



DOCKET ITEM #3
Zoning Text Amendment #2021-00003
Zoning Practical Updates #4

CONSENT AGENDA ITEM

If no one asks to speak about this case prior to the hearing, it will be approved without discussion as part of the Consent Agenda.

Issue: (A) Initiation of a Text Amendment; and (B) Public Hearing and Consideration of a Text Amendment to the Zoning Ordinance to amend sections 1-400, 7-203, 7-2501 and 11-1302 to correct technical errors; to amend various sections of Article II to correct technical errors in definitions, define accessory building and clarify definitions related to accessory uses and structures, floor area, open space and trellises; to amend various sections of Articles IV to clarify lot requirements and bulk and open space regulations for mixed use buildings; to amend section 6-403 to allow solar energy systems as mechanical equipment not subject to maximum height limits; to amend various sections of Article VII to clarify language related to accessory uses and structures and home occupations, to allow electric vehicle charging structures in required yards, to allow permeable driveways to access accessory buildings containing accessory dwellings, to repeal limitations on aesthetic guidelines governing wireless facilities and to prohibit the use of tall trellises as fences; to amend section 8-200 to allow tandem parking for small multifamily dwellings; to amend various sections of Article XI, Division C to establish procedures for the Board of Zoning Appeals to extend zones for split-zoned properties and to amend section 13-114 to reflect recommendations by the Virginia Department of Environmental Quality, as part of the 2020 Chesapeake Bay Audit and required under the Virginia Administrative Code.	Planning Commission Hearing:	September 9, 2021
	City Council Hearing:	September 18, 2021

Zoning Text Amendment #2021-00003
Zoning Ordinance Practical Updates

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I. Issue

The existing Zoning Ordinance dates to 1992, with changes to sections of the Zoning Ordinance occurring over time. Through use of the Ordinance, multiple errors have been identified that may have occurred during previous rewrites or amendments to the regulations. Some changes have produced redundancies or may conflict with other regulations within the Zoning Ordinance. In addition, over time, the Director of Planning and Zoning has provided interpretations of the Zoning Ordinance to provide clarity in the application and administration of the regulations generally or as applied to certain aspects of property or the built form. Interpretations of common internal staff interpretation require codification within the City's Zoning Ordinance.

This update also repeals a section of the Zoning Ordinance which limits the City's ability to set aesthetic standards for wireless facilities based on a recent court ruling.

The purpose of the proposed zoning text amendments is to modify and amend various sections of the City's Zoning Ordinance to correct errors, modernize and update regulations to accommodate changes in practices and codify on-going staff interpretations. The following is a summary list of the proposed zoning changes discussed in detail in this report with the specific text changes shown in Attachment 1.

(A) Technical errors

- Move commercial complex definition to correct alphabetical order
- Remove duplicate definitions for through lots
- Correct cross-references in various sections

(B) Amended/new definitions

- Accessory use/structure/building
- Average pre-construction grade
- Floor area
- Open space
- Trellis

(C) Mixed use lot requirements, bulk and open space regulations in commercial zones

- Clarify language

(D) Accessory Uses and Structures

- Allow solar energy systems (solar/photovoltaic (PV) panels, etc.) regardless of maximum height requirements
- Clarify/update language based on amended/new definitions
- Consolidate repeat references to setbacks required for accessory structures and buildings to increase clarity
- Allow electric vehicle (EV) charging structures as accessory uses in required yards
- Amend trellis definition to prohibit the use of tall trellises as fences
- Allow permeable driveways in required yards for accessing accessory buildings that contain accessory dwellings and garages
- Repeal aesthetic standard restrictions governing wireless facilities

- Simplify home occupation regulation
- Clarify language for detached garage regulations
- (E) **Development Approvals and Procedures**
 - Amend stormwater regulations to reflect recommendations by the Virginia Department of Environmental Quality, as part of the 2020 Chesapeake Bay Audit and required under the Virginia Administrative Code
 - Allow tandem parking to meet parking requirement for small multifamily dwellings
- (F) **Board of Zoning Appeals**
 - Establish procedures for split zoned properties
 - Clarify language for special exceptions for accessory dwellings

II. Background

Since the current Zoning Ordinance was adopted in 1992, there have been changes to certain sections to update zoning regulations to more closely align with current planning strategies and emerging principles. Through use of the amended Zoning Ordinance, staff has identified errors and inconsistencies within the text language and identified certain regulations that appear to unintentionally restrict the placement and location of certain uses and structures. Throughout the past year staff has identified various text language challenges of the Zoning Ordinance and recommend providing practical updates to these regulations to better align the Zoning Ordinance with the current use of property within the City.

III. Discussion of Proposed Text Changes

- (A) *Technical Errors*
In applying the Zoning Ordinance, staff has identified several errors within the existing ordinance. Staff proposes removing duplicative and erroneous language with this text amendment.
- (1) *Move commercial complex definition to correct alphabetical order.* The 2020 Small Business Zoning updates replaced the shopping center definition with a new definition called commercial complex. Staff proposes moving the commercial complex definition to be in alphabetical order (new section 2-128.1) and delete the old definition (section 2-193.1).
 - (2) *Remove duplicate definition for through lots.* The duplicate through lot definition is redundant. Staff was unable to determine when this definition was established. Staff proposes deleting section 2-169.1.
- (B) *Correct cross-references in various sections.* Several cross-references in the ordinance cite incorrect sections. Staff proposes corrections to the cross-references found in the following sections: 1-400(B)(3)(d), 11-605(B)(2) and 11-1302(F).
- (C) *Amend and establish new definitions.* Staff determined that updates to definitions were necessary to clarify the correct interpretation and enforcement of the ordinance, including:
- (1) *Amend accessory use/structure/building definition.* The existing ordinance defines structures and buildings separately, stating that a building is an enclosed structure with a roof, while a structure (section 2-197) is a very broad term that

could apply to anything that is “...built up or composed of parts joined together in some definite manner.”

The existing ordinance does not, however, define an accessory building. Staff found that a definition would be helpful to distinguish between accessory building and structures. Distinguishing between the two would allow for the ordinance to clarify how accessory buildings and structures should relate to the principal structure or building. For example, an accessory building should have less floor area and be shorter than the primary building. An accessory structure that doesn't have a roof would not be subject to a floor area limit as it does not have floor area.

