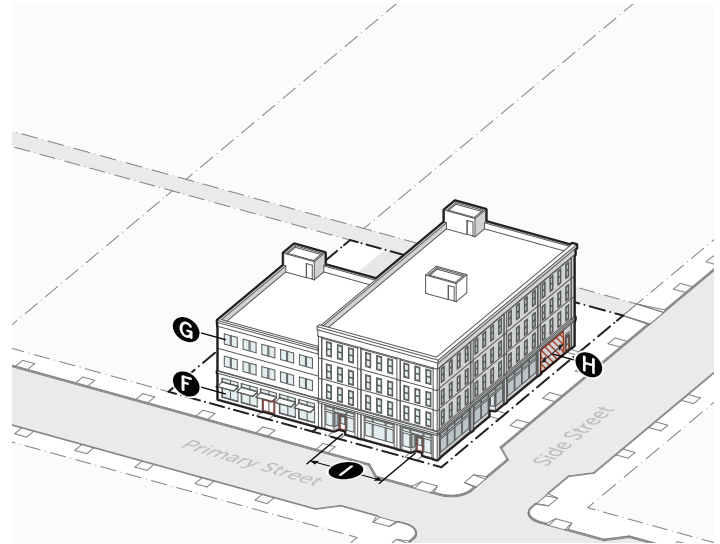
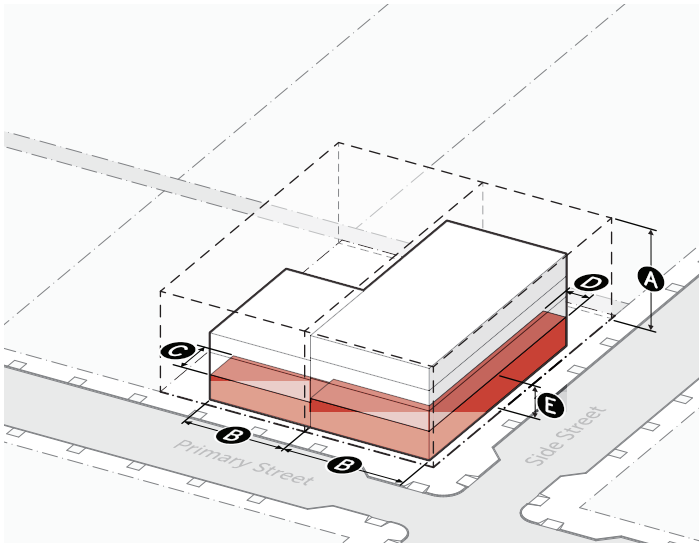


1. Lot Size	Sec. 2.6.2
A Lot width (min)	0'
2. Dwelling Units	Sec. 2.6.3
Dwelling units per building (max)	n/a
3. Coverage	Sec. 2.6.4
B Building coverage (max)	80%
C Amenity space (min)	15%

4. Building Setbacks	Sec. 2.6.5
D Primary street (min/max)	0'/15'
E Side street (min/max)	0'/15'
F Side (min)	0'
Rear (min)	0'
G Alley (min)	3'
5. Build-to	Sec. 2.6.6
H Primary street (min)	80%
I Side street (min)	40%
6. Parking Location	Sec. 2.6.7
Parking setback (min)	n/a
Parking between building & street	Not allowed
7. Streetscape	Sec. 2.6.8
Clear pedestrian zone (min)	10'

MX-4

B. Building Standards

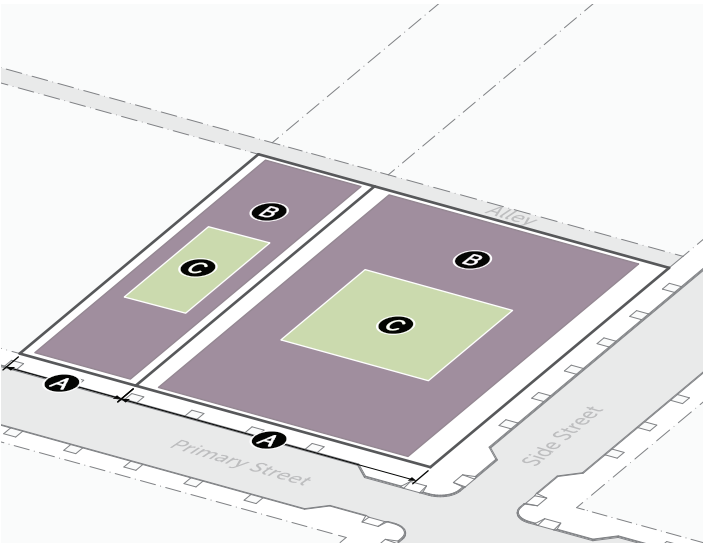


1. Massing	Sec. 2.6.9
A Building height (max)	4 stories/55'
B Width (max)	
Building width	175'
Attached units in a row	9
2. Active Depth	Sec. 2.6.10
C Primary street (min)	
Residential	9'
Nonresidential	20'
D Side street (min)	9'
3. Ground Story	Sec. 2.6.11
E Ground story height (min)	
Residential	10'
Nonresidential	12'
Finished floor elevation (min/max)	-2'/4'

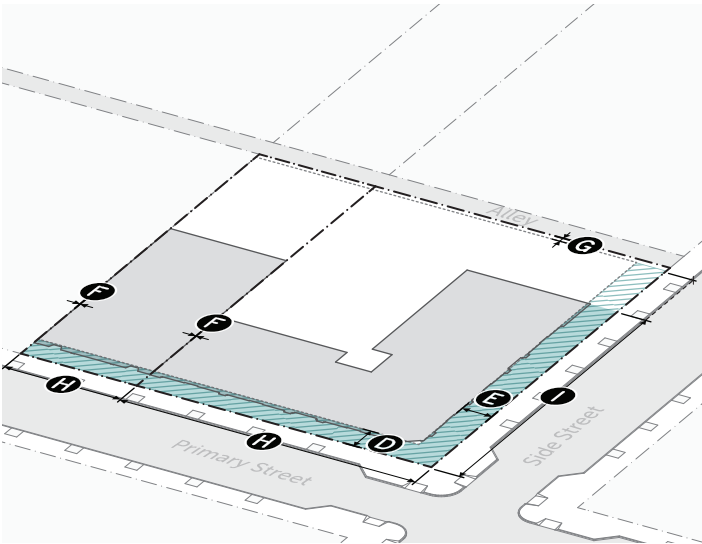
	Primary St.	Side St.
4. Windows	Sec. 2.6.12	
F Ground story (min)		
Residential	20%	20%
Nonresidential	50%	30%
G Upper story (min)	15%	15%
H Blank wall width (max)	15'	25'
5. Doors	Sec. 2.6.13	
Street-facing entrance	Required	Required
I Street-facing entry spacing (max)	40'	60'

2.3.4. **MX-5** MIXED USE 5

A. Lot Standards



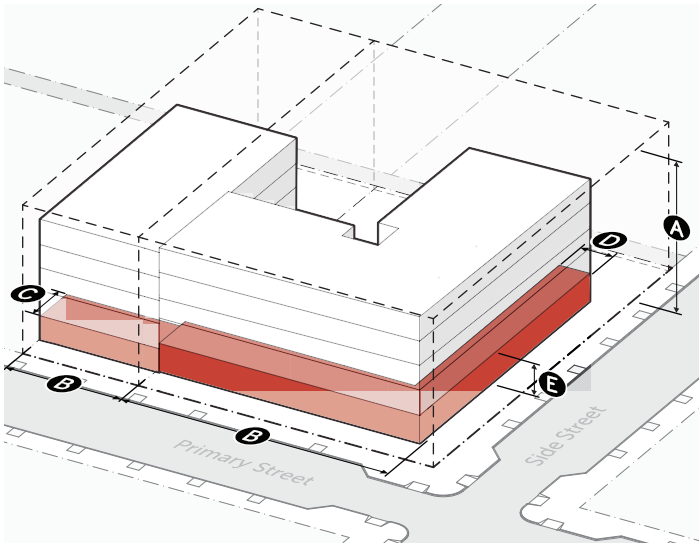
1. Lot Size	Sec. 2.6.2
A Lot width (min)	0'
2. Dwelling Units	Sec. 2.6.3
Dwelling units per building (max)	n/a
3. Coverage	Sec. 2.6.4
B Building coverage (max)	80%
C Amenity space (min)	15%



4. Building Setbacks	Sec. 2.6.5
D Primary street (min/max)	0'/15'
E Side street (min/max)	0'/15'
F Side (min)	0'
Rear (min)	0'
G Alley (min)	3'
5. Build-to	Sec. 2.6.6
H Primary street (min)	80%
I Side street (min)	40%
6. Parking Location	Sec. 2.6.7
Parking setback (min)	n/a
Parking between building & street	Not allowed
7. Streetscape	Sec. 2.6.8
Clear pedestrian zone (min)	10'

MX-5

B. Building Standards

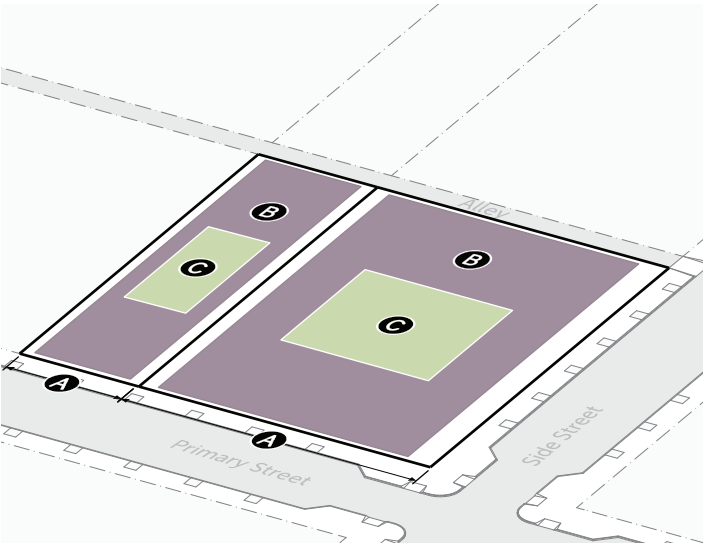


1. Massing	Sec. 2.6.9
A Building height (max)	5 stories/75'
B Width (max)	
Building width	200'
Attached units in a row	10
2. Active Depth	Sec. 2.6.10
C Primary street (min)	
Residential	9'
Nonresidential	20'
D Side street (min)	9'
3. Ground Story	Sec. 2.6.11
E Ground story height (min)	
Residential	10'
Nonresidential	12'
Finished floor elevation (min/max)	-2'/4'

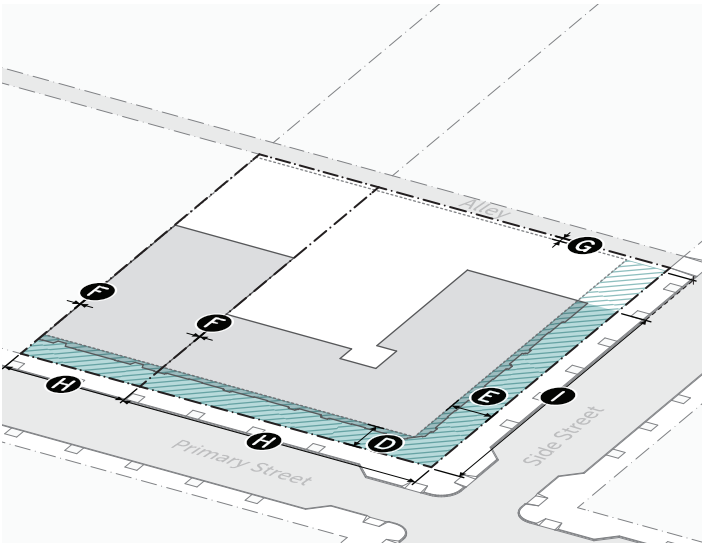
	Primary St.	Side St.
4. Windows	Sec. 2.6.12	
F Ground story (min)		
Residential	20%	20%
Nonresidential	50%	30%
G Upper story (min)	15%	15%
H Blank wall width (max)	15'	25'
5. Doors	Sec. 2.6.13	
Street-facing entrance	Required	Required
I Street-facing entry spacing (max)	40'	60'

2.3.5. **MX-7** MIXED USE 7

A. Lot Standards



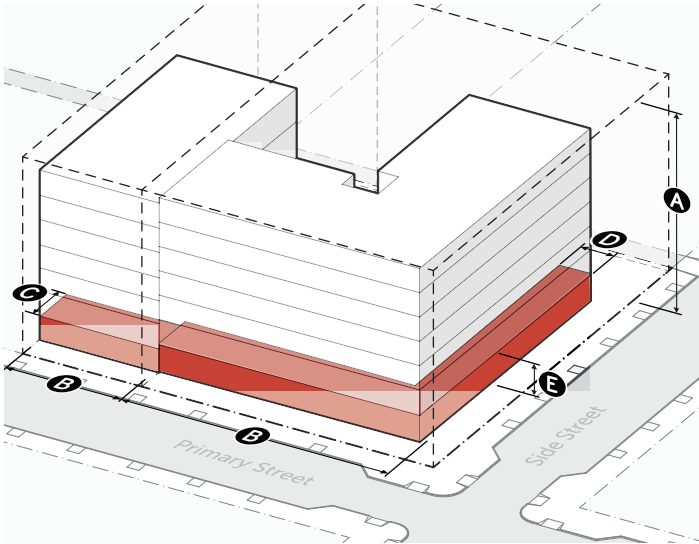
1. Lot Size	Sec. 2.6.2
A Lot width (min)	0'
2. Dwelling Units	Sec. 2.6.3
Dwelling units per building (max)	n/a
3. Coverage	Sec. 2.6.4
B Building coverage (max)	80%
C Amenity space (min)	15%



4. Building Setbacks	Sec. 2.6.5
D Primary street (min/max)	0'/20'
E Side street (min/max)	0'/20'
F Side (min)	0'
Rear (min)	0'
G Alley (min)	3'
5. Build-to	Sec. 2.6.6
H Primary street (min)	80%
I Side street (min)	40%
6. Parking Location	Sec. 2.6.7
Parking setback (min)	n/a
Parking between building & street	Not allowed
7. Streetscape	Sec. 2.6.8
Clear pedestrian zone (min)	10'

MX-7

B. Building Standards

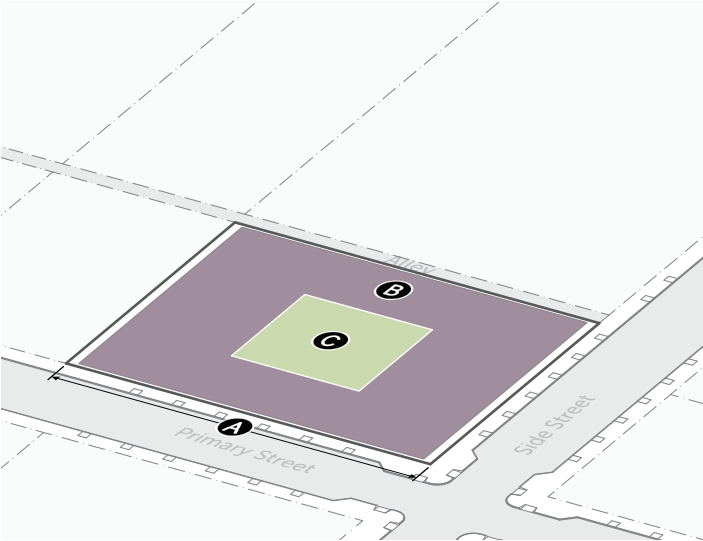


1. Massing	Sec. 2.6.9
A Building height (max)	7 stories/105'
B Width (max)	
Building width	225'
Attached units in a row	12
2. Active Depth	Sec. 2.6.10
C Primary street (min)	
Residential	9'
Nonresidential	20'
D Side street (min)	9'
3. Ground Story	Sec. 2.6.11
E Ground story height (min)	
Residential	10'
Nonresidential	12'
Finished floor elevation (min/max)	-2'/4'

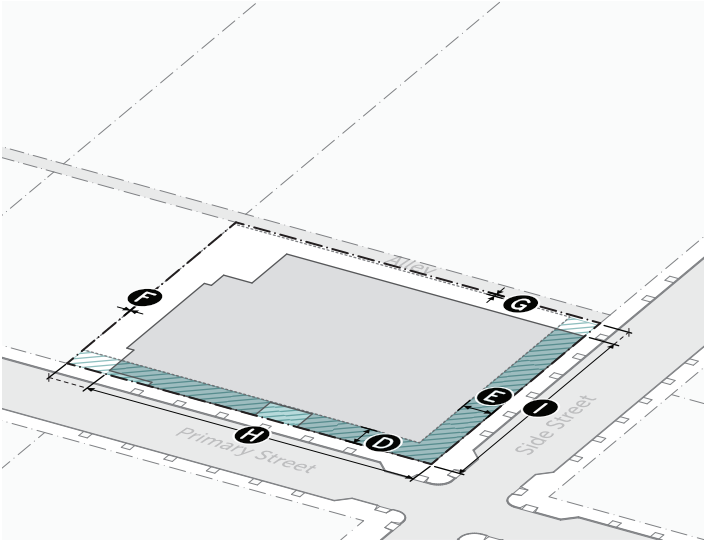
	Primary St.	Side St.
4. Windows	Sec. 2.6.12	
F Ground story (min)		
Residential	20%	20%
Nonresidential	50%	30%
G Upper story (min)	15%	15%
H Blank wall width (max)	15'	25'
5. Doors	Sec. 2.6.13	
Street-facing entrance	Required	Required
I Street-facing entry spacing (max)	40'	60'

2.3.6. **MX-13** MIXED USE 13

A. Lot Standards



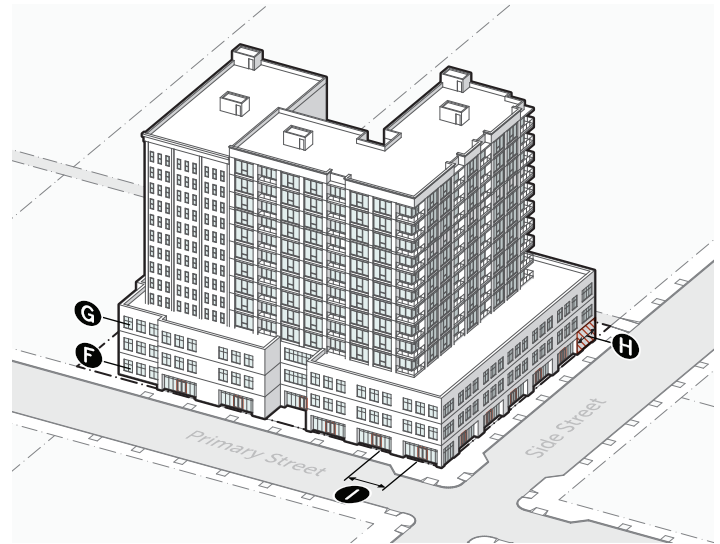
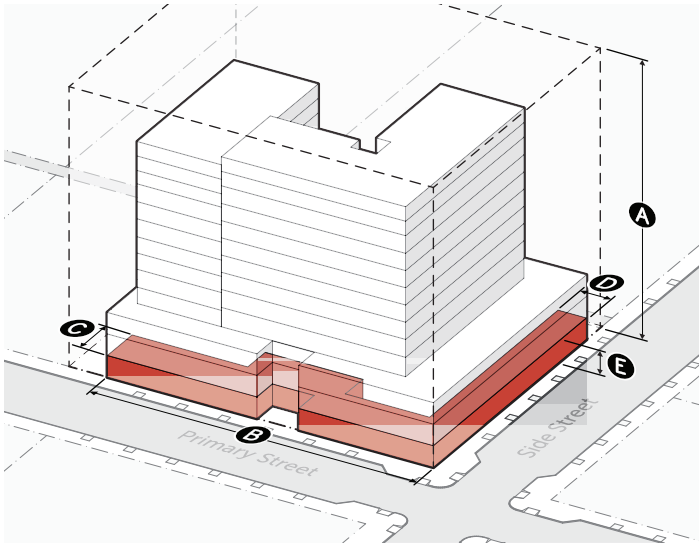
1. Lot Size	<i>Sec. 2.6.2</i>
A Lot width (min)	0'
2. Dwelling Units	<i>Sec. 2.6.3</i>
Dwelling units per building (max)	n/a
3. Coverage	<i>Sec. 2.6.4</i>
B Building coverage (max)	90%
C Amenity space (min)	15%



4. Building Setbacks	<i>Sec. 2.6.5</i>
D Primary street (min/max)	0'/20'
E Side street (min/max)	0'/20'
F Side (min)	0'
Rear (min)	0'
G Alley (min)	3'
5. Build-to	<i>Sec. 2.6.6</i>
H Primary street (min)	80%
I Side street (min)	40%
6. Parking Location	<i>Sec. 2.6.7</i>
Parking setback (min)	n/a
Parking between building & street	Not allowed
7. Streetscape	<i>Sec. 2.6.8</i>
Clear pedestrian zone (min)	15'

MX-13

B. Building Standards

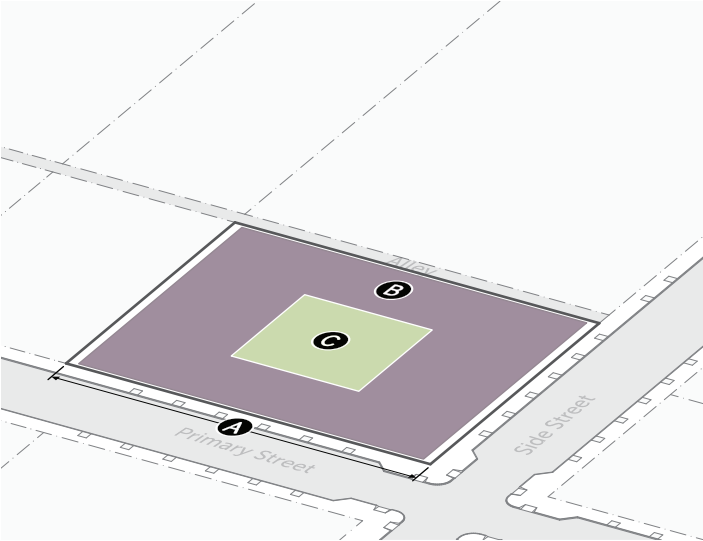


1. Massing		Sec. 2.6.9
A Building height (max)		13 stories/195'
B Width (max)		
Building width		250'
Attached units in a row		14
Street step back above 7 stories (min)		10'
2. Active Depth		Sec. 2.6.10
C Primary street (min)		
Residential		9'
Nonresidential		20'
D Side street (min)		9'
3. Ground Story		Sec. 2.6.11
E Ground story height (min)		
Residential		10'
Nonresidential		14'
Finished floor elevation (min/max)		-2'/4'

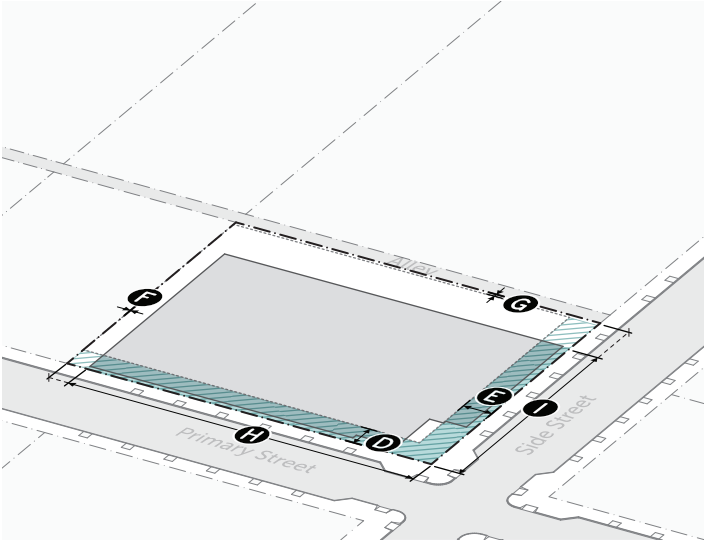
	Primary St.	Side St.
4. Windows		Sec. 2.6.12
F Ground story (min)		
Residential	20%	20%
Nonresidential	50%	30%
G Upper story (min)	15%	15%
H Blank wall width (max)	10'	20'
5. Doors		Sec. 2.6.13
Street-facing entrance	Required	Required
I Street-facing entry spacing (max)	40'	60'

2.3.7. **MX-U** MIXED USE U

A. Lot Standards



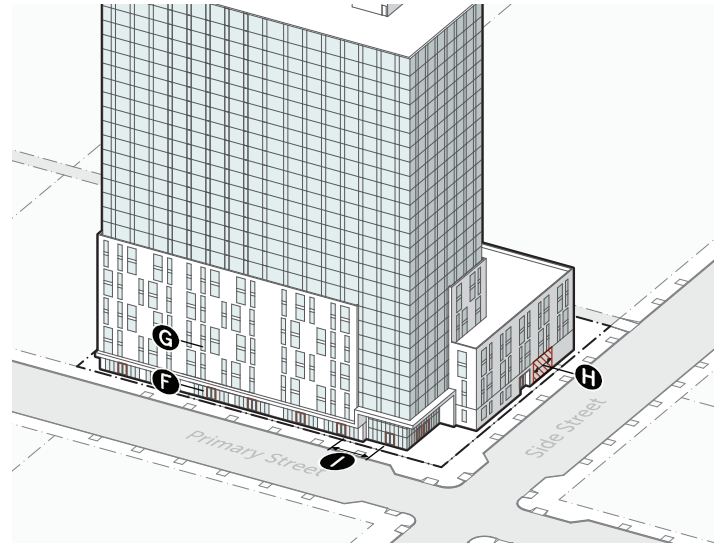
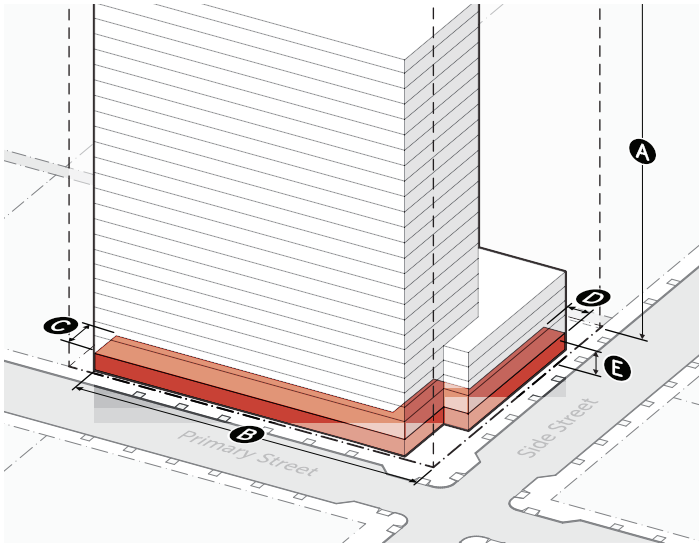
1. Lot Size	Sec. 2.6.2
A Lot width (min)	0'
2. Dwelling Units	Sec. 2.6.3
Dwelling units per building (max)	n/a
3. Coverage	Sec. 2.6.4
B Building coverage (max)	90%
C Amenity space (min)	15%



4. Building Setbacks	Sec. 2.6.5
D Primary street (min/max)	0'/20'
E Side street (min/max)	0'/20'
F Side (min)	0'
Rear (min)	0'
G Alley (min)	3'
5. Build-to	Sec. 2.6.6
H Primary street (min)	90%
I Side street (min)	60%
6. Parking Location	Sec. 2.6.7
Parking setback (min)	n/a
Parking between building & street	Not allowed
7. Streetscape	Sec. 2.6.8
Clear pedestrian zone (min)	15'

MX-U

B. Building Standards



1. Massing	Sec. 2.6.9
A Building height (max)	Unlimited
B Width (max)	Unlimited
Street step back above 7 stories (min)	10'
2. Active Depth	Sec. 2.6.10
C Primary street (min)	25'
D Side street (min)	25'
3. Ground Story	Sec. 2.6.11
E Ground story height (min)	
Residential	10'
Nonresidential	14'
Finished floor elevation (min/max)	-2'/4'

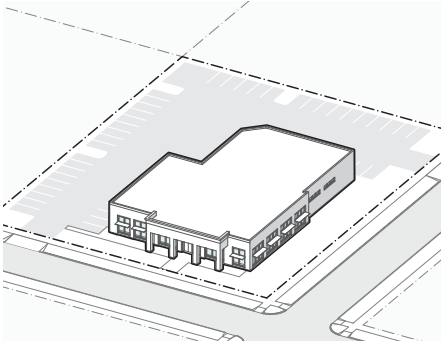
	Primary St.	Side St.
4. Windows	Sec. 2.6.12	
F Ground story (min)		
Residential	20%	20%
Nonresidential	50%	50%
G Upper story (min)	15%	15%
H Blank wall width (max)	10'	15'
5. Doors	Sec. 2.6.13	
Street-facing entrance	Required	Required
I Street-facing entry spacing (max)	40'	40'

SEC. 2.4. **COMMERCIAL & INDUSTRIAL DISTRICTS**

2.4.1. Summary of Districts

A. Commercial General (CG)

Allows up a range of heavier, more auto-oriented commercial uses. Also allows rowhouses, stacked townhouses, and apartments



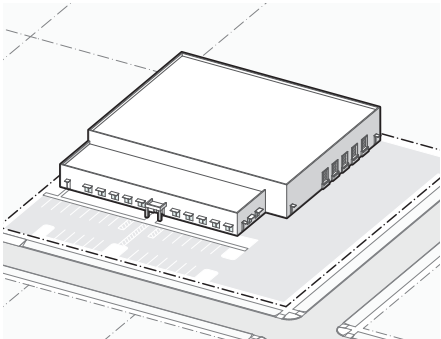
B. Industrial Mixed Use (IX)

Allows up to a 7-story residential, commercial, light industrial or mixed use building. Also includes rowhouses, stacked townhouses, multiplexes, and apartments



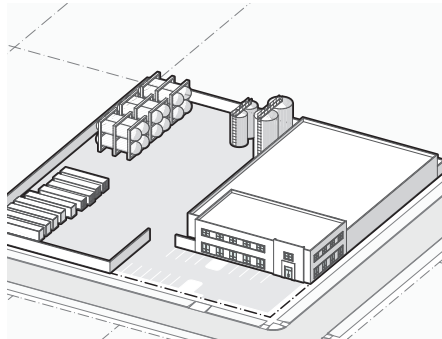
C. Industrial Light (IL)

Allows a range of low-impact industrial activity - the majority of activity is conducted indoors with limited accessory outdoor storage.



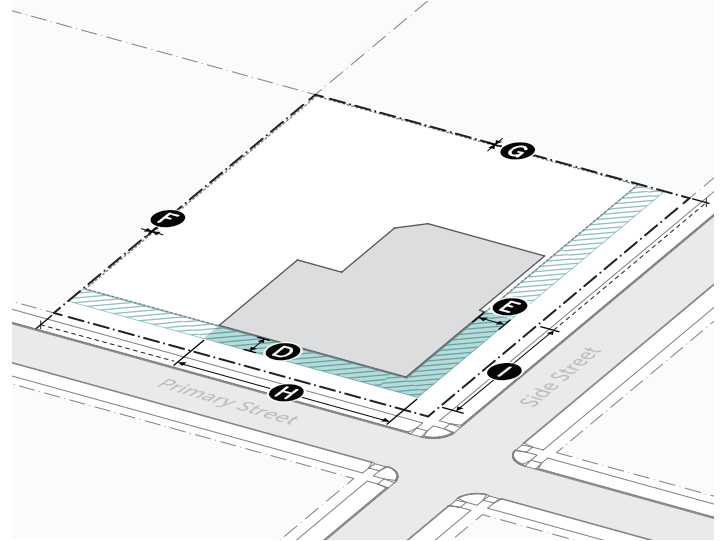
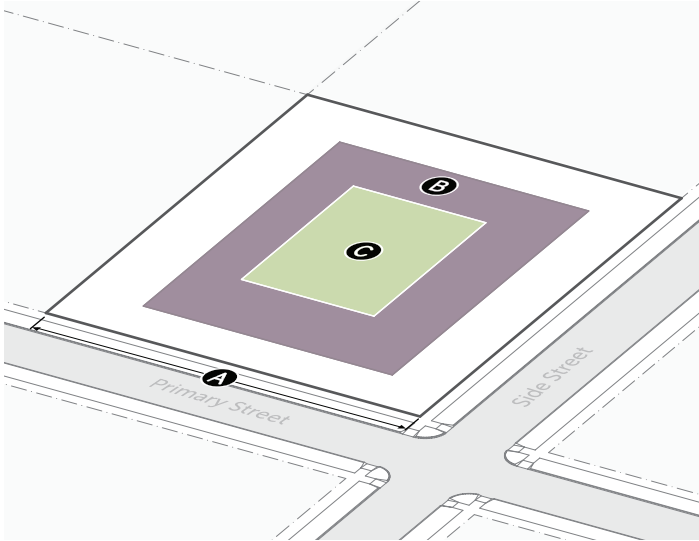
D. Industrial Heavy (IH)

Allows a range of larger footprint high-impact industrial activity. Allows more outdoor storage.



2.4.2. **CG** COMMERCIAL GENERAL

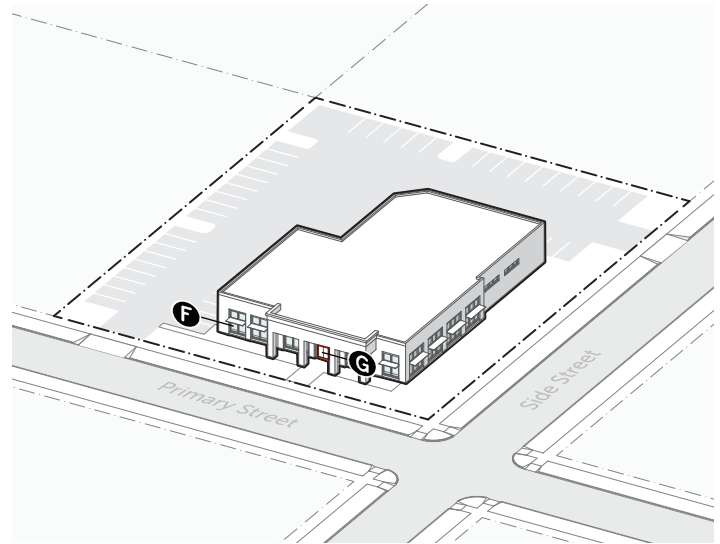
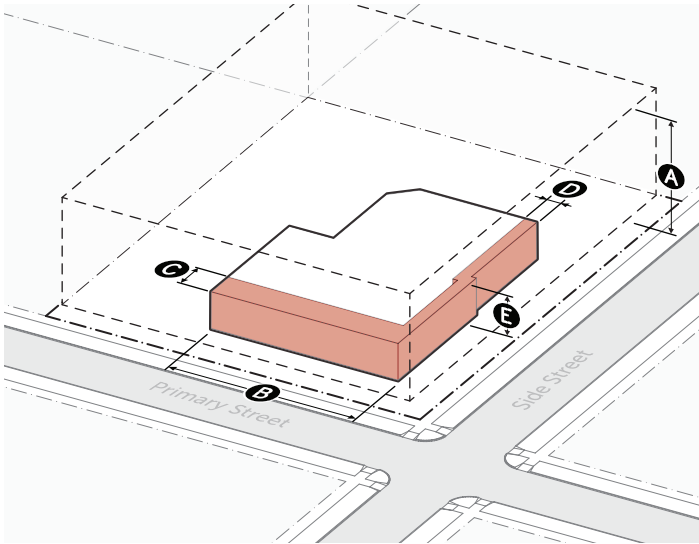
A. Lot Standards



1. Lot Size	Sec. 2.6.2
Ⓐ Lot width (min)	0'
2. Dwelling Units	Sec. 2.6.3
Dwelling units per building (max)	n/a
3. Coverage	Sec. 2.6.4
Ⓑ Building coverage (max)	50%
Ⓒ Amenity space (min)	15%

4. Building Setbacks	Sec. 2.6.5
Ⓓ Primary street (min)	15'/30'
Ⓔ Side street (min)	15'/30'
Ⓕ Side (min)	0'
Ⓖ Rear (min)	0'
Alley (min)	3'
5. Build-to	Sec. 2.6.6
Ⓗ Primary street (min)	40%
Ⓘ Side street (min)	20%
6. Parking Location	Sec. 2.6.7
Parking setback (min)	n/a
Parking between building & street	Not allowed
7. Streetscape	Sec. 2.6.8
Clear pedestrian zone (min)	10'

B. Building Standards

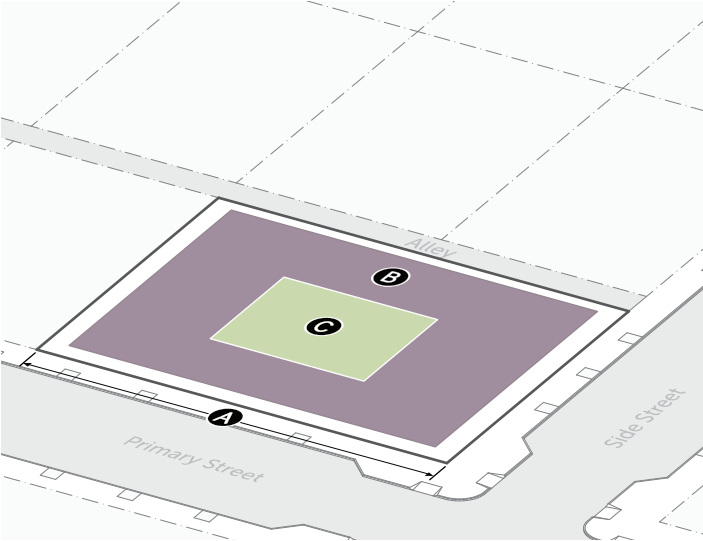


1. Massing	Sec. 2.6.9
A Building height (max)	60'
B Width (max)	
Building width	275'
Attached units in a row	14
2. Active Depth	Sec. 2.6.10
C Primary street (min)	
Residential	9'
Nonresidential	20'
D Side street (min)	9'
3. Ground Story	Sec. 2.6.11
E Ground story height (min)	
Residential	10'
Nonresidential	12'
Finished floor elevation (min/max)	-2'/4'

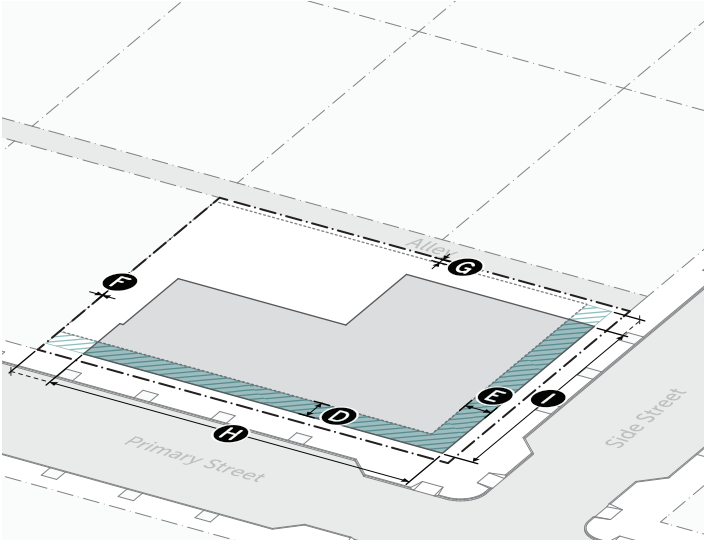
	Primary St.	Side St.
4. Windows	Sec. 2.6.12	
F Ground story (min)		
Residential	20%	20%
Nonresidential	50%	30%
Upper story (min)	15%	15%
Blank wall width (max)	25'	n/a
5. Doors	Sec. 2.6.13	
Street-facing entrance	Required	n/a
G Street-facing entry spacing (max)	100'	n/a

2.4.3. IX INDUSTRIAL MIXED USE

A. Lot Standards

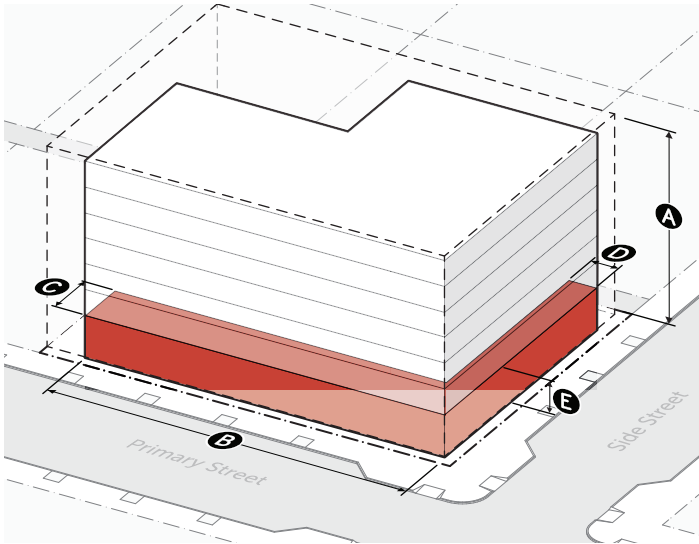


1. Lot Size	Sec. 2.6.2
A Lot width (min)	0'
2. Dwelling Units	Sec. 2.6.3
Dwelling units per building (max)	n/a
3. Coverage	Sec. 2.6.4
B Building coverage (max)	80%
C Amenity space (min)	15%



4. Building Setbacks	Sec. 2.6.5
D Primary street (min/max)	0'/20'
E Side street (min/max)	0'/20'
F Side (min)	0'
Rear (min)	0'
G Alley (min)	3'
5. Build-to	Sec. 2.6.6
H Primary street (min)	80%
I Side street (min)	40%
6. Parking Location	Sec. 2.6.7
Parking setback (min)	n/a
Parking between building & street	Not allowed
7. Streetscape	Sec. 2.6.8
Clear pedestrian zone (min)	10'

B. Building Standards

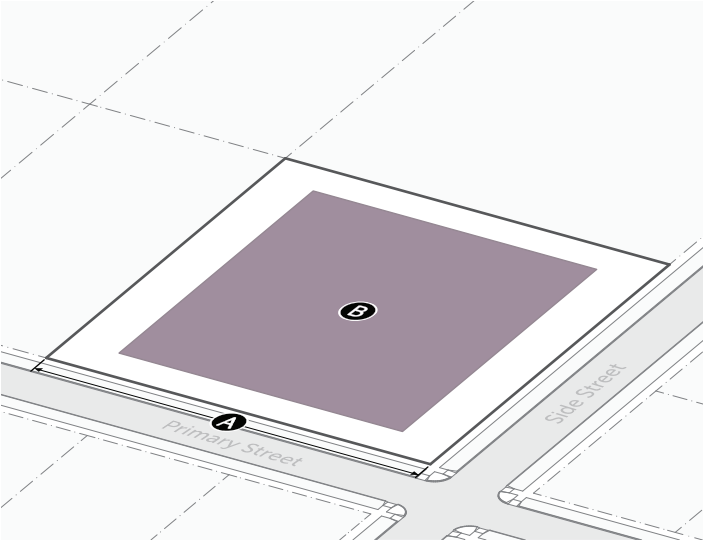


1. Massing	Sec. 2.6.9
A Building height (max)	7 stories/105'
B Width (max)	
Building width	275'
Attached units in a row	14
2. Active Depth	Sec. 2.6.10
C Primary street (min)	
Residential	9'
Nonresidential	20'
D Side street (min)	9'
3. Ground Story	Sec. 2.6.11
E Ground story height (min)	
Residential	10'
Nonresidential	12'
Finished floor elevation (min/max)	-2'/4'

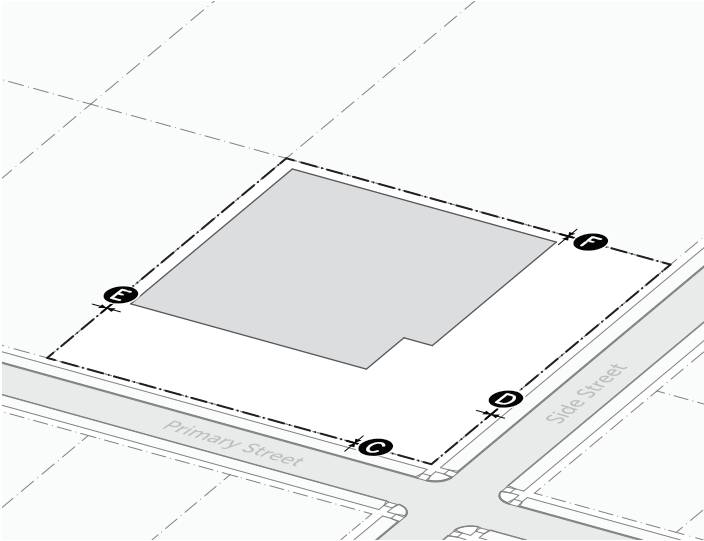
	Primary St.	Side St.
4. Windows	Sec. 2.6.12	
F Ground story (min)		
Residential	20%	20%
Nonresidential	50%	30%
G Upper story (min)	15%	15%
H Blank wall width (max)	20'	30'
5. Doors	Sec. 2.6.13	
Street-facing entrance	Required	Required
I Street-facing entry spacing (max)	75'	100'

2.4.4. IL INDUSTRIAL LIGHT

A. Lot Standards

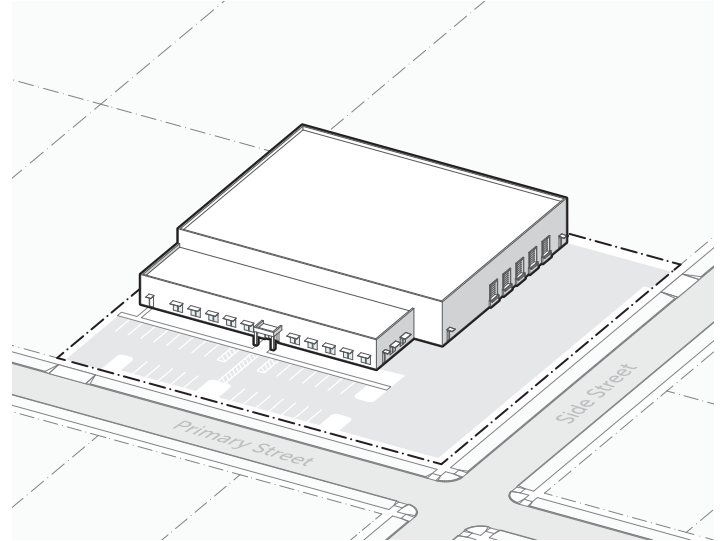
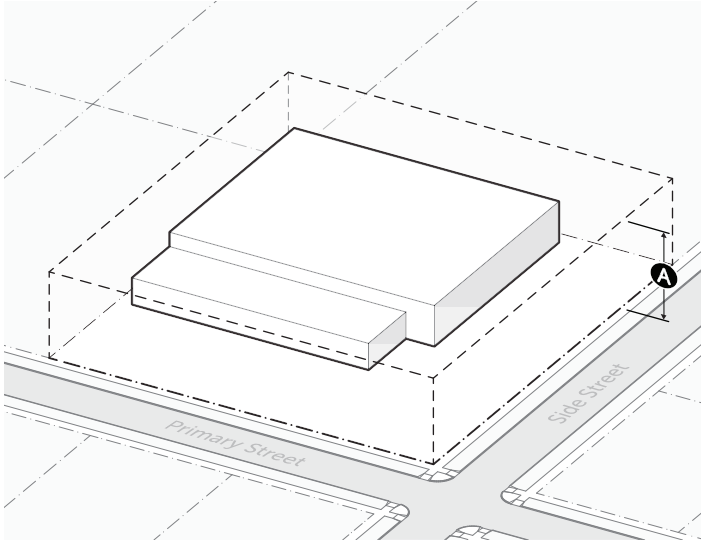


1. Lot Size	Sec. 2.6.2
A Lot width (min)	0'
2. Dwelling Units	Sec. 2.6.3
Dwelling units per building (max)	n/a
3. Coverage	Sec. 2.6.4
B Building coverage (max)	60%
Amenity space (min)	n/a



4. Building Setbacks	Sec. 2.6.5
C Primary street (min)	0'
D Side street (min)	0'
E Side (min)	0'
F Rear (min)	0'
Alley (min)	3'
5. Build-to	Sec. 2.6.6
Primary street (min)	n/a
Side street (min)	n/a
6. Parking Location	Sec. 2.6.7
Parking setback (min)	n/a
Parking between building & street	Allowed
7. Streetscape	Sec. 2.6.8
Clear pedestrian zone (min)	5'

B. Building Standards

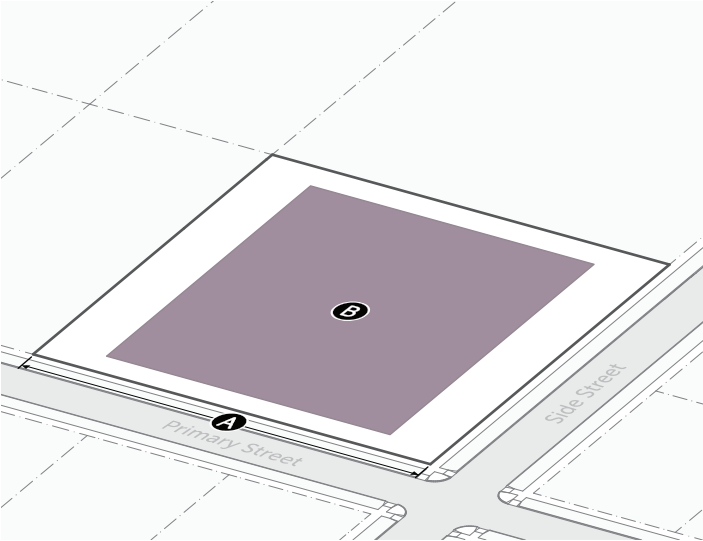


1. Massing	Sec. 2.6.9
Ⓐ Building height (max)	60'
Building width (max)	n/a
2. Active Depth	Sec. 2.6.10
Primary street (min)	n/a
Side street (min)	n/a
3. Ground Story	Sec. 2.6.11
Ground story height (min)	n/a
Finished floor elevation (min/max)	n/a

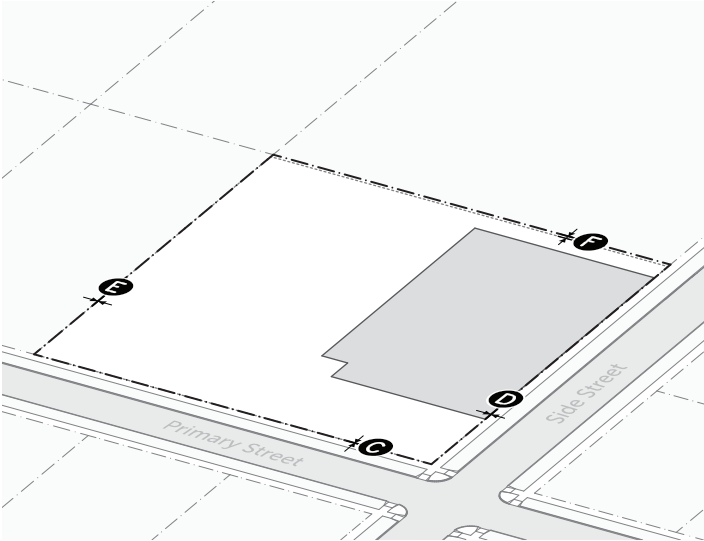
	Primary St.	Side St.
4. Windows	Sec. 2.6.12	
Ground story (min)	n/a	n/a
Upper story (min)	n/a	n/a
Blank wall width (max)	n/a	n/a
5. Doors	Sec. 2.6.13	
Street-facing entrance	n/a	n/a
Street-facing entry spacing (max)	n/a	n/a

2.4.5. **IH** INDUSTRIAL HEAVY

A. Lot Standards

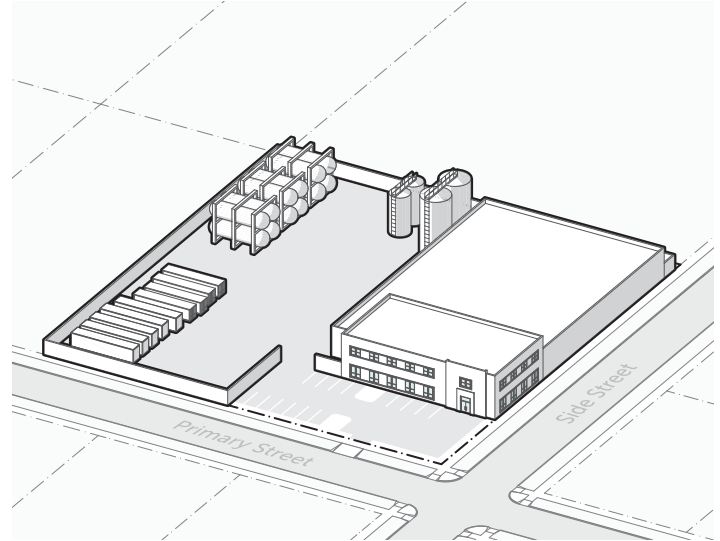
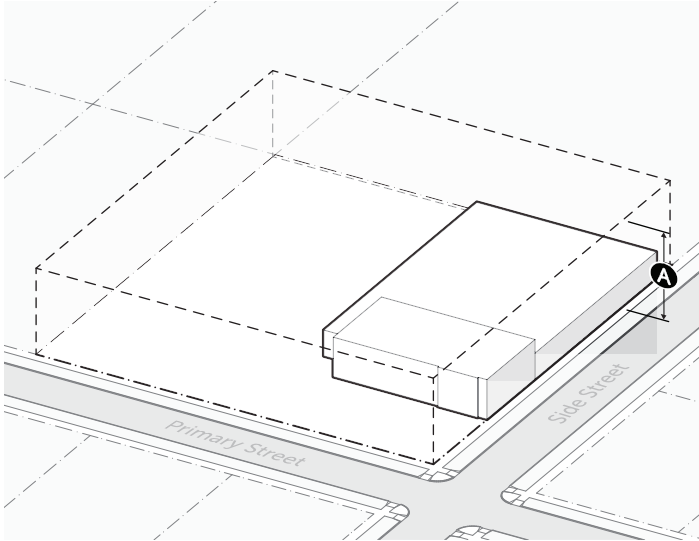


1. Lot Size	Sec. 2.6.2
A Lot width (min)	0'
2. Dwelling Units	Sec. 2.6.3
Dwelling units per building (max)	n/a
3. Coverage	Sec. 2.6.4
B Building coverage (max)	60%
Amenity space (min)	n/a



4. Building Setbacks	Sec. 2.6.5
C Primary street (min)	0'
D Side street (min)	0'
E Side (min)	0'
F Rear (min)	0'
Alley (min)	3'
5. Build-to	Sec. 2.6.6
Primary street (min)	n/a
Side street (min)	n/a
6. Parking Location	Sec. 2.6.7
Parking setback (min)	n/a
Parking between building & street	Allowed
7. Streetscape	Sec. 2.6.8
Clear pedestrian zone (min)	5'

B. Building Standards



1. Massing	Sec. 2.6.9
Ⓐ Building height (max)	60'
Width (max)	n/a
2. Active Depth	Sec. 2.6.10
Primary street (min)	n/a
Side street (min)	n/a
3. Ground Story	Sec. 2.6.11
Ground story height (min)	n/a
Finished floor elevation (min/max)	n/a

	Primary St.	Side St.
4. Windows	Sec. 2.6.12	
Ground story (min)	n/a	n/a
Upper story (min)	n/a	n/a
Blank wall width (max)	n/a	n/a
5. Doors	Sec. 2.6.13	
Street-facing entrance	n/a	n/a
Street-facing entry spacing (max)	n/a	n/a

COMMERCIAL & INDUSTRIAL DISTRICTS

SEC. 2.5. **INSTITUTIONAL & OPEN SPACE DISTRICTS**

2.5.1. **Summary of Districts**

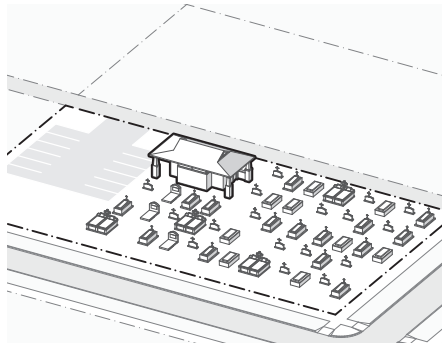
A. Institutional (INS)

Allows for a range of larger-scale public, civic and institutional uses.



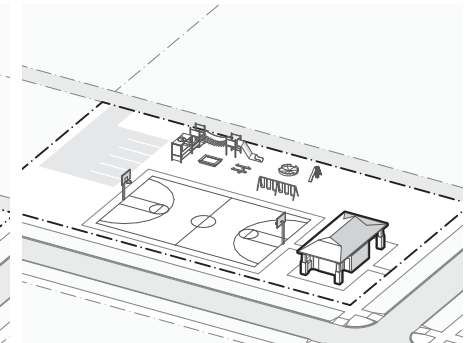
B. Cemetery (CEM)

Open space used to bury remains and memorialize the deceased that could include chapels and mausoleums.



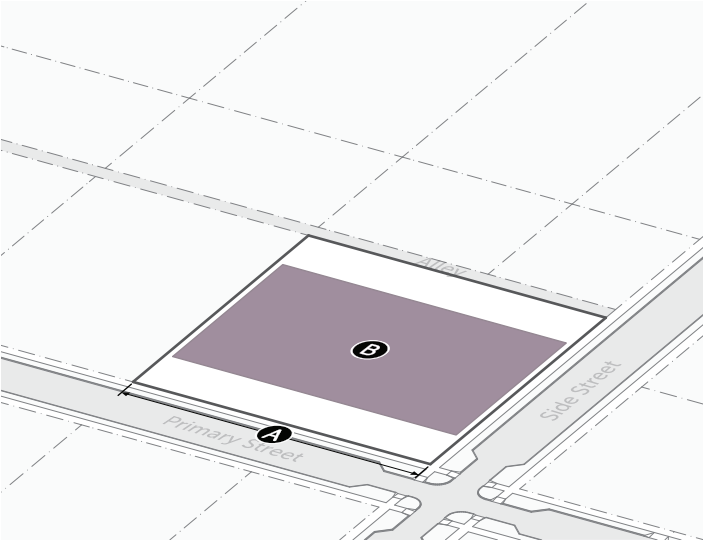
C. Open Space (OS)

Publicly-owned open space that serves the passive and active recreational needs of the community, includes parks, playgrounds, sports fields, dog parks, trails, and conservation areas.

