

ARTICLE III (ZONING DISTRICT REGULATIONS)

DIVISION 2. MIXED USE ZONING DISTRICTS

Sec. 34-540. - Purpose.

The purpose of this is to encourage mixed-use development within appropriate areas of the city, located along or adjacent to streets or highways found by the city council to be significant routes of access to the city. Objectives of these districts include the following: (i) creation of a dynamic street life, encouraging the placement of buildings close to property lines, and/or heavily landscaped yard areas, in order to engage pedestrians and de-emphasize parking facilities; (ii) encouragement of mixed-use development; (iii) facilitation of development that demonstrates an appropriateness of scale; (iv) encouragement of development that offers creative minimization of the impact of parking facilities and vehicular traffic; (v) encouragement of landscaped spaces available for pedestrian use (e.g., pocket parks, tree-lined streets and walkways); (vi) encouragement of alternate forms of transportation (e.g., pedestrian travel, bicycle paths, use of public transit); (vii) encouragement of neighborhood-enhancing economic activity; (viii) encouragement of home ownership; and (ix) encouragement of neighborhood participation in the development process.

Sec. 34-XXX. – General regulations.

(a) The following regulations apply within each of the zoning districts enumerated within this division, unless otherwise provided within sec. 34-XXX through 34-XXX:

- (1) Where reference is made to a mixed-use building, either: (i) no residential or non-residential use within such building shall occupy less than twelve and one-half percent (12.5%) of the GFA of the building, or (ii) the total number of dwellings within the building shall yield a density of at least 21 DUA. These requirements may be modified by SUP.
- (2) Where reference is made to a mixed-use development: if such development involves two or more buildings on one or more lots, then either: (i) no residential or non-residential use within such development shall occupy less than twenty-five percent (25%) of the GFA within the development, or (ii) the total number of dwellings within the development site shall yield a density of at least 21 DUA. These requirements may be modified by SUP.
- (3) Where additional height is made available by SUP for a mixed-use building, the additional height shall only be available for a mixed-use building, and not for any single-use building(s) within the same development.
- (4) Each entrance to a mixed-use building shall be sheltered from the weather, and lighted.
- (5) Where any building or development site consists of one (1) or more lots constituting an entire city block, one or more courtyard(s) or plaza(s) shall be provided. Courtyards shall be accessible from adjacent streets. When the gross area of a development site exceeds 87,000 SF, the development site shall be deemed to constitute an entire city block.
- (6) When more than 20 off-street parking spaces are required for any use(s) within a building or development:
 - (i). not more than 50% of the required parking spaces shall consist of surface parking open to the sky; however, this limitation shall not apply within the HW and URB zoning districts;

Comment [RL1]: Currently, some mixed use districts have "definitions" of what mixed use means, and some don't. This deficiency is causing legal issues, specifically overly broad discretionary decision making by administrative officers, without guidelines.

Paragraphs (1) and (2) are intended to establish a baseline, which can be adjusted by SUP as desired or as necessary

Comment [RL2]: It is unclear within the current ordinance what is meant by "constituting an entire city block". This needs to be clarified by Council, if it wishes for the requirement for courtyards or plazas to be implemented. As a legal matter: it should either be deleted, or revised so that it can be applied.

Under our subdivision ordinance, the *length* of a city block can be up to 1,000 ft., which would yield a block area of as much as 1,000,000 SF (or approx. 23 acres). As a practical matter, this would render the courtyard/plaza requirement meaningless.

It is my understanding that traffic engineers often assume a city block to be 100,000 SF which is about 2-1/4 acres. I've rounded off to about 2 acres (43,560X2 = 87,120). Council could certainly decide to apply the courtyard/plaza requirement to development sites having either a larger, or a smaller area. Or eliminate it altogether.

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- (ii). surface parking shall be separated from adjacent street(s) by either (i) a decorative fence or wall not less than 5 ft. in height, or (ii) an S-2 buffer.

(7) Within the mixed-use districts, the following building types may not be constructed on a lot, unless such lot has the minimum area specified:

Building type	Minimum required lot size (area, in square feet)
Single-family detached dwelling	6,000 SF, min., per dwelling
Single-family attached dwelling	2,000 SF, min. per dwelling; 3,600 SF, min. average
Two-family dwelling	7,200 SF, min. per dwelling; or, for lots of record prior to 8/3/1964, 6,000 SF, min. per dwelling
Townhouse dwelling	2,000 SF, min. per dwelling

Comment [RL3]: See current Z.O. Section 34-1123

Sec. 34-541. - Mixed use districts—enumeration; building standards.

(1) Downtown Corridor district (D).

(a) Description. The Downtown Corridor district provides a mixture of commercial and residential uses, in harmony with the existing commercial environment in the city’s downtown area. The area within this zoning district is the entertainment and employment center of the community and the regulations set forth within this district are designed to provide appropriate and convenient housing for persons who wish to reside in proximity to those activities.

(b) Table XXX—building envelope standards.

Standard	Specific requirements
(i) Streets	<i>Primary streets:</i> all. <i>Linking streets:</i> None. <i>Loading areas:</i> Off-street loading areas shall not face any street. <i>Ground floor residential prohibited:</i> No ground floor residential use may front on a primary street. If a building has frontage on more than one (1) primary street, a ground floor residential is allowed on one frontage. However, under no circumstances shall any ground floor residential use front on Main Street, Market Street or Water Street. <i>Courtyards/plazas:</i> Courtyards and plazas shall be accessible from adjacent streets.
(ii) Required Yards	<i>Primary street frontage-</i> PS-1 or PS-2 <i>Other—</i> Y-1
(iii) Building height	3 stories, min. 6 stories, max.; or up to 9 stories, max. with SUP
(iv) Streetwall	Minimum height: 40 feet Maximum height: 45 feet, containing exactly 3 floors
(v) Stepback	StepB-(1)
(vi) Residential density	43 DUA, max.; or up to 240 DUA with SUP

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	For MFD: 21 DUA, min.
(vii) Building types allowed	<p><i>Residential building types:</i> MFD within a MU development; SRO (with SUP); MU bldg.; institutional residential buildings (assisted living and other residential facilities)</p> <p><i>Other building types:</i> any type of non-residential building</p>

(2) Downtown Extended Corridor district (DE).

(a) Description. Historically, the areas within the Downtown Extended district contained manufacturing uses dependent upon convenient access to railroad transportation. In more recent times, use patterns within this area are similar to those within the Downtown district. The intent of this district is to encourage an inter-related mixture of high-density residential and commercial uses harmonious with the downtown business environment, within developments that facilitate convenient pedestrian and other links to the Downtown area.

(b) Table XXX—building envelope standards.

Standard	Specific requirements
(i) Streets	<p><i>Primary streets:</i> Garrett Street, Monticello Avenue, 6th Street, Market Street, Carlton Road and 10th Street, N.E., 2nd Street SE;</p> <p><i>Linking streets:</i> Avon Street, Dice Street, 1st Street, 4th Street, Gleason Street, Goodman Street, Oak Street, and Ware Street.</p> <p><i>Loading--</i> Off-street loading areas shall not face any street</p> <p><i>Ground floor residential--</i> No ground floor residential use may front on a primary street. If a building has frontage on more than one (1) primary street, a ground floor residential is allowed on one frontage. However, under no circumstances shall any ground floor residential use front on Main Street, Market Street or Water Street.</p> <p><i>Courtyards/plazas--</i> Courtyards and plazas shall be accessible from adjacent streets.</p>
(ii) Required Yards	<p><i>Primary street frontage:</i> PS-3</p> <p><i>Linking street frontage:</i> LS-1, 50% planted with S-1 buffer</p> <p><i>Other:</i> Y-1, with S-2 buffer</p>
(iii) Building height	<p><i>MU building:</i> 2 stories, min.; 9 stories, max.</p> <p><i>All other buildings:</i> 2 stories, min.; 4 stories, max.</p>
(iv) Streetwall	Maximum height: 50 ft.
(v) Stepback	StepB-(2)

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(vi) Residential density	21 DUA, min.; 43 DUA, max. <i>For MU bldg. or development:</i> up to 240 DUA with SUP
(vii) Building types allowed	<i>Residential building types:</i> SFD; single-family attached dwelling; TH, by SUP; Multifamily dwellings (SRO, only with SUP); mixed-use buildings; institutional residential buildings (assisted living and other residential facilities) <i>Other building types:</i> any type of non-residential building

(3) Downtown North Corridor district (DN)

(a) Description. The Downtown North Corridor district is the historic center of the City of Charlottesville, and contains many historic structures. In more recent years this area has also developed as the heart of the city's legal community, including court buildings and related law and professional offices, and commercial and retail uses supporting those services. Within this area, residential uses have been established both in single-use and in mixed-use structures. Many former single-family dwellings have been converted to office use. The regulations for this district are intended to continue and protect the nature and scale of these existing patterns of development.