These changes would increase consistency between definitions for accessory uses and structures (sections 2-104 and 2-197.3, respectively) and would establish a new definition for accessory buildings (section 2-123.1). Staff proposes deleting section 2-197.3 (subordinate structure) because it would be redundant with the proposed changes.

- (2) *Amend average pre-construction grade definition.* The existing average pre-construction grade definition (section 2-119.1) does not allow for accurate average grades to be determined for smaller accessory buildings. Staff proposes requiring at least four measurements to determine average pre-construction grade for accessory buildings less than 250 square feet. Average pre-construction grade is also required to be established for existing dwellings which the current definition omits.
- (3) *Amend floor area ratio definition to add clarity, remove redundant language and correct a technical error.* In February 2018 and again in 2019, City Council adopted amendments to the floor area provisions of the Zoning Ordinance to provide clarity for staff, residents, and the development community but also to facilitate desirable design elements on buildings to enhance their quality without inappropriately increasing their bulk. In 2018, the definition was amended to include space which is deemed habitable space by the Virginia Uniform Statewide Building Code (USBC) or seven feet or more in height, whichever is less. In 2019, the definition was again amended to remove references to habitable space as defined by the statewide building code because it was creating confusion when calculating FAR and to provide clarity that FAR is a tool to measure mass and bulk on a property, not to measure habitable space.

In applying the new definition, staff has discovered that by leaving in language about FAR including all space seven feet or more in height, there has been confusion that means all area less than seven can be excluded. While this is true for properties other than those that were subject to the infill regulations, it was the intent of the infill regulations and subsequent amendments to the definition of FAR, to capture all areas under roof, with limited specific exclusions, not all areas less than seven feet.

The purpose of this text amendment is to remove the reference to seven feet in the description portion of FAR in both section 2-145(A) and (B) and to clarify that for properties previously subject to the infill regulations (single and two-family dwellings outside of the historic districts), only attic areas with ceiling height of less than seven feet can be excluded. Section 2-145(A)(4) is being

amended to correct a technical error that should have only allowed attic areas less than seven feet to be excluded from FAR rather than seven feet or less. Currently the Virginia Uniform Statewide Building Code (USBC) minimum ceiling height for habitable space is seven feet. As written, an entire attic area could be constructed at seven feet, used as habitable space and excluded from FAR, which was not the intention of this exclusion. Staff believes this language to be a drafting error in the 2019 amendment.

For all properties not identified in section 2-145(A), staff is not proposing changes to how the FAR will be calculated, but instead proposes to clarify the definition by moving exclusions for areas less than seven feet in height and parking garages built prior to the 2018 amendments to the list of exclusions.

These proposed changes reflect the intentions of the previous FAR definition amendments and are consistent with staff's current interpretation and application of the definition.

- (4) *Amend floor area definition to allow exclusions of wrap-around porches.* The current exclusions for porches (section 2-145(A)(5) and (B)(13)) do not allow for a wrap-around porch to be fully excluded from floor area, even if its depth is eight feet or less. Staff proposes allowing small areas of wrap around porches to be excluded that can't be under the current regulation.
- (5) *Amend open space definition to clarify align with 1995 guidance memo and current practice for measuring open space.* Currently the definition of open space states that, among other requirements, open space is "eight feet or more in width". In 1995, the Director of Planning and Zoning issued a memo to guide the members of an open space task force about how to measure open space. This memo clearly states open space must be measured eight feet in both directions and outlines some exceptions in the RM zone. This is further confirmed in memo from the task force to the City Council in 1996. Since at least the mid 1990's, staff has consistently required open space to measure at least eight feet by eight feet to be counted towards meeting the minimum requirements, with the limited exception in the RM zone, section 3-1106(B)(4) which allows smaller areas to be included in certain circumstances.

The proposed text amendment will add clarifying language to explain that open space must be eight feet in both width and length to be counted towards open space which is consistent with current practice.
- (6) *Amend trellis definition.* Staff proposes a simple amendment to the trellis definition (section 2-200.1) to state that a trellis *may* be used "...to support or display climbing plants."
- (D) *Mixed use lot requirements, bulk and open space regulations in commercial zones.* The CL, CC, CSL, CG, CD, CD-X, OC, OCM(50), OCM(100) and OCH zones all specify lot requirements and bulk/open space regulations with confusing language that has raised interpretation questions among staff, applicants and the public. Staff proposes amending this language to clarify these questions to ensure proper enforcement of these regulations. Staff's proposed changes would clarify how lot requirements and bulk/open space regulations apply to mixed-use properties in these zones.
- (E) *Accessory Uses and Structures.* Staff proposes several changes within Article VII. – Supplemental Zone Regulations related to accessory uses and structures:

- (1) *Allow solar energy systems regardless of height provisions.* The ordinance does not allow for solar energy systems (solar/photovoltaic (PV) panels, etc.) to be constructed beyond the maximum height limit. Staff proposes amending section 6-403(B) to allow for solar energy systems to be constructed beyond the maximum height limit.
- (2) *Clarify and update language based on amended and new definitions.* Staff's proposed creation of an accessory building, and changes to the accessory structure definitions would necessitate changes to sections 7-100, 7-101, 7-102 and 7-103. These amendments ensure that the new or revised definitions would be properly referenced.
- (3) *Consolidate repeat references to setbacks required for accessory structure and buildings.* Sections 7-202(A)(1)(d), 7-202(C)(1), 7-202(C)(2)(c), 7-203(C)(3)(a) and 7-2501(B)(2)(c) all require additional setbacks for accessory structures and buildings near property lines. These additional setbacks are required based on whether the adjacent property has a building with windows that face the shared lot line near the proposed accessory structure or building would be located. Staff proposes consolidating these requirements in section 7-103(E).
- (4) *Allow electric vehicle (EV) charging structures and mechanical equipment as an accessory structure and use.* The ordinance is silent on electrical vehicle charging. Staff proposes listing accessory vehicle charging as a permitted accessory use (section 7-101) and allowing them in required yards as long as they comply with the noise standards required for residential mechanical equipment.
- (5) *Amend trellis definition to prohibit the use of tall trellises as fences.* The current ordinance would allow for a trellis up to 10 feet in height with a limit to its length. Staff has received several complaints regarding trellises being used as fences. Staff finds that 10-foot-tall fences are not appropriate nor are 10-foot-tall trellises that act as fencing. Staff proposes amendments to section 7-202(A)(1) that would require trellises exceeding six feet in height and longer than 15 feet in length to comply with the ordinance's fence requirements. Trellises attached to fences would also have to comply with the fence requirements.
- (6) *Allow driveways accessing accessory buildings containing accessory dwellings and garages to occupy a required yard if they are permeable.* In certain cases, the ordinance allows for a detached garage to be accessed via a permeable driveway, even if the driveway would occupy more than 50 percent of any required yard. Staff found it appropriate to extend this rule to an accessory building containing an accessory dwelling unit and a garage.
- (7) *Amend home occupation regulations to account for changes in technology and how small businesses operate.* The current home occupation regulations list very specific types of businesses that do not reflect the wide variety of businesses that can operate from a residence. Instead of listing specific permitted and prohibited occupations, this section will now regulate home based businesses only by the use limitations. These changes will allow greater

flexibility for home-based businesses but will continue to restrict businesses that are inconsistent or potentially impactful to surrounding residential uses.

