



# Vinton Zoning Revisions Framework

Proposed Revisions to the Town of Vinton Zoning Ordinance - 11/16/18

# Vinton Zoning Revisions Framework

11/16/18



## Contents

Introduction.....	3
Current Zoning Framework .....	0
Framework of Amendments.....	1
Proposed Amendments.....	2
Article IV – DISTRICT REGULATIONS .....	2
DIVISION 3. - R-2 RESIDENTIAL DISTRICT .....	2
Division 4. - R-3 RESIDENTIAL DISTRICT .....	3
DIVISION 5. - R-B RESIDENTIAL-BUSINESS DISTRICT.....	3
DIVISION 6. - GB GENERAL BUSINESS DISTRICT.....	4
DIVISION 7. - CB CENTRAL BUSINESS DISTRICT .....	5

Article V – SUPPLEMENTARY REGULATIONS .....	7
DIVISION 3. - SUPPLEMENTARY YARD AND HEIGHT REGULATIONS.....	7
DIVISION 6. - OFF-STREET PARKING REQUIREMENTS .....	14
APPENDIX A - SUBDIVISIONS .....	19
Sec. 2. – Definitions. .....	19
Sec. 3. – General requirements for subdivision of land. ....	20
Sec. 13 – Improvements .....	21
Conclusion and Implementation .....	23

## Introduction

The following report proposes a general framework for the reorganization of the Town of Vinton's Zoning and Subdivision Ordinances. It is based on an extensive review of the Town's ordinances conducted jointly by Town staff and the Charlottesville-based consulting firm EPR-PC. Virginia's Office of Intermodal Planning and Investment (OIPI) supported the work through its Urban Development Areas Technical Assistance grant program. The program helps local governments, such as Vinton, designate and plan for Urban Development Areas (UDAs). UDAs are places that embody the principles of traditional neighborhood development, such as compact and pedestrian friendly design, interconnected streets and blocks, and a diversity of land uses. OIPI provided a technical assistance grant to the Town of Vinton in 2016 to establish UDAs.

UDAs are identified in a local government's comprehensive plan. The act of establishing a UDA is an expression of intent to create places with the characteristics of traditional neighborhood development (TND). Local governments often must also change their rules governing development, such as zoning and subdivision ordinances, to make these places a reality over time. Therefore, Vinton applied for a second technical assistance grant in 2017 and received assistance from the firms Rhodeside and Harwell and EPR-PC to develop new guidelines and rules that will help the Town implement the intent of the UDA designation.

EPR-PC collaborated with Town and RVARC staff to conduct a Zoning and Subdivision Ordinance assessment and develop recommended improvements. The consulting team assessed the ordinances with two major themes as guidance:

1. Make the code more user friendly.
2. Incorporate principles of traditional neighborhood design.

The former entailed looking for opportunities in the code to make the structure more logical and intuitive, use clear language, create internal consistency, update the definitions, and streamline procedures.

The latter entailed looking for opportunities in the code to improve parking requirements, create more opportunities for walking and bicycling, increase open space, improve form and design standards, create incentives and remove disincentives for traditional neighborhood development, and allow for a more diverse and mixed set of land uses.

These principles were affirmed by an Advisory Committee appointed by the Town for the purposes of this project. The public had an opportunity to review and give input during a public meeting on April 30, 2018.

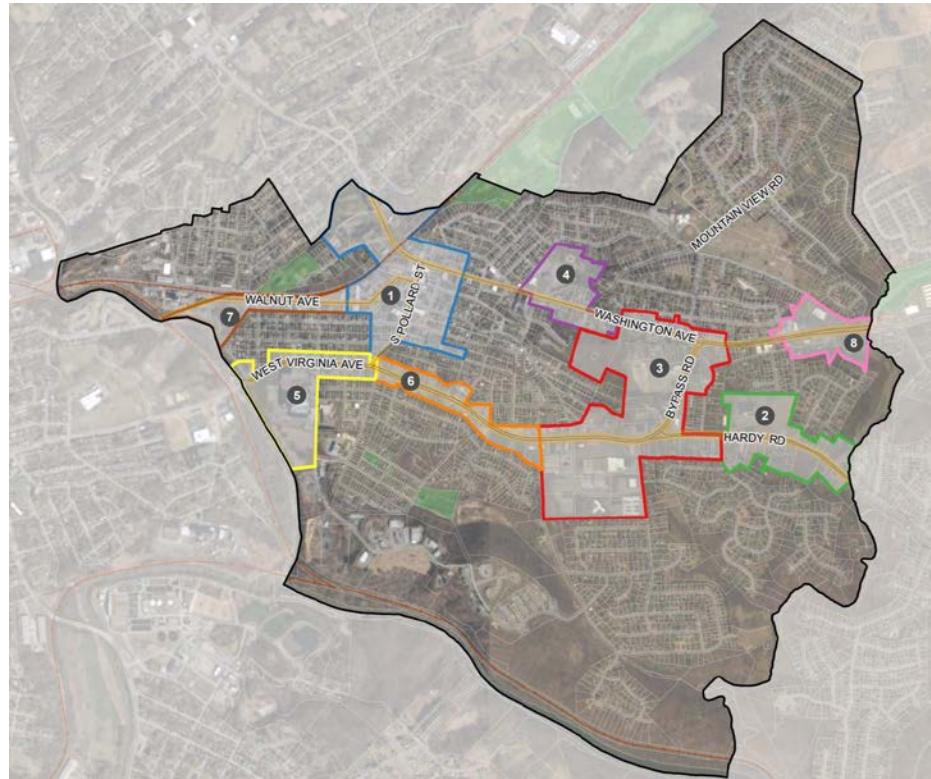


Figure 1 - Adopted Vinton Urban Development Areas

## Current Zoning Framework

The chart below illustrates the existing zoning and subdivision code structure. One overarching recommendation arising from the consulting team's assessment is to place all development standards in a separate article (e.g. parking, loading, landscaping, screening, etc.). As presently structured these critical rules are mostly found in Article 5, which covers a wide range of items. However, this recommendation would require considerable reorganization of the Code structure and has not been shown in the following recommendations – it remains a long term recommendation for follow up by Town or RVARC staff.

**Table 1. Existing Zoning and Subdivision Ordinance Structure**

VINTON ZONING ORDINANCE STRUCTURE		VINTON SUBDIVISION ORDINANCE STRUCTURE																										
1. Title, Authority, Purpose		1. Purpose and Intent																										
2. Districts and District Map		2. Definitions																										
3. General Provisions		3. General requirements for subdivision of land																										
4. District Regulations		4. Plats; Procedure for Preparation and Filing																										
<table><tr><td>RLD</td><td>Residential Low Density</td></tr><tr><td>R-1</td><td>Residential</td></tr><tr><td>R-2</td><td>Residential</td></tr><tr><td>R-3</td><td>Residential</td></tr><tr><td>R-B</td><td>Residential Business</td></tr><tr><td>GB</td><td>General Business</td></tr><tr><td>CB</td><td>Central Business</td></tr><tr><td>M-1</td><td>Limited Industrial</td></tr><tr><td>M-2</td><td>General Industrial</td></tr><tr><td>PD</td><td>Planned Development</td></tr><tr><td>P/OS</td><td>Public Open Space</td></tr><tr><td>FO</td><td>Floodplain Overlay</td></tr><tr><td>MUD</td><td>Mixed Use Development</td></tr></table>		RLD	Residential Low Density	R-1	Residential	R-2	Residential	R-3	Residential	R-B	Residential Business	GB	General Business	CB	Central Business	M-1	Limited Industrial	M-2	General Industrial	PD	Planned Development	P/OS	Public Open Space	FO	Floodplain Overlay	MUD	Mixed Use Development	5. Preliminary Plats
RLD	Residential Low Density																											
R-1	Residential																											
R-2	Residential																											
R-3	Residential																											
R-B	Residential Business																											
GB	General Business																											
CB	Central Business																											
M-1	Limited Industrial																											
M-2	General Industrial																											
PD	Planned Development																											
P/OS	Public Open Space																											
FO	Floodplain Overlay																											
MUD	Mixed Use Development																											
5. Supplementary Regulations		6. Final Plats																										
<table><tr><td>1. Applicability</td></tr><tr><td>2. Buildings and Lots</td></tr><tr><td>3. Supplementary Yard and Height Regulations</td></tr><tr><td>4. Accessory Buildings and Temporary Buildings</td></tr><tr><td>5. Miscellaneous Provisions</td></tr><tr><td>6. Off Street Parking Requirements</td></tr><tr><td>7. Sign Regulations</td></tr><tr><td>8. Adult Uses</td></tr><tr><td>9. Telecommunications Facilities</td></tr></table>		1. Applicability	2. Buildings and Lots	3. Supplementary Yard and Height Regulations	4. Accessory Buildings and Temporary Buildings	5. Miscellaneous Provisions	6. Off Street Parking Requirements	7. Sign Regulations	8. Adult Uses	9. Telecommunications Facilities	7. Recordation																	
1. Applicability																												
2. Buildings and Lots																												
3. Supplementary Yard and Height Regulations																												
4. Accessory Buildings and Temporary Buildings																												
5. Miscellaneous Provisions																												
6. Off Street Parking Requirements																												
7. Sign Regulations																												
8. Adult Uses																												
9. Telecommunications Facilities																												
6. Nonconforming Uses, Features, Structures & Lots		8. Selling or transferring Lots or Parcels of Land																										
7. Administration and Enforcement		9. Issuance of permits, grading & installation of Improvements																										
8. Amendments		10. Inspection prior approval of plat																										
9. Board of Zoning Appeals		11. Vacation of Plats																										
10. Definitions		12. Street names and house numbering.																										
		13. Improvements																										
		14. Inspection																										
		15. Agreement and bond of a subdivider.																										
		16. Certificates of approval																										
		17. Violations																										
		18. Penalty																										

