

## ARTICLE III. RESIDENTIAL ZONING DISTRICTS

### DIVISION 1. GENERALLY

#### Sec. 34-350. Purpose.

(a) *Single-family*—(R-1) The single-family residential zoning districts are established to provide and protect quiet, low-density residential areas wherein the predominant pattern of residential development is the single-family dwelling. There are four categories of single-family zoning districts:

- (1) R-1, consisting of low-density residential areas;
- (2) R-1(S) (“small lot”), consisting of low-density residential areas characterized by small-lot development;
- (3) R-1U (“university”), consisting of low-density residential areas in the vicinity of the University of Virginia campus; and
- (4) R-1U(S) (“university, small lot”), consisting of low-density residential areas in the vicinity of the University of Virginia campus, characterized by small-lot development.

(b) *Two family*—(R-2) The two-family residential zoning districts are established to enhance the variety of housing opportunities available within certain low-density residential areas of the city, and to provide and protect those areas. There are two categories of R-2 zoning districts:

- (1) R-2, consisting of quiet, low-density residential areas in which single-family attached and two-family dwellings are encouraged. Included within this district are certain areas located along the Ridge Street corridor, areas of significant historical importance;
- (2) R-2U (“university”), consisting of quiet, low-density residential areas in the vicinity of the University of Virginia campus, in which single-family attached and two-family dwellings are encouraged;

(c) *Multifamily* —The purpose of the multifamily residential zoning district is to provide areas for medium- to high-density residential development. The basic permitted use is medium-density residential development; however, higher density residential development may be permitted where harmonious with surrounding areas. Certain additional uses may be permitted, in cases where the character of the district will not be altered by levels of traffic, parking, lighting, noise, or other impacts associated with such uses. There are three categories of multifamily residential zoning districts:

- (1) R-3, consisting of medium-density residential areas in which medium-density residential developments, including multifamily uses, are encouraged;

- (2) R-UMD (“university medium density”), consisting of areas in the vicinity of the University of Virginia campus, in which medium-density residential developments, including multifamily uses, are encouraged; and
- (3) R-UHD (“university high density”), consisting of areas in the vicinity of the University of Virginia campus, in which high-density residential developments, including multifamily uses, are encouraged.

(d) *McIntire/Fifth Street Residential Corridor*—The purpose of this district is to encourage redevelopment in the form of medium-density multifamily residential uses, in a manner that will complement nearby commercial uses and be consistent with the function of McIntire Road/Fifth Street Extended as a gateway to the city’s Downtown Area.

**DIVISION 2. REGULATIONS**

**Sec. 34-351. Applicability.**

The regulations set forth within this division shall apply to uses and developments within the following residential zoning districts: R-1; R-1S; R-1U; R-1US; R-2; R-2U; R-3; R-UMD; R-UHD; and McIntire/Fifth Street Residential Corridor. These regulations shall apply in addition to any other requirements set forth elsewhere within this zoning ordinance.

**Sec. 34-352. Uses.**

The uses allowed within the city’s various residential zoning districts are those designated in the matrix set forth within Sec. 34-416.

**Sec. 34-353. Dimensional requirements—by district.**

(a) All buildings and structures shall be constructed within the area defined by the following height, yard and land coverage requirements, according to the zoning district in which such building or structure is located, as follows:

Zoning District	Height restrictions	Req’d Front Yard	Req’d Side Yards	Req’d Rear Yard	Land Coverage
R-1	35 ft, max	25 ft, min*	SFD: 10 feet, min Non-residential: 50 feet, min Corner, street side: 20 feet, min	Res: 25 feet, min	n/a
R-1S	35 ft, max	25 ft, min*	SFD: 5 feet, min Non-Res: 50 feet, min Corner, street side: 20 feet, min	Res: 25 feet, min  Non-Res: 50 feet, min	n/a
R-1U	35 ft, max	25 ft, min*	SFD: 10 feet, min Non-Res: 50 feet, min Corner, street side: 20 feet, min	Res: 25 feet, min  Non-Res: 50 feet, min	n/a
R-1US	35 ft, max	25 ft, min*	SFD: 5 feet, min Non-Res: 50 feet, min Corner, street side: 20 feet, min	Res: 25 feet, min  Non-Res: 50 feet, min	n/a