- (8) *Repeal the characteristics of guidelines aesthetic standard governing wireless facilities.* The court's ruling in the *City of Portland v. FCC*, No. 18-72689 (9th Cir. Aug. 2, 2020), would allow the City to repeal subsection 7-1212(C).

This subsection was included in the small cell provisions of the Zoning Ordinance due to an FCC rule that was issued to further elaborate on federal law and thereby bind localities. However, the court held that this part of the FCC rule went beyond the federal law and as such was not legal. Thus, this subsection can be repealed.

- (9) *Clarify language for detached garage regulations.* Section 7-201 states that detached garages "...are only permitted when in compliance with..." the provisions of section 7-2501. Detached garages are permitted in accordance with section 7-2501, but they are also permitted if the garage meets the subject property's bulk and open space requirements. Staff proposes a minor change to this section to reflect this.

- (F) *Development Approvals and Procedures.* Staff proposes changes to the stormwater management plan requirements as well as off-street parking requirements for multifamily dwellings.

- (1) *Amend the requirements for information that must be included on a preliminary plat applications and stormwater management plans.* The proposed changes are required as a corrective action recommended by the Virginia Department of Environmental Quality as part of the 2020 Chesapeake Bay Audit and required under the Virginia Administrative Code. These changes would add a requirement that additional information be noted on plats or site plans that conveys information related to the Resource Protection Areas, Resource Management Areas, and disturbances, buffers, and buildable areas.

- (2) *Allow tandem parking to meet off-street parking requirement for small multifamily dwellings.* Currently, only single and two-family dwellings are permitted to provide tandem parking that would meet the off-street parking requirement. Multifamily dwellings are not. Staff finds that, because a two-family dwelling would be permitted to provide four off-street parking spaces in tandem, it would be appropriate for up to four dwelling units within a multifamily building with a parking requirement not exceeding four spaces to be permitted to do the same.

- (G) *Board of Zoning Appeals.* Staff proposes creating a process for an existing BZA authority that is not clearly defined. Staff also proposes minor edits for clarity to the special exception process for accessory dwellings.

- (1) *Create a process for Board of Zoning Appeals zone extension case type.* The City's Charter § 9.18(d)(2) grants the Board the power to extend a zone where the boundary line of a zone divides a lot in single ownership. This authority has also been in the Zoning Ordinance since the adoption of the 1951 Zoning Ordinance on December 28, 1951. While the authority has existed since 1951, staff has found no examples where a zone extension has been requested from the Board of Zoning Appeals and no procedure is identified in the Zoning Ordinance for such a request. For split zoned properties staff has required proposals to

comply with the zone requirements based on the portions of the lot within each zone. This has resulted in design issues, difficult calculations and no identifiable benefit to the City, property owner or neighborhoods.

For split zoned properties staff has required proposals to comply with the zone requirements based on the portions of the lot within each zone. This has resulted in design issues, difficult calculations and no identifiable benefit to the City, property owner or neighborhoods

Over the past few years, staff has received some requests to clarify and simplify the process for split zoned properties. Because the authority to extend the zone comes directly from the Charter, the zone extension can only be approved by the Board of Zoning Appeals. Fortunately, the ordinance already identifies standards that must be met to grant a zone extension in the powers and duties section, it is just lacking a defined procedure for this type of case. This proposed amendment does not grant the BZA any new authority , but does establish procedures for a zone extension on a split zoned property, incorporate the standards already identified in the Charter and the Zoning Ordinance. The proposed procedures follow the process already outlined for other case types heard by the BZA. This amendment also proposes to modernize the language that requires an asterisk be placed on the zoning map, with language referencing the zoning map which can be updated in GIS and a requirement to record the zone extension case with the deed in land records. The zone extension is only available to existing split zoned lots of record under single ownership on June 24, 1992, the most recent comprehensive City wide rezoning.

- (2) *Clarify special exception for accessory dwelling language.* Staff proposes a minor change to the accessory dwelling special exception language (section 11-1302(F) to include “alterations” of accessory buildings in addition to expansion or reconstruction.

IV. Recommendation

Staff recommends that the text amendments contained in Attachment 1, be initiated and recommends approval of each of the attached Zoning Ordinance text changes.

Staff: Tony LaColla, AICP, Division Chief – Land Use Services
Christina Zechman Brown, Deputy City Attorney
Mary Christesen, Zoning Manager
Sam Shelby, Urban Planner

Attachment #1

1-400 – Interpretation of ordinance.

(B) Interpretation of zone regulations.

(3) Maximum floor area ratio and maximum density shall be calculated as follows:

(d) Lots created for single-family and two-family dwellings shall not include areas used, in whole or in part, for public or private streets, including alleys or driveways providing access to three or more dwelling units. Lots created for townhouse dwellings shall not include areas used, in whole or in part, for public or private streets, including alleys or driveways providing access to more than one dwelling unit, except as allowed pursuant to section 7-1600(F)(2).

2-104 – Accessory use.

A use or structure which is clearly subordinate to and serves a permitted principal use; and is subordinate in area, extent and purpose to the principal structure or use served. An accessory use or structure generally occupies less than 33 percent of the principal use or structure's gross floor area and does not change the character of the principal structure or use.

2-119.1 – Average pre-construction grade.

The elevation obtained by averaging the ground surface elevation at intervals of 10~~ten~~ feet at the perimeter of an existing or proposed single, two-family or townhouse dwelling and intervals of 20 feet at the perimeter of any other building prior to construction. **For accessory buildings less than 250 square feet, there shall be at least four ground surface elevations spaced at fixed intervals around the perimeter of an existing or proposed accessory building.**

2-123.1 – Building, accessory.