(b) Table XXX—building envelope standards

Standard	Specific requirements
(i) Streets	<i>Primary streets:</i> 8th Street, N.E. (between High Street and Jefferson Street), 5th Street, N.E., 1st Street, 4th Street, N.E., High Street, Jefferson Street, Market Street, 9th Street, 9th Street, N.E., 10th Street, N.E. , 2nd Street, N.E., 2nd Street, N.W., 7th Street, N.E., 6th Street, N.E., and 3rd Street, N.E.; <i>Linking streets:</i> East Jefferson Street (east of 10th Street, N.E.), 8th Street, 11th Street, N.E., Lexington Street, Locust Street, Maple Street, Sycamore Street. <i>Loading--</i> Off-street loading areas shall not face any street.
(ii) Required Yards	<i>Primary street frontage:</i> PS-4 <i>Linking street frontage:</i> LS-2, 50% planted with S-1 buffer <i>Other:</i> Y-1, with S-1 buffer (10 ft., min.)
(iii) Building height	2 stories , min.
(iv) Streetwall	<i>Primary street frontage:</i> 5 stories, max. <i>Linking street frontage:</i> 3 stories, max. <i>Other street frontages:</i> 3 stories, max. <i>Residential adjacent:</i> 3 stories, max. adjacent to a low-density residential district
(v) Stepback	StepB-(2)
(vi) Residential density	21 DUA, max. <i>For a MU bldg. or development:</i> 43 DUA, max; or

Comment [RL4]: Most other districts, the streetwall height is given as a number of feet. [Only the building height is expressed in stories]

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	up to 120 DUA, max. with SUP
(vii) Building types allowed	<i>Residential building types:</i> SFD; single-family attached dwelling; TH (with SUP); MFD (SRO, only with SUP); MU bldgs.; institutional residential buildings (assisted living and other residential facilities) <i>Other building types:</i> any type of non-residential building

~~(4) *West Main West Corridor.* The land use and lots on West Main Street west of the railroad bridge are generally larger in size than those east of the bridge. The West Main West district ("WMW") is established to provide the opportunity for large-scale redevelopment that may alter established patterns of commercial and residential development along West Main Street and that will respect the character of neighborhoods in close proximity. Within this district, the purpose of zoning regulations is to facilitate redevelopment while at the same time creating a walkable, mixed use "main street" setting that encourages vibrant pedestrian activity. The following streets shall have the designations indicated:~~

- ~~a. Where only one (1) street abuts a lot, that street is considered the primary street.~~
- ~~b. Where more than one (1) street abuts a lot, the following are considered primary streets:~~
 - ~~(i) West Main Street;~~
 - ~~(ii) Roosevelt Brown Boulevard;~~
 - ~~(iii) Jefferson Park Avenue;~~
 - ~~(iv) Wermland Street;~~
 - ~~(v) 10th Street NW.~~
- ~~c. Where a lot with multiple street frontages on the primary streets listed in subsection b. exists, each frontage is considered a primary street.~~
- ~~d. Where a lot has multiple street frontages, streets not listed in subsection b. above will be considered a linking street.~~

~~(5) *West Main East Corridor.* The land use and lots on West Main Street east of the railroad bridge are smaller than those west of the bridge, containing existing buildings (including historic buildings) that have been renovated to accommodate modern commercial uses. Established buildings are located in close proximity to the street on which they front. Within this district, the purpose of zoning regulations is to encourage a continuation of the established pattern and scale of commercial uses, and to encourage an extension of a walkable, mixed use "main street" setting eastward from the railroad bridge, continuing into the area where the West Main Street Corridor transitions into the city's downtown. Within the West Main Street East district ("WME"), the following streets shall have the designations indicated:~~

- ~~a. Where only one (1) street abuts a lot, that street is considered the primary street.~~
- ~~b. Where more than one (1) street abuts a lot, the following are considered primary streets:~~
 - ~~(i) West Main Street;~~
 - ~~(ii) Commerce Street;~~
 - ~~(iii) South Street;~~

Comment [RL5]: Moved to end of division; otherwise, not changed because it was updated in 2016

Comment [RL6]: Moved to end of division

~~(iv) Ridge Street;~~

~~(v) 7th Street SW;~~

~~(vi) 4th Street NW;~~

~~c. Where a lot with multiple street frontages on the primary streets listed in subsection b. exists, each frontage is considered a primary street.~~

~~d. Where a lot has multiple street frontages, streets not listed in subsection b. above will be considered a linking street.~~

~~(6) **Cherry Avenue Corridor.** This zoning classification establishes a district designed to encourage conservation of land resources, minimize automobile travel, and promote employment and retail centers in proximity to residential uses. It permits increased development on busier streets without fostering a strip-commercial appearance. It is anticipated that development will occur in a pattern consisting of ground-floor commercial uses, with offices and residential uses located on upper floors. This district is intended to promote pedestrian-oriented development, with buildings located close to and oriented towards the sidewalk areas along primary street frontages. Within the Cherry Avenue Corridor district the following streets shall have the designations indicated:~~

Comment [RL7]: Moved to end of division

~~Primary streets: Cherry Avenue, 9th/10th Connector.~~

~~Linking streets: 4th St., 5th St., Delevan St., Estes St., Grove St., King St., Nalle St., 9th St., 6th St., 6½ St., 7th St.~~

(47) High Street Corridor district (HS)

(a) Description. The areas included within this district represent a section of High Street that has historically developed around medical offices and support services, as well as neighborhood-oriented service businesses such as auto repair shops and restaurants. The regulations within this district encourage a continuation of the scale and existing character of uses established within this district, and are intended to facilitate infill development of similar uses.

(b) Table XXX—building envelope standards

Standard	Specific requirements
(i) Streets	<p><i>Primary streets:</i> East High Street and Meade Avenue.</p> <p><i>Linking streets:</i> 11th Street, Gillespie Avenue, Grace Street, Grove Avenue, Hazel Street, Moore's Street, Orange Street, Riverdale Drive, Stewart Street, Sycamore Street, Ward Avenue, and Willow Street</p> <p><i>Loading--</i> Off-street loading areas may not face any primary street</p> <p><i>Parking screen--</i> Parking areas shall be screened from an adjacent street with either (i) a decorative fence at least 5 ft. in height, or (ii) an S-2 landscaped buffer</p>
(ii) Required Yards	<p><i>Primary street frontage:</i> PS-5, 50% planted as S-1 buffer</p> <p><i>Linking street frontage:</i> LS-3, 50% planted as S-1 buffer</p> <p><i>Other:</i> Y-6, 100% planted as S-1 buffer</p>
(iii) Building height	2 stories, max.

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(iv) Streetwall	N/A
(v) Stepback	N/A
(vi) Residential density	21 DUA, max.
(vii) Building types allowed	<i>Residential building types:</i> SFD; single-family attached dwelling; MFD (SRO, with SUP); MU bldgs.; institutional residential buildings (assisted living and other residential facilities); <i>Other building types:</i> any type of non-residential building

(58) Neighborhood Commercial Corridor district (NCC)

(a) The Neighborhood Commercial Corridor district establishes a zoning classification for the Fontaine and Belmont commercial areas that recognize their compact nature, their pedestrian orientation, and the small neighborhood nature of the businesses. This zoning district recognizes the areas as small town center type commercial areas and provides for the ability to develop on small lots with minimal parking dependent upon pedestrian access. The regulations recognize the character of the existing area and respect that they are neighborhood commercial districts located within established residential neighborhoods.

(b) Table XXX—building envelope requirements

Standard	Specific requirement
(i) Streets	<i>Primary streets:</i> Bainbridge St., Carlton Ave., Douglas Ave., Fontaine Ave., Garden St., Goodman St., Hinton Ave., Holly St., Lewis St., Maury Ave., Monticello Rd., and Walnut St. <i>Linking streets:</i> None
(ii) Required Yards	<i>Primary street frontage:</i> PS-6 <i>Linking street frontage:</i> N/A <i>Other:</i> Y-6, 100% planted as S-1 buffer
(iii) Building height	3 stories, max.; or up to 5 stories, max. with SUP
(iv) Streetwall	Maximum height: 45 ft.
(v) Stepback	StepB-(4)
(vi) Residential density	21 DUA, max.; or up to 43 DUA, max. with SUP
(vii) Building types allowed	<i>Residential building types:</i> SFD; single-family attached dwelling; Multifamily dwellings within a mixed-use development; mixed-use buildings; institutional residential buildings (assisted living and other residential facilities); <i>Other building types:</i> any type of non-residential building

(69) Highway Corridor district (HW)

(a) The intent of the Highway Corridor district is to facilitate development of a commercial nature that is more auto oriented than the mixed use and neighborhood commercial corridors. Development in these areas has been traditionally auto driven and the regulations established by this ordinance continue that trend. This district provides for intense commercial development with very limited residential use. It is intended for the areas where the most intense commercial development in Charlottesville occurs.

