

ORDINANCE – To Amend and Reordain Section 24-2205 Titled “Public Hearing Scheduling and Notification,” Section 24-2306 Titled “Provisional Use Permit,” Section 24-2314 Titled “Plan of Development,” Section 24-2319 Titled “Administrative Modification,” Section 24-3102 Titled “Districts Established,” Section 24-3105 Titled “Superseding Dimensional Standards,” Section 24-3202 Titled “Established Conservation and Agricultural Districts,” Section 24-3315 Titled “R-5 General Residence District,” Section 24-3316 Titled “R-6 General Residence District,” Section 24-3317 Titled “RTH Residential Townhouse District,” Section 24-3502 Titled “General Provisions for All Planned Development Districts,” Section 24-3505 Titled “SMX-PD Suburban Residential Mixed Planned Development District,” Section 24-3506 Titled “TND-PD Traditional Neighborhood Development Planned Development District,” Section 24-3507 Titled “UMU-PD Urban Mixed-Use Planned Development District,” Section 24-3508 Titled “LI-PD Light Industrial Planned Development District,” Section 24-3706 Titled “WBS-O West Broad Street Overlay District,” Section 24-3835 Titled “Parking Standards: Minimum Parking Standards,” Section 24-3849 Titled “Signs,” Section 24-3851 Titled “Reserved,” Section 24-3860 Titled “FBA-O Subdistricts,” Section 24-4205 Titled “Principal Use Table,” Section 24-4303 Titled “Agriculture Support and Services Uses (Directly Related),” Section 24-4304 Titled “Agricultural Support and Services (Not Directly Related),” Section 24-4305 Titled “Agricultural Uses: Silviculture,” Section 24-4306 Titled “Residential Uses: Household Living,” Section 24-4307 Titled “Public and Civic Uses: Community Services,” Section 24-4311 Titled “Public and Civic Uses: Health Care Facilities,” Section 24-4314 Titled “Public and Civic Uses: Utilities,” Section 24-4324 Titled “Commercial Uses: Vehicle Sales and Service,” Section 24-4326 Titled “Industrial Uses Generally,” Section 24-4402 Titled “Accessory Use or Structure Table,” Section 24-4406 Titled “Accessory Dwelling Unit,” Section 24-4416 Titled “Accessory Electric Vehicle (EV) Level 1, 2, or 3 Charging Station,” Section 24-4420 Titled “Accessory Keeping of Animals Outside a Dwelling (as accessory to a dwelling),” Section 24-4423 Titled “Accessory Outdoor Seating and Food Preparation (as accessory to an Eating Establishments use),” Section 24-4424 Titled “Accessory Outdoor Storage,” Section 24-4425 Titled “Accessory Parking of Trucks and Commercial Vehicles (as accessory to a dwelling),” Section 24-4428 Titled “Accessory Recycling and Refuse Collection Area, Outdoor,” Section 24-4431 Titled “Accessory Short-term Rental (as accessory to a dwelling),” Section 24-4502 Titled “Temporary Use and Structure Table,” Section 24-4510 Titled “Temporary Model Sales Home or Unit,” Section 24-5105 Titled “Off-Street Parking Surfacing and Marking,” Section 24-5107 Titled “Design Requirements for Large Parking Lots,” Section 24-5110 Titled “Minimum Number of Off-Street Parking Spaces,” Section 24-5113 Titled “Required Number of Parking Spaces for Mixed-Use Development,” Section 24-5203 Titled “Amount of Open Space Required,” Section 24-5303 Titled “Landscaping Plan Required,” Section 24-5308 Titled “Minimum Tree Cover,” Section 24-5310 Titled “Transitional Buffers,” Section 24-5404 Titled “Height Standards,” Section 24-5405 Titled “Materials,” Section 24-5406 Titled “Finished Side and Landscaping,” Section 24-5502 Titled “Applicability,” Section 24-5503 Titled “General Standards,” Section 24-5504 Titled “Lighting Standards for Specific Uses and Site Features,” Section 24-5707 Titled “Signs Requiring Permits,” Section 24-5802 Titled “Chesapeake Bay Preservation: Applicability,” Section 24-5803 Titled “Chesapeake Bay Preservation Standards,” Section 24-5902 Titled “Applicability,” Section 24-6402 Titled “Development of Nonconforming Lots,” Section 24-8302 Titled

“Measurement of Area, Width, Depth, and Coverage of Lots,” Section 24-8304 Titled “Measurement of Floor Area,” Section 24-8306 Titled “Determination of Front, Side, and Rear Yards for Other Uses,” Section 24-8308 Titled “Allowable Encroachments into Required Yards,” Section 24-8309 Titled “Measurement of Height,” Section 24-8310 Titled “Height Exceptions,” Section 24-8404 Titled “Public, Civic, and Institutional Use Classification,” Section 24-8405 Titled “Commercial Use Classification,” Section 24-8406 Titled “Industrial Use Classification,” and Section 24-8501 Titled “Accessory Uses, Temporary Uses, and Other Terms,” and Add New Section 24-3205 Titled “A-2, Agricultural District,” Section 24-3880 Titled “Best Products Reimagined Subdistrict: Boundary,” Section 24-3881 Titled “Best Products Reimagined Subdistrict: Intent,” Section 24-3882 Titled “Best Products Reimagined Subdistrict: Regulating and Street Hierarchy Plan,” Section 24-3883 Titled “Best Products Reimagined Subdistrict: Additional Standards,” Section 24-3884 Titled “Brook Road North Subdistrict: Boundary,” Section 24-3885 Titled “Brook Road North Subdistrict: Intent,” Section 24-3886 Titled “Brook Road North Subdistrict: Regulating and Street Hierarchy Plan,” Section 24-3887 Titled “Brook Road North Subdistrict: Additional Standards,” Section 24-3888 Titled “Lakeside Avenue Subdistrict: Boundary,” Section 24-3889 Titled “Lakeside Avenue Subdistrict: Intent,” Section 24-3890 Titled “Lakeside Avenue Subdistrict: Regulating and Street Hierarchy Plan,” and Section 24-4519 Titled “Temporary Wireless Communication Support Structure” of the Code of the County of Henrico to Conform the Zoning Ordinance to Recent Changes in State Law, Implement the Comprehensive Plan, and Update, Modify, and Clarify Certain Provisions; and to Amend the Zoning Districts Map to Rezone Properties to the New A-2 Agricultural District

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA:

1. That Section 24-2205 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-2205. Public Hearing Scheduling and Notification

A. Public Hearing Scheduling

1. Responsibility for Scheduling

The Planning Director will be responsible for scheduling public hearings required for applications as indicated in Sec. 24-2101, Summary Table of Review Responsibilities. **The Board of Supervisors and the Planning Commission may hold a joint public hearing after public notice as set forth in this section. For a joint hearing, public notice as set forth in this section need be given only by the governing body.**

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2. That Section 24-2306 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-2306. Provisional Use Permit

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C. Provisional Use Permit Procedure

This section sets forth the required procedure for provisional use permits. Figure 2306 identifies the common procedures in Article 2, Division 2, Common Procedures, that apply to provisional use permits. Additions or modifications to the common procedures are identified below.

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6. Decision by Decision-Making Body

The common procedures in Sec. 24-2207 apply, subject to the following additions or modifications:

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(b) In approving a provisional use permit, the Board of Supervisors may impose reasonable conditions to accomplish the objectives of this section with respect to use, screening, lighting, hours of operation, noise control, maintenance, operation, or other requirements and may limit the duration of a permit. In the case of a provisional use permit for a residential project, the duration of the permit must be at least three years. Initial approval of a provisional use permit for ~~an solar array or~~ energy storage project must provide a minimum of three years to commence the project. The following conditions apply to all provisional use permits approved by the Board of Supervisors, unless expressly waived or modified in the provisional use permit approval:

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3. That Section 24-2314 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-2314. Plan of Development

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B. Applicability

1. The following development requires approval of a plan of development in accordance with the procedure and standards in this section prior to the issuance of a building permit or an occupancy certificate:

- (a) Residential development **consisting of 50 or more dwelling units** in the R-5A, R-5B, R-5, R-6, RTH, Mixed Use, and Planned Development districts ~~consisting of 50 or more dwelling units~~;

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C. Plan of Development Procedure

This section sets forth the required procedure for a plan of development. Figure 2314 identifies the common procedures in Article 2, Division 2, Common Procedures, that apply to a plan of development. Additions or modifications to the common procedures are identified below.

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4. Notification

~~The common procedures for Public Hearing Scheduling in Sec. 24-2205.A do not apply. However, the common procedures for notification of adjoining landowners in Sec. 24-2205.B apply.~~ **The common procedures in Sec. 24-2205 do not apply except that the Planning Director may notify any person the Director deems advisable.**

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- 4. That Section 24-2319 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-2319. Administrative Modification

A. Purpose

The purpose of this section is to establish an administrative process for the Planning Director to review and act on requests for minor deviations (modifications) from the building setback standards **and certain minimum parking standards** contained in this Ordinance, in accordance with the Code of Virginia.

B. Applicability

The Planning Director is authorized to approve, approve with conditions, or disapprove administrative modifications to the standards in Table 2319: Allowed Administrative Modifications, up to the amounts specified in Table 2319 in accordance with the procedure and standards of this section.

Table 2319: Allowed Administrative Modifications	
Standard	Maximum Modification Allowed
Minimum yard (front, interior side, street side, or rear)	15 percent
<u>Minimum rear yard of a single-family dwelling</u>	<u>10 feet to allow a screened porch or similar structure</u>

Table 2319: Allowed Administrative Modifications	
Standard	Maximum Modification Allowed
Maximum structure height	3 feet
Buffer width in Sec. 24-5310.B.2, Width and Planting Standards	10 percent
<u>Minimum parking standards in Sec. 24-3835 for uses other than multifamily located in designated transit area</u>	<u>Up to 30 percent</u>
<u>Minimum parking standards in Sec. 24-5110 for residential, multifamily, or mixed-use development not located within a designated transit area</u>	<u>Not less than 20 percent</u>

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5. That Section 24-3102 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3102. Districts Established

This Ordinance establishes the base, planned development, and overlay zoning districts identified in Table 3102: Establishment of Zoning Districts. Each zoning district established in accordance with this Ordinance will have the boundaries shown on the Zoning Districts Map (see Article 1, Division 3, Zoning Districts Map).

Table 3102: Establishment of Zoning Districts	
Base Districts	
Conservation and Agricultural Districts	
C-1 Conservation District (Sec. 24-3203)	
A-1 Agricultural District (24-3204)	
<u>A-2 Agricultural District (24-3205)</u>	
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6. That Section 24-3105 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3105. Superseding Dimensional Standards

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D. Additional Minimum Yard Requirements Adjacent to Major Thoroughfares

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Table 3105: Additional Setback Requirements Adjacent to Specific Roadways in Major Thoroughfare Plan

Zoning District	Type of Roadway	Adjacent Yard	Additional Setback Required
A-1, A-2 , R-0, R-0A, R-1, R-1A, R-2, R-2A, R-3, R-3A, R-4, R-4A, R-5A, R-5B	Any of the following, if the projected right-of-way is 60 feet or greater: <ul style="list-style-type: none"> • major arterial • minor arterial • controlled access road 	Front, side, or rear yard	35 ft.
	Any of the following, if the projected right-of-way is 60 feet or greater: <ul style="list-style-type: none"> • major collector • minor collector 	Front, side, or rear yard	25 ft.

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3. In approving an application for a development permit or approval, ~~the Planning Commission or~~ the Planning Director, ~~as applicable,~~ may approve an additional setback less than the additional setback in Table 3105 in order to avoid the creation of double-frontage lots or to improve consistency of the proposed development with the setbacks of existing development on the same block face or directly across the street from the same block face.

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7. That Section 24-3202 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3202. Established Conservation and Agricultural Districts

The Conservation and Agricultural zoning districts established by this Ordinance are identified in Table 3202: Established Conservation and Agricultural Districts.

Table 3202: Established Conservation and Agricultural Districts
C-1 Conservation District (Sec. 24-3203)
A-1 Agricultural District (24-3204)
<u>A-2 Agricultural District (24-3205)</u>

8. That Section 24-3205 be added to the Code of the County of Henrico as follows:

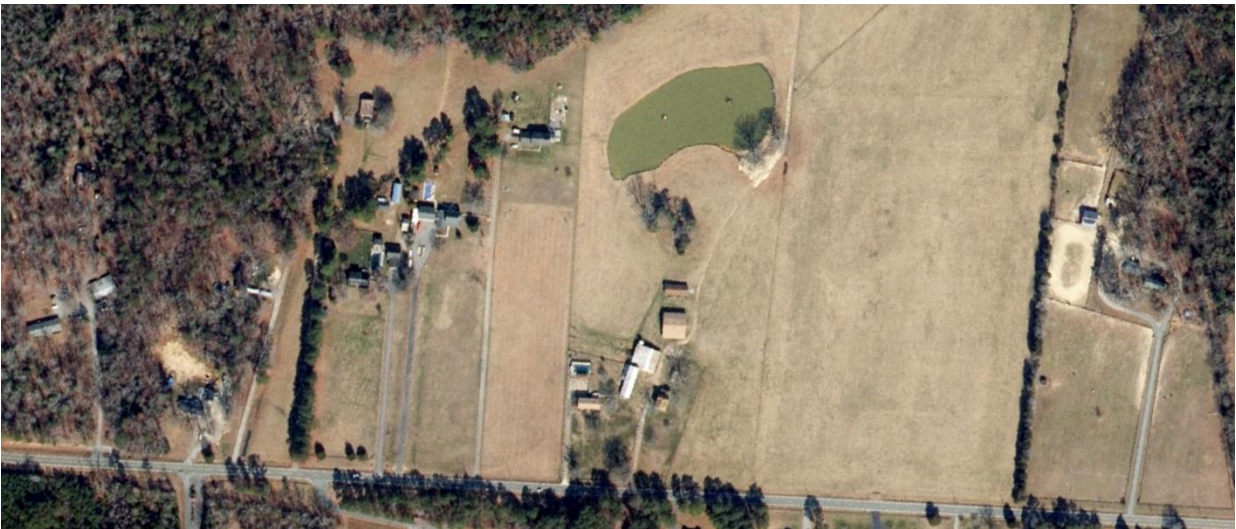
Sec. 24-3205. A-2, Agricultural District

A. Purpose

The purpose of the A-2 Agricultural District is to reserve areas for traditional agricultural activities and to provide for their continuation, as well as to preserve areas of rural character. Allowed uses include:

- **Agriculture;**
- **One-family dwellings on lots of five acres or more; and**
- **Limited institutional and commercial uses in appropriate locations.**

B. Concept



C. Use Standards

Allowed uses and use-specific standards for principal, accessory, and temporary uses are established in Article 4: Use Regulations.

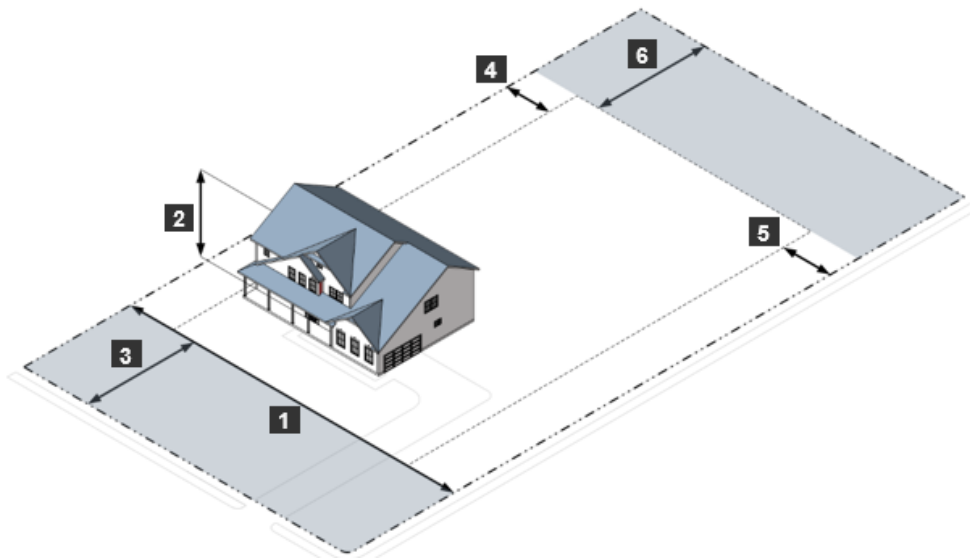
D. A-2 District Dimensional Standards

	<u>Standard</u>	<u>Dwellings</u>	<u>All other uses</u>
	<u>Lot area, minimum (acres)</u>	<u>5</u>	<u>5</u>
1	<u>Lot width, minimum (feet)</u>	<u>300</u>	<u>300</u>
2	<u>Structure height, maximum (feet)</u>	<u>40</u>	<u>45^[1]</u>
3	<u>Front yard, minimum (feet)</u>	<u>50^[2]</u>	<u>50</u>
4	<u>Interior side yard, minimum (feet)</u>	<u>20</u>	<u>40</u>
5	<u>Street side yard, minimum (feet)</u>	<u>25^[2]</u>	<u>40</u>
6	<u>Rear yard, minimum (feet)</u>	<u>50^[2]</u>	<u>50</u>

NOTES:

[1] Any structure used for agricultural purposes or by a public utility may be constructed to any height up to 200 feet provided it is set back from the nearest lot line a distance equal to its height.

[2] Additional minimum yard requirements apply if a yard is adjacent to specific roadways identified on the major thoroughfare plan. See Sec. 24-3105.D, Additional Minimum Yard Requirements Adjacent to Major Thoroughfares.



E. Reference to Other Standards

<u>Article 4</u>	<u>Use Regulations</u>	<u>Article 5, Division 6</u>	<u>Neighborhood Compatibility</u>
<u>Article 5, Division 1</u>	<u>Access, Circulation, Off-Street Parking, and Loading</u>	<u>Article 5, Division 7</u>	<u>Signs</u>
<u>Article 5, Division 2</u>	<u>Required Open Space</u>	<u>Article 5, Division 8</u>	<u>Chesapeake Bay Preservation</u>
<u>Article 5, Division 3</u>	<u>Landscaping and Tree Protection</u>	<u>Article 5, Division 9</u>	<u>Environmentally Friendly Design Incentives</u>
<u>Article 5, Division 4</u>	<u>Fences and Walls</u>	<u>Article 6</u>	<u>Nonconformities</u>
<u>Article 5, Division 5</u>	<u>Exterior Lighting and Crime Prevention</u>	<u>Article 8</u>	<u>Definitions</u>

9. That Section 24-3315 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3315. R-5 General Residence District

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D. R-5 District Dimensional Standards			
Standard	Townhouse	Multifamily	All other uses

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3	Front yard, minimum (feet)	15/25/35 ^{[2][4]}	35 ^{[3][4]}	35
4	Interior side yard, minimum (feet)	n/a see Sec. 24-4306.G.2	25	20
5	Street side yard, minimum (feet)	20 ^[4]	25 ^{[3][4]}	20
6	Rear yard, minimum (feet)	30 ^[4]	30 ^{[3][4]}	35

NOTES:

- [1] The Board of Supervisors may approve a building or structure height up to 200 feet in accordance with Sec. 24-2306, Provisional Use Permit.
- [2] The minimum front yard depth is 15 feet from project drives and walkways, 25 feet from secondary residential streets, and 35 feet from all other streets.
- [3] Applies only on the periphery of the development.
- [4] Additional minimum yard requirements apply if a yard is adjacent to specific roadways identified on the major thoroughfare plan. See Sec. 24-3105.D, Additional Minimum Yard Requirements Adjacent to Major Thoroughfares.