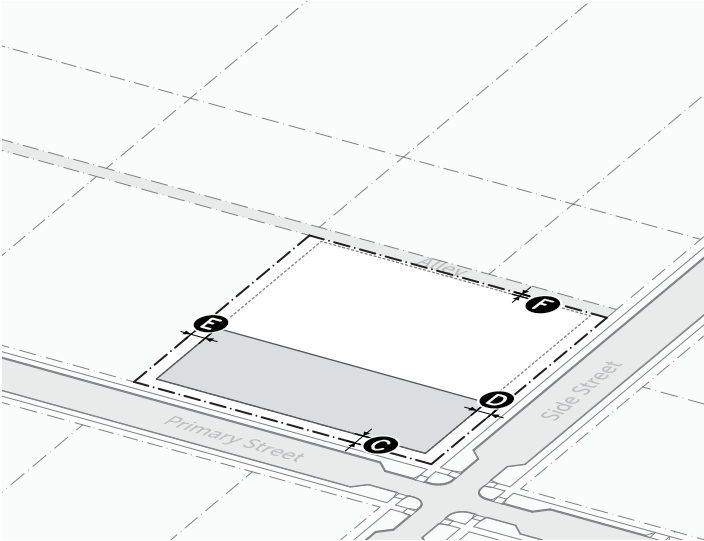


2.5.2. **INS** INSTITUTIONAL

A. Lot Standards

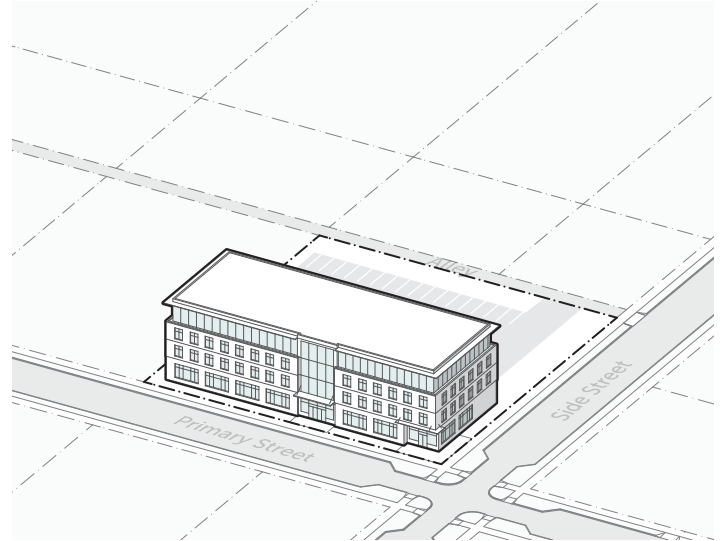
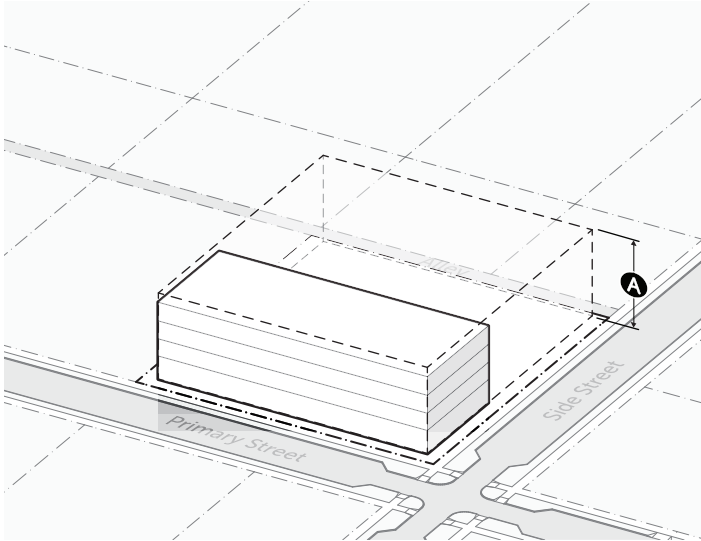


1. Lot Size	<i>Sec. 2.6.2</i>
A Lot width (min)	0'
2. Dwelling Units	<i>Sec. 2.6.3</i>
Dwelling units per building (max)	n/a
3. Coverage	<i>Sec. 2.6.4</i>
B Building coverage (max)	60%
Amenity space (min)	n/a



4. Building Setbacks	<i>Sec. 2.6.5</i>
C Primary street (min)	10'
D Side street (min)	10'
E Side (min)	10'
Rear (min)	10'
F Alley (min)	3'
5. Build-to	<i>Sec. 2.6.6</i>
Primary street (min)	n/a
Side street (min)	n/a
6. Parking Location	<i>Sec. 2.6.7</i>
Parking setback (min)	n/a
Parking between building & street	Allowed
7. Streetscape	<i>Sec. 2.6.8</i>
Clear pedestrian zone (min)	5'

B. Building Standards

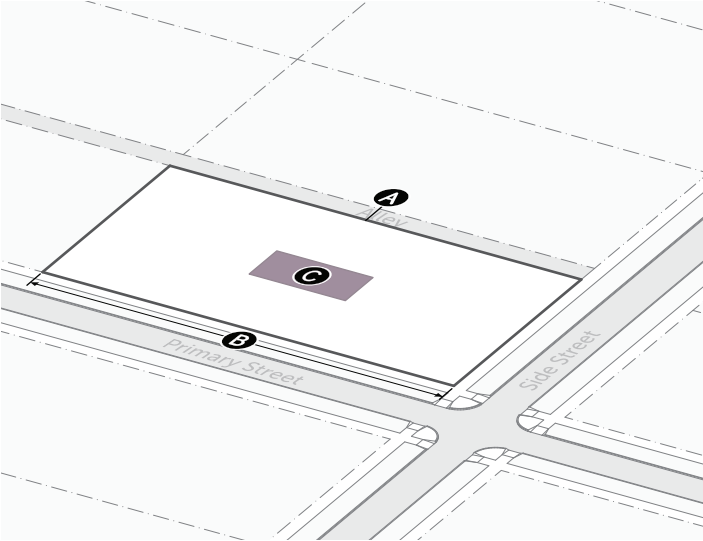


1. Massing	Sec. 2.6.9
Ⓐ Building height (max)	45° height plane
Width (max)	n/a
2. Active Depth	Sec. 2.6.10
Primary street (min)	n/a
Side street (min)	n/a
3. Ground Story	Sec. 2.6.11
Ground story height (min)	n/a
Finished floor elevation (min/max)	n/a

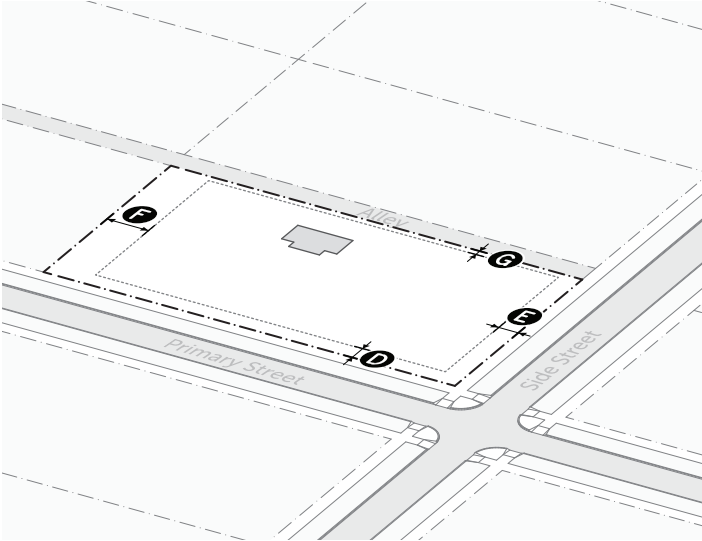
	Primary St.	Side St.
4. Windows	Sec. 2.6.12	
Ground story (min)	n/a	n/a
Upper story (min)	n/a	n/a
Blank wall width (max)	n/a	n/a
5. Doors	Sec. 2.6.13	
Street-facing entrance	n/a	n/a
Street-facing entry spacing (max)	n/a	n/a

2.5.3. **CEM** CEMETERY

A. Lot Standards

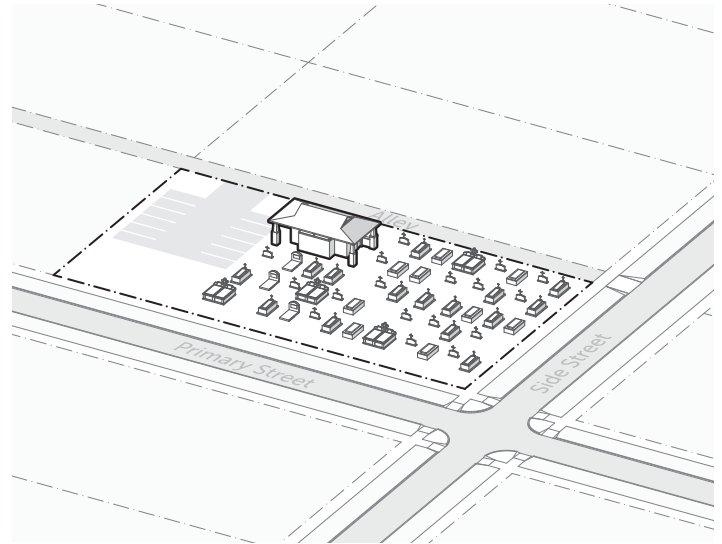
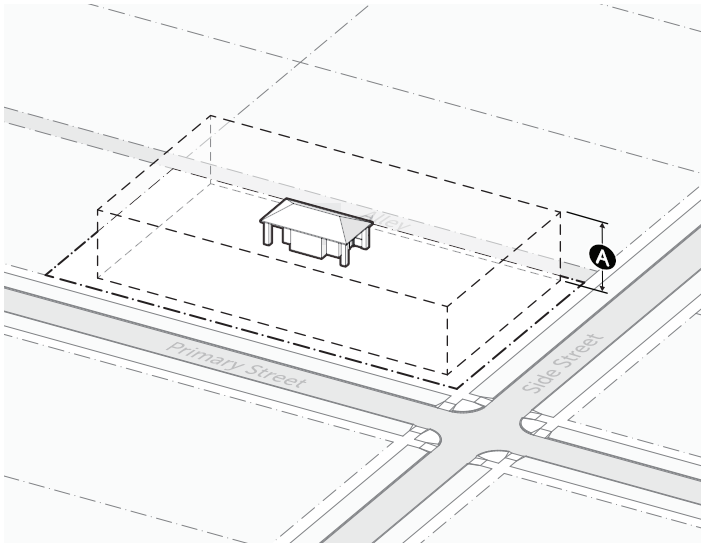


1. Lot Size	Sec. 2.6.2
A Lot area (min)	20,000 SF
B Lot width (min)	100'
2. Dwelling Units	Sec. 2.6.3
Dwelling units per building (max)	n/a
3. Coverage	Sec. 2.6.4
C Building coverage (max)	5%
Amenity space (min)	n/a



4. Building Setbacks	Sec. 2.6.5
D Primary street (min)	10'
E Side street (min)	10'
F Side (min)	10'
Rear (min)	10'
G Alley (min)	3'
5. Build-to	Sec. 2.6.6
Primary street (min)	n/a
Side street (min)	n/a
6. Parking Location	Sec. 2.6.7
Parking setback (min)	n/a
Parking between building & street	Allowed
7. Streetscape	Sec. 2.6.8
Clear pedestrian zone (min)	n/a

B. Building Standards

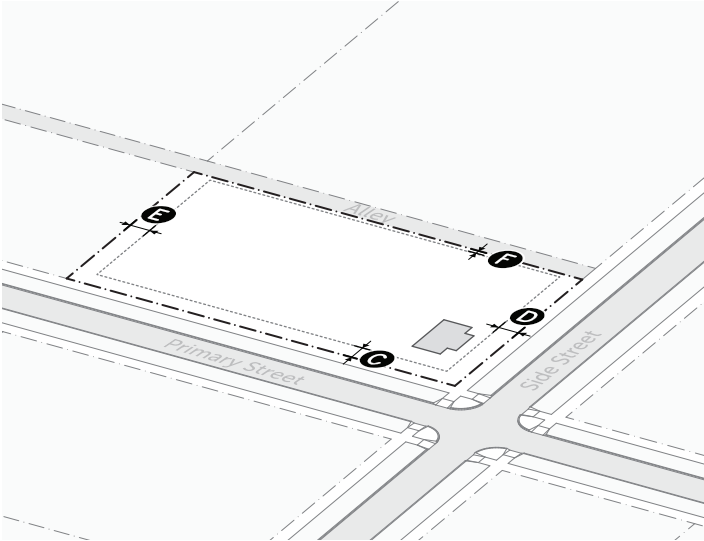
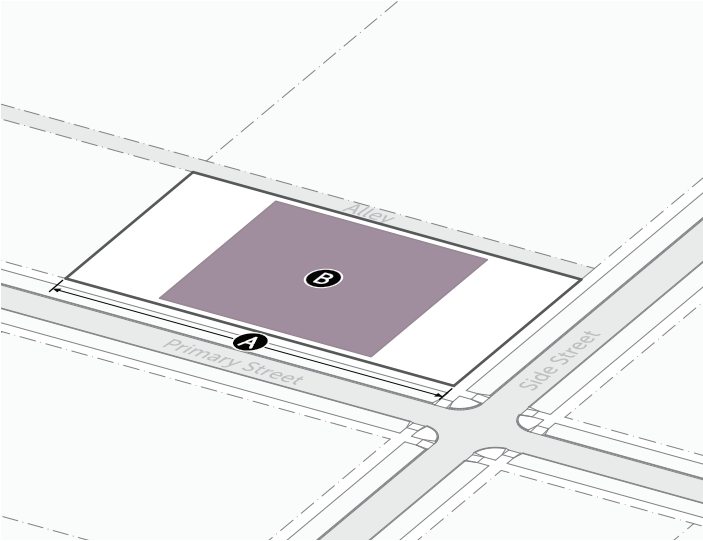


1. Massing	Sec. 2.6.9
Ⓐ Building height (max)	35'
Width (max)	n/a
2. Active Depth	Sec. 2.6.10
Primary street (min)	n/a
Side street (min)	n/a
3. Ground Story	Sec. 2.6.11
Ground story height (min)	n/a
Finished floor elevation (min/max)	n/a

	Primary St.	Side St.
4. Windows	Sec. 2.6.12	
Ground story (min)	n/a	n/a
Upper story (min)	n/a	n/a
Blank wall width (max)	n/a	n/a
5. Doors	Sec. 2.6.13	
Street-facing entrance	n/a	n/a
Street-facing entry spacing (max)	n/a	n/a

2.5.4. OS OPEN SPACE

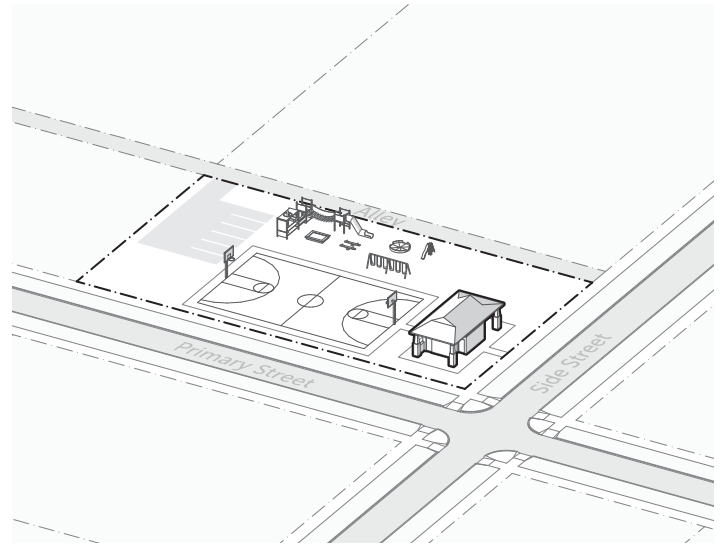
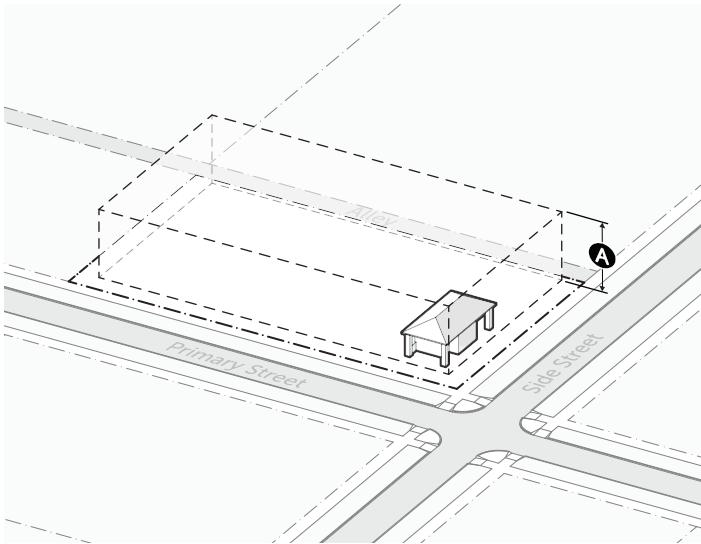
A. Lot Standards



1. Lot Size	Sec. 2.6.2
A Lot width (min)	0'
2. Dwelling Units	Sec. 2.6.3
Dwelling units per building (max)	n/a
3. Coverage	Sec. 2.6.4
B Building coverage (max)	50%
Amenity space (min)	n/a

4. Building Setbacks	Sec. 2.6.5
C Primary street (min)	10'
D Side street (min)	10'
E Side (min)	10'
Rear (min)	10'
F Alley (min)	3'
5. Build-to	Sec. 2.6.6
Primary street (min)	n/a
Side street (min)	n/a
6. Parking Location	Sec. 2.6.7
Parking setback (min)	n/a
Parking between building & street	Allowed
7. Streetscape	Sec. 2.6.8
Clear pedestrian zone (min)	n/a

B. Building Standards



1. Massing	Sec. 2.6.9
Ⓐ Building height (max)	35'
Width (max)	n/a
2. Active Depth	Sec. 2.6.10
Primary street (min)	n/a
Side street (min)	n/a
3. Ground Story	Sec. 2.6.11
Ground story height (min)	n/a
Finished floor elevation (min/max)	n/a

	Primary St.	Side St.
4. Windows	Sec. 2.6.12	
Ground story (min)	n/a	n/a
Upper story (min)	n/a	n/a
Blank wall width (max)	n/a	n/a
5. Doors	Sec. 2.6.13	
Street-facing entrance	n/a	n/a
Street-facing entry spacing (max)	n/a	n/a

SEC. 2.6. RULES OF INTERPRETATION

2.6.1. General Terms and Designations

A. Intent

To provide a set of general terms and designations, including definitions and standards, for terminology primarily used in this Article. Definitions and standards for terms used more broadly throughout the Zoning Code are found in *Article 6. Definitions*.

B. Street Designation

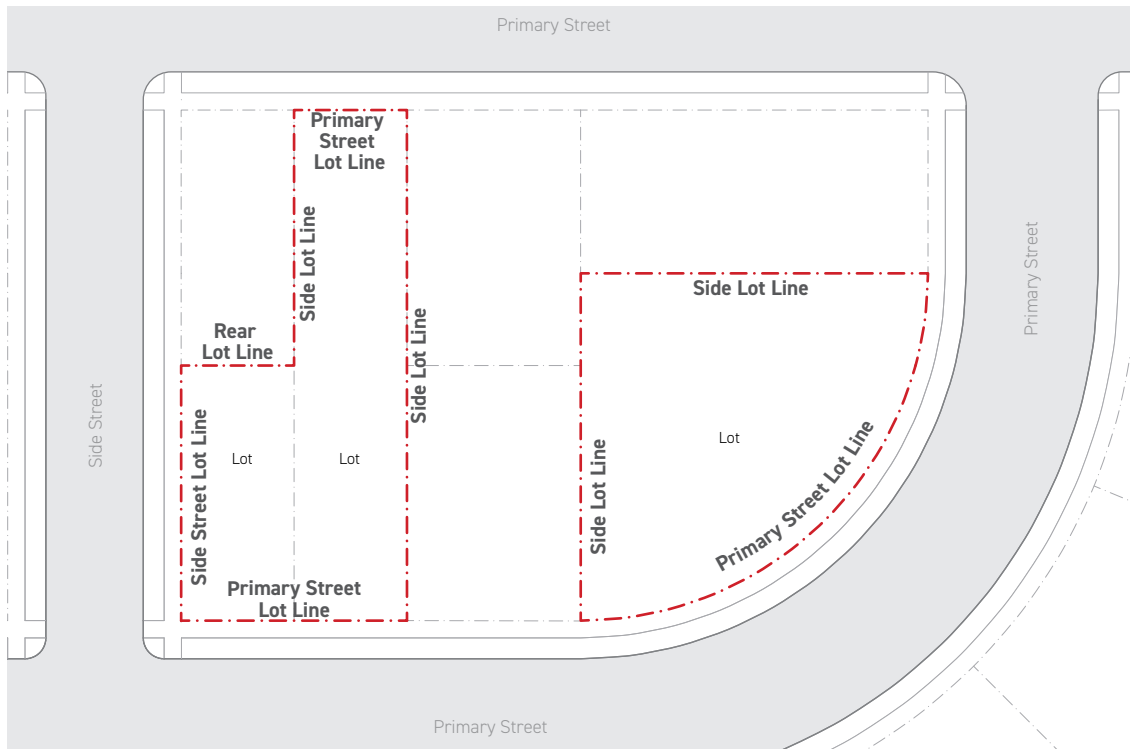
1. Primary and Side Street Designations

- a. All streets abutting a lot must be designated as either a primary street or side street.
- b. When a lot abuts only one street, the street is considered a primary street.
- c. A lot abutting multiple streets must designate at least one as a primary street.
- d. A lot may abut more than one primary street.
- e. For lots that abut multiple streets, the Zoning Administrator will determine primary streets using the following criteria listed from most important to less important:
 - I. The street is a major mixed-use street or major residential street per Richmond 300;
 - II. The street with the highest classification per the most current version of VDOT's Functional Classification Map;
 - III. The established orientation of the block;
 - IV. The street abutting the longest face of the block; and
 - V. The street parallel to an alley within the block.
- f. Any street not designated as a primary street is a side street.

C. Lot Line Designation

1. General

- a. Lot lines are designated for lots only, lot lines are not designated for sublots.
- b. Each lot line must have one of the following designations and no lot line may have more than one of the following designations:
 - I. Primary street lot line;
 - II. Side street lot line;
 - III. Alley lot line;
 - IV. Rear lot line; or
 - V. Side lot line.



- c. Primary street lot line and side street lot line designations apply to public and private streets. Alley lot line designation applies to public and private alleys.
- d. In addition to any other designation, lot lines may also serve as one of the following categories:
 - I. Street lot line; or
 - II. Common lot line.

2. Primary Street Lot Line

Any lot line that abuts a primary street.

- a. Each lot must have at least one primary street lot line. A lot may have more than one primary street lot line.
- b. A lot line abutting a park, open space, river, trail, or pedestrian path may serve as a primary street lot line.
- c. Once designated for a lot, a primary street lot line cannot be changed (e.g., a primary street lot line cannot, for the purposes of subsequent development, be re-designated as a side street lot line) unless all standards of the applicable zoning district are met based on the proposed change in street lot line designation.

3. Side Street Lot Line

Any lot line that abuts a side street. Any street lot line that is not a primary street lot line is considered a side street lot line.

4. Alley Lot Line

Any lot line that abuts an alley. Even when a lot line qualifies as a rear lot line or side lot line, all lot lines that abut an alley are considered an alley lot line.

5. Rear Lot Line

Any lot line that does not abut a street or alley and is opposite and most distant from a primary street lot line.

- a. A lot may have no more than one rear lot line.
- b. In the case of a lot that fronts two streets on opposite sides, a lot may have no rear lot line.
- c. Where no lot line is clearly opposite to the primary street lot line or where there are multiple primary street lot lines, the lot line having the highest portion of its length serving as the rear lot line of abutting lots is the rear lot line.

6. Side Lot Line

Any lot line other than a primary street, side street, rear, or alley lot line.

a. Side Lot Line, Interior

A side lot line that has, or will have, a shared common or party wall with an abutting single-unit attached or townhouse building.

b. Side Lot Line, End

A side lot line that does not, or will not have, a shared common or party wall with an abutting single-unit attached or townhouse building.

7. Street Lot Line

Any lot line that abuts a street. Street lot lines include all primary street lot lines and side street lot lines.

8. Common Lot Line

Any lot line shared by 2 or more lots. All side and rear lot lines that do not abut a street or alley are common lot lines.

9. Through Lots

For through lots, the Zoning Administrator may determine one or more primary street lot lines, and may designate the remaining lot line as either a side or rear lot line. The Zoning Administrator will consider the following when making their decision:

- a. The proposed number and arrangement of units on the lot to determine if it is practical to have two primary street lot lines;
- b. The prevailing pattern of development on the surrounding parcels to determine which street should be designated as a primary street lot line and which street should be designated as a side or rear lot line; and

- c. The criteria in **2.6.1.C.1**.

D. Yard Designation

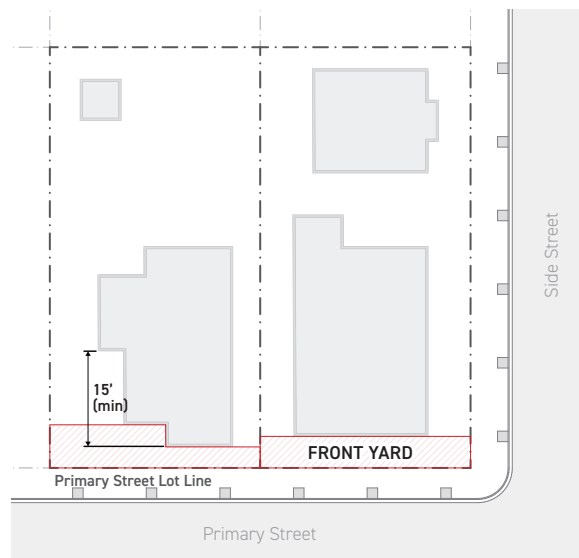
1. General

- a. Yards are designated on lots only, yards are not designated on sublots.
- b. All portions of a lot between the facade of a building and a property line will fall within one of the following yard designations: front yard, side street yard, side yard, or rear yard.
- c. No portion of a lot may have more than one yard designation.
- d. Yard designations are determined in the following order: (1) front yard, (2) side street yard, if any; (3) rear yard, if any; and (4) side yards, if any.

2. Front Yard

All portions of a lot between a primary street lot line and a primary structure facing a primary street lot line extending the full width of the lot.

- a. A front yard does not include a building facade set back more than 15 feet from the primary building's street-facing facade.
- b. Any portion of a lot that is designated as a front yard may not be designated as any other yard.

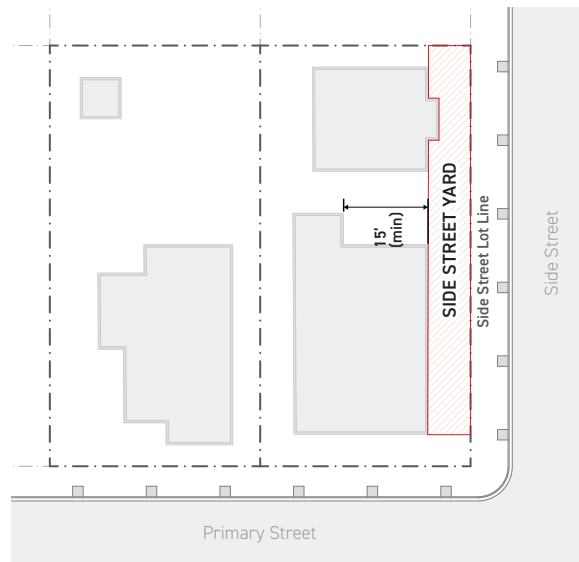


3. Side Street Yard

All portions of a lot between a side street lot line and a primary structure facing a side street lot line extending the full depth of the lot.

- a. A side street yard does not include any building facade set back more than 15 feet from the primary building's street-facing facade.
- b. For portions of the lot where no primary structure abuts the side street yard, the side street yard includes only portions of the lot included in the side street setback, see **2.6.5. Building Setbacks**.

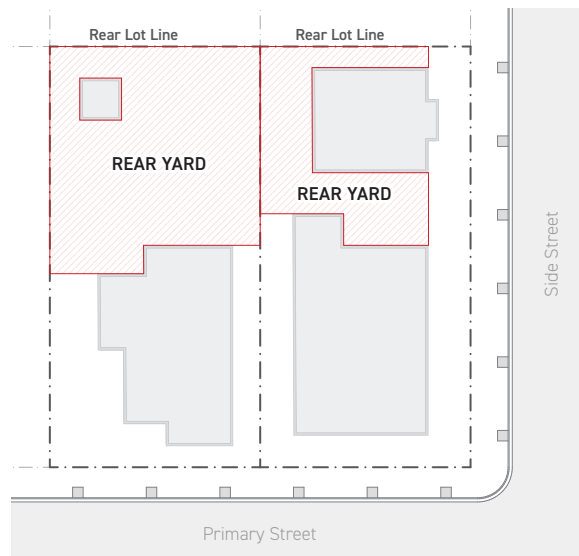
- c. A side street yard does not include any portion of a lot that may be designated as a front yard.



4. Rear Yard

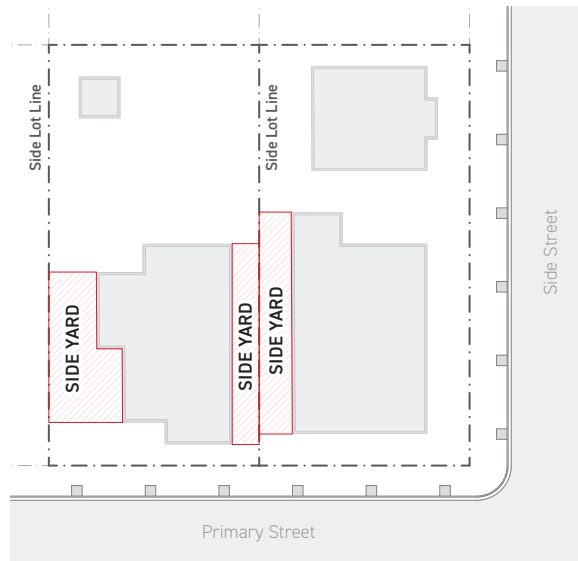
All portions of a lot between a rear lot line and a primary structure facing the rear lot line for the full width of the lot.

- a. A rear yard does not include any portion of a lot that may be designated as a front yard or side street yard.
- b. Any portion of a lot that is designated as a rear yard may not be designated as a side yard.



5. Side Yard

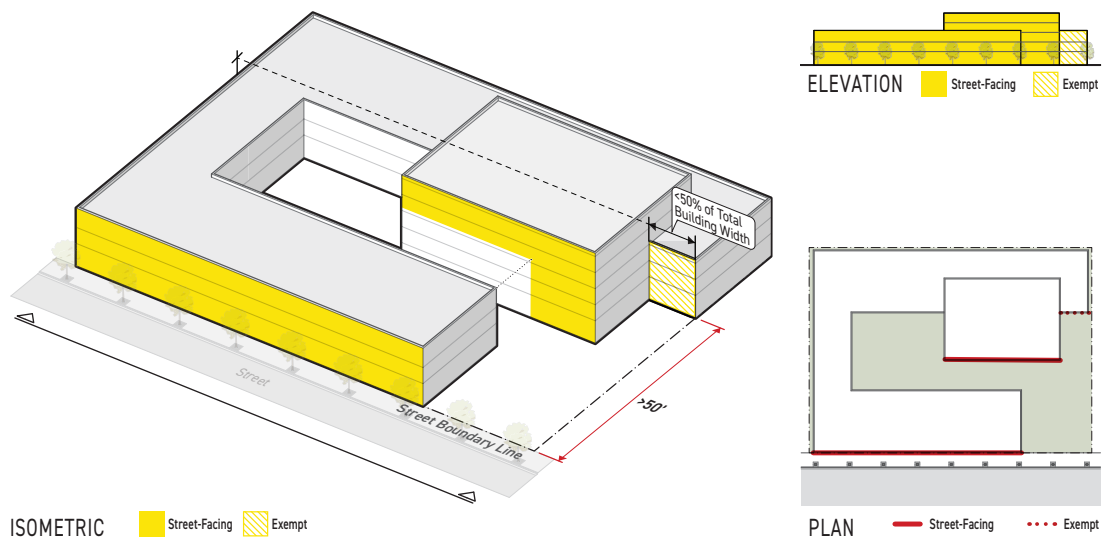
All portions of a lot between a side lot line and a primary structure. Portions of a lot that do not meet the yard designation criteria for any other yard are designated as side yard.



E. Street-Facing Building Facades

The portions of a building facade (when projected parallel to the street) with no permanent structure located between the building facade and the primary or side street lot line.

1. Building facades located more than 50 feet behind the primary or side street lot line are exempt from any street-facing requirements, provided the cumulative width of the exempted facade is no wider than 50% of the total building width.



2.6.2. Lots

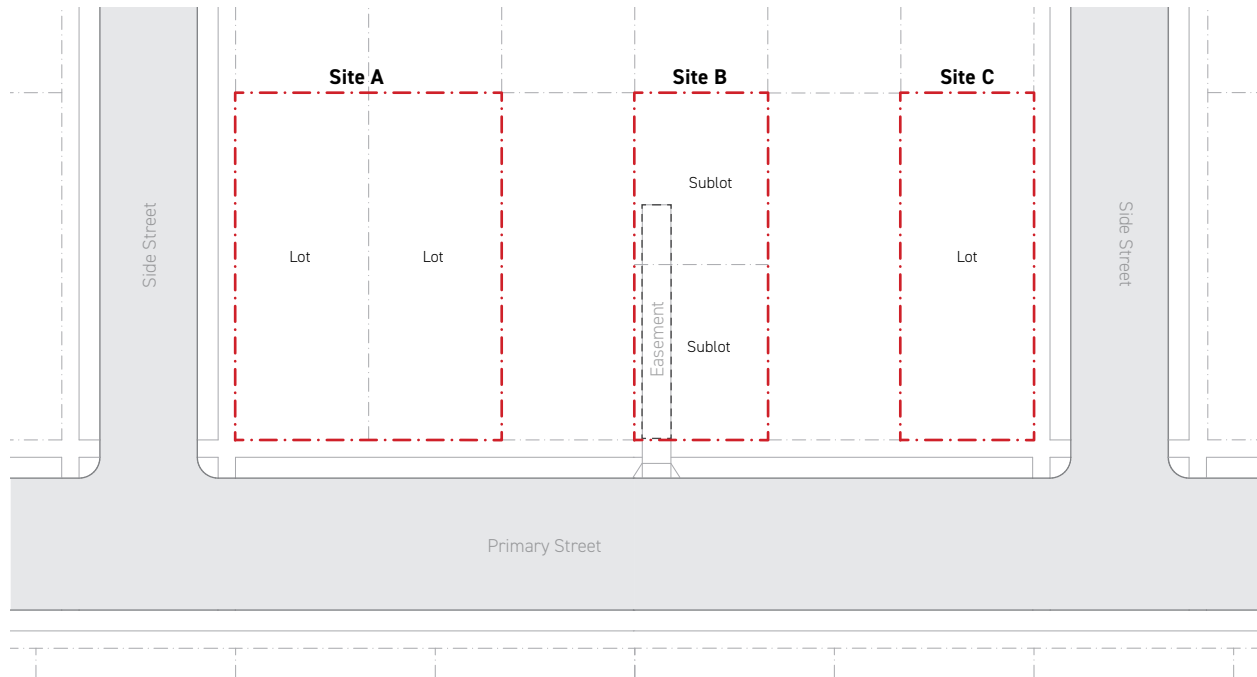
More than one principal building may be located on a lot, provided that the district requirements are met.

A. Lot Frontage

1. Every new building established must be located on a lot that fronts on a public street or a recorded permanent easement, provided that the easement is approved by the Director of Public Works, the Chief of Police and the Chief of Fire and Emergency Services and when appropriate easements, agreements or covenants approved as to form by the City Attorney provide for permanent public access and continued maintenance.
2. For single-unit detached development, no more than two lots that do not have public street frontage can be served by any such easement unless the easement was recorded prior to June 10, 1960.

B. Sublots

1. The creation of sublots are allowed in a RC, RD-A, RD-B, RD-C, RD-D, RA, RM-A, RM-B, and RA-C district for residential dwelling units only.
2. A subplot is a parcel of land, existing with other sublots on a single lot, intended for the purpose of the transfer of ownership or possession or for development.
3. When a lot is divided into sublots, the lot and each subplot must be recorded with the Office of the Register of Deeds. Sublots must stay permanently tied to the originating lot.
4. The number of sublots created from a single lot cannot exceed the maximum units allowed on that lot for the zoning district the lot is located in. Once established, a subplot cannot be further subdivided.
5. A subplot may front on a public alley, common court, or pedestrian walkway provided a shared access easement is provided from the subplot to a public street or a recorded permanent easement.
6. A subplot must meet the building standard requirements of the zoning district but does not have to meet the lot standard requirements.
7. A subplot line must be a minimum of 1.5 feet from the footprint of the associated dwelling unit, except where dwelling units share a common wall.
8. No more than one dwelling unit is allowed on a subplot.



C. Lot Width

The length of primary street lot lines bounding a lot.

1. Intent

To help ensure newly established lots are generally consistent with desirable development patterns in the neighborhood and within the same zoning district, and to help ensure safe and adequate vehicular access to and from a lot.

2. Applicability

- a. The minimum width requirement applies to lots approved and recorded on or after the effective date of this Zoning Code.
- b. Any use allowed in the zoning district may be established on a lot approved and recorded before the effective date of this Zoning Code, regardless of the width of the lot, provided, that all other requirements of this Zoning Code are met.

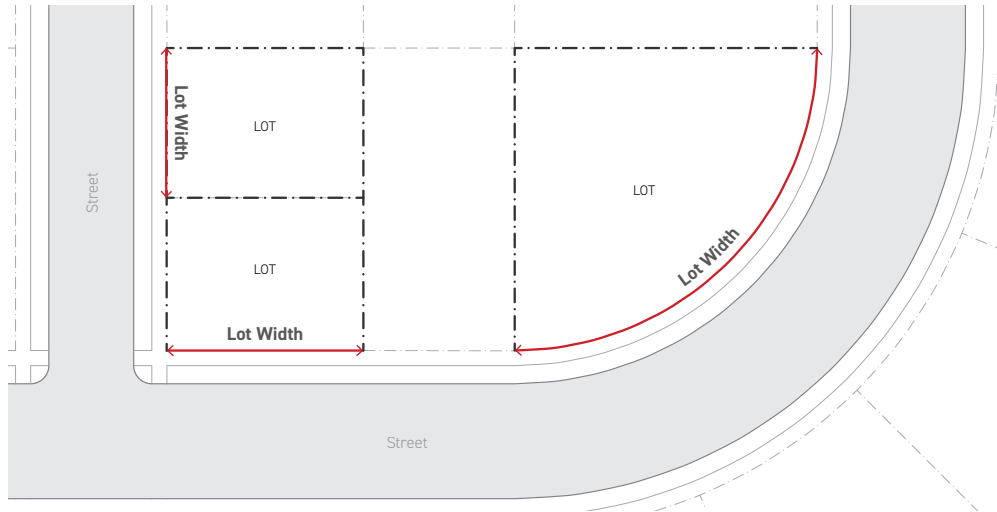
3. Standards

- a. Every new lot must have a width no less than the minimum lot width required by the zoning district.
- b. In an RD- district, new lots subdivided from an existing corner lot can only be subdivided along the primary street lot frontage. Any newly-created lot must meet the minimum lot width of the district. New lots cannot be subdivided along the side street lot frontage.

add image

4. Measurement

- a. Lot width is measured following the geometry of all primary street lot lines that bound the lot.
- b. Where a lot has 2 or more primary street lot lines facing different streets, all primary street lot lines must meet the minimum width standard.



2.6.3. Dwelling Units

A. Dwelling Units per Lot

The maximum number of dwelling units allowed on a lot.

1. Intent

To promote a full range of housing choices and ensure the number of dwelling units allowed on a lot is aligned with the zoning district intentions and is physically compatible with the lot itself.

2. Applicability

- a. The limitation on the number of dwelling units per lot applies to all lots.
- b. Where sublots are allowed, density is calculated for each lot, not individual sublots.

3. Standards

A lot cannot exceed the maximum number of dwelling units allowed by the zoning district.

B. Housing Preservation Bonus

1. Intent

To provide an incentive for the preservation and rehabilitation of existing housing stock while helping to implement the housing goals of Richmond 300.

2. Applicability

The Housing Preservation Bonus is only allowed when specified by the zoning district when the existing lot meets the following conditions.

a. Lot with an Existing Dwelling Unit

- I. A lot with an existing dwelling unit is allowed up to 2 principal dwelling units and 1 ADU provided the existing dwelling unit was constructed at least 5 years before the date the first application for development approval is submitted.
- II. A lot with an existing dwelling unit built before the effective date of this Zoning Code is allowed up to 2 dwelling units and 1 ADU .
- III. A lot becomes ineligible for the preservation bonus if any of the following occurs to the existing dwelling unit:
 - a). More than 50% of the building's primary structural elements (including load-bearing walls, columns, beams, or structural floor systems) are replaced or reconstructed; or
 - b). More than 50% of the exterior walls are removed or replaced.
 - c). Renovation work may be performed within or upon the existing structure on that lot so that a substantial portion of the original building's structural framework, foundation, and exterior walls are retained. Renovation work may include interior reconfiguration, system upgrades, additions, and replacement of building materials, provided the existing structure remains the primary framework for the building.

b. Vacant Lot

A vacant lot is allowed up to 2 principal dwelling units and 1 ADU, provided the lot has been vacant for at least 5 years before the date the first application for development approval is submitted.

3. Standards

One of the following configuration of units is allowed on the lot:

- a. 1 dwelling unit in a principal structure;
- b. 1 dwelling unit and 1 ADU in a principal structure;
- c. 1 dwelling unit in a principal structure and 1 ADU in a detached accessory structure;
- d. 1 dwelling unit and 1 ADU in a principal structure, and 1 ADU in a detached accessory structure;
- e. 1 dwelling unit in a principal structure, 1 dwelling unit in another principal structure, and 1 ADU in a detached accessory structure. Only one principal structure is allowed along the primary street frontage;
- f. 2 dwelling units in a principal structure; or
- g. 2 dwelling units in a principal structure and 1 ADU in a detached accessory structure.

4. Sublots

Sublots are allowed that meet 2.6.2, *Lots*.

C. Dwelling Units Per Building

The maximum number of dwelling units allowed in a building.

1. Intent

To help ensure that the size and scale of buildings are generally consistent with the mass and scale requirements of a zoning district.

2. Applicability

The limitation on the number of dwelling units in a building applies to each building on the lot.

3. Standards

A building cannot have more than the maximum number of dwelling units allowed by the zoning district.

2.6.4. Coverage

A. Building Coverage

The percentage of lot area covered by buildings or structures.

1. Intent

To help preserve open area and reduce the bulk of buildings by limiting the amount of buildings or structures that cover a lot.

2. Applicability

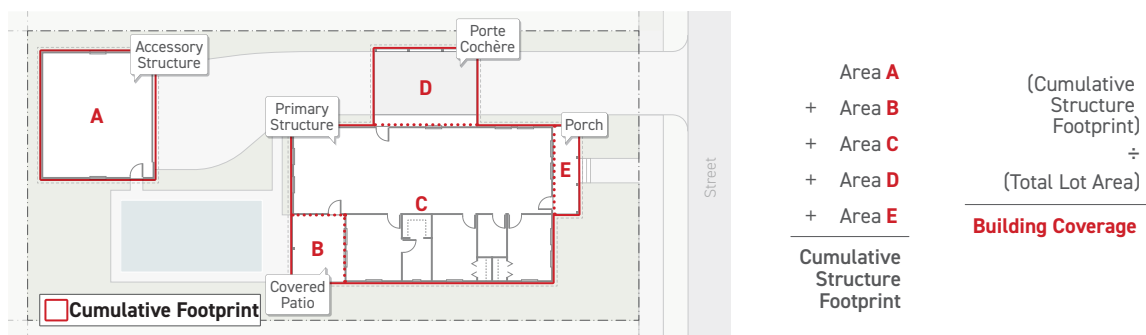
- The maximum building coverage requirements apply to all lots.
- Where sublots are allowed, building coverage is calculated for each lot, not individual sublots

3. Standards

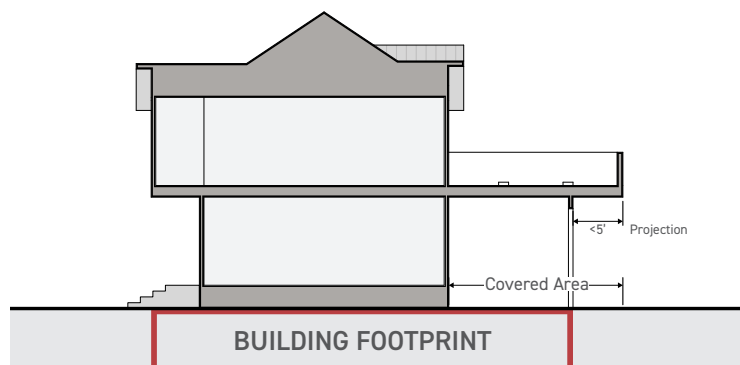
Buildings or covered structures on a lot cannot have a cumulative area in excess of the maximum building coverage allowed by the zoning district.

4. Measurement

- Building coverage is measured cumulatively for the entire lot.
- Building coverage is measured by dividing the building footprint of all covered buildings and structures on the lot by the lot area (including covered outdoor amenity space).



- The calculation of the building footprint does not include portions of architectural projections (including roof overhangs and projected balconies) that are less than 5 feet from the nearest wall, column, spanning beam, or other structural element carrying gravity loads to the ground.



B. Outdoor Amenity Space

An outdoor area on a lot designated to be used for active or passive recreation.

1. Intent

- a. To help provide adequate recreation and open space areas for developments, and to ensure such spaces are accessible, usable, and safe; and
- b. To encourage high-quality, pedestrian-oriented, and publicly accessible gathering spaces along the street.

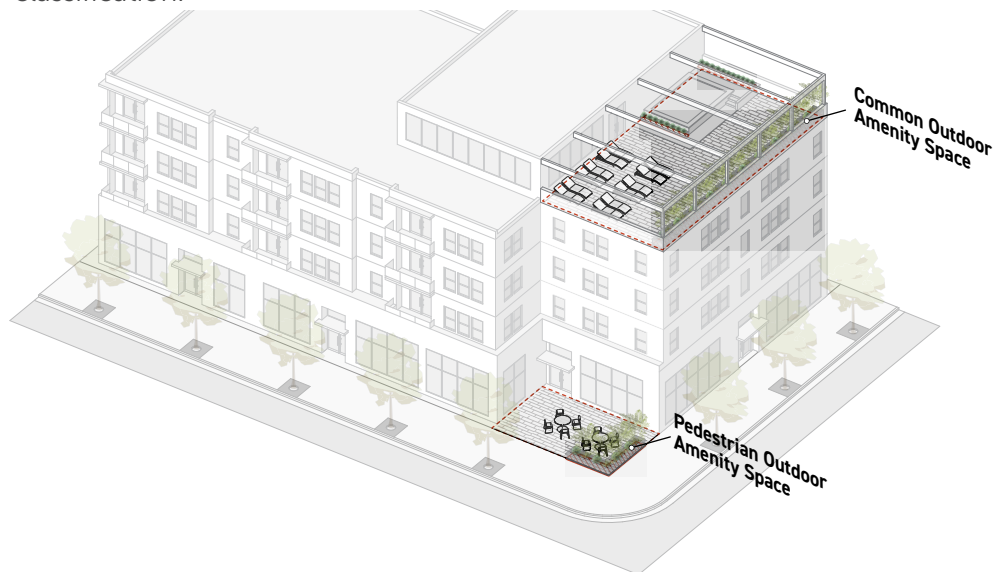
2. Applicability

- a. The outdoor amenity space requirements apply to all lots.
- b. Where the calculation of outdoor amenity space requires less than 400 square feet, no amenity space is required.
- c. Where sublots are allowed, outdoor amenity space is calculated for each lot, not individual sublots.

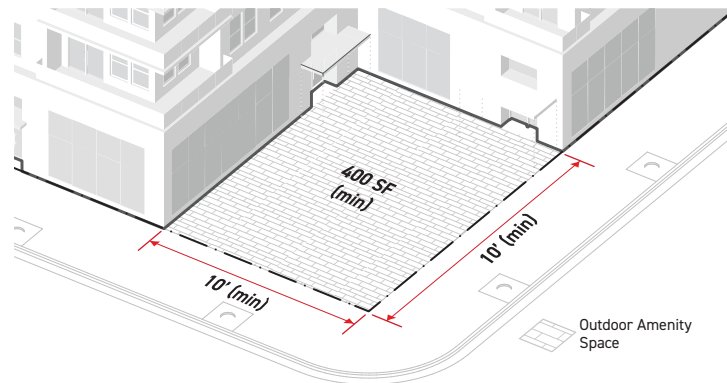
3. Standards

a. General

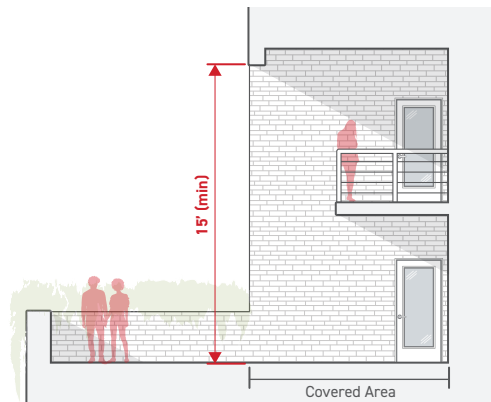
- I. The cumulative area of outdoor amenity space provided on a lot cannot be less than required by the zoning district.
- II. Required amenity space must be classified as either Common Outdoor Amenity Space or Pedestrian Outdoor Amenity Space, and must meet the standards according to the classification.



- III. Each outdoor amenity space must have a minimum area of 400 square feet, and no horizontal dimension of less than 10 feet, measured perpendicular to any boundary of the space.



- IV. Outdoor amenity space can be covered but cannot be enclosed. Covered outdoor amenity space is included the calculation of building coverage.
- V. Outdoor amenity space that is covered must have a minimum clear height of 15 feet.



- VI. A minimum of 20% of the total area of each outdoor amenity space must be landscaped area that meets *4.5.3. Landscape Design*.
- VII. For every 400 square feet of outdoor amenity space, two permanent or movable seats must be provided. Two linear feet of bench or seat wall are counted as one seat.

b. Common Outdoor Amenity Space

Type of outdoor amenity space generally reserved for use by building occupants and may not be accessible to the public. Examples include roof decks, pool amenity areas, and courtyards.

Common outdoor amenity space must meet all of the general standards for outdoor amenity space in addition to the following requirements:

- I. Each square foot of common outdoor amenity space provided counts as 1 square foot of required outdoor amenity space.
- II. Common outdoor amenity space must be made available to all occupants of a building, at no cost, during the hours of operation of the building. The space may not be permanently

reserved or in any way exclude any occupant during the time it is required to be made available to all occupants.

- III. Building facades adjacent to common outdoor amenity space must have a minimum transparency of 15% for each story.
- IV. Common outdoor amenity space cannot be located in a required transition setback area based on the requirements of *4.4.1. Transitions*.

c. Pedestrian Outdoor Amenity Space

Type of outdoor amenity space that is publicly accessible and located in close proximity to the public sidewalk. Examples include patios and plazas.

Pedestrian outdoor amenity space must meet all of the general standards for outdoor amenity space in addition to the following requirements:

- I. Each square foot of pedestrian outdoor amenity space provided counts as 2 square feet of required outdoor amenity space.
- II. A minimum of 25% of the pedestrian outdoor amenity space perimeter must abut and be directly accessible from the sidewalk along a primary or side street.
- III. Pedestrian outdoor amenity space cannot be separated from this public sidewalk by any structure for more than 40% of the width of the amenity space, with the exception of a wall or fence 42 inches in height or the maximum height specified by the zoning district, whichever is less. The allowed wall or fence must provide openings for pedestrian access at least once every 35 feet.
- IV. The finished floor or ground surface of a pedestrian outdoor amenity space must be located either at the same grade as the sidewalk, or within the minimum and maximum finished floor elevations specified by the zoning district (see *2.6.11.B. Finished Floor Elevation*).
- V. All building facades facing pedestrian outdoor amenity space must meet the transparency and entrances standards required by the zoning district for the applicable primary or side street frontage.
- VI. Mechanical and utility equipment cannot be located within a pedestrian outdoor amenity space, or between a pedestrian outdoor amenity space and an adjacent building facade.

4. Measurement

The minimum required outdoor amenity space is calculated by multiplying the total lot area by the minimum outdoor amenity space percentage specified by the zoning district.

2.6.5. Building Setbacks

The area on a lot not intended for buildings and structures. Includes primary street setbacks, side street setbacks, side setbacks, rear setbacks, and alley setbacks.

A. Intent

To provide open areas on a site and help reduce the impact of buildings or structures on abutting sidewalks and neighboring development.

B. Applicability

1. The building setback requirements apply to all lots.
2. Where sublots are allowed, building setbacks apply only to the perimeter edges of the lot. Building setbacks do not apply to individual sublots.

C. Standards

1. Minimum Setbacks

All principal and accessory buildings and structures on a lot must be located at or behind the minimum building setback as specified by the zoning district, unless listed as an exception below

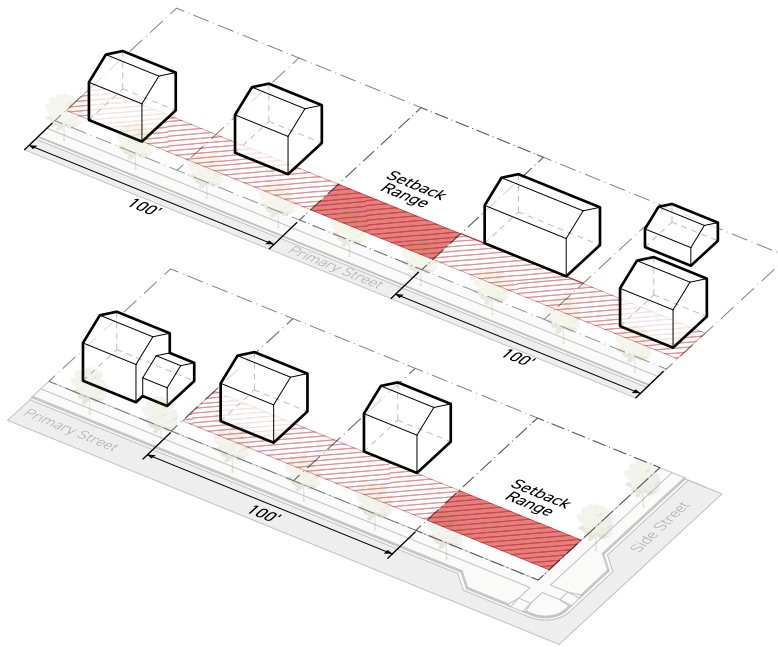
2. Maximum Setbacks

Zoning districts with a build-to width requirement have a required maximum setback, in addition to a required minimum building setback. In these districts, a certain portion of the building must be located at or in front of the maximum building setback specified by the district. For requirements related to the build-to, see [2.6.6](#).

3. Existing Setback Range

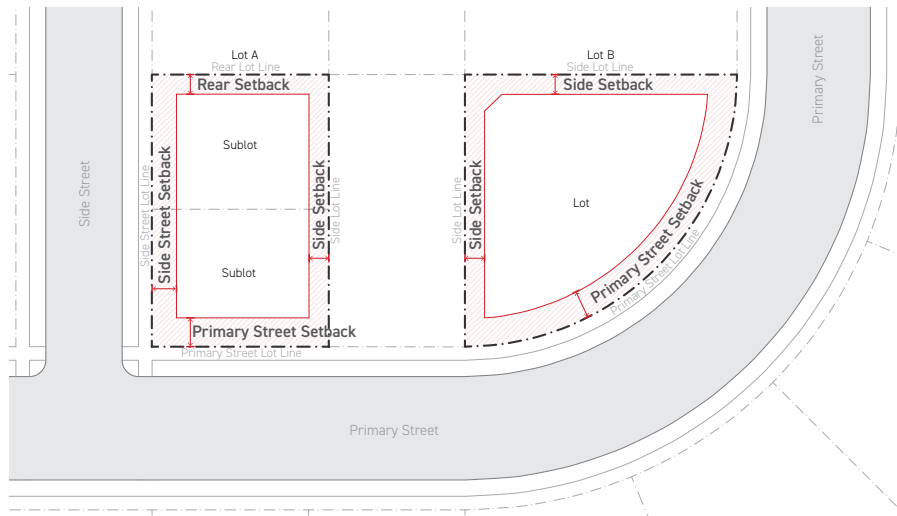
When the zoning district specifies "existing range," the primary street setback is calculated as follows:

- a. The required primary street setback must be met within the range of existing primary street setbacks, no closer than the smallest and no further than the largest in the range.
- b. The setback range is measured on the basis of all principal buildings within 100 feet in either direction along the block face.
- c. If it is determined that the setback range cannot be adequately calculated, the setback for the zoning district must be met.

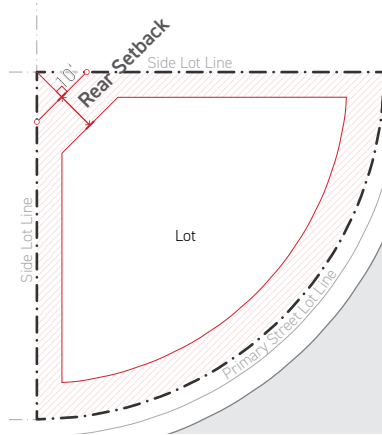


D. Measurement

1. All building setbacks are measured perpendicular to the applicable lot line.
2. Where a lot line abuts an access easement, the setback may be measured from the interior edge of the easement rather than the lot line.



3. A primary street setback is measured from the primary street lot line.
4. A side street setback is measured from the side street lot line.
5. Rear setback is measured from the rear lot line.
 - a. For determining the rear setback for a triangular or gore-shaped lot, the rear lot line is measured from a 10-foot wide line, parallel to the primary street lot line that intersects two side lots lines at its endpoints.
 - b. For instances where the primary street lot line is not straight, the rear lot line must be parallel to a line connecting the end points of the primary street lot line.



6. Alley setback is measured from the alley lot line.

E. Exceptions

1. Limited Encroachments

- The following are allowed to encroach beyond the building setback up to the minimum distance from the lot line specified below. The encroachments only apply when the zoning district's setbacks are equal to or larger than the allowed encroachment setbacks specified below.

	SETBACK		
	Front / Side St.	Side / Rear	Alley
Architectural Details			
Encroachment (max)	2'	2'	2'
Distance from lot line (min)	1'	2'	1.5'
Roof Projections			
Encroachment (max)	2.5'	2.5'	2.5'
Distance from lot line (min)	1'	2'	1.5'
Unenclosed Structures: Ground Story			
Encroachment (max)	8'	3'	3'
Distance from lot line (min)	0'	2'	0'
Unenclosed Structures: Upper Story			
Encroachment (max)	5'	3'	5'
Distance from lot line (min)	1"	2'	1.5'
Enclosed Structures: Projecting			
Encroachment (max)	2.5'	1.5'	2.5'
Distance from lot line (min)	1'	2'	1.5'
Mechanical and Electrical Equipment			
Ground Mounted			
Encroachment (max)	not allowed	2.5'	2.5'
Distance from lot line (min)	--	2.5'	2'

	Front / Side St.	SETBACK	
		Side / Rear	Alley
Wall Mounted			
Encroachment (max)	not allowed	1.5'	1.5'
Distance from lot line (min)	--	2.5'	2'
Waste Enclosure			
Encroachment (max)	not allowed	5'	5'
Distance from lot line (min)	--	5'	5'
Signs	see Sec. 4.6		

- b. In an RC, RD-, or RA district, small accessory structures have reduced side and rear setbacks - see 3.5.1.C.

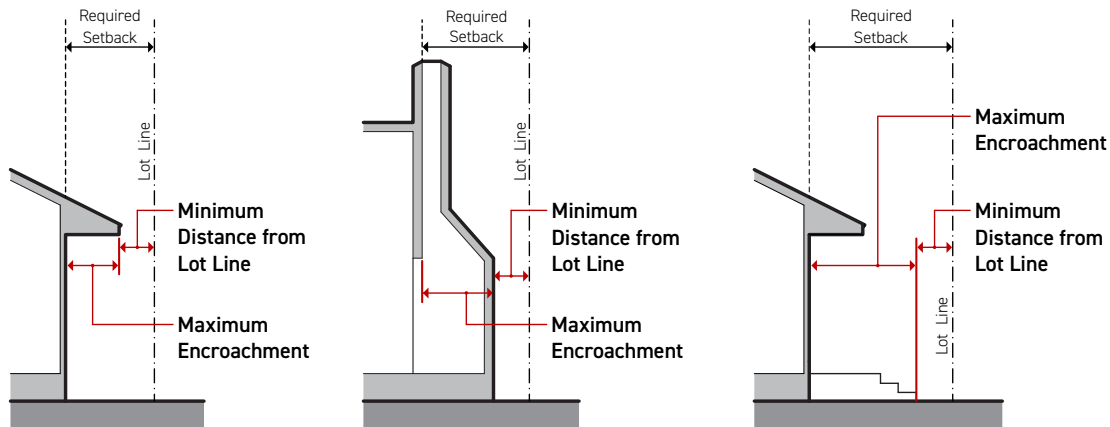
2. Unlimited Encroachments

The following may encroach into a required setback to the extent necessary to perform their proper function:

- Accessibility ramps and lifts and fire escapes;
- Covered structures located entirely below grade. Examples include footings, cellars, basements, storm water storage, and cisterns;
- Any structure not more than 3 feet in height - including sidewalks, multi-use paths, ramps, driveways, patios, decks, transformers, gas meters, water softeners, generators, pool equipment, HVAC equipment, water utility devices, gas tanks, cistern
- Fences and walls (see 4.5.2);
- Trees, shrubs, flowers, herbs, vegetables, grasses, ferns, mosses, and associated planters and raised planting beds, if applicable;
- Low impact development (LID) stormwater devices approved by the City; and
- Permanent or movable furniture. Examples include benches, tables, and bike parking racks.