(b) Table XXX—building envelope requirements:

Standard	Specific requirements
(i) Streets	<i>Primary streets:</i> Bent Creek Road, 5 th Street, Station Parkway, Carlton Rd., Emmet Street, 5th Street, Harris Road, Hydraulic Road, Monticello Ave., and Seminole Trail <i>Linking streets:</i> Angus Road, East View Street, Holiday Drive, India Road, Keystone Place, Knoll Street, Linden Avenue, Line Drive, Michie Drive, Mountain View Street, Seminole Circle, and Zan Road
(ii) Required Yards	<i>Primary street frontage:</i> PS-7 <i>Linking street frontage:</i> LS-4 <i>Other:</i> Y-1, 50% planted as S-2 buffer
(iii) Building height	7 stories, max.
(iv) Streetwall	N/A
(v) Stepback	N/A
(vi) Residential density	21 DUA, max.; or 43 DUA by SUP
(vii) Building types allowed	<i>Residential building types:</i> MFD; MU bldgs.; institutional residential buildings (assisted living and other residential facilities) <i>Other building types:</i> any type of non-residential building

(74) Urban corridor district (URB)

(a) Description. The intent of the Urban Corridor district is to continue the close-in urban commercial activity that has been the traditional development patterns in these areas. Development in this district is both pedestrian and auto oriented, but is evolving to more of a pedestrian center development pattern. The regulations provide for both a mixture of uses or single use commercial activities. It encourages parking located behind the structure and development of a scale and character that is respectful to the neighborhoods and university uses adjacent.

(b) Table XXX—building envelope standards

Standards	Specific requirements
(i) Streets	<i>Primary streets:</i> Barracks Road, Emmet Street, and Ivy Road <i>Linking streets:</i> Arlington Boulevard, Cedars Court, Copeley Drive, Copeley Road, Earhart Street, Massie Road, Meadowbrook Road, Millmont Street and Morton Drive
(ii) Required Yards	<i>Primary street frontage:</i> PS-7

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	<i>Linking street frontage:</i> LS-4 <i>Other:</i> Y-6, 50% planted as S-2 buffer
(iii) Building height	5 stories, max.; or up to 7 stories with SUP
(iv) Streetwall	N/A
(v) Stepback	N/A
(vi) Residential density	21 DUA, max.; or up to 64 DUA with SUP
(vii) Building types allowed	<i>Residential building types:</i> MFD (SRO, with SUP); MU bldgs.; institutional residential buildings (assisted living and other residential facilities) <i>Other building types:</i> any type of non-residential building

(814) Central City corridor district (CC)

(a) The intent of the Central City Corridor district is to facilitate the continued development and redevelopment of the quality medium scale commercial and mixed use projects currently found in those areas. The district allows single use development, but encourages mixed use projects. The regulations are designed to encourage use of and emphasize proximity to natural features or important view sheds of natural features. Development allowed is of a scale and character that is appropriate given the established development that surrounds the district.

(b) Table XXX—building envelope standards

Standard	Specific requirements
(i) Streets	<i>Primary streets:</i> East High Street, Harris Street, Long Street, Preston Avenue, Rose Hill Drive, 10th Street, Preston Avenue, and River Road <i>Linking streets:</i> Albemarle Street, Booker Street, Caroline Avenue, Dale Avenue, 8th Street, Forest Street, 9th Street, and West Street <i>Loading--</i> Off-street loading areas may not face any street
(ii) Required Yards	<i>Primary street frontage:</i> PS-4, 50% planted as S-1 buffer <i>Linking street frontage:</i> LS-4, 50% planted as S-1 buffer <i>Other:</i> Y-1, 50% planted as S-2 buffer
(iii) Building height	2 stories, min. 4 stories, max.; or up to 7 stories, max. with SUP
(iv) Streetwall	Maximum height: 45 feet
(v) Stepback	StepB-(2); StepB-(5)
(vi) Residential density	21 DUA, max.; or up to 120 DUA with SUP <i>For a MU bldg. or MU development:</i> 43 DUA, max.; or up to 120 DUA with SUP
(vii) Building types allowed	<i>Residential building types:</i> SFD, single-family attached dwelling; MFD (SRO, with SUP); MU

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	bldgs.; institutional residential buildings (assisted living and other residential facilities) <i>Other building types:</i> any type of non-residential building

(912) Water Street corridor district (WS)

(a) The intent of the Water Street Corridor District is to provide for a mix of commercial, retail and entertainment uses in a way that complements and supports the Downtown Pedestrian Mall area. As the Downtown Pedestrian Mall develops, the natural spillover will be to this area. While not a complete pedestrian zone, it contains many characteristics thereof. Development therefore should blend the pedestrian scale with a slightly more automobile oriented feel to achieve this supportive mixed-use environment.

(b) Table XXX—building envelope standards

Standard	Specific requirements
(i) Streets	<p><i>Primary streets:</i> All <i>Linking streets:</i> None <i>Ground floor residential:</i> No ground floor residential uses may front on a primary street, unless a building fronts on more than one (1) primary street, in which case ground floor residential uses may front on one primary street. However, under no circumstances shall any ground floor residential use front on Main Street, Market Street, Ridge Street or Water Street <i>Courtyards/ plazas:</i> courtyards and plazas shall be accessible from adjacent streets <i>Loading</i>—Off-street loading areas may not face any street</p>
(ii) Required Yards	<p>Primary street frontage: PS-1A, PS-1B Other: <i>Ridge Street</i>—PS-8 <i>Water Street</i>—Y-5A Adjacent to SS Corridor District—Y-6B (planted with S-2 buffer); building façade facing SS is subject to StepB-(6), if yard exceeds Y-6B, then StepB-(6) may be reduced by the amount of such excess; in no case shall any building wall, above</p>

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	the height of 45 ft., be within 25 feet of a lot line that adjoins SS)
(iii) Building height	<u>3 stories, min.</u> ; 6 stories, max., or up to 9 stories, max. with SUP
(iv) Streetwall	Maximum height: 45 ft., for bldgs. fronting on South Street (between Ridge St. and 2 nd Street SW)
(v) Stepback	Along South St.: StepB-(1) Along Ridge St.: StepB-(3) Adjacent to SS Corridor District: StepB-(6)
(vi) Residential density	21 DUA min.; 43 DUA max., or 240 DUA max. with SUP
(vii) Building types allowed	<i>Residential building types:</i> MFD within a MU development; SRO (with SUP); MU bldgs.; institutional residential buildings (assisted living and other residential facilities) <i>Other building types:</i> any type of non-residential building

Comment [RL8]: 3 stories = 45 ft. per 34-1100(b). Current WS regulations say 40 ft., max. Recommend conforming min. height to 34-1100(b) by making it 3 stories, as indicated here

(103) South Street corridor district (SS)

(a) Description. Adjacent to the downtown area and wedged against the railroad tracks is a small grouping of large historic homes, many of which have been converted to offices and/or apartments. In order to preserve the rich character and style of these few remaining structures from another era, the South Street Corridor District has been created. This district is intended to preserve the historic pedestrian scale, recognizing the importance of this area to the history of the downtown area.

(b) Table XXX—building envelope requirements

Standard	Specific requirement
(i) Streets	<i>Primary streets:</i> South Street <i>Linking streets:</i> None <i>Ground floor residential--</i> No ground floor residential uses may front on a primary street, unless a building fronts on more than one (1) primary street, in which case ground floor residential uses may front on one primary street. However, under no circumstances shall any ground floor residential use front on Main Street, Market Street or Water Street <i>Courtyards/ plazas--</i> Courtyards shall be accessible from adjacent streets <i>Loading--</i> Off-street loading areas may not face any street

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(ii) Required Yards	N/A
(iii) Building height	25 ft. min. (with no more than two (2) stories) 3 stories, max.
(iv) Streetwall	Minimum height: 25 ft.
(v) Stepback	N/A
(vi) Residential density	43 DUA, max.; or 240 DUA, max. with SUP
(vii) Building types allowed	<i>Residential building types:</i> MFD within a MU development; SRO (with SUP); MU bldgs.; institutional residential building (assisted living and other residential facilities) <i>Other building types:</i> any type of non-residential building

Comment [RL9]: General standard in 34-1100(b) is 2 stories = not more than 35 feet, and 3 stories = not more than 45 feet.