## Framework of Amendments

The chart below illustrates where changes to the ordinances are proposed. The recommendations are targeted to a few key sections of the ordinance including the residential and business standards, mixed use development standards, yard and height regulations, and off-street parking requirements. The subdivision code recommendations are focused on the definitions and general requirements for the subdivision of land.

<b>Table 2. Location of Proposed Amendments</b>		
<b>VINTON ZONING ORDINANCE STRUCTURE</b>		
1. Title, Authority, Purpose		1. Purpose and Intent
2. Districts and District Map		2. Definitions
3. General Provisions		3. General requirements for subdivision of land
4. District Regulations		4. Plats; Procedure for Preparation and Filing
RLD    Residential Low Density		5. Preliminary Plats
R-1    Residential		6. Final Plats
R-2    Residential		7. Recordation
R-3    Residential		8. Selling or transferring Lots or Parcels of Land
R-B    Residential Business		9. Issuance of permits, grading & installation of Improvements
GB     General Business		10. Inspection prior approval of plat
CB     Central Business		11. Vacation of Plats
M-1    Limited Industrial		12. Street names and house numbering.
M-2    General Industrial		13. Improvements
PD     Planned Development		14. Inspection
P/OS   Public Open Space		15. Agreement and bond of a subdivider.
FO     Floodplain Overlay		16. Certificates of approval
MUD   Mixed Use Development		17. Violations
5. Supplementary Regulations		18. Penalty
1. Applicability		
2. Buildings and Lots		
3. Supplementary Yard and Height Regulations		
4. Accessory Buildings and Temporary Buildings		
5. Miscellaneous Provisions		
6. Off Street Parking Requirements		
7. Sign Regulations		
8. Adult Uses		
9. Telecommunications Facilities		
6. Nonconforming Uses, Features, Structures & Lots		
7. Administration and Enforcement		
8. Amendments		
9. Board of Zoning Appeals		
10. Definitions		

NOTE: Sections proposed for amendments are highlighted in orange.

## Proposed Amendments

This section describes the proposed amendments to the ordinance language. The amendments are organized according to the Code sections, with Article, Division and Section noted. A system of colors of text is used to distinguish existing language from proposed as follows:

- **Text in blue** – Existing sections or language copied directly from the Town Code
- **Text in blue ~~strikethrough~~** – existing code language to be deleted
- **Text in black** – Explanatory language for recommendations and justification
- **Text in red** – proposed new language to be added to the code

### Article IV – DISTRICT REGULATIONS

#### DIVISION 3. - R-2 RESIDENTIAL DISTRICT

##### **Recommendation:**

Add Accessory Dwelling Units as a Special Use (subject to a Special Use Permit).

##### **Justification:**

Allowing accessory dwelling units in R-2, a district which is described as “appropriate for moderate density,” will support downtown businesses by increasing the development potential, and thereby the population, of already built out neighborhoods in the town that are in walking distance of downtown businesses. It will also provide additional flexibility for homeowners in the R-2 district to rent small units on their lots, thereby allowing additional income potential and expanding the range of housing types available in town.

##### **Suggested Amendments:**<sup>1</sup>

###### **Sec. 4-12. - Permitted uses and structures.**

###### **(b) Special Uses**

###### **(8) Accessory dwelling units subject to the following standards:**

An accessory dwelling unit (ADU) shall be accessory only to a single-family detached dwelling, and shall be located on a lot that complies with the minimum area, dimensional, and lot coverage standards of the zoning district in which it is located.

- No more than one ADU shall be located on a lot.
- The property owner shall reside on-site, either in the principal dwelling or in the accessory dwelling unit, during times that the unit is available for rent.
- An ADU shall not exceed 500 square feet in area or 25 percent of the area of the principal dwelling, whichever is less.
- The proposed ADU may contain a garage in the first story for both the principal and accessory dwellings;
- Garage doors that face the street shall be setback a minimum of 40 feet from the front property line;
- First floor areas may be used as garages, limited access and limited storage;
- All façades shall have similar materials and architectural treatment that are balanced with the main building design and exterior elevation;
- One additional unobstructed parking space shall be required for the accessory dwelling unit.
- An ADU shall:
- Have the same street address and mailbox as the principal single-family detached dwelling
- Not be subdivided or otherwise segregated in ownership from the principal single-family detached dwelling.

<sup>1</sup> Will also need to also amend sections dealing with Accessory Structures, such as Sec. 5-3. [More than one main building on a lot]; Sec. 5-8. [Yards for accessory buildings]; Sec. 5-15. [Dwelling use prohibited]; Sec. 10-2. [Words and terms defined].

- Use the same water, sanitary sewer, gas, and electric utilities as the principal dwelling.
- Use the same driveway as the principal dwelling, unless it is accessed from a right-of-way not used by the principal use (e.g., a rear alley or separate street access on a corner or through lot).<sup>2</sup>

**Sec. 4-15. - Height limit.**

(a) Generally. No building or structure in the R-2 residential district shall exceed a height of 35 feet. (See article V for supplementary height regulations.)

(b) Accessory buildings. No accessory building shall exceed the height of the main building on the lot, nor shall any accessory building located within 25 feet of a property line exceed 15 feet in height, except that these requirements do not apply to accessory dwelling units subject to the requirements in Sec. 4-12 (b) Accessory dwelling units.

## Division 4. - R-3 RESIDENTIAL DISTRICT

**Recommendation:**

Remove Lot Coverage requirement and replace it with a special section under Article V Supplemental Regulations that addresses Lot Coverage more comprehensively in multiple districts.

**Justification:**

R-3 is the only district with a Lot Coverage requirement (35% maximum). This standard supports sustainability by allowing for infiltration of rain water and providing more open space. It should be handled comprehensively in multiple districts as a separate set of standards under Article V.

**Suggested Amendments:**

**Sec. 4-21. - Lot coverage:**

~~Lot coverage by all buildings shall not exceed 35 percent~~

## DIVISION 5. - R-B RESIDENTIAL-BUSINESS DISTRICT<sup>3</sup>

**Recommendation:**

Reduce front yard setbacks from 25 ft to 15 ft.

**Justification:**

Most of the R-B zoning is along Washington and Virginia Avenues. There are a number of older homes converted or converting to commercial uses with non-conforming front setbacks smaller than 25 ft. The reduced front setback would bring many of these into conformance. The reduced setback also promotes walkability. Although these corridors are not walkable at this time, future street improvement projects could be implemented to create wider sidewalks, pedestrian amenities and reduced traffic speeds. The 15 ft. front setbacks would allow development closer to the sidewalks while still providing appropriate separation from traffic on the arterial roadways.

---

<sup>2</sup> Note that these development standards could alternatively be located under Article V. Division 4, Accessory Buildings and Temporary Buildings.

<sup>3</sup> In 2008, there was a proposal to add a new District called LB-Limited Business as a transitional district between GB and RB. It proposed a series of more intense uses than RB and was intended for three areas – west and east Virginia Avenue, Washington Avenue and Hardy Road. The LB District was never adopted and is not included in this draft because it is assumed that this proposal is no longer desired.