A building which is clearly subordinate to the principal building. An accessory building shall not exceed the height of the principal building. An accessory building's gross floor area shall not exceed one-third of the principal building's gross floor area.

2-128.1 – **Commercial complex** ~~Committed affordable housing.~~

A building or group of buildings, including mixed-use buildings, in a commercial or mixed-use zone and under common ownership and control which include at least two commercial businesses and provides shared parking ~~Rental or ownership dwelling units available to eligible households through income and/or occupancy restrictions required under federal, state, or local programs.~~

2-128.2 – Committed affordable housing.

Rental or ownership dwelling units available to eligible households through income and/or occupancy restrictions required under federal, state, or local programs.

2-145 – Floor area.

- (A) For residential dwellings in the R-20, R-12, R-8, R-5, R-2-5, and single-family and two-family dwellings in the RA and RB zones (not including property located within the Old and Historic Alexandria and Parker-Gray Districts), the floor area of the building or buildings on a lot or tract of land (whether "main" or "accessory") is the sum of all gross horizontal areas under roof on a lot. ~~It shall include all space seven feet or more in height.~~ These areas shall be measured from exterior faces of walls or any extended area under roof and are to be measured from the shared lot line in the case of party walls. Floor area with a ceiling height 15 feet or greater shall be counted twice. Floor area with a ceiling height 25 feet or greater shall be counted three times. This space shall be based on permanent construction whether or not provided with a finished floor or ceiling. Excluded from floor area shall be:

- (4) Attic floor area with a ceiling height of **less than** seven feet ~~or less~~ or where the space with the ceiling height of seven feet or more is less than four feet wide, as measured from the attic floor or floor joists if there is no floor, to the bottom of the roof rafters or underside of the roof deck if there are no rafters.

- (5) Porticos and portions of porches, **including wrap-around porches**, up to eight feet in depth located on the first or ground floor without second-story enclosed construction above the portico or porch.

- (B) For properties except for those specified in subsection A, above, the floor area of the building or buildings on a lot or tract or tract of land (whether "main" or "accessory") is the sum of all gross horizontal areas under roof on a lot. These areas shall be measured from the exterior faces of walls or any extended area under roof and are to be measured from the shared lot line in the case of party walls. ~~It shall include all space seven feet or more in height. It shall include all space within an above-grade parking garage.~~ This space shall be based on permanent construction whether or not provided with a finished floor or ceiling. Excluded from floor area shall be:

- (13) Porticos and portions of porches, **including wrap-around porches**, up to eight feet in depth located on the first or ground floor without second-story enclosed construction above the portico or porch.

(15) Areas with a ceiling height of less than seven feet, except in an above grade parking garage constructed after March 17, 2018. Areas in a parking garage constructed after that date, regardless of height, may not be excluded.

~~2-169.1 Lot, through.~~

~~A lot, other than a corner lot, having frontage on two streets.~~

2-180 – Open and usable space.

The portion of a lot at ground level which is:

(A) **No less than** eight feet ~~or more~~ in width and in **length**. \

~~2-193.1 Commercial complex.~~

~~A building or group of buildings, including mixed-use buildings, in a commercial or mixed-use zone and under common ownership and control which include at least two commercial businesses and provides shared parking.~~

2-197.1 – Structure, accessory.

A subordinate structure, the use of which is clearly subordinate incidental to that of the principal main building or structure to the use of the premises. An accessory structure generally does not exceed the height of the principal building or structure.

~~2-197.3 Structure, subordinate.~~

~~An accessory structure with a gross floor area that is less than 33 percent of the gross floor area of the principal or main building.~~

2-200.1 – Trellis.

A structure made of interwoven pieces of wood, metal or synthetic material that may be used ~~is a minimum of 80 percent open~~ to support and display climbing plants.

4-100 – CL/Commercial low zone.

4-105 – Area regulations.

(C) *Mixed use*. When a development includes both residential and nonresidential uses, the residential lot size and frontage regulations shall apply ~~to the residential component of the development~~.

4-106 – Bulk regulations.

(A) *Yards and open space*.

(3) *Mixed use*. When a development includes both residential and nonresidential uses, the residential yard and open space regulations shall **apply** ~~be applicable to the residential component of the development~~.

(B) *Floor area ratio*.

- (2) *Residential and mixed use*. The maximum permitted floor area ratio for residential and mixed uses is .75, not to exceed a maximum of 27 units for each acre for multifamily and mixed use or 22 units for each acre for townhouse development.

4-200 – CC/Commercial community zone.

4-205 – Area regulations.

- (C) *Mixed use*. When a development includes both residential and nonresidential uses, the residential lot size and frontage regulations shall apply ~~to the residential component of the development.~~

4-206 – Bulk regulations.

- (A) *Yards and open space*.

- (3) *Mixed use*. When a development includes both residential and nonresidential uses, the residential yard and open space regulations shall apply ~~be applicable to the residential component of the development.~~

- (B) *Floor area ratio*.

- (2) *Residential and mixed use*. The maximum permitted floor area ratio for residential and mixed uses is .75, not to exceed a maximum of 27 units for each acre for multifamily and mixed use or 22 units for each acre for townhouse development.

4-300 – CSL/Commercial service low zone.

4-305 – Area regulations.

- (C) *Mixed use*. When a development includes both residential and nonresidential uses, the residential lot size and frontage regulations shall apply ~~to the residential component of the development.~~

4-306 – Bulk regulations.

- (A) *Yards and open space*.

(3) *Mixed use*. When a development includes both residential and nonresidential uses, the residential yard and open space regulations shall **apply** ~~be applicable to the residential component of the development.~~

(B) *Floor area ratio*.

(2) *Residential **and mixed use***. The maximum permitted floor area ratio for residential **and mixed** uses is .75, not to exceed a maximum of 27 units for each acre for multifamily **and mixed use** or 22 units for each acre for townhouse development.

4-400 – CG/Commercial general zone.

4-405 – Area regulations.

(C) *Mixed use*. When a development includes both residential and nonresidential uses, the residential lot size and frontage regulations shall **apply** ~~to the residential component of the development.~~

4-406 – Bulk regulations.

(A) *Yards and open space*.

(3) *Mixed use*. When a development includes both residential and nonresidential uses, the residential yard and open space regulations shall **apply** ~~be applicable to the residential component of the development.~~

(B) *Floor area ratio*.