Please give consideration to conforming this height requirement to the general standard

(114) Corner corridor district

(a) Description. The Corner District is established to provide low-intensity missed-use development to primarily serve the area surrounding the University of Virginia. It encourages development at a scale that respects the established character of the historic commercial area adjacent to the central grounds of the University. Within the district two- and three-story buildings front the streets establishing a pedestrian scale for retail and commercial uses.

(b) Table XXX—building envelope standards

Standard	Specific requirements
(i) Streets	Primary streets: University Avenue, West Main Street, Wertland Street, Elliewood Avenue 13th Street and 14th Street Linking streets: Chancellor Street, 12th Street, 12½ Street and 13th Street Ground floor residential-- No ground floor residential uses, and no parking garage (other than ingress and egress to the parking garage) may front on a primary street, unless a building fronts on more than one (1) primary street, in which case ground floor residential uses may front on one primary street. However, under no circumstances shall any ground floor residential use front on University Avenue or Elliewood Avenue Courtyards/ plazas-- Courtyards and plazas shall be accessible from adjacent streets
(ii) Required Yards	Primary street frontage: PS-1A(i), PS-1B Linking street frontage: LS-5A, 50% planted as S-1 buffer Other: Y-1
(iii) Building height	3 stories, min., 4 stories, max.
(iv) Streetwall	N/A

Comment [RL10]: 3 stories = 45 ft. per 34-1100(b). Current WS regulations say 40 ft., max. Recommend conforming min. height to 34-1100(b)

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(v) Stepback	N/A
(vi) Residential density	21 DUA, max.; or up to 120, max. with SUP <i>For MU bldgs. or MU developments:</i> 43 DUA, max., or up to 120 DUA, max. with SUP
(vii) Building types allowed	<i>Residential building types:</i> SFD; single-family attached dwelling; MFD within a MU development; SRO (with SUP); MU bldgs.; institutional residential buildings (assisted living or other residential facilities) <i>Other building types:</i> any type of non-residential building

(12) B-1 district (B-1)

(a) Description. The B-1 business district is established to provide for service-type businesses and office uses of a limited size, which are open primarily during daytime hours. The intent of the B-1 district is to provide a transitional district between residential areas and other commercial areas of the city. The uses permitted within this district are those which will have only minimal traffic impacts, and only minimal noise, odors, smoke, fumes, fire or explosion hazards, lighting glare, heat or vibration.

(b) Table XXX—building envelope standards

Standard	Specific requirements
(i) Streets	N/A
(ii) Required Yards	<i>Front:</i> Y-1A <i>Side:</i> Y-8 <i>Rear:</i> Y-1B <i>Other:</i> n/a
(iii) Building height	3 stories, max.
(iv) Streetwall	N/A
(v) Stepback	N/A
(vi) Residential density	21 DUA, max. <i>For MU bldg. or MU development:</i> up to 87 DUA, max. with SUP
(vii) Building types allowed	<i>Residential building types:</i> SFD, single-family attached dwelling; TH; duplex/ two-family dwelling; MFD (SRO, with SUP); MU bldgs. <i>Other building types:</i> any type of non-residential building

(13) B-2 district (B-2)

(a) The B-2 business district is established to provide for commercial uses of limited size, primarily serving neighborhood needs for convenience goods. The intent of the B-2 regulations is to encourage clustering of these neighborhood-serving commercial uses. The uses permitted within this district are

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those which will generate minimal traffic originating outside the neighborhood areas served, and that will generate minimal noise, odors and fumes, smoke, fire or explosion hazards, lighting glare, heat or vibration.

(b) Table XXX—building envelope standards

Standard	Specific requirements
(i) Streets	N/A
(ii) Required Yards	<i>Front:</i> Y-1A <i>Side(s):</i> Y-8 <i>Rear:</i> Y-1B <i>Other:</i> n/a
(iii) Building height	3 stories, max.
(iv) Streetwall	N/A
(v) Stepback	N/A
(vi) Residential density	<i>For MU bldg. or MU development:</i> up to 87 DUA, max. with SUP <i>All other:</i> 21 DUA, max.
(vii) Building types allowed	<i>Residential building types:</i> SFD, single-family attached dwelling, TH, duplex/ two-family dwelling; MFD (SRO, with SUP); MU bldgs. <i>Other building types:</i> any type of non-residential building

(14) B-3 district (B-3)

(a) Description. The B-3 business district is to provide for major commercial uses, of a type that is likely to generate significant amounts of traffic from points within as well as external to the surrounding neighborhood, and that may generate moderate noise, odors or fumes, smoke, fumes, fire or explosion hazards, lighting glare, heat or vibration.

(b) Table XXX—building envelope standards

Standard	Specific requirements
(i) Streets	N/A
(ii) Required Yards	<i>Front:</i> Y-7 <i>Side(s):</i> Y-8 <i>Rear:</i> Y-1B <i>Other:</i> n/a
(iii) Building height	6 stories, max.
(iv) Streetwall	N/A
(v) Stepback	N/A
(vi) Residential density	<i>Within a MU bldg. or MU development:</i> up to 87 DUA with SUP <i>All others:</i> 21 DUA, max.
(vii) Building types allowed	<i>Residential building types:</i> SFD, single-family attached dwelling; TH; duplex/ two-family dwelling; MFD (SRO, with SUP); MU bldg. <i>Other building types:</i> any type of non-residential building

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(15) M-I district (M-I)

(a) The M-I district is established to allow areas for light industrial uses that have a minimum of environmental pollution in the form of traffic, noise, odors, smoke and fumes, fire and explosion hazard, glare and heat and vibration.

(b) Table XXX—building envelope standards

Standard	Specific requirements
(i) Streets	N/A
(ii) Required Yards	Front: Y-1A Side(s): Y-8 Rear: Y-1B Other: N/A
(iii) Building height	7 stories, max.
(iv) Streetwall	N/A
(v) Stepback	N/A
(vi) Residential density	For MU bldgs. and MU developments: up to X DUA, max. with SUP (Density in excess of 21 DUA is allowed with SUP, but there is no cap) All others: 21 DUA, max.
(vii) Building types allowed	Residential building types: SFD; single-family attached dwelling; TH; duplex/ two-family dwelling; MFD (with SUP); SRO (SUP); MU bldg. Other building types: any type of non-residential building

Comment [RL11]: Currently max height is 85 feet. Per 34-1100(b), I recommend editing to say EITHER 7 stories, max (80 feet), OR 8 stories, max. (90 ft.)

Comment [RL12]: Council needs to clarify whether or not it intended there to be a cap/ ceiling on density with an SUP

(16) Emmet Street Commercial Corridor (ES) District:

(a) Description. The Emmet Street Corridor district is established to allow areas for low-intensity commercial development along Emmet Street adjacent to the Barracks Road shopping center, recognizing the shallow depth of lots in this area. Areas included within this district are those adjacent to or in the immediate vicinity of the eastern side of Emmet Street, from Barracks Road to just south of Massie Road.

(b) Table XXX—building envelope standards

Standard	Specific requirements
(i) Streets	N/A
(ii) Required Yards	Front: Y-5A Side(s): Y-5A, Y-6A Rear: Y-1A(i) Other: n/a
(iii) Building height	3 stories, max.
(iv) Streetwall	N/A
(v) Stepback	N/A
(vi) Residential density	For MU bldgs. and MU developments: up to X DUA, max. with SUP (Density in excess of 21 DUA is

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	allowed with SUP, but there is no cap) All others: 21 DUA, max.
(vii) Building types allowed	Residential building types: MU building Other building types: any type of non-residential building

Comment [RL13]: Council needs to clarify whether or not it intended there to be a cap/ ceiling on density with an SUP

(17) Industrial corridor district (IC)

(a) The intent of the Industrial Corridor district is to provide areas for light industrial activity that is directed to assembly and technological businesses rather than heavy manufacturing. This district provides opportunities for large scale commercial uses and manufacturing or industrial type uses that are more compatible with the neighborhoods that surround the manufacturing properties. Regulations provide for buffering from incompatible uses, but encourage these important employment centers to locate within the district.