Zoning District	Height restrictions	Req'd Front Yard	Req'd Side Yards	Req'd Rear Yard	Land Coverage
R-2	35 ft, max	25 ft, min*	SFD: 5 feet, min SFA: 10 feet, min TFD: 10 feet, min* Non-Res: 50 feet, min Corner, street side: 20 feet, min	Res: 25 feet, min  Non-Res: 50 feet, min	n/a
R-2U	35 ft, max	25 ft, min*	SFD: 5 feet, min SFA: 10 feet, min TFD: 10 feet, min* Non-Res: 50 feet, min Corner, street side: 20 feet, min	Res: 25 feet, min  Non-Res: 50 feet, min	n/a
R-3	45 ft, max	25 ft, min*	Res: Up to 21 DUA: 1 foot/2 feet height, 10 feet, min 22-43 DUA: 1 foot/3 feet height, 10 feet, min 44-87 DUA: 1 foot/4 feet height, 10 feet, min Non-Res: 25 feet, min Corner, street side: 20 feet, min	25 feet, min	Up to 21 DUA: 75% max 22-87 DUA: 80% max
R-UMD	50 ft, max	25 ft, min*	1-2 stories: 10 feet, min 3-5 stories: 1 foot/3 feet height; 10 feet, min Non-res: 25 feet, min Corner, street side: 20 feet, min	25 feet, min	80% max
R-UHD	50 ft, max	15 ft, min*	1 foot/4 feet height, 8 feet, min Non-res: 25 feet, min Corner, street side: 20 feet, min	15 feet, min	n/a
McIntire 5 <sup>th</sup> St. Corridor	2 stories, min 5 stories, max <sup>1</sup>	10 ft, min <sup>2</sup> 25 ft, max	None required	None required	n/a

<sup>1</sup> See Subparagraph (b), below.

<sup>2</sup> See Subparagraph (b), below.

(b) Exceptions to building envelope requirements set forth within subparagraph (a), above, are as follows:

- (0) Where a front yard requirement is annotated with an asterisk (\*): on any lot where forty percent (40%) or more of the lots located within five hundred (500) feet in either direction, fronting on the same side of the street, have front yards greater or less than the minimum front yard specified in subparagraph (a), above, the required front yard for such lot shall be the average depth of the existing front yards within 500 feet. In the R-UMD and R-UHD districts this front yard requirement shall apply only on lots where 40% or more of the lots located within 500 feet in either direction, fronting on the same side of the street, have front yards less than the minimum front yard specified in subparagraph (a) above. In no case shall this regulation be interpreted to require a front yard of more than sixty (60) feet.
- (0) Where a side yard requirement is annotated with an asterisk (\*): where any two-family dwelling is located on a lot that was of record prior to August 3, 1964, such dwelling shall have minimum yards of 5 feet on each side.

- (0) R-3 district: for developments containing residential uses at densities of 22-87 DUA, additional building height may be allowed pursuant to a special permit issued by city council, to a maximum of 80 feet (22-43 DUA) and 101 feet (44-87 DUA).
- (0) R-3, R-UMD and R-UHD zoning districts: within a residential development containing any multifamily dwellings there shall be a minimum distance between the façade of the multifamily dwelling and the boundary of any low-density residential district, as follows:

Density	Required Distance
22-43 DUA	50 feet
44-87 DUA	75 feet

In the event the restrictions set forth within this paragraph impose a greater yard requirement than is otherwise specified for a particular site, the requirements of this paragraph shall apply and establish a new yard requirement. Where applicable, at least 25 feet of the new required yard shall consist of a landscaped buffer, S-3 type (refer to Sec. 34-871).

- (0) Within the R-UHD district: additional building height, up to seven (7) stories may be allowed pursuant to a special use permit, provided that after 5 stories, there shall be a stepback of at least 15 feet along 70% of the length of each streetwall.
- (0) Within the McIntire/Fifth Street Residential Corridor:
  - . additional building height, up to seven (7) stories may be allowed pursuant to a special use permit authorized by city council.
  - . 5 feet of the required front yard shall be landscaped.
  - . where the side or rear of a lot adjoins a low-density residential district, there shall be a minimum setback of 20 feet. Ten (10) feet of such required yards shall be planted with an S2 type landscaped buffer.
- (0) Upon the determination of the director of neighborhood development services or the planning commission that a reduction of a required side yard is necessary to accommodate any required off-street parking space(s), such yard may be reduced or eliminated.