(2) *Residential **and mixed use***. The maximum permitted floor area ratio for residential **and mixed** uses is .75, not to exceed a maximum of 27 units for each acre for multifamily **and mixed use** or 22 units for each acre for townhouse development.

4-500 – CD/Commercial downtown zone.

4-505 – Area regulations.

(C) *Mixed use*. When a development includes both residential and nonresidential uses, the residential lot size and frontage regulations shall **apply** ~~to the residential component of the development,~~ provided the residential component consists of three or more dwelling units.

4-506 – Bulk regulations.

(A) *Yards and open space.*

(3) *Mixed use.* When a development includes both residential and nonresidential uses, the residential yard and open space regulations shall **apply** ~~be applicable to the residential component of the development.~~

(B) *Floor area ratio.*

(2) *Residential **and mixed use.*** The maximum permitted floor area ratio for multifamily residential **or mixed** uses is 1.25, not to exceed 35 units per acre except that the number of dwelling units per acre may be increased to a number not to exceed 54.45 with a special use permit. The maximum permitted floor area ratio for single-family, two-family and townhouses dwellings is 1.50.

4-600 – CD-X/Commercial downtown zone (Old Town North).

4-605 – Area regulations.

(C) *Mixed use.* When a development includes both residential and nonresidential uses, the residential yard and open space regulations shall **apply** ~~be applicable to the residential component of the development.~~

4-606 – Bulk regulations.

(A) *Yards and open space.*

(3) *Mixed use.* When a development includes both residential and nonresidential uses, the residential yard and open space regulations shall **apply** ~~be applicable to the residential component of the development.~~

(B) *Floor area ratio.*

(2) *Residential **and mixed use.*** The maximum permitted floor area ratio for residential **and mixed** uses is 1.25, not to exceed 35 units per acre except that for properties within the area bounded by First, Third, North Royal and North Fairfax Streets the floor area ratio may be increased to 2.0, not to exceed 100 units per acre with a special use permit subject to the following standards:

4-800 – OC/Office commercial zone.

4-805 – Area regulations.

- (C) *Mixed use*. When a development includes both residential and nonresidential uses, the residential lot size and frontage regulations shall apply ~~to the residential component of the development.~~

4-806 – Bulk regulations.

- (A) *Yards and open space*.

- (3) *Mixed use*. When a development includes both residential and nonresidential uses, the residential yard and open space regulations shall **apply** ~~be applicable to the residential component of the development.~~

- (B) *Floor area ratio*.

- (2) *Residential **and mixed use***. The maximum permitted floor area ratio for residential **and mixed** uses is 1.25, not to exceed a maximum of 54.45 units for each acre for multifamily **and mixed uses** or 22 units for each acre for townhouse development.

4-900 – OCM(50)/Office commercial medium (50) zone.

4-905 Area and bulk regulations.

- (A) *Yards*.

- (3) *Mixed use*. When a development includes both residential and nonresidential uses, the residential yard **and open space** regulations shall **apply** ~~be applicable to the residential component of the development.~~

- (C) *Floor area ratio*.

*Residential **and mixed use***. The maximum permitted floor area ratio for residential **and mixed** uses is 1.50, not to exceed one dwelling unit for each 800 square feet of lot area or 54.45 units for each acre.

4-1000 – OCM(100)/Office commercial medium (100) zone.

4-1005 Area and bulk regulations.

(A) *Yards.*

- (3) *Mixed use.* When a development includes both residential and nonresidential uses, the residential yard **and open space** regulations shall **apply** ~~be applicable to the residential component of the development.~~

(C) *Floor area ratio.*

- (2) *Residential **and mixed use**.* The maximum permitted floor area ratio for residential **and mixed** uses is 1.50, not to exceed one dwelling unit for each 800 square feet of lot area or 54.45 units for each acre.

- (G) *Mixed use.* When a development includes both residential and nonresidential uses, the residential lot size and frontage regulations shall apply ~~to the residential component of the development.~~

4-1100 – OCH/Office commercial high zone.

4-1105 Area and bulk regulations.

(A) *Yards.*

- (3) *Mixed use.* When a development includes both residential and nonresidential uses, the residential yard **and open space** regulations shall **apply** ~~be applicable to the residential component of the development.~~

(C) *Floor area ratio.*

(2) *Residential **and mixed use**.*

- (a) For residential **and mixed** uses other than those specified by section 4-1105(C)(2)(b) below, the maximum permitted floor area ratio is 1.25, not to exceed one dwelling unit for each 800 square feet of lot area or 54.45 units an acre.
- (b) For residential **and mixed** uses located within 1,000 feet of a metrorail station the maximum permitted floor area ratio is 2.0, except that the maximum floor area ratio may be increased to an amount not to exceed 3.0 with a special use permit.

- (G) *Mixed use*. When a development includes both residential and nonresidential uses, the residential lot size and frontage regulations shall apply ~~to the residential component of the development~~.

6-403 – General regulations and exceptions

(B) Rooftop appurtenances. Chimneys, towers, tanks, machinery, equipment, stairs, elevators, roof decks and guards, **solar energy systems**, penthouses or other mechanical appurtenances to a main building may be erected as a part of the main building to their required heights, regardless of any other height provisions or restrictions of this ordinance, provided that the following requirements are met.

- (1) All rooftop appurtenances, **with the exception of solar energy systems**, shall be concealed by or constructed of exterior architectural materials or features of the same type of quality used on the exterior walls of the main building in question.

7-100 – Accessory **buildings**, uses and structures.

Accessory **buildings**, uses and structures ~~shall be~~ **are** permitted, but only in connection with and incidental to a permitted principal **building**, use or structure and in compliance with the restrictions of this section 7-100.

7-101 – Permitted accessory **buildings**, uses **and structures**.

Permitted accessory **buildings**, uses and structures shall be limited to the following and any additional **building**, use or structure which the director finds is similar to those listed in scope, size and impact, is customarily associated with **a permitted building, use or structure** residential dwellings, and is otherwise in compliance with this ordinance:

(O) Structures or mechanical equipment associated with electrical vehicle charging.

7-102 – Prohibited accessory **buildings**, uses and **structures**.

Prohibited **buildings**, uses **and structures** accessory to residential dwellings include, but are not limited to:

7-103 – **Building, use and structure** limitations.