(b) Table XXX—building envelope standards

(i) Streets	Primary streets: Allied Street, Concord Avenue, Dale Avenue, Harris Street, Henry Avenue, and River Road Linking streets: Belleview Avenue and Smith Street
(ii) Required Yards	Primary street frontage: PS-1B(i) Linking street frontage: LS-2 Other: Y-1 or Y-6 (100% S-3 buffer)
(iii) Building height	MU bldg.: 4 stories, max.; or up to 6 stories, max. with SUP All others: 4 stories, max.; or up to 6 stories, max. with SUP Except: No height above 4 stories is allowed for any building to be constructed within 200 feet of any low-density residential district
(iv) Streetwall	N/A
(v) Stepback	N/A
(vi) Residential density	Within a MU bldg. or MU development: 64 DUA, max. All others: 21 DUA, max.
(vii) Building types allowed	Residential building types: SRO (with SUP); MU bldg. Other building types: any type of non-residential building

(18) West Main West corridor district (WMW)

(a) *Description.* The land use and lots on West Main Street west of the railroad bridge are generally larger in size than those east of the bridge. The West Main West district ("WMW") is established to provide the opportunity for large-scale redevelopment that may alter established patterns of commercial and residential development along West Main Street and that will respect the character of neighborhoods in

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close proximity. Within this district, the purpose of zoning regulations is to facilitate redevelopment while at the same time creating a walkable, mixed use "main street" setting that encourages vibrant pedestrian activity.

(b) Table X—building envelope standards

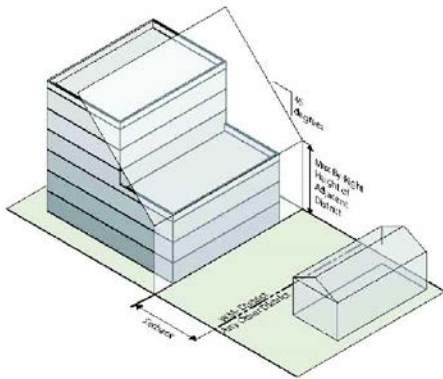
(i) Streets	<p><i>Primary streets.</i> Where only one (1) street abuts a lot, that street is considered the primary street; where more than one (1) street abuts a lot, the following are considered primary streets: West Main Street; Roosevelt Brown Boulevard; Jefferson Park Avenue; Wertland Street and each frontage along these listed streets is considered a primary street</p> <p><i>Linking streets:</i> Where a lot has multiple street frontages, but no such street frontages are along the streets specifically listed above within this paragraph, then such frontage(s) will be considered linking street(s)</p> <p><i>Ground floor residential:</i> No ground floor residential uses shall front on West Main Street</p> <p><i>Parking garage:</i> No parking garage, other than ingress and egress to the garage, may front on a primary street</p>
(ii) Required Yards	<p><i>Primary street frontage:</i> PS-5A. At least eighty (80) percent of the building façade width of a building must be in the build-to zone adjacent to a primary street.</p> <p><i>Linking street frontage:</i> LS-7. At least forty (40) percent of the building façade width of a building must be in the build-to zone adjacent to a linking street</p> <p><i>Other:</i> Y-1, with 50% planted as S-1 buffer</p>
(iii) Building height**	<p>2 stories, min. 75 ft., max. <i>Also:</i> The first floor of every building shall have a minimum height, measured floor to floor, of fifteen (15) feet</p>
(iv) Streetwall	Maximum height: 40 ft.
(v) Stepback	StepB-(3)
(vi) Residential density	43 DUA, max.; 200 DUA, max. with SUP
(vii) Building types allowed	<p><i>Residential building types:</i> SFD; single-family attached dwelling; SRO (with SUP); MU bldg.</p> <p><i>Other building types:</i> any type of non-residential building</p>

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**Notwithstanding the provisions of section 34-1100(a) or section 34-1200 (definitions of "building height" or "grade"), the height of a building within the WMW district shall mean the vertical distance measured from grade level to the level of the highest point of the roof of the building. For the purposes of this provision, the term "grade level" shall refer to the average level of the curb at the primary street frontage. If a lot has frontage on West Main Street and on another primary street, then average level of the curb along the West Main Street frontage shall be used to determine building height. For the purposes of this provision, reference to the "highest point of the roof" shall mean: the level of a flat roof; the deck line of a mansard or parapet roof; or, for buildings with gable, hip or gambrel roofs, the level of the average height between the eaves and ridge.

(c) Building mass

- a. *Width:* The apparent mass and scale of each building over one hundred (100) feet wide shall be reduced through the use of building and material modulation and articulation to provide a pedestrian scale and architectural interest, and to ensure the building is compatible with the character of the district. This determination shall be made by the board of architectural review through the certificate of appropriateness process.
- b. *Bulk plane:* To promote building massing compatible with adjacent districts, a bulk plane shall apply where the rear of a lot in the West Main West district abuts any other zoning district, and where any side of a lot in the West Main West district abuts a low density residential zoning district. No building may extend into a 45-degree angular plane projecting above the lot measured at the interior edge of any required setback, starting at a height equal to the maximum allowed height in the adjacent zoning district. The bulk plane ends at each lot line adjacent to a street right-of-way.



(19) West Main East corridor district (WME)

(a) *Description.* The land use and lots on West Main Street east of the railroad bridge are smaller than those west of the bridge, containing existing buildings (including historic buildings) that have been renovated to accommodate modern commercial uses. Established buildings are located in close proximity to the street on which they front. Within this district, the purpose of zoning regulations is to encourage a continuation of the established pattern and scale of commercial uses, and to encourage an extension of a

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walkable, mixed use "main street" setting eastward from the railroad bridge, continuing into the area where the West Main Street Corridor transitions into the city's downtown.

(b) Table XXX—building envelope standards

Standard	Specific requirements
(i) Streets	<p><i>Primary streets:</i> where only one (1) street abuts a lot, that street is considered the primary street. Where more than one (1) street abuts a lot, the following are considered primary streets: West Main Street; Commerce Street; South Street; Ridge Street; 7th Street SW; 4th Street NW. Where a lot with multiple street frontages on the primary streets listed above exists, each such frontage is considered a primary street</p> <p><i>Linking streets:</i> where a lot has multiple street frontages on streets other than those listed above, each such frontage will be considered a linking street</p>
(ii) Required Yards	<p><i>Primary street frontage:</i> PS-5A. At least eighty (80) percent of the building façade width of a building must be in the build-to zone adjacent to a primary street.</p> <p><i>Linking street frontage:</i> LS-7. At least forty (40) percent of the building façade width of a building must be in the build-to zone adjacent to a linking street.</p> <p><i>Other:</i> Y-1, with 50% planted as S-1 buffer</p>
(iii) Building height**	<p>2 stories, min.; 75 ft., max.</p> <p><i>Also:</i> The first floor of every building shall have a minimum height, measured floor to floor, of fifteen (15) feet</p>
(iv) Streetwall	Maximum height: 40 ft.
(v) Stepback	StepB-(3)
(vi) Residential density	43 DUA, max.; up to 200 DUA, max. with SUP
(vii) Building types allowed	<p><i>Residential building types:</i> SFD; single-family attached dwelling; SRO (with SUP); MU bldg.</p> <p><i>Other building types:</i> any type of non-residential building</p>

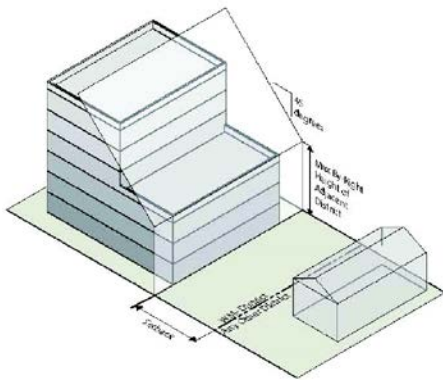
**Notwithstanding the provisions of section 34-1100(a) or section 34-1200 (definitions of "building height" or "grade"), the height of a building within the WMW district shall mean the vertical distance measured from grade level to the level of the highest point of the roof of the building. For the purposes of this provision, the term "grade level" shall refer to the average level of the curb at the primary street frontage. If a lot has frontage on West Main Street and on another primary street, then average level of the curb along the West Main Street frontage shall be used to determine building height. For the purposes of this provision, reference to the "highest point of the roof" shall mean: the level of a flat roof; the deck line of a

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mansard or parapet roof; or, for buildings with gable, hip or gambrel roofs, the level of the average height between the eaves and ridge.