**Suggested Amendments:**

**Sec. 4-26. - Yard requirements.**

The following yard requirements shall apply in the R-B residential-business district (see article V for supplementary yard regulations):

(a) Front yard. There shall be a front yard of not less than **25 feet 15 feet**.

## DIVISION 6. - GB GENERAL BUSINESS DISTRICT

**Recommendation:**

Add provisions in the GB District that large retail uses (over 30,000 s.f.) would require a Special Use Permit.

**Justification:**

This was initially proposed by Town staff in 2008<sup>4</sup> and is a good general practice to require legislative review and approval of very large and complex development projects.

**Suggested Amendments:**

**Sec. 4-23. - Permitted uses and structures.**

(a) Uses and structures permitted by right. The following uses and structures are permitted by right in the GB general business district, subject to all other applicable requirements of this appendix, provided that any newly constructed or enlarged building containing greater than 30,000 square feet of floor area devoted to retail and related accessory use shall require a special use permit:

(b) Special uses. The following uses and structures are permitted in the GB general business district, subject to approval of a special use permit by the town council as set forth in article VII of this appendix:

**(1.1) Any newly constructed or enlarged building containing greater than 30,000 square feet of floor area devoted to retail and related accessory use**

**Recommendation:**

Remove provisions for screening of parking in the front yard and replace them with more comprehensive parking location and screening standards to be added in Article V.

**Justification:**

Parking location and screening is a significant factor in making streets more visually attractive and walkable. The provisions for parking lot screening should apply more broadly and not just in the G-B District. They should be addressed comprehensively as part of development standards in Article V.

**Suggested Amendments:**

**Sec. 4-31. - Yard requirements.**

The following yard requirements shall apply in the GB general business district (see article V for supplementary yard, transitional yard and screening requirements):

(a) Front yard. There shall be a front yard of not less than 20 feet, provided that areas devoted to the parking or circulation of vehicles shall be separated from public streets by yards of not less than ten feet in depth which shall be graded and landscaped with

---

<sup>4</sup> See Town staff document titled 'Proposed "GB" and "CB" District Amendments, Draft 7-29-08.'

grass, other vegetative ground cover, shrubs, trees or other plant materials in a manner that will prevent erosion, accumulation or spread of dust and collection of surface water or drainage thereof onto adjacent areas<sup>5</sup>

## DIVISION 7. - CB CENTRAL BUSINESS DISTRICT

### Recommendation:

Add provisions in the CB District that large retail uses (over 30,000 s.f.) would require a Special Use Permit (same provision as in GB District, above).

### Justification:

This was initially proposed by Town staff in 2008<sup>6</sup> and is a good general practice to require legislative review and approval of very large and complex development projects.

### Suggested Amendments:

Sec. 4-34. - Permitted uses and structures.

(a) Uses and structures permitted by right. The following uses and structures are permitted by right in the GB general business district, subject to all other applicable requirements of this appendix, provided that any newly constructed or enlarged building containing greater than 30,000 square feet of floor area devoted to retail and related accessory use shall require a special use permit:

(b) Special uses. The following uses and structures are permitted in the GB general business district, subject to approval of a special use permit by the town council as set forth in article VII of this appendix:

(1.1) Any newly constructed or enlarged building containing greater than 30,000 square feet of floor area devoted to retail and related accessory use

### Recommendation:

Change the front yard requirements in Section 4-36 so that the front setback is described as a range, with a minimum and maximum yard requirement. The range is recommended to be a 4 ft. minimum and a 15 ft. maximum.

### Justification:

Front setback ranges are a feature of form-based codes and form standards. The range establishes a maximum setback to ensure that buildings are not set back too far from the sidewalks to ensure street activity and walkability. A minimum setback is also included to establish a practical minimum setback for buildings to allow at least a minimal sidewalk on streets where the vehicular roadway takes up almost the whole of the public right of way.

### Suggested Amendments:

Sec. 4-36. - Yard requirements.

The following yard requirements shall apply in the CB central business district (see article V for supplementary yard, transitional yard and screening requirements):

(a) Front yard. The front yard shall be a minimum of 4 feet and a maximum of 15 feet. No front yard shall be required, provided that areas devoted to the parking or circulation of vehicles shall be separated from public streets by yards of not less than five feet in depth which shall be graded and landscaped with grass, other vegetative ground cover, shrubs, trees or other plant materials in a manner that will prevent erosion, accumulation or spread of dust and collection of surface water or drainage thereof onto adjacent areas.<sup>7</sup>

<sup>5</sup> In the final amendment, a cross reference to the parking location and screening standards to be included in Article V.

<sup>6</sup> See Town staff document titled 'Proposed "GB" and "CB" District Amendments, Draft 7-29-08.'

<sup>7</sup> Note that the whole text of 4-36 (a) has been struck based on the recommendation on parking standards, below.

(b) Side yards. No side yards shall be required, provided that where a side lot line abuts or is situated across an alley from property located in a residential or R-B district, transitional yard and screening requirements as specified in article V of this appendix shall be met.

(c) Rear yard. No rear yard shall be required, provided that where a rear lot line abuts or is situated across an alley from property located in a residential or R-B district, transitional yard and screening requirements as specified in article V of this appendix shall be met.

**Recommendation:**

Remove provisions for parking and driving aisles in Sections 4-36 and 4-37 and replace them with more comprehensive parking location and screening standards to be added in Article V.

**Justification:**

Parking location and screening is a significant factor in making streets more visually attractive and walkable. The provisions for parking lot location and screening should apply more comprehensively as part of development standards in Article V. This is a user-friendly enhancement, to consolidate parking and driveway standards in one location in the ordinance.

**Suggested Amendments:**

**Sec. 4-37. Requirements for areas devoted to vehicle parking or circulation.**

(a) ~~Location of parking and circulation areas. Areas devoted to the parking or circulation of vehicles shall not be located between the main building on a lot and the street line, nor shall such areas be located closer to the street than the main building on the lot. On a lot having more than one street frontage, the provisions of this paragraph shall apply only along the principal street frontage of the lot as defined in article X of this appendix.~~

(b) ~~Driveways from streets. No driveway intersecting a street which constitutes the principal street frontage of a lot shall be permitted when other street frontage or alley access is available to serve such lot. For purposes of this provision, principal street frontage shall be as defined in article X of this appendix.~~

(c) ~~Lighting. Parking areas and parking lots containing five or more spaces and available for use by the general public shall be provided with lighting during the nondaylight hours when such parking areas and parking lots are in use. Such lighting shall be designed and installed so as to concentrate illumination within the parking area or parking lot and to prevent glare on adjoining properties and streets. The level of illumination and means of providing such lighting shall be in accordance with policies established by the zoning administrator and applied in conjunction with the site plan review process.~~

(d) ~~Other improvement requirements. In addition to the provisions of this section, areas devoted to the parking and circulation of vehicles shall be subject to the applicable general requirements for improvement of parking areas and parking lots as set forth in article V of this appendix.~~

(e) ~~A variance from the provisions of this section may be permitted by the zoning administrator, when strict adherence to such provisions would result in substantial injustice or hardship. An appeal from the decision of the zoning administrator may be taken to the board of zoning appeals in accordance with section 9-7 of this appendix.~~ <sup>8</sup>

**Recommendation:**

Increase the height limit in the CB District from 35 ft to 45 ft.

**Justification:**

Revitalizing the downtown commercial core is a Town priority and increasing the height limit will allow greater density, particularly for new mixed use project types, such as apartments located above retail space. The 45 ft height limit will allow buildings up to 4 stories high, which can support more density while still maintaining a walkable, storefront architectural character.

---

<sup>8</sup> In the final amendment, a cross reference to the parking location and screening standards to be included in Article V.

Suggested Amendments:

**Sec. 4-38. - Height limit.**

No building or structure in the CB central business district shall exceed a height of 35 feet **45 feet**. (See article V for supplementary height regulations.)

## Article V – SUPPLEMENTARY REGULATIONS

### DIVISION 3. - SUPPLEMENTARY YARD AND HEIGHT REGULATIONS

Recommendation:

Section 5-12, that deals with Transitional yard and screening requirements, should be more comprehensively structured to encompass two new sections – one section on landscaping requirements and one section on buffering and screening requirements. This restructuring will not only clarify and enhance the landscaping requirements in the Town, it will make the ordinance more user-friendly through tables that clearly define the specific buffer widths and screening/landscaping requirements for each use.