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10. That Section 24-3316 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3316. R-6 General Residence District

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D. R-6 District Dimensional Standards			
Standard	Townhouse	Multifamily	All other uses

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3	Front yard, minimum (feet)	15/25/35 ^{[3][4][5]}	35 ^{[4][5][6]}	35 ^[5]
4	Interior side yard, minimum (feet)	n/a see Sec. 24-4306.G.2 ^[5]	25 ^[5]	20 ^[5]
5	Street side yard, minimum (feet)	20 ^{[4][5]}	25 ^{[4][5][6]}	20 ^[5]
6	Rear yard, minimum (feet)	30 ^[4]	30 ^{[4][6]}	30

NOTES:

- [1] The Board of Supervisors may approve a higher maximum density in a master planned community in accordance with Sec. 24-4315.C.
- [2] See also Neighborhood Compatibility, Sec. 24-5604, Building Height. The Board of Supervisors may approve a building or structure height up to 200 feet in accordance with Sec. 24-2306, Provisional Use Permit.
- [3] The minimum front yard depth is 15 feet from project drives and walkways, 25 feet from secondary residential streets, and 35 feet from all other streets.
- [4] Additional minimum yard requirements apply if a yard is adjacent to specific roadways identified on the major thoroughfare plan. See Sec. 24-3105.D, Additional Minimum Yard Requirements Adjacent to Major Thoroughfares.
- [5] The Board of Supervisors may approve reduced minimum setbacks in a master planned community in accordance with Sec. 24-4315.C.
- [6] Applies only on the periphery of the development.

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11. That Section 24-3317 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3317. RTH Residential Townhouse District

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D. RTH District Dimensional Standards

	Standard	Townhouse	Multifamily	All other uses
3	Front yard, minimum (feet)	15/25/35 ^{[2][4]}	15/25/35 ^{[2][3][4]}	40
4	Interior side yard, minimum (feet)	n/a see Sec. 24-4306.G.2	25	20
5	Street side yard, minimum (feet)	20 ^[4]	25 ^{[3][4]}	20
6	Rear yard, minimum (feet)	30 ^[4]	30 ^{[3][4]}	40

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NOTES:

- [1] The Board of Supervisors may approve a building or structure height up to 200 feet in accordance with Sec. 24-2306, Provisional Use Permit.
- [2] The minimum front yard depth is 15 feet from project drives and walkways, 25 feet from secondary residential streets, and 35 feet from all other streets.
- [3] Applies only on the periphery of the development.
- [4] Additional minimum yard requirements apply if a yard is adjacent to specific roadways identified on the major thoroughfare plan. See Sec. 24-3105.D, Additional Minimum Yard Requirements Adjacent to Major Thoroughfares.

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12. That Section 24-3502 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3502. General Provisions for All Planned Development Districts

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B. Classification of Land into a Planned Development Zoning District

Land will be classified into a planned development zoning district only in accordance with the procedures and standards set forth in Sec. 24-2305, Planned Development. **Where this ordinance requires a minimum area for a specific type of planned development district, a smaller area may be reclassified to that district if it abuts land already classified in the same type of planned development district or land that was zoned UMU, Urban Mixed Use, on September 1, 2021.**

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13. That Section 24-3505 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3505. SMX-PD Suburban Residential Mixed Planned Development District

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B. Area and Intensity Standards

Minimum area of district <u>(see Sec. 24-3502.B)</u>	100 acres
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14. That Section 24-3506 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3506. TND-PD Traditional Neighborhood Development Planned Development District

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B. Area and Intensity Standards

Minimum area of district: 8 acres <u>(see Sec. 24-3502.B)</u>
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15. That Section 24-3507 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3507. UMU-PD Urban Mixed-Use Planned Development District

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B. Area and Intensity Standards

	Minimum	Maximum
Minimum area of district (<u>see Sec. 24-3502.B</u>)	20 acres ^[1]	No maximum

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16. That Section 24-3508 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3508. LI-PD Light Industrial Planned Development District

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B. Area and Intensity Standards

Minimum area of district (<u>see Sec. 24-3502.B</u>)	50 acres
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17. That Section 24-3706 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3706. WBS-O West Broad Street Overlay District

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F. Streetscape Buffers

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2. In addition to the landscaping required by the underlying zoning district in accordance with Article 5, ~~Division 4~~**Division 3**, Landscaping and Tree Protection, street-scape buffers must contain a minimum of four trees for each 100 feet of road frontage, excluding the width of any

driveways. Existing trees located within the right-of-way will be applied to this requirement. The trees must be evenly spaced along the right-of-way frontage and located within ten feet of the edge of roadway pavement if the sidewalk is constructed parallel to the roadway. The trees must be regularly trimmed so that the tree trunk remains clear of branches and vegetation to a minimum height of six feet above the ground.

3. In addition to the landscaping required by the underlying zoning district in accordance with Article 5, ~~Division 4~~**Division 3**, Landscaping and Tree Protection, street-scape buffers must contain a continuous line of evergreen shrubbery planted along the entire length of the streetscape buffer not more than ten feet behind the trees along the right-of-way frontage. The shrubbery must be at least two feet high when planted and must be regularly trimmed for appearance and height not to exceed 3½ feet.

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18. That Section 24-3835 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3835. Parking Standards: Minimum Parking Standards

- A. A minimum number of parking spaces must be provided for each use in accordance with Table 3835: Minimum Parking Spaces.

Table 3835: Minimum Parking Spaces	
Use	Minimum Number of Parking Spaces
Residential, Multifamily <u>not located in a Designated Transit Area</u>	1.5 spaces per dwelling unit
<u>Residential, Multifamily located in a Designated Transit Area</u>	<u>0.5 spaces per dwelling unit</u>

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- B. ~~The~~**In accordance with Sec. 24-2319, the** Planning Director may approve a reduction of up to 30 percent of the minimum parking standards in subsection A above ~~based on~~ **for uses other than multifamily located in a designated transit area if the applicant submits a parking study prepared by a professional engineer submitted by the applicant and the Planning Director finds that based on the parking study demonstrating that parking demand does not justify the otherwise required parking spaces or may be met by sharing parking with other existing uses and the standards of Sec. 24-2319.D are satisfied.**

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19. That Section 24-3849 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3849. Signs

Signage in the FBA-O District must comply with the following standards in addition to the standards in Article 5, Division 7, Signs.

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- D. Detached signs are prohibited, except as provided in Sec. 24-3864, Brookfield Area Subdistrict: Additional Brookfield Area Standards. **A comprehensive sign program as allowed by Sec. 24-2311.C.2(b) may allow detached signs that do not exceed the provisions of Sec. 24-5707 for the base zoning district.**

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20. That Section 24-3851 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3851. Automatic Sprinkler System Requirement

For development in the FBA-O, Form-Based Alternative Overlay District, that is not otherwise allowed by the underlying base zoning district, an automatic sprinkler system installed in accordance with the Uniform Statewide Building Code must be provided throughout all new townhouses or other attached dwellings, and all detached dwellings less than 10 feet apart.

Secs. 24-3851 24-3852 through 24-3859 Reserved.

21. That Section 24-3860 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3860. FBA-O Subdistricts

The FBA-O District consists of the subdistricts identified in Table 3860: FBA-O Subdistricts. The following sections set out the intent of each subdistrict and establish standards required in each subdistrict that apply in addition to the other FBA-O District standards.

Table 3860: FBA-O Subdistricts
Brookfield Area Subdistrict
Parham/Broad Area Subdistrict
Williamsburg Road Area Subdistrict
Virginia Center Commons Subdistrict
Short Pump Town Center Subdistrict
<u>Best Products Reimagined Subdistrict</u>
<u>Brook Road North Subdistrict</u>
<u>Lakeside Avenue Subdistrict</u>

22. That Section 24-3880 be added to the Code of the County of Henrico as follows:

Sec. 24-3880. Best Products Reimagined Subdistrict: Boundary

The boundary of the Best Products Reimagined Subdistrict is identified on the Zoning Districts Map.

23. That Section 24-3881 be added to the Code of the County of Henrico as follows:

Sec. 24-3881. Best Products Reimagined Subdistrict: Intent

The Best Products Reimagined Subdistrict is centered on the former Best Products office campus, a long-vacant site with significant redevelopment potential due to its location near Interstate 95 and Parham Road. The intent of this subdistrict is to support the transformation of the area into a vibrant mixed-use destination anchored by a regional entertainment venue, supported by residential, commercial, hospitality, restaurant, and entertainment uses that create an active environment throughout the day and evening. Attached residential development is envisioned in the northern portion of the district, while opportunities for corporate office, research, or light industrial uses are encouraged to support employment growth. The extension of Magellan Parkway across Interstate 95 and the planned pedestrian bridge connection to the Fall Line Trail at Scott Road are intended to improve connectivity and establish the district as a regional destination.

24. That Section 24-3882 be added to the Code of the County of Henrico as follows:

Sec. 24-3882. Best Products Reimagined Subdistrict: Regulating and Street Hierarchy Plan

The regulating and street hierarchy plan for the Best Products Reimagined Subdistrict is set out in Figure 3882: Best Products Reimagined Regulating and Street Hierarchy Plan.

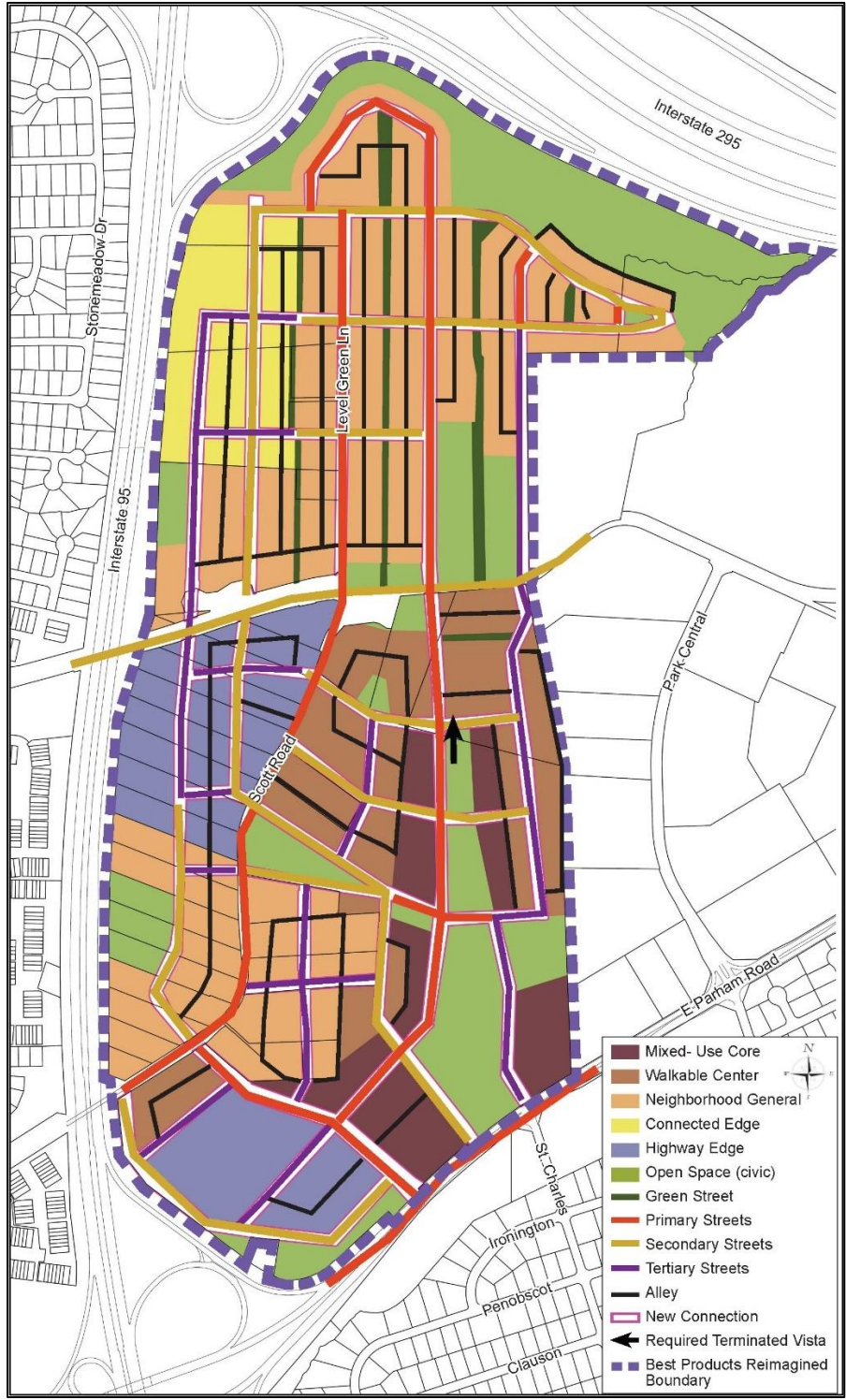


Figure 3882: Best Products Reimagined Regulating and Street Hierarchy Plan

25. That Section 24-3883 be added to the Code of the County of Henrico as follows:

Sec. 24-3883. Best Products Reimagined Subdistrict: Additional Standards

A. Monument Signs

Monument Signs are permitted along Interstate 95 and E. Parham Road, subject to the provisions of Sec. 24-5707.

B. Mixed Use Requirement

- 1. In the Mixed-Use Core Development Area of the Best Products Reimagined Subdistrict, a minimum of 25 percent of the building floor area must be developed or reserved for nonresidential uses.**
- 2. In the Best Products Reimagined Subdistrict overall, a minimum of 10 percent of the building floor area must be developed or reserved for nonresidential uses.**
- 3. The Board of Supervisors may reduce or waive the requirements of this subsection B through approval of a provisional use permit in accordance with Sec. 24-2306, Provisional Use Permit.**

C. Additional Uses

In addition to the uses permitted in Article 4: Use Regulations, arenas, entertainment venues, and similar assembly uses are permitted.

D. Arena and Entertainment Operations

- 1. Arena, entertainment, and large assembly uses must be designed to support pedestrian-oriented development while accommodating operational needs including loading and service access, rideshare and transit staging, event traffic management, structured parking access, pedestrian crowd management, temporary street closures, and security measures. Such operational elements must be located and designed to minimize impacts on Green Streets, civic spaces, trail-oriented frontages, and adjacent residential uses to the maximum extent practicable, as determined by the Planning Director and County Engineer.**
- 2. Loading docks, service areas, refuse facilities, and event operations areas associated with arena or entertainment uses must not abut Green Streets, civic spaces, trail-oriented frontages, or residential frontages.**

E. Arena Frontage Active Ground Floor Requirement

Buildings in the Mixed-Use Core and Highway Edge abutting civic open spaces, an arena, or primary streets must include active ground-floor uses such as restaurants, retail, entertainment, lodging, or similar publicly accessible commercial uses.

F. Structured Parking and Liner Building Requirement

Parking structures abutting primary streets or civic open spaces must include liner buildings or occupied space along ground-floor frontages.

G. Transitional Buffering Adjacent to Existing Residential Uses

Where development within the Best Products Reimagined Subdistrict abuts existing residential uses located outside the subdistrict that are not planned for redevelopment, development shall incorporate transitional design elements intended to minimize impacts related to noise, lighting, loading, traffic, and visual intensity. Such measures may include landscaped buffers, berms, decorative sound walls, increased setbacks, building orientation, or similar site design techniques, as determined by the Planning Director.

H. Green Street Frontage

Green Streets identified on the regulating and street hierarchy plan are intended to function as landscaped residential-oriented streets with enhanced pedestrian amenities. Buildings abutting Green Streets must orient primary entrances, porches, stoops, or similar frontage elements toward the Green Street. Surface parking lots, loading areas, and service functions must not front on Green Streets.

I. Modifications to New Street Connections

In areas designated as Highway Edge on the regulating and street hierarchy plan, the Planning Director and County Engineer may approve adjustments to or reductions in the number of new street connections shown on the regulating plan when necessitated by site constraints such as interstate access requirements, structured parking, arena operations, stormwater facilities, or similar large-scale development considerations, provided the overall connectivity of the subdistrict is maintained to the maximum extent practicable.

26. That Section 24-3884 be added to the Code of the County of Henrico as follows:

Sec. 24-3884. Brook Road North Subdistrict: Boundary

The boundary of the Brook Road North Subdistrict is identified on the Zoning Districts Map.

27. That Section 24-3885 be added to the Code of the County of Henrico as follows:

Sec. 24-3885. Brook Road North Subdistrict: Intent

The Brook Road North Subdistrict is a commercial corridor characterized by auto-oriented development patterns, large retail sites, and disconnected properties that present opportunities for coordinated reinvestment and redevelopment. The intent of this subdistrict creates walkable mixed-use nodes along the corridor while enhancing connectivity among existing neighborhoods, commercial areas, and emerging regional infrastructure improvements. The planned Fall Line Trail presents a significant opportunity to encourage residential trail-oriented development and public gathering spaces that activate the corridor and support alternative transportation options.

28. That Section 24-3886 be added to the Code of the County of Henrico as follows:

Sec. 24-3886. Brook Road North Subdistrict: Regulating and Street Hierarchy Plan

The regulating and street hierarchy plan for the Brook Road North Subdistrict is set out in Figure 3886: Brook Road North Regulating and Street Hierarchy Plan.

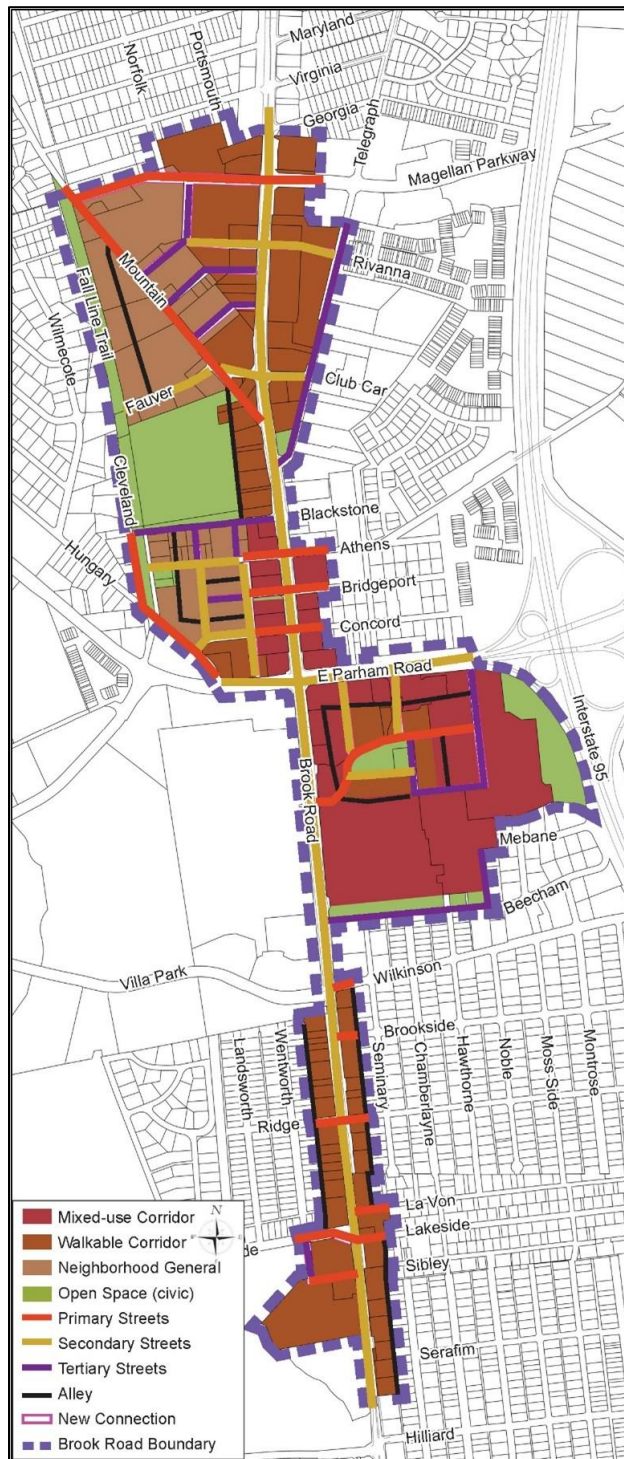


Figure 3886: Brook Road North Regulating and Street Hierarchy Plan

29. That Section 24-3887 be added to the Code of the County of Henrico as follows:

Sec. 24-3887. Brook Road North Subdistrict: Additional Standards

A. Monument Signs

Monument Signs are permitted along Brook Road and E. Parham Road, subject to the provisions of Section 24-5707.