(c) Building mass

- a. *Width:* The apparent mass and scale of each building over one hundred (100) feet wide shall be reduced through the use of building and material modulation and articulation to provide a pedestrian scale and architectural interest, and to ensure the building is compatible with the character of the district. This determination shall be made by the board of architectural review through the certificate of appropriateness process.
- b. *Bulk plane:* To promote building massing compatible with adjacent districts, a bulk plane shall apply where the rear of a lot in the West Main West district abuts any other zoning district, and where any side of a lot in the West Main West district abuts a low density residential zoning district. No building may extend into a 45-degree angular plane projecting above the lot measured at the interior edge of any required setback, starting at a height equal to the maximum allowed height in the adjacent zoning district. The bulk plane ends at each lot line adjacent to a street right-of-way.



(20) Cherry Avenue corridor district (CH)

(a) Description. This zoning classification establishes a district designed to encourage conservation of land resources, minimize automobile travel, and promote employment and retail centers in proximity to residential uses. It permits increased development on busier streets without fostering a strip-commercial appearance. It is anticipated that development will occur in a pattern consisting of ground-floor commercial uses, with offices and residential uses located on upper floors. This district is intended to promote pedestrian-oriented development, with buildings located close to and oriented towards the sidewalk areas along primary street frontages.

(b) Table XXX—building envelope standards

Standard	Specific requirements
(i) Streets	<i>Primary streets:</i> Cherry Avenue, 9th/10th Connector <i>Linking streets:</i> 4th St., 5th St., Delevan St., Estes St., Grove St., King St., Nalle St., 9th St., 6th St., 6½ St., 7th St

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	<i>Ground floor residential</i> --No ground floor residential use may front on a primary street or a linking street; except: if a building fronts on more than one primary or linking street, ground floor residential use may front on one of those streets. Under no circumstances shall any ground floor residential use front on Cherry Avenue or Roosevelt Brown Boulevard
(ii) Required Yards	<i>Front:</i> Y-3(i); Y-2. 50% must be planted with S-1 buffer. No front yard may be used for parking <i>Side:</i> Y-4 (X% planted with S-2 buffer); Y-5 <i>Rear:</i> Y-3; Y-4
(iii) Building height	2 stories, min.; 4 stories, max.
(iv) Streetwall	Maximum height: 40 ft. <i>Also--</i> Every streetwall, whether on a property line or set back from the property line, shall vary by at least four (4) inches every 50 feet
(v) Stepback	StepB-(3)
(vi) Density	<i>FAR:</i> every development site shall provide 0.5 FAR <i>DUA:</i> 7 DUA, max. (for developments containing only SFDs); 21 DUA, max. or up to 43 DUA max. with SUP (for developments containing only THs, or only MFDs); or 43 DUA, max. for MU developments
(vii) Building types allowed	<i>Residential building types:</i> SFD; single-family attached dwelling; TH; duplex/ two-family dwelling; MFD (SRO, with SUP); MU bldg. <i>Other building types:</i> any type of non-residential building

Comment [RL14]: Current requirements state that an S-2 buffer is required, but fail to say whether the entire yard must be buffered, or just some portion of it.

Note: current provisions of 34-661 (Pedestrian Access and Circulation within CH district) have been moved to the "Improvements Required for Developments" Article

Comment [RL15]: Current 34-661 will be moved and incorporated into a different Article/ Division of the Zoning Ordinance ("Improvements Required for Developments")

Sec. 34-XXX. – Uses permitted within mixed-use districts.

(a) Within the City's mixed use districts every use shall be located within a permitted building type, or a use may occupy such other space(s) as may expressly be permitted by this chapter.

(b) *Expressly authorized uses*—**Table X**, following below within this section, sets forth the uses allowed within the city's mixed use districts.

(c) **Unlisted uses**—

(1) **Unlisted similar uses**--If a use is not listed in **Table-X** but is similar in nature and impact to a permitted use, then the NDS Director may interpret the use as being permitted. An unlisted use

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interpreted by the NDS Director as being permitted, shall be subject to development standards applicable to the listed use to which it's similar. The following shall be used in the interpretation of categories of uses, as noted (when **Table – X** contains both a generally defined category of use, and a specifically listed use, the more restrictive provision shall govern):

- (i). **General residential uses**—uses within the definition of the term *residential occupancy*, as set forth in §34-1200. If a state statute mandates that a use be treated or regulated the same as residential occupancy by a single family, then the use referenced in the statute shall be a “residential use” for purposes of zoning regulations. *See, e.g.*, Va. Code 15.2-2291(certain residential facilities), 15.2-2292 (family day homes), 15.2-2292.1 (temporary family health care structures)
- (ii). **General civic uses**—uses related to fulfilling the needs of day-to-day community life, such as: assembly (organized secular or religious services, meetings or programs to benefit, educate, entertain or promote discourse among citizens, in either a public or private setting); libraries; museums; police/fire/EMS services; municipal/ governmental offices, courts, and functions; schools.
- (iii). **General retail**—a use involving the sale of goods or merchandise to the general public, for personal or household consumption.
- (iv). **General service**—a use involving the provision of services to individual consumers, and limited sales of products related to those services. Visibility and accessibility are important to these uses, as many patrons do not utilize scheduled appointments.
- (v). **General commercial**—uses not involving residential occupancy, other than uses listed in another category of this section, involving the production or sale of good(s) or services, or the use of specific facilities or equipment for a charge.
- (vi). **General office**—a use in which members and employees of a profession, service, industry or government transact any business or affairs; patrons typically have set appointments or meeting times.
- (vii). **Craft industry/ light industry**—a use involving small-scale manufacturing, production, assembly and/or repair, including craft-industry, with little or no external effects (sound, vibration, odor, smoke, etc.); may include associated offices and interior warehousing, but there is minimal distribution activity.
- (viii). **Warehouse and distribution**—a use involving large-scale indoor or outdoor storage and packing of goods—typically between the point of production and the market—and related distribution activities. The uses typically involve significant commercial truck traffic, busy loading bays and related offices.
- (ix). **Utility and infrastructure**—uses serving the city's infrastructure needs, such as: electric, gas, water, and sewer services, and related service mains, service lines and other facilities; stormwater management facilities; public streets and related facilities.
- (x). **Temporary uses**—a use of land that occurs only occasionally, or sporadically, and does not involve any ongoing, regular activity, but which is a type of use normally anticipated to occur from time to time as part of, or in locations proximate to, specific residential

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or commercial uses. Temporary uses are compatible (as to noise, traffic, hours of operation, and) with the principal uses adjacent to the location at which they occur. Examples of temporary uses typically found within the city are: bake sales; yard sales (associated with residential uses); special events; outdoor carnivals; arts or crafts demonstrations; outdoor festivals; construction staging; etc.

- (2) **Unlisted dissimilar uses**—If a use is not listed in **Table-X** and is not interpreted by the NDS Director as being similar in nature and impact to a permitted use, then the unlisted use is prohibited.

Table-X: Uses allowed within mixed-use zoning districts

B=Allowed in the specified district(s), unless otherwise noted PU=allowed as a Provisional Use within the specified district(s) SUP = allowed with a Special Use Permit within the specified district(s)		
Uses	Allowed	Allowed with SUP
Residential		
Occupancy, residential	B-1, B-2, B-3, M-I, IC, D, DE, DN, WME, WMW, CH, HS, NCC, HW, WSD, URB, SS, CD, CC	
Convent or monastery	B-1, B-2, B-3, M-I, ES, IC, D, DE, DN, WME, WMW, CH, HS, NCC, HW, WSD, URB, SS, CD, CC	
Shelter care (excluding CH district)	B-1, B-2, B-3	D, DE, DN, WME, WMW, CH, HS, NCC, HW, WSD, URB, SS, CD, CC
Civic		
General Civic	B-1, B-2, B-3, M-I, ES, IC, D, DE, DN, WME, WMW, CH, HS, NCC, HW, WSD, URB, SS, CD, CC	
College/university	CH	B-1, B-2, B-3, ES
Vocational education, up to 10,000 SF	B-2, B-3, M-I, IC, CH	
Artistic instruction, up to 4,000 SF	B-2, B-3, M-I, IC, D, DE, DN, WME, WMW, CH, HS, WSD, URB, SS, CD, CC	NCC, HW
Artistic instruction, 4,001-10,000 SF	B-2, B-3, M-I, IC, DE, WME, WMW, CH	D, WSD, SS, CC
Auditoriums/ theaters (indoor), > 300 seats/persons	B-2, B-3, M-I, IC	D, DE, WME, WMW, WSD