(a) In calculating the maximum land coverage allowed for a development, the following areas shall be included: buildable lots, buildings, structures, improved parking, driveways, alleys, sidewalks and streets, and other improvements.

(b) Within the R-UMD and R-UHD zoning districts, in addition to the other requirements of this section and those set forth within Articles VIII and IX:



Studio	100 SF of adult space
1 bedroom unit	200 SF of adult space
2 bedroom unit	200 SF of adult space plus 20 SF of child space
3 bedroom unit	200 SF of adult space plus 40 SF of child space
4+ bedroom unit	200 SF of adult space plus 60 SF of child space

(a) The nature and proportions of recreational facilities may be altered if, in the opinion of the director of neighborhood development services or the planning commission, a result more appropriate for the location or use in question will be achieved (for example, mixed use spaces could be substituted for child use spaces). For the purposes of this section, the term “child use space” shall refer to facilities such as tot lots, playgrounds, nursery or daycare facilities, etc.; the term “adult space” shall refer to facilities such as rooftop or other terraces, health clubs, gym areas, etc.; and “mixed-use space” shall refer to facilities such as swimming pools, ball courts, meeting and other activity rooms; libraries and reading rooms, etc.

(b) Required recreational areas shall be subject to the following additional requirements:

- (1) An area equal to twenty-five percent (25%) of the total square footage of required recreational facilities shall consist of indoor or weather-protected facilities, so as to be usable year-round.
- (2) All recreational facilities shall be completely constructed, or sufficiently bonded to insure completion of construction, prior to issuance of any certificate of occupancy for the multifamily development, or any portion thereof.

**Sec. 34-367. Bedrooms—limitation of number in R-UMD and R-UHD districts.**

Within the R-UMD and R-UHD zoning districts, the number of bedrooms permitted within a multifamily development shall be restricted as follows:

(1) Density of 3-21 DUA:

R-UMD: 84 bedrooms per acre, maximum; not more than 4 bedrooms per dwelling unit

R-UHD: 84 bedrooms per acre, maximum; not more than 4 bedrooms per dwelling unit

(2) Density of 22-64 DUA:

R-UMD: 150 bedrooms per acre, maximum; not more than:

4 bedrooms per dwelling unit (units attributable to density of up to 21 DUA), and

3 bedrooms per dwelling unit (units attributable to density in excess of 21 DUA)

R-UHD: 215 bedrooms per acre, maximum; not more than:

4 bedrooms per dwelling unit (units attributable to density of up to 21 DUA), and

3 bedrooms per dwelling unit (units attributable to the density in excess of 21 DUA)

**Sec. 34-368. Density bonus, R-UMD and R-UHD.**

Within a multifamily development proposed within any R-UMD or R-UHD district, an additional five (5) units shall be allowed over and above the number of units permitted by the density limitations of the applicable zoning district, for each single-family detached dwelling owned by the developer and for which the developer records restrictive covenants requiring such dwelling, for so long as it remains a residential use, to be: (i) owner-occupied, and (ii) used and occupied by no more than two (2) persons unrelated by blood or marriage. To qualify for this bonus, the single-family detached dwelling must be located within an R-1(U) or R-2(U) zoning district within the city, and the restrictive covenants must be recorded prior to approval of the preliminary site plan for the multifamily development to which the bonus units will be applied.

**Sec. 34-369. Retail sales and consumer service uses.**

(a) Retail stores and consumer service businesses located within a multifamily dwelling, where such dwelling is located in a multifamily development containing at least 72 dwelling units, shall constitute permitted ancillary uses. However, such uses shall be limited to the following: convenience stores, pharmacies, newsstands, barbershops, beauty shops, laundromats, dry cleaners, delicatessens, and coffee shops.

(b) The permitted ancillary uses listed in paragraph (a), above, are further subject to the following:

- (3) Notwithstanding the definition of “ancillary use” set forth within Sec. 34-1200, retail sales and consumer service businesses shall not occupy, collectively, an area greater than 70 square feet per dwelling unit in a multiple-family development, and no single retail store or consumer service business shall occupy an area of more than one thousand (1,000) square feet.
- (4) Such uses shall be located on the ground floor.
- (5) Each such use may have a non-illuminated identification sign, having an area of not more than two (2) square feet, that rests flat upon the façade of the building in which such use is located, or such signage as may be permitted within Article IX, Division 4, Sec. 34-1020, et seq.), whichever is more restrictive.
- (6) No such use shall operate any delivery service(s), other than to occupants of the multifamily development of which such use is a part.
- (7) Such use shall be located, constructed, and operated in a manner whereby there is no external indication of the use by noise, glare, or odor.