B. Mixed Use Requirement

- 1. In the Mixed-Use Core Development Area of the Brook Road North Subdistrict, a minimum of 25 percent of the building floor area must be developed or reserved for nonresidential uses.**
- 2. In the Brook Road North Subdistrict overall, a minimum of 10 percent of the building floor area must be developed or reserved for nonresidential uses.**
- 3. The Board of Supervisors may reduce or waive the requirements of this subsection B through approval of a provisional use permit in accordance with Sec. 24-2306, Provisional Use Permit.**

C. Trail-Oriented Development Standard

Development adjacent to the Fall Line Trail must provide trail-oriented frontage and incorporate direct trail access, bicycle parking, public gathering areas, and trail-supportive commercial uses. Buildings adjacent to the trail must orient entrances, windows, plazas, outdoor dining, or similar active frontage elements toward the trail. Surface parking lots, loading areas, and blank walls must not abut the trail.

D. Brook Road Frontage

Buildings abutting Brook Road must provide pedestrian entrances, façade transparency, and architectural articulation oriented toward Brook Road, even where Brook Road is designated as a Secondary Street.

30. That Section 24-3888 be added to the Code of the County of Henrico as follows:

Sec. 24-3888. Lakeside Avenue Subdistrict: Boundary

The boundary of the Lakeside Avenue Subdistrict is identified on the Zoning Districts Map.

31. That Section 24-3889 be added to the Code of the County of Henrico as follows:

Sec. 24-3889. Lakeside Avenue Subdistrict: Intent

The Lakeside Avenue Subdistrict serves as an important connection between Lewis Ginter Botanical Garden and Bryan Park and contains a mix of commercial uses, residential neighborhoods, and community-serving destinations. The intent of this subdistrict is creating a more walkable, connected, and neighborhood-oriented corridor while reinforcing the area's unique identity and relationship to surrounding civic and recreational assets. Redevelopment and infill within the district should encourage a compatible mix of residential, commercial, and

neighborhood-serving uses oriented toward the street with improved pedestrian access, streetscape enhancements, and opportunities for public gathering spaces.

32. That Section 24-3890 be added to the Code of the County of Henrico as follows:

Sec. 24-3890. Lakeside Avenue Subdistrict: Regulating and Street Hierarchy Plan

The regulating and street hierarchy plan for the Lakeside Avenue Subdistrict is set out in Figure 3890: Lakeside Avenue Regulating and Street Hierarchy Plan.



Figure 3890: Lakeside Avenue Regulating and Street Hierarchy Plan

33. That Section 24-4205 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4205. Principal Use Table

Principal uses are allowed in each of the zoning districts in accordance with 4205: Principal Use Table. The cross-references in the "Use Specific Standards" column are provided for ease of reference and are not exhaustive.

Table 4205: Principal Use Table

R=Permitted by Right | C=Allowed subject to Conditional Use Permit | P= Allowed subject to Provisional Use Permit
A=Allowed subject to PD Master Plan and PD Terms and Conditions | - = Prohibited

Use Category	Use Type	C, A		Residential								Nonresidential & Mixed								PD				FBA-O Dev. Area								Use-Specific Standards					
		C-1	A-1, A-2	R-0, R-0A, R-1, R-1A	R-2, R-2A, R-3, R-3A	R-4, R-4A	R-5A	R-5B	R-5	R-6	RTH	CMU	O-1	O-2	O-3	O/S	B-1	B-2	B-3	M-1	M-2	M-3	SMX-PD	TND-PD	UMU-PD	LI-PD	Mixed-use Corridor	Mixed-use Core	Walkable Corridor	Walkable Center	Neighborhood Gen.		Connected Edge	Highway Edge			
Agricultural Use Classification																																					
Horticulture	All Horticulture uses	R	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Animal Husbandry	All Animal Husbandry uses	R	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4302.A	
Agriculture Support and Services (Directly Related)	Agri-education	R	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4303.B	
	Agricultural processing	R	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4303.C	
	Equestrian facility	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4303.D	
	Farm or limited production of food and beverages	R	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4303.E	
	Nursery, production	R	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4303.A	
	Produce market, year-round	R	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4303.F	
Agriculture Support and Services (Not Directly Related)	Agricultural research facility	R	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	R	R	R	-	-	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4304.B	
	Distribution hub for agricultural products	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	R	R	R	-	-	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4304.A	
	Farm machinery sales, rental, and service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	R	R	R	R	R	-	-	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4304.A	
	Stockyard or Slaughterhouse	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	R	-	-	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4304.C	
Silviculture	All Silviculture uses	R	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4305	
Residential Use Classification																																					
Household Living	Dwelling, duplex	-	-	-	R	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-	A	A	A	A	R	R	R	R	R	R	R	R	R	-	-	
	Dwelling, live/work	-	-	-	-	-	-	-	-	R	-	-	-	-	P	P	P	-	-	-	-	A	A	A	A	R	R	R	R	R	R	R	R	R	R	-	Sec. 24-4306.A
	Dwelling, manufactured home	-	R	-	R	R	R	-	-	P	-	-	-	-	-	-	-	-	-	-	-	A	A	A	A	-	-	-	-	-	-	R	R	-	-	Sec. 24-4306.B	

Table 4205: Principal Use Table

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Use Category	Use Type	C, A		Residential						Nonresidential & Mixed						PD				FBA-O Dev. Area						Use-Specific Standards									
		C-1	A-1, A-2	R-0, R-0A, R-1, R-1A	R-2, R-2A, R-3, R-3A	R-4, R-4A	R-5A	R-5B	R-5	R-6	RTH	CMU	O-1	O-2	O-3	O/S	B-1	B-2	B-3	M-1	M-2	M-3	SMX-PD	TND-PD	UMU-PD		LI-PD	Mixed-use Corridor	Mixed-use Core	Walkable Corridor	Walkable Center	Neighborhood Gen.	Connected Edge	Highway Edge	
Group Living	Dwelling, multifamily	-	-	-	-	-	R	R	R	R	R	-	-	-	-	-	-	-	-	-	-	A	A	A	A	R	R	R	R	R	R	R	R	Sec. 24-4306.C	
	Dwelling, single-family attached	-	-	-	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	A	A	A	A	R	R	R	R	R	R	-	Sec. 24-4306.D	
	Dwelling, single-family detached	-	R	R	R	R	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-	-	A	A	A	A	-	-	-	-	R	R	-	Sec. 24-4306.E, F.	
	Dwelling, townhouse	-	-	-	-	-	R	R	R	R	R	-	-	-	-	-	-	-	-	-	-	-	A	A	A	A	R	R	R	R	R	R	R	Sec. 24-4306.G	
	Dwelling, upper story	-	-	-	-	-	-	-	-	R	-	-	-	-	-	P	P	P	-	-	-	-	A	A	A	A	R	R	R	R	R	-	R		
	Group home	-	R	R	R	R	-	-	-	R	-	-	-	-	-	-	-	-	-	-	-	-	A	A	A	A	-	-	-	-	R	R	-		
	Boardinghouse	-	-	-	-	-	R	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	A	-	-	P	P	P	P	-	-	-		
	Children's residential facility	-	C	C	C	C	R	R	C	R	-	-	-	-	-	-	-	-	-	-	-	-	A	A	A	A	-	-	R	R	R	R	-		
	Dormitory	-	-	-	-	-	P	P	-	R	-	-	-	-	-	-	-	-	-	-	-	-	-	A	-	-	-	-	-	-	-	-	-	-	
	Public, Civic, and Institutional Use Classification																																		
Community Services	Auditorium, conference, and convention center	-	-	-	-	-	-	-	-	P	-	-	P	P	-	P	R	R	R	-	-	-	-	A	A	-	R	R	-	-	-	-	R		
	Club or lodge	-	P	-	-	-	-	P	-	R	-	-	P	-	R	R	R	R	R	R	-	-	-	-	A	R	R	R	R	R	-	-	-		
	Community center	R	R	R	R	R	R	R	R	R	-	-	-	-	-	-	-	-	-	-	-	-	A	A	A	A	R	R	R	R	R	R	R	Sec. 24-4307.A	
	Cultural facility	R	R	-	P	P	P	P	P	R	-	-	-	-	R	R	R	R	R	-	-	-	A	A	A	A	R	R	R	R	R	R	R		
	Donation center	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	R	R	R	R	R	R	A	A	A	A	R	R	R	R	R	R	R	Sec. 24-4307.B	
	Public recreation facility	R	R	R	R	R	R	R	R	R	-	-	-	-	R	R	R	R	R	R	-	-	A	A	A	A	R	R	R	R	R	R	R		
	Radio or television station	-	-	-	-	-	-	-	R/P	-	R/P	R	R	R/P	R	R	R	R	R	R	R	R	-	A	A	A	R	R	R	R	R	R	R	Sec. 24-4307.C	
Religious institution	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	A	A	A	A	R	R	R	R	R	R	R	Sec. 24-4307.D		
Day Care	Adult day care center	-	-	-	-	R	R	-	R	R	R	R	R	R	R	R	R	R	R	R	-	-	A	A	A	A	R	R	R	R	R	R	-	-	
	Childcare center	-	-	-	-	R	R	-	R	R	R	R	R	R	R	R	R	R	R	R	-	-	A	A	A	A	R	R	R	R	R	R	-	Sec. 24-4308.A	
Educational Facilities	College or university	-	-	-	-	P	P	-	P	-	-	P	P	P	P	R	R	R	R	-	-	-	A	A	A	-	-	-	-	-	-	-	Sec. 24-4309.A		
	School, elementary or secondary	-	R	R	R	R	R	R	-	-	-	-	-	-	R	R	R	-	-	-	-	A	A	A	A	R	R	R	R	R	R	-	Sec. 24-4309.B		

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Funeral and Mortuary Services	Vocational or trade school	-	-	-	-	-	-	-	-	-	P	-	P	R	R	P	R	R	-	-	-	-	A	A	A	-	-	-	-	-	-	R	Sec. 24-4309.C	
	Crematory	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	R	R	R	-	-	-	-	-	-	-	-	-	-	-	-	
	Funeral home	-	-	-	-	-	-	P	-	-	-	R	R	-	P	R	R	R	R	-	-	-	A	-	A	R	R	R	R	-	-	R	-	
Government Facilities	Correctional facility	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-	
	Government maintenance, storage, or distribution facility	-	R	-	-	-	-	-	-	-	-	-	-	R	-	-	R	R	R	R	R	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4310	
	Government office	-	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	-	A	A	A	R	R	R	R	R	R	R	R
	Police, fire, or EMS facility	-	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	A	A	A	A	R	R	R	R	R	R	R
Health Care Facilities	Assisted living facility	-	P	-	-	-	P	R	-	R	-	-	-	-	-	-	-	-	-	-	-	-	A	A	A	A	R	R	R	R	R	R	R	Sec. 24-4311.A
	Continuing care retirement community	-	-	-	-	-	P	R	-	R	-	-	-	-	-	-	-	-	-	-	-	-	A	A	A	A	R	R	R	R	-	-	R	Sec. 24-4311.B
	Hospice facility	-	-	-	-	-	P	R	-	R	-	P	R	-	P	R	R	-	-	-	-	-	A	A	A	A	R	R	R	R	-	-	-	Sec. 24-4311.A
	Hospital	-	-	-	-	-	-	-	-	-	-	P	R	-	P	R	R	-	-	-	-	-	A	A	A	A	-	-	-	-	-	R	Sec. 24-4311.C	
	Medical treatment facility, inpatient	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	P	-	-	-	-	-	A	A	A	-	-	-	-	-	P	Sec. 24-4311.C	
	Medical treatment facility, outpatient	-	-	-	-	-	-	P	-	R	R	R	R	R	R	R	R	R	R	R	-	-	-	A	A	A	R	R	R	R	-	-	R	Sec. 24-4311.D
	Nursing home	-	P	-	-	-	P	R	-	R	-	-	-	-	-	-	-	-	-	-	-	-	A	A	A	A	R	R	R	R	R	R	R	Sec. 24-4311.E
Parks and Open Areas	Cemetery	-	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4312.A	
	Community garden	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	A	A	A	A	R	R	R	R	R	R	R	Sec. 24-4312.B
	Public park	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	A	A	A	A	R	R	R	R	R	R	R	Sec. 24-4312.C

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		C-1	A-1, A-2	R-0, R-0A, R-1, R-1A	R-2, R-2A, R-3, R-3A	R-4, R-4A	R-5A	R-5B	R-5	R-6	RTH	CMU	O-1	O-2	O-3	O/S	B-1	B-2	B-3	M-1	M-2	M-3	SMX-PD	TND-PD	UMU-PD		LI-PD	Mixed-use Corridor	Mixed-use Core	Walkable Corridor	Walkable Center	Neighborhood Gen.	Connected Edge	Highway Edge		
Transportation	Parks and open areas not specified elsewhere	R	C	C	C	C	C	C	C	C	R	P	P	P	P	R	R	R	R	R	R	R	A	A	A	A	R	R	R	R	R	R	R	R	Sec. 24-4312.C	
	Airport	-	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4313.A	
	Helicopter landing facility	-	-	-	-	-	-	-	-	-	P	-	-	P	P	P	P	P	P	P	R	R	R	-	-	A	A	-	-	-	-	-	-	P	-	Sec. 24-4313.B
Utilities	Passenger terminal, surface transportation	-	-	-	-	-	P	R	-	R	-	-	P	-	-	P	P	R	R	R	R	A	A	A	A	R	R	R	R	R	R	R	R	R		
	Solar array	P	P	-	-	-	-	-	-	-	-P	-P	-P	-P	-P	-P	-P	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4314.A
	Utility, major	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	R	A	-	-	A	-	-	-	-	-	-	-	-	Sec. 24-4314.B
	Utility, minor	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	A	A	A	A	R	R	R	R	R	R	R	R	Sec. 24-4314.C
	Wind energy facility, large	R	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	R	R	R	R	-	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4314.D
	Wireless communications short structure or co-location	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	A	A	A	A	R	R	R	R	R	R	R	R	Sec. 24-4314.E
Wireless communications tower, freestanding	R/P	R/P	R/P	R/P	R/P	R/P	R/P	R/P	R/P	R/P	R/P	R/P	R/P	R/P	R/P	R/P	R/P	R/P	R/P	R/P	R/P	R/P	A	A	A	A	R/P	R/P	R/P	R/P	R/P	R/P	R/P	R/P	Sec. 24-4314.F	
Commercial Use Classification																																				
Adult Uses	All Adult Uses	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4316	
Animal Care	Animal grooming	-	-	-	-	-	P	-	R	-	-	-	-	R	R	R	R	R	R	R	R	A	A	A	A	R	R	R	R	-	-	-	R	-	Sec. 24-4317	
	Kennel or animal shelter	-	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	R	R	R	R	A	A	A	A	-	-	-	-	-	-	-	-	-	Sec. 24-4317	
	Veterinary hospital or clinic	-	C	-	-	-	P	-	R	-	-	-	-	R	R	R	R	R	R	R	R	-	A	A	A	R	R	R	R	R	R	-	R	-	Sec. 24-4317	
Eating Establishments	Bakery, retail	-	-	-	-	-	-	-	R	-	R	R	R	R	R	R	R	R	R	R	R	A	A	A	A	R	R	R	R	R	R	R	R	R	Sec. 24-4315	
	Bakery, wholesale	-	-	-	-	-	-	-	-	-	-	-	-	R	-	-	R	R	R	R	R	-	-	A	A	R	R	-	-	-	-	R	-	Sec. 24-4315		
	Microbrewery	-	-	-	-	-	-	-	R	-	-	-	-	-	R	R	R	R	R	R	R	A	A	A	A	R	R	R	R	R	R	-	R	-	Sec. 24-4315	
	Restaurant other than drive-through	-	-	-	-	-	P	-	R	-	P	R	R	R	R	R	R	R	R	R	R	A	A	A	A	R	R	R	R	R	-	R	-	Sec. 24-4315		
	Restaurant, drive-through	-	-	-	-	-	P	-	P	-	-	-	-	-	R	R	R	R	R	R	R	A	-	A	A	P	P	P	P	-	-	R	-	Sec. 24-4318		
	Specialty eating establishment	-	-	-	-	-	-	-	R	-	-	-	R	-	R	R	R	R	R	R	R	-	A	A	A	R	R	R	R	-	-	R	-	Sec. 24-4315		

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Use Category	Use Type	C, A		Residential						Nonresidential & Mixed						PD				FBA-O Dev. Area						Use-Specific Standards								
		C-1	A-1, A-2	R-0, R-0A, R-1, R-1A	R-2, R-2A, R-3, R-3A	R-4, R-4A	R-5A	R-5B	R-5	R-6	RTH	CMU	O-1	O-2	O-3	O/S	B-1	B-2	B-3	M-1	M-2	M-3	SMX-PD	TND-PD	UMU-PD		LI-PD	Mixed-use Corridor	Mixed-use Core	Walkable Corridor	Walkable Center	Neighborhood Gen.	Connected Edge	Highway Edge
Office	Business and sales	-	-	-	-	-	-	P	-	R	R	R	R	R	R	R	R	R	R	R	R	R	-	A	A	A	R	R	R	R	P	P	R	Sec. 24-4315
	Business school	-	-	-	-	-	-	P	-	R	R	R	R	R	R	R	R	R	R	R	R	R	-	A	A	A	R	R	R	R	-	-	R	Sec. 24-4315
	Business training and conference facility	-	-	-	-	-	-	P	-	R	R	R	R	R	R	R	R	R	R	R	R	R	-	A	A	A	R	R	R	R	-	-	R	Sec. 24-4315
	Professional services	-	-	-	-	-	-	P	-	R	R	R	R	R	R	R	R	R	R	R	R	R	-	A	A	A	R	R	R	R	R	R	R	Sec. 24-4315
Parking, Commercial	Parking lot	-	-	-	-	-	-	R	-	P	-	R	R	R	R	R	R	R	R	R	R	R	A	-	-	A	R	R	R	R	R	R	R	Sec. 24-4320.A
	Parking structure	-	-	-	-	-	-	R	-	R	-	R	R	R	R	R	R	R	R	R	R	R	-	-	A	A	R	R	R	R	R	R	R	Sec. 24-4320.B
Recreation and Entertainment, Indoor	Fitness center	-	-	-	-	-	P	P	-	R	-	P	R	R	R	R	R	R	R	-	-	-	A	A	A	A	R	R	R	R	R	-	R	Sec. 24-4321.A
	Historical horse racing	-	-	-	-	-	-	-	-	P	-	-	P	-	P	P	P	P	P	P	P	P	A	-	A	A	P	P	P	P	-	-	P	Sec. 24-4321.C
	Public dancehall	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	Sec. 24-4321	
	Shooting range, indoor	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	R	R	R	R	R	R	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4321.B
	Theater	-	-	-	-	-	-	-	-	R	-	-	P	P	-	R	R	R	R	R	R	R	A	-	A	A	R	R	R	R	-	-	R	Sec. 24-4315
	Indoor Recreation and Entertainment not elsewhere listed	-	-	-	-	-	-	-	R	-	-	P	-	P	R	R	R	R	R	R	R	A	-	A	A	R	R	R	R	-	-	R	Sec. 24-4315	
Recreation and Entertainment, Outdoor	Amusement park, sports park, or waterpark	P	P	-	-	-	-	-	P	-	-	-	-	-	-	-	P	P	P	P	P	-	-	-	A	-	-	-	-	-	-	-	Sec. 24-4322.A	
	Arena, amphitheater, or stadium	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	P	P	P	P	P	-	-	A	A	-	-	-	-	-	-	-	-	Sec. 24-4322.A
	Golf course	C	C	C	C	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	A	-	-	A	-	-	-	-	-	-	-	Sec. 24-4322.A
	Marina	P	P	-	-	-	-	-	-	R	-	-	-	-	-	-	-	-	-	-	-	-	A	A	A	A	-	-	-	-	-	-	-	Sec. 24-4322.B
	Racetrack, outdoor	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	R	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4322.A
	Shooting range, outdoor	-	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4322.C
	Outdoor Recreation and Entertainment not elsewhere listed	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	P	P	P	P	P	A	A	A	A	-	-	-	-	-	-	-	Sec. 24-4322.A