3. Measurement of Encroachments

- Encroachment is measured as the horizontal distance from the edge of the area where structures are restricted.
- Distance from lot line is measured as the horizontal distance from a lot line. Distance from lot line is measured toward the interior of the lot line along the full perimeter of the lot line.



4. Encroachment Terminology

a. Architectural Details

Building elements not intended for human occupation attached to or integrated into the structure of a building including elements designed for environmental benefits. Examples include cornices, belt courses, sills, lintels, pilasters, pediments, chimneys, and solar shades.

b. Roof Projections

Roof elements that overhang or cantilever beyond the footprint of a building and do not include posts or columns. Examples include eaves, roof overhangs, gutters, awnings, and canopies.

c. Unenclosed Structures: Ground Story

Unenclosed structures having all finished floors and ground surfaces 3 feet or more in height and having a total structure height less than 15 feet. Examples include: porches, decks, stoops, landing platforms, and gazebos.

d. Unenclosed Structures: Upper Story

Unenclosed structures having a total structure height of 15 feet or greater. Examples include: balconies, upper-story light shelves, exterior stairways.

e. Enclosed Structures: Projecting

Enclosed structures that overhang or cantilever beyond the footprint of the building that have a cumulative length less than 25% of the width of the building facade. Examples include bay windows, sleeping porches, doorway vestibules, overhanging volumes, and enclosed balconies.

f. Mechanical and Electrical Equipment: Ground Mounted

Equipment supported by the ground related to publicly- or privately-owned or operated systems 3 feet or more in height. Examples include transformers, gas meters, water softeners,

generators, pool equipment, HVAC equipment, water utility devices, gas tanks, cisterns, wind turbines, and solar panels.

g. Mechanical and Electrical Equipment: Wall Mounted

Equipment attached to a wall related to publicly- or privately-owned or operated systems. Examples include gas meters, electric meters, electrical or utility cabinets, water heaters, and internet or cable boxes.

h. Waste Enclosure

Waste areas and their required screening structures. Examples include trash compactors, garbage, recycling, and food waste containers.

2.6.6. Build-To

The amount of building that occupies the build-to zone relative to the width of the lot at the street lot line.

A. Intent

To regulate the placement of buildings so that buildings frame the public realm with a consistent street wall.

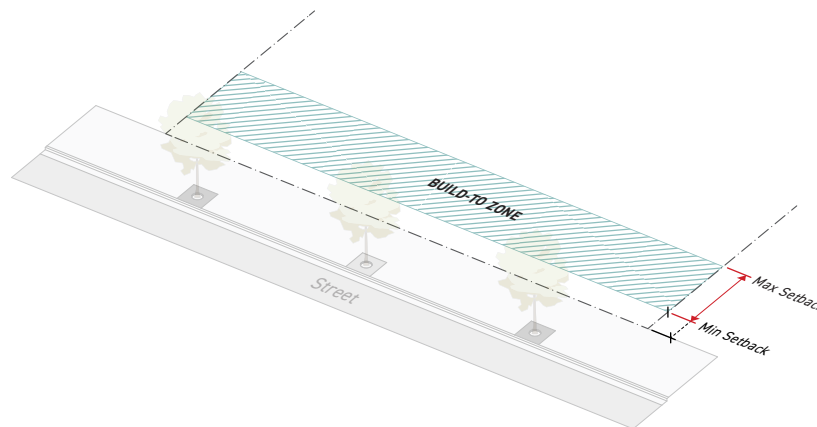
B. Applicability

1. The build-to applies to all lots.
2. Where sublots are allowed, the build-to is calculated for each lot, not individual sublots.
3. The build-to requirement applies to the ground story of the building only. The ground story is determined according to [2.6.9. Massing](#).

C. Standards

1. General

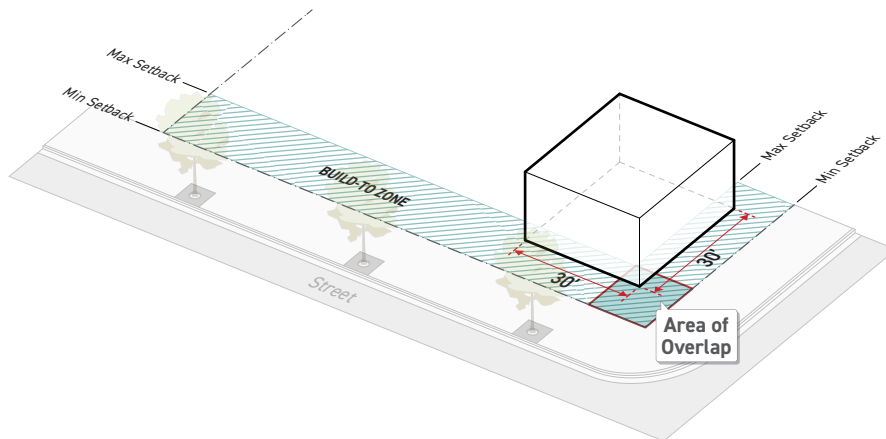
- a. The build-to zone is the area on the lot between the minimum and maximum building setbacks, for the full width of the lot.
- b. The build-to zone is measured from the primary or side street lot line. The build-to zone starts at the minimum building setback and extends to the maximum building setback.



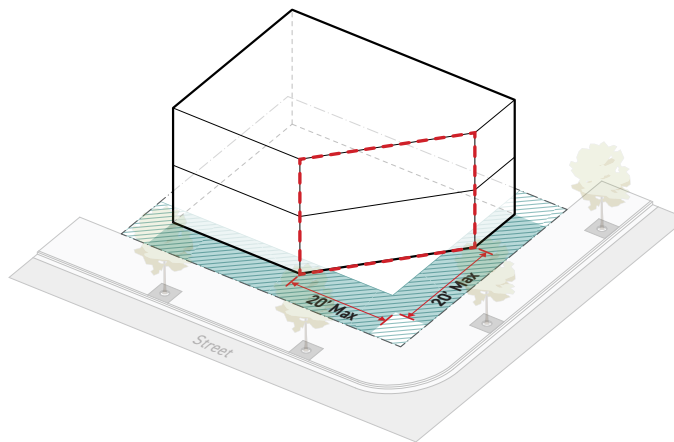
- c. No building or portion of a building facade can be located outside of the build-to zone, until the build-to requirement for the lot, as specified for the zoning district, has been met.
- d. Once the minimum build-to requirement has been met, buildings and structures may be located in the area behind the maximum building setback.

2. Corner Lots

- a. On corner lots where both streets have build-to width requirements, a building must occupy the portion of the area where the two intersecting build-to zones overlap. The building must occupy the build-to zones for both streets lot lines for a minimum of 30 feet from the corner. The minimum requirement is measured starting at the edge of the building occupying the area of overlap and moving away from the corner, parallel to the street lot line. This counts toward the required build-to width for both street lot lines.



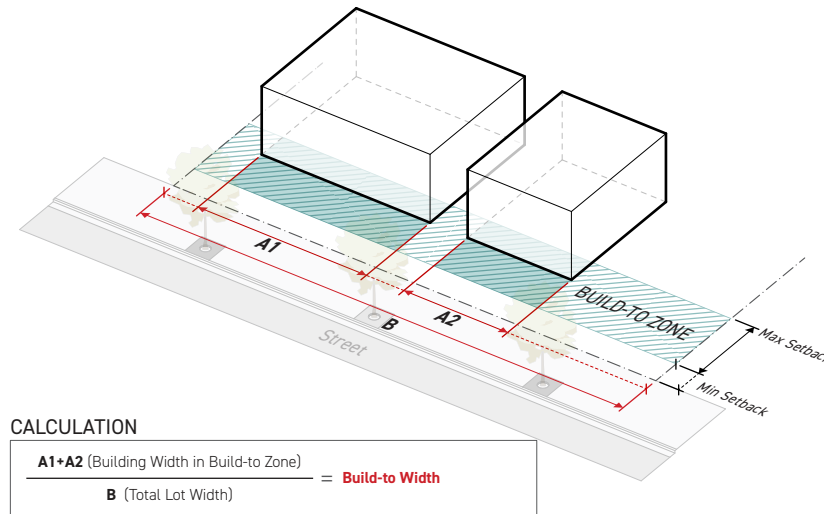
- b. A chamfered corner no more than 20 feet in width along both street lot lines qualifies as a building in the build-to zone even where it extends outside of the build-to zone. Chamfered corner width is measured parallel to the street lot line.



- c. Corner lot standards do not apply when a pedestrian outdoor amenity space occupies the same portion of the area of overlap and is being used to count toward the build-to requirement.

D. Measurement

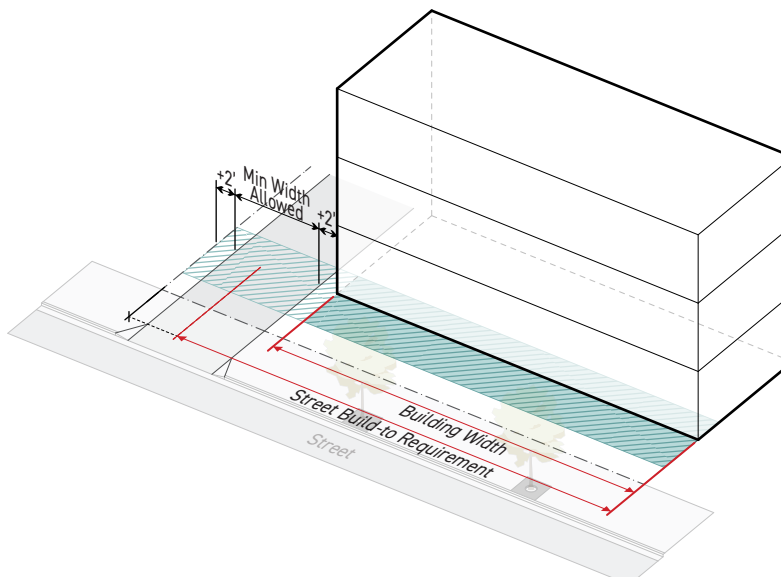
1. The build-to is a percentage measured as the sum of all building facades occupying the build-to zone, divided by the total lot width.
2. The build-to is calculated separately along each street lot line where a build-to is required.



E. Exceptions

1. Vehicular Access Allowance

Where vehicular access is allowed from a street and providing access prevents a building from meeting the build-to requirement, a reduced build-to width may be allowed by the Zoning Administrator, provided the portion of the lot in the build-to zone used for vehicle access is no wider than the minimum required driveway width plus an additional 4 feet of width for clearance. See *Sec. 4.3. Vehicle Access*.

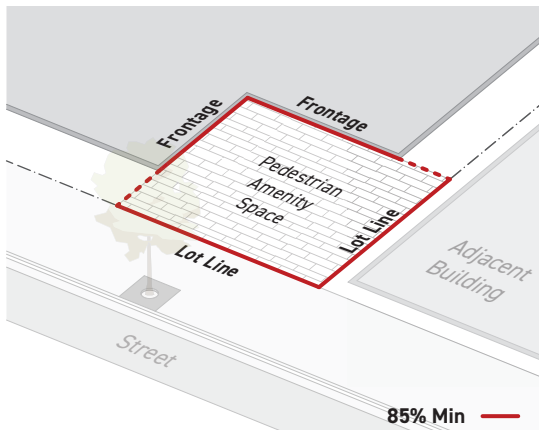


2. Pedestrian Outdoor Amenity Space Allowance

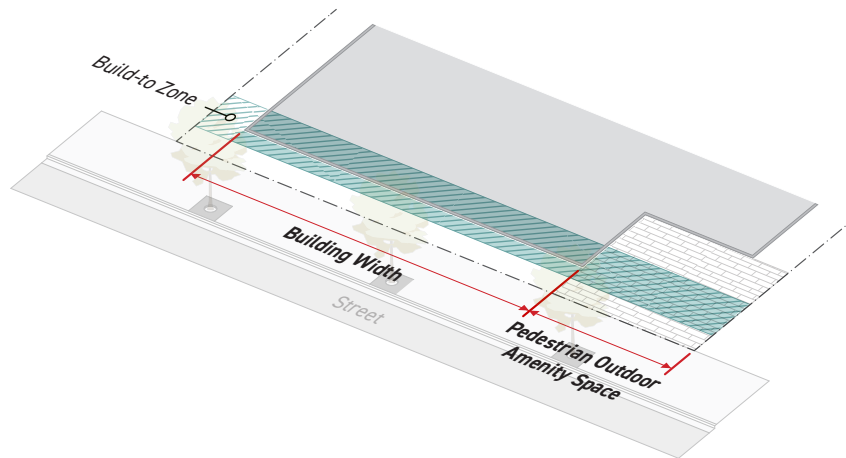
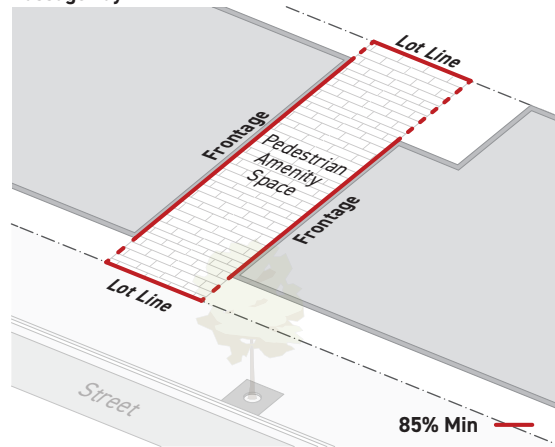
Space meeting the requirements for pedestrian outdoor amenity space (2.6.4.B, *Outdoor Amenity Space*) may be provided as a substitute for the build-to requirement, provided the following standards are met:

- A minimum of 85% of the pedestrian outdoor amenity space perimeter must abut either a lot line or a facade meeting the standards of the zoning district specified for the abutting street lot line.
- Where pedestrian outdoor amenity space abuts multiple street lot lines, the standards specified for the street lot line that abuts the pedestrian outdoor amenity space for the greatest length applies.

Plaza:



Passageway:



2.6.7. Parking Location

A. Parking Setbacks

An area on a lot not intended for the parking of motor vehicles. Includes indoor parkings setbacks and outdoor parking setbacks.

1. Intent

To minimize the impact of motor vehicle dominated areas on the public realm and to promote a comfortable, safe, engaging, and attractive streetscape with active uses and landscaping along the public realm.

2. Applicability

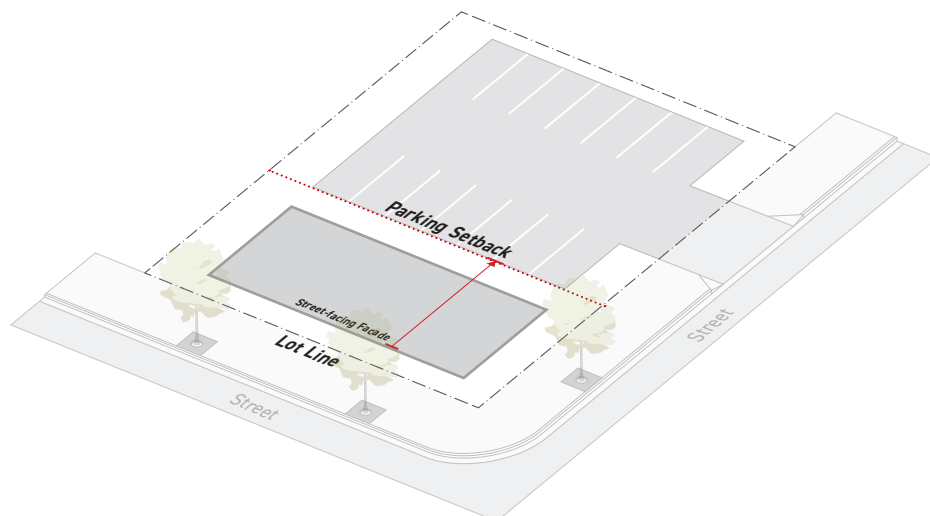
- a. Parking setbacks apply along primary street and side street frontages.
- b. Parking setbacks apply to the ground story only.

3. Standards

- a. All parking lots and motor vehicle use areas must be located at or behind the required parking setback, except for driveways that meet [4.3.1](#).
- b. All parking lots and motor vehicle use areas that abut a primary or side street lot line must be screened in accordance with [4.4.3. Frontage Screens](#).

4. Measurement

- a. Parking setbacks are measured from the street-facing building facade (or level with the street-facing building facade) inward away from the primary or side street lot line.
- b. Only applies to and is measured from building facades used to meet the build-to requirement.
- c. For determination of build-to see [2.6.6. Build-to](#).



B. Between the Building and Street

1. Intent

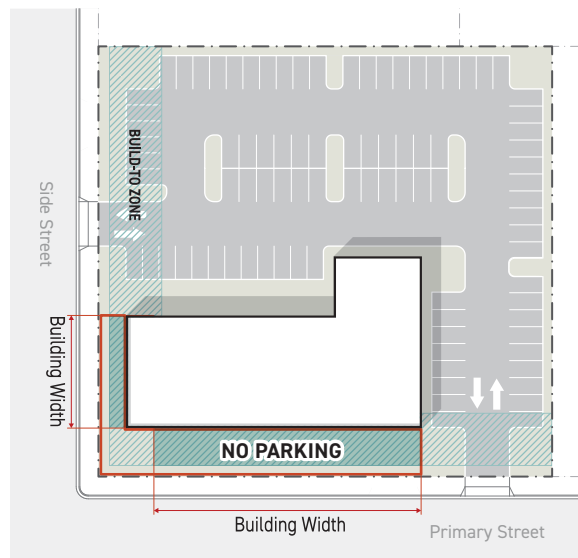
To minimize the impact of auto-dominated areas on the public realm and to promote a comfortable, safe, engaging and attractive streetscape with active uses and landscaping along the public realm.

2. Applicability

The parking location limitations apply to all lots.

3. Standards

- a. No parking or area designed for use by a motor vehicle use can be located between the portion of a building used to meet the build-to requirement and the street, when specified by the zoning district.



- b. All parking lots and other areas designed for use by a motor vehicles that abut the primary or side street lot line must be screened in accordance with [4.4.3. Frontage Screens](#).
- c. See [4.3.2. Parking Lot Dimensions](#) and [4.3.3. Parking Lot Landscaping](#) for additional parking area requirements.

4. Measurement

For determination of build-to see [2.6.6. Build-to](#).

2.6.8. Streetscape

A. Clear Pedestrian Zone

A designated, clear unobstructed pedestrian path generally located between the building and the street.

1. Intent

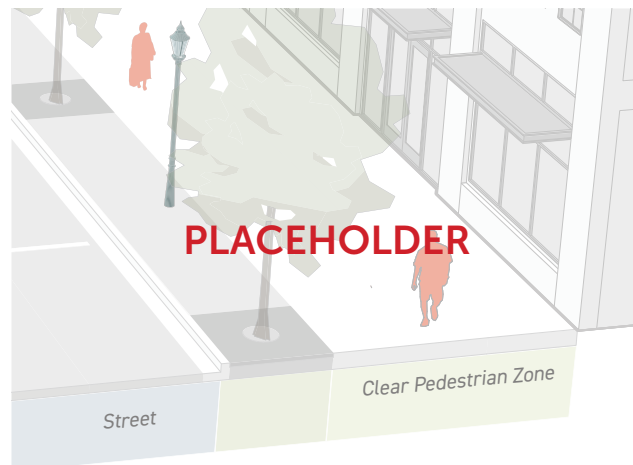
Intended for pedestrian travel, to help ensure a safe and accessible route for all users along the street edge, including those with mobility devices like wheelchairs.

2. Applicability

The clear pedestrian zone requirements apply to all lots with street frontage.

3. Standards

- a. A clear pedestrian zone must be provided between the back of curb and the building facade that meets the minimum depth required by the district.
- b. The clear pedestrian zone must remain clear of obstacles at all times and be constructed to meet all City and ADA specifications.
- c. Where there is not enough room available in the right-of-way for the clear pedestrian zone, the clear pedestrian zone must be provided on-site as a public access easement.



2.6.9. Massing

A. Building Height

The vertical dimension of a building or structure measured in feet and stories.

1. Intent

To help provide adequate light, air, safety, and to protect the visual character of an area and the interests of the general public.

2. Applicability

Building height limitations apply to all lots.

3. Standards

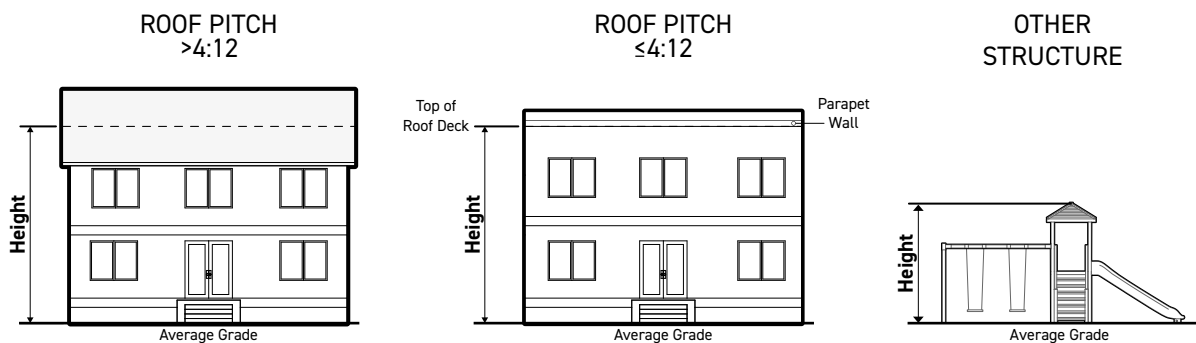
No building, portion of a building or structure can exceed the maximum height in number of feet or stories allowed in the zoning district, unless listed as an exception in [2.6.9.A.7, Exceptions](#) or when the zoning district specifies "contextual," see [2.6.9.A.5, Contextual Building Height](#).

4. Measurement

a. Maximum Height in Feet

Height in feet is the number of feet from average grade to:

- I. The mid-point of the roof, for a building with a roof having a pitch greater than 4:12;
- II. The top of the roof deck, for a building with roof having a pitch of 4:12 and less; and
- III. The topmost point of the structure, for all other structures.



b. Average Grade

The elevation from which building and structure heights are measured.

i. General

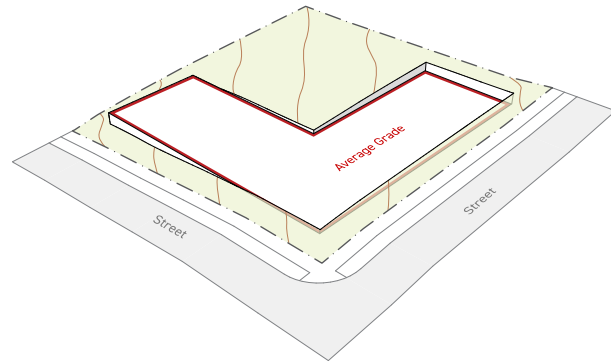
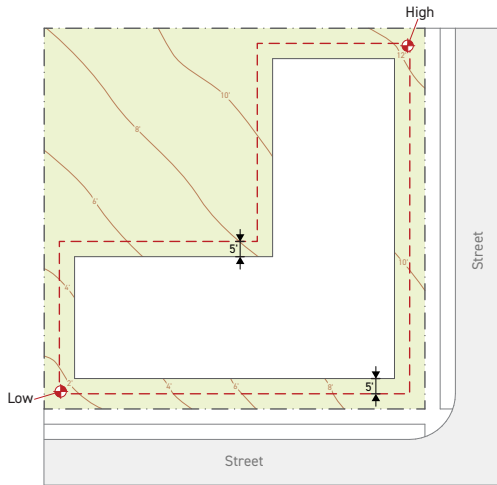
Average grade may be established either of the following ways:

- a). For a full building; or

b). For each building module established by ground story modules.

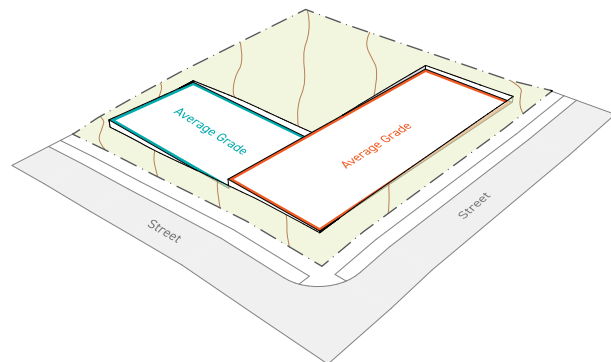
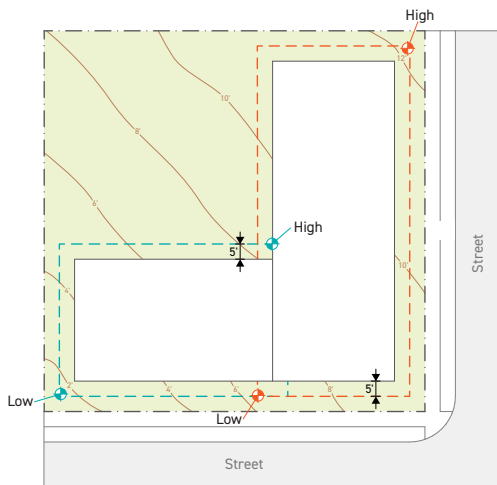
ii. Full Building Method

For the full building method, average grade is calculated by averaging the highest and lowest elevation of existing grade within 5 feet of the building perimeter.



iii. Building Module Method

For the building module method, average grade is calculated independent for each building module by averaging the highest and lowest elevation of existing grade within 5 feet of the perimeter of each building module.

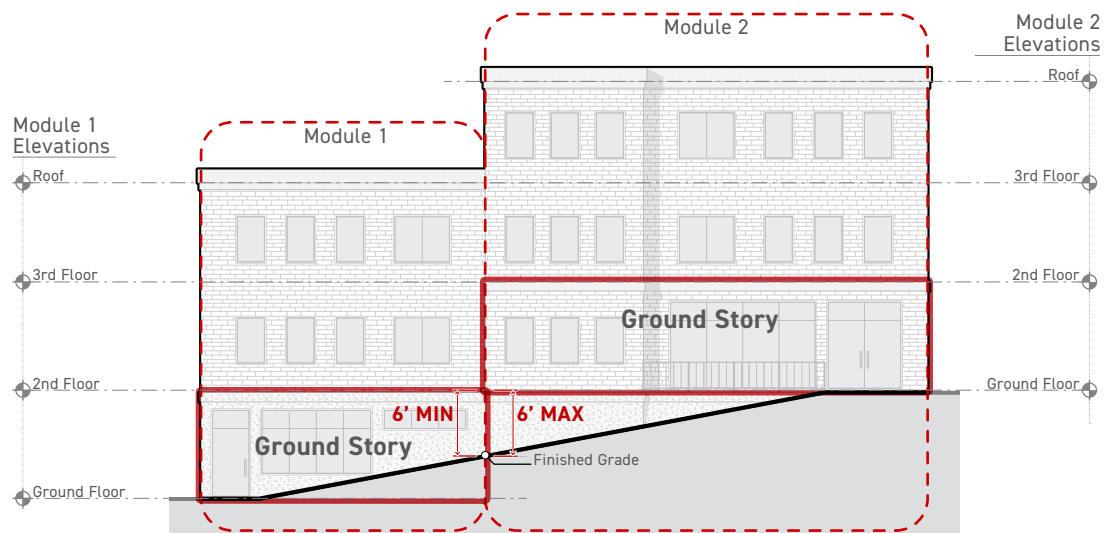


c. Maximum Height in Stories

- I. Height in stories is measured as the number of stories above finished grade. The ground story and all upper stories are included in the calculation of maximum height in stories.
- II. A story is the part of a building included between the surface of one floor and the surface of the next floor above, or if there is no floor above, then the ceiling next above.
- III. Basements and mezzanines do not count as a story.

IV. The ground story (or first story) of a building is determined as follows:

- a). The first (facade) story that is exposed a minimum of 6 feet above finished grade along the full width of the applicable building facade.
- b). The finished floor of a ground story can be no higher than 6 feet above finished grade for any portion of the building perimeter. This may mean the ground story may change within the same building.



V. The topmost story of a building is not counted as a full story and is counted as a half story when:

- a). It is completely within the roof form of the building and less than 50% of the floor area has a clear height of more than 7.5 feet, measured from the finished floor to the finished ceiling; or

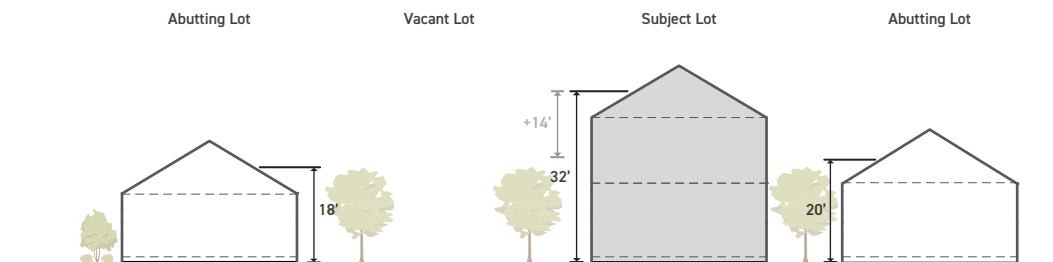
- b). Dormers do not exceed more than 50% of the front, rear or side building length.



5. Contextual Building Height

The maximum height of a building or structure cannot exceed the following:

- More than 14 feet or one story taller than the shortest principal structure on the 2 abutting lots along the same block face. On a corner lot, the calculation includes the first lot along the side street, even if separated by an alley.
- If an abutting lot is vacant, the next lot along the block face must be used for comparison.
- If the next lot is also vacant, the maximum height is the default height for the zoning district.

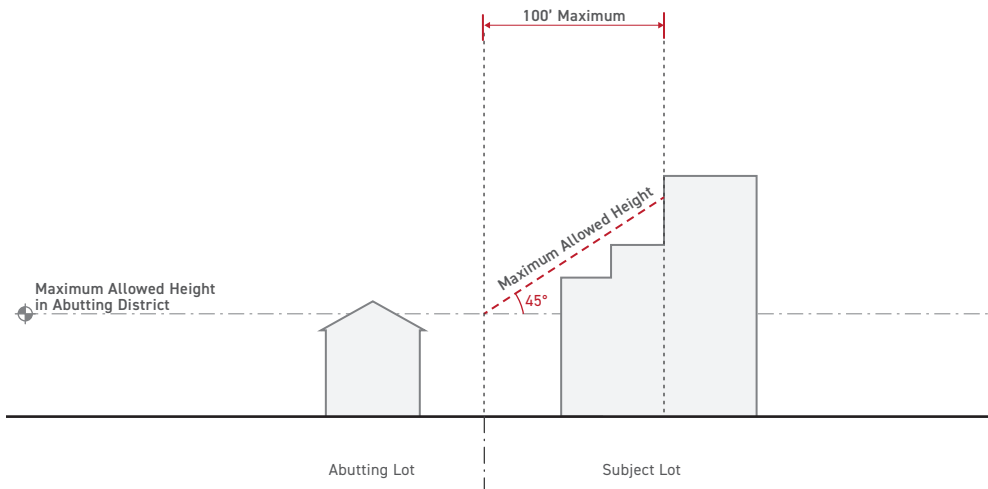


6. Maximum Height in an INS District

In an INS district, maximum building height cannot exceed a 45-degree angular height plane as specified below.

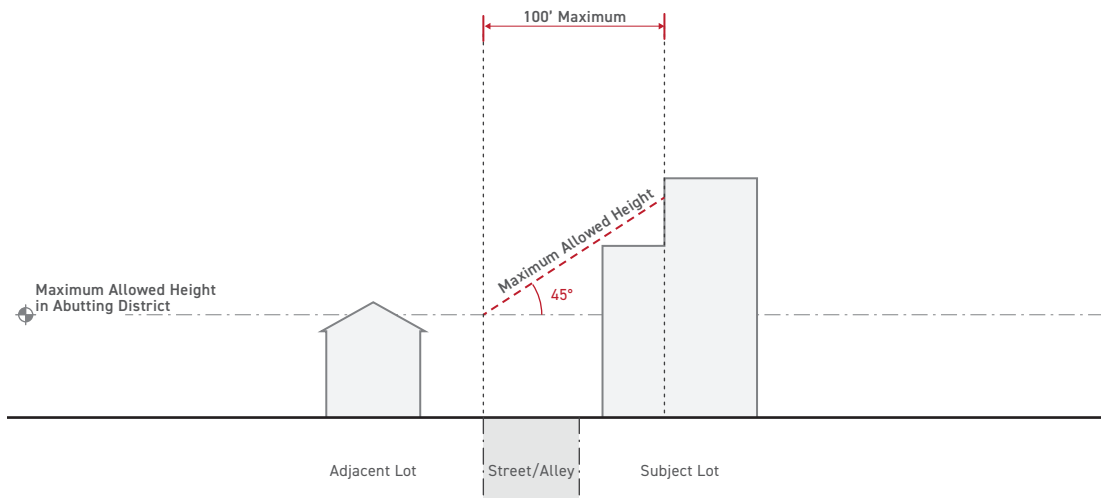
a. Common Lot Lines

- I. The 45-degree angular plane is measured inward from the common lot line starting from the maximum allowed height of the abutting zoning district.
- II. The 45-degree angular plane applies up to 100 feet measured from the common lot line. After 100 feet, there is no maximum building height.



b. Street/Alley Lot Lines

- I. The 45-degree angular plane is measured inward from the street or alley lot line of the lot across the street or alley starting from the maximum allowed height of the adjacent zoning district.
- II. The 45-degree angular plane applies up to 100 feet measured from the street or alley lot line. After 100 feet, there is no maximum building height.



7. Exceptions

a. Encroachments

The following encroachments are allowed to extend beyond the maximum height limit, as specified below:

	District Height (max)		
	Up to 40'	Between 40' & 70'	More than 70'
Architectural Elements			
Encroachment (max)	5'	10'	15'
Setback from roof edge (min)	0'	0'	0'
Safety Barriers			
Encroachment (max)	6'	6'	6'
Setback from roof edge (min)	0'	0'	0'
Vertical Circulation			
Encroachment (max)	14'	14'	14'
Setback from roof edge (min)	5'	5'	5'
Unenclosed Structures			
Encroachment (max)	10'	10'	10'
Setback from roof edge (min)	5'	5'	5'
Mechanical and Electrical Equipment			
Encroachment (max)	3'	5'	10'
Setback from roof edge (min)	5'	5'	5'
Flatwork			
Encroachment (max)	3"	3"	3'
Setback from roof edge (min)	1'	1'	1'
Vegetation			
Encroachment (max)	unlimited	unlimited	unlimited
Setback from roof edge (min)	1'	1'	1'
Signs	see Sec. 4.6		

b. Encroachment Terminology

i. Architectural Elements

Building elements not intended for human occupation attached to or integrated into the top of a building. Examples include chimneys, skylights, steeples, spires, belfries, cupolas, domes, flagpoles, and lighting.

ii. Safety Barriers

Vertical barriers used for safety and protection. Examples include fences, walls, parapets, and railings.

iii. Vertical Circulation

Enclosed structures used for building circulation and rooftop access. Examples include elevator rooms and associated equipment and stair access to the roof.

iv. Unenclosed Structures

Unenclosed structures attached to or integrated into the roof of a building, intended for human shelter or activity. Examples include shade structures, cabanas, pergolas, rooftop bars, outdoor dining, permanent seating, beehives, sports courts, and cooking facilities.

v. Mechanical and Electrical Equipment

Equipment supported by a roof related to publicly- or privately-operated systems. Examples include HVAC equipment, cisterns, water tanks, wind turbines, solar panels, solar water heaters, exhaust ducts, smokestacks, communication equipment, satellite dishes, ventilation fans, flues, vent stacks, and generators.

vi. Flatwork

Constructed objects 3 feet in height or less. Examples include decking, walkways, patios, and planters.

vii. Vegetation

Living organisms, absorbing water and organic substances through its roots and synthesizing nutrients. Examples include trees, shrubs, flowers, herbs, vegetables, grasses, ferns, mosses, and associated planters and raised beds.

B. Width

1. Building Width

The horizontal width of a building parallel to the street.

a. Intent

- I. To promote fine-grained patterns of development and prevent long buildings that are significantly out of context with the City's traditional patterns of development by breaking wide buildings into multiple, clearly distinguished building widths.

- II. To encourage larger projects to provide open space for pedestrians and recreation.

b. Applicability

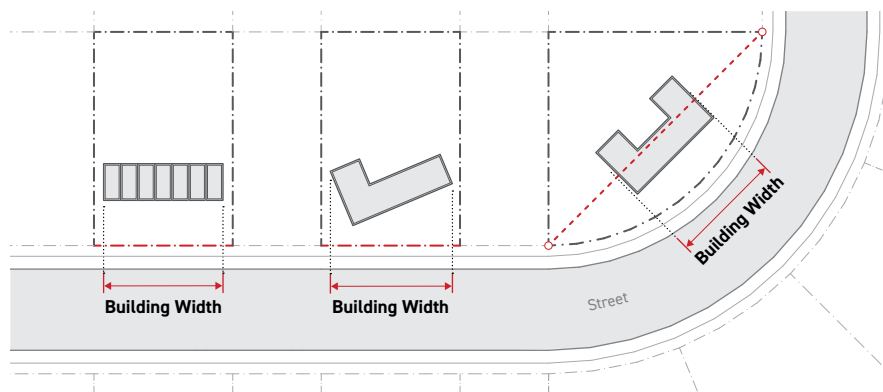
- I. Building width requirements apply to all street-facing building facades.
- II. Building width requirements apply only to portions of buildings located above the maximum finished floor elevation (2.6.11.B. *Finished Floor Elevation*) required by the zoning district.

c. Standards

- I. No building located on a lot may be wider than the maximum building width allowed by the zoning district.
- II. Two buildings can abut one another provided that they have no shared components and are structurally independent from one another.

d. Measurement

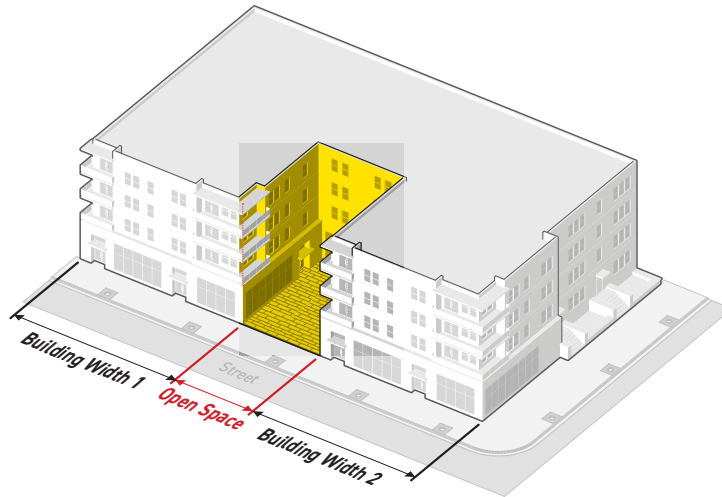
Building width is measured horizontally and parallel to each abutting primary street or side street lot line from one end of a building to the opposite end.



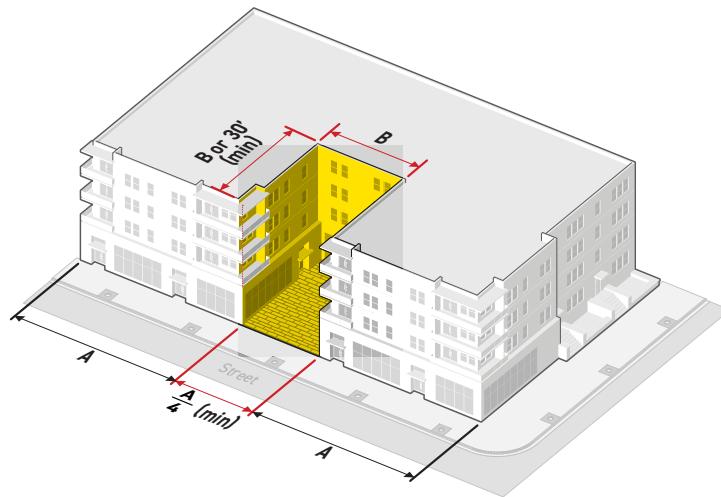
e. Exceptions

An open space meeting the following standards may be used to establish a continuous structure as effectively separate buildings for the purpose of meeting a maximum building width requirement:

- I. A maximum of one open space exception is allowed for each building.



- II. The width of the open space must be no less than $\frac{1}{4}$ the width of the widest adjacent building width provided.
- III. The depth of the open space must be at least equal to the width of the open space or 30 feet, whichever is less.



- IV. The open space must meet the standards in [2.6.4.B, Outdoor Amenity Space](#).

2. Attached Units in a Row

The maximum number of single-unit attached/townhouse units in a continuous row.

a. Intent

To help ensure new rows of townhouses are compatible with the surrounding neighborhood and to help avoid an unbroken wall of buildings that might negatively impact neighborhood aesthetics and connectivity.

b. Applicability

The maximum number of units in a continuous row applies to all single-unit attached/townhouse units on the lot.

c. Standards

No continuous row of single-unit attached/townhouse units can exceed the maximum number of units allowed in row as specified by the zoning district without break of a least 10 feet between units.

d. Measurement

The maximum number of units in a continuous row is measured from one end of a row of single-unit attached/townhouse units to the opposite end.

add graphic

2.6.10. Active Depth

The horizontal depth of a building that must contain active spaces.

A. Intent

To help minimize the impact of inactive spaces on the public realm and to promote a comfortable, safe, engaging, and attractive build environment.

B. Applicability

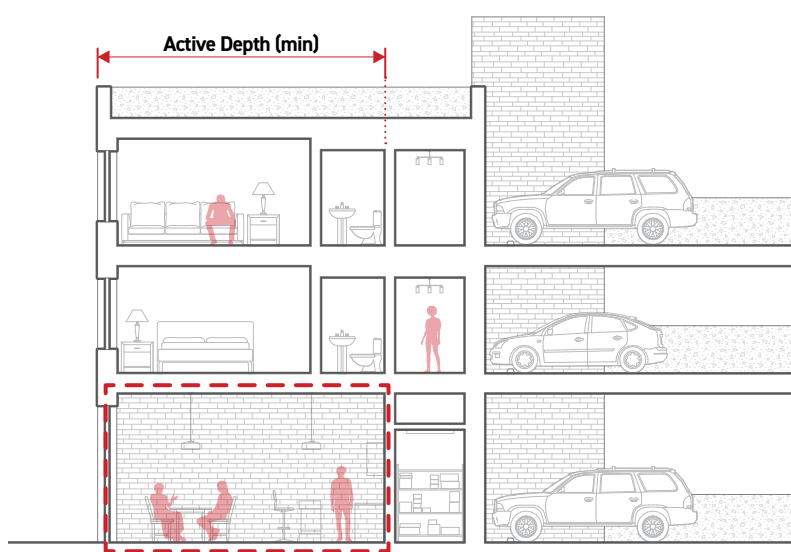
1. Active depth standards apply to the portions of a building used to meet the minimum build-to width requirement. *See 2.6.6. Build-to.*
2. Active depth applies to the ground story only.

C. Standards

1. Applicable portions of a building must provide the minimum active depth required by the zoning district.
2. No more than 20% of the floor area of the required active depth may be used for inactive spaces such as storage, hallways, stairwells, and equipment rooms.
3. Parking spaces and motor vehicle use areas are not allowed in any portion of the required active depth.

D. Measurement

Active depth is measured from the front building facade inward to the interior of the building.



2.6.11. Ground Story

A. Ground Story Height

The floor-to-floor height of the story of a building.

1. Intent

To promote high-quality ground-story spaces that are adaptable and appropriate to their intended use and surrounding context.

2. Applicability

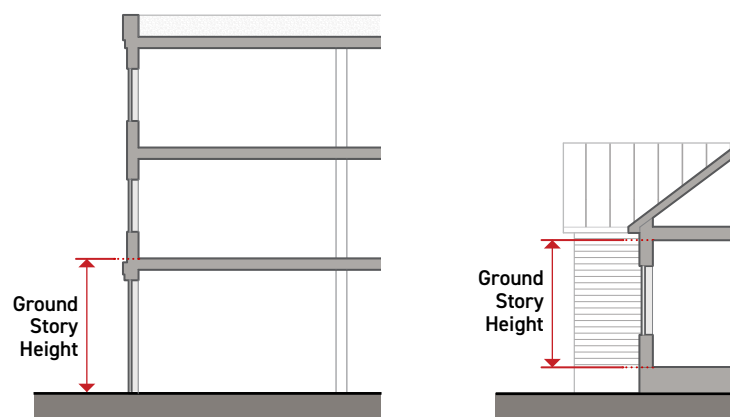
- a. The ground story height standards apply to all buildings that contain habitable space on the ground story.
- b. Where a zoning district regulates ground story height differently for residential and nonresidential uses, residential standards apply to all residential uses, and nonresidential standards apply to nonresidential uses.

3. Standards

Ground story height can be no lower than the minimum ground story height required by the zoning district.

4. Measurement

- a. Ground story height is measured from the top of the finished floor of the ground story to the top of the finished floor of the story above.
- b. Where there is no story above, ground story height is measured from the top of the finished floor to the bottom of the roof structure above.



B. Finished Floor Elevation

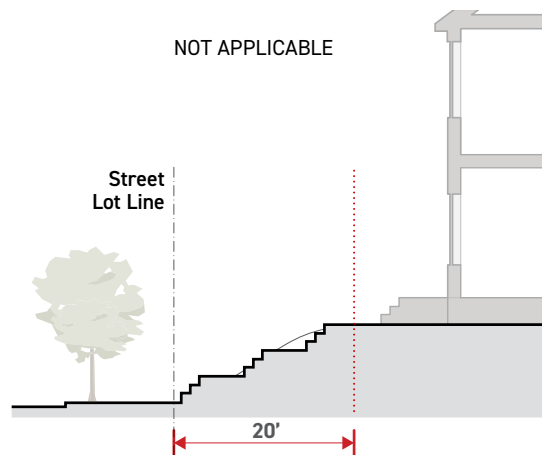
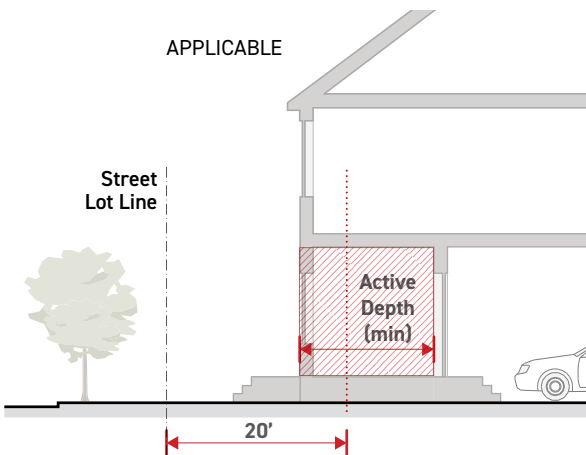
The height of the finished floor associated with the story of a building having its finished floor elevation nearest to finished grade.

1. Intent

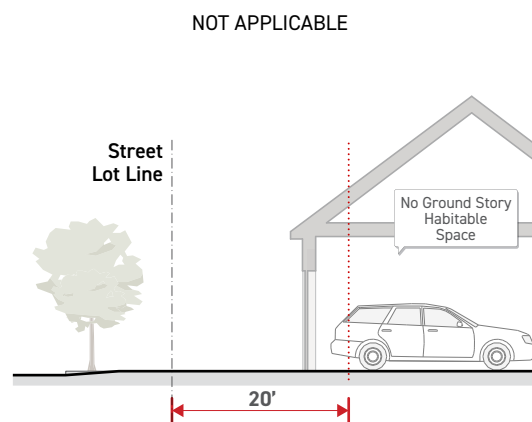
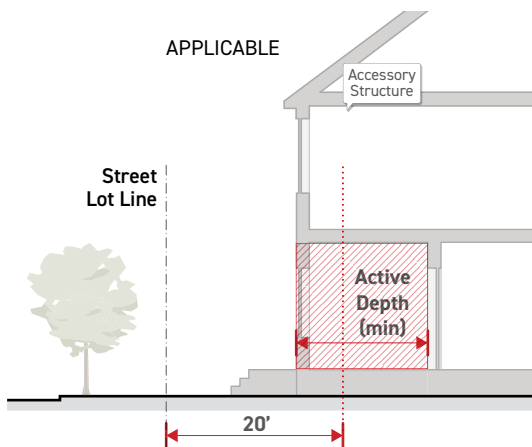
To promote “eyes” on the street, increase the perception of safety and encourage visual connections between the public realm and the exterior of a building.

2. Applicability

- The finished floor elevation standards apply to all buildings that contain habitable space on the ground story and that are located within 20 feet of a primary street or side street lot line.
- Where a zoning district regulates active depth, the finished floor elevation standards apply only to the required ground floor active depth.



- The finished floor elevation standards do not apply to accessory structures, unless the ground story of the accessory structure contains active spaces for a dwelling unit.



- Where a zoning district regulates finished floor elevation differently for residential and nonresidential uses, residential standards apply to all residential uses, and nonresidential standards apply to nonresidential uses.

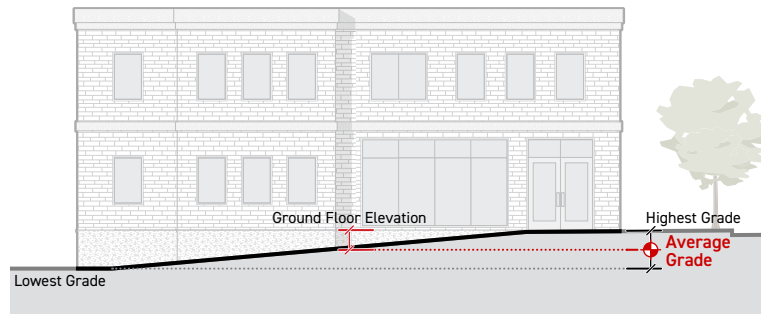
3. Standards

All applicable ground stories must have a finished floor surface meeting the following standards:

- a. An elevation no lower than the minimum finished floor elevation required by the zoning district.
- b. An elevation no higher than the maximum finished floor elevation required by the zoning district.

4. Measurement

- a. Finished floor elevation is measured from average grade to the top of the finished floor of the ground story.
- b. On corner sites, for the purpose of determining finished floor elevation, average grade must be established independently for each street-facing building facade.
- c. Average grade is measured according to **2.6.9. Massing**.



2.6.12. Windows

A. Ground Story and Upper Story Transparency

The amount of transparent area on a building facade.

1. Intent

To help provide visual interest along the public realm by encouraging visual connections between the public realm and the interior of a building.

2. Applicability

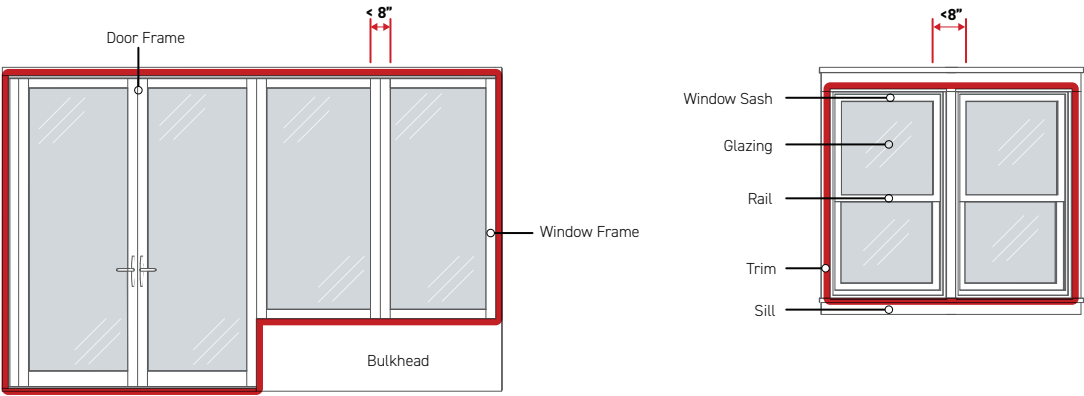
Ground story and upper story transparency standards apply to primary and side street-facing building facades only. The ground story is determined according to 2.6.9. Massing. Stories above the ground story are considered an upper story.

3. Standards

- a. Ground and upper story building facades must meet the minimum transparency of the zoning district.
- b. To be considered transparent area, window and door glazing must meet the following requirements:

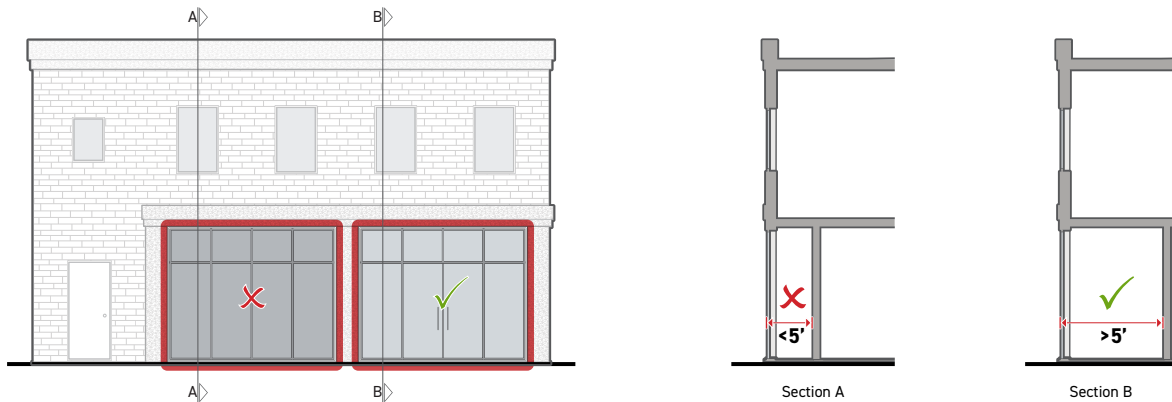
	Visible Light Transmittance	External Reflectance
Ground story	More than 60%	Less than 20%
Upper story	More than 30%	Less than 40%

- c. Muntins, mullions, window sashes, window and door frames, or window and door trim that are integral to window and door assemblies that are less than 8 inches wide may be considered transparent when calculating required percentages.

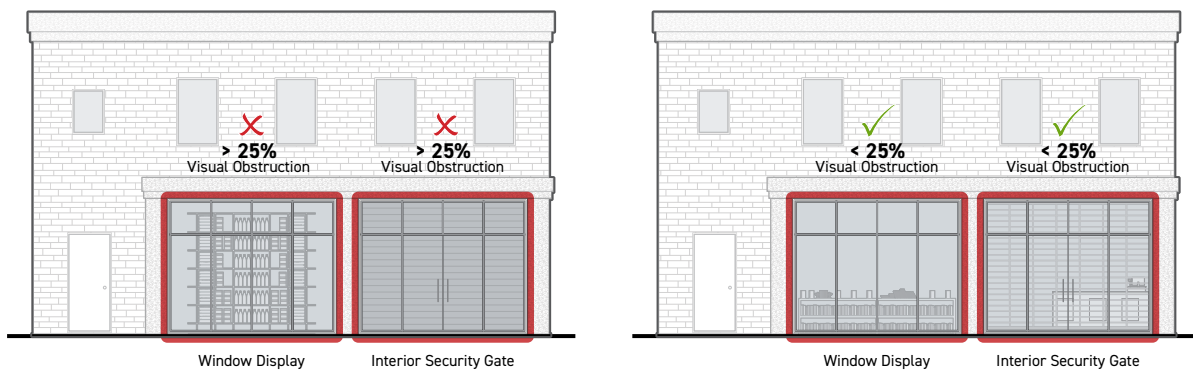


- d. Windows and doors used to meet the transparency requirements may be temporarily covered by operable window treatments, such as curtains or blinds.
- e. Windows and doors obscured by fixed exterior facade screens may count toward transparent area, provided no more than 25% of the total transparent area is covered for any individual window or door opening counting toward transparent area.

- f. Interior walls and other permanent interior visual obstructions cannot be located within 5 feet of the window or door opening used to meet the transparency requirement.



- g. Ground story windows and doors obscured by interior security gates, window signs, and window displays located less than 5 feet from the window opening may count toward transparent area, provided no more than 25% of the total transparent area is covered for any individual window or door opening counting toward transparent area.

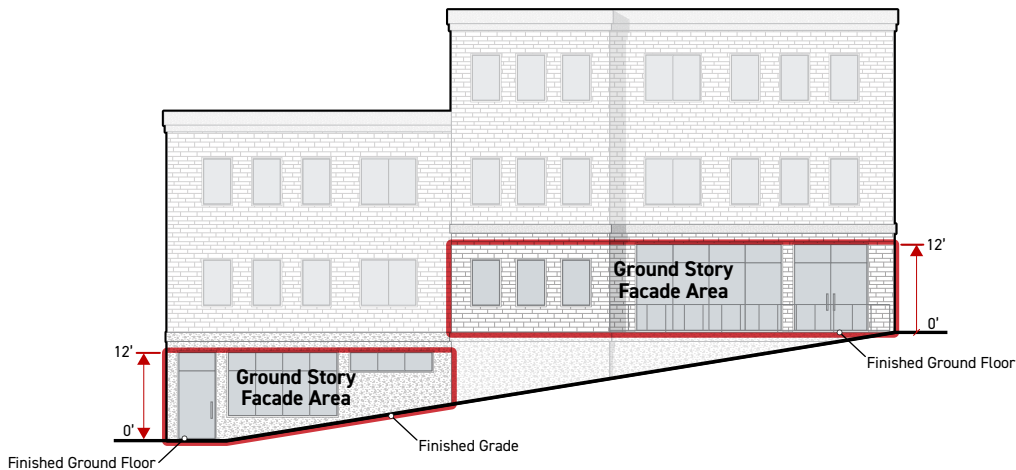


4. Measurement

a. Ground Story

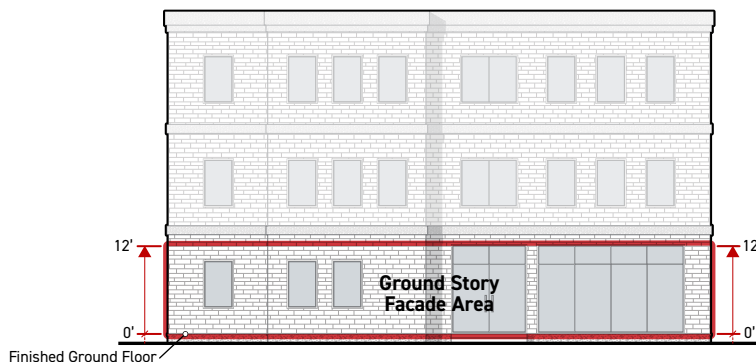
i. General

- a). Ground story transparency is measured as a percentage calculated as the sum of all facade area meeting the measurement requirements for transparency, divided by the total applicable facade area.
- b). No portion of a ground story located below finished grade is included in ground story facade area.



ii. Commercial Ground Story Transparency

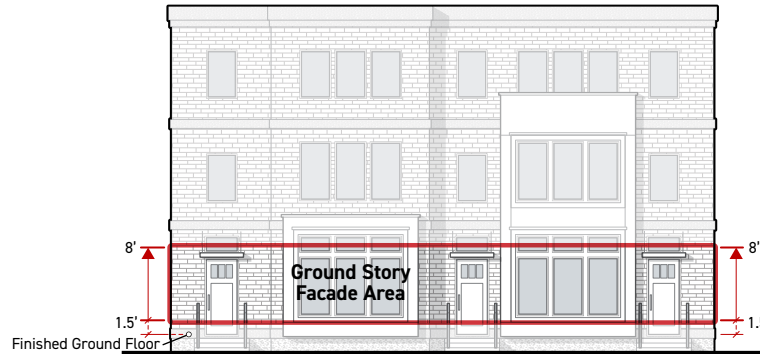
- a). For the purpose of calculating transparency, commercial ground story facade area is measured between 0 and 12 feet above the top of the ground story finished floor elevation.