The following limitations apply to accessory **buildings**, uses and structures:

- (A) No accessory **building**, use or structure shall be located forward of a front building wall facing a primary front yard except as provided in section 7-202(A).
- (B) No accessory **building**, use or structure shall be located in a required front, rear, or side yard, except as provided in section 7-202.
- (C) Accessory **buildings and** structures shall be included in the calculations required by this ordinance for the purpose of complying with height and bulk regulations.
- (D) An accessory **building**, use or structure shall be located on the same lot as the principal structure or use served, except where it is located on an adjoining lot

which contains no principal **building, use or** structure and which is adjacent to and in common ownership with the lot on which the principal **building, use or** structure which it does serve is located or as otherwise expressly authorized by the provisions of this ordinance.

(E) Outside of the Old and Historic Alexandria and the Parker-Gray Districts, if a principal dwelling on an abutting lot has any openings with sill or threshold heights lower than six feet, as measured from grade, facing the shared lot line and within three feet of the shared lot line, the following accessory structures and buildings shall be located at least five feet from the shared lot line along the width of the openings:

- (1) Arbors, trellises and pergolas;**
- (2) Accessory buildings occupied by an accessory dwelling unit;**
- (3) Freestanding private garages pursuant to section 7-2500;**
- (4) Sheds and other small storage structures and**
- (5) Fences exceeding three-and-one-half feet in height.**

7-202 – Permitted obstructions.

(A) In all yards:

- (5) Arbors, trellises and pergolas, **provided that such structures:**
 - (a) **Shall** ~~That do not exceed 10 ten feet in height. A trellis that exceeds six feet in height and 15 feet in length or any trellis that is attached to a fence shall comply with sections 7-202 and 7-1700;~~
 - (b) **Shall** ~~That are not~~ **be** used for parking or storage of motor vehicles; and
 - (c) **Shall** ~~That remain 80 percent open and uncovered by any material other than plantings.~~
 - (d) ~~Outside of the Old and Historic Alexandria District and the Parker-Gray District, if a wall on a dwelling on an adjacent lot has any windows or doorways that have a sill lower than eight feet, measured from grade, facing the shared property line and located within three feet of that shared property line, the new arbor or trellis' setback shall be five feet from that shared lot line. This setback from that shared lot line is required at the location of the affected window(s) or doorway(s) and is required to extend along the width of those window(s) or doorway(s) and shall extend for a minimum of five feet in each direction from that window or doorway.~~

(B) In any yard except a primary front yard:

(4) **Structures or mechanical equipment associated with electric vehicle charging, provided that it complies with the noise level established in subsection 7-202(C)(3).**

(C) In any yard except a front yard.

- (1) Open and closed fences which do not exceed six feet in height. ~~If a wall on a dwelling on an adjacent lot has any windows or doorways that have a sill lower than six feet, measured from grade, facing the shared property line and located within three feet of that shared property line, the new fence shall not exceed three and one-half feet in height along the width of those window(s) or doorway(s). If the fence has a setback of five feet or more from that shared lot line, it is permitted to be taller than three and one-half feet but shall not exceed six feet in height. This setback from that shared lot line is required at the location of the affected window(s) or doorway(s) and is required to extend along the width of those window(s) or doorway(s) and shall extend for a minimum of five feet in each direction from that window or doorway.~~

- (2) Sheds and other small accessory buildings:

- ~~(c) Outside of the Old and Historic Alexandria District and the Parker-Gray District, if a wall of a dwelling on an adjacent lot has any windows or doorways that have a sill lower than eight feet, measured from grade, facing the shared property line and located within three feet of that shared property line, the new small shed or structure used for storage's setback shall be five feet, including any roof overhang, from that shared lot line. This setback from that shared lot line is required at the location of the affected window(s) or doorway(s) and is required to extend along the width of those window(s) or doorway(s) and shall extend for a minimum of five feet in each direction from that window or doorway.~~

7-203 – Accessory dwellings.

- (C) *Bulk and setback requirements for a detached accessory building.* **Regardless of other regulations in this zoning ordinance, an accessory building containing an accessory dwelling unit shall be permitted in accordance with the regulations in this section 7-203.**

- (3) *Side and rear yards.* The accessory building shall be permitted in required side and rear yards subject to the following requirements:

- i. Portions of an accessory building that exceed taller than 13.5 feet in height and are but less than 16 feet in height or less shall provide a setback of at least 2.5 feet;
- ii. ~~Outside of the Old and Historic Alexandria and Parker Gray Districts, if a wall of a dwelling on an adjacent lot has any windows or doorways that have a sill lower than 20 feet, measured from grade, facing the shared lot line and located within three feet of that shared lot line, the setback shall be five feet, including any roof overhang, from that shared lot line. This setback from that shared lot line is required at the location of the affected window(s) or doorway(s) and is required to extend along the width of those window(s) or doorway(s) and shall extend for a minimum of five feet in each direction from that window or doorway.~~

(E) Access. Section 7-2501(B)(3) shall govern access to a detached accessory dwelling that contains off-street parking in a private garage.

7-300 – Home occupations.

Home occupations are permitted in residential dwellings subject to the following limitations.

~~7-301 – Permitted occupations.~~

~~Home occupations which have the general character of the following uses are permitted:~~

~~(A) Dressmaker, seamstress and tailor;~~

~~(B) Teacher;~~

~~(C) Artist, photographer, sculptor;~~

~~(D) Author, composer, editor, translator, writer;~~

~~(E) Home crafts, which may include, but are not limited to, such occupations as model making, rug weaving, lapidary work, macramé, cabinet making, and weaving;~~

~~(F) Offices of an ordained minister of religion;~~

~~(G) Office of an accountant, architect, bookkeeper, clerical service, computer programmer, consultant, dentist, arts and crafts instructor, lawyer, land surveyor, landscape architect, musician, physician, engineer, realtor, insurance agent or broker, or other similar occupation;~~

~~(H) Office of a salesman, sales representative or manufacturers representative;~~

~~(I) Repair services for such items as musical instruments, watches, clocks, small household appliances, toys or models, and similar devices;~~

~~(J) Contractor or service business; , provided that all requirements of this section 7-300 are met as well as the following additional requirements:~~

~~—— (1) No employees, other than persons legally residing on the premises, shall report to work at a residential location other than a job site.~~

~~—— (2) Not more than one commercial vehicle having a capacity not greater than one ton shall be parked on the property and then only in accordance with applicable regulations of this ordinance.~~

~~—— (3) No contracting equipment or materials shall be stored on the premises, except in a commercial vehicle used for transporting said equipment and materials between jobs, and no loading or unloading shall be done on or in the vicinity of the premises.~~

~~(K) Agricultural plantings, which may include but are not limited to vegetables, fruits, and succulents.~~

~~7-302 Prohibited occupations.~~

~~Prohibited home occupations include but are not limited to the following:~~

~~(A) — Antique shop;~~

~~(B) — Barber shop or beauty salon;~~

~~(C) — Funeral home with or without chapel;~~

~~(D) — Gift shop;~~

~~(E) — Kennel or other boarding of animals;~~

~~(F) — Health profession office, hHospital, or nursing home;~~

~~(G) — Motor vehicle repair or sales;~~

~~(H) — Day care center;~~

~~(I) — Repair or testing of internal combustion engine;~~

~~(J) — Restaurant;~~

~~(K) — Veterinary clinic or animal hospital.~~

~~7-3013 – Use limitations.~~

(A) Up to two employees are permitted on-site.

