



Text Amendment #2020-00005

Practical Updates

Planning Commission
September 1, 2020

Purpose

- Modernize and clarify regulations and definitions
- Correct errors
- Incorporate language to reflect the Code of Virginia
- Provide sensible updates to:
 - Front porches
 - Fence height between schools and residential properties
 - Residential reversions

General Regulations

- Add RMF zone to the list of established zones.

Amend Definition: Townhouse and Two-Family Semi- Detached Dwellings

- Remove the term **party wall**.
- **Party wall** refers to a specific type of construction, dwelling types can instead be distinguished for purposes of zoning by exterior configuration.

Amend Definition: Building Height

- Remove language that requires building height to be measured from average finished grade or curb grade whichever is lower.
- Definition includes the term *right of way line* which is not defined elsewhere.
- Does not provide guidance on how to apply this requirement if applied to corner lots.
- Conflicts with other provisions within the definition of height.

Amend Definition: Medical Care Facility

- Expand the definition to include uses that were previously excluded.
- Modernize the definition to reflect current trends to offer more medical services at smaller facilities.
- Offer flexibility to collocate medical services.

Correct Technical Errors: References in the Floor Area Ratio Definition

- Correct the section reference for sheds and small accessory structures within the list of excludable areas.

Correct Technical Errors: References to Dwelling Units in RB and RM zones

- Correct the RM zone: references a single-family **residence** which is not a listed use in the zoning ordinance.
- Remove the dwelling **type** from the grandfathering provisions in RM and RB zone that allow development on substandard lot.
- Rather than require a single family dwelling which must be **detached**, limit the development on these lots to **one dwelling unit**.

Correct Technical Errors: Effective Dates

- Add the date that the RMF zone became effective March 16, 2019.
- Remove portion of section 11-1207 that was only effective until July 1, 2017.

Accessory Uses and Structures: Open Porches in Side Yards



- Allow open front porches in required side yards when it does not extend beyond the side walls of the existing building.

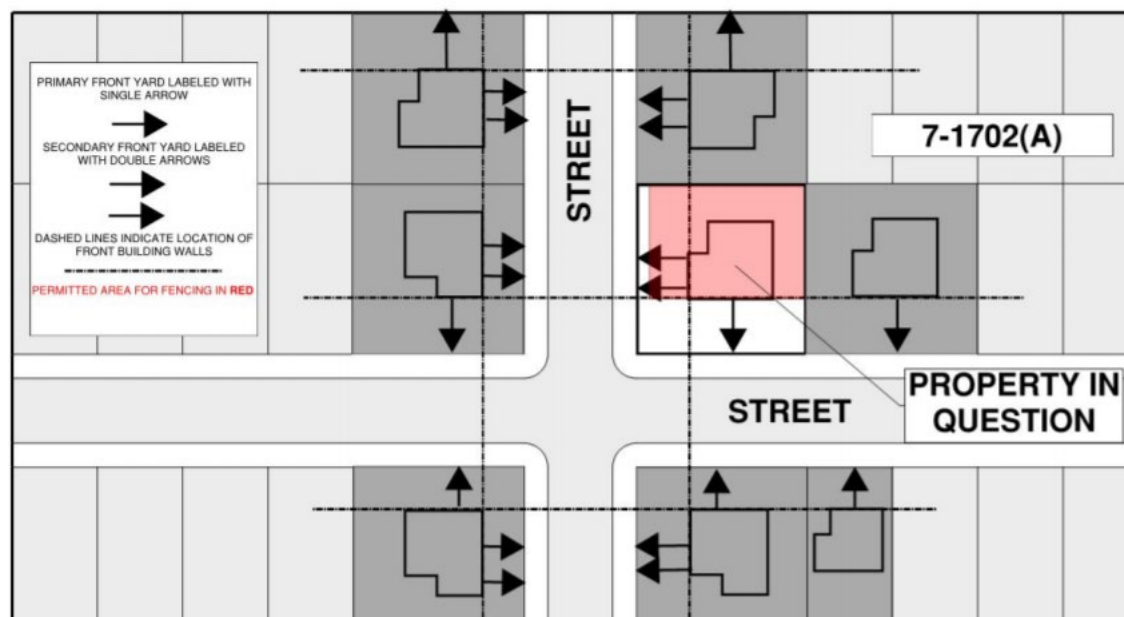
Accessory Uses and Structures: Fence Height Between Schools and Residential Properties

- Allow a fence up to 10 feet in height in required side and rear setbacks to allow for adequate screening between schools and residences.

Accessory Uses and Structures: Fences on Corner and Through Lots



- Further simplify and clarify this section by ensuring consistent terminology throughout and adjusting the overall structure of this section.
- Allow fences up to 6 feet in height up the primary front building wall facing the secondary front yard.



Development Approvals and Procedures

- Due to frequent changes to the State Code related to conditional zoning, staff proposes to remove specific language and reference the Code Of Virginia in its place.

Board of Zoning Appeals: Reflect Changes to the Code of Virginia

- Add time period for the BZA to respond to a writ of certiorari.
- Amend the standards of a variance to provide for the persons with disabilities and add conditions and restrictions for variances meeting that standard.
- Add certified mail as an additional method of providing notice.

Board of Zoning Appeals: Special Exceptions

- Remove repetitive language and provide consistency with proposed language for front porches.

Noncomplying Structures: Residential Reversion

- Incorporate residential reuse provisions for the 1500 block of King Street into the Residential Reversion provisions.
- Expand the applicability to include portions of the 1400 and 1600 block of King Street.
- Remove the reference to the CD zone.



Noncomplying Structures: Residential Reversion

- Expand the eligibility criteria for Residential Reversions to include properties currently used commercially that have not increased their noncompliance as a residential use since the comprehensive rezoning of the City in 1992.



Recommendation

Staff recommends **initiation** and **approval** of the text amendments.