- b). If the ground story height is less than 12 feet, ground story facade area is measured between the top of the finished floor of the ground story and the top of the finished floor of the story above. When there is no story above, it is measured to the bottom of the roof structure above.

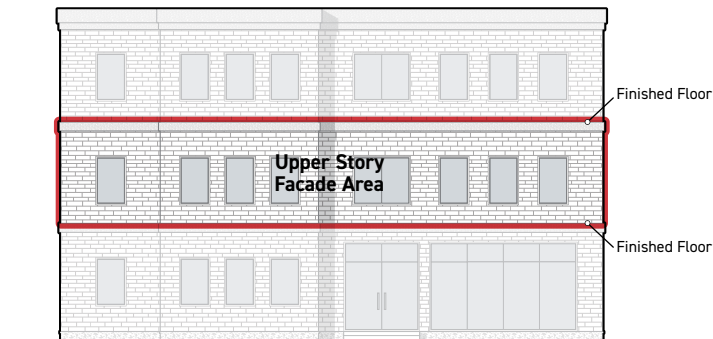
iii. Residential and Non-Commercial Ground Floor Transparency

Ground story facade area is measured between 1.5 and 8 feet above the top of the ground story finished floor elevation.



b. Upper Stories

- I. For the purpose of calculating upper story transparency, upper story facade area is measured as the portion of the facade area between the top of the finished floor for that story and the top of the finished floor above. When there is no story above, it is measured to the bottom of the roof structure above.



- II. Upper story transparency is measured separately for each individual story of a building facade above the ground floor.

B. Blank Wall Width

The width of ground story facades and foundation walls without window or door openings.

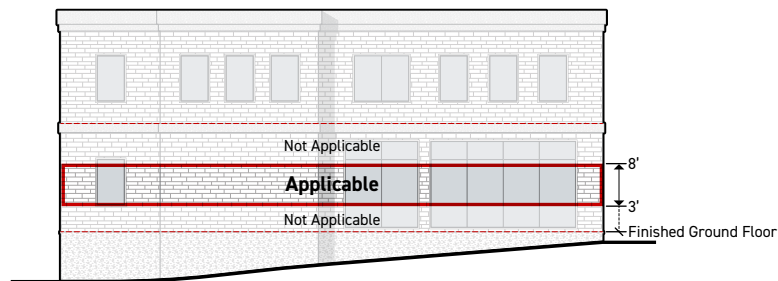
1. Intent

To provide visual interest and activation along the public realm by limiting the area without visual or physical connections between the public realm and the interior of a building.

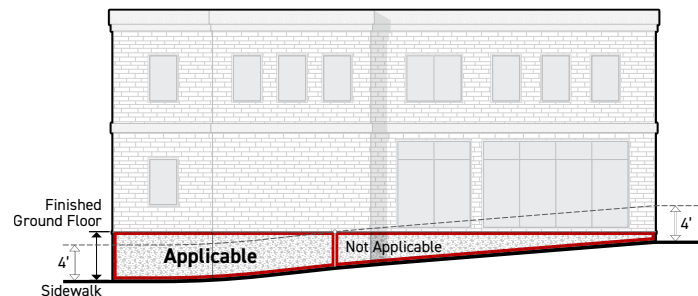
2. Applicability

Blank wall standards apply to the following:

- a. Street-facing facades between 3 and 8 feet from the finished floor elevation of the ground story, measured vertically.



- b. All portions of foundation walls on street-facing building facades that are exposed 4 feet in height or greater above finished grade. If foundation walls are set back more than 10 feet from a sidewalk, exposed height is measured from the lowest elevation of finished grade within 5 feet, measured from and perpendicular to the foundation wall.



3. Standards

a. General

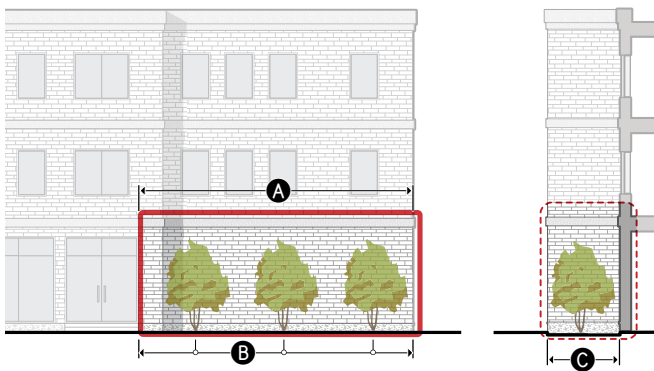
Windows and doors meeting the standards of **2.6.12.A. Ground Story and Upper Story Transparency** on ground story facades or foundation walls may be separated by a distance no greater than the maximum blank wall width specified by the zoning district.

b. Ground Story Facade Blank Wall Treatments

Ground story facades that exceed the maximum allowed blank wall width may apply one or more of the following blank wall treatments and increase the allowed blank wall width by 100%.

SMALL OR MEDIUM TREES

Small trees planted between a ground story facade with no window or door openings and the public realm.

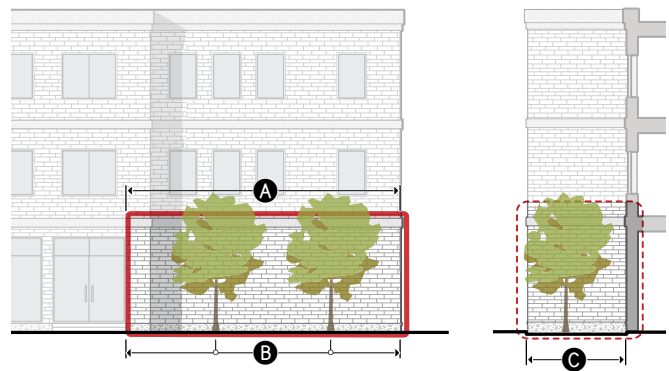


DIMENSIONAL STANDARDS

A Treatment width (min % of blank wall width)	100%
Tree type	Understory
B Planting frequency (min avg.)	5 per 100'
C Planting area depth (min)	7'

LARGE TREES

Large trees planted between a ground story facade with no window or door openings and the public realm.



DIMENSIONAL STANDARDS

A Treatment width (min % of blank wall width)	100%
Tree type	Canopy
B Planting frequency (min avg.)	3 per 100'
C Planting area depth (min)	15'

LIVING WALL

A permanently fixed assembly located between a ground story facade with no window or door openings and the public realm that supports plants, their growing medium, and irrigation.

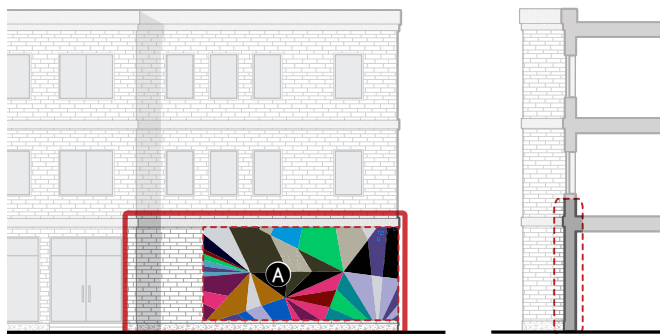


DIMENSIONAL STANDARDS

A Treatment area (min % of blank facade area)	75%
---	-----

PUBLIC ART

A noncommercial image attached to the blank wall and is sufficiently different from the building facade. Public art must be reviewed by the Zoning Administrator to confirm any mural or art display is not considered a sign.



DIMENSIONAL STANDARDS

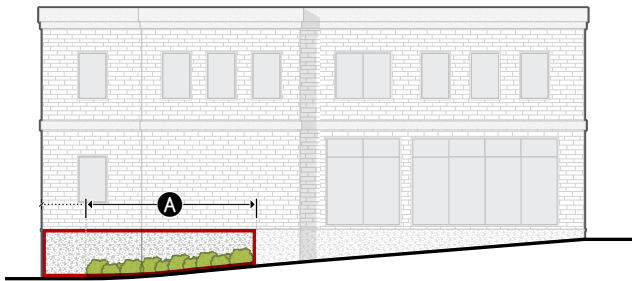
A Treatment area (min % of blank facade area)	75%
---	-----

c. Blank Foundation Wall Treatments

Foundation walls that exceed the maximum allowed blank wall width may apply one or more of the following blank foundation wall treatments and increase the allowed blank wall width by 100%.

FOUNDATION PLANTING

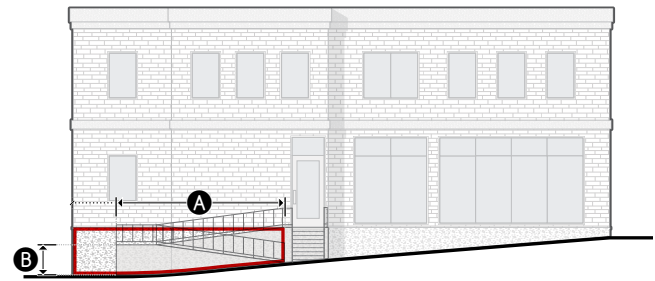
Screening plants located between a foundation wall with no window or door openings and the public realm.



DIMENSIONAL STANDARDS	
A Treatment width (min % of blank wall width)	75%
Plant type	Screening plant
Planting frequency (min avg.)	3 per 10'
Planting area depth (min)	3'

PEDESTRIAN ACCESS

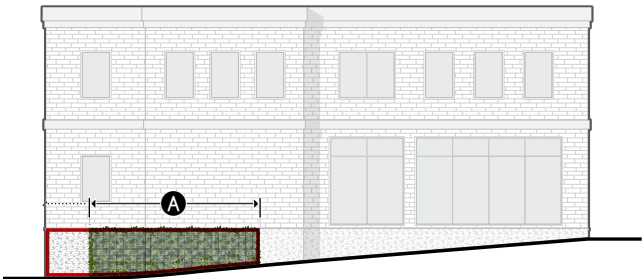
Stairs or ramps providing pedestrian access to a street-facing entrance located between a foundation wall with no window or door openings and the public realm.



DIMENSIONAL STANDARDS	
A Treatment width (min % of blank wall width)	75%
B Height above sidewalk (max)	4'

LIVING WALL

A structure permanently attached to a foundation wall with no window or door openings that supports climbing plants.

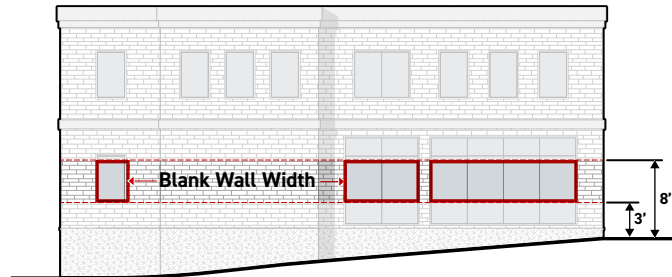


DIMENSIONAL STANDARDS		
A	Treatment area (min % of blank foundation wall area)	75%
	Planting area depth (min)	1.5'

4. Measurement

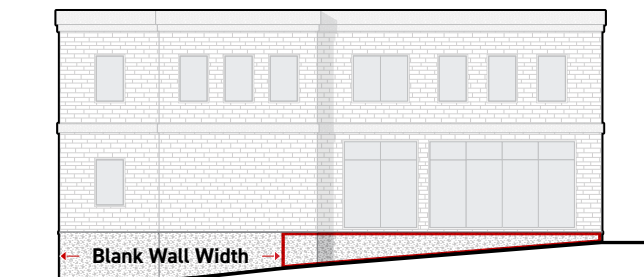
a. Ground Story Facade Blank Wall

- I. Blank wall width is measured horizontally along a street lot line for any width of ground story facade that does not include transparency between 3 and 8 feet above finished floor elevation.
- II. Blank wall width is measured from the edge of a window or door to the edge of an adjacent window or door, or to the edge of the building.



b. Blank Foundation Wall Width

Blank wall width is measured horizontally and parallel to the street lot line from edge of transparent area to edge of transparent area, and edge of transparent area to edge of the foundation wall.



5. Blank Wall Treatments

a. Treatment Width

Minimum treatment width is measured as a percentage, calculated as the cumulative width of blank wall treatments divided by the total length of blank wall width.

b. Treatment Area

Minimum treatment area is measured as a percentage, calculated as the cumulative area of blank wall treatments divided by the total applicable facade area within the blank wall width.

c. Tree Type

See [4.5.3. Landscape Design](#) for tree planting requirements.

d. Plant Type

See 4.5.3. *Landscape Design* for screening plant planting requirements.

e. Planting Frequency

Planting frequency is measured as a ratio of the minimum number of plants required along the total length of the blank wall width. A minimum of one plant of the required plant type must be provided regardless of the width of blank wall treatment.

f. Planting Area Depth

Minimum planting area depth is measured as the horizontal dimension of growing medium at the narrowest point, measured perpendicular to the applicable street lot line. The planting area must be open to the sky for at least the required planting area depth.

g. Height Above Sidewalk

- I. Height above sidewalk is measured vertically from adjacent sidewalk grade to the topmost point of the blank wall treatment.
- II. Of foundation walls located more than 10 feet from the sidewalk, maximum height above sidewalk is measured from the lowest elevation of finished grade to within 5 feet, measured from and perpendicular to the foundation wall, to the topmost point of the blank wall treatment.

h. Foundation Wall Reveal

Foundation wall reveal is measured vertically from the top of an inactive wall treatment to the finished floor elevation along the entire treated portion of a blank foundation wall.

2.6.13. Doors

A. Street-Facing Entry Spacing

A maximum distance between street-facing doors providing access from the public realm to the interior of a building.

1. Intent

To provide visual interest along the public realm, orient buildings to the public realm and promote greater use and activation of the public sidewalk by limiting distance without physical connections between the public realm and the interior of a building.

2. Applicability

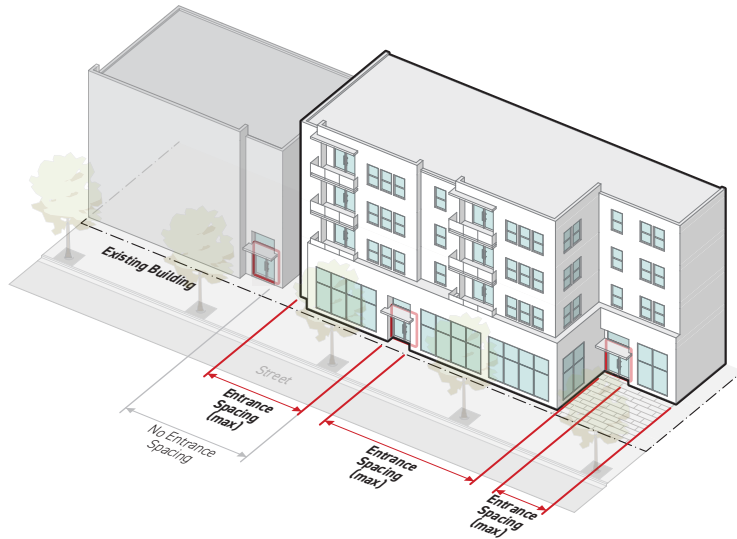
- a. Street-facing entry spacing requirements apply to all ground story street-facing facades.
- b. The maximum street-facing entry spacing requirements must be met for each building and abutting buildings on a lot or within a project site, but are not applicable to buildings unrelated to the project.
- c. Accessory structures do not have to provide a street-facing entry, and are not included in the calculation of maximum street-facing entry spacing requirement.

3. Standards

- a. A street-facing entry must be provided to meet the street-facing entry spacing requirements of the zoning district.
- b. Street-facing entries must not be located farther apart than the maximum entry spacing allowed by the zoning district.
- c. To qualify as a street-facing entry, building entrances must meet the following standards:
 - I. Be located on a street-facing ground story facade;
 - II. Provide both ingress and egress pedestrian access to the ground story of the building;
 - III. Remain operable at all times. Access may be controlled and limited to occupants; and
 - IV. Must access an occupiable space.
- d. A primary street-facing entry is required for all buildings.
- e. A side street-facing entry is only required when the building along the side street is greater than the maximum entry spacing requirement for the zoning district.
- f. On a corner lot, an angled entry at the corner of the building where the primary and side street-facing facades meet may be used to meet the requirement for a street-facing entry along both streets.
- g. Non-required entries are allowed in addition to required entries.

4. Measurement

Entry spacing is measured parallel to the street lot line from the edge of a door to the edge of an adjacent door, or to the edge of the building.



B. Entry Feature

Improved design requirements applied to entrances along the public realm.

1. Intent

To promote visual interest along the public realm, provide greater shelter and comfort to users, and highlight connections between the public and private realm to improve walkability.

2. Applicability

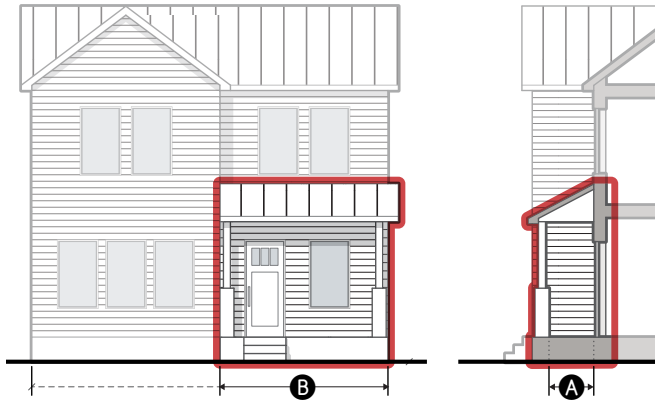
Entry feature standards apply to all required street-facing entrances where entry features are required by the zoning district.

3. Standards

- a. Each required street-facing entrance must include an entry feature meeting the standards for one of the following entry feature options.
- b. Required entry features must abut and provide direct access to a street-facing entrance. An entrance directly accessed from an entry feature counts as a street-facing entrance, regardless if it faces the street.
- c. Required entry features must provide direct access from the public realm associated with the primary or side street lot line.

PORCH

A wide, raised platform, projecting in front of a street-facing entrance, that is entirely covered but not enclosed.

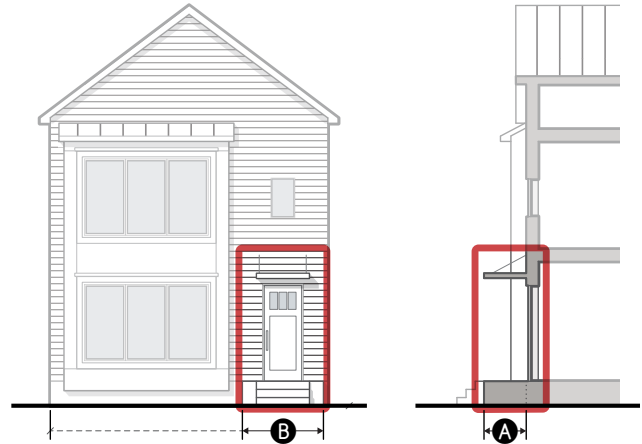


DIMENSIONAL STANDARDS

Ⓐ Depth (min)	5'
Ⓑ Width (min % of building width)	30%
Covered entrance	Required
Enclosed	Not allowed

RAISED ENTRY

A raised platform accessed from an exterior staircase, providing covered access to a street-facing entrance.

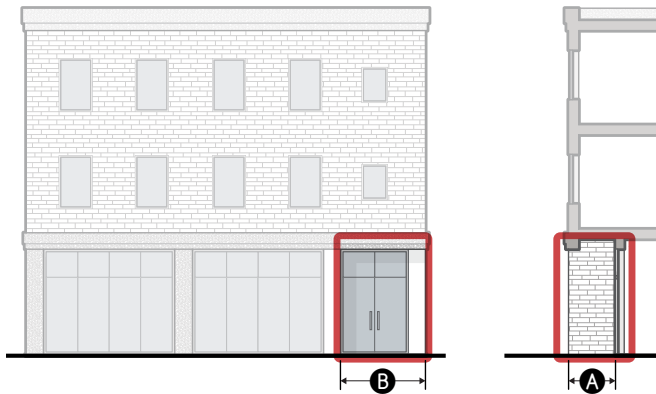


DIMENSIONAL STANDARDS

Ⓐ Depth (min)	3'
Ⓑ Width (min)	4'
Covered entrance	Required
Enclosed	Not allowed

RECESSED ENTRY

A space set behind the primary facade plane providing sheltered access to a street-facing entrance.



DIMENSIONAL STANDARDS	
A Depth (min)	3'
B Width (min)	5'
Covered entrance	Required
Enclosed	Not allowed

COVERED ENTRY

A space that provides sheltered access to an at-grade street-facing entrance with an overhead projecting structure.



DIMENSIONAL STANDARDS	
Depth (min)	n/a
Width (min)	n/a
Covered entrance	Required
Enclosed	Not allowed

FORECOURT

A yard screened with a short wall, fence or hedge that provides significant privacy for occupants located on the ground story, near sidewalk grade.



DIMENSIONAL STANDARDS	
A Depth (min)	8'
B Width (min)	10'
Covered entrance	Required
Fence or wall height (min/max)	2.5' / 4'
Enclosed	Not allowed

4. Measurement

a. Depth

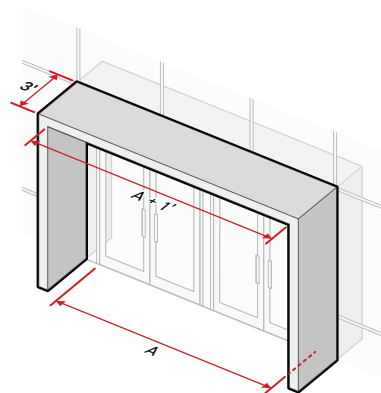
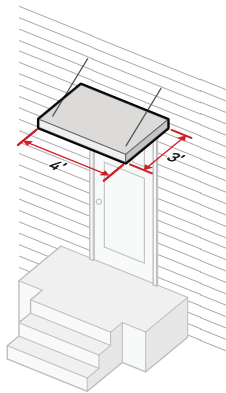
Minimum depth is measured as the horizontal dimension at the narrowest point of an entry feature, perpendicular to the applicable street lot line.

b. Width

- I. When specified in feet, width is measured as the total width of an entry feature, measured parallel to the street lot line.
- II. When specified as a percentage, width is measured as the total width of the entry feature divided by the total width of the building that the entry provides access to, measured parallel to the street lot line. When the calculation for an entry feature width percentage results in a fraction, the result is rounded up to the nearest whole number.

c. Covered Entrance

- I. When required as a part of an entry feature, a canopy, roof, or other sheltering structure must cover the exterior area immediately abutting the associated street-facing entry.
- II. The minimum depth of the covered area is 3 feet.
- III. The minimum width of the covered area is 4 feet or the width of the street-facing entry plus 1 foot, whichever is greater.



ARTICLE 3.

USE PROVISIONS

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SEC. 3.1. **OPENING PROVISIONS**

3.1.1. **Applicability**

- A. Use requirements apply based on what type of project activity is proposed, as shown in the table below. Typically, more than one project activity applies (for example, an expansion of an existing use may include both an addition and a facade modification).

Cross-reference	Use Requirements	Project Activity						
		New Construction	Addition	Site Modification	Facade Modification	Change of Use	Renovation	Maintenance and Repair
Sec. 3.2.	Use Permissions	●	●	●	○	●	●	○
Sec. 3.3.	Use Definitions	●	●	●	○	●	●	○
Sec. 3.4.	Use Standards	●	●	●	○	●	●	○
Sec. 3.5.	Accessory Uses and Structures	●	●	●	○	●	●	○
Sec. 3.6.	Temporary Uses and Structures	●	●	●	○	●	●	○

● = Standards apply ○ = Standards do not apply

- B. Project activities are defined in 2.1.3, *Project Activities*.
- C. Where a Section is listed as applying, all use requirements must be met. The standards may be modified by Sec. XX. **Nonconformities**.

SEC. 3.2. **USE PERMISSIONS**

3.2.1. **Use Table Key**

A. Allowed Uses

- P = A by-right allowed use.
- P* = A by-right allowed use, provided it meets the use standards in the right-hand column of the use table.

B. Discretionary Allowed Uses

- C = A use allowed only with a Conditional Use Permit - see **Sec. XX**.
- C* = A use allowed only with a Conditional Use Permit, provided it also meets the use standards in the right-hand column of the use table.

C. Uses Not Allowed

- = A use not allowed

3.2.2. Allow Use Table

Use Category Specific Use	RESIDENTIAL						MIXED USE						COMMERCIAL & INDUSTRIAL				INSTITUTIONAL & OPEN SPACE		Use Standard			
	RC	RD-A	RD-B	RD-C	RA	RM-A	RM-B	RM-C	MX-3	MX-4	MX-5	MX-7	MX-13	MX-U	CG	IX	IL	IH		INS	CEM	OS
RESIDENTIAL USES																						
Household Living (3.3.2.A)																						
Single-unit detached		P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	P*	-	-	341A.1
Single-unit attached		-	P*	P*	P*	P	P	P	P	P	P	P	P	P	P	P	-	-	P*	-	-	341A.1 341B.1
Two-unit detached		-	P*	P*	P*	P	P	P	P	P	P	-	-	-	-	-	-	-	P*	-	-	341A.1 341B.1
Two-unit attached		-	-	-	-	P	P	P	P	P	P	P	P	P	P	P	-	-	P*	-	-	341A.1
Multi-unit (3 to 6 units)		-	-	-	-	P	P	P	P	P	P	P	P	P	P	P	-	-	P*	-	-	341A.1
Multi-unit (7 to 12 units)		-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	-	-	P*	-	-	341A.1
Multi-unit (13 or more units)		-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	-	-	P*	-	-	341A.1
Manufactured home park		P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Live-work		C*	C*	C*	C*	C*	C*	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	-	-	-	-	341B.3
Group Living (3.3.2.B)																						
General group living		C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	-	-	C	-	-	
Co-housing		C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	-	-	-	-	-	
Senior care		C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	-	-	P	-	-	
Special Needs Housing (3.3.2.C)																						
Emergency housing		P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	-	P*	-	-	341.C
Permanent supportive housing		P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	-	P*	-	-	341.C
Transitional housing		P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	-	P*	-	-	341.C
PUBLIC & INSTITUTIONAL USES																						
Civic (3.3.3.A)																						
General civic		-	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	P	-	P	
Religious assembly		-	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	P	-	-	
Day Care (3.3.3.B)																						
General day care		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	P	-	-	

KEY: P Use Allowed By-Right | C Conditional Use Permit Required | * Use Standards apply | - Use Not allowed

Use Category Specific Use	RESIDENTIAL							MIXED USE					COMMERCIAL & INDUSTRIAL				INSTITUTIONAL & OPEN SPACE		Use Standard		
	RC	RD-A	RD-B	RD-C	RA	RM-A	RM-B	RM-C	MX-3	MX-4	MX-5	MX-7	MX-13	MX-U	CG	IX	II	III		INS	CEM
Education (3.3.3.C)																					
General education	-	P	P	P	P	P	P	P	-	P	P	P	P	P	P	P	P	-	P	-	-
Business college or trade school	-	-	-	-	-	-	-	P	-	P	P	P	P	P	P	P	P	-	P	-	-
College or university	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-
Parks and Open Space (3.3.3.D)																					
Public open space	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	P	-	P
Private open space	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-
Cemetery	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-
Utility Service (3.3.3.E)																					
Minor utility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	P
Major utility	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	-	-
Electric/gas substation	C	C	C	C	C	C	C	P	-	P	P	P	P	P	P	P	P	P	P	-	C
Wireless communications facility	P*	P*	P*	P*	P*	P*	P*	P*	-	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	C*
COMMERCIAL USES																					
Adult Business (3.3.4.A)																					
Adult entertainment establishment	-	-	-	-	-	-	-	-	-	-	-	-	-	P*	-	P*	-	-	-	-	3.4.3.B.1
Agriculture (3.3.4.B)																					
Greenhouse or nursery	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	-	-	-	-	-
Indoor growing system	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	-	-	-	-	-
Urban garden	P*	P*	P*	P*	P*	P*	P	P	P	P	P	P	P	P	P	P	-	-	P*	-	3.4.3.C.1
Entertainment and Recreation (3.3.4.C)																					
General indoor recreation	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	-	-	-	-	-
General outdoor recreation	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-
General indoor entertainment	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	-	-	P	-	-
General outdoor entertainment	-	-	-	-	-	-	-	-	-	-	-	P*	P*	P*	P*	P*	-	-	C	-	3.4.3.D.1
Golf course	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P

KEY: **P** Use Allowed By-Right | **C** Conditional Use Permit Required | * Use Standards apply | - Use Not allowed

ARTICLE 3. USE PROVISIONS
USE PERMISSIONS

Use Category Specific Use	RESIDENTIAL							MIXED USE					COMMERCIAL & INDUSTRIAL				INSTITUTIONAL & OPEN SPACE		Use Standard		
	RC	RD-A	RD-B	RD-C	RA	RM-A	RM-B	RM-C	MX-3	MX-4	MX-5	MX-7	MX-13	MX-U	CG	IX	IL	IH		INS	CEM
Food and Beverage (3.3.4.D)																					
General food beverage																					
0-1,500 SF	-	C*	C*	C*	C*	P*	P*	P*	P	P	P	P	P	P	P	P	P	-	-	-	34.3A.1
1,501-3,000 SF	-	C*	C*	C*	C*	C*	C*	P*	P	P	P	P	P	P	P	P	P	-	-	-	34.3A.1
3,000+ SF	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	-	-	-	
Microbrewery, small distillery/winery	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	-	-	-	
Lodging (3.3.4.E)																					
General lodging	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	-	-	-	-	
Medical (3.3.4.F)																					
General medical																					
0-1,500 SF	-	C*	C*	C*	C*	P*	P*	P*	P	P	P	P	P	P	P	P	P	-	P	-	34.3A.1
1,501-3,000 SF	-	C*	C*	C*	C*	C*	C*	P*	P	P	P	P	P	P	P	P	P	-	P	-	34.3A.1
3,000+ SF	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	-	P	-	
Hospital	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	-	P	-	P	-	
Medical laboratory	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	-	-	-	
Office (3.3.4.G)																					
General office																					
0-1,500 SF	-	C*	C*	C*	C*	P*	P*	P*	P	P	P	P	P	P	P	P	P	-	P	-	34.3A.1
1,501-3,000 SF	-	C*	C*	C*	C*	C*	C*	P*	P	P	P	P	P	P	P	P	P	-	P	-	34.3A.1
3,000+ SF	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	-	P	-	
Parking (3.3.4.H)																					
Surface parking lot	-	-	-	-	-	-	-	C	C	C	C	C	C	C	P	C	C	-	-	-	
Structured parking	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	-	
Personal Service (3.3.4.I)																					
General personal service																					
0-1,500 SF	-	C*	C*	C*	C*	P*	P*	P*	P	P	P	P	P	P	P	P	P	-	-	-	34.3A.1
1,501-3,000 SF	-	C*	C*	C*	C*	C*	C*	P*	P	P	P	P	P	P	P	P	P	-	-	-	34.3A.1
3,000+ SF	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	-	-	-	
Animal care, outdoor	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P*	-	P*	-	-	-	34.3E.1

KEY: **P** Use Allowed By-Right | **C** Conditional Use Permit Required | * Use Standards apply | - Use Not allowed

Use Category Specific Use	RESIDENTIAL							MIXED USE					COMMERCIAL & INDUSTRIAL				INSTITUTIONAL & OPEN SPACE		Use Standard		
	RC	RD-A	RD-B	RD-C	RA	RM-A	RM-B	RM-C	MX-3	MX-4	MX-5	MX-7	MX-13	MX-U	CG	IX	IL	IH		INS	CEM
Retail (3.3.4.J)																					
General retail																					
0-1,500 SF	-	C*	C*	C*	C*	P*	P*	P*	P	P	P	P	P	P	P	P	P	-	-	-	3.4.3.A.1
1,501-3,000 SF	-	C*	C*	C*	C*	C*	C*	C*	P	P	P	P	P	P	P	P	P	-	-	-	3.4.3.A.1
3,000+ SF	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	-	-	-	
Alternative financial services	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	-	-	-	-	
Vape/tobacco store	-	-	-	-	-	-	-	-	-	P*	P*	P*	P*	P*	P*	P*	-	-	-	-	3.4.3.F.1
Vehicle Sales and Service (3.3.4.K)																					
Vehicle sales or rental	-	-	-	-	-	-	-	-	-	C*	C*	C*	C*	C*	P*	P*	-	-	-	-	3.4.G.1
Vehicle service	-	-	-	-	-	-	-	-	-	C*	C*	-	-	-	P*	P*	P*	-	-	-	3.4.G.2
Vehicle repair	-	-	-	-	-	-	-	-	-	C*	C*	-	-	-	P*	C*	P*	P*	-	-	3.4.G.3
Vehicle fueling station	-	-	-	-	-	-	-	-	-	C*	C*	-	-	-	P*	C*	P*	-	-	-	3.4.G.4
MANUFACTURING AND INDUSTRIAL USES																					
Industrial (3.3.5.A)																					
Low impact industrial																					
0-1,500 SF	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	-	-	
1,501-5,000 SF	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	-	-	
5,001-50,000 SF	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	
50,001-100,000 SF	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-	-	
100,000+ SF	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	
High impact industrial	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	
Crematorium	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	P	
Resource extraction	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	
Transportation (3.3.5.B)																					
Transit stop	-	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	P	-	P
Marine terminal	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	
Passenger terminal	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	P	-	-	P	-	
Railroad right-of-way	-	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-

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Use Category Specific Use	RESIDENTIAL								MIXED USE					COMMERCIAL & INDUSTRIAL				INSTITUTIONAL & OPEN SPACE		Use Standard	
	RC	RD-A	RD-B	RD-C	RA	RM-A	RM-B	RM-C	MX-3	MX-4	MX-5	MX-7	MX-13	MX-U	CG	IX	IL	IH	INS		CEM
Warehouse and Distribution (3.3.5.C)																					
General warehouse and distribution																					
0-25,000 SF	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-
25,001-100,000 SF	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-
100,000 SF	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-
Data center	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	-
Self-service storage	-	-	-	-	-	-	-	-	-	-	P*	P*	-	P*	P	P	P	-	-	-	3.4.4.A.1
Truck and freight transfer terminal	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	-
Vehicle storage yard	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-	-	-
Waste-Related (3.3.5.D)																					
General waste-related	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-
Recycling center, neighborhood	-	-	-	-	C	C	C	C	C	C	C	C	C	C	C	C	P	P	C	-	-
ACCESSORY USES (3.5)																					
Accessory dwelling unit (ADU)	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	-	P*	P*	-	-	P*	-	3.5.2.A
Alcohol sales	-	-	-	-	C	C	C	C	P	P	P	P	P	P	P	P	P	-	P	-	-
Drive-through	-	-	-	-	-	-	-	-	-	C*	C*	-	-	-	P*	-	P*	-	-	-	3.5.2.C
Family day home	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	P	-	-
Farmers' market	-	-	-	-	P	P	P	P	P	P	P	P	P	P	P	P	-	-	P	-	-
Home occupation	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	-	P*	-	3.5.2.F
Home-based business	C*	C*	C*	C*	C*	C*	C*	C*	P*	P*	P*	P*	P*	P*	P*	P*	-	-	P*	-	3.5.2.G
Outdoor dining	-	C*	C*	C*	C*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	P*	-	3.5.2.H
Outdoor display	-	C*	C*	C*	C*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	-	-	3.5.2.I
Outdoor entertainment stage	-	-	-	-	-	-	-	C	-	C	C	C	C	C	C	C	-	-	-	-	-
Outdoor storage, minor	-	-	-	-	-	-	-	-	-	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	3.5.2.K
Outdoor storage, major	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P*	P*	P*	P*	-	-	3.5.2.K
Short-term rental	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	-	-	-	3.5.2.L
Solar energy, small-scale	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	3.5.2.M
Wind energy, small-scale	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	3.5.2.N

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SEC. 3.3. **USE DEFINITIONS**

3.3.1. **Use Interpretations**

- A. Uses are organized by use category (such as Household Living or Group Living) and then by specific use within that category (such as Multi-Unit or Manufactured Home Park). Use categories are used to organize specific uses with similar attributes. Specific uses have permissions that determine if that use is allowed in a particular zoning district.
- B. When a proposed use is not listed, the Zoning Administrator has the responsibility for determining whether the proposed use is similar to an already listed specific use. Where a use contains a list of example uses, the uses on the list are to be considered examples, and not all-inclusive. The Zoning Administrator will first determine what use category the use is most similar to, and then determine the most similar specific use.
- C. When a proposed use is found by the Zoning Administrator not to be similar to an already listed specific use, the use is not allowed.
- D. When determining whether a proposed use is similar to a listed specific use, the Zoning Administrator considers the following criteria:
 - 1. Actual or projected characteristics of the use.
 - 2. Amount and nature of any nuisances generated by the use.
 - 3. Type, size, nature and arrangement of buildings and structures.
 - 4. Relative amount and types of sales.
 - 5. Relative number of employees and customers.
 - 6. Hours of operation.
 - 7. Number of vehicle trips generated, types of vehicles, and parking demand.
 - 8. Anticipated amount and type of outdoor storage.
 - 9. Likely impact on adjacent properties.
 - 10. Multiple principal uses are allowed on a lot when the uses are all allowed in the district and the standards for all uses on the lot may be met.

3.3.2. Residential Uses

A. Household Living

Residential occupancy of a dwelling unit by a household. A household is considered one or more persons living together in a dwelling unit, with common access to, and common use of, all living, kitchen, and eating areas within the dwelling unit. Tenancy is arranged for 30 days or more. Household living is consolidated into the following specific uses:

1. Single-Unit Detached

One dwelling unit in a single building.

2. Single-Unit Attached

One dwelling unit in single building located on an individual lot that shares one or more common walls with one or more adjoining dwelling units. Each dwelling is located on its own legally subdivided lot. Units may be arranged side by side but cannot be stacked. Each unit must maintain independent structural support.

3. Two-Unit Detached

Two dwelling units in a single building. This type is commonly configured as a duplex with a shared wall between units.

4. Two-Unit Attached

Two dwelling units in a single building located on located on an individual lot that shares one or more common walls with one or more adjoining dwelling units. Each building is located on its own legally subdivided lot. Units may be arranged side by side or stacked. Each building must maintain independent structural support.

5. Multi-Unit

For a residential building, 3 or more dwelling units in a single building is considered multi-unit living. For a building with a nonresidential use, any dwelling unit located within the building is considered multi-unit.

6. Manufactured Home Park

A property that contains or is intended for the long-term location of manufactured homes that may include services and facilities for the residents.

7. Live-Work

A dwelling unit within which an occupation, profession, business or enterprise is conducted in conjunction with the living space of the owner or operator of such occupation, profession, business or enterprise, and which constitutes a principal use and does not otherwise meet the definition of home occupation.

USE DEFINITIONS**B. Group Living**

Residential occupancy of a building by a group of people that does not meet the definition of household living (9 or more unrelated individuals). Tenancy is arranged for 30 days or more.

Generally, group living facilities have a common eating area for residents and residents may receive care, training or treatment. Group living is consolidated into the following specific uses:

1. General Group Living

Group living uses that provide for a variety of group living arrangements. Typical examples include boarding house, dormitory, fraternity or sorority house, monastery or convent, and single-room-occupancy (SRO) housing, and sober living.

2. Co-Housing

Site or building where residents live in private homes or rooms clustered around shared indoor spaces, such as cooking or laundry facilities.

3. Senior Care

Senior living with in-patient nursing care, where residents can receive on-going care and supervision. Designed for older adults who may need health care supervision, but not hospitalization. Typical examples include convalescent, nursing, or rest home, and assisted living.

C. Special Needs Housing

Residential occupancy of a building or dwelling unit by more than one household by individuals with special needs, including those with physical disabilities, mental illness, substance abuse and addictions, people recently released from prison, people needing temporary accommodation due to domestic abuse or violence, as well as people experiencing homelessness. May also provide rehabilitation, social services, support, and treatment. Special needs housing is consolidated into the following specific uses:

1. Emergency Housing

A property that provides, without any use and occupancy agreement or lease, but generally for a period of less than 90 days, individuals or families who lack a fixed, regular, and adequate nighttime residence a place of shelter for sleeping; individual or shared facilities for sanitary health, hygiene, and waste disposal; continuous on-site supervision; and services intended to improve health and welfare, including, but not limited to, the care and treatment of medical, mental health, and substance abuse matters; counseling and case management; assistance obtaining education, training, employment; and assistance securing food, housing, and government benefits.

2. Permanent Supportive Housing

A property that provides, with a use and occupancy agreement or lease, but generally without any limits on length of stay, individuals or families who lack a fixed, regular, and adequate nighttime residence a place of shelter for sleeping; individual or shared facilities for sanitary health, hygiene, and waste disposal; continuous on-site supervision; and services intended to improve health and welfare, including, but not limited to, the care and treatment of medical, mental health, and

substance abuse matters; counseling and case management; assistance obtaining education, training, employment; and assistance securing food, housing, and government benefits.

3. Transitional Housing

A property that provides, with a use and occupancy agreement or lease, generally for a period of less than 24 months, individuals or families who have difficulty obtaining a fixed, regular, and adequate nighttime residence a place of shelter for sleeping; individual or shared facilities for sanitary health, hygiene, and waste disposal; and services intended to improve health and welfare, including, but not limited to, the care and treatment of medical, mental health, and substance abuse matters; counseling and case management; assistance obtaining education, training, and employment; and assistance securing food, housing, and government benefits.

3.3.3. Public and Institutional Uses

A. Civic

Uses that provide ongoing governmental, life safety, educational, and cultural services to the general public, uses that provide meeting areas for religious practice. Civic is consolidated into the following specific uses:

1. General Civic

Civic uses that provide general governmental, life safety and cultural services. Typical examples include community center, courthouse, fire station, library, municipal or government office, museum, and post office.

2. Religious Assembly

A civic use that provides meeting areas for religious activities, including facilities operated by a religious group and used for educational activities. Typical examples include church, chapel, mosque, temple, and synagogue.

B. Day Care

Uses that provide care, protection and supervision of children or adults on a regular basis in a facility away from their primary residence, primarily during daytime hours, for less than 24 hours per day.

1. General Day Care

A day care use offered to 2 or more children or adults. A regularly operating service arrangement for children or adults where, during the absence of a parent or guardian, a person or organization has agreed to assume responsibility for the supervision, protection and well-being of the person in care for less than a 24-hour period. Typical examples include adult day care, child care center, day nursery, nursery school, parent cooperative preschool, play group, or drop-in center.

C. Education

Uses that provide educational services to students. Education is consolidated into the following specific uses:

USE DEFINITIONS**1. General Education**

Education uses that provide learning and teaching services to students. Typical examples include elementary, junior high, high school, charter school, and military/special training academy.

2. Business College or Trade School

An education use that offers technical or professional training, where the courses of instruction relate primarily to vocational and technical subjects. Typical examples include health and medical trade school, cosmetology school, criminal justice school, culinary school, computer and IT school, welding trade school, HVAC school, electrician and construction trade school, and automotive technician and diesel mechanic trade schools.

3. College or University

An education use that provides post-secondary education to students. Typical examples include college or university, community college, and seminary.

D. Parks and Open Space

Uses that provide active or passive outdoor recreation. Typically, areas and facilities are publicly accessible and often contain recreational equipment or facilities. Parks and open space is consolidated into the following specific uses:

1. Public Open Space

A parks and open use owned by the City, County, State or Federal government. Includes non-profits and conservation-related organizations that are open to the public. May include passive or active spaces. Typical examples include botanical garden, conservation area, dog park, skate park, playfield, playground, playlot, ballfield, soccer field, basketball court, swimming pool, splash pad, tennis court, golf course, recreational trail, greenway, multi-use path, plaza, square, and green.

2. Private Open Space

A parks and open use held in private ownership, not owned or operated by the City, County, State or Federal government.

3. Cemetery

A parks and open use that provides for the interment of human or animal remains, but does not include cremation services. Typical examples include a cemetery for earth interments, a columbarium for cinerary interments, or a mausoleum for vault interments.

E. Utility

Uses that generate and distribute utility services such as electricity, gas, sewer, water, cable and internet. Utility is consolidated into the following specific uses:

1. Minor Utility

Utility service uses that generally serve the immediate area in which they are located. They typically do not have on-site employees. Services may be public or privately provided. Typical

examples include small facilities such as transformers, relay and booster devices; well water and sewer pump stations; stormwater retention and detention facilities; and telephone exchanges.

2. Major Utility

Utility service uses that generally provides services of a regional nature that normally entail the construction of new buildings or structures. Typical examples include power generating plants and sources, electrical switching facilities, water and wastewater treatment plants, solar farms, and water towers.

3. Electric Substation

A facility, site, or structure used to convert, transform, regulate, or switch electrical energy between voltage levels as part of the electrical transmission or distribution system. An electric substation typically includes transformers, circuit breakers, switchgear, control buildings, energy storage equipment, and associated security fencing or screening. Electric substations may involve either overhead or underground transmission or distribution lines but do not include power generation facilities.

4. Wireless Communications Facility

A structure designed and constructed specifically to support an antenna array for wireless communications, which may include a self-supporting monopole, a self-supporting tower (lattice), a guy wire supported tower, and other similar structures.

3.3.4. Commercial Uses

A. Adult Business

Any establishment or use that has a significant or principal portion of its activities, services, displays, merchandise, or entertainment characterized by the depiction, description, or emphasis on specified sexual activities or specified anatomical areas, or that offers services or materials intended to provide sexual stimulation or sexual arousal.

1. Adult Entertainment Establishment

Adult entertainment establishments, adult book stores, adult motion picture theaters and massage parlors.

B. Agriculture

Uses dedicated to the growing and harvesting of food crops and/or non-food crops, such as flowers and ornamental plants, for use on-site or for sale or distribution off-site or on-site. Agriculture is consolidated into the following specific uses:

1. Greenhouse, Nursery

An agriculture use, often a building or enclosed area, where plants are grown, propagated, and raised for later transplanting or sale, often utilizing greenhouses or other controlled environments to optimize growing conditions.

USE DEFINITIONS**2. Indoor Growing System**

An agriculture use for the cultivation of plants, fish, seafood, and insects. These systems may include, but are not limited to: aquaculture; aquaponics; hydroponics; entomoculture (insects) and vertical farming.

3. Urban Garden

An agriculture use used to grow and harvest food or non-food crops for personal or group use. An urban garden may be divided into plots for cultivation by one or more individuals and/or groups or may be cultivated by individuals and/or groups collectively.

C. Entertainment and Recreation

Uses that provide continuous or periodic entertainment or recreational activity. Entertainment and recreation is consolidated into the following specific uses:

1. General Indoor Recreation

Entertainment and recreation uses that offer active recreational activity or games of skill primarily in an indoor setting. Typical examples include arcade, axe throwing, bicycle, skateboarding, or roller-blading facility, bowling alley, escape room, go-cart track, indoor soccer or indoor sporting activity, indoor paintball, ice- or roller-skating rink, mini-golf, inflatable playground/jump house, pool hall, pickleball court, golf dome, and velodrome.

2. General Outdoor Recreation

Entertainment and recreation uses that offer active recreational activity or games of skill primarily in an outdoor setting. Typical examples include amusement park, archery, baseball/softball/soccer or other athletic complex that includes outdoor playing or activity areas, bicycle, skateboarding, or roller-blading facility, horse stable, riding academy, or equestrian center, ice-skating rink, driving range, swimming pool, pickleball court, motorized go-cart track/dirt bikes/all terrain vehicles (ATVs), and water park.

3. General Indoor Entertainment

Entertainment and recreation uses that draw a large number of people to events primarily in an indoor setting, such as live performances or shows, sporting events and concerts. Typical examples include arena, assembly hall, auditorium, concert hall, theater, convention center, and stadium.

4. General Outdoor Entertainment

Entertainment and recreation uses that draw a large number of people to events primarily in an outdoor setting, such as live performances or shows, sporting events and concerts. Typical examples include amphitheater, drive-in theater, and outdoor stadium (including buildings with retractable roofs).

5. Golf Course

An entertainment and recreation use that provides for a large landscaped area for playing golf including support facilities and buildings, but does not include a driving range.

D. Food and Beverage

Uses that prepare and sell food and beverages. Food and beverage is consolidated into the following specific uses:

1. General Food and Beverage

Food and beverage uses that prepare and sell food or beverage. Typical examples include restaurant, cafe, coffee or tea shop, ice cream or yogurt shop, juice or smoothie bar, bakery shop, bake shop, cake shop, cat cafe, catering facility, and commercial kitchen. Does not include an establishment primarily devoted to the serving of alcoholic beverages by the drink and in which the service of food is only incidental to the consumption of alcoholic beverages.

2. Microbrewery

A food and beverage use that produces less than 30,000 barrels per year of beer, and sells directly to the consumer on-site within a retail shop, bar, tasting room, tap-room, restaurant, or other similar facility.

3. Small Distillery/Winery

A food and beverage use produces less than 50,000 gallons of spirits or wine a year and sells directly to the consumer on-site within a retail shop, bar, tasting room, tap-room, restaurant, or other similar facility.

E. Lodging

Uses with individual sleeping or living units that provide overnight accommodations to guests for short-term stays of less than 30 days. Lodging is consolidated into the following specific uses:

1. General Lodging

Lodging uses that provide a variety short-term stay facilities. Typical examples include hotel, motel, inn, bed and breakfast, hostel, and extended stay facility.

F. Medical

Uses that provide medical, surgical or dental care to patients such as the diagnosis, treatment, mitigation, cure or prevention of disease. Medical is consolidated into the following specific uses:

1. General Medical

Medical uses that administer human health care in a non-hospital, outpatient setting. Typical examples include acute care, blood plasma donation center, birthing center, chiropractor, dentist, emergency medical office, hospital, hospice, kidney dialysis, medical or dental clinic, optician, optometrist, orthodontist, physical therapist, surgical out-patient facility, therapeutic massage, and urgent care.

2. Hospital

A medical use that administers primarily in-patient, intensive, human medical or surgical care, including stand-alone emergency care services, includes a skilled nursing facility.

USE DEFINITIONS**3. Medical Laboratory**

A medical use conducting medical research or testing and examining of materials derived from the human body, such as fluid, tissue or cells, for the purpose of providing information on diagnosis, treatment, mitigation, cure or prevention of disease.

G. Office

Uses characterized by activities conducted in a private or co-working setting and generally focusing on business, professional or financial services. Office is consolidated into the following specific uses

1. General Office

Office uses that provide space for a variety of business, professional or financial services to be conducted. Also includes research and development of new products or for scientific research intended for manufacture, production or sale of products elsewhere and includes extensive areas of laboratory space, testing facilities, or product development space more similar to a manufacturing space. Typical examples include offices for accounting, advertising, architecture, auditing, bookkeeping, banking, bookkeeping, consulting, counseling, design, employment, engineering, graphic design, insurance, investment, landscape architecture, law, real estate, security or technology services, web design, call center, charitable institution (not providing housing or shelter), financial services center, governmental service agency, radio and television station, recording studio, co-working.

H. Parking

Uses that provide parking as a principal use. Parking is consolidated into the following specific uses:

1. Surface Parking Lot

A parking use that provides parking as a principal use on a surface lot.

2. Structured Parking

A parking use that provides parking as a principal use in building or structure of 2 or more floors.

I. Personal Service

Uses involved in providing personal care or repair services. Personal service is consolidated into the following specific uses:

1. General Personal Service

Personal service uses that provide personal care or repair services. Typical examples include; beauty, hair, tanning or nail salon; computer repair; culinary, dance, martial arts, music, or photography studio or classroom; copy center, printing, binding, lithographing, photocopying, blueprinting, mailing service, package shipping, day/health spa; laundry cleaning, pressing, and dry cleaning drop-off, laundromat; crematory services (no on-site cremation), indoor animal care (animal grooming, animal hospital, veterinary clinic, pet clinic, animal boarding and doggy day care); tailor and garment repair; gym, fitness/pilates/yoga studio, climbing gym; locksmith; body art facility (tattoos/body piercing), shoe repair; watch repair; jewelry repair; eyeglasses and hearing aid repair, and smartphone repair.

2. Animal Care, Outdoor

A personal service use that provides for the care of animals primarily in an outdoor setting. Typical examples include a kennel, and animal boarding with outdoor kennels.

J. Retail

Uses involved in the sale, lease or rent of new or used products. Retail is consolidated into the following specific uses:

1. General Retail

Retail uses involved in the sale, lease or rent of new or used products. Typical examples include antiques, appliances, art supplies, art gallery, bike (and repair), books, cameras, carpet and floor coverings, crafts, clothing, computers, convenience goods, electronics, fabric, flowers, furniture, gifts or novelties, groceries, hardware, home improvement, household products, jewelry, medical supplies, music, musical instruments, office supplies, pets, pet supplies, phones, pharmaceuticals, plants, pottery, produce, seafood, shoes, signs, souvenirs, sporting goods, stationery, toys, new vehicle parts and accessories and video games.

2. Alternative Financial Services

A retail use offering high interest short-term loans or check cashing services. Also includes uses where articles of personal property may be left as security in exchange for a loan of money. Typical examples include check cashing, pawnshop, payday lending, precious metal and gem dealers, and title loan centers.

3. Vape/Tobacco Store

A retail use that dedicates 10% or more of its floor space or merchandise to smoking and vaping products and/or paraphernalia.

K. Vehicle Sales and Service

Uses that sell, rent, lease, service or repair motorcycles, scooters, passenger vehicles, commercial vehicles, recreational vehicles, and heavy equipment. Vehicle sales and service is consolidated into the following specific uses:

1. Vehicle Sales or Rental

A vehicle sales and service use that sells, rents or leases vehicles. Typical examples include the rental or sales of motor vehicles, heavy equipment, recreational vehicles, trailers and trucks.

2. Vehicle Service

A vehicle sales and service use where limited repair is conducted on vehicles – work is typically done that day and vehicles are not left overnight. Typical examples include heating and air condition repair, alignment, auto detailing, audio and alarm installation, brakes and exhaust services, batteries, new tires, emissions testing, oil and lube, minor scratch and dent repair, bed-liner installation, glass/windshield repair or replacement, suspensions, vehicle tinting, and vehicle inspections.

USE DEFINITIONS**3. Vehicle Repair**

A vehicle sales and service use where substantial repair is conducted on vehicles. Work is typically done over a several day period and vehicles are often left overnight. Typical examples including transmission and engine repair, and body repair and paint shops.

4. Vehicle Fueling Station

A vehicle sales and service use that sells and dispenses vehicle fuel, including diesel, gasoline, hydrogen, electricity, and other alternative fuels.

3.3.5. Manufacturing and Industrial Uses**A. Industrial**

Uses involved in the manufacturing, processing, fabrication, packaging, or assembly of goods. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Goods are generally not displayed or sold on-site, but if so, they are a subordinate part of sales. Relatively few customers come to the site. Industrial is consolidated into the following specific uses:

1. Low-Impact Industrial

- a. Industrial uses where some or all of the following characteristics are present or anticipated:
 - I. Majority of manufacturing or industrial activity takes place indoors;
 - II. No significant heat, noise, sounds, vibrations, odors or particulates detectable off premises;
 - III. No significant use of dangerous or harmful chemicals;
 - IV. No significant use of highly combustible or flammable materials, liquids, or gases;
 - V. No use of hazardous or explosive materials; and
 - VI. Limited or no outdoor storage.
- b. Typical examples include manufacturing, processing, fabrication, packaging or assembly of prefabricated parts, consumer electronics, jewelry, computers, optical devices or instruments, medical or surgical instruments, food and beverage products, coffee roasting, cosmetics, clothing or shoes, printed or photographic materials, signs, small automotive parts; welding shop, woodworking, cabinet makers or furniture manufacturing; metal fabrication, custom decorative shops; renewable energy equipment; exterminators; manufacturing, and brewery, winery or distillery, includes artisan production of wholesale goods; glass blowing, handcrafted small batch products.

2. High-Impact Industrial

- a. Industrial uses where some or all of the following characteristics are present or anticipated:
 - I. Significant manufacturing or industrial activity takes place outdoors;
 - II. Significant heat, noise, sounds, vibrations, odors or particulates detectable off premises;

- III. Significant use of dangerous or harmful chemicals;
- IV. Significant use of highly combustible or flammable materials, liquids, or gases;
- V. Use of hazardous or explosive materials; and
- VI. Outdoor storage.

- b. Typical examples include lumber mill or wood product manufacturing; production of rubber, leather, clay, bone, paper, pulp, plastic, stone, or glass materials or products; concrete batching or asphalt mixing; production or fabrication of metals or metal products including enameling and galvanizing; manufacturing and assembly of machinery, equipment, instruments, vehicles, appliances or electronics; dipping or refinishing of furniture; fuel oil distributor; and solid fuel yard.

3. Crematorium

An industrial use where the bodies of the dead are cremated, including pets.

4. Resource Extraction

An industrial use for the extraction of minerals, including solids, such as coal and ores; liquids, such as crude and petroleum; and gases, such as natural gas. Typical examples dredging, earth extraction, sand or gravel, borrow pit, metal, sand stone, gravel clay, mining and other related processing, and stockpiling of sand, gravel, or other aggregate materials.

B. Transportation

Uses that facilitate the boarding, loading, arrival or departure of passengers for a variety of mobility and transportation options including trains, buses, cars and helicopters. Transportation is consolidated into the following specific uses:

1. Transit Stop

A transportation use where public transportation vehicles, like buses, trains, or light rail, stop to allow passengers to board and alight.

2. Marine Terminal

A transportation use where cargo is loaded, unloaded, stored, and transferred between boats and other modes of transportation, like trucks and trains.

3. Passenger Terminal

A transportation use for the pickup, drop off and interchange of passengers. Typical examples include bus terminals, multi-modal facility, rail stations, and passenger related mass transit facilities.

4. Railroad Right-of-Way

The full width of property owned, leased, or subject to easement for railroad track purposes, and does not include storage tracks, yards, or buildings.

USE DEFINITIONS**C. Warehouse and Distribution**

Uses involved in the storage or movement of goods for themselves or other entities. Goods are generally delivered to other firms or the final consumer. There is little or no on-site sales activity with customers present. Warehouse and distribution is consolidated into the following specific uses:

1. General Warehouse and Distribution

Warehouse and distribution uses involved in the storage, wholesale, or movement of goods for themselves or other entities. Typical examples include beer distribution, newspaper distribution, parcel and delivery service, distribution center, fulfillment center, cold storage plant, household moving and general freight storage and warehouse. Does not include bulk storage of hazardous materials, or scrap or salvage operations. If a warehouse and distribution use is ancillary to another principal use, and has a floor area of less than 10,000 square feet, it is considered an accessory use.

2. Data Center

A warehouse and distribution use primarily for the storage, management, processing, and transmission of digital data, housing computer and network equipment, systems, servers, appliances and other associated components related to digital data operations. May also include air handlers, power generators, water cooling and storage facilities, utility substations, and other associated utility infrastructure to support sustained operations at the data center.

3. Self-Service Storage

A warehouse and distribution use that offers secure self-storage for household goods in individual rooms, compartments, lockers, or containers, where clients bring goods for storage and retrieve them at any time during normal business hours.

4. Truck and Freight Transfer Terminal

A warehouse and distribution use for receipt, transfer, short term storage and dispatching of goods for distribution. Does not include long-term warehousing and goods do not undergo any manufacturing processes. Typical examples include containerized freight yard, inter-modal freight terminal, switching yard, trucking terminal, and shipping container storage yard.

5. Vehicle Storage Yard

A warehouse and distribution use that provides storage for operable vehicles without occupants for more than 24 hours. Typical examples include towing service; taxicab, bus charter or limousine storage lot; school bus lot; recreational vehicle, trailer and boat storage; and impound lot.

D. Waste-Related

Uses that receive solid or liquid wastes from others for disposal on the site or for transfer to another location, uses that collect sanitary waste, or uses that manufacture or produce goods or energy from the composting of organic material. Waste-related is consolidated into the following specific uses:

1. General Waste-Related

Waste-related uses that receive nonhazardous solid or liquid wastes from others for disposal on the site or for transfer to another location. Typical examples solid waste disposal, landfill, transfer station, scrapyard, junk or salvage yard, scrap-metal processing, recycling facility including recyclable material storage, construction material recycling.

2. Recycling Center, Minor

Waste-related use with a recycling operation, up to 4,000 square feet of gross floor area, conducted completely indoors or involving outdoor operations with materials stored in containers located entirely in a fenced yard.