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Use Category	Use Type	C, A		Residential							Nonresidential & Mixed							PD				FBA-O Dev. Area							Use-Specific Standards						
		C-1	A-1, A-2	R-0, R-0A, R-1, R-1A	R-2, R-2A, R-3, R-3A	R-4, R-4A	R-5A	R-5B	R-5	R-6	RTH	CMU	O-1	O-2	O-3	O/S	B-1	B-2	B-3	M-1	M-2	M-3	SMX-PD	TND-PD	UMU-PD	LI-PD	Mixed-use Corridor	Mixed-use Core		Walkable Corridor	Walkable Center	Neighborhood Gen.	Connected Edge	Highway Edge	
Retail Sales and Services	Aircraft and aircraft parts sales	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	R	R	R	R	R	-	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4315
	Alternative lending institution	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	R	R	R	R	-	-	-	A	A	A	P	P	P	P	-	-	-	P	Sec. 24-4315
	Artist studio	-	-	-	-	-	-	-	P	-	R	R	R	R	R	R	R	R	R	R	R	R	A	A	A	A	R	R	R	R	R	R	R	R	Sec. 24-4315
	Auction house	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	R	R	R	R	R	R	-	A	A	A	-	-	-	-	-	-	-	-	Sec. 24-4315
	Automated teller machine (ATM)	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	R	R	R	R	R	R	A	A	A	A	R	R	R	R	R	R	R	R	Sec. 24-4323.A
	Convenience store	-	-	-	-	-	-	-	-	-	R	-	-	R	R	R	R	R	R	R	R	R	A	A	A	A	R	R	R	R	R	R	R	R	Sec. 24-4315
	Drive-through ice machine	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	P	R	R	R	R	R	A	A	A	A	-	-	-	-	-	-	-	R	Sec. 24-4323.B
	Drug store or pharmacy	-	-	-	-	-	-	-	P	-	R	-	P	R	R	R	R	R	R	R	R	R	A	A	A	A	R	R	R	R	R	-	-	R	Sec. 24-4315
	Farmers market	R	R	-	-	-	P	P	-	R	-	-	-	-	-	-	R	R	R	R	R	R	A	A	A	A	R	R	R	R	R	R	R	R	Sec. 24-4323.C
	Financial institution	-	-	-	-	-	-	P	-	R	R	R	R	R	R	R	R	R	R	R	R	R	A	A	A	A	R	R	R	R	R	-	-	R	Sec. 24-4315
	Grocery store	-	-	-	-	-	-	P	-	R	-	-	-	-	-	R	R	R	R	R	R	R	A	A	A	A	R	R	R	R	R	-	-	R	Sec. 24-4315
	Laundromat	-	-	-	-	-	-	P	-	R	-	-	-	-	-	R	R	R	R	R	R	R	A	A	A	A	R	R	R	R	R	R	-	R	Sec. 24-4323.D
	Personal services establishment	-	-	-	-	-	-	P	-	R	-	P	R	R	R	R	R	R	R	R	R	R	A	A	A	A	R	R	R	R	R	-	-	R	Sec. 24-4315
	Recreational sub-stances retail store	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4323.E
	Repair establishment	-	-	-	-	-	-	P	-	R	-	P	R	R	R	R	R	R	R	R	R	R	A	A	A	A	-	-	-	-	-	-	-	R	Sec. 24-4323.F
	Retail sales establishment, not elsewhere listed	-	-	-	-	-	-	P	-	R	-	P	R	R	R	R	R	R	R	R	R	R	A	A	A	A	R	R	R	R	P	-	R	Sec. 24-4315	
	Sign printing and painting	-	-	-	-	-	-	-	-	P	-	-	-	-	-	R	R	R	R	R	R	R	A	A	A	A	R	R	R	R	-	-	R	Sec. 24-4315	
Vehicle Sales and Services	Automobile filling station (fuel only)	-	-	-	-	-	-	-	-	P	-	-	-	-	P	R	R	R	R	R	R	A	A	-	A	P	P	P	P	-	-	P	Sec. 24-4324.B		
	Automobile rentals	-	-	-	-	-	-	-	-	-	-	P	P	-	P	R	R	R	R	R	R	-	-	-	A	R	R	-	-	-	-	R	Sec. 24-4324.C		
	Automobile sales	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	R	R	R	R	R	-	-	-	A	-	-	-	-	-	-	R	Sec. 24-4324.D		

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Use Category	Use Type	C, A		Residential						Nonresidential & Mixed						PD				FBA-O Dev. Area						Use-Specific Standards									
		C-1	A-1, A-2	R-0, R-0A, R-1, R-1A	R-2, R-2A, R-3, R-3A	R-4, R-4A	R-5A	R-5B	R-5	R-6	RTH	CMU	O-1	O-2	O-3	O/S	B-1	B-2	B-3	M-1	M-2	M-3	SMX-PD	TND-PD	UMU-PD		LI-PD	Mixed-use Corridor	Mixed-use Core	Walkable Corridor	Walkable Center	Neighborhood Gen.	Connected Edge	Highway Edge	
Click on category to jump to definitions	Automotive painting and body shop	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	R	R	R	R	-	-	-	A	-	-	-	-	-	-	-	-	Sec. 24-4324.A	
	Automotive parts and installation and minor servicing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	R	R	R	R	-	-	-	A	-	-	-	-	-	-	R	-	Sec. 24-4324.A	
	Automotive repair	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	R	R	R	R	-	-	-	A	-	-	-	-	-	-	R	-	Sec. 24-4324.A	
	Boat and marine rental, sales, and service	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	R	R	R	R	-	-	-	A	-	-	-	-	-	-	-	-	Sec. 24-4324.A	
	Car wash or auto detailing	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	P	R	R	R	R	A	-	-	A	-	-	-	-	-	-	-	R	-	Sec. 24-4324.E
	Commercial fuel depot	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	R	R	R	R	-	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4324.A
	Commercial vehicle repair, maintenance	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	R	R	R	-	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4324.A
	Commercial vehicle sales, rentals, and storage	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	R	R	R	-	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4324.F
	Fleet terminal	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	R	R	R	R	R	-	-	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4324.H
	Towing or wrecker service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	R	R	R	R	-	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4324.G
Visitor Accommodations	Bed and breakfast inn	-	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	A	-	-	-	-	-	-	R	R	-	-	Sec. 24-4325.A	
	Campground	-	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4325.B	
	Hotel or Motel	-	-	-	-	-	-	-	-	R	-	-	R	R	P	R	R	R	R	R	R	-	A	A	A	R	R	R	R	-	P	R	-	Sec. 24-4325.C	
Industrial Use Classification																																			
Extractive Industry	All Extractive Industry uses	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	R	R	-	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4327	
Industrial Services	Contractor services	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	R	R	R	R	-	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4328.A	
	Data center	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	P	P	-	-	-	A	-	-	-	-	-	-	-	P	Sec. 24-4326.C, Sec. 24-4328.B	
	Fuel oil or bottled gas distributor	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	R	R	R	-	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4326	
	General industrial service and repair	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	P	P	R	R	-	-	-	A	-	-	-	-	-	-	-	Sec. 24-4326		

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Use Category	Use Type	C, A		Residential							Nonresidential & Mixed							PD				FBA-O Dev. Area							Use-Specific Standards					
		C-1	A-1, A-2	R-0, R-0A, R-1, R-1A	R-2, R-2A, R-3, R-3A	R-4, R-4A	R-5A	R-5B	R-5	R-6	RTH	CMU	O-1	O-2	O-3	O/S	B-1	B-2	B-3	M-1	M-2	M-3	SMX-PD	TND-PD	UMU-PD	LI-PD	Mixed-use Corridor	Mixed-use Core		Walkable Corridor	Walkable Center	Neighborhood Gen.	Connected Edge	Highway Edge
Click on category to jump to definitions	Heavy equipment sales, rental, and service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	R	R	-	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4328.BC
	Industrial training facility	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	R	R	R	-	-	-	A	-	-	-	-	-	-	-	-	
	Laundry, dry cleaning, and carpet cleaning plants	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	R	R	R	R	-	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4328.D
	Manufactured home and prefabricated building sales	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	R	R	R	R	-	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4326
	Research and development facility	-	-	-	-	-	-	-	-	-	-	-	P	P	R	-	P	P	R	R	R	R	-	A	A	A	-	-	-	-	-	-	-	Sec. 24-4328.E
Manufacturing and Production	Manufacturing, artisan	-	-	-	-	-	-	-	-	R	-	-	-	R	P	P	R	R	R	R	R	-	A	A	A	R	R	R	R	-	-	R	Sec. 24-4326	
	Manufacturing, heavy	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	R	R	R	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4329.A	
	Manufacturing, light	-	-	-	-	-	-	-	-	-	-	-	R	-	-	-	-	R	R	R	R	-	A	A	A	-	-	-	-	-	R	-	Sec. 24-4329.B	
Warehouse and Freight Movement	Cold storage plant	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	R	R	R	-	-	-	A	-	-	-	-	-	-	-	Sec. 24-4330.A	
	Mini-warehouse	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	R	R	R	-	-	-	-	-	-	-	-	-	P	-	Sec. 24-4330.B	
	Outdoor storage (as a principal use)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	R	R	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4330.C	
	Self-service storage facility	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	R	R	R	R	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4330.d	
	Truck or freight terminal	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	R	R	R	-	-	-	A	-	-	-	-	-	-	-	Sec. 24-4330.E
	Warehouse (distribution)	-	-	-	-	-	-	-	-	-	-	-	-	R	-	-	-	-	R	R	R	-	-	-	A	-	-	-	-	-	-	-	Sec. 24-4330.E	
	Warehouse (storage)	-	-	-	-	-	-	-	-	-	-	-	-	R	-	-	-	-	R	R	R	-	-	-	A	-	-	-	-	-	-	-	Sec. 24-4330.e	
Waste-Related Services	Landfill, construction and demolition debris	-	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4331.A	
	Landfill, sanitary	-	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4331.B	
	Recycling collection center	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	R	R	R	A	A	A	A	-	-	-	-	-	-	-	Sec. 24-4331.C	

Table 4205: Principal Use Table

R=Permitted by Right | C=Allowed subject to Conditional Use Permit | P= Allowed subject to Provisional Use Permit
 A=Allowed subject to PD Master Plan and PD Terms and Conditions | - = Prohibited

Use Category	Use Type	C, A		Residential						Nonresidential & Mixed					PD			FBA-O Dev. Area						Use-Specific Standards										
		C-1	A-1, A-2	R-0, R-0A, R-1, R-1A	R-2, R-2A, R-3, R-3A	R-4, R-4A	R-5A	R-5B	R-5	R-6	RTH	CMU	O-1	O-2	O-3	O/S	B-1	B-2	B-3	M-1	M-2	M-3	SMX-PD		TND-PD	UMU-PD	LI-PD	Mixed-use Corridor	Mixed-use Core	Walkable Corridor	Walkable Center	Neighborhood Gen.	Connected Edge	Highway Edge
Click on category to jump to definitions	Recycling processing center	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	R	R	-	-	-	A	-	-	-	-	-	-	-	-	Sec. 24-4331.D
	Salvage and junkyard	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4331.E
	Solid waste transfer station	-	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	R	R	R	-	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4331.F
	Waste composting	-	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	R	-	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4326
Wholesale Sales	All wholesale sales	-	-	-	-	-	-	-	-	-	-	-	-	R	-	-	R	R	R	R	-	-	-	A	-	-	-	-	-	-	-	-	Sec. 24-4326	

34. That Section 24-4303 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4303. Agriculture Support and Services Uses (Directly Related)

••••

D. Equestrian Facility

In addition to the requirements of subsection A above, all parts of an equestrian facility where animals are kept or **barns, pens, feed lots, and similar animal enclosures, all areas where animal waste is stored, and all areas** where equestrian events are held must be located at least 400 feet from the nearest Residential district and 200 feet from any other lot where the principal use is a dwelling.

••••

35. That Section 24-4304 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4304. Agricultural Agriculture Support and Services Uses (Not Directly Related)

••••

B. Agricultural Research Facility

In addition to the requirements of subsection A above, the following requirements apply to agricultural research facilities.

- 1. In the ~~A-1 District~~ **Agricultural Districts**, all stationary motorized equipment must be located at least 400 feet from any Residential district and 200 feet from any other lot where the principal use is a dwelling.
- 2. In the M-1 District, all research activities must take place in fully enclosed buildings.

• • • •

36. That Section 24-4305 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4305. Agricultural Uses: Silviculture

Silviculture activities must comply with all applicable state regulations pertaining to water quality. If exempt from such regulations, silviculture activities must adhere to water quality protection procedures prescribed by the Virginia Department of Forestry in the most recent edition of "Virginia's Forestry Best Management Practices for Water Quality Technical Manual." Silviculture uses must comply with the minimum setbacks of ~~Sec. 24-3203.D, C-1 District Dimensional Standards, and Sec. 24-3204.D, A-1 District Dimensional Standards~~ **the zoning districts in which they are located**.

37. That Section 24-4306 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4306. Residential Uses: Household Living

• • • •

B. Dwelling, Manufactured Home

- • • •
- 5. **Any manufactured home in a Residential district must be constructed so that the certificate of occupancy is issued within five years following the date of manufacture listed on the home's data plate and must be converted to real property in accordance with Code of Virginia § 46.2-653.1.**

C. Dwelling, Multifamily

- • • •
- 7. ~~In addition to the parking required by Sec. 24-5110, Minimum Number of Off-Street Parking Spaces, an additional five percent of the minimum number of required parking spaces must be provided for recreational vehicles. This parking area must be located in a separate, designated area, must not be located in front of units, and must be landscaped in accordance with Sec. 24-5312, Parking Lot Landscaping. The Planning Director may reduce or waive this requirement where full compliance would be impractical or unnecessary due to the design and layout of the site or the specific type of dwelling units proposed.~~

• • • •

G. Dwelling, Townhouse

- • • •
- ~~10. In addition to the parking required by Sec. 24-5110, Minimum Number of Off-Street Parking Spaces, an additional five percent of the minimum number of required parking spaces must be provided for recreational vehicles. This parking area must be located in a separate, designated area, must not be located in front of units, and must be landscaped in accordance with Sec. 24-5312, Parking Lot Landscaping. The Planning Director may reduce or waive this requirement where full compliance would be impractical or unnecessary due to the design and layout of the site or the specific type of dwelling units proposed.~~

• • • •

38. That Section 24-4307 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4307. Public and Civic Uses: Community Services

• • • •

D. Religious Institution

• • • •

- 3. In addition to the uses allowed by Table 4205, a property tax-exempt religious organization or a 501(c)(3) property tax-exempt nonprofit organization, as those terms are defined in Code of Virginia Sec. 15.2-2201, may develop or construct a mixed-use or residential development consisting of a variety of housing types, including detached, attached, and multifamily housing units, if the following requirements are satisfied. This subsection 3 will be effective on and after January 1, 2027, and expire on January 1, 2031.**
- (a) The land to be developed must be owned by the property tax-exempt religious organization or 501(c)(3) property tax-exempt nonprofit organization and must have been owned continuously by such organization for at least five years prior to the development application.**
- (b) The land to be developed must not be located in or adjacent to an Industrial zoning district.**
- (c) At least 60 percent of the mixed use or residential project's total housing units must be for affordable housing at 80 percent or less of the area median income, as defined by the U.S. Department of Housing and Urban Development income limits and rent schedules, for rental units and up to 120 percent of the area median income for for-sale units, and such affordability must be recorded and preserved for a minimum of 30 years by deed restrictions or other legally binding requirements.**
- (d) All housing built must be subject to local real property taxation following completion, unless explicitly exempted by the County.**
- (e) All housing built must be open to the general public and follow nondiscrimination rules as provided by the Virginia Fair Housing Law (§ 36-96.1 et seq.).**

- (f) Existing public water and sewer lines must be located within 500 feet of the property line and the mixed-use or residential project must comply with all local, state, and federal environmental, historic, siting, and archeological laws and regulations applicable to similar projects, including local environmental, historic, and archaeological standards and siting provisions contained in this Ordinance and the County Code; Department of Environmental Quality laws and regulations related to wetland protection, stormwater management, and erosion and sediment control; Department of Transportation laws governing highway access and secondary streets; and Department of Health laws governing water and wastewater.**
- (g) Building height must not exceed 45 feet, or the height of the tallest existing building within 500 feet, whichever is greater.**
- (h) Density must not exceed 20 units per acre, or the most intensive existing residential unit density within 500 feet of the property line of the proposed project, whichever is greater.**
- (i) Setbacks must be 10 feet, or the smallest setback allowed for any existing property within 500 feet, whichever is less.**
- (j) At least 70 percent of the gross floor area must be devoted to residential uses, and the remaining uses, not to exceed 30 percent of the gross floor area, may include public accessible ground-floor nonresidential facilities. Permitted nonresidential uses include religious worship space, child day centers as defined in Code of Virginia § 22.1-289.02, health clinics, coffee shops, or other uses that are ancillary to the operation or mission of the property tax-exempt religious organization or 501(c)(3) property tax-exempt nonprofit organization.**
- (k) For properties located within a designated historic district established as of January 1, 2026, the maximum permitted building height is controlled by the regulations governing the applicable historic district. Otherwise, the maximum permitted height is 45 feet.**
- (l) For residential uses, at least one parking space per dwelling unit, or the number of parking spaces per dwelling unit required by Sec. 24-5110, whichever is less, must be provided. For all other permitted nonresidential uses, one parking space for every 300 square feet of floor area, or the number of parking spaces required by Sec. 24-5110 for the applicable use, whichever is less, must be provided.**

39. That Section 24-4311 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4311. Public and Civic Uses: Health Care Facilities

••••

D. Outpatient Medical Treatment Facility

In addition to the requirements of subsection A above, an **outpatient** facility for the treatment of persons with opiate addiction using methadone, or any opioid replacements not approved for the treatment of opioid addiction by the U.S. Food and Drug Administration, must be located at least one-half mile from all schools and day care centers, unless the facility is a hospital that is licensed by the State Board of Health or the State Health Commissioner or owned or operated by a state or County agency.