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Auditoriums/theaters (outdoor) < 300 seats/persons	B-2, B-3, M-I, IC, D, DE, WME, WMW, HW, WSD	DN, CH, HS, CD, CC
Funeral home < 4,000 SF	B-1, B-2, B-3, M-I, IC, DE, DN, WME, WMW, CH, HS, URB, CC	
Funeral home 4,001-10,000 SF	B-1, B-2, B-3, M-I, IC, DE	DN, WME, WMW, HS, URB
Funeral home with crematory, <4,000 SF	B-1, B-2, B-3, M-I, IC, DE, CH	
Funeral home with crematory, 4,001-10,000 SF	B-1, B-2, B-3, M-I, IC, DE	
Crematorium (independent of any funeral home)	B-3, M-I, IC	
Outdoor amphitheater: D, WSD, SS	D, WSD, SS	M-I, B-1, B-2, B-3, M-I, IC, DE, DN, WME, WMW, HS, HW, URB, CD, CC
Residential treatment facility (>8 residents)		D, DE, DN, WME, WMW, HS, NCC, HW, WSD, URB, SS, CD, CC
Nursing homes	B-1, B-2, B-3, M-I, CH	HS, NCC, HW
Health clinic (<4,000 SF)	B-1, B-2, B-3, M-I, IC, D, DE, DN, WME, WMW, CH, HS, NCC, HW, WSD, URB, SS, CD, CC	
Health clinic (4,001 – 10,000 SF)	B-1, B-2, B-3, M-I, IC, DE, WME, WMW, HS, HW, URB, CD, CC	D, DN, CH, WSD, SS
Health clinic, no size limit	B-2, B-3, M-I, IC,	B-1, HW
Hospital	B-3, CH	B-1, B-2, DE, DN, WME, WMW, CD
Veterinary clinic		HW
Animal boarding/ kennel (no outdoor runs/pens)	M-I, IC, DE	B-3, CH, HW
Kennels		M-I
Animal boarding/ kennel (with outdoor runs/pens)		M-I, IC
Private club	B-2, B-3, HW, URB, CC	B-1, D, DE, DN, WME, WMW, CH, WSD, SS, CD
Indoor health/sports clubs (on public property)	B-1, B-2, B-3, M-I, D, DE, DN, WME, WMW, CH, HS, NCC, HW, WSD, URB, SS, CD, CC	
Indoor health/sports clubs (on private property), 4,000 SF or less	B-1, B-2, B-3, M-I, D, DE, DN, WME, WMW, CH, HS, NCC, HW, WSD, URB, SS, CD, CC	ES
Indoor health/sports clubs (on private property), 4001 – 10,000 SF	B-2, B-3, M-I, D, DE, WME, WMW, WSD, SS	B-1, DN, HS, URB, CD, CC
Indoor health/sports clubs (on private property), more than 10,000 SF	B-3	B-2, M-I

Comment [RL16]: What is the reason for excluding veterinary clinics from so many places within the City? If a veterinary clinic has NO outdoor runs, what impact would be different than health clinics???

What's the intended difference between "animal boarding" and "kennels"?

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Parks, playgrounds, athletic fields (public)	D, DE, DN, WME, WMW, CH, HS, NCC, HW, WSD, URB, SS, CD, CC	B-1, B-2, B-3, M-I, ES, IC
Parks, playgrounds, athletic fields (private)		B-1, B-2, B-3, M-I, ES, IC, D, DE, DN, WME, WMW, CH, HS, NCC, HW, WSD, URB, SS, CD, CC
Retail		
General Retail: < 4,000 SF	B-1, B-2, B-3, M-I, ES, IC, D, DE, DN, WME, WMW, CH, HS, NCC, HW, WSD, URB, SS, CD, CC	
General Retail: 4,001-20,000 SF	B-3, IC, DE, WME, WMW, HW, URB	B-2, M-I, D, DN, CH, HS, WSD, SS, CD, CC
Large Scale General Retail (more than 20,000 SF)	B-3, DE, HW, URB	M-I, D, WME, WMW, WSD, SS
Home Improvement Center	B-3, M-I, IC, HW	DE, CH
Shopping center	B-2, B-3, HW	D, DE, DN, WME, WMW, CH, HS, WSD, URB, SS, CD, CC
Shopping mall		B-2, B-3, D, DE, DN, WME, WMW, HS, HW, WSD, URB, SS, CD, CC
Grocery, up to 10,000 SF	B-2, B-3, M-I, IC, DE, WME, WMW, HS, HW, URB, CC	D, DN, CH, NCC, WSD, SS, CD
Grocery, more than 10,000 SF	B-2, B-3, M-I, DE, WME, WMW, HW, URB,	D, DN, HS, WSD, SS, CD, CC
Pharmacy, up to 1,700 SF	B-1, B-2, B-3, M-I, ES, IC, D, DE, DN, WME, WMW, CH, HS, NCC, HW, WSD, URB, SS, CD, CC	
Pharmacy, 1,701 to 4,000 SF	B-2, B-3, M-I, IC, D, DE, WME, WMW, HW, WSD, URB, SS, CD, CC	B-1, ES, DN, CH, HS
Pharmacy, more than 4,000 SF	B-2, B-3, IC	B-1, M-I
Farmer's Market	M-I, IC	B-2, B-3, D, DE, DN, WME, WMW, HS, NCC, HW, WSD, URB, SS, CD
Greenhouse, nursery, retail sales	B-3, M-I, IC, HS, HW	DE, URB
Auto parts and equipment sales	B-2, B-3, M-I, IC, DE, WME, WMW, HW, CC	URB
Automobile sales	B-3, M-I, IC, HW	CH, CC
Automobile tire sales and recapping	B-3, M-I, IC, CH, HW, URB	
General Commercial		
General commercial, less than 4,000 SF	B-2, B-3, M-I, ES, IC,	

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General commercial, 4,001 – 10,000 SF	B-3, M-I, IC,	
Data center < 4,000 SF	D, DE, DN, WME, WMW, CH, HS, NCC, HW, WSD, URB, SS, CD, CC	
Data center > 4,000 SF	D, DE, CH, HW, WSD, URB, SS	DN, WME, WMW, HS, CC
Laundromat	DE, CH, HW	
Parking garage	D, DE, WSD, SS	DN, WME, WMW, CH, HS, HW, URB, CD, CC
Parking garage, ancillary	DN, WME, WMW, CH, HS, HW, URB, CD, CC	
Parking lot (surface), less than 20 spaces	M-I, IC, D, DE, DN, WME, WMW, CH, HS, HW, WSD, URB, CD	B-1, B-2, B-3
Ancillary Parking lot (surface), less than 20 spaces	B-1, B-2, B-3, ES, SS, CC	
Ancillary Parking lot (surface), 20 or more spaces	B-1, B-2, B-3, ES, D, DE, DN, WME, WMW, CH, HS, NCC, HW, WSD, URB, SS, CD, CC	
Parking lot (surface), 20 or more spaces	M-I, IC	
Radio/ television stations	B-1, B-2, B-3, M-I, IC, D, DE, DN, WME, WMW, CH, HS, WSD, URB, SS, CD, CC	
Car Wash	B-2, B-3, M-I, IC	
Office		
General office	B-2, B-2, B-3, M-I, ES, IC, D, DE, DN, WME, WMW, CH, HS, NCC, HW, WSD, URB, SS, CD, CC; (except: no medical office in ES)	
Property management office, ancillary to sale/ lease of MFD or TH units	B-1, B-2, B-3, M-I, D, DE, DN, WME, WMW, CH, HS, NCC, HW, WSD, URB, SS, CD, CC	
Service		
General Service, up to 4,000 SF	B-1, B-2, B-3, M-I, ES, IC, D, DE, DN, WME, WMW, CH, HS, NCC, HW, WSD, URB, SS, CD, CC (except: no banks in M-I or IC)	
General Service, 4,001 – 10,000SF	B-1, B-2, B-3, M-I, ES, IC, D, DE, DN, WME, WMW, WSD, URB, SS, CD (except: no banks in M-I or IC)	CH, HS, NCC, HW, CC
General Service, more than	DE, NCC, URB	DN, WME, WMW, HW, CD