SEC. 3.4. **SPECIFIC USE STANDARDS**

3.4.1. **Residential Uses**

A. General

1. Residential Uses in the INS District

Residential uses in the INS District must meet the RM-B district standards, see 2.2.8.

B. Household Living

1. Single-Unit Attached

In an RD- or RA district, single-unit attached is only allowed when utilizing 2.6.3, *Housing Preservation Bonus*.

2. Two-unit Detached

In an RD- or RA district, two-unit detached is only allowed when utilizing 2.6.3, *Housing Preservation Bonus*.

3. Live-Work

a. Applicability

A live-work unit must contain both:

- I. A dwelling unit that meets applicable residential standards; and
- II. A workspace used for business, professional, creative, or light production activities.

b. Occupancy

- I. At least 1 person engaged in the live-work unit must reside in the dwelling in which the live-work business is located as their primary place of residence.
- II. The residential occupant of the unit must also be the primary operator of the business.
- III. Live-work units must meet applicable building code standards for mixed use or live-work occupancy.
- IV. Units involving fabrication or light production may require additional ventilation or fire suppression measures.

c. Allowed Workspace Activities

The nonresidential activity is limited to the following uses:

- I. General food and beverage.
- II. General medical.
- III. General office.

- IV. General personal service.
- V. General retail.
- VI. Light fabrication, artisan manufacturing, repair, or assembly uses may be allowed if fully contained within the building.

d. Size and Intensity

- I. The workspace and residential areas must be internally connected.
- II. A live-work unit cannot exceed 1,500 square feet in floor area.
- III. Outdoor seating is allowed in front or side street yards, but the outdoor seating area counts towards the maximum floor area size restriction of the zoning district - see also *3.5.2.H, Outdoor Dining*.
- IV. Outdoor sales or display are not allowed except for temporary displays not exceeding 25 square feet in area - see also *3.5.2.I, Outdoor Display*.
- V. Outdoor storage is not allowed, all business activity must occur indoors.

e. Hours of Operation

- I. Customer or clients associated may visit between 8 AM and 8 PM.
- II. Extended hours may be approved through a Conditional Use Permit.

f. Operational Standards

- I. Ventilation systems must direct exhaust away from adjacent dwellings.
- II. Deliveries must occur between 8 AM and 8 PM.
- III. No amplified sound outdoors are allowed.
- IV. No equipment or process can be used in connection with the live-work activity that creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses, off the premises.
- V. No drive-through service allowed.

C. Special Needs Housing

1. Intent

The purpose of this Section is to establish a process for review and approval of emergency, transitional, and permanent supportive housing uses in order to reduce the number of individuals and families in the City experiencing homelessness or obtaining affordable housing.

2. Housing Types

The following housing types are subject to these provisions:

- a. Emergency housing, provided through:

SPECIFIC USE STANDARDS

- I. A building, or portion of a building;
 - II. An assemblage of two or more tiny home units;
 - III. A tent encampment, which means a group of small, portable tents or similar forms of shelter on a property, where each tent is intended to provide shelter for no more than 2 individuals or a family; or
 - IV. A safe parking area.
- b. Transitional housing, provided through:
 - I. A building, or portion of a building; or
 - II. An assemblage of 2 or more tiny home units.
 - c. Permanent supportive housing, provided through:
 - I. A building, or portion of a building; or
 - II. An assemblage of 2 or more tiny home units.
 - d. A single property may contain a combination of emergency housing, transitional housing, and permanent supportive housing uses so long as they are under common ownership and comply with the rest of the provisions of this Zoning Code.

3. Location

- a. A property with an emergency housing, transitional housing, or permanent supportive housing use must be located no more than 2,640 feet from a public transit stop.
- b. A property with an emergency housing, transitional housing, or permanent supportive housing use must be located no less than 1,320 feet from any property with an emergency housing, transitional housing, or permanent supportive housing use.
- c. A property providing an emergency housing, transitional housing, or permanent supportive housing use through a building, or portion of building, can only be located in a **R-73 Multi-family Residential District, RO-2 Residential-Office District, I Institutional District, B-1 Neighborhood Business District, B-2 Community Business District, B-3 General Business District, B-4 Central Business District, OS Office-Service District, RP Research Park District, or M-1 Light Industrial District**, and subject to all other provisions of the zoning district.
- d. A property providing an emergency housing, transitional housing, or permanent supportive housing use through an assemblage of 2 or more tiny home units can only be located in a **B-3 General Business District or M-1 Light Industrial District** and is subject to all other provisions of the zoning district.
- e. A property providing an emergency housing use through a tent encampment can only be located in a **B-3 General Business District or M-1 Light Industrial District**, and is subject to all other provisions of the zoning district.
- f. A property providing an emergency housing use through a safe parking area can only be located in a **R-73 Multi-family Residential District, RO-2 Residential-Office District, I Institutional District, B-1 Neighborhood Business District, B-2 Community Business District,**

B-3 General Business District, B-4 Central Business District, OS Office-Service District, or M-1 Light Industrial District, and is subject to all other provisions of the zoning district.

4. Capacity

The maximum number of individuals residing in emergency housing, transitional housing, or permanent supportive housing on a property must at all times be in compliance with all applicable provisions of building, fire, health, and zoning codes.

5. Emergency Contact

The owner, tenant, or operator of any emergency housing, transitional housing, or permanent supportive housing use must provide the Zoning Administrator with a phone number for an individual who can be reached 24 hours a day in the event of an emergency.

6. Approvals

- a. Prior to the establishment of an emergency housing, transitional housing, or permanent supportive housing use, whether principal or accessory, the owner, tenant, or operator of the building, structure, or premises must obtain a certificate of zoning compliance in accordance with the conditions specified in this Section and in **Article X, Division 3 of this Chapter**.
- b. Within 7 days of receipt of the materials described in **3.4.1.B.6.D** for a certificate of zoning compliance for an emergency housing, a transitional housing, or a permanent supportive housing use, the Zoning Administrator must provide written notice of the application to:
 - I. All owners of real property within 150 feet of the applicant's property;
 - II. The Council member representing the district in which the applicant's property is located; and
 - III. At least one civic or neighborhood association established in accordance with applicable law that advocates for the district or area in which the applicant's property is located and of which the Zoning Administrator has actual knowledge.
- c. A Certificate of Zoning Compliance for an emergency housing use is valid for 1 year. If a property owner with a valid Certificate of Zoning Compliance for emergency housing seeks to continue the use for 1 additional year, the property owner must submit all documentation to the City, as specified in this Section, no later than 60 days prior to the date of expiration of the Certificate of Zoning Compliance to ensure timely issuance of a new Certificate of Zoning Compliance, provided property owner satisfies all other conditions for the issuance.
- d. Issuance of a Certificate of Zoning Compliance for an emergency housing, transitional housing, permanent supportive housing, or social service delivery use is subject to (i) approval by the Director of Planning and Development Review of a plan of development, in accordance with **Article X, Division 4 of this Chapter**, in the event building permits are needed to engage in such use, and (ii) submittal to the Zoning Administrator of a filing that must include, at minimum, the location and description of the following, including an operations information statement as described below:
- e. The parcel and all buildings and structures thereon, both permanent and temporary;

- I. Access control points and any fencing and screening for the parcel and all buildings and structures;
- II. The use and occupancy of each room or space inside a building or structure, including accommodations for sleeping, accommodations for sanitary health and hygiene (e.g. sinks, toilets, latrines, showers, or washing stations); and accommodations for food preparation;
- III. The size of emergency ingress points, egress points, and evacuation routes;
- IV. Smoke alarms, carbon monoxide alarms, and fire extinguishers; and
- V. An operations information statement that must include, at minimum, the following:
 - a). The name of the operating entity, its articles of incorporation or similar organizational document and its bylaws, if any, and a statement of the operating entity's experience providing emergency housing, transitional housing, permanent supportive housing, or social service delivery;
 - b). Anticipated dates, days, and hours of operation;
 - c). Maximum intended number of overnight occupants, which must at all times be in compliance with all applicable provisions of building, fire, health, and zoning codes;
 - d). List of requirements for admission of occupants;
 - e). Description of each staff position, qualifications necessary for each position, and a statement of the anticipated number of staff serving in such positions;
 - f). Statement of intention, or not, to provide occupants meals, minor medical care, job counseling, substance abuse counseling, and services to help occupants transition to more permanent housing, and if so, whether provision of each will be on- or off-site; and
 - g). Statement of intention, or not, to participate in the Greater Richmond Continuum of Care coordinated entry system.

3.4.2. Public and Institutional Uses

[reserved]

3.4.3. Commercial Uses

A. General

1. Commercial Activity in Residential Districts

a. Size and Intensity

- I. Cannot exceed the maximum floor area specified for the zoning district in the use table and at least 50% of the floor area must be located on the ground floor.

- II. Outdoor seating is allowed in front or side street yards, but the outdoor seating area counts towards the maximum floor area size restriction of the zoning district -see also *3.5.2.H, Outdoor Dining*.
- III. Outdoor sales or display are not allowed except for temporary displays not exceeding 25 square feet in area - see also *3.5.2.I, Outdoor Display*
- IV. Outdoor storage is not allowed, all business activity must occur indoors.
- V. The commercial use must be located in a building with at least one dwelling unit.

b. Hours of Operation

- I. Customer or clients associated may visit between 8 AM and 8 PM.
- II. Extended hours may be approved through a Conditional Use Permit.

c. Operational Standards

- I. Ventilation systems must direct exhaust away from adjacent dwellings.
- II. Truck deliveries or pick-ups of supplies or products associated allowed only between 7 AM and 9 PM. Deliveries and pickups are limited to parcel and small freight carriers.
- III. No amplified sound outdoors are allowed.
- IV. No drive-through service allowed.

B. Adult Business

1. Adult Entertainment Establishment

Cannot be located within 1,000 feet of property in an RD-, RA or RM- district, or within 1,000 feet of any property occupied by a place of worship, public or private elementary, intermediate or high school, public library, group home, emergency housing, transitional housing, permanent supportive housing, day care center, nursing home, hotel, motel or other adult entertainment establishment, adult book store, adult motion picture theater or massage parlor.

C. Agriculture

1. Urban Garden

- a. Activities and operations must be conducted between 8 AM and 8 PM.
- b. Mechanized equipment similar in scale to that designed for household use must be used.
- c. Use of larger mechanized equipment is not allowed; provided, however, that during the initial preparation of the land, heavy equipment can be used.
- d. The on-site sale of food crops and/or non-food, ornamental crops grown on-site is allowed up to 12 days per year.

D. Entertainment and Recreation

1. General Outdoor Entertainment

Cannot be located within 500 feet of property in an RC, RD-, RA, or RM- district.

E. Personal Service

1. Animal Care (Outdoor)

a. Location and Separation

- I. Setbacks. Outdoor animal activity areas, including runs, yards, kennels, and play areas, must be located:
 - a). A minimum of 50 feet from any RC, RD- RA, or RM- district; or
 - b). A minimum of 25 feet from any lot containing a residential dwelling unit, whichever is greater.
- II. Schools and Sensitive Uses. Outdoor animal activity areas must be at least 100 feet from schools, daycares, parks, and similar sensitive uses unless fully enclosed by a sound-attenuating structure.
- III. Front Yards. Outdoor animal care areas are not allowed in the front setback unless fully screened by buildings or an opaque wall.

b. Screening and Enclosures

- I. Outdoor activity areas must be enclosed by a secure fence at least 6 feet in height.
- II. In the CG district, outdoor activity areas must be screened with a Moderate Transition Screen (see **4.4.2C**) along common lot lines and a Moderate Frontage Screen-1 (see **4.4.3.D**) along street lot lines.

c. Noise and Hours of Operation

- I. Outdoor animal activity is limited to 7 AM to 8 PM, unless located more than 200 feet from any residence or conducted inside a sound-attenuated structure.
- II. The use must comply with all applicable noise performance standards.
- III. Prolonged barking or other disruptive noise must be actively managed through staffing, training practices, and operational protocols.

F. Retail

1. Vape/Tobacco Store

Cannot be located within 500 feet of property occupied by another vape/tobacco store.

G. Vehicle Sales and Service

1. Vehicle Sales or Rental

- a. Vehicle displays cannot be artificially elevated above the general topography of the site.
- b. No outside speaker system is allowed.
- c. In MX-7, MX-13, and MX-U, the sales and leasing of motor vehicles for display must be conducted within a fully-enclosed building or within parking structure. The outdoor display and storage of vehicles for sale or rental is not allowed.

2. Vehicle Service

- a. The outdoor overnight storage of vehicles may be allowed in accordance with **3.5.2.K. Outdoor Storage**. Operable vehicles may be parked on-site during business hours.
- b. There can be no dismantling of vehicles for salvage.
- c. The storage of impounded vehicles is not allowed.
- d. No outside speaker system is allowed.
- e. In MX-4 and MX-5, a maximum of 2 service bay doors no more than 24 feet in width each are allowed on 2 sides of the building. Service doors must be closed except for entry and exit of motor vehicles.

3. Vehicle Repair

- a. The outdoor overnight storage of vehicles may be allowed in accordance with **3.5.2.K. Outdoor Storage**. Operable vehicles may be parked on-site during business hours.
- b. There can be no dismantling of vehicles for salvage.
- c. The storage of impounded vehicles is not allowed.
- d. No outside speaker system is allowed.
- e. In MX-4 and MX-5, a maximum of 2 service bay doors no more than 24 feet in width each are allowed on 2 sides of the building. Service doors must be closed except for entry and exit of motor vehicles.

4. Vehicle Fueling Station

In MX-4 and MX-5, vehicle fueling stations must meet the following:

- a. Must be located within 300 feet of the centerline of an intersection that includes a street from at least one of the following Street Types: Mixed Use Streets or Major Streets.
- b. Hours of operation for Vehicle Fuel Sales (including gasoline and diesel fuel) can begin no earlier than 6 AM and end no later than 11 PM. Operations include all deliveries and collections. Preparation, store cleaning and inventory may be allowed during these restricted hours.
- c. The total number of vehicles capable of being simultaneously fueled is 4.

- d. Fuel pumps must be located a minimum of 50 feet from a RC, RD-, RA, or RM- district.
- e. All vacuuming and compression machines located outside of an enclosed building must be located at least 50 feet from a RC, RD-, RA, or RM- district.
- f. Accessory car washing is only allowed if the car wash is equipped only with fully automatic wash equipment so the driver remains in their car during the entire wash process.
- g. Fuel canopies are limited to a 16 feet in height to the bottom of the underside of the canopy and a 23 feet to the top of the roof of the canopy (absent any required vent stacks).

3.4.4. **Manufacturing and Industrial Uses**

A. Warehouse and Distribution

1. Self-Service Storage

In MX-5, MX-7, and MX-U, a self-storage facility is subject to the following limitations:

- a. All storage must be contained within a fully-enclosed building.
- b. All storage units must be contained in a single building and accessed internally. Storage units are not allowed on the ground floor. The outdoor storage of boats, RV's or similar vehicles is not allowed.

SEC. 3.5. **ACCESSORY USES AND STRUCTURES**

3.5.1. **General Standards**

A. Allowed Accessory Uses and Structures

The use table in *3.2.2. Allowed Use Table* establishes the allowed accessory uses and structures by district. Multiple accessory uses are allowed on a lot when the uses are all allowed in the district and the standards for all uses on the lot are met.

B. Accessory Uses and Structures Not Listed

An accessory use or structure not specifically listed in *3.2.2* is not allowed unless the Zoning Administrator determines the use:

1. Is clearly incidental to and customarily found in connection with an allowed principal use;
2. Is subordinate to and serving an allowed principal use;
3. Is subordinate in area, extent and purpose to the principal use served; and
4. Is located on the same lot as the principal use served.

C. Rules for All Accessory Uses and Structures

1. A building permit is required for any accessory structure more than 200 square feet in area or more than 12 feet in height.
2. An accessory structure is only allowed in a side or rear yard.
3. Unless otherwise stated below, an accessory structure must comply with the dimensional requirements of the zoning district it is in.
4. In an RC, RD-, or RA district, an accessory structure less than 400 square feet in area and not exceeding 12 feet in height can be located up to 2 feet from a common lot line.
5. No accessory use or structure is allowed on the lot until after the principal use or structure is approved.

3.5.2. **Specific Standards**

A. Accessory Dwelling Unit

An additional small dwelling unit on a lot that is detached, attached or internal to the principal structure.

1. Only one accessory dwelling unit is allowed on a lot.
2. An accessory dwelling unit cannot exceed 1,000 square feet.

B. Alcohol Sales

The sale of alcoholic beverages for on- or off-premise consumption as an accessory use to a permitted principal commercial use.

C. Drive-Through

Accessory drive-through service for an allowed principal commercial use. A drive-through provides service directly to automobiles where the customer drives up to a window or mechanical device through or by which the customer is serviced without exiting the vehicle.

1. A drive-through must meet the requirements of *4.3.4, Vehicle Use Areas*.
2. A dining room or walk-up window must also be provided with any drive-through facility and must be available to customers at all times the drive-through is operating.
3. In MX-4 and MX-5, a drive-through must meet the following additional limitations:
 - a. Only a single drive-through lane is allowed.
 - b. The drive-through lanes including stacking spaces cannot be located between a street and the building.

D. Family Day Care Home

A licensed day care as an accessory use in a dwelling unit where at least 5 but fewer than 13 children under the age of 13 receive for care and supervision for periods of less than 24 hours a day, unattended by a parent or legal guardian, except children that are part of the household.

E. Farmers' Market

A non-municipality-owned or -operated area, with or without temporary structures, where vendors and individuals who have raised the vegetables or produce or have taken the same on consignment for retail sale, sell vegetables or produce, flowers, orchard products, locally-produced packaged food products and/or animal agricultural products.

F. Home Occupation

Limited nonresidential activity in a dwelling unit.

1. General

- a. At least 1 person engaged in the home occupation must live in the dwelling unit.
- b. No more than 1 vehicle used in association with the home occupation may be parked on-site at any one time. No vehicle with a gross vehicle weight over 10,000 pounds, associated with the home occupation, can be stored on the site.
- c. Truck deliveries or pick-ups of supplies or products associated with the home occupation are allowed only between 7 AM and 9 PM. Deliveries and pickups are limited to parcel and small freight carriers.

2. Exterior Appearance

- a. All activities associated with the home occupation must be conducted indoors. No outdoor storage or outdoor display is allowed.
- b. A home occupation is allowed in an accessory structure on the lot.

- c. The home occupation must operate so as not to create or cause a nuisance or subject neighbors to adverse operational or land use impacts (such as excessive noise or traffic or public safety hazards) that are not typical of the neighborhood.
- d. Interior display of goods or equipment associated with the home occupation must not be visible from the street.
- e. No equipment or process can be used in connection with the home occupation that creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses, off the premises.

3. Allowed Uses

The nonresidential use in the dwelling unit is limited to:

- a. General food and beverage limited to catering and cooking classes only.
- b. General office.
- c. General personal service, limited to:
 - I. Individual academic, music or art instruction;
 - II. Dance, martial arts, music, or photography studio or classroom;
 - III. Gym, fitness/pilates/yoga studio;
 - IV. Beauty, hair and nail salon.
- d. General retail limited to web-based orders only. The operation of any retail or wholesaling business, or the direct sale or rental of products or services, are not allowed. Pick up of web-based orders is allowed.

4. Employees and Customers

- a. One nonresident person employed in the home occupation is allowed on-site at any given time.
- b. Two customers or clients visiting the home occupation are allowed on-site at any given time.
- c. Customer or clients associated with the home occupation may visit between 8 AM and 8 PM.
- d. A maximum of 6 customers or clients may visit the home occupation in a 24-hour period.

G. Home-Based Business

Nonresidential activity in a dwelling unit beyond what is allowed as a home occupation.

1. General

- a. A maximum of 1 home-based business is allowed per dwelling unit.
- b. At least 1 person engaged in the home occupation must live in the dwelling unit.

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- c. No more than 1 vehicle used in association with the home occupation may be parked on-site at any one time. No vehicle with a gross vehicle weight over 10,000 pounds, associated with the home occupation, may be stored on the site.
- d. Truck deliveries or pick-ups of supplies or products associated with the home occupation are allowed only between 7 AM and 9 PM. Deliveries and pickups are limited to parcel and small freight carriers.

2. Exterior Appearance

- a. All activities associated with the home occupation must be conducted indoors. No outdoor storage or outdoor display is allowed.
- b. A home-based business is allowed in any accessory structure on the lot.
- c. The home-based business must operate so as not to create or cause a nuisance or subject neighbors to adverse operational or land use impacts (such as excessive noise or traffic or public safety hazards) that are not typical of the neighborhood.
- d. Interior display of goods or equipment associated with the home-based business must not be visible from the street.
- e. No equipment or process can be used in connection with the home-based business that creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses, off the premises.

3. Allowed Uses

The nonresidential use in the dwelling unit is limited to:

- a. General food and beverage limited to catering and cooking classes only.
- b. General medical.
- c. General office.
- d. General personal service, limited to:
 - I. Individual academic, music or art instruction;
 - II. Dance, martial arts, music, or photography studio or classroom;
 - III. Gym, fitness/pilates/yoga studio;
 - IV. Beauty, hair and nail salon.
- e. General retail.
- f. Artisan production of wholesale goods and handcrafted small batch products.

4. Employees and Customers

- a. Up to 3 nonresident persons employed in the home-based business are allowed on-site at any given time.

- b. 4 customers or clients visiting the home-based business are allowed on-site at any given time.
- c. Customer or clients associated with the home-based business may visit between 8 AM and 8 PM.
- d. A maximum of 15 customers or clients may visit the home-based business in a 24-hour period.

H. Outdoor Dining

Accessory outdoor dining on the property of an allowed principal commercial use. Outdoor dining is in an area with tables, chairs, and other furnishings set up for the purpose of drinking or eating food and beverages.

- 1. Outdoor dining cannot encroach upon any public right-of-way except as provided in XX.
- 2. Outdoor dining cannot impair the ability of pedestrians or cyclists to use the sidewalk. There must be a minimum of 6 feet of clear distance of sidewalk at all times.
- 3. In a RD- and RA district, outdoor dining cannot exceed seating for 4 people.
- 4. In a RM-A and RM-B district, outdoor dining cannot exceed outdoor for 8 people.
- 5. In a RM-C district, outdoor dining cannot exceed seating for 12 people.

I. Outdoor Display

Accessory outdoor display of products actively available for sale on the property of an allowed principal commercial use.

- 1. Outdoor display is only allowed with an allowed ground floor nonresidential use.
- 2. Outdoor display must abut the primary facade with the principal customer entrance, cannot extend more than 6 feet from the facade and cannot exceed 6 feet in height.
- 3. Outdoor display must be removed and placed inside a building at the end of each business day.
- 4. Outdoor display cannot encroach upon any public right-of-way except as provided in XX.
- 5. Outdoor display cannot impair the ability of pedestrians or cyclists to use the sidewalk. There must be a minimum of 6 feet of clear distance of sidewalk at all times.

J. Outdoor Entertainment Stage

Accessory outdoor entertainment stage on the property of an allowed principal commercial use. An outdoor entertainment stage is a raised unenclosed platform that accommodates musical or theatrical shows or performances.

K. Outdoor Storage

- 1. Allows for accessory outdoor storage on the property of a permitted principal nonresidential use. Outdoor Storage is the outdoor storage of merchandise, goods, inventory, materials or

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equipment or other items which are not intended for immediate sale or use. Outdoor storage is broken down into the following sub-categories.

2. Outdoor storage - minor, includes storage of merchandise or material in boxes, in crates, on pallets or other kinds of shipping containers.
3. Outdoor storage - major, includes contractor's equipment, used tires, fleet vehicles, trailers, storage of soil, mulch, stone, lumber, pipe, steel, concrete, wood; vehicles waiting repair and operable vehicle storage.
4. The amount of area dedicated to outdoor storage on a lot cannot exceed the following.

% of lot area used for outdoor storage (max)	
RC, RD-, RA, RM-	Not allowed
MX-	10%
CG	20%
IX	30%
IL	45%
IH	100%
INS	10%
CEM, OS	100%

5. A Light Transition Screen is required for minor outdoor storage around all common lot lines, [see 4.4.2.C](#).
6. A Moderate Transition Screen is required major outdoor storage around all common lot lines, [see 4.4.2.C](#).
7. A Street Frontage Screen maybe required along street lot lines, [see 4.4.2.C](#).

L. Short-Term Rental

Short-term rental means a room or group of rooms, all within a single dwelling unit of a dwelling use permitted in the district in which such dwelling use is located, used or intended to be used as lodging for at least one but fewer than 30 consecutive nights by the traveling public and similar transient guests in return for compensation on a daily basis. The following conditions are applicable to all districts short-term rentals are allowed in:

1. General Provisions

- a. The number of short-term renters over the age of 18 occupying or present within any short-term rental cannot exceed the lesser of:
 - I. 8 persons; or
 - II. The maximum number permitted by the most recent edition of the Virginia Uniform Statewide Building Code.
- b. No short-term rental operator can rent a short-term rental to one or more short-term renters, unless at least one of the short-term renters is 18 years of age or older.

- c. Only a short-term rental operator may operate a short-term rental. For each short-term rental, the corresponding short-term rental operator must submit a letter to the Zoning Administrator with:
 - I. Contact information for the short-term rental operator, including the operator's name, permanent mailing address, primary contact phone number and, if applicable, an electronic mail address;
 - II. An acknowledgment from the short-term rental operator confirming the operation of the dwelling unit as a short-term rental; and
 - III. For condominiums and co-ops, evidence that the condominium or co-op board has approved a request to use the dwelling unit as a short-term rental.
- d. Each short-term rental operator must provide to the Zoning Administrator and conspicuously post within the short-term rental a floor plan of the layout of the dwelling unit, on which floor plan the short-term rental operator must label the following:
 - I. The use of each room;
 - II. The occupancy level of sleeping rooms and cooking facilities;
 - III. The location and size of emergency egress and rescue openings; and
 - IV. The location of fire and carbon monoxide detectors.
- e. Smoke detectors must be present in compliance with the current edition of the Virginia Uniform Statewide Building Code.
- f. A fire extinguisher must be present in compliance with the current edition of the Virginia Uniform Statewide Building Code.
- g. Carbon monoxide detectors must be present in compliance with the current edition of the Virginia Uniform Statewide Building Code.
- h. Prior to operation of any dwelling unit as a short-term rental, the owner of the dwelling unit must obtain a certificate of zoning compliance for the short-term rental use in accordance with the conditions set forth in Sections 30-1020 through 30-1020.5 of the Code of the City of Richmond (2020), as amended.
- i. Every certificate of compliance for a short-term rental use expires 730 days after the date it is issued. No sooner than 30 days prior to the expiration, any short-term rental operator who wishes to maintain their short-term rental use may apply for a new certificate of zoning compliance for the use.
- j. All advertisements for any short-term rental must include the active certificate of zoning compliance for the short-term rental.
- k. Under no circumstances can the issuance of a certificate of zoning compliance by the Zoning Administrator be construed as abrogating, nullifying or invalidating any other provision of law; any deed covenant or property right; or any property owners' association bylaw.

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- l. For multi-unit dwellings, a maximum of 10 or one-third of the dwelling units, whichever is lesser, on the lot are permitted as short-term rentals, except as provided in section 30-697.2.
- m. No short-term rental operator can agree to more than one booking transaction during the same period or any portion of the same booking period that results in reservations for 2 or more separately-booked short-term renters to occupy the same short-term rental at the same time.
- n. No short-term rental operator can offer, provide, advertise or permit use of a dwelling unit for any commercial use that is prohibited by law.

2. Short-term Rentals Located in Any R District

- a. The following conditions are applicable to all short-term rentals within the R-1, R-2, R-3, R-4, R-5, R-5A, R-6, R-7, R-8, R-43, R-48, R-53, R-63, R-73, R-MH, RO-1, RO-2, and RO-3 districts.
- b. The short-term rental must be located on the same lot as the short-term rental operator's primary residence.
- c. Where the short-term rental operator is a legal person but not an individual, the short-term rental must be located on the same lot as the primary residence of the individual who manages the day-to-day operations of the short-term rental operator, or who is a trustee or a beneficiary of the short-term rental operator if the short-term rental operator is a trust.
- d. For purposes of this section, whether a lot includes a short-term rental operator's or a qualifying individual's primary residence is determined by the records of the Virginia Department of Motor Vehicles or the Office of the Registrar of the City of Richmond current as of the date of application to operate a short-term rental on such lot. Only one short-term rental is allowed on any lot.

M. Solar Energy, Small-Scale

- 1. Solar energy systems must be installed in compliance with applicable provisions of the Uniform Statewide Building Code (USBC) and the Virginia Statewide Fire Prevention Code (VSFPC).
- 2. A solar energy system may be installed on the roof of any building or structure, whether principal or accessory.
- 3. The height of a solar energy system installed on the roof of a single- or two-unit dwelling, or on the roof of an accessory building or structure on the same lot as such dwelling, may extend up to 5 feet above the highest point of the roof of the building or structure on which it is installed. All other rooftop solar energy systems may extend up to 15 feet above the highest point of the roof of the building or structure on which it is installed. In no case can a solar energy system exceed the height encroachment of 2.6.9.A.7, *Encroachments*.
- 4. A solar energy system may be attached and incorporated as part of any building facade such as roof tiles, window shutters and canopies.
- 5. Within a required setback, a solar energy system may be incorporated as part of any structure allowed by 2.6.5.E, *Exceptions*. Otherwise, a solar energy system cannot be located in a required setback.

N. Wind Energy, Small-Scale

To be inserted

SEC. 3.6. **TEMPORARY USES AND STRUCTURES**

3.6.1. **Purpose**

The purpose of this section is to provide a regulatory framework for temporary uses that, by their nature, are limited in duration and may not meet all requirements of the zoning district in which they are located, while ensuring that such uses do not negatively impact public health, safety, or welfare.

3.6.2. **Applicability**

These standards apply to all temporary uses.

3.6.3. **General Standards**

All temporary uses must comply with the following:

A. Duration

Temporary uses are permitted for a limited time period, not exceeding 90 consecutive days unless otherwise specified by this Section or approved by the Zoning Administrator.

B. Frequency

No temporary use may occur on the same lot more than 2 times per calendar year, unless otherwise authorized approved by the Zoning Administrator.

C. Operational Hours

The Zoning Administrator may limit daily hours of operation to ensure compatibility with surrounding uses.

D. Location

Temporary uses must not obstruct:

1. Required fire lanes
2. Pedestrian pathways
3. Accessible parking spaces
4. Sight triangles or traffic circulation

E. Structure and Site Standards

1. Temporary structures must comply with applicable building and fire codes.
2. All electrical connections must be permitted and inspected.
3. Temporary tents exceeding the area thresholds of the fire code require a fire marshal permit.
4. Restroom access must be provided when required for the use.

F. Parking and Traffic

Temporary uses must provide adequate parking and traffic management. The Zoning Administrator may approve alternative parking arrangements if no adverse impacts are anticipated.

G. Noise, Light, and Odor

All temporary uses must comply with applicable noise, lighting, and environmental performance standards.

H. Public Safety

Temporary uses must not create hazards, including fire risks, crowding, or obstruction of emergency access.

I. Cleanup and Site Restoration

The operator must return the site to its previous condition within 48 hours of permit expiration, including removal of structures, trash, lighting, and accessory facilities.

J. Security and Management

The Zoning Administrator may require on-site management, security personnel, or additional safety measures.

3.6.4. Temporary Use Types and Additional Standards

A. Temporary Sales

(including seasonal sales, outdoor markets, or similar)

1. Maximum duration: 60 days per event.
2. Merchandise must be displayed within the defined sales area only.
3. Any temporary lighting must be directed away from adjacent properties.
4. Tents or canopies must meet fire and building codes.

B. Construction-Related Temporary Uses

(including construction trailers, equipment staging, and material storage)

1. Permitted for the duration of an active building permit.
2. Must be removed within 14 days of certificate of occupancy or permit closure.
3. Must not be used for dwelling purposes.

C. Temporary Real Estate or Leasing Office

1. Must be located on the same property as the development it serves.
2. Permitted until completion and sale/lease of all units, or for a maximum of 24 months, whichever comes first.
3. Conversion to a permanent use requires full compliance with zoning and building codes.

SEC. 3.7. WIRELESS TELECOMMUNICATIONS FACILITIES

3.7.1. Purpose

This section is for the purpose of setting forth requirements for the location and design of wireless communications facilities, microwave relay facilities, and radio and television broadcast antennas.

3.7.2. Intent statement

- A. The growth of commercial wireless communications has resulted in a need for additional antenna sites, with such need marked by not only the number of facilities required, but also the geographic distribution. Other technological changes in the traditional radio and television broadcast industry and in the use of microwave voice and data transmission are resulting in similar increased demand for antenna sites.
- B. These services of the utilities and communications sector have merit and value for the community and region as a whole, but can also result in facilities which are in conflict with the existing or planned character of the surrounding area.
- C. It is the intent of the City to create an expanded range of opportunities to accommodate continued growth of the services, while guiding the design of the facilities in a manner that takes into account the existing or planned character around a proposed site.
- D. These opportunities include the establishment of facilities through installation on existing buildings (alternative support structures), the establishment of new facilities through the construction of new monopoles, flexibility for the use of properties which may be nonconforming or may already be subject to special use permits or community unit plans, and greater flexibility for the development of facilities on City property where larger sites or existing nonresidential uses may result in a less intrusive installation when compared to other nearby properties.

3.7.3. Definitions

The following words, terms and phrases, when used in this Section, have the meanings ascribed to them, except where the context clearly indicates a different meaning:

- A. Administrative review-eligible project means a project that provides for:
 - 1. The installation or construction of a new structure that is not more than 50 feet above ground level, provided that the structure with attached wireless facilities is:
 - a. Not more than 10 feet above the tallest existing utility pole located within 500 feet of the new structure within the same public right-of-way or within that existing line of utility poles;
 - b. Not located within the boundaries of a local, State or Federal historic district;
 - c. Not located inside the jurisdictional boundaries of a locality having expended a total amount equal to or greater than 35% of its general fund operating revenue, as shown in the most recent comprehensive annual financial report, on under-grounding projects since 1980; and
 - d. Designed to support small cell facilities; or

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2. The co-location on any alternative support structure of a wireless facility that is not a small cell facility.
- B. Alternative support structure means any structure that is installed or approved for installation at the time a wireless services provider or wireless infrastructure provider provides notice to the City of an agreement with the owner of the structure to co-locate equipment on that structure. The term "alternative support structure" includes any structure that is currently supporting, designed to support, or capable of supporting the attachment of wireless facilities, including towers, buildings, utility poles, light poles, flag poles, signs, and water towers.
 - C. Antenna means communications equipment that transmits or receives electromagnetic radio signals used in the provision of any type of wireless communications services.
 - D. Base station means a station that includes a structure that currently supports or houses an antenna, transceiver, coaxial cables, power cables, or other associated equipment at a specific site that is authorized to communicate with mobile stations, generally consisting of radio transceivers, antennas, coaxial cables, power supplies, and other associated electronics.
 - E. Co-locate means to install, mount, maintain, modify, operate, or replace a wireless facility on, under, within, or adjacent to a base station, building, alternative support structure, utility pole, or wireless support structure. The term "co-location" has a corresponding meaning.
 - F. Director means the Director of Planning and Development Review or designee.
 - G. Micro-wireless facility means a small cell facility that is not larger in dimension than 24 inches in length, 15 inches in width, and 12 inches in height and that has an exterior antenna, if any, not longer than 11 inches.
 - H. New structure means a freestanding wireless support structure, as opposed to a co-located wireless facility, that has not been installed or constructed, or approved for installation or construction, at the time a wireless services provider or wireless infrastructure provider applies to a locality for any required zoning approval.
 - I. Project means (i) the installation or construction by a wireless services provider or wireless infrastructure provider of a new structure or (ii) the co-location on any alternative support structure of a wireless facility that is not a small cell facility. The term "project" does not include the installation of a small cell facility by a wireless services provider or wireless infrastructure provider on an alternative support structure to which the provisions of **Section 30-692.7** apply.
 - J. Small cell facility means a wireless facility that meets both of the following qualifications: (i) each antenna is located inside an enclosure of no more than six cubic feet in volume, or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an imaginary enclosure of no more than six cubic feet and (ii) all other wireless equipment associated with the facility has a cumulative volume of no more than 28 cubic feet, or such higher limit as is established by the Federal Communications Commission. The following types of associated equipment are not included in the calculation of equipment volume: electric meter, concealment, telecommunications demarcation boxes, back-up power systems, grounding equipment, power transfer switches, cut-off switches, and vertical cable runs for the connection of power and other services.

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- K. Small cell facility co-location permit means a permit authorizing a wireless service provider or wireless infrastructure provider to co-locate a small cell facility on an alternative support structure.
- L. Standard process project means any project other than an administrative review-eligible project.
- M. Utility pole means a structure owned, operated, or owned and operated by a public utility, local government, or the Commonwealth that is designed specifically for and used to carry lines, cables, or wires for communications, cable television, or electricity.
- N. Water tower means a water storage tank, a standpipe, or an elevated tank situated on a support structure, originally constructed for use as a reservoir or facility to store or deliver water.
- O. Wireless facility means equipment at a fixed location that enables wireless communications between user equipment and a communications network, including (i) equipment associated with wireless services, such as private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services, such as microwave backhaul, and (ii) radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, such as microwave relay facilities, regardless of technological configuration.
- P. Wireless infrastructure provider means any person that builds or installs transmission equipment, wireless facilities, or wireless support structures, but that is not a wireless services provider.
- Q. Wireless services means (i) “personal wireless services” as defined in 47 USC 332(c)(7)(C)(i); (ii) “personal wireless service facilities” as defined in 47 USC 332(c)(7)(C)(ii), including commercial mobile services as defined in 47 USC 332(d), provided to personal mobile communication devices through wireless facilities; and (iii) any other fixed or mobile wireless service, using licensed or unlicensed spectrum, provided using wireless facilities.
- R. Wireless services provider means a provider of wireless services.
- S. Wireless support structure means a freestanding structure, such as a monopole, tower, either guyed or self-supporting, or suitable alternative support structure or other structure designed to support or capable of supporting wireless facilities. The term “wireless support structure” does not include any telephone or electrical utility pole or any tower used for the distribution or transmission of electrical service.

3.7.4. Applications for the Installation or Construction of Projects

- A. All applications to install or construct projects in the City must be submitted to the Director in the form of a site plan, all documentation required in [section 30-692.2](#), and any other documentation the Director may require. A fee as set forth in [Appendix A to this Zoning Code](#) must accompany the submittal of each application.
- B. Applicants for standard process projects whose proposed projects do not meet applicable criteria of this Section may either modify their proposed projects to comply with this division or seek initial approval for their projects by separate application for a special use permit, variance, or other available means of zoning approval. A fee as set forth in [Appendix A to this Zoning Code](#) must accompany the submittal of each application for a special use permit, variance, or other available means of zoning approval. Notwithstanding anything to the contrary in this Zoning Code, applicants desiring to install or construct administrative review-eligible projects are not required to obtain a special exception, special use permit, or variance.

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- C. The City must notify the applicable project applicant by email within 10 business days after receiving an incomplete application for any purpose described in subsections (a) or (b). Notice must specify any additional information required to complete the application. Failure by the City to so provide this notice will render the application complete.
- D. Unless the City and applicant mutually agree to extend the application review period, the City must approve or disapprove a complete application for any purpose described in subsections (a) or (b) within the following periods of time:
 - 1. For a new structure, within the lesser of 150 days of receipt of the completed application or the period required by federal law for such approval or disapproval;
 - 2. For the co-location of any wireless facility that is not a small cell facility, within the lesser of 90 days of receipt of the completed application or the period required by federal law for such approval or disapproval, unless the application constitutes an eligible facilities request as defined in 47 U.S.C. § 1455(a).
 - 3. Failure by the City to approve any such complete applications within the applicable periods above renders applications approved.
- E. Following disapproval by the City of any application described in subsections (a) or (b), the City must provide the applicant with a written statement of the reasons for such disapproval. If the City is aware of any modifications to the project described in the application that if made would permit the City to approve the project, the City will identify them in such written statement. Subsequent disapproval by the City of a project application incorporating such identified modifications may be used by the applicant as evidence in any appeal asserting the City's disapproval was arbitrary and capricious.
- F. Disapproval by the City of any application described in subsections (a) and (b) must (i) not unreasonably discriminate between the applicant and other wireless services providers, wireless infrastructure providers, providers of telecommunications services, and other providers of functionally equivalent services, and (ii) be supported by substantial record evidence contained in a written record publicly released within thirty days following the disapproval.
- G. Applications described in section 30-692.4 below are subject to subsections (c) through (f).

3.7.5. Standards Applicable to all Wireless Facility Projects

- A. In addition to meeting minimum submission requirements for any application materials, the Director may require, requests for approval for wireless facility projects include the following:
 - 1. The applicant's narrative containing the following information:
 - a. The address and latitude/longitude of the proposed location;
 - b. A description of communications/broadcast services which the applicant intends to provide at the site;
 - c. The methodology behind the site selection (i.e., describe alternative sites considered in the site selection process and why the proposed site is the most suitable);
 - d. A description of any other regulatory review required for the site and the status of that review (Federal Communications Commission, Federal Aviation Administration, NEPA impact report);

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- e. The measures that will be taken to ensure compatibility with surrounding properties;
 - f. A statement acknowledging removal of antennas upon termination of the use;
 - g. A statement indicating compliance with NIER standards;
 - h. A noninterference statement;
 - i. A statement indicating the feasibility of co-location of other users at the site; and
 - j. A statement indicating whether the site will be shared with the City if needed for public safety purposes.
2. A map showing the location of the proposed site and the location of existing facilities operated or owned by the applicant within the City and within three miles of the corporate limits, with an accompanying description of each facility (address, latitude/longitude, height of support structure, mounting height of antenna array, and willingness to allow and feasibility of co-location of other users at site).
3. Plans required for applications must also clearly depict the following:
- a. The location of the facility within the overall property, the access point from a public street, the location of other structures within 100 feet.
 - b. A detailed layout plan consisting of a site plan, roof plan, floor plan, as applicable to the specific proposal.
 - c. Detailed elevation drawings showing the location and type of antenna array, the structural element to which the array will be affixed, and for mounts using alternative support structures, any architectural device used to incorporate the array into building/structure design, the location and materials of any security fencing where required.
 - d. The location and details of lighting when required.
 - e. The location, type of equipment, noise suppression measures and operational procedure for any emergency power supply.
 - f. The color of antennas, cables, support structure.
 - g. Landscape plans-minimum evergreen hedge for the base of the support structure and ground-mounted equipment, with additional trees for support structure screening.
- B. There must be no signage identifying the site except for a single nameplate not exceeding 4 square feet in sign area.
- C. Any wireless facility, wireless support structure, and other equipment supporting the wireless facility which has not been used for the purpose of radio transmission or wireless communication for a continuous period of 12 months is deemed abandoned and must be removed from the premises within 90 days of such abandonment.

3.7.6. Permitted Use of Alternative Support Structures

Use of alternative support structures for the uses described in this Section are permitted on nonconforming properties and properties which are already subject to special use permits, institutional

master plans or community unit plans. Installations are deemed to be a permitted alteration of a nonconforming property and are deemed in substantial conformance with the special use permit, institutional master plan or community unit plan, provided the installation is in conformance with the review criteria set forth in **Section 30-692.4(b)**, as determined by site plan review, if required, in accordance with **Article X of this chapter** for nonconforming properties and properties subject to special use permits or institutional master plans, and by final plan review, if required, in accordance with **Article IV, Division 30 of this chapter** for properties subject to community unit plans.

3.7.7. Installations Utilizing Alternative Support Structures

- A. The authorization in this **chapter** for use of alternative support structures provides a less obtrusive alternative to the traditional monopole and tower-based facilities by accommodating installations that are a companion and subordinate use in conjunction with a permitted principal or accessory use of a property. Such installations may include, but not be limited to, rooftop installations; installations on the face of buildings and on the exterior of otherwise permitted rooftop mechanical enclosures; installations on otherwise permitted water towers serving municipal, business or industrial uses; and installations within otherwise permitted ornamental towers and steeples.
- B. The following standards are applicable to all installations on alternative support structures:
 1. The maximum combined projection (antenna and mounting hardware) above the alternative support structure must not exceed 25 feet, except for whip antennas which may result in a combined projection of up to 35 feet, and the hardware on which antennas are mounted cannot project above the alternative support structure by more than 20 feet.
 2. Notwithstanding the provisions of **Section 30-692.2(a)**, applicants for projects meeting the following criteria are required to apply for and obtain a certificate of zoning compliance and are not required to obtain a site plan or final community unit plan approval:
 - a. The maximum combined projection (antenna and mounting hardware) above the alternative support structure must not exceed 10 feet; provided, however, if the installation is visible from the principal street frontage, then the maximum combined projection (antenna and mounting hardware) above the alternative support structure must not exceed 5 feet in height.
 - b. The maximum dimensions of the antenna must not exceed 2 feet by two 2 by 2 feet or an alternative design not to exceed 3 cubic feet.
 - c. The maximum dimensions of any new mechanical enclosures or cabinets located on a support structure where they would be visible must not exceed 5 feet by 2 feet by 2 feet.
 - d. Any portion of the installation that is visible from the principal street frontage must be designed and colored to appear as an element of the alternative support structure, including the use of antennas, cables and equipment that are painted or tinted to match the surface of the alternative support structure to which they are affixed.

3.7.8. Installations Utilizing New and Existing Structures

- A. In addition to the information to be contained in the narrative required by **Section 30-692.2**, an application for a new structure must thoroughly document the reasons the proposed wireless facilities to be placed thereon could not be accommodated on nearby existing structures or be co-

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located with other users on nearby existing monopoles or towers and that the new structure is the only feasible option.

- B. All new structures are limited to monopole designs only, and are subject to the following locational standards:
 - 1. There is a setback of 500 feet from any property within an **R or RO zoning district** and a setback of 1,000 feet from the shoreline of the James River. In no case can a setback exceed the largest setback imposed by **this chapter** on other types of similar structures of a similar size, including utility poles.
 - 2. The maximum height of any monopole and antenna array is 199 feet, except that for any monopole and antenna array proposed within 1,000 feet of the right-of-way of an interstate highway, the height cannot exceed 155 feet.
- C. The antenna array must be designed to present the least horizontal dimension possible. Where the proposed array is not designed either as a tubular antenna array (unicell) or as cluster-mounted array (panel antennas affixed directly to the side of the monopole), in addition to the information to be contained in the narrative required by **Section 30-692.2**, a statement must be provided as to why those types of hardware are not technically feasible.
- D. The support structure and antenna array must be of a color that is of neutral tone, selected to blend with the natural background (e.g., gray, light blue or silver if in open ground; green if among trees).
- E. There can be no lighting of the support structure or antenna array unless required by the City or State or Federal agency.
- F. Dish antennas as part of a microwave relay facility cannot exceed 10 feet in diameter.
- G. When microwave dish antennas are accessory to a wireless facility and are to be mounted on the monopole, dishes cannot exceed 6 feet in diameter and cannot be mounted so as to extend more than 6 feet from the monopole.

3.7.9. Installations of Public Wireless Facilities

The installation of any public wireless facility and wireless support structures are not subject to the requirements of **Sections 30-692.2 through 30-692.5**, but instead are subject to location, character and extent approval by the Planning Commission in accordance with the requirements of Section 17.07 of the Charter.

3.7.10. Installations of Small Cell Facilities

- A. Notwithstanding anything to the contrary in this chapter, the co-location of small cell facilities by a wireless services provider or wireless infrastructure provider on an alternative support structure, all as defined in this section, are permitted subject to the provisions of this section, provided that the wireless services provider or wireless infrastructure provider has permission from the owner of the alternative support structure to co-locate equipment on that alternative support structure and so notifies the Director of Planning and Development Review.
- B. No small cell facility can be co-located on any alternative support structure and no building permit authorizing the co-location of any small cell facility on any alternative support structure can be

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issued until the wireless service provider or wireless infrastructure provider obtains a small cell facility co-location permit for the co-location of such small cell facility.

- C. Applications for small cell facility co-location permits must be submitted to the Director of Planning and Development Review and may include up to 35 permit requests on a single application. A permit fee and processing fee must accompany each application. For each small cell facility up to 5 small cell facilities on a single permit application the fee is \$100.00, and for each additional small cell facility over 5 small cell facilities on a single permit application the fee is \$50.00. Applications must include the following information for each permit requested. Any application not containing all of the following information may be deemed incomplete by the Director of Planning and Development Review.
1. The applicant's name and status as a wireless service provider or wireless infrastructure provider and a valid electronic mail address at which the applicant may be contacted;
 2. The address and latitude/longitude of the alternative support structure on which the small cell facility will be co-located;
 3. The owner of the alternative support structure and an agreement or other evidence showing the owner has granted permission to the applicant to co-locate on the alternative support structure, which evidence may include the owner's signature on the application;
 4. A description of any other regulatory review required for the site and the status of that review (e.g., Federal Communications Commission, Federal Aviation Administration, NEPA impact report);
 5. A statement that the small cell facility and operation of the facility will not materially interfere with other pre-existing communications facilities or with future communications facilities that have already been designed and planned for a specific location or that have been reserved for future public safety communications facilities; and
 6. Plans clearly depicting the following:
 - a. The dimensions and specifications of the small cell facility, including the antennas, base station, and all other associated wireless equipment;
 - b. A detailed layout plan consisting of a site plan, roof plan, floor plan, as applicable to the alternative support structure;
 - c. Detailed elevation drawings showing the co-location of the small cell facility, including the base station and all other associated equipment, on the alternative support structure; and
 - d. In the case of an installation on publicly owned or publicly controlled property, excluding privately owned structures where the applicant has an agreement for attachment to the structure, such plans and elevation drawings must include:
 - I. The color of the alternative support structure and the small cell facility, the base station and all other associated equipment;
 - II. The location and details of lighting, when applicable; and
 - III. Landscape plans for the base of the alternative support structure and ground mounted equipment.

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- D. Within 10 days after receipt of an application and a valid electronic mail address for the applicant, the Director of Planning and Development Review must notify the applicant by electronic mail whether the application is incomplete and specify any missing information; otherwise, the application is deemed complete. Within 60 days of receipt of a complete application, the Director of Planning and Development Review must either approve the application, disapprove the application, or extend the period for an additional 30 days by providing written notice of such extension to the applicant. Any disapproval of the application must be in writing and accompanied by an explanation for the disapproval. The application is deemed approved if the Director of Planning and Development Review does not disapprove the application within 60 days of receipt of the complete application unless within such 60 days the Director of Planning and Development Review extended the period for an additional 30 days pursuant to this section, in which case the application is deemed approved if the Director of Planning and Development Review does not disapprove the application within 90 days of receipt of the completed application.
- E. Provided the applicant is in compliance with all provisions of this section, the Director of Planning and Development Review cannot unreasonably condition, withhold, or delay the issuance of a small cell facility co-location permit and may only disapprove a small cell facility co-location permit for the following reasons:
1. Material potential interference with other pre-existing communications facilities or with future communications facilities that have already been designed and planned for a specific location or that have been reserved for future public safety communications facilities;
 2. The public safety or other critical public service needs;
 3. Only in the case of an installation on or in publicly owned or publicly controlled property, excluding privately owned structures where the applicant has an agreement for attachment to the structure, aesthetic impact or the absence of all required approvals from all departments, authorities, and agencies with jurisdiction over such property; or
 4. If the alternative support structure upon which the small cell facility would be co-located is within an old and historic district as set forth in **Article IX, Division 4 of this chapter** and no certificate of appropriateness authorizing the small cell facility has been issued as required by **Article IX, Division 4 of this chapter**.
- F. Nothing can prohibit an applicant from voluntarily submitting, and the Director of Planning and Development Review from accepting, any conditions that otherwise address potential visual or aesthetic effects resulting from the placement of small cell facilities.
- G. Any wireless support structure or wireless facility permitted pursuant to this section and which has not been used for wireless services for a continuous period of 12 months is deemed to be abandoned and must be removed from the premises within 90 days of such abandonment.
- H. Notwithstanding anything to the contrary in this section, the installation, placement, maintenance, or replacement of micro-wireless facilities that are suspended on cables or lines that are strung between existing utility poles in compliance with national safety codes are exempt from the permitting requirements and fees.

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SEC. 4.1. GENERAL PROVISIONS

4.1.1. Applicability

- A. Development standards apply based on the types of project activities proposed, as shown in the table below. Typically, more than one project activity will apply to a proposed project (for example, an expansion of an existing use may include both an addition and a facade modification).

Cross-reference	Development Standards	Project Activity						
		New Construction	Addition	Site Modification	Facade Modification	Change of Use	Renovation	Maintenance and Repair
Sec. 4.2.1.	Pedestrian and Bicycle Access	●	○	○	○	○	○	○
Sec. 4.2.2.	Bicycle Parking	●	●	○	○	●	●	○
Sec. 4.2.3.	Transit Access	●	○	○	○	○	○	○
Sec. 4.3.1.	Vehicle Access	●	○	●	○	○	○	○
Sec. 4.3.2.	Parking Lot Dimensions	●	○	●	○	○	○	○
Sec. 4.3.3.	Parking Lot Landscaping	●	○	●	○	○	○	○
Sec. 4.3.4.	Vehicle Use Areas	●	○	●	○	○	○	○
Sec. 4.4.1.	Transitions	●	○	○	○	●	○	○
Sec. 4.4.2.	Transition Screens	●	○	○	○	●	○	○
Sec. 4.4.3.	Frontage Screens	●	○	○	○	●	○	○
Sec. 4.4.5.	Site Element Screens	●	○	○	○	●	○	○

● = Standards may apply ○ = Standards do not apply

- C. Project activities are defined in [2.1.3, Project Activities](#).
- D. Where a Section is listed as applying, all applicable standards must be met. The applicable standards may be further modified by the applicability provisions for each development standard. Applicability may also be modified by **XX, Nonconformities**.

SEC. 4.2. **MULTI-MODAL ACCESS AND MOBILITY**

4.2.1. **Pedestrian and Bicycle Access**

A. Intent

To provide for safe and convenient pedestrian and bicycle travel by:

1. Improving pedestrian access from the public realm to building entrances;
2. Improving bicycle access from the public realm.
3. Ensuring that pedestrian entrances are conveniently and effectively accessible to pedestrians; and
4. Activating the public realm with building access points and improving pedestrian circulation through large sites.

B. External Connectivity

1. Pedestrian ingress and egress to and from public sidewalks, greenways, trails and bicycle lanes must be provided.
2. The minimum width of a pedestrian walkway is 5 feet.
3. Walkways must be constructed of an all-weather solid surface material such as concrete, asphalt, or another similar material that would satisfy the State accessibility code.
4. Pedestrian connections must be made to any existing or proposed off-site pedestrian, bicycle, or transit facility.
5. Adjacent public greenways must be connected to pedestrian and bicycle facilities on the site.

C. Internal Connectivity

1. General

- a. ADA compliant pedestrian access must be provided connecting main entrances of buildings, establishments or uses on a site that allows for public access, with all other public entrances and with available access points including parking, streets, sidewalks and transit stops.
- b. Pedestrian walkways must be provided along common access driveways and areas that serve as ingress/egress for the development site. A pedestrian walkway must be placed along both sides of the driveway.
- c. The minimum width of a pedestrian walkway is 5 feet.
- d. Walkways must be constructed of an all-weather solid surface material such as concrete, asphalt, or another similar material that would satisfy the State accessibility code.
- e. Driveways and areas that solely serve as access for rear-loaded townhouses or loading areas for nonresidential buildings do not require a separate pedestrian walkway.

2. Pedestrian Access Required

Pedestrian walkways to required street-facing building entrances must be provided as listed below.

	RC	RD-	RA	RM-	MX-	CG	IX	IL	IH	INS	CEM	OS
Type 1	--	--	--	--	■	--	--	--	--	--	--	--
Type 2	■	■	■	■	--	--	■	--	--	■	--	--
Type 3	--	--	--	--	--	■	--	--	--	--	--	--

■ = Required -- = Not Required

D. Pedestrian Access Standards

1. Applicability

Pedestrian access standards apply to all required street-facing entrances (see 2.6.12). Pedestrian access standards do not apply to non-required entrances.

2. Pedestrian Connection Types

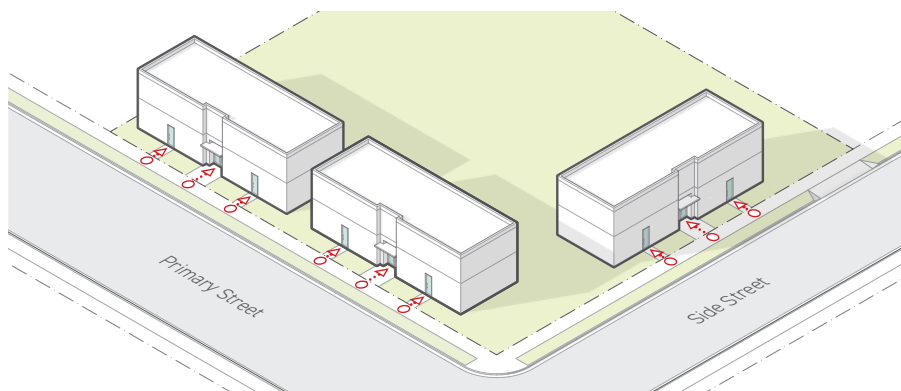
a. Type 1

i. Intent

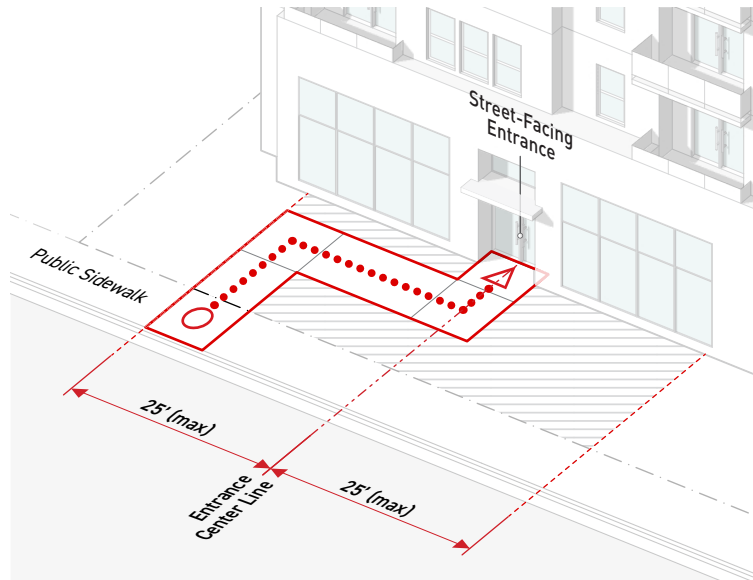
Intended to ensure buildings are highly integrated with the public pedestrian system and promote walking as a safe and convenient mobility option through frequent physical connections between the street and building entrances.

ii. Standards

- A direct pedestrian walkway must be provided to each required street-facing entrance. A direct pedestrian walkway provides access to a single building entrance.
- The pedestrian walkway must connect to the public sidewalk, or other publicly accessible pedestrian-facility along the street or trail, to a required street-facing entrance.



- c). The connection to the public sidewalk system must be within 25 feet of the center of the street-facing entrance, measured parallel to the street lot line.



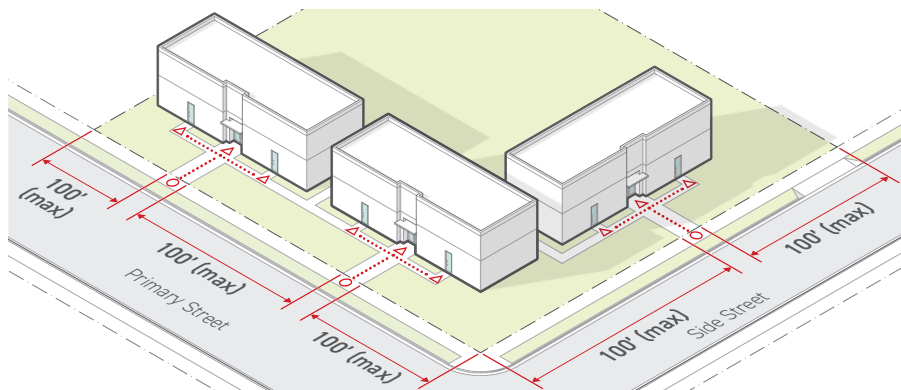
b. Type 2

i. Intent

Intended to ensure buildings are conveniently accessible from the public pedestrian system and promote walking as a safe and convenient mobility option through regular physical connections between the street and building entrances.

ii. Standards

- a). One grouped pedestrian walkway must be provided every 100 feet along each street frontage. A grouped pedestrian walkway provides consolidated access to multiple building entrances.
- b). A grouped pedestrian walkway can be no more than 100 feet from a street intersection.
- c). The grouped pedestrian walkway must connect to the sidewalk, or other publicly accessible pedestrian-facility along the street or trail, to a required street-facing entrance.