• • • •

40. That Section 24-4314 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4314. Public and Civic Uses: Utilities

A. Solar Array

• • • •

7. The application must include a decommissioning plan that describes the timeline and manner in which the array will be decommissioned and the site restored to a condition similar to its condition prior to the establishment of the facility. **The decommissioning plan must be prepared by a professional engineer licensed in the Commonwealth. Every five years after the approval of the first decommissioning plan, the owner, lessee, or operator must cause the decommissioning plan cost estimate to be updated by a professional engineer licensed in the Commonwealth to adjust for inflation, account for advancements in technologies and processes for decommissioning, salvaging, or re-powering of renewable energy facilities, and make any other necessary changes. The owner, lessee, or operator must provide the updated decommissioning plan cost estimate and corresponding approved financial instrument to the Planning Director. The decommissioning plan must provide for the removal of the facility's equipment from the landowner's property and return of the property to a useful condition similar to the preconstruction condition unless otherwise agreed to by the landowner. After the decommissioning process is complete, the facility must comply with all stormwater provisions in state law. The project must provide an up-to-date decommissioning plan to the Planning Director any time there is project ownership outside of the current developer. Notice must be provided to the Planning Director within 30 days of the sale or transfer of the lease or property, and a new financial guarantee must be provided by the new leaseholder or property owner.**

• • • •

10. A battery energy storage project is allowed as an accessory use if the battery energy storage project is located on a parcel of land with an approved solar array and the battery energy storage project has a rated storage capacity that does not exceed 100 percent of the nameplate generating capacity of the associated solar array.

11. Pursuant to Code of Virginia § 15.2-2288.8, a provisional use permit for a solar array is considered an amendment to this Ordinance, will be processed in accordance with the procedures in Sec. 24-2303, and must comply with the following criteria:

(a) Setback distances will be measured from the nearest edge of the solar panels, racking equipment, and inverters as follows, provided nothing in this subsection will preclude the owner of a nonparticipating property from waiving the following setback requirements by written agreement, and setbacks will not be required for internal boundaries between adjacent participating parcels:

- (1) between 150 and 200 feet from the nearest point on the outer wall of existing occupied community buildings and dwellings on non-participating properties;**
- (2) between 50 and 100 feet from the outside edge of the roadbed of any road abutting the property;**
- (3) for projects not greater than 25 megawatts, 50 feet from the edge, and for projects greater than 25 megawatts, 100 feet from the edge, of tidal wetlands or nontidal wetlands, as defined in 9VAC25-830, or from the top of bank of perennial streams, as defined in Code of Virginia § 62.1-44.122;**
- (4) for projects of any capacity within Chesapeake Bay Preservation Areas, between 100 and 125 feet from the edge of tidal wetlands, nontidal wetlands, or from the top of bank of perennial streams; and**
- (5) between 50 and 75 feet measured from the nearest shared property line for nonparticipating properties.**

The ordinance approving a solar array will specify the setbacks applicable to such solar array as permitted by Code of Virginia § 15.2-2288.8.

- (b) Fencing for the facility must comply with Code of Virginia § 55.1-2804, the latest version of the National Electrical Safety Code or any applicable successor standard regarding requirements for limiting access to facilities, and the Uniform Statewide Building Code (Code of Virginia § 36-97 et seq.). Vegetative visual screening requirements will not be required to exceed three feet at planting, will be between 25 and 50 feet wide, and will allow for consideration of preexisting natural or manmade visual barriers. The ordinance approving a solar array will specify the vegetative screening width applicable to such solar array as permitted by Code of Virginia § 15.2-2288.8.**
- (c) The height of solar panels must not exceed 25 feet above ground when the arrays are at full tilt, except in cases where a height variance is necessary to allow for the practice of using the same land for both agriculture and solar energy production below or in proximity to the panels.**
- (d) Visual impacts of facilities on public parks, scenic rivers and byways, and historic structures or sites listed on or eligible for the National Register of Historic Places must be minimized. A viewshed analysis must be submitted as part of the application to assure that visual impacts are minimized through solar panel placement, height, landscaping, and screening. Such analysis must account for existing vegetation and planned visual buffers. Such screening may be accomplished on any property with the consent of the property owner.**
- (e) The facility must implement light intensity dimming solution technology that provides a means of tailoring the intensity level of lights according to surrounding visibility.**
- (f) The facility must comply with all Department of Environmental Quality stormwater regulations as established in 9VAC25-880.**
- (g) The facility must minimize new impervious surface on the site and under its solar panels.**
- (h) Land disturbance, including site grading, construction, and landscaping, must be conducted in compliance with a stormwater pollution prevention plan. Topsoil must not be removed from the project site. Topsoil must be returned to disturbed areas from stockpiles as quickly as site conditions allow, unless returning soil would cause adverse impacts to topsoil integrity or is otherwise not practicable for construction activities. Site stabilization**

must occur as the site is developed, following appropriate stabilization timelines as identified in the General Permit for Discharges of Stormwater from Construction Activities, and must not be delayed until site construction is completed. The facility must decompact soil as necessary and feasible for re-vegetation after construction has concluded.

(i) When all land-disturbing activities at the construction site have been completed, the facility must initiate permanent stabilization to provide vegetative ground cover that provides a minimum level of coverage over the project site. At least 75 percent of the site must have vegetative cover with no significant bare areas that is mature enough to survive and will inhibit erosion. The use of native and naturalized plants is encouraged and invasive plants as established pursuant to Code of Virginia, § 10.1-104.6:2 are prohibited. For projects or portions of projects not used for animal grazing, co-located crop production, native and naturalized pollinator plant species, or native and naturalized meadow species must be planted, except for in the area directly beneath panels, and maintained throughout the solar array's life. The seed mix must include a diversity of species with varied bloom times. Mowing must be limited and performed on a schedule that promotes the establishment of the native plantings, controls invasive species, and minimizes impacts to wildlife. All trees and shrubs at the time of planting must accommodate adequate screening or buffering at the end of five years of planting. Vegetation used to establish a visual screen must not be trimmed to stunt upward and outward growth or to otherwise limit the effectiveness of the visual screen.

(j) The facility must provide for wildlife passage where needed by limiting fencing to the areas in reasonable proximity to arrays and interconnection equipment to the extent practicable and consistent with safety and security requirements. The facility must prioritize open wildlife access to riparian areas, wetlands, streams, and other areas not in proximity to panels.

(k) The facility must comply with all applicable state and federal labor and employment laws, including apprenticeships and labor standards necessary to achieve any available tax credit bonuses found in 26 U.S.C. §§ 45Y and 48E.

12. Initial approval of a solar array must provide a minimum of three years to commence the project.

....

G. Modification of an Existing Wireless Communications Facility

1. A wireless services provider may apply to modify an existing wireless communications facility in accordance with this section.

2. The applicant must submit an application to the Planning Director documenting that the requested modification involves only the co-location of new transmission equipment, removal of transmission equipment, or replacement of transmission equipment, and the requested modification will not substantially change the physical dimensions of the existing wireless communications facility.

3. A modification that entails any excavation or deployment adjacent to an existing wireless support structure or base station, except for wireless support structures or base stations in public rights-of-way, does not substantially change the physical dimensions of the existing wireless communications facility if it entails the excavation or deployment of transmission equipment within 30 feet, in any

direction, of the existing wireless communications facility. The boundary from which the 30-foot radius is measured excludes any access or utility easements related to the existing wireless communications facility.

4. An application will be approved within 60 days, unless the Planning Director determines that the application does not meet the requirements of this section. The 60-day period may be tolled by agreement.
5. If the Planning Director determines the application is incomplete, the Planning Director will provide written notice to the applicant within 30 days of application. The written notice will identify all missing documents or information. The 60-day period is tolled until the applicant submits a supplemental application in response to the notice.
6. Following the submission of a supplemental application, the Planning Director has 10 days to notify the applicant that the supplemental application did not provide the missing documents or information identified in the original notice. The timeframe will be tolled in the case of second or subsequent notices pursuant to the procedures in this subsection G.6. Second or subsequent notices of incompleteness are limited to the documents or information identified in the original notice.

41. That Section 24-4324 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4324. Commercial Uses: Vehicle Sales and Service

In addition to the requirements of Sec. 24-4315, All Commercial Uses, the following requirements apply to vehicle sales and service uses.

• • • •

G. Towing or Wrecker Service

In addition to the requirements of Sec. 24-4315, All Commercial Uses, and subsection A above, the following requirements apply to towing and wrecker services. **If a towing or wrecker service is located on the same property as a vehicle repair use, the vehicle storage provisions of subsection A of this section apply to the vehicle repair use and the provisions of this subsection apply to the towing or wrecker service.**

1. In the B-3 Districts, only the dispatch office and parking of a wrecker is allowed. Impound yards for operable vehicles may be located in M-1 Districts. All other vehicle storage areas must be located in M-2 or M-3 Districts.
2. Impound yards and vehicle storage areas must be located outside of all required minimum yards.
3. Impound yards and vehicle storage areas must be screened from view from any public right-of-way and from adjoining lands in accordance with Sec. 24-5311, Screening.

• • • •

42. That Section 24-4326 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4326. Industrial Uses Generally

. . . .

C. High Energy Use Facilities

As used in this subsection, "high energy use facility" or "HEUF" means a facility that an applicant reasonably anticipates at the time of filing a rezoning application, provisional use permit application, or conditional use permit application will require 100 megawatts or more of electrical power from an electric utility providing retail service to the facility.

- 1. An applicant for a rezoning, provisional use permit, or conditional use permit for the siting of a new HEUF must perform and submit a site assessment to examine to the extent practicable the sound profile of the HEUF on residential units and schools located within 500 feet of the proposed HEUF site. The site assessment must be submitted with the application.**
- 2. An applicant for a rezoning, provisional use permit, or conditional use permit for the siting of a new HEUF must identify the electric utility that will provide retail service to the new HEUF in its application. Within 30 days after the application is submitted, the County will request from such electric utility a description of any new or existing substations that will be used to serve the HEUF and the anticipated transmission voltage required to serve the HEUF.**
- 3. The County will use the information provided by the applicant and electric utility to assess consistency with its comprehensive plan, noise ordinances, this Ordinance, and other applicable laws and regulations.**
- 4. This subsection will not apply to a site with an existing legislative or administrative approval where an applicant is seeking an expansion or modification of an already existing or approved facility and such expansion does not exceed an additional 100 megawatts or more of electrical power.**

43. That Section 24-4402 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4402. Accessory Use or Structure Table

. . . .

E. Accessory Use or Structure Table

Accessory uses and structures are allowed in each of the zoning districts in accordance with Table 4402: Accessory Use or Structure Table.

Table 4402: Accessory Use or Structure Table

R=Permitted by Right | C=Allowed subject to Conditional Use Permit | P= Allowed subject to Provisional Use Permit A=Allowed subject to PD Master Plan and PD Terms and Conditions | - = Prohibited

Accessory Use or Structure	C, A		Residential							Nonresidential, Mixed-Use							PD				FBA-O Dev. Area							Specific Standards for Use or Structure						
	C-1	A-1, A-2	R-0, R-0A, R-1, R-1A	R-2, R-2A, R-3, R-3A	R-4, R-4A	R-5A	R-5B	R-5	R-6	RTH	CMU	O-1	O-2	O-3	O/S	B-1	B-2	B-3	M-1	M-2	M-3	SMX-PD	TND-PD	UMU-PD	LI-PD	Mixed-use Corridor	Mixed-use Core		Walkable Corridor	Walkable Center	Neighborhood Gen.	Connected Edge	Highway Edge	
Accessory dwelling unit	-	C	C	-	-	-	-	-	-	C	-	-	-	-	-	-	-	-	-	-	-	A	A	A	A	R	R	R	R	R	R	R	R	Sec. 24-4406
Agribusiness other than a restaurant	R	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4403
Agritourism activity	R	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4403
Antenna	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	A	A	A	A	R	R	R	R	R	R	R	R	Sec. 24-4407
Automated teller machine (ATM) (accessory use)	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	A	A	A	A	R	R	R	R	R	R	R	R	Sec. 24-4408
Automatic car wash	-	-	-	-	-	-	-	-	-	-	R	R	R	R	-	R	R	R	R	R	R	A	-	-	A	-	-	-	-	-	-	-	R	Sec. 24-4409
Bicycle parking rack	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	A	A	A	A	R	R	R	R	R	R	R	R	Sec. 24-4403
Bike share station	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	A	A	A	A	R	R	R	R	R	R	R	R	Sec. 24-4403
Caretaker dwelling unit	-	-	-	-	-	-	-	-	-	R	R	R	R	R	R	R	R	R	R	R	R	A	A	A	A	R	R	R	R	R	R	R	R	Sec. 24-4410
Childcare center (as an accessory use)	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	A	A	A	A	R	R	R	R	R	R	R	R	Sec. 24-4411
Community garden (as an accessory use)	R	R	R	R	R	R	R	R	R	R	-	-	-	-	-	-	-	-	-	-	-	A	A	A	A	R	R	R	R	R	R	R	R	Sec. 24-4412
Composting, small scale	R	R	R	R	R	R	R	R	R	-	-	-	-	-	-	-	-	-	-	-	-	A	A	-	A	R	R	R	R	R	R	R	R	Sec. 24-4403
Cremation chamber (as accessory to a funeral home or a veterinary hospital or clinic)	-	R	-	-	-	-	R	-	R	-	R	R	-	R	R	R	R	R	R	R	R	-	A	A	A	R	R	R	R	R	R	R	R	Sec. 24-4413
Data center	-	-	-	-	-	-	-	-	-	R	R	R	R	R	R	R	R	R	R	R	R	-	-	-	A	-	-	-	-	-	-	-	R	Sec. 24-4438
Donation box	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	A	A	A	A	R	R	R	R	R	R	R	R	Sec. 24-4414
Drive-through facility (other than a drive-through restaurant)	-	-	-	-	-	R	-	R	R	R	R	R	R	R	R	R	R	R	R	R	R	A	-	A	A	P	P	P	P	-	-	-	P	Sec. 24-4415
Electric vehicle (EV) level 1, 2 or 3 charging station	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	A	A	A	A	R	R	R	R	R	R	R	R	Sec. 24-4416
Family day home Home-based childcare , large (accessory to a dwelling)	-	C	C	C	C	C	C	C	C	-	-	-	-	-	-	-	-	-	-	-	-	A	A	A	A	R	R	R	R	R	R	R	R	Sec. 24-4404
Family day home Home-based childcare , small (accessory to a dwelling)	-	R	R	R	R	R	R	R	R	-	-	-	-	-	-	-	-	-	-	-	-	A	A	A	A	R	R	R	R	R	R	R	R	Sec. 24-4404
Greenhouse	R	R	R	R	R	R	R	R	R	-	-	-	-	-	R	R	R	R	R	R	R	A	-	-	A	-	-	-	-	R	R	R	R	Sec. 24-4403
Green roof	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	A	A	A	A	R	R	R	R	R	R	R	R	Sec. 24-4403
Guesthouse (accessory to a single-family dwelling)	-	R	R	R	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	A	A	A	A	-	-	-	-	R	R	-	-	Sec. 24-4417
Helicopter landing facility (as an accessory use)	-	-	-	-	-	-	-	R	-	-	P	R	-	-	R	R	R	R	R	R	R	-	-	-	-	-	-	-	-	-	-	R	Sec. 24-4418	
Home garden (as accessory to a dwelling)	-	R	R	R	R	R	R	R	R	-	-	-	-	-	-	-	-	-	-	-	-	A	A	A	A	R	R	R	R	R	R	R	R	Sec. 24-4404
Home occupation	-	R	R	R	R	R	R	R	R	-	-	-	-	-	-	-	-	-	-	-	-	A	A	A	A	R	R	R	R	R	R	R	R	Sec. 24-4419

Table 4402: Accessory Use or Structure Table

R=Permitted by Right | C=Allowed subject to Conditional Use Permit | P= Allowed subject to Provisional Use Permit A=Allowed subject to PD Master Plan and PD Terms and Conditions | - = Prohibited

Accessory Use or Structure	C, A		Residential						Nonresidential, Mixed-Use						PD				FBA-O Dev. Area						Specific Standards for Use or Structure									
	C-1	A-1, A-2	R-0, R-0A, R-1, R-1A	R-2, R-2A, R-3, R-3A	R-4, R-4A	R-5A	R-5B	R-5	R-6	RTH	CMU	O-1	O-2	O-3	O/S	B-1	B-2	B-3	M-1	M-2	M-3	SMX-PD	TND-PD	UMU-PD		LI-PD	Mixed-use Corridor	Mixed-use Core	Walkable Corridor	Walkable Center	Neighborhood Gen.	Connected Edge	Highway Edge	
Keeping of animals outside a dwelling (as accessory to a dwelling)	-	R/C	R/C	R/C	R/C	R/C	R/C	R/C	R/C	R/C	-	-	-	-	-	-	-	-	-	-	-	A	A	A	A	R	R	R	R	R	R	R	R	Sec. 24-4420
Limited fuel oil or bottled gas distribution	R	R	-	-	-	R	R	-	R	R	R	R	R	R	R	R	R	R	R	R	R	A	A	A	A	-	-	-	-	-	-	-	-	Sec. 24-4421
Outdoor display of merchandise (as accessory to a Retail Sales and Services use)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	R	R	R	R	-	-	-	-	-	-	A	R	R	R	R	-	R	R	Sec. 24-4422	
Outdoor seating and food preparation (accessory to an Eating Establishment)	-	-	-	-	-	-	R/P	-	R	P	P	R/P	R/P	P	R/P	R	R	R	R	R	R	A	A	A	A	R	R	R	R	R	R	R	R	Sec. 24-4423
Outdoor storage	R	R	R	R	R	R	R	R	-	-	-	-	-	R	R	R	R	R	R	R	R	A	A	A	A	-	-	-	-	-	-	-	-	Sec. 24-4424
Parking of trucks and commercial vehicles (accessory to a dwelling)	-	R	R	R	R	R	R	R	R	-	-	-	-	R	R	R	R	-	-	-	-	A	A	A	A	-	-	-	-	-	-	-	-	Sec. 24-4425
Parking facility (as accessory use)	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	A	A	A	A	R	R	R	R	R	R	R	R	Sec. 24-4403
Produce stand (accessory to horticulture or a community garden)	R	R	R	R	R	R	R	R	R	-	-	-	-	-	-	-	-	-	-	-	-	A	A	A	A	R	R	R	R	R	R	R	R	Sec. 24-4426
Rainwater cistern, barrel	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	A	A	A	A	R	R	R	R	R	R	R	R	Sec. 24-4427
Recycling and refuse collection area, outdoor	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	A	A	A	A	R	R	R	R	R	R	R	R	Sec. 24-4428
Restaurant accessory to a farm	C	C	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	Sec. 24-4303.E	
Retail sales (accessory to an Industrial use)	-	-	-	-	-	-	-	-	-	-	-	-	-	R	-	-	-	R	R	R	-	A	A	A	R	R	R	R	R	R	R	R	R	Sec. 24-4429
Sand and gravel washing and grading plant (accessory to Extractive)	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	R	R	-	-	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4430
Short-term rental of a dwelling	-	R/C	R/C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	A	A	A	-	R	R	R	R	R	R	R	R	Sec. 24-4431
Solar energy equipment	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	A	A	A	A	R	R	R	R	R	R	R	R	Sec. 24-4432
Tasting and retail sales (accessory to winery, brewery, or distillery)	-	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	R	R	-	-	-	-	-	A	-	-	-	-	-	-	-	Sec. 24-4433	
Truck rental (as accessory to retail sales, mini-warehouse, or self-service storage)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	R	R	R	R	-	-	-	-	-	-	-	-	-	-	-	R	Sec. 24-4434	
Bulk storage of flammable liquids	-	P	-	-	-	P	P	-	P	-	P	P	P	P	R	R	R	R	R	R	R	A	A	-	A	R	R	R	R	-	-	R	Sec. 24-4435	
Vending machine	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	A	A	A	A	R	R	R	R	R	R	R	R	Sec. 24-4436

Table 4402: Accessory Use or Structure Table

R=Permitted by Right | C=Allowed subject to Conditional Use Permit | P= Allowed subject to Provisional Use Permit | A=Allowed subject to PD Master Plan and PD Terms and Conditions | - = Prohibited

Accessory Use or Structure	C, A		Residential						Nonresidential, Mixed-Use						PD			FBA-O Dev. Area					Specific Standards for Use or Structure											
	C-1	A-1, A-2	R-0, R-0A, R-1, R-1A	R-2, R-2A, R-3, R-3A	R-4, R-4A	R-5A	R-5B	R-5	R-6	RTH	CMU	O-1	O-2	O-3	O/S	B-1	B-2	B-3	M-1	M-2	M-3	SMX-PD		TND-PD	UMU-PD	LI-PD	Mixed-use Corridor	Mixed-use Core	Walkable Corridor	Walkable Center	Neighborhood Gen.	Connected Edge	Highway Edge	
Wind energy system (small)	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	A	A	A	A	R	R	R	R	R	R	R	R	Sec. 24-4437

44. That Section 24-4406 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4406. Accessory Dwelling Unit

A. An accessory dwelling unit is allowed only as accessory to a single-family detached dwelling, and only if the lot and all principal and accessory structures on the lot comply with the dimensional standards for the zoning district in which they are located **complies with the applicable lot area, lot width, and public street frontage standards of this Ordinance, with the following exceptions: (i) if the lot is nonconforming with respect to lot area, the lot must measure at least 11,000 square feet in lot area; and (ii) if the lot is nonconforming with respect to lot width, the lot must measure at least 80 feet in lot width.**

••••

E. The floor area of an accessory dwelling unit must not exceed the lesser of 800 square feet or 35 percent of the finished floor area of the principal dwelling (excluding carports, garages, and unfinished basements). **An application for an accessory dwelling unit with up to 1,000 square feet of floor area may be accepted if the Planning Director finds it is necessary and reasonable to accommodate a basement or detached building existing as of September 1, 2021.**

••••

45. That Section 24-4416 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4416. Accessory Electric Vehicle (EV) Level 1, 2, or 3 Charging Station

••••

- E. Electrical equipment used to power the EV charging station must be screened by a masonry enclosure or an alternative enclosure or screening approved by the Planning Director as providing an acceptable level of safety, security, and screening.