In addition, it is recommended that landscaping requirements be structured as “equivalent planting units,” which will give much more flexibility to property owners on how to meet the requirements, as well as facilitate easier staff review of development proposals. The proposed new sections are added below.

Justification:

The Town has a few requirements for landscaping and screening scattered in various sections but mostly concentrated in Section 5-12. The following proposal calls for the Town to implement performance-based standards for these screening and buffering categories, particularly between residential and nonresidential uses. Performance-based perimeter buffers between incompatible uses specify a varying minimum level of acceptable landscaping and screening will allow landowners in different contexts a variety of ways to achieve the desired screening/buffering. For example, on tight lots, these can be achieved through more opaque screening techniques than on larger lots with wider buffers and less screening.

Modern landscape codes also incorporate a great deal more flexibility in meeting requirements through equivalent planting performance standards that give flexibility to landowners based on nursery stock availability and site conditions. In general, a performance-based approach to landscaping and buffering/screening will be easier for property owners to work with and easier to administer for Town staff in the long term.

Suggested Amendments:

**Sec. 5-12. Transitional yard and screening requirements.**

**(a) Transitional yard requirements.** Transitional yards shall be provided and maintained in accordance with the requirements of this section.

**(1) Location and depth.** A transitional yard shall be provided in any case where a side rear lot line of a lot abuts or is situated across an alley from property located in a district of lower intensity as shown on the following table. The transitional yard shall be provided on the lot in the higher intensity district, and shall have a depth not less than shown on the table.

Higher Intensity District	Lower Intensity District	Minimum Yard (in feet)

GB or CB	R-LD, R-1, R-2 or R-3	25
GB or CB	R-B	15
M-1 or M-2	R-LD, R-1, R-2 or R-3	50
M-1 or M-2	R-B, GB or CB	25

*(2) Use of transitional yards.* Transitional yards shall be devoted exclusively to screening, landscaping or retention of natural vegetation. No building, structure, parking area, loading area or outside storage, display or servicing of materials, products, equipment or supplies or area for collection of trash shall be located within any transitional yard. Driveways may be permitted to cross transitional yards only where approved by the zoning administrator and deemed necessary for purposes of public safety or providing emergency access to a building.

*(3) Transitional yard option.* A required transitional yard located between any combination of R-B, GB, CB, M-1, or M-2 districts may be reduced by not more than 50 percent of the depth shown on the table in paragraph (1) [subsection (a)(1)] when all buildings and structures comply with the full depth transitional yard shown on the table and solid structural screening is provided within the reduced transitional yard.

*(b) Screening requirements.* Screening as described in this section shall be provided and maintained within every required transitional yard and at such other locations as may be required elsewhere in this appendix.

*(1) General requirements.* Required screening shall be not less than six feet in height, shall be visually opaque, shall be continuous and shall consist of solid structural fences or walls, evergreen vegetative material or combinations thereof. Landscaped earth berms with slopes not exceeding two feet horizontal for each one foot vertical may be used in conjunction with structural or vegetative material to provide required screening.

*(2) Structural screening.* Structural screening shall consist of solid masonry walls, uniformly painted or stained wood fences or combinations thereof. Chainlink, wire mesh or similar fence material shall not be permitted for required screening purposes.

*(3) Evergreen vegetative screening.* Vegetative material shall consist of evergreen shrubs or evergreen trees of such species, size, shape and spacing as will provide effective visual screening in accordance with the requirements of this section. Where necessary to provide the required screening effect, materials shall be planted in double staggered rows. All materials shall be in good health at the time of planting and shall be maintained, or replaced as necessary, in a manner that continues to comply with the requirements of this section. With the approval of the zoning administrator, evergreen shrubbery may be not less than four feet in height at the time of planting, if the species can reasonably be expected to grow to at least six feet in height at maturity.

## Section 5-12 Landscaping Standards<sup>9</sup>

<sup>9</sup> This proposed new section introduces new landscaping standards to enhance the Town's aesthetic and environmental context. Included are standards for frontage plantings for most land uses, as well as parking lot standards. It also introduces a degree of flexibility through Equivalent Planting Units and Alternative Landscape Plans to allow different ways of meeting the standards.

(a) *Purpose.* The purpose of this section is to provide for landscape planting. Landscaping standards are intended to:

- (1) Promote public health and safety and promote resilience;
- (2) Prevent soil erosion and conserve natural resources;
- (3) Provide shade;
- (4) Conserve natural resources; and
- (5) Enhance the overall appearance of development sites.

(b) *Applicability.* All of the following types of development shall comply with the standards in this section:

- (1) The following types of new development:

- i. Single-family detached dwellings;
- ii. Two-family dwellings;
- iii. Townhouse dwellings;
- iv. Multi-family dwellings;
- v. Mixed-use development; and
- vi. Non-residential development.

(2) Any individual expansion or alteration of a use listed in subsection (1), above, if the expansion increases the building's floor area by 50 percent or more, or if the alteration involves 50 percent or more of the building's floor area (including interior alterations).

(3) No Certificate of Occupancy for development subject to the requirements of this section shall be issued by the Building Official until the applicant has installed landscaping in accordance with the landscaping plan approved in accordance with the requirements of this section.

(c) *Landscaping Plan.* A landscaping plan shall be submitted with an application for any development subject to the requirements of this section. The plan shall depict how the proposed development complies with the standards of this section.

(1) *Landscaping Plan Preparation.* A landscaping plan, when required through site plan review, shall be prepared by a Virginia Licensed Landscape Architect, Virginia Certified Landscape Designer, or a Certified Horticulturist or Arborist.

Proposed landscaping shall be indicated on the landscaping plan. A table showing the calculations for all required Equivalent Planting Units (EPUs) as required by this section and the EPUs provided.

(d) *Equivalent Planting Units.* In order to allow for diversity of design, flexibility of plantings when site constraints prohibit a prescribed landscape design, and to provide credit for existing trees preserved on site, all development shall meet the required landscape standards by planting according to the following EPU calculations.

Equivalent planting units (EPUs) provide for flexibility in planting material. EPUs are credited for new planting and existing vegetation in accordance with the table below.

EQUIVALENT PLANTING UNITS				
LANDSCAPING MATERIAL (1), (2)	NEW TREES AND SHRUBS	EXISTING HEALTHY TREES AND SHRUBS		
	EQUIVALENT PLANTING MATERIAL	6-12 inch DBH	12-24 INCH DBH	Over 24 inch DBH
		EQUIVALENT PLANTING UNITS	EQUIVALENT PLANTING UNITS	EQUIVALENT PLANTING UNITS
Large Tree	5	N/A	N/A	32
Medium Tree	4	N/A	12	N/A
Small Tree	3	4	N/A	N/A

Large Shrub	2	2	N/A	N/A
Medium Shrub	1	1	N/A	N/A
Small Shrub	1	1	N/A	N/A

Notes: DBH = Diameter at Breast Height

(1) See Table below, Minimum Tree and Shrub Size.

(2) Existing shrubs less than six inches DBH shall be credited 1 EPU.

(e) *Minimum tree and shrub size.* New and existing tree and shrub types shall be defined by the height, caliper, and diameter at breast height per the Table below, Minimum Tree and Shrub Size.

MINIMUM TREE AND SHRUB SIZE				
LANDSCAPING MATERIAL	MINIMUM SIZE AT TIME OF PLANTING		SIZE AT MATURITY	
	HEIGHT	CALIPER	HEIGHT	DBH
Large Tree	9 ft.	2.5 in.	20+ ft.	24+ in.
Medium Tree	8 ft.	2.5 in.	15-20 ft.	12-24 in.
Small Tree	6 ft.	2.5 in.	10-15 ft.	6-12 in.
Large Shrub	3 ft.	N/A	4 ft.	N/A
Medium Shrub	1.5 ft.	N/A	2-4 ft.	N/A
Small Shrub	1 ft.	N/A	1-2 ft.	N/A

Notes: DBH = Diameter at Breast Height; in. = inches; ft. = feet

Landscaping material must meet both height and caliper minimums to qualify in a category shown in the table.

(f) *Landscaping Standards.* All development subject to the requirements of this section shall comply with the following standards.

(1) **Front and Side Yard Planting Requirements.** All front yards and all side yards adjacent to the street shall include the following landscaping.

