Summary Proposed Zoning Ordinance Amendments – April 23, 2012

The following definitions have been added or amended: "antique store", "farmers' market", "flea market", "home occupation", "home occupation, minor", "lot line, front", "paintball course", "personal service establishment", "shooting range, indoor", and "shooting range, outdoor".

Provisions have been added for Conditional Use Permits not commencing within 24 months of approval or have been discontinued for more than 24 months with the ability to request an additional 12 month extension from Town Council.

Parking provisions for multi-family dwellings, apartments, condominium and townhouse units have been changed to 2.5 per dwelling unit.

Parking requirement for retail, personal service establishments and banks as well as shopping centers are being reduced from 1 per 200 square feet to 1 per 250 square feet for areas less than 5,000 square feet, 1 per 300 square feet for areas between 5,000 and 10,000 square feet, and 1 per 350 square feet for areas greater than 10,000 square feet.

Parking requirement for furniture or appliance store, machinery, equipment, mobile home, and automobile and boat sales and service are being reduced from 1 per 300 square feet to 1 per 500 square feet and the minimum requirement for furniture stores is being increased from 2 to 3 spaces.

A parking requirement for antique stores is being added at 1 per 500 square feet with a minimum of 3 spaces.

Added provisions in regards to Americans with Disabilities Act and Code of Virginia for spaces reserved for the use of persons with disabilities.

Parking provisions for farmers' market has been added, requiring 2 for each rented stall, table or sales space.

Parking lot driving aisle aisles widths have been increased to 24 feet for two-way traffic with 90 degree parking, 20 feet for two-way traffic with 60 degree parking, and 18 feet for two-way traffic with 45 degree parking, and added a provision allowing two-way traffic with parking only on one side to utilize an 18' driving aisle.

Adds eligibility for a 10% parking credit for the availability of mass transit, which is deemed to be Town-sponsored bus service on-site, along the street frontage of the property, or within 600 feet of the property under consideration.

Adds property owner option for providing 2 motorcycle parking spaces in lieu of 1 standard parking space at a maximum ratio of 1 space per 50 provided parking spaces.

Adds property owner option for providing compact parking spaces for development of 100 or more parking spaces provided at a maximum of ten percent of the total parking provided.

Clarification of storage lots not requiring paving has been added to minimum off-street parking requirements.

In the A Agriculture District, the front setback has been edited to the front lot line and the side yard setback has been edited to 25 feet or side lot line easement whichever is greater.

In the R-1A Rural Residential District, the front setback has been edited to the front lot line and the side yard setback has been edited to 15 feet or side lot line easement whichever is greater.

In the R-1 Single Family Residential, R-2 Two-Family Residential, R-3 Multi-Family Residential and the R-MS Residential Manufactured Subdivision Districts, the front setback has been edited to the front lot line and the side yard setback has been edited to 10 feet or side lot line easement whichever is greater.

In the Mixed Use Districts (MU-1 and MU-2) , the front setback for a residential structure has been edited to the front lot line and the side yard setback for a residential structure has been edited to 10 feet or a side lot line easement whichever is greater.

In the Mixed Use Districts (MU-1 and MU-2), the side yard setback for main structures has been edited to 10 feet or a side lot line easement whichever is greater.

Personal service establishments have been added as a permitted use to the B-1 Limited Business, B-2 Central Business, and B-3 General Business Districts.

Skating rinks, indoor and outdoor shooting ranges, paintball courses, and farmers' markets have been added as uses requiring a CUP in the B-2 Central Business and B-3 General Business Districts.

A provision for height regulations in the B-2 Central Business District has been added requiring a CUP for structures greater than 70 feet (Town water tanks are exempted) with structures 70 feet or less allowed by right.

A provision has been added to the I-1 Limited Industrial and I-2 General Industrial Districts to allow the Zoning Administrator to require a CUP approval for uses (as opposed to simply "a public hearing").

In the I-1 Limited Industrial and I-2 General Industrial Districts uses, public billiard parlors and poolrooms, game rooms, bowling alleys, skating rinks, indoor and outdoor shooting ranges, paintball courses, and similar forms of public amusement, with a Conditional Use Permit have been added.

The side yard setback has been changed to 40 feet in the I-1 Limited Industrial District.

A provision to require a CUP for structures with a height greater than 70 feet has been added to the I-2 General Industrial District (Town water tanks are exempted) with structures 70 feet or less allowed by right.

The allowance for a 10 foot wide pedestrian access from the public right-of-way (in lieu of a 30 foot paved access) has been removed under the Townhouses section of the Code.

Site plans no longer require a blank space for approving authority under the Site Plan Review section of the Code.

Site Plan Review has been edited to require review comments to be returned to the applicant in accordance with Code of Virginia and the applicant is to revise comments to the satisfaction of the Town Manager, Town Engineer and Zoning Administrator prior to approval.

Remove the "approaching confiscation" provision in the variance hardship requirement to be in compliance with Code of Virginia.

Revised provisions for the care of mentally retarded or physically disabled to assisted living facilities and groups homes of eight or fewer individuals as exempted by Code of Virginia § 15.2-2291 in the A Agricultural, R-1A Rural Residential, R-1 Single-Family Residential, R-2 Two-Family Residential, R-3 Multi-Family Residential, R-MS Residential Manufactured Home Subdivision, MU-1 Mixed Use: Residential - Limited Business, and MU-2 Mixed Use: Residential - Limited Business - Limited Industrial Districts.