46. That Section 24-4420 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4420. Accessory Keeping of Animals Outside a Dwelling (as accessory to a dwelling)

The keeping of animals outside a dwelling as accessory to a dwelling is permitted only in accordance with the standards in this section and all other applicable standards in this Ordinance.

• • • •

C. Dogs, Cats, Pigeons, and Similar Animals as Pets

The keeping of dogs, cats, pigeons, and similar animals as pets outside of a dwelling must comply with the following requirements:

• • • •

- 3. The keeping of more than four animals twelve weeks old or older or more than 15 animals less than twelve weeks old, in the aggregate, counting all pets that spend all or part of the day outside of a dwelling, is allowed:
 - (a) By right in the ~~A-1 District~~ **Agricultural Districts**, if the animals are kept at least 400 feet from any dwelling in a Residential district and 100 feet from any other dwelling that is the principal use of the lot; and

• • • •

• • • •

E. Horses or Ponies

- 1. The keeping of horses or ponies is allowed by right only in the ~~A-1, Agricultural Districts~~. In the R-0, R-0A, R-1, R-1A, R-2, R-2A, R-3, R-3A, R-4, and R-4A districts, the keeping of horses or ponies accessory to a dwelling is allowed subject to approval of a Conditional Use Permit in accordance with Sec. 24-2308, Conditional Use Permit.

• • • •

F. Miniature Livestock

The keeping of miniature livestock, including miniature horses, potbellied pigs, and pygmy goats, is allowed by right only in the ~~A-1, Agricultural Districts~~. In the R-0, R-0A, R-1, R-1A, R-2, R-2A, R-3, R-3A, R-4, and R-4A districts, the keeping of miniature livestock accessory to a dwelling is allowed subject to approval of a conditional use permit in accordance with Sec. 24-2308, Conditional Use Permit.

G. Poultry

The keeping of poultry is allowed as an accessory use to a single-family detached, duplex, or manufactured home dwelling in accordance with the standards in this subsection (see Sec. 24-4302.A, All Animal Husbandry Uses, for standards for keeping poultry as a principal use).

- 1. The keeping of poultry is allowed by right only in the ~~A-1, Agricultural Districts~~. In the R-0, R-0A, R-1, R-1A, R-2, R-2A, R-3, R-3A, R-4, and R-4A districts, the keeping

of poultry accessory to a dwelling is allowed subject to approval of a Conditional Use Permit in accordance with Sec. 24-2308, Conditional Use Permit.

• • • •

47. That Section 24-4423 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4423. Accessory Outdoor Seating and Food Preparation (as accessory to an Eating Establishments use)

Outdoor seating is allowed as an accessory use to any Eating Establishments use, subject to the following standards:

• • • •

- F. Outdoor food preparation must not cause detrimental impacts to nearby uses or property due to noise, glare, light, smoke, odor, grease, or similar effects. In the R-6, O-1, O-2, O-3, O/S, B-1, and B-2 districts, **outdoor seating is allowed by right but** outdoor food preparation may only be allowed upon approval of a Provisional Use Permit by the Board of Supervisors in accordance with Sec. 24-2306, Provisional Use Permit.

48. That Section 24-4424 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4424. Accessory Outdoor Storage

- A. In the ~~B-1, B-2, B-3, and M-1~~ **Except in Agricultural or Residential** districts, outdoor storage must comply with an approved plan of development (see Sec. 24-2314) or site plan (see Sec. 24-2315) and the following standards:

• • • •

• • • •

49. That Section 24-4425 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4425. Accessory Parking of Trucks and Commercial Vehicles (as accessory to a dwelling)

• • • •

- B. Parking of ~~up to~~ one commercial **automobile, pickup truck, or sport-utility** vehicle, ~~other than a commercial trailer or wrecker,~~ not exceeding 10,000 pounds gross weight as determined by the vehicle registration, is allowed.

- C. Parking of any ~~truck or~~ commercial vehicle exceeding 10,000 pounds gross weight, or any commercial **truck other than a pickup truck, or any commercial** trailer or wrecker, is permitted only while loading, unloading, or working at or near the location where it is parked.

50. That Section 24-4428 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4428. Accessory Recycling and Refuse Collection Area, Outdoor

An outdoor recycling and refuse collection area is allowed as an accessory use to any use other than a single-family detached dwelling, duplex dwelling, manufactured home dwelling, or live/work dwelling in accordance with the following standards (see also Sec. 24-5503.A, Lighting to be Provided):

• • • •

- E. Gates intended for service access to the recycling and refuse collection area must ~~provide an opening at least ten feet wide. Gates and doors must~~ be opaque, substantial, and oriented to minimize views of the enclosures from public rights-of-way. Support posts, gate frames, hinges and latches must be of a sufficient size and strength to allow the gates to function without sagging or becoming misaligned. Where a gate in the screening faces a public right-of-way, the gate must be closed and latched at all times except two hours prior to a scheduled collection time and one hour after collection.

• • • •

51. That Section 24-4431 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4431. Accessory Short-term Rental (as accessory to a dwelling)

• • • •

- F. *Limitation on additional uses.* No property owner may offer as a short-term rental any property that is also used for a ~~family day home~~ **home-based childcare, a** group home, assisted living facility, massage therapy, or taxi or other carrier service. No property owner may offer, allow, or provide a short-term rental for any other commercial use not customarily incidental to a one-family dwelling, including, without limitation, commercial use for parties, banquets, weddings, receptions, meetings, filming, or advertising activities.

• • • •

52. That Section 24-4502 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4502. Temporary Use and Structure Table

• • • •

E. Temporary Use and Structure Table

Temporary uses and structures are allowed in each of the zoning districts in accordance with Table 4502: Temporary Use or Structure Table. In addition, the Board of Zoning Appeals may approve any temporary use or structure not otherwise permitted in the district where it is proposed to be located that does not involve the construction or use of permanent structures (see Sec. 24-2308.B).

Table 4502: Temporary Use and Structure Table																																		
R=Permitted by Right C=Allowed subject to Conditional Use Permit P= Allowed subject to Provisional Use Permit A=Allowed subject to PD Master Plan and PD Terms and Conditions - = Prohibited																																		
Temporary Use or Structure	C, A		Residential						Nonresidential, Mixed-Use						PD			FBA-O Dev. Area					Specific Standards for Use or Structure											
	C-1	A-1, A-2	R-0, R-0A, R-1, R-1A	R-2, R-2A, R-3, R-3A	R-4, R-4A	R-5A	R-5B	R-5	R-6	RTH	CMU	O-1	O-2	O-3	O/S	B-1	B-2	B-3	M-1	M-2	M-3	SMX-PD		TND-PD	UMU-PD	LI-PD	Mixed-use Corridor	Mixed-use Core	Walkable Corridor	Walkable Center	Neighborhood Gen.	Connected Edge	Highway Edge	
Construction-related building, structure, or use	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	A	A	A	A	T	T	T	T	T	T	T	Sec. 24-4505	
Family healthcare home, temporary	-	T	T	T	T	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	A	A	A	A	T	T	T	T	T	T	T	Sec. 24-4506	
Farmers' market, temporary	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	A	A	A	A	T	T	T	T	T	T	T	Sec. 24-4507	
Flea market, temporary	-	-	-	-	-	-	-	-	-	T	-	-	-	-	-	T	T	-	-	-	-	-	-	-	A	T	T	-	-	T	T	T	Sec. 24-4508	
Mobile food unit	-	-	-	-	-	-	-	-	R	R	R	R	R	R	R	R	R	R	R	R	R	A	A	A	A	R	R	R	R	R	R	R	R	Sec. 24-4509
Garage or yard sale	-	R	R	R	R	R	R	R	R	R	-	-	-	-	-	-	-	-	-	-	-	A	A	A	A	R	R	R	R	R	R	R	R	Sec. 24-4503
Model sales home or unit	-	T	T	T	T	T	T	T	T	T	-	-	-	-	-	-	-	-	-	-	-	A	A	A	A	T	T	T	T	T	T	T	T	Sec. 24-4510
Portable storage	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	A	A	A	A	R	R	R	R	R	R	R	R	Sec. 24-4511
Recyclables collection point, temporary	-	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	A	A	A	A	T	T	T	T	T	T	T	Sec. 24-4512	
Sawmill, temporary	R	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	R	-	-	-	-	-	-	-	-	-	-	-	Sec. 24-4513	
Seasonal or temporary sales and commercial display	-	-	-	-	-	-	-	-	R	-	-	-	-	-	T	T	T	T	-	-	-	-	-	A	A	R	R	-	-	R	R	R	Sec. 24-4514	
Special event	-	T	-	-	-	-	T	-	T	-	T	T	-	-	T	T	T	T	T	T	T	A	A	A	A	R	R	-	-	R	R	R	Sec. 24-4515	
Temporary produce stand	R	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	R	-	-	-	A	-	-	-	-	-	R	R	Sec. 24-4516	
Temporary use of an accessory structure as a principal dwelling after a catastrophe	-	T	T	T	T	T	T	T	T	-	-	-	T	T	T	T	T	-	-	-	-	A	A	A	A	R	R	R	R	R	R	R	Sec. 24-4517	
Temporary use of factory-fabricated transportable building	-	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	A	A	A	A	T	T	T	T	T	T	T	Sec. 24-4518	

Table 4502: Temporary Use and Structure Table

R=Permitted by Right | C=Allowed subject to Conditional Use Permit | P= Allowed subject to Provisional Use Permit A=Allowed subject to PD Master Plan and PD Terms and Conditions | - = Prohibited

Temporary Use or Structure	C, A		Residential							Nonresidential, Mixed-Use							PD			FBA-O Dev. Area					Specific Standards for Use or Structure								
	C-1	A-1, A-2	R-0, R-0A, R-1, R-1A	R-2, R-2A, R-3, R-3A	R-4, R-4A	R-5A	R-5B	R-5	R-6	RTH	CMU	O-1	O-2	O-3	O/S	B-1	B-2	B-3	M-1	M-2	M-3	SMX-PD	TND-PD	UMU-PD		LI-PD	Mixed-use Corridor	Mixed-use Core	Walkable Corridor	Walkable Center	Neighborhood Gen.	Connected Edge	Highway Edge
<u>Wireless communication support structure, temporary</u>	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	A	A	A	A	R	R	R	R	R	R	R	<u>Sec. 24-4519</u>

53. That Section 24-4510 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4510. Temporary Model Sales Home or Unit

A single model sales home or unit may be located on a new development site and temporarily used for sales or leasing uses associated with the development, subject to the following standards:

• • • •

B. A temporary use **building** permit for the model sales home will be issued only when actual construction on or in the immediate vicinity of the development site necessitates the model sales home or unit. ~~The permit will be initially valid for no more than three years. The Planning Director may grant written extensions of up to three years per extension, or the length of time required for the construction of the development, whichever is less.~~

• • • •

54. That Section 24-4519 be added to the Code of the County of Henrico as follows:

Sec. 24-4519. Temporary Wireless Communication Support Structure

A. **A temporary wireless communication support structure that is 80 feet or less in height, on wheels, and erected for less than 30 days will not be required to obtain a building permit. A building permit will be required for a temporary wireless communication support structure over 80 feet in height or that is erected for 30 days or more.**

B. **An application for a temporary wireless communication support structure must demonstrate that it is necessary for one of the following reasons:**

1. Administering limited frequency and modulation testing to evaluate system performance and the need for additional wireless facility sites;

- 2. Supplementing communications coverage when a previously permitted wireless facility has become involuntarily non-operational through an accident or natural disaster;
 - 3. A substantial increase in communications needs due to an emergency declared by the County, Commonwealth, or federal government;
 - 4. A substantial increase in the communications needs of the businesses, residents, or visitors of the County for a limited period of time due to a special event held within the County; or
 - 5. Another reason deemed necessary and appropriate by the Planning Director.
- C. An application for a temporary wireless communication support structure may request approval for up to 180 days. The Planning Director may approve extensions beyond the initial approval period up to an aggregate total of two years provided the requests are made in writing prior to the expiration of the initial approval period or current extended approval period and the extensions are reasonably necessary to resolve or accommodate the reasons for the initial approval.**
- D. A temporary wireless communication support structure must be removed at the cost of the owner and the site restored to its previous condition within 48 hours of the end of the approval period.**

55. That Section 24-5105 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5105. Off-Street Parking Surfacing and Marking

....

B. Surfacing Alternatives

Alternative surfacing may be used for off-street vehicular parking areas as follows:

- 1. Natural unpaved surfaces such as grass, crushed stone, gravel, and mulch may be used, provided the surface is maintained in a neat, orderly, and passable condition, for the following uses and situations:
 - (a) Uses in the ~~A-1 district~~ **Agricultural Districts**;

....

....

....

56. That Section 24-5107 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5107. Design Requirements for Large Parking Lots

....

A. Primary Drive Aisle

• • • •

2. Include a sidewalk or curb-delineated pedestrian passageway at least five feet wide along the front façade of each building façade parallel to the drive aisle; and

• • • •

• • • •

57. That Section 24-5110 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5110. Minimum Number of Off-Street Parking Spaces

• • • •

Table 5110: Minimum Number of Off-Street Parking Spaces		
Principal Use Category	Principal Use Type	Minimum Off-Street Parking Spaces ^[1, 2]
• • • •		
Residential Uses		
	Dwelling, duplex <u>not located in a Designated Transit Area</u> ^[4]	1.5 per du
	<u>Dwelling, duplex located in a Designated Transit Area</u> ^[4]	<u>1.0 per du</u>
	• • • •	
	Dwelling, multifamily <u>not located in a Designated Transit Area</u> ^[4]	2.0 per du; 1.0 per du in an age-restricted community
	<u>Dwelling, multifamily located in a Designated Transit Area</u> ^[4]	<u>0.5 per du</u>
	• • • •	
	Dwelling, townhouse <u>not located in a Designated Transit Area</u> ^[4]	2.0 <u>2.2</u> per du plus 10% additional for guest parking; 1.0 <u>1.1</u> per du in an age-restricted community; plus 10% additional for guest parking
	<u>Dwelling, townhouse located in a Designated Transit Area</u> ^[4]	<u>1.0 per du</u>
	Dwelling, upper story	1.0 per du
	<u>Group home</u>	<u>2.0 per du</u>
Group Living	• • • •	
	Group home	2.0 per du
Public, Civic, and Institutional Uses		
• • • •		
Health Care Facilities	• • • •	
	Hospital	1.0 per 2 beds
	<u>Medical treatment facility, inpatient</u>	<u>1.0 per 2 beds</u>

Table 5110: Minimum Number of Off-Street Parking Spaces

Principal Use Category	Principal Use Type	Minimum Off-Street Parking Spaces ^[1, 2]
	Medical treatment facility, outpatient	4.0 per 1,000 sf
	Nursing home	1 per 4 beds

• • • •

Commercial Uses

• • • •

Eating Establishments	Bakery, retail	10.0 per 1,000 sf GFA
	Bakery, wholesale	2.0 per 1,000 sf production area plus 10.0 per 1,000 sf retail and eating area
	Microbrewery	10.0 per 1,000 sf GFA including outdoor dining area
	• • • •	

• • • •

Recreation and Entertainment, Indoor	• • • •	
	Historical horse racing	5.0 per 1,000 sf
	Public dancehall	5.0 per 1,000 sf
	Shooting range, indoor	3.0 per lane or target and 1.0 per 2 employees
	• • • •	

• • • •

NOTES:

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[4] See also requirement for recreational vehicle parking in Sec. 24-4306.C, Dwelling, Multifamily, and Sec. 24-4306.G, Dwelling, Townhouse. **For purposes of this section and Sec. 24-3835, "designated transit area" means any parcel located within one-half mile of the entrance to a mass transit or public transportation station or facility. A "mass transit or public transportation station or facility" means a building or enhanced structure where members of the general public board or disembark mass transit or public transportation.**

[5] **In accordance with Sec. 24-2319, the Planning Director may approve a reduction of at least 20 percent of the minimum parking standards in Table 5110 for residential, multifamily, or mixed-use development proposed on parcels not located within a designated transit area if the applicant submits a parking study prepared by a professional engineer and the Planning Director finds that based on the parking study parking demand does not justify the otherwise required parking spaces or may be met by sharing parking with other existing uses and the standards of Sec. 24-2319.D are satisfied.**

58. That Section 24-5113 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5113. Required Number of Parking Spaces for Mixed-Use Development

• • • •

Table 5113: Shared Parking Time-of-Day Parking Ratios						
Use Classification, Category, or Type	Weekdays			Weekends		
	2 AM to 7 AM	7 AM to 6 PM	6 PM to 2 AM	2 AM to 7 AM	7 AM to 6 PM	6 PM to 2 AM
Office	20%	100%	20%	5%	10%	0%
Residential	100%	60%	100%	100%	80%	100%
Retail sales	0%	100%	80%	0%	100%	60%
Personal service establishments	20%	100%	40%	0%	60%	0%
Eating establishments	20%	80%	100%	20%	80%	100%
Hotel or motel	100%	60%	100%	100%	60%	100%
Schools	10%	100%	80%	10%	20%	10%
Religious institution	5%	10%	50%	5%	100%	80%
All other uses	100%					

59. That Section 24-5203 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5203. Amount of Open Space Required

• • • •

Table 5203: Required Open Space		
Use Type	Base Zoning Districts	Planned-Development Districts
Residential uses	20%	25%
Public, Civic, and Institutional uses	15%	15%
Commercial uses and Mixed uses	15%	15%
Industrial uses	10%	10%

60. That Section 24-5303 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5303. Landscaping Plan Required

••••

B. Alternative Landscaping

••••

2. The Planning Director ~~or, at the request of the Planning Director, the Planning Commission~~ may approve the alternative landscaping plan upon determining that the plan meets the standards of subsection 1 above.