- i. Trees and shrubs shall be provided in accordance with the table below, Landscaping Installation and Tree Canopy Standards.
- ii. Tree planting standards in the Landscaping Installation and Tree Canopy Standards table may be satisfied with existing or planted healthy trees, at maturity, or a combination of both. Tree canopy is defined as the area within a lot that is under tree foliage, only including trees that comply with the Minimum Tree and Shrub Size table, above.
- iii. Building facades fronting on a public right-of-way (ROW) or other public space shall provide a foundation planting in accordance with the table below, Landscaping Installation and Tree Canopy Standards. The foundation planting shall be continuous, except as needed for stairs, sidewalks, or building entrances. Foundation plantings shall also comply with the following: Foundation plantings shall be located no further than 20 feet from a building façade but not within any other landscaping area required by this section (this shall include front facades of buildings located on flag lots); and in the case of additions to existing structures, the facades of both the addition and the existing structure shall include foundation plantings.

LANDSCAPING INSTALLATION AND TREE CANOPY STANDARDS	
LOCATION AND USES	FRONT/CORNER SIDE YARD PLANTING REQUIREMENTS FOR EACH 25 FEET OF LOT FRONTAGE (1) (2) (3)
Multi-family dwellings	Minimum 3-foot foundation planting strip -and- 8 EPUs if 0 - 5 ft. foundation setback
Mixed-use and non-residential development	15 EPUs, including 1 tree if 6-10 ft. foundation setback 25 EPUs, including 1 tree if 11-25 ft. foundation setback

	30 EPUs, including 2 trees if >25 ft. foundation setback
Townhouse dwellings	Minimum 3-foot foundation planting strip -and-
Two family dwellings	1 small, medium, or large tree per dwelling unit
Single Family dwellings	

Notes: ft. = feet EPU = Equivalent planting unit  
 (1) Calculation of planting requirements shall include equivalent fractions of lot frontage between 25 foot increments.  
 (2) Standards for Equivalent Planting Units (EPUs) are established in Section 5.2.5, Equivalent Planting Units.  
 (3) For purposes of this table, setback shall be defined as the distance between the foundation and the lot line.

**(2) Parking Lot Planting Standards.**

**i. Parking Lot Interior Areas.** Parking lots with ten or more spaces shall include one or more interior landscaping islands. Planting areas shall comply with the following standards:

1. Landscaping shall be provided so that all motor vehicle parking spaces are located no more than 50 feet from a tree located within an interior landscaping island. Trees located outside of interior landscaping islands but within eight feet of the parking lot may be utilized for this purpose.
2. Interior landscaping islands shall be no less than 144 square feet in area with a minimum planting area width of eight feet.
3. For double-stacked parking aisles, interior landscaping islands shall be no less than 288 square feet with a minimum planting area width of eight feet.
4. Interior landscaping islands shall be planted with no less than one large tree, or a medium size tree if the landscaping island is used as a stormwater management facility. In addition, shrubs equaling no less than three equivalent planting units (EPUs) shall be planted for each 144 square feet of interior landscaping islands.
5. Shrubs and hedges shall not exceed three feet in height at maturity and shall be located so that vegetation is clear from vehicles and wheel stops.

**ii. Parking Lot Perimeter Areas.** Parking lots with four or more spaces shall comply with the following parking lot perimeter standards:

**1. For parking lot perimeter areas adjacent to another lot:**

- a. A perimeter landscaping area not less than six feet in width shall be located between the parking lot (or any paved surfaces) and abutting property lines;
- b. Each perimeter landscaping area shall be planted with at least one large tree. Perimeter landscaping areas shall be planted with a minimum of 15 EPUs for each 25 linear feet of parking lot area; and
- c. Where a parking lot abuts a Residential zoning district, the requirements of Section 5-13, Buffering and Screening, shall apply, except all landscaping shall be evergreen and any wall shall be constructed of a masonry material that is compatible with the primary structure on the lot.

**2. For parking lot perimeter areas adjacent to a public right-of-way:**

- a. A perimeter landscaping area a minimum of ten feet in depth (exclusive of sidewalks or other walkways) shall be located between the parking lot and the property line.
- b. Trees shall be provided so that required perimeter landscape planting areas contain a minimum of five EPUs for each 25 linear feet of parking area;

- c. In addition to trees required in subsection b., above, perimeter landscaping planting shall consist of shrubs equaling a minimum of ten EPUs for each 25 feet of parking lot perimeter;
- d. Evergreen shrubs are preferred; however deciduous shrubs, decorative grasses, and/or perennials may be planted when their usage fulfills the screening standards and enhances the aesthetic quality of the planting design;
- e. Shrubs shall be medium or large shrubs; and
- f. To ensure that landscaping materials do not constitute a driving hazard, sight distance triangles shall be established at driveways and street intersections, as per Section 5.11.

**(g) *Landscaping Design.***

- (1) Trees and other plant materials may be planted in appropriate clusters or groups and need not be planted in linear or equidistant patterns, in the landscaping areas. Trees shall be spaced a minimum of four feet from the edge of pavement or back of curb. Shrubs planted along sidewalks shall be spaced so that at maturity they do not encroach upon the sidewalk.
- (2) Trees and other plant materials shall be mulched with a minimum of two inches of bark mulch or other material commonly used for that purpose.

**(h) *Landscaping Materials.* Landscaping materials shall comply with the following standards at the time of planting.**

- (1) Plant materials shall be deemed suitable for use in planting by the Zoning Administrator.
- (2) Trees and shrubs planted to comply with the requirements of this section shall be healthy and free of any defects and shall comply with minimum sizes set forth in the table above, Minimum Tree and Shrub Size.
- (3) When multi-stem trees are used, the sum total caliper of the stems shall meet or exceed the minimum caliper required in the table above, Minimum Tree and Shrub Size.
- (4) Small trees shall only be used in locations that are constrained by overhead utilities or other site constraints that prohibit the use of large or medium trees.
- (4) All plant materials shall comply with the minimum specifications and standards described in the current edition of American Standard for Nursery Stock. All plant sizes and growth habits shall be based on the current edition of the Manual of Woody Landscape Plants.
- (5) Plant materials shall not be acceptable if more 15 percent of the plant is damaged, stressed, or dead.

**(i) *Credit toward other Standards.* Landscaping areas and associated vegetation within such areas may be credited toward compliance with the Buffering and Screening Standards in Section 5.13, below.**

**(j) *Alternative Landscaping Plan.* An alternative landscaping plan may be submitted to, and approved by, the Zoning Administrator (ZA) if strict compliance with the standards in this section is impractical. In determining whether the alternative landscaping plan shall be approved, the ZA shall consider whether:**

- (1) The site involves space limitations or is an unusually shaped lot;
- (2) Existing buildings are maintained;
- (3) Topography, soil, vegetation, or other physical conditions of the lot are such that full compliance is impossible or impractical;
- (4) Compliance with landscaping standards would endanger public safety;
- (5) Impact on the environmental quality of the lot and surrounding area will be improved with the proposed alternative landscaping plan; or
- (6) Strict compliance with landscaping standards is not practical.

(k) **Maintenance.** Planting materials required by this Ordinance shall be maintained in perpetuity. The land owners and the land owner's agents shall be responsible for providing, protecting, and maintaining all landscaping in a healthy and growing condition, replacing dead or damaged vegetation, and keeping all landscaping areas free of refuse and debris.

### Section 5-13 Buffering and Screening Standards<sup>10</sup>

(a) **Purpose.** Perimeter buffering and screening provides spacing and landscaping between proposed development and adjoining land or streets, in order to:

- (1) Mitigate potential negative impacts from development on adjoining lands;
- (2) Provide a transition between private lands and the public realm;
- (3) Create an attractive edge along the street for motorists and pedestrians; and
- (4) Improve stormwater infiltration in certain locations.

(b) **Applicability.** All of the following types of development shall comply with the standards in this section:

- (1) Two-family dwellings;
- (2) Townhouse dwellings;
- (3) Multi-family dwellings;
- (4) Mixed-use development; and
- (5) Non-residential development.

Any change to a use listed in subsections (1) through (5), above, shall comply with this section to the maximum extent practicable.