**Sec. 34-370. Property management offices.**

Property management offices may be permitted ancillary to a multifamily dwelling or development that contains 10 or more dwelling units, provided that:

- (1) There is no exterior variation from the residential character of the building in which the office is located.

- (2) Such use may have one non-illuminated sign, having an area of not more than four (4) square feet, or such signage as may be permitted within Article IX, Division 4, Sec. 34-1020, et seq., whichever is more restrictive.
- (3) No mechanical equipment, other than equipment normally used within a residential household or office, shall be house or utilized within the office space.

**Secs. 34-371 through 34-385. Reserved.**

**DIVISION 4. STANDARDS FOR TOWNHOUSES.**

**Sec. 34-386. Applicability.**

The standards set forth within this division shall apply to townhouse developments, wherever permitted within the city. In the event of a conflict between these standards and those generally applicable within a particular zoning district, the standards within this division shall govern.

**Sec. 34-387. Groupings.**

- (a) No more than eight (8) townhouses shall be included within any grouping (“row”).
- (b) The facades of townhouses within a townhouse development may be varied by changed front yards, varied architectural features or designs, roof lines, etc.
- (c) Required distance between any two rows of townhouses: 10 feet, minimum.

**Sec. 34-388. Dimensional requirements.**

- (c) The minimum area of a site containing a townhouse development shall be 12,000 square feet.
- (d) Within a townhouse development, there shall be an average minimum lot width (measured at the front building line) of twenty (20) feet; in no case shall any lot frontage be less than sixteen (16) feet. Lot width for end units shall be adequate to provide required front and side yards. Each individual townhouse unit shall have frontage on a dedicated public street, or on a private street.
- (e) No townhouse shall exceed a height of 45 feet.

**Sec. 34-389. Density of development.**

No townhouse development, or portion thereof, shall have an overall density of more than one (1) dwelling unit per 2,400 square feet of the gross area of the development site.

**Sec. 34-390. Access.**

If access to a townhouse development is to be provided by means of a private street or access easement, the following minimum standards shall be observed:



- (1) Minimum pavement width: 24 feet, exclusive of parking.
- (2) Concrete curb and gutter: required on both sides of the street or easement.
- (3) Sidewalks: sidewalks of at least five (5) feet in width must be provided on at least one side of the street or easement.
- (4) The radius for all cul-de-sacs shall be at least 40 feet, to be paved to a minimum radius of 35 feet.
- (5) Trees shall be planted along the frontage of the street/easement, at fifty (50) foot intervals (maximum).

**Sec. 34-391. Common areas.**

Within a townhouse development, open space and common areas (including, without limitation, the amenities required within Sec. 34-366), and all buildings, structures, facilities, lighting and landscaping located therein, shall be and remain, for the life of the development, under ownership of a single individual, entity or association responsible for maintenance thereof. The developer of a townhouse development shall demonstrate to the satisfaction of the city that this requirement is satisfied, prior to issuance of any building permit(s) for construction within such development.

**Secs. 34-392 through 34-405. Reserved.**

**DIVISION 5. MANUFACTURED HOME PARK (MHP) RESIDENTIAL DISTRICTS**

**Sec. 34-406. Purpose.**

The purpose of the R-MHP district is to establish areas of the city deemed suitable for manufactured homes, and to ensure a safe and healthy residential environment consistent with existing land use and density patterns.

**Sec. 34-407. Permitted uses.**

The uses allowed within the R-MHP zoning district are designated on the matrix set forth within Sec. 34-416.

**Sec. 34-408. Regulations.**

- (a) All spaces within a manufactured home park shall be and remain under single ownership.
- (b) The following requirements as to number, density, area, setbacks and height shall apply to manufactured home parks:
  - (0) Minimum number of spaces in a manufactured home park: 10
  - (0) Maximum density: 12 spaces per acre
  - (0) Minimum area, each space: 3,000 square feet

- (0) Minimum distance from street right-of-way or interior lot line of contiguous lot: 25 feet
- (0) Minimum distance between manufactured homes, and between a manufactured home and any other building or structure: 15 feet
- (0) Maximum height of the manufactured home: 18 feet from average grade
- (0) Minimum manufactured home space dimension: 30 feet

(a) Provisions for water supply, sewer system and sanitary facilities, electrical equipment and systems, gas supply and drainage shall be provided and shall meet all applicable building code requirements.