61. That Section 24-5308 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5308. Minimum Tree Cover

A. Minimum Tree Cover Required

Except as otherwise provided by subsection ~~0~~ **1** or 2 below, all developments requiring approval of a site plan or construction plan must provide the minimum tree cover in Table 5308A: Tree Cover Requirements. The minimum percentage tree cover will be calculated based on the area within the tree’s drip line projected at ten years’ maturity for all trees on the site as a percentage of the gross site area.

Table 5308A: Tree Cover Requirements	
Base Zoning District	Minimum Percentage Tree Cover
B-1, B-2, B-3, M-1, M-2, M-3, and CMU Districts	10
Residential Districts, O-1, O-2, O-3, and O/S Districts, and Planning Development Districts	15
Conservation and Agricultural Districts	20

1. The following are exempt from the requirements in this section:
 - (a) Single-family detached dwellings other than developments in the R-5A and R-5B Districts requiring a plan of development or site plan; and
 - (b) In Conservation and Agricultural districts, uses in the Agricultural use category and uses in the Public, Civic, and Institutional use category.
 - (c) In all zoning districts, cemeteries must provide 10% tree cover.
2. The Planning Director may allow an applicant to provide less than the minimum required tree cover in Table 5308A: Tree Cover Requirements, and impose alternate conditions to accomplish the intent of this section, **when the applicant requests, and the Planning Director concurs, that the strict application of the requirements would result in unnecessary or unreasonable hardship to the applicant or prevent the development of uses and densities otherwise allowed by this Ordinance. The Planning Director will consider neighborhood environmental and natural resource considerations, including stormwater management and preservation of trees of outstanding age, size, or physical characteristics. In addition, the Planning Director may allow an applicant to provide less than the minimum required**

tree cover in Table 5308A: Tree Cover Requirements, and impose alternate conditions to accomplish the intent of this section, if necessary:

- (a) To allow for the reasonable development of farmland or other areas devoid of woody materials;
 - (b) To allow for clearing and grading required to achieve drainage away from residential structures;
 - (c) To allow for the reasonable development of dedicated school sites, playing fields, and other non-wooded recreation areas; **or**
 - (d) To allow for the preservation of wetlands; ~~or~~
 - ~~(e) To avoid unreasonable hardship to the owner.~~
3. The methodologies for calculating the required tree cover and for applying tree preservation credit and included in the Landscape Manual and are incorporated herein by reference.

....

62. That Section 24-5310 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5310. Transitional Buffers

A. Applicability

....

6. The Planning Director ~~or Planning Commission~~ may approve modifications to these requirements, proposed in accordance with Sec. 24-5303.B, Alternative Landscaping, upon determining that the modified transitional buffer plan, including any additional conditions or requirements imposed on the development project, meets the intent of this section.

....

B. Transitional Buffer Standards

....

Table 5310A: Buffer Type Assignment

Proposed Use [1, 2]	Adjacent Controlled Access Road or Zoning District [3]					
	Controlled-Access Road	A-1, A-2 , R-0, R-0A, R-1, R-1A, R-2, R-2A, R-3, R-3A, R-4, R-4A	R-5A, R-5B, R-5, R-6, RTH	CMU, O-1, O-2, O-3, O/S	B-1, B-2, B-3	M-1, M-2, M-3

....

....

63. That Section 24-5404 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5404. Height Standards

• • • •

B. Exceptions

• • • •

2. Where the side lot line of a residential lot adjoins a ~~business, office, or industrial~~ **nonresidential** use, a fence or wall along the side lot line up to seven feet tall may be extended into the front yard within 15 feet of the front lot line, subject to the sight distance requirements in Sec. 24-5403, Location.

• • • •

5. Alternative Fence Height: The Planning Director ~~or, at the request of the Planning Director, the Planning Commission~~ will permit fences or walls identified on a landscaping plan or alternative landscaping plan up to the maximum height listed in Table 5404 upon finding that the fence or wall:

• • • •

• • • •

64. That Section 24-5405 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5405. Materials

A. Permitted Fence and Wall Materials

• • • •

2. Except in the C-1, A-1, **A-2**, and M-3 districts, or in conjunction with a single-family or two-family dwelling or a school playground or athletic field, chain-link fences must be vinyl-clad and must be supplemented with landscaped screening consisting of the types and spacing of plantings required by Sec. 5406.B, Fence and Wall Landscaping, along the side of the fence facing the exterior of the lot.

B. Prohibited Fence and Wall Materials

• • • •

3. Above-ground fences that carry electrical current, except as used for the purposes of enclosing livestock in the C-1, ~~A-1~~, **or A-2** districts (this does not prohibit below-ground electrical fences intended for the keeping of pets).

65. That Section 24-5406 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5406. Finished Side and Landscaping

A. Support Framing and Textured Surfaces

Wherever a fence or wall is visible from off-site locations, if one side of the fence or wall has visible support framing and the other does not, or one side of a wall has a textured surface and the other does not, then the side of the fence without support framing or with a textured surface must face the exterior of the lot **to the extent practical** (see Figure 5406A: Fence with Finished Side Facing Out). **If the owners of adjoining properties cooperate in the construction of a fence between their respective properties, they may decide among themselves which property the support framing or textured surface will face.**

••••

66. That Section 24-5502 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5502. Applicability

••••

B. Exemptions

••••

4. Lighting on single-family and individual townhouse lots where light is contained on the property;

••••

••••

67. That Section 24-5503 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5503. General Standards

A. Lighting to be Provided

For each of the specific site features listed in Table 5503A: Average Illuminance (Minimum and Maximum), lighting must be provided to create the average horizontal illuminance values between the minimum and maximum levels listed when the area is in use. The ratio of minimum to maximum illuminance must not exceed 1:10 except where necessary to comply with other requirements, including the maximum illumination levels of subsection B. below.

Table 5503A: Average Illuminance (Minimum and Maximum)

Site Feature	Minimum (foot candles)	Maximum (foot candles)
Residential cluster mailboxes, bicycle parking, and recycling and refuse collection areas	0.5	2
Pedestrian pathway for R-5A, R-5B, townhouse, and detached condominium projects ^[1]	0.5	2
Pedestrian pathway for multifamily and nonresidential development	0.5	3
Surface parking lot, other than 24-hour nonresidential uses ^[1]	1	3
Surface parking lot for 24-hour nonresidential uses ^[1]	3	6
Parking deck or garage	3	6
Exterior service window or ATM	3	6
Exterior stair or elevator	3	6

[1] Including service areas, loading bays, and recycling and refuse collection areas, whether or not attached to a parking lot, **and any on-street parking approved by a plan of development or site plan.**

••••

E. Maximum Height

1. Except as provided in subsection 2 below, the maximum height of exterior lighting must not exceed the following, measured from the ground to the light source (see Sec. 24-8309.C, Measurement of the Height of Exterior Lighting):

••••

- (b) In the A-1, M-1, M-2, and M-3 **Agricultural and Industrial** Districts more than 100 feet from all Residential Districts, 35 feet; and

••••

••••

F. Foundation or Footing Detail

For any lighting fixture to be mounted on a pole, post, or bollard, the lighting plan must include a detail of the foundation, footing, or similar structural support, which must be adequate for the diameter and height of the pole, post, or bollard.

68. That Section 24-5504 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5504. Lighting Standards for Specific Uses and Site Features

A. Streets and Parking Areas

••••

2. Lights for streets and parking areas must be provided by full cut-off fixtures mounted on non-corrosive poles. **Associated wiring must be** served by underground wiring.

....

....

69. That Section 24-5707 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5707. Signs Requiring Permits

A. Agricultural and Conservation Districts, and Single-Family Residential Districts

A sign permit may be issued for the following signs in the R-0, R-0A, R-1, R-1A, R-2, R-2A, R-3, R-3A, R-4, R-4A, R-5A, R-5B, A-1, A-2, and C-1 districts:

....

....

70. That Section 24-5802 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5802. Chesapeake Bay Preservation: Applicability

....

B. Areas of Applicability

....

2. Resource Management Areas (RMAs)

A RMA must be provided contiguous to the entire inland boundary of the RPA. Where mapping indicates the presence of the following land types contiguous to RPAs, the following will be classified as an RMA:

....

(e) Nontidal wetlands not included in RPAs; ~~and~~

(f) Where the land contiguous to RPAs is not an RMA as defined above, the 100-foot area contiguous to the RPA; ~~and~~

(g) Where any of the above RMA features are present on a lot, parcel, or development project, the entirety of the lot, parcel, or development project, whichever is largest, will be considered RMA.

C. Identification of Chesapeake Bay Preservation Areas

....

3. As part of the plan of development review process pursuant to Sec. 24-2314, Plan of Development, or during the review of a water quality impact assessment pursuant to section ~~10-39(b)~~**10-39(2)** of the County Code, the County Engineer will ensure or confirm that (1) a reliable, site-specific evaluation is conducted to determine whether water bodies on or adjacent to the development site have perennial flow and (2) RPA boundaries on the site are adjusted, as necessary, based on this evaluation of the site. The County Engineer may conduct the site evaluation or require the applicant to conduct the evaluation and submit the required information for review. In determining whether water bodies have a perennial flow, the County Engineer will use field indicator protocols that have been found as acceptable site-specific determinations by the Division of Chesapeake Bay Local Assistance, or other appropriate agency. Designation of the components listed in Sec. 24-5802.B.1(a) through Sec. 24-5802.B.1(d) above will not be subject to modification unless based on reliable, site-specific information as provided for in this subsection.

• • • •

D. Exempted Uses and Development

The following uses and development as regulated by this subsection will be exempt from the provisions of this division but will be subject to the other provisions of this Ordinance:

1. Construction, installation, operation and maintenance of electric, fiber optic, natural gas and telephone transmission lines, railroads and public roads and their appurtenant structures in accordance with regulations promulgated pursuant to the Erosion and Sediment Control Law (Code of Virginia, § 62.1-44.15:51 et seq., as amended) and the Stormwater Management Act (Code of Virginia, § 62.1-44.15:24 et seq., as amended) and an erosion and sediment control plan and a stormwater management plan approved by the Virginia Department of Environmental Quality. Public Roads must be designed, approved and constructed to prevent or otherwise minimize encroachment in the RPA and adverse effects on water quality. For purposes of this subsection, "public road" means a publicly owned road designed and constructed in accordance with water quality protection criteria at least as stringent as requirements applicable to the Virginia Department of Transportation (VDOT), including regulations promulgated pursuant to Code of Virginia, §§ 62.1-44.15:51 and 62.1-44.15:24 et seq., as amended. This definition includes those roads where VDOT exercises direct supervision over the design or construction activities, or both, and cases where secondary roads are constructed or maintained, or both, by the County in accordance with County standards. Appurtenant structures include bridges, culverts, guardrails, drainage facilities, lighting, traffic control devices, fences, and berms.

• • • •

5. **Living shorelines as defined by Code of Virginia § 28.2-104.1 may be exempt from additional performance criteria requirements pursuant to Sec. 24-5803.K.4, including a water quality impact assessment.**

71. That Section 24-5803 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5803. Chesapeake Bay Preservation Standards

A. Permitted Development in RPAs

1. There must be no development in RPAs unless permitted by the zoning district(s) of the lot and unless development is limited to:

....

(d) Flood control and stormwater management facilities that drain or treat water from multiple development projects or from a significant portion of a watershed, if:

(1) The facility is allowed and constructed in accordance with the Virginia **Erosion and** Stormwater Management Act and its attendant regulations;

....

(4) The facility is consistent with a comprehensive stormwater management plan that has been developed and approved in accordance with 9VAC25-870-92**875-660** of the Virginia **Erosion and** Stormwater Management Program regulations;

....

....

2. For any proposed land disturbance in RPAs, **other than exempted uses as described in Sec. 24-5802.D,** a water quality impact assessment in accordance with section ~~10-39(b)~~**10-39(2)** of the County Code must be submitted for approval by the County Engineer.

3. For any proposed land disturbance in RPAs requiring a water quality impact assessment, a resiliency assessment as set forth in Sec. 24-5803.K is required for any proposed land development in the RPA during the plan of development or other project review process.

....

C. Buffer Requirements in RPAs

1. The 100-foot-wide buffer area will be the landward component of the RPA. Notwithstanding permitted uses, encroachments, and vegetation clearing as set forth in this section and in accordance with the provisions of Article II of Chapter 10 of the County Code, the 100-foot-wide buffer area will not be reduced in width. To minimize the adverse effects of human activities on the other components of the RPA, state waters, and aquatic life, a 100-foot-wide buffer area of vegetation that is effective in retarding runoff, preventing erosion, and filtering nonpoint source pollution from runoff must be retained if present or established where it does not exist. **In general, where the removal of trees within the buffer area is proposed, mature trees must be preserved and trimmed or pruned in lieu of removal as site conditions permit and removal should be limited to the fewest number of trees feasible. The planting of native trees must be incorporated into the reestablishment of the 100-foot buffer, as appropriate to site conditions, and in such a manner to maximize the buffer function.**

....

2. The buffer must be maintained as follows:

(a) In order to maintain the functional value of the buffer, indigenous **existing** vegetation may be removed with the approval of the County Engineer only to provide for reasonable sight lines, access paths, general woodlot management and BMPs, including those that prevent upland erosion and

concentrated flows of stormwater, as follows:

- (1) Trees may be pruned or removed as necessary to provide for sight lines and vistas; provided that, where removed, they must be replaced with other vegetation that is equally effective in retarding runoff, preventing erosion and filtering nonpoint source pollution from runoff. **Mature trees must be preserved and trimmed or pruned in lieu of removal as site conditions permit and any removal should be limited to the fewest number of trees feasible. When trees are removed to provide for sight lines and vistas, they must be replaced with trees as appropriate to site conditions and in such a manner as to maximize the buffer function and to protect the quality of state waters.**

• • • •

- (5) **When removal of vegetation is proposed for any reason within the RPA buffer, the following requirements must be met:**

- A. **When trees are proposed for removal to provide for sight lines, vistas, and paths they must be replaced with trees as appropriate to site conditions, and in such a manner as to maximize the buffer function and to protect the quality of state waters.**
- B. **Trees may not be removed where reasonable sight lines, vistas, or access paths can be created by the pruning of trees along with best available technical advice. Trees may not be pruned or removed within any RPA component listed in Sec. 24-5802.B.1(a) through (c) or from a perennial stream.**
- C. **The developer must submit a written request to the County Engineer to determine whether the proposed removal of vegetation from the RPA buffer is in accordance with the requirements of this subsection. Such request must include a plan showing: (i) the vantage points for the sight lines, vistas, and access paths, (ii) the portion of the shoreline to be viewed or accessed, (iii) the area in which trees are to be pruned or removed, (iv) the location of all trees six inches or greater in diameter at breast height, and (v) the location of the trees to be removed or pruned. The request must also indicate the type, location, and number of replacement vegetation proposed.**
- D. **Trees may not be pruned or removed from the buffer area until a written determination is obtained from the County Engineer that the proposed activity is in accordance with the requirements of this Code.**

- (b) When the requirements of this section for a buffer would result in the loss of a buildable area on a lot recorded prior to October 1, 1989, encroachments into the buffer area may be allowed by the County Engineer in accordance with the following criteria:

• • • •

(2) Where practicable, a vegetated area that will maximize water quality protection, mitigate the effects of the buffer encroachment, and is equal to the area of encroachment into the buffer area must be established elsewhere on the lot. **Where established, such vegetated area must include the planting of native trees as appropriate to site conditions.**

• • • •

• • • •

(d) On agricultural lands the agricultural buffer must be managed to prevent concentrated flows of surface water from breaching the buffer and noxious weeds from invading the buffer area. Agricultural activities may encroach into the buffer as follows:

(1) Agricultural activities may encroach into the landward 50 feet of the 100-foot wide buffer area when at least one agricultural BMP which, in the opinion of the Henricopolis Soil and Water Conservation District Board, addresses the more predominant water quality issues on the adjacent land (erosion control or nutrient management) is being implemented on the adjacent land, provided that the combination of the undisturbed buffer area and the BMP achieves water quality protection, pollutant removal, and water resource conservation at least the equivalent of the 100-foot wide buffer area. If nutrient management is identified as the predominant water quality issue, a nutrient management plan, including soil tests, must be developed consistent with the "Virginia Nutrient Management Training and Certification Regulations" (4-VAC-5-15**50-85** et seq.) administered by the Virginia Department of Conservation and Recreation.

(2) Agricultural activities may encroach into the landward 75 feet of the 100-foot wide buffer area when agricultural BMPs which address erosion control, nutrient management, and pest chemical control, are being implemented on the adjacent land. The erosion control practices must prevent erosion from exceeding the soil loss tolerance level, referred to as "T," as defined in the "National Soil Survey Handbook" of November 1996 in the "Field Office Technical Guide" of the U.S. Department of Agriculture Natural Resource Conservation Service. A nutrient management plan, including soil tests, must be developed consistent with the "Virginia Nutrient Management Training and Certification Regulations" (4-VAC-5-15**50-85** et seq.) administered by the Virginia Department of Conservation and Recreation. In conjunction with the remaining buffer area, this collection of BMPs will be presumed to achieve water quality protection at least the equivalent of that provided by the 100-foot wide buffer area.

• • • •

(6) A water quality impact assessment will be required for any proposed development within the RPA consistent with this section and for any other development in Chesapeake Bay Preservation Areas that may warrant such assessment because of the unique characteristics of the site or

intensity of the proposed use or development.

- A. The purpose of the water quality impact assessment is to identify the impacts of proposed development on water quality and lands in the RPAs consistent with the goals and objectives of the Chesapeake Bay Preservation Act, this chapter and Secs. 24-5901 through 24-5906 for mitigation of those impacts. The specific content and procedures for the water quality impact assessment have been established in section ~~10-39(b)~~**10-39(2)**.
- B. The water quality impact assessment must be of sufficient specificity to demonstrate compliance with the criteria of Secs. 24-5901**5801** through 24-5906**5806**.

••••

I. Soil and Water Quality Conservation Assessments

Land upon which agricultural activities are being conducted, including crop production, pasture and dairy and feed lot operations, and land otherwise defined as agricultural land by the County must have a soil and water quality conservation assessment that evaluates the effectiveness of existing practices pertaining to soil erosion and sediment control, nutrient management, and management of pesticides. Where necessary, there must be a plan that outlines additional practices needed to ensure that water quality protection is being accomplished consistent with Secs. 24-5901**5801** through 24-5906**5806** and the provisions of subsection 8 of 9VAC25-830-130:

••••

J. Changes in Land Surface Impacting Runoff Characteristics

Any man-made change to the land surface that potentially changes its runoff characteristics, including clearing, grading, or excavation, must comply with the requirements of 9VAC25-870-51**875-260** and 9VAC25-870-103**875-740** unless the activity is exempted by Va. Code § 62.1-44.15:34(C).