#### (c) Perimeter Buffer Standards

##### (1) Buffer Yard Standards.

i. When development subject to the requirements of this section is in a zoning district adjacent to a different zoning district, the buffer yard requirement of adjacent zoning district as established in the table below, Type of Required Buffer Yard. The left-hand column of the table identifies the zoning district in which the development subject to the requirements of this section is located. The adjacent zoning district(s) that require buffer yards, and the types of buffer yards to be provided, are identified in the columns adjacent to the zoning district. For example, a Type A buffer yard is required if development subject to the requirements of this section is located within the GB zoning district abutting land located within the R3 zoning district.

Plantings shall be installed in accordance with the table below, Standards for Buffer Yard Type.

TYPE OF REQUIRED BUFFER YARD		
ZONING DISTRICT	ABUTTING ZONING DISTRICT	
	R-LD, R-1, R-2 or R-3	RB
RB	A	N/A
GB or CB	B	A
M-1 or M-2	C	C

Note: Buffer Yard Types are defined in the Table, Standards for Buffer Yard Type, below

<sup>10</sup> This proposed new section replaces Sec. 5-12, Transitional yard and screening requirements with a new, more comprehensive set of buffering and screening requirements that are linked to the Landscaping Standards in the prior section.

STANDARDS FOR BUFFER YARD TYPE (1)					
BUFFER YARD TYPE	MINIMUM WIDTH	MINIMUM EPU'S	LARGE OR MEDIUM TREES	MEDIUM OR SMALL SHRUBS	FENCES OR WALLS (2)
A	6 ft.	10	1	5	N/A
B	12 ft.	15	2	15	6-8 ft.
C	25 ft.	35	3	20	6-8 ft.

**Notes:**  
(1) Requirements are for each 25 feet or less of lot width.  
(2) Fence or wall type shall be opaque.

ii. No active recreation area, storage of materials, parking, or structures, except necessary utility equipment, shall be located within the buffer yard.

iii. For parking areas, a system of wheel stops and curbs shall be located along the edge of all buffer yards.

#### (2) Fences and Walls

Where required by the Type of Required Buffer Yard table, above, fences and walls shall be constructed with any of the following materials:

- i. Masonry or stone;
- ii. Ornamental iron or faux iron (made of aluminum);
- iii. Painted wood, pressure treated wood, or rot-resistant wood such as cedar, cypress, or teak;
- iv. Composite materials designed to appear as wood, metal, or masonry;
- v. Chain link; or
- vi. Walls clad with substrate material intended to support living vegetation.

(d) *Credit toward other Standards.* Buffer yard areas and associated vegetation within such areas may be credited toward compliance with the Landscaping Standards in Section 5.12, above.

## DIVISION 6. - OFF-STREET PARKING REQUIREMENTS

### Recommendation:

Section 5-30, that deals with Off-Street Parking should be selectively revised to modernize and update the parking standards. Outdated ways of calculating parking by number of employees or number of seats, for example, should be replaced by more universal parking requirements by square footage. These standards have been modified in the chart below. In addition, a maximum parking standard has been added for some uses.

### Justification:

Many localities around the country are modernizing their parking standards to be more in line with current parking needs. In particular, more and more localities are bringing their standards in line with those recommended in the Institute of Transportation Engineers' Parking Generation Manual, as well as other national standards and recent standards adopted by other local governments. These standards show reductions in standards for many types of uses, which were formerly based on suburban models which quite often had excess parking capacity. In addition, capping excess parking at a maximum of 125% of the minimum parking requirement allows for right-sized parking lots and precludes large expanses of unused parking that aggravate stormwater runoff issues and are unsightly when viewed from the street. Many of these more modern parking standards also follow basic principles of Traditional Neighborhood Design by making for more compact, walkable and attractive communities.

### Suggested Amendments:

**Sec. 5-30. - Number of spaces required.**

(a) **Generally.** The minimum number of off-street parking spaces required for particular uses shall be as set forth in the following schedule. The requirements shall apply to any new building constructed, any enlargement of an existing building, any new use established or any conversion of or change in an existing use.

(b) **Existing buildings and uses.** In the case of any enlargement, expansion or change in an existing building or use that is nonconforming with regard to these requirements, the required number of spaces shall be the sum of the spaces provided prior to the enlargement, expansion or change and any additional spaces required by the schedule as a result of the enlargement, expansion or change.

(c) **Requirements in the central business district.** Off-street parking shall not be required for uses in the CB central business district, except hotels, motels, tourist homes, **and** bed and breakfast establishments, **and** dwelling units in a building with non-residential use.<sup>11</sup>

(d) **Schedule of parking requirements.**

	Use	Number of Spaces
(1)	Singe-family dwelling	2 per dwelling unit
(2)	Two-family dwelling	2 per dwelling unit
(3)	Townhouse	2 per each 1 to 2 bedrooms dwelling unit 3 per each 3 or more bedrooms dwelling unit <b>2 per dwelling unit<sup>12</sup></b>
(4)	Multifamily	2 per each 1 to 2 bedrooms dwelling unit 3 per each 3 or more bedrooms dwelling unit <b>2 per dwelling unit</b>
(5)	Dwelling unit in <b>B RB, GB or CB</b> district in a building with <b>nondwelling nonresidential use</b>	<b>1-1.5 per dwelling unit</b>
(6)	Manufactured home park	2 per manufactured home
(7)	Bed and breakfast	2, plus 1 per lodging unit
(8)	Family day home	2, plus 1 per nonresident employee
(9)	Child care center	1 per employee, plus 1 per 20 children enrolled, plus 1 for each facility vehicle
(10)	Adult day care home	2, plus 1 per nonresident employee

<sup>11</sup> Proposed revision to the parking exemption in the CB District. This will require the residential portion of mixed use buildings to provide off street parking.

<sup>12</sup> The requirements for Townhouses and Multi Family have been simplified to a spaces-per-dwelling unit count to simplify staff review of applications and to conform to more modern parking standards.

(11)	Adult day care center	2, plus 1 per employee
(12)	Group home	2, plus 1 per employee
(13)	Assisted care facility	1 per 4 beds, plus 1 per employee
(14)	Nursing home	1 per 3 beds, plus 1 per employee and staff
(15)	Rooming[house] or boardinghouse	1 per lodging unit, plus 2 per permanent residence
(16)	Church, other place of worship	1 per 4 seats in main auditorium or sanctuary 1 per 50 sq. ft. of assembly area <sup>13</sup>
(17)	Public or private school	2 per classroom, plus 1 per 300 sq. ft. other teaching space
(18)	Theater, auditorium, stadium, similar place of public assembly	1 per 4-5 seats (*)
(19)	Indoor or outdoor recreation facility	1 per 150 250 sq. ft. sq. ft. of improved recreation area (*)
(20)	Indoor or outdoor court game facility	1 per 2 players, based on court capacity
(21)	Bowling alley	4 per lane, plus 1 per table or booth for restaurant area
(22)	Golf course, country club	40 per 9 holes, plus 1 per employee
(23)	Miniature golf course	1.5 per hole, plus 1 per employee
(24)	Office	1 per 300 sq. ft. floor area (*)
(25)	Bank, other financial service	1 per 200 250 sq. ft. sq. ft. floor area, plus 5 stacking spaces per drive-up window (*)
(26)	Medical or dental clinic	5 per doctor, plus 1 per employee 1 per 250 sq. ft. (*)
(27)	Hospital	1 per 2 beds, plus 1 per employee and staff 1 per 250 sq. ft.
(28)	Hotel, motel or tourist home	1.2 per lodging unit
(29)	Funeral home	1 per 4 seats in chapels, plus 1 per 2 employees, plus 1 per company vehicle 1 per 150 sq. ft. of assembly area
(30)	Retail store or shop not otherwise listed, video rental store	1 per 250 sq. ft. floor area (*)

<sup>13</sup> Many of the parking standards that were based on occupancy have been converted to a standard spaces-per-square-foot standard. This is a more universal and user-friendly way of calculating parking requirements for most uses.