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10,000 SF	(except: no banks in M-I or IC)	
Hotel, up to 100 rooms	B-2, B-3, D, DE, WME, WMW, CH, HS, HW, WSD, URB, SS, CD, CC	B-1, M-I
Hotel, more than 100 rooms	B-3, D, DE, WME, WMW, HS, HW, WSD, URB, SS	B-2, M-I, CD, CC
Dry cleaning	B-2, B-3, M-I, IC, D, DE, WME, WMW, HW, WSD, URB, SS, CD, CC	B-1, ES
Vehicle staging and storage	All districts	
Taxi stand	B-1, B-2, B-3, M-I, ES, IC, DE, CH, HW, URB, CC	WME, WMW, HS, CD
Automobile gas station	B-2, B-3, M-I, IC, HW	DE, CH, URB
Automobile repair and servicing	B-2, B-3, M-I, IC, CH, HW	HS, URB
Automobile rental, leasing	B-3, M-I, IC, HW	URB
Automobile towing	B-3, M-I, IC	
Electronic gaming café	HW	IC
Mobile food units	All districts	
Movie theaters, cineplexes	B-3, IC, CH, HW (except: B-2 only 6 or fewer screens)	D, DE, DN, WME, WMW, HS, WSD, URB, SS, CD, CC
Music hall	IC, D, WME, WMW, HW, WSD, URB, CD Allowed By PU in: B-2, B-3, DE, CC	M-I, SS
Restaurants, 24-hour operation	Allowed By PU in: B-2, B-3	D, DE, WME, WMW, HS, WSD, URB, SS, CD, CC
Craft Industry/Light Industry		
General craft/ light industry	B-2, B-3, M-I, IC, D, DE, DN, WME, WMW, HS, HW, WSD, URB, SS, CD, CC	
Micro-producers	B-2, B-3, M-I, IC, D, DE, DN, WME, WMW, HS, HW, WSD, URB, SS, CD, CC	
Small breweries	M-I, IC	B-2, B-3, DE, HW, URB, CC
Photo processing; blueprinting	B-3, M-I, IC, D, DE, WSD, SS	
Pharmaceutical laboratory, less than 4,000 SF	B-3, M-I, IC, D, DE, DN, WME, WMW, CH, HS, NCC, HW, WSD, URB, SS, CD, CC	
Pharmaceutical laboratory, more than 4,000 SF	B-3, M-I, IC,	D, DE, WME, WMW, CH, WSD, SS, CD
Medical laboratory	B-3, M-I, IC, DE, WME, WMW, CH, CD	b-1, b-2, D, DN, WSD, SS, CC
Research and testing laboratory	B-3, M-I, IC, DE, WME, WMW, CH, CD	B-1, B-2, CC
Contractor/ tradesman's shop	B-3, M-I	IC

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Infrastructure		
Utilities and Infrastructure	All districts	
Open space/ Green space	All districts	
Utility facilities		B-1, B-2, B-3, M-I, ES, IC, D, DE, DN, WME, WMW, CH, HS, NCC, HW, WSD, URB, SS, CD, CC
Attached communications facilities, not visible from adjacent streets and properties	All districts	
Attached communications facilities utilizing utility poles as the attachment structure	All districts	
Attached communications facilities visible from an adjacent street or property		D, DE, DN, WME, WMW, CH, HS, NCC, HW, WSD, URB, SS, CD, CC
Monopole support structure, for communications facilities	B-3, M-I, IC	
Guyed tower, for communications facilities	M-I	IC
lattice, or self-supporting tower, for communications facilities	MI, IC	
Transit facilities	B-1, B-2, B-3, M-I, ES, IC, D, DE, DN, WME, WMW, CH, HS, NCC, HW, WSD, URB, SS, CD, CC	
Accessory and Temporary Uses		
Accessory Uses, generally	B	
Accessory apartments	PU in: B-1, B-2, B-3, CH	
Homestay	PU in: B-1, B-2, B-3	
Home occupation	PU in: B-1, B-2, B-3, M-I	
Outdoor storage, accessory	B-3, IC, HW	M-I, DE, CH, URB
Drive-through windows, accessory		CH, HS, URB, CC
Surface parking, accessory (less than 20 spaces)	SS, CC	
Surface parking, accessory (20 or more spaces)	D, DE, DN, WME, WMW, CH, HS, NCC, HW, WSD, URB, SS, CD, CC	
Temporary uses	All districts, by TU	All districts, by TU
Warehousing/ distribution, accessory	B-2, B-3, M-I, IC, D, DE, DN, WME, WMW, HS, HW, WSD, URB, SS, CD, CC	

(3) **Cherry Avenue Use regulations**—in addition to the provisions of **34-XXX**, the following use regulations shall apply within the CH district:

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- (a) No more than one-half of the area of the development site shall be devoted to at-grade surface parking.
- (b) For dwelling units in mixed-use buildings or mixed-use developments, the number of required parking spaces will be one-half of the number required by Article X, sec. 34-XXX.
- (c) Within a mixed-use building or a mixed-use development, non-residential uses shall constitute at least twelve and one-half (12.5) percent of the GFA of the building or development site, respectively.
- (d) Bonuses: whenever, by the provisions of section 34-XXX (Table X) the size of a land use is subject to restrictions, the following bonuses may be applied to increase the allowable square footage of such use. If, after a bonus is applied, the total square footage of such land use exceeds the maximum allowed without an SUP, then no SUP shall be required.
 - (i). For every one (1) SF of child care, bonus of 2 SF may be applied
 - (ii). For every one (1) SF of landscaping above minimum standards, a bonus of 0.25 SF may be applied
 - (iii). For every one (1) SF of training center (non-exclusive to residents within a building or development, and non-exclusive to a specific business within the development), a bonus of 2 SF may be applied
 - (iv). For every one (1) SF of courtyard, plaza, open space or porch, a bonus of 2 SF may be applied

Sec. 34-XXX. Yard and frontage requirements

As used throughout this division, the yard and frontage designations set forth within Table X, below, shall indicate the specific yard and frontage requirements indicated in Table X.

Table X—yard and frontage requirements

Standard	Yard and frontage requirements
PS 1	0 ft. required along 75% streetwall; 20 ft., max. along 25% streetwall
PS-1A	0 ft. required along 75% streetwall; 5 ft. max. along 25% streetwall
PS-1A(i)	0 ft. required along 75% streetwall; 12 ft. max. along 25% streetwall
PS-1B	20 ft., max. along 50% streetwall, (i) if street trees are provided or (ii) if authorized by SUP
PS-1B(i)	20 ft. max
PS 2	0 ft. required along 50% streetwall;
PS-3	15 ft., max. along a front primary street
PS-4	15 ft., max.
PS-5	15 ft., min., 30 ft., max.
PS-5A	10 ft. min, 20 ft., max
PS-6	10 ft., max.
PS-7	5 ft., min., 30 ft., max.
PS-8	15 ft., min., 20 ft., max
LS-1	10 ft., min., 20 ft., max., along a front linking street
LS-2	10 ft., min., 20 ft., max.
LS-3	20 ft., min., 30 ft., max.
LS-4	5 ft., min. 20 ft., max

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LS-5	0 ft. required along 75% streetwall; 5 ft. max. along 25% streetwall
LS-5A	0 ft. required along 75% streetwall; 12 ft. max. along 25% streetwall
LS-6	20 ft., max. along 50% streetwall, (i) if street trees are provided or (ii) if authorized by SUP
LS-7	5 ft. min, 12 ft. max
Y-1	20 ft. min., side and rear--adjacent to low-density residential district
Y-1A(i)	20 ft. min., rear—adjacent to low-density residential district
Y-1A	20 ft. min.
Y-1B	20 ft. min., adjacent to a residential district or residential use
Y-1C	20 ft., min., adjacent to a residential district
Y-2	15 ft., max along 75 % streetwall for developments containing any non-residential use(s)
Y-3	None required
Y-3(i)	No minimum
Y-4	10 ft., min and 20 ft., max., side and rear adjacent to low-density residential district
Y-5	5 ft., max. side yard
Y-5A	5 ft. min., adjacent to a street
Y-6	10 ft., min., side and rear—adjacent to any low-density residential district
Y-6A	10 ft. min., side—adjacent to a low-density residential district
Y-6B	10 ft. min
Y-7	Where 40% of lots on the same block have a front yard, there shall be a required front yard equal to the average of the front yards along that block, to a maximum of 20 feet.
Y-8	On any side of a lot that adjoins a residential zoning district or residential use, there is a required side yard of one (1) ft. for every two (2) ft. of building height of the tallest building on the lot, or 10 ft., min., whichever is greater. However, on a corner lot where the adjoining residential district is across a street, then the required street side yard shall be 5 ft., min.
StepB-(1)	25 feet, min., after maximum streetwall height, along 100% of streetwall
StepB-(2)	10 ft. min., after maximum streetwall height, along 70% of streetwall
StepB-(3)	10 ft. min, after maximum streetwall height, along 100% of streetwall
StepB-(4)	10 ft. min., after maximum streetwall height, along 50% of streetwall
StepB-(5)	10 ft. min., after maximum streetwall height, along 70% of the façade of a building or structure facing an adjacent low-density residential district
StepB-(6)	15 ft., min. after maximum streetwall height, along 100% of streetwall