(b) Streets and walkways in the R-MHP District shall conform to the following:

- (0) Streets and driveways shall be provided within the park area to afford easy access to all parking spaces. Such streets and driveways shall be constructed with a hard, dustless road surface and shall provide ready means of entrance and exit to the street in an approved manner. The minimum width of streets providing for two-way traffic shall be thirty-six (36) feet when parking of cars is allowed on both sides and twenty-two (22) feet where parking is not allowed. Satisfactory means of drainage shall be provided with all streets and lanes draining into catch basins properly connected to the storm sewer system in accordance with applicable requirements for such facilities. Walkways shall be provided as necessary to all accessory buildings and service facilities of the park. Walks shall have a non-slip impervious surface and shall comply with applicable requirements for public sidewalks. Streets and walkways shall be illuminated as required for streets.
- (0) Every manufactured home space shall front on a private street built in accordance with city standards, or on a city-maintained public street.
- (0) Every manufactured home park shall have frontage on a public street.

(c) At each entrance of any private street fronting along a manufactured home park, an eighteen-inch by twenty-four-inch sign shall be posted stating "Private Drive, No Thru Traffic." The lettering shall be readable from a distance of fifteen (15) feet.

(d) All manufactured home parks shall have at least one (1) recreation area, located as to be free of traffic hazards, accessible to all residents and centrally located where topography permits:

- (0) Extent: Recreation areas and facilities, such as playgrounds, swimming pools, and community buildings should be provided which will meet the anticipated needs of the clientele the park is designed to serve. Provision of separate adult and juvenile recreational areas is encouraged.

- (0) Size: No less than five thousand (5,000) square feet of the gross park area shall be devoted to recreational facilities. Two hundred fifty (250) additional square feet shall be required for each manufactured home or travel trailer in excess of ten (10).
- (0) Recreation areas: Recreation areas include space for community buildings and community use facilities such as adult recreation and child play areas and swimming pools, but do not include vehicle parking, maintenance and utility areas, etc.

(e) The operator of a manufactured home park shall keep an accurate register of all tenants occupying spaces within the park.

(f) Manufactured home parks shall be enclosed with an approved fence or planted hedge, not less than seven (7) feet in height and with no openings to adjoining property other than the required entrances and exits to streets or public spaces.

(f) Skirting shall be required for each manufactured home. For each space within the park, site preparation, utility connections, skirting installation and maintenance of the manufactured home shall meet all applicable building code requirements.

**Sec. 34-409. Replacement of manufactured homes.**

Notwithstanding any other provision of this chapter to the contrary (e.g., Article IX, Sections 34-1140, et seq., governing nonconforming uses, lots and structures) a landowner or home owner may remove a valid nonconforming manufactured home from a manufactured home park and replace that home with another comparable manufactured home that meets the current HUD manufactured housing code. In such manufactured home park, a single-section home may replace a single-section home and a multi-section home may replace a multi-section home.

**Secs. 34-410 through 34-414. Reserved.**

**DIVISION 6. CROSS REFERENCES**

**Sec. 34-415. Additional regulations.**

For additional regulations governing use and development of land within a residential zoning district, refer to:

- (1) Article VIII, Sections 34-850, et seq. (Landscaping and Other Developments Subject to Site Plans)
- (2) Article IX (General Regulations), including, without limitation: Off-Street Parking (Sections 34-970, et seq.), Outdoor Lighting (Sections 34-1000, et seq.), Sign Regulations (Sections 34-1020, et seq.), Buildings and Structures (Sections 34-1100, et seq.), Lots and Parcels (Sections 34-1120, et seq.), Approvals of residential dwellings (Sec. 34-1125), and Mixed-use density calculation (Sec. 34-1126).

**Secs. 34-416 through 34-419. Reserved.**

## DIVISION 7. USE MATRIX

### **Sec. 34-420. Use matrix - Residential Zoning Districts.**

The uses and residential densities allowed within the City's residential zoning districts are those identified within the matrix following below. (For a list of each of the City's zoning districts and their abbreviations, see §34-216).

*[Insert revised Residential Use Matrix]*

**Secs. 34-421 through 34-439. Reserved.**