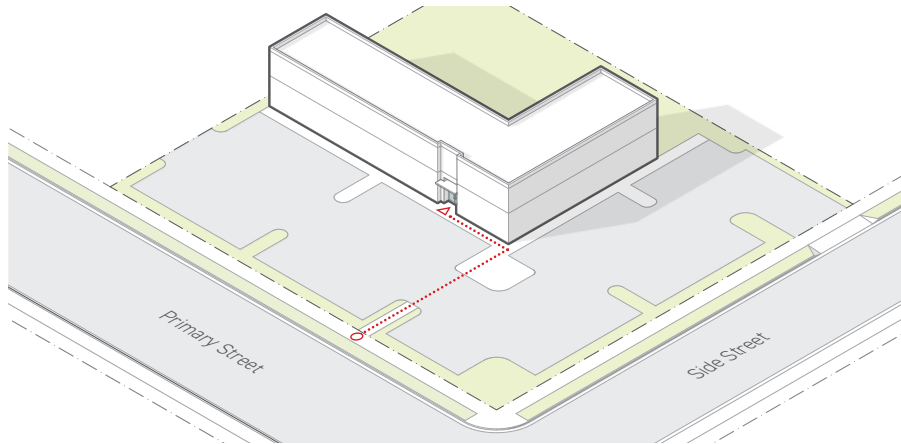
c. Type 3

i. Intent

Intended to ensure buildings are accessible from the public pedestrian system by requiring a physical connection between the street and a building entrance.

ii. Standards

- a). At least one pedestrian walkway must connect to the public sidewalk, or other publicly accessible pedestrian-facility along the street or trail, to a required street-facing entrance.
- b). The pedestrian walkway must be physically separated from and uninterrupted by motor vehicle use areas except where required to cross a drive-aisle. Drive-aisle crossings must be the shortest practical.



4.2.2. Bicycle Parking

A. Intent

To promote bicycling as an alternative to automobile transportation and help ensure safe, secure, accessible, and convenient storage of bicycles for all users.

B. Applicability

1. All principal uses in **Sec. 3.2**.
2. For additions, bicycle parking is required for the new floor area only.
3. For a renovations, bicycle parking is required for the renovated floor area only
4. Dwelling units with individually accessed private garages are not required to provide long-term bicycle parking.

C. Standards

1. Required Bicycle Parking

- a. Bicycle parking must be provided in accordance with the following table. When bicycle parking is required, a minimum of 2 short-term spaces and a minimum of 2 long-term spaces must provided, regardless of size.

USES	Spaces Required (min)	
	Short-Term	Long-Term
Residential Uses		
Household living		
1-3 units	None	None
4-9 units	None	1 per 2 units
10-49 units	1 per 10 units	1 per 3 units
50+ units	1 per 20 units	1 per 4 units
Group living	1 per 6 bedrooms	1 per 3 bedrooms
Special needs housing	1 per 10 beds	1 per 20 beds
Public and Institutional Uses		
Civic	1 per 5,000 SF of floor area	1 per 10,000 SF of floor area
Day care	1 per 5,000 SF of floor area	1 per 10,000 SF of floor area
Education	4 per classroom	1 per 10 classrooms
Parks and open space	5 per park	None
Utility service	None	None
Commercial Uses		
Adult business	1 per 2,500 SF of floor area	1 per 10,000 SF of floor area
Agriculture	None	None
Entertainment and recreation	1 per 2,500 SF of floor area	1 per 10,000 SF of floor area
Food and beverage	1 per 2,500 SF of floor area	1 per 10,000 SF of floor area
Lodging	1 per 8 rooms	1 per 16 rooms

USES	Spaces Required (min)	
	Short-Term	Long-Term
Medical	1 per 5,000 SF of floor area	1 per 5,000 SF of floor area
Office	1 per 10,000 SF of floor area	1 per 5,000 SF of floor area
Parking	None	None
Personal service	1 per 2,500 SF of floor area	1 per 10,000 SF of floor area
Retail sales and service	1 per 2,500 SF of floor area	1 per 10,000 SF of floor area
Vehicle sales and service	1 per 10,000 SF of floor area	1 per 10,000 SF of floor area
Manufacturing and Industrial Uses		
Industrial	1 per 20,000 SF of floor area	1 per 10,000 SF of floor area
Transportation	1 per 20,000 SF of floor area	1 per 10,000 SF of floor area
Warehouse and distribution	1 per 20,000 SF of floor area	1 per 20,000 SF of floor area
Waste-related	None	Non

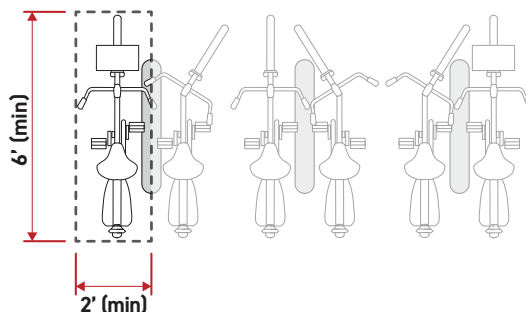
- b. After the first 20 bicycle parking spaces for short-term and 10 for long-term, no additional bike parking is required.

2. Bicycle Facilities

a. General

i. Dimensions

- Bicycle parking must consist of bicycle racks that support the bicycle frame at two points.
- Racks must allow for the bicycle frame and at least one wheel to be locked to the rack.
- If bicycles can be locked to each side of the rack, each side can be counted as a required space.
- Spacing of bicycle racks must provide clear and maneuverable access.
- Bicycle racks must be permanently anchored to a floor, foundation or ground, wall, or ceiling as appropriate for the type rack proposed.
- Bicycle parking spaces must be located on paved or pervious, dust-free surface with a slope no greater than 3%. Surfaces cannot be gravel, landscape stone, or wood chips. Racks must be securely anchored to a permanent surface.
- Bicycle parking spaces must be a minimum of 2 feet wide and 6 feet long.



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- h). Bicycle parking must be placed at least 3 feet from all obstacles such as walls, fences, and curbs to provide clear and maneuverable access. Racks must be placed so that each required bicycle parking space is accessible without moving another bicycle.
- i). Preferred bicycle rack styles are inverted U, circle, post and loop, and wave racks. . Comb bike racks can not be used for required racks.
- j). All bicycle racks must be constructed of weather-resistant materials.

ii. Location

- a). Bicycle parking must be provided in a safe, accessible and convenient location. Directional signage must be installed when bicycle parking facilities are not readily visible from the street, sidewalk, or main building entrance.
- b). Bicycle parking must be provided in a well-lit area.
- c). Bicycle parking locations cannot impede pedestrian or motorized vehicle movement or circulation.
- d). Bicycle racks placed within the public right-of-way must not conflict with pedestrian use and encroachment agreements with the City, as applicable, must be obtained.
- e). Applicants who choose to install bicycle parking within the public right-of-way are responsible for maintaining the racks.
- f). Bicycle racks must be located on the ground level, not requiring the use of stairs, elevators, or ramps.

b. Short-Term Bicycle Parking

- I. Short-term bicycle parking must be well distributed throughout the project. 50% of the required short-term bicycle parking must be placed within 50 feet of the main entrance with the remaining 50% placed within 100 feet of the main entrance.
- II. When there are multiple main entrances, bicycle parking can be distributed to accommodate each entrance.
- III. Short-term bicycle parking may be covered or uncovered. It must be publicly accessible at all hours.
- IV. Any site located within 500 feet of a publicly-funded bicycle corral may count up to 2 bicycle parking spaces towards their required short-term bicycle parking.

c. Long-Term Bicycle Parking

- I. Long-term bicycle parking must be located within 200 feet from an entrance to the building the bicycle parking is required to serve.
- II. Long-term bicycle parking is required to be secure, weather protected, and must include at least one of the following:
 - a). A locked facility/room with limited access;

- b). A bicycle locker; or
 - c). A structure outside the main building that is covered and secured by means of a fence with a limited access gate or door.
- III. Long-term bicycle parking may also provide high density style racks (vertical or double decker) for optimizing parking capacity.
4. Any site located within 500 feet of a publicly-funded bicycle locker may count up to 2 bicycle parking spaces to their required long-term bicycle parking.

D. Measurement

1. When the application of these regulations results in a fraction, fractions of 1/2 or more are counted as one space.
2. Distance is measured in walking distance along the centerline of a sidewalk, walkway, or path from the nearest point of the bicycle rack to the main entrance of the use served.

4.2.3. Transit Access

A. Intent

To promote public transit use as an alternative to motor vehicle transportation and help ensure safe, lawful, and accessible access to public transit stops.

B. Applicability

All projects located on a current or future identified transit route as determined by the GTRC Transit Strategic Plan.

C. Standards

1. Required Transit Stop

If deemed appropriate by the Zoning Administrator, a projects must install on-site a 6' X 12' concrete pad connected to sidewalks at the location determined to be the safest and most practical location for a transit stop.

2. Transit Stop Facilities

- a. GTRC may install and maintain necessary transit stop items, including signage, benches, lighting, and shelters.
- b. Access to the transit stop must be allowed in perpetuity.

SEC. 4.3. **VEHICLE ACCESS AND MOBILITY**

4.3.1. **Vehicle Access**

A. Intent

To facilitate transportation and to provide for safe and convenient vehicle and pedestrian travel by ensuring motor vehicle access is designed to support the safety of all users by minimizing conflicts with pedestrians, cyclists, transit vehicles, micro-mobility devices, and motor vehicles on the abutting public street and to avoid detrimental effects on the surrounding public realm, while providing sufficient access to vehicle parking and other motor vehicle use areas.

B. Applicability

1. Any lot that provides access to motor vehicles.
2. For site modifications, the vehicle access and mobility standards apply to new driveways only.

C. General

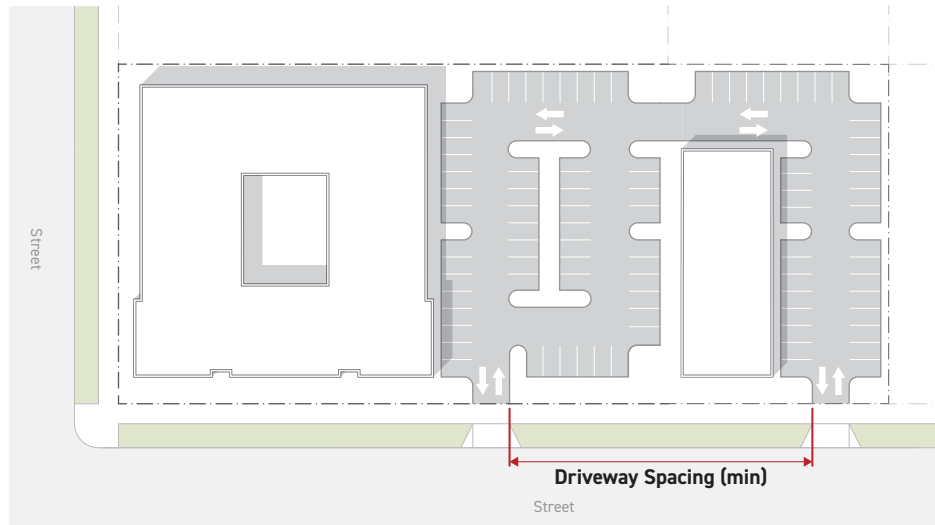
1. All on-site parking lots and motor vehicle use areas must have satisfactory means of motor vehicle access to and from a street or alley, or permanent access easement where no abutting street or alley is present.
2. A permit is required for any curb cut along a public right-of-way to provide vehicle access to a property. A driveway on to a City street may only be installed, reconstructed, or modified with a permit issued by the City Engineer.
3. For a driveway on to a State road, approval must be obtained from VDOT.
4. All vehicle access designs must be approved by the City Engineer and if applicable, conform to VDOT Standards.

D. Design Standards

1. General

- a. Every platted lot is allowed at least one driveway.
- b. Minimum spacing between driveways on the same site can be no less than 100 feet.
- c. For driveways serving parking lots or structures with 6 or more spaces, driveways on abutting sites must be spaced at least 50 feet apart.

- d. Driveway spacing is measured along the street lot line from edge of pavement to edge of pavement between driveways located on the same site.

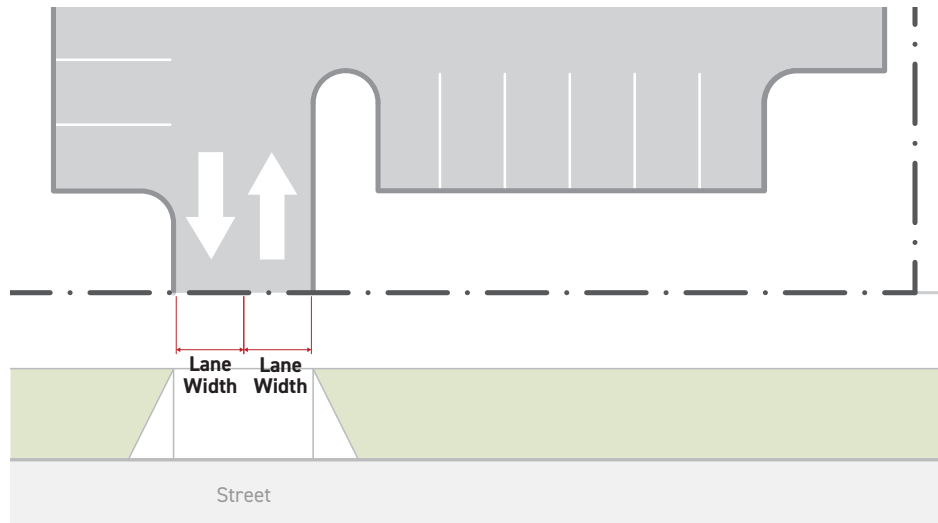


- e. When a lot is adjacent to a primary street and side street without an alley, vehicle access must take place along the side street.
- f. When an improved alley exists or is proposed, motor vehicle access must take place from the alley.
- g. Motor vehicle access may be shared between abutting lots, provided an easement, deed restriction, or other similar agreement acceptable to the City is provided.
- h. Driveways must meet the following standards:

	Number of lanes per driveway (max)	Lane width (min/max)	
		Primary Street	Side Street
Driveway serving up to 5 parking spaces	1	8'/10'	8'/20'
Driveway serving 6 to 50 parking spaces	2	9'/11'	9'/11'
Driveway serving more than 50 parking spaces	2	9'/12'	9'/12'
Driveway serving a Manufacturing or Industrial Use	2	12'/20'	12'/20'

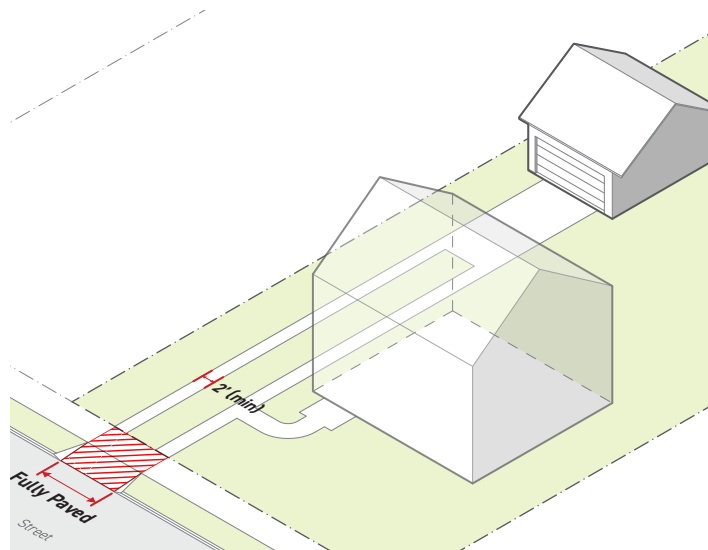
- i. The City Engineer may waive or vary the design standards as indicated in this Section based on existing conditions, physical considerations unique to the particular site, and consideration for specific vehicle access needs for a proposed use
- j. Pedestrian walkways that cross a driveway must be maintained as a level and continuous path.
- k. Lane width is measured separately for each driveway.

- l. Lane width is measured along the street lot line from edge of pavement to edge of pavement.



2. Ribbon Driveways

- a. For driveways serving up to 5 on-site parking spaces, a ribbon driveway is allowed as an alternative to a fully-paved driveway.
- b. The concrete strips in a ribbon driveway must be at least 2 feet in width. When the ribbon is also used as a walkway, the width of the strips must be increased to at least 3 feet.
- c. Within the right-of-way, the driveway must be fully paved along its total width.



4.3.2. Parking Lot Dimensions

A. Intent

To facilitate the creation of a convenient, attractive, and harmonious community by ensuring parking lots are designed to create safe, comfortable, and attractive environments for vehicular and pedestrian travel.

B. Applicability

1. Where a parking lot with 6 or more spaces is provided, the parking lot must meet the standards of this Section. A parking lot is considered a parking lot when it has no building or parking floor area below or above it.
2. Where a parking structure is provided, the parking structure must meet the standards of this Section. A parking structure is considered a building that includes parking uses, including parking garages and integrated podium parking.
3. For site modifications, the parking lot standards apply to new parking areas only.

C. General

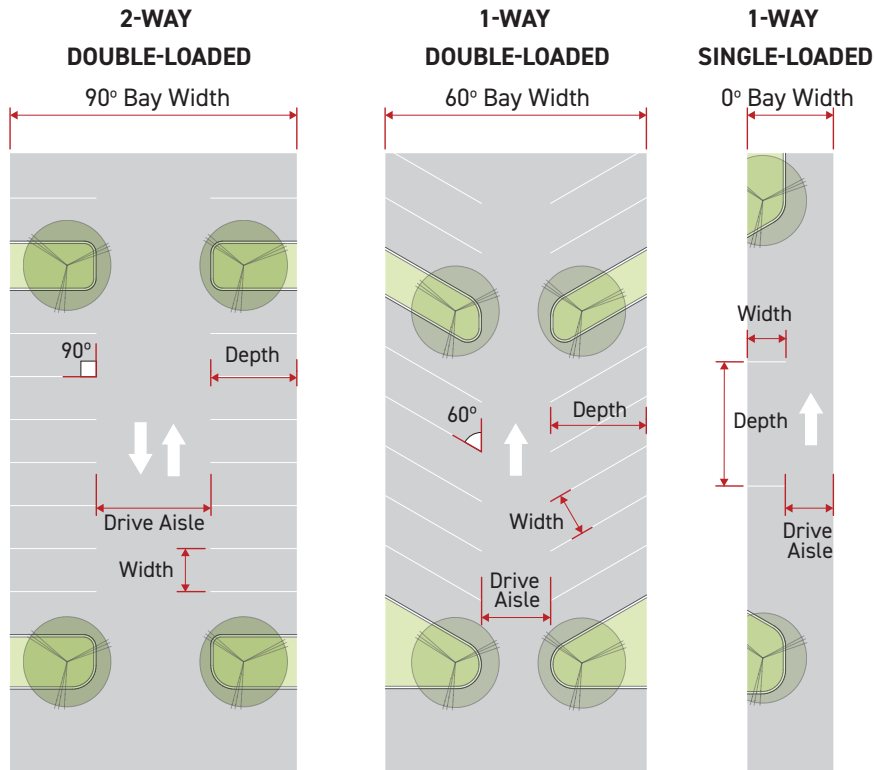
1. All portions of a parking lot must be accessible by vehicles to all other portions of the parking lot without requiring the use of a street, except for an alley. Parking structures may use a street to access different levels of the structure.
2. Each parking space must be located so that no vehicle is required to back onto any sidewalk or street, except for an alley, to leave the parking space.

D. Spaces and Drive Aisles

1. Parking spaces and drive aisles must meet the following minimum dimensions:

Parking Space (min)			One-Way Drive (min)		Two-Way Drive (min)	
Angle	Width	Depth	Drive Aisle	Bay Width	Drive Aisle	Bay width
0°	8.0'	17.5'	11.0'	19.0'	19.0'	35.0'
60°	8.0'	15.8'	14.0'	45.6'	--	--
90°	8.0'	15.0'	--	--	20.0'	50.0'

2. Compact parking spaces may be used in place of a standard size space when the following requirements are met:
 - a. Parking lots with 6 or more spaces, a maximum of 20% of the total amount of parking spaces can be sized and designated for compact vehicles.
 - b. A compact vehicle space must be at least 7.5 feet in width and at least 14 feet in length, exclusive of access drives, aisles, or columns.
 - c. Compact parking spaces must be signed and marked as "Compact."
 - d. No more than 10 compact spaces can be located contiguously together.



3. Within parking structures, columns can extend into a parking space as follows:
 - a. A maximum of 30% of the total number of parking spaces within the structure can be affected by an encroachment.
 - b. If the encroachment impacts only one space, then the maximum amount of encroachment is 18 inches. If the encroachment impacts two or more adjacent spaces, then the maximum amount of encroachment is 24 inches, with a maximum individual encroachment of 18 inches.
 - c. Encroachments are not allowed for compact spaces.
4. Full and permanent parking space delineation is required for parking lots with 6 or more spaces. Delineation may include striping, wheel stops, curbing, or other similar permanent material which can clearly define and delineate parking spaces. Full parking space delineation means clear markings for all three sides of a space.
5. All dead-end aisles providing access to parking spaces must provide backup space of not less than 5 feet in depth at the end of an aisle.

E. Lighting

1. Parking areas and parking lots must be provide lighting during the non-daylight hours when in use.

2. The intensity of illumination within the area devoted to parking can be not less than 0.5 horizontal footcandle at any location, provided that in no case can the intensity of illumination exceed 0.5 horizontal footcandle at any property line abutting a lot in an R- district.
3. The lighting maximum-to-minimum ratio within the area devoted to parking cannot exceed 15:1.

F. Electric Vehicle Charging

1. Where a parking lot with 6 or more spaces is provided, 20% of the parking spaces must be equipped with conduit and electrical capacity to accommodate the installation of electrical vehicle charging equipment.
2. Electric vehicle charging equipment, including pedestals, bollards, or cables, cannot encroach into drive aisles or pedestrian walkways.

G. Parking Lot Surfacing and Curbing

1. All parking lots including drive aisles must be fully paved and constructed with concrete, asphalt, paving blocks, pervious surfacing or other similar materials approved by the Administrator of the Erosion and Sediment Control Ordinance in Chapter 14, Article III.
2. All parking lots must be graded and drained to collect, retain and infiltrate surface water on-site by applying low impact development practices and standards and must be designed so as not to create or increase adverse effects on adjoining properties as a result of surface drainage.
3. For parking lots with 6 or more spaces, continuous curbing at least 6 inches in height or wheel stops at least 4 inches in height must be installed around the perimeter of all parking lots and landscaped areas. Curbing must be constructed of continuous concrete, granite, or other approved material of similar durability and appearance, and must contain inlets at appropriate intervals to allow stormwater infiltration from the open parking area. Loose material surfaces must be contained with a permanent edging.
4. Where a parking space abuts a landscaped island, the front 2 feet of the parking space can overhang the landscaped island, provided a wheel stop is installed.

4.3.3. Parking Lot Landscaping

A. Intent

To help ensure parking lots are designed to create safe, comfortable and attractive environments for users and pedestrians, while also mitigating heat island effects, absorbing noise pollution, managing stormwater runoff, sequestering carbon emissions and supporting urban biodiversity through landscaping and surface design.

B. Applicability

1. Perimeter landscaping is required for surface parking lots serving more than 6 parking spaces.
2. Interior landscaping is required for surface parking lots serving 20 or more parking spaces.
3. All landscaping must meet [4.6. Landscape](#).

C. Perimeter Screening

1. A transition screen may be required between a parking lot and a common lot line, see [4.4.2, Transition Screens](#).
2. A frontage screen may be required between a parking lot and a street lot line, see [4.4.3, Frontage Screens](#).
3. For site modifications, the parking lot landscaping standards apply to new parking areas only.

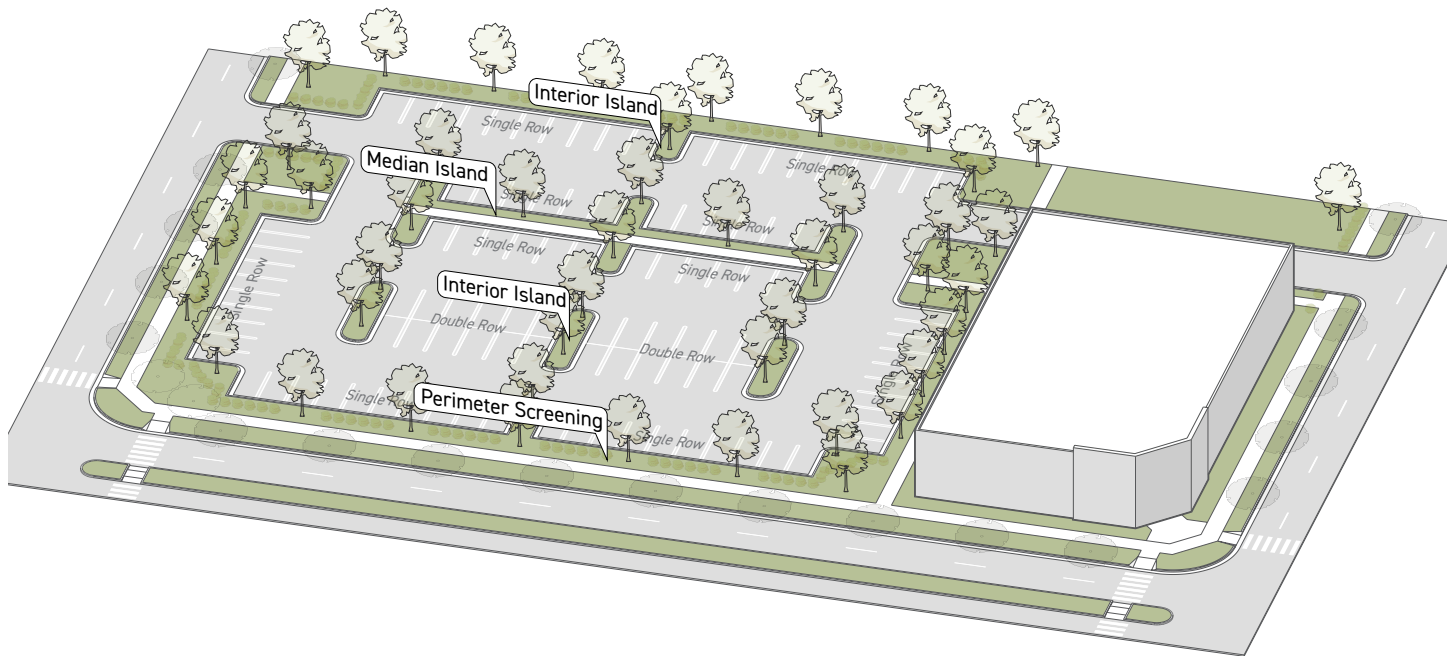
D. Interior Landscaping

1. Interior Islands

- a. No more than 10 consecutive parking spaces can be provided without a landscaped interior island.
- b. Interior islands must be distributed evenly throughout the parking lot. Interior islands may be consolidated or intervals and may be expanded with the permission of the Zoning Administrator, in order to preserve existing trees.
- c. An interior island abutting a single row of parking spaces must be a minimum of 9 feet in width and 150 square feet in area. Each island must include at least 1 canopy tree.
- d. An interior island abutting a double row of parking spaces must be a minimum of 9 feet in width and 300 square feet in area. Each island must include at least 2 canopy trees.
- e. Interior islands must be installed below the level of the parking lot surface to allow for stormwater runoff capture.

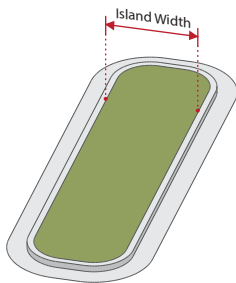
2. Median Islands

- a. A landscaped median island must be provided between every 4 single parking rows. Intervals may be expanded to preserve existing trees.
- b. A median island must be at least 6 feet wide. A median island with a pedestrian walkway must be a minimum of 12 feet wide.



E. Measurement

Interior and median island width is measured as the narrowest horizontal dimension from inside the top of curb to inside top of curb.



4.3.4. Vehicle Use Areas

A. Intent

To facilitate transportation and to provide for safe and convenient vehicular and pedestrian travel by ensuring vehicle use areas are designed in a manner that does not detract from the safety, comfort, or enjoyment of users of neighboring lots or the public realm.

B. Applicability

- 1. All portions of a lot are designed and intended for use by vehicles must comply with the following standards, including areas used for circulation, maneuvering, loading, staging, queuing, service, and areas to be used for the sale or storage of vehicles.
- 2. Parking lots are excluded from the vehicle use area requirements, see 4.3.3, *Parking Lot Landscaping*
- 3. Loading standards apply to any lot that include on-site loading areas.
- 4. Stacking space standards apply to any lot that includes an on-site drive-through or control gate.
- 5. For site modifications, the vehicle use areas standards apply to new vehicle use areas only.

C. General

1. Surfacing

Vehicle use area surfacing must meet 4.3.2.G. *Parking Lot Surfacing and Curbing*.

2. Perimeter Screening

- a. A transition screen may be required between a vehicle use area and a common lot line, see 4.4.2, *Transition Screens*.
- b. A frontage screen may be required between a vehicle use area and a street lot line, see 4.4.3, *Frontage Screens*.

3. Lighting

Vehicle use area lighting must meet 4.3.2.E.

D. Vehicle Stacking

1. Required Stacking Spaces

- a. Off-street stacking spaces must be provided as follows:

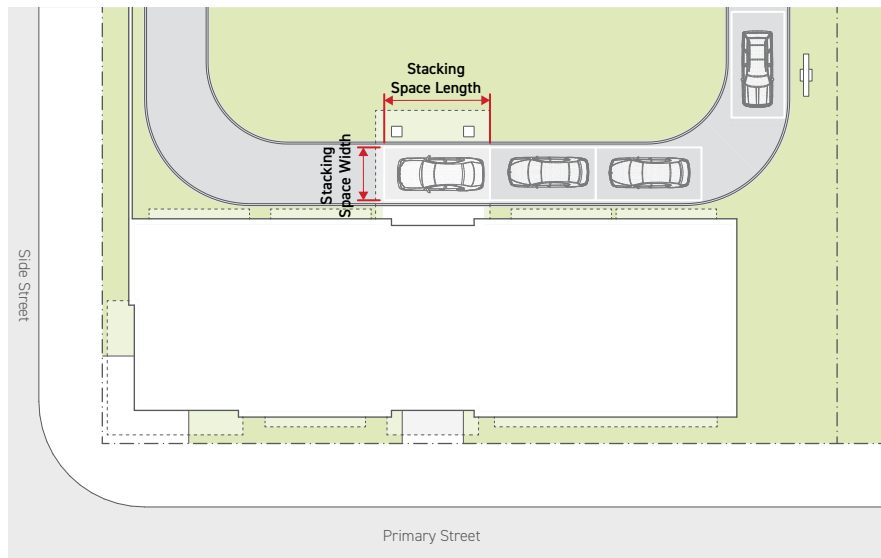
Activity Type	Stacking Spaces (min)	Measured from the stacking lane entry to the following point of service
ATM teller machine	2	Teller machine
Bank teller lane	2	Teller or window
Car wash bay, full-service	6	Bay
Car wash bay, self-service	2	Bay

Activity Type	Stacking Spaces (min)	Measured from the stacking lane entry to the following point of service
Control gate	1	Gate
Dry cleaning/laundry	2	Cleaner/laundry window
Food and beverage	8	Order/pick-up window
Pharmacy	2	Pharmacy window

- b. The minimum stacking space number includes the space at the point of service. A drive-through facility with unspecified activity type must comply with the most stringent stacking requirements applicable as determined by the City Engineer.
- c. The City Engineer may modify the required number of stacking spaces based on existing conditions, physical considerations unique to the particular site, and consideration for specific stacking demands for the proposed use.

2. Design and Layout of Stacking Spaces

- a. Stacking spaces must be a minimum of 8 feet in width by 20 feet in length.



- b. Stacking spaces cannot encroach on or interfere with sidewalks, bike lanes, driveways, drive aisles, loading areas, or parking lots.
- c. Where deemed necessary by the City Engineer for traffic movement and safety, stacking spaces must be separated from other internal driveways by raised medians or other fixed barriers.
- d. Devices for the transmission or broadcasting of voices or music must be so directed or muffled as to prevent the sound or music from being audible beyond the boundaries of the site.

3. Alternative Compliance

Alternatives to the requirements indicated above are allowed through approval by the City Engineer, of a sealed traffic management plan, prepared by an engineer with expertise in transportation, utilizing one or more of the following:

- a. Collection of data or studies of similar sites and uses;
- b. Comparisons to minimum standards in national published data sources such as Institute of Transportation Engineers (ITE), Urban Land Institute (ULI), National Parking Association (NPA), American Planning Association (APA), or other professionally recognized data sources; or
- c. Comparisons to minimum requirements of similar municipalities.

E. Loading

1. On-site Loading Not Required

On-site loading area is not required. If determined necessary by the City Engineer, adequate space must be made available on-site for the unloading and loading of goods, materials, items, or stock for delivery and shipping.

2. Location

- a. With the exception of alleys and areas specifically designated by the City, loading and unloading activity is not allowed in the public right-of-way.
- b. Loading areas must be located to the rear or side of buildings.
- c. Loading and unloading activities cannot encroach on or interfere with sidewalks, bike lanes, driveways, drive aisles, stacking spaces, or parking lots.

3. Standards

If on-site loading is provided, it must meet the following.

- a. Loading areas must be provided with a means of unobstructed ingress and egress to an alley or onto a public street wide enough to accommodate expected vehicles. Where ingress and egress is made onto a public street, it must be through driveways or openings which meet required standards. Permanent wheel stops or curbing must be provided to prevent any vehicle using the loading area from encroachment into a required yard or abutting property.
- b. On-site loading spaces, excluding maneuvering areas, must be a minimum of 10 feet wide by 25 feet long.
- c. Vertical clearance must be a minimum of 14 feet.
- d. Loading areas must be screened from public streets in accordance with **4.4.3, Frontage Screens**.

SEC. 4.4. TRANSITIONS AND SCREENING

4.4.1. Transitions

A. Intent

To improve the compatibility of new development with its surrounding context where the scale of development changes between lots.

B. Applicability

Subject lots are required to provide the following transition type when abutting or across an alley from another zoning district as shown in the table below.

Subject Lot	Zoning of Abutting Property (including across an alley)																
	RC	RD-A, B	RD-C, RA	RM-A	RM-B	RM-C	MX-3	MX-4, 5	MX-7, 13	MX-U	CG	IX	IL	IH	INS	CEM	PK
RC	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
RD-	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
RA	A	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
RM-A	A	A	A	--	--	--	--	--	--	--	--	--	--	--	--	--	--
RM-B	C	C	C	--	--	--	--	--	--	--	--	--	--	--	--	--	--
RM-C	C	C	C	--	--	--	--	--	--	--	--	--	--	--	--	--	--
MX-3	A	A	A	--	--	--	--	--	--	--	--	--	--	--	--	--	--
MX-4	C	C	C	C	A	A	--	--	--	--	--	--	--	--	--	--	--
MX-5	C	C	C	C	C	B	--	--	--	--	--	--	--	--	--	--	--
MX-7	C	C	C	C	C	C	--	--	--	--	--	--	--	--	--	--	--
MX-13	C	C	C	C	C	C	C	C	--	--	--	--	--	--	C	--	--
MX-U	C	C	C	C	C	C	C	C	C	--	--	--	--	--	C	--	--
CG	C	C	C	C	C	C	B	B	B	B	--	--	--	--	B	--	--
IX	C	C	C	C	C	C	C	B	B	B	--	--	--	--	B	--	--
IL	C	C	C	C	C	C	C	B	B	B	B	B	--	--	B	--	--
IH	C	C	C	C	C	C	C	B	B	B	B	B	B	--	B	B	B
INS	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
CEM	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
PK	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

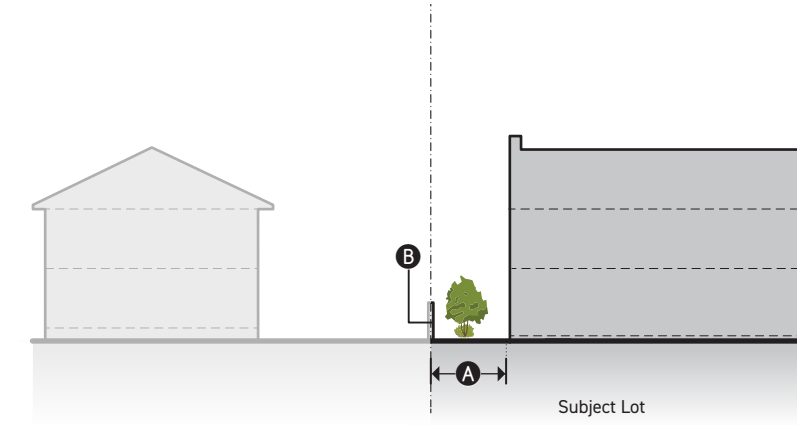
Key:

A = Type A transition type required
 B = Type B transition type required
 C = Type C transition type required
 -- = No transition required for subject lot

C. Transition Types

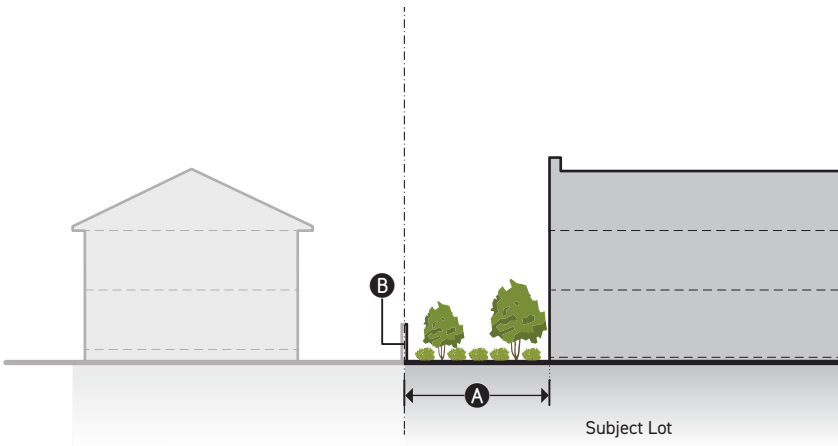
Required transition areas and upper-story step-backs must be located along applicable side, rear and alley lot lines extending inward to the subject property.

1. Type A



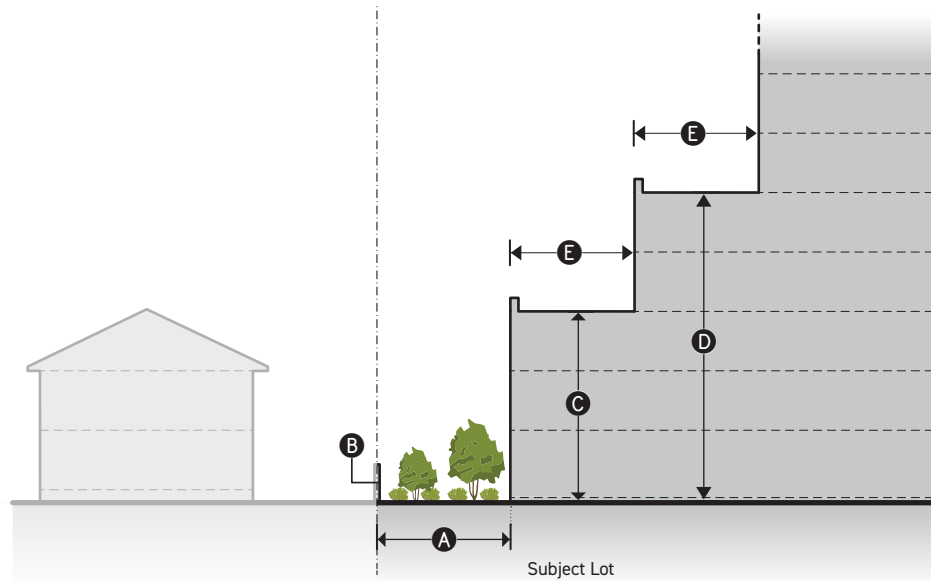
TRANSITION AREA	Alley	No Alley
A Depth (min)	3'	10'
B Transition screen (see 4.4.3)	None	Light

2. Type B



TRANSITION AREA	Alley	No Alley
A Depth (min)		
MX-, CG, IX, IL	3'	20'
IH	30'	30'
B Transition screen (see 4.4.3)		
MX-, CG, IX, IL	None	Moderate
IH	Heavy	Heavy

3. Type C



TRANSITION AREA		<i>Alley</i>	<i>No Alley</i>
A	Depth (min)		
	MX-, CG, IX, IL	3'	20'
	IH	30'	30'
B	Transition screen (see 4.4.3)		
	MX-, CG, IX, IL	None	Moderate
	IH	Heavy	Heavy
UPPER STORY STEP-BACK			
C	1st step-back (max stories/feet)	3/35'	
D	2nd step-back (max stories/feet)	5/60'	
E	Upper-story setback (min)	15'	

4.4.2. Transition Screens

A. Intent

To protect and enhance the character and stability of neighborhoods by mitigating impacts from uses, activities, or site elements with significant impact on abutting lots.

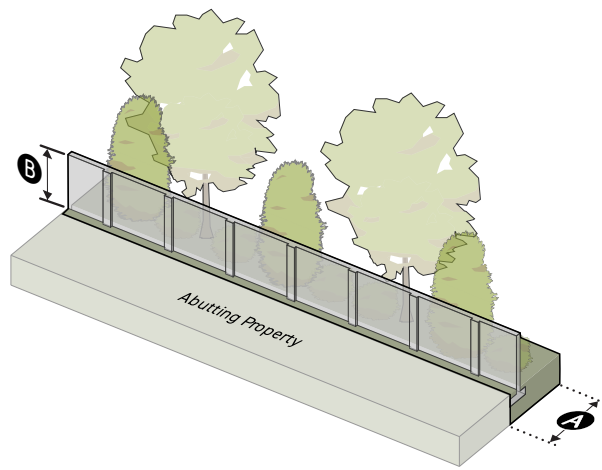
B. Applicability

1. A transition screen is required as specified by *4.4.1. Transitions*.
2. A transition screen may also be required as a use standard in *3.4, Specific Use Standards*.
3. In no case is more than one screening type required.
4. The transition screen must be located along the entire length of the applicable side or rear lot line. Breaks for vehicle and pedestrian access is allowed.
5. To allow for access for maintenance, required plantings must be located on the inside of a wall or fence.

C. Transition Screen Types

LIGHT TRANSITION SCREEN

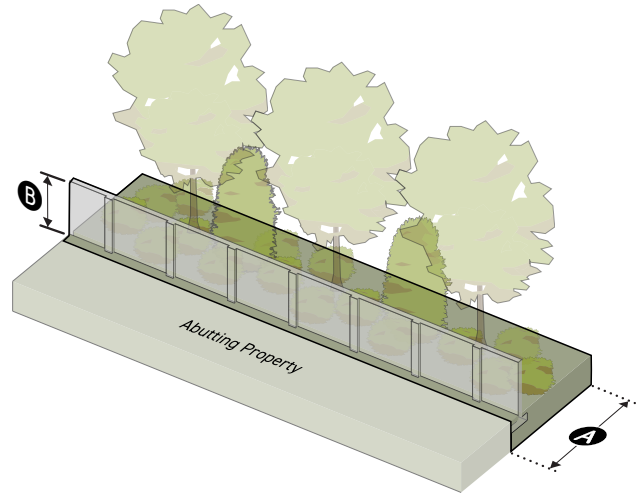
Narrow depth light landscape buffer.



LANDSCAPE	
A Depth (min)	10'
Landscaping (min per 50')	
Canopy trees	2
Understory trees	3
Shrubs	5
WALL OR FENCE	
B Height (min)	6'
Opacity (min)	90%
Setback from property line (min)	0'

MODERATE TRANSITION SCREEN

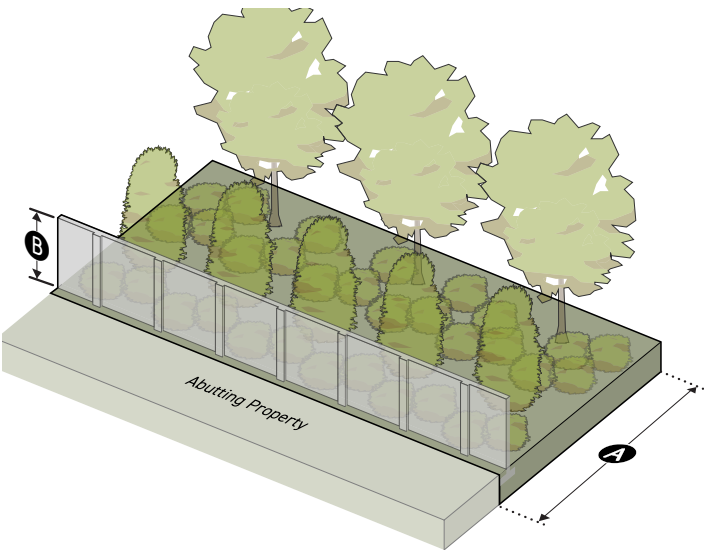
Medium depth moderate landscape buffer.



LANDSCAPE	
A Depth (min)	20'
Landscaping (min per 50')	
Canopy trees	3
Understory trees	2
Shrubs	16
WALL OR FENCE	
B Height (min)	6'
Opacity (min)	90%
Setback from property line (min)	0'

HEAVY TRANSITION SCREEN

Deep heavy landscape buffer.



LANDSCAPE	
A Depth (min)	30'
Landscaping (min per 50')	
Canopy trees	3
Understory trees	5
Shrubs	24
WALL OR FENCE	
B Height (min)	8'
Opacity (min)	90%
Setback from property line (min)	0'

4.4.3. Frontage Screens

A. Intent

To screen the negative impacts of uses on the public realm, promoting visual interest and increasing comfort for uses of the adjacent streetscape.

B. Applicability

1. A frontage screen may also be required as a use standard in *3.4, Specific Use Standards*.
2. In no case is more than one screening type required.
3. The option of which screen to use within the required category is at the discretion of the applicant.

C. Standards

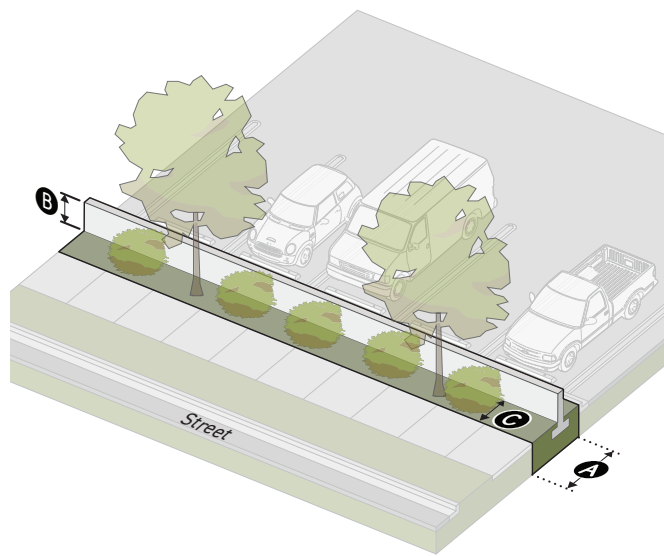
Frontage screening is required along street lot lines as specified in the table below:

Frontage Screen Type	
Outdoor Storage Areas	
Minor outdoor storage area	Moderate
Major outdoor storage area	Heavy
Vehicle Use Areas	
Loading/service area	Moderate
Drive-through area	Light
Parking area	Light
Vehicle sales area	Light
Utility Areas	
Utility area	Moderate

D. Frontage Screening Types

LIGHT FRONTAGE SCREEN-1

Narrow depth light landscape screen with a low wall or fence.



SCREENING AREA

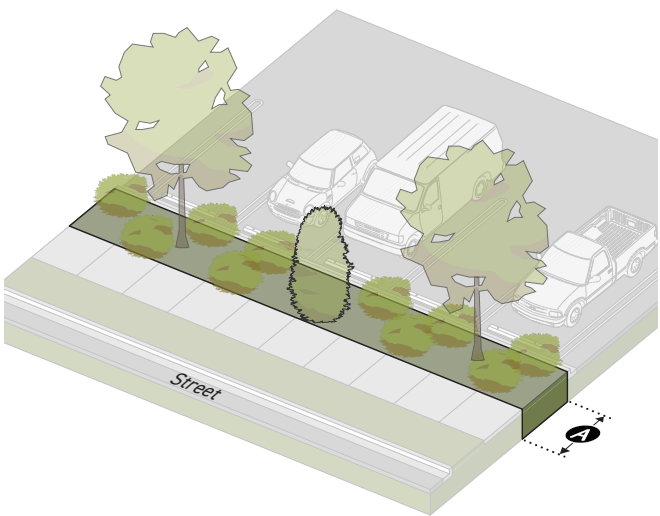
A Depth (min)	6'
Landscaping (min per 50')	
Canopy trees	2
Understory trees	0
Shrubs	5

WALL OR FENCE

B Height (min)	3.5'
Opacity	
3.5' and below (min)	90%
Above 3.5' (max)	50%
C Setback from property line (min)	3'

LIGHT FRONTAGE SCREEN-2

Medium depth light landscape screen with no wall or fence



SCREENING AREA

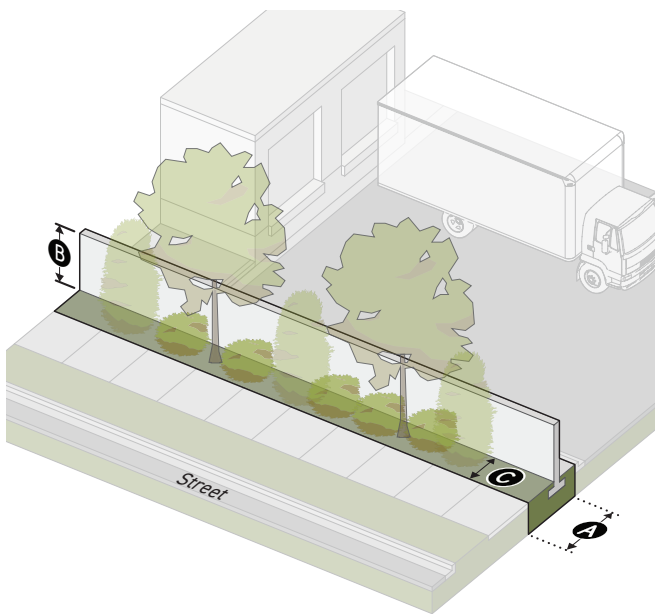
A Depth (min)	10'
Landscaping (min per 50')	
Canopy trees	2
Understory trees	1
Shrubs	10

WALL OR FENCE

Not required	
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MODERATE FRONTAGE SCREEN-1

Narrow depth moderate landscape screen with a wall or fence.



SCREENING AREA

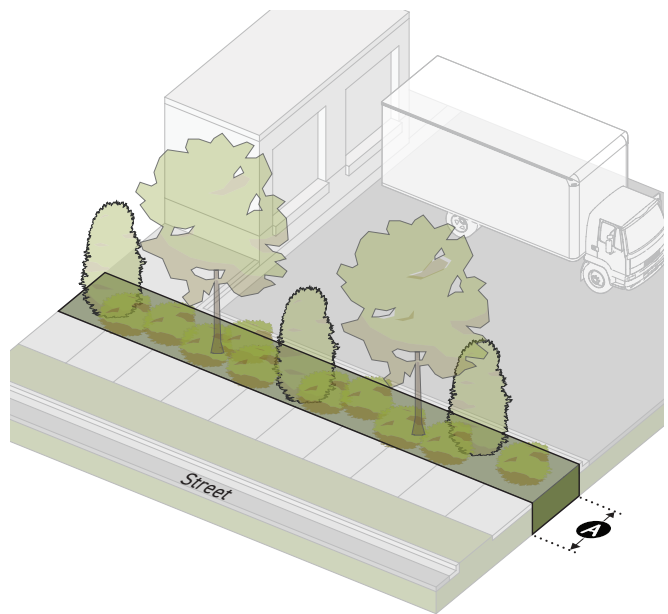
A Depth (min)	10'
Landscaping (min per 50')	
Canopy trees	2
Understory trees	3
Shrubs	5

WALL OR FENCE

B Height (min)	6'
Opacity (min)	90%
C Setback from property line (min)	3'

MODERATE FRONTAGE SCREEN-2

Medium depth landscape screen with no wall or fence.



SCREENING AREA

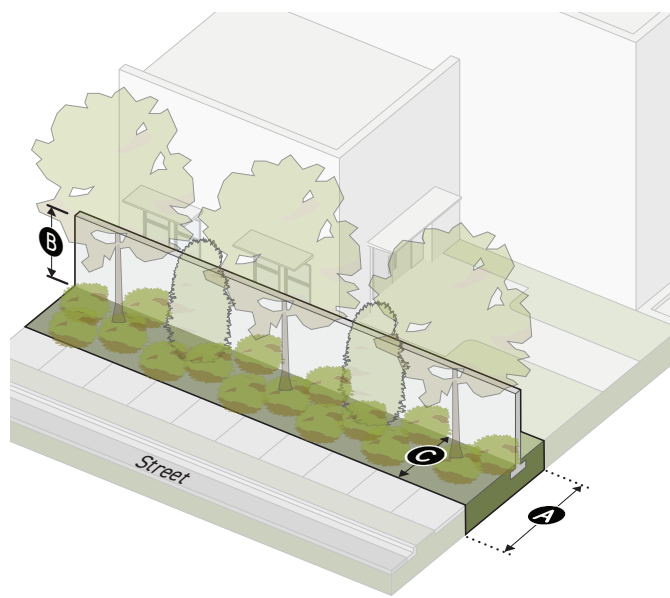
A Depth (min)	15'
Landscaping (min per 50')	
Canopy trees	2
Understory trees	3
Shrubs	10

WALL OR FENCE

Not required	
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HEAVY FRONTAGE SCREEN-1

Medium depth landscape screening with a wall intended for high impact uses.



SCREENING AREA

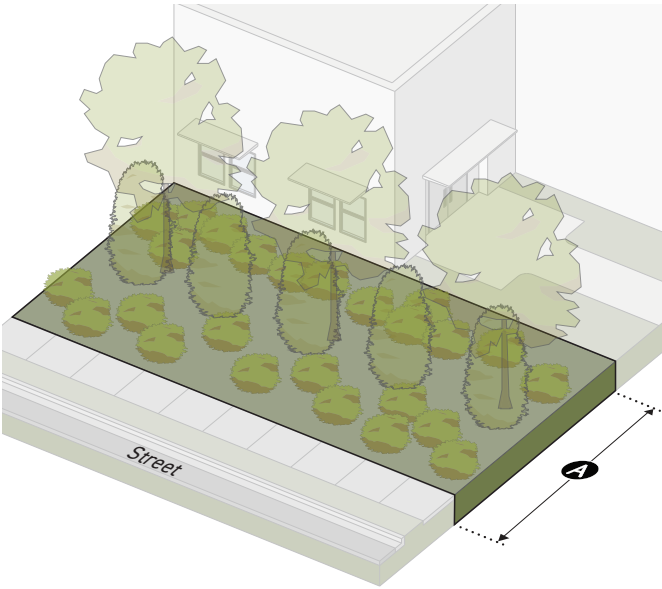
A Depth (min)	15'
Landscaping (min per 50')	
Canopy trees	3
Understory trees	2
Shrubs	16

WALL OR FENCE

B Height (min)	8'
Opacity (min)	90%
C Setback from property line (min)	3'

HEAVY FRONTAGE SCREEN-2

Deep landscape screening with no wall intended for high impact uses.



SCREENING AREA

A Depth (min)	30'
Landscaping (min per 50')	
Canopy trees	3
Understory trees	5
Shrubs	24

WALL OR FENCE

Not required

4.4.4. Requirements for All for Transition and Frontage Screens

A. Permitted Activity within Transition and Screening Areas

1. No buildings or structures, except for walls and fences, are allowed in a transition or screening area.
2. Except when abutting an alley, no parking area, driveway or fire lane is allowed in the transition or screening area.
3. Vehicle and pedestrian passageways such as driveways, railroad right-of-way, and bicycle and pedestrian paths, and utilities can cross a transition or screening area, provided they cross at a maximum of 15 degrees from perpendicular.
4. Stormwater management facilities can be located in a transition or screening area.

B. Vegetation

1. All required trees and shrubs must meet *4.6. Landscape*.
2. Where overhead utilities exist, 2 understory trees can be substituted for one canopy tree.
3. To the extent practical, natural vegetation must be used to meet the screening requirements. Where the natural vegetation is insufficient, supplemental plantings must be used.
4. Existing plant material on an abutting property can be credited toward the screening requirements, provided that the material is in a permanently protected area such as a conservation easement or similarly preserved area.

C. Walls and Fences

1. Walls and fences cannot exceed the maximum height requirements of *4.5.1, Fence and Wall Standards*.
2. All walls and fences must meet the design and installation standards of *4.5.1.E. Design and Installation*.

D. Width Modification

1. Transition and screening area width is calculated perpendicular to the property line, however, width modifications are allowed and calculated based on the average width of the transition or screening area per 100 feet.
2. In no case can the minimum width of the transition or screening area be less than one-half the required width.

4.4.5. Site Element Screens

A. Intent

To minimize effects on surrounding properties and visibility from the public realm of site elements including mechanical, electrical, or utility requirement and waste receptacles.

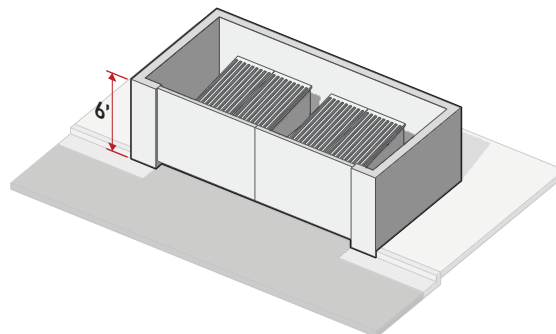
B. Applicability

1. Site element screening is required for all outdoor waste receptacle enclosures (with the exception of lots serving up to 4 dwelling units) and all outdoor mechanical or electrical equipment located on the roof of a building, or attached to the wall of a building, or on the ground.
2. Site element screening requirements do not apply to the following:
 - a. Electric vehicle charging infrastructure;
 - b. Solar panels;
 - c. Phone or cable boxes;
 - d. Electrical meters; and
 - e. Gas meters, when 3 gas meters or less are located in a row.

C. Standards

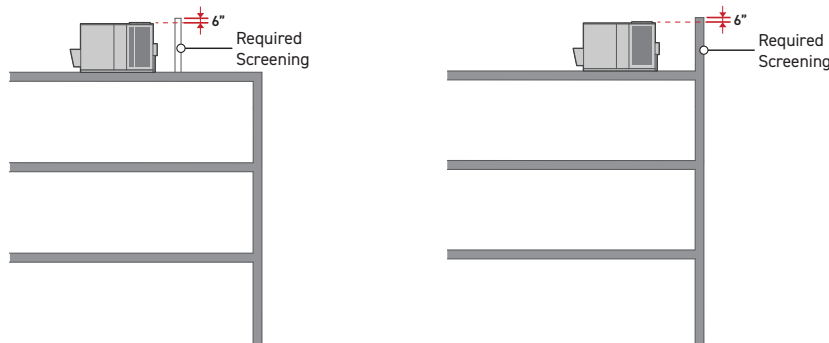
1. Waste Receptacle Screening

- a. Waste receptacles cannot be located in a front or side street yard. Waste receptacles must be located to the side or rear of buildings and must meet the encroachment requirements of *2.6.5.E*.
- b. Outdoor waste receptacles must be screened on three sides by a wall or fence a minimum height of 6 feet.
- c. Access gates must be provided on the fourth side and must also be a minimum height of 6 feet.
- d. The wall or fence and gate access screening must be at least 90% opaque.
- e. The wall or fence and gate must meet *4.5.1.E. Design and Installation*.