(31)	Personal service business, dance studio, laundromat, dry cleaning	1 per 250 sq. ft. floor area (*)
(32)	Furniture, carpet, appliance, building materials or supply, repair or wholesale business, art gallery	1 per 500 sq. ft. floor area (*)
(33)	Shopping center	4 per 1000 sq. ft. floor area 1 per 250 sq. ft. floor area (*)
(34)	Restaurant, including fast food, nightclub, cafe, amusement center	1 per 100 sq. ft. floor area 1 per 175 sq. ft. of enclosed assembly area, plus 8 stacking spaces per drive-up window (*)
(35)	Auto, truck service or repair, self-serve or gasoline service station	4 per service bay, plus stacking space at pump islands as required by site plan approval
[36]	Reserved]	
(37)	Self-service or automated auto wash	4 stacking spaces per self-service bay: Stacking and maneuvering space as required by site plan approval for automated facility
(38)	Miniwarehouse	3 for management office, plus 1 per employee, with a minimum of 4 spaces 3 plus 1 per 100 storage units
(39)	Manufacturing, processing or fabricating plant, research, warehouse or other industrial use	3 per 4 employees, plus 1 per vehicle regularly used in conjunction with the business or industry 1 per 1,250 sq. ft.
(*) Maximum parking is 125% of the minimum parking requirement		

Sec. 5-37. - Paving, drainage and delineation of spaces.

(a) Paving required. Parking areas containing five or more spaces and all related entrances, exits and driveways shall be paved with dustfree, all-weather hard surface material such as asphalt, asphalt and gravel seal coat, concrete, unit pavers or similar material approved by the zoning administrator.

(b) Exemption for certain parking areas. The requirements of paragraph [subsection] (a) of this section shall not apply to parking areas serving churches and other public and semipublic uses which, in the judgment of the zoning administrator, involve intermittent, infrequent or nondaily parking use, provided that sufficient improvements are made to ensure that the parking area is usable and that proper access and drainage are provided.

(c) Pervious or Semi-Pervious Surfacing. The use of pervious or semi-pervious parking lot surfacing materials—including, but not limited to—pervious asphalt and concrete, open joint pavers, and reinforced grass/gravel/shell grids may be approved for off street parking and loading areas except on industrial and other sites where there is reasonable expectation that petroleum and other chemical products will be spilled, and provided such surfacing is subject to an on-going maintenance program (e.g., sweeping, annual vacuuming). Any pervious or semi-pervious surfacing used for aisles within or driveways to parking and loading areas shall be certified by a design professional as capable of accommodating anticipated traffic loading stresses and maintenance impacts or as

approved by the Director of Public Works. Where possible, such materials should be used in areas proximate to and in combination with onsite stormwater control devices.<sup>14</sup>

(e) (d) **Drainage and grades.** All parking areas shall be designed and constructed with respect to drainage so as to prevent damage to abutting properties and public streets. No finished grade within any parking area shall exceed ten percent.

(d) (e) **Delineation of parking spaces.** Parking spaces shall be delineated by markings on the pavement surface. Wheel stops, curbs, walls, fences, shrubbery or other means shall be provided along the edges of parking areas where necessary to prevent parked vehicles from encroaching onto adjacent properties or into public streets and alleys, required yards or public walkways.

**Sec. 5-39. Screening of certain parking areas.**

Parking areas containing five or more spaces located in any district shall be screened from adjacent properties located in residential districts. An adjacent property shall be construed to be a property which abuts or is situated directly across a public alley from the parking area. A parking area need not be screened from another parking area containing five or more spaces located on an adjacent property. Screening shall be in accordance with the standards set forth in article V of this appendix, except that where screening is not required in conjunction with a transitional yard, the height of such screening may be reduced to four feet.<sup>15</sup>

**Sec. 5-40 5-39. - Off-street loading areas.**

Space for the loading and unloading of trucks and other vehicles shall be provided on sites developed for commercial and industrial uses. Loading areas shall be so located on the site and shall be of such dimensions as not to occupy or obstruct required off-street parking spaces or to obstruct any public street or any fire lane or emergency access route during the loading or unloading of vehicles. When necessary to meet the criteria, designated loading areas with adequate maneuvering space shall be shown on each site plan submitted for approval for commercial or industrial use and, subject to approval of such site plan, shall be provided and maintained on the site.

**Sec. 5-40. - Maintenance of Parking**

All parking and off-street loading areas, including those areas with pervious or semi-pervious parking lot surfacing materials shall be subject to an on-going maintenance program, and maintained in safe condition and good repair at all times so as not to constitute a hazard to public safety or a visual or aesthetic nuisance to surrounding land. All signage and pavement markings shall also be maintained.

**Sec. 5-41. - Maximum Motor Vehicle Parking**

In order to minimize the adverse impacts caused by improving large areas with impervious surfaces, including increased storm water run-off, urban heat island effects, and nonpoint source pollution, the total number of motor vehicle parking spaces serving a commercial use shall not exceed 125 percent of the minimum parking standards in the parking requirements table, in Sec. 5-30. (d), above, unless either of the following apply:

- (a) Any spaces in excess of 125 percent of the minimum number required are located in a structured parking facility; or
- (b) An alternative landscape plan that provides additional pervious landscape surfaces and increases stormwater filtration has been reviewed and approved by the Zoning Administrator, subject to Sec. 5-12 (j) above.

---

<sup>14</sup> This section was added to allow flexibility for those properties that desire to include pervious paving materials for a more environmentally friendly approach to development and potential credit toward stormwater management requirements.

<sup>15</sup> This section has been removed because parking perimeter screening requirements have been added above in Sec. 5-12.

## APPENDIX A - SUBDIVISIONS

### Sec. 2. – Definitions.

#### Recommendation:

Revise the definition of “setback” in the Subdivision Ordinance so that it matches the definition of setback in the Zoning Ordinance (Article X; Sec. 10-2; Words and Terms Defined).

#### Justification:

The term “setback” is defined in both the Zoning and Subdivision Ordinances and the definitions conflict with each other in that the definition used in the Subdivision Ordinance references a minimum distance, while the definition in the Zoning Ordinance only references a distance. Since we are recommending in some cases that maximum as well as minimum setbacks be required (as in the recommendations for the CB District on page 9, above).

#### Suggested Amendments:

##### Sec. 2. – Definitions.

*Setback. The minimum distance that a building must be set back from the front lot line or street right of way line. See *Building line*.*

*Setback. The distance a building, structure, feature or activity is separate from a lot line. Depending on the context, the term "setback" may refer to a front yard, side yard or rear yard.*

#### Recommendation:

Add a definition of “effective turning radius” in the definitions section.

#### Justification:

The turning radius between intersecting streets is an important element of urban design that influences the speed of turning vehicles, pedestrian safety, and pedestrian comfort. Reducing subdivision turning radii is also referenced in the State Code under Urban Development Areas<sup>16</sup>. In practice, the radius may be defined either by the distance that a vehicle actually travels when turning from one street to the other (effective turning radius) or as a simple minimum radius measured at the curb line, as in Vinton’s case. While defining the radius simply as the curb line is common, it can cause the minimum design radius to be longer than necessary for the type of vehicles anticipated to use the intersection. Using the effective turning radius as the basis of regulation may allow for actual radii that are less than what is presently required by the Town’s subdivision code. This is an important feature used to calm traffic and contribute to walkability<sup>17</sup>. Below, we have used the definition of Effective Turning Radius from the Roanoke Subdivision Ordinance as the basis for our recommendation.

#### Suggested Amendments:

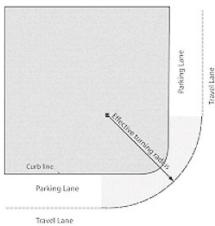
##### Sec. 2. – Definitions.

*Effective turning radius: The turning radius provided at the intersection of the travel lanes of two (2) streets.*

---

<sup>16</sup> See Virginia State Code § 15.2-2223.1.B.5.vii.

<sup>17</sup> A description of this principle, with illustrations, is given in FHWA guidance at the following link:  
[http://pedbikesafe.org/PEDSAFE/countermeasures\\_detail.cfm?CM\\_NUM=28](http://pedbikesafe.org/PEDSAFE/countermeasures_detail.cfm?CM_NUM=28)



### Sec. 3. – General requirements for subdivision of land.

#### Recommendation:

Reduce the minimum block size from 300 feet to 150 feet between intersections to better match the existing lotting patterns in the Town.

Reduce the maximum block size from 1,000 feet to 800 feet between intersections to conform to a more traditional neighborhood design. However, retain the existing provision that allows the planning commission to approve longer or shorter blocks for unusual existing conditions.

Replace the requirement of a mid-block crossing in blocks of 800 feet or greater with a requirement that the subdivider conduct an engineering study to determine the need for a mid-block crossing for any instance where a block of 800 feet or greater is proposed. The engineering study must consider elements that protect pedestrian safety at the mid-block crossing, such as signage, a pedestrian safety island, or rapid flashing beacons. Require installation of the crosswalk with safety measures as supported by the engineering study.