(B) No mechanical or electrical equipment shall be employed on the premises other than machinery or equipment customarily found in a home, associated with a hobby or avocation not conducted for gain or profit, or customary for a small business, professional or health profession office.

(C) No outside display of goods or outside storage of equipment or materials used in the home occupation shall be permitted.

- (D) The number of patrons or students shall be limited to a total of 12 per day with no more than two patrons or students present at any one time. Patrons or students may visit the home occupation between the hours of 7:00 a.m. and 9:00 p.m., daily.
- (E) No sign shall advertise the presence or conduct of the home occupation.
- (F) All parking required for the home occupation shall be accommodated in permissible driveway and garage areas on the lot.
- (G) There shall be no evidence that will indicate from the exterior of the premises that the building is being utilized in whole or in part for any purpose other than as a dwelling.
- (H) There shall be no audible noise, detectable vibration or odor beyond the confines of the subject dwelling unit or accessory building, including transmittal through vertical or horizontal party walls.
- (I) The total floor area which may be used for a home occupation shall not exceed 25 percent of the total floor area of the dwelling unit in which it is located, less any attached garages. As part of such home occupation floor area, no more than two percent of the total floor area of the dwelling unit or a maximum of 20 cubic feet, whichever is less, shall be used for storage of stock-in-trade. The storage of hazardous materials not otherwise and customarily associated with home use is prohibited.
- (J) The lot or property on which the home occupation is conducted shall not have any parking space added to it during the time the home occupation is being conducted; nor shall any parking space be used that was not customarily used prior to that time.
- (K) The total number of animals kept in a dwelling unit at any one time cannot exceed the limits set forth in City Code Title 5, Chapter 7.**
- (L) No motor vehicle repairs, sales or internal combustion engine work shall be permitted.**
- (M) For contractor or service business, in addition to the other requirements of this section 7-300, the following additional limitations apply:**
 - (1) No employees, other than persons legally residing on the premises, shall report to work at a residential location other than a job site.**
 - (2) Not more than one commercial vehicle having a capacity not greater than one ton shall be parked on the property and then only in accordance with applicable regulations of this ordinance.**
 - (3) No contracting equipment or materials shall be stored on the premises, except in a commercial vehicle used for transporting said equipment and materials between jobs, and no loading or unloading shall be done on or in the vicinity of the premises.**

7-1212 – Aesthetic standards governing wireless facility installations.

~~(C) *Characteristics of guidelines.* The design guidelines shall be no more burdensome than those applied to other types of facilities deployed in similar locations in the city. The guidelines shall be detailed and clear and shall be written in such a way that:~~

- ~~(1) Applicants may readily determine whether a design meets the guidelines;~~
- ~~(2) The discretion of the director in determining whether a design meets the guidelines is minimized.~~

~~(C)~~ ~~(D)~~ *Historic districts.* The director shall develop and submit to the board of architectural review for approval design guidelines for the city's historic districts that are consistent with this section and the existing design guidelines for the historic districts.

~~(D)~~ ~~(E)~~ *Compliance with design guidelines.* In developing application forms and related requirements, the director may require applicants to submit information demonstrating that proposed installations of wireless facilities and wireless structures comply with the design guidelines pertinent to the types of facilities proposed in each application. Applicants shall comply with all such applicable design guidelines in designing and constructing wireless facilities and wireless structures. The director may reject any application that includes a proposed design that does not comply with any applicable guideline.

~~(E)~~ ~~(F)~~ *Setbacks.* Applications shall meet all setback requirements for the district in which the wireless facilities are to be located. The director may reject any application that includes a proposed design that does not comply with such setback requirements.

~~(F)~~ ~~(G)~~ *Publication of guidelines.* The final design guidelines shall be made available to the public, wireless providers, and wireless infrastructure providers before they take effect and shall be readily available on the city's website.

7-2501 – Freestanding private garages to the rear to the rear of the main building.

The supplemental regulations in this section 7-2501 apply to residential lots developed or proposed to be developed with a single-family or two-family dwelling in the R-20, R-12, R-8, R-5, R-2-5, RA and RB zones, not including property located within the Old and Historic Alexandria and Parker-Gray Districts. Freestanding private garages located within required yards or excluded from floor area shall be ~~are only~~ permitted subject to ~~in compliance with~~ the following standards:

(B) Standards.

- (2) *Setback.* The freestanding garage may be located in the required side or rear yard if it complies with the following:

(c) The freestanding garage must be located completely behind the rear wall of the dwelling unless, the director determines that locating the garage completely behind the rear building wall is not possible due to topography, shape of the lot, placement of the existing dwelling on the lot or other environmental concerns, in these cases the garage must be located completely behind the front building wall, and approved by the director as to location. ~~If a wall of a dwelling on an adjacent lot has any windows or doors that have a sill lower than 13.50 feet, measured from grade, facing the shared property line and located within three feet of that shared property line, the new garage's setback shall be five feet, including any architectural features, from that shared property line. This setback from that shared lot line is required at the location of the affected window(s) or doorway(s) and is required to extend along the width of those window(s) or doorway(s) and for a minimum of five feet in each direction from that window or doorway.~~

~~(d) The freestanding garage must be located completely behind the rear wall of the dwelling unless, the director determines that locating the garage completely behind the rear building wall is not possible due to topography, shape of the lot, placement of the existing dwelling on the lot or other environmental concerns, in these cases the garage must be located completely behind the front building wall, and approved by the director as to location.~~

8-200 – General parking regulations.