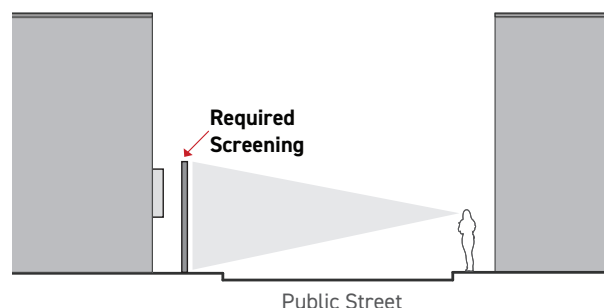
2. Roof-Mounted Equipment Screening

- a. Roof-mounted equipment must be screened on the roof edge side by a parapet wall or other type of screen that is at least 6 inches higher than the topmost point of the equipment being screened.
- b. Roof-mounted equipment cannot exceed the encroachment requirements of 2.6.8.A.5.
- c. The screening must be at least 75% opaque.
- d. Screening must meet the standards of 4.5.1.E. *Design and Installation*.



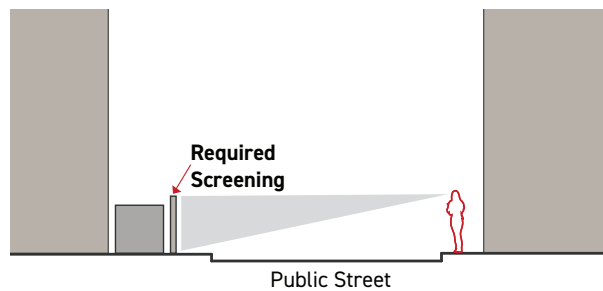
3. Wall-Mounted Equipment Screening

- a. Wall-mounted equipment cannot be located in a front yard. Wall-mounted equipment must be located in the side or rear yard and must meet the encroachment requirements of 2.6.5.E.
- b. Wall-mounted equipment visible from a street (not including an alley) must be fully screened by an opaque wall or fence or other type of screen that is at least 6 inches higher than the topmost point of the equipment being screened.
- c. The screening must be at least 75% opaque.
- d. Screening must meet the standards of 4.5.1.E. *Design and Installation*.



4. Ground-Mounted Equipment Screening

- a. Ground-mounted equipment cannot be located in a front yard or side street yard. Equipment must be located in the side or rear yard and must meet the encroachment requirements of 2.6.5.E.
- b. Ground-mounted equipment visible from a street (not including an alley) must be fully screened by an opaque wall or fence or other type of screen that is at least 6 inches higher than the topmost point of the equipment being screened.
- c. The screening must be at least 75% opaque.
- d. Screening must meet the standards of 4.5.1.E. Design and Installation.



SEC. 4.5. LANDSCAPE

4.5.1. Tree Canopy

A. Intent

To help ensure Richmond benefits from the planting and preservation of trees by enhancing aesthetic qualities across the City, controlling stormwater runoff and soil erosion, improving air quality, reducing the heat island effect, and maintaining and increasing tree canopy.

B. Applicability

1. The tree canopy requirements apply to all lots except as listed below.
 - a. Lots reserved or dedicated for school sites, playing fields, and other non-wooded recreation areas; and
 - b. Water bodies and unwooded wetlands.
2. For additional applicability requirements see *4.1.1, Applicability*.

C. Required Tree Canopy

1. All lots must include provisions for the preservation and planting of trees on the site to the extent that the following minimum tree canopy percentages, at 20 years from planting, are met:
 - a. RD-A District: 20% min.
 - b. RD-B District: 15% min.
 - c. All other districts: 10% min.
2. Trees required by the following standards may be counted toward the tree canopy requirement:
 - a. Parking lot trees required by *4.3.3. Parking Lot Landscaping*; and
 - b. Screening trees required by *4.4.2. Transition Screens* or *4.4.3. Frontage Screens*.

D. Existing Trees

1. Where the requirement can be met entirely with existing on-site trees, the following reduced minimum tree canopy percentages can be used.
 - a. RD-A District: 18% min.
 - b. RD-B District: 13% min.
 - c. All other districts: 8% min.
2. For existing trees to count toward the tree canopy requirement they must be at least 6-inch DBH.
3. A tree conservation plan prepared by an ISA Certified Arborist must be provided with measures to protect existing trees during construction, according details in the *Best Management Practices for Tree Preservation, Transplanting, Removal, and Replacement Manual*.

LANDSCAPE

4. Existing trees infested with disease or insects or structurally damaged to the extent that they pose a hazard to persons or property, or to the health of other trees on site, cannot be included to meet the tree canopy requirement.
5. Any portion of the tree canopy requirement that cannot first be met through the preservation of existing on-site trees must be provided through planting of new trees to meet the percentages in 4.5.1.C.

E. Deviations

A portion of the on-site tree canopy requirement may be met through the use of off-site tree banking or through a fee-in-lieu payment, when it can be demonstrated to the satisfaction of the Zoning Administrator that one or more of the following conditions exist:

1. Meeting the on-site tree canopy requirement would restrict the development intensity otherwise allowed by the zoning district.
2. Meeting the on-site tree canopy requirement would require the preservation of trees and forested areas that do not meet standards for health, structural condition, and other vegetation and risk management requirements.
3. Construction activities could be reasonably expected to impact existing trees or forested areas used to meet the tree canopy requirements to the extent they would not likely survive in a healthy and structurally sound manner for a minimum of 20 years.

F. Measurement of Tree Canopy

Tree canopy includes all areas of coverage by trees exceeding 5 feet in height and 6-inches in DBH, and the extent of planted tree canopy at 20 years maturity.

4.5.2. Walls and Fences

A. Intent

To facilitate natural surveillance and visual interest along the public realm while ensuring security and privacy for ground story uses in a manner appropriate to the context.

B. Applicability

1. Wall and fence standards apply to all lots.
2. Allowed wall and fence types for each zoning district are specified in the table below, unless:
 - a. Associated with a recreational facility, such as a tennis court; or
 - b. Associated with an electrical substation; or
 - c. As otherwise required by another local, state, or federal government rule or law.

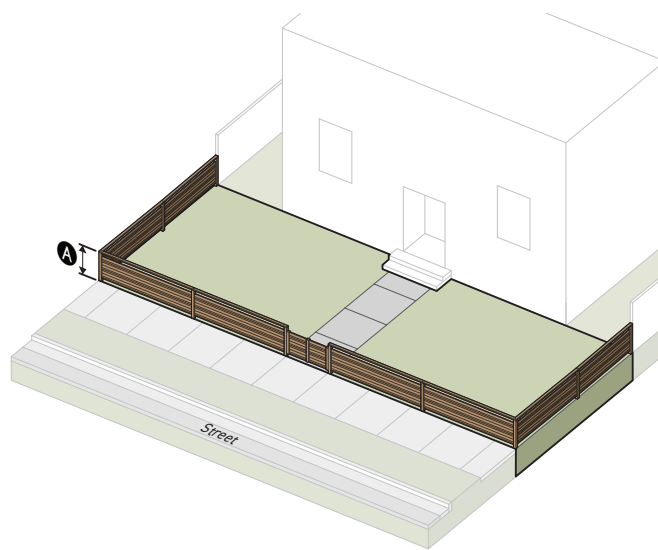
	RC	RD-A	RD-B	RD-C	RA	RM-	MX-	CG	IX	IL	IH	INS	CEM	OS
Front	A	B	A	A	A	A	A	A	A	C	C	A	C	B
Side street	B	B	B	B	B	B	B	C	C	C	C	B	C	B
Side/rear/alley	D	D	D	D	D	D	D	E	E	E	E	D	D	D

3. If a screening requirement requires a taller wall or fence, the screening requirement supersedes.
4. An additional 1.5 feet of height is allowed for posts, columns and gates.

C. Front and Side Street Yards

FENCE/WALL TYPE A

Intended for front and side street yards where the need for natural surveillance and visual interest is balanced with the need for separation between private ground floor uses and sidewalks.

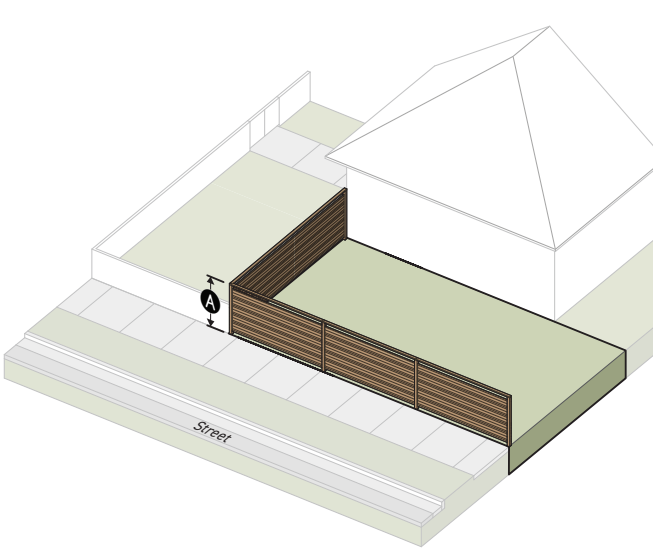


DIMENSIONAL STANDARDS

A Height (max)	4'
----------------	----

FENCE/WALL TYPE B

Intended for front and side street yards where visual interest and activation along the public realm is less critical than the need for additional privacy and security.

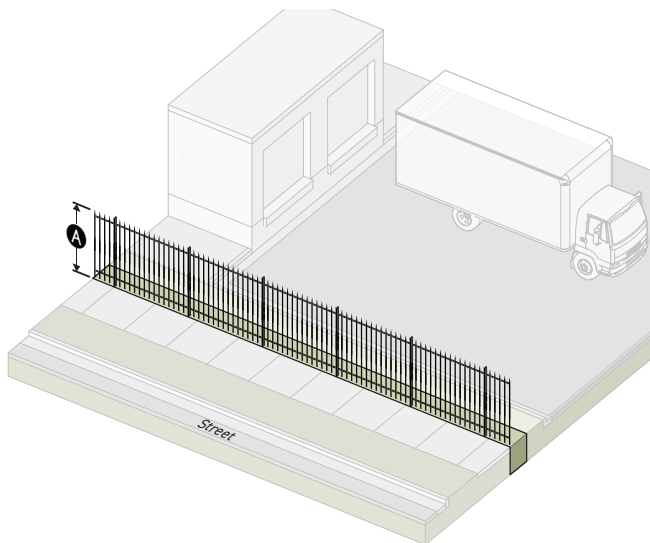


DIMENSIONAL STANDARDS

A Height (max)	6.5'
----------------	------

FENCE/WALL TYPE C

Intended for front and side street yards where additional screening and security is needed.



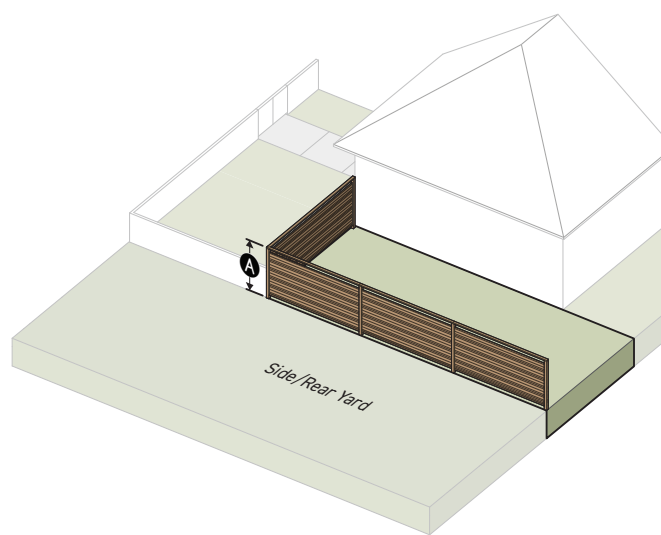
DIMENSIONAL STANDARDS

A Height (max)	8'
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D. Side and Rear Yards

FENCE/WALL TYPE D

Intended for side and rear yards where visual interest and activation along the public realm is less critical than the need for additional privacy and security.

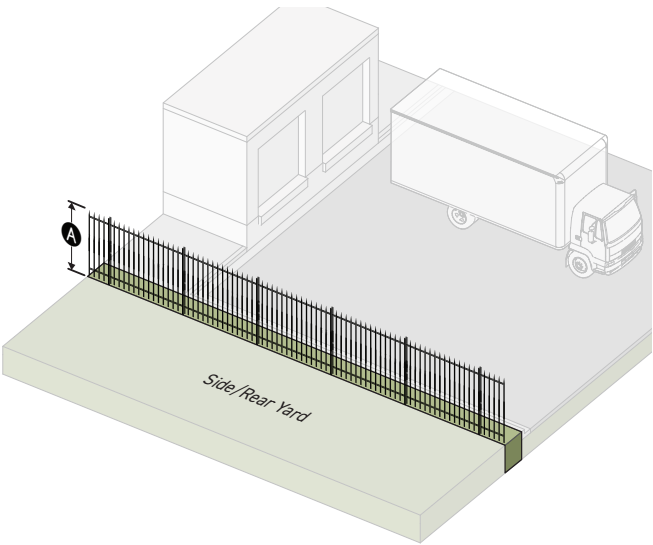


DIMENSIONAL STANDARDS

A Height (max)	6.5'
----------------	------

FENCE/WALL TYPE E

Intended for side and rear yards where additional screening and security is needed.



DIMENSIONAL STANDARDS

A Height (max)	8'
----------------	----

E. Design and Installation

1. Walls

- a. Walls must use durable, low maintenance materials that have a long life expectancy constructed from one or more of the following materials:
 - i. Architectural block;
 - ii. Brick;
 - iii. Exposed aggregate concrete;
 - iv. Stucco over concrete block; or
 - v. Stone, all in a safe and visually appealing condition.
- b. Exposed, plain, or painted concrete cinder block walls are not allowed.
- c. Other materials of similar construction, quality, and durability not listed may be allowed with approval by the Zoning Administrator.

2. Fences

- a. Fences must use durable, low maintenance materials that have a long life expectancy constructed from one or more of the following materials:
 - i. Vinyl/PVC.
 - ii. Wood boards/slats (e.g. cedar).
 - iii. Wood-like composite materials.
 - iv. Ornamental metal (aluminum/steel/iron).
- b. No fence can be constructed of tires, junk, or other discarded or salvaged materials.
- c. Other materials of similar construction, quality, and durability not listed may be allowed with approval by the Zoning Administrator.
- d. Fences constructed of materials with a finished side must face the finished side toward the abutting property. If support posts are located or visible on one side only, that side is the unfinished side.
- e. The use of electric, razor wire, concertina wire, barbed wire, or similar fencing and materials must meet *Sec. 5-12. of Chapter 5 - Building and Building Regulations*.

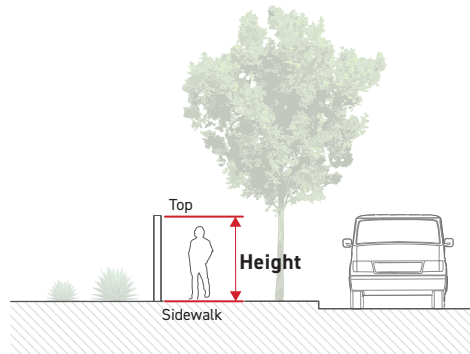
3. Location

- a. All parts of a wall or fence, including their sub-grade elements, such as footings or foundation, must be located on-site.
- b. No wall or fence is allowed within any required drainage or utility easement.
- c. No wall or fence can obstruct the visibility of motorists, cyclists, and pedestrians at intersections or driveways - see **XX, Sight Triangle**.

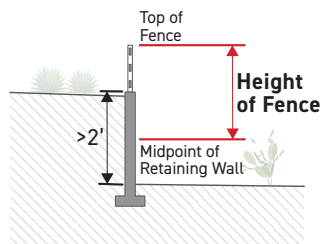
F. Measurement

1. Front and Side Street Yards

- a. Wall or fence height is measured from the abutting sidewalk to the topmost point of the wall or fence.

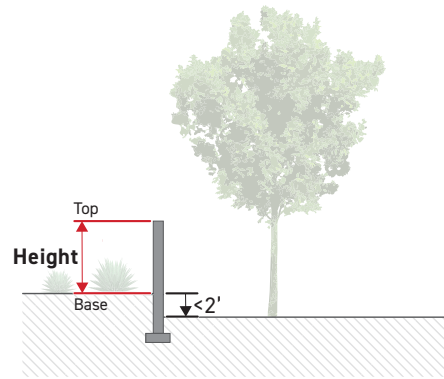


- b. If no sidewalk exists within 20 feet of the wall or fence, height is measured from the base of the wall or fence to the topmost point of the wall or fence, on the exterior side of the wall or fence.
- c. If a wall or fence is located within 3 feet of the exterior face of a retaining wall and the retaining wall is 2 feet in height or greater, the height is measured from the top of the wall or fence to the midpoint of the retaining wall. If a guardrail is required on top of a retaining wall, the guardrail is exempt from the maximum height measurement.

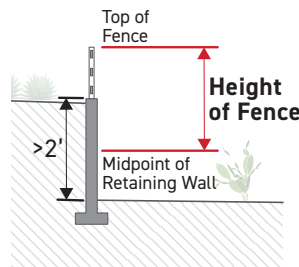


2. Side and Rear Yards

- a. If the difference in grade on either side of a wall or fence is less than 2 feet, height is measured from the base of the wall on the side with the highest grade.



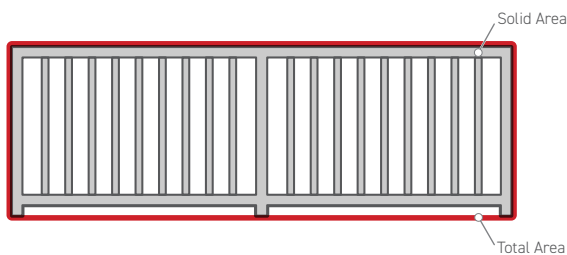
- b. If a wall or fence is located within 3 feet of the exterior face of a retaining wall and the retaining wall is 2 feet in height or greater, the height is measured from the top of the wall or fence to the midpoint of the retaining wall. If a guardrail is required on top of a retaining wall, the guardrail is exempt from the maximum height measurement.



- c. Walls or fences abutting an alley in the rear or side yard are measured from the surface of the adjacent alley to the topmost point of the wall or fence. If the wall or fence is located on a slope of more than 2 feet above the surface of an alley, the height is measured from the top of the wall or fence to the midpoint of the slope.

3. Opacity

- a. Opacity is measured as a percentage, calculated by dividing the solid portion of the fence or wall by the total area of the wall or fence.
- b. The total area of the wall or fence is measured as the smallest regular shape containing all elements of the fence or wall, excluding the top portions of a finial or post.



$$\frac{\text{Solid Area}}{\text{Total Area}} = \text{Opacity (\%)}$$

- c. If the opacity requirement applies to a portion of the fence or wall, the total area to be measured is limited to that specified portion.

4.5.3. Landscape Design

A. Intent

To support a healthy urban ecological system by providing the necessary supplemental information for all applicable landscaping requirements in this Zoning Code.

B. Applicability

The landscape design standards apply to any plant material used to meet a requirement of this Zoning Code.

C. Basic Plant Types

There are 3 basic plant types referred to in this section, and all require the use of locally-adapted plants. They include canopy trees, understory trees, and shrubs, defined as follows:

1. Canopy Trees

- a. Large deciduous shade trees with a mature height of 30 feet or greater and a mature spread of 30 feet or greater.
- b. Large evergreen trees at least 20 feet tall at maturity that usually have green foliage throughout all seasons of the year.

2. Understory Trees

- a. Small deciduous trees or large deciduous shrubs with a mature height of 10 to 30 feet.
- b. Small evergreen trees or large evergreen shrubs at least 10 feet tall at maturity that usually have green foliage throughout all seasons of the year.

3. Shrubs

Prostrate or upright woody plants, either evergreen or deciduous, with a mature height usually less than 10 feet. Evergreen shrubs usually have green foliage throughout all seasons of the year.

D. Plant Material Requirements

Plant material must meet the minimum requirements listed below. When determining the quantity of plant material required, the quantity is rounded up to the nearest whole number.

1. Plant Materials, General

All plant material must meet or exceed size and shape relationships specified in the latest edition of The American Standard for Nursery Stock published by the American Association of Nurserymen.

2. Trees

a. Canopy Trees

- I. Canopy trees must be a minimum caliper size of 2.5 inches at the time of planting,
- II. Evergreen canopy trees must be a minimum height of 8 feet at the time of planting.

b. Understory Trees

- I. Understory trees with a single stem must be a minimum caliper size of 1-inch caliper and a minimum height of 8 feet at the time of planting.
- II. Understory trees with multiple stems must be a minimum height of 8 feet at the time of planting.
- III. Evergreen understory trees must be a minimum height of 6 feet at the time of planting.

c. Tree Spacing

- I. Canopy trees must be planted at least 18 feet apart.
- II. Understory trees must be planted at least 12 feet apart.
- III. The spacing between canopy and deciduous understory trees must be at least 6 feet.

d. Mixing of Tree Species

The following table indicates the maximum percentage of trees of the same genus and species that can be planted.

Total Trees Planted on Site	Species Required (min)	Percentage of Any One Species (max)
10 or less	1	Not applicable
11 to 20	2	70%
21 to 50	3	50%
51 to 100	4	40%
101+	5	30%

3. Shrubs

a. General

- I. All shrubs must be cold hardy and heat tolerant.
- II. Upright shrubs must be a minimum of 15 inches in height at the time of planting.
- III. Shrubs cannot be planted closer than 3 feet on center. Shrubs cannot be planted closer than 3 feet to planted trees, or within 6 feet of existing protected trees; however, no more than 25% of the tree protection zone of an existing tree may be disturbed with new plantings.
- IV. When planted as a hedge, the maximum spacing for 24-inch high shrubs is 3 feet on center.

b. Mixing of Shrub Species

When more than 20 shrubs are required to be planted, a mix of species must be provided. The following table indicates the maximum percentage of shrubs of the same genus and species that can be planted.

LANDSCAPE

Total Shrubs Planted on Site	Species Required (min)	Percentage of Any One Species (max)
20 or less	1	Not applicable
21 to 100	3	20%
101 to 200	4	25%

4. Plant Species List

- a. A list of plants by type and appropriate location or use to satisfy the requirements under this Zoning Code is in **?????**
- b. A list of prohibited plants identified as inappropriate for use within Richmond is in the **????**. These plants cannot be used to satisfy landscaping requirements, either as existing or proposed plant material.
- c. When a species or cultivar is proposed for use but is not listed, a professional urban forester or certified plant professional must certify that the use of the plant material is appropriate for the intended use and location, and that it does not have invasive tendencies.

E. Landscape Plans and Surveys

Landscaping plans must be prepared by certified arborists, landscape architects, or other similarly licensed professionals with a proficiency in preparing landscaping plans. Tree surveys must be reviewed and signed by a certified arborist or forester to confirm the size and species of the trees depicted on the plans.

F. Installation**1. Easements**

- a. Trees can be planted in access or utility easements, including stormwater control measure access and maintenance easements, provided that they are a species adapted for the nature of the easement.
 - I. Approval by the entity or Department responsible for the easement is required for the location of the trees proposed for planting.
 - II. Compliance with additional requirements by the responsible entity or Department is required.
- b. Shrubs must be installed at least 5 feet away from the flow line of a swale.
- c. Shrubs can be planted in a public utility easement provided they are approved by the utility provider.
- d. If the entity responsible for an existing easement denies the location of landscaping material that is otherwise required by this Zoning Code, the required landscaping location can be modified to the minimum extent necessary to avoid conflict with the easement.

2. Tree Grates

When used, tree grates must be sized and maintained to ensure continued health of any required tree and installed so as not to create any pedestrian hazard.

3. Groundcover and Mulch

- a. Groundcover can be planted around trees, provided they are located outside of the planting hole.
- b. Mulch must be used in all areas where no other ground cover or grass is used to avoid bare spots.

4. Certification

Certification by a licensed landscape architect or licensed landscape contractor verifying that all plants have been installed per all Code requirements must be submitted before a Certificate of Zoning Compliance is issued.

G. Maintenance

1. Responsibility

Unless otherwise stated, the owner of any property where landscaping is required is responsible for the maintenance of all required plant material (including street trees located off-site), fences and walls. Maintenance responsibilities includes the clearing and replacement of required material that is dead and/or dying.

2. Pruning

- a. Trees and shrubs must be kept trimmed back from doors, windows, and walkways.
- b. Necessary pruning and trimming must be in accordance with the American National Standards for Tree Care Operations: Tree Shrub and Other Woody Plant Maintenance – Standards Practices (Pruning), and cannot be interpreted to include topping of trees through removal of crown material or the central leader, or any other similarly severe procedures such as lollipopping, meatballing, or hatracking that cause irreparable harm to the natural form of the tree, except where such procedures are necessary to maintain public overhead utilities.
- c. Any such activity is a violation of this Zoning Code and additional plant material may be required by to replace or supplement the damaged plant material.

H. Extensions

1. General Request for Extension of Compliance

It is recognized that land occurs continuously and that vegetation used in landscaping needs to be planted at certain times to ensure the best chance of survival.

2. Extensions for All Other Development

- a. In order to ensure compliance and to reduce the potential expense of replacing landscape materials which were installed at an inappropriate time or under unfavorable conditions, a letter of request for extension of compliance with the landscape requirements can be filed with the Planning Director, which states the reasons why the request is being made.
- b. This letter must acknowledge that the applicant is aware of all landscape requirements, and will comply with those requirements within 90 days, or discontinue use of the property.

LANDSCAPE

- c. The Planning Director may grant the extension on requests for planting extensions submitted between May 15 and September 15 of each year and may grant the extensions for other uses and at other times if there are unfavorable conditions for planting.
- d. If the initial letter of request for extension of compliance with the landscaping requirements has expired and conditions are still deemed unsuitable for planting, an applicant can request one additional extension of up to 90 days. During periods of extreme weather, the Planning Director may authorize additional 90-day extensions beyond the one extension typically allowed. These extensions may be continued throughout the period in which the extreme weather conditions remain.
- e. No Final Certificate of Compliance can be issued while there is an active (pending) letter of request for extension of compliance with landscape requirements unless a performance guarantee (such as a letter of credit or performance bond) sufficient to cover 125% of the installed landscaping costs has been posted with the Planning Department.

4.5.4. Existing Vegetation Credits for Required Landscaping

A. Intent

To help ensure existing healthy vegetation on site can be used to meet a landscaping requirement of this Zoning Code.

B. Applicability

Existing healthy vegetation that is retained can be credited toward landscaping requirements.

C. Existing Trees

1. Healthy trees can be retained and credited toward landscaping requirements if each tree proposed for credit has a DBH of at least 1 inch. Credit will be given for existing, healthy, protected trees at number equal to the value of the DBH of each protected tree divided by 2 inches.
2. Credit is allocated on a one-for-one basis for healthy evergreen trees, deciduous understory trees, evergreen understory trees or shrubs. The size of material is not be taken into account, except where the material is below the required minimum planting size, in which case no credit is given.
3. In order to receive credit for any retained trees, at least 75% of the tree protection zone must remain undisturbed. Root zones extending into rights-of-way are considered disturbed areas, unless legally binding protections are placed upon those areas. Trees whose tree protection zones fall outside the protected area, but are within larger groups of trees, do not count toward any landscaping requirements but must be left in place unless they are diseased or otherwise hazardous to the integrity of the landscape area or the development.
4. Existing trees located within 30 feet of power lines or within utility easements are not be eligible to receive credit, unless the tree is a species appropriate for underneath power lines or received approval to be located within the utility easement.

SEC. 4.6. **SIGNS**

4.6.1. **General Provisions**

A. Purpose and Intent

1. Signs obstruct views, distract motorists, displace alternative uses for land, and pose other problems that legitimately call for regulation.
2. The purpose of this Section is to regulate the size, color, illumination, movement, materials, location, height and condition of all signs placed on private property for exterior observation, helping to ensure the protection of property values, the character of the various neighborhoods, the creation of a convenient, attractive and harmonious community, protection against destruction of or encroachment upon historic areas, and the safety and welfare of pedestrians and wheeled traffic, while providing convenience to citizens and encouraging economic development.
3. A sign placed on land or on a building for the purpose of identification, protection or directing persons to a use conducted is deemed to be an integral but accessory and subordinate part of the principal use of land or building. Therefore, the intent of this Section is to establish limitations on signs in order to ensure they are appropriate to the land, building or use to which they are appurtenant and are adequate for their intended purpose while balancing the individual and community interests identified in *paragraph (2)* above.
4. These regulations are intended to promote signs that are compatible with the use of the property to which they are appurtenant, landscape and architecture of surrounding buildings, are legible and appropriate to the activity to which they pertain, are not distracting to motorists, and are constructed and maintained in a structurally sound and attractive condition.

B. Interpretation

1. This Section allows adequate communication through signage while encouraging aesthetic quality in the design, location, size and purpose of all signs.
2. This Section is interpreted in a manner consistent with the First Amendment guarantee of free speech. If any provision is found by a court of competent jurisdiction to be invalid, the finding does not affect the validity of other provisions of this Section which can be given effect without the invalid provision.

C. Applicability

1. The standards in this Section apply to signs in all districts as specified. No sign can be erected, placed, constructed, installed, attached, painted on, moved or altered except in conformity with all of the standards this Section applicable to the particular sign in the district in which it is located.
2. Signs on a lot containing a stadium structure with at least 3,000 seats are exempt from all sign regulations in this Section.

4.6.2. Sign Definitions and Calculations

A. Sign Defined

1. Sign means any object, device, display, or part of, visible from a public place, a public right-of-way, or any navigable body of water, which is designed and used to attract attention to an institution, organization, business, product, service, event, location, or person by any means involving words, letters, figures, symbols, fixtures, logos, colors, illumination, or projected images. The term "sign" does not include the display of merchandise for sale on the site of the display.
2. Various kinds of signs are further defined in this section.

B. Permitted Sign Area

1. Street Frontage

- a. Street frontage is measured following the geometry of primary and street lot lines that bound the lot.

[add image]

- b. Where more than one main building is located on a lot, permitted sign area is calculated for individual buildings and building frontage along a street, rather than for lots and street frontage.

2. Building Frontage

- a. Building frontage is measured as the width of the building's exterior wall that faces the street.

[add image]

- b. In the case of a building greater than 1 story in height, permitted sign area is calculated based on the frontage of the ground floor of the building or buildings located on the lot.
- c. For individual tenants, building frontage is measured for their individual length of building frontage.

3. Signs Visible from any Street

- a. Permitted sign area only applies to signs visible from a street. This include all signs on a lot which are located along a street in such manner that the faces of the signs are oriented to and viewed from any point along the street, as well as signs located on a side of a building in such manner as to be viewed from the same street.
- b. For a lot having multiple street frontages, the area of signs that can be viewed from more than one street are attributed to the street frontage along which such signs have the more direct orientation and are more easily visible.

C. Individual Sign Area

1. For the purpose of measuring sign area, the area of a sign is the smallest individual rectangle, triangle or circle or combination of not more than 3 contiguous rectangles, triangles or circles

SIGNS

which will encompass all elements of the sign, provided that for a freestanding sign, the figures need not be contiguous.

[add images]

2. The area of a double-faced sign is the area of the largest single face of the sign, provided that the interior angle formed by the two faces does not exceed 30 degrees.

[add image]

3. When a sign is placed on a fence, wall or any other structure that serves a separate purpose other than support for the sign, the entire area of such structure is not computed as sign area.

[add image]

D. Sign Height

The height of a sign is measured from average grade to the highest point of the sign or the supporting structure of the sign.

[add images]

4.6.3. Prohibited Signs

The following signs are not allowed, unless specifically allowed in a zoning district:

- A. Animated signs.
- B. Portable signs.
- C. Commercial flag signs, pennant signs, and any other attention-getting signs or devices such as streamers, balloons, or inflatable devices of any configuration acting to attract attention to any use other than noncommercial activity at a residential use.
- D. Vehicle or trailer signs.
- E. Signs that emit smoke, flame, scent, mist, aerosol, liquid, or gas.
- F. Signs that emit sound.
- G. Off-premises signs.
- H. Window signs whose aggregate area on a window or door exceed 25% of the total area of the window or door.
- I. Any sign displayed without complying with all applicable regulations of this Zoning Code.

4.6.4. District Specific Sign Regulations

A. Allocation of Sign Area by Zoning District

1. Permitted sign area is determined by zoning district and is established in the following table.
2. For each cell in the table below, there is a maximum permitted sign area that may be utilized with any combination signs associated with that cell, subject to specific sign type requirements. For allowed sign type by district see **4.6.4.B.**
3. The measurement for "linear feet" is measured at grade.
4. For the purposes of calculating permitted sign area, signs allowed in **4.6.6** are exempt from the maximum permitted sign area.
5. In no case can the area of any individual sign allowed for a district exceed the permitted sign area in that district.
6. Any portion of the aggregate sign area permitted on a lot may be allocated to signs attached to a building and oriented to an alley abutting the lot.

RC, RD-, RA, RM- Districts	
Building Signs Awning sign Canopy sign Pedestrian sign Projecting sign Suspended sign Wall sign	Sign Area for Building Signs (max) 1. Less than 100' of building frontage: 12 SF 2. 100' to 300' of building frontage: 20 SF 3. More than 300' of building frontage: 32 SF
Freestanding Signs Bracket sign Monument sign	Sign Area for Freestanding Signs (max) 1. Bracket sign: 9 SF per sign 2. Monument sign: 32 SF per sign
MX- and IX Districts	
Building Signs Awning sign Canopy sign Pedestrian sign Projecting sign Roof sign Suspended sign Wall sign Freestanding Signs Bracket sign Monument sign	Sign Area for All Building and Freestanding Signs (max) 2 SF per linear foot of building frontage: up to 200 SF, with a minimum of 50 SF.

SIGNS

CG District	
Building Signs Awning sign Canopy sign Pedestrian sign Projecting sign Roof sign Suspended sign Wall sign Freestanding Signs Bracket sign Monument sign Pylon sign	Sign Area for All Building and Freestanding Signs (max) 2 SF per linear foot of street frontage: up to 200 SF, with a minimum of 50 SF.
IL and IH Districts	
Building Signs Awning sign Canopy sign Pedestrian sign Projecting sign Roof sign Suspended sign Wall sign Freestanding Signs Bracket sign Monument sign Pylon sign	Sign Area for All Building and Freestanding Signs (max) 3 SF per linear foot of street frontage: up to 300 SF, with a minimum of 50 SF.
INS District	
Building Signs Awning sign Canopy sign Pedestrian sign Projecting sign Suspended sign Wall sign Freestanding Signs Bracket sign Monument sign Pylon sign	Sign Area for All Building and Freestanding Signs (max) 3 SF per linear foot of street frontage: up to 300 SF, with a minimum of 50 SF.
CEM and OS Districts	
Building Signs Awning sign Canopy sign Pedestrian sign Projecting sign Suspended sign Wall sign Freestanding Signs Bracket sign Monument sign	Sign Area for All Building and Freestanding Signs (max) 48 SF.

B. Sign Types Allowed by Zoning District

The following signs are allowed by zoning district. Specific requirements for each sign type are listed on the following pages.

	RC	RD-	RA, RM-	MX- IX	CG	IL, IH	INS	CEM, OS	Standards
Building Signs									
Awning sign	□	□	□	■	■	■	■	■	4.6.4.C
Canopy sign	□	□	□	■	■	■	■	■	4.6.4.D
Pedestrian sign	□	□	□	■	■	■	■	■	4.6.4.E
Projecting sign	□	□	□	■	■	■	■	■	4.6.4.F
Roof sign	--	--	--	■	■	■	--	--	4.6.4.G
Suspended sign	□	□	□	■	■	■	■	■	4.6.4.H
Wall sign	□	□	□	■	■	■	■	■	4.6.4.I
Freestanding Signs									
Bracket sign	□	□	□	■	■	■	■	■	4.6.4.J
Monument sign	○	○	○	■	■	■	■	■	4.6.4.K
Pylon sign	--	--	--	--	■	■	■	--	4.6.4.L
Special Signs									
Crown sign	--	--	--	■	■	■	■	--	4.6.4.M
Entrance sign	■	■	■	--	--	--	--	--	4.6.4.N
Off-Premise Signs	--	--	--	--	■	■	--	--	4.6.7

■ = Allowed

□ = Allowed for permitted Public & Institutional, Commercial, and Manufacturing & Industrial uses

○ = Allowed for permitted Public & Institutional uses only

-- = Not allowed

C. Awning Sign



1. Definition	A building sign painted, printed, sewn, or similarly attached to an awning as an integrated part of the awning itself.	
2. General Standards	Any awning containing an awning sign must be attached immediately above the lintel. No portion of any awning containing an awning sign can extend above any part of the windowsill level of the story, if any, above it. An awning sign may be attached on the awning valance or the shed of the awning. An awning sign is not allowed on awning ends. An awning sign is not allowed above the ground floor of the building. Any awning containing an awning sign cannot obscure distinctive or unique architectural elements An awning sign cannot be illuminated.	
3. Number of Signs	Maximum of 1 sign per awning.	
4. Permitted Sign Area	Allocation of permitted sign area	See 4.6.4.A
5. Awning with Sign		
A Depth (max)	10'	
B Height, including valance (max)	4'	
6. Individual Sign Dimensions		
C Height (max)	50% of awning	
D Width (max)	75% of awning	
E Clear height above sidewalk (min)	8'	

D. Canopy Sign



1. Definition

A building sign attached to a canopy so that the display surface is parallel, or nearly so, to the plane of the front building front facade.

2. General Standards

Any canopy containing an canopy sign must be attached immediately above the lintel.

No portion of any canopy containing an canopy sign can extend above any part of the windowsill level of the story, if any, above it.

A canopy sign must be attached completely below or completely above the canopy fascia or completely within the perimeter limits of the canopy fascia.

A canopy sign cannot extend outside the length of the canopy.

A canopy sign is not allowed on canopy ends.

A canopy sign is not allowed above the ground floor of the building.

Any canopy containing an canopy sign cannot obscure distinctive or unique architectural elements

A canopy sign must be constructed of individual freestanding letters, numbers, other characters, or logos

A canopy sign can be externally or internally illuminated - see 4.6.8.

3. Number of Signs

Maximum of 1 sign per canopy

4. Total Sign Area

Allocation of permitted sign area

See 4.6.4.A

5. Individual Sign Dimensions

A Height (max)	2'
B Depth (max)	1'
C Width (max)	75% of canopy
D Clear height above sidewalk (min)	8'

E. Pedestrian Sign



1. Definition	
A building sign attached to the building facade at a 90-degree angle that hangs from a bracket or support	
2. General Standards	
The hanging bracket must be an integral part of the sign design.	
A pedestrian sign must be located below the window sills of the 2nd story on a multi-story building or below the roof line on a single-story building.	
A pedestrian sign must be located at least 25 feet from any other a pedestrian sign or projecting sign.	
A pedestrian sign can only be externally illuminated - see 4.6.8	
3. Number of Signs	
Maximum of 1 sign per establishment or 25 feet of building frontage, whichever is greater.	
4. Permitted Sign Area	
Allocation of permitted sign area	See 4.6.4.A
5. Individual Sign Dimensions	
A Area (max)	6 SF
B Height (max)	3'
C Depth (min/max)	1.25'/3'
D Clear height above sidewalk (min)	8'

F. Projecting Sign



1. Definition

A building sign attached to the face of a wall of a building so that the face of the sign is perpendicular or nearly perpendicular to the face of the wall.

2. General Standards

A projecting sign must be at least 25 feet from any other projecting sign or pedestrian sign.

A projecting sign cannot above the top of the building roof line or parapet.

A projecting sign can be externally or internally illuminated - see 4.6.8.

3. Number of Signs

Maximum of 1 sign per establishment or 25 feet of building frontage, whichever is greater.

4. Permitted Sign Area

Allocation of permitted sign area

See 4.6.4.A

5. Individual Sign Dimensions

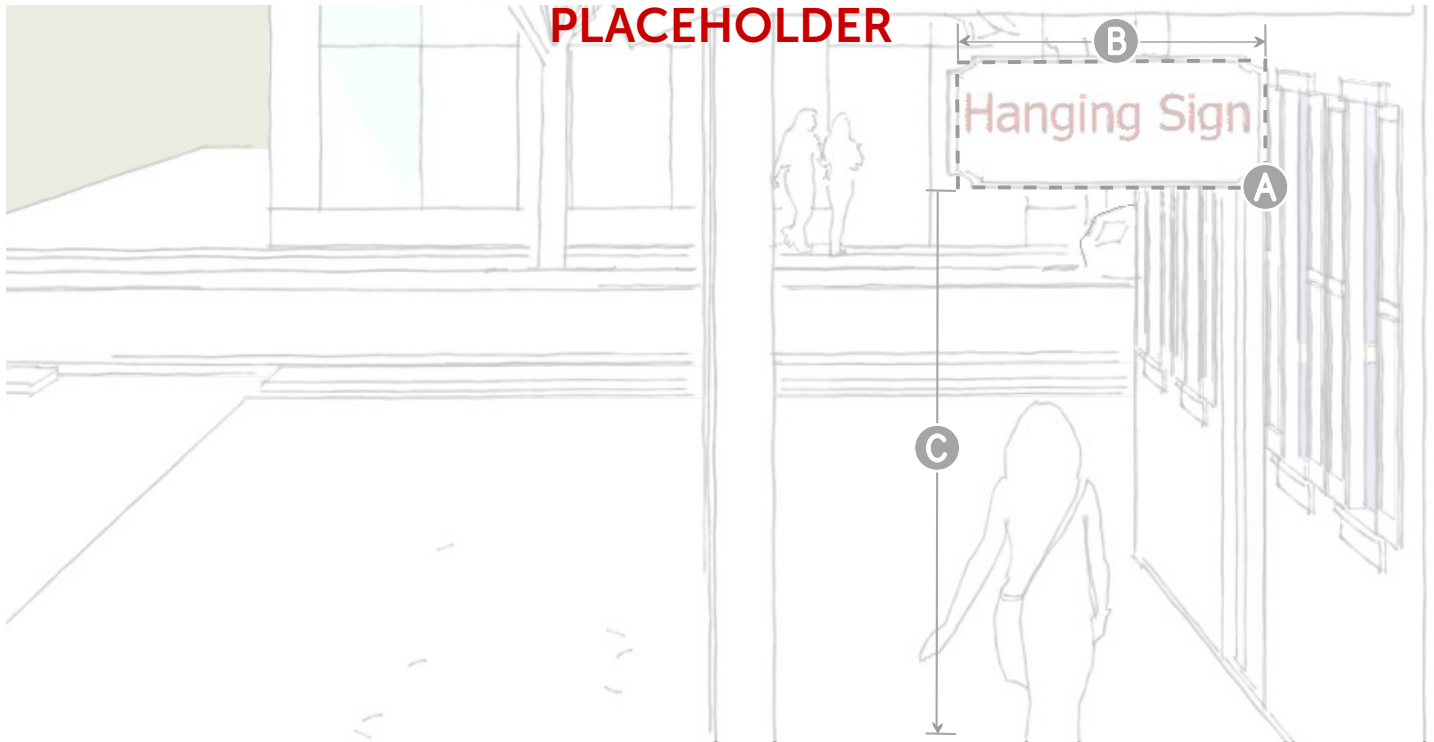
A Area (max)	60 SF
B Height (max)	12'
C Depth (min/max)	1.25'/6'
D Clear height above sidewalk (min)	8'

G. Roof Sign



1. Definition	
A building sign erected on a roof of a building consisting of channel letters, graphic segments, open lighting elements, or other open forms affixed to a non-solid panel sign support structure.	
2. General Standards	
A building can have a roof sign or a crown sign - a building cannot have both.	
A roof sign is only allowed on buildings at least 4 stories in height.	
A roof sign is only allowed on a flat roof.	
A roof sign can be externally or internally illuminated - see 4.6.8	
3. Number of Signs	
Maximum of 1 sign per building	
4. Permitted Sign Area	
Allocation of permitted sign area	See 4.6.4.A
5. Individual Sign Dimensions	
A Area (max)	200 SF
B Height (max)	10'

H. Suspended Sign



1. Definition

A building sign attached to the underside of a beam or ceiling of a porch, arcade, gallery or similar covered area face that is perpendicular or nearly perpendicular to the face of the wall.

2. General Standards

A suspended sign must be at least 15 feet from any other suspended sign.

A suspended sign cannot be illuminated - see 4.6.8.

3. Number of Signs

Maximum of 1 sign per establishment or 15 feet of building frontage, whichever is greater.

4. Permitted Sign Area

Allocation of permitted sign area

See 4.6.4.A

5. Individual Sign Dimensions

A Area (max)

--

B Depth (max)

--

C Clear height above sidewalk (min)

8'

I. Wall Sign



1. Definition		
A building sign that is painted on or attached to a wall or parapet wall, window or other vertical surface of a building, which is parallel or nearly parallel to the surface to which the sign is attached.		
2. General Standards		
A wall sign must be located below the window sills of the 2nd story on a multi-story building or below the roof line on a single-story building.		
A wall sign cannot obscure distinctive or unique architectural elements		
No wall sign located in a Mixed Use, Commercial, or Industrial district can face an abutting lot located in an RC, RD-, RA, RM-A, or RM-B district unless separated by an off-street parking area serving the lot in the Mixed Use, Commercial, or Industrial district.		
The total area of all wall signs painted on a building wall cannot exceed 25% of the area of the wall.		
A wall sign can be externally or internally illuminated - see 4.6.8.		
3. Number of Signs		
There is not limit on the number of wall signs		
4. Permitted Sign Area	Allocation of permitted sign area	See 4.6.4.A
Any portion of the permitted sign area may be allocated to wall signs attached to a building and oriented to an alley abutting the lot, provided that any sign adjacent to or across an alley from an RC, RD-, RA, RM-A, or RM-B district cannot be illuminated.		
5. Individual Sign Dimensions		
A Area (max)	--	
B Depth (max)	1.25'	

J. Bracket Sign



1. Definition

A freestanding sign comprised of a vertical pole, a horizontal decorative sign support, and a suspended sign face.

2. General Standards

A bracket sign must be located at least 30 feet from any other freestanding sign

A bracket sign can only be externally illuminated - see 4.6.8.

3. Number of Signs

Maximum of 1 sign per street frontage or 25 feet of street frontage, whichever is greater.

4. Permitted Sign Area

Allocation of permitted sign area

See 4.6.4.A

5. Individual Sign Dimensions

A Area (max)

9 SF

B Height (max)

6'

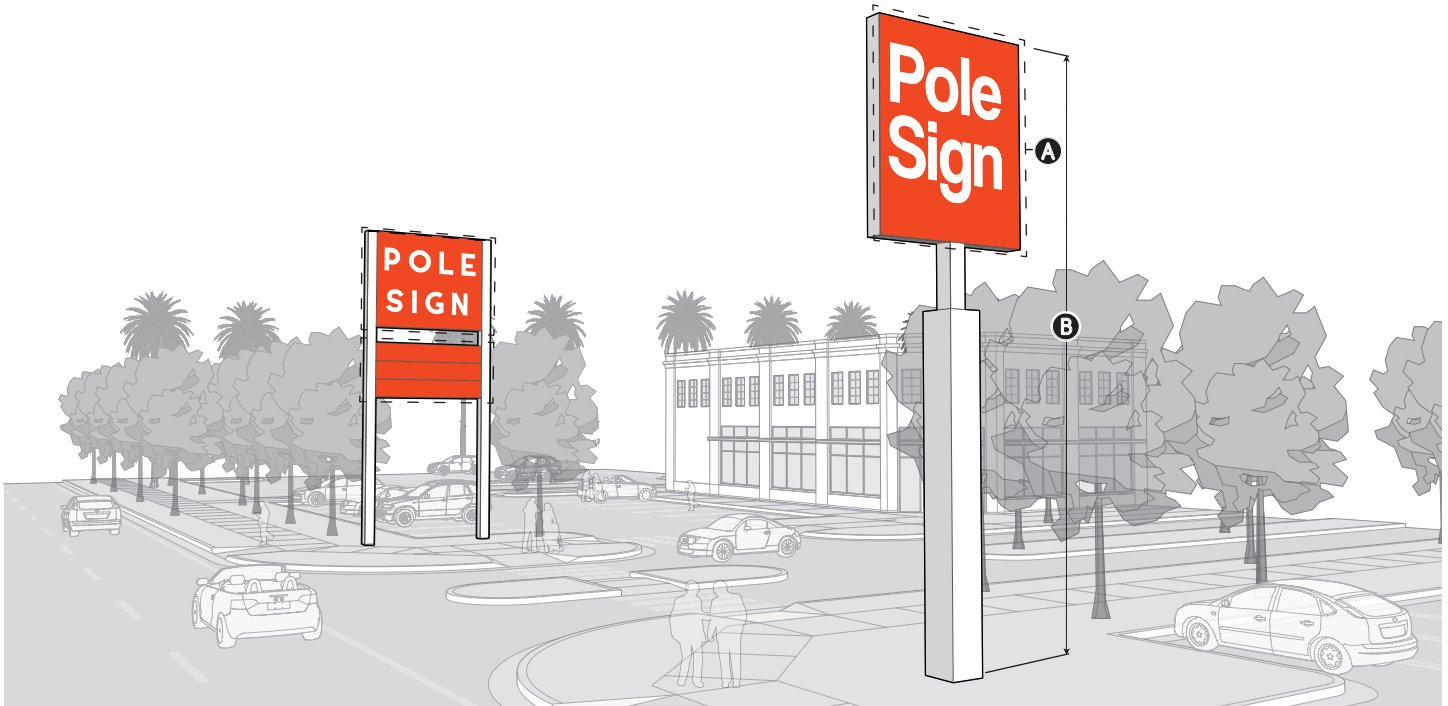
K. Monument Sign



1. Definition
A low freestanding sign attached to the ground along its entire length.
2. General Standards
A monument sign must be located at least 50 feet from any other freestanding sign
A monument sign must be set back at least 10 feet from any lot line.
A monument sign can be externally or internally illuminated - see 4.6.8.
3. Number of Signs
Maximum of 1 monument or pylon sign per street frontage.
Shopping centers with multiple street frontages get one additional monument sign per street frontage (this is in addition to the total permitted sign area for the district)

4. Permitted Sign Area	
Allocation of permitted sign area	See 4.6.4.A
5. Individual Sign Dimensions	
A Area (max)	32 SF
B Height (max)	8'

L. Pylon Sign



1. Definition

A tall freestanding sign attached to the ground using one or more poles for support

2. General Standards

A pylon sign must be located at least 50 feet from any other freestanding sign

A pylon sign must be set back at least 10 feet from a street lot line and 20 feet from a common lot line.

A pylon sign can be externally or internally illuminated - see 4.6.8.

3. Number of Signs

Maximum of 1 monument or pylon sign per street frontage.

4. Permitted Sign Area

Allocation of permitted sign area

See 4.6.4.A

5. Individual Sign Dimensions

A Area (max)

CG, INS

100 SF

IL, IH

300 SF

B Height (max)

CG, INS

35'

IL, IH

45'

M. Crown Sign

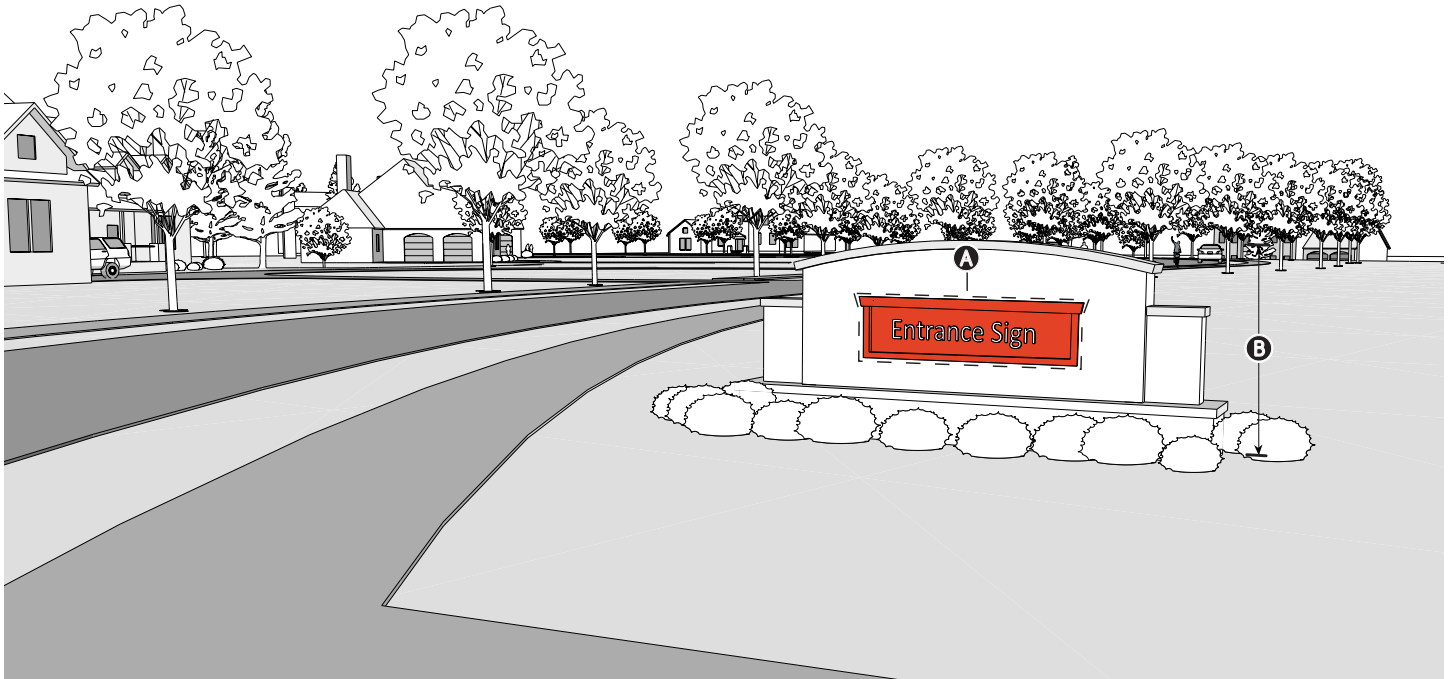


1. Definition
A special sign attached flat to the exterior wall of a building, located on the upper band of the building.
2. General Standards
A building can have a crown sign or a roof sign - a building cannot have both.
A crown sign is only allowed on buildings at least 4 stories in height, when no other signs are located on the same building facade above 35 feet.
A crown sign cannot be placed below the start of the 4th story.
A crown sign cannot extend above the top of the building roof line or parapet.
A crown sign cannot obscure distinctive or unique architectural elements
A crown sign can be externally or internally illuminated - see 4.6.8
3. Number of Signs
Maximum of 2 signs allowed per building, with a maximum of 1 sign per building facade.

4. Total Sign Area	--
5. Individual Sign Dimensions	
A Area (max)	
4 to 6 stories	50 SF
7 to 10 stories	75 SF
10 to 20 stories	160 SF
More than 20 stories	300 SF
B Depth (max)	3'

Sign area for any building facade may be increased by up to 25% by transferring permitted sign area from another facade on the same building

N. Entrance Sign



1. Definition

A special sign attached to the ground along its entire length placed near a entrance into a development.

2. General Standards

An entrance sign must be located within 25 feet of a subdivision or development entrance.

An entrance sign must be located at least 30 feet from any other freestanding sign.

An entrance sign must be set back at least 10 feet from any lot line.

An entrance sign must be incorporated into a permanent landscape feature such as a wall or masonry column.

An entrance sign can be externally or internally illuminated - see 4.6.8.

3. Number of Signs

Maximum of 2 signs allowed for each subdivision or development.

4. Total Sign Area

--

--

5. Individual Sign Dimensions

A Area (max)

32 SF

B Height (max)

8'

SIGNS

4.6.5. General Requirements for All Signs

A. Maintenance and Removal of Signs

1. All signs must be constructed and mounted in compliance with the Virginia Uniform Statewide Building Code.
2. All signs and their components must be maintained in good repair and in a safe, neat and clean condition.
3. The building official may cause to have removed or repaired immediately without written notice any sign which, in their opinion, has become insecure, in danger of falling, or otherwise unsafe, and, as such, presents an immediate threat to the safety of the public. If such action is necessary to render a sign safe, the cost of such emergency removal or repair will be at the expense of the owner or lessee.
4. Not including any permitted off-premises signs, the owner of any sign used to attract attention to a commercial use, product, service, or activity and located on a lot on which the use or business has ceased operating must, within 60 days of the cessation of use or business operation, replace the sign face with a blank face until such time as a use or business has resumed operating on the lot.

B. Safety, Nuisance, and Abandonment

1. Any sign which becomes a safety hazard or which is not kept in a reasonably good state of repair must be put in a safe and good state of repair within 30 days of a written notice to the owner and permit holder.
2. Any sign which constitutes a nuisance may be abated by the City under the requirements of Code of Virginia, § 15.2-900, 15.2-906, or 15.2-1115, as applicable.

C. Visibility at Intersections

Where a driveway intersects a right-of-way or where property abuts the intersection of two rights-of-way, an unobstructed sight distance must be provided at all times within the sight triangle area (see XX).

D. Interference with Traffic

No sign may be located, arranged, designed or illuminated in such a manner that it interferes with traffic by any of the following means:

1. Glare;
2. Confusion with a traffic control device by reason of its color, location, shape, or other characteristic;
3. Similarity to or confusion with official signs, traffic signals, warning lights or lighting on emergency vehicles;
4. Any other means.

E. Encroachment or Extension Beyond Property Lines

1. No portion of any sign or its supporting structure may extend beyond the property lines of the lot on which it is located, provided that a sign allowed by this Zoning Code may extend into or project over the right-of-way of a public street, public alley or other public way when in compliance with and authorized pursuant to the encroachment policies and regulations of the City.
2. The area of such a sign is included in the calculation of permitted sign area.

F. Service Station Pump Island and Canopy Signs

1. Signs displayed on service station pump islands are not included in the calculation of aggregate sign area permitted on a lot, provided that the signs do not exceed a total of 6 square feet per pump face within the pump island.
2. Signs displayed on service station pump island canopies are included in the calculation of aggregate sign area permitted on a lot, cannot exceed 10 square feet each in area, and not more than 1 sign may be displayed on each side of a pump island canopy.

4.6.6. Signs Allowed in All Districts

The following signs are allowed in all zoning districts, and the area of each sign not included in calculating the maximum permitted area of signs permitted on any lot.

A. Temporary Signs on Lot for Sale or Rent

On any lot for sale or rent, one or more temporary signs not exceeding an aggregate area of 6 square feet along each street frontage is allowed, provided they are not illuminated and are removed when the lot is no longer being offered for sale or rent.

B. Temporary Signs on Construction Sites

On any site under construction, not more than 2 temporary signs not exceeding an aggregate area of 32 square feet.

C. Temporary Signs for Subdivisions Under Development

1. At the entrance of any approved subdivision that is under development, one temporary freestanding sign not to exceed 32 square feet, provided the sign is not illuminated and is displayed for no more than 1 year after installation.
2. The sign must be set back at least 5 feet from a street lot line and 15 feet from a common lot line.

D. On-Site Traffic Directional Signs

Noncommercial signs located on private property devoted to uses other than single-unit or two-unit dwellings and directing and guiding traffic or persons or identifying parking on the property provided the signs do not exceed 4 square feet in area. If freestanding, the signs cannot exceed 5 feet in height and cannot be located within 3 feet of any lot line.

SIGNS**E. Noncommercial Flags and Banners**

Noncommercial flags and banners containing no commercial message, logo or name of a business or product and not displayed in connection with a commercial promotion or for purposes of attracting attention to a commercial activity.

F. Minor Signs

A noncommercial wall or freestanding sign not exceeding 2 square feet in area in a residential district and a wall or freestanding sign not exceeding 4 square feet in area in any other district, provided the sign is located within 10 feet of the main entrance to a building if a wall sign and within 10 feet of the main entrance of the lot if a freestanding sign and provided it is not used to promote, identify, or attract attention to a commercial use.

G. Governmental Signs

1. Signs erected by a governmental body or required to be erected by law.
2. Signs erected and maintained by a public utility showing the location of underground facilities or providing other information pertaining to public safety.

