

ORDINANCE NO. 1324

APPROVED BY THE BOARD OF SUPERVISORS: June 25, 2024

ORDINANCE — To Amend and Reordain Section 24-4205 Titled “Principal Use Table,” Section 24-4321 Titled “Commercial Uses: Recreation and Entertainment, Indoor,” Section 24-5110 Titled “Minimum Number of Off-Street Parking Spaces,” Section 24-5508 Titled “Crime Prevention Through Environmental Design,” and Section 24-8405 Titled “Commercial Use Classification” of the Code of the County of Henrico to Add “Historical Horse Racing” as a Regulated Use Type and Allow “Historical Horse Racing” by Provisional Use Permit in the CMU, O-3, B-1, B-2, B-3, M-1, M-2, and M-3 Districts and the Mixed-use Corridor, Mixed-use Core, Walkable Corridor, Walkable Center, and Highway Edge Development Areas of the Form-Based Alternative Overlay Districts, and Subject to an Approved PD Master Plan and PD Terms and Conditions in the SMX-PD, UMU-PD, and LI-PD Districts

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

1. That Section 24-4205 of the Code of the County of Henrico be amended as follows, solely to add historical horse racing as a use type in the Recreation and Entertainment, Indoor, use category allowed by provisional use permit or approved PD Master Plan and PD Terms and Conditions, as applicable, in certain districts, and reordained accordingly:

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
- =Prohibited | **A**=Allowed subject to an approved PD Master Plan and PD Terms and Conditions Document

Use Category	Use Type	C&A		Residential												Nonresidential & Mixed-Use							PD			FBA-O Dev. Area					Use-Specific Standards									
Click on category to jump to definitions		C-1	A-1	R-0	R-0A	R-1	R-1A	R-2	R-2A	R-3	R-3A	R-4	R-4A	R-5A	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 section number to jump to regulations
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Recreation and Entertainment, Indoor	Historical Horse Racing	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 24-4321.C			
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2. That Section 24-4321 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4321. Commercial Uses: Recreation and Entertainment, Indoor

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C. Historical Horse Racing

Any establishment offering historical horse racing terminals must not be located within 2,000 feet of a school, park, playground, religious institution, or another gambling-related use.

3. That Section 24-5110 of the Code of the County of Henrico be amended as follows, solely to provide minimum off-street parking for historical horse racing as a principal use type in the Recreation and Entertainment, Indoor, principal use category, and reordained accordingly:

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

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Table 5110: Minimum Number of Off-Street Parking Spaces		
Principal Use Category	Principal Use Type	Minimum Off-Street Parking Spaces ^[1, 2]
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Recreation and Entertainment, Indoor	Historical Horse Racing	5.0 per 1,000 sf
••••		

4. That Section 24-5508 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5508. Crime Prevention Through Environmental Design

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B. Specific Uses Requiring a CPTED Plan

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4. Gambling-related uses, including charitable gaming, historical horse racing, off-track betting, and skill games;

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

Sec. 24-8405. Commercial Use Classification

••••

F. Recreation and Entertainment, Indoor

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Arcade

An establishment offering to patrons the use of three or more machines or devices, such as video games or pin-ball machines, operated by means of the insertion of a coin, token or similar object, for the purpose of gaming, amusement, and skill. This does not include vending machines, gambling or lottery-type machines, historical horse racing terminals, or adult uses.

Historical Horse Racing

A form of horse racing that creates pari-mutuel pools from wagers placed on previously conducted horse races as authorized and regulated by the Virginia Racing Commission under Title 11, Agency 10, Chapter 47 of the Virginia Administrative Code.

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6. That this ordinance will be in full force and effect on and after its passage as provided by law.