(C) *Location of parking facilities.*

(2) For all multifamily dwellings, required off-street parking facilities shall be located on the same lot as the main building lot, on a lot separated from the main building lot by an alley or directly across the street from the main building when separated by a minor local street only. **Tandem parking is permitted to meet this requirement for up to four dwelling units that share a garage within a multifamily building provided that no more than four off-street parking spaces shall be tandem.**

11-605 – Procedures for cluster development approval.

(B) *Additional application material.* An application for cluster development approval shall include those materials required for a special use permit application as specified in section 11-503, as well as the following:

- (2) A preliminary subdivision plat which complies with the provisions of section **11-1700** ~~7-5-23 of the city code.~~

11-1000 – Board of zoning appeals.

11-1005 Powers and duties.

The board of zoning appeals shall have the following powers and duties:

- (E) To permit the following exceptions to the zone regulations and restrictions, provided that by their design, construction and operation, such exceptions shall safeguard the health, safety and welfare of the occupants of the adjoining and surrounding properties, shall not unreasonably impair an adequate supply of light and air, shall not increase public danger from fire or otherwise unreasonably affect public safety, and shall not diminish or impair the established property values in surrounding areas:

- (1) The extension of a zone where the boundary line of a zone divides a lot in single ownership ~~on the effective date of the ordinance~~ **as of June 24, 1992.** ~~An asterisk shall be placed on the zoning map~~ **The zone extension case must be recorded with the deed in the City's Land Records and denoted on the zoning map** for land so affected and such land shall be treated as if it were in the new zone.

11-1302 – Special exception established.

- (F) Bulk and setback requirements of section 7-203(~~CB~~) for the expansion, **alteration** or reconstruction of a detached accessory building subject to the following requirements:
- a. No expansion, **alteration** or reconstruction shall increase the degree of the accessory building's existing noncompliance with regard to section 7-203(~~CB~~).

Sec. 11-1400 Zone extension.

11-1401 Authority.

The board of zoning appeals is authorized to review applications for the extension of a zone boundary line if a zone line divides a lot that was in single ownership on the

effective date of the ordinance in accordance procedures, standards and limitations contained in this section 11-1400.

Editor's note—See City Charter § 9.18.

11-1402 Procedures for zone extension.

- (A) Application. Any property owner, tenant, government official, department, board or bureau, may file an application for a zone extension in regard to such property with the director. The application shall contain the following information and such additional information as the board of zoning appeals may, by rule, require:
- (1) Site plan or survey to scale clearly showing the location of the property lines and the zone boundary lines, the property involved, existing and proposed buildings or additions.
- (B) Staff review and report. The director shall review the application and determine that it contains the required information; shall review the merits of the application; shall prepare a staff report indicating its findings; and shall forward the report to the board of zoning appeals. The director shall also transmit a copy of the application to the planning commission which may send a recommendation to the board or appear as a party at the hearing.
- (C) Docketing and notice. At the time the director determines that the application is complete, he shall docket the matter for public hearing before the board of zoning appeals for a date to occur no later than 30 working days from the date of such determination.
- (D) Public hearing by board of zoning appeals. The board of zoning appeals shall conduct a public hearing, in accordance with section 11-300, on the application for a zone extension and approve, deny or approve the application with conditions. The decision of the board shall state the reasons therefor. The concurring affirmative vote of four members shall be necessary to decide in favor of the applicant.
- (E) Withdrawal of application. An application for a special exception may not be withdrawn by the applicant without the consent of the board after it has been docketed for public hearing.

11-1403 Standards zone extension.

In order to grant an application for a zone extension under this section 11-1400, the board must find that the strict application of the ordinance creates an unreasonable burden on the use and enjoyment of the property which outweighs the material zoning purpose for which the specific provision of the ordinance at issue was designed. In making its determination, the board shall consider and weigh the following issues, as applicable.

- (A) Whether approval of the zone extension will be detrimental to the public welfare, to the neighborhood or to adjacent properties.
- (B) Whether approval of the zone extension will impair an adequate supply of light or air to adjacent property, or cause or substantially increase traffic

congestion or increase the danger of fire or the spread of fire, or endanger the public safety.

(C) Whether approval of the zone extension will alter the essential character of the area.

(D) Whether the proposed zone extension will diminish or impair the established property values in surrounding areas.

11-1404 Conditions and restrictions.

Conditions and restrictions may be imposed on the premises benefited by a zone extension as may be necessary to reduce, minimize, or mitigate the effect of the zone extension upon other property in the neighborhood and better to carry out the general intent of the zoning ordinance. A guarantee or a bond may be required of the applicant to ensure that the conditions imposed are being and will be complied with. Failure to comply with any such conditions or restrictions shall constitute a violation of this ordinance and cause to revoke the zone extension, after notice and hearing is had. Violations of this ordinance may be enforced and penalized in accordance with section 11-200.

11-1405 Burden on applicant.

The applicant for a zone extension shall bear the burden of producing evidence establishing that the requested zone extension satisfies the standards set out in section 11-1403.

11-1406 Reconsideration.

If an applicant for a zone extension is denied, a subsequent application for the same relief on the same site shall not be considered again for one year unless the new application differs in a substantial and material way from the old one, in which case it may be reconsidered after six months.

11-1706 - Contents of preliminary plat application.

(D) An application for preliminary plat approval shall include the following information and material:

(15) Limits of floodplains, ~~and~~ resource protection areas, and resource management areas.

(15.1) In the case of properties containing resource protection areas, plat shall include a notation to retain an undisturbed and vegetated 100-foot-wide buffer area.

(15.2) In the cases of properties containing resource protection areas, plat shall include a notation specifying permitted development in the resource protection area is limited to water dependent facilities or redevelopment, including the 100-foot-wide vegetated buffer area.

13-114 - Stormwater management plan.

- (A) The stormwater management plan must apply the stormwater technical requirements of section 13-109 to the entire site. Individual lots in a new residential, commercial, or industrial development or sale, including those developed under subsequent owners, shall not be considered separate land-disturbing activities. Instead, the common plan, as a whole, shall be considered to be a single land disturbing activity. The plan shall consider all sources of surface runoff and all sources of subsurface and groundwater flows converted to surface runoff. The plan shall contain maps, charts, graphs, tables, photographs, narrative descriptions, explanations, calculations, and citations to supporting references as appropriate to communicate the information required by this Article XIII. At a minimum, the stormwater management plan must contain the following:

- (8) A map or maps of the site that depicts the topography of the site and includes:

- (i) the delineation of buildable area.**