H. Historic Signs

Any sign that is required to be maintained or restored as a result of being designated as a historic sign or a contributing feature by the National Register of Historic Places, the Virginia Landmarks Register, or the Commission of Architectural Review pursuant to Article IX, Division 4 of this chapter.

4.6.7. Off-Premise Signs

An off-premises sign is allowed in a CG, IL or IH district provided the sign is oriented towards, visible from, and located within 660 feet of the right-of-way of an interstate highway, and further provided that:

- A. Any single off-premise sign does not exceed 700 square feet in area or 35 feet in height.
- B. An off-premise sign is at least 500 feet along the same side of the highway from another off-premise sign. The distance between signs is measured along the nearest edge of the pavement between points marking the intersections of the edge of the pavement and perpendiculars extending from the edge of the pavement to each off-premise sign.
- C. An off-premise sign is not within 500 feet of an interchange. The distance from an interchange is measured along the nearest edge of the pavement between points marking the beginning or ending of the pavement widening at the exit ramp from or entrance ramp to the main traveled way and a point marking the intersection of the edge of the pavement and a perpendicular extending from the edge of the off-premise sign.

4.6.8. Sign Illumination

A. Prohibited Light Sources

The following light sources are not allowed:

1. Blinking, flashing and chasing.
2. Bare bulb illumination.
3. Colored lights used in any manner so as to be confused with or construed as traffic control devices.
4. Direct reflected light that create a hazard to operators of motor vehicles.

B. Internal Illumination

1. Illuminated signs using channel letters must be internally lit or back-lit.



SIGNS

2. For internally illuminated signs on a background, the background must be opaque or a darker color than the message of the sign.

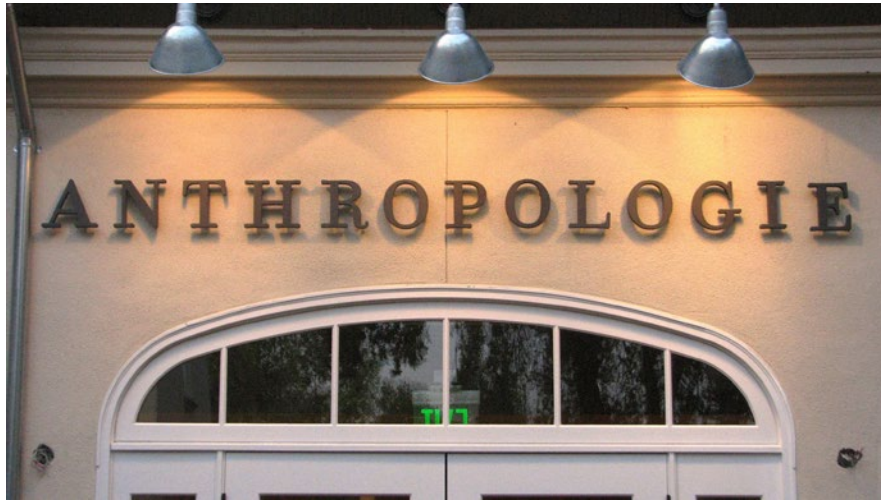


C. External Illumination

1. Lighting directed toward a sign must be shielded so that it illuminates only the face of the sign and does not shine directly onto public right-of-way or adjacent properties.



2. Projecting light fixtures used for externally illuminated signs must be simple and unobtrusive in appearance, and not obscure the sign.



D. Awnings and Canopies

Except for service station canopies, no awning or canopy, whether or not it contains any awning or canopy sign, can be illuminated by internal or integral means or by outlining its extremities, provided that lighting external to an awning or canopy may be provided for purposes of illuminating a building or entrance to a building.

4.6.9. Nonconforming Uses and Nonconforming Signs

A. Signs Identifying Nonconforming Uses

On any lot utilized for a nonconforming use and located in an RC, RD-, or RA- district, one wall sign is allowed, provided that the sign does not exceed 12 square feet in area and is not be illuminated. On any lot utilized for a nonconforming use and located in any district other than an RC, RD-, or RA- district, signs must conform to the sign regulations applicable in the district in which the lot is located.

B. Nonconforming Signs

A nonconforming sign may remain except as outlined below.

1. The owner of the property has the burden of establishing the nonconforming status of a sign and of the physical characteristics and location of the sign. Upon notice from the zoning administrator, a property owner must submit verification that the sign lawfully existed at the time of erection. Failure to provide verification is cause for an order to remove the sign or to bring the sign into compliance with the current sign requirements.
2. A nonconforming sign cannot be enlarged, and no feature of a nonconforming sign, such as illumination, can be increased.

SIGNS

3. Nonconforming signs must be kept in good repair. Nonconforming signs cannot be extended, structurally reconstructed, or altered in any manner except that a sign face may be changed if the new face is equal to or reduced in height or sign area, either or both.
4. A nonconforming sign cannot be moved on the same lot or to any other lot unless the change in location makes the sign conforming.
5. A nonconforming sign that is destroyed or damaged by any casualty to an extent not exceeding 50% of its area may be restored within 2 years after the destruction or damage but cannot be enlarged in any manner. If the sign is destroyed or damaged to an extent exceeding 50%, it cannot be reconstructed but may be replaced with a sign that is in full accordance with the provisions of this Zoning Code.
6. A nonconforming sign that is changed to become conforming or is replaced by a conforming sign is no longer deemed nonconforming, and the sign must meet the requirements of this Zoning Code.
7. A nonconforming sign structure must be removed if the use to which it is accessory has not been in operation for a period of 2 years or more. The owner or lessee of the property must remove the sign structure. If the owner or lessee fails to remove the sign structure, the zoning administrator will give the owner written notice that the sign must be removed within 15 days after the notice is given. If the owner fails to comply with this notice, the zoning administrator may enter the property upon which the sign is located and remove any the sign or initiate action as may be necessary to bring the sign into compliance with this Zoning Code. The cost of removal will be chargeable to the owner of the property.

4.6.10. Unlawful Signs

Nothing contained in *Sec. 4.6, Signs* may be construed to authorize or permit the continuance of any sign which in violation of this Zoning Code pertaining to zoning and preceding *this chapter*, and any sign is not deemed to be nonconforming under this Zoning Code and is unlawful.

4.6.11. Permits

- A. Except as provided in *paragraph B. below*, any sign permitted by this Zoning Code for which a permit to erect a sign is not required by the Virginia Uniform Statewide Building Code or any other building code which may be adopted by the City requires a certificate of zoning compliance as set forth in *Article X, Division 3 of this chapter*.
- B. Except has provided in *paragraph A. above*, the following signs, displays, and devices, do not require a certificate of zoning compliance:
 1. Noncommercial flags and banners containing no commercial message, logo, or name of a business or product and not displayed in connection with a commercial promotion or for purposes of attracting attention to a commercial activity.
 2. Minor signs.
 3. Signs erected by a governmental body or required to be erected by law.
 4. Signs erected and maintained by a public utility showing the location of underground facilities or providing other information pertaining to public safety.

SEC. 4.7. **LIGHTING**

4.7.1. **Outdoor Lighting**

A. Intent

To provide exterior lighting standards to support a variety of environments and to minimize the negative impacts of lighting on adjacent uses and users of the public realm.

B. Applicability

1. New Fixtures

All outdoor on-site lighting fixtures installed after the effective date of this Zoning Code.

2. Existing Fixtures

- a. Routine maintenance, including changing the lamp, ballast, starter, photo control, fixture housing, lens and other required components, is allowed for all existing fixtures.
- b. The installation of new site lighting, replacement of existing lighting, and any modifications to light fixture wattage, fixture type, mounting, or fixture location must comply with the requirements of this Section.

3. Exemptions

The following lighting are exempt from the requirements of this Section:

- a. Lighting which is excluded from local regulation by State or Federal law.
- b. Construction, emergency or holiday decorative lighting, provided that the lighting is temporary, and is discontinued after completion of the project, emergency or holiday for which the lighting was provided.
- c. Lighting of the United States of America or Commonwealth of Virginia flags and other noncommercial flags expressing constitutionally protected speech.
- d. Security lighting controlled by sensors, generating a maximum of 6,000 lumens per fixture, and which provides illumination for 15 minutes or less. In RC, RD-, RA and RM- districts, security lighting must not generate more than 3,000 lumens per fixture.
- e. Lighting solely for signs (see [Sec. 4.6](#)).
- f. Outdoor lights used exclusively for recreational activities, concerts, plays, sports or other outdoor events that are open to the public, provided that the light fixtures are located at least 100 feet from any adjacent residential use and the event or function meets all other applicable zoning requirements.
 - I. No limits in a MX-13 or MX-U district.
 - II. In all other districts, lights cannot be illuminated between the weekday hours of 12:00 a.m. and 8:00 a.m. and between the hours of 1:00 a.m. and 8:00 a.m. on Saturday and Sunday.

LIGHTING

- III. Outdoor lights exempted above can only be illuminated while the activity takes place and during high traffic periods immediately before and after the event.

C. Prohibited Lighting Sources

The following light fixtures and sources are not allowed:

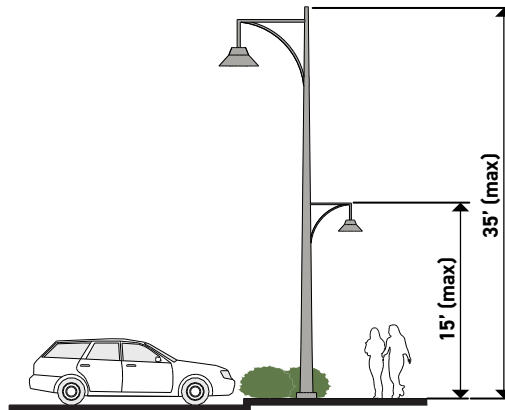
1. Cobra-head-type fixtures with dished or drop lenses or refractors, which contain sources that are not incandescent.
2. Temporary searchlights and other high-intensity narrow-beam moving fixtures that shine light directly up to the sky.
3. Blinking or flashing lights are not allowed unless the lights are used for construction, emergencies or holiday lighting.
4. The direct or reflected light from any outdoor light source must not create a traffic hazard to operators of motor vehicles or to operators of aircraft.
5. No colored lights may be used in such a way as to be confused or construed as street-traffic control or air-traffic control devices.

D. Design and Installation

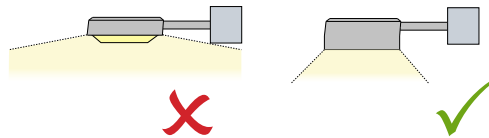
1. Outdoor lights must not be oriented onto abutting properties or streets.
2. The maximum light level measured at a street lot line cannot exceed 2.5 horizontal footcandles.
3. The maximum light level measured at any common line abutting a lot in a RC, RD-, or RA- district cannot exceed 0.5 horizontal footcandles.
4. The maximum light level measured at any common line abutting in all other districts cannot exceed 1.5 horizontal footcandles.
5. Light sources must have a Color Rendering Index (CRI) value of 80 or higher.
6. Service connections for all new freestanding outdoor lights must be installed underground.

E. Parking and Pedestrian Area Lighting

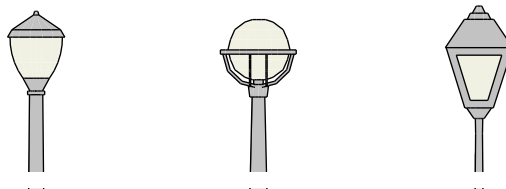
1. Parking areas and parking lots must provide lighting during non-daylight hours when in use. Intensity of illumination cannot be less than 0.5 horizontal footcandle at any location.
2. The lighting maximum-to-minimum ratio within the parking area cannot exceed 15:1.
3. Light fixtures within parking lots and motor vehicle use areas can be no higher than 35 feet.
4. Light fixtures within pedestrian areas mounted on poles can be no higher than 15 feet.



5. All light fixtures must be full cutoff (shielded), except as listed below.

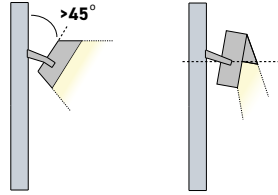


6. Non-cutoff (unshielded) fixtures can be used when the maximum initial lumens generated by each fixture is less than 9,500. These fixtures generally feature globes or vertical glass planes and must be coated with an internal white frosting to diffuse light.

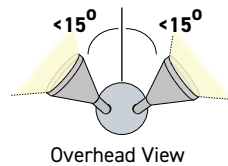


LIGHTING**F. Flood Lights and Flood Lamps**

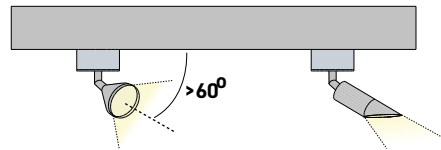
1. Flood light fixtures must either be aimed down at least 45 degrees from vertical or the front of the fixture shielded so that no portion of the light bulb extends below the bottom edge of the shield.



2. Any flood light fixture located within 50 feet of a street right-of-way must be mounted and aimed perpendicular to the right-of-way, with a side-to-side horizontal aiming tolerance not to exceed 15 degrees.



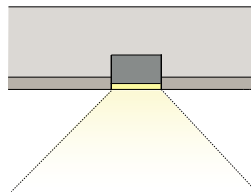
3. All flood lamps emitting 1,000 or more lumens must be aimed at least 60 degrees down from horizontal or shielded so that the main beam is not visible from adjacent properties or the street right-of-way.

**G. Canopies**

Outdoor lighting under canopies must be designed to prevent glare off-site. Acceptable lighting designs include the following:

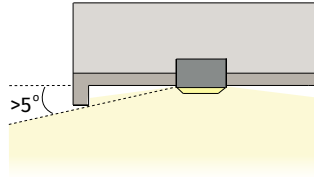
1. Recessed

Recessed fixture incorporating a lens cover that is either recessed or flush with the bottom surface of the canopy.



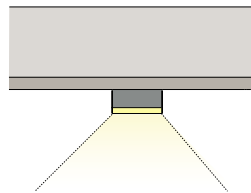
2. Shielded

Light fixture incorporating shields or is shielded by the edge of the canopy itself, so that light is restrained to 5 degrees or more below the horizontal plane.



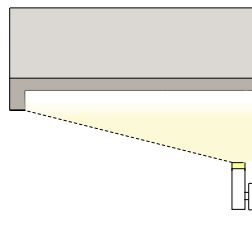
3. Surface Mounted

Surface mounted fixture incorporating a flat glass that provides a cutoff design or shielded light distribution.



4. Indirect

Indirect lighting where light is beamed upward and then reflected down from the underside of the canopy, provided the fixture is shielded so that direct illumination is focused exclusively on the underside of the canopy.



H. Building Lighting

1. Outdoor lighting fixtures must be selected, located, aimed and shielded so that direct illumination is focused exclusively on the building facade, plantings and other intended site features and away from adjoining properties and the street right-of-way.
2. All wall pack fixtures must be full cutoff fixtures.



3. Only lighting used to accent architectural features, landscape or art may be directed upward, provided that the fixture is located, aimed or shielded to minimize light spill into the night sky.

ARTICLE 5.

OVERLAY DISTRICTS

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SEC. 5.1. OLD AND HISTORIC DISTRICTS

5.1.1. Applicability

This Section applies generally to designated old and historic districts for the purpose of preserving the unique historic and architectural character of such districts through the review of applications for certificates of appropriateness.

5.1.2. Definitions

The following words, terms and phrases, when used in this Section, have the meanings ascribed to them, except where the context clearly indicates a different meaning:

Alteration. Any change, modification or addition to the structure, materials, color, texture or details of all or a part of the exterior of any building, structure, or site other than normal repair, maintenance, and landscaping.

Certificate of appropriateness. The approval statement issued by the Commission of Architectural Review and signed by its Secretary which certifies the appropriateness of a particular request for the construction, alteration, reconstruction, repair, restoration, or demolition of all or a part of any building, structure or site within an old and historic district and which is subject to all other permits required by law.

Demolition. The dismantling or tearing down of all or a part of any building or structure and all operations, including grading, incidental to the demolition work.

Exterior architectural features. The architectural style, general design and general arrangement of the exterior of a building or other structure, including the color; the kind and texture of the building material; the type and style of all windows, doors, light fixtures, signs, decorative features; and other appurtenances that are subject to public view.

Historic. That which pertains to periods of development, events, persons, and activities of importance in the history of the City, the Commonwealth, or the United States of America.

Historic resources. Buildings, objects, structures, neighborhoods, sites or areas within the City that are either designated as or eligible for designation as old and historic districts.

Major plantings. Any substantial existing or proposed plant material, including, but not limited to, trees or shrubs with trunks greater than three inches in diameter or eight feet in height and hedgerows exceeding ten feet in length.

New construction. Any construction within an old and historic district which is independent of an existing structure or an expansion of an existing structure.

Normal repair and maintenance. Any work involving the replacement of existing work with equivalent material, design, color, and workmanship for the purpose of maintaining the existing condition of the building, structure or site.

Old and historic district. Any portion of the City designated in accordance with this division and subject to the review of the Commission of Architectural Review.

Public view. Visible from a public right-of-way or public place.

Site. Any parcel of unimproved property, a parking lot or a park within an old and historic district.

Site improvements. Structural changes to the grounds of a property, including the installation or alteration of walls, fences, or structures; paving; regrading; and the installation or removal of major plantings.

Substantial impact. Changes that involve partial or total demolition, new construction, the expansion of an existing building or structure, or the modification of any public building or public right-of-way.

5.1.3. Purpose

The purpose of creating old and historic districts is to provide a means by which the City Council may recognize and protect the historic, architectural, cultural, and artistic heritage of the City. This process of historic preservation is a part of the promotion of the general welfare and the protection of community health and public safety of the City through the identification, preservation and enhancement of buildings, structures, landscapes, settings, neighborhoods, sites and features with special historic, cultural, artistic, and architectural significance. To achieve this general purpose, the City seeks to pursue the following specific purposes:

- A. The identification, designation, and protection of historic resources throughout the City.
- B. The promotion of harmony of style, form, color, proportion, texture and material between buildings of historic design and those of more modern design.
- C. The recognition and protection of appropriate settings and environments for historic districts, buildings, structures and sites.
- D. The enhancement of the quality of life for residents and the providing of attractions to visitors by preserving the historic resources of the City.
- E. The education of residents and visitors about the City's historic resources.
- F. The incorporation of historic preservation into the permit review process of the City.

5.1.4. Commission of Architectural Review

A. Established

There is hereby created and established a Commission of Architectural Review, referred to in this division as the "commission."

B. Composition; Terms of Office; Compensation

1. The Commission of Architectural Review consists of 9 members, one of whom must be a resident of a City Old and Historic District. The members are appointed by the City Council for terms of office of 3 years from the date of appointment. The provisions of **Section 2-767** apply to all members of the commission. Appointments to the commission are as follows:
 - a. One must be appointed from a list of at least 3 nominees submitted by the Richmond Chapter of the American Institute of Architects;
 - b. One must be appointed from a list of at least 3 nominees submitted by the Historic Richmond Foundation;

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- c. One must be appointed from a list of at least 3 nominees submitted by the Richmond Association of Realtors; and
 - d. Six must be citizens of the City appointed at large.
2. Vacancies on the Commission must be filled in the same manner. One of the at-large members must serve a concurrent term on the Urban Design Committee of the Planning Commission. No officer or employee of any organization that may nominate candidates for appointment to the Commission can be appointed as a member of the Commission. For members appointed at large, any individual, preservation organization, professional organization, or civic group may nominate individuals to serve on the Commission. The members of the Commission serve without compensation.

C. Secretary

The Director of the Department of Planning and Development Review must appoint a Secretary for the Commission of Architectural Review, who must be a qualified employee of that Department. The Secretary must keep a record of all resolutions, proceedings and actions of the Commission.

D. Responsibilities and Duties

The Commission of Architectural Review has the power and authority to issue or deny certificates of appropriateness for construction, alteration, reconstruction, repair, restoration, or demolition within any old and historic districts. In addition, the Commission has the duty to:

1. Hold regular meetings for consideration of certificates of appropriateness and other meetings as needed to carry out the responsibilities of this section.
2. Assist and advise the City Council, the Mayor, the Chief Administrative Officer, the Planning Commission, the Board of Zoning Appeals, property owners and individuals in matters involving historic resources relating to appropriate land use, zoning, and other issues.
3. Maintain documentation on historic resources throughout the City.
4. Undertake studies for the Planning Commission and the City Council on historic resources of the City for the master plan and other planning efforts.
5. Document and recommend to the Planning Commission and City Council the creation and amendment of old and historic districts.
6. Adopt architectural guidelines and architectural standards applicable to properties located in old and historic districts.
7. Adopt guidelines for the delegation to the secretary of the review and approval of applications for certificates of appropriateness.
8. Sponsor educational and informational activities, which publicize historic preservation efforts which include, but are not limited to, speaking engagements, publications, press releases, and audio and visual presentations.
9. Investigate and recommend districts, buildings, structures, and sites of historic, architectural or cultural importance to the City, the Commonwealth, or the United States of America which

should be preserved and protected and report on these historic resources to the Mayor, Chief Administrative Officer, City Council or Planning Commission.

E. Rules of Procedure

The Commission of Architectural Review is authorized to adopt rules of procedure for the transaction of its business and implementation of the purposes of this Section. The rules of procedure must not conflict with this Section.

5.1.5. Process for Establishment and Regulation

A. Scope

1. City certain districts maybe created in the City to be known as old and historic districts, which are referred to in this division and which are an overlay to the other zoning districts into which the City is divided.
2. The boundaries of any districts created must be shown on the Official Zoning Map **on file with the Department of Planning and Development Review, as such may be amended from time to time by the City Council, which map is incorporated in this division by reference and made a part of this division.**
3. Materials documenting the process of establishing an old and historic district must be kept in the files of the Department of Planning and Development Review.
4. The adoption, amendment or repeal of any boundaries of an old and historic district must comply with and be subject to all procedures and criteria set forth in the Charter applicable to the adoption, amendment or repeal of the comprehensive zoning ordinance.

B. Process for Creation of Districts

1. As the Commission of Architectural Review undertakes the evaluation of historic resources in the City, it may deem it appropriate to initiate the establishment of additional old and historic districts.
2. Any individual or organization may request that the Commission initiate the review of a potential old and historic district.
3. The review of a proposed old and historic district is at the discretion of the Commission. However, it must be undertaken automatically upon introduction of a paper proposing the establishment of a new old and historic district by the Mayor or by a member of the City Council.
4. To begin the review process of a proposed old and historic district, the Commission must pass a resolution instructing the Secretary to begin administration of the review process.

C. Commission Review; Public Hearing

1. To begin the review process for the creation of an old and historic district, the Commission of Architectural Review must hold a public hearing with notice to all property owners within the proposed old and historic district boundary and all owners of all property, any part of which lies within 150 feet of the proposed district.

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2. Notice of the public hearing must be published twice in a daily newspaper of general circulation in the City. The first notice must be published not less than 14 days prior to the date of the hearing; the second must be published not less than 7 days prior to the date of the hearing.
3. In addition, the establishment of an old and historic district must follow the procedures set forth in **Article XI of this chapter**.
4. The Commission may choose to have additional procedures for the review of old and historic districts in its rules of procedure.

D. Criteria for Establishment of Additional Districts

1. The following criteria must be used by the Commission of Architectural Review in evaluating potential old and historic districts.
2. The Commission may recommend a neighborhood, district, building, structure or site for designation as an old and historic district, if it meets one or more of the following criteria:
 - a. It has significant character, interest or value as a part of the historic development of the City.
 - b. It is the site of a historic event which had a significant impact on the history of the City.
 - c. It exemplifies the architectural, cultural, economic, social, political, artistic, or religious history of the City.
 - d. It portrays the architectural character of a particular era in the history of the City.
 - e. It is a rare example of a building built for a particular purpose, a type or form of building, a particular architectural style, or a form of engineering. It is the work of a designer or craftsman whose individual work has significantly impacted the City, the Commonwealth, or the United States of America.
 - f. It contains elements of design, detail, material or craftsmanship that represent a significant innovation for its time period.
 - g. It is related to a park, street configuration, open space, hill, body of water, or landscaped grounds of significance in the areas of urban planning or landscape architecture.
 - h. It constitutes a landmark of the City, owing to its unique location or unusual physical characteristics.
 - i. It is contiguous with a neighborhood, district, building, structure, or site that meets one or more of the criteria in **subsections (d)(1) through (9) of this section**, and changes to it could impact the neighborhood, district, building, structure or site that meets such criteria.
3. All old and historic districts created prior to the adoption of the ordinance from which this section is derived is deemed to meet one or more of these criteria.

E. Relation to Other Districts

Old and historic districts are in addition to the underlying zoning and are applied so as to overlay and be superimposed on other zoning districts as permitted by this Zoning Code and shown on the

Official Zoning Map. Any property lying within an old and historic district also lies within one or more of the other zoning districts, which are known as underlying districts.

F. Application of District Regulations

Each old and historic district is established to create a certificate of appropriateness review process as provided in this section. In all other respects, the regulations normally applicable within the underlying zoning district apply to property within the boundaries of the old and historic district.

5.1.6. Establishment of Particular Old and Historic District.

The provisions of this Section apply to the following districts, which are established and designated as old and historic districts.

The Barret House Old and Historic District
Belgian Building Old and Historic District
Bolling Haxall House Old and Historic District
Boulevard Old and Historic District
Broad Street Old and Historic District
Centenary United Methodist Church Old and Historic District
Chimborazo Park Old and Historic District
Church Hill North Old and Historic District
Crozet House Old and Historic District
Glasgow House Old and Historic District
Hancock-Wirt-Caskie House Old and Historic District
Henry Coalter Cabell House Old and Historic District
Hermitage Road Old and Historic District
Jackson Ward Old and Historic District
Jefferson Hotel Old and Historic District
John Marshall House Old and Historic District
Leigh Street Baptist Church Old and Historic District
Linden Row Old and Historic District
Mason's Hall Old and Historic District
Mayo Memorial House Old and Historic District
Monument Avenue Old and Historic District
William W. Morien House Old and Historic District
Norman Stewart House Old and Historic District
Old Stone House Old and Historic District
Pace House Old and Historic District
St. Andrew's Episcopal Church Old and Historic District
St. John's Church Old and Historic District
St. Paul's Episcopal Church Old and Historic District
St. Peter's Catholic Church Old and Historic District
Second Presbyterian Church Old and Historic District

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Shockoe Slip Old and Historic District
Shockoe Valley Old and Historic District
Sixth Mount Zion Baptist Church Old and Historic District
Springhill Old and Historic District
Stonewall Jackson School Old and Historic District
Talavera Old and Historic District
The Two Hundred Block West Franklin Street Old and Historic District
Union Hill Old and Historic District
Valentine Museum and Wickham-Valentine House Old and Historic District
Virginia House Old and Historic District
West Franklin Street Old and Historic District
West Grace Street Old and Historic District
White House of the Confederacy Old and Historic District
Wilton Old and Historic District
Joseph P. Winston House Old and Historic District
Woodward House-Rocketts Old and Historic District
Zero Blocks East and West Franklin Street Old and Historic District

5.1.7. Certificate of Appropriateness

A. Approval Required

1. No building or structure or any exterior portion, sign or paving can be constructed, altered, reconstructed, repaired, restored or demolished within any old and historic district unless the building or structure or any exterior portion, sign or paving is approved by the Commission of Architectural Review or, on appeal, by the City Council, as being architecturally compatible with the buildings, structures, sites and general character of the old and historic district.
2. All approvals must be evidenced by a certificate of appropriateness. No permit to construct, alter, reconstruct, repair, restore or demolish any building, structure or site must be issued by the Commissioner of Buildings unless the applicant has first obtained approval of a certificate of appropriateness for the work.

B. Submission of Application

1. An application for certificate of appropriateness required pursuant to this section must be submitted to the Secretary of the Commission of Architectural Review in writing by the owner of the building or structure.
2. When a work-in-street, land-disturbing, building, sign or demolition permit is required, the applicant must apply for other necessary permits at the same time an application for a certificate of appropriateness is submitted.
3. The application for the certificate of appropriateness must be accompanied by a fee as set forth below and plans and specifications which must show the proposed exterior architectural features of such building or structure, which must include but, is not be limited to, the design, arrangement, texture, materials and color proposed to be used in the construction, alteration,

reconstruction, repair, restoration, or demolition of the building or structure and the type of windows, exterior doors, lights, signs, site improvements, and other exterior fixtures and appurtenances. Upon the filing of the application with the Secretary of the Commission, the Secretary must promptly transmit it with the plans and specifications to the Commission.

Sign, patio, fence, or wall; or building, structure, or other improvement for which no building permit is required	
Administrative approval	\$50.00
Exterior alteration with no change in floor area	\$100.00
Exterior alteration, addition, or partial demolition with change in floor area	\$200.00
New construction	\$200.00
Full demolition	\$200.00
Extension of approved certificate of appropriateness	\$50.00
Amendment to approved certificate of appropriateness	\$100.00
Appeal of approved or disapproved certificate of appropriateness	\$400.00
Principal use of one or two dwelling units	
Administrative approval	\$50.00
Exterior alteration with no change in floor area	\$100.00
Exterior alteration, addition, or partial demolition with change in floor area	\$400.00
New construction	\$800.00
Full demolition	\$1,600.00
Extension of approved certificate of appropriateness	\$50.00
Amendment to approved certificate of appropriateness	\$100.00
Appeal of approved or disapproved certificate of appropriateness	\$400.00
Other uses, less than or equal to 5,000 square feet and less than or equal to three stories	
Administrative approval	\$100.00
Exterior alteration with no change in floor area	\$200.00
Exterior alteration, addition, or partial demolition with change in floor area	\$800.00

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New construction	\$1,600.00
Full demolition	\$3,200.00
Extension of approved certificate of appropriateness	\$100.00
Amendment to approved certificate of appropriateness	\$200.00
Appeal of approved or disapproved certificate of appropriateness	\$800.00
Other uses, greater than 5,000 square feet or greater than three stories	
Administrative approval	\$150.00
Exterior alteration with no change in floor area	\$300.00
Exterior alteration, addition, or partial demolition with change in floor area	\$1,200.00
New construction	\$2,400.00
Full demolition	\$4,800.00
Extension of approved certificate of appropriateness	\$150.00
Amendment to approved certificate of appropriateness	\$300.00
Appeal of approved or disapproved certificate of appropriateness	\$1,200.00
The fee for any certificate of appropriateness or appeal is doubled for any development activity performed without first obtaining a certificate of appropriateness.	

C. Approval or Disapproval of Application and Issuance

Upon receipt of a completed certificate of appropriateness application pursuant to this section, the of Architectural Review Commission must approve or disapprove the application and, if approved, issue a certificate of appropriateness, with or without conditions or with modifications of the plans and specifications as the Commission of Architectural Review deems necessary to execute the purpose set forth in [Section 30-930.2](#) and to require compliance with the regulations set out in this Section. Otherwise, the plans and specifications are deemed rejected, and the Commission will not issue a certificate of appropriateness.

D. Conceptual Review

Any person may request the Commission of Architectural Review to review conceptual design proposals for exterior work before submitting a formal application for a certificate of appropriateness. The Commission will review and discuss the proposal with the applicant and make any necessary recommendations. The conceptual review is advisory only.

E. Notification to Public

The Secretary must use the following procedures in notifying the public of cases for certificates of appropriateness being considered by the Commission of Architectural Review:

1. General Notification

A concise agenda, listing all items to be reviewed by the Commission of Architectural Review and the date, time and place of the Commission meeting must be published at least 7 days prior to the meeting in a daily newspaper of general circulation in the City.

2. Direct Notification of Affected Property Owners

When a certificate of appropriateness application involves a substantial impact, as defined in **Section 30-930.1**, in an old and historic district, the property owners of all property or portions of property located within 150 feet of the project must be notified of the prospective change and of the date, time, and place of the meeting at which the change will be considered by the Commission. The notice must be by regular mail and mailed at least 7 days prior to the meeting.

F. Scope of Review

A certificate of appropriateness is required for all alterations to a building, structure, or site which is subject to a public view.

G. Reasons for Commission Action

The Commission of Architectural Review must state clearly its reasons for approval, denial, modification, or deferral of an application for a certificate of appropriateness in the records of the Commission proceedings.

H. Delegation of Applications for Review by Commission Secretary

1. The Commission of Architectural Review may choose to delegate certain types of applications for a certificate of appropriateness for review by the Secretary.
2. The Commission must designate such items which are subject to review and issue guidelines for the Secretary to conduct the review.
3. Any application for a certificate of appropriateness for any designated design feature may be approved by the Secretary of the Commission without full Commission action, unless the Secretary finds that a particular structure has unique characteristics that may call for a different design treatment. In such cases, the Secretary must schedule the application for Commission consideration at its next meeting. The Secretary must keep a record of all such approvals and provide the Commission with a report of all new approvals at each of its regular meetings.

I. Normal Maintenance and Repair

Nothing in this Section can be construed to prevent the normal repair and maintenance of any exterior architectural feature located in an old and historic district.

J. Unsafe and Dangerous Conditions

Nothing in this Section can be construed to prevent the construction, reconstruction, alteration or demolition of any building or feature which the Commissioner of Buildings determines is required for public safety because of an unsafe or dangerous condition. Upon the determination of such a condition, the Commissioner of Buildings must provide notice to the Commission of Architectural Review.

K. Payment of Delinquent Real estate Taxes

Approval of a certificate of appropriateness pursuant to this section will not be granted until satisfactory evidence has been presented to the Secretary of the Commission of Architectural Review that any delinquent real estate taxes applicable to the subject property have been paid.

5.1.8. Standards and Guidelines

A. General Standards

The Commission of Architectural Review must issue a certificate of appropriateness for alterations that are compatible with a property and the old and historic district of which it is a part. Each old and historic district contains buildings of varying architectural and historic significance. The Commission must evaluate the significance of each property on a case-by-case basis. The historic character of each old and historic district is the primary consideration of the Commission in reviewing proposed designs for the district. The Commission may adopt additional standards for the review of certificates of appropriateness to supplement these standards.

B. Standards for Rehabilitation

The Commission of Architectural Review must issue a certificate of appropriateness for the rehabilitation of a property, if it determines that a proposed change is compatible with the property and with the old and historic district of which it is a part. The historic design, features, materials, finishes and craftsmanship of a property must be preserved whenever possible. Significant historic features of a property must be treated with care. The Commission may require that existing materials, decorative elements, and structural elements be repaired rather than replaced. The Commission may adopt additional rehabilitation standards for the review of certificates of appropriateness to supplement these standards.

C. Standards for New Construction

The Commission of Architectural Review must approve new construction which it deems to be compatible with the design, scale, materials, color, height, setback, and other pertinent features of the old and historic district in which it is located. The Commission may adopt additional new construction standards for the review of certificates of appropriateness to supplement these standards.

D. Standards for Demolition

The Commission of Architectural Review must not issue a certificate of appropriateness for demolition of any building or structure within an old and historic district, unless the applicant can show that there are no feasible alternatives to demolition. The demolition of historic buildings and elements in old and historic districts is strongly discouraged. The demolition of any building

deemed by the Commission to be not a part of the historic character of an old and historic district is permitted. The demolition of any building that has deteriorated beyond the point of being feasibly rehabilitated is permissible, where the applicant can satisfy the Commission as to the in-feasibility of rehabilitation. The Commission may adopt additional demolition standards for the review of certificates of appropriateness applications to supplement these standards.

E. Standards for Site Improvements

The Commission of Architectural Review must issue a certificate of appropriateness for site improvements it deems to be appropriate to the character of the property and to the old and historic district of which it is a part. The Commission may adopt additional site improvement standards for the review of certificates of appropriateness to supplement these standards.

F. Standards for Signage

The Commission of Architectural Review must issue a certificate of appropriateness for signage, the type, size, material, style, and lighting of which is appropriate to the character of the property and to the old and historic district of which it is a part. The Commission may adopt additional signage standards for the review of certificates of appropriateness to supplement these standards.

G. Adoption of Architectural Guidelines

The Commission of Architectural Review may adopt architectural guidelines for any old and historic district to assist the public and the Commission in planning for and reviewing exterior modifications within the district. The guidelines must be advisory only and cannot replace the review required by this Section.

H. Architectural Guidelines for Use by Secretary

The Commission of Architectural Review may adopt design guidelines for any old and historic district for standard design features that are uniformly applicable within the district by the Secretary conducting a review pursuant to [Section 30-930.6\(h\)](#).

5.1.9. Appeal of Decision

A. Appeal to City Council

1. Any person aggrieved by a decision of the Commission of Architectural Review pertaining to issuance or denial of a certificate of appropriateness may appeal the decision to the City Council, by filing a petition with the City Clerk. A fee of \$150.00 used for a single-unit dwelling and \$500.00 used as other than a single-unit dwelling must accompany each petition, which fee must be paid into the City treasury.
2. The City Clerk must send copies of the petition to each member of the City Council and to the Secretary of the Commission. The petition must state in writing the alleged errors or illegality of the Commission's action and the grounds of the petition, specifically including any and all procedures, standards or guidelines alleged to have been violated or misapplied by the Commission.
3. The petition must be filed within 15 days after the final decision of the Commission approving or disapproving issuance of a certificate of appropriateness. The filing of the petition stays all

proceedings from the decision appealed, except that a decision denying a request for demolition in an old and historic district is not be stayed.

B. Procedure on appeal to City Council

Within 15 days of the filing of the petition pursuant to this section, the Commission of Architectural Review must file with the City Clerk certified or sworn copies of the record of its action and documents considered by it in making the decision being appealed. With the record and documents, the Commission may produce in writing such other facts as may be pertinent and material to show grounds of the decision appealed, verified by affidavit. The City Clerk must send copies of all information filed by the Commission to each member of the City Council.

C. Review by City Council

1. The City Council must review the petition, record, documents, and other materials produced by the Commission of Architectural Review pursuant to this section, and the City Council may reverse or modify the decision appealed, in whole or in part, by resolution when it is satisfied that the decision of the Commission is in error, or, by taking no action, the City Council may affirm the decision of the Commission. If the City Council finds that the testimony of witnesses is necessary for a proper disposition of the matter, it may hear evidence.
2. The failure of the City Council to modify or reverse the decision of the Commission within 75 days, excluding City holidays and days on which the City government is closed due to a local emergency properly declared, from the date the petition is filed constitutes affirmation of the Commission's decision, unless:
 - a. All parties to the appeal agree in writing to extend such period of time, in which case the period of time must be extended as provided in the agreement; or
 - b. A resolution has been introduced to modify or reverse the decision of the Commission and the meeting of the City Council at which the resolution is first scheduled for a public hearing occurs after the expiration of the period of time, in which case the period of time must be extended until the date of the next meeting of the City Council at which the resolution is scheduled for a public hearing.

D. Appeal to Circuit Court

1. Any person with standing may appeal a decision of the City Council to affirm, modify or reverse a decision of the Commission to the circuit court for review by filing a petition at law.
2. The petition must state in writing the alleged illegality of the action of the City Council and the grounds for the petition, specifically including any and all procedures, standards or guidelines alleged to have been violated or misapplied by the City Council.
3. The petition must be filed within 30 days after the decision of the City Council. The filing of the petition stays the decision of the City Council, except that a decision denying a request for demolition in an old and historic district is not stayed.
4. A copy of the petition must be delivered to the City Clerk, who must file with the circuit court a certified or sworn copy of the records and documents considered by the City Council.

E. Review by Circuit Court

The Circuit Court will review the record, documents and other materials filed by the City Clerk. The Circuit Court may reverse or modify the decision of the City Council, in whole or in part, if it finds upon review that the decision of the City Council is contrary to law or that its decision is arbitrary and constitutes an abuse of discretion, or the court may affirm the decision of the City Council.

F. Additional Rights of Owners to Demolish Certain Properties

1. Procedures

The following are procedures entitling owners to demolish properties:

- a. In addition to the right of appeal in **Section 30-930.8**, the owner of a building or structure, the razing or demolition of which is subject to review, must, as a matter of right, be entitled to raze or demolish the building or structure provided that:
 - I. The owner has applied to the Commission of Architectural Review and, if denied, to the City Council for the right;
 - II. The owner has, for the period of time established in the time schedule in **subsection (b) of this section** and at a price reasonably related to its fair market value, made a bona fide offer to sell the landmark, building or structure and the pertaining land to the City or to any person, any other government body, firm or corporation which gives reasonable assurance that it is willing to preserve and restore the landmark, building or structure and the pertaining land; and
 - III. No bona fide contract binding upon all parties must have been executed for the sale of any such landmark, building or structure and the land pertaining thereto prior to the expiration of the applicable time period established in the time schedule contained in **subsection (b) of this section**.
- b. Any appeal which may be taken to the court from the decision of the City Council, whether instituted by the owner or by any other proper party, notwithstanding the sections relating to a stay of the decision appealed from, do not affect the right of the owner to make the bona fide offer to sell referred to in this section. No offer to sell can be made more than 12 months after a final decision by the City Council, but after that the owner may renew the request to the City Council to approve the razing or demolition of the historic landmark, building or structure.

2. Time schedule

The time schedule for offers to sell pursuant to this section is as follows:

- a. Three months when the offering price is less than \$25,000.00;
- b. Four months when the offering price is \$25,000.00 or more but less than \$40,000.00;
- c. Five months when the offering price is \$40,000.00 or more but less than \$55,000.00;
- d. Six months when the offering price is \$55,000.00 or more but less than \$75,000.00;
- e. Seven months when the offering price is \$75,000.00 or more but less than \$90,000.00; and

- f. Twelve months when the offering price is \$90,000.00 or more.

G. Notice Required

1. Before making a bona fide offer to sell as provided for in this section, an owner must first file a statement with the Secretary of the Commission of Architectural Review, and the owner must publish the notice twice, not less than 7 days apart, in a daily newspaper of general circulation in the City.
2. The statement must identify the property, state the offering price, and state the date that the offer for sale is to begin and the name of the real estate agent, if any. No time period begins to run until the statement has been both filed and published.

SEC. 5.2. DESIGN OVERLAY DISTRICTS

5.2.1. Purpose

- A. The purpose of creating a design overlay district is to protect developed areas of the City characterized by uniqueness of established neighborhood character, architectural coherence and harmony, or vulnerability to deterioration.
- B. This is accomplished through controlling the patterns of architectural design and development in residential and commercial neighborhoods, which may include new construction, alterations, and demolitions.
- C. Only exterior changes to buildings, structures and sites within public view may be regulated. If the demolition of buildings and structures is regulated, as defined by district design guidelines, only buildings and structures deemed to be noncontributing to the general neighborhood character may be demolished. To achieve the general purpose of this Section, the City seeks to pursue the following specific purposes:
 - 1. Protection of existing architectural massing, composition and styles as well as neighborhood scale and character.
 - 2. Compatibility of new construction and structural alterations with the existing scale and character of surrounding properties. (3) Preservation of streetscapes, open spaces and natural features.

5.2.2. Applicability

This Section applies generally to designated design overlay districts and are for the purpose of setting the means of establishing and administering the districts as allowed by Section 17.11(a1) of the Charter. Fees may be created for the establishment, amendment and administration of design overlay districts.

5.2.3. Definitions

The following words, terms and phrases, when used in this Section, have the meanings ascribed to them, except where the context clearly indicates a different meaning:

Alteration. Any change, modification or addition to the structure, materials, color, texture or details of all or a part of the exterior of any building, structure, or site other than normal repair, maintenance, and landscaping.

Contributing building or structure. Any building or structure as defined by criteria in the National Register of Historic Places or other criteria as may be determined by district design guidelines.

Demolition. The dismantling or tearing down of all or a part of any building or structure and all operations, including incidental grading.

Design overlay district. Any portion of the City designated in accordance with this Section.

Exterior architectural features. The architectural style, general design and general arrangement of the exterior of a building or other structure, including the color; the kind and texture of the building material; the type and style of all windows, doors, light fixtures, signs, decorative features; and other appurtenances that are subject to public view.

DESIGN OVERLAY DISTRICTS

New construction. Any construction within a design overlay district which is independent of an existing structure or building or an expansion of an existing structure or building.

Normal repair and maintenance. Any work involving the replacement of existing work with equivalent material, design, color, and workmanship for the purpose of maintaining the existing condition of the building, structure or site.

Public view. That which is visible from a public right-of-way.

5.2.4. Urban Design Committee

A. Established

The Urban Design Committee is established and referred to as the "Committee."

B. Composition; Terms of Office; Compensation

1. The Urban Design Committee consists of 11 members who either reside in the City or have their primary place of business in the City. Members are appointed by City Council. Appointments of Committee members are as follows:
 - a. One of the members must be a registered architect;
 - b. One must be a member of a community-focused organization or business;
 - c. One must be a member of the faculty of a design or arts division of a local college or university;
 - d. One must be a registered professional engineer;
 - e. One must be an urban designer or urban planner;
 - f. One must be a registered landscape architect;
 - g. One must be a member of the City Planning Commission;
 - h. One must be a member of the Commission of Architectural Review;
 - i. Two must be citizens of the City appointed at large; and
 - j. One must be a member with demonstrated arboriculture or forestry expertise or a member of the Urban Forestry Commission.
2. Members are appointed for terms of office of 3 years from the date of appointment; provided, however, that members who are also members of the Planning Commission or of the Commission of Architectural Review must be appointed for terms coincident with their terms on the other Commission. Vacancies on the Committee must be filled in the same manner as provided in this Section. The members of the Committee serve as such without compensation.

C. Secretary

The Director of the Department of Planning and Development Review must appoint a Secretary for the Urban Design Committee, who must be a qualified employee of that Department. The Secretary,

in addition to other assigned duties, must keep a record of all actions and proceedings of the Committee.

D. Responsibilities and Duties

1. The Urban Design Committee must, upon request of the Planning Commission, advise the Commission on matters of an aesthetic nature in connection with the performance of the duties of the Commission under Sections 17.05, 17.06, and 17.07 of the Charter and in any other matter requested by the Commission.
2. The Committee also has the power and authority to review and approve or disapprove applications for design overlay district design review. In addition, the Committee has the duties to carry out the following responsibilities:
 - a. Hold regular meetings and other meetings as needed.
 - b. Adopt design guidelines applicable to properties in connection with the performance of the duties of the Planning Commission, except for design guidelines for specific design overlay districts.
 - c. Adopt procedures which allow for the delegation of the review, approval, or disapproval of applications to the Secretary.

E. Rules of Procedure

The Urban Design Committee is authorized to adopt rules of procedure for the transaction of its business and implementation of the purposes of this section. The rules of procedure cannot conflict with this Section.

5.2.5. Process for Designation

A. Scope

1. In the City there may be created design overlay districts which are an overlay to the other zoning districts into which the City is divided.
2. The boundaries of any districts created must be shown on the Official Zoning Map on file with the Department of Planning and Development Review.
3. Materials documenting the process of establishing a design overlay district must be kept in the files of the Department of Planning and Development Review. The Director of the Department of Planning and Development Review may establish additional procedures for the establishment of design overlay districts.
4. The adoption, amendment or repeal of any boundaries of a design overlay district must comply with and be subject to all procedures and criteria in the Charter applicable to the adoption, amendment or repeal of the comprehensive zoning plan.

B. Requests by Neighborhood Organization; Report

Any neighborhood organization which has demonstrated a broad representation and membership may request design overlay district designation for its neighborhood. The neighborhood organization

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requesting designation must submit a written report to the Director of the Department of Planning and Development Review which contains the following:

1. The name of the neighborhood organization representing the interest of property owners in the proposed area, and one contact person's name, street address, and daytime phone number.
2. A justification of why design overlay district designation is needed.
3. A statement of the neighborhood's goals and an explanation of how design overlay district designation will meet these goals.
4. A description of the following in the neighborhood:
 - a. Unique established neighborhood character;
 - b. Architectural coherence and harmony; and
 - c. Vulnerability to deterioration.
5. A simple inventory of the neighborhood's unique characteristics including building characteristics, descriptions, significant details, date of construction, types of land uses, property addresses, etc. Color photographs documenting the characteristics must be included in the report.
6. A reproducible map showing the proposed district's boundaries with street names clearly displayed and an explanation of why the boundaries are appropriate.
7. A draft of specific design guidelines for the proposed design overlay district and how the guidelines relate to inventory characteristics.
8. A statement of the level of neighborhood and property owner support for design overlay district designation.
9. A description of the neighborhood organization's activities reflecting progress towards design overlay district designation to date.
10. Any additional information that the Director of the Department of Planning and Development Review or designated staff determines to be necessary.

C. Public information Meeting

1. The staff of the Department of Planning and Development Review must review the report submitted by the neighborhood organization pursuant to subsection (b) of this section.
2. Upon acceptance of the form and content of the report, the staff must notify the neighborhood so a public information meeting may be called. The public information meeting must be sponsored by the neighborhood organization with assistance from staff of the Department of Planning and Development Review.
3. The neighborhood organization must provide written notice of the public information meeting to all property owners within the proposed design overlay district. In addition, notice of the public meeting must be published by the neighborhood organization once in a daily newspaper of general circulation in the City and not less than 14 days prior to the date of the public information meeting.

D. Review of Proposed Designation

1. Pursuant to this section, the neighborhood organization must notify the property owners by mail and solicit, by return mail to the Department of Planning and Development Review, a response of support or opposition to the proposed design overlay district designation.
2. If the majority of the responding property owners indicate support for the designation, the neighborhood organization's report must be presented to the Urban Design Committee and the Planning Commission.
3. Upon a favorable recommendation of the Planning Commission, an ordinance must be prepared designating the design overlay district.
4. A separate ordinance is required for each design overlay district.
5. The ordinance must be reviewed by the Urban Design Committee and a recommendation must be forwarded to the Planning Commission who must review the ordinance and forward a recommendation to the City Council.
6. The City Council must take final action on the proposed design overlay district after holding a public hearing.

E. Relation to Other Districts

Design overlay districts are in addition to the underlying zoning and are applied as an overlay and are superimposed over other zoning districts and shown on the Official Zoning Map. Any property lying within a design overlay district also lies within one or more other zoning districts, which are known as underlying districts.

F. Application of District Regulations

Each design overlay district is established to create a review process as provided in this Section. In all other respects, the land use regulations normally applicable within the underlying zoning district apply to property within the boundaries of the design overlay district.

5.2.6. Specific Districts Established and Designated

This Section is applicable within the following districts, which are established and designated as design overlay districts:

- A. West of the Boulevard Design Overlay District.

5.2.7. Design Guidelines of Specific Districts

Each design overlay district must have its own specific design guidelines which are developed by the neighborhood organization requesting design overlay district designation. The design guidelines must further the specific purposes of design overlay district designation in the neighborhood organization's written report as required in **Section 30-940.4(b)**. Nothing in the design guidelines is intended to usurp the rights that property owners have under this Zoning Code. Where the design guidelines are more restrictive than this Zoning Code, the design guidelines are considered to be recommendations only. The design guidelines for a specific design overlay district must be reviewed by the Urban Design

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Committee and be adopted by resolution of the Planning Commission after holding a public hearing. The design guidelines may be amended by resolution of the Planning Commission after holding a public hearing. The Director of the Department of Planning and Development Review may establish additional procedures for giving public notice.

5.2.8. Process for Administration

A. Approval required

1. No building or structure or any exterior portion of a building or structure, sign or driveway can be constructed, altered, reconstructed, repaired, restored or demolished within any design overlay district unless the building or structure or any exterior portion a building or structure, sign or driveway is approved by the designee of the Urban Design Committee or, on appeal, by the Urban Design Committee or the City Council, as being consistent with the purpose of the adopted design guidelines of the particular design overlay district in which the property is situated.
2. All approvals must be evidenced by a certificate of approval.
3. No permit to authorize any new construction, alteration or demolition or to erect any sign or to install any driveway can be issued by the responsible City agency unless the applicant has first obtained a certificate of approval for the work.

B. Scope of review

A certificate of approval is only be required for such new construction, demolition or alterations to a building, structure or site which are within public view and are specifically described in the adopted design guidelines for the particular design overlay district, as established in this Section, in which the property is situated.

C. Administration Generally

1. Design overlay districts must be administered through the building permit and certificate of zoning compliance application processes in accordance with Article X, Divisions 2 and 3 of this chapter, and such other permit approval processes of any agency of the City that affect any feature of the district design guidelines.
2. Applications for all permits on properties situated in a design overlay district must be forwarded to the Zoning Administrator by the responsible City agency. The Zoning Administrator must determine if a certificate of approval is required by the adopted design guidelines as provided for by Section 30-940.4(b)(7) for the particular design overlay district in which the property is situated and, if the determination is made, the Zoning Administrator must forward the plans to an appointed designee of the Urban Design Committee for review.
3. The Director of the Department of Planning and Development Review may establish additional procedures and guidelines for the administration of design overlay districts.

D. Conceptual Review of Plans

1. Any person may request a conceptual design review of the proposal for exterior work, before submitting for a building permit, certificate of zoning compliance or other applicable permit or approval.

2. The appointed designee of the Urban Design Committee may review and discuss the proposal with the applicant and make any necessary recommendations. The conceptual review is advisory only.

E. Permit Review and Additional Submission Requirements

1. Upon receipt of a complete application for a building permit, certificate of zoning compliance or other applicable permit or approval for a building, structure or other feature located on property within a designated design overlay district, the appointed designee of the Urban Design Committee must review the plans for conformance with the adopted design guidelines for the particular design overlay district.
2. In order to determine conformance with the adopted design guidelines, the applicant may be required to submit additional information on the proposed exterior architectural features of the building, structure or feature, which may include, but is not be limited to, the design, arrangement, texture, materials, and color proposed to be used and the type of windows, exterior doors, lights, signs, site improvements, and other exterior fixtures and appurtenances.

F. Approval or Disapproval of Application of Certificate of Approval

1. Upon review of plans for conformance with the adopted design guidelines of a particular design overlay district, the appointed designee of the Urban Design Committee must approve, with or without conditions, or disapprove and must notify in writing the neighborhood organization which requested design overlay district designation for its neighborhood.
2. If the plans are approved, the designee of the Urban Design Committee must issue a certificate of approval, with or without conditions, and the applicant must post the certificate of approval on the exterior of the property within public view within 2 calendar days after the granting of approval.
3. The certificate of approval must remain posted for 30 consecutive days. The designee of the Urban Design Committee must note approval, with or without conditions, or note disapproval on the building permit or other applicable permit.

G. Reason for Action

The appointed designee of the Urban Design Committee must clearly state the reason for approval or disapproval of the plans on the building permit or other applicable permit.

H. Normal Maintenance and Repair

Nothing in this Section can be construed to prevent the normal repair and maintenance of any exterior architectural features located in a design overlay district.

I. Unsafe and Dangerous Conditions

Nothing in this Section can be construed to prevent the construction, reconstruction, alteration or demolition of any building or feature which the Commissioner of Buildings determines is required for public safety because of an unsafe or dangerous condition. Upon the determination of such a condition, the Commissioner of Buildings must provide notice to the appointed designee of the Urban Design Committee.

5.2.9. Appeal of Decision

A. Appeal to Urban Design Committee

1. Any person aggrieved or any officer, department, board, commission or agency of the City affected may appeal the decision of the designee of the Urban Design Committee made pursuant to this Section to the Urban Design Committee by filing a petition with the Secretary of the Urban Design Committee.
2. The petition must be filed within 30 days after the final written decision of the designee approving or disapproving design approval and must set forth the alleged errors or illegality of the designee's action and the grounds for appeal.
3. The Secretary of the Urban Design Committee must send copies of the petition to each member of the Urban Design Committee and to the property owner and must notify in writing the neighborhood organization which requested design overlay district designation for its neighborhood and the affected property owners of all property or portions of property located within 150 feet of the property.
4. Notification must include the scope of work and the date, time, and place of the meeting at which the appeal will be considered by the Urban Design Committee and by regular mail and mailed at least 7 days prior to the meeting.
5. The filing of the petition stays all proceedings from the decision appealed, except that a decision denying a request for demolition in a design overlay district is not stayed.

B. Review by Urban Design Committee

1. Upon receipt of the petition filed pursuant to this section, the Urban Design Committee must review the petition and approve or disapprove the plans and, if approved, issue a certificate of approval, with or without conditions, or with modifications of the plans as the Committee deems necessary to execute the purpose set forth in the adopted design guidelines of the particular design overlay district and to require compliance with this Zoning Code.
2. Approval of any plans must receive no fewer than 5 affirmative votes of the Urban Design Committee. Failure to receive 5 affirmative votes is equivalent to a denial.
3. The Director of the Department of Planning and Development Review may establish additional procedures and guidelines for appeals.

C. Appeal to City Council

1. Any person aggrieved or any officer, department, board, commission or agency of the City affected may appeal the decision of the Urban Design Committee made pursuant to this Section to the City Council by filing a petition with the City Clerk.
2. The City Clerk must send copies of the petition to each member of the City Council and to the Secretary of the Urban Design Committee. The petition must set forth the alleged errors or illegality of the Urban Design Committee's action and the grounds for appeal and must be filed within 30 days after the final decision of the Urban Design Committee approving or disapproving design approval.

3. The filing of the petition stays all proceedings from the decision appealed, except that a decision denying a request for demolition in a design overlay district is not stayed.

D. Procedure on Appeal to City Council

1. Within 30 days of the filing of the petition pursuant to this section, the Urban Design Committee must file with the City Clerk certified or sworn copies of the record of its action and documents considered by it in making the decision being appealed.
2. With the record and documents, the Urban Design Committee may produce in writing other facts as may be pertinent and material to show grounds of the decision appealed, verified by affidavit.
3. The City Clerk must send copies of all information filed by the Urban Design Committee within a reasonable time to each member of the City Council.
4. The Director of the Department of Planning and Development Review may establish additional procedures and guidelines for appeals.

E. Review by City Council

The City Council must review the petition, record, documents, and other materials produced by the Urban Design Committee pursuant to this section, and the City Council may reverse or modify the decision appealed, in whole or in part, when it is satisfied that the decision of the Urban Design Committee is in error, or the City Council may affirm the decision of the Urban Design Committee.

F. Appeal to Circuit Court

Any person aggrieved or any officer, department, board, commission or agency of the City affected may appeal any decision of the City Council to affirm, modify or reverse a decision of the Urban Design Committee made pursuant to this division to the circuit court for review by filing a petition at law.

G. Additional Rights of Owners to Demolish Certain buildings or Structures

1. Procedures

The following are procedures entitling owners to demolish properties:

- a. If the design guidelines for a particular design overlay district prohibit the demolition of buildings or structures deemed to be contributing to the general neighborhood character, the owner of the building or structure must, as a matter of right and in addition to the right of appeal in **Section 30-940.8**, are entitled to demolish the building or structure, provided that:
 - I. The owner has submitted a demolition permit to the City and, if denied by the designee of the Urban Design Committee, has appealed the decision to the Urban Design Committee and, if denied, has appealed the decision to the City Council;
 - II. The owner has, for the period of time in **subsection (b) of this section** and at a price reasonably related to its fair market value, made a bona fide offer to sell the building or structure and the pertaining land to the City or to any person, firm, corporation, government or agency or political subdivision or agency which gives reasonable

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assurance that it is willing to preserve and restore the building or structure and the pertaining land; and

III. No bona fide contract, binding upon all parties, has been executed for the sale of any building or structure and the pertaining land prior to the expiration of the applicable time period in subsection (b) of this section.

- b. Any appeal taken to the court from the decision of the City Council, whether instituted by the owner or by any other proper party, notwithstanding the sections of this Section relating to a stay of the decision appealed from, do not affect the right of the owner to make the bona fide offer to sell.
- c. No offer to sell can be made more than 12 months after a final decision by the City Council, but after that the owner may renew the request to the City to approve the demolition of the building or structure.

2. Time Schedule

The time schedule for offers to sell made pursuant to this section are as follows:

- a. Three months when the offering price is less than \$25,000.00;
- b. Four months when the offering price is \$25,000.00 or more but less than \$40,000.00;
- c. Five months when the offering price is \$40,000.00 or more but less than \$55,000.00;
- d. Six months when the offering price is \$55,000.00 or more but less than \$75,000.00;
- e. Seven months when the offering price is \$75,000.00 or more but less than \$90,000.00;
- f. Twelve months when the offering price is \$90,000.00 or more.

3. Notice Required

- a. Before making a bona fide offer to sell as provided for in this section, the property owner must first file a statement with the Secretary of the Urban Design Committee, and the owner must publish the notice twice, not less than 7 days apart, in a daily newspaper of general circulation in the City.
- b. The statement must identify the property and must state the offering price, the date that the offer for sale is to begin, and the name of the real estate agent, if any.
- c. No time period in subsection (b) of this section can start to run until the statement has been both filed and published.