#### Justification:

Small block sizes support walkability and provide more route options for all users of a street. Blocks in downtown Vinton are typically between 300 and 400 feet in length. However, blocks in the older residential neighborhoods around downtown have block lengths typically 150-180 feet between intersections on their short sides. Reducing both the minimum and maximum length of blocks between intersections will help ensure that any new subdivisions platted in the Town will retain the traditional lotting pattern and walkability of the Town's historic traditional residential neighborhoods.

Mid-block crosswalks can help people access destinations but must be well designed to ensure they will be used and will protect pedestrian safety. Proper installation of a mid-block crosswalk is important, and VDOT requires an engineering study before any crosswalk markings can be installed across uncontrolled locations on roads that it controls. A similar level of scrutiny should be applied to mid-block crossings of new subdivision streets in Vinton. The requirement for an engineering study for long blocks will ensure that these crossings will be designed for pedestrian safety.

#### Suggested Amendments:

##### Sec. 3. – General requirements for subdivision of land.

(a) The owner or developer of a subdivision shall observe and comply with the following general requirements and principles of land subdivision ordinance in preparing the preliminary and final subdivision plats:

(6) Blocks, in general, shall not be longer than 800 feet or less than 150 feet between street intersections; provided, however, [that] in instances where topography or existing peculiar conditions require it, a longer or shorter block may be approved by the planning commission. In blocks 800 feet or greater in length, an engineering study must be conducted and submitted to the Zoning Administrator at the time of submission of a preliminary plat. The engineering study shall consider elements that protect pedestrian safety at the mid-block crossing, such as signage, a pedestrian safety island, or rapid flashing beacons. The installation of a mid block crosswalk with safety measures as supported by the engineering study may be required by the Zoning Administrator. A crosswalk shall be provided between cross streets in blocks 800 feet or more long.

Recommendation: Require that local streets with projected ADT less than 4,000 vehicles be designed with an effective turning radius of 15 to 20 feet. For all other streets, the turning radius would be controlled by the same VDOT standards that govern other streets in the Town. Note that the “effective turning radius” is recommended as a new definition in the definitions section (Section 3 (8)).

**Justification:** A larger turning radius supports higher speed turns, while a shorter (or tighter) turning radius slows the speed of turning vehicles providing greater pedestrian safety. Shorter turning radii at corners can also reduce pedestrian crossing distances. Turning radius is a key factor, although often overlooked, in the walkability and safety of a community's streets and is referenced in the State Code under UDAs, as noted above. There are ways to accommodate a fairly generous effective turning radius while maintaining a reasonably tight radius at the curb line. For example, the designer can increase the effective turning radius by adding bicycle lanes, parking lanes, or striping advance stop lines on the destination street.

**Suggested Amendments:**

**Sec. 3. – General requirements for subdivision of land.**

(a) The owner or developer of a subdivision shall observe and comply with the following general requirements and principles of land subdivision ordinance in preparing the preliminary and final subdivision plats:

(8) At street intersections, ~~for local streets with projected Average Daily Traffic of less than 4,000 vehicles, the property shall be rounded by an arc~~ ~~he shall be rounded by an arc~~ having an effective turning radius no less than 15 feet and no greater than 20 feet. ~~a radius of not less than 15 feet.~~ Property lines at ~~for~~ major street intersections ~~with projected Average Daily Traffic of 4,000 or more vehicles,~~ or at other locations where traffic hazards and congestion may be anticipated, shall be designed for a ~~an effective turning radius of not less than 20~~ ~~25~~ feet, or greater if deemed necessary.

**Sec. 13 – Improvements**

**Recommendation:**

Require sidewalks with a minimum width of 5 feet, and a planted strip of 6 feet in width between the curb and sidewalk with street trees, on both sides of all new streets created in the Town. Sidewalk minimum widths are 5 feet to accommodate ADA requirements. Planting strips need to be a minimum of six feet to allow for healthy tree growth and minimize sidewalk buckling from root intrusion.

**Justification:**

Sidewalks are the most basic building block of a walkable community. VDOT street improvement regulations now include required consideration of pedestrian and bike facilities. Many subdivision requirements, including those of the City of Roanoke, also require the provision of a buffer with street trees between the sidewalk and the street. Including a buffer with street trees between the sidewalk and the vehicle travel way increases pedestrian safety and comfort and helps beautify the streetscape in new residential neighborhoods. Street trees also provide benefits by cleaning the air of pollutants and can subtly help reduce traffic speeds on roads where they are planted by providing visual cues that the area is pedestrian-friendly.

**Suggested Amendments:**

**Sec. 13. – Improvements.**

(a) All plans and specifications shall be in conformity with requirements approved by the town for various types of physical improvements.

(b) The following improvements shall be required to be installed by the subdivider in subdivisions lying, in whole or in part, within the corporate limits of the town, when such subdivision shall include or involve any public street, any extension of the town water and sewer systems, any private water and sewer systems, any right-of-way connecting two public streets, or any casements for any of the foregoing; and the same shall be installed in strict accordance with the specifications provided herein as approved by the agent:

(7) The subdivider shall install a sidewalk at least five feet in width on both sides of any new street or road and include a buffer zone between the sidewalk and curb of 6 feet in width planted with deciduous streetscape trees at a spacing as required in paragraph (8) below. The sidewalk and buffer zone shall be within the dedicated right of way for a public street. No tree shall be planted within 20 feet of an intersection.

**Recommendation:**

Provide additional requirements for street trees to be provided not only on new streets but also on any improved streets. Also, provide standards for street tree planting in accordance with professional landscaping and engineering practice. The standards below were copied in large part from the City of Roanoke's standards.

**Justification:**

Many Vinton streets were originally planted with street trees but there is no requirement that new streets or street improvements include trees. Street trees give an attractive character to the streetscape, help clean air pollution and, as noted above, can subtly reduce traffic speeds. By incorporating these standards for any improved streets, Vinton can become gradually greener over time as streets are maintained and improved to incorporate trees within the right of way.

**Suggested Amendments:**

**Sec. 13. – Improvements.**

- (a) All plans and specifications shall be in conformity with requirements approved by the town for various types of physical improvements.
- (b) The following improvements shall be required to be installed by the subdivider in subdivisions lying, in whole or in part, within the corporate limits of the town, when such subdivision shall include or involve any public street, any extension of the town water and sewer systems, any private water and sewer systems, any right-of-way connecting two public streets, or any casements for any of the foregoing; and the same shall be installed in strict accordance with the specifications provided herein as approved by the agent:
  - (8) Street trees shall be planted along the entire length of any street being created or improved, exclusive of areas required to remain clear for the purposes of sight distance.
    - i. The minimum number of street trees required shall be calculated by dividing the block length, minus twenty (20) feet of sight distance required at each corner of the block, by thirty (30). Any fractional remainder may be rounded down to a whole number.
    - ii. Street trees shall be provided in the planted strip between the sidewalk and curb or within tree grates located in an extended-width sidewalk. Street trees shall be located with centers a minimum of three (3) feet from the back of the curb in a planted strip or in tree grates along an extended-width sidewalk. A minimum of five (5) feet of clearance shall be maintained between street trees and underground utilities.
    - iii. Street trees shall be planted in accordance with the Standardized Landscape Specifications for the Commonwealth of Virginia, 2000, jointly adopted by the Virginia Nurserymen's Association, the Virginia Society of Landscape Designers, and the Virginia Chapter of the American Society of Landscape Architects.
    - iv. All trees required by this section shall be a minimum of 2.5 inches caliper at breast height at the time of planting and shall be of a hardy type that are recommended for street tree installation in the hardiness zone of the Town.

## Conclusion and Implementation

---

The above sections describe the proposed amendments to both the Zoning and Subdivision Ordinance language in the Code of the Town of Vinton. The proposed amendments will be presented to the citizens of Vinton and to the elected and appointed officials of the Town, its Town Council and Planning Commission, for consideration of their appropriateness and potential implementation. In order to make any changes to the Town Code, a public hearing must be held, and the Town Council will have to vote to approve any Code changes in a public session. These amendments are intended to work together as a whole, in order to implement the Traditional Neighborhood Design principles in the State's UDA legislation, as well as to enhance Vinton's quality of life by making it safer, more pedestrian friendly with streets that are greener and more attractive. However, the amendments can also be implemented incrementally over time and even partial adoption of some of the proposed amendments should go a long way to realizing the goal of making the Town more attractive, safer and more pedestrian friendly over time.