K. Climate Change Resilience and Adaptation Criteria

1. **Pursuant to 9VAC25-830-155 of the Administrative Code of Virginia, submittal of a resiliency assessment that considers the potential impacts of sea level rise, storm surge, and flooding on buffer function in light of a proposed RPA encroachment is required during the review of a plan of development or other review process. Such assessment must be based on the RPA as delineated at the time of the proposed land development, and must at a minimum:**
 - (a) Be based upon a potential impact range of 30 years or the lifespan of the project if less than 30 years;**
 - (b) Utilize a model or forecast developed by or on behalf of the Commonwealth;**
 - (c) Identify potential impacts:**
 - (1) From projected sea-level rise using the 2017 National Oceanographic and Atmospheric Administration (NOAA) Intermediate-High scenario projection curve or any subsequently updated version thereof, on the project site;**
 - (2) From storm surge based upon the most updated NOAA hydrodynamic Sea, Lake, and Overland Surges from Hurricanes model on the project**

site; and

- (3) From flooding based upon the most updated Special Flood Hazard Area and the Limit of Moderate Wave Action on the project site. Such assessment of flooding should be in conjunction with the requirements and application of floodplain management requirements described in Article I. Floodplain Management of Chapter 10 of the Code.**
 - (d) Assess the potential impacts in light of the proposed land development on buffer function including loss of riparian buffer vegetation and vegetation migration; water migration; as well as the potential impacts resulting in additional future land disturbance or development in the RPA connected to the proposed land development.**
 - (e) Identify conditions, alterations, or adaptation measures for the proposed land development to address these potential impacts as necessary and appropriate based upon site conditions; nature, type, and size of proposed land development; extent of potential impacts; and the necessity to minimize future land disturbance.**
 - (f) Be submitted as part of a water quality impact assessment. Based upon the assessment, the County Engineer will, as necessary and appropriate, require conditions, alterations, or the installation of adaptation measures as part of the proposed land development consistent with the requirements of the Chesapeake Bay Preservation Act, Article 2.5 (§ 62.1-44.15:67 et seq.) of Chapter 3.1 of Title 62.1 of the Code of Virginia and this Division of the Code.**
- 2. Proposed adaptation measures within the RPA are subject to the following criteria and requirements, which apply in addition to those found in Secs. 24-5802.D and 24-5803. The adaptation measure must:**
- (a) Be a nature-based solution adaption measure that uses environmental processes, natural systems, or natural features, is appropriate for site conditions, and is: (i) a Best Management Practice approved by the Chesapeake Bay Program Partnership; (ii) an approved Virginia Stormwater Best Management Practice listed in the Virginia Stormwater Management Handbook; (iii) an approved Shoreline Protection Strategy in accordance with the Tidal Wetlands Guidelines as determined by the Virginia Marine Resources Commission; or (iv) a project that is an eligible activity for funding by the Virginia Community Flood Preparedness Fund as determined by the Virginia Department of Conservation and Recreation.**
 - (b) Be designed, installed, and maintained in accordance with the applicable adaptation measure specifications in accordance with the type of the adaptation measure identified in Sec. 24-5803.K.2(a)**
 - (c) Allow for the use of fill only under the following conditions:**

 - (1) The grading and slope created by the use of fill must be no greater than necessary based upon the project specifications and implemented in a manner that minimizes the impact of run-off;**
 - (2) The fill must have the necessary biogeochemical characteristics including sufficient organic content, to support the growth of vegetation and adequate permeability to allow infiltration consistent with the project specifications;**
 - (3) The use of fill must not enhance stormwater runoff from the RPA, and any lateral flow onto adjacent properties must be controlled;**

- (4) Any impacts on the management of stormwater upland of the RPA created by the use of fill must be mitigated as necessary;
 - (5) The use of fill must not negatively impact septic systems and drain-fields; and
 - (6) The use of fill must be consistent with any applicable federal or state law, including floodplain management requirements in 44 CFR Part 60.
 - (d) Maximize preservation of existing natural vegetation including mature trees and minimize land disturbance consistent with the adaptation measure specifications.
 - (e) Comply with all federal, state, and local requirements including any required permits and conditions.
 - (f) Nothing in this provision will be construed to authorize approval or allowance of an adaptation measure in contravention of floodplain management requirements, including the National Flood Insurance Program and Chapter 10, Article 1 of this Code pertaining to Floodplain Management, or construed to require the County to approve or allow an adaptation measure in contravention of its participation in the National Flood Insurance Program Community Rating System.
3. The County Engineer will ensure that any activity in the RPA is consistent with Chapter 13 of Title 28.2 of the Code of Virginia, and the accompanying Tidal Wetlands Guidelines which provide for "minimum standards for the protection and conservation of wetlands," and "ensure protection of shorelines and sensitive coastal habitat from sea level rise and coastal hazard." Shoreline management and alteration projects should be coordinated to address the requirements of the most updated Tidal Wetlands Guidelines in conjunction with 9VAC25-830-140(5)(a)(4) and the requirements of this Division.
 4. For a living shoreline, as defined in § 28.2-104.1 of the Code of Virginia, where the County Engineer otherwise approves of the project, the project minimizes land disturbance and maintains or establishes a vegetative buffer inland of the living shoreline, complies with the fill conditions of subdivision (2)(c) of this section, and receives approval from the Virginia Marine Resources Commission, the County Engineer may, but is not required to, exempt it from additional performance criteria requirements, including a water quality impact assessment.
 5. The County Engineer will not grant exceptions to the requirements of Sec. 24-5802.D, Sec. 24-5803, or this section where:
 - (a) The assessment of climate change and sea-level rise as outlined in subsection 1 of this section has not occurred; or
 - (b) The proposed adaptation measure allows for the use of fill in a RPA in contravention of the requirements of Sec. 24-5803.K.2(c).

72. That Section 24-5902 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5902. Applicability

A. General

The incentives in this division are available in all base zoning districts except the A-1, ~~A-2~~, and C-1 districts for the following:

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73. That Section 24-6402 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-6402. Development of Nonconforming Lots

• • • •

A. Any nonconforming lot in ~~the A-1, Agricultural District,~~ or any of the **Agricultural or Residential** zoning districts may be developed for a single-family dwelling if it meets the following requirements.

• • • •

2. If the lot is shown **as a numbered residential lot** on a subdivision plat that was not reviewed and approved by the County, it may be developed for a single-family dwelling only if it meets the minimum area and minimum lot width requirements for the zoning district in which it is located in accordance with Table 6402: Requirements for Nonconforming Lots on Non-Approved Plat. (For lots that are not served by public water and sewer, see paragraph 4 below.)

Table 6402: Requirements for Nonconforming Lots on Non-Approved Plat		
Zoning District	Minimum Area (square feet)	Minimum Lot Width (feet)
A-1	30,000	150
<u>A-2</u>	<u>30,000</u>	<u>150</u>

• • • •

• • • •

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74. That Section 24-8302 of the Code of the County of Henrico be amended and reordained as follows, and that Figure 8302(A) be replaced with the designated figures as follows:

Sec. 24-8302. Measurement of Area, Width, Depth, and Coverage of Lots

• • • •

B. Lot Width

• • • •

3. For any other lot, lot width means the ~~shortest~~ distance between the side lot lines measured at the minimum front yard setback, ~~measured at any angle and at any point along the front setback line.~~ **either at a right angle to the centerline of the lot or parallel to the front lot line, whichever is less. Each lot must meet or exceed the required minimum lot width by both of the following methods: (a) measured at a right angle to the centerline of the lot; and (b) measured along a straight line parallel to the front lot line.**

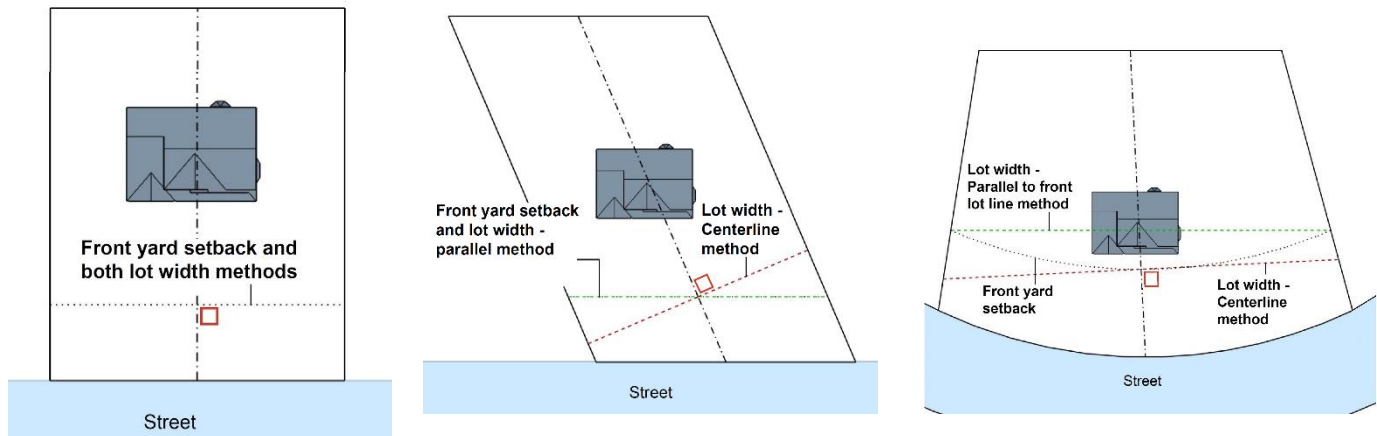


Figure 8302A: Lot width of three standard lots

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75. That Section 24-8304 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-8304. Measurement of Floor Area

The floor area of a building will be determined by summing the gross horizontal areas of each floor of the building, measured from **the outside of** the exterior walls or from the centerline of party walls, but not including elevator shafts or any area used exclusively for the parking of motor vehicles.

76. That Section 24-8306 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-8306. Determination of Front, Side, and Rear Yards for Other Uses

Unless the Planning Director determines that specific conditions require otherwise, the following rules of measurement apply to any lot other than one used for a single-family, duplex, townhouse, or manufactured home dwelling.

• • • •

B. Side and Rear Lot Lines

- ~~1. Any public street frontage other than the front lot line is a street side lot line.~~
- ~~2. The rear lot line is the line most directly opposite and farthest from the front lot line, or as designated on an approved plan of development or site plan.~~
- 2. Any public street frontage other than the front lot line or rear lot line is a street side lot line.**
3. Any property line other than a front, street side, or rear lot line is an interior side lot line.

77. That Section 24-8308 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-8308. Allowable Encroachments into Required Yards

Every part of every required yard will remain unoccupied and unobstructed by a structure or portion of a structure from the ground to the sky, except as otherwise allowed in Table 8308: Allowable Encroachments into Required Yards, or as otherwise allowed or limited elsewhere in this Ordinance.

Table 8308: Allowable Encroachments into Required Yards	
Feature	Extent and Limitations on Encroachment
Cornices, eaves, sills, leaders, belt courses, and similar ornamental features	May extend up to three 3 feet into any required minimum yard ^[1]
Uncovered stairs or fire escapes	May extend up to four and one half feet into any required minimum yard
Bay windows, balconies, or chimneys less than one-third of the length of the wall	May extend up to three 3 feet into any required minimum yard ^[1]
Decks, stoops, terraces, steps, and landings, not higher than the floor of the building where the primary entrance is located (may include an awning, trellis, or other shade structure but not a solid roof)	May extend up to ten 10 feet into any required yard ^[1] provided it does not extend to within five feet of an interior side lot line or within ten feet of a street side lot line
<u>Fire escapes, steps, and landings higher than the floor of the building where the primary entrance is located</u>	<u>4.5 feet into any required yard^[1]</u>
A front porch consisting of a roof supported by columns but unenclosed on the sides	May extend up to eight 8 feet into the required minimum front yard
Bus shelters, gate houses, security stations, subdivision entrance features, cluster mailboxes, bird baths, sundials, sculptures, and similar structures	May be located in a front, side, or rear yard, but must be set back from all property lines by a distance equal to or greater than the height of the structure. Such structures must not exceed 15 feet in height. Such structures must not interfere with sight distance, and vehicular stopping, standing, or parking must not block any travel lane.

Table 8308: Allowable Encroachments into Required Yards

Feature	Extent and Limitations on Encroachment
Fences and walls	May extend into or be located in required yards only in accordance with Article 5, Division 4, Fences and Walls.
Signs	May extend into or be located in required yards only in accordance with Article 5, Division 7, Signs.
Structures or uses accessory to water resources, such as docks and bulkheads	May extend any distance into any yard which adjoins the open water, provided the location complies with all other local, state, and federal laws
Structures or uses accessory to a single-family detached, single-family attached, manufactured home, or duplex dwelling	See Section 24-4403, General Standards for All Accessory Uses and Structures, and Section 24-4404, Uses and Structures Accessory to Certain Dwellings.

NOTES:

[1] Provided the feature does not extend to within 5 feet of an interior side lot line or within 10 feet of a street side lot line.

78. That Section 24-8309 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-8309. Measurement of Height

A. Measurement of Building Height

• • • •

3. The midpoint between the eaves and the ridge for a gable, hip, cone, or shed roof (see Figure ~~8301B~~**8309B**: General Building Height Measurement). Where dormers extend, in the aggregate, one-third of the length of the roof or less, they will not be considered in the measurement of building height. Where dormers extend, in the aggregate, more than one-third of the length of the roof, the height of the building will be measured up to the midpoint between the eaves of the dormers and the ridge of the roof.

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E. Base Reference Height

For an accessory building or structure, the base reference height is the average finished grade at the front of the accessory building or structure. For a principal building or structure, the The base reference height for a building or structure is the higher of:

1. The average finished grade at the front building line or the base of the structure; or
2. The average established curb grade of the street directly in front of the building or structure, or from which a sign is intended to be viewed (see Figure 8309B: Base Reference Height).

• • • •

79. That Section 24-8310 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-8310. Height Exceptions

Notwithstanding the maximum height standards in Article 3: Zoning Districts, any of the following structures may have a height as listed below, ~~or a greater height if a conditional use permit is issued for the greater height in accordance with Sec. 24-2308, Conditional Use Permit,~~ provided the structure complies with Sec. 24-3705, AS-O Airport Safety Overlay District, and all other applicable standards in this Ordinance, including Article 4: Use Regulations, and Article 5: Development Standards:

• • • •

80. That Section 24-8404 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-8404. Public, Civic, and Institutional Use Classification

• • • •

B. Day Care

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Child-care center

A facility for a regularly operating service arrangement for children where, for compensation and during the absence of a parent or guardian, a person or organization provides care to one or more children for less than a 24-hour period. This does not include ~~a family day home~~ **home-based childcare** or child-care services provided by a school or religious institution, in the home of the provider, or in the home of any of the children in care.

• • • •

F. Health Care Facilities

The Health Care Facilities use category includes use types providing a variety of health care services, including surgical or other intensive care and treatment, various types of medical treatment, nursing care, preventative care, diagnostic and laboratory services, and physical therapy. Health care services may be provided on an inpatient or outpatient basis, or routinely to residents of the facility. Use types include: assisted living facility, continuing care retirement community, hospice facility, hospital, **inpatient or outpatient** medical treatment facility, and nursing home. This use category does not include group homes, which focus primarily on providing personal care rather than medical care to residents. Accessory uses may include food preparation and dining facilities, recreation areas, offices, meeting rooms, teaching facilities, memory care facilities, hospices, maintenance facilities, staff residences, and limited accommodations for members of patients' families.

• • • •

Hospital

Has the meaning provided in Code of Virginia § 32.1-123. A facility other than a group home offering inpatient treatment for substance abuse disorders, eating disorders, or other similar conditions will be allowed in the same districts as a hospital and with the same parking requirement but are not subject to the use-specific standards of Sec. 24-4311.C.

Medical treatment facility, inpatient

A facility other than a hospital where medical services are provided to individuals on an inpatient or residential basis. Examples of inpatient medical treatment facilities include residential care for drug or alcohol use disorders.

Medical treatment facility, outpatient

A facility other than a hospital or medical or dental office where medical services are provided to individuals on an outpatient basis. Examples of medical treatment facilities include urgent care centers, dialysis centers, ~~drug or alcohol treatment facilities~~, blood or tissue collection facilities, and diagnostic and laboratory services.

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81. That Section 24-8405 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-8405. Commercial Use Classification

• • • •

C. Eating Establishments

The Eating Establishment use category consists of establishments primarily engaged in the preparation and serving of food or beverages for on- or off-premises consumption. Use types include: **retail bakeries, wholesale bakeries**, microbreweries, restaurants with indoor or outdoor seating; specialty eating establishment; and similar uses. Accessory uses may include areas for outdoor seating, drive-through service facilities, facilities for live entertainment, and valet parking services.

Bakery, retail

An establishment primarily engaged in the production and retail sale of baked products. Most of the products prepared on site are also sold on site. Accessory uses may include incidental food and beverage sales and service.

Bakery, wholesale

An establishment primarily engaged in the production and wholesaling of baked goods. Accessory uses may include retail sale of baked goods and other incidental food and beverage sales and service.

Microbrewery

A business licensed by the Commonwealth to brew beer or distill spirits that brews no more than 3,000 barrels of beer or distills no more than 5,000 gallons of distilled spirits per

calendar year for sale primarily at a restaurant or retail business on the same premises where the beer is brewed or spirits are distilled.

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82. That Section 24-8406 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-8406. Industrial Use Classification

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D. Warehouse and Freight Movement

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Outdoor storage (as a principal use)

Outdoor storage as a principal use is the keeping, in an open or roofed but unenclosed area, of any goods, material, merchandise, or vehicles in the same place for more than 24 hours, where such storage is the principal use of a lot. **This use includes outdoor storage of shipping containers, truck trailers, or similar storage units for more than 30 days.** This use does not include parking lots, parking structures, self-service storage facilities, warehouses, uses in the Vehicle Sales and Services use category, or uses in the Waste-Related Services use category.

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83. That Section 24-8501 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-8501. Accessory Uses, Temporary Uses, and Other Terms

The following terms will have the meanings assigned below.

• • • •

Conservation and Agricultural districts

The C-1, ~~and A-1,~~ **and A-2** districts.

• • • •

Demolition waste

Solid waste produced by the destruction of structures and their foundations. Demolition waste includes the same materials as construction waste.

Designated Transit Area

For the purpose of parking requirements, see Sec. 24-5110 footnote 4 and § 15.2-2209.4 of the Code of Virginia.

Developer

Any person who is responsible for development as defined in this section.

• • • •

Family day home

~~A private dwelling where care is provided as an accessory use for up to 12 children, exclusive of the provider's own children and any children who reside in the home. A small family day home provides care for five or fewer children, and a large family day home provides care for six to 12 children.~~

• • • •

Hard-surfaced

Having a surface made of asphalt, concrete, brick, stone pavers, or an equivalent hard, dustless, and bonded material.

Home-based childcare

A private dwelling where care is provided as an accessory use for up to 12 children, exclusive of the provider's own children and any children who reside in the home. A small home-based childcare provides care for five or fewer children, and a large home-based childcare provides care for six to 12 children.

Home garden

An on-site garden planted by an owner or occupant of a dwelling unit.

• • • •

Outdoor seating and food preparation (as accessory to an Eating Establishments use)

The provision of on-site seating and food preparation areas, other than in a building, by an eating establishment where food or beverages are served for consumption **or where an ABC license allows service or consumption of alcoholic beverages**. The accessory use also may include outdoor seating areas on public sidewalks in front of the establishment.

• • • •

Parking space

A space that is designated for the temporary storage of one motor vehicle. **Unless the context clearly indicates on-street parking, a parking space is** located outside of a dedicated street right-of-way, vehicular travel way, or parking lot aisle.

• • • •

Street

A dedicated public thoroughfare **maintained by the County or VDOT, or a private street approved by a plan of development or site plan**, which affords the principal means of access to abutting property, including road, highway, drive, lane, avenue, place, boulevard, or any other thoroughfare. This definition does not include an alley or any public right-of-way less than 30 feet in width.

• • • •

Temporary use permit

See Sec. 24-2312, Temporary Use Permit.

Temporary wireless communication support structure

A temporary wireless communication support structure is a monopole or portable wireless communications facility used to provide wireless voice, data, or image transmission within a designated area. A temporary wireless communication support structure does not have a permanent location on the ground, including the pouring of a concrete footing or the laying of a permanent foundation.

Text amendment

See Sec. 24-2302, Text Amendment.

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84. That this ordinance will be effective on and after July 1, 2026.

85. That the Zoning Districts Map is amended as shown on the attached map to rezone certain properties to the A-2 Agricultural District.

86. If any provision of this Ordinance is determined by a court to be invalid, such determination will not affect the validity of the remaining provisions of